

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving Application for the Tohono O'odham Nation to Establish a Tribal Historic**  
**Preservation Office as part of the Tohono O'odham Nation's Cultural Affairs Program)**

**RESOLUTION NO. 08-249**

1 **WHEREAS, the Tohono O'odham Nation is a federally recognized Tribe and has a government to**  
2 **government relationship with the United States of America; and**

3 **WHEREAS, the Tohono O'odham Nation is eligible for all rights and privileges afforded to**  
4 **Federally recognized Indian tribes; and**

5 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to "administer land**  
6 **and other public property, and by law, ordinance or resolution....to manage, protect,**  
7 **preserve and regulate the use of property, wildlife, land, air and natural resources of**  
8 **the Tohono O'odham Nation" and the power to consult "appropriate federal agencies**  
9 **regarding federal activities that affect the Tohono O'odham Nation" (Constitution of**  
10 **the Tohono O'odham Nation, Article VI, Section 1(i)(2) and 1(j); and**

11 **WHEREAS, the Tohono O'odham and their ancestors, the Archaic Period peoples and the**  
12 **Hohokam have inhabited Southern Arizona since time immemorial; and**

13 **WHEREAS, the Tohono O'odham Nation recognizes the need to protect, preserve and manage**  
14 **cultural resources on its lands; and**

15 **WHEREAS, the Tohono O'odham Legislative Council passed the Archaeological Resource**  
16 **Protection Ordinance (06-84) in 1984 for "the protection and preservation of**  
17 **archaeological resources historically associated with traditional or sacred values and**  
18 **beliefs important to the O'odham, and of the physical site, location or context in which**  
19 **archaeological resources are found" and directs in Section 3(c) that "the Chairman is**  
20 **hereby designated as the official to receive notification of any archaeological permit**  
21 **applications or of any archaeological or environmental impact or activities required**  
22 **to be given to the Papago Tribe pursuant to Federal Acts or regulations promulgated**  
23 **pursuant thereto," and in Section 3(d) defines Federal Acts has including the "Act of**  
24 **October 15, 1966, as amended, the National Historic Preservation Act of 1966" (16**  
25 **U.S.C. 470 a-t; 36 CFR Part 800); and**

26 **WHEREAS, the Tohono O'odham Nation in 1997 established the Cultural Affairs Program as part**  
27 **of the Natural Resources Department to preserve and protect sites associated with**  
28 **religious, cultural, archaeological and historical resources of the Tohono O'odham**  
29 **Nation; and**

30

**RESOLUTION NO. 08-249**

**(Approving Application for the Tohono O'odham Nation to Establish a Tribal Historic Preservation Office as part of the Tohono O'odham Nation's Cultural Affairs Program)**

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1 **WHEREAS, the Tohono O'odham Nation, as a sovereign Indian Nation wishes to make decisions**  
2 **about historic and cultural resources on its lands; and**

3 **WHEREAS, the National Historic Preservation Act of 1966 (NHPA), as amended, provides in**  
4 **Section 101 (d)(2) that an Indian Nation may assume all or any part of the functions of**  
5 **a State Historic Preservation Office (SHPO) in accordance with Section 101 (b)(2) and**  
6 **(b)(3) with respect to tribal land; and**

7 **WHEREAS, the Cultural Preservation Committee of the Tohono O'odham Nation's Legislative**  
8 **Council approves the submission of an application to the National Park Service to**  
9 **establish a Tribal Historic Preservation Office; and**

10 **WHEREAS, the Cultural Affairs Program is preparing an application for submission to the**  
11 **National Park Service to enable the Tohono O'odham Nation to assume the functions**  
12 **of a Tribal Historic Preservation Office on the Tohono O'odham Nation, pursuant to**  
13 **the National Historic Preservation Act of 1966, as amended.**

14 **NOW, THEREFORE, BE IT RESOLVED that the Cultural Preservation Committee of the Tohono**  
15 **O'odham Nation's Legislative Council shall serve as an Advisory Review Board in the**  
16 **Tohono O'odham Nation's Tribal Historic Preservation Office in conjunction with the**  
17 **approval of the Tribal Historic Preservation Office application. The Advisory Review**  
18 **Board performs a specific review function in the National Register review process and**  
19 **provides advice to the Tribal Historic Preservation Officer on the direction and**  
20 **priorities of the Tribal Historic Preservation Office.**

21 **BE IT FURTHER RESOLVED the Tohono O'odham Nation shall designate the**  
22 **Manager of the Tohono O'odham Nation's Cultural Affairs Program as the Tribal**  
23 **Historic Preservation Officer, in conjunction with the approval of the Tribal Historic**  
24 **Preservation Office application.**

25 **BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council does**  
26 **hereby authorize the submission of an application for the Tohono O'odham Nation to**  
27 **establish a Tribal Historic Preservation Office as part of the Tohono O'odham Nation's**  
28 **Cultural Affairs Program.**

