

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting United States Department of Homeland Security, Customs and Border
Protection Secure Border Initiative)**

RESOLUTION NO. 07-129

1 **WHEREAS, the Tohono O'odham Nation is vested with the duty to manage and preserve all lands**
2 **within the Nation's aboriginal homeland, including lands within the Nation's**
3 **reservation and the along the international border between the United States and**
4 **Mexico (Constitution of the Tohono O'odham Nation, Article VI, Section 1(i)); and**

5 **WHEREAS, the Tohono O'odham Legislative Council has previously and conditionally approved**
6 **the deployment of National Guard personnel and other measures to improve the**
7 **health, safety, and welfare of Nation's members on or near the international border;**
8 **and**

9 **WHEREAS, the United States Department of Homeland Security, Customs and Border Protection**
10 **(CBP) patrols and enforces the international border within the Tohono O'odham**
11 **Nation and has entered into a contract with the Boeing Corporation to place Mobile**
12 **Surveillance Platforms (MSPs) and Monitoring Bases as part of the Secure Border**
13 **Initiative (SBInet); and**

14 **WHEREAS, the SBInet Project will provide a mix of personnel, technology and infrastructure,**
15 **thereby reducing the impact of current operations by reducing the number of agents**
16 **assigned to the Nation, and is designed to reduce illegal entries through the Nation;**
17 **and**

18 **WHEREAS, CBP works closely with the Tohono O'odham Police Department (TOPD), which will**
19 **have access to the SBInet system; and**

20 **WHEREAS, the SBInet Project has been reviewed by the Domestic Affairs Committee, which**
21 **recommends approval by the Legislative Council.**

22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council conditionally**
23 **approves the SBInet Project on the Nation, provided that CBP will:**

- 24 **(1) seek prior approval from the impacted communities, border districts and the**
25 **Natural Resources Department prior to any deployment of SBInet equipment;**
26 **(2) consult and coordinate with the Nation' Department of Public Safety ("TODPS")**
27 **to the maximum extent possible, and work with a liaison appointed by the TODPS**
28 **Director to provide public information and address concerns;**

RESOLUTION NO. 07-129

(Supporting United States Department of Homeland Security, Customs and Border Protection Secure Border Initiative)

Page 2 of 3

- 1 **(3) respect the human and civil rights of the Nation's members and respond in a**
2 **timely manner to concerns regarding these issues;**
- 3 **(4) minimize any environmental impacts of their operations by not destroying**
4 **vegetation, littering, or otherwise injuring the Nation's lands;**
- 5 **(5) consult with the Nations Cultural Affairs Office to avoid damage to cultural sites**
6 **or interruption of traditional ceremonies or celebrations;**
- 7 **(6) refrain from harassing the Tohono O'odham and comply with all applicable**
8 **federal laws, including but not limited to those governing searches, seizures,**
9 **vehicle and other stops;**
- 10 **(7) consider improving existing roads serving the Nation's members and its**
11 **communities as a means of improving community relations, lawful**
12 **transportation, communications and access;**
- 13 **(8) remove vehicles abandoned by smugglers and drug traffickers but refrain from**
14 **destroying or unnecessarily damaging such vehicles, which are often stolen from**
15 **the Nation's members or other innocent victims;**
- 16 **(9) assist the TODPS in assessing its radio operations and equipment infrastructure,**
17 **such as repeater towers, to assess security and operational effectiveness, with the**
18 **goal of enhancing or establishing interoperability between federal border**
19 **enforcement agencies and the TODPS.**

20 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH. Day**
21 **of MARCH, 2007 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-**
22 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
23 **Section 1(f)and(j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
24 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
25 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
26 **18, 1934 (48 Stat. 984).**

27
28
29
30
31
32
33
34
35
36
37

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Verlon M. Jose, Legislative Chairman

14 day of March, 2007

RESOLUTION NO. 07-129

(Supporting United States Department of Homeland Security, Customs and Border Protection Secure Border Initiative)

Page 3 of 3

1 ATTEST:

2
3
4 *Lucille Lopez*
5 Lucille Lopez, Acting Legislative Secretary

6
7 06 day of March, 2007.

8
9 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono
10 O'Odham Nation on the 14 day of March, 2007 at 11:28 o'clock,
11 A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
12 effective upon her approval or upon her failure to either approve or disapprove it within 48 hours
13 of submittal.

14
15 TOHONO O'ODHAM LEGISLATIVE COUNCIL

16
17 *Verlon M. Jose*
18
19 Verlon M. Jose, Legislative Chairman

20
21
22
23 APPROVED

on the 15 day of March, 2007

24
25 DISAPPROVED

at 3:01 o'clock, P.M.

26
27 *Vivian Juan-Saunders*
28
29 VIVIAN JUAN-SAUNDERS, CHAIRWOMAN
30 TOHONO O'ODHAM NATION

31
32
33
34
35 Returned to the Legislative Secretary on the 15 day of
36 March, 2007, at 3:24 o'clock, P.M.

37
38
39 *Lucille Lopez*
40
41 Lucille Lopez, Acting Legislative Secretary

42
43
44
45

ACTION: SUPPORTING UNITED STATES DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION SECURE BORDER INITIATIVE

MOVED: COUNCILWOMAN GLORIA RAMIREZ

SECOND: COUNCILWOMAN EVELYN JUAN MANUEL

DATE: MARCH 06, 2007

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 310.8	1. FRANCES MIGUEL (Vernon J. Smith)	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			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
HICKIWAN 167.4	1. SHIRLEY SANTOS-MOLINA ()	83.70	X			
	2. SANDRA ORTEGA ()	83.70	X			X
PISINEMO 171.8	1. BARBARA SALVICIO ()	85.90	X			
	2. GERALD FAYUANT ()	85.90	X			
SAN LUCY 169.0	1. LORRAINE EILER ()	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 ROMERO (Isidro Lopez)	93.35	X			X
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			
TOTAL		2,440.80	2,440.80	-0-	-0-	[02]

****PASSED VOTES**