

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Submission of the Tohono O'odham Nation's Challenge of IHBG
Formula Data to HUD)**

RESOLUTION NO. 18-097

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation ("Nation") vests the Legislative
2 Council with the power to enact laws "to promote, protect and provide for public
3 health, peace, morals education and general welfare of the Tohono O'odham
4 Nation and its members" and to "consult with the Congress of the United States
5 and appropriate federal agencies regarding federal activities that affect the
6 Tohono O'odham Nation and all federal appropriation estimates. . ."
7 (Constitution, Article VI, Section 1(c)(2) and Section 1(j)); and

8 **WHEREAS,** the Tohono O'odham Ki:Ki Association ("TOKA") is the Nation's tribally
9 designated housing entity in accordance with the Native American Housing
10 Assistance and Self-Determination Act of 1996, 25 U.S.C §4101, et seq., P.L. 104-
11 330, 110 Stat. 4016 ("NAHASDA"); and

12 **WHEREAS,** the Nation receives its share of annual NAHASDA funding via the Indian Housing
13 Block Grant ("IHBG") formula; and

14 **WHEREAS,** the Nation's estimated IHBG allocations for Fiscal Years 2018 and beyond, which
15 were prepared and published by the Department of Housing and Urban
16 Development ("HUD"), represent a significant reduction from Fiscal Year 2017
17 due to the introduction of a new data source, the American Community Survey,
18 and a new data set, 2010 Census data; and

19 **WHEREAS,** pursuant to 24 CFR 1000.336, "an Indian tribe, TDHE, or HUD may challenge data
20 used in the IHBG formula...An Indian tribe or TDHE that seeks to appeal data or
21 a HUD formula determination, and has data in its possession that are
22 acceptable to HUD, may submit the data and proper documentation to HUD";
23 and

24 **WHEREAS,** in accordance with the guidelines set forth in "Challenging U.S. Decennial
25 Census Data: Guidelines for the Indian Housing Block Grant Formula" (HUD-
26 4119; 7/19), the Nation conducted a household survey from November 2017 until
27 February 2018 to collect housing needs data that could be used to challenge and
28 replace the data incorporated by HUD into the IHBG formula to determine the
29 Nation's IHBG allocation for Fiscal Years 2018 and beyond; and

30 **WHEREAS,** TOKA and the Nation's consultant, Big Water Consulting, summarized the
31 Nation's household survey data set, which is incorporated by this reference, and
32 prepared the Nation's Census Challenge Submission (collectively, "Census
33 Challenge Summary and Submission Documents"); and

34 **WHEREAS,** the Housing Committee reviewed and recommends approval of the Census
35 Challenge Summary and Submission Documents.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the
Census Challenge Summary and Submission Documents.

BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the
Executive Director of TOKA to submit the Census Challenge Summary and
Submission Documents, and supporting forms and documentation, to HUD on
its behalf for the purpose of challenging the decennial census and American
Community Survey data incorporated in the Indian Housing Block Grant
formula.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST
day of MARCH, 2018 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0-
AGAINST; -0- NOT VOTING; and [07] ABSENT, pursuant to the powers vested in the Council by
Article VI, Section 1(c)(2) and Section 1(j) 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 C. Joaquin
Timothy Joaquin, Legislative Chairman

21 day of March, 2018

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

21 day of March, 2018

Said Resolution was submitted for approval to the office of the Chairman of the Tohono
O'odham Nation on the 21 day of March, 2018 at 4:13 o'clock, P.m.,
pursuant to the provisions of Section 5 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 C. Joaquin
Timothy Joaquin, Legislative Chairman

RESOLUTION NO. 18-097

(Approving Submission of the Tohono O'odham Nation's Challenge of IHBG Formula Data to HUD)

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APPROVED

on the 21 day of March, 2018

DISAPPROVED

at 7:45 o'clock, p.m.


EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of

March, 2018, at 9:21 o'clock, a.m.


Evonne Wilson, Legislative Secretary

ACTION: APPROVING SUBMISSION OF THE TOHONO O'ODHAM NATION'S CHALLENGE OF IHBG FORMULA DATA TO HUD

Moved: COUNCILMAN BILLMAN LOPEZ

SECOND: VICE CHAIRMAN QUINTIN C. LOPEZ

DATE: MARCH 21, 2018

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDA 235.8	1. MARY LOPEZ ()	117.9	X			X
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			
	2. ADRIANNE TILLER (<i>Absent</i>) (Idaleen Reyes) (<i>Present</i>)	263.6	X			X
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			X
	2. JANICE FELIX ()	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			X
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			X
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina)	104.5	X			
	2. SANDRA D. ORTEGA ()	104.5	X			X
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (<i>Absent</i>) (Victoria Hobbs) (<i>Present</i>)	135.45	X			X
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	3,084.6	-0-	-0-	[07]