

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approval and authorizing use of gaming savings funds for the purchase of the
Roberts Property for the Hia-Ced O'odham)

RESOLUTION NO. 03-218

- 1 **WHEREAS, for centuries the nomadic Hia-Ced O'odham (Sand Papago), relatives of the Tohono**
2 **O'odham lived and roamed the lands beyond the western boundary of the Tohono**
3 **O'odham reservation (formerly the Papago reservation), to areas north to the Gila**
4 **River, west to the Colorado River and south into Mexico and the Sea of Cortez; and**
- 5 **WHEREAS, when the Papago Indian Reservation was established in 1917 traditional lands of the**
6 **Hia-Ced O'odham were never included nor were the people ever consulted or their**
7 **presence ever acknowledged; and**
- 8 **WHEREAS, in 1935 Father Bonaventure Oblasser, (a member of the U.S. Land Claims Settlement**
9 **Commission who, in the early 1900's recommended to the Department of Interior**
10 **parcels of land to be part of the Papago Indian Reservation), acknowledged that**
11 **when the Papago Reservation was established three (3) parcels of Papago land**
12 **holdings were overlooked; (one of these land parcels being the holdings of the Hia-**
13 **Ced O'odham), and therefore suggested the Federal Government rectify these errors**
14 **by adding the lands to the Papago Reservation; and by an act of Congress, two (2) of**
15 **these parcels of land were added to the reservation in the 1930's however, to the**
16 **third parcel of land; the Hia-Ced O'odham holdings, was never addressed; and**
- 17 **WHEREAS, in 1985 the Hia-Ced O'odham Program was established by the Papago Tribe to**
18 **identify and acquire a land base for the Hia-Ced O'odham as well as enumerate the**
19 **Hia-Ced O'odham population; and**
- 20 **WHEREAS, the Roberts Property is privately owned land adjacent to the western boundary of the**
21 **Tohono O'odham Nation and can be multi-use land for Hia-Ced and Tohono**
22 **O'odham and will not be subject to many of the requirements or protocol such as**
23 **those lands under the jurisdiction of the Bureau of Land Management; and**
- 24 **WHEREAS, some of the advantages in favor of the Roberts land acquisition include:**
- 25 **1. Land negotiations may be pursued with a private owner, eliminating**
26 **bureaucratic obstacles.**
- 27 **2. The Roberts property is adjacent to the Nation's western boundary and may**
28 **eliminate some problems in establishing a district and putting the land into**
29 **trust status.**

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3. The land acquisition may be initiated immediately; and

WHEREAS, the Hia-Ced O'odham who are comprised of approximately 1,200 members have been excluded from realizing their full rights as O'odham of the Papagueria for eighty-seven (87) years since 1917, and have been waiting for the Tohono O'odham Nation to fulfill the commitment made in Resolution No. 16-84 for nineteen (19) years and who sadly, have many elders and others who have passed on and will never know the basic human right of a Hia-Ced O'odham homeland as a member of the Tohono O'odham Nation.

NOW, THEREFORE, BE IT RESOLVED that the Legislative Council of the Tohono O'odham Nation does hereby approve the land acquisition of the Roberts Property by the Tohono O'odham Nation for a Hia-Ced O'odham land base.

BE IT FURTHER RESOLVED that the Legislative Council does hereby authorize the utilization of Gaming Savings in the amount of \$1.8 million dollars to purchase a land base for the Hia-Ced O'odham.

BE IT FINALLY RESOLVED that any funds remaining be held in an investment savings account to fund any unforeseen expenses for the Roberts Property, and that this funding be obligated for this sole purpose.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH Day of MAY, 2003 at a meeting at which a quorum was present with a vote of 1,556.85 FOR; 860.65 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2) of Article VI 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


Rita A. Martinez, Legislative Chairwoman

12th day of May, 20 03.

ATTEST:


Julianna Saraficio, Acting Legislative Secretary

07th day of May, 20 03.

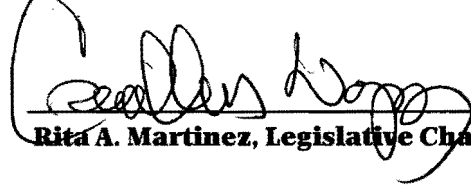
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1 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham
2 Nation on the 12th day of May, 20 03 at 10:20 o'clock, A.M.,
3 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective
4 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
5 submittal.

6
7 TOHONO O'ODHAM LEGISLATIVE COUNCIL

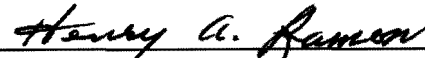
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11 Rita A. Martinez, Legislative Chairwoman
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16 APPROVED

on the 12 day of May, 20 03

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18 DISAPPROVED

at 12:55 o'clock, P.M.

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22 EDWARD D. MANUEL, Chairman
23 TOHONO O'ODHAM NATION
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28 Returned to the Legislative Secretary on the 14th day of

29 May, 20 03, at 8:47 o'clock, A.M.
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34 Julianna Saraficio, Acting Legislative Secretary
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ACTION: APPROVAL AND AUTHORIZING USE OF GAMING SAVINGS FUNDS FOR THE PURCHASE OF THE ROBERTS PROPERTY FOR THE HIA-CED O'ODHAM

MOVED: COUNCILWOMAN FERN SALCIDO

SECOND: COUNCILMAN DAVID GARCIA

DATE: MAY 07, 2003

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			X
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 188.3	1. CAMILLUS LOPEZ ()	115.35		X		
	2. 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			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. (Johnson W. Larson)	80.35	X			
	2. GLORIA RAMIREZ ()	80.35	X			
SAN XAVIER 184.7	1. FELICIA NUÑEZ ()	92.35	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		
SIF OIDAK 184.7	1. ISIDRO LOPEZ (Nicholas Jose)	92.35		X		
	2. RITA A. MARTINEZ ()	92.35		X		
TOTAL		2,417.5	1,556.85	860.65	-0-	[02]

****PASSED VOTES**