

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Resolution No. 14-506, "Directing Evaluation of Hia-Ced Enumeration
and Establishing Hia-Ced Enumeration Subcommittee" to Extend Time for
Enrollment Program Report)**

RESOLUTION NO. 15-008

1 **WHEREAS, the Hia-Ced O'odham since time immemorial inhabited lands in western**
2 **Papagueria between the western boundaries of the Tohono O'odham (formerly**
3 **"Papago") villages and the Colorado River and extending south of the current**
4 **international border between the United States and Mexico (Resolution No. 16-**
5 **84); and**

6 **WHEREAS, Hia-Ced O'odham homelands were inadvertently omitted when the Sells**
7 **Reservation was established in 1917, and while the Papago Council and Tohono**
8 **O'odham Council adopted resolutions calling upon the United States Congress**
9 **to reserve former Hia-Ced O'odham lands within Pima County, Arizona as**
10 **reservation land, the necessary federal legislation was not enacted (Resolution**
11 **No. 30-81, Resolution No. 16-84, Resolution No. 77-89); and**

12 **WHEREAS, the Hia-Ced O'odham individually and through the Hia-Ced O'odham Alliance,**
13 **the Hiatit O'odham Policy Board, Hia-Ced O'odham Program, Hia-Ced O'odham**
14 **Committee, and other organizations continued to advocate for the enumeration**
15 **of Hia-Ced O'odham descendants or persons with Hia-Ced O'odham lineage, the**
16 **ability to enroll as members of the Tohono O'odham Nation, to recover**
17 **traditional homelands in and near Darby Wells, Mohik Vaya (Soft Well), and**
18 **other locations as a Hia-Ced O'odham land base, and ultimately to establish a**
19 **12th district of the Nation for the Hia-Ced O'odham; and**

20 **WHEREAS, Article IX of the Constitution of the Tohono O'odham Nation recognizes the**
21 **existence of district governments with authority over matters of local concern;**
22 **provided that the Legislative Council may change district boundaries, create**
23 **additional districts, or reduce the number of districts; and**

24 **WHEREAS, effective October 30, 2012 the Legislative Council created the Hia-Ced District as**
25 **the 12th district of the Nation and established the District's boundaries by**
26 **Resolution No. 12-423 and pursuant to the Creation of the Hia-Ced District of the**
27 **Tohono O'odham Nation ordinance ("Hia-Ced Creation Ordinance"), 27 Tohono**
28 **O'odham Code Chapter 1; and**

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1 **WHEREAS, Section 1105(A) of the Hia-Ced Creation Ordinance currently provides that for a**
2 **three-year period beginning October 30, 2012, "an enrolled member of the**
3 **Tohono O'odham Nation who has already been assigned an enrollment number**
4 **may . . . change that member's regional reference, or the regional reference of**
5 **an enrolled minor on behalf of whom the member has the legal authority to act,**
6 **to the new Hia-Ced District using the initials "HC."; and**

7 **WHEREAS, while the enrollment number assigned to each member of the Nation includes a**
8 **"regional reference" identifying the member's resident district or "no district" if**
9 **no resident district has been identified, the regional references "are to be used**
10 **for enrollment numbering purposes only, and no residence [or] other**
11 **conclusions shall result from the use thereof." (Papago Enrollment Manual,**
12 **Processing Applications-Membership Records, 3. Filing of Applications); and**

13 **WHEREAS, enrolled adult members of the Tohono O'odham Nation may register to vote in**
14 **the Hia-Ced District in the same manner as registrants in other Nation's**
15 **districts pursuant to the voter registration provisions of Article IV of 12 Tohono**
16 **O'odham Code Chapter 1 - Elections; and**

17 **WHEREAS, since Tohono O'odham members are enrolled in the Nation and are not enrolled**
18 **in individual districts, the Election law explicitly provides that "The district or**
19 **'regional reference' appearing on a registrant's enrollment identification shall**
20 **not prevent the registrant from becoming a registered voter in any district." 12**
21 **Tohono O'odham Code Chapter 1, subsection 1402(C)(2)(a); and**

