

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Memorandum of Understanding Between U.S. Department of the
Interior, National Park Service, Saguaro National Park and the Tohono O'odham
Nation and the Form of a Special Use Permit)**

RESOLUTION NO. 18-213

1 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Legislative Council with
2 the power "to consult, negotiate and conclude agreements and contracts on
3 behalf of the Tohono O'odham Nation with Federal, State and local governments
4 and other Indian tribes or their departments, agencies, or political subdivisions,
5 or with private persons or organizations on all matters within the authority of the
6 Tohono O'odham Council" and "to preserve and cultivate native arts, crafts and
7 traditions" (Constitution, Article VI, Section 1(f) and Section 1(c)(8)); and

8 **WHEREAS,** the Tohono O'odham have gathered saguaro fruit and cholla buds on the lands
9 that comprise the Saguaro National Park since time immemorial; and

10 **WHEREAS,** the Nation wants its members to have a simplified process for approval to harvest
11 saguaro fruit and cholla buds in Saguaro National Park; and

12 **WHEREAS,** the National Park Service requires a Memorandum of Understanding ("MOU")
13 between the Nation and the National Park Service ("NPS") as well as a Special Use
14 Permit for members of the Nation to be able to harvest saguaro fruit and cholla
15 buds in Saguaro National Park; and

16 **WHEREAS,** the Cultural Preservation and Agricultural and Natural Resources Committees
17 have reviewed the form of the Special Use Permit and Memorandum of
18 Understanding Between U.S. Department of the Interior, National Park Service,
19 Saguaro National Park and the Tohono O'odham Nation and recommend their
20 approval.

21 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council approves the
22 Memorandum of Understanding Between U.S. Department of the Interior,
23 National Park Service, Saguaro National Park and the Tohono O'odham Nation
24 and the form of the Special Use Permit.

25 **BE IT FINALLY RESOLVED** by the Tohono O'odham Legislative Council that the Tohono O'odham
26 Nation chairperson is authorized to execute the Memorandum of Understanding
27 Between U.S. Department of Interior, National Park Service, Saguaro National
28 Park and the Tohono O'odham Nation in substantially the form attached and an
29 annual Special Use Permit.

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The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14th day of JUNE, 2018 at a meeting at which a quorum was present with a vote of 2,853.5 FOR; -0- AGAINST; -0- NOT VOTING; and 231.1 [03] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(d) and Section 1(c)(8) 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

Timothy Joaquin

Timothy Joaquin, Legislative Chairman
14 day of June, 2018

ATTEST:

Evonne Wilson

Evonne Wilson, Legislative Secretary
14 day of June, 2018

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 14 day of June, 2018 at 4:34 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 15 day of June, 2018

DISAPPROVED

at 5:05 o'clock, P.m.

Edward D. Manuel

EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

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1 Returned to the Legislative Secretary on the 18 day of

2 June, 2018, at 2:23 o'clock, P.m.

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7 Evonne Wilson, Legislative Secretary

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ACTION: APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, SAGUARO NATIONAL PARK AND THE TOHONO O'ODHAM NATION AND THE FORM OF A SPECIAL USE PERMIT

Moved: VICE CHAIRMAN QUINTIN C. LOPEZ

SECOND: COUNCILMAN LOUIS R. LOPEZ

DATE: JUNE 14, 2018

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ () 2. LUCINDA ALLEN (Yolonda Garcia)	117.9 117.9	X X			X
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel) 2. ADRIANNE TILLER (<i>Absent</i>) (Idaleen Reyes) (<i>Present</i>)	263.6 263.6	X X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue) 2. QUINTIN C. LOPEZ (Agnes V. Joaquin)	92.85 92.85	X X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez) 2. JANICE FELIX ()	116.15 116.15	X X			
SAN LUCY 231.1	1. JANA MONTANA (<i>Absent</i>) (Diana Manuel) (<i>Present</i>) 2. GLORIA RAMIREZ (<i>Absent</i>) (Lorraine Eiler) (<i>Present</i>)	115.55 115.55				X X
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia) 2. MONICA K. MORGAN ()	112.95 112.95	X X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Shirley Molina) 2. SANDRA D. ORTEGA ()	104.5 104.5	X X			
GU VO 256.9	1. GRACE MANUEL () 2. DALLAS LEWIS (Nacho Flores)	128.45 128.45	X X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson) 2. LORETTA LEWIS (Victoria Hobbs)	135.45 135.45	X X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone) 2. VIVIAN JUAN-SAUNDERS (Juanita Homer)	168.85 168.85	X X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey) 2. LEANDER MASE (Francine Schooling)	186.05 186.05	X X			
TOTAL		3,084.6	2,853.5	-0-	-0-	231.1
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