

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Cultural Preservation Committee and the Chairman of
the Nation to Submit a Claim for the Return of Sacred
Human Remains and Funerary Objects)

RES. NO. 91-355

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3 WHEREAS, the Hickiwan District Council has passed a resolution to
4 seek the return of the sacred human remains excavated from
5 Ventana Cave in 1941-42 by the University of Arizona; and

6 WHEREAS, the U.S. Congress enacted P.L. 101-601, the "Native
7 American Graves Protection and Repatriation Act" (the
8 Act), to protect Native American grave sites, the removal
9 of human remains, funerary objects, sacred objects and
10 objects of cultural patrimony on Indian lands; and

11 WHEREAS, the removal of these sacred human remains excavated from
12 the Ventana Cave has caused considerable disruption in
13 the daily lives of the Hickiwan District people; and

14 WHEREAS, during a trip to the Arizona State Museum on August 2,
15 1991, a delegation from the Tohono O'odham Nation
16 consisting of members of the Hickiwan District Council,
17 the Cultural Preservation Committee, the Executive Branch,
18 and the Attorney General's Office, did visit and view the
19 material that was excavated from Ventana Cave; and

20 WHEREAS, Section 7 (a) of the Act provides that a museum which is
21 in possession or has control over human remains and
22 associated funerary objects shall expeditiously return
23 such human remains and associated funerary objects to the
24 Indian Tribe establishing cultural affiliation.

25 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative
26 Council that it does hereby authorize the Cultural
27 Preservation Committee and the Chairman of the Nation to
28 submit to the Arizona State Museum on behalf of the

(Authorizing Cultural Preservation Committee and Chairman of Nation to submit a Claim for the Return of Sacred Human Remains & Funerary Objects)

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Tohono O'odham Nation a claim for the return of the sacred human remains and funerary objects as a result of the 1941-42 excavation of Ventana Cave.

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The foregoing Resolution was passed by the Tohono O'odham Council on the 9th day of August, 1991 at a meeting at which a quorum was present with a vote of 1,724.0 for; -0- against; -0- not voting; 06 absent, pursuant to the powers vested in the Council by Section 1(c)(8) of Article VI 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).

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

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Mary Ann Antone, Legislative Chairwoman

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12 day of August, 1991.

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ATTEST:

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Teresa M. Choyguha

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Teresa M. Choyguha, Legislative Secretary

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12 day of August, 1991.

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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 12 day of August, 1991, at 5:26 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.

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

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Mary Ann Antone, Legislative Chairwoman

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(Authorizing Cultural Preservation Committee and Chairman of Nation to submit a Claim for the Return of Sacred Human Remains & Funerary Objects)

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[X] APPROVED) on the 13 day of August, 1991.
[] DISAPPROVED) at 12:48 o'clock, P..M.



JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13th day of
August, 1991, at 2:29 o'clock, P..M.



Teresa M. Choyguha
Legislative Secretary

MOVED: COUNCILWOMAN JOANNE PRESTONSUBJECT: AUTHORIZING CULTURAL PRESERVATION COMMITTEE &SECOND: COUNCILMAN MANUEL OSEQUEDA, JR.CHAIRMAN OF NATION TO SUBMIT A CLAIM FOR THE RETURN OFDATE: AUGUST 9, 1991SACRED HUMAN REMAINS & FUNERARY OBJECTS

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico)	114.5	X			
	2. Frances Miguel ()	114.5	X			X
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			
	2. Alberta Lopez (Berdella Jose)	81.5	X			X
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0	X			
	2. Willard Anita (Jonas Robles)	83.0	X			
GU VO 114.0	1. Virgil Lewis (Michael Flores)	57.0	X			
	2. Emilio Lewis (Anthony Flores)	57.0	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Manuel Osequeda, Jr. ()	62.5	X			
PISINENO 119.0	1. Johnson Jose ()	59.5	X			
	2. Chester Antone (Fernando Valentine)	59.5	X			X
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	2. John Reno ()	53.0	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5	X			
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela, Sr)	53.5	X			
	2. Frances Francisco (Joseph Juan)	53.5	X			X
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			X
	2. Andrew Patricio (Lucille Encinas)	155.0	X			
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0	X			X
	2. Willard Juan, Sr. (Delbert Thomas)	79.0	X			
	TOTAL	1,724.0	1,724.0	-0-	-0-	06

**PASSED VOTES