

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 14-75

1 WHEREAS, it is reported to the Papago Council that military aircraft engaged  
2 in supersonic and low altitude flights over Hickiwan District have  
3 seriously infringed upon the rights of Papago Indians to peacefully  
4 inhabit the District as follows:

5 1. Noise produced by military aircraft has destroyed the tranquil-  
6 ity in which the people of the Hickiwan District have traditionally  
7 lived.

8 2. Military aircraft have, on repeated occasions, passed extremely  
9 close to the ground near homes, churches, school buildings and motor  
10 vehicles with the apparent intent to use them as objectives, causing  
11 the persons therein great fear.

12 3. Noise from military aircraft flying at supersonic speeds and at  
13 low altitudes has caused severe and recurring anxiety in infants,  
14 young children and elderly persons in the Hickiwan District.

15 4. The physical shock produced by military aircraft flying at super  
16 sonic speeds over the Hickiwan District has damaged and partially  
17 destroyed homes, churches and school buildings located there.

18 5. Noise produced by military aircraft is believed by some persons  
19 to have frightened game animals away from customary hunting areas of  
20 the Hickiwan District;

21 and

22 WHEREAS, it is further reported to this council that the Papago Legal Services  
23 represents several individual persons and families in the Hickiwan  
24 District with respect to this matter and that those persons have  
25 auhthorized Legal Services to take such legal action as is necessary  
26 to bring an end to the said overflights, and that Papago Legal Ser-  
27 vices intends to take such action; and

28 WHEREAS, this council believes that the efforts of Legal Services in this re-  
29 gard would be greatly assisted by the participation of the Papago  
30 Tribe, through its attorney William E. Strickland; and

31 WHEREAS, Papago Legal Services has expressed its desire and willingness to  
32 work together with the said William E. Strickland in pursuit of an

1 administrative and/or judicial remedy to this problem; and  
2 WHEREAS, the HICKIWAN District councilmen have requested that William E.  
3 Strickland also represent the HICKIWAN District, and any other district  
4 of the Papago Reservation requesting such representation; and

5 WHEREAS, this Council finds that to prosecute this matter adequately the said  
6 William E. Strickland and Papago Legal Services will require the ser-  
7 vices of certain experts, that payment for reasonable and necessary  
8 expert services would be beyond the means of the various districts  
9 and of individual clients of Legal Services, and that the cost of such  
10 services could reasonably be expected to total FIVE THOUSAND DOLLARS  
11 (\$5,000.00).

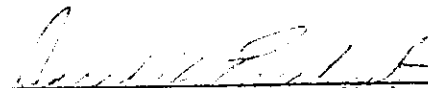
12 NOW, THEREFORE, BE IT RESOLVED THAT the Said William E. Strickland is hereby  
13 authorized and requested to represent the Papago Tribe, HICKIWAN  
14 District which requests his representation, in an effort to bring  
15 about a cessation of supersonic and low-level military aircraft over-  
16 flights of the Papago Reservation and to take, in conjunction with  
17 Papago Legal Services, such administrative and/or judicial action as  
18 he and Papago Legal Services may deem necessary or appropriate in this  
19 regard; and

20 BE IT FURTHER RESOLVED, that a fund of FIVE THOUSAND DOLLARS (\$5,000.00) is  
21 hereby appropriated and authorized to be expended in payment for such  
22 expert services as the said William E. Strickland deems reasonable  
23 and necessary to the prosecution of such administrative and/or jud-  
24 icial action; provided that no portion of this fund shall be so ex-  
25 pended except upon presentation of a bill for services endorsed by  
26 the said William E. Strickland or his authorized agent; provided fur-  
27 ther, that in the event the said sum is not presently available for  
28 such use, it shall be made available hereafter by the Treasurer of  
29 the Papago Tribe when the monies in the Tribal Treasury are increased  
30 either by revenue or credit.

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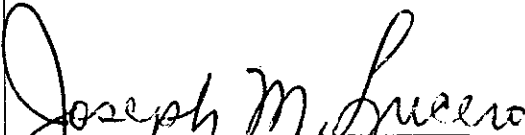
1 The foregoing Resolution was duly enacted by the Paaago Council on the 7th day  
2 of April, 1975, at a meeting at which a quorum was present with a vote of 18  
3 for, 1 against, 1 not voting and 2 absent, pursuant to authority vested in the  
4 Papago Council by Article V, Section 2(b) and (e) <sup>and Section 3 (a)(c)(h)</sup> of the Constitution and By-  
5 laws of the Papago Tribe of Arizona ratified by the Tribe on December 12, 1936,  
6 and approved by the Secretary of the Interior on January 6, 1937, (48 Stat: 984)  
7 pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effect-  
8 ive as of the date of its approval by the Superintendent of the Papago Agency  
9 and is ~~is~~ subject to review by the Secretary of the Interior.

10 THE PAPAGO COUNCIL

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12   
13 Jacob A. Escalante, Chairman

14 ATTEST:

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17 Delma M. Garcia, Secretary

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19   
20 Superintendent, Papago Agency

APPROVED: April 9, 1975

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26  
27 RECEIVED APR 10 1975

