

The original documents are located in Box 9, folder “Kootenai Nation (1)” of the Norman E. Ross Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE

WASHINGTON

September 26, 1974

MEMORANDUM FOR:

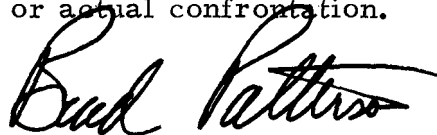
MORRIS THOMPSON
STAN POTTINGER
JOHN CARLSON
KENT FRIZZELL
WALLACE JOHNSON
FRANK ZARB
BEN HOLMAN

SUBJECT:

Declaration of War from
the Kootenais

The attached communication was received in my office at 3:30 p. m. today.

As some of you know, I had a long and, I would say, generally friendly talk with Ms. Trice Monday or Tuesday night of this week and tried very hard to persuade her to take up Commissioner Thompson's offer of a breakfast meeting with her and her colleagues in Spokane next Monday morning (he will be there anyway for another meeting). She seemed quite reluctant -- trying to get Morrie or me to come to Bonner's Ferry instead. So far, that is where things stand. Morrie and I both continue to be opposed to the idea of either his or my running out on the scene of every such threatened or actual confrontation.



Bradley H. Patterson, Jr.

Brad:

Morrie Thompson's office called with a response to Amelia Cutsack Trice.

at the request of the President

The BIA, U.S. Department of the Interior is now in the process of the September 11th letter to the President of the U.S. of America.

promptly reply to

~~The White House has asked us to respond to your communication.~~

The Commissioner is

~~We are currently reviewing your ~~comments~~ ^{the material you} with intentions of~~

~~responding as soon as possible from the Commissioner.~~ *and will respond promptly.*

THEY WOULD LIKE YOUR REACTION TO THE ABOVE.

Linda

P.S. Tom Oxendine called and said that there was going to be a meeting held in BIA at 2:00 to discuss the problem. Please call him or Morrie Thompson.

Ron Esquerca - 343-



THE WHITE HOUSE

WASHINGTON

Sawyer

See Rep Portland
went to Bowser's
Ferry.

K came to NW ATF.

Ed Smith

There is no
exclusive jurisdiction
US property in
Barr's Ferry at all.
except the 2 feet
of entry. Even the
FS lands are common
jurisdiction.



Men recognized

THE WHITE HOUSE

WASHINGTON

S 634 James

H 8/21 reported out

little Koatevai
55 Members

Declared war on OS

10-page resolution

9/10

Spokane papers



Fad the tree

No total land
allotted on public
do 2300

\$ Put on 12 $\frac{1}{2}$ acres =
paid state
Kuday House
to restore

Amy Trice
Responsible



Projects & proposals -
all denied.

Land Bill moving

FD told them in
Denne that bill had
little or no chance of
passing

~~SET~~

BIA idea land
turned back by
legis. - BIA purchased
191879



Adm of land -

Chubb was trying
to give that back.

5 1/2 acres.

Cathy Chubb wants
to donate
Fifth Ave b. - long-eg.

They threaten to take over
1.3 mill acres
200 sections of the N.F.
land.



Lumi

Suarez

N. Idaho Agency

2 NM people from
Portland Sunday --
stayed 24 hours.

Had particularly welcome

We supported the bill

Travel Card D P

Not big enough pop
Judgment funds = \$50,000
to one of them about to

Hawaii program prepared.
Work thru Com. d'Almeida
Cuba -- HOD said they
had no land --
if they got the land (123)
they could go back.
2300 allotted -- in
road.

Canadian intermarriage --
fee simple Wells in
accordance with laws of state.



Flowers Sab- M loud
Reported out
Consent Cal



THE WHITE HOUSE

WASHINGTON

9/11 Declared was

12-page resolution

Grace period - due by 9/20

Take over NPS property etc

BF

Wilt req a treaty

↳ Books 2

Social Workers

25 USC 71



~~DI~~ 299-4572

THE WHITE HOUSE

WASHINGTON

Meeting of local non-Indian
community officials + FS, BP,
NSetr., Gov's staff

Docq Wheaton - Tribal employee
& non-K (N-Indian) very arrogant
talked in very absolute terms
Decline treaty
Take over 1.3M acres
20 minutes - 8M help.

Meetings of 19th

Somebody come out
from Washington or
some of Ks come back to
Wash



MEMORANDUM
OF CALL

TO:

BRAD

YOU WERE CALLED BY— YOU WERE VISITED BY—

Mr. Esquivra

OF (Organization)

BIA

PLEASE CALL → PHONE NO. CODE/EXT. 343-4174

WILL CALL AGAIN IS WAITING TO SEE YOU
 RETURNED YOUR CALL WISHES AN APPOINTMENT

MESSAGE

Either meeting tomorrow
or WAR.

RECEIVED BY

Linda

DATE

9.17

TIME

4:37

STANDARD FORM 63
REVISED AUGUST 1967
GSA FPMR (41 CFR) 101-11.6

☆ U. S. GPO: 1972 - 472-749

63-108



Continued until the 20th

Sid Smith - US Attorney

for *Idols.*
Caen d'Alene
In touch w FBI

FIS

509-456-~~XXXX~~

0111

↓
208-667-4624

Stayng at home

208-667-8854



Say L&O = under a
contract -

BIA says they are
on their own.

They can assert the
power - as it is tested
in court.

Take court trial to
refuse them.



Guinnall - now appears
have arrested non-Indians
but no court yet.

Garrison - now we
have arrested non-Resistants
but no count yet.



S. 634

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 1974

Referred to the Committee on Interior and Insular Affairs

AN ACT

To declare that certain federally owned lands shall be held by the United States in trust for the Kootenai Tribe of Idaho, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That, subject to valid existing rights, all of the right, title,
4 and interest of the United States in the following described
5 tracts of land, and the improvements thereon, that were
6 acquired and that are now administered by the Secretary
7 of the Interior for the benefit of the Kootenai Tribe of Idaho,
8 are hereby declared to be held by the United States in trust
9 for said tribe:

1 TRACT NUMBERED 1. Part of lot 3 in section 20, town-
 2 ship 62 north, range 1 east, Boise meridian, Boundary
 3 County, Idaho, described as follows: Beginning at a point
 4 20 rods south and 20 rods west of the northeast corner of
 5 lot 3, section 20, thence west 20 rods, thence south 20 rods,
 6 thence east 20 rods, thence north 20 rods to place of begin-
 7 ning, containing 2.50 acres, more or less.

8 TRACT NUMBERED 2. That part of lot numbered 3 in
 9 section 20, township 62 north, range 1 east, Boise meridian,
 10 Boundary County, Idaho, described as follows: Beginning at
 11 a point 20 rods south of the northeast corner of lot 3, thence
 12 west 20 rods, thence south 20 rods, thence west 10 rods,
 13 thence south 40 rods, thence east 30 rods, thence north 60
 14 rods, to place of beginning, containing 10.00 acres, more or
 15 less.

16 SEC. 2. The above-described property shall be adminis-
 17 tered in accordance with the laws and regulations applicable
 18 to Indian tribal trust property.

