

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Authorizing Submission of the Application to the USDA Rainfall Index Pasture, Rangeland, Forage Insurance Program for Crop Year 2023 and Approving FY 2023 Department of Natural Resources USDA PRF Insurance Program Budget)**

**RESOLUTION NO. 22-408**

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."  
7 (Constitution of the Tohono O'odham Nation, Article VI, Section 1(F) and Section  
8 1(d)(2)); and

9 **WHEREAS,** The United States Department of Agriculture ("USDA") Pasture, Rangeland,  
10 Forage Insurance Program ("PRF") Insurance Program is designated to provide  
11 insurance coverage on PRF acres' using rainfall index to determine precipitation  
12 for coverage proposed, instead of measuring production or loss of productions  
13 themselves (USDA PRF Pilot Insurance Program Fact Sheet, available at  
14 [https://www.rma.usda.gov/en/Fact-Sheets/National-Fact-Sheets/Pasture-](https://www.rma.usda.gov/en/Fact-Sheets/National-Fact-Sheets/Pasture-Rangeland-Forage-Pilot-Insurance-Program)  
15 [Rangeland-Forage-Pilot-Insurance-Program](https://www.rma.usda.gov/en/Fact-Sheets/National-Fact-Sheets/Pasture-Rangeland-Forage-Pilot-Insurance-Program)); and

16 **WHEREAS,** coverage is "based on a producer's selection of coverage level, index intervals and  
17 productivity factor" and insurance payments are determined by using National  
18 Oceanic and Atmospheric Administration Climate Prediction Center ("NOAA CPC"  
19 data, which uses a grid system to determine precipitation amounts within an  
20 area, for grids and index intervals that the producer chose to insure (USDA PRF  
21 Pilot Insurance Program Fact Sheet); and

22 **WHEREAS,** by Resolution No. 17-570, Resolution No. 18-397 and Resolution No. 19-430, the  
23 Legislative Council authorized the submission of the Nation's PRF Insurance  
24 Policy Application for crop year FY 2018 and FY 2019 and crop year 2020 and  
25 approved accompanying FY 2018, FY 2019 and FY 2020 Department of Natural  
26 Resources USDA PRF Insurance Program Budgets; and

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 ("Plan");  
29 and

30 **WHEREAS,** pursuant to B.3. of the Plan, "[s]ubject to prior approval by Council and provide  
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 \$4,418,761.00 premium payment for crop year 2023  
5 if indemnity payments do not exceed the premium payment; and

6 **WHEREAS,** the Nation's Chairman, Agricultural and Natural Resources and Budget and  
7 Finance Committees have reviewed the PRF application for crop year 2023 and FY  
8 2023 Department of Natural Resources USDA PRF Insurance Program Budget and  
9 recommend approval.

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

11 1) Authorizes submission of the PRF Insurance Policy Application for the  
12 Nation's participation in the USDA's PRF Insurance Program for crop year  
13 2023 through its insurance agent CKP Insurance; and

14 2) Approves the FY 2023 Department of Natural Resources USDA PRF Insurance  
15 Program Budget, effective October 1, 2022 in the amount of \$4,418,761.00, that  
16 shall be funded by the Tohono O'odham Nation Range and Agriculture Fund  
17 and indemnity revenue; and

18 3) Grants permission for the USDA, or its representative, to audit and inspect the  
19 areas insured, provided they give the Nation's Department of Natural  
20 Resources executive director five business days advanced written notice and  
21 are accompanied by a designated Nation's employee or official.

22 **BE IT FINALLY RESOLVED,** that the Tohono O'odham Legislative Council authorizes the Nation's  
23 Chairman to execute, sign, and deliver all related documents, agreements,  
24 contracts, for participation in the USDA PRF Insurance Program for crop year  
25 2023 prior to the December 1, 2022 deadline date.

