

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting the Acquisition of Lands Near Ajo, Arizona from the Bureau of Land
Management and Hia-Ced O'odham Alliance, and Establishing Do'ag Vecho
Land Recovery Delegation)

RESOLUTION NO. 23-115

1 **WHEREAS,** **"[i]t shall be the policy of the Tohono O'odham Nation to seek the return to the**
2 **Tohono O'odham Nation of lands and natural resources, including minerals and**
3 **water rights, within or adjacent to the Tohono O'odham Nation, or which**
4 **originally were a part of the historic Papagueria" (Constitution of the Tohono**
5 **O'odham Nation, Article XVI, Section 9); and**

6 **WHEREAS,** **the Tohono O'odham Legislative Council is vested with the power "by law,**
7 **ordinance or resolution . . . to purchase or otherwise acquire property" and to**
8 **"consult, negotiate and conclude agreements and contracts on behalf of the**
9 **Tohono O'odham Nation with Federal, State and local governments . . . on all**
10 **matters within the authority of the Tohono O'odham Council" (Constitution,**
11 **Article VI, Section 1(i)(3) and Section 1(f)); and**

12 **WHEREAS,** **the Tohono O'odham Nation has identified sensitive lands that may be available**
13 **for acquisition in western Pima County, Arizona near the Ajo community that**
14 **were originally part of the historic Papagueria, including (1) the 20 acre Do'ag**
15 **Vecho (Darby Wells) cemetery, which is privately owned and maintained by the**
16 **Hia-Ced O'odham Alliance; (2) additional area around the Do'ag Vecho cemetery,**
17 **which is currently managed by the United States Bureau of Land Management**
18 **("BLM"); and (3) the Do'ag Vecho village site, which is currently managed by the**
19 **BLM (collectively, "Do'ag Vecho Properties"); and**

20 **WHEREAS,** **for generations, members of the Nation lived at the Do'ag Vecho village site and**
21 **have buried their family members at the nearby Do'ag Vecho cemetery, and**
22 **continue to return to the area to celebrate, gather, and mourn with their families;**
23 **and**

24 **WHEREAS,** **by Resolution Nos. 96-138 and 96-270, the Legislative Council previously pursued**
25 **the acquisition of the Do'ag Vecho cemetery and village site, and ultimately**
26 **authorized the Hia-Ced O'odham Alliance's acquisition of the Do'ag Vecho**
27 **cemetery from the BLM; and**

28 **WHEREAS,** **the President/CEO of the Hia-Ced O'odham Alliance, Lorraine Eiler, is advocating**
29 **for the restoration of the Do'ag Vecho Properties to the Nation, and has**
30 **communicated the Hia-Ced O'odham Alliance's full support for conveying Do'ag**
31 **Vecho cemetery to the Nation for acquisition in trust by the United States; and**
32

RESOLUTION NO. 23-115

(Supporting the Acquisition of Lands Near Ajo, Arizona from the Bureau of Land Management and Hia-Ced O'odham Alliance, and Establishing Do'ag Vecho Land Recovery Delegation)

Page 2 of 3

1 **WHEREAS, the BLM has affirmed its support of tribal co-stewardship of federal lands to fulfill**
2 **the United States' trust obligation to federally recognized tribes and protect the**
3 **treaty, religious, subsistence, and cultural interests of the tribes; and**

4 **WHEREAS, the ultimate objective of the acquisition will be to acquire the Do'ag Vecho**
5 **Properties to be held in trust by the United States for non-gaming purposes; and**

6 **WHEREAS, it is in the Nation's best interests to evaluate the Do'ag Vecho Properties, and to**
7 **authorize negotiations for their acquisition, subject to final approval by**
8 **Legislative Council resolution.**

9 **NOW, THEREFORE, BE IT RESOLVED that the Legislative Council supports the acquisition of the**
10 **Do'ag Vecho Properties.**

11 **BE IT FINALLY RESOLVED that the Legislative Council authorizes the Agricultural and Natural**
12 **Resources and Cultural Preservation Committees' chairpersons and vice**
13 **chairpersons, and the Nation's chairperson or, in the chairperson's absence, the**
14 **Nation's vice chairperson (collectively, "Do'ag Vecho Recovery Delegation"), to**
15 **conduct negotiations for acquiring the Do'ag Vecho Properties, provided that:**

16 (1) **the Do'ag Vecho Recovery Delegation shall act solely as a group, shall have**
17 **a majority present to take any action, and shall regularly report to the**
18 **Agricultural and Natural Resources and Cultural Preservation**
19 **Committees and report to the Legislative Council every four months and**
20 **as necessary; and**

21 (2) **any resulting agreement(s) shall be subject to final approval by Legislative**
22 **Council resolution.**

23 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH**
24 **day of APRIL, 2023 at a meeting at which a quorum was present with a vote of 3,218,0 FOR; -0-**
25 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by,**
26 **Article VI, Section 1(f) and Section 1(i)(3) and Article XVI, Section 9 and Article VI, Section 1(b) of**
27 **the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on**
28 **January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
29 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

30
31
32 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

33
34
35 
36 **Timothy Joaquin, Legislative Chairman**

37
38 19 day of April, 2023
39

RESOLUTION NO. 23-115

(Supporting the Acquisition of Lands Near Ajo, Arizona from the Bureau of Land Management and Hia-Ced O'odham Alliance, and Establishing Do'ag Vecho Land Recovery Delegation)

Page 3 of 3

1 **ATTEST:**

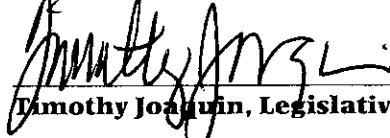
2 
3 _____

4 **Evonne Wilson, Legislative Secretary**

5 17 day of April, 2023
6
7

8 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
9 O'odham Nation on the 19 day of April, 2023 at 8:27 o'clock, A.m.,
10 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
11 effective upon his approval or upon his failure to either approve or disapprove it within 48
12 hours of submittal.
13

14 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

15 
16 _____
17 **Timothy Joaquin, Legislative Chairman**
18
19

20
21
22 **APPROVED**

on the 19 day of April, 2023

23
24 **DISAPPROVED**

at 2:10 o'clock, P.m.

25 
26 _____
27 **NED NORRIS, JR., CHAIRMAN**
28 **TOHONO O'ODHAM NATION**
29
30

31
32
33 **Returned to the Legislative Secretary on the 19 day of**

34 April, 2023, at 2:58 o'clock, P.m.
35

36
37 
38 _____
39 **Evonne Wilson, Legislative Secretary**
40
41
42
43
44
45
46
47
48
49

ACTION: SUPPORTING THE ACQUISITION OF LANDS NEAR AJO, ARIZONA FROM THE BUREAU OF LAND MANAGEMENT AND HIA-CED O'ODHAM ALLIANCE, AND ESTABLISHING DO'AG VECHO LAND RECOVERY DELEGATION

MOVED: COUNCILWOMAN MARLAKAY HENRY

SECOND: COUNCILMAN ROGER MANUEL

DATE: APRIL 12, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN <i>(Absent)</i> (Francis Homewytewa) <i>(Present)</i>	122.8	X			X
SELLS 556.5	1. ARTHUR WILSON <i>(Absent)</i> (Shelia Espino) <i>(Present)</i>	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX ()	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (Lorraine M. Eiler)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. DELMAM. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS <i>(Absent)</i> (Tonya L. Joaquin) <i>(Present)</i>	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	[01]