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RE: Problems of American Indians

THE WHITE HOUSE

WASHINGTON

August 27, 1976

Dear /s/

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.



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Enclosure

(Rec. 8/27/76)

BHP:/s/
BHP-1

RE: Statement by the P to American Indian leaders

THE WHITE HOUSE

WASHINGTON

, 1976

Dear /s/

Thank you for your letter to the President expressing concern about his jurisdictional statement to American Indian leaders on July 16. It has been erroneously reported that President Ford supports legislation to give tribal governments criminal and civil jurisdiction over all people living on Indian reservations. This is inaccurate. The President does not support legislation to alter the present legal status of non-Indians residing within reservation boundaries.

In his statement to Indian leaders on July 16, President Ford indicated that he supported the concept of allowing certain Indian tribes (those which have been subject to State civil and criminal jurisdiction under provisions of Public Law 83-280 and related statutes) to decide by tribal resolution whether they wish to continue under State jurisdiction or return to Federal jurisdictional status. This resolution is subject to the approval or disapproval of the Secretary of the Interior under a clear set of reasonable guidelines.

Under this concept, a tribe by itself could initiate a request to the Secretary of the Interior for a return to Federal jurisdictional status. In reaching his decision on this request, the Secretary of the Interior would be required to consult with the U.S. Attorney General and with the governors of the appropriate States. Application would be limited to tribes in States which have exercised jurisdiction under P.L. 83-280 and related statutes.

The Departments of Justice and Interior are drafting legislation on this subject, and the Administration has asked the governors of 31 States for their views on the draft legislation. It is the President's



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intention to continue consultations on the draft and to expand those consultations to include a wide range of interested groups, including representatives of non-Indians residing within reservation boundaries.

Sincerely,

Bradley H. Patterson, Jr.

/s/
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BHP:/s/



BHP-3

THE WHITE HOUSE
WASHINGTON

Dear :

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.



