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Press Release

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TOHONO O'ODHAM NATION FILES SUIT TO STOP DEPARTMENT OF HOMELAND SECURITY FROM TAKING PART OF ITS RESERVATION LAND FOR BORDER WALL

SELLS, Ariz. – The Tohono O'odham Nation has filed a lawsuit against the U.S. Department of Homeland Security (DHS) to prevent the Department from taking the Nation's reservation land and water to construct a border wall. The Nation has been forced to take this action now because in the coming weeks DHS will issue contracts for border wall construction on the Nation's lands.

The Tohono O'odham Nation has been on the front lines of border protection since the current international boundary was drawn through its lands by the Gadsden Purchase of 1854. Today, the Nation's reservation has 62 miles of border with Mexico. For decades, the Nation has actively supported the federal government's border security measures. This included approving the construction of on-reservation border vehicle barriers and patrol roads, surveillance towers, two Border Patrol operating bases, and supporting many other measures. For more than twenty years the Nation itself has spent millions of dollars annually on border security activities. Throughout this time, the Nation has consistently made it clear that it was supporting these measures to ensure that a static border wall would not be constructed on its lands.

Together, the Nation and the federal government have been successful in protecting the U.S. homeland without a wall that would separate Tohono O'odham families. The success of these efforts speak for themselves: A combination of federal policies and the cooperative border security measures that the Nation has already approved have decreased unlawful border crossings on the reservation by more than 95% in the last two years. This is another example why the proposed wall is a multi-billion-dollar waste of taxpayer dollars.

Tohono O'odham Nation Chairman Verlon Jose commented, *"The Nation has long worked cooperatively with the Department of Homeland Security to help secure the U.S. border with multiple levels of vehicle barriers, technology, and personnel. We have tried to work with the Department on the border wall issue, but it insists on rushing forward with construction. We have been left with no other choice but to file suit to protect our land, our culture, and our rights."*

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The Nation's lawsuit documents why the federal government's plans to build a wall would illegally violate the Nation's rights as a sovereign tribe. Among the points raised, DHS's construction of a border wall would take the Nation's land and diminish the size of the Nation's reservation. Further, DHS and its contractors would be trespassing on the Nation's land in violation of the Nation's right to the exclusive use of its reservation and resources. In its suit, the Nation also has highlighted how construction of the border wall would destroy sacred sites and impact important ceremonies and religious practices.

Chairman Jose went on to say, *"We would prefer to be using our precious resources to improve the lives of our Nation members. We are hopeful that DHS will reconsider moving forward with a border wall and instead implement modern border protection measures. But if they insist on an illegal wall, we will stand up for what is right."*

More information about the lawsuit and the history of border protection on the Tohono O'odham Nation can be found at <https://www.tonation-nsn.gov/nowall> and on the Nation's Facebook page.

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Editor's Note: A copy of the Nation's filing is attached