

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting H.R. 5530, the "Tribal Government Homeland Security Coordination
and Integration Act")**

RESOLUTION NO. 08-255

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

8 **WHEREAS, sovereign Indian tribes share a unique trust relationship with the United States of**
9 **America, which is embodied in the Constitution of the United States, numerous court**
10 **opinions, statutes, executive orders, and federal agency policies; and**

11 **WHEREAS, by its passage and implementation of the Indian Self-Determination and Education**
12 **Assistance Act (25 U.S.C. § 450 et seq.) and similar legislation, the United States of**
13 **America has recognized the need to work with Indian tribes on a government-to-**
14 **government basis and to support Indian tribal self-determination and self-**
15 **governance; and**

16 **WHEREAS, Executive Branch departments are, furthermore, mandated by Executive Order 13175,**
17 **"Consultation and Coordination with Indian Tribal Governments" to work with tribes**
18 **when formulating and implementing policies or taking other actions that have a**
19 **substantial direct effect on any Indian tribe; and**

20 **WHEREAS, Indian tribes have principle responsibility for lands and people within their**
21 **jurisdiction, including lands on the international borders with Canada and Mexico,**
22 **and are greatly impacted by human and drug smuggling, other illegal border activity,**
23 **as well as by federal border enforcement measures and policies; and**

24 **WHEREAS, despite the government-to-government relationship between Indian tribes and the**
25 **United States, the United States has failed to include and consult with Indian tribes**
26 **with regard to homeland security prevention, protection, and response activities**
27 **planning; and**

1 **WHEREAS, nor were Indian tribes consulted when the Secretary of Department of Homeland**
2 **Security was granted and subsequently exercised the authority under Section 102 of**
3 **the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. §**
4 **1103 to waive any environmental, archeological, and other laws to construct physical**
5 **barriers and roads on the United States' border with Mexico; and**

6 **WHEREAS, Indian tribes are vital partners in homeland security and public safety; and**

7 **WHEREAS, in many areas of the United States, facilities operated, and services, activities and**
8 **government functions carried out, by Indian tribes, the Bureau of Indian Affairs and**
9 **the Indian Health Service are the only sources available to provide emergency health**
10 **services, disaster response, and law enforcement to tribal and non-tribal**
11 **communities, thus serving the role as first responders in the event of a terrorist**
12 **attack; and**

13 **WHEREAS, tribal participation in homeland security initiatives is therefore essential to provide**
14 **for the public health and safety on tribal lands and in surrounding communities and**
15 **Indian tribes must be included in the national homeland security strategy and receive**
16 **an appropriate share of related funding; and**

17 **WHEREAS, H.R. 5530, the "Tribal Government Homeland Security Coordination and Integration**
18 **Act," would establish within the Department of Homeland Security an Office of Tribal**
19 **Government Homeland Security that would provide strategic integration of the**
20 **homeland security activities of Indian tribes and complement the operational**
21 **consolidation of the numerous directorates within the Department of Homeland**
22 **Security.**

23 **NOW, THEREFORE, BE IT RESOLVED that the Inter Tribal Council of Arizona Tohono O'odham**
24 **Nation supports H.R. 5530, the "Tribal Government Homeland Security Coordination**
25 **and Integration Act" as a means of directly involving Indian tribes in homeland**
26 **security measures and initiatives and urges the United States Congress to promptly**
27 **pass this legislation.**

28 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes and directs its**

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delegation to the National Congress of American Indians 2008 Mid-Year Session to submit this resolution to the NCAI for its approval.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 09TH. 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(i)(2)&1(j) 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

13 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 13 day of May, 2008 at 5:00 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

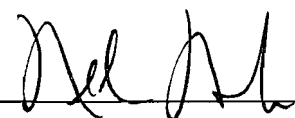

Verlon M. Jose, Legislative Chairman

APPROVED

on the 13 day of May, 2008

DISAPPROVED

at 6:00 o'clock, P.M.


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

RESOLUTION NO. 08-255

(Supporting H.R. 5530, the "Tribal Government Homeland Security Coordination and Integration Act")

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Returned to the Legislative Secretary on the 14 day of

May, 2008, at 8:14 o'clock, A.M.

Lucille Lopez
Lucille Lopez, Acting Legislative Secretary

ACTION: SUPPORTING H.R. 5530, THE "TRIBAL GOVERNMENT HOMELAND SECURITY COORDINATION AND INTEGRATION ACT"

MOVED: COUNCILMAN TIMOTHY JOAQUIN

SECOND: COUNCILWOMAN EVELYN JUAN MANUEL

DATE: MAY 09, 2008

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

**PASSED VOTES