

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Gu Vo Land Acquisition)

RES. NO. 74-89

1 WHEREAS, the Sells Papago Reservation was originally established
2 by executive order issued by the President on February
3 01, 1917; and

4 WHEREAS, the Tohono O'odham Nation has continuously since time
5 immemorial, utilized, occupied, resided on and claimed
6 those certain lands legally described as Section 6, 7,
7 18, 19, 30 and 31, Township 18 South, Range 3 West, Gila
8 and Salt River Meridian; and

9 WHEREAS, pursuant to the Act of July 28, 1937 (30 Stat. 536), an
10 area of land was added to the Gu Vo District of the
11 Sells Papago Reservation which included all of
12 fractional Townships 18 and 19 South, Range 3 West,
13 except Sections 6, 7, 18, 19, 30 and 31 i Township 28
14 South, Range 3 West, Gila and Salt River Meridian; and

15 WHEREAS, original consideration was given by the Federal Govern-
16 ment to include all of Townships 18 and 19 South, Range
17 3 West as part of the Gu Vo District of the Sells
18 Papago Reservation, but on the basis of an informal
19 request of the National Park Service, without any notice
20 or input form the Tohono O'odham Nation, Sections 6, 7,
21 18, 19, 30 and 31 were eliminated for the reason that
22 said lands were then proposed to be included within the
23 Organ Pipe National Monument; and

24 WHEREAS, since time immemorial, the members of the Tohono O'odham
25 Nation have been and still are grazing their cattle in
26 this area, originally on the basis that they considered
27 this area as Nation's Land and since July 28, 1937,
28 under a Special Use Permit; and

29 WHEREAS, Sections 6, 7, 18, 19, 30 and 31 in Township 18 South,
30 Range 3 West, Gila and Salt River Meridian is isolated
31 from the main area of the Organ Pipe National Monument
32 by reason of the crest of the Ajo Mountains and
therefore serves little or no purpose, recreational or

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otherwise to the public, but does require additional Federal expense to patrol and maintain; and

WHEREAS, changing the status of this area to the Nation's Reservation land as part of the Gu Vo District would not change the use of the land, endanger the natural habitat or the environmental condition of the land; and

WHEREAS, on January 5, 1984, this Council passed Resolution No. 09-84, wherein it "authorized the Chairman and other Tribal and District officers to take the necessary steps to acquire Federal legislation changing the legal status of Section 6, 7, 18, 19, 30 and 31 located in Township 18 South, Range 3 West, Gila and Salt River Meridian from Monument lands to the Sells Reservation lands, to be included in the lands of the Gu Vo District;" and

WHEREAS, although a proposed bill was drafted for Congressional action that would declare that the United states hold these lands in Trust for the Tohono O'odham Nation, no Congressional action was acquired and as of this date no action is pending before Congress regarding these lands; and

WHEREAS, it would be in the best interest of the Gu Vo District, the Tohono O'odham Nation and the United States Government if Resolution No. 09-84, a copy of which is attached hereto and made a part hereof, is reaffirmed by the Nation and that the officials of the Nation take all necessary steps to acquire appropriate legislation.

NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that Resolution No. 09-84 is hereby reaffirmed and that the proper officials of the Nation take all necessary steps to have legislation passed by Congress and enacted into law which would transfer Section 6, 7, 18, 19, 30 and 31 in Township 18 South, Range 3 West, Gila and Salt River Meridian to the United States

Government in Trust for the Tohono O'odham Nation as
part of the Gu Vo District.

The foregoing Resolution was passed by the Tohono O'odham Council on the 28th day of February, 1989 at a meeting at which a quorum was present with a vote of 1,640.0 for; -0- against; -0- not voting; and -0- absent, pursuant to the powers vested in the Council by Section 1 (c) (2), & (i)(4) 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).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Harriet Toro
Harriet Toro, Legislative Chairperson

1st day of March, 1989.

ATTEST:

Teresa M. Choyguha
Teresa M. Choyguha, Legislative Secretary

1st day of March, 1989.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 1st day of March, 1989, at 3:26 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.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Harriet Toro
Harriet Toro, Legislative Chairperson

APPROVED) on the 3rd day of March, 1989,
 DISAPPROVED) at 9:25 o'clock, A.M.

Enos J. Francisco, Jr.
ENOS J. FRANCISCO, JR., Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 3rd day of March, 1989, at 10:06 o'clock, A.M.

Teresa M. Choyguha
Teresa M. Choyguha
Legislative Secretary

MOVED: Virgil Lewis

SUBJECT: Gu Vo Land

SECOND: Tony Felix

Acquisition

DATE: February 28, 1989

RESOLUTION # 74-89

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez)	84.5	X			X
	2. Harriet Toro ()	84.5	X			
HICKIWAN 128.0	1. Lloyd Francisco (Eleanor Santos)	64.0	X			
	2. Henry Ramon (Billy Manuel)	64.0	X			
GU VO 117.0	1. Cross Antone (Juan Joe Cipriano)	58.5	X			
	2. Virgil Lewis (Roy Montana)	58.5	X			
SAN LUCY 85.0	1. John Reno ()	42.5	X			
	2. Max Jose (Dewey Ortega)	42.5	X			
PISINEMO 116.0	1. Edward Manuel (Alex Antone)	58.0	X			
	2. Johnson Jose ()	58.0	X			
GU ACHI 158.0	1. Fernando Joaquin ()	79.0	X			
	2. Percy Lopez ()	79.0	X			
BABOQUIVARI 241.0	1. Joann Garcia (Frances Miguel)	120.5	X			
	2. Kenneth Chico, Sr. ()	120.5	X			
SAN XAVIER 126.0	1. Tony Felix (Carmelita Mattias)	63.0	X			
	2. Eugene Enis (Michael Rios)	63.0	X			
SCHUK TOAK 105.0	1. Joseph Juan (Frances Francisco)	52.5	X			
	2. Julia Carrillo (JoAnn Francisco)	52.5	X			
SELLS 257.0	1. Fred Stevens ()	128.5	X			
	2. Andrew Patricio (Daniel Lopez)	128.5	X			
SIF OIDAK 138.0	1. Willard Juan, Sr. (Melissa Gregorio)	69.0	X			
	2. Nicholas Jose (Letitia Garcia)	69.0	X			
TOTAL		1,640.0	1,640.0	-0-	-0-	01