

RESOLUTION
OF THE
PAPAGO TRIBAL COUNCIL

RES. No. 1127

WHEREAS, The Bureau of Indian Affairs wishes to sell the telephone system on the Papago Reservation for the following reasons:

1. Bureau policy is not to operate a utility system if private industry can provide satisfactory service.
2. The telephone system will require considerable expansion because of the needs of the new Public Health Service Hospital, Kitt Peak, possible military requirements, and the likelihood of additional commercial demands, none of which have any connection with Bureau of Indian Affairs activities.
3. The present system is badly run down and the Bureau sees no possibility of Federal appropriations which would be large enough to make the extensive repairs needed, or to expand the system.
4. The phone system cannot be supported by the operating revenues presently received by the Bureau, so phone service will become progressively worse unless it is turned over to a company with enough finances to take care of it properly, and

WHEREAS, The Mountain States Telephone and Telegraph Co. has explained its general plan of operation, which appears satisfactory to the Council, and

WHEREAS, The Council understands the telephone system will be sold to Mountain States Telephone and Telegraph Company on terms that will have the best possible advantages to the Papago Tribe and the Bureau of Indian Affairs, and

WHEREAS, The Council has been told that the rates which will be charged by Mountain States Telephone and Telegraph Co., and other matters governing its operation will be subject to regulations of the Arizona Public Service Commission, and

WHEREAS, The Papago Tribal Council believes the 24 hour, 7 day a week service, which will be in operation eventually when the Company completes installation of an automatic dialing system, as well as better service in other ways which will result from acquiring the system, will be of great value to everyone using telephones on the Reservation.

THEREFORE, LET IT BE RESOLVED by the Papago Tribal Council that it go on record as favoring the sale of the present Agency telephone system to the Mountain States Telephone and Telegraph Company, and that it authorized the Superintendent of the Papago Agency to grant a Right of Way of reasonable width for lands covered by the present phone system on the Reservation, provided that:

1. The Mountain States Telephone and Telegraph Co. pays the Papago Tribe \$1.00 per pole on all existing telephone lines included in the purchase of the Agency system, as offered in the Telephone Company's letter of July 13, 1960. The Council understands that an exact inventory of the poles is not yet available, but that the amount paid will be approximately \$5,000.

Mtn. States T & T Right of Way

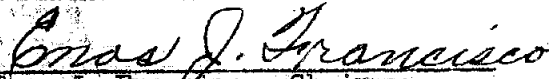
2. In accordance with the promise made to the Tribal Council by Bureau representatives, the Bureau of Indian Affairs will maintain the telephone lines, to phones outside the proposed exchange area which the Agency has been providing without charge for the general use of tribal members, except to Chuichu, for a minimum period of two years from the date telephone company takes over the system. Maintenance will include replacement of poles, wire, and other repairs needed to keep the lines in satisfactory operating condition. Where repairs require more than one man, and the Agency cannot provide this additional help, the District or village will be asked to furnish the labor needed. The Bureau will make an effort to rehabilitate these lines to the extent that funds may be available for the purposes, but it is understood that rebuilding the lines is not a condition of granting the Right of Way.
3. The B. I. A. agrees to pay basic monthly exchange charges made by the telephone company for a minimum of two years from the date the telephone company takes over the system, on phones within or without the exchange area which the Agency has provided without charge for the general use of tribal members, it being understood the B. I. A. will not pay for any long distance calls.
4. The Council understands that a study will be made to see if any of these phones can be eliminated, combined, or more effectively located. It also understands that studies may be made to determine the most desirable place to install dial phones in various villages. The Council will cooperate in these and other studies, and also cooperate in considering action to be taken on recommendations made by the Bureau as a result of the studies, but the Bureau agrees not to cut out phone service to any of these points without the consent of the Tribal Council or its delegated representative.
5. The Bureau agrees to spend a minimum of \$20,000 for maintenance and exchange charges, provided that amount is received from the sale. If the amount received up to this figure is sufficient to pay these costs beyond the two year period, these funds will be used for this purpose until exhausted.
6. However, the Bureau agrees to provide services and payments as promised in paragraphs 2 and 3 above, irrespective of the price it receives from the sale of the system.

The foregoing Resolution was duly enacted by the Papago Council on September 2, 1960, with a vote of 21 for, 0 against during a meeting at which a quorum was present, pursuant to authority vested in the Council by Section 3 (h) of Article V of the Constitution of the Papago Tribe ratified by the Tribe on December 12, 1936 and approved by the Secretary of the Interior on January 6, 1937, pursuant to Section 16 of the Act of June 18, 1934 (Stat. 984). Said Resolution is effective as of the date of its approval by the Superintendent of the Papago Agency and is subject to the rescission by the Secretary of the Interior, pursuant to Section 6 of Article V of the Constitution and By-Laws of the Papago Tribe.

ATTEST:


Raymond P. Vavages, Secretary

THE PAPAGO COUNCIL

By 
Enos J. Francisco, Chairman

APPROVED: _____

Harry W. Gilmore, Superintendent