

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Nation's Written Comments on the Proposed Distribution of CARES Act Education Stabilization Funds to Bureau of Indian Education Funded Schools and Tribally-Controlled Colleges and Universities)

RESOLUTION NO. 20-149

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the authority to "promote, protect and provide for public health, peace, morals,
3 education and general welfare of the Tohono O'odham Nation and its members"
4 and to "consult, negotiate and conclude agreements and contracts on behalf of
5 the Tohono O'odham Nation with Federal, State and local governments or other
6 Indian tribes or their departments, agencies, or political subdivisions . . ."
7 (Constitution, Article VI, Section 1(c)(2) and Section 1(f)); and

8 **WHEREAS,** written comments submitted on the Nation's behalf to federal, state, and local
9 governments on proposed rules, regulations, and laws or on actions or proposed
10 actions that may affect the Nation require Legislative Council approval (I Tohono
11 O'odham Code Chapter 3); and

12 **WHEREAS,** in response to the COVID-19 pandemic, Congress enacted the CARES Act, which
13 included an Education Stabilization Fund administered by the U.S. Department
14 of Education; and

15 **WHEREAS,** on April 30, 2020, the Department of Education and the Bureau of Indian
16 Education ("BIE") hosted the second rescheduled listening session to receive
17 input from tribal leaders regarding the distribution of the \$153 million in funds
18 reserved for BIE programs in the CARES Act Education Stabilization Fund
19 administered by the Department of Education and invited comments to be
20 submitted about the proposed distribution; and

21 **WHEREAS,** the listening sessions focused on the following issues:

- 22 (1) the needs of BIE-funded schools and their students as a result of the
23 COVID-19 crisis;
- 24 (2) the physical and mental health needs of students at BIE-funded schools
25 due to the COVID-19 crisis;
- 26 (3) possibilities for prioritization of CARES Act funding, including funding to
27 address internet connectivity, support for distance learning, and the
28 purchase of additional education technology; and
- 29 (4) the distribution method for the funding, specifically whether the funding
30 should be distributed only to K-12 BIE funded schools or if the funding
31 should be distributed to Tribal Colleges and Universities (TCUs)

32 ; and

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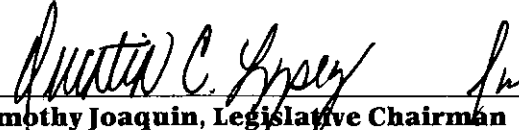
1 **WHEREAS, the Human Resources Development Committee has drafted comments to be**
2 **submitted to the Secretaries of the U.S. Department of Education and the U.S.**
3 **Department of the Interior; and**

4 **WHEREAS, the Chairman's Office, Human Resources Development and Appropriations**
5 **Committees have reviewed the comments, which is attached and incorporated by**
6 **this reference, and recommend submitting the comments.**


7 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the**
8 **written comments to the Proposed Distribution of CARES Act Education**
9 **Stabilization funds to Bureau of Indian Education Funded schools and Tribally-**
10 **Controlled Colleges and Universities for submission to the Secretaries of the U.S.**
11 **Department of Education and the Department of the Interior and authorizes the**
12 **Nation's Chairman to submit the written comments on behalf of the Nation.**

13 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 05TH**
14 **day of MAY, 2020 at a meeting at which a quorum was present with a vote of 3,175.7 FOR; -0-**
15 **AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
16 **Article VI, Section 1(c)(2) and Section 1(f) of the Constitution of the Tohono O'odham Nation,**
17 **adopted by the Tohono O'odham Nation on January 18, 1986; approved by the Acting Deputy**
18 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**
19 **Act of June 18, 1934 (48 Stat.984).**

20
21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

22
23 
24 _____
25 Timothy Joaquin, Legislative Chairman
26
27 5 day of May, 2020
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30 **ATTEST:**

31 
32 _____
33 Evonne Wilson, Legislative Secretary
34
35 5 day of May, 2020
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37 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
38 **O'odham Nation on the 6 day of May, 2020 at 1:05 o'clock, P.m.,**
39 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
40 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
41 **hours of submittal.**
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



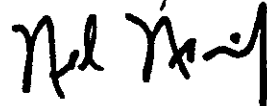
Timothy Joaquin, Legislative Chairman

APPROVED

on the 10th day of May, 2020

DISAPPROVED

at 2:00 o'clock, p.m.



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

Returned to the Legislative Secretary on the 6 day of

May, 2020, at 2:52 o'clock, p.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING THE NATION'S WRITTEN COMMENTS ON THE PROPOSED DISTRIBUTION OF CARES ACT EDUCATION STABILIZATION FUNDS TO BUREAU OF INDIAN EDUCATION FUNDED SCHOOLS AND TRIBALLY-CONTROLLED COLLEGES AND UNIVERSITIES

MOVED: VICE CHAIRMAN QUINTIN C. LOPEZ

SECOND: COUNCILWOMAN MARLAKAY HENRY

DATE: MAY 05, 2020

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling)	192.40	X			
	2. ALBERTA J. RAY (Frances G. Antone)	192.40	X			
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (<i>Absent</i>) (Juanita Homer) (<i>Present</i>)	173.75	X			
	2. MARLAKAY HENRY (Billman Lopez)	173.75	X			
GU ACHI 279.3	1. VICTORIA HOBBS ()	139.65	X			
	2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65	X			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores)	132.25	X			
	2. GRACE MANUEL ()	132.25	X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA ()	106.90	X			X
	2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90	X			
PISINEMO 230.7	1. MONICA K. MORGAN ()	115.35	X			X
	2. MARIETTA MARTIN ()	115.35	X			
SAN LUCY 235.6	1. GLORIA RAMIREZ ()	117.80	X			
	2. JANA MONTANA (Lorraine M. Eller)	117.80	X			
SAN XAVIER 238.9	1. JANICE FELIX (Adam Andrews)	119.45	X			
	2. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	119.45	X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin)	94.50	X			
	2. TERESA F. DONAHUE (Alberta Espinoza)	94.50	X			
SELLS 547.1	1. EVELYN JUAN MANUEL ()	273.55	X			X
	2. ARTHUR WILSON ()	273.55	X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia)	122.25	X			
	2. MARY LOPEZ (Ann M. Garcia)	122.25	X			
TOTAL		3,175.7	3,175.7	-0-	-0-	[03]