

HIA-CED HEMAJKAM, LLC

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Open Letter, September 4, 2020, Ajo, Arizona. This is in response to the Border Wall, as well as the numerous protests regarding its adverse impact on Hia-Ced O’odham sacred sites. We acknowledge everyone’s efforts and passion. However, it is important to distinguish that the Hia-Ced Hemajkam, LLC is not organizing the protests, nor are we recipients of the GoFundMe accounts.

Further, the Hia-Ced O’odham confirms that Ar’vai’pia (Quitobaquito Springs) is a part of Hia-Ced O’odham aboriginal territory. The Hia-Ced O’odham (‘Sand People’) are a small group of O’odham whose aboriginal lands span from Ajo, Arizona; west to Yuma, Arizona; north to Salt River; and south to Puerto Penasco, Mexico. We exist on both the United States side and Mexico side. During colonization, only four families survived a yellow fever epidemic, which was likely spread by migrants headed to California. We were a nomadic group. We traveled to where the waters flow. We survived in the harshest of terrain. One such stop for us was Ar’vai’pia. During the Indian Land Claims of 1976, the Tohono O’odham Nation sold our aboriginal lands to the Federal Government for \$26 million dollars, without the consent or knowledge of the Hia-Ced O’odham. The Hia-Ced O’odham recently organized an LLC, the Hia-Ced Hemajkam, which is working toward becoming the 574th federally recognized tribe in the United States through an Act of Congress. (See HiaCed.com). The legal argument is that Hia-Ced O’odham aboriginal land title was never extinguished because the Hia-Ced O’odham never gave consent, nor had knowledge of the conveyance, nor were they compensated for the taking of their aboriginal territory.

The Hia-Ced Hemajkam, LLC has worked collaboratively with the Organ Pipe National Monument during the Border Wall construction, and we are appreciative. On March 20, 2020, Hia-Ced O’odham leaders traveled to the Organ Pipe National Monument to visit our sacred place, to see with our eyes and hear with our hearts the impact of the Border Wall on our aboriginal territory. Although the pond had noticeably decreased in water and the children’s shrine destroyed, the Quitobaquito Cemetery and reburial site were not disturbed.

Normally, such large-scale construction as the Border Wall would require numerous studies, frequent consultations, and adherence to laws such as the Native American Graves Protection and Repatriation Act, the Endangered Species Act, and the National Environmental Policy Act. But under the 2005 Real ID Act, the head of the Department of Homeland Security may waive any law to build the Wall, an effort that’s been massively ramped up by President Donald Trump. We encourage you to read this informative article. (Doug Main, *National Geographic*, July 20, 2020, @ <https://www.nationalgeographic.com/science/2020/07/quitobaquito-springs-arizona-drying-up-border-wall/#close>).