

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, published in Code of Federal Regulations, Title 25, Section 221.180 through 221.184 in July 1963 to change project category, and

WHEREAS, this change in CFR Title 25 required Indian Land Owners to pay a fee when operating a form, and

WHEREAS, all unics of the project are small garden-like subsistence units that will not produce any sizeable income to the individual, and

WHEREAS, payment required by either the Tribe or individuals would work a financial hardship and the unpaid charges are accumulating as a lien against the land with no prospect of being paid.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Bureau of Indian Affairs change the present project category from Category II to Category III.

BE IT FURTHER RESOLVED that the Bureau of Indian Affairs revise C.F.R. Title 25 Section 221.180 through 221.184 to delete the Tribe or Individual payment since condition do not permit any economic return.

The foregoing resolution was on August 2, 1973 duly adopted by a vote of 8 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16of the Act of June 18, 1934 (48 Stat. 984).

Fred Bunch
Chairman of the Tribal Council

Mary L. Goodfield
Secretary of the Tribal Council



AUG 22 1973

Memorandum

To: Area Director
Attention: Tribal Operations

From: Superintendent

Subject: Tribal Resolution No. 73-132

Resolution No. 73-132 was adopted by the Tribal Council expressing their concern under the category change of the irrigation project which was published in the Federal Register about July 1963. The tribe has requested almost annually that this change in project category be made to recind the charges from accumulating as a lien against tribal land.

It is pointed out again in this resolution that this situation is creating a financial burden on the tribe as well as the individuals.

We request your guidance for immediate and/or necessary action to correct this situation.


Superintendent

Hull

September 18, 1973

Irrigation

Memorandum

To: Commissioner of Indian Affairs
Attention: Director, Office of Trust Responsibilities

From: Area Director

Subject: Amendment of Sections 221.180 - 221.184 of Title 25,
Code of Federal Regulations.

On February 2, 1970, we transmitted to you Resolution No. 70-12 of the Tribal Council of the White Mountain Apache Tribe concerning the assessable status of the Fort Apache Irrigation Project. In our letter of transmittal we advised you that this project in its present state fits the definition of a Category III project and should be placed in that category until such a time as the White River Extension of the Project is constructed and economic sized units are developed. Based on this we recommended that Title 25, Chapter I of the Code of Federal Regulations be amended by the deletion of Section 221.180 through 221.184 in their entirety.

Enclosed is another resolution on this adopted by the Tribal Council on August 2, 1973, and the Superintendent's transmittal of August 22, 1973, requesting our guidance for immediate and/or necessary action to correct this situation. R 73-132

We believe correction requires that the appropriate Sections be deleted from the Code of Federal Regulations and ask that you take the necessary action to accomplish this.

(Sgd) R. W. Jackson

Acting Ass^t Area Director

Enclosures

cc:
Superintendent, Fort Apache Agency

RNHull:avd 9/18/73

updates by a computer



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
FORT APACHE INDIAN AGENCY
Whiteriver, Arizona 85941

IN REPLY REFER TO:

AUG 22 1973

Memorandum

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Jim C. Lyle
Superintendent

RECEIVED

AUG 23 1973

TRIBAL OPERATIONS

SUP

BUREAU OF INDIAN AFFAIRS
P.O. BOX 2007
PHOENIX, AZ 85011

Handwritten: J and Gerald
Please write
New

RECEIVED
MAR 21 1974
Fort Apache Indian Agency
White River, Ariz.

March 21 1974

Irrigation

Memorandum

To: Commissioner of Indian Affairs
Attention: Director, Office of Trust Responsibilities

From: Area Director

Subject: Amendment of Sections 221.180 - 221.184
of Title 25, Code of Federal Regulations

On September 18, 1973, we wrote to you requesting that necessary action be taken to amend Title 25, Chapter 1 of the Code of Federal Regulations by revocation of Sections 221.180 - 221.184. A copy of that memorandum and its enclosures is submitted for your ready reference.

We would appreciate knowing what actions have been taken in regard to this matter.

/Sgd/ Charles D. Worland
Assistant Area Director

Enclosures

~~cc~~ Superintendent, Fort Apache Agency
Area Tribal Operations Officer