

**The original documents are located in Box 5, folder “Pine Ridge - Lakota Views” of the Bradley H. Patterson Files at the Gerald R. Ford Presidential Library.**

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# Sanity in Wisconsin

## IN THE NATION

By Tom Wicker

The settlement by which a Menominee Indian force peacefully evacuated a Roman Catholic novitiate in Wisconsin, and under which the 262-acre property is to be deeded to the Menominee nation for \$1 and "future considerations" appears to have been a triumph of good sense and humanity. Nobody was killed on either side, the forces of law and order are being officially served, and the Menominees will regain possession of a property they regarded as historically their own.

The Menominee settlement, moreover, may signal some easing of what American Indians consider the hostility of the Roman Catholic Church toward them and their claims. At the peak of the Wisconsin siege, when it appeared possible that the National Guard would storm the novitiate and the Menominee warriors holding it, the Alexian Brothers order of Chicago, who held title to the property, sought the counsel of the Apostolic Delegate in Washington. His advice was sensible and crucial—that an empty novitiate was not worth a single life.

At about the same time, Governor Pat Lucey of Wisconsin—who was frequently in direct telephone negotiation with the Menominees holding the novitiate—was putting a hard question to the Alexians. Did they really want him to order force used to regain a property they had all but abandoned? Particularly when Col. Hugh Simonson, commanding the National Guard units surrounding the novitiate, had said, "There are dedicated people in there, who are going to stay until they get an honorable agreement. I know there are people who will die for this cause."

The Alexians did not want to force that issue and in the end they participated in the necessary "honorable agreement"—as did the occupying Menominee warriors, who dropped their demand for amnesty, and who have now been charged locally with criminal offenses (misdemeanors except for five felony counts against the leaders). Title to the novitiate, however, will be deeded to the whole Menominee nation.

Governor Lucey and Colonel Simonson seem to have handled this prickly matter with intelligence and firmness toward both sides. Bringing in the National Guard at the appropriate moment enabled the Governor to supersede hostile local authorities without appearing weak; and Colonel Simonson's handling of the Guard—including ordering them to patrol with un-

loaded weapons—won praise even from the Menominees. The lesson—too late to prevent Kent State, Jackson State, Attica and other atrocities—is that gunfire need not be the automatic recourse of a challenged society.

Some more militant Indians may continue to consider the criminal charges unwarranted, and many whites in the vicinity of the novitiate are apparently angered by the settlement on grounds that the Menominees, in effect, seized the property and were rewarded with its ownership. But that raises questions no white American ought to consider without shame—to whom did these disputed lands originally belong? By what disreputable means did non-Indian property owners first take title to them?

Those are questions that some American Indians are determined to press to a remarkable conclusion—the renewed recognition by the United States of the sovereignty of the 300-odd Indian nations. That sovereignty would include the ownership of lands originally recognized in solemn treaties with the Indian nations.

The United States has not been making such treaties—which the Constitution decrees as "the supreme law of the land"—since 1871, but it has never formally repudiated those made before then. In some cases, the validity of a treaty is in dispute; in many it is not. In practice, however, the United States long since ceased to treat any Indian tribe as a sovereign nation.

If it did so recognize the Indians, there would be hundreds of independent nations scattered through more than thirty states, the largest being the 24 million acres claimed by the Shoshone in Nevada, and the huge tracts of the Sioux in the Dakotas, of the Choctaw and the Cherokee in Oklahoma, and of the Six Nations in New York. Exactly how such sovereignty might work in practice is not clear, although Jim Durham of the International Indian Treaty Council observes sardonically that "we'd probably let Washington handle our foreign policy."

Mr. Durham represents the council—formed last June at "Standing Rock Indian Country"—to anyone who will listen at the United Nations. His task there is ultimately to gain what the council called "recognition and membership of the sovereign Native Nations"; more immediately, he seeks to have an American Indian delegation received and heard as the "one color of Mankind in the world who are not represented in the United Nations . . . the indigenous Redman of the Western Hemisphere." That the Indians do not consider themselves represented by the United States is something the rest of us might ponder.



## LIST OF THE OGLALA LAKOTA DELEGATION

The following names of Oglala Leaders were chosen at the last meeting held in Porcupine, South Dakota on Saturday, July 26, 1975, to accompany the Traditional Chiefs and Headmen to Washington, D. C.

Four (4) representatives were chosen from each district on the reservation to carry the voice of our people.

In all due respect, we apologize for those that were not able to depict, for we have many, many eligible and competent Traditional Lakota Leaders on the Pine Ridge Reservation.

The representatives or delegates consists of; Traditional Chiefs, Headmen, District Chairmen and Councilmen, and other areas of responsibility for the general Lakota population.

All of these delegates were life long residents of the Pine Ridge Reservation and have proven themselves time and time again, as leaders or spokesmen for the Oglala Lakota Nation:

### Treaty Chiefs, Six (6):

1. Frank Fools Crow
2. David Flying Hawk
3. Luke Weasel Bear
4. Charles Red Cloud
5. Frank Kills Enemy
6. Matthew Bear Shield

### Delegates of the districts:

#### Oglala:

1. Frank Star
2. Francis He Crow
3. Russell Loud Hawk
4. Edwin Fills The Pipe

#### Manderson - Wounded Knee:

1. Eugene White Hawk
2. Morris Afraid Of Hawk
3. Paul Red Star
4. Oscar Hollow Horn



Porcupine:

1. Jim Iron Cloud
2. Ramsey Red Hawk
3. Oscar Bear Runner
4. Frank Locke

Kyle:

1. Guy Dull Knife
2. Matthew King
3. Birgil Kills Straight
4. Ray Bull Bear

Batesland - Wakpamni:

1. Marvin Ghost Bear
2. David Two Lance
3. Dawson No Horse
4. Mario Gonzales

Wanblee:

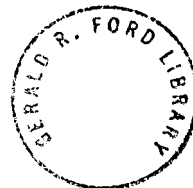
1. Jimmy Red Willow
2. Selo Black Crow
3. Jake Little Thunder
4. Jacob Yellow Hawk

Pine Ridge:

1. Richard Little
2. Hobart Keith
3. David Long
4. Toby Eagle Bull

Allen:

1. Dan Bad Wound
2. Jim Holy Eagle
3. Albert Red Bear
4. Louie Bad Wound



Sept. 12, 1975

Lakota Treaty Council

To Whom It May Concern:

We, the undersigned, as traditional chiefs and headsmen delegate responsibility to those other chiefs, headsmen and representatives of the Oglala Lakota Nation who remain in Washington, D.C. to continue pursuing our original goals and purposes for coming to Washington, D.C. i.e. to establish a meeting between ourselves and the President of the United States.

We are returning to Pine Ridge Reservation to fulfill some prior commitments and will come back to Washington, D.C. next week.

Frank Fools Crow  
Chief Frank Fools Crow

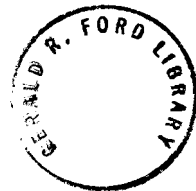
David Flying Hawk  
Treaty Chief David Flying Hawk

Frank Kills Enemy  
Treaty Chief Frank Kills Enemy

Cecilia Flying Hawk  
Treaty Spokeswoman Cecilia Flying Hawk

Jackson Tail  
Headman Jackson Tail

Birgit Kills Straight  
Headman Birgit Kills Straight



Sept. 19, 1975

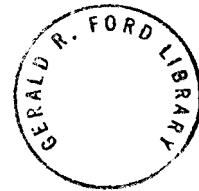
TO WHOM IT MAY CONCERN

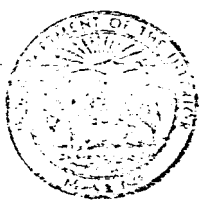
THE GOVERNMENT OF THE UNITED STATES

We, the undersigned members of the Oglala Lakota Treaty delegation who are in Washington to effectuate a meeting between our Chief and the President of the United States do hereby state in unrevocable terms that from this day forward we will not engage in any discussions with Dr. Theodore Marris under any circumstances.

CHIEFS, HEADMEN, AND DELEGATES OF THE OGLALA LAKOTA TREATY COUNCIL

*Bob Wagon*  
*Larry Red Shirt*  
*Eugene White Hawk*  
*Russell Long Hawk*  
*Charles Long Saddle*  
*Samuel Hawk*  
*Johnny Looking Cloud*  
*Matthew Bearshield*  
*E. Bear Runas*  
*Robert Bear Runas*





# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS  
WASHINGTON, D. C. 20245

Bobby Kil

SEP 25 1975

IN REPLY REFER TO  
Tribal Government  
Services

## MEMORANDUM OF CONVERSATION

SUBJECT: "Traditional", Pine Ridge leaders meeting with the President

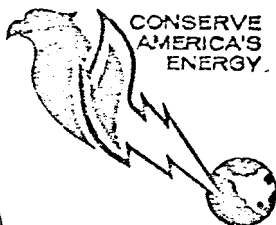
PARTICIPANTS: Louis Bad Wound, Larry Red Shirt, Eugene White Hawk, Zack Bear Shield, Lou Gurwitz (non-Indian attorney), Ms. Kilberg (White House) and Leslie Gay (BIA)

At Ms. Kilberg's invitation we met together from 4:30 p.m. to 6:30 p.m. on September 23 in the South Annex to discuss further efforts by the "traditional Chiefs and Headmen" to meet with the President regarding the Pine Ridge situation. The meeting was taped by Mr. Bad Wound.

Messrs. Gurwitz, Bad Wound and Red Shirt explained again their view of the situation and stated that only a meeting with the President could set a course whereby any real progress would be possible. Some general discussion followed.

While the respective positions are well known, it was interesting to note the view that under the treaty the Government would have a responsibility to resettle those tribal members who found the traditional way of life and government unacceptable, when they were restored to Pine Ridge. Such, allegedly, would be a minority, as President Wilson's support is derived only as a result of fear and his control of "jobs" arising from the "IRA government", and the return to "traditionalism" would do away with his "support." Also, new to me was the statement that the IRA government was invalid in that only 29.3 percent rather than the required 30 percent of the eligible voters voted not to reject it.

Ms. Kilberg stated that the President would not meet with the "traditional" group. This should be made clear as notwithstanding its views, the IRA council and President Wilson constituted the legal government. As an alternative, and she clearly stated it was strictly her thinking, would the "traditionalists" meet jointly as members of a Presidential Commission composed of Wilson representatives and those appointed by the President (not necessarily government people)? She held that possibly the President would agree to meet with such a group to lay out his views



Save Energy and You Serve America!

as to its mission in seeking long term solutions to current Pine Ridge problems. Interest was shown in this, and it was discussed with the following conclusion, whereupon the meeting was concluded:

Ms. Kilberg will seek White House and administrative support for the Commission proposal. If forthcoming, and she emphasized that no support as yet existed, the proposal would be put into writing and submitted to the interested individuals. Mr. Gurwitz indicated that only then could the "Chiefs and Headmen" respond.

Many groups have studied Pine Ridge, but such a commission has not been involved. While there is no guarantee of its succeeding, there is no guarantee it would not produce some beneficial results if its findings were jointly concluded.

If such a commission holds out some hope to those who consider the present situation hopeless, then it deserves serious consideration.

*L. Gay*

cc: Commissioner  
Mr. Krenzke  
Ms. Kilberg  
C. Soller/S. Keep  
Mr. Pennington





4 OFFICE

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PARSONS  
Di Mours

The White House  
Washington

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4 PMS MRS GERALD FORD, DLR

5 WHITE HOUSE

6 WASHINGTON DC 20500

7 IN THE NAME OF THE LORD AND ON BEHALF OF TH SIOUX NATION I AM  
8 REQUESTING THAT YOU URGE YOUR HUSBAND TO SEND A REPRESENTATIVE TO  
9 PIERRE SOUTH DAKOTA TO MEET WITH 8 SIOUX TRIBAL CHAIRMAN CONCERNING  
10 THE ILLEGAL SEARCHING OF INDIAN HOMES ON THE PINE RIDGE RESERVATION  
11 WHERE TWO FEDERAL AGENTS WERE SHOT AND KILLED WE WANT TO AID IN  
12 FINDING THOSE PEOPLE RESPONSIBLE BUT WE ARE DEEPLY CONCERNED OVER  
13 THE THREATENING AND SEARCHING OF INDIAN HOMES ON MONDAY NIGHT TURK  
14 BROKEN NOSE A APOSTOLIC CHURCH WORKER WAS RUN OUT OF HIS HOME BY  
15 FEDERAL OFFICERS ON SATURDAY NIGHT WALLACE LITTLE SENIOR AN ELDERLY  
16 MAN WAS RUN OUT OF HIS HOME AND IT WAS SEARCHED AND TORN APART HARRY



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AND CECILIA JUMPING BULL WHO LOST TWO SONS DURING THE WARS FOR THIS  
COUNTRY HAD THEIR HOME SHOT AND RIDDLED BY BULLETS SO BADLY THAT THE  
PICTURE OF ONE OF THE DEAD WAR HEROES WHO HOLDS A PURPLE HEART AND  
OTHER CITATIONS WAS RIDDLED WITH BULLETS. INDIAN COSTUMES WORTH  
THOUSANDS OF DOLLARS WERE TAKEN BY THESE FEDERAL OFFICERS WITHOUT A  
PROPER SEARCH WARRANT OR ANY OTHER LEGAL DOCUMENT UNLESS THE WHITE  
HOUSE AND DEPARTMENT OF JUSTICE TAKE IMMEDIATE STEPS TO CONTROL  
THESE RAMPAGING FEDERAL AUTHORITIES WE WILL BE FORCED TO TAKE ACTION  
OURSELVES WITH THE AID OF CHURCH PEOPLE WHO ARE IN RAGED AT THESE  
ABUSES OF POWER. IF YOU ARE INTERESTED PLEASE DO NOT HESITATE TO  
CALL ME AS I FIRMLY BELIEVE AND CAN PROVE WHAT I HAVE STATED HEREIN.  
MY CLOSE FRIEND KAY LEVENBERG CAN CONFIRM THE AUTHENTICITY AND  
HONESTY OF MY PERSON CALL ME IF YOU DESIRE AT 605-7472244 OR  
605-7472427 URGENT

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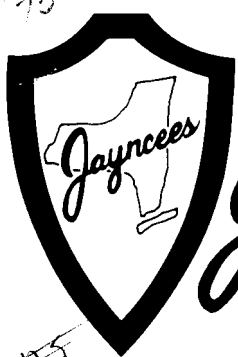
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GOD KEEP YOU IN GOOD HEALTH  
ROBERT BURNETTE PRESIDENT  
ROSEBUD SIOUX TRIBE ROSEBUD SOUTH DAKOTA  
NNNN



51-R-75  
9-8-

Re Sioux Delegation coming to Washington  
New York State Jayncees support Resolutions mentioned in letter



New York State

Jayncees

Mrs. Kathy Austin, Chairperson  
American Indian Awareness  
2340 Geneva Street  
Binghamton, New York 13903

President Theresa Prozeralik • Administrative Vice President Gayle Roeland • Internal Vice President Betty Kannenberg  
External Vice President Wanda Hudak • Executive Secretary Lauren Stephani • Treasurer Carol Vanuga  
Past President Kathy Spolsky

September 3, 1975

PAZSONS  
AD  
Dr. T. H. ...

Gerald R. Ford, President  
United States of America  
1600 Pennsylvania Avenue  
Washington, D. C.



