

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Submission of the Application to the United States Department of
Agriculture's Rainfall Index Pasture, Rangeland, Forage Insurance
Program for Crop Year 2022 and Approving the FY 2022 Department
of Natural Resources USDA PRF Insurance Program Budget)**

RESOLUTION NO. 22-029

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 and "to manage any funds within the exclusive control of the Tohono O'odham
4 Nation... and to appropriate these funds for the benefit of the nation and its
5 members" provided that "[a]ll expenditures of these funds shall be pursuant to
6 appropriations or budgets" authorized by resolution or ordinance (Constitution
7 of the Tohono O'odham Nation, Article VI, Section 1(f) and Section 1(d)(2)); and
8 **WHEREAS,** the United States Department of Agriculture ("USDA") Pasture, Rangeland, Forage
9 Pilot Insurance Program ("PRF Insurance Program") "is designed to provide
10 insurance coverage on pasture, rangeland, or forage acres" using rainfall index
11 to determine precipitation for coverage purposes, instead of measuring
12 production or loss of products themselves (USDA Pasture, Rangeland, Forage
13 Pilot Insurance Program Fact Sheet, available at
14 [https://www.rma.usda.gov/en/Fact-Sheets/National-Fact-Sheets/Pasture-
16 Rangeland-Forage-Pilot-Insurance-Program](https://www.rma.usda.gov/en/Fact-Sheets/National-Fact-Sheets/Pasture-
15 Rangeland-Forage-Pilot-Insurance-Program)); and
17 **WHEREAS,** coverage is "based on a producer's selection of coverage level, index intervals,
18 and productivity factor" and insurance payments are determined by using
19 National Oceanic and Atmospheric Administration Climate Prediction Center
20 ("NOAA CPC") data, which uses a grid system to determine precipitation amounts
21 within an area, for grids and index intervals that the producer chose to insure
22 (USDA Pasture, Rangeland, Forage Pilot Insurance Program Fact Sheet); and
23 **WHEREAS,** by Resolution No. 17-570, Resolution No. 18-397, and Resolution No. 19-430, the
24 Legislative Council authorized the submission of the Nation's PRF Insurance
25 Program Policy Application for crop years 2018, 2019, and 2020 and approved
26 accompanying FY 2018, FY 2019, and FY 2020 Department of Natural Resources
27 **WHEREAS,** by Resolution No. 18-264, the Tohono O'odham Legislative Council adopted the
28 Tohono O'odham Nation Range and Agriculture Fund Management Plan
29 (thereafter, "Plan"); and
30 **WHEREAS,** pursuant to B.3. of the Plan, "[s]ubject to prior approval by Council and provided
31 there are sufficient funds in the Fund to cover the annual premium payment, the

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1 Chairman of the Nation is authorized to apply to the USDA on behalf of the Tohono
2 O'odham Nation to participate in the PRF Insurance Program"; and

3 **WHEREAS,** in accordance with the Plan, the Nation's Treasurer has confirmed that there are
4 sufficient funds to cover the \$3,622,922.00 premium payment for crop year 2022
5 if indemnity payments do not exceed the premium payment; and

6 **WHEREAS,** the Nation's Chairman, Agricultural and Natural Resources, Investment, and
7 Budget and Finance Committees have reviewed the PRF Insurance Program
8 application for crop year 2022 and FY 2022 Department of Natural Resources
9 USDA PRF Insurance Program Budget and recommend approval.

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

- 11 (1) authorizes submission of the policy application for the Nation's
12 participation in the USDA's Pasture, Rangeland, Forage Insurance Program
13 for crop year 2022 through its insurance agent CKP Insurance;
- 14 (2) ratifies the signature of Chairman Ned Norris, Jr. on the PRF Insurance
15 Program Policy Application, effective December 1, 2021;
- 16 (3) approves the FY 2022 Department of Natural Resources USDA PRF Insurance
17 Program Budget, effective October 1, 2021 in the amount of \$3,622,922.00,
18 that shall be funded by the Tohono O'odham Nation Range and Agriculture
19 Fund and indemnity revenue; and
- 20 (4) grants permission for the United States Department of Agriculture, or its
21 representative, to audit and inspect the areas insured, provided they give the
22 Nation's Department of Natural Resources executive director five business
23 days advanced written notice and are accompanied by a designated Nation's
24 employee or official.