19 SEC. 3. The Indian Claims Commission is directed to
 20 determine in accordance with the provisions of the Act of
 21 August 13, 1946 (60 Stat. 1050), the extent to which value

1 of the title conveyed should or should not be set off against
 2 any claim against the United States determined by the
 3 Commission.

Passed the Senate May 13, 1974.

Attest:

FRANCIS R. VALEO,

Secretary.

93D CONGRESS
2D SESSION

S. 634

AN ACT

To declare that certain federally owned lands shall be held by the United States in trust for the Kootenai Tribe of Idaho, and for other purposes.

MAY 14, 1974

Referred to the Committee on Interior and Insular
Affairs

September 18, 1974

MEMORANDUM FOR:

COMMISSIONER MORRIS THOMPSON

SUBJECT:

Response To Kootenai Nation Letter
Of September 11, 1974

Confirming our conversation of last night, you will be in touch with Mr. Briscoe and prepare and sign a response to the Kootenai Nation letter (the original incoming, which I received only yesterday, is attached). It will be a response which recites the positive things which are happening (e.g. re S. 634, the Church land exchange, etc.) which deals with as many of their questions as is possible, and which designates an appropriate BIA official as a contact point for the Kootenais to talk with. It will also be in telegraphic form to reach Bonner's Ferry before Friday night.

Bradley H. Patterson, Jr.

cc: Frank Zarb
John Carlson
Dennis Iches



17
BP
mid 9:20 PM
9/17/74

LETTER OF INTENT

from

THE KOOTENAI NATION OF INDIANS OF IDAHO

TO

THE CONGRESS AND THE PRESIDENT OF THE

UNITED STATES OF AMERICA

SIRS:

AS PASSED IN THE ENCLOSED RESOLUTION, THE KOOTENAI NATION BRINGS TO YOUR ATTENTION, THE INEQUITIES SUFFERED TO THIS DAY AND DEEMING IT NO LONGER POSSIBLE TO SURVIVE UNDER THESE CONDITIONS, TO NO LONGER ALLOW THE DEMORALIZATION AND DEGRADATION OF OUR PEOPLE; WE THEREFORE IMPLORE YOU TO SEND YOUR ENVOISARIES, TO SPEAK IN COUNCIL WITH OUR LEADERS, TO RESOLVE, PEACFFULLY, OUR DIFFERANCES.

FOR THIS WE ARE ALLOTING A LAPSE OF TIME OF FIVE (5) DAYS. AT THE END OF THAT TIME, IF, ON YOUR PART, A FAILURE OF COMPLIANCE IS EVIDENT, WE, AS IS OUR DETERMINED INTENT, SEE NO ALTERNATIVE BUT TO DECLARE A ~~CONDITION OF WAR AS EXISTING~~ BETWEEN THE KOOTENAI NATION AND THE UNITED STATES OF AMERICA.

SIGNED: 11 September, 1974

Moses Joseph
Moses Joseph, Tribal Chief

Amelia Cutsack Trice
Amelia Cutsack Trice, Chairwoman

Mathias David
Mathias David, Vice-Chairman

Eileen Lowley
Eileen Lowley, Secretary

Mary David
Mary David, Tribal Council Member



R E S O L U T I O N

THE KOOTENAI NATION OF INDIANS, KNOWN NOW AS THE KOOTENAI TRIBE OF IDAHO, SITTING IN QUORUM AT BONNERS FERRY, IDAHO, ON SEPTEMBER 4, AT 7:00 p.m., 1974 DOES HEREBY PASS THIS RESOLUTION:

WHEREAS, THE KOOTENAI NATION OF INDIANS HAVE RESIDED WITHIN THEIR ABORIGINAL AREA SINCE TIME EMMORIAL, AND;

WHEREAS, THESE ABORIGINAL LANDS, AS RECOGNIZED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA, DID ENCOMPASS AN AREA IN WHAT IS NOW EASTERN IDAHO, WESTERN MONTANA, AND INTO CANADA, TO AN EQUIVALENT OF ONE MILLION, THREE HUNDRED AND SIXTY EIGHT THOUSAND TWO HUNDRED EIGHTY ACRES OF LAND, AND;

WHEREAS, THE GOVERNMENT OF THE UNITED STATES DID ABSORB THESE LANDS AT A MEETING HELD IN HELLGATE, MONTANA, KNOWN AS THE HELLGATE TREATY, IN THE YEAR OF OUR LORD, 1855, WITHOUT THE REPRESENTATION, CONSENT, OR KNOWLEDGE, OF THE KOOTENAI NATION OF IDAHO, DUE TO THE FAILURE, BY THEN, GOVERNOR ISAAC STEVENS, OF THE THEN TERRITORY OF WASHINGTON, WHETHER INTENTIONAL, OR NOT, AS HIS DIRECTIVE BY THE PRESIDENT OF THE UNITED STATES AND COMMISSIONER OF INDIAN AFFAIRS, WAS TO CONTACT ALL TRIBES AND BANDS LIVING IN THE AREA TO BE AFFECTED BY THIS TREATY, AND THIS TREATY DID NOT INCLUDE THE ABORIGINAL LANDS OF THE IDAHO KOOTENAI, AND;

WHEREAS, BETWEEN 1855, AND 1894, AND AS A RESULT OF THE HELLGATE TREATY, THE KOOTENAI NATION WAS IN EFFECT WITHOUT ANY RIGHTS, PRIVILEGES, OR LAND TO CALL THEIR OWN, ACCORDING TO THE HISTORY AND IN EFFECT BECAME NOTHING, AND;

WHEREAS, AS A RESULT OF THESE MISDEEDS BY THE GOVERNMENT OF THE UNITED STATES, NO TREATY OR OTHER DOCUMENT WAS EVER ENTERED INTO BETWEEN THE KOOTENAI NATION AND THE GOVERNMENT OF THE UNITED STATES, AND;

WHEREAS, WITHOUT THE KNOWLEDGE AND CONSENT OF THE KOOTENAI NATION, THE GOVERNMENT OF THE UNITED STATES DID "ASSUME" TRUSTEESHIP OVER THIS NATION AND ITS PEOPLE, AND;



WHEREAS, THE KOOTENAI NATION, AS A RECOGNIZED SOVEREIGN NATION WITHIN A NATION, DOES OPERATE UNDER A CONSTITUTION AND BY-LAWS ADOPTED BY THE KOOTENAI NATION AT BODWESS FERRY, IDAHO ON APRIL 10, 1947 AND APPROVED BY ACTING COMMISSIONER OF INDIAN AFFAIRS, WILLIAM ZIMMERMAN IN CHICAGO, ILLINOIS ON JUNE 16, 1947, AND;

