

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the FY 2010 Department of Health and Human Services Title IV-B Subparts
1 & 2 Budgets for Division of Child Welfare; and Approving the 10% Indirect
Cost Rate for Title IV-B Budgets)

RESOLUTION NO. 09-308

1 **WHEREAS, the Tohono Oodham Nation has historically contracted certain functions from the**
2 **Department of Health and Human Services; and**

3 **WHEREAS, the Tohono O'odham Nation has operated and wishes to continue operating a Division**
4 **of Child Welfare Services to intervene against child abuse and neglect and to promote**
5 **safe and stable families; and**

6 **WHEREAS, the Title IV -B, Subparts 1 & 2 grants require a 25% match, which the Nation matches**
7 **through the P.L. 93-638 master contract, specifically the BIA Social Services budget for**
8 **child welfare services and the BIA ICWA budget for Family Preservation Program, as**
9 **authorized by both P.L. 93- 638 and the Department of Health and Human Services;**
10 **and**

11 **WHEREAS, these Title IV -B, Subparts 1 & 2 Budgets are authorized for only a two year expenditure**
12 **period, beginning October 1, 2009 and ending September 30, 2011, funding only the**
13 **two fiscal years of FY 2010 and FY 2011; and**

14 **WHEREAS, the Department of Health and Human Services has provided estimated allocation**
15 **amounts for these budgets as:**

- 16 **1. \$128,812.00 for Title IV-B, Subpart 1 Budget, Acct. xx-xxxx.**
- 17 **2. \$269,013.00 for Title IV-B, Subpart 2 Budget, Acct. xx-xxxx; and**

18 **WHEREAS, the U.S. Department of Health and Human Services, Administration for Children and**
19 **Families (ACF), has notified the Department that The Child and Family Services**
20 **Improvement Act of 2006 (Public Law 109-288) restricts administrative costs to 10%**
21 **starting October 1, 2007 for these Title IV -B budgets, and the Department requests**
22 **approval to submit these budgets with the following restricted 10% amount for**
23 **indirect costs as:**

- 24 **1. \$9,256.58 Indirect Costs for Title IV-B, Subpart 1 Budget, xx-xxxx.**
- 25 **2. \$21,255.73 Indirect Costs for Title IV-B, Subpart 2 Budget, xx-xxxx; and**

26 **WHEREAS, the Executive Branch developed and obtained committee approval of the budgets**
27 **attached and incorporated by this reference, to be effective October 1, 2009 through**
28 **September 30, 2010 and requests authorization to expend funds over the fiscal year**
29 **of FY 2010.**

30 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
31 **approve and authorize the Executive Branch to expend funds for the budgets attached,**
32 **effective October 1, 2009 through September 30, 2010, inclusive of budget**

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Page 2 of 3

1 1. FY10 Title IV-B, Subpart 1 Budget, Acct. xx-xxxx = \$128,812.00.

2 2. FY10 Title IV-B, Subpart 2 Budget, Acct. xx-xxxx = \$269,013.00.

3 **BE IT FURTHER RESOLVED** that the Executive Branch is authorized to restrict the Indirect Cost
4 to 10% in Title IV-B budgets as required by The Child and Family Services
5 Improvement Act of 2006 (Public Law 109-288) in the following amounts:

6 1. \$9,256.58 Indirect Cost for Title IV-B, Subpart 1 Budget, xx-xxxx.

7 2. \$21,255.73 Indirect Cost for Title IV-B, Subpart 2 Budget, xx-xxxx.

8 **BE IT FINALLY RESOLVED** that the Tohono O'odham Nation Legislative Council hereby authorizes
9 Chairman and any designated official to expend and administer the budget as
10 attached, provided that any budget amendments affecting the funds or funding levels
11 shall be submitted for further prior approval by the Tohono O'odham Legislative
12 Council.

13 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22ND Day
14 of MAY, 2009 at a meeting at which a quorum was present with a vote of 2,335.3 FOR; -0- AGAINST;
15 -0- NOT VOTING; and 199.2[06] ABSENT, pursuant to the powers vested in the Council by Article VI
16 Section 1 (d)(2) and (3) of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono
17 O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
18 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
19 Stat. 984).

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21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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26 Verlon M. Jose, Legislative Chairman

27
28 30th day of June, 2009

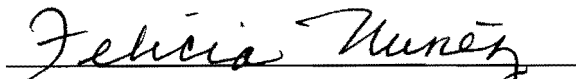
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31 **ATTEST:**

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34 _____
35 Evonne Wilson, Legislative Secretary

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37 22 day of May, 2009.

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39 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
40 Nation on the 30th day of June, 2009 at 3:37 o'clock, 7 .M.,
41 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
42 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
43 submittal.

44 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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46 
47 Verlon M. Jose, Legislative Chairman

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Page 3 of 3


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APPROVED

on the 01 day of July, 2009

DISAPPROVED

at 4:10 o'clock, P.M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 1 day of

July, 2009, at 4:50 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING THE FY 2010 DEPARTMENT OF HEALTH AND HUMAN SERVICES TITLE IV-B SUBPARTS 1 & 2 BUDGETS FOR DIVISION OF CHILD WELFARE; AND APPROVING THE 10% INDIRECT COST RATE FOR TITLE IV-B BUDGETS

MOVED: COUNCILWOMAN CYNTHIA E. MANUEL

SECOND: COUNCILWOMAN SANDRA ORTEGA

DATE: MAY 22, 2009

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 316.9	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			X
CHUKUT KUK 264.8	1. ETHEL GARCIA ()	132.40	X			
	2. VERLON M. JOSE ()	132.40	X			X
GU ACHI 227.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ()	113.95	X			
GU VO 199.2	1. GRACE MANUEL ()	99.60				X
	2. RAYMOND VICTOR ()	99.60				X
HICKIWAN 172.0	1. MICHELLE ORTEGA ()	86.00	X			X
	2. SANDRA ORTEGA (Louie Lopez)	86.00	X			
PISINEMO 182.4	1. CHESTER ANTONE (<i>Absent</i>) (Tony Murrietta) (<i>Present</i>)	91.20	X			
	2. GERALD FAYUANT ()	91.20	X			
SAN LUCY 181.1	1. LORRAINE EILER ()	90.55	X			
	2. GLORIA RAMIREZ ()	90.55	X			
SAN XAVIER 196.5	1. FELICIA NUÑEZ ()	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
SCHUK TOAK 154.6	1. FRANCES B. CONDE (<i>Absent</i>) (Frederick Jose) (<i>Present</i>)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
SELLS 444.7	1. KIMBERLY LISTO ()	222.35	X			
	2. EVELYN B. JUAN MANUEL ()	222.35	X			
SIF OIDAK 194.4	1. WAVALENE ROMERO ()	97.20	X			X
	2. MARY LOPEZ ()	97.20	X			