

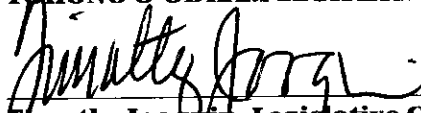
RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Filing of an Amicus Curiae Brief in Texas, et al. v. U.S.)

RESOLUTION NO. 19-093

1 **WHEREAS, the Tohono O'odham Legislative Council is vested with the authority to "promote,**
2 **protect and provide for public health, peace, morals, education and general**
3 **welfare of the Tohono O'odham Nation and its members" and to "provide for the**
4 **maintenance of law and order and the administration of justice." (Constitution**
5 **of the Tohono O'odham Nation, Article VI, Section 1(c)(2) and Section 1(c)(6)); and**
6 **WHEREAS, Texas, et al. v. U.S., is currently pending in the Fifth Circuit Court of Appeals,**
7 **which challenges provisions of the Affordable Care Act; and**
8 **WHEREAS, the United States District Court for the Northern District of Texas found the**
9 **entirety of the Affordable Care Act, including the Indian Health Care**
10 **Improvement Act, unconstitutional; and**
11 **WHEREAS, the permanent reauthorization of the Indian Health Care Improvement Act,**
12 **which is part of the Affordable Care Act, positively affects the Nation, Tohono**
13 **O'odham Nation Health Care, and the Nation's members; and**
14 **WHEREAS, the law firm of Sonosky, Chambers, Sachse, Enderson & Perry, LLP has prepared**
15 **an amicus curiae brief in support of tribal interests and argues for the**
16 **severability of the Indian Health Care Improvement Act from the Affordable Care**
17 **Act; and**
18 **WHEREAS, Sonosky, Chambers, Sachse, Enderson & Perry, LLP has agreed to allow the Nation**
19 **to join the brief at no cost to the Nation; and**
20 **WHEREAS, the Domestic Affairs and Health and Human Services Committees have reviewed**
21 **the brief and recommend authorizing the filing.**
22 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council authorizes**
23 **and approves the filing of an amicus curiae brief in Texas, et al. v. U.S., in the Fifth**
24 **Circuit Court of Appeals in support of the severability of the Indian Health Care**
25 **Improvement Act from the Affordable Care Act.**

26 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 27ND**
27 **day of MARCH, 2019 at a meeting at which a quorum was present with a vote of 3,084.6 FOR; -0-**
28 **AGAINST; -0- NOT VOTING; and [06] ABSENT, pursuant to the powers vested in the Council by**
29 **Article VI, Section 1(c)(6) of the Constitution of the Tohono O'odham Nation, adopted by the**
30 **Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
31 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
32 **18, 1934 (48 Stat.984).**

33 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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38 **Timothy Joaquin, Legislative Chairman**

39 **28 day of March, 2019**

RESOLUTION NO. 19-093

(Authorizing the Filing of an Amicus Curiae Brief in Texas, et al. v. U.S.)

Page 2 of 2

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ATTEST:

Deanna Fran Jov:
Evonne Wilson, Legislative Secretary

28 day of March, 2019

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 28 day of March, 2019 at 8:46 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

Timothy Joaquin
Timothy Joaquin, Legislative Chairman

APPROVED

on the 28 day of March, 2019

DISAPPROVED

at 8:51 o'clock, A .m.

Edward D. Manuel
EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 28 day of March, 2019, at 9:05 o'clock, A .m.

Deanna Fran Jov:
Evonne Wilson, Legislative Secretary

ACTION: AUTHORIZING THE FILING OF AN AMICUS CURIAE BRIEF IN TEXAS, ET AL. V. U.S.

Moved: COUNCILMAN ANTHONY J. FRANCISCO, JR.

SECOND: COUNCILWOMAN ADRIANNE TILLER

DATE: MARCH 27, 2019

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			X
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON (Evelyn Juan Manuel)	263.6	X			
	2. ADRIANNE TILLER ()	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (Teresa F. Donahue)	92.85	X			
	2. QUINTIN C. LOPEZ (Absent) (Agnes V. Joaquin) (Present)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			X
	2. JANICE FELIX (Adam Andrews)	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Absent) (Diana Manuel) (Present)	115.55	X			X
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95	X			
	2. MONICA K. MORGAN ()	112.95	X			
HICKIWAN 209.0	1. LOUIS R. LOPEZ (Absent) (Shirley Molina) (Present)	104.5	X			X
	2. SANDRA D. ORTEGA ()	104.5	X			
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			X
	2. DALLAS LEWIS (Absent) (Nacho Flores) (Present)	128.45	X			
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Antone)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (Absent) (Juanita Homer) (Present)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			X
	2. LEANDER MASE (Francine Schooling)	186.05	X			
TOTAL		3,084.6	3,084.6	-0-	-0-	[06]