

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Supporting Mashpee Wampanoag Tribe Reservation Reaffirmation Act)**

**RESOLUTION NO. 18-145**

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**  
2 **the authority to "consult, negotiate and conclude agreements and contracts on**  
3 **behalf of the Tohono O'odham Nation with Federal, State and local governments**  
4 **or other Indian tribes or their departments, agencies, or political subdivisions. .**  
5 **." (Constitution, Article VI, Section 1(f)); and**

6 **WHEREAS, as a direct result of federal policies designed to break up tribal governments and**  
7 **Indian land bases and relocate tribes to economically unproductive reservation**  
8 **lands, Indian land holdings in the United States fell from 138 million acres in 1887**  
9 **to 48 million acres in 1934, a loss that crippled tribes' ability to provide**  
10 **employment and economic opportunities; and**

11 **WHEREAS, these nineteenth century policies were repudiated and replaced by the land-into-**  
12 **trust acquisition provisions of the Indian Reorganization Act of 1934 (25 U.S.C. §**  
13 **465) and other land acquisition authorities which authorize the Secretary of the**  
14 **Interior to acquire lands in trust for the benefit of Indian tribes, thereby**  
15 **providing for the acquisition of land bases that are essential to meet the needs of**  
16 **tribal governments, including economic development; and**

17 **WHEREAS, despite the Department of the Interior's ongoing trust obligation, after acquiring**  
18 **land in trust for the Mashpee Wampanoag Tribe in 2015, the United States has**  
19 **withdrawn from a suit defending its trust acquisition and, as a direct result, the**  
20 **Tribe is now facing the loss of its reservation lands; and**

21 **WHEREAS, the Mashpee Wampanoag Tribe Reservation Reaffirmation Act, introduced as**  
22 **H.R. 5244 and companion bill S. 2628, will protect the trust status of Mashpee**  
23 **Wampanoag Tribe's reservation; and**

24 **WHEREAS, "[t]he Nation's written comments to federal, state, and local governments on laws**  
25 **and rules proposed by those entities must be approved by the Tohono O'odham**  
26 **Legislative Council." (1 Tohono O'odham Code Chapter 3, Section 3102); and**

27 **WHEREAS, the Tohono O'odham Nation strongly supports the protection of all tribal trust**  
28 **lands, and the Agricultural and Natural Resources Committee recommends that**  
29 **the Legislative Council support the Mashpee Wampanoag Tribe Reservation**  
30 **Reaffirmation Act.**

31 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council calls upon the**  
32 **United States Congress to enact the Mashpee Wampanoag Tribe Reservation**  
33 **Reaffirmation Act and any subsequent federal legislation protecting the trust**  
34 **status of Mashpee Wampanoag Tribe's reservation.**

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(Supporting Mashpee Wampanoag Tribe Reservation Reaffirmation Act)

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BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes and directs the Chairman of the Nation and appropriate Legislative Council delegations to advocate for the enactment of the Mashpee Wampanoag Tribe Reservation Reaffirmation Act.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 03<sup>RD</sup> day of MAY, 2018 at a meeting at which a quorum was present with a vote of 2,875.6 FOR; -0- AGAINST; -0- NOT VOTING; and 209.0[06] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(f); and Article VII, Section 2(c) and 2(d) 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 for  
Timothy Joaquin, Legislative Chairman  
3 day of May, 2018

ATTEST:

Evonne Wilson, Legislative Secretary  
3 day of May, 2018

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 3 day of May, 2018 at 1:48 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 for  
Timothy Joaquin, Legislative Chairman

[X] APPROVED

on the 4 day of May, 2018

[ ] DISAPPROVED

at 1:30 o'clock, P.m.

Edward D. Manuel  
EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION

**RESOLUTION NO. 18-145**  
**(Supporting Mashpee Wampanoag Tribe Reservation Reaffirmation Act)**  
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Returned to the Legislative Secretary on the 4 day of  
May, 2018, at 1:58 o'clock, P.m.

