



TOHONO O'ODHAM NATION

OFFICE OF THE CHAIRMAN AND VICE CHAIRMAN

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ALL OF US TOGETHER

NED NORRIS JR.

CHAIRMAN

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PRESS RELEASE

FOR IMMEDIATE RELEASE

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TOHONO O'ODHAM NATION FILES LAWSUIT AGAINST THE DEPARTMENT OF INTERIOR

Litigation is Result of DOI's Failure to Comply with Federal Statute

SELLS, Ariz. – The Tohono O'odham Nation (Nation) filed suit today in the District Court for the District of Columbia against the United States for its failure to comply with the requirements of the Gila Bend Indian Reservation Lands Replacement Act (Pub. L. No. 99-503). That federal statute requires the Secretary of the Interior to acquire for the Nation new trust land to compensate the Nation for nearly 10,000 acres of its reservation lands destroyed as a result of the federal government's construction and operation of the Painted Rock Dam.

It has been well over a year since the Nation asked the Department of the Interior (DOI) to take its Maricopa County land into trust. Even though the Bureau of Indian Affairs' Western Regional Office and BIA Headquarters stated publicly that the Nation's land meets the requirements of the Lands Replacement Act, nearly 10 months ago, DOI has failed to take the steps necessary to complete the process by which the Nation's Maricopa County land will be taken into trust. The Nation's suit seeks to compel DOI immediately to comply with its statutory and trust obligations and accept trust title to the Nation's land.

The Nation has retained Mr. Seth Waxman, former Solicitor General of the United States in the Clinton Administration, as lead litigation counsel. Mr. Waxman is currently head of the Supreme Court and Appellate Litigation practice at Wilmer Hale in Washington, D.C.

Ned Norris Jr., Chairman of the Tohono O'odham Nation, said, "*We have tried very hard to work with, not against, the Department, but at some point it became clear that the Department has simply stopped processing the Nation's application. The decision to sue was a difficult one, but the Department of Interior's failure to be responsive to our request has left us no other alternative.*"

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Recently a state court decision called into question whether a portion of the Nation's land is eligible to be acquired in trust. Chairman Norris made clear that *“while we strongly disagree with the state court's decision, the fact is that this decision only affects a portion of our Maricopa County lands. We expect the Department to finish the fee-to-trust process for the portion of our land that is unaffected, as the eligibility of that portion of our land has never been in doubt.”*

The Tohono O'odham Nation is a federally-recognized, sovereign tribe located in southern and central Arizona. For more information, visit <http://www.tonation-nsn.gov/> and www.westvalleyopportunity.com.

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