Dear Mr. President:

The New York State Jayncees, at a recent meeting with the Onondaga Council of Chiefs, had the opportunity to meet with an elected official of the Pine Ridge Sioux Tribal Council and an education coordinator for the Oglala people. They have informed us that a delegation of 6 traditional chiefs and 4 elected representatives from each district at Pine Ridge are on their way to Washington. We are asking that the Sioux delegation be recognized as they are the true representatives of the "people". The New York State Jayncees are in full support of the following resolutions as we share a deep concern over the continued loss of life, liberty, and the pursuit of happiness at the Pine Ridge Indian territory.

1. Accurate updating of membership roles of the Oglala Sioux and an accurate evaluation and commitment in follow-up with the 1868 Fort Laramie Treaty provisions.
2. Joint Resolution #133 (supported since it's inception by the NYS Jayncees and we are pleased to see it has come into existence) This resolution's 15-man commission should be representative of all Indian Nations across the country. Policies should not be directed at Native Americans as a whole, since needs and desires vary from Nation to Nation. All policies should be easily interpreted and meet the approval of all people.
3. Upholding of the 1934 Indian Reorganization Act insuring more voice and involvement by the "people" in their government as communications at the present time are nil. Tribal President, Richard Wilson, carries the whole ball-of-wax with Vice-President, Dr. Jim Wilson (brother) acting as "brain" for Richard Wilson. A good analogy would be Nixon and Agnew. An even greater solution would be return to the traditional tribal government where total democracy would be in council.
4. Indian Claims Commission (1946) - (close examination of it's responsibilities. In the words of Vine Deloria, Jr., the Indian Claims Commission has settled less than half of the land and accounting claims filed. It has sidestepped most of the claims that the tribes have which did not involve lands. The influence of the Indian Claims Commission has been immense because many federal policy-makers have assumed that any claims that the tribes have are being handled by that commission. Such is not true, and dissatisfaction has grown to the point where radical measures have taken place. Government money being used to defeat the government is certainly comical.

We Jayncees are extremely concerned with the practices of the FBI at Pine Ridge. Since civic and criminal jurisdiction does not effect Indian territory in South Dakota, the FBI have no business being there. It seems ironic that when several famed, bigotted organizations are operating on or near Pine Ridge, that there should be an investigation being opted against the victims. It is obvious there is a need for an investigation of the investigators!

The New York State Jayncees feel these people need action in their struggle for justice.....too long overlooked. We are confident that your sincerity in "honoring our treaties and committments around the world" will prove beneficial to the Indian people. We must begin at home. Since the BiCentennial year is forthcoming, what better way to reinstate our pride in America than to embark on a new threshold of honesty and fairness in our relationship with Native Americans.

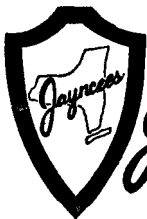
The Silver Covenant Chain (used when Indian people would visit Washington and polish it together with the President before talks or negotiations would begin as a symbol of friendship) has not been used since 1890. Thank you for your attention.

Sincerely yours,

*Kathy Austin*  
Kathy Austin (Mrs. Carl)  
Chairperson  
American Indian Awareness  
New York State Jayncees

cc: Dr. J. Marris  
Sen. J. Buckley  
Sen. J. Javitts  
Rep. M. McHugh  
J. Prozeralik  
W. Hudak





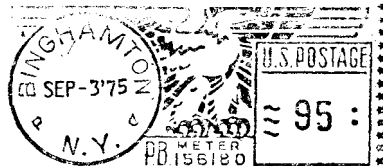
New York State

*Jaynees*

*Mrs. Kathy Austin, Chairperson  
American Indian Awareness  
2340 Geneva St  
Binghamton, NY 13903*

*MD*

**SEP 8 1975**



*Gerald R. Ford, President  
1600 Pennsylvania Ave  
Washington, D. C.*

**REGISTERED  
NO. 6851**

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THE WHITE HOUSE

WASHINGTON

Date: September 5, 1975

MEMORANDUM FOR: DR. MARRS

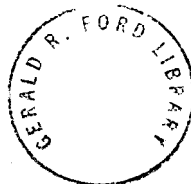
FROM: WARREN S. RUSTAND

SUBJECT: Re: Audience for SIOUX delegation from PINE RIDGE.

The attached is for your appropriate handling.

Thank you.

Telegram from DAVID and JUDITH BANNER, ENWELL, NEW YORK.



To be made for handling



The White House  
Washington

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8 PMS PRESIDENT OF THE UNITED STATES GERALD FORD

9 WHITE HOUSE DC 20500

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11 PLEASE GRANT THE SIOUX DELEGATION FROM PINE RIDGE AN AUDIENCE

12 DAVID AND JUDITH BANNER 915 BYFORD BLVD ENWELL NY 13760

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ACTION
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# The Lakota Nation's Relationship with the United States





#### BACKGROUND:

1867- The United States Government came to the realization that it was costing them one million dollars to kill one Indian. They came to the conclusion that it was too costly to pursue this course of action. In the spring of 1868, the Treaty was negotiated with the Sioux Nation and their allies. Red Cloud refused to sign the treaty until the forts were removed from the unceded areas. As early as 1871 it was apparent that the United States Government did not intend to honor the terms of this treaty. At that time Red Cloud went to Washington City to protect the people from the violations of this treaty and was threatened with imprisonment. In terms of the treaty the Indian people were guaranteed the right to be free on the unceded areas. The policy which the Government was pursuing at the same time was containment to the reservations in hopes of "civilizing" the Indian people.

In 1875 the U. S. Government tried to enforce this containment to the reservations, however, because of inclement weather, the Indian people did not heed the wishes of the Government. In 1876 the Indian people continued to roam the land and to hunt the buffalo as guaranteed them under the terms of the Treaty. Large forces of the United States Government were sent out to force the Indian people back to the reservations. One of the regiments of the Army was the 7th Cavalry, led by a fool-  
~~named~~ named George Armstrong Custer.

Historians record that Custer's ride to infamy was a massacre. They failed to mention that some Indian people have also died on that day defending their right to live as they chose.

Custer's defeat was, to the historians, the beginning of the end for the Indians in this country and in spite of Wounded Knee (1890 & 1973) and the many genocidal acts and policies; today we are alive and well.

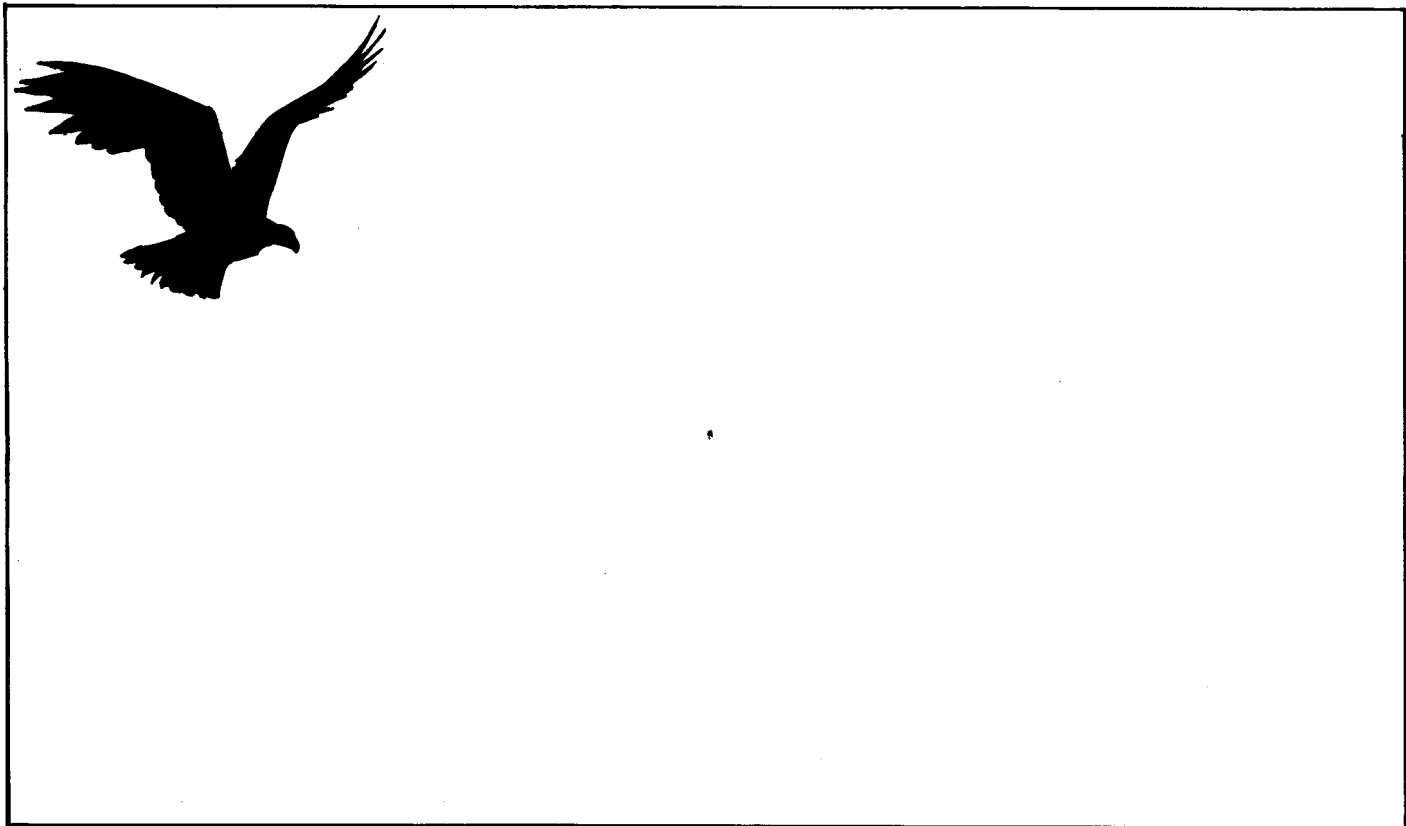
The Lakota Treaty Council is returning to Little Big Horn on the Centennial of this event to give thanks to the Great spirit that today we are still alive, well and are growing stronger spiritually every day. We are growing stronger in the belief that we are the chosen ones, chosen as caretakers of the western hemisphere. We are chosen by the Great Spirit to maintain a special relationship with Mother Earth.

The Lakota Treaty Council invites all conscientious people to join us in this day to pay homage to the dead who fell here a hundred years ago defending their rights.

**TRADITIONAL RELIGIOUS CEREMONIES  
JUNE 22, 23, 24, 25, 1976  
SUNRISE CEREMONIES ON THE 25TH**

**CONTACT**  
Lakota Treaty Council  
c/o Thelma Conroy  
Rapid City Indian Service  
Council  
201 Wright Street  
Rapid City, SD 57701  
605-342-4772  
or evenings 343-0528







"Whenever an Indian Reservation has on it good land, or timber, or minerals", the Commissioner of Indian Affairs stated in his annual report for 1876, "The cupidity of the White Man is excited, and a constant struggle is inaugurated to disposses the Indian, in which the avarice and determination of the White Man usually prevails". Whether such conflict, when it has occurred in other nations in other ages, can be satisfactorily resolved seems to depend in large measure upon an innate sense of proportion - a historical tradition which we have conveniently, but falsely, labeled "Justice". It is the tragedy of our present situation that we can not find even this sense of propriety, and we are unique among men of all ages in this inability to perceive values by which we can live. It would seem that Indians and Whites were somehow destined to be each other's victims in unique and profound ways.

The time has come when we must examine the two major factors of human existence which are also two important factors of social existence. These two factors are law and culture. While we all flippantly convince ourselves that we understand law and culture, and the manner in which they appear to describe the interworkings of groups of men, a glance at the past century's events and present attitudes in many areas should be sufficient to indicate to us the far from understanding either law or culture, we still insist on what men should be rather than what they are.

The pity of the thinkers of the last century was that they refused to analyze their ideology in logical terms or to expend great amounts of energy observing history to validate the corollaries of their central doctrine. This has been the constant hidden factor at work crushing the possibilities of finding a peaceful and just solution to the problems of South Dakota's Indian people. Unfortunately this concept of civilizing the Indian people to make them just like us exists today, and we continue to paddle up the creek of ethnocentrism.

To make the theory work, the Dawes Act of 1887 was passed and Indian people were told they must be farmers. The allotment process was amended in 1891 so that what little land was left after allotment could be leased to

non-Indians. There is some justification for this, because the 40 acres given to young people in the Allotment Act was not sufficient for them to make a living. The result was Government schools. On the two million acre Pine Ridge Reservation in 1916, only 40 acres were leased to non-Indians. A year later nearly 80% of the land was leased to non-Indian cattlemen!

The great social experiment of the 19th Century became a systematic exploitation of people during the early 20th. It was not until the Indian Reorganization Act of 1934 that things began to change. This Act called for formally organized and recognized tribal government. During the 1950's, these newly organized tribal governments were able to turn back "termination". They also were in an ideal position to exploit the "War on poverty", which followed, and to gain many advantages denied to other minority groups during the expansion of social programs in the 60's. A conflict arose when inadequate tribal constitutions could not cope with the complex contracting and grantsmanship. The grants themselves provided little or none for administration itself. The constitutions were strengthened and continue to be so.

The poverty programs raised the question of Indian identity - often to a crisis situation. People were being hired partly because of their education and partly because of their tribal membership. The two factors seemed to work toward a common middle ground in which the problem of what it meant to be an Indian was the central question.

With the rise of Indian Activism in a number of forms, this central question, which has been avoided for a century, dominated the emotional consciousness of Indians without finding an intellectual context in which it could relate to the modern world. People knew they were Indians and tried to develop a pride in this fact of their existence, but pride too often expressed itself in anti-white sentiments, not in a reflection of the basic Indian values which managed to exist for the nearly a century that South Dakota has been dominated by non-Indians.

The result for the Indian communities was that instead of regaining the integrity that had been their chief characteristic in former years, the whole system of belief and faith in tribal institutions was so undermined that now the activists are shouting for the abolition of tribal government.



One would have to conclude that the process of assimilation has created a partial creature that in many ways can never again be made into a whole being. The struggles of the succeeding years, while spectacular in some respects and disastrous in others, have been simply the events which could have been expected when central issues were avoided or approached obliquely.

It must be the obligation of South Dakota to stop and examine the central issue of culture and civilization closely and with an openness to accept the best from both Indian and non-Indian culture. How does one determine the relative value, worth and reality of culture? What factors are considered in weighing the values by which men live? Does an expanding technology give to one group of men a divine right to force upon another group of men behavior patterns, values, laws and concepts which are foreign to them?

Law has always availed to settle and civilize society. We can trace the absence of much integrity in the law for the past century when applied to Indians. It has rather been, if one reflects upon the events that have been reviewed, a curious mixture of sociological theories masquerading as legal concepts that have dominated Indian affairs. We now come full circle - Indians are presently repeating the mistakes of the White Man by attempting to force law to perform precisely those acrobatics which the Whites of the 1880's and 1890's asked it to do.

We have not learned from history. We need a sense of cooperation and understanding as we plan for the maximum use of our natural and cultural resources in this time of unemployment and depression.

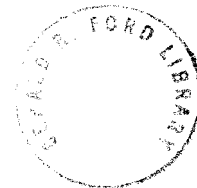
It is time for us to sit down together, examine history together, share our cultural concepts and pick the best from both cultures for our children and our children's children.

Jim Gillihan  
Office of Cultural Preservation  
February 6, 1975

TO: Oglala Sioux Tribal Council  
Pine Ridge, South Dakota

FROM: Lakota Treaty Council  
Larry Red Shirt  
Executive Coordinator

DATE: April 19, 1976



Mr. Chairman, members of the Council, and members of the Oglala Lakota Nation, who are present at this meeting here today:

I am honored for the opportunity of addressing this elected Council of our Nation. First, on behalf of the Chiefs and Headmen of the Oglala Lakota Nation, I extend a handshake and congratulations to each and every one of you in your successful venture in this elective system.

