

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Congressional Oversight Hearing on Border Issues)**

**RESOLUTION NO. 94-062**

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3 **WHEREAS, the international boundary between the United States**  
4 **and the Republic of Mexico, for a distance of 85 miles,**  
5 **forms the southern border of the main reservation of**  
6 **the Tohono O'Odham Nation; and**  
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8 **WHEREAS, the international boundary also artificially divides the**  
9 **Tohono O'Odham people and their O'Odham relatives**  
10 **in Mexico; and**  
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12 **WHEREAS, the existence of the international boundary as the**  
13 **southern border of the Tohono O'Odham reservation**  
14 **has created severe and costly problems for the Tohono**  
15 **O'Odham Nation including, among other things:**  
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17 **(1) illegal entry of non-O'Odham Mexican**  
18 **nationals across the border which, among**  
19 **other things, has resulted in physical assaults**  
20 **upon, and the theft of property from, members**  
**of the Tohono O'Odham Nation;**

21 **(2) cross-border trafficking in illegal drugs, and**  
22 **rustling of cattle and other livestock of Tohono**  
23 **O'Odham people;**

24 **(3) potential pollution of aquifers underlying the**  
25 **lands of the Tohono O'Odham Nation from**  
26 **mining activities occurring across the border**  
**in Mexico;**

27 **(4) the need to repair and maintain the fence**  
28 **along that border; and**

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3 **WHEREAS, the existence of the border, and the policies and**  
4 **attitudes of the Custom and Immigration Agencies of**  
5 **both the United States and the Republic of Mexico**  
6 **have imposed harsh, restrictive, and unnecessary**  
7 **barriers against the efforts of the O'Odham people of**  
8 **the United States and of Mexico to maintain their**  
9 **family, cultural, and religious ties; and**

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12 **WHEREAS, the responsibility for meeting and resolving the**  
13 **financial and cultural burdens imposed upon the**  
14 **Tohono O'Odham Nation by the existence of the**  
15 **international boundary should be borne by the**  
16 **Federal Government and not the Nation; and**

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18 **WHEREAS, the Nation has been frustrated in its attempts to**  
19 **secure commitments from Federal Agencies, including**  
20 **the Bureau of Indian Affairs, the Indian Health**  
21 **Service, the Bureau of Land Management, the United**  
22 **States Custom Service, Immigration & Naturalization**  
23 **Service, the Drug Enforcement Administration, and the**  
24 **Department of State, to acknowledge and shoulder**  
25 **their responsibilities for meeting these burdens; and**

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28 **WHEREAS, the Nation believes that the resolution of these**

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3           **problems could be furthered by a congressional**  
4           **oversight hearing.**

5 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'Odham  
6           **Legislative Council that an urgent request be made to**  
7           **Senator Daniel K. Inouye, Chairman of the Committee**  
8           **on Indian Affairs of the United States Senate, and**  
9           **Congressman Bill Richardson, Chairman of the**  
10          **Subcommittee on Native American Affairs of the**  
11          **Committee on Natural Resources of the United States**  
12          **House of Representatives, that they separately or**  
13          **jointly schedule an oversight hearing on the various**  
14          **problems and burdens created for the Nation arising**  
15          **from the international boundary as set out above.**

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20 **BE IT FURTHER RESOLVED** that such oversight hearing be  
21          **scheduled in April or May of this year, in a site readily**  
22          **accessible to the Nation, preferably in Sells, Arizona,**  
23          **the capitol of the Tohono O'Odham Nation.**

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25 **BE IT FURTHER RESOLVED** that in addition to appropriate  
26          **witnesses from the Nation, responsible representatives**  
27          **of the appropriate Federal agencies be required to**  
28          **present testimony at such hearings.**

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3 **BE IT FURTHER RESOLVED** that a copy of this resolution shall be  
4 forwarded to Chairman Inouye and Chairman  
5 Richardson.

6 **BE IT FINALLY RESOLVED** that a copy of this resolution be provided  
7 to Senator Dennis DeConcini, Senator John McCain,  
8 Congressman Ed Pastor, and Congresswoman Karan  
9 English with a request that they actively support the  
10 scheduling of such oversight hearing with the two  
11 named committees.  
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15 **The foregoing Resolution was passed by the Tohono O'Odham**  
16 **Legislative Council on the 24TH day of FEBRUARY, 1994 at a**  
17 **meeting at which a quorum was present with a vote of 1,583.0**  
18 **FOR; -0- AGAINST; -0- NOT VOTING; and 180.0 [06] ABSENT,**  
19 **pursuant to the powers vested in the Council by Section 1(j) of**  
20 **Article VI of the Constitution of the Tohono O'Odham Nation,**  
21 **adopted by the Tohono O'Odham Nation on January 18, 1986; and**  
22 **approved by the Acting Deputy Assistant Secretary - Indian Affairs**  
23 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of**  
24 **June 18, 1934 (48 Stat. 984).**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
**Alex J. Ramon, Legislative Chairman**

28 day of Feb, 1994

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**ATTEST:**

Yucinda Allen for:  
**Teresa M. Choyguha, Legislative Secretary**

28<sup>th</sup> day of February, 1994.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 28 day of Feb., 1994 at 9:53 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**

Earl A. Francisco  
for **Alex J. Ramon, Legislative Chairman**

**APPROVED** on the 7 day of March, 1994

**DISAPPROVED** at 3:59 o'clock, P..M.

Sylvester Listo  
**SYLVESTER LISTO, Chairman**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 2<sup>nd</sup> day of March, 1994, at 10:12 o'clock, A..M.

Yucinda Allen for:  
**Teresa M. Choyguha, Legislative Secretary**

ACTION: CONGRESSIONAL OVERSIGHT HEARING ON BORDER ISSUES

MOVED: COUNCILMAN EUGENE ENIS

SECOND: COUNCILMAN JOSEPH JOAQUIN

DATE: FEBRUARY 24, 1994

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5	X			X
	2. MARY ANN ANTONE (Nellie Miguel)	75.5	X			
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0	X			
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ** ( )	56.5	X			
	2. KENNETH J. ANTONE ( )	56.5	X			
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ( )	67.5	X			
	2. DENNIS RAMON ( )	67.5	X			
BABOQUIVARI 230.0	1. FRANCES MIGUEL ( )	115.0	X			
	2. EARL A. FRANCISCO ( )	115.0	X			
GU ACHI 180.0	1. WILLARD ANITA ( )	90.0				X
	2. ALEX J. RAMON (Marian Johnson)	90.0				X
PISINEMO 128.0	1. CHESTER ANTONE (Fernando Valentine)	64.0	X			X
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0	X			
SAN LUCY 98.0	1. JOHN RENO ( )	49.0	X			
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0	X			
GU VO 124.0	1. EMILIO LEWIS ( )	62.0	X			X
	2. MICHAEL FLORES (Fern Salcido)	62.0	X			
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ( )	68.0	X			
	2. LLOYD FRANCISCO ( )	68.0	X			
CHUKUT KUK 178.0	1. ALBERTA M. LOPEZ (Berdella Jose)	89.0	X			X
	2. KENNETH WILLIAMS ( )	89.0	X			
<b>TOTAL</b>		<b>1,763.0</b>	<b>1,583.0</b>	<b>-0-</b>	<b>-0-</b>	<b>180.0</b> [06]

\*\*PASSED VOTES