

RESOLUTION  
OF THE  
PAPAGO COUNCIL

RES. NO. 1049

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

1. It believes considerable expansion of the system will soon be required because of developments such as the new Public Health Service Hospital, other new commercial demands for telephones, possible military requirements, all of which will bring increased demand not connected with Bureau of Indian Affairs requirements.
2. The Bureau does not wish to be in the commercial telephone business, because it may not be capable or even authorized to operate such a system.
3. The present system is badly run down and approximately \$90,000 is immediately needed to replace and modernize it, which includes reconstruction of 1/2 of the pole lines and circuits, and an additional \$45,000 will be needed in the next 10-15 years to complete repair of the rest of the pole lines, but the Bureau sees no possibility of federal appropriations being made that would be large enough to make the extensive repairs needed or to expand the system.
4. Operating revenues are too small to pay for day-to-day operating costs and since presently there aren't enough phones in use to make it possible to raise the needed money to operate the system by increasing rates, the service is likely to get worse unless the system is turned over to a company with enough finances to take care of it properly, and

WHEREAS, The Council has been assured the system will not be sold without proper protection of service to the Tribe, and the Bureau has fixed the following conditions and terms under which a sale would have to be made:

1. The complete system is to be sold--no partial sale.
2. Payment to be made in advance of any new construction or change of existing system. Purchaser to assume maintenance and operation of present system within 90 days after acquiring title.
3. Purchaser to be given exclusive rights to operate and provide telephone service within the Reservation, except that intercommunication systems may be used in remote areas where no commercial services are available and may be kept in operation until reasonable, satisfactory, commercial service does become available.
4. Purchaser shall provide adequate service throughout the Reservation, and also enough long distance circuits, as well as providing service to the closest exchange outside of the regular exchange area, or to such other exchanges as will be best in each individual case. The Tribal Council

has been told that one of the conditions of sale is that the whole Reservation will be considered as a single exchange area and it will be possible to dial between any points on the Reservation without paying toll charges. Free phones now set up in outlying areas would be maintained, and possible other selected outlying locations added later, but at any rate the same phone service will be available that is available now. In other words no part of the present telephone system will be curtailed, abandoned, or removed by the purchaser.

5. The Bureau has explained that rates under another company might be somewhat higher than they are now but would be not be much above present rates, and that the new owner will be governed by regulations of the Arizona Public Service Commission which passes on all telephone rates.
6. In case of any default on the part of the purchaser, the Bureau will be prepared to see that service is maintained on the Reservation.
7. The plans call for the installation of an automatic dial switchboard which will give 24 hour phone service instead of the present limited service. All outside equipment must meet the specifications of the R.E.A. A period of 2 years from date of award will be allowed for construction and bidder will guarantee to continue present service until completion of construction.

WHEREAS, The Council believes under the conditions outlined above, it is desirable to give the Bureau of Indian Affairs authority to sell the telephone system.

THEREFORE LET IT BE RESOLVED by the Papago Tribal Council that it authorize the Bureau to sell the present telephone system on the Papago Reservation, subject to the general conditions outlined above, and that it also agree to authorize the Superintendent of the Papago Agency to grant the purchaser a right of way of reasonable width for lands covered by the present telephone line on the Papago Reservation.

The foregoing Resolution was on May 1, 1959, duly enacted by a vote of 19 for and 0 against by the Papago Council, at a meeting at which a quorum was present, pursuant to authority vested in it by Section 2 (c) of Article V of the Constitution of the 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 16, 1934, (48 Stat. 984). Said Resolution is effective as of the date of its enactment.

THE PAPAGO COUNCIL

BY:

Enos J. Francisco, Chairman

ATTEST:

Evelyn Antone, Secretary