As it involves and affects the future of our Nation and the future of coming generations, I feel it is extremely important to present to this Council the position and the progress that the Lakota Treaty Council has made in respect of gaining recognition of the 1868 Fort Laramie Treaty.

Before I proceed any further, for the benefit of those present that do not know or who have forgotten, I would like to explain briefly the "Interpretation and meaning of the "1868 Treaty" and also the term "Traditionalist" as it applies to the members and constituency of the Lakota Treaty Council.

The Lakota Treaty Council believes and clings to our way of life as our Forefathers lived it. A way of life, with basic human principles and doctrines, although humble in its nature, have been recognized by other indigenous peoples as one of the greatest in the world. It is our hope that "truth" itself will peel away the layers of ignorance which is the result of a hundred years of brainwashing." Thus, we recognize that one of our greatest tasks is the re-education of our own people.

In the 1860's the "Great Lakota Nation" along with its allies initiated a resistance (so called Red Cloud's War) that halted the invasion and so-called "Westward Expansion of the Wasin Icula: Time and time again, the Lakota proved invincible and victorious. The U.S. Government after realizing that it was costing them 2 million dollars to kill one Lakota and the fact that the "Civil War" had just put a big dent in their pocketbook, decided to push for a peaceful settlement.

Subsequently, both Nations agreed to the terms and entered into a Treaty. What is to be known as "The 1868 Fort Laramie Treaty."

Even today we are bound to that same Treaty not only by the natural laws that govern us, but because our Forefathers blessed the Treaty with the "Sacred Pipe".

Even today the people of the United States Government are bound to that same Treaty because U.S. Law says treaties are "on par and equal to the constitution" as "Supreme Law of the land".

With the strengthening and unification of our people can we take positive steps to insure that "Divide and conquer" tactics will not work anymore with the Oglala. We have suffered enough.

We the Lakota Treaty Council invite all true Oglala to lift up their heads and look to the future of our children and the unborn. The Lakota people must recognize who the real enemy is, that we may defend ourselves.

We ask for your support in our struggle to find justice and freedom for our people. Support the 1868 Treaty. Though a long hard road lies ahead of us - we walk forward with our heads up to confront the many obstacles as a true Oglala.

With the guidance of Tunkasila, Wakan Tanka we shall win! The struggle goes on.

Ho. Hechetu Yelo.  
Pilamaye Pi Yelo.

Ogle Luta

*Ogle Luta*  
*Larry Red Shirt*





Robert  
~~Hub~~ Rasmussen - Kingston

8-656-4467

De Calouyation

John Krunder

8-656-4491

Tom Lynch

Tabo

Indigenous  
people  
Area  
NCA - Long  
NBUS

RESOLUTION



We the traditional people of the Oglala Lakota Nation whose governing body is the Lakota Treaty Council, formerly known as the Black Hills Claim and Treaty Council, hereby, declare to the Government of the United States that we terminate ourselves from the present Tribal Government.

Since you have failed to live up to your treaty obligations, while we have kept ours, and have throughout the success of years since 1868, failed even to so much as heed our voices and suggestions, which you, yourselves have sought, we will no longer be a part or party to the continued provert genocide of our people.

Before United States governmental interference in our internal affairs, we were capable of managing ourselves. Today our traditional form of government remains strong, while the one imposed upon us by your government has brought only confusion, poverty, death and destruction to our people.

Therefore, in order to retain our national identity as a sovereign people, we see no other recourse, but, to follow our traditional leaders who have determined that we must return to our own way of governing ourselves. In future matters we will deal only with the Secretary of State or the President of the United States himself.

Purpose and intent:

1. This council, formerly known as the Black Hills Claim and Treaty Council, will be henceforth, be known as the Oglala Lakota Nation.
2. The Lakota Treaty Council claims the Pine Ridge reservation under the terms was subsequently established although we waive no rights under the terms of the 1868 Treaty.
3. The 1868 Treaty will be enforced on the Pine Ridge reservation.
4. In addition, the Lakota Treaty Council views every act or form of legislation passed since 1868, especially the Indian Reorganization Act of 1934 and the Citizen Act of 1924, as illegal since they were never approved of by 3/4 majority of the adult male Indians as stated in Article XII of the 1868 Treaty.
5. The Lakota Treaty Council excludes itself from the Tribal government provided for under the Indian Reorganization Act of 1934 and is neither responsible for their debts nor misdeeds. It feels this form of government as illegal.
6. From this date forward all decisions of this council, must be agreed upon by 3/4 of the adult male Indians. The Lakota Treaty Council will provide a correct enrollment in accordance with the 1868 Treaty, consisting of male lineal descendants of those Indians living and who

signed the Fort Laramie Treaty of 1868.

7. Let it also be known that the sale of liquor within the boundaries of the Pine Ridge reservation, as well as bootlegging is prohibited.
8. The recent Resolution passed by the Tribal Council concerning land use payment is not approved of by the Lakota Treaty Council. From this point on all negotiations concerning land will be negotiated by the land owners.
9. The Legal Aides are recognized by this Lakota Treaty Council to reside and work within the boundaries of the Pine Ridge reservation for an unlimited time. The American Indian Movement, is likewise recognized by us, to reside and work here to support us in our goals.
10. The Lakota Treaty Council will be organized by seven (7) districts, with three (3) traditional headmen to represent each district.

The signatures we got here are: Frank Fools Crow, Oglala Lakota, David Flying Hawk, Luke Weasel Bear, Charles Red Cloud, Frank Kills Enemy and Matthew Bear Shield.

Frank Fools Crow  
Frank Fools Crow

Milo Yellow Hair  
Charles Red Cloud

Everett Low Hill

One Red Cloud

Milo Yellow Hair

War H. Mayer

<sup>1.</sup> David Flying Hawk

Frank Kills Enemy  
Frank Kills Enemy

David Flying Hawk

Milo Yellow Hair

<sup>2.</sup> Milo Yellow Hair

William H. Mayer

<sup>3.</sup> William H. Mayer

Luke Weasel Bear

Matthew Bear Shield  
Matthew Bear Shield

Y. Charles C. C. C.

Milo Yellow Hair

William H. Mayer

William H. Mayer

STATEMENT OF THE POSITION OF THE OGLALA BAND OF THE GREAT  
TETON NATION, MOBRIDGE, SOUTH DAKOTA, JUNE 1974

We, the traditional descendants and official representatives of the Oglala Band of the Great Teton Sioux Nation, pursuant to Article VI of the September 17, 1852 Treaty of Ft. Laramie with the Sioux, etc., do issue the following document as a position of policy:

IT HAS ALWAYS BEEN OUR BELIEF AND POSITION THAT ACTS ON BEHALF OF THE UNITED STATES GOVERNMENT, SUBSEQUENT TO THE TREATY OF 1868, DID NOT DIMINISH OUR INHERENT RIGHT TO GOVERN OURSELVES AS A SOVEREIGN NATION.

IT IS ALSO OUR POSITION THAT ALL ACTIONS TAKEN BY THE UNITED STATES GOVERNMENT ON THE 1868 TREATY HAVE BEEN ILLEGAL AND CONTRARY TO THE PRACTICES OF INTERNATIONAL LAW AND THE USUAL RELATIONSHIP BETWEEN SOVEREIGN NATIONS.

We, the Oglala Band of the GREAT TETON NATION recognize the basic need to establish a list of priorities in regards to the 1868 FT. LARAMIE TREATY. These priorities are:

1. RECOGNITION OF THE TREATY
  - A. We want TOTAL RECOGNITION of the Treaty and nothing less
    1. All lands west of the east bank of the Missouri River and east of the Bighorn Mountains.
    2. Dams and revenues derived from them, including recreation e.g. the Black Hills, etc.
    3. Reparations for violations and damages to the land and people.
2. PROPOSED SOLUTIONS

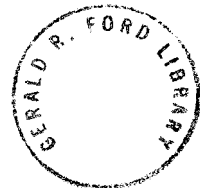
We will take the Treaties to:

  - A. the World Court
  - B. the United Nations
  - C. Official support from Nations throughout the world and recognition as an independent Nation.
3. PLAN FOR IMPLEMENTATION OF SOLUTION
  - A. Need to establish an organization of national, international scope to be utilized as a vehicle to implement the recommendations of the various workshops of this First International Treaty Convention.
  - B. Establishment of a team of international lawyers and the traditional chiefs and headmen to present solutions to the government and international communities.
4. EDUCATION OF OUR PEOPLE
  - A. To show that the chiefs are truly recognized as spokesmen of the people.
  - B. The practice of living as traditional people.
  - C. Forcing our tribal councils to take direct action on treaties.

SUPPORT AND ASSISTANCE  
FOR  
LONG RANGE GOALS AND OBJECTIVES

How the Oglala Sioux Tribal Council can assist the Lakota Treaty Council to gain recognition on the 1868 Fort Laramie Treaty.

1. Resolution of Total Support in gaining recognition of the 1868 Fort Laramie Treaty as defined and interpreted by U.S. Law, Lakota Law and International Law.
2. Approve and support the concept of the Presidential Treaty Review Commission.
3. Reject all overtures to have the Sioux Nation to accept the Black Hills Claim.
4. Logistical support by the Oglala Sioux Tribal Council when specifically requested by Lakota Treaty Council.
5. Recognize, acknowledge and support the International Indian Treaty Council and the efforts of Jimmie Durham in New York City, who is working deligently to have the 1868 Fort Laramie Treaty presented to an international Forum i.e. United Nations -- Possibly the World Court.





The 1868 Treaty is binding on both Nations as defined under International Law.

I'Kce Wica sa or a "Traditionalist" is a person who has retained his concept of self and his spirituality through the "Sacred Pipe" despite concentrated efforts by the "Wasin Icula" through his socio-religious system which sought to destroy the culture and religion of the Ikce Wicasa.

Language and Religion has been the sustaining factor which has preserved our culture. When the "White Buffalo Calf Maiden" delivered the "Sacred Pipe" to our people in the dim recesses of history, the central message was "When the people no longer believe in this Pipe, they as people will no longer exist."

Since the inception of the reservation era, the Federal Government has continually attempted to discredit and destroy the die-hard Traditionalist who has maintained his identity and his stubborn insistence that the United States Government honor the terms of the 1868 Treaty. Today, we, the members of the Lakota Treaty Council stand proud as visible evidence that they have failed miserably in this attempt.

Subsequent to June 26, 1975 when the land of Oglala Lakota was again invaded and occupied by forces of the United States Government who with their sophisticated weaponry subjected many innocent Oglala to unnecessary acts of intimidation and harassment for the "alleged" killing of two of their trespassing agents. The cries of distress by the people prompted the traditional leaders to seek alternate solutions to end the violence.

The consensus of the combined leadership of Chiefs, Headmen and Spiritual leaders was the need for an immediate meeting between the heads of the two nations to undertake necessary steps to resolve the underlying issues which fermented these and other acts of violence.

The Traditional leadership felt that all problems could be traced directly to the continued violations of the terms of the 1868 Treaty by the United States Government.

A letter was sent to the President and a delegation of traditional leaders was sent to Washington, D.C., to meet with the President but when they arrived, they were met with opposition in full force in all areas.

Perseverance and dedication to the task prevailed and the traditional leadership did meet with the President of the United States and his Aides on November 10, 1975.

From this meeting the traditional leadership received from the President the assurance that a Fools Crow-Ford sanctioned Presidential Treaty Review Commission would be established.

The American Arbitration Association have been accepted by the respective parties to act as mediators in the forthcoming discussions concerning the 1868 Fort Laramie Treaty and domestic issues.

Although the Lakota people have suffered greatly especially in these past few years, it is time that the people put aside past differences and unite.

STATEMENT OF THE POSITION OF THE OGLALA BAND OF THE GREAT  
TETON NATION, MOBRIDGE, SOUTH DAKOTA, JUNE 1974



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  - A. To show that the chiefs are truly recognized as spokesmen of the people.
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THE WHITE HOUSE

WASHINGTON

May 12, 1976



MEMORANDUM FOR: RICHARD PARSONS  
FROM: TED MARRS *[Signature]*  
SUBJECT: BLACK HILLS CLAIM

As I read it, this letter acknowledges a request which was in terms of a "Presidential Treaty Review Commission."

Is this also an indication that there will be such a review by a commission? Our position as of now is that the Treaty of Fort Laramie is valid.

Enclosure

*Handwritten notes:*  
TED -  
If you are referring to the underlined portion of the letter, all it does is identify the nature of the incoming correspondence (see attached). Otherwise I'm not sure I comprehend your problem.  
Dick



Traditional Chiefs and Headmen of Aglala Nation of the Teton Sioux will be in Washington August 11 to remain until "the government meets their demands". They are from Pine Ridge Reservation, South Dakota. Request meeting with President and Secretary of State.

### SCHEDULING ROUTING MEMO

Subject: \_\_\_\_\_ Originator: 6 Traditional Chiefs

To Individual XX W. Nicholson Processed \_\_\_\_\_ Comments Oglala Sioux Nation

\_\_\_\_\_ W. Rustand \_\_\_\_\_

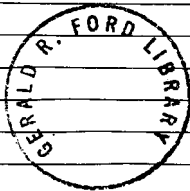
\_\_\_\_\_ Staff to: \_\_\_\_\_

\_\_\_\_\_ H. Donaldson \_\_\_\_\_

\_\_\_\_\_ M. Widner \_\_\_\_\_

\_\_\_\_\_ M. Rawlins \_\_\_\_\_

\_\_\_\_\_ N. Gemmell \_\_\_\_\_



Return to: \_\_\_\_\_

Action: \_\_\_\_\_

LAKOTA TREATY COUNCIL EN ROUTE TO WASHINGTON, D.C.

LAST EFFORT TO NEGOTIATE WITH U. S. GOVERNMENT

CONTACT: Lakota Treaty Council

(605)348-4393

P. O. Box 2337

Rapid City, South Dakota 57701

Oglala Communications Center

(605)348-5846

Washington, D. C. Contact •

(202)234-1616



An Oglala Lakota delegation of Traditional Chiefs, Headmen, District Chairmen and other influential representatives of the Pine Ridge Reservation arrived in Washington, D. C., on Saturday, August 30, 1975. The Oglala delegation will not leave Washington, D. C., until they have met with the President of the United States to demand the immediate enforcement of the 1868 Ft. Laramie Treaty, thereby re-establishing the sovereignty of the Oglala Nation.

Continued economic deprivation and the U. S. Government interference with religion, culture and the traditional form of government have prompted the Oglala Nation to take positive actions to halt the gross violations of the 1868 Treaty. Violence, disruption of harmony and the creation of factionalism on the Pine Ridge Reservation are the result of imposed legislation without the full consent of the Oglala Nation, as specified in the Treaty.

Past negotiations with the different governmental department have proven ineffective because of insensitivity, inexperience, disrespect and total ignorance of the problems faced by the Oglala people.

Over-reaction to an alleged incident on the reservation on June 26 by governmental forces resulted in unnecessary loss of lives, considerable property damage and endangering the life of every individual on the Pine Ridge Reservation. Total disregard for individual rights and freedom in the investigative process conducted by the F.B.I. strengthened the unification of traditional people to stand as one against further invasion.

The Oglala Nation with the sacred pipe send a prayer and a call for help to all four directions, to Grandfather the Great Spirit, to Grandmother Earth, and to all life in between, to stand in support of the actions taken by the Lakota Nation.