WHEREAS, IN THE YEAR 1894, THE GOVERNMENT OF THE UNITED STATES, AFTER A TIME LAPSE AFTER 40 YEARS, SINCE THE ABSORPTION OF THE KOOTENAI NATION'S LANDS AND APPARENTLY REALIZING, IN A SMALL DEGREE, THE HUMILITY OF THESE MISDEEDS AND COLONIALISM, DID, "OUT OF THE GOODNESS OF THEIR HEARTS" MAKE INDIVIDUAL ALLOTMENTS, TO WHAT WAS LEFT OF THE KOOTENAI NATIONS OWN LANDS OF APPROXIMATELY 80 ACRES PER FAMILY, WHICH, PER SAE, IS ONLY ONE HALF OF AN ALLOTMENT UNDER THE HOMESTEAD ACT IN REGARD TO THE NON-INDIAN COMMUNITY, AND;

WHEREAS, THESE ALLOTMENTS HAVE BECOME SO FRACTIONATED ON AN INTERNATIONAL BASIS THAT IT HAS BECOME A REALTORS NIGHTMARE. TO WIT: EXAMPLES:

21150 / 262,440,000 1 / 1800 1 / 6300 30 / 648,000 3 / 3249 AND;

WHEREAS, THROUGH THE ENTIRE YEARS THE GOVERNMENT OF THE UNITED STATES "TRUSTERSHIP", WAS LAX WHEREIN THE AMOUNT OF ALLOTTED LANDS HAS DEPLETED FROM AN ORIGINAL 87,000 ACRES TO A PRESENT 1,400 ACRES. AND;

WHEREAS, IN THE YEAR 1927, SOME 4,000 ACRES OF THE INDIVIDUAL INDIAN ALLOTMENTS BORDERING THE KOOTENAI RIVER WERE SOLD, AGAINST THE WILL OF THE KOOTENAI NATION WITHOUT THEIR CONSENT, BY SUPERINTENDENT OF THE COEUR D'ALENE AGENCY, BYRON A SHARP AND THE DISTRICT SUPERINTENDENT, MR. LIPPS OR TIPPS, FOR PAYMENT IN DIKING THE RIVER BANKS TO FACILITATE THE AGRICULTURAL DEVELOPMENT OF THE RICH BOTTOM LANDS IN NON-INDIAN OWNERSHIP, AND;

WHEREAS, THESE ALLOTMENTS WERE ULTIMATELY AND NATURALLY SOLD TO THE NON-INDIAN COMMUNITY, AND;

WHEREAS, WITHOUT A TREATY, VALID BILL OF SALE, OR DOCUMENT OF TITLE TRANSFER FROM THE KOOTENAI NATION TO THE GOVERNMENT OF THE UNITED STATES, THE GOVERNMENT OF THE UNITED STATES AND ITS CITIZENRY ARE, IN REALITY, AND HAVE ALWAYS BEEN, TRESPASSERS ON THE LANDS OF THE KOOTENAI NATION WITHOUT JUST CAUSE, PERMISSION, OR COMPENSATION THEREOF, AND;



WHEREAS, THROUGH THE INDIAN CLAIM COMMISSION, DOCKET NO. 152 OF 1962, A SO CALLED SETTLEMENT WAS MADE TO THE KOOTENAI NATION IN THE AMOUNT OF THIRTY-SIX CENTS (\$.36) PER ACRE, AND

WHEREAS, THE KOOTENAI NATION FEELS THAT, IN LIEU OF THE MILLIONS OF DOLLARS IN RESOURCES TAKEN FROM THE LAND, A SETTLEMENT, MORE EQUITABLE TO THE REAL VALUE OF THE LAND SHOULD HAVE BEEN MADE AT THAT TIME, AND;

WHEREAS, THE KOOTENAI NATION FEELS THAT A TREATY AND A LAND BASE SHOULD HAVE BEEN NEGOTIATED AND ESTABLISHED AT THAT TIME TO FORMALIZE RELINQUISHMENT OF THE ABSORBED LAND OF THE KOOTENAI NATION, AND;

WHEREAS, THE KOOTENAI NATION HAS NEVER RELINQUISHED THEIR HUNTING, FISHING, OR TRAPPING RIGHTS, EITHER BY EXPRESSED DESIRE, OR CONSENT, WRITTEN OR VERBALLY, AND;

✓ WHEREAS, THE AREA SOLICITOR'S OPINION, BEING NEGATIVE, IN REGARDS TO THE KOOTENAI NATION'S FIGHT TO FISH, HUNT, AND TRAP ON THEIR ABORIGINAL GROUNDS, DELETES THEIR LIFE STYLE AND AVAILABILITY OF NATURAL NATIVE FOODS, AND;

WHEREAS, SOME OF OUR KOOTENAI INDIAN PEOPLE HAVE BEEN ARRESTED, TRIED AND CONVICTED IN THE LOCAL INFERIOR COURTS FOR EXERCISING THEIR ABORIGINAL RIGHTS IN THIS REGARD, AND;

WHEREAS, THE GOVERNMENT OF THE UNITED STATES MAINTAINS THAT THE KOOTENAI NATION HAS NO WATER RIGHTS, MINERAL RIGHTS, OR IN EFFECT, ENTIRELY NO RIGHTS WHATSOEVER OTHER THAN THOSE IMPOSED UPON THEM BY THE GOVERNMENT, AND;

WHEREAS, IT IS A KNOWN FACT THAT A SIGNIFICANT REDUCTION OF REGENERATE BIOMASS WERE RECORDED FOR A COMPLETE GENERATION, CONTRARY TO ALL THE LAWS OF NATURE, AND ALL OTHER POPULATIONS WITHIN THE CIVILIZED WORLD, AND THAT THROUGH GROSS NEGLIGENCE OF THE TRUSTEESHIP OF THE UNITED STATES OF AMERICA, NO INVESTIGATION WAS MADE AS TO THE REASONS WHY, AND;

WHEREAS, THROUGH GROSS NEGLIGENCE OF THE TRUSTEESHIP RESPONSIBILITY BY THE GOVERNMENT OF THE UNITED STATES TOWARD THE KOOTENAI NATION, OUR PEOPLE WERE FORCED INTO COALITION AND LEGAL OVERPOWERMENT BY THE STATE OF IDAHO, AND;



WHEREAS, THROUGH GROSS NEGLECT BY THE GOVERNMENT OF THE UNITED STATES, THE PREVIOUS SUPERINTENDENT HAD VISITED OUR PEOPLE ONLY TWICE, DURING HIS EIGHT YEAR TENURE OF OFFICE, FOR A TOTAL OF 30 MINUTES, AND:

WHEREAS, THROUGH GROSS NEGLECT BY THE UNITED STATES OF AMERICA TOWARD THE KOOTENAI NATION, OUR PEOPLE HAVE NO BASE FOR SELF-SECURITY, NO HOPE, NO CIVIC PRIDE, AND NO TOOLS OR RESOURCES TO IMPLEMENT THE IDEALS OF SELF-DETERMINATION AS PRESCRIBED BY THE GOVERNMENT OF THE UNITED STATES AS THE ULTIMATE CURE OF THE ILLS OF THE INDIAN COMMUNITY, AND:

