

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Strongly Opposing HB 2492 and Approving Attorney Contract between the Tohono O'odham Nation and the Native American Rights Fund – Voting Rights Litigation)**

**RESOLUTION NO. 22-381**

1 **WHEREAS,** the Tohono O'odham Legislative Council is authorized to “consult, negotiate and  
2 conclude agreements and contracts on behalf of the Tohono O'odham Nation  
3 with ... private persons or organizations on all matters within the authority of the  
4 Tohono O'odham Council” (Constitution of the Tohono O'odham Nation, Article  
5 VI, Section 1(f)); and

6 **WHEREAS,** the Tohono O'odham Legislative Council is authorized to “employ legal counsel  
7 for the protection and advancement of the rights of the Tohono O'odham  
8 Nation...” (Constitution of the Tohono O'odham Nation, Article VI, Section 2(a));  
9 and

10 **WHEREAS,** the Tohono O'odham Nation (“Nation”) is a federally recognized Indian Tribe  
11 located in south central Arizona; and

12 **WHEREAS,** the Tohono O'odham Nation has historically fought for and championed the right  
13 to vote; and

14 **WHEREAS,** Arizona HB 2492 created new voter registration barriers, including a provision  
15 that requires applicants to provide documentary proof of the physical location of  
16 their residence in order to register to vote; and

17 **WHEREAS,** the HB 2492 voter registration barriers will have a disproportionate impact on  
18 Native American voters in rural Arizona locations such as the Tohono O'odham  
19 Nation, thus limiting the opportunities for members of the Nation to exercise the  
20 right to vote and have full and equal participation in elections; and

21 **WHEREAS,** the Tohono O'odham Nation Legislative Council finds that it is in the Nation's best  
22 interest to challenge the legality of the voter registration barriers in Arizona HB  
23 2492 in federal court, and to authorize the Native American Rights Fund to  
24 provide representation to the Nation in all related legal proceedings; and

25 **WHEREAS,** the Office of the Attorney General has prepared and submitted for review and  
26 approval its Attorney Contract between the Tohono O'odham Nation and the  
27 Native American Rights Fund for legal services related to litigation to challenge  
28 new voter registration barriers in Arizona HB 2492; and

29 **WHEREAS,** the Domestic Affairs Committee has reviewed the Attorney Contract and  
30 recommend its approval.

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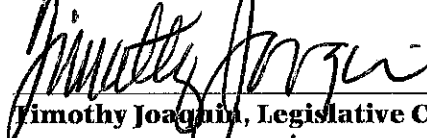
**NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

- (1) strongly opposes Arizona HB 2492 and the new voter registration barriers within the new law.**
- (2) approves the Attorney Contract between the Tohono O'odham Nation and the Native American Rights Fund, for legal services relating to litigation to challenge voter registration barriers in Arizona HB 2492.**
- (3) Council authorizes the Native American Rights Fund to file suit on behalf of the Tohono O'odham Nation in a Court selected by the Native American Rights Fund in consultation with the Nation and other potential parties to challenge the Arizona HB 2492.**


**BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Tohono O'odham Nation chairperson is authorized to execute the Attorney Contract in substantially the form attached.**

**The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14<sup>th</sup> day of OCTOBER, 2022 at a meeting at which a quorum was present with a vote of 3,218.0 FOR; -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the Council by, Article VI, Section 1(f) and Section 2(a) of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman  
17 day of October, 2022

**ATTEST:**

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary  
17 day of October, 2022

**Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 17 day of October, 2022 at 10:45 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.**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**


  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman

**APPROVED**

on the 19 day of October, 2022

**DISAPPROVED**

at 7:55 o'clock, a.m.

  
\_\_\_\_\_  
NED NORRIS, JR., CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of

October, 2022, at 8:20 o'clock, a.m.

  
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Evonne Wilson, Legislative Secretary

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**ACTION: STRONGLY OPPOSING HB 2492 AND APPROVING ATTORNEY CONTRACT BETWEEN THE TOHONO O'ODHAM NATION AND THE NATIVE AMERICAN RIGHTS FUND - VOTING RIGHTS LITIGATION**

**MOVED: COUNCILMAN DANIEL L.A. PRESTON III**

**SECOND: COUNCILMAN ROGER MANUEL**

**DATE: OCTOBER 14, 2022**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia) 2. LUCINDA ALLEN (Francis Homewytewa)	122.8 122.8	X X			X
SELLS 556.5	1. ARTHUR WILSON ( <i>Absent</i> ) (Shelia Espino) ( <i>Present</i> ) 2. EVELYN JUAN-MANUEL (Arvada Liston)	278.25 278.25	X X			X
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza) 2. DELISA M. RAMON (Sharon A. Francisco)	95.25 95.25	X X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner) 2. JANICE FELIX (Adam P. Andrews)	121.3 121.3	X X			
SAN LUCY 243.8	1. JANA MONTANA ( <i>Absent</i> ) (Lorraine M. Eiler) ( <i>Present</i> ) 2. ROGER MANUEL (Christina Andrews)	121.9 121.9	X X			
PISINEMO 232.7	1. MARIETTA MARTIN ( ) 2. EDWARD D. MANUEL (Monica Morgan)	116.35 116.35	X X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ( ) 2. DELMA M. GARCIA ( )	108.3 108.3	X X			
GU VO 270.7	1. GRACE MANUEL ( ) 2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35 135.35	X X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ( ) 2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25 139.25	X X			
CHUKUT KUK 351.6	1. MARIKAY HENRY ( <i>Absent</i> ) (Billman Lopez) ( <i>Present</i> ) 2. VIVIAN JUAN-SAUNDERS ( <i>Absent</i> ) (Cornelius Antone) ( <i>Present</i> )	175.8 175.8	X X			X
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone) 2. LEANDER MASE (Francine Schooling)	194.45 194.45	X X			
	<b>TOTAL</b>	<b>3,218.0</b>	<b>3,218.0</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>