WHEREAS it is a historical fact that the United States government by deliberate purpose and design has violated the articles contained in the 1868 Treaty of Ft. Laramie; and

WHEREAS said Treaty was negotiated on behalf of the United States government by a presidential commission;

WE ARE of the conviction that there exists the need for the president to appoint a commission with full authority to act on his behalf, to meet with the delegates of the Sioux Nation for purposes of reviewing said Treaty and to take corrective measures pertaining to such violations

The delegates of the Sioux Nation who have come to Washington for the sole purpose of impressing upon the President of the United States that a need does exist to review this Treaty, hereby, in chronological order list the priorities of their mission;

1. The creation of a Presidential Treaty Review Commission, especially in regard to Articles 1 and 2.

2. The removal of the United States armed forces, such as the Federal Bureau of Investigation, with their sophisticated weaponry who are on our lands in direct violation of Article 1 of the Treaty of 1868.

~~But the... of the Oglala Sioux, by the... and the... decision makes its final determination of the Treaty of 1868.~~

4. We demand amnesty for all Wounded Knee, Custer, Sioux Falls and related cases.

5. The suspension of the prosecution of Indian people by the United States Attorney General's Office, including the suspension of all actions by the Federal Bureau of Investigation and the Grand Juries, until a determination is made by the Joint Commission of the United States and the delegates of the Sioux Nation in regard to the Treaty of 1868.

6. The suspension of operations of the present Oglala Sioux tribal council which is an outgrowth of the Indian Reorganization Act (Wheeler-Howard) of 1934, and is in direct violation of the 1868 Treaty Article 2 which precludes the United States from enacting laws pertaining to the Sioux Nation.

The fact that many mixed bloods Indians presently reside on the reservation is another violation of said Treaty. [Articles 2 and 12 of the Treaty of 1868 and Articles 7 of the Commissioners proposition to the Oglala Sioux under the Treaty of 1868, made at the Red Cloud Agency September 7, 1876.]

Continued violations of said Treaty by the United States government does not abrogate said Treaty nor do such acts lend support to the idea that such acts are legal.

We are the traditional governing body of the Oglala Sioux Nation. We have come because of the desires of our people to honor Article 1 of said Treaty. We come in PEACE!



Batesland, South Dakota  
January 20, 1975

Attorney General of the United States  
Senator James Abourezk  
Senator George McGovern  
Congressman James Abner

Dear Sirs:

Lately there has been considerable discussion about the so-called breakdown of law and order on the Pine Ridge Indian Reservation. Knifings, shootings, general mayhem and even murder are becoming common occurrences.

Part of the problem seems to come from the BIA police who many people claim either support the political faction represented by Tribal Chairman Dick Wilson or are afraid to confront those who have his support. In December, 1974 many complaints of this nature were aired at hearings conducted by the Law and Order Committee of the Tribal Council. Mr. John MacDonald of the Indian Rights Division of the Department of Justice attended some of those hearings and took extensive notes back to Washington. I will not elaborate further on those complaints in this letter, rather I refer you to Mr. MacDonald for his summaries. I would point out that the gist of these complaints is that no one does anything about them.

What concerns me even more is the apparent partisan prosecution engaged in by the U.S. Attorney's Office here in South Dakota. It has become an historical fact that the U.S. Attorneys Office indicted countless people during and after Wounded Knee 1973 on the most frivolous and unsupported grounds. Not only did they break agreements regarding bond recommendations but in over a year of prosecutions they have achieved only six minor convictions (and one plea) while there have been approximately 40 dismissals and acquittals.

All of these prosecutions were of people opposed to the tribal government of Dick Wilson. Even though Wilson and his supporters set up illegal roadblocks, violated U.S. District Court orders and even threatened the Solicitor General and head of the U.S. Marshal Service with loaded and pointed weapons, no prosecutions of these people ever occurred.



I would have hoped that this partisanship would have ended with the end of Wounded Knee, but unfortunately I believe that it continues right up to the present day. Let me cite some recent facts.

Dick Wilson and his goons with armed force took over the BIA jail in Pine Ridge and released many of the prisoners. No one was prosecuted or even arrested.

Dick Wilson violated the law by bringing in liquor to sell on the reservation. No one is prosecuted or arrested.

The Fifth Member of the Tribal Council, Gerald Big Crow, assaults the BIA Superintendent of the Pine Ridge Reservation in Nebraska. He is neither arrested nor prosecuted.

That same person conceals and destroys evidence of the murder of BIA policeman Jess Trueblood and the FBI and the U.S. Attorneys Office does nothing even though they have substantial evidence. Approximately 16 FBI agents investigate this shooting and yet no report has been made and no arrests are foreseen.

Let me contrast this with what has happened to opponents of Dick Wilson.

Four goons break into the house of Dave Clifford and Dick Marshall (the latter, President of a group seeking the impeachment of Wilson) and a fifth goon, Moss Battleyoun, assaults the residents. In self-defense Dave Clifford shoots Mr. Battleyoun. None of those who broke in or assaulted the residents were arrested or charged by either the tribal court or the U.S. Attorneys Office.

Dave Clifford is taken into custody and charged with assault with intent to do great bodily harm within 12 hours of the incident, before the FBI even finishes their investigation. Mr. Marshall and five other people make complete statements on the issue of self-defense, yet those charges are still pending against Mr. Clifford, Mr. Marshall and their families have been forced to flee to the far corners of the reservation. The house they lived in is shot up, firebombed and their vehicles are burned. No one is arrested or charged.

The Stone family, shot at in their Pine Ridge home by BIA policeman Jess Trueblood in an unprovoked attack, is forced to flee to Rapid City for their safety after five people were wounded. Mr. Trueblood is mysteriously murdered and then given a hero's funeral by the BIA police.

Matthew Kills Enemy, the son of Frank Kills Enemy, a headman and treaty expert for the Wounded Knee defendants, is suddenly indicted for assault 20 months after the alleged incident when his father testifies on behalf of the Wounded Knee defendants at their treaty hearing. The failure to take any steps until after his father helps the defense appears to me to be a blatant attempt to punish and intimidate those who would testify against the government.

In December over 60 cases are brought to the Grand Jury. Only six receive no bills, all of them relating to Dick Wilson and his supporters. (It was this same Grand Jury that indicted Matthew Kills Enemy on the sole testimony of one FBI agent who investigated the alleged incident. In addition, no transcript was made of that testimony.

As is now well know, Grand Juries are easily manipulated by the U.S. Attorney who presents the evidence. The Coalition to End Grand Jury Abuse, based in Washington, D.C. has documented evidence as to how this is done. They claim a U.S. Attorney can either get or fail to get an indictment based on how he manipulates the Grand Jurors. I do not believe the December results of the Grand Jury came about by mere coincidence.

These incidents and this continuing, consistent pattern demand that the Justice Department and Congress begin an immediate non-partisan investigation of the U.S. Attorneys Office.

On this reservation, for the last two years, Dick Wilson and his supporters violate laws, and even attempt murder, with complete immunity. They know, and these facts support this, that they can do just about what they please and the U.S. Attorneys Office will not intervene. In contrast, the facts presented here show that on the slightest evidence opponents of Dick Wilson are continually prosecuted.

I believe that this partisan prosecution is directly linked with the so-called breakdown of law and order. Until drastic changes are made Dick Wilson and his supporters, who are the initiators of this breakdown of law and order, will continue to do as they please with immunity.

As Secretary of the Law and Order Committee of the Oglala Sioux Tribal Council, I ask that an investigation be made, and changes be undertaken so that the Ogalala people can truly have law and order.

Sincerely,

Marvin Ghost Bear

P.S. I undertake writing this letter, fully expecting to be harassed by the FBI, the BIA, the CIA and Dick Wilson's publicly proclaimed goon squad. However, I will not be intimidated and will continue to express what Ogalala people know but are too afraid to say.

MAY 10 1976



The Honorable Edward Levi  
Attorney General  
Washington, D. C. 20530

Dear Mr. Attorney General:

As indicated in a letter to you dated July 24, 1975, a copy of which is enclosed, the United States Commission on Civil Rights is greatly concerned with reports of events which have transpired on the Pine Ridge Reservation in South Dakota since the shooting of the FBI agents there on June 26. In that letter we requested that you investigate allegedly improper and illegal activities by the FBI on the reservation. To date we have received no report that any such investigation was undertaken.

Because of the manner in which FBI agents allegedly handled the recent murders of Anna Mae Aquash and Byron DeSersa, along with the record of an extra-ordinary number of unresolved homicides and incidents of terror and violence which have become unfortunately commonplace, the sentiment prevails that life is cheap on the Pine Ridge Reservation. Many Native Americans living there feel that they are not afforded the equality of treatment or the quality of justice available to other persons throughout our country.

Report of improprieties by the FBI which reached us are of a serious nature and if found to be true should be corrected immediately. Those reports were contained in a memorandum sent to the Staff Director of the Commission. A copy of that memorandum is enclosed.

We again present our request that you assess the activities of the FBI on the Pine Ridge Reservation and make your findings known to us as soon as possible.

For the Commissioners,

ARTHUR S. FLEMING  
Chairman

Enclosures

March 31, 1976

**SUBJECT: Events Surrounding Recent Murders on the Pine Ridge Reservation in South Dakota**

**TO: John A. Buggs, Staff Director  
U. S. Commission on Civil Rights**



Events surrounding the murder of two Native Americans in separate incidents during the past six weeks on the Pine Ridge Reservation in South Dakota have again called into question the roles of FBI and BIA police in law enforcement on the reservation. Numerous complaints were received by MSRO alleging that these two agencies failed to act impartially or to respond properly in the aftermath of the two murders which are the subject of this memorandum. More seriously, the media published allegations that the FBI was perpetrating a coverup to protect guilty persons.

In view of the seriousness of these charges, Dr. Shirley Hill Witt, Regional Director, and William F. Muldrow, Equal Opportunity Specialist, from the Mountain States Regional Office were asked to gather first-hand information on events which transpired. FBI and BIA police officers, attorneys, tribal officials, and other persons involved in events surrounding these two murders were interviewed on March 18 and 19 in Rapid City, South Dakota, and on the Pine Ridge Reservation. Additional information was gathered through the mail and in telephone interviews.

Following is a brief summary of events which transpired according to the persons contacted.

Wanblee, a small town on the northeastern portion of the reservation, is largely populated by so-called "full blood" or traditionally oriented Native Americans. This community helped to oust incumbent Tribal President Richard Wilson by a three to one vote against him in the recent general election on the reservation. The chairman of Pine Ridge District, an area strongly supportive of Wilson on the reservation, was quoted on January 23 as saying that Wanblee needed "straightening out" and that people would come to do it.

On Friday evening and Saturday morning, January 30 and 31, according to Wanblee residents, several carloads of heavily armed persons reported



by eye-witnesses to be Wilson supporters arrived in the town. Sometime Saturday morning shots were fired, allegedly by this group, into the house of Guy Dull Knife. BIA police in town at the time called for reinforcements which arrived promptly but made no arrests of the persons identified by eye witnesses as the ones who did the shooting.

Shortly following this incident that same day, Byron DeSersa, a resident of Wanblee, was shot and killed during a high-speed automobile chase, reportedly by persons recognized by passengers in DeSersa's car as being the same individuals responsible for terrorizing the town earlier. Attackers jumped out of their cars to chase those who were with DeSersa and he bled to death for lack of immediate medical attention.

Following DeSersa's death, the FBI, which has jurisdiction over felonies, was called and two agents arrived that afternoon. Sporadic shooting continued in the town through Saturday night and two houses were firebombed. Residents reported that despite their pleas, neither the FBI, the BIA police, nor the Jackson County Sheriff's Office, who had cross-deputization powers and was present at the time, did anything to stop the shooting. Despite the fact that one person had already been killed by gunfire an FBI spokesman told District Chairman James Red Willow that the FBI was strictly an enforcement agency and had no authority to act in a protective capacity. Saturday evening one person, Charles David Winters, was arrested for the murder of DeSersa. No attempt was made to apprehend or arrest the other passengers in Winters' car, even though persons who were with DeSersa when he was shot claimed that they were chased by Winters' companions after the shooting and could readily identify their attackers. Nor have any further arrests been made in connection with the terrorization of the town over a period of two days. The case is at present being investigated by a grand jury in Pierre.

The second series of events (about which Witt and Muldrow conducted an inquiry) began on February 25 when a rancher discovered the partially decomposed body of a Native American woman beside Highway No. 73 a few miles east of Wanblee. Two BIA policemen and an FBI agent responded to the rancher's report and brought the body to the Pine Ridge Hospital where an autopsy was performed on February 25 by W. O. Brown, M.D., a pathologist from Scottsbluff, Nebraska. He issued a verbal report that day to the effect that she had died of exposure. He found no marks of violence on her body except evidence of a small contusion. The dead woman's hands were severed and sent to a laboratory in Washington, D.C., for fingerprint identification, both the FBI and the BIA claiming that they had no facilities to do so themselves due to the state of decomposition of the body.



On the morning of March 3, the body, still unidentified, was buried in the Holy Rosary Cemetery at Pine Ridge. The FBI reported that in the afternoon of the same day they received a report from the Washington Laboratory that fingerprint tests revealed the dead woman was Anna Mae Pictou Aquash, a Canadian citizen wanted in connection with a bench warrant issued November 25 in Pierre for default of bond on a fire arms charge. She also was under indictment by a federal grand jury in connection with a shoot out with Oregon police last November 14.

Relatives of Aquash in Canada were notified of her death on March 5, and news of her identification was released to the media the following day. Immediately, relatives of the dead woman and others who had known her expressed their disbelief that she had died of natural causes. On March 9, citizens of the town of Oglala, where she had lived for a time, publicly demanded a full investigation of the circumstances surrounding her death. Relatives, represented by attorney Bruce Ellison of the Wounded Knee Legal Committee, requested that the body be exhumed for further examination.

On March 9, six days after the body was identified, the FBI filed an affidavit with the U. S. District Court and received a court order permitting exhumation for "purposes of obtaining complete X-rays and further medical examination." X-rays had not been considered necessary during the first examination.

On March 11 the body was exhumed in the presence of FBI agents and Dr. Garry Peterson, a pathologist from Minneapolis, Minnesota, who had been brought in by Aquash's family to examine her body. X-rays revealed a bullet of approximately .32 caliber in her head. Peterson's examination revealed a bullet wound in the back of the head surrounded by a 5x5 cm. area of subgaleal reddish discoloration. Incredibly, this wound was not reported in the first autopsy and gave rise to allegations that the FBI and/or the SIA police had covered up the cause of her death. The fact that officers of both agencies examined the body en situs, wrapped in a blanket beside the road and far from any populated area, yet still did not suspect foul play, lends credence to these allegations in the minds of many people. Hospital personnel who received the body at the hospital reportedly suspected death by violence because of blood on her head. The alternative to a coverup mentioned was that Brown, the first pathologist, had done an extremely superficial and careless examination as though he thought she was just another drunk Indian who died of exposure. Other persons are of the opinion that Anna Mae Aquash had been singled out for special attention by the FBI because of her association with AIM leader Dennis Banks and knowledge she might have had about the shooting of two FBI agents on the Pine Ridge Reservation last summer.

These two incidents have resulted in further bitterness, resentment, and suspicion toward the FBI. They follow months of turmoil on the reservation in the aftermath of the FBI shooting incident when allegations were rife that the FBI engaged in numerous improper activities including illegal search procedures and creation of a climate of intimidation and terror.

A contrast is seen between the Wenblee incident, where a person was killed and shooting was allowed to continue over a period of two days, and the incident in July when two FBI agents were shot and nearly 300 combat-clad agents, along with the trappings and armament of a modern army, were brought in "to control the situation and find the killers." Reservation residents see this as disparate treatment. This, along with what at the very least was extremely indifferent and careless investigation of the Aqash murder, many residents feel reveals an attitude of racism and antagonism on the part of the FBI toward Indian people.

