

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting and Urging the Passage of United States Senate Bill 1723, "Truth and
Healing Commission on Indian Boarding School Policies Act")**

RESOLUTION NO. 23-273

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 (Constitution of the Tohono O'odham Nation, Article VI, Section 1(c)(2)); and
5 **WHEREAS,** the Legislative Council is further vested with the power to "consult with the
6 Congress of the United States and appropriate federal agencies regarding federal
7 activities that affect the Tohono O'odham Nation" (Constitution, Article VI,
8 Section 1(j)); and
9 **WHEREAS,** on June 22, 2021, Secretary of the Interior Deb Haaland announced and outlined
10 a plan for the Federal Indian Boarding School Initiative ("Initiative"), which
11 serves as an investigation by the Department of the Interior ("DOI") about the loss
12 of human life and the lasting consequences of residential Indian boarding
13 schools (June 22, 2021 Secretary of the Interior Memorandum, hereafter, "June
14 22, 2021 Memorandum"); and
15 **WHEREAS,** "[b]eginning with the Indian Civilization Act of 1819 and running through the
16 1960s, the United States enacted laws and implemented policies establishing and
17 supporting Indian boarding schools across the Nation. During that time, the
18 purpose of Indian boarding schools was to culturally assimilate Indigenous
19 children by forcibly relocating them from their families and communities to
20 distant residential facilities where their American Indian, Alaska Native, and
21 Native Hawaiian identities, languages, and beliefs were to be forcibly
22 suppressed." (June 22, 2021 Memorandum); and
23 **WHEREAS,** with the recommendation of support by the Human Resources Development and
24 Appropriations Committees, the Legislative Council approved Resolution No. 22-
25 073 "Supporting Department of the Interior Federal Indian Boarding School
26 Initiative"; and
27 **WHEREAS,** by Resolution No. 22-111, the Legislative Council supported Arizona House
28 Concurrent Memorial 2003 that urged the United States Department of the
29 Interior to investigate all 51 of the former and current Indian boarding schools
30 located in Arizona; and
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1 **WHEREAS,** on May 18, 2023, Senator Elizabeth Warren introduced United States Senate Bill
2 1723, "Truth and Healing Commission on Indian Boarding School Policies Act,"
3 which, if enacted, will establish the Truth and Healing Commission on Indian
4 Boarding School Policies in the United States, a Truth and Healing Advisory
5 Committee, and a Survivors Subcommittee ("Truth and Healing Commission");
6 and

7 **WHEREAS,** "assimilation processes, such as the Indian Boarding School Policies, were
8 adopted by the United States Government to strip American Indian, Alaska
9 Native, and Native Hawaiian children of their Indigenous identities, beliefs, and
10 languages to assimilate them into non-Native culture through federally funded
11 and controlled Christian-run schools, which had the intent and, in many cases,
12 the effect, of termination, with dire and intentional consequences on the cultures
13 and languages of Indigenous peoples" (S. 1723, "Truth and Healing Commission
14 on Indian Boarding School Policies Act," Section 2(1)); and

15 **WHEREAS,** "Indian boarding schools, and the policies that created, funded, and fueled their
16 existence, were designed to assimilate American Indian, Alaska Native, and
17 Native Hawaiian children into non-Native culture by stripping them of their
18 cultural identities, often through physical, sexual, psychological, industrial, and
19 spiritual abuse and neglect. . . . [M]any of the children who were taken to Indian
20 boarding schools did not survive, and of those who did survive, many never
21 returned to their parents, extended families, and communities" (S. 1723, Section
22 2(14) and (15)); and

23 **WHEREAS,** "the longstanding intended consequences and ramifications of the treatment of
24 American Indian, Alaska Native, and Native Hawaiian children, families, and
25 communities because of Federal policies and the funding of Indian boarding
26 schools continue to impact Native communities through intergenerational
27 trauma, cycles of violence and abuse, disappearance, health disparities,
28 substance abuse, premature deaths, additional undocumented physical, sexual,
29 psychological, industrial, and spiritual abuse and neglect, and trauma" (S. 1723,
30 Section 2(27)); and

31 **WHEREAS,** "the assimilation policies imposed on American Indians, Alaska Natives, and
32 Native Hawaiians during the Indian boarding school era have been replicated
33 through other Federal actions and programs, including the Indian Adoption
34 Project in effect from 1958 to 1967, which placed American Indian and Alaska

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1 Native children in non-Indian households and institutions for foster care or
2 adoption" (S. 1723, Section 2(32)); and

3 **WHEREAS,** "the general lack of public awareness, accountability, education, information,
4 and acknowledgment of the ongoing and direct impacts of the Indian Boarding
5 School Policies and related intergenerational trauma persists, signaling the
6 overdue need for an investigative Federal commission to further document and
7 expose assimilation and termination efforts to eradicate the cultures and
8 languages of Indigenous peoples implemented under Indian Boarding School
9 Policies" (S. 1723, Section 2(35)); and

