

**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 2024 and**  
**Approving FY 2024 Department of Natural Resources USDA PRF Insurance Program Budget)**

**RESOLUTION NO. 23-441**

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 designated to provide  
10 insurance coverage on pasture, rangeland, or forage acres using rainfall index to  
11 determine precipitation for coverage purposes, instead of measuring production  
12 or loss of productions themselves (USDA Pasture, Rangeland, Forage Pilot  
13 Insurance Program Fact Sheet, available at [https://www.rma.usda.gov/en/Fact-](https://www.rma.usda.gov/en/Fact-Sheets/National-Fact-Sheets/Pasture-Rangeland-Forage-Pilot-Insurance-Program)  
14 [Sheets/National-Fact-Sheets/Pasture-Rangeland-Forage-Pilot-Insurance-](https://www.rma.usda.gov/en/Fact-Sheets/National-Fact-Sheets/Pasture-Rangeland-Forage-Pilot-Insurance-Program)  
15 [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,  
17 and productivity factor" and insurance payments are determined by using  
18 National Oceanic and Atmospheric Administration Climate Prediction Center  
19 ("NOAA CPC") data, which uses a grid system to determine precipitation amounts  
20 within an area, for grids and index intervals that the producer chose to insure  
21 (USDA Pasture, Rangeland, Forage Pilot Insurance Program Fact Sheet); and

22 **WHEREAS,** by Resolution No. 17-570, Resolution No. 18-397 and Resolution No. 19-430, No 22-  
23 408, the Legislative Council authorized the submission of the Nation's PRF  
24 Insurance Policy Application for crop years 2018, FY 2019 2020, 2023 and  
25 approved accompanying FY 2018, FY 2019 FY 2020, and 2023 Department of  
26 Natural 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  
29 (hereafter, "Plan"); 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 \$4,446,567.00 premium payment for crop year 2024  
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 2024 and FY  
8 2024 Department of Natural Resources USDA PRF Insurance Program Budget and  
9 the Chairman and Agricultural and Natural Resources Committee recommend  
10 approval.

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

12 1) authorizes submission of the PRF Insurance Policy Application for the  
13 Nation's participation in the USDA's Pasture, Rangeland, Forage  
14 insurance Program for crop year 2024 through its insurance agent CKP  
15 Insurance;

16 2) Approves the FY 2024 Department of Natural Resources USDA PRF  
17 Insurance Program Budget, effective October 1, 2023 in the amount of  
18 \$4,446,567.00 that shall be funded by the Tohono O'odham Nation Range  
19 and Agriculture Fund and indemnity revenue; and;

20 3) Grants permission for the United States Department of Agriculture, or its  
21 representative, to audit and inspect the areas insured, provided they give  
22 the Nation's Department of Natural Resources executive director five  
23 business days advanced written notice and are accompanied by a  
24 designated Nation's 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 30<sup>TH</sup>  
30 day of NOVEMBER 2023 at a meeting at which a quorum was present with a vote of 2,720.7 FOR;  
31 542.6 AGAINST; -0- NOT VOTING; and [03] 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

Wavalene M. Saunders  
Wavalene M. Saunders, Legislative Chairwoman

30 day of November, 2023

ATTEST:  
Evonne Wilson

Evonne Wilson, Legislative Secretary

30 day of November, 2023

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 30 day of November, 2023 at 3:15 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

Wavalene M. Saunders  
Wavalene M. Saunders, Legislative Chairwoman

APPROVED on the 30 day of November, 2023  
 DISAPPROVED at 4 o'clock, p.m.

Verlon M. Jose  
VERLON M. JOSE, CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 30 day of  
November, 2023, at 4:21 o'clock, p.m.

Evonne Wilson  
Evonne Wilson, Legislative Secretary

**ACTION: AUTHORIZING SUBMISSION OF THE APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE'S RAINFALL INDEX PASTURE, RANGELAND FORAGE INSURANCE PROGRAM FOR CROP YEAR 2024 AND APPROVING FY 2024 DEPARTMENT OF NATURAL RESOURCES USDA PRF INSURANCE PROGRAM BUDGET**

**Moved: VICE CHAIRWOMAN MARLAKAY HENRY**

**SECOND: COUNCILMAN TIMOTHY L. JOAQUIN**

**DATE: NOVEMBER 30, 2023**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 394.2	1. LEANDER MASE (Francine Schooling) 2. JESSE NAVARRO (Alberta J. Ray)	197.1 197.1	X X			
CHUKUT KUK 354.7	1. VIVIAN JUAN-SAUNDERS (Cornelius Antone) 2. MARLAKAY HENRY ( )	177.35 177.35	X X			
GU ACHI 282.7	1. VICTORIA HOBBS (Tonya L. Joaquin) 2. TIMOTHY L. JOAQUIN (Jerome L. Joaquin)	141.35 141.35		X		
GU VO 276.0	1. DALLAS LEWIS ( ) 2. LESLIE LUNA (Grace Manuel)	138.0 138.0	X X			X
HICKIWAN 220.5	1. DELMA M. GARCIA ( ) 2. LOUIS R. LOPEZ (Loretta A. Ortega)	110.25 110.25	X X			
PISINEMO 236.2	1. EDWARD D. MANUEL (Monica Morgan) 2. PAMELA J. BENAVIDEZ (Nora J. Ruelas)	118.1 118.1	X X			X
SAN LUCY 257.6	1. ROGER MANUEL (Christina Andrews) 2. GLORIA M. RAMIREZ (Lorraine M. Eiler)	128.8 128.8	X X			X
SAN XAVIER 244.5	1. JANICE FELIX ( ) 2. DANIEL L.A. PRESTON III ( )	122.25 122.25		X		
SCHUK TOAK 191.8	1. DELISA M. RAMON (Sharon A. Francisco) 2. THEORIA CAMPILLO (Rebecca Ann Valentine)	95.9 95.9	X X			
SELLS 558.0	1. EVELYN JUAN-MANUEL (Arvada Liston) 2. JANET B. ELEANDRO ( )	279.0 279.0		X		
SIF ODAK 247.1	1. LUCINDA ALLEN (Francis Homewytewa) 2. WAVALENE M. SAUNDERS (Mary Lopez)	123.55 123.55	X X			
	<b>TOTAL</b>	<b>3,263.30</b>	<b>2,720.7</b>	<b>542.6</b>	<b>-0-</b>	<b>[03]</b>