

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Submission of "Border 2012 U.S. Tribes' Stakeholder Principles Outline"
to the U.S.E.P.A for Publication in the Federal Register)

RESOLUTION NO. 02-415

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to manage, protect,**
2 **and preserve the property, wildlife, water, land, air, and natural and cultural**
3 **resources of the Tohono O'odham Nation (Constitution of the Tohono O'odham**
4 **Nation, Article VI, Section 1(i) (2), and Articles XVI, XVII, and XVIII; and**

5 **WHEREAS, in order to exercise these authorities, the Council may "consult, negotiate and**
6 **conclude agreements and contracts on behalf of the Tohono O'odham Nation with**
7 **Federal, State and local governments and other Indian tribes or their departments,**
8 **agencies, or political subdivisions" (Constitution of the Tohono O'odham Nation,**
9 **Article VI, Section 1 (f); and**

10 **WHEREAS, the Nation has been an active participant in the Border XXI and Border 2012**
11 **Programs, which are designed to coordinate environmental management along the**
12 **U.S.-Mexico border by tribal, state, municipal, and federal entities; and**

13 **WHEREAS, the Legislative Council has formally endorsed the "Coordination Principles Between**
14 **the Border XXI National Coordinators and the U.S. and Mexican Border States and**
15 **U.S. Tribes for the Border XXI Program," which recognized the right of sovereign U.S.**
16 **Indian tribes to participate in the Border XXI Program with the federal and state**
17 **governments (Resolution No. 2000-049); and**

18 **WHEREAS, the United States and Mexico have proposed a new structure for the Border**
19 **Environmental Program, which would be comprised of regional and border-wide**
20 **workgroups chaired by federal and state officials; and**

21 **WHEREAS, this structure, which is incorporated into the draft proposal for Border 2012**
22 **Program, does not provide for the inclusion of tribal co-chairs on the regional**
23 **workgroups or otherwise ensure adequate tribal participation; and**

24 **WHEREAS, the U.S.E.P.A. is finalizing a Federal Register notice summarizing the Border 2012**
25 **Program, listing public hearing dates, and providing notice of the upcoming**
26 **comment period; and**

27 **WHEREAS, the Tohono O'odham Nation has an opportunity to submit language for inclusion in**
28 **the Federal Register notice that would reinforce the U.S. federal-tribal government-**
29 **to-government relationship, tribal self-governance, and otherwise support the**

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1 primary role of tribal governments in regulating reservation land, water, air, and
2 environments; and

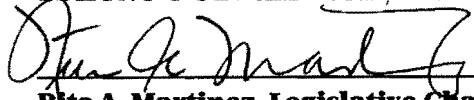
3 WHEREAS, such language would not be a departure from existing policy, but would reinforce the
4 U.S.E.P.A.'s own "Policy for the Administration of Environmental Programs on Indian
5 Reservations"; and

6 WHEREAS, the Legislative Domestic Affairs Committee, which has oversight of environmental
7 issues on the Nation, recommends that the Nation authorize the submission of the
8 attached "Border 2012 U.S. Tribes' Stakeholder Principles Outline" to the U.S.E.P.A.
9 for publication in the Federal Register.

10 NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby
11 authorizes the submission of the attached "Border 2012 U.S. Tribes' Stakeholder
12 Principles Outline" to the U.S.E.P.A. for publication in the Federal Register.

13 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH Day
14 of SEPTEMBER, 2002 at a meeting at which a quorum was present with a vote of 2,417.5 FOR; -0-
15 AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by
16 Section 1 (i)(2) & (f) of Article VI and Articles XVI, XVII, and XVIII of the Constitution of the Tohono
17 O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by
18 the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to
19 Section 16 of the Act of June 18, 1934 (48 Stat. 984).

21 TOHONO O'ODHAM LEGISLATIVE COUNCIL

22 
23 _____
24 Rita A. Martinez, Legislative Chairwoman

25
26 19th day of September, 20 02

27
28 ATTEST:

29 
30 _____
31 Julianna Saraficio, Acting Legislative Secretary

32
33 13 day of September, 20 02.

34
35 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
36 Nation on the 19th day of September, 20 02 at 9:18 o'clock, A .M.,
37 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
38 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
39 submittal.
40

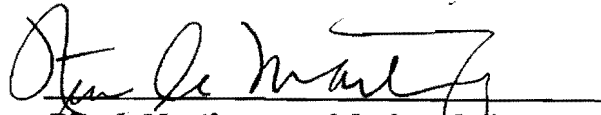
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 19 day of September, 2002

DISAPPROVED

at 1:50 o'clock, P.M.

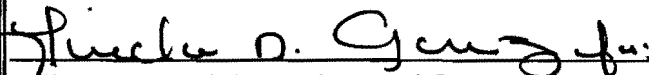


EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of

September, 2002, at 2:35 o'clock, P.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: AUTHORIZING SUBMISSION OF "BORDER 2012 U.S. TRIBES' STAKEHOLDER PRINCIPLES OUTLINE" TO THE U.S.E.P.A. FOR PUBLICATION IN THE FEDERAL REGISTER

MOVED: COUNCILMAN DENNIS RAMON

SECOND: COUNCILWOMAN FERN SALCIDO

DATE: SEPTEMBER 13, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			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			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			X
SAN XAVIER 184.7	1. FELICIA NUÑEZ ()	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			X
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ** ()	208.05	X			
SIF ODAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			X
TOTAL		2,417.5	2,417.5	-0-	-0-	[06]

**PASSED VOTES