

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 54-74

WHEREAS, the main Papago Reservation (excluding San Lucy and San Xavier) was established in 1916 by Executive Order; and

WHEREAS, all mineral rights were reserved in the Federal Government and the Reservation was open to exploration and mineral location to all citizens of the United States; and

WHEREAS, on May 27, 1955, Congress passed legislation to the effect that all minerals underlying the Reservation (excluding any valid mineral location) were made a part of the Reservation to be held in Trust by the United States for the Papago Tribe; and

WHEREAS, Art. V-Sec. 3(1) of the Papago Constitution as amended states that the Papago Council shall have the power to regulate by ordinance the distribution of all proceeds heretofore and hereafter derived from tribal lands leased for mining purposes; and

WHEREAS, on September 2, 1960, the Papago Council by a vote of 14 for, 6 against and 1 not voting passed Ordinance Number 39 ordaining that all income heretofore or hereafter derived from the use, permit, or lease of Tribal lands for mining purposes shall be considered Papago Tribal income and shall be credited to the account of the Papago Tribe; and

WHEREAS, on August 4, 1961, by a vote of 15 for, 6 against the Papago Council passed Ordinance Number 42 changing the distribution of funds as called for in Ordinance Number 39 by Ordaining that income from mineral resources be distributed so that the District Council in whose area the income originates receives one-half of the funds, and the remaining one-half deposited to the credit of the Papago Tribe; and

WHEREAS, due to the fact that all minerals underlying the Reservation were made a part of the Reservation to be held in trust by the United States for all of the Papago people and therefore any income from such mineral resources belong to the beneficiaries of said trust which is all of the Papago people, the Tribal Council desires to establish a more equitable and fair distribution of said income to the benefit of the rightful beneficiaries;

NOW, THEREFORE, BE IT RESOLVED that a Committee selected by the Tribal Council is hereby authorized to meet with members of the Sif Oidak District Council, or the Council itself, and make recommendations at the next monthly council meeting for a more equitable and fair distribution of income derived from mineral resources; and

BE IT FURTHER RESOLVED that in the event the Committee is unable to present such a plan within the time prescribed hereinabove the Tribal Council will initiate and establish at its next regular council meeting a plan for a more equitable and fair distribution of said income from mineral resources.

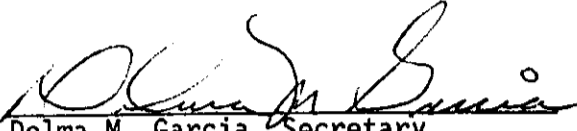
The foregoing Resolution was duly enacted by the Papago Council on the 7th day of November, 1974, at a meeting at which a quorum was present with a vote of 21 for, 0 against, 0 not voting and 1 absent, pursuant to authority vested in the Papago Council by Article V Section 3 (1), (a) and (h) of the Constitution and By-laws of the Papago Tribe ratified by the Tribe on December 12, 1936 and approved by the Secretary of the Interior on January 6, 1937, (amended April 9, 1960), pursuant to Section 16 of the Act of June 6, 1934. Said Resolution is effective as of the date of its approval by the Superintendent of the Papago Agency.

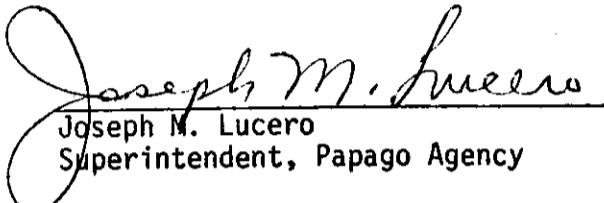
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THE PAPAGO COUNCIL

ATTEST:


Jacob A. Escalante, Chairman


Delma M. Garcia, Secretary


Joseph M. Lucero
Superintendent, Papago Agency

APPROVED: Nov. 19, 1974

