

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Affirming the Tohono O'odham Nation's Border Security State Legislation Positions)

RESOLUTION NO. 23-034

1 **WHEREAS,** the Tohono O'odham and our ancestors have from time immemorial inhabited
2 lands from the Gila River area in present-day Arizona south to the Sea of Cortez in
3 northern Mexico and the Constitution of the Tohono O'odham Nation provides,
4 "it shall be the policy of the Tohono O'odham Nation to seek the return to the
5 Tohono O'odham Nation of lands and natural resources, including minerals and
6 water rights, within or adjacent to the Tohono O'odham Nation, or which
7 originally were a part of the historic Papaguera." (Constitution, Article XVI,
8 Section 9); and

9 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
10 the authority to "promote, protect and provide for public health, peace, morals,
11 education and general welfare of the Tohono O'odham Nation and its members"
12 and to "consult, negotiate and conclude agreements and contracts on behalf of
13 the Tohono O'odham Nation with Federal, State and local governments"
14 (Constitution, Article VI, Section 1(c)(2) and Section 1(f)); and

15 **WHEREAS,** in 1854 the United States created an international boundary with Mexico that cuts
16 through Tohono O'odham lands and that forms the 62-mile southern boundary of
17 the Tohono O'odham Nation's main reservation; and

18 **WHEREAS,** the Tohono O'odham Nation has supported numerous border security measures
19 on its lands (Resolution No. 17-053, "Border Security and Immigration
20 Enforcement on the Tohono O'odham Nation") and taken positions in support of
21 and in opposition to proposed state border security legislation in previous
22 sessions of the Arizona Legislature (e.g., Resolution No. 21-115 "Opposing Arizona
23 Senate Concurrent Resolution 1011 Relating to US/Mexico Wall Construction");
24 and

25 **WHEREAS,** in order to effectively advocate for state border security legislation that benefits
26 the United States, the people of Arizona, and the Nation and its members and to
27 oppose state legislation that directly contradicts the Nation's positions stated in
28 Resolution No. 17-053 "Border Security and Immigration Enforcement on the
29 Tohono O'odham Nation," the Appropriations and Domestic Affairs Committees
30 recommend affirming the Nation's border security state legislation positions.
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1 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council affirms
2 **Resolution No. 17-053, and its prior positions on the substance of state legislation,**
3 **and supports state legislation that:**

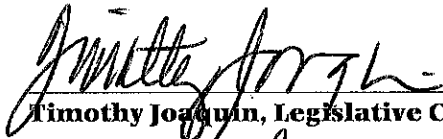
- 4 (1) **increases border security funding for tribal nations; and**
5 (2) **increases government-to-government consultation and collaboration**
6 **with direct tribal participation.**

7 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council continues to oppose:

- 8 (1) **the construction of a physical wall on the Nation's southern boundary;**
9 (2) **the appropriation and expenditure of state funds for the construction of a**
10 **physical wall or other similar barrier on the Nation's southern boundary;**
11 (3) **any other action that would undermine the Nation's right to self-**
12 **government and authority over its lands.**

13 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH**
14 **day of JANUARY, 2023 at a meeting at which a quorum was present with a vote of 2,586.5 FOR;**
15 **388.9 AGAINST; -0- NOT VOTING; and 242.6 [05] ABSENT, pursuant to the powers vested in the**
16 **Council by, Article VI, Section 1(c)(2) and Section 1(f) of the Constitution of the Tohono O'odham**
17 **Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting**
18 **Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section**
19 **16 of the Act of June 18, 1934 (48 Stat.984).**

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21 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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25 **Timothy Joaquin, Legislative Chairman**
26
27 20 day of January, 2023

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30 **ATTEST:**

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33 **Evonne Wilson, Legislative Secretary**

34 20 day of January, 2023

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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 20 day of January, 2023 at 8:08 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 20 day of July, 2023

DISAPPROVED

at 8:26 o'clock, p.m.


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

Returned to the Legislative Secretary on the 20 day of

January, 2023, at 8:26 o'clock, p.m.


Evonne Wilson, Legislative Secretary

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ACTION: AFFIRMING THE TOHONO O'ODHAM NATION'S BORDER SECURITY STATE LEGISLATION POSITIONS

MOVED: COUNCILWOMAN MARLAKAY HENRY

SECOND: COUNCILWOMAN MARIETTA MARTIN

DATE: JANUARY 13, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			X
	2. LUCINDA ALLEN (Francis Homcwyteawa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>)	278.25	X			
	2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3				X X
	2. JANICE FELIX ()	121.3				
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Biler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			X
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (<i>Absent</i>) (Dallas Lewis) (<i>Present</i>)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (<i>Absent</i>) (Francis G. Antone) (<i>Present</i>)	194.45	X			X
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	2,586.5	388.9	-0-	242.6 [05]