

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Opposing H.R. 1904 and Other Proposals That Would Authorize the Mining and
Desecration of Oak Flat and Other Sacred Lands)**

RESOLUTION NO. 11-551

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Tohono O'odham Legislative**
2 **Council with the power to consult with other Indian tribes, the United States Congress,**
3 **and with appropriate federal agencies regarding federal activities that affect the**
4 **Tohono O'odham Nation (Constitution, Article VI, Section 1(f) and 1(j)); and**

5 **WHEREAS, the Tohono O'odham Nation recognizes that copper mining on traditional Native**
6 **lands has frequently caused irreversible environmental damage, destroyed**
7 **archeological sites, native habitat, plants, and animals, and severely contaminated**
8 **aquifers and surface water; and**

9 **WHEREAS, the area of Oak Flat, Apache Leap, Devil's Canyon, and Queen Creek in Southeastern**
10 **Arizona (collectively, "Oak Flat area") is sacred to numerous Indian tribes in Arizona**
11 **and New Mexico and is now at risk from a proposal to establish and operate the largest**
12 **copper mine in North America; and**

13 **WHEREAS, H.R. 1904, entitled "Southeast Arizona Land Exchange and Conservation Act of 2011,"**
14 **would transfer over 2,400 acres of federal land within the Oak Flat area to Resolution**
15 **Copper, a foreign-owned mining corporation; and**

16 **WHEREAS, H.R. 1904 also would require Congress to lift the decades-old ban against mining**
17 **within the 760 acres of the Oak Flat area, land which was expressly protected from**
18 **mining by President Eisenhower in 1955 and which possesses unique religious,**
19 **cultural, traditional, and archaeological significance to Indian tribes in the region;**
20 **and**

21 **WHEREAS, the block cave mining method to be employed at the Resolution Copper mine will also**
22 **cause the collapse of the surface of the earth and thereby desecrate or destroy the**
23 **religious, cultural and traditional integrity of Oak Flat area for Indian tribes affiliated**
24 **with the area; and**

25 **WHEREAS, the mining activity also will deplete and contaminate water resources from nearby**
26 **watersheds and aquifers, causing long-term and, in some cases, permanent religious,**
27 **cultural and environmental damage; and**

28 **WHEREAS, the National Congress of American Indians, the Inter Tribal Council of Arizona, the**
29 **United South and Eastern Tribes, the San Carlos Apache Tribe, and other Arizona and**
30 **New Mexico tribes have opposed this land exchange due to the harm to religious,**

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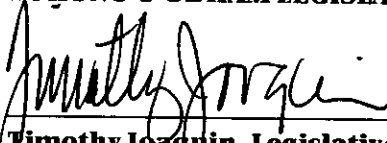
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1 cultural, archeological, and historic resources, as well as the environmental
2 consequences from the proposed mining activities.

3 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it strongly
4 opposes H.R. 1904 and any other legislation or proposal that would reduce protections
5 for the Oak Flat area and other lands within the proposed location of the Resolution
6 Copper mine operations, or that would otherwise allow the development of the
7 Resolution Copper mine.

8 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 18th Day
9 of **NOVEMBER, 2011** at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-
10 AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by
11 Section 1 (d) and 1 (j) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the
12 Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
13 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
14 18, 1934 (48 Stat. 984).

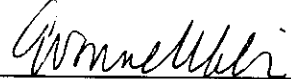
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16 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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20 Timothy Joaquin, Legislative Chairman

21
22 2 day of November, 2011

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24 ATTEST:

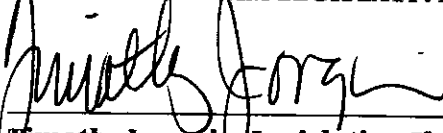
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27 Evonne Wilson, Legislative Secretary

28
29 13 day of November, 2011

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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 11 day of November, 2011 at 11:50 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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37 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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41 Timothy Joaquin, Legislative Chairman

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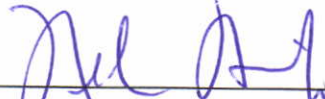
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APPROVED

on the 21 day of November, 2011

DISAPPROVED

at 3:15 o'clock, P.M.



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

Returned to the Legislative Secretary on the 21 day of

November, 2011, at 3:19 o'clock, P.M.



Evonne Wilson, Legislative Secretary

ACTION: OPPOSING H.R. 1904 AND OTHER PROPOSALS THAT WOULD AUTHORIZE THE MINING AND DESECRATION OF OAK FLAT AND OTHER SACRED LANDS

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILWOMAN EVELYN JUAN MANUEL

DATE: NOVEMBER 18, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQIVARI 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 Mac Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	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 (Angela Ortiz)	113.35	X			X
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE ()	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			X
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS ()	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. CONDE ()	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			
	2. MARY LOPEZ ()	105.95	X			X
TOTAL		2,780.60	2,780.60	-0-	-0-	[03]