✓ WHEREAS, IT BEING NOW CLEAR THROUGH THE EXPANSE OF THE PAST 120 YEARS, VERY LITTLE EVIDENCE HAS COME TO LIGHT, WHERE ANYONE IN THE GOVERNMENT CARED MUCH, FOR OR ABOUT OUR PEOPLE, OR WHERE THE ROLE OF THE TRUSTEESHIP ASSUMED BY THE GOVERNMENT OF THE UNITED STATES HAS BEEN BENEFICIAL TO THE PEOPLE OF THE KOOTENAI NATION TO ANY DEGREE OF SUCCESS, BUT ONLY PROMOTED DEGRADATION, AND:

WHEREAS, SINGLE DOMINANCE BY THE GOVERNMENT OF THE UNITED STATES, WITHOUT THEIR CONSENT THROUGH ANY FORM OF DOCUMENTS WHATSOEVER ENTERED INTO WITH THE UNITED STATES, HAVE BEEN ASSESSED TAXATION WITHOUT REPRESENTATION, AND

WHEREAS, ~~ABLE YOUNG MEN OF THE KOOTENAI NATION DID, AND HAVE ANSWERED~~ THE CALL OF WAR ON BEHALF OF THE UNITED STATES, WHICH WAS WHOLLY TAKEN FOR GRANTED, AND DID CAUSE ADDITIONAL CONDITIONS OF SUFFERING OUR PEOPLE OF THE KOOTENAI NATION, AND:

WHEREAS, THROUGH PERMITTED ENCROACHMENT BY WHITE PEOPLE, FROM THE WHITE COMMUNITY AREAS, RESIDING WITHIN OUR TRIBAL LANDS, SIGNIFICANT PORTIONS OF OUR TRADITIONAL AND RELIGIOUSLY REGARDED GROUNDS, SUCH AS BURIAL AND WHERE CEREMONIAL RITES ARE PERFORMED, WERE UPROOTED, DESECRATED AND DESTROYED, AND:

WHEREAS, SINCE 1776, THE NON-INDIAN COMMUNITY HAS ENJOYED THE CONSTITUTIONAL RIGHTS OF LIFE, LIBERTY AND THE PURSUIT OF HAPPINESS, AND THAT THEY HAD PRIOR KNOWLEDGE, AND FULL UNDERSTANDINGS OF FACTS, THAT THE KOOTENAI NATION DID ENJOY SIMILARLY ESTABLISHED RIGHTS SINCE TIME IMMEMORIAL, THROUGHOUT INNUMERABLE GENERATIONS, UNTIL THE TIME OF OVERPOWERING DOMINATION BY WHITE SOCIETY IN GENERAL, IT IS CLEAR NOW, THAT OUR PEOPLE SINCE 1855, HAVE SUFFERED CONTINUOUSLY THROUGHOUT TO THIS DATE AND TIME, THESE ABOVE AFOREMENTIONED RIGHTS, WHICH ARE SO CONSIDERED IMPORTANT AND INALIENABLE BY ALL RACIAL COMMUNITIES THROUGHOUT THESE UNITED STATES, UNDER THE CONSTITUTION OF THE UNITED STATES.



NOW THEREFORE, BE IT RESOLVED THAT, THAT KOOTENAI NATION, IN FIRM REALIZATION AND BECAUSE OF ITS UNIQUE PAST HISTORY, EMPHASIZED IN THIS RESOLUTION, THE MANY INEQUITIES SUFFERED, THE USURPTION OF THE POWERS OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA AS THE CONQUERING NATION. THE LACK OF RECOGNITION OF THE KOOTENAI NATIONS RIGHTS AS A SOVEREIGN NATION WITHIN A NATION, THE EXTREME LAXITY ON THE PART OF THE UNITED STATES OF AMERICA IN TAKING NOTICE OF, OR DISOLVING THE 120 YEAR PLIGHT OF OUR PEOPLE, THE PATIENCE, TRUST, AND PEACE, SHOWN BY THE KOOTENAI NATION, TO THE GOVERNMENT OF THE UNITED STATES AND ITS PEOPLE FOR THE PAST 200 YEARS. THE DISTINCT AND PROFOUND LACK OF INTEREST AND TRUSTEESHIP SHOWN BY THE GOVERNMENT OF THE UNITED STATES, TOWARD THE KOOTENAI NATION, BEFORE, NOW, AND FOREVER RESIDING WITHIN THE BOUNDARIES OF THE UNITED STATES OF AMERICA FOR THE PAST CENTURIES, DOES HEREBY, BY THIS RESOLUTION, AUTHORIZE ITS DULY ELECTED CHEIF, CHAIRMAN, AND TRIBAL COUNCIL, TO ACT IN THE BEHALF OF AND IN THE INTEREST OF THE KOOTENAI NATION, BY POSTING, TO THE PRESIDENT OF THE UNITED STATES OF AMERICA, A LETTER OF INTENT, THAT IN THE EVENT, THAT NEGOTIATIONS FOR RESTORATION OF A PORTION OF THE KOOTENAI NATION'S ABORIGINAL LANDS ARE NOT RETURNED TO THEM, AND THAT RESTITUTION FOR THE DEPLETION OF ITS NATURAL RESOURCES AND OTHER HIGH CRIMES, TAKEN FROM AND COMMITTED ON, THESE LANDS, IS NOT EQUITABLE IN A NEGOTIATED RESOLVEMENT BETWEEN THE KOOTENAI NATION AND THE PRESIDENT OF THE UNITED STATES OF AMERICA OR HIS LEGAL EMMISARIES, WITHIN FIVE((5) DAYS OF THE POSTED TIME, BE IT FURTHER RESOLVED THAT, THE DULY ELECTED TRIBAL COUNCIL OF THE KOOTENAI NATION, IF, AFTER THE ALLOTED FIVE (5) DAYS AND NO POSITIVE ACTION IS INITIATED IN BEHALF OF THE KOOTENAI NATION BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA, WILL DEEM IT NECESSARY AND PROPER TO INITIATE ACTION, AS IT WILL BE THE ASSUMPTION OF THE KOOTENAI NATION THAT THE UNITED STATES OF AMERICA THEN RELINQUISHES ITS POWER OF DOMAIN OVER THESE LANDS, IN THE FOPM OF A DECLARATION OF WAR, WHICH



WILL THEN EXIST BETWEEN THE KOOTENAI NATION OF INDIANS, AND THE UNITED STATES OF AMERICA AND ITS POSSESSIONS.

AND BE IT FURTHER RESOLVED THAT, AT THE COMMENCEMENT OF HOSTILITIES AS A SOVEREIGN NATION, THE KOOTENAI TRIBE WILL THEREBY ASSERT THEIR COMPLETE SOVEREIGNTY BY; TO WIT:

LEVY TAXES.

REGULATE INTERNATIONAL COMMERCE.

PRINT MONIES.

FORM A MILITIA FOR PROTECTION OF ITS PEOPLE AND THE ENFORCEMENT OF ITS LAWS.

DISSOLVE NON-INDIAN PROPRIETORSHIP OF LANDS/PROPERTY.

AND RESUME COMPLETE AUTHORITY OVER THE ENTIRE SCOPE OF THEIR ABORIGINAL HOLDINGS.