26 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16<sup>TH</sup>**  
27 **day of NOVEMBER, 2022** at a meeting at which a quorum was present with a vote of **2,661.5 FOR;**  
28 **556.5 AGAINST; -0- NOT VOTING; and [05] ABSENT,** pursuant to the powers vested in the Council  
29 **by, Article VI, Section 1(f) and 1(d)(2) of the Constitution of the Tohono O'odham Nation, adopted**  
30 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**  
31 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**  
32 **Act of June 18, 1934 (48 Stat.984).**


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**RESOLUTION NO. 22-408**

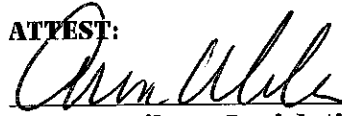
**(Authorizing Submission of the Application to the USDA Rainfall Index Pasture, Rangeland, Forage Insurance Program for Crop Year 2023 and Approving FY 2023 Department of Natural Resources USDA PRF Insurance Program Budget)**

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**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

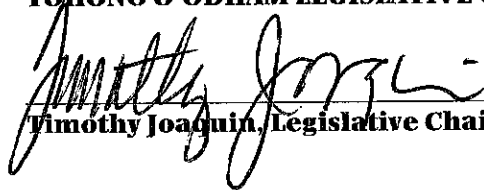
  
\_\_\_\_\_  
Timothy Joaquin, Legislative Chairman  
18 day of November, 2022

**ATTEST:**

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary  
18 day of November, 2022

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 18 day of November, 2022 at 4:04 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, Legislative Chairman

**APPROVED**

on the 27 day of November, 2022

**DISAPPROVED**

at 9:50 o'clock, a.m.

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

Returned to the Legislative Secretary on the 22 day of

December, 2022, at 1:01 o'clock, p.m.

  
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Evonne Wilson, Legislative Secretary

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**ACTION: AUTHORIZING SUBMISSION OF THE APPLICATION TO THE USDA RAINFALL INDEX PASTURE, RANGELAND, FORAGE INSURANCE PROGRAM FOR CROP YEAR 2023 AND APPROVING FY 2023 DEPARTMENT OF NATURAL RESOURCES USDA PRF INSURANCE PROGRAM BUDGET**

**Moved: COUNCILWOMAN MARLAKAY HENRY**

**SECOND: COUNCILMAN ROGER MANUEL**

**DATE: NOVEMBER 16, 2022**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 245.6	1. MARY LOPEZ ( <i>Absent</i> )	122.8	X			
	(Ann M. Garcia) ( <i>Present</i> )	122.8	X			
SELLS 556.5	2. LUCINDA ALLEN					
	(Francis Homewytewa)					
SELLS 556.5	1. ARTHUR WILSON ( <i>Absent</i> )	278.25		X		X
	(Shelia Espino) ( <i>Present</i> )	278.25		X		
SCHUK TOAK 190.5	2. EVELYN JUAN-MANUEL					
	(Arvada Liston)					
SCHUK TOAK 190.5	1. TERESA F. DONAHUE	95.25	X			
	(Alberta Espinoza)	95.25	X			
SAN XAVIER 242.6	2. DELISA M. RAMON					
	(Sharon A. Francisco)					
SAN XAVIER 242.6	1. DANIEL L.A. PRESTON III ( <i>Absent</i> )	121.3	X			X
	(Racheal Vilson-Stoner) ( <i>Present</i> )	121.3				
SAN LUCY 243.8	2. JANICE FELIX		X			
	(Adam P. Andrews)					
SAN LUCY 243.8	1. JANA MONTANA	121.9	X			
	(Lorraine M. Eiler)	121.9				
PISINEMO 232.7	2. ROGER MANUEL		X			
	(Christina Andrews)					
PISINEMO 232.7	1. MARIETTA MARTIN	116.35	X			X
	( )	116.35	X			
HICKIWAN 216.6	2. EDWARD D. MANUEL					
	(Monica Morgan)					
HICKIWAN 216.6	1. LOUIS R. LOPEZ	108.3	X			
	( )	108.3	X			
GU VO 270.7	2. DELMA M. GARCIA					
	( )					
GU VO 270.7	1. GRACE MANUEL	135.35	X			X
	( )	135.35	X			
GU ACHI 278.5	2. CYNTHIA SAAVEDRA					
	(Dallas Lewis)					
GU ACHI 278.5	1. TIMOTHY L. JOAQUIN	139.25	X			X
	( )	139.25	X			
CHUKUT KUK 351.6	2. VICTORIA HOBBS					
	(Tonya L. Joaquin)					
CHUKUT KUK 351.6	1. MARLAKAY HENRY	175.8	X			
	(Billman Lopez)	175.8	X			
BABOQUIVARI 388.9	2. VIVIAN JUAN-SAUNDERS					
	(Cornelius Antone)					
BABOQUIVARI 388.9	1. ALBERTA J. RAY	194.45	X			
	(Frances G. Antone)	194.45	X			
TOTAL	2. LEANDER MASE					
	(Francine Schooling)					
TOTAL		3,218.0	2,661.5	556.5	-0-	[05]