

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Submission of the Tohono O'odham Nation's statement to the
U.S. Department of Interior regarding American Indian sacred sites located on
federal lands)

RESOLUTION NO. 12-336

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power to consult with**
2 **“appropriate federal agencies regarding federal activities that affect the Tohono**
3 **O'odham Nation” (Constitution of the Tohono O'odham Nation, Article VI, Section 1(j));**
4 **and**

5 **WHEREAS, the August 2, 2012 Federal Register announced that the Department of the Interior**
6 **scheduled “listening sessions” with federally recognized Indian tribes regarding**
7 **American Indian sacred sites located on federal lands to listen to tribal people about**
8 **sensitive and significant cultural issues concerning sacred sites; and**

9 **WHEREAS, the listening sessions are intended to assist the Department in developing policies**
10 **that result in effective, comprehensive and long-lasting federal protection of, and**
11 **tribal access to, the places that are central to Indian identity and cultural ways of life;**
12 **and**

13 **WHEREAS, Executive Order 13175 and President Obama's Executive Memorandum of November**
14 **5, 2009 directs the Department of the Interior and other federal agencies to conduct**
15 **regular and meaningful consultation and collaboration with tribes in formulating**
16 **policy decisions that have tribal implications (Executive Order 13175, Section 1(a));**
17 **and**

18 **WHEREAS, It is the policy of the Tohono O'odham Nation to preserve “its historic and cultural**
19 **artifacts and archeological sites” (Constitution of the Tohono O'odham Nation Article**
20 **XVIII, Section 1); and**

21 **WHEREAS, the Office of the Chairman, Tohono O'odham Nation and the Culture Preservation**
22 **Committee of the Legislative Council have developed the following statement in**
23 **response to the invitation of the Department of the Interior.**

24 **NOW, THEREFORE, BE IT RESOLVED that the Legislative Council:**

- 25 **1. Calls on the Department of Interior to refrain from defining “sacred site” because**
26 **the term has many different and very personal meanings among the varying**
27 **tribes. The definition should be left to the individual tribes to define within and**
28 **for themselves. Additionally, the Tohono O'odham Nation will not disclose**
29 **information regarding the Nation's sacred sites because such information is**

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1 limited to tribal members. Further, any policies developed by the Department be
2 provided to the tribes for review in compliance with Executive Order 13175 and
3 President Obama's Executive Memorandum of November 5, 2009, before
4 enactment.

5 2. Directs the Nation's Vice Chairwoman to submit the Nation's statement to the U.S.
6 Department of Interior at the listening session scheduled August 28, 2012 in
7 Portland, Oregon regarding American Indian sacred sites located on federal
8 lands.

9 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 22ND Day
10 of AUGUST, 2012 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-
11 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by
12 Section 1 (j) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono
13 O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary -
14 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48
15 Stat. 984).

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17 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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21 Timothy Joaquin, Legislative Chairman

22 23 day of August, 2012

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25 ATTEST:

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28 Evonne Wilson, Legislative Secretary

29 23 day of August, 2012

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31 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham
32 Nation on the 23 day of August, 2012 at 11:34 o'clock, A.M.,
33 pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective
34 upon his approval or upon his failure to either approve or disapprove it within 48 hours of
35 submittal.
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38 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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41 Timothy Joaquin, Legislative Chairman

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APPROVED

on the 23 day of August, 2012

DISAPPROVED

at 4:39 o'clock, P.M.



NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 23 day of

August, 2012, at 4:45 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING THE SUBMISSION OF THE TOHONO O'ODHAM NATION'S STATEMENT TO THE U.S. DEPARTMENT OF INTERIOR REGARDING AMERICAN INDIAN SACRED SITES LOCATED ON FEDERAL LANDS

MOVED: COUNCILWOMAN OLIVIA VILLEGAS-LISTON

SECOND: COUNCILWOMAN FRANCES STEPHENS

DATE: AUGUST 22, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (<i>Absent</i>) (Vernon Smith) (<i>Present</i>)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN ()	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL ()	113.35	X			X
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			X
PISINEMO 200.7	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			X
SAN XAVIER 215.8	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ()	237.85	X			
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			X
	2. MARY LOPEZ ()	105.95	X			
TOTAL		2,780.60	2,780.60	-0-	-0-	[04]