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STATEMENT OF CONCERN:

THE TOHONO O'ODHAM NATION TRIBAL SOVEREIGNTY, SACRED HOMELANDS, AND THE BORDER WALL

November 1, 2026

The Native American Inter-Tribal Caucus expresses deep concern regarding federal border wall construction plans affecting the ancestral homelands, sacred places, and sovereign rights of the Tohono O'odham Nation in southern Arizona.

This matter deserves the attention of Tribal Nations, faith communities, elected officials, and all who believe that the rights of Native peoples must be respected.

HISTORY OF THE TOHONO O'ODHAM NATION

The Tohono O'odham people have lived throughout the Sonoran Desert since time immemorial. Their ancestral homelands extend across what is now southern Arizona and northern Mexico.

Today, the Tohono O'odham Nation is a federally recognized sovereign Tribal Nation with approximately 37,000 enrolled citizens. Its reservation shares approximately 62 miles of international boundary with Mexico.

The United States–Mexico border, established in the nineteenth century, divided an existing Homeland. It did not create the Nation, erase its history, or end the relationships connecting its people to families, sacred places, traditional pathways, and ceremonies across that boundary.

For generations, O'odham families have maintained these relationships despite difficulties created by international borders and federal policies.

The Nation has cooperated with federal border security efforts for decades while consistently opposing construction of a permanent border wall through its Homeland.

Its opposition must not be confused with opposition to public safety. The Nation has maintained that it can address border security without disregarding its sovereignty, cultural responsibilities, and ancestral lands.

WHAT IS HAPPENING TODAY

The United States Department of Homeland Security and U.S. Customs and Border Protection are pursuing a border wall project along approximately 62 miles of the Nation's southern boundary.

Federal officials describe the project as necessary to address unlawful border crossings, drug trafficking, and threats to national security.

The Nation has challenged these plans because of their potential effects on reservation lands, Water resources, sacred places, cultural practices, and the continued relationship of O'odham families across the international boundary.

On June 16, 2026, the Nation filed a federal lawsuit challenging the government's actions involving its reservation lands and Water.

On August 14, 2026, the United States District Court for the District of Columbia denied the Nation's request for a preliminary injunction to halt construction.

On October 8, 2026, the district court denied a further request for an injunction pending appeal.

The court recorded the federal government's representation that construction activities could begin as early as October 12, 2026. This was a projected start date, not confirmation of the extent of construction completed.

The Nation's appeal remains active, with oral argument scheduled for December 1, 2026.

Investigative reporting has described federal agents accompanying contractors conducting preliminary activities on the reservation despite objections from Tribal authorities.

In October, Tribal leaders and community members raised further concerns about plans to remove thousands of desert plants, including sacred saguaro cacti, to make way for construction.

The Nation's leadership has urged peaceful resistance and expressed concern for its citizens' safety as tensions over the project continue.

These developments demand careful attention because damage to ancestral lands and cultural resources may occur before the legal questions are fully resolved.

THE SACRED SAGUARO AND THE LIVING LAND

Among the most serious concerns is the threatened removal of saguaro cacti, known to the O'odham as hañ.

The saguaro holds deep cultural and spiritual significance for the O'odham people. People have long gathered its fruit for traditional foods and ceremonies, and its place in the Sonoran Desert carries responsibilities that extend across generations.

The Nation's leadership has described saguaros as Relatives, not simply vegetation standing in the path of construction.

In 2021, the Nation's legislative council recognized saguaros as people through a Tribal resolution, reflecting their importance within O'odham cultural understanding.

Reporting published October 14, 2026, described thousands of cacti and desert plants marked for removal or relocation.

The Nation has also expressed concern about whether relocated saguaros can survive. Previous relocation efforts reportedly killed many of these plants.

For Native people, the destruction of sacred places cannot be understood only through financial costs, construction schedules, or promises of replacement.

Earth and Water are living Relatives. We cannot simply transfer the responsibilities we carry toward them to another location.

When a sacred place is destroyed, the loss may extend beyond what any court, government agency, or financial settlement can restore.

TRIBAL SOVEREIGNTY AND FEDERAL RESPONSIBILITY

The Tohono O'odham Nation is a sovereign Tribal Nation with its own government, laws, institutions, and responsibilities toward its citizens and Homeland.

The United States maintains a government-to-government relationship with federally recognized Tribal Nations and carries continuing trust responsibilities arising from federal law and its historical relationships with Native peoples.

These responsibilities matter most when federal projects affect Tribal lands, cultural resources, and religious practices.

Meaningful consultation requires more than notifying Tribal leadership that a decision has already been made.

It requires listening to the Nation's concerns, examining alternatives, respecting its governmental authority, and taking seriously the consequences of actions that may permanently change its Homeland.

The federal government has responsibilities concerning border security. Those responsibilities must be considered alongside the rights of sovereign Tribal Nations and the protection of cultural and religious freedom.

We are deeply concerned whenever federal authority is exercised in ways that leave Native communities feeling that their voices, rights, and responsibilities have been pushed aside.

WHY THIS MATTERS THROUGHOUT INDIAN COUNTRY

The history of Native people across this continent includes forced removals, broken promises, the taking of ancestral lands, the destruction of sacred places, and attempts to suppress languages, ceremonies, and traditional ways of Life.

These histories are not disconnected from the present.

