

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the FY 2012 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)

RESOLUTION NO. 11-245

1 **WHEREAS, the Tohono O'odham 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 budget for Family Preservation Program, as**
9 **authorized by both P.L. 93-638 and the Department of Health and Human Services; and**

10 **WHEREAS, these Title IV -B, Subparts 1 & 2 Budgets are authorized for only a two year expenditure**
11 **period, beginning October 1, 2011 and ending September 30, 2012, funding only the two**
12 **fiscal years of FY 2012 and FY 2013; and**

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

- 15 1. **\$133,865.00 for Title IV-B, Subpart 1 Budget, Acct. 11-xxxx.**
16 2. **\$251,601.00 for Title IV-B, Subpart 2 Budget, Acct. 11-xxxx; and**

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

- 23 1. **\$11,010.45 Indirect Costs for Title IV-B, Subpart 1 Budget, 11-xxxx.**
24 2. **\$20,781.91 Indirect Costs for Title IV-B, Subpart 2 Budget, 11-xxxx; and**

25 **WHEREAS, the Health and Human Services Committee and the Budget and Finance Committee**
26 **of the Legislative Council have reviewed this Budget and recommend its approval and**
27 **adoption.**

28 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council does hereby**
29 **approve and authorize the Executive Branch to expend funds for the budgets attached,**
30 **effective October 1, 2011 through September 30, 2012, inclusive of budget**
31 **modifications throughout this period, in the following amounts:**

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- 1 1. FY11 Title IV-B, Subpart 1 Budget, Acct. 11-xxxx = \$133,865.00.
2 2. FY11 Title IV-B, Subpart 2 Budget, Acct. 11-xxxx = \$251,601.00.

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

- 6 1. \$11,010.45 Indirect Cost for Title IV-B, Subpart 1 Budget, 11-xxxx.
7 2. \$20,781.91 Indirect Cost for Title IV-B, Subpart 2 Budget, 11-xxxx; and
8 3. Should the Title IV-B Subparts 1 & 2 grants not receive further funding. The
9 Tohono O'odham Nation will not be obligated to utilize the Nation's resources
10 beyond the final year.

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

16 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST Day**
17 **of JUNE, 2011 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST;**
18 **-0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Article VI,**
19 **Section 1 (d)(2) and (3) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono**
20 **O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -**
21 **Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48**
22 **Stat. 984).**

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24 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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28 **Timothy Joaquin, Legislative Chairman**

29
30 5 day of July, 2011

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33 **ATTEST:**

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37 **Evonne Wilson, Legislative Secretary**

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39 30 day of June, 2011
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 5 day of July, 2011 at 4:05 o'clock, P.M., pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Timothy Joaquin, Legislative Chairman

APPROVED

on the 6 day of July, 2011

DISAPPROVED

at 12:27 o'clock, P.M.


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

Returned to the Legislative Secretary on the 6 day of

July, 2011, at 2:16 o'clock, P.M.


Evonne Wilson, Legislative Secretary

ACTION: APPROVING THE FY 2012 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

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

DATE: JUNE 21, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE ()	100.35	X			X
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS ()	107.90	X			X
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. CONDE ()	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ()	237.85	X			
SIF Oidak 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,780.60	-0-	-0-	[02]