

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting Standing Rock Sioux Tribe's Opposition to Dakota Access Pipeline)**

RESOLUTION NO. 16-445

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Tohono O'odham
2 Legislative Council with the power "to manage, protect, preserve and regulate the
3 use of the property, wildlife, land, air and natural resources (including surface
4 and ground waters) of the Tohono O'odham Nation" and to consult with other
5 Indian tribes, the United States Congress, and with appropriate federal agencies
6 regarding federal activities that affect the Tohono O'odham Nation (Constitution,
7 Article VI, Section 1(f), 1(i)(2) and 1(j)); and

8 **WHEREAS,** the Tohono O'odham Nation recognizes the need to preserve and protect areas
9 with significant archaeological, cultural, historic, geologic, hydrologic, and
10 natural resources for the benefit of future generations; and

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

15 **WHEREAS,** the United States government has legal and moral responsibilities to manage
16 traditional cultural territories in a way that shows respect for cultural, historical,
17 spiritual and religious importance to Indian tribes and their quality of life; and

18 **WHEREAS,** against strong opposition by the Standing Rock Sioux Tribe, Dakota Access, LLC
19 has proposed construction of a \$3.7 billion, 1,168-mile-long pipeline (the "Dakota
20 Access Pipeline") that will transfer up to 570,000 barrels of crude oil per day, and
21 would cross the Missouri River less than a mile away from the Standing Rock
22 Reservation homelands, posing high risk to the ancestral sites of the Standing
23 Rock Sioux and its water supply; and

24 **WHEREAS,** for several months, tribal members and supporters have occupied a camp set up
25 by the Standing Rock Sioux at the confluence of the Cannonball and Missouri
26 Rivers to protest construction of the pipeline, and to date over 85 tribal nations
27 have voiced support of Standing Rock Sioux Tribe's opposition; and

28 **WHEREAS,** the process used in obtaining permits for the Dakota Access Pipeline project has
29 circumvented federal laws mandating protections of Native American culture
30 and environment and violates Executive Order 13175 "Consultation and
31 Coordination with Indian Tribal Governments" and subsequent presidential

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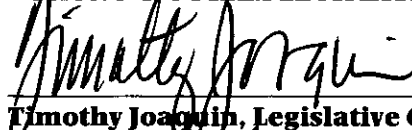
1 memoranda requiring federal agencies to engage in meaningful and timely
2 consultation with tribes in a manner respectful of tribal sovereignty; and
3 **WHEREAS,** the Agricultural and Natural Resources and Water Resources Committees
4 recommend supporting the Standing Rock Sioux Tribe and opposing the
5 construction of the Dakota Access Pipeline across their ancestral lands.

6 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council strongly
7 supports the Standing Rock Sioux Tribe's opposition to construction of the
8 Dakota Access Pipeline.

9 **BE IT FURTHER RESOLVED** that the Tohono O'odham Legislative Council calls upon the Obama
10 Administration, any subsequent presidential administration, and all federal
11 agencies to exercise the trust responsibility of the United States to protect all
12 Indian nations' water and other resources and to take action to ensure the
13 Standing Rock Sioux Tribe's rights are recognized and resources are safeguarded
14 for future generations.

15 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH day
16 of SEPTEMBER, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR; -0-
17 AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by
18 Article VI, Section 1(c)(8), 1(f) and 1(j) of the Constitution of the Tohono O'odham Nation, adopted
19 by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy
20 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the
21 Act of June 18, 1934 (48 Stat.984).

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23 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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27 Timothy Joaquin, Legislative Chairman

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29 16 day of Sept, 2016
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33 **ATTEST:**

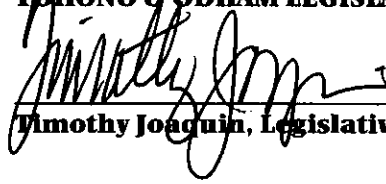
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36 Evonne Wilson, Legislative Secretary

37 16 day of September, 2016
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40 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
41 O'odham Nation on the 16 day of Sept, 2016 at 4:48 o'clock, p .m.,
42 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
43 effective upon his approval or upon his failure to either approve or disapprove it within 48
44 hours of submittal.
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TOHONO O'ODHAM LEGISLATIVE COUNCIL



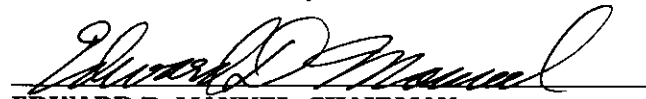
Timothy Joaquin, Legislative Chairman

APPROVED

on the 19 day of September, 2016

DISAPPROVED

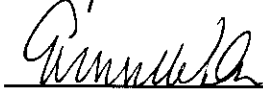
at 3:34 o'clock, p.m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of

September, 2016, at 4:54 o'clock, p.m.



Evonne Wilson, Legislative Secretary

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ACTION: SUPPORTING STANDING ROCK SIOUX TRIBE'S OPPOSITION TO DAKOTA ACCESS PIPELINE

MOVED: COUNCILMAN QUINTIN C. LOPEZ

SECOND: COUNCILMAN DANIEL L.A. PRESTON, III

DATE: SEPTEMBER 13, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			X
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GUACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			X
HICKIWAN 205.8	1. LOUIS R. LOPEZ <i>(Absent)</i> (Shirley Molina) <i>(Present)</i>	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			X
PISINEMO 219.9	1. CHESTER ANTONE ()	109.95	X			X
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25	X			
	2. JANA MONTANA <i>(Absent)</i> (Gloria Ramirez) <i>(Present)</i>	113.25	X			X
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.3	X			
	2. RACHEAL VILSON-STONER <i>(Absent)</i> (Olivia Villegas-Liston) <i>(Present)</i>	114.3	X			X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.3	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	3,021.4	-0-	-0-	[06]