22 **WHEREAS, on June 11, 2014 Resolution No. 14-240 suspended Hia-Ced Creation Ordinance**
23 **Section 1105, prohibited approval of additional transfers to the "HC" regional**
24 **reference, and prohibited approval of the "HC" regional references in**
25 **enrollment applications, except that the moratorium does not apply to**
26 **applications filed prior to June 11, 2014; and**

27 **WHEREAS, while the enumeration identifying Hia-Ced O'odham descendants or persons**
28 **with Hia-Ced O'odham lineage was not incorporated into the Hia-Ced Creation**
29 **Ordinance, it is in the Nation's best interest to evaluate existing enumeration**
30 **documents and determine the need for related legislation; and**

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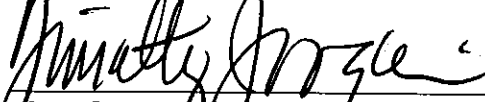
1 **WHEREAS, Resolution No. 14-506 directed the evaluation of existing Hia-Ced enumeration**
2 **records for completeness and accuracy and requested that the Enrollment**
3 **Program "report in writing to the Domestic Affairs Committee and Rules**
4 **Committee within 60 days whether a fully comprehensive and accurate**
5 **enumeration can be created and identify resources necessary for that purpose";**
6 **and**

7 **WHEREAS, the Enrollment Program has reported that it requires additional time to**
8 **evaluate enumeration records.**

9 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council amends**
10 **Resolution No. 14-506, "Directing Evaluation of Hia-Ced Enumeration and**
11 **Establishing Hia-Ced Enumeration Subcommittee" to provide the Enrollment**
12 **Program with an additional 90 days beginning on the effective date of this**
13 **resolution to report in writing to the Domestic Affairs Committee and Rules**
14 **Committee whether a fully comprehensive and accurate enumeration can be**
15 **created and identify resources necessary for that purpose.**

16 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH**
17 **day of JANUARY, 2015 at a meeting at which a quorum was present with a vote of 2,946.5 FOR;**
18 **-0- AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
19 **Article II; Article VI, Section 1(h) and 1(i); Article IX, Section 2; Article XVI, Section 9 of the**
20 **Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on**
21 **January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
22 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

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25 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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28 **Timothy Joaquin, Legislative Chairman**

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30 6 day of January, 2015

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35 **ATTEST:**

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38 **Evonne Wilson, Legislative Secretary**

39 06 day of January, 2015
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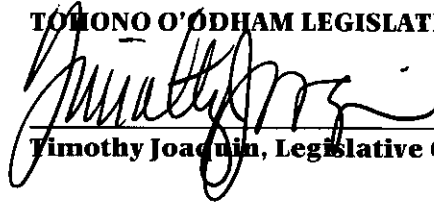
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 4 day of January, 2015 at 4:15 o'clock, P.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL




Timothy Joaquin, Legislative Chairman

APPROVED

DISAPPROVED

on the 07 day of January, 2015
at 5:33 o'clock, P.m.



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

Returned to the Legislative Secretary on the 08 day of
January, 2015, at 9:35 o'clock, a.m.



Evonne Wilson, Legislative Secretary

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ACTION: AMENDING RESOLUTION NO. 14-506, "DIRECTING EVALUATION OF HIA-CED ENUMERATION AND ESTABLISHING HIA-CED ENUMERATION SUBCOMMITTEE" TO EXTEND TIME FOR ENROLLMENT PROGRAM REPORT

Moved: COUNCILWOMAN LORETTA LEWIS

Second: COUNCILWOMAN BARBARA HAVIER

DATE: JANUARY 06, 2015

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			X
SELLS 502.0	1. ARTHUR WILSON (Ophelia Patten)	251.0	X			
	2. BARBARA HAVIER (Beverly Rivas)	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			
	2. QUINTIN C. LOPEZ (John Fendenhelm)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS <i>(Absent)</i> (Daniel L.A. Preston, III) <i>(Present)</i>	112.1	X			
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			X
	2. JANA MONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE <i>(Absent)</i> (Tony Murrietta) <i>(Present)</i>	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ ()	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			
HIA CED 19.6	1. PATRICK ANDREWS (Janice E. Paul)	9.8	X			
	2. VIRGINIA GARCIA ()	9.8	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65	X			
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	2,946.5	-0-	-0-	[02]