29 **BE IT FINALLY RESOLVED that the Chairman of the Tohono O'odham Nation is hereby authorized**  
30 **to sign documents associated with the application and establishment of the Tohono**  
31 **O'odham Nation's Tribal Historic Preservation Office.**

RESOLUTION NO. 08-249

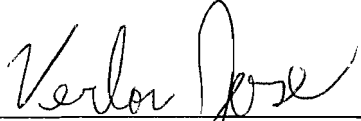
(Approving Application for the Tohono O'odham Nation to Establish a Tribal Historic Preservation Office as part of the Tohono O'odham Nation's Cultural Affairs Program)

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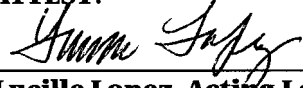
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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09<sup>TH</sup> Day of MAY, 2008 at a meeting at which a quorum was present with a vote of 2,534.5 FOR; -0- AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Section 1 (d)(2)&(3) 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

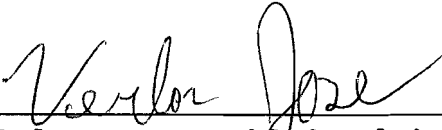
  
\_\_\_\_\_  
Verlon M. Jose, Legislative Chairman  
15 day of May, 2008

ATTEST:

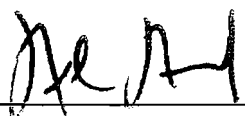
  
\_\_\_\_\_  
Lucille Lopez, Acting Legislative Secretary  
09 day of May, 2008.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 9 day of May, 2008 at 12:10 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

  
\_\_\_\_\_  
Verlon M. Jose, Legislative Chairman

APPROVED on the 19<sup>th</sup> day of May, 2008  
 DISAPPROVED at 11:01 o'clock, A..M.

  
\_\_\_\_\_  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

**RESOLUTION NO. 08-249**

**(Approving Application for the Tohono O'odham Nation to Establish a Tribal Historic Preservation Office as part of the Tohono O'odham Nation's Cultural Affairs Program)**

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Returned to the Legislative Secretary on the 19 day of

May, 2008, at 10:59 o'clock, A.M.

Lucille Lopez  
Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING APPLICATION FOR THE TOHONO O'ODHAM NATION TO ESTABLISH A TRIBAL HISTORIC PRESERVATION OFFICE AS PART OF THE TOHONO O'ODHAM NATION'S CULTURAL AFFAIRS PROGRAM

MOVED: COUNCILWOMAN FRANCES CONDE

SECOND: COUNCILMAN TIMOTHY JOAQUIN

DATE: MAY 09, 2008

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> <b>316.9</b>	1. FRANCES MIGUEL (Roberta Harvey)	158.45	X			
	2. FRANCES G. ANTONE (Vernon Smith)	158.45	X			
<b>CHUKUT KUK</b> <b>264.8</b>	1. ETHEL GARCIA ( )	132.40	X			
	2. VERLON M. JOSE ( )	132.40	X			
<b>GU ACHI</b> <b>227.9</b>	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	113.95	X			
	2. CYNTHIA E. MANUEL ( )	113.95	X			
<b>GU VO</b> <b>199.2</b>	1. GRACE MANUEL ( )	99.60	X			
	2. (RAYMOND VICTOR) ( )	99.60	X			
<b>HICKIWAN</b> <b>172.0</b>	1. MICHELLE ORTEGA ( )	86.00	X			
	2. SANDRA ORTEGA ( )	86.00	X			X
<b>PISINEMO</b> <b>182.4</b>	1. CHESTER ANTONE ( )	91.20	X			
	2. GERALD FAYUANT ( )	91.20	X			
<b>SAN LUCY</b> <b>181.1</b>	1. LORRAINE EILER ( )	90.55	X			
	2. GLORIA RAMIREZ ( )	90.55	X			
<b>SAN XAVIER</b> <b>196.5</b>	1. FELICIA NUÑEZ (Adam P. Andrews)	98.25	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	98.25	X			
<b>SCHUK TOAK</b> <b>154.6</b>	1. FRANCES B. CONDE (Frederick Jose)	77.30	X			
	2. PHYLLIS CACHORA (Agnes Joaquin)	77.30	X			
<b>SELLS</b> <b>444.7</b>	1. KIMBERLY LISTO ( )	222.35	X			
	2. EVELYN B. JUAN MANUEL ( )	222.35	X			
<b>SIF OIDAK</b> <b>194.4</b>	1. WVALENE ROMERO ( )	97.20	X			
	2. MARY LOPEZ ( )	97.20	X			X
<b>TOTAL</b>		<b>2,534.5</b>	<b>2,534.5</b>	<b>-0-</b>	<b>-0-</b>	<b>[01]</b>

\*\*PASSED VOTES