Because of the circumstances surrounding the events mentioned here, along with the record of an extraordinary number of unresolved homicides on the reservation, and incidents of terror and violence which have become almost commonplace, the sentiment prevails that life is cheap on the Pine Ridge Reservation. The more militant and traditional Native Americans have concluded that they cannot count on equal protection under the law at the hands of the FBI or the BIA police. Many feel that they are the objects of a vendetta and have a genuine fear that the FBI is "out to get them" because of their involvement at Wounded Knee and in other crisis situations.

Feelings are running high and allegations of a serious nature are being made. MSRO staff feel that there is sufficient credibility in reports reaching this office to cast doubt on the propriety of actions by the FBI, and to raise questions about their impartiality and the focus of their concern.

177  
encl.  
Assessment  
8-11-75

PROPOSED MEETING

We request the meeting with the President and Secretary of State in Washington, D.C. We will be in Washington, D.C. from August 11, 1975 for an indefinite period of time until we feel the Government meets our demands and requests in accordance with Treaty Law.

ACTION!

T/D \_\_\_\_\_

SCHEDULE NO. \_\_\_\_\_

DATE RECEIVED

AUG 4 1975

MSG. CE \_\_\_\_\_

SPEAKERS BUREAU \_\_\_\_\_

OTHER \_\_\_\_\_

APPOINTMENT OFFICE



July 24, 1975

Traditional Chiefs and Headmen  
Oglala Nation of the Teton Sioux  
Pine Ridge Reservation, South Dakota

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

Mr. President:

Greetings. Through this letter we extend a sincere handshake. With this letter we will talk about our Lakota people, our way of life, and our destiny.

With one mind, one body, and one Spirit, we send a voice.

We talk about an agreement between a red nation, through our chiefs, and the white nation, through its United States Government. An agreement in which it was written:

"From this day forward, all wars between the parties to this agreement shall forever cease."

"The Government of the United States desires peace and its honor is hereby pledged to keep it."

"The Indians desire peace, and they now pledge their honor to maintain it."

Our chiefs understood the historical agreement as saying that from this day forward our people and your people shall no longer fight. That all bad feelings for each other would be no more, as relatives we will hand and hand walk towards a better relationship and strive for a better understanding between two nations.

We understood it as saying this part of the land as prescribed in the treaty, is set apart for the "absolute and undisturbed use and occupation of the Indians herein named..."

Our ancestors tell us that our chiefs wanted for us, the coming generations, to live in good health and to multiply as a strong red nation, and thus agreed to the terms of the 1868 Fort Laramie Treaty. At that time, our chiefs discussed the terms of the treaty with our people, and after everyone agreed, then the treaty was signed.

From this day, April 29, 1868, forward, the 1868 Treaty was made law of the land.

Since then the Government violated the treaty many times, and we have lost millions of acres of land. We have little land left, with hardly any room to survive as a nation.

But, instead of being content with all the land you have taken from us, you still want what little we have left.

You have interfered with our Lakota way of life, our religion, and the cycle of all life, including all forms of nature.

The way of life that Our Forefather wanted for us to live in coming generations, and so made the agreement with your ancestors and your government you have forgotten or ignored, where we still hold sacred and honor the treaty.

For many winters and many generations we have suffered under this alien system (1934 Indian Reorganization Act, etc.) And each time we call for a meeting with U.S. Government you have always responded by sending people from different governmental agencies who have no knowledge, experience, or power to execute an effective program for the benefit of all. No constructive solution ever comes out of these negotiations with your governmental assistants.

Your armies such as the Federal Bureau of Investigation (FBI), Bureau of Indian Affairs (BIA), State, Federal law enforcement, and your people have once again encroached upon and occupied what little land we have left. Armed with sophisticated weaponry they are killing us off one by one.

Because of all the suffering we have gone through, we have decided that it is our turn to come to Washington as a Traditional governing body and as a delegation of our people. We can no longer live under these conditions. We come to meet with you.

We are the Chiefs of a sovereign nation and according to our Treaty and your Constitution we deal only with the highest official in the U.S. Government. You are that man.

We are the evidence in flesh and blood of the Chiefs that made the agreement with your government.

We are direct descendents and relatives of those great Chiefs of the Teton Sioux.

We come to help you and your people remember the commitments that your government made to our people in the 1868 Fort Laramie Treaty. For we have never forgotten.

We come to ask you to live up to your commitments and responsibility to your country, your people, your Constitution and your religion.

We come in peace and we ask for nothing more than what is ours already.

Again with friendship we shake your hand.



\*\*\*\*\*

Frank Fools Crow

Frank Fools Crow

Ewert Lou Hill Witness

Milo Yellow Hair Witness

David Flying Hawk

David Flying Hawk

Milo Yellow Hair Witness

William H. Mayan Witness

Luke Weasel Bear

Luke Weasel Bear

Richard J. Cifer Witness

William H. Mayan Witness

\*\*\*\*\*

Charles Red Cloud

Charles Red Cloud

Milo Yellow Hair Witness

War H. Mayan Witness

Frank Kills Enemy

Frank Kills Enemy

Milo Yellow Hair Witness

William H. Mayan Witness

Matthew Bear Shield

Matthew Bear Shield

Milo Yellow Hair Witness

William H. Mayan Witness

Canpa Sa Wi  
Anpetu Wikcemna nupa  
sam topa

Oglala Lakota Wicasa Itacan  
Oglala Lakota Oyate  
Oglala Oyanke, Wazi Ahanhan

Gerald Ford  
Tunkasila Yapi  
Washington D.C.

Tunkasila Yapi:

Hau. Wowapi ki le iyohlogya nape uniyuza pi yelo. Wowapi ki le un Ikca Wicasa Lakota oyate ki tantahan wo uni ciyaka pi kte yelo.

Wo tawacin na Cante, na Nagi unki tawa pi ki owotanla nahan wanjila sa hoye uniciya pi yelo.

Ho. Hekta Wolakota unkeyapi na Lakota Oyate, Ikce wicasa nahan United States Government na Ska wicasa ki wostan pi yelo.

Tokata kiya oyate unkitawa pi nahan oyate nitawa pi ki kicizapi sni, okiciyusinke sni, wotakuye iyecel ya napata kiciyuz mani pi kta ca, Makoce wan le nitawa pica, na oyate zaniya wico un na wicoicage kta ca, eyapi na woyustan pi yelo.

Ho Lakota Wicasa Itacan hana iwoglakapi na hecetu lapi canke, wicazo un wowapi wan 1868 Wolakota kun he ya waste pi na el wicazo un caje oigwa pi yelo.

Ho ca insiya Tunkasila yapi nahan United States Government ki hecetu yapi canke insiya yawaste pi na el caje oigwa pi yelo.

Ho, letan tokata kiya Wowapi wan 1868 Wolakota ki le Wooke kte yelo eyapi yelo.

Ho, yunka Makoce wan Ki unkayalapi na hanke yas wana ocika la, oti silya unyanka pi yelo.

Iniyasna Makoce wan cikala el unyankapi ki he ko yacin pi yelo.

Ikce Wicasa Lakol wicohan, na Ikce Wicasa Lakota ta Canupa na ta wocekiye, na tokel wico icage kte kun hena ko wana anayapta wacani pi yelo.

Tokel Tunkasila unkita wapi ki cin un kiyapi na Wolakota wab yb Tunkasila nitawapi ki ob woyustan pi kun he eyaktunjapi yelo.

Ho, wana waniyetu ota unkakijapi na otehi ka canke omni-ciye wanji unlapi can wicasa ya takuni slolyapi sni na takuni wowasake yuha pi sni ca hiyu wicayapi can takuni waste sni yelo.

Unahan wana akicita, na oyate nitawa pi ki makoce unkitawa pi ki el maza wakan yuha hi yupi na Lakota Oyate ki kasol unkaupi yelo.

Ho, Lakota ki anpetu ki iyohila kakijapi na otehi ka canke to unki sehanl Washington ta Lakota Wicasa Itacan kun hena upi ni ye kici omniciye yu hapi kte yelo.

Tunkasila yapi ki oyate nita wa pi na United States Govern- ment el Wankata hci najin nahan Tunkasila yapi ca kici wounstan pi ca he un Tunkasila yapi ki he eca kici Omniciye unha pi kte yelo.

Wicasa Itacan ya 1868 Wolakota wan ob walustan pi na Wi- casa Itacan ya wicazo un caje oigwa pi kun hena Takojakpaku na we ctanhan hca ca lena unkiye pi yelo.

Wolakota na Woyustan pi kun hena kiksuye uniciya pi na iwo- unglakapi kta ca unku pi yelo.

Ho, ake canlwaste ya nape uniyuzapi yelo.

TRADITIONAL CHIEFS AND HEADMEN  
Oglala Band of the Teton Sioux

Frank Fools Crow  
Frank Fools Crow

Mils Yellow Hair  
Charles Red Cloud

Emmitt Lou Hill  
Mils Yellow Hair

Joseph Red Cloud  
William H. Mayne

1. David Flying Hawk

Frank Kills Enemy  
Frank Kills Enemy

David Flying Hawk

Mils Yellow Hair

2. Mils Yellow Hair

William H. Mayne

3. Frank Weasel Bear

Luke Weasel Bear

Matthew Bear Shield  
Matthew Bear Shield

Charles J. Clifford  
William H. Mayne

Mils Yellow Hair  
William H. Mayne



LAKOTA TREATY COUNCIL EN ROUTE TO WASHINGTON, D.C.

LAST EFFORT TO NEGOTIATE WITH U. S. GOVERNMENT

CONTACT: Lakota Treaty Council

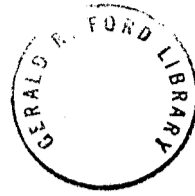
(605)348-4393

P. O. Box 2337

Rapid City, South Dakota 57701

Oglala Communications Center

Washington, D. C. Contact



(605)348-5846

(202)234-1616

An Oglala Lakota delegation of Traditional Chiefs, Headmen, District Chairmen and other influential representatives of the Pine Ridge Reservation arrived in Washington, D. C., on Saturday, August 30, 1975. The Oglala delegation will not leave Washington, D. C., until they have met with the President of the United States to demand the immediate enforcement of the 1868 Ft. Laramie Treaty, thereby re-establishing the sovereignty of the Oglala Nation.

Continued economic deprivation and the U. S. Government interference with religion, culture and the traditional form of government have prompted the Oglala Nation to take positive actions to halt the gross violations of the 1868 Treaty. Violence, disruption of harmony and the creation of factionalism on the Pine Ridge Reservation are the result of imposed legislation without the full consent of the Oglala Nation, as specified in the Treaty.

Past negotiations with the different governmental department have proven ineffective because of insensitivity, inexperience, disrespect and total ignorance of the problems faced by the Oglala people.

Over-reaction to an alleged incident on the reservation on June 26 by governmental forces resulted in unnecessary loss of lives, considerable property damage and endangering the life of every individual on the Pine Ridge Reservation. Total disregard for individual rights and freedom in the investigative process conducted by the F.B.I. strengthened the unification of traditional people to stand as one against further invasion.

The Oglala Nation with the sacred pipe send a prayer and a call for help to all four directions, to Grandfather the Great Spirit, to Grandmother Earth, and to all life in between, to stand in support of the actions taken by the Lakota Nation.

STATEMENT OF THE POSITION OF THE OGLALA BAND OF THE GREAT  
TETON NATION, MOBRIDGE, SOUTH DAKOTA, JUNE 1974

We, the traditional descendants and official representatives of the Oglala Band of the Great Teton Sioux Nation, pursuant to Article VI of the September 17, 1852 Treaty of Ft. Laramie with the Sioux, etc., do issue the following document as a position of policy:

IT HAS ALWAYS BEEN OUR BELIEF AND POSITION THAT ACTS ON BEHALF OF THE UNITED STATES GOVERNMENT, SUBSEQUENT TO THE TREATY OF 1868, DID NOT DIMINISH OUR INHERENT RIGHT TO GOVERN OURSELVES AS A SOVEREIGN NATION.

IT IS ALSO OUR POSITION THAT ALL ACTIONS TAKEN BY THE UNITED STATES GOVERNMENT ON THE 1868 TREATY HAVE BEEN ILLEGAL AND CONTRARY TO THE PRACTICES OF INTERNATIONAL LAW AND THE USUAL RELATIONSHIP BETWEEN SOVEREIGN NATIONS.

We, the Oglala Band of the GREAT TETON NATION recognize the basic need to establish a list of priorities in regards to the 1868 FT. LARAMIE TREATY. These priorities are:

1. RECOGNITION OF THE TREATY

- A. We want TOTAL RECOGNITION of the Treaty and nothing less
1. All lands west of the east bank of the Missouri River and east of the Bighorn Mountains.
  2. Dams and revenues derived from them, including recreation e.g. the Black Hills, etc.
  3. Reparations for violations and damages to the land and people.

2. PROPOSED SOLUTIONS

We will take the Treaties to:

- A. the World Court
- B. the United Nations
- C. Official support from Nations throughout the world and recognition as an independent Nation.

3. PLAN FOR IMPLEMENTATION OF SOLUTION

- A. Need to establish an organization of national, international scope to be utilized as a vehicle to implement the recommendations of the various workshops of this First International Treaty Convention.
- B. Establishment of a team of international lawyers and the traditional chiefs and headmen to present solutions to the government and international communities.

4. EDUCATION OF OUR PEOPLE

- A. To show that the chiefs are truly recognized as spokesmen of the people.
- B. The practice of living as traditional people.
- C. Forcing our tribal councils to take direct action on treaties.

June 14, 1976

Mr. Brad Patterson  
White House  
Washington, D. C. 20500

Dear Mr. Patterson:

Greetings.

Enclosed you will find some materials you requested from the Lakota Treaty Council. A letter and other materials were sent to the White House this past year which should give you additional information and better understanding on the position of the Lakota Nation.

Hau, Hecetu Yelo

*Larry Red Shirt*

Larry Red Shirt  
Executive Coordinator  
Lakota Treaty Council  
Oglala Band of the Teton Nation

Enclosure

cc: Dr. Theodore Marrs  
Ms. Bobbi Kilberg  
Mr. Tom Colosi



June 14, 1976

Mr. Brad Patterson  
White House  
Washington, D. C. 20500

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*Larry Red Shirt*

Larry Red Shirt  
Executive Coordinator  
Lakota Treaty Council  
Oglala Band of the Teton Nation

Enclosure

cc: Dr. Theodore Marrs  
Ms. Bobbi Kilberg  
Mr. Tom Colosi



GERALD R FORD  
PRESIDENT  
of the  
UNITED STATES of AMERICA

OGLALA LAKOTA NATION  
KYLE, SOUTH DAKOTA  
MARCH 2, 1976

SIR:

At a series of meetings which were held on the following dates in Rapid City, South Dakota. February 26-27-28-1976, the following action was taken by the Lakota Treaty Council relevant to the so-called Black Hills Claims case.

The Lakota Treaty Council which is composed of members of the Seven Council Fires of the Teton Sioux Nation with the Yankton and Sisseton Nations present concurred that the following action be taken to protect the best interest of the peoples of our respective Nations.

"EXECUTIVE ORDER: STOP ALL ACTION BY THE INDIAN CLAIMS COMMISSION IN RESPECT TO THE BLACK HILLS CLAIM UNTIL SUCH TIME A DETERMINATION IS MADE BY THE FORTHCOMING PRESIDENTIAL TREATY REVIEW COMMISSION IN RESPECT TO THE 1868 FT. LARAMIE TREATY." IN ESSENCE, THE ENTIRE JURISDICTIONAL QUESTION.

