

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Expenditure of Tribal Funds by Programs Funded by the Bureau of Indian Affairs P.L. 93-638 Contract if the United States Congress Continues to Fund Programs by Continuing Resolution)

RESOLUTION NO. 06-830

1 **WHEREAS, pursuant to Resolution No. 06-212 the Tohono O'odham Legislative Council approved**
2 **fiscal year 2007 budgets for the Nation's programs funded by the Bureau of Indian**
3 **Affairs P.L. 93-638 contracts; and**

4 **WHEREAS, Resolution No. 06-212 contains language stating that the Legislative Council approves**
5 **the budgets and "authorizes the programs to expend funds as budgeted, subject to**
6 **Congressional appropriation of funding in FY 2007 or Continuing Resolutions;" and**

7 **WHEREAS, the Department of the Interior and Related Agencies appropriations bill for FY 2007,**
8 **which includes funding for the Bureau of Indian Affairs, has not been enacted by**
9 **Congress, and will not likely be acted upon by Congress until January or February,**
10 **2007, and therefore certain federal agencies and tribal 638 contractors are currently**
11 **funded by congressional continuing resolutions only; and**

12 **WHEREAS, the first continuing resolution, enacted by Public Law 109-289, division B, provided**
13 **funding until November 17, 2006, equivalent to 13.5% of the FY2006 annual**
14 **appropriation, and the second continuing resolution, enacted by Public Law 109-369,**
15 **provided funding until December 8, 2006, equivalent to approximately 18.9% of the**
16 **FY2006 annual appropriation; and**

17 **WHEREAS, it is anticipated that additional federal continuing resolutions will be needed to fund**
18 **Department of Interior programs and tribal 638 contracted programs beyond**
19 **December 8, 2006; and**

20 **WHEREAS, certain of the Nation's programs funded by the Bureau of Indian Affairs P.L. 93-638**
21 **contract have a need to expend funds in excess of the funds made available by the**
22 **federal continuing resolutions, but within the amounts budgeted and approved by**
23 **Resolution No. 06-212, but are prevented from expending those amounts by the**
24 **restrictive "subject to Congressional appropriation of funding in FY 2007 or**
25 **Continuing Resolutions" language in that resolution; and**

26 **WHEREAS, this resolution has been reviewed by the Budget & Finance Committee.**

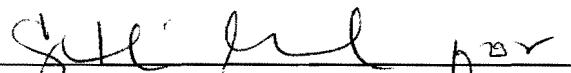
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**(Authorizing Expenditure of Tribal Funds by Programs Funded by the Bureau of Indian Affairs P.L. 93-638 Contract if the United States Congress Continues to Fund Programs by Continuing Resolution)
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1 NOW, THEREFORE, BE IT RESOLVED that, until such time that the Department of Interior
2 appropriations bill for FY2007 is enacted by Congress, or until further action on this
3 matter by the Legislative Council, the Tohono O'odham Legislative Council hereby
4 authorizes programs funded by the P.L. 93-638 Bureau of Indian Affairs contract to
5 expend funds from the Nation's general fund, up to a maximum of 50% of that
6 program's FY2007 approved budget, in the event that their spending needs exceed the
7 funds provided by the federal continuing resolutions.

8 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08TH. Day
9 of DECEMBER, 2006 at a meeting at which a quorum was present with a vote of 2,026.1 FOR; -0-
10 AGAINST; 414.7 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by
11 Section 1(d)(2) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the
12 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
13 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
14 18, 1934 (48 Stat. 984).

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16 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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19 
20 Verlon M. Jose, Legislative Chairman
21
22 12 day of December, 2006
23

24 ATTEST:

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28 Lucille Lopez, Acting Legislative Secretary
29
30 08 day of December, 2006.
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32 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
33 O'Odham Nation on the 12 day of December, 2006 at 4:28 o'clock, P.M.,
34 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
35 upon her approval or upon her failure to either approve or disapprove it within 48 hours of
36 submittal.

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38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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42 Verlon M. Jose, Legislative Chairman
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APPROVED

on the 13th day of December, 2006

DISAPPROVED

at 9:46 o'clock, A.M.

Vivian Juan Saunders
VIVIAN JUAN SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13 day of

December, 2006, at 8:50 o'clock, A.M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: AUTHORIZING EXPENDITURE OF TRIBAL FUNDS BY PROGRAMS FUNDED BY THE BUREAU OF INDIAN AFFAIRS P.L. 93-638 CONTRACT IF THE UNITED STATES CONGRESS CONTINUES TO FUND PROGRAMS BY CONTINUING RESOLUTION

Moved: COUNCILMAN GERALD FAYUANT

Second: COUNCILWOMAN SANDRA ORTEGA

DATE: DECEMBER 08, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (<i>Absent</i>) (Vernon J. Smith) (<i>Present</i>)	155.40	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Lucilda J. Valenzuela (Norris))(<i>Present</i>)	155.40	X			
CHUKUT KUK 258.7	1. ETHEL GARCIA ()	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
GU ACHI 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80			X	
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80			X	
GU VO 193.1	1. RAYMOND VICTOR ()	96.55			X	
	2. MICHAEL FLORES (Grace Manuel)	96.55			X	
HICKIWAN 167.4	1. (Vacant) ()	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. (Vacant) ()	84.50	X			
	2. GLORIA RAMIREZ ()	84.50	X			
SAN XAVIER 193.8	1. FELICIA NUÑEZ ()	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
SCHUK TOAK 146.9	1. FRANCES B. CONDE ()	73.45	X			X
	2. PHYLLIS JUAN ()	73.45	X			
SELLS 421.0	1. MARLENE SARAFICIO-JUAN ()	210.50	X			
	2. EVELYN B. JUAN MANUEL (<i>Absent</i>) (Kimberly Listo) (<i>Present</i>)	210.50	X			
SIF OIDAK 186.7	1. WVALENE ROMERO (Isidro Lopez)	93.35	X			X
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			
TOTAL		2,440.80	2,026.1	-0-	414.7	[02]

**PASSED VOTES