

Emmons, Glen (Commissioner of Indian Affairs), 12-1-1955a, Letter to F.M. Haverland (B.I.A. Area Director, Phoenix). Copy in Exhibit files (Exhibit 33) to Chambers and Lynch 1985 (q.v.). Copy courtesy Hopi Tribal Chairman's Office.



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
WASHINGTON 25, D. C.

2528-55

Air Mail

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Mr. Fredrick M. Haverland

Area Director, Phoenix

My dear Mr. Haverland:

Reference is made to your letter of February 24, 1955, concerning the matter of recognition of the Hopi Tribal Council.

On the basis of information supplied by you, contained in our files here, and developed by the special committee which held meetings with the Hopi people this past summer, I have concluded that the election at which the Hopi Tribe accepted the provisions of the Indian Reorganization Act was regularly held, that the constitution and bylaws were duly adopted and approved by the Secretary of the Interior, and that no valid reason exists to withhold full recognition of the Hopi Tribal Council duly elected pursuant to the tribal constitution so long as the council conducts its business in accordance with the constitution and bylaws. The facts are that seven of the Hopi villages, which are entitled to nine representatives on the tribal council, are observing and abiding by the provisions of the tribal constitution and are selecting representatives to the council, while the five remaining villages, which are entitled to eight members on the council, are not observing the constitution and are not selecting representatives to the tribal council. The constitution provides that a majority, or nine members, of the council shall constitute a quorum and, therefore, the seven villages which select nine members have a duly constituted tribal council under the constitution or the purpose of conducting business when all nine members are present.

The failure of those villages not represented on the council to select representatives as provided in the constitution should not operate to preclude official recognition of the tribal council

Exhibit 33

when considered in light of the fact that a majority of the villages with a majority of the population are acting pursuant to the tribal constitution. In the circumstances, since there is in existence a tribal council duly constituted under the provisions of the Hopi constitution, the limited recognition heretofore given to that council is hereby enlarged to the full recognition to which any duly constituted tribal governing body is entitled.

Since the full membership of the council as now constituted is a bare quorum as prescribed by the constitution as a prerequisite for conducting tribal business, it will be necessary that all nine members be present at any meeting where business is conducted in order that any action taken may be the official action of the tribal governing body.

We are in full agreement with the course of action taken by Superintendent Benson of working with and informing the villages which have failed to elect representatives to the council, and urge that this be continued until these villages choose to send representatives to the tribal council as now provided in the Hopi Constitution or until the form of tribal government is changed or otherwise amended to the Constitution as provided in Article I.

Sincerely yours,

(SGD) GLENN L. EMMONS

Commissioner

Copy to: Superintendent, Hopi Agency

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Holdup

P. S. It is suggested that the tribal council undertake consideration of appropriate amendments to the tribal constitution which would change the name of the tribal governing body to "Assembly," "Village Congress," or some other designation which would be more acceptable to all of the Hopi people.