When a Tribal Nation must defend its Homeland against federal action, the consequences reach beyond a single reservation or geographic region.

The outcome may influence how federal agencies approach Tribal sovereignty, cultural protection, consultation, and the rights of Native families in future disputes.

The Tohono O'odham Nation's concerns deserve attention not because its people cannot speak for themselves, but because their voices must be heard and respected.

The Nation's elected leadership and citizens continue to exercise their sovereign rights, pursue legal remedies, maintain ceremonies, and protect their Homeland.

Their determination deserves recognition.

OUR CALL FOR RESPONSIBILITY AND RESPECT

The Native American Inter-Tribal Caucus calls upon the United States Department of Homeland Security, U.S. Customs and Border Protection, congressional leadership, and responsible federal officials to recognize the seriousness of this situation.

We urge federal officials to respect the Tohono O'odham Nation's sovereign authority, engage in meaningful government-to-government consultation, and fully consider alternatives that protect public safety without unnecessarily damaging ancestral homelands.

We further call for the protection of sacred places, cultural resources, traditional pathways, religious practices, Water, wildlife, and the safety of Tribal citizens.

We urge federal agencies to avoid irreversible damage while the Nation's legal proceedings remain active.

We recognize that the Tohono O'odham Nation must determine its own priorities, legal strategy, and course of action. Respecting sovereignty also means respecting the Nation's right to lead its own response.

Protecting Native homelands is not simply a matter of preserving history. It is a responsibility toward living communities and generations yet unborn.

OUR TRADITIONAL RESPONSIBILITY

Our ancestors understood that the Land was never simply something to possess. It was a relationship to honor and a responsibility to carry.

They understood that the Circle of Life includes our Elders, adults, youth, children, and those yet unborn. Each generation has a place, and each carries responsibilities toward the whole.

When sacred lands are threatened, the concern reaches beyond the present moment. It reaches the children who will inherit today's decisions.

A wall may divide the landscape, but it cannot erase a Nation's history.

It cannot erase the memories Elders carry, silence the teachings entrusted to families, or extinguish the responsibilities that continue from one generation to the next.

THE TOHONO O'ODHAM NATION IS STILL HERE

Its people continue to defend their Homeland, exercise their sovereignty, and carry forward the traditions and responsibilities entrusted to them.

We call on those in positions of authority to recognize that true leadership requires listening, accountability, and respect for the rights of sovereign Tribal Nations.

We remember the teaching that we never walk alone. We walk with those who came before us, those who walk beside us today, and those yet unborn.

May our actions reflect that responsibility.

Nasgigwo Winigalsd,

KiiKaay RagghiRain
Chairwoman
Native American Inter-Tribal Caucus

RESEARCH AND SUPPORTING DOCUMENTATION

Research compiled October 31, 2026. These sources provide historical information, legal documentation, and reporting relevant to the proposed Statement.

1. TOHONO O'ODHAM NATION — OFFICIAL NO WALL INFORMATION

https://www.tonation-nsn.gov/nowall/

The Nation's official website provides historical background; information about its approximately 37,000 enrolled citizens and 62-mile international boundary; its longstanding cooperation with federal border security; and its opposition to constructing a permanent border wall.

The page also includes legal filings, fact sheets, statements, and information concerning the Nation's sovereign rights and ancestral homelands.

2. UNITED STATES DISTRICT COURT — TOHONO O'ODHAM NATION v. MULLIN

Case No. 1:26-cv-02127
https://www.govinfo.gov/app/details/USCOURTS-dcd-1_26-cv-02127/context

Federal court records document the August 14, 2026, ruling denying a preliminary injunction and the October 8, 2026, ruling denying an injunction pending appeal.

The October ruling records the federal government's representation that construction could begin as early as October 12, 2026. It does not establish how much construction has been completed.

3. UNITED STATES COURT OF APPEALS — DISTRICT OF COLUMBIA CIRCUIT

Case No. 26-5306
https://dockets.justia.com/docket/circuit-courts/cadc/26-5306

Appeal proceedings concerning the Nation's challenge to the border wall project. The docket records an October 20, 2026, order scheduling oral argument for December 1, 2026.

4. ARIZONA DAILY STAR — OCTOBER 14, 2026

"Tohono O'odham brace for conflict as feds plan to uproot sacred saguaros"
https://tucson.com/news/local/border/article_732dc9c2-573a-4a45-98ce-6ecf98e34263.html

Reporting by Emily Bregel concerning the planned removal of sacred saguaro cacti, the Nation's emergency preparations, concerns expressed by Chairman Verlon Jose, and the peaceful gathering of Tribal citizens.

The report also includes the federal government's explanation of its border security objectives.

5. PROPUBLICA — OCTOBER 10, 2026

"As Trump's Wall Closes In, DHS Intimidates a Border Tribe With Surveillance, Masked Agents and Drones"
https://www.propublica.org/article/tohono-oodham-nation-arizona-border-wall

Investigative reporting by Ryan Devereaux concerning federal surveillance, contractor activity, interactions with Tribal authorities, ceremonial gatherings, and the Nation's continuing opposition to the wall.

6. UNITED STATES DEPARTMENT OF THE INTERIOR: TRIBAL CONSULTATION

https://www.doi.gov/tribes/tribal-consultation

Federal information explaining the importance of government-to-government consultation with Tribal Nations.