SIGNED: 11 September 1974

Moses Joseph
Moses Joseph, Tribal Chief

Amelia Trice
Amelia Trice, Chairwoman

Mathias David
Mathias David, Vice-chairman

Eileen Lowley
Eileen Lowley, Secretary

Mary David
Mary David, Council member



17.
enc
cc

LETTER OF INTENT

from

THE KOOTENAI NATION OF INDIANS OF IDAHO

TO

THE CONGRESS AND THE PRESIDENT OF THE

UNITED STATES OF AMERICA

BP
aid 9:20 PM
9/17/74

STES:

AS PASSED IN THE ENCLOSED RESOLUTION, THE KOOTENAI NATION BRINGS TO YOUR ATTENTION, THE INEQUITIES SUFFERED TO THIS DAY AND DEEMING IT NO LONGER POSSIBLE TO SURVIVE UNDER THESE CONDITIONS, TO NO LONGER ALLOW THE DEMORALIZATION AND DEGRADATION OF OUR PEOPLE; WE THEREFORE IMPLORE YOU TO SEND YOUR EMBSARIES, TO SPEAK IN COUNCIL WITH OUR LEADERS, TO RESOLVE, PEACEFULLY, OUR DIFFERANCES.

FOR THIS WE ARE ALLQTING A LAPSE OF TIME OF FIVE (5) DAYS. AT THE END OF THAT TIME, IF, ON YOUR PART, A FAILURE OF COMPLIANCE IS EVIDENT, WE, AS IS OUR DETERMINED INTENT, SEE NO ALTERNATIVE BUT TO DECLARE A CONDITION OF WAR AS EXISTING BETWEEN THE KOOTENAI NATION AND THE UNITED STATES OF AMERICA.

SIGNED: 11 September, 1974

Moses Joseph
Moses Joseph, Tribal Chief

Amelia Cutsack Trice
Amelia Cutsack Trice, Chairwoman

Mathias David
Mathias David, Vice-Chairman

Eileen Lowley
Eileen Lowley, Secretary

Mary David
Mary David, Tribal Council Member



R E S O L U T I O N

THE KOOTENAI NATION OF INDIANS, KNOWN NOW AS THE KOOTENAI TRIBE OF IDAHO, SITTING IN QUORUM AT BONNERS FERRY, IDAHO, ON SEPTEMBER 4, AT 7:00 p.m., 1974 DOES HEREBY PASS THIS RESOLUTION:

WHEREAS, THE KOOTENAI NATION OF INDIANS HAVE RESIDED WITHIN THEIR ABORIGINAL AREA SINCE TIME EMEMORIAL, AND;

WHEREAS, THESE ABORIGINAL LANDS, AS RECIGNIZED BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA, DID ENCOMPASS AN AREA IN WHAT IS NOW EASTERN IDAHO, WESTERN MONTANA, AND INTO CANADA, TO AN EQUIVALENT OF ONE MILLION, THREE HUNDRED AND SIXTY EIGHT THOUSAND TWO HUNDRED EIGHTY ACRES OF LAND, AND;

WHEREAS, THE GOVERNMENT OF THE UNITED STATES DID ABSORB THESE LANDS AT A MEETING HELD IN ~~HELLGATE, MONTANA, KNOWN AS THE HELLGATE TREATY,~~ IN THE YEAR OF OUR LORD, 1855, WITHOUT THE REPRESENTATION, CONSENT, OR KNOWLEDGE, OF THE KOOTENAI NATION OF IDAHO, DUE TO THE FAILURE, BY THEN, GOVERNOR ISAAC STEVENS, OF THE THEN TERRITORY OF WASHINGTON, WIETHER INTENTIONAL, OR NOT, AS HIS SUPERIOR DIRECTIVE BY THE PRESIDENT OF THE UNITED STATES AND COMMISSIONER OF INDIAN AFFAIRS, WAS TO CONTACT ALL TRIBES AND BANDS LIVING IN THE AREA TO BE AFFECTED BY THIS TREATY, AND THIS TREATY DID NOT INCLUDE THE ABORIGINAL LANDS OF THE IDAHO KOOTENAI, AND;

WHEREAS, BETWEEN 1855, AND 1894, AND AS A RESULT OF THE HELLGATE TREATY, THE KOOTENAI NATION WAS IN EFFECT WITHOUT ANY RIGHTS, PRIVILEDGES, OR LAND TO CALL THEIR OWN, ACCORDING TO THE HISTORY AND IN EFFECT BECAME NOTHING, AND;

WHEREAS, AS A RESULT OF THESE MISDEEDS BY THE GOVERNMENT OF THE UNITED STATES, NO TREATY OR OTHER DOCUMENT WAS EVER ENTERED INTO BETWEEN THE KOOTENAI NATION AND THE GOVERNMENT OF THE UNITED STATES, AND;

WHEREAS, WITHOUT THE KNOWLEDGE AND CONSENT OF THE KOOTENAI NATION, THE GOVERNMENT OF THE UNITED STATES DID "ASSUME" TRUSTEESHIP OVER THIS NATION AND ITS PEOPLE, AND;



WHEREAS, THE KOOTENAI NATION, AS A RECOGNIZED SOVEREIGN NATION WITHIN A NATION, DOES OPERATE UNDER A CONSTITUTION AND BY-LAWS ADOPTED BY THE KOOTENAI NATION AT BONNESS FERRY, IDAHO ON APRIL 10, 1947 AND APPROVED BY ACTING COMMISSIONER OF INDIAN AFFAIRS, WILLIAM ZIMMERMAN IN CHICAGO, ILLINOIS ON JUNE 16, 1947, AND;

WHEREAS, IN THE YEAR 1894, THE GOVERNMENT OF THE UNITED STATES, AFTER A TIME LAPSE AFTER 40 YEARS, SINCE THE ABSORPTION OF THE KOOTENAI NATION'S LANDS AND APPARENTLY REALIZING, IN A SMALL DEGREE, THE HUMILITY OF THESE MISDEEDS AND COLONIALISM, DID, "OUT OF THE GOODNESS OF THEIR HEARTS" MAKE INDIVIDUAL ALLOTMENTS, TO WHAT WAS LEFT OF THE KOOTENAI NATION'S OWN LANDS OF APPROXIMATELY 80 ACRES PER FAMILY, WHICH, PER SAE, IS ONLY ONE HALF OF AN ALLOTMENT UNDER THE HOMESTEAD ACT IN REGARD TO THE NON-INDIAN COMMUNITY, AND;

WHEREAS, THESE ALLOTMENTS HAVE BECOME SO FRACTIONATED ON AN INTERNATIONAL BASIS THAT IT HAS BECOME A REALTORS NIGHTMARE. TO WIT: EXAMPLES:

21150 / 262,440,000 1 / 1800 1 / 6300 30 / 648,000 3 / 3249 AND;

WHEREAS, THROUGH THE ENTHUEING YEARS THE GOVERNMENT OF THE UNITED STATES "TRUSTESHIP", WAS LAX WHEREIN THE AMOUNT OF ALLOTTED LANDS HAS DEPLETED EFOM AN ORIGINAL &7,000 ACRES TO A PRESENT 1,400 ACRES. AND;