  
Evonne Wilson, Legislative Secretary

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ACTION: SUPPORTING MASHPEE WAMPANOAG TRIBE RESERVATION REAFFIRMATION ACT

MOVED: VICE CHAIRMAN QUINTIN C. LOPEZ

SECOND: COUNCILMAN BILLMAN LOPEZ

DATE: MAY 03, 2018

| DISTRICT             | LEGISLATIVE REPRESENTATIVES  | # OF VOTES | FOR     | AGAINST | NOT VOTING | ABSENT        |
|----------------------|--|------------|---------|---------|------------|---------------|
| SIF OIDAK<br>235.8   | 1. MARY LOPEZ<br>( )   | 117.9      | X       |         |            | X             |
|                      | 2. LUCINDA ALLEN<br>(Yolonda Garcia)   | 117.9      | X       |         |            |               |
| SELLS<br>527.2       | 1. ARTHUR WILSON<br>(Evelyn Juan Manuel)                                       | 263.6      | X       |         |            |               |
|                      | 2. ADRIANNE TILLER<br>(Idaleen Reyes)  | 263.6      | X       |         |            |               |
| SCHUK TOAK<br>185.7  | 1. ANTHONY J. FRANCISCO JR.<br>(Teresa F. Donahue)                             | 92.85      | X       |         |            |               |
|                      | 2. QUINTIN C. LOPEZ<br>(Agnes V. Joaquin)                                      | 92.85      | X       |         |            |               |
| SAN XAVIER<br>232.3  | 1. DANIEL L.A. PRESTON III <i>(Absent)</i><br>(Felicia Nunez) <i>(Present)</i> | 116.15     | X       |         |            | X             |
|                      | 2. JANICE FELIX<br>( )   | 116.15     | X       |         |            |               |
| SAN LUCY<br>231.1    | 1. JANA MONTANA<br>(Diana Manuel)  | 115.55     | X       |         |            |               |
|                      | 2. GLORIA RAMIREZ<br>(Lorraine Eiler)  | 115.55     | X       |         |            |               |
| PISINEMO<br>225.9    | 1. CHESTER ANTONE<br>(Caroline D. Garcia)                                      | 112.95     | X       |         |            |               |
|                      | 2. MONICA K. MORGAN<br>( )   | 112.95     | X       |         |            |               |
| HICKIWAN<br>209.0    | 1. LOUIS R. LOPEZ<br>(Shirley Molina)  | 104.5      |         |         |            | X             |
|                      | 2. SANDRA D. ORTEGA<br>( )   | 104.5      |         |         |            | X             |
| GU VO<br>256.9       | 1. GRACE MANUEL<br>( )   | 128.45     | X       |         |            |               |
|                      | 2. DALLAS LEWIS <i>(Absent)</i><br>(Nacho Flores) <i>(Present)</i>             | 128.45     | X       |         |            |               |
| GU ACHI<br>270.9     | 1. TIMOTHY L. JOAQUIN<br>(Louis L. Johnson)                                    | 135.45     | X       |         |            |               |
|                      | 2. LORETTA LEWIS<br>(Victoria Hobbs)   | 135.45     | X       |         |            |               |
| CHUKUT KUK<br>337.7  | 1. BILLMAN LOPEZ<br>(Patricia Antone)  | 168.85     | X       |         |            |               |
|                      | 2. VIVIAN JUAN-SAUNDERS <i>(Absent)</i><br>(Juanita Homer) <i>(Present)</i>    | 168.85     | X       |         |            |               |
| BABOQUIVARI<br>372.1 | 1. FRANCES MIGUEL <i>(Absent)</i><br>(Roberta E. Harvey) <i>(Present)</i>      | 186.05     | X       |         |            | X             |
|                      | 2. LEANDER MASE<br>(Francine Schooling)  | 186.05     | X       |         |            |               |
| TOTAL                |  | 3,084.6    | 2,875.6 | -0-     | -0-        | 209.0<br>[06] |