

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting Border Security and Consultation with United States
Customs and Border Protection)

RESOLUTION NO. 26-006

1 **WHEREAS,** the Tohono O'odham and our ancestors have from time immemorial inhabited
2 lands from the Gila River area in present-day Arizona south to the Sea of Cortez in
3 what is now northern Mexico; and
4 **WHEREAS,** in 1854 the United States created an international boundary with Mexico that cuts
5 through Tohono O'odham lands and that forms the 62-mile southern boundary of
6 the Tohono O'odham Nation's main reservation; and
7 **WHEREAS,** the Nation's members have experienced the negative impacts from illegal
8 immigration and drug trafficking across the international boundary, including
9 crime; damage to the Nation's cultural resources, plants, and animals; increased
10 demands on tribal law enforcement and the Nation's financial resources; illegal
11 dumping; and environmental degradation; and
12 **WHEREAS,** the United States' significantly enhanced immigration and border security
13 policies have reduced apprehensions of aliens illegally present on the Nation's
14 main reservation by more than 95%; and
15 **WHEREAS,** as United States Customs and Border Protection has acknowledged, unlike
16 national forests, wilderness areas, and other federal lands on the international
17 boundary dividing the United States and Mexico, the Nation's reservation is not
18 public land, it is reserved for the benefit of the Nation and its members, and the
19 Nation has a duty to ensure that tribal members' rights and the Nation's
20 sovereignty are protected; and
21 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Tohono O'odham
22 Legislative Council with the power to consult with the Congress and federal
23 agencies regarding federal activities that affect the Tohono O'odham Nation, and
24 federal agencies are required by executive orders, presidential memorandums,
25 and departmental and agency policies to consult and collaborate with affected
26 Indian tribes on federal policies and actions having a substantial direct effect on
27 tribes (Constitution, Article VI, Section 1(f) and (j)); and
28 **WHEREAS,** the duty to protect the Nation's lands and resources, and its sovereignty and
29 jurisdiction, including in the Nation's dealings with the United States Customs
30 and Border Protection ("CBP"), Immigration and Customs Enforcement ("ICE"),
31 United States Department of Homeland Security ("DHS") agencies operating on

the Nation's lands, is consistent with the DHS Directive Number: 071-04, Consultation and Coordination with Tribal Nations, in which,

The United States recognizes the rights of Federally Recognized Indian Tribes to self-governance and self-determination. Indian tribes exercise inherent sovereign rights and governance over their members and their territories.

DHS Directive Number: 071-04, V.A.1.; and

WHEREAS, federal border security and immigration proposals, policies, and actions impact the Nation, requiring timely and meaningful consultation, collaboration, and coordination between the United States and the Nation; and

WHEREAS, the Nation has for decades supported border security measures designed to counter drug- and human-trafficking and other border crimes when those measures protect Nation's members, lands and resources, and the security of the United States while respecting the Nation's sovereignty, authority over its lands, and members' rights; and

WHEREAS, the Nation has authorized the Department of Homeland Security's construction and maintenance of physical vehicle barriers along the Nation's southern border subject to compliance with federal laws (Resolution No. 04-095, as amended; Resolution No. 08-705); and

WHEREAS, the Nation has approved leases requested by the Department of Homeland Security for the construction and operation of two CBP operating bases on the Nation's lands and an on-reservation ICE office lease, and has repeatedly supported a CBP checkpoint on a main reservation highway; and

WHEREAS, the Nation leads a multi-agency anti-drug smuggling task force staffed by Tohono O'odham Police Department detectives, ICE Homeland Security Investigations special agents, Border Patrol agents, and the Federal Bureau of Investigation through the Native American Targeted Investigations of Violent Enterprises task force, the only tribe-led High Intensity Drug Trafficking Area ("HIDTA") task force in the United States; and

WHEREAS, the Nation continues to support the federal funding, full staffing, and deployment of ICE's all-Native American tactical unit known as Shadow Wolves on the Nation's lands; and

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WHEREAS, the Nation has supported the construction and maintenance of the road along the Mexican border that CBP uses to patrol the international boundary, and the Nation continues to work on and seek funding to improve its roads near the border that are extensively used by CBP, Nation's members, and Nation's law enforcement and other personnel; and

WHEREAS, the Nation consented to extensive rights-of-way for CBP's use of the primary patrol road on the Nation's international border, and for Integrated Fixed Towers along the length of the Nation's border; and


WHEREAS, the Domestic Affairs, Agricultural and Natural Resources, Appropriations, and Cultural Preservation Committees and the Nation's chairman recommend consulting with CBP on federal border security policies and actions that impact the Nation.