WHEREAS, IN THE YEAR 1927, SOME 4,000 ACRES OF THE INDIVIDUAL INDIAN ALLOTMENTS BORDERING THE KOOTENAI RIVER WERE SOLD, AGAINST THE WILL OF THE KOOTENAI NATION WITHOUT THEIR CONSENT, BY SUPERINTENDENT OF THE COEUR D'ALENE AGENCY, BYRON A SHARP AND THE DISTRICT SUPERINTENDENT, MR. LIPPS OR TIPPS, FOR PAYMENT IN DIKING THE RIVER BANKS TO FACILITATE THE AGRICULTURAL DEVELOPMENT OF THE RICH BOTTOM LANDS IN NON-INDIAN OWNERSHIP, AND;

WHEREAS, THESE ALLOTMENTS WERE ULTIMATELY AND NATURALLY SOLD TO THE NON-INDIAN COMMUNITY, AND;

WHEREAS, WITHOUT A TREATY, VALID BILL OF SALE, OR DOCUMENT OF TITLE TRANSFER FROM THE KOOTENAI NATION TO THE GOVERNMENT OF THE UNITED STATES, THE GOVERNMENT OF THE UNITED STATES AND ITS CITIZENRY ARE, IN REALITY, AND HAVE ALWAYS BEEN, TRESPASSERS ON THE LANDS OF THE KOOTENAI NATION WITHOUT JUST CAUSE, PERMISSION, OR COMPENSATION THEREOF, AND;



WHEREAS, THROUGH THE INDIAN CLAIM COMMISSION, DOCKET NO. 152 OF 1962, A SO CALLED SETTLEMENT WAS MADE TO THE KOOTENAI NATION IN THE AMOUNT OF THIRTY-SIX CENTS (\$.36) PER ACRE, AND

WHEREAS, THE KOOTENAI NATION FEELS THAT, IN LIEU OF THE MILLIONS OF DOLLARS IN RESOURCES TAKEN FROM THE LAND, A SETTLEMENT, MORE EQUITABLE TO THE REAL VALUE OF THE LAND SHOULD HAVE BEEN MADE AT THAT TIME, AND

WHEREAS, THE KOOTENAI NATION FEELS THAT A TREATY AND A LAND BASE SHOULD HAVE BEEN NEGOTIATED AND ESTABLISHED AT THAT TIME TO FORMALIZE RELINQUISHMENT OF THE ABSORBED LAND OF THE KOOTENAI NATION, AND;

WHEREAS, THE KOOTENAI NATION HAS NEVER RELINQUISHED THEIR HUNTING, FISHING, OR TRAPPING RIGHTS, EITHER BY EXPRESSED DESIRE, OR CONSENT, WRITTEN OR VERBALLY, AND;

✓ WHEREAS, THE AREA SOLICITOR'S OPINION, BEING NEGATIVE, IN REGARDS TO THE KOOTENAI NATION'S RIGHT TO FISH, HUNT, AND TRAP ON THEIR ABORIGINAL GROUNDS, DELETES THEIR LIFE STYLE AND AVAILABILITY OF NATURAL NATIVE FOODS, AND;

WHEREAS, SOME OF OUR KOOTENAI INDIAN PEOPLE HAVE BEEN ARRESTED, TRIED AND CONVICTED IN THE LOCAL INFERIOR COURTS FOR EXERCISING THEIR ABORIGINAL RIGHTS IN THIS REGARD, AND;

WHEREAS, THE GOVERNMENT OF THE UNITED STATES MAINTAINS THAT THE KOOTENAI NATION HAS NO WATER RIGHTS, MINERAL RIGHTS, OR IN EFFECT, ENTIRELY NO RIGHTS WHATSOEVER OTHER THAN THOSE IMPOSED UPON THEM BY THE GOVERNMENT, AND;

WHEREAS, IT IS A KNOWN FACT THAT A SIGNIFICANT REDUCTION OF REGENERATE BIRTHS WERE RECORDED FOR A COMPLETE GENERATION, CONTRARY TO ALL THE LAWS OF NATURE, AND ALL OTHER POPULATIONS WITHIN THE CIVILIZED WORLD, AND THAT THROUGH GROSS NEGLIGENCE OF THE TRUSTEESHIP OF THE UNITED STATES OF AMERICA, NO INVESTIGATION WAS MADE AS TO THE REASONS WHY, AND;

WHEREAS, THROUGH GROSS NEGLIGENCE OF THE TRUSTEESHIP RESPONSIBILITY BY THE GOVERNMENT OF THE UNITED STATES TOWARD THE KOOTENAI NATION, OUR PEOPLE WERE FORCED INTO COALITION AND LEGAL OVERPOWERMENT BY THE STATE OF IDAHO, AND;



WHEREAS, THROUGH GROSS NEGLECT BY THE GOVERNMENT OF THE UNITED STATES, THE PREVIOUS SUPERINTENDENT HAD VISITED OUR PEOPLE ONLY TWICE, DURING HIS EIGHT YEAR TENURE OF OFFICE, FOR A TOTAL OF 30 MINUTES, AND:


WHEREAS, THROUGH GROSS NEGLECT BY THE UNITED STATES OF AMERICA TOWARD THE KOOTENAI NATION, OUR PEOPLE HAVE NO BASE FOR SELF-SECURITY, NO HOPE, NO CIVIC PRIDE, AND NO TOOLS OR RESOURCES TO IMPLEMENT THE IDEALS OF SELF-DETERMINATION AS PRESCRIBED BY THE GOVERNMENT OF THE UNITED STATES AS THE ULTIMATE CURE OF THE ILLS OF THE INDIAN COMMUNITY, AND:

✓ WHEREAS, IT BEING NOW CLEAR THROUGH THE EXPANSE OF THE PAST 120 YEARS, VERY LITTLE EVIDENCE HAS COME TO LIGHT, WHERE ANYONE IN THE GOVERNMENT CARED MUCH, FOR OR ABOUT OUR PEOPLE, OR WHERE THE ROLE OF THE TRUSTEESHIP ASSUMED BY THE GOVERNMENT OF THE UNITED STATES HAS BEEN BENEFICIAL TO THE PEOPLE OF THE KOOTENAI NATION TO ANY DEGREE OF SUCCESS, BUT ONLY PROMOTED DEGRADATION, AND:

WHEREAS, SINGLE DOMINANCE BY THE GOVERNMENT OF THE UNITED STATES, WITHOUT THEIR CONSENT THROUGH ANY FORM OF DOCUMENTS WHATSOEVER ENTERED INTO WITH THE UNITED STATES, HAVE BEEN ASSESSED TAXATION WITHOUT REPRESENTATION, AND WHEREAS, ABLE YOUNG MEN OF THE KOOTENAI NATION DID, AND HAVE ANSWERED THE CALL OF WAR ON BEHALF OF THE UNITED STATES, WHICH WAS WHOLLY TAKEN FOR GRANTED, AND DID CAUSE ADDITIONAL CONDITIONS OF SUFFERING OUR PEOPLE OF THE KOOENAI NATION, AND:

