

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Nonmember Civil Trespass Amendments and Exhibit A –
Tohono O'odham Code Conforming Amendments)**

RESOLUTION NO. 26-196

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the authority to act for and on behalf of members of the Nation by providing laws,
3 ordinances or resolutions that: govern the conduct of all persons within the
4 Nation's jurisdiction; regulate the use and disposition of private property within
5 the Nation's territory; provide for removal or exclusion from the Tohono
6 O'odham Nation of non-members, and promote, protect, and provide for the
7 public health, peace, morals, and the general welfare of the Nation and its
8 members (Constitution of the Tohono O'odham Nation, Article VI, Section 1(c));
9 and
10 **WHEREAS,** the Tohono O'odham Nation has inherent sovereign power, authority, and
11 jurisdiction over all lands within the Nation's exterior boundaries and all people
12 and activities carried out on those lands; and
13 **WHEREAS,** the Nation's inherent sovereign authority includes the power to exclude people,
14 property, and objects from its territory to protect and preserve the safety and
15 security of its members, lands, and cultural and natural resources; and
16 **WHEREAS,** the Nation is fully authorized to act on behalf of its members in matters arising
17 under the Indian Self-Determination Act of 1975, P.L. 93-638, as amended, 25
18 U.S.C. 450 et. seq.; and
19 **WHEREAS,** the Nation's inherent power to exclude people, property, and objects from its
20 territory is enshrined in the Nation's Constitution and laws, including Article VI,
21 Section 1(c) of the Constitution, and 4 Tohono O'odham Code Chapter 2 – Removal
22 and Exclusion of Nonmembers; and
23 **WHEREAS,** the Nation has an interest in amending 4 Tohono O'odham Code Chapter 2 to
24 safeguard the territorial integrity of its lands, to reserve its right to the exclusive
25 use and possession of those lands, to protect its cultural and natural resources
26 and himdag, to provide for the public health, peace, morals, and general welfare
27 of its members and all persons within its borders, and for other purposes; and
28 **WHEREAS,** the proposed amendments to 4 Tohono O'odham Code Chapter 2, as dated for
29 reference June 2026 ("Nonmember Civil Trespass Amendments"), are
30 incorporated by this reference and would add Section 1 - Civil Trespass to
31 authorize the Attorney General to pursue civil trespass charges against any
32 nonmembers who enter onto, remain on, or bring property or objects onto lands

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(Approving Nonmember Civil Trespass Amendments and Exhibit A - Tohono O'odham Code Conforming Amendments)

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within the Nation's boundaries without authorization, and to impose civil fines, to remove or exclude unauthorized people, to seize unauthorized property or objects, and provide other remedies; and

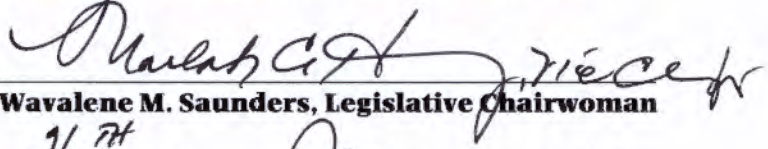
WHEREAS, the Nonmember Civil Trespass Amendments include edits to additional sections of 4 Tohono O'odham Code Chapter 2 and, for consistency, require conforming edits to 19 Tohono O'odham Code Chapters 2, 3, and 7 that appear in Exhibit A - Tohono O'odham Code Conforming Amendments, which is incorporated by this reference; and

WHEREAS, the Nonmember Civil Trespass Amendments and Exhibit A - Tohono O'odham Code Conforming Amendments have been reviewed by the Agricultural and Natural Resources and Domestic Affairs Committees, which recommend their approval.

NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves the Nonmember Civil Trespass Amendments and Exhibit A - Tohono O'odham Code Conforming Amendments; provided that all remaining references in the laws identified in the Amendments and Exhibit A to the "Papago," and "Papago Tribe" and "Papago Council" shall be replaced respectively with "Tohono O'odham" and "Tohono O'odham Nation," and "Legislative Council."

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 26TH day of JUNE 2026 at a meeting at which a quorum was present with a vote of 3,125.8 FOR; -0- AGAINST; 195.3 [02] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(1), (c)(2), (c)(6), (c)(7), (f), (j) and (l); and Article XVI 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

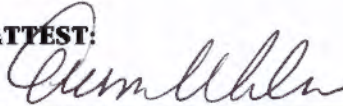
26TH day of June, 2026

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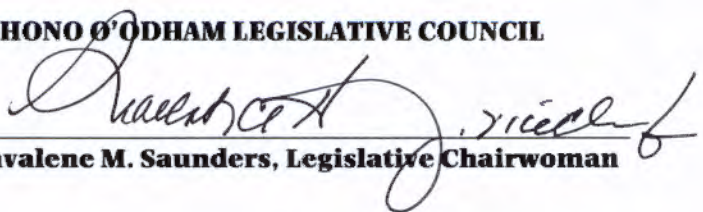
ATTEST:


Evonne Wilson, Legislative Secretary

26 day of June, 2026

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 26th day of June, 2026 at 4:54 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

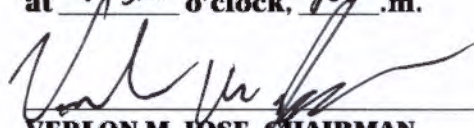

Wavalene M. Saunders, Legislative Chairwoman

☒ APPROVED

on the 26 day of June, 2026

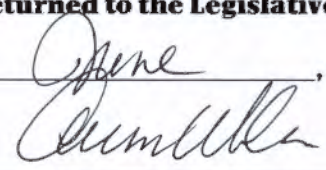
☐ DISAPPROVED

at 4:55 o'clock, P.m.


VERLON M. JOSE, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 26 day of

June, 2026, at 4:57 o'clock, P.m.


Evonne Wilson, Legislative Secretary

ACTION: APPROVING NONMEMBER CIVIL TRESPASS AMENDMENTS AND EXHIBIT A - TOHONO O'ODHAM CODE CONFORMING AMENDMENTS**MOVED: COUNCILMAN BENNETT CHEWING****SECOND: COUNCILWOMAN VIVIAN JUAN-SAUNDERS****DATE: JUNE 26, 2026**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 251.2	1. WAVALENE M. SAUNDERS <i>(Absent)</i> (Mary Lopez) <i>(Present)</i> 2. FRANCIS HOMEWYTEWA (Dionne Kuth-Le)	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	
SAN XAVIER 249.8	1. DANIEL L.A. PRESTON III () 2. JANICE FELIX ()	124.9 124.9	X X			
SAN LUCY 266.3	1. GLORIA M. RAMIREZ (Lorraine M. Eiler) 2. ROGER MANUEL (Christina Andrews)	133.15 133.15	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			
GU VO 279.6	1. LESLIE LUNA () 2. BENNETT CHEWING ()	139.8 139.8	X X			
GU ACHI 289.2	1. GLORIA JOHNSON (Rodney Aguilla) 2. LUCIUS E. LOPEZ (Victoria A. Hobbs)	144.6 144.6	X X			
CHUKUT KUK 361.9	1. MARLAKAY HENRY () 2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	180.95 180.95	X X			
BABOQUIVARI 398.9	1. JESSE NAVARRO () 2. NED NORRIS, JR. (Leander Mase)	199.45 199.45	X X			
TOTAL		3,321.1	3,125.8	-0-	195.3 [02]	[01]