

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting Arizona S.B.1273 "An Act Making an Appropriation to the Department of Emergency and Military Affairs for a Border Radar System" and Designating Nation's Representatives to Negotiate Agreement to Participate)

RESOLUTION NO. 06-255

- 1 **WHEREAS, the Tohono O'odham Nation is a sovereign nation of over 28,000 enrolled members**
2 **with a reservation located in the State of Arizona and a land base of 2.8 million acres,**
3 **75 miles of which is contiguous to the United States-Mexico border; and**
- 4 **WHEREAS, as a result of its location, the Tohono O'odham Nation forms a significant part of the**
5 **first line of defense for United States border security; and**
- 6 **WHEREAS, due to historical oversight and Nation's exclusion from the negotiation of treaties and**
7 **agreements between the United States and Mexico, the international boundary now**
8 **divides Papagueria, the Tohono O'odham Nation's aboriginal homeland; and**
- 9 **WHEREAS, in response to the influx of undocumented immigrants and drug traffickers crossing**
10 **through the international boundary area on the Tohono O'odham Nation, United**
11 **States Customs and Border Protection has operated within the Nation's reservation**
12 **for over 20 years; and**
- 13 **WHEREAS, the Tohono O'odham Nation is legitimately concerned with negative impacts the**
14 **O'odham suffer from undocumented immigrants and drug traffickers, including**
15 **damage to the Nation's cultural resources, increased demands on tribal law**
16 **enforcement, crime along the border, migrant waste, illegal dumping, and water**
17 **pollution, and environmental degradation; and**
- 18 **WHEREAS, the Arizona Legislature is now considering S.B.1273, "An Act Making an Appropriation**
19 **to the Department of Emergency and Military Affairs for a Border Radar System,"**
20 **which would appropriate \$50,000,000 and authorize the lease or purchase of a ground**
21 **based radar system integrated with cameras for the Southern Arizona border for**
22 **border protection; and**
- 23 **WHEREAS, S.B. 1273 specifically provides that the radar system be established "in cooperation**
24 **and consultations with" representatives of nearby Indian tribes and chiefs of police**
25 **near the border; and**
- 26 **WHEREAS, a delegation of Legislative Council representatives, the Chairwoman of the Chukut**
27 **Kuk District, the Chairwoman and Vice Chairman of the Gu Vo District, and the Vice**
28 **Chairman of the Tohono O'odham Nation witnessed the demonstration of a ground**
29 **based integrated camera system at the Barry M. Goldwater Range, Yuma Marine Corp**

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1 **Air Station; and**

2 **WHEREAS, it is the consensus of those who attended the demonstration that it would be in the**
3 **Nation's best interest to (1) explore the Nation's participation in the ground based**
4 **integrated camera system along the Nation's 75 miles of international border and**
5 **report back to the Nation's Chairwoman and the Legislative Council, (2) express to the**
6 **Governor of Arizona that the Nation is interested in consulting and cooperating with**
7 **the State to implement the ground based integrated camera system on the Nation**
8 **under terms acceptable to both the Tohono O'odham Nation and the State of Arizona;**
9 **and**

10 **WHEREAS, this Resolution has been presented and considered by the Legislative Council**
11 **Domestic Affairs Committee, which recommends its approval to the Tohono O'odham**
12 **Legislative Council.**

13 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council supports**
14 **S.B.1273 as it pertains to the appropriation of \$50,000,000 and authorization to the**
15 **lease or purchase of a ground based radar system integrated with cameras for the**
16 **Southern Arizona border for border protection.**

17 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council hereby designates the**
18 **Nation's Vice Chairman, the Director of the Department of Public Safety, and the**
19 **Legislative Council Domestic Affairs Committee as the Nation's representatives vested**
20 **with the authority to (1) explore the Nation's participation in the ground based**
21 **integrated camera system along the Nation's 75 miles of international border and**
22 **report back to the Nation's Chairwoman and the Legislative Council, (2) express to the**
23 **Governor of Arizona that the Nation is interested in consulting and cooperating with**
24 **the State to implement the ground based integrated camera system on the Nation**
25 **under terms acceptable to both the Tohono O'odham Nation and the State of Arizona,**
26 **and (3) negotiate, with the assistance of legal counsel, an agreement between the**
27 **Nation and the State of Arizona to implement the Integrated Radar and Camera**
28 **System along the Nation's 75 miles of international border; provided that any such**
29 **agreement shall be subject to final approval by the Legislative Council.**