WHEREAS, THROUGH PERMITTED ENCROACHMENT BY WHITE PEOPLE, FROM THE WHITE COMMUNITY AREAS, RESIDING WITHIN OUR TRIBAL LANDS, SIGNIFICANT PORTIONS OF OUR TRADITIONAL AND RELIGIOUSLY REGARDED GROUNDS, SUCH AS BURIAL AND WHERE CEREMONIAL RITES ARE PERFORMED, WERE UPROOTED, DESECRATED AND DESTROYED, AND:

WHEREAS, SINCE 1776, THE NON-INDIAN COMMUNITY HAS ENJOYED THE CONSTITUTIONAL RIGHTS OF LIFE, LIBERTY AND THE PURSUIT OF HAPPINESS, AND THAT THEY HAD PRIOR KNOWLEDGE, AND FULL UNDERSTANDINGS OF FACTS, THAT THE KOOTENAI NATION DID ENJOY SIMILARLY ESTABLISHED RIGHTS SINCE TIME IMMEMORIAL, THROUGHOUT INNUMERABLE GENERATIONS, UNTIL THE TIME OF OVERPOWERING DOMINATION BY WHITE SOCIETY IN GENERAL, IT IS CLEAR NOW, THAT OUR PEOPLE SINCE 1855, HAVE SUFFERED CONTINUOUSLY THROUGHOUT TO THIS DATE AND TIME, THESE ABOVE AFOREMENTIONED RIGHTS, WHICH ARE SO CONSIDERED IMPORTANT AND INALIENABLE BY ALL RACIAL COMMUNITIES THROUGHOUT THESE UNITED STATES, UNDER THE CONSTITUTION OF THE UNITED STATES.



NOW THEREFORE, BE IT RESOLVED THAT, THAT KOOTENAI NATION, IN FIRM REALIZATION AND BECAUSE OF ITS UNIOUE PAST HISTORY, EMPHASIZED IN THIS RESOLUTION, THE MANY INEQUITIES SUFFERED, THE USURPTION OF THE POWERS OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA AS THE CONQUERING NATION. THE LACK OF RECOGNITION OF THE KOOTENAI NATIONS RIGHTS AS A SOVEREIGN NATION WITHIN A NATION, THE EXTREME LAXITY ON THE PART OF THE UNITED STATES OF AMERICA IN TAKING NOTICE OF, OR DISOLVING THE 120 YEAR PLIGHT OF OUR PEOPLE, THE PATIENCE, TRUST, AND PEACE, SHOWN BY THE KOOTENAI NATION, TO THE GOVERNMENT OF THE UNITED STATES AND ITS PEOPLE FOR THE PAST 200 YEARS. THE DISTINCT AND PROFOUND LACK OF INTEREST AND TRUSTEESHIP SHOWN BY THE GOVERNMENT OF THE UNITED STATES, TOWARD THE KOOTENAI NATION, BEFORE, NOW, AND FOREVER RESIDING WITHIN THE BOUNDARIES OF THE UNITED STATES OF AMERICA FOR THE PAST CENTURIES, DOES HEREBY, BY THIS RESOLUTION, AUTHORIZE ITS DULY ELECTED CHEIF, CHAIRMAN, AND TRIBAL COUNCIL, TO ~~ACT IN THE BEHALF OF AND IN THE INTEREST OF THE KOOTENAI NATION, BY~~ POSTING, TO THE PRESIDENT OF THE UNITED STATES OF AMERICA, A LETTER OF INTENT, THAT IN THE EVENT, THAT NEGOTIATIONS FOR RESTORATION OF A PORTION OF THE KOOTENAI NATION'S ABORIGINAL LANDS ARE NOT RETURNED TO THEM, AND THAT RESTITUTION FOR THE DEPLETION OF ITS NATURAL RESOURCES AND OTHER HIGH CRIMES, TAKEN FROM AND COMMITTED ON, THESE LANDS, IS NOT EQUITABLE IN A NEGOTIATED RESOLVEMENT BETWEEN THE KOOTENAI NATION AND THE PRESIDENT OF THE UNITED STATES OF AMERICA OR HIS LEGAL EMMISARIES, WITHIN FIVE((5) DAYS OF THE POSTED TIME, BE IT FURTHER RESOLVED THAT, THE DULY ELECTED TRIBAL COUNCIL OF THE KOOTENAI NATION, IF, AFTER THE ALLOTED FIVE (5) DAYS AND NO POSITIVE ACTION IS INITIATED IN BEHALF OF THE KOOTENAI NATION BY THE GOVERNMENT OF THE UNITED STATES OF AMERICA, WILL DEEM IT NECESSARY AND PROPER TO INITIATE ACTION, AS IT WILL BE THE ASSUMPTION OF THE KOOTENAI NATION THAT THE UNITED STATES OF AMERICA THEN RELINQUISHES ITS POWER OF DOMAIN OVER THESE LANDS, IN THE FORM OF A DECLARATION OF WAR, WHICH



WILL THEN EXIST BETWEEN THE KOOTENAI NATION OF INDIANS, AND THE UNITED STATES OF AMERICA AND ITS POSSESSIONS.

AND BE IT FURTHER RESOLVED THAT, AT THE COMMENCEMENT OF HOSTILITIES AS A SOVEREIGN NATION, THE KOOTENAI TRIBE WILL THEREBY ASSERT THEIR COMPLETE SOVEREIGNTY BY; TO WIT:

LEVY TAXES.

REGULATE INTERNATIONAL COMMERCE.

PRINT MONIES.

FORM A MILITIA FOR PROTECTION OF ITS PEOPLE AND THE ENFORCEMENT OF ITS LAWS.

DISSOLVE NON-INDIAN PROPRIETORSHIP OF LANDS/PROPERTY.

AND RESUME COMPLETE AUTHORITY OVER THE ENTIRE SCOPE OF THEIR ABORIGINAL HOLDINGS.

SIGNED: 11 September 1974

Moses Joseph
Moses Joseph, Tribal Chief

Amelia Trice
Amelia Trice, Chairwoman

Mathias David
Mathias David, Vice-chairman

Eileen Lowley
Eileen Lowley, Secretary

Mary David
Mary David, Council member



Amy Trice

208-267-3519

- AM 21-8

DB 7/1/71

Co. 6-1-71
J. P. O. R.

n. 1/2 - 1/2
MT 9/1/71
P. 2.

J. L., J. H., J. G.

Committee for a Unit DC
J. L., J. H., J. G.

J. L., J. H., J. G.
ADC J. G.



9/25 - 8.

W. J. Rose

Jr

mt

W. J. Rose

W. J. Rose

~~W. J. Rose~~

W



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K00-00/5/3500/01/7161/23N

AMELIA CUTSACK TRICE, CHAIRWOMAN
KOOTENAI TRIBE OF IDAHO
P.O. BOX 1002
BONNERS FERRY, IDAHO 83805

AT THE REQUEST OF THE PRESIDENT, THE BUREAU OF INDIAN AFFAIRS, U.S. DEPARTMENT OF THE INTERIOR, IS NOW IN THE PROCESS OF PREPARING A REPLY TO THE SEPTEMBER 11, 1974 LETTER TO THE PRESIDENT OF THE UNITED STATES. WE ARE CURRENTLY REVIEWING THE MATERIAL YOU SUBMITTED AND WILL RESPOND PROMPTLY.