WE BELIEVE THAT THIS ACTION SHOULD BE TAKEN TO PROTECT OUR INTEREST.

This action was taken by the Chiefs, Headmen, and delegates of the above named Indian Nations.

This action is being taken in utmost good faith on the part of our people that we may prove to all that we will continue to pursue our goals in a peaceful manner.

FOR AND ON BEHALF OF THE LAKOTA TREATY COUNCIL  
CHAIRMAN FOR THE ABOVE MEETING

cc: H. Rowley  
American Arbitration  
Association

Cong. Ron Dellums  
and the Black Caucus  
All signatory Indian  
Nations to the 1868 Ft.  
Laramie Treaty.



*Rad Wound*  
RAD WOUND  
A HEADMAN OF THE OGLALA LAKOTA NATION

*Frank Fools Crow*  
FRANK FOOLS CROW  
CHIEF FRANK FOOLS CROW  
OGLALA LAKOTA NATION

*Mathew H King*  
MATHEW H KING - NOBLE RED MAN  
CHAIRMAN OF THE INTERNATIONAL  
INDIAN TREATY COUNCIL

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THE WHITE HOUSE  
WASHINGTON

FOR YOUR INFORMATION  
1000  
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LIBRARY

April 1, 1976

Gentlemen:

On behalf of the President, I should like to acknowledge your letter requesting the President to issue an "Executive Order to stop all action by the Indian Claims Commission with respect to the Black Hills Claim until such time as the Presidential Treaty Review Commission makes a determination concerning the 1868 Treaty of Fort Laramie."

The Indian Claims Commission was created by the Act of August 13, 1946, 25 U.S.C. § 70. In this Act, the Congress granted to the Indian Claims Commission the exclusive authority to hear and determine claims against the United States by tribes, bands or other identifiable groups of American Indians.

The so-called Black Hills Claim, now bearing Indian Claims Commission Docket Number 74-B, was filed in the Indian Claims Commission on August 15, 1950, by the Sioux Tribes of the Rosebud, Standing Rock, Pine Ridge, Crow Creek, Lower Brule, Cheyenne River, Santee, and Fort Peck Reservations. These tribes, representing the Sioux Nation of Indians, requested additional compensation for the lands (including the Black Hills) and other interests obtained by the United States from the Sioux under the Act of February 28, 1877.

In its most recent ruling on the Black Hills Claim, the Indian Claims Commission, on February 15, 1974, determined that the Act of February 28, 1877, constituted a taking of Sioux property under the Fifth Amendment to the United States Constitution and that the land taken had a value, in 1877, of \$17.1 million. On June 25, 1975, the United States Court of Claims reversed, in part, the Commission's decision. The court ruled that a previous judicial determination prevented the Commission from determining that the Sioux lands had been taken by the United States in violation of the Constitution. The court stated that the Indian Claims Commission could award damages to the claimants only under the theory that the Act of February 28, 1877, constituted a violation of standards of fair and honorable dealings. Legislation has since been introduced in Congress which, if passed, would, in effect, cancel the ruling of the Court of Claims and reinstate the determination of the Indian Claims Commission.

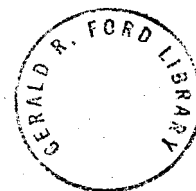
The Black Hills Claim is now before the Commission for a determination of how much compensation, if any, the Sioux received from the United States under the 1877 Act. This is one of the last steps in the litigation and, therefore, the Commission is close to reaching its final determination in this claim. In recent hearings, the Congress clearly indicated its desire that all claims pending before the Indian Claims Commission be finally determined without further delay. Under these circumstances, it would be improper for the President to take the action you request.

Sincerely,



Richard D. Parsons  
Associate Director and Counsel  
Domestic Council

Lakota Treaty Council  
Oglala Lakota Nation  
Kyle, South Dakota



SUPPORT AND ASSISTANCE

FOR

LONG RANGE GOALS AND OBJECTIVES

How the Oglala Sioux Tribal Council can assist the Lakota Treaty Council to gain recognition on the 1868 Fort Laramie Treaty.

1. Resolution of Total Support in gaining recognition of the 1868 Fort Laramie Treaty as defined and interpreted by U.S. Law, Lakota Law and International Law.
2. Approve and support the concept of the Presidential Treaty Review Commission.
3. Reject all overtures to have the Sioux Nation to accept the Black Hills Claim.
4. Logistical support by the Oglala Sioux Tribal Council when specifically requested by Lakota Treaty Council.
5. Recognize, acknowledge and support the International Indian Treaty Council and the efforts of Jimmie Durham in New York City, who is working deligently to have the 1868 Fort Laramie Treaty presented to an international Forum i.e. United Nations -- Possibly the World Court.



TO: Oglala Sioux Tribal Council  
Pine Ridge, South Dakota

FROM: Lakota Treaty Council  
Larry Red Shirt  
Executive Coordinator

DATE: April 19, 1976

Mr. Chairman, members of the Council, and members of the Oglala Lakota Nation, who are present at this meeting here today:

I am honored for the opportunity of addressing this elected Council of our Nation. First, on behalf of the Chiefs and Headmen of the Oglala Lakota Nation, I extend a handshake and congratulations to each and every one of you in your successful venture in this elective system.

As it involves and affects the future of our Nation and the future of coming generations, I feel it is extremely important to present to this Council the position and the progress that the Lakota Treaty Council has made in respect of gaining recognition of the 1868 Fort Laramie Treaty.

Before I proceed any further, for the benefit of those present that do not know or who have forgotten, I would like to explain briefly the "Interpretation and meaning of the "1868 Treaty" and also the term "Traditionalist" as it applies to the members and constituency of the Lakota Treaty Council.

The Lakota Treaty Council believes and clings to our way of life as our Forefathers lived it. A way of life, with basic human principles and doctrines, although humble in its nature, have been recognized by other indigenous peoples as one of the greatest in the world. It is our hope that "truth" itself will peel away the layers of ignorance which is the result of a hundred years of brainwashing." Thus, we recognize that one of our greatest tasks is the re-education of our own people.

In the 1860's the "Great Lakota Nation" along with its allies initiated a resistance (so called Red Cloud's War) that halted the invasion and so-called "Westward Expansion of the Wasin Icula: Time and time again, the Lakota proved invincible and victorious. The U.S. Government after realizing that it was costing them 2 million dollars to kill one Lakota and the fact that the "Civil War" had just put a big dent in their pocketbook, decided to push for a peaceful settlement.

Subsequently, both Nations agreed to the terms and entered into a Treaty. What is to be known as "The 1868 Fort Laramie Treaty."

Even today we are bound to that same Treaty not only by the natural laws that govern us, but because our Forefathers blessed the Treaty with the "Sacred Pipe".

Even today the people of the United States Government are bound to that same Treaty because U.S. Law says treaties are "on par and equal to the constitution" as "Supreme Law of the land".

The 1868 Treaty is binding on both Nations as defined under International Law.

I'Kce Wica sa or a "Traditionalist" is a person who has retained his concept of self and his spirituality through the "Sacred Pipe" despite concentrated efforts by the "Wasin Icula" through his socio-religious system which sought to destroy the culture and religion of the Ikce Wicasa.

Language and Religion has been the sustaining factor which has preserved our culture. When the "White Buffalo Calf Maiden" delivered the "Sacred Pipe" to our people in the dim recesses of history, the central message was "When the people no longer believe in this Pipe, they as people will no longer exist.

Since the inception of the reservation era, the Federal Government has continually attempted to discredit and destroy the die-hard Traditionalist who has maintained his identity and his stubborn insistence that the United States Government honor the terms of the 1868 Treaty. Today, we, the members of the Lakota Treaty Council stand proud as visible evidence that they have failed miserably in this attempt.

Subsequent to June 26, 1975 when the land of Oglala Lakota was again invaded and occupied by forces of the United States Government who with their sophisticated weaponry subjected many innocent Oglala to unnecessary acts of intimidation and harassment for the "alleged" killing of two of their trespassing agents. The cries of distress by the people prompted the traditional leaders to seek alternate solutions to end the violence.

The consensus of the combined leadership of Chiefs, Headmen and Spiritual leaders was the need for an immediate meeting between the heads of the two nations to undertake necessary steps to resolve the underlying issues which fermented these and other acts of violence.

The Traditional leadership felt that all problems could be traced directly to the continued violations of the terms of the 1868 Treaty by the United States Government.

A letter was sent to the President and a delegation of traditional leaders was sent to Washington, D.C., to meet with the President but when they arrived, they were met with opposition in full force in all areas.

Perseverance and dedication to the task prevailed and the traditional leadership did meet with the President of the United States and his Aides on November 10, 1975.

From this meeting the traditional leadership received from the President the assurance that a Fools Crow-Ford sanctioned Presidential Treaty Review Commission would be established.

The American Arbitration Association have been accepted by the respective parties to act as mediators in the forthcoming discussions concerning the 1868 Fort Laramie Treaty and domestic issues.

Although the Lakota people have suffered greatly especially in these past few years, it is time that the people put aside past differences and unite.

With the strengthening and unification of our people can we take positive steps to insure that "Divide and conquer" tactics will not work anymore with the Oglala. We have suffered enough.

We the Lakota Treaty Council invite all true Oglala to lift up their heads and look to the future of our children and the unborn. The Lakota people must recognize who the real enemy is, that we may defend ourselves.

We ask for your support in our struggle to find justice and freedom for our people. Support the 1868 Treaty. Though a long hard road lies ahead of us - we walk forward with our heads up to confront the many obstacles as a true Oglala.

With the guidance of Tunkasila, Wakan Tanka we shall win! The struggle goes on.

Ho. Hechetu Yelo.  
Pilamaye Pi Yelo.

Ogle Luta

*Ogle Luta*  
*Larry Red Shirt*

# Abourezk Blasts Gun-Running Probe of Son

By Jerry Oppenheimer  
Washington Star Staff Writer

FBI is investigating allegations by an informant that the late Sen. James Abourezk, D-S.D., was running guns for an American faction that planned to carry out an uprising in South Dakota during the fourth of July weekend. Abourezk, who yesterday made his first public statement in The Star a copy of the investigative report, denied the

allegations about his son and declared that they were part of a "smear campaign" to discredit him because of his longtime criticism of Bureau of Indian Affairs policies and FBI actions involving Indians in South Dakota.

The FBI report said that the Indian group, called the "Dog Soldiers," was "on the line" to assassinate the governor of South Dakota, snipe at tourists on interstate highways in the

state, blow up BIA buildings and take "action" at Mt. Rushmore between July 1 and July 5.

THE REPORT went on to allege that Abourezk's son, Charles, 23, a student at a community college on the Pine Ridge Indian Reservation, site of the violent Wounded Knee uprising several years ago, was "involved" with the Dog Soldiers.

According to the unnamed informant quoted in the report, M16 rifles

and carbines were transported to the young Abourezk's home from Omaha, Neb., by "an acting member" of the American Indian Movement, whose leaders have been targets of FBI investigations and federal prosecutions.

The report said the information was supplied last month by a source "with whom insufficient contact has been made to determine reliability, but who is in a position to furnish reliable information."

Abourezk's son could not be reached for comment yesterday. But the senator, who said the FBI report "was handed to me by an Indian from a West Coast tribe," called the allegations an "outrage."

"I know Charlie's not a gun runner and that's what he's being accused of," he said.

ABOUREZK described the contents of the FBI report as "rank gossip distributed to practically every-

one in the BIA and the Justice Department."

Late yesterday Abourezk met in his office — at his request — with two officials of the FBI's intelligence division. The senator said he demanded that they "either prove or disprove the unfounded allegations" about his son.

Abourezk said he was told the matter was still under investigation even though the report said the allegations

See INDIAN, A-9

# INDIAN

Continued From A-1

were made almost a month ago. "You would think they could have verified them by this time," the senator added.

Abourezk said he also asked the FBI officials why the raw investigative report received such wide circulation. He said the FBI officials told him that the report was given "standard circulation" within the bureau and the Justice Department and also was made available to the Interior Department, which administers the BIA.

The report, in teletype form sent by FBI Director Clarence M. Kelley, also was distributed to the U.S. Marshals Service and the Secret Service, according to the copy obtained by The Star.

AN FBI SPOKESMAN declined comment on the investigation last night.

Abourezk contended in an interview that he was "pretty well convinced" that the allegations concerning his son and the dissemination of the report were an "attempt to destroy my credibility, to get at me through Charlie."

He said he felt a smear campaign was being waged against him, particularly by BIA officials, because as chairman of the Senate subcommittee on Indian affairs he has long been a critic of that bureau's policies.

Abourezk also is chairman of the American Indian Policy Review Commission, which, he said, intends to recommend major changes in the structure of the BIA and American Indian policy in general, in a report scheduled to be filed in January.

"The BIA sees this as a threat to themselves," Abourezk declared.

Theodore Krenzke, director of the BIA's Office of Indian Services, said the FBI report routinely came across his desk recently "but it wasn't anything we requested. It came here as a result of the BIA's law enforcement unit's relationship with the FBI."

KRENZKE, whose initials appear on the report as having read it, contended that, "We prefer that a report like that not be circulated because it was not based on any evidence. I don't know that it really should have been circulated."

He emphasized that the distribution of the FBI information, which went as far as the BIA's Portland, Ore., area office, was "not intended to embarrass anyone."

Both Abourezk and Krenzke said that the first



SEN. JAMES ABOUREZK Calls allegations 'outrage'

they ever heard of the Dog Soldiers was in the FBI report. An aide to the senator said that Dog Soldiers was the name given to original Indian warrior groups.

Abourezk said he attempted to reach his son yesterday to ask him about the FBI allegations, but was unsuccessful because his son does not have a telephone and could not be reached through friends. The young Abourezk is known to be active with militant Indians on the Pine Ridge Reservation. The senator said his son has been working as a tribal lawyer.

EARLIER THIS YEAR it was disclosed that Abourezk's son was using food stamps while attending college, claiming that he was below the poverty income level. In response to news accounts, his father said that, "I suppose that every parent wishes at one time or another that he had more control over his adult children, but Charlie, like most adults, wants to run his own life."

Abourezk contended that because of the publicity about his son receiving food stamps, "I'm sure he wouldn't store guns in a place obviously being watched by the FBI and others. The allegations are utterly ridiculous."

Besides the BIA, the

senator has been a vocal critic of FBI activities involving the American Indian movement. He recently joined with others, including the Canadian government, in calling for an investigation into the unusual circumstances surrounding the FBI's handling of the slaying of a young woman active in the movement at Wounded Knee. The Justice Department is probing the FBI's role in the case.

ACCORDING TO the FBI report, the Dog Soldiers were described by the informant as "pro-AIM members who will kill for the advancement of AIM objectives." The report said that the Dog Soldiers, with approximately 2,000 members, "have been in training" since the Wounded Knee incident in 1973.

The FBI report said the Dog Soldiers were scheduled to meet June 25 at the home of a woman in Rapid City, S.D., where they will receive "final assignments" for alleged violent activities throughout the state on the Fourth of July weekend. "Currently some Dog Soldiers from the Northwest territory are in the state of South Dakota watching the movements of public employes at public buildings," the report continued.

The informant said that among the activities to be carried out by the Dog Soldiers were the blowing up of the boilers in a county courthouse, apparent violence at the state capitol in Pierre, the blowing up of turbines at a dam and an assault on the state penitentiary at Sioux Falls to "assassinate an inmate."



