

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting H.R. 2579 "Hardrock Leasing and Reclamation Act of 2019")**

RESOLUTION NO. 19-462

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council with**
2 **the authority to "promote, protect and provide for public health, peace, morals,**
3 **education and general welfare of the Tohono O'odham Nation and its members"**
4 **and to "consult with the Congress of the United States and appropriate federal**
5 **agencies regarding federal activities that affect the Tohono O'odham Nation and**
6 **all federal appropriation estimates and projects for the benefit of the Tohono**
7 **O'odham Nation . . ." (Constitution, Article VI, Section 1(c)(2) and Section 1(j)); and**
8 **WHEREAS, hardrock mining on public lands in the United States for gold, silver, copper and**
9 **other resources has for more than 150 years been governed by the Mining Law of**
10 **1872 and related Federal laws that opened public lands to private mining claims**
11 **through a claim-staking and land-patenting process; and**
12 **WHEREAS, the Mining Law of 1872 favors hardrock mining over all other uses of public lands**
13 **and thereby restricts the ability of Federal agencies to protect tribal sacred sites,**
14 **wildlife, water, and other resources impacted by mining; and**
15 **WHEREAS, hardrock mines on public lands have polluted 40 percent of the river and stream**
16 **headwaters in the western United States with toxic substances and have left over**
17 **500,000 mines abandoned on public lands without remediation or reclamation;**
18 **and**
19 **WHEREAS, on May 8, 2019, Rep. Raul Grijalva introduced H.R. 2579 "Hardrock Leasing and**
20 **Reclamation Act of 2019," which would substantially reform the 1872 Mining law**
21 **and other laws applicable to mineral prospecting, claiming, mining and**
22 **reclamation on Federal lands; and**
23 **WHEREAS, H.R. 2579 would, among other things, end the claim-patenting system for mining**
24 **on public lands, increase the royalties paid by large hardrock mines, require**
25 **consultation with tribal governments about mines that would impact tribal**
26 **interests, prohibit mining in national parks, national wildlife refuges and other**
27 **specially-designated lands and impose stricter measures to insure reclamation**
28 **of closed mines and mitigation of environmental impacts; and**
29 **WHEREAS, the Agricultural and Natural Resources Committee has reviewed H.R. 2579 and**
30 **recommends its support.**
31 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council supports H.R.**
32 **2579 "Hardrock Leasing and Reclamation Act of 2019" or similar legislation that**
33 **would reform federal mining laws, including the 1872 Mining law, to end the**
34 **claim-staking and patenting system, prohibit mining in sensitive areas, require**
35 **tribal consultation about potential mining activities that could impact Indian**

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tribal interests, require mining operations to better mitigate impacts to natural and cultural resources and mandate more actions to reclaim closed and abandoned mines.

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 04TH day of DECEMBER, 2019 at a meeting at which a quorum was present with a vote of 2,931.2 FOR; -0- AGAINST; -0- NOT VOTING; and 244.5 [05] ABSENT, pursuant to the powers vested in the Council by Article VI, Section 1(c)(2) and Section 1(j) 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

6 day of December, 2019

ATTEST:

Evonne Wilson
Evonne Wilson, Legislative Secretary

6 day of December, 2019

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 6 day of December, 2019 at 9:52 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 9 day of December, 2019

DISAPPROVED

at 8:43 o'clock, a.m.

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

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1 Returned to the Legislative Secretary on the 9 day of

2
3 Monday, 2019, at 10:32 o'clock, a.m.

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7 _____
8 **Evonne Wilson, Legislative Secretary**

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ACTION: SUPPORTING H.R. 2579 "HARDROCK LEASING AND RECLAMATION ACT OF 2019"

MOVED: COUNCILMAN ADAM ANDREWS

SECOND: COUNCILWOMAN MONICA K. MORGAN

DATE: DECEMBER 04, 2019

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 384.8	1. LEANDER MASE (Francine Schooling) 2. ALBERTA J. RAY (Frances G. Antone)	192.40 192.40	X X			X
CHUKUT KUK 347.5	1. VIVIAN JUAN-SAUNDERS (Juanita Homer) 2. MARLAKAY HENRY (Billman Lopez)	173.75 173.75	X X			
GUACHI 279.3	1. VICTORIA HOBBS () 2. TIMOTHY L. JOAQUIN (Louis L. Johnson)	139.65 139.65	X X			
GU VO 264.5	1. DALLAS LEWIS (Nacho Flores) 2. GRACE MANUEL ()	132.25 132.25	X X			
HICKIWAN 213.8	1. SANDRA D. ORTEGA () 2. LOUIS R. LOPEZ (Delma M. Garcia)	106.90 106.90	X X			X
PISINEMO 230.7	1. MONICA K. MORGAN () 2. MARIETTA MARTIN ()	115.35 115.35	X X			
SAN LUCY 235.6	1. GLORIA RAMIREZ () 2. JANA MONTANA (Lorraine M. Eiler)	117.80 117.80	X X			
SAN XAVIER 238.9	1. JANICE FELIX <i>(Absent)</i> (Adam Andrews) <i>(Present)</i> 2. DANIEL L.A. PRESTON III <i>(Absent)</i> (Racheal Vilson-Stoner) <i>(Present)</i>	119.45 119.45	X X			
SCHUK TOAK 189.0	1. QUINTIN C. LOPEZ (Agnes V. Joaquin) 2. TERESA F. DONAHUE (Alberta Espinoza)	94.50 94.50	X X			X
SELLS 547.1	1. EVELYN JUAN MANUEL () 2. ARTHUR WILSON ()	273.55 273.55	X X			
SIF OIDAK 244.5	1. LUCINDA ALLEN (Yolonda Garcia) 2. MARY LOPEZ (Ann M. Garcia)	122.25 122.25	X X			X X
TOTAL		3,175.7	2,931.2	-0-	-0-	244.5 [05]