

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Supporting the Reauthorization of Section 203 of the Federal
Voting Rights Act & Authorizing the Native American Rights Fund
to provide Testimony on behalf of the Tohono O'odham Nation)

RESOLUTION NO. 92-053

WHEREAS, *the Tohono O'odham Nation is a federally recognized tribe; and*

WHEREAS, *Section 203 of the federal Voting Rights Act will expire in August 1992 if not reauthorized by Congress; and*

WHEREAS, *Section 203 requires that language assistance be given in Native American languages by certain counties in the electoral process; and*

WHEREAS, *the Tohono O'Odham Nation is located in three (3) Counties in the State of Arizona, namely, Pima, Pinal and Maricopa; and*

WHEREAS, *Section 203 does not currently require all counties on the Tohono O'Odham Nation to provide language assistance, but should because it would benefit many Indian language speakers; and*

WHEREAS, *the current coverage formula in §203 uses county voting age population as a standard of comparison rather than the reservation's Native American voting age population in assessing whether a county must provide language assistance to Indian language speakers, and because of this, fails to identify many citizens who could benefit from assistance; and*

WHEREAS, *the right to vote is a fundamental constitutional right of all*

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American citizens which cannot be abridged, regardless of which language they speak; and

WHEREAS, *Congress recently declared in the Native American Languages Act of 1990 that "the right of Native Americans to express themselves through the use of Native American languages shall not be restricted in any public proceeding".*

NOW, THEREFORE, BE IT RESOLVED *that the Tohono O'odham Legislative Council supports the reauthorization and amendment of §203 to provide an alternative method of identifying Indian language speakers such that the operative standard of comparison shall be the reservation's voting age Native American population rather than the county voting age population.*

BE IT FURTHER RESOLVED *that the Tohono O'Odham Legislative Council hereby approves the support of the Native American Rights Fund to provide testimony on behalf of the Tohono O'Odham Nation.*

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 6th day of February, 1992 at a meeting at which a quorum was present with a vote of 1,558.0 FOR; -0- AGAINST; -0- NOT VOTING; and 166.0 (04) ABSENT, pursuant to the powers vested in the Council by Section 1 (f) of Article VI 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).

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Mary Ann Antone

Mary Ann Antone, Legislative Chairwoman

10th day of February, 1992

ATTEST:

Teresa M. Choyguha

Teresa M. Choyguha, Legislative Secretary

10th day of February, 1992.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 10th day of February, 1992, at 11:18 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

Mary Ann Antone

Mary Ann Antone, Legislative Chairwoman

APPROVED on the 10 day of February, 1992

DISAPPROVED) at 2:29 o'clock, p..M.

Josiah Moore

**JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION**

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Returned to the Legislative Secretary on the 11th day of February,

19 92, at 11:50 o'clock, A.M.

Teresa M. Choyguha

Teresa M. Choyguha, Legislative Secretary

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MOVED: COUNCILWOMAN JOANNE PRESTONSUBJECT: SUPPORTING THE REAUTHORIZATION OF § 203 OFSECOND: COUNCILMAN ALBERT MANUEL, JR.THE FEDERAL VOTING RIGHTS ACT & AUTHORIZING NARF TODATE: FEBRUARY 6, 1992TO PROVIDE TESTIMONY ON BEHALF OF THE T.O.N.

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			
	2. Alberta M. Lopez (Berdella Jose)	81.5	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5	X			
	2. Manuel Osequeda, Jr. ()	62.5	X			
GU VO 114.0	1. Michael Flores	57.0	X			
	2. Emilio Lewis (Anthony Flores)	57.0	X			
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	2. John Reno ()	53.0	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Chester Antone (Fernando Valentine)	59.5	X			
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0				X
	2. Willard Anita ()	83.0				X
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Frances Miguel ()	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5	X			
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5	X			X
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5	X			
	2. Frances Francisco (Joseph Juan)	53.5	X			
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Lucille Encinas)	155.0	X			
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0	X			
	2. Willard Juan, Sr. (Delbert Thomas)	79.0	X			X
TOTAL		1,724.0	1,558.0	-0-	-0-	166.0 (04)

**PASSED VOTES