

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting the allocation of Tohono O'odham Nation land for a Federally funded
Tohono O'odham Nation Police Department sub-station that would be shared with
the US Border Patrol in the Chukut Kuk District)

RESOLUTION NO. 02-238

- 1 **WHEREAS, the Tohono O'odham Nation with a land base of 2.8 million acres and a population of**
2 **26,000 members contracts to provide its own Law Enforcement, Corrections, and**
3 **Ranger programs; and**
- 4 **WHEREAS, providing law enforcement and related public safety services is recognized as a**
5 **critical function of the sovereign Tohono O'odham Nation government; and**
- 6 **WHEREAS, it is recognized that the Tohono O'odham Nation Police Department ("TOPD")**
7 **provides community services, as well as investigates narcotic smuggling and**
8 **undocumented immigrant related offenses and crimes that occur within the Tohono**
9 **O'odham Nation; and**
- 10 **WHEREAS, it is recognized that the TOPD investigates the deaths of undocumented immigrants**
11 **and provides rescue services to immigrants who become distressed while within the**
12 **Tohono O'odham Nation; and**
- 13 **WHEREAS, the TOPD's community policing efforts are made more difficult and challenging by**
14 **the International Border with the Republic of Mexico and the international**
15 **smuggling that occurs across that Border; and**
- 16 **WHEREAS, it is understood and appreciated by the United States Border Patrol that TOPD**
17 **personnel provide valuable effort in the United States border control strategy; and**
- 18 **WHEREAS, it is acknowledged that the international border related efforts of the TOPD have had**
19 **a negative impact on the Police Department's ability to provide community based**
20 **service; and**
- 21 **WHEREAS, it is recognized that a Police facility located closer to the international border would**
22 **assist in providing greater presence by the TOPD and the U.S. Border Patrol in the**
23 **Tohono O'odham Nation's southern border districts and would assist in stemming**
24 **the flow of narcotics and immigrants across the International Border with Mexico;**
25 **and**
- 26 **WHEREAS, the Tohono O'odham Nation believes the challenges of the International Border**
27 **between the Republic of Mexico and the United States are the responsibility of the**
28 **United States Federal Government; and**

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1 **WHEREAS, the U.S. Border Patrol has offered to fund and construct a TOPD sub-station in the**
2 **Chukut Kuk District that would provide use and benefit to both the Border Patrol and**
3 **the TOPD; and**

4 **WHEREAS, the U.S. Border Patrol will also undertake related infrastructure improvements for**
5 **the facility's water, electric, and telephone access; and**

6 **WHEREAS, the location of the approximately 2 acre site for the proposed facility is on the east**
7 **side of Federal Route 19, at approximately mile post 2, and is often referred to as the**
8 **Joint Task Force 6 camp location; and**

9 **WHEREAS, the Tohono O'odham Nation will assist with any required cultural resources and**
10 **environmental assessments of this site; and**

11 **WHEREAS, the Chukut Kuk District Council has demonstrated support for this allocation of**
12 **Tohono O'odham Nation land for this purpose; and**

13 **WHEREAS, prior to site preparation and actual construction, the Tohono O'odham Nation**
14 **and the U.S. Border Patrol intend to enter into a formal intergovernmental**
15 **agreement.**

16 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council supports the**
17 **allocation of land for the purpose of a federally funded and constructed TOPD sub-**
18 **station in the Chukut Kuk District whose use will be shared with the U.S. Border**
19 **Patrol.**

20 **BE IT FURTHER RESOLVED that the Legislative Council authorizes the Chairman of the Nation to**
21 **negotiate an appropriate Agreement for Legislative Council approval between the**
22 **Tohono O'odham Nation and the United States Government for the construction,**
23 **operation and use of a federally funded Police sub-station that would be shared with**
24 **the U.S. Border Patrol.**

25
26 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 24TH Day**
27 **of MAY, 2002 at a meeting at which a quorum was present with a vote of 1,246.25 FOR; 1,003.95**
28 **AGAINST; 167.3 NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
29 **Section 1 (i) and (j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
30 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
31 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
32 **18, 1934 (48 Stat. 984).**
33
34

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Rita A. Martinez for
Rita A. Martinez, Legislative Chairwoman

28th day of May, 2002

ATTEST:

Juliana Saraficio

Juliana Saraficio, Acting Legislative Secretary

24th day of May, 2002.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 28th day of May, 2002 at 4:21 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

Rita A. Martinez for
Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 29th day of May, 2002

DISAPPROVED

at 9:20 o'clock, A..M.

Edward D. Manuel

EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 29th day of

May, 2002, at 9:28 o'clock, A..M.

Juliana Saraficio
Juliana Saraficio, Acting Legislative Secretary

ACTION: SUPPORTING THE ALLOCATION OF TOHONO O'ODHAM NATION LAND FOR A FEDERALLY FUNDED TOHONO O'ODHAM NATION POLICE DEPARTMENT SUB-STATION THAT WOULD BE SHARED WITH THE US BORDER PATROL IN THE CHUKUT KUK DISTRICT

Moved: COUNCILMAN DENNIS RAMON

Second: COUNCILWOMAN FRANCES MIGUEL

DATE: MAY 24, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. ALEX J. RAMON (Jerome Joaquin)	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15		X		
	2. EMILIO LEWIS ** (Michael Flores)	94.15		X		
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65			X	
	2. SANDRA ORTEGA ** ()	83.65			X	
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35		X		
	2. PATRICIA CRUZ ** (Johnson Jose)	87.35		X		
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ()	80.35		X		
SAN XAVIER 184.7	1. CRESCENCIO "TONY" ENCINAS ()	92.35	X			X
	2. DENNIS RAMON ()	92.35	X			
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25		X		
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25		X		
SELLS 416.1	1. DENNIS E. JOSE ()	208.05		X		
	2. EVELYN JUAN ()	208.05		X		X
SIF Oidak 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	1,246.25	1,003.95	167.3	[02]

**PASSED VOTES