

The original documents are located in Box 4, folder “Namen Case” of the Bradley H. Patterson Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE
WASHINGTON

September 29

Bobbie -

Briefs in Opposition to
the petition for cert in Namen
are due to the Supreme Court October 6.

At that point, the papers
are circulated to the Justices.

Jerry thinks that any US
amicus brief should be in that
initial package to have proper impact.

Anxious to have PB clearance
on my memo.

*Should handle
by phone - JF
Ready by 10/20/7.*



MEMORANDUM FOR THE SOLICITOR GENERAL

Subject: The Namen Case (Sup. Ct. No. 76-185)

In my capacity as charged by the President in his Memorandum to the Cabinet of August 26, 1976 (copy attached), I have ~~EXAMINED~~ reviewed the letter of September 22, 1976 from the Solititob of the Department of the Interior to Assistant Attorney General Peter Taft. This letter asks the Department of Justice to support the Salish/Kootenai tribe's petition for a writ of certiorari in the above case.

The facts of the case, the issues of law therein, and the consequences for Indian trust rights of the 9th Circuit's decision, if not reversed by the Supreme Court, lead me ~~EXZEXEX~~ respectfully to suggest to you the United States that ~~we~~ should indeed support the petition.

This suggestion is reinforced by the position the White hHouse and the Departments of Justice and Interior have well and consistently taken for the past six years: that as the trustee for Indian natural resources rights, the United States consequent has the ~~EXZEXEX~~ special obligation to speak up to defend these rights..

I would be glad to meet with you to discuss this question, although ~~XXX~~ Solicitor Austin's letter and Mr. Baenen's brief together form a ~~very~~ competent laying out of these issues.

This memorandum has the concurrence of the Counsel to the President.

BHPjr

cc: Mr. Austin
Mr. Taft



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THE WHITE HOUSE

WASHINGTON

August 26, 1976

MEMORANDUM FOR: The Secretary of the Treasury
The Secretary of Defense
The Attorney General
The Secretary of the Interior
The Secretary of Agriculture
The Secretary of Commerce
The Secretary of Labor
The Secretary of Health, Education, and Welfare
The Secretary of Housing and Urban Development
The Secretary of Transportation
The Director, Office of Management and Budget
The Chairman, Civil Service Commission
The Administrator of General Services
The Administrator, Small Business Administration
The Administrator of Veterans Affairs
The Director, Community Services Administration
The Administrator, Environmental Protection Agency
The Acting Chairman, Equal Employment Opportunity Commission
The Governor, Farm Credit Administration

I am today designating Bradley H. Patterson, Jr., of the White House Office to assist me in the area of American Indian affairs. It will be Mr. Patterson's specific responsibility to work with each of you to improve the coordination among the Federal agencies with programs that serve the Indian people.

It is important that you insure the effective delivery and efficient operation of Federal Indian programs and services. I request that priority attention be given to coordination of these efforts among the Departments and Agencies and within the Executive Office of the President.

In addition, I request you continue to insure that when Federal actions are planned which affect Indian communities, the responsible Indian leaders are consulted in the planning process.

Arnold R. Ford