(Sgd) Morris Thompson

COMMISSIONER OF INDIAN AFFAIRS

urname, Lebron, mailroom BCCO
100:REsquerria:end 9-18-74



BUREAU OF INDIAN AFFAIRS
1951 CONSTITUTION AVENUE, N.W.
WASHINGTON, D.C. 20245

K00-00/3/3500/01/7161/23N

9/19/74

X

Ron Esquerra

343-5116

AMELIA CUTSACK TRICE
CHAIRWOMAN
KOOTENAI TRIBE OF IDAHO
P.O. BOX 1002
BONNERS FERRY, IDAHO 83805

THIS IS IN FURTHER RESPONSE TO YOUR LETTER OF SEPTEMBER 11, 1974,
FORWARDING RESOLUTION NO. 74.

S. 634 TRANSFERRING TWO TRACTS OF LAND TOTALING 12.5 ACRES IN TRUST
FOR THE KOOTENAI TRIBE HAS BEEN PASSED BY THE SENATE ON MAY 13,
1974. THE BUREAU OF INDIAN AFFAIRS TESTIFIED IN SUPPORT OF THE BILL
ON JANUARY 25, 1974, IN THE SENATE AND ON APRIL 8, 1974, IN THE
HOUSE. THE BILL WAS FAVORABLY REPORTED BY THE HOUSE INTERIOR
COMMITTEE ON SEPTEMBER 17, 1974, AND IS EXPECTED TO PASS THE HOUSE
BY UNANIMOUS CONSENT BY OCTOBER 1, 1974. APPROVAL BY THE PRESIDENT
SHOULD FOLLOW APPROXIMATELY ONE WEEK LATER. I WOULD URGE THAT
NOTHING BE DONE TO JEOPARDIZE PASSAGE OF THIS BILL. IN ADDITION ON
SEPTEMBER 19, 1974, THE PORTLAND AREA OFFICE HAS ACCEPTED TITLE FOR
THE UNITED STATES GOVERNMENT AND PLACED IN TRUST ON BEHALF OF THE



KOOTENAI TRIBE THE TRANSFER OF 5.67 ACRES OF LAND FROM THE CATHOLIC CHURCH.

UPON REVIEW OF OTHER ISSUES CITED IN YOUR RESOLUTION, AND DOCUMENTS DELIVERED TO REPRESENTATIVES OF THE PORTLAND AREA OFFICE, IT IS READILY EVIDENT THAT THE COMPLEXITIES OF THE ISSUES RAISED REQUIRE IN-DEPTH ANALYSIS AND COORDINATIVE INVOLVEMENT AMONGST CONGRESS, OTHER FEDERAL AGENCIES, AND STATE AND LOCAL GOVERNMENT BODIES. ACCORDINGLY I HAVE INSTRUCTED THE PORTLAND AREA DIRECTOR, FRANCIS BRISCOE TO MEET WITH YOU IN BONNERS FERRY ON WEDNESDAY, SEPTEMBER 25, 1974, FOR PURPOSES OF WORKING WITH YOUR TRIBAL COUNCIL AND ITS REPRESENTATIVES IN DEVELOPING A CONSTRUCTIVE PLAN FOR EFFECTIVE PRESENTATION AND RESOLVEMENT OF YOUR ISSUES BEFORE THE VARIOUS APPROPRIATE OFFICIALS POSSESSING DECISION-MAKING AUTHORITIES. THE AREA DIRECTOR REPRESENTS ME PERSONALLY AND WILL BE IN A POSITION TO COORDINATE AND WORK WITH THE REQUIRED VARIOUS LEVEL OF GOVERNMENT.

IT IS OUR POSITION THAT THE PRECEDING REPRESENTS THE INITIATION OF POSITIVE ACTION ON BEHALF OF THE KOOTENAI NATION BY THE FEDERAL



GOVERNMENT WITH INTENT TOWARD WORKING WITH THE TRIBE FOR CONSTRUCTIVE
RESOLVEMENT OF THE ISSUES AND PROBLEMS RAISED IN YOUR SEPTEMBER 11,
1974, LETTER.

(Sgd) Morris Thompson



3 3

2m Opinions
9/19
12:00

[9/20/71]

ASSOCIATED PRESS WRITER

Five Kootenai Indians opened their tribes' so-called "War against the U.S." today with informational pickets along the side of U.S. 95. They were ignored by most motorists.

The 67-member tribe, seeking part of 1.6 million acres of ancestral land and its first treaty with the U.S. government, set up the picket line about 3 miles north of town. More than 40 state policemen, who arrived here in a convoy of 34 patrol cars late Thursday, fanned out around the area to keep the highway clear.

One picketer carried a sign further down the road read "Entering Kootenai nation, toll 10¢". No attempt was being made to stop vehicles forcibly.

The first motorist who came across the pickets paid the 10¢ toll requested by the Indians, but the second, in a logging truck, laughed and drove on.

It wasn't until about 20 more vehicles including three police cruisers, had passed that the Indians collected another toll.

In their bid to regain land in Idaho and Montana that they say the roadblocks on the regions four major roadways.

1319 PED

ASSOCIATED PRESS No. 7

Idaho State Police, hoping to prevent Hat Kootenai Indians are calling their "War against the U.S." fanned out today to keep highways clear of any roadblocks.

Leaders of the 67-member Northern Idaho tribe had threatened earlier to erect roadblocks on the region's four major roadways in an effort to secure at least part of 1.6 million acres in Idaho and Montana that they lost in 1855.

The police arrived in a convoy of 34 cruisers Thursday night and were dispersed throughout the area this morning.

State and local law enforcement agencies said they would arrest anyone manning a roadblock and Governors of both States told the tribe to take its case to the courts.

9-20-74 13:20 EDT



KOOTENAI TRIBE OF IDAHO

208/267-3519

**P.O. Box 1002
Bonners Ferry, Idaho
83805**



*Gerald Ford
President of the
United States
Whitehouse
Washington, D. C.*

Air Mail
[Signature]

15

D E C L A R A T I O N o f W A R

KNOW YE ALL THAT ON THIS DAY, 20 September
1974, AT 12:01 P.M., A STATE OF WAR NOW
EXISTS BETWEEN THE KOOTENAI NATION OF INDIANS AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA.

BP

BY OUR COUNCIL'S HAND:

Moses Joseph

MOSES JOSEPH, Tribal Chief

Amelia Trice

AMELIA TRICE, Tribal Chairwoman

Mathias David

MATHIAS DAVID, Tribal Vice-Chairman

Eileen Lowley

EILEEN LOWLEY, Tribal Secretary

Mary David

MARY DAVID, Tribal Council Member

AND ALL ENROLLED MEMBERS OF THE KOOTENAI NATION.

GERALD R. FORD LIBRARY