

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Requesting the Secretary of the Interior Take into Trust 81.34 Acres of Land in the
Nation's Pending Application for Replacement Lands Under the Gila Bend Indian
Reservation Lands Replacement Act)

RESOLUTION NO. 16-515

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to administer**
2 **land and to "consult with the Congress of the United States and appropriate**
3 **federal agencies regarding federal activities that affect the Tohono O'odham**
4 **Nation" (Constitution of the Tohono O'odham Nation, Article VI, Section 1(I) and**
5 **1(j)); and**

6 **WHEREAS, San Lucy District is a political subdivision of the Tohono O'odham Nation**
7 **("Nation") and is located on the Gila Bend Indian Reservation, adjacent to Gila**
8 **Bend, Arizona; and**

9 **WHEREAS, in 1986, the United States Congress enacted the Gila Bend Indian Reservation**
10 **Lands Replacement Act to "facilitate replacement of reservation lands with**
11 **lands suitable for sustained economic use which is not principally farming and**
12 **do not require Federal outlays for construction, and promote the economic self-**
13 **sufficiency of the O'odham Indian people." (Gila Bend Indian Reservation Lands**
14 **Replacement Act, Pub.L. 99-503, subsection 2(4)); and**

15 **WHEREAS, under the terms of the Gila Bend Indian Reservation Lands Replacement Act, the**
16 **Tohono O'odham Nation is authorized to acquire replacement lands that the**
17 **Secretary of the Interior "shall hold in trust for the benefit" of the Nation (Pub.**
18 **L.99-503, subsection 6(d)); and**

19 **WHEREAS, in 2003, and at the request of San Lucy District, the Nation purchased 134.88**
20 **acres of contiguous land in unincorporated Maricopa County, situated at the**
21 **southwest corner of 91st Avenue and Northern Avenue, near Glendale and**
22 **Peoria, Arizona (the "Settlement Property") to replace Gila Bend Indian**
23 **Reservation lands; and**

24 **WHEREAS, pursuant to Resolution No. 09-049, as amended by Resolution No. 09-397, the**
25 **Nation requested that the Secretary of the Interior take land into trust under the**
26 **terms of the Gila Bend Indian Reservation Lands Replacement Act; and**

27 **WHEREAS, on July 16, 2014, the Secretary of the Interior took 53.54 acres of the Settlement**
28 **Property into trust for the benefit of the Tohono O'odham Nation; and**

29 **WHEREAS, it is in the Nation's best interest to confirm its request that the Secretary of the**
30 **Interior acquire the remaining 81.34 acres of the Settlement Property in trust**
31 **for the benefit of the Nation.**
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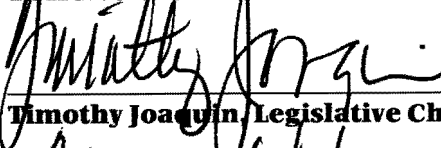
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1 **NOW, THEREFORE, BE IT RESOLVED** that pursuant to the Gila Bend Indian Reservation Lands
2 **Replacement Act, the Tohono O'odham Legislative Council requests that the**
3 **Secretary of the Interior immediately hold in trust for the benefit of the Nation**
4 **the 81.34 acres of the Settlement Property.**

5 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes the Nation's
6 **Chairperson, Economic Development Delegation, and Office of the Attorney**
7 **General to take all necessary actions to carry out the intent of this resolution.**

8 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 20TH**
9 **day of OCTOBER, 2016 at a meeting at which a quorum was present with a vote of 3,021.4 FOR;**
10 **-0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by**
11 **Article VI, Section 1(i) and 1(j) of the Constitution of the Tohono O'odham Nation, adopted by**
12 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
13 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of**
14 **June 18, 1934 (48 Stat.984).**

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17 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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22 **Timothy Joaquin, Legislative Chairman**

23 20 day of October, 2016

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26 **ATTEST:**

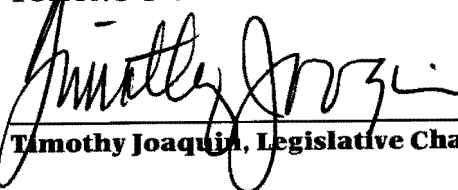
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29 **Evonne Wilson, Legislative Secretary**

30 20 day of October, 2016

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33 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
34 **O'odham Nation on the 20 day of October, 2016 at 7:30 o'clock, P.m.,**
35 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
36 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
37 **hours of submittal.**

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39 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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44 **Timothy Joaquin, Legislative Chairman**

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APPROVED

on the 20 day of October, 2016

DISAPPROVED

at 6:02 o'clock, P.m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 21 day of

October, 2016, at 9:14 o'clock, A.m.



Evonne Wilson, Legislative Secretary

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ACTION: REQUESTING THE SECRETARY OF THE INTERIOR TAKE INTO TRUST 81.34 ACRES OF LAND IN THE NATION'S PENDING APPLICATION FOR REPLACEMENT LANDS UNDER THE GILA BEND INDIAN RESERVATION LANDS REPLACEMENT ACT

Moved: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILWOMAN ETHEL GARCIA

DATE: OCTOBER 20, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (<i>Absent</i>) (Roberta E. Harvey) (<i>Present</i>)	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			
	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			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (Shirley Molina)	102.90	X			X
	2. SANDRA ORTEGA ()	102.90	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			X
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III (Felicia Nunez)	114.30	X			
	2. RACHAEL VILSON-STONER (Olivia Villegas-Liston)	114.30	X			
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. (Mario J.B. Juan)	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			
SELLS 513.5	1. ARTHUR WILSON (<i>Absent</i>) (Beverly Rivas) (<i>Present</i>)	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-	[03]