

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving a Memorandum of Understanding Between the National Park
Service and the Tohono O'odham Nation)**

RESOLUTION NO. 24-216

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **the authority to "preserve and cultivate native arts, crafts and traditions" and the**
3 **power to "consult, negotiate and conclude agreements and contracts on behalf of**
4 **the Tohono O'odham Nation with Federal, State and local governments and other**
5 **Indian tribes" (Constitution of the Tohono O'odham Nation, Article VI, Section**
6 **1(c)(8) and Article VI, Section 1(f)); and**

7 **WHEREAS, as a sovereign tribal government and pursuant to tribal, state, and federal laws,**
8 **including the Native American Graves Protection and Repatriation Act, 25 USC**
9 **3001 et seq. ("NAGPRA"), the Nation is entitled to the repatriation of human**
10 **remains and other cultural items that are identified as culturally affiliated with**
11 **the Tohono O'odham, Paleo Indian, Archaic, or Hohokam cultural groups; and**

12 **WHEREAS, the Tohono O'odham Nation has consistently asserted its sovereign and human**
13 **right to recover human remains and cultural items by enacting the**
14 **Archaeological Resources Protection Ordinance (Ordinance No. 06-84); formally**
15 **establishing the Legislative Cultural Preservation Committee (Resolution No. 81-**
16 **88); approving an intertribal policy on archaeological artifacts and remains**
17 **(Resolution No. 09-194); approving Repatriation law (8 T.O.C. Chapter 2 and**
18 **Resolution No. 09-137); and by establishing, funding, and staffing a Cultural**
19 **Affairs Program and a Cultural Center and Museum; and**

20 **WHEREAS, the Tohono O'odham Nation entered into a Memorandum of Understanding**
21 **between Tohono O'odham Nation and the National Park Service ("NPS"), in**
22 **accordance with NAGPRA, to rebury the culturally affiliated human remains and**
23 **funerary objects and maintain the reburial site at an agreed upon location within**
24 **Tumacácori National Historical Park, approved by Resolution No. 10-400 which**
25 **expired in October 2020; and**

26 **WHEREAS, the Tohono O'odham Nation and the NPS desire to renew the Memorandum of**
27 **Understanding that was originally approved by Resolution No. 10-400; and**

28 **WHEREAS, the Cultural Preservation Committee has reviewed the renewed Memorandum of**
29 **Understanding between the National Park Service, United States Department of**
30 **the Interior, and the Tohono O'odham Nation, which is attached hereto as Exhibit**
31 **1 and incorporated herein by this reference, and approves of the Memorandum**
32 **of Understanding.**

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(Approving a Memorandum of Understanding Between the National Park Service and the Tohono O'odham Nation)

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1 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves**
2 **renewed Memorandum of Understanding between United States Department of**
3 **the Interior, the National Park Service, and the Tohono O'odham Nation in**
4 **substantially the form attached hereto and authorizes the Chairman of the**
5 **Tohono O'odham Nation to sign the Memorandum of Understanding.**

6 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 11TH**
7 **day of JULY 2024 at a meeting at which a quorum was present with a vote of 3,263.3 FOR; -0-**
8 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
9 **Article VI, Section 1(c)(8) and (f) of the Constitution of the Tohono O'odham Nation, adopted by**
10 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
11 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
12 **18, 1934 (48 Stat.984).**

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14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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18 **Wavalene M. Saunders, Legislative Chairwoman**

19
20 18 day of July, 2024
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23 **ATTEST:**

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26 **Evonne Wilson, Legislative Secretary**

27 18th day of July, 2024
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30 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
31 **O'odham Nation on the 18 day of July, 2024 at 9:44 o'clock, a .m.,**
32 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
33 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
34 **hours of submittal.**

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36 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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40 **Wavalene M. Saunders, Legislative Chairwoman**

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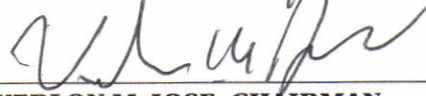
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APPROVED

on the 19 day of July, 2024

DISAPPROVED

at 1:03 o'clock, P.m.



**VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 19 day of

July, 2024, at 2:45 o'clock, P.m.

Scanned for:
Evonne Wilson, Legislative Secretary

ACTION: APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL PARK SERVICE AND THE TOHONO O'ODHAM NATION

MOVED: VICE CHAIRWOMAN MARLAKAY HENRY

SECOND: COUNCILWOMAN JANET ELEANDO

DATE: JULY 11, 2024

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (<i>Absent</i>) (Francine Schooling) (<i>Present</i>) 2. JESSE NAVARRO (Alberta J. Ray)	197.1 197.1	X X			
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ()	177.35 177.35	X X			
GUACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. JEROME F. JOAQUIN ()	141.35 141.35	X X			
GU VO 276.0	1. DALLAS LEWIS () 2. LESLIE LUNA ()	138.0 138.0	X X			
HICKIWAN 220.5	1. DELMA M. GARCIA () 2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25 110.25	X X			
PISINEMO 236.2	1. EDWARD D. MANUEL (Monica Morgan) 2. PAMELA J. BENAVIDEZ (<i>Absent</i>) (Nora J. Ruelas) (<i>Present</i>)	118.1 118.1	X X			X
SAN LUCY 257.6	1. ROGER MANUEL (<i>Absent</i>) (Christina Andrews) (<i>Present</i>) 2. GLORIA M. RAMIREZ (<i>Absent</i>) (Lorraine M. Eller) (<i>Present</i>)	128.8 128.8	X X			
SAN XAVIER 244.5	1. JANICE FELIX () 2. DANIEL L.A. PRESTON III ()	122.25 122.25	X X			
SCHUK TOAK 191.8	1. DELISA M. RAMON (<i>Absent</i>) (Sharon A. Francisco) (<i>Present</i>) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X X			
SELLS 558.0	1. EVELYN JUAN MANUEL (Arvada Liston) 2. JANET B. ELEANDO ()	279.0 279.0	X X			
SIF OIDAK 247.1	1. LUCINDA ALLEN (Francis Homewytewa) 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			
TOTAL		3,263.30	3,263.3	-0-	-0-	[01]