CHARLES A. ... Unavailable for comment

The report said Dog Soldiers would be equipped with the weapons being stored at home in South

## BARGAINS GALORE

at your nearby  
"THRIFTY" STORE

**BELL'S**  
12-year-old  
**SCOTCH**

**13.99**

HALF GALLON

86 proof



**DEWAR'S**  
"White Label"  
**SCOTCH**





## Move to Rec Hits a Sn

PHILADELPHIA

The valid tions calling of Mayor not be c 15-day by th offi

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5

**MEMORANDUM  
OF CALL**

TO:

Brad

YOU WERE CALLED BY—

YOU WERE VISITED BY—

Bad Wound

OF (Organization)

PLEASE CALL →

PHONE NO.  
CODE/EXT. \_\_\_\_\_

WILL CALL AGAIN

IS WAITING TO SEE YOU

RETURNED YOUR CALL

WISHES AN APPOINTMENT

MESSAGE

605  
348-5300

RECEIVED BY

DATE

8/5

TIME

THE WHITE HOUSE  
WASHINGTON

Wingspread  
Recd  
8/11-12



THE WHITE HOUSE  
WASHINGTON

Bud Wound + Trade

+  
Al Trimble

No feds

(25)

Hank Adams

Chuck Trimble + 4 NCAA

Neil Toussket

Sid Mills

Urru Bellecourt

Jim Durand - 9T Com NYC

Julie Trudell AIM

Rick Baker NTCA

Calosi + staff

Orry Lyons

Bill Lyons - brand.



THE WHITE HOUSE  
WASHINGTON

Bad Wound  
Red Willow  
Red Shirt  
Kells Straight  
Gonzales  
Jim West - church group  
Vine Delore

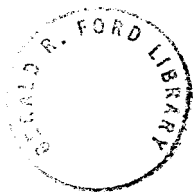
THE WHITE HOUSE

WASHINGTON

Not a new treaty

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The Congress  
jointly establish a  
committee to review  
the 1868 Treaty.  
Whatever it is



---

1868 Treaty only  
Would examine the  
question what it is

THE WHITE HOUSE

WASHINGTON

Congress had the  
power

Renew power by  
which Congress  
changed the 1868 Treaty

Question Article II  
of the Constitution.

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What went wrong  
subsequent to that Treaty?

THE WHITE HOUSE

WASHINGTON

Can we ~~not~~ reacquire  
the land under that  
treaty?

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Caracas / Feb  
Friday Peoples



**MEMORANDUM  
OF CALL**

TO: Brad

YOU WERE CALLED BY—  YOU WERE VISITED BY—

Mr. Rosenstock

OF (Organization) US Mission to U.N.

PLEASE CALL → PHONE NO. CODE/EXT. \_\_\_\_\_

WILL CALL AGAIN  IS WAITING TO SEE YOU

RETURNED YOUR CALL  WISHES AN APPOINTMENT

MESSAGE

(212) 656-4468

RECEIVED BY <u>DN</u>	DATE <u>9/3</u>	TIME <u>6:30</u>
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STANDARD FORM 63  
REVISED AUGUST 1967  
GSA FPMR (41 CFR) 101-11.6

GPO : 1969-648-16-80841-1 232-269 63-108



THE WHITE HOUSE

WASHINGTON

September 10, 1976



Dear Louie:

Since the President's memorandum of August 26, designating me to help in the coordination of Indian policies and programs, I have reviewed very carefully the papers and background concerning the request of the traditional chiefs and headmen for a "Presidential Treaty Review Commission". I have gone over the notes of our two-day meeting at Harper's Ferry in June and the earlier meeting and luncheon we had with Chief Fools Crow here at the White House. I have re-read Larry Red Shirt's letter of June 14, 1976 where, in the attachment, he indicates he wants the President to "approve and support the concept of the Presidential Treaty Review Commission".

What I am still trying to get clear -- and I need your help in doing this -- are specific details about the precise functions of such a Commission, its authority, responsibilities, membership, funding, reporting deadline and the proposed procedures for holding sessions.

I must explain that there are very strict standards for staff work which all modern Presidents impose here within the White House. Before a Presidential decision is made, a memorandum must go to the President spelling out exactly what is being requested, the pros and cons of why it is needed, and very specific descriptions of what the President is being asked to approve. Laws or other authorities must be indicated to show that the President has the power to take the requested action and to show that if he creates some body or institution, even a temporary one, he has the further authority to fund it.

This may seem a bit elaborate, but I assure you it is an essential aspect of the modern Presidency. The Congress, the General Accounting Office or the Courts are very quick to object to any Presidential action which is not within the law; President Ford insists on making sure, ahead of time, that he is never put in that position. That means memoranda which are in writing and which are prepared with great precision.

My careful review of your proposal for a "Presidential Treaty Commission" gives me practically nothing on the basis of which to prepare such a memorandum to the President. In addition to the questions raised above, there are others which come to mind about your proposal: would such a Commission for example, review Indian treaties generally or be limited to the 1868 Fort Laramie Treaty? In either case, what would be such a Commission's relationship with the elected Tribal leaders, generally or with those of the Pine Ridge Sioux? What would be the Commission's relationship with Task Force I of the American Indian Policy Review Commission, which currently is reviewing all the Indian treaties?

What is lacking in Mr. Red Shirt's letter, and in the letter to the President from the traditional chiefs and headmen of July 24, 1976, are any specifics of this sort.



As you know, Mrs. Kilberg and I have already informed the traditional chiefs at our Harper's Ferry meeting that a Treaty Review Commission could not assume a treaty-negotiating role, since that is proscribed by Congress pursuant to 25 USC 71.

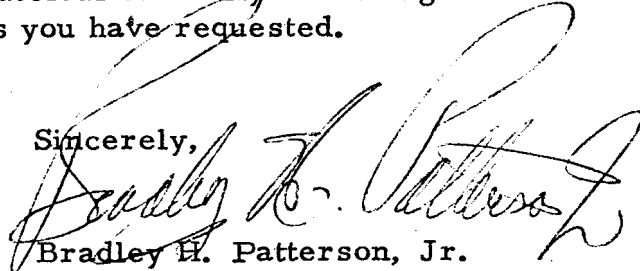
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Mr. Richard Parsons, I notice, has also responded to the Lakota Treaty Council on April 1, 1976 that the President cannot, as they suggested, stop the Indian Claims Commission action with respect to the same Black Hills Case.

In view of these facts, my colleagues in the White House and I are quite unclear as to what the functions of a Presidential Treaty Review Commission would be that have not already been handled in laws in Claims cases or in past correspondence.

This letter is therefore a request for your assistance; please consult with your associates and respond in writing and in detail about the need, the authority, the make-up, and the functioning of the proposed Treaty Review Commission. I assure you in return that we here, together with the Secretary of the Interior and the Attorney General -- who also would naturally be consulted by the President on this matter -- will then go over your material carefully and will get a Presidential decision, as you have requested.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bradley H. Patterson, Jr.", written over a printed name.

Bradley H. Patterson, Jr.

Mr. Louis Bad Wound  
Pine Ridge Reservation  
South Dakota



THE WHITE HOUSE  
WASHINGTON

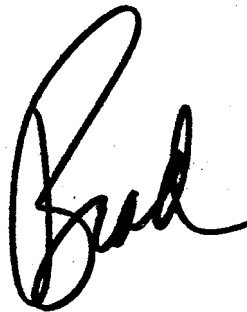
September 13

Morrie -

FYI.

Louis accepted th9s very  
gracefully.

Please inform the interested  
members of your staff.



PS - Please send a copy  
to Aberdeen A.D. & to  
Pine Ridge Superintendent for their  
copy also. Brad

THE WHITE HOUSE  
WASHINGTON

September 13

Bill -

Just to keep you informed  
on a private basis.



THE WHITE HOUSE  
WASHINGTON

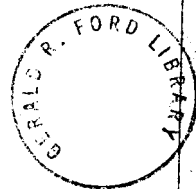
September 13

Chuck -

Just for your private information --  
keeping you informed.

Incidentally -- re your query about  
Indian Action Teams, OMB tells me there is  
no deferral or recission pending on any such  
item. If you have any more info about it,  
let me know.

Re Salt Lake City, tentatively I plan  
to be with you Wed-Thurs-Fri and if it is OK  
with you, would be happy to give a talk on  
Thursday, any time you say.



RE: Presidential Treaty Review Commission

## THE WHITE HOUSE

WASHINGTON

September 21, 1976

Dear /s/

The President has asked me to thank you for your recent letter to him about the idea of a Presidential Treaty Review Commission.

I have held several meetings with the members of the Lakota Treaty Council, the most recent of which was September 10 with Mr. Louis Bad Wound here in the White House.

At that time I gave Mr. Bad Wound a letter which asks his help in defining precisely what the functions and authorities of a Treaty Commission would be. Since you are sincerely interested in this matter, I am enclosing a copy of that letter. We are looking forward to Mr. Bad Wound's reply and hope then to be able to present the matter to the President.

One should note that with respect to the Treaty of 1868, it was the Congress rather than the Executive which unilaterally made changes in that treaty. If any additional redress (other than the very important Black Hills claim still pending before the Indian Claims Commission) is to come concerning that treaty, the Congress will probably have to be source of same.

We will keep in touch with Mr. Bad Wound and see what can be done.

In the last six years a multitude of new legislative and executive actions have dramatically changed Indian policies and programs for the better. I know you share our pleasure that this is the case.

We appreciate hearing from you.

Sincerely yours,



Bradley H. Patterson, Jr.

Cut 9/20/76 - ckb  
Proofed mah/ckb

///s///  
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(Rec. 9/20/76)

Enclosure

BHP:/s/  
BHP-3

THE WHITE HOUSE

WASHINGTON

September 10, 1976

Dear Louie:

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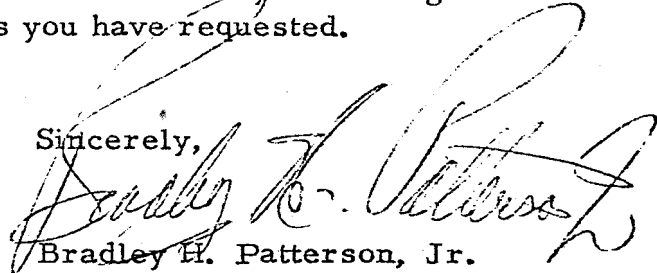
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Sincerely,

A large, stylized handwritten signature in cursive script, appearing to read "Bradley H. Patterson, Jr.", written over the typed name.

Bradley H. Patterson, Jr.

Mr. Louis Bad Wound  
Pine Ridge Reservation  
South Dakota

A PROGRAM  
FOR  
THE PINE RIDGE INDIAN RESERVATION \*\*

-0-

December 10, 1976

\*\* Provided by Al Trimble at meeting at White House, 6/8/76





## PROPOSAL

To establish a high level Federal agency task force to coordinate the immediate implementation of a broad range of specific Federal programs on the Pine Ridge Indian Reservation designed to create both short and long term employment opportunities and strengthen the economy of the Tribe and thereby eradicate the root causes of the violence and misery on the Reservation.

### The Need

The Pine Ridge Indian Reservation ranks high now on the agenda of the Bureau of Indian Affairs. In addition, because of the national and international attention that has been focused on the Reservation in recent years, Pine Ridge, even though it is a small community, can be said also to be on the domestic agenda of the White House. President Ford's recent meeting with an alleged Chief, Frank Fools Crow, is illustrative of the fact that Pine Ridge is, indeed, a matter of national interest and concern.

Much of the discussion of the Pine Ridge Reservation has centered on the high rate of violent crimes. It should be noted, however, that contrary to the impression sometimes left by the media, persons knowledgeable of life on the Reservation agree that these crimes are not connected with political disputes. Rather, the shootings that do take place on the Reservation seem to be the result of personal feuds and of the tension created by the misery and the hopeless human conditions that exist.

The initial response to the Law and Order problem on the Pine Ridge Reservation has been to consider sending in more police. But when one closely examines and understands the underlying causes of the violence on the Reservation, it becomes evident that an increased police force, by itself, will not solve the problem.

The Pine Ridge Reservation, located in the southwest corner of South Dakota, is the second largest Indian Reservation in the country. The unemployment rate on the Reservation, which has a population of over 12,000 people, is over 60. A study prepared at the request of the Secretary of the Interior found in a report dated June 24, 1975, that in over one-third of the Indian households on the Pine Ridge Reservation, no one works. About 40% of those who were employed were found to be significantly underemployed. In sharp contrast, non-Indians on the Reservation and in nearby communities enjoy reasonable standards of living. Most Indians on the Reservation face a life of poverty and despair with little hope of meaningful employment.

It is in this context, therefore, that we recommend that instead of relying solely on increased law enforcement activities to curb the violence on the Reservation, we develop and implement immediately a program that reaches the root causes of violence. What is recommended is a comprehensive Federal effort to put people on the Reservation to work and to provide them with a basis for improving their standard of living.

#### Pine Ridge Development Task Force

A broad range of Federal programs could be funded on the Pine Ridge Reservation to provide immediate job training and employment opportunities for members of the Oglala Sioux Tribe, to construct needed community facilities on the Reservation and to broaden the economic base of the Tribe and thereby strengthen the future economy of the Reservation.

To coordinate the planning and implementation and to accelerate the initiation of the programs, a high level commitment by the Ford Administration is necessary. It is recommended that the White House direct the Secretaries of Interior, Labor, Commerce, Housing and Urban Development, Agriculture, Transportation and Health Education and Welfare, the Attorney General and the Director of the Office of



Management and Budget to commit their respective departments to a joint effort on the Pine Ridge Indian Reservation.

To assure that the commitment is fulfilled and that specific Federal Projects are expeditiously implemented, it is suggested that a coordinating group be created chaired by a designee of the Secretary of the Interior and whose members would include designees of the other departments mentioned above. It is recommended that the designee of the Oglala Sioux Tribe be a member of this group.

The Task Force should be in existence for not more than one year and should meet at least once each month to coordinate and supervise the development of the specific projects. It is suggested that limited staff be made available by the Commissioner of Indian Affairs to assist the Task Force in meeting its responsibilities.

The focus of the mandate of the Task Force will be to coordinate the immediate implementation of several Federal programs on the Pine Ridge Reservation. It is not intended to be a study or planning group, but rather an action-oriented group whose primary responsibility is to assure the initiation of job-oriented programs.

#### Federal Programs

The first responsibility of the Task Force should be to develop an agenda of Federal programs to be initiated on the Pine Ridge Reservation and to develop a specific timetable for the implementation of these programs. These projects should include the following.

1. Department of Labor

Putting people to work is the most critical problem on the Reservation. A comprehensive effort encompassing all able-bodied people on the Reservation would help create longterm employment opportunities for these persons and would unquestionably be an investment which would pay off in terms of reduction of the costs

of other Federal programs.

The Department of Labor should, with the cooperation of the Bureau of Indian Affairs, set up a three-year employment program on the Reservation. An effort should be made to ensure that all unemployed persons able to work are registered for employment assistance. The basic funds for the programs should come from Title III of the Comprehensive Employment and Training Act as well as Title X of the Public Works and Economic Development Act. In addition, the programs should coordinate the employment aspects of the other programs set forth below.

2. Department of Commerce - Economic Development Administration

(a) Oglala Sioux Tribe Parks Board

The Tribe has entered into an agreement with the National Parks Service whereby the Tribe has agreed to allow the Park Service to use certain tribal lands for the Badlands National Monument in exchange for a position of the entrance fee that will be charged to the Monument. The fee will be paid over to the Oglala Sioux Tribe Parks Board which is a development corporation organized by the Tribe to formulate and develop tourism for the Reservation, particularly in the Badlands National Monument area. Revenue generated by the fee arrangement will be used by the Board to develop recreation resources within the Reservation. To maximize the revenue potential of tourism in the Monument area, the Tribe would like to develop certain concessions on the Reservation.

