

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Supporting Participation in Cultural Resource Studies Within the Barry  
M. Goldwater Air Force Range ("Goldwater Range") and Reiterating the  
Tohono O'odham Nation's Opposition to Renewal of the Goldwater  
Range Land Withdrawal)**

**RESOLUTION NO. 98-319**

**WHEREAS, the O'odham have since time immemorial enjoyed the use of the lands which now comprise the Goldwater Range, a vast natural landscape of 2.7 million acres, and regard these lands as part of the sacred Papagueria; and**

**WHEREAS, since 1941 the United States Air Force has used these lands for an aerial bombing and gunnery range to train military aircrews how to attack ground targets or other aircraft as well as how to maneuver, defend themselves and survive in aerial combat; and**

**WHEREAS, the Air Force's authorization to use the Goldwater Range expires on November 6, 2001 and therefore the Air Force is seeking an extension of the land withdrawal which withdraws these lands from appropriation and other public use; and**

**WHEREAS, the Air Force is compiling a Legislative Environmental Impact Statement ("LEIS") to study the impact of continued military use of the Goldwater Range as an aerial bombing and gunnery range; and**

**WHEREAS, the Air Force is also preparing an Integrated Cultural Resources Management Plan in cooperation with the U.S. Bureau of Land Management, the U.S. Fish and Wildlife Service, and the Marine Corps Air Station at Yuma to better preserve and manage the archaeological sites and cultural resources on the Goldwater Range; and**

**WHEREAS, the Air Force has contracted with Dames and Moore to prepare the Integrated Cultural Resources Management Plan; and**

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**RESOLUTION NO. 98-319**

**(Supporting Participation in Cultural Resource Studies Within the Barry M. Goldwater Air Force Range ("Goldwater Range") and Reiterating the Tohono O'odham Nation's Opposition to Renewal of the Goldwater Range Land Withdrawal)**

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3 **WHEREAS, the Air Force has approached the Tohono O'odham Nation (the**  
4 **"Nation") seeking the Nation's participation in studies of Traditional**  
5 **Cultural Properties and sacred sites for use in preparing the Integrated**  
6 **Cultural Resources Management Plan; and**

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8 **WHEREAS, the lands within the Goldwater Range contain sacred sites and**  
9 **Traditional Cultural Properties which must be protected from**  
10 **destruction by the Air Force or the general public; and**

11 **WHEREAS, the Nation wishes to support the effort to protect these sites through**  
12 **development of an Integrated Cultural Resources Management Plan**  
13 **while maintaining its strenuous opposition to the continued use of the**  
14 **Goldwater Range by the Air Force and especially to any renewal of the**  
15 **land withdrawal for the Air Force; and**

16 **WHEREAS, the Nation renews its opposition to the Goldwater Range land**  
17 **withdrawal which was previously expressed in Resolution No. 96-124 in**  
18 **which the Nation endorsed the statement entitled "Tohono O'odham**  
19 **Nation Response to the Barry M. Goldwater Range Renewal Legislative**  
20 **Environmental Impact Statement" dated March 25, 1996; and**

21 **WHEREAS, the District Chairpersons of the Nation have previously expressed their**  
22 **opposition to the Goldwater Range renewal in Resolution No. DCA 03-**  
23 **96-02 on March 26, 1996 and again in Resolution No. DCA 97-1102 on**  
24 **November 12, 1997; and**

25 **WHEREAS, the Air Force use of the Goldwater Range threatens the plants, animals**  
26 **(including the endangered Sonoran Pronghorn Antelope) and the**  
27 **natural environment of the Goldwater Range; and**  
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**WHEREAS, the Nation objects to the Air Force's use of the Goldwater Range because it involves repeated overflights by Air Force planes over the lands of the Nation en route to the Goldwater Range for bombing and air to air combat practice, which overflights endanger the lives and property of the Nation's members through sonic booms, airplane crashes and inadvertent firing of weapons and disrupt their daily lives through the loud noise of jet engines at low altitude; and**

**WHEREAS, the Air Force and the Air National Guard in 1995 performed approximately 17,400 sorties (flights) by A-10 and F-16 aircraft in the Sells Military Operations Area, the airspace above the Nation's lands; and**

**WHEREAS, these overflights have caused numerous accidents and crashes, including the recent firing of a white phosphorous test rocket by an A-10 aircraft over the community of Quijotoa on September 8, 1997, which exploded only two miles from occupied houses, and by the crash of an A-10 aircraft close to the community of Ali Chukson on May 14, 1998 which extensively destroyed vegetation and scarred the landscape; and**

**WHEREAS, the Nation requests that the lands of the Goldwater Range, instead of being used by the Air Force, be set aside as a natural preserve to be administered and managed jointly by the Tohono O'odham Nation and the Department of the Interior and ultimately be returned to the title of the Tohono O'odham Nation and be held in trust by the United States for the benefit of the Nation.**

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**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