25 **BE IT FINALLY RESOLVED that the Tohono O'odham Legislative Council authorizes the Nation's**
26 **Chairman to execute, sign, and deliver all related documents, agreements,**
27 **contracts, for participation in the USDA Pasture, Rangeland, Forage Insurance**
28 **Program.**

29 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 13TH**
30 **day of JANUARY, 2022 at a meeting at which a quorum was present with a vote of 2,423.25 FOR;**
31 **794.75 AGAINST; -0- NOT VOTING; and -0- ABSENT, pursuant to the powers vested in the Council**
32 **by, Article VI, Section 1(f) and Section 1 (d)(2) of the Constitution of the Tohono O'odham Nation,**
33 **adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**
34 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**
35 **Act of June 18, 1934 (48 Stat.984).**

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joaquin
Timothy Joaquin, Legislative Chairman
18 day of January, 2022

ATTEST:

Yvonne Lopez
Evonne Wilson, Legislative Secretary
13 day of January, 2022

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of January, 2022 at 4:25 o'clock, P.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

DISAPPROVED

on the 18 day of January, 2022
at 5:12 o'clock, P.m.

Ned Norris, Jr.
NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 19 day of
January, 2022, at 8:51 o'clock, A.m.

Yvonne Lopez
Evonne Wilson, Legislative Secretary

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ACTION: AUTHORIZING SUBMISSION OF THE APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE'S RAINFALL INDEX PASTURE, RANGELAND, FORAGE INSURANCE PROGRAM FOR CROP YEAR 2022 AND APPROVING THE FY 2022 DEPARTMENT OF NATURAL RESOURCES USDA PRF INSURANCE PROGRAM BUDGET

Moved: COUNCILWOMAN MARLAKAY HENRY

SECOND: COUNCILWOMAN TERESA F. DONAHUE

DATE: JANUARY 13, 2022

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ (Ann M. Garcia)	122.8	X			
	2. LUCINDA ALLEN (Francis Homewytewa)	122.8	X			
SELLS 556.5	1. ARTHUR WILSON ()	278.25		X		
	2. EVELYN JUAN-MANUEL (<i>Absent</i>) (Arvada Liston) (<i>Present</i>)	278.25		X		
SCHUK TOAK 190.5	1. TERESA F. DONAHUE (Alberta Espinoza)	95.25	X			
	2. DELISA M. RAMON (Sharon A. Francisco)	95.25	X			
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III (Racheal Vilson-Stoner)	121.3	X			
	2. JANICE FELIX (Adam P. Andrews)	121.3	X			
SAN LUCY 243.8	1. JANA MONTANA (<i>Absent</i>) (Lorraine M. Eiler) (<i>Present</i>)	121.9	X			
	2. ROGER MANUEL (Christina Andrews)	121.9		X		
PISINEMO 232.7	1. MARIETTA MARTIN ()	116.35		X		
	2. EDWARD D. MANUEL (Monica Morgan)	116.35	X			
HICKIWAN 216.6	1. LOUIS R. LOPEZ ()	108.3	X			
	2. SANDRA D. ORTEGA (<i>Absent</i>) (Delma M. Garcia) (<i>Present</i>)	108.3	X			
GU VO 270.7	1. GRACE MANUEL ()	135.35	X			
	2. CYNTHIA SAAVEDRA (Dallas Lewis)	135.35	X			
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN ()	139.25	X			
	2. VICTORIA HOBBS (Tonya L. Joaquin)	139.25	X			
CHUKUT KUK 351.6	1. MARLAKAY HENRY (Billman Lopez)	175.8	X			
	2. VIVIAN JUAN-SAUNDERS (Cornelius Antone)	175.8	X			
BABOQUIVARI 388.9	1. ALBERTA J. RAY (Frances G. Antone)	194.45	X			
	2. LEANDER MASE (Francine Schooling)	194.45	X			
TOTAL		3,218.0	2,423.25	794.75	-0-	-0-