Projects designed to increase tourism revenue funded through the Economic Development Administration under the Public Works and Economic Development Act of 1965 include projects to:

- (1) Improve and upgrade the Cedar Pass concessions;
- (2) Develop a commercial campground;
- (3) Construct a visitors center;



- (4) Construct a commercial hotel; and
- (5) Develop the site of Wounded Knee

The present building which houses the tribal offices is totally inadequate to meet the present needs of the Tribe. It is old and does not have sufficient office space to provide facilities for tribal officials responsible for administering various tribal programs. Funds should be provided through the Economic Development Administration under the Public Works and Economic Development Act of 1965 to construct a new Tribal Office Building designed to provide offices for most tribal officials.

### 3. Department of Housing and Urban Development

#### (a) Community Facility

A community center is needed on the Pine Ridge Reservation to serve both community purposes and to supplement the tourism facilities to be developed by the Parks Board.

Community block grant funds should be used to construct a multipurpose community facility in Pine Ridge.

#### (b) Housing

The lack of sufficient decent, safe and sanitary housing on the Reservation remains a critical problem. Although it is estimated that between 1,500 and 2,000 units must be built to meet the current housing needs, the rate of construction on the Reservation is between 100 to 200 units per year.

The construction of a substantial number of additional self-help housing units should be funded for the Pine Ridge Reservation.

### 4. Department of Agriculture

#### (a) Land Acquisition Enterprise

The Tribe established in 1959 a Land Acquisition Enterprise for the purpose of acquiring interests in land within the Pine Ridge Reservation for the



use and improvement of the economic standing of the Tribe. Tribal land has been pledged to the Enterprise, and land has been purchased for the Enterprise with Tribal funds with the proceeds of loans of \$4 million from the Farmers Home Administration. The Enterprise now generates a substantial surplus of income, and the Tribe has applied for an additional \$3 million loan from the Farmers Home Administration with which it intends to purchase additional land.

Approval of the \$3 million loan from the Farmers Home Administration should be expedited to enable the Tribe to stabilize its land base through the purchase of additional land within the Reservation.

(b) Conversion to Agricultural Production

Most of the Tribe's general income is derived from leasing its land for grazing purposes. This land generates income of approximately \$1.30 per acre. The amount of income produced by tribal land could be increased substantially if the land were used instead for agricultural purposes. Some 300,000 acres of tribal land has been identified as being capable of supporting agricultural production, and the Tribe would like to initiate steps to convert its grazing units into agricultural land. Current and projected world food demand suggests that this would be a highly profitable enterprise for the Tribe. However, to successfully convert its land to agricultural use, technical assistance and financial assistance will be necessary.

A program to convert grazing land on the Reservation to farm use should be immediately funded.

5. Department of Transportation

(a) Rural Bus Demonstration Project

Most of the residents of the Reservation live in widely scattered villages. Since there is no public transportation system on the Reservation, residents must rely on private vehicles for transportation. Many must pay as

much as \$20 to hire a private vehicle to travel to Pine Ridge Village where tribal and Bureau offices, the hospital and most retail establishments are located. The Tribe wishes to develop an efficient, though limited, system of bus transportation on the Reservation to connect the residents of the Reservation's outlying areas with the essential goods and services and employment opportunities available at Pine Ridge Village.

The Rural Bus Demonstration Project application that is being submitted by the Tribe to the Department of Transportation to enable the Tribe to establish a tribal bus system should be funded.

(b) Secondary Road and Street Improvement

Approximately 25 miles of secondary roads in each district of the Reservation are in need of improvement. In addition, sidewalks, curbs, gutters and pavement are needed in Pine Ridge Village.

Road and Street improvement programs should be funded through the Federal Highway Administration or the Economic Development Administration.

6. Department of Health, Education and Welfare

(a) Intensify and Coordinate Ongoing Education and Indian Health Service Programs.

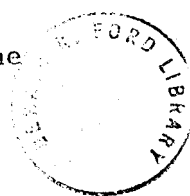
For example, the schedule for construction of schools on the Reservation should be accelerated. General support through the Office of Native American Programs should be increased.

(b) Home for the Elderly

Funds should be provided to maintain and operate the home for the elderly on the Pine Ridge Reservation.

(c) Child Day Care Center

A child day care center is needed in Pine Ridge Village. A facility to provide full-time day care should be built. Since it may be possible to utilize some of the facilities in the home for the elderly, it is suggested that



the day care center be build in the vicinity of the home for the elderly. In addition, this would permit contact with the children for those persons in the home who so desire.

Funds' will be needed to construct, maintain and operate the child day care facility.

7. Department of Justice - Law Enforcement Assistance Administrator

Construction of the correctional facility in Pine Ridge and the Police substations in the various villages should be expedited.

8. Department of Interior - Bureau of Indian Affairs

Existing support programs should be extended and expanded, particularly support for the project now under way to develop and implement a centralized and fiscal management system for the Tribe.



THE PINE RIDGE REDEVELOPMENT PLAN  
GOVERNMENTAL & ECONOMIC CENTRALIZATION

A new Tribal Government facility should be developed to better serve the entire reservation population governmentally and economically.

The present location of Pine Ridge as the seat of tribal government negates many aspects of reservation development.

- The present seat feeds off the Nebraska trade centers and drains capital flow from the reservation.
- Eighty percent of all reservation job opportunities are centered around Pine Ridge and realistically available to only about 20% of the reservation population.
- Eighty percent of all salary is immediately spent, or banked and then spent, in Nebraska (all money spent on the reservation is banked off the reservation).
- There is practically no second, third, or fourth turnover of money on the reservation (as occurs in Nebraska, or other off-reservation communities).

A centralized trade location will move the money inward and encourage its use and re-use on the reservation. Private business development will encourage local expenditure in all reservation communities and will pay for additional jobs for more and more local expenditures.

EXAMPLE:	New community	- Tribal government	= 75 jobs
	" "	- Business	= 35 jobs
	" "	- Gov't Services	= <u>20 jobs</u>
			130 jobs

This, based on informal finger counting, should stand up fairly well in comparison with the similar businesses established and operating.

The construction of such a new governmental community with the surrounding business development can utilize 200 to 300 persons for more than a year, if including the government trade facilities



in all the major communities of the reservation.

All district headquarters communities need local government centers and business facilities (mini-malls).

The Oglala Sioux people badly need a tribal symbol of reservation pride and identification. Like Brazilia, the Oglala people need a new tribal government community developed to foster a sense of progress and development.

THE PINE RIDGE REDEVELOPMENT PLAN  
LANDS REACQUISITION

The reacquisition of all alienated Indian lands within the exterior boundaries of the Pine Ridge Reservation would include 1,066,000 acres at the current market value of approximately \$120 million.

- At current productivity, 640 acres of farming land can support a family of five, once placed in operation.
- At current productivity, 7,680 acres of grazing land can support a family of five, once placed in operation.
- Alienated land is 65% farmland, amounting to 692,900 acres. This should be equivalent to 1,083 farming units of 640 acres each, or 1,083 farm management jobs potential.
- Alienated land is 35% grassland, amounting to 373,000 acres. This should be equivalent to 48.58 ranching units or 7,680 each, or 49 ranching management jobs.

The solid potential then is for more than 1,100 agribusiness management jobs, with more than 2,000 potential submanagement jobs.

This does not count the private sector agribusiness jobs that can become available or be developed concurrent with the other development of the private sector on the reservation.

It is proposed that a twenty-year plan be developed for Indian land reacquisition for the Pine Ridge Indian Reservation.

The politically-beneficial effect to this program would be the diminishment of the State's jurisdiction drive -- to further alienate Indian lands for eventual termination of trust relationship between the Federal government and Indian tribes.

THE PINE RIDGE REDEVELOPMENT PLAN  
LAW ENFORCEMENT

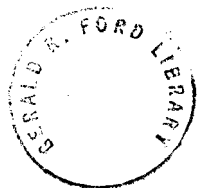
Law enforcement should ideally be controlled in the local community being served, whether on a community, district, or reservation basis.

It is proposed that some \$500,000 of the present law enforcement budget be utilized to develop an overall tribal reservation basis. Each district will select policemen for employment and be able to dictate the termination of policemen's services if performance or conduct is not satisfactory.

The BIA will use the remainder of the budget to maintain a mobile police force similar in function and performance ability to state patrol forces. This force will serve the village of Pine Ridge and will also patrol all reservation main roads in a pattern making them available to reinforce local district policemen when needed.

The tribe will also contract to maintain all detention facilities and communications.

It is anticipated that the Law Enforcement Assistance Administration (LEAA) will be needed to initially equip the tribal forces with cruisers, communications and other equipment, and paraphenalia.



THE PINE RIDGE REDEVELOPMENT PLAN  
TRANSPORTATION

Transportation development on the Pine Ridge Reservation has heretofore meant generally developing the necessary surface arterials needed to serve the reservation and its economic growth at a schedule about ten years behind other county and state entities of similar need.

A change of priority will be necessary only in making a new governmental center optimally accessible to all areas of the reservation. This will include 45 miles of road not previously planned for, at a probable cost of \$2,700,000.

Pine Ridge has the first class runway (concrete surface of 5,400 and 3,600 ft. lengths) needed to accomodate commuter and air taxi planes up to the size of a business jet. However, there are no locally based planes nor service facilities available. FAA approved facilities must be developed, both to provide a vital transportation link with regional airports at Rapid City, Pierre, South Dakota, and Chadron, Nebraska.

In addition, ther is a need for air ambulance service and air freighting services.

To complement the developed airport at Pine Ridge, stabilized turf airstrips should be built at or near the district communities on the reservation.

THE PINE RIDGE REDEVELOPMENT PLAN  
ECONOMIC DEVELOPMENT

We have had the cart before the horse these many years in attempting to develop industry on the Pine Ridge Reservation as a means of bettering the lives of our people. We have brought in a number of industries, putting people on payrolls to receive money which they promptly spend off the reservation because we lacked the private business sector to use and hold the money on the reservation.

By and large, we have been content to permit the original non-Indian entrepreneur to continue to dominate this area of the economy. The non-Indian entrepreneurs, their families, and non-Indian friends and relatives have also held the majority of the jobs in this area of the economy. The same has largely been true in the farming and agribusiness areas.

By aggressively entering their area of economic development, developing new businesses on the reservation, and gaining Indian ownership of these businesses, we can move to develop and stabilize our overall economy. This means more jobs for the people now jobless or underemployed. It means that money stays in the community longer to pay for additional jobs.

When we have developed conditions for the local economy to grow, then we have better conditions for real, not transient, industrialization. Furthermore, it will take place in the districts where there has been little exposure to full true employment opportunities.



THE PINE RIDGE REDEVELOPMENT PLAN  
HOUSING

Considering that minimal housing needs are less than 50% met at this time, continual amelioration of the need will be an important part of the new Tribal government community. Both low rent and home ownership types of projects should be incorporated; but the latter would take on more importance as these would appeal to the sense of responsibility we are seeking to foster in creating both permanent job situations and the permanent job holder to fill the jobs.

While designing homes toward an attractive model community, social and pride in ownership factors must also be addressed. Low rent homes should be as attractive and desirable as the owned home. Disadvantages of the "cluster" low rent HUD homes should be designed out with more land space and sense of privacy designed in. This can be accomplished mostly by using one to two acres ranchettes with all homes permanently fenced. This would encourage the private utilization of the surrounding space for gardens, horses, poultry raising, fruit trees, etc.

Homes that become the pride of the owners or users also become respected by others. When this catches on, then emulation and competition develops. This becomes the corner stone of the real stable community.

Then, of course, it takes a job or stable source of income to maintain the home -- another direction toward a desirable end.

THE PINE RIDGE REDEVELOPMENT PLAN

SUMMARY

In the final analysis we do not believe that the growing population of the Oglala Sioux Tribe will be amenable to consider options other than reservation life until the tribal resource is fully available to tribal members and used by them.

By that time, through the process of education and individual growth, plus the element of satisfaction gained through tribal participation, our people will have acquired the basis for exercising true options: To leave for better opportunities, or to stay and compete for what is available.

When this happens, the Federal Government will have no need for relocation programs to cities and urban areas; or for other designs to get Indians into the "mainstream."



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THE WHITE HOUSE  
WASHINGTON

9/21-22

Wingspread

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Chino  
Tonsket



October 1, 1976

Dear Mr. Brokstein:

This is in response to your letter to the President concerning the problems of American Indians.

I assure you that the President is very seriously concerned with the welfare of the Native Americans, and has been very actively involved in efforts to improve their situation. In November, 1975 he met with Chief Fools Crow and eight other traditional chiefs of the Oglala Sioux Tribe from the Pine Ridge Reservation in South Dakota. The nine chiefs met for approximately four hours with White House Staff members and representatives of the Justice Department and the American Arbitration Association, in a review and discussion of the economic and social conditions on Pine Ridge.

On June 8, 1976, Dr. Theodore Marrs, Special Assistant to the President for Human Resources, met for three hours with Chief Frank Fools Crow; Mr. Albert W. Trimble, the elected President of the Oglala Sioux Tribe on Pine Ridge; Mr. Morris Thompson, Commissioner of Indian Services, Department of the Interior; and representatives of the Justice Department, and the Departments of Labor, HUD and HEW; members of the National Congress of American Indians and the National Tribal Chairman's Association.

On July 16, 1976, the President spoke to a delegation of 242 national Indian leaders, including representatives of the Oglala Sioux Tribe. Prior to that they met with representatives of the Department of the Interior, HEW, Labor, HUD, Commerce, Justice, and the White House Staff. All of the national Indian associations were represented at this meeting.

I enclose a copy of the President's remarks at the July 16 meeting. He has asked me to succeed Dr. Marrs and has now sent the memorandum to the Cabinet to which he referred.

In view of your own warm interest in Indian affairs, I think you would like to know that since a landmark Special Presidential Message of July, 1970, we have made many changes in government policies and programs to assist Native Americans.



We restored the Blue Lake lands to the Taos Pueblo, restored Mt. Adams to the Yakima Reservation and fully supported the Congressional action to undo the unwise termination of the Menominees in 1961, restoring their lands to protected Reservation status. We proposed and persuaded Congress to pass the Alaska Native Claims Act, confirming Alaska Native title to 40,000,000 acres there and providing for a billion dollars in payments to them, half of this to come out of oil revenues. At Pyramid Lake, for fishing in the Pacific Northwest and in several important tax cases, we went to court with vigorous briefs protecting and defending Indian natural resources rights. Under the new Indian Self-Determination Act which we proposed 6 years ago, we are turning over the governing of Indian schools, hospitals and similar functions to Indian Tribal governments themselves -- at the pace Indian Tribal leaders desire. HEW, Agriculture, Justice, Commerce and HUD are among the government agencies which have special new Indian offices working directly with Indian tribes and people. The money the Bureau of Indian Affairs spends on Indians has gone from \$261.8 million in FY 1969 to \$763.9 million in FY 1977 -- a 300% increase. This acceleration is not exceptional, but typical of the other agencies' Indian budgets over the same period of years. The brand new Navajo Community College (government funded, with Navajo Tribal help) opened its doors three years ago. If you should ever be near Albuquerque I hope you will visit the new Southwest Indian Polytechnic Institute on its handsome 164 acre campus; we built it in 1971.

Of course there is more to be done, but at last we are moving in the right direction, with the President's firm support.

Thank you again for writing the President and for letting him know of your own convictions.

Cordially,

Bradley H. Patterson, Jr.

Mr. William Brokstein  
721 35th, NW.  
Canton, Ohio 44720

Enclosure

BHP:bmr  
BHP-1