10 **WHEREAS,** "[t]he assimilationist policies of the past are contrary to the doctrine of trust
11 responsibility, under which the Federal Government must promote Tribal self-
12 governance and cultural integrity. Nevertheless, the legacy of Indian boarding
13 schools remains, manifesting itself in Indigenous communities through
14 intergenerational trauma, cycles of violence and abuse, disappearance,
15 premature deaths, and other undocumented bodily and mental impacts" (S. 1723,
16 Section 2(36); June 22, 2021 Secretary of the Interior Deb Haaland Memorandum);
17 and

18 **WHEREAS,** the Truth and Healing Commission would be tasked with formally investigating
19 and documenting "the attempted termination of cultures and languages of
20 Indigenous peoples, assimilation practices, and human rights violations that
21 occurred against American Indians, Alaska Natives, and Native Hawaiians
22 through Indian Boarding School Policies" and "the impacts and ongoing effects of
23 historical and intergenerational trauma in Native communities . . . resulting
24 from Indian Boarding School Policies" (S. 1723, Section 3(1)(A) and (B)); and

25 **WHEREAS,** the Truth and Healing Commission's work also includes holding culturally
26 respectful and meaningful public hearings, collaborating and exchanging
27 information with the Department of the Interior, and developing
28 recommendations for the Federal government to acknowledge and heal
29 historical and intergenerational trauma caused by Indian Boarding School
30 Policies and other cultural and linguistic termination practices" (S. 1723, Section
31 3(2), (3), and (4)); and

32 **WHEREAS,** the Truth and Healing Commission shall issue an initial report within three years
33 of enactment of Senate Bill 1723, "Truth and Healing Commission on Indian
34 Boarding School Policies Act" and a final report within five years of enactment

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1 that should include a detailed statement of the findings and conclusions of the
2 Commission; the recommendations of the Commission for legislation and
3 administrative actions the Commission considers appropriate; and
4 recommendations of the Commission to provide or increase federal funding to
5 adequately fund programs and services (S. 1723 Section 5(h)(5)(A) and (B)); and

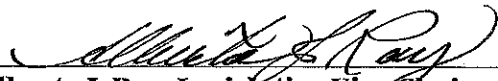
6 **WHEREAS**, in the best interests of Nation's members, the Human Resources Development,
7 Appropriations, and Cultural Preservation Committees recommend supporting
8 and urging the passage of S. 1723, "Truth and Healing Commission on Indian
9 Boarding School Policies Act" or similar legislation.

10 **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council supports and
11 urges the passage of United States Senate Bill 1723 and the establishment of the
12 Truth and Healing Commission on Indian Boarding School Policies in the United
13 States or similar legislation.

14 **BE IT FINALLY RESOLVED** that the Tohono O'odham Legislative Council authorizes the Nation's
15 chairperson or designated official to communicate with and provide this
16 resolution to appropriate elected and appointed officials.

17 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH
18 day of JULY, 2023 at a meeting at which a quorum was present with a vote of 3,218.0 FOR;
19 -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by,
20 Article VI, Section 1(c)(2) and (j) of the Constitution of the Tohono O'odham Nation, adopted by
21 the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant
22 Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June
23 18, 1934 (48 Stat.984).

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25 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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29 Alberta J. Ray, Legislative Vice Chairwoman

30
31 18 day of July, 2023

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35 **ATTEST:**

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38 Evonne Wilson, Legislative Secretary

39 18 day of July, 2023
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of July, 2023 at 11:52 o'clock, a.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

Alberta J. Ray
Alberta J. Ray, Legislative Vice Chairwoman

APPROVED

on the 18 day of July, 2023

DISAPPROVED

at 12:28 o'clock, p.m.

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

Returned to the Legislative Secretary on the 18 day of

July, 2023, at 1:39 o'clock, p.m.

Evonne Wilson
Evonne Wilson, Legislative Secretary

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ACTION: SUPPORTING AND URGING THE PASSAGE OF UNITED STATES SENATE BILL 1723, "TRUTH AND HEALING COMMISSION ON INDIAN BOARDING SCHOOL POLICIES ACT"

Moved: COUNCILWOMAN MARLAKAY HENRY

SECOND: COUNCILWOMAN TERESA F. DONAHUE

DATE: JULY 13, 2023

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON (<i>Absent</i>) (Shelia Espino) (<i>Present</i>)	278.25	X			
	2. EVELYN JUAN MANUEL (Arvada Liston)	278.25	X			
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISAM. RAMON (<i>Absent</i>) (Sharon A. Francisco) (<i>Present</i>)	95.25	X			X
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX ()	121.3	X			
SAN LUCY 243.8	1. LORRAINE M. EILER ()	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9	X			X
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35	X			
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. DELMA M. GARCIA ()	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			X
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (<i>Absent</i>) (Francine Schooling) (<i>Present</i>)	194.45	X			
TOTAL		3,218.0	3,218.0	-0-	-0-	[03]