

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Requesting the United States Congress to fund the Indian Lands Open Dump
Clean-up Act of 1994)

RESOLUTION NO. 2000-134

- 1 **WHEREAS, the Tohono O'odham Nation ("Nation"), in exercise of its sovereign authority, desires**
2 **to manage and regulate the storage, collection, recycling, transportation and**
3 **disposal of solid waste and certain hazardous waste on lands within the boundaries**
4 **of the Nation in order to protect the Nation's environment, its natural resources, the**
5 **political integrity and economic security of the Nation, and the health, safety and**
6 **welfare of its members and all persons on the lands of the Nation; and**
- 7 **WHEREAS, the Tohono O'odham Legislative Council ("Legislative Council") adopted the Solid**
8 **Waste Management Code and Solid Waste Management Plan on February 12, 1997**
9 **and amended the Solid Waste Management Code on October 16, 1997; and**
- 10 **WHEREAS, the adopted Solid Waste Management Plan has the Nation implementing a program**
11 **that will provide solid waste collection and recycling for all villages by way of bins**
12 **placed in each community; and a trucking system to collect the solid waste from the**
13 **bins; and haul the waste to EPA approved sanitary landfills located off the Nation's**
14 **lands; and**
- 15 **WHEREAS, the United States Congress adopted legislation in the form of *The Indian Lands Open***
16 ***Dump Clean-up Act of 1994*, 25 USC Section 3901-3908, requiring I.H.S. to provide**
17 **technical and financial assistance for the closure of all solid waste dumps on Indian**
18 **lands; and**
- 19 **WHEREAS, the United States Environmental Protection Agency's regulation of 40 CFR PART 258,**
20 **requires the closure of all small rural solid waste dumps, including solid waste**
21 **dumps on all Indian lands by October 9, 1998; and**
- 22 **WHEREAS, the Tohono O'odham Nation has utilized I.H.S. dollars to contract with a consultant**
23 **to assess 113 open dumps within the Nation; and**
- 24 **WHEREAS, the consultant has developed a preliminary estimate of \$22 million for proper**
25 **closure either by Relocation of Waste or Closure in Place; and**
- 26 **WHEREAS, the Tohono O'odham Nation is still assessing the consultant's estimate and believes**
27 **that the final estimate for closure of dumps may come closer to \$5 million; and**
- 28 **WHEREAS, the I.H.S. estimate for closure dated 1995 is \$2.4 million.**

RESOLUTION NO. 2000-134

(Requesting the United States Congress to fund the Indian Lands Open Dump Clean-up Act of 1994)
Page 2 of 3

1 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council hereby
2 requests that the United States Congress fund the closure of the 113 dumps that have
3 been identified on the Tohono O'odham Nation lands by the I.H.S. with an
4 appropriation of \$2.4 million dollars in FY-2001 Federal Budget.

5 **BE IT FURTHER RESOLVED** that the United States Congress fund the unfunded mandate, *The*
6 *Indian Lands Open Dump Clean-up Act of 1994* that requires the I.H.S. to finance the
7 closure of all solid waste dumps on Indian lands.

8 **BE IT FINALLY RESOLVED** that the Appropriations Committee is hereby authorized and directed
9 to bring this request to the appropriate agencies, members and committees of
10 Congress.

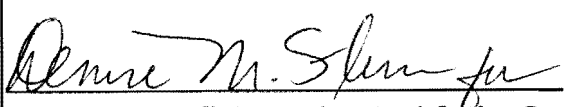
11 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST day
12 of MARCH, 2000 at a meeting at which a quorum was present with a vote of 2,165.5 FOR; -0-
13 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by
14 Section 1 (j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the
15 Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
16 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
17 18, 1934 (48 Stat. 984).

18
19 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

20
21 
22
23 **Dennis Ramon, Legislative Chairman**

24
25 21 day of MARCH, 20 00

26
27
28 **ATTEST:**

29
30 
31
32 **Julianna Saraficio, Acting Legislative Secretary**

33
34 21 day of MARCH, 20 00.

35
36 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
37 O'Odham Nation on the 21 day of MARCH, 20 00 at 5:15 o'clock,
38 P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
39 effective upon his approval or upon his failure to either approve or disapprove it within 48 hours
40 of submittal.

RESOLUTION NO. 2000-134

(Requesting the United States Congress to fund the Indian Lands Open Dump Clean-up Act of 1994)

Page 3 of 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

APPROVED

on the 22 day of March, 2000


DISAPPROVED

at 9:25 o'clock, A.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of

March, 2000, at 11:40 o'clock, A.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: REQUESTING THE UNITED STATES CONGRESS TO FUND THE INDIAN LANDS OPEN DUMP CLEAN-UP ACT OF 1994

MOVED: COUNCILWOMAN FRANCES ANTONE

SECOND: COUNCILMAN ALBERT MANUEL, JR.

DATE: MARCH 21, 2000

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE ()	186.35	X			
	2. EVELYN JUAN ()	186.35	X			
SCHUK TOAK 133.4	1. MARY FLORES ()	66.7	X			
	2. AMBROSE ENCINAS ()	66.7	X			
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			
	2. DENNIS RAMON ()	82.95	X			
BABOQIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			X
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05	X			
	2. GLORIA RAMIREZ ()	64.05	X			
GU VO 160.0	1. FERN SALCIDO ()	80.0	X			X
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
HICKIWAN 158.1	1. ALEX JOSE (Shirley Santos)	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			X
TOTAL		2,165.5	2,165.5	-0-	-0-	[03]

**PASSED VOTES