NOW, THEREFORE, BE IT RESOLVED that the Nation continues to support vehicle barriers, Border Patrol patrols and enforcement on the border, Border Patrol operating bases, and other border security measures on the Nation's lands when those measures protect Nation's members, lands and resources, and the security of the United States while respecting the Nation's sovereignty, authority over its lands, and members' rights consistent with Tohono O'odham Nation's laws and resolutions.

BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council requests that CBP conduct timely and meaningful consultations with the Tohono O'odham Nation on federal border security policies and actions that impact the Nation.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH day of JANUARY 2026 at a meeting at which a quorum was present with a vote of 3,321.1 FOR; -0- AGAINST; [02] NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article III; Article VI, Section 1(c), (f), (i), (j), and Section 2(d); Article XVI; and Article XVIII 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).

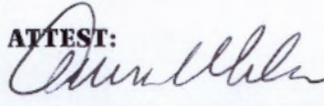
TOHONO O'ODHAM LEGISLATIVE COUNCIL


Wavalene M. Saunders, Legislative Chairwoman
16TH day of January, 2026

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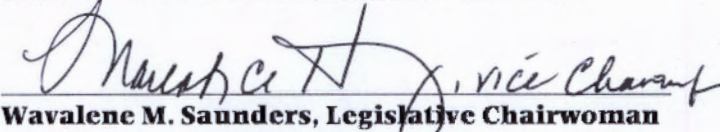
ATTEST:


Evonne Wilson, Legislative Secretary

15 day of January, 2026

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 16th day of January, 2026 at 9:24 o'clock, A.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

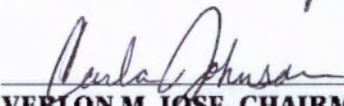

Wavalene M. Saunders, Legislative Chairwoman

☒ APPROVED

on the 16 day of January, 2026

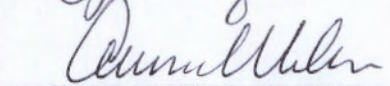
☐ DISAPPROVED

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

 Vice-Chairwoman on behalf of.
VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 16 day of

January, 2026, at 2:26 o'clock, p.m.


Evonne Wilson, Legislative Secretary

ACTION: SUPPORTING BORDER SECURITY AND CONSULTATION WITH UNITED STATES CUSTOMS AND BORDER PROTECTION

MOVED: COUNCILMAN BENNETT CHEWING

SECOND: COUNCILWOMAN VIVIAN JUAN-SAUNDERS

DATE: JANUARY 12, 2026

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 251.2	1. WAVALENE M. SAUNDERS (Mary Lopez) 2. FRANCIS HOMEWYTEWA ()	125.6 125.6	X X			X
SELLS 565.7	1. JANET B. ELEANDO () 2. EVELYN JUAN MANUEL (Juan Buendia)	282.85 282.85	X X			
SCHUK TOAK 195.3	1. THEORIA CAMPILLO (Rebecca Ann Valentine) 2. DELISA M. RAMON (Quintin C. Lopez)	97.65 97.65	X X		X	
SAN XAVIER 249.8	1. DANIEL L.A. PRESTON III () 2. JANICE FELIX ()	124.9 124.9	X X			X
SAN LUCY 266.3	1. GLORIA M. RAMIREZ (Lorraine M. Eiler) 2. ROGER MANUEL (Christina Andrews)	133.15 133.15	X X		X	
PISINEMO 240.3	1. PAMELA J. BENAVIDEZ (Nora J. Ruelas) 2. NAOMI MONTE (Edward D. Manuel)	120.15 120.15	X X			
HICKIWAN 222.9	1. LOUIS R. LOPEZ (Loretta A. Ortega) 2. DELMA M. GARCIA ()	111.45 111.45	X X			X
GU VO 279.6	1. LESLIE LUNA () 2. BENNETT CHEWING ()	139.8 139.8	X X			
GU ACHI 289.2	1. JEROME F. JOAQUIN (Gloria Johnson) 2. LUCIUS E. LOPEZ (<i>Absent</i>) (Victoria A. Hobbs) (<i>Present</i>)	144.6 144.6	X X			
CHUKUT KUK 361.9	1. MARIAKAY HENRY () 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	180.95 180.95	X X			
BABOQUIVARI 398.9	1. JESSE NAVARRO (Alberta J. Ray) 2. NED NORRIS, JR. (Leander Mase)	199.45 199.45	X X			X
TOTAL		3,321.1	3,321.1	-0-	[02]	[04]