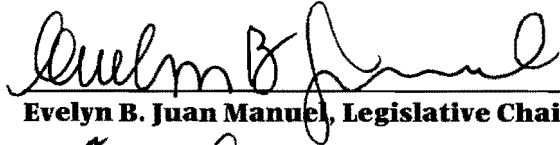
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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18TH day of APRIL, 2006 at a meeting at which a quorum was present with a vote of 2,080.30 FOR; -0- AGAINST; 193.1 NOT VOTING; and 167.4 [05] ABSENT, pursuant to the powers vested in the Council by Section 1(d) and 1(f) 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


Evelyn B. Juan Manuel, Legislative Chairwoman

21st day of April, 2006

ATTEST:



Lucille Lopez, Acting Legislative Secretary

18 day of April, 2006.

Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono O'Odham Nation on the 21st day of April, 2006 at 12:32 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon her approval or upon her failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

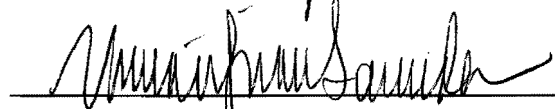

Evelyn B. Juan Manuel, Legislative Chairwoman

on the 24 day of April, 2006

at 5:45 o'clock, P.M.

APPROVED

DISAPPROVED


VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 25 day of

April, 2006, at 8:32 o'clock, A.M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: SUPPORTING ARIZONA S.B.1273 "AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS FOR A BORDER RADAR SYSTEM" AND DESIGNATING NATION'S REPRESENTATIVES TO NEGOTIATE AGREEMENT TO PARTICIPATE

Moved: COUNCILWOMAN GLORIA RAMIREZ

Second: COUNCILMAN VERNON SMITH

DATE: APRIL 18, 2006

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------|---|-----------------|-----------------|------------|--------------|----------------------|
| BABOQUIVARI 310.8 | 1. FRANCES MIGUEL (<i>Absent</i>) (Vernon J. Smith) (<i>Present</i>) | 155.40 | X | | | |
| | 2. FRANCES G. ANTONE (Lucilda J. Valenzuela (Norris)) | 155.40 | X | | | |
| CHUKUT KUK 258.7 | 1. ETHEL GARCIA () | 129.35 | X | | | |
| | 2. VERLON M. JOSE (David Garcia) | 129.35 | X | | | |
| GU ACHI 221.6 | 1. TIMOTHY L. JOAQUIN (Jonas Robles) | 110.80 | X | | | |
| | 2. CYNTHIA E. MANUEL (Louis L. Johnson) | 110.80 | X | | | |
| GU VO 193.1 | 1. RAYMOND VICTOR () | 96.55 | | | X | X |
| | 2. MICHAEL FLORES (Grace Manuel) | 96.55 | | | X | |
| HICKIWAN 167.4 | 1. DELMA GARCIA (Mary E. Sam) | 83.70 | | | | X |
| | 2. SANDRA ORTEGA () | 83.70 | | | | X |
| PISINEMO 171.8 | 1. BARBARA SALVICIO () | 85.90 | X | | | |
| | 2. GERALD FAYUANT () | 85.90 | X | | | X |
| SAN LUCY 169.0 | 1. JOHN W. LAWSON, SR. () | 84.50 | X | | | |
| | 2. GLORIA RAMIREZ () | 84.50 | X | | | |
| SAN XAVIER 193.8 | 1. FELICIA NUÑEZ () | 96.90 | X | | | |
| | 2. OLIVIA VILLEGAS-LISTON ** (Eileen A. Estrada-Lopez) | 96.90 | X | | | |
| SCHUK TOAK 146.9 | 1. FRANCES B. CONDE () | 73.45 | X | | | |
| | 2. PHYLLIS JUAN () | 73.45 | X | | | |
| SELLS 421.0 | 1. MARLENE SARAFICIO-JUAN () | 210.50 | X | | | |
| | 2. EVELYN B. JUAN MANUEL (Kimberly Listo) | 210.50 | X | | | |
| SIF OIDAK 186.7 | 1. WAVALENE SAUNDERS (Isidro Lopez) | 93.35 | X | | | X |
| | 2. DARLENÉ ANDREW (Rita Martinez) | 93.35 | X | | | |
| TOTAL | | 2,440.80 | 2,080.30 | -0- | 193.1 | 167.4 [05] |

**PASSED VOTES