

RESOLUTION  
OF THE  
PAPAGO COUNCIL

RES. NO. 1037

WHEREAS, At the time the Papago Constitution was approved on January 6, 1937, the Tribe did not have mineral rights to the Reservation, and so there is no provision in the Constitution permitting the Tribal Council to make mineral leases, and

WHEREAS, Although the Act of May 27, 1955 (Public Law 47, 84th Congress, 1st Session) added to the Papago Reservation the minerals underlying the Reservation lands, the Tribe still has not amended its Constitution specifically to allow mineral leasing but is presently acting under authority of a letter from the Office of the Secretary of the Interior dated March 1, 1957, and

WHEREAS, Any bonus, royalty, rent, or other payment received from mining leases or prospecting permits is being placed in a special account and held until the Tribe has given consideration to a constitutional amendment clarifying the method of distribution of the income from such leases;

THEREFORE, LET IT BE RESOLVED BY the Papago Tribal Council that the Secretary of the Interior be requested to call an election on May 9, 1959 or as soon thereafter as possible for the purpose of amending the Papago Tribal Constitution by the addition of a subsection (1) to Article V, Section 3, to read as follows:

"1. To exercise all authority with respect to the use, permit, or lease of tribal lands for developing mineral resources. All mineral leases previously entered into by the Papago Tribal Council under delegation of power from the Secretary of the Interior dated March 1, 1957, are hereby ratified.

2. Distribution of all proceeds received from mineral development—including proceeds from mining leases or prospecting permits granted under said delegation of power from the Secretary and now being held in special account—shall be regulated by Ordinance of the Papago Tribal Council."

The foregoing resolution was on March 20, 1959, duly enacted by a vote of 20 for and 0 against by the Papago Council at a meeting at which a quorum was present pursuant to authority vested in the Council by Article IX—Amendments 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, (48 Stat. 984).

THE PAPAGO COUNCIL

BY: Enos J. Francisco  
Enos J. Francisco, Chairman

Attest:

Evelyn Antonio  
Evelyn Antonio, Secretary