

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing the Investigation of Risks Associated with 2009 H1N1 Influenza-  
Related Deaths on the Tohono O'odham Nation)**

**RESOLUTION NO. 11-587**

- 1 **WHEREAS, the Legislative Council is vested with the authority “to promote, protect and provide**  
2 **for public health, peace, morals, education and general welfare of the Tohono**  
3 **O’odham Nation and its members” (Constitution, Article VI, Section 1(c)(2)); and**
- 4 **WHEREAS, there was a four times higher than expected number of deaths in 12 states, including**  
5 **Arizona, from the 2009 pandemic H1N1 influenza among American Indian and Alaskan**  
6 **Natives compared to all other races; and**
- 7 **WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”), the U.S. Indian**  
8 **Health Service, the Arizona Department of Health Services, and four other states**  
9 **(collectively, “the investigators”) are collaborating to conduct an investigation to**  
10 **address the disparity of deaths from the 2009 pandemic H1N1 influenza among**  
11 **American Indians and Alaskan Natives as well as other races and ethnicities; and**
- 12 **WHEREAS, the investigators feel it is important to work collaboratively with tribes, including**  
13 **Tohono O’odham Nation community members, in order to gather information to**  
14 **influence policy and the public health response; and**
- 15 **WHEREAS, the investigation’s purpose is to find ways to reduce influenza-related deaths among**  
16 **American Indians and Alaskan Natives by examining medical histories and conducting**  
17 **interviews looking for factors that may be associated with a higher mortality rate from**  
18 **the 2009 pandemic H1N1 influenza; and**
- 19 **WHEREAS, the investigation hopes to answer two main questions:**
- 20 **1. Is race an independent risk factor associated with deaths related to 2009 pandemic**  
21 **H1N1 influenza in Arizona, Alaska, New Mexico, Oklahoma and Wyoming?**
- 22 **2. Are there different risk factors associated with deaths related to the 2009**  
23 **pandemic H1N1 influenza between American Indians and Alaskan Natives versus**  
24 **other races in Arizona, Alaska, New Mexico, Oklahoma and Wyoming?; and**
- 25 **WHEREAS, there is no cost to the Tohono O’odham Nation to conduct this investigation; and**
- 26 **WHEREAS, all identifying information collected by the investigators shall be kept confidential in**  
27 **accordance with strict measures and protocols in place to maintain the confidentiality**  
28 **and privacy of participants; and**
- 29 **WHEREAS, the investigators will share aggregated data with the Nation’s Department of Health**  
30 **and Human Services in a manner that protects the participants’ confidentiality and**  
31 **privacy; and**

**RESOLUTION NO. 11-587**

**(Authorizing the Investigation of Risks Associated with 2009 H1N1 Influenza-Related Deaths on the Tohono O'odham Nation)**

**Page 2 of 4**

1 **WHEREAS, the Tohono O'odham Legislative Health and Human Services Committee understands**  
2 **that the goal of the investigation will be to provide unique insight into the health**  
3 **issues and disparities that affected those who died related to the 2009 pandemic H1N1**  
4 **influenza in order to prevent future deaths from influenza; and**

5 **WHEREAS, participation by the Tohono O'odham Nation and Nation's members is critical for the**  
6 **investigation to find statistically significant results; and**

7 **WHEREAS, participation of the Tohono O'odham Nation in the investigation will assure that the**  
8 **experiences of the Nation's members are considered and that the investigation results**  
9 **will help prevent deaths in the future from influenza; and**

10 **WHEREAS, the investigators shall work in partnership with Tohono O'odham Nation, which**  
11 **entails following all protocols and adhering to all the policies, including protecting**  
12 **the privacy and confidentiality of participants of the Tohono O'odham Nation; and**

13 **WHEREAS, should the investigators decide to publish the results of this investigation, the**  
14 **investigators shall do so without identifying any specific tribe and only to assist tribal,**  
15 **county, state and federal health agencies in preventing deaths from the 2009**  
16 **pandemic H1N1 influenza and to provide evidence for policy changes such as**  
17 **prioritization of vaccine or antiviral medications; and**