**1. Agrees to participate in the cultural resource studies on the Goldwater Range which are being coordinated by Dames and Moore for the Air Force in preparation of an Integrated Cultural Resources Management Plan, on the condition that:**

**a) the Air Force agrees to protect the sacred sites and Traditional Cultural Properties identified by the cultural resource studies so long as the Air Force continues its use of the Goldwater Range,**

**b) the Nation retains control of all documentation which is produced relating to sacred sites and Traditional Cultural Properties on the Goldwater Range, and that this documentation is not released to the public without the consent of the Nation,**

**c) the Nation is invited to participate in implementation of the Integrated Cultural Resources Management Plan, and**

**d) the Air Force, if it continues to use these lands, will consult with the Nation on a government to government basis regarding future uses of the Goldwater Range.**

**2. Reiterates the strenuous opposition of the Nation to extension of the land withdrawal of the Goldwater Range for the use of the Air Force and requests that the lands of the Goldwater Range instead be set aside as a natural preserve under the joint management and administration of the Tohono O'odham Nation and the Department of the Interior and ultimately be returned to the title of the Tohono O'odham Nation and be held in trust by the United States for the benefit of the Nation.**

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**BE IT FURTHER RESOLVED** that the Nation's agreement to participate in cultural resource studies on the Goldwater Range in order to protect sacred sites and Traditional Cultural Properties shall in no way be construed as support for continued Air Force use of the Goldwater Range.

The foregoing Resolution was passed by the Tohono O'odham Council on the 05TH day of AUGUST, 1998 at a meeting at which a quorum was present with a vote of 1,788.0 FOR; 139.0 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Section 1 & 2 of Article XVIII and Section 9 of 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**

  
\_\_\_\_\_  
**Dennis Ramon, Legislative Chairman**  
10<sup>th</sup> day of August, 19 98

**ATTEST:**

  
\_\_\_\_\_  
**Julianna Saraficio, Acting Legislative Secretary**  
5<sup>th</sup> day of August, 19 98.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 10<sup>th</sup> day of August, 19 98 at 5:06 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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**(Supporting Participation in Cultural Resource Studies Within the Barry M. Goldwater Air Force Range ("Goldwater Range") and Reiterating the Tohono O'odham Nation's Opposition to Renewal of the Goldwater Range Land Withdrawal)**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
**Dennis Ramon, Legislative Chairman**

**APPROVED**

on the 11<sup>th</sup> day of August, 19 98

**DISAPPROVED**

at 1:38 o'clock, P.M.



**EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION**

**Returned to the Legislative Secretary on the 11<sup>th</sup> day of**

August, 19 98, at 2:10 o'clock, P.M.

  
**Julianna Saraficio, Acting Legislative Secretary**

**ACTION:** SUPPORTING PARTICIPATION IN CULTURAL RESOURCE STUDIES WITHIN THE BARRY M. GOLDWATER AIR FORCE RANGE ("GOLDWATER RANGE") AND REITERATING THE TOHONO O'ODHAM NATION'S OPPOSITION TO RENEWAL OF THE GOLDWATER RANGE LAND WITHDRAWAL

**Moved:** COUNCILMAN LOUIS JOHNSON

**SECOND:** COUNCILWOMAN FERN SALCIDO

**DATE:** AUGUST 05, 1998

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>CHUKUT KUK</b> 189.0	1. DAVID GARCIA (Marvin Thomas)	94.5	X			X
	2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5	x			
<b>HICKIWAN</b> 146.0	1. ALEX JOSE ( )	73.0	X			
	2. LLOYD FRANCISCO (Susan Sam)	73.0	X			
<b>GU VO</b> 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
<b>SAN LUCY</b> 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
<b>PISINEMO</b> 139.0	1. BARBARA SALVICIO ( )	69.5		X		
	2. JOHNSON JOSE ( )	69.5		X		
<b>GU ACHI</b> 190.0	1. LOUIS JOHNSON ( )	95.0	X			
	2. ALEX J. RAMON ( )	95.0	X			
<b>BABOQUIVARI</b> 258.0	1. FRANCES MIGUEL ( )	129.0	X			X
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			
<b>SAN XAVIER</b> 146.0	1. TONY BURRELL ( )	73.0	X			X
	2. DENNIS RAMON ( )	73.0	X			
<b>SCHUK TOAK</b> 120.0	1. JOSEPH JUAN ( )	60.0	X			
	2. AMBROSE ENCINAS ( )	60.0	X			X
<b>SELLS</b> 322.0	1. DENNIS E. JOSE ( )	161.0	X			
	2. EVELYN JUAN ( )	161.0	X			
<b>SIF OIDAK</b> 161.0	1. RITA MARTINEZ (Maxine Norris)	80.5	X			
	2. MARY ANN ANTONE** (Darlene Andrew)	80.5	X			
<b>TOTAL</b>		<b>1,927.0</b>	<b>1,788.0</b>	<b>139.0</b>	<b>-0-</b>	<b>[04]</b>

\*\*PASSED VOTES