



*Other: Res. class has
referred to*

*C. C. ...
Forsyth*

Resolution No. 74-10

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

WHEREAS, the White Mountain Apache Tribe has brought an action in U. S. District Court for the District of Arizona, seeking a determination of the State of Arizona's Power to (impose) use fuel and motor carrier taxes on logging companies contracting with the Fort Apache Timber Company, and

WHEREAS, all the logging operations are conducted entirely on the Fort Apache Indian Reservation on roads built by the Tribe, the Bureau of Indian Affairs, and a minimum amount on dedicated State Highways, and

WHEREAS, the direct burden of these taxes will be passed on to the Tribe through higher contract prices, and

WHEREAS, the State of Arizona makes no contribution to the building or maintenance of the Bureau of Indian Affairs and Tribal Roads, and

WHEREAS, the attempt to tax the contractors carrying on their business solely within the boundaries of the Fort Apache Indian Reservation is a direct interference in the Tribe's power to be self-governing and be the regulator of logging activities, and furthermore burdens the main source of Tribal income, and

WHEREAS, the Tribal Council believes that the Solicitor General and/or the U. S. Attorney on behalf of the United States could aid the Tribe's position by filing an Amicus Curie Brief.

BE IT RESOLVED that the U. S. Solicitor General of the Bureau of Indian Affairs Office and the United States Attorney on behalf of the United States be requested to join as a friend of the Court and file an Amicus Curie Brief for the benefit of the White Mountain Apache Tribe in White Mountain Apache Tribe, et al, vs. Jack Williams, et. al., No. CIV 73-788 PCT WEC presently pending in the U. S. District Court for the State of Arizona; in which, the State of Arizona is attempting to assess use fuel and motor carrier taxes on the contractors working for the Fort Apache Timber Company where all logging activities take place within the bounds of the Fort Apache Indian Reservation on roads constructed and maintained by the Bureau of Indian Affairs, the White Mountain Apache Tribe and the logging companies.

RECEIVED
JAN 30 1974
TRIBAL OPERATIONS

The foregoing resolution was on January 9, 1974 duly adopted by a vote of 7 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 16 of the Act of June 18, 1934 (48 Stat. 984).

Fred Sandley Sr.
Chairman of the Tribal Council

Mary C. Goodfield
Secretary of the Tribal Council

Resolution ^No. 74-10