

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Adopting revisions to the Seal and Flag of the Tohono O'odham Nation and
Repealing Resolution No. 229-86)

RESOLUTION NO. 13-212

1 **WHEREAS, on April 7, 1986, the Tohono O'odham Legislative Council approved Resolution No.**
2 **229-86 which adopted the Seal and Flag for the Tohono O'odham Nation; and**

3 **WHEREAS, the current Seal, among other things, contains 11 stars representing the 11 political**
4 **districts of the Nation and the years "1937-1986"; and**

5 **WHEREAS, the year 1937 represents the year the qualified voters of the Papago Tribe of Arizona**
6 **ratified the initial Constitution (1937 Constitution) and 1986 represents the year the**
7 **qualified voters of the Tohono O'odham Nation adopted the current Constitution (1986**
8 **Constitution); and**

9 **WHEREAS, the 1937 Constitution was ratified on December 12, 1936 in accordance with section**
10 **16 of the Indian Reorganization Act (IRA) of June 18, 1934 (48 Stat. 984), as amended by**
11 **the Act of June 15, 1935 (49 Stat. 378); and**

12 **WHEREAS, the 1986 Constitution was adopted January 18, 1986 in accordance with section 16 of**
13 **the IRA of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (49 Stat.**
14 **378) and May 1, 1936 (49 Stat. 1250); and**

15 **WHEREAS, the IRA is federal legislation enacted in 1934 which secured certain rights to Indians**
16 **and also promoted tribal self-governing powers by offering constitutions and**
17 **encouraging tribes to adopt those constitutions under Section 16 of the IRA; and**

18 **WHEREAS, the Tohono O'odham existed long before the enactment of the IRA and had a form of**
19 **government exercising inherent sovereignty. The O'odham have been here since time**
20 **immemorial and didn't come into existence with of the approval of the 1937 or the**
21 **1986 Constitutions; and**

22 **WHEREAS, it is beneficial to the Tohono O'odham Nation to remove the years 1937-1986 on the**
23 **Seal of the Nation so to reinforce our inherent sovereignty; and**

24 **WHEREAS, the current flag contains 11 feathers representing the 11 political districts of the**
25 **Nation; and**

26 **WHEREAS, the power to create additional districts of the Nation is vested in the Tohono O'odham**
27 **Legislative Council by Article IX, Section 2 of the Constitution of the Tohono O'odham**
28 **Nation, whereby the Legislative Council "may by ordinance change the foregoing**
29 **number and boundaries of districts"; and**

RESOLUTION NO. 13-212

(Adopting revisions to the Seal and Flag of the Tohono O'odham Nation and Repealing Resolution No. 229-86)

Page 2 of 3

1 **WHEREAS, on October 23, 2012 the Legislative Council approved an Ordinance creating the Hia-**
2 **Ced District of the Tohono O'odham Nation and thereby created the 12th political**
3 **district of the Nation; and**

4 **WHEREAS, the Tohono O'odham Legislative Council is vested with the power "To enact laws,**
5 **ordinances and resolutions necessary or incidental to the exercise of its legislative**
6 **powers" (Constitution of the Tohono O'odham Nation, Article VI, Section 1(l); and**

7 **WHEREAS, the Office of the Chairman, Tohono O'odham Nation in consultation with the Culture**
8 **Preservation Committee of the Legislative Council recommend revision of the Flag of**
9 **the Tohono O'odham Nation by adding 1 (one) additional feather to the staff on the**
10 **Flag and revision of the Seal by adding 1 (one) additional star and removing the years**
11 **"1937-1986" and connecting the lines before and after the years 1937-1986; and**

12 **WHEREAS, the Cultural Preservation Committee has reviewed and recommends approval of the**
13 **revisions.**

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

- 15 (1) **Accepts and authorizes revision of the Flag by adding 1 (one) additional feather**
16 **to the staff on the Flag.**
- 17 (2) **Accepts and authorizes the revisions to the Seal by adding 1 (one) additional star**
18 **and removing the years "1937-1986" and connecting the lines before and after the**
19 **years 1937-1986.**
- 20 (3) **Repeals Legislative Council Resolution No. 229-86.**

21 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12TH Day**
22 **of JUNE, 2013 at a meeting at which a quorum was present with a vote of 2,946.5 FOR; -0- AGAINST;**
23 **[01] NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by Article VI,**
24 **Section 1 (1) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham**
25 **Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs**
26 **(Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).**

29 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

30 

31 **Timothy Joaquin, Legislative Chairman**

32 **13 day of June, 2013**

34

RESOLUTION NO. 13-212

(Adopting revisions to the Seal and Flag of the Tohono O'odham Nation and Repealing Resolution No. 229-86)

Page 3 of 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary

13 day of June, 2013.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 13 day of June, 2013 at 3:16 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

Timothy Joaquin
Timothy Joaquin, Legislative Chairman

APPROVED

on the 13th day of June, 2013

DISAPPROVED

at 3:49 o'clock, P.M.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 13th day of

June, 2013, at 3:57 o'clock, P.M.

Evonne Wilson
Evonne Wilson, Legislative Secretary

ACTION: ADOPTING REVISIONS TO THE SEAL AND FLAG OF THE TOHONO O'ODHAM NATION AND REPEALING RESOLUTION NO. 229-86

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILMAN ARTHUR WILSON

DATE: JUNE 12, 2013

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 224.2	1. LUCINDA ALLEN (Nicholas Jose)	112.1	X			
	2. MARY LOPEZ ()	112.1	X			
SELLS 502.0	1. ARTHUR WILSON (Kimberly Mull)	251.0	X			
	2. BARBARA HAVIER ()	251.0	X			
SCHUK TOAK 174.2	1. FRANCES B. STEPHENS (Anthony J. Rios)	87.1	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	87.1	X			
SAN XAVIER 224.2	1. HILARION CAMPUS ()	112.1	X			
	2. ADAM ANDREWS ()	112.1	X			
SAN LUCY 219.6	1. DIANA MANUEL (Gloria Ramirez)	109.8	X			
	2. JANA MONTANA ()	109.8	X			
PISINEMO 210.6	1. CHESTER ANTONE (Tony Murrietta)	105.3	X			
	2. EDWARD MANUEL, SR. ()	105.3	X			
HICKIWAN 196.9	1. LOUIS R. LOPEZ (Michelle Ortega)	98.45	X			
	2. SANDRA ORTEGA (Manuel Osequeda, Jr.)	98.45	X			
HIA CED 19.6	1. LORRAINE EILER (Jolene Garcia)	9.8	X			
	2. MICHAEL FLORES ()	9.8	X			
GU VO 241.0	1. GRACE MANUEL (Floyd Flores)	120.5	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	120.5	X			X
GU ACHI 257.3	1. TIMOTHY L. JOAQUIN ()	128.65	X		X	
	2. LORETTA LEWIS (Louis Johnson)	128.65	X			
CHUKUT KUK 319.2	1. ETHEL GARCIA (Marlakay C. Henry)	159.6	X			
	2. BILLMAN LOPEZ ()	159.6	X			
BABOQUIVARI 357.7	1. FRANCES MIGUEL (Roberta Harvey)	178.85	X			
	2. VERNON J. SMITH (Gloria Zazueta)	178.85	X			
TOTAL		2,946.5	2,946.5	-0-	-01-	-01-