18 **WHEREAS, any publication using information collected on the Nation must first be approved by**  
19 **Tohono O'odham Legislative Council resolution before publication.**

20 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council authorizes and**  
21 **supports the investigation of the 2009 pandemic H1N1 influenza-related deaths on the**  
22 **Tohono O'odham Nation; provided that:**

- 23 **1. The investigators shall work in partnership with the Nation's Department of**  
24 **Health and Human Services and share aggregated data;**
- 25 **2. Any information gathered from Nation's members shall remain confidential and**  
26 **private;**
- 27 **3. The investigators shall conduct interviews and gather information in a culturally**  
28 **sensitive manner; and**
- 29 **4. Any publication using information collected on the Nation must first be approved**  
30 **by Tohono O'odham Legislative Council resolution before publication.**

31 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the**  
32 **investigation of the 2009 pandemic H1N1 influenza-related deaths on the Tohono**  
33 **O'odham Nation.**

RESOLUTION NO. 11-587

(Authorizing the Investigation of Risks Associated with 2009 H1N1 Influenza-Related Deaths on the Tohono O'odham Nation)

Page 3 of 4

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup> Day of DECEMBER, 2011 at a meeting at which a quorum was present with a vote of 2,594.30 FOR; -0- AGAINST; 186.30 [04] NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 (c)(2) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

*Timothy Joaquin*

Timothy Joaquin, Legislative Chairman

13 day of December, 2011

ATTEST:

*Evonne Wilson*

Evonne Wilson, Legislative Secretary

9 day of December, 2011

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 13 day of December, 2011 at 9:40 o'clock, A.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*

Timothy Joaquin, Legislative Chairman

APPROVED

on the 13 day of December, 2011

DISAPPROVED

at 5:20 o'clock, P.M.

*Ned Norris, Jr.*

NED NORRIS, JR., CHAIRMAN

TOHONO O'ODHAM NATION

**RESOLUTION NO. 11-587**


**(Authorizing the Investigation of Risks Associated with 2009 H1N1 Influenza-Related Deaths on the Tohono O'odham Nation)**

**Page 4 of 4**

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Returned to the Legislative Secretary on the 14 day of

December, 2011, at 9:43 o'clock, a.M.



**Evonne Wilson, Legislative Secretary**

**ACTION: AUTHORIZING THE INVESTIGATION OF RISKS ASSOCIATED WITH 2009 H1N1 INFLUENZA-RELATED DEATHS ON THE TOHONO O'ODHAM NATION**

**MOVED: COUNCILMAN CHESTER ANTONE**

**SECOND: COUNCILWOMAN FRANCES G. ANTONE**

**DATE: DECEMBER 07, 2011**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQIVARI</b> <b>342.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			X
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
<b>CHUKUT KUK</b> <b>302.2</b>	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> <b>244.9</b>	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X		X	
<b>GU VO</b> <b>226.7</b>	1. GRACE MANUEL (Floyd Flores)	113.35	X			X
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			
<b>HICKIWAN</b> <b>186.3</b>	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15			X	
	2. SANDRA ORTEGA ( )	93.15			X	X
<b>PISINEMO</b> <b>200.7</b>	1. CHESTER ANTONE ( )	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X		X	
<b>SAN LUCY</b> <b>204.6</b>	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> <b>215.8</b>	1. HILARION CAMPUS ( )	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X		X	
<b>SCHUK TOAK</b> <b>169.8</b>	1. FRANCES B. CONDE ( )	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> <b>475.7</b>	1. ARTHUR WILSON ( <i>Absent</i> ) (Kimberly Mull) ( <i>Present</i> )	237.85	X			
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF OIDAK</b> <b>211.9</b>	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			X
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,594.30</b>	<b>-0-</b>	<b>186.30</b> <b>[04]</b>	<b>[04]</b>