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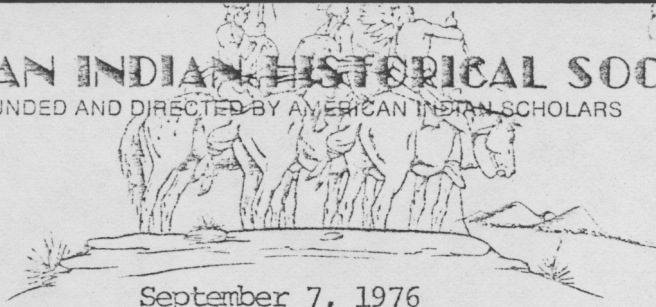
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AMERICAN INDIAN HISTORICAL SOCIETY

FOUNDED AND DIRECTED BY AMERICAN INDIAN SCHOLARS

The Chautauqua House,
1451 Masonic Avenue

San Francisco, Ca. 94117
Telephone (415) 626-5235



September 7, 1976

President Gerald Ford
The White House
Washington, D.C.

Dear Mr. President:

This Society is an Honor society, with representation from every tribe in the United States, active for more than twenty years in Indian affairs. We publish a newspaper, Wassaja; a quarterly periodical, The Indian Historian, and a children's magazine, The Weewish Tree, in addition to many books.

By the very nature of our society, we operate quietly, but have a great influence upon grass roots Indian opinion.

A front page spread is being prepared in our newspaper for the ~~October issue~~, concerning the forthcoming elections, reaching more than 100,000 readers including Indians and their friends.

We earnestly request you to respond to the enclosed questions, to reveal your position on issues of critical importance to the Indian people. Your response should reach us at the latest by the end of September.

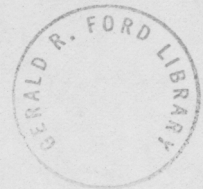
Indian affairs has been a critical issue in every administration, for two hundred years. It will not go away, and it promises to become even more critical in the coming four years. This is due mainly because of the energy situation and the demand for Indian resources from their reservations. While there are something more than one million Indians today, our influence is very great, as can be seen from events during the past five years.

We urge you to respond.

Yours cordially,

A handwritten signature in cursive script that reads "Rupert Costo". The signature is written in dark ink and is positioned above the typed name.

Rupert Costo, a Cahuilla man
President



TO: President Gerald Ford
RE: Position on American Indian Affairs

1. Do you favor the creation of a cabinet-level Department of Indian Affairs?
2. You have proposed the consolidation of health care programs. How would this affect the Indian Health Service?
3. You have stated your opposition to termination of the federal-Indian trustee relationship. Does this mean you will support the Retrocession Bill, which makes it possible for Indians to remove state and local authority over reservations?
4. You have stressed the need for this nation to achieve energy independence. This can be accomplished, you state, by eliminating the strict regulations over coal and energy companies. You have upheld this position by vetoing two strip-mining bills that would have required preservation of the environment. The following questions now arise:
 - a) 1: What is your administration's position concerning possible conflicts of interest arising from the need of coal companies for water and Indian water rights?
 - b) 2: Do you envision a conflict of interest with the Interior Secretary promoting increased energy production on one hand and maintaining his legal responsibility to protect Indian rights?
 - c) 3: What is your opinion of the Council of Energy Resources Tribes?
5. You have proposed the establishment of another Hoover Commission to examine the structure of the federal government. Can you be more specific about the goals of such a commission? Would zero-based budgeting be considered by this commission?
6. What is your position on S.1 (Criminal Justice Codification Revision and Reform Act), which contains provisions depriving Indians of rights?
7. In a press conference you said the budget for fiscal year 1977 would "cut roughly \$28 billion out." Where would this money be cut, and more specifically, would you attempt to save money by curbing government funds for Indians through program cutbacks, termination, reorganization, such as is expressed in the Borgstrom memo of OMB?
8. Jimmy Carter has called for the doubling of the Comprehensive Education Training Act (CETA). What is your position on the future of CETA programs?
9. What program does your administration have to reduce the present 30 to 65 percent unemployment rate on reservations?
10. What is your position on the future of programs funded through the Bureau of Indian Affairs? Do you favor turning over programs affecting Indians to state and local governments, as the Borgstrom memo suggests?

11. Do you envision an increase in government funding for educational programs for Indians? A decrease?

12. Republican administrations, beginning with the statement by Richard Nixon in 1970, have exposed the conflict of interest existing between the Department of Interior and the Department of Justice, in relation to the trustee responsibility of the United States to the Indians. These two governmental agencies act as adversaries in Indian court cases (such as water rights) in protecting the big landowners, oil and mining companies, while they are bound by treaties and federal responsibility to faithfully and relentlessly protect Indian treaties. How would you resolve this conflict?

Our newspaper, Wassaja, has a circulation of 80,000. We are preparing a front page article concerning the forthcoming elections, and urge you to send your response before the end of September.

1. Basic-level Department of Indian Affairs

I would keep an open mind about such a proposal. If, but only if, the vast majority of the Indian community and the responsible national Indian organizations (like the NTCA ~~and~~ the NCAI and others) ~~(which of course would mean altering the location of BIA)~~ speak with one voice in favor of such an idea, I would give it sympathetic consideration. Such an agency should not belong in the Executive Office of the President nor should it be administered by other than an Administrator or a Secretary reporting, as do all the others, directly to the President. also What I would want to see from the Indian community is an agreed position about which elements of the current Indian service offices would be combined into the proposed new agency. (The Congress of course will have the last word as to the creation of a new federal agency.)

2. Effect of Consolidation of ~~XXXXXX~~ Health Care programs on the Indian Health Service

My consolidation proposal does not affect the Indian Health Service, except that Indian ~~XXXXXX~~ the ~~XXXXXX~~ funds of the National Institute on Alcohol ~~and~~ Abuse and Alcoholism would in fact be transferred into the Indian Health Service.

3. A Retrocession Bill

Before supporting the specific language of any retrocession bill, I wish to have further consultation take place on the difficult and sensitive jurisdiction issue with the NCAI (which will be discussing this matter at its Salt Lake City Convention), with NTCA and with other concerned groups such as governors, county officials and private citizens. All American citizens, Indians and non-Indians alike must be provided with ~~guaranteed~~ effective law-enforcement and court systems and must be guaranteed the rights vouchsafed to them in the United States Constitution.

4. Energy Questions

(a) Coal companies and Indian Water Rights

Indian trust rights, including water rights, ~~are~~ have been vigorously asserted and defended in such cases as Pyramid Lake and US v Washington. If coal companies need Indian water, they should negotiate to lease or buy those rights, and Indian people should ~~XXXXXXXXXX~~ make their own decisions about those negotiations, benefitting financially (if they choose) from any leases or purchases.

(b) Conflicts of Interest within Interior

I envisage no conflicts which cannot be settled through administrative, legislative or court action -- and in any of these actions I shall continue to ensure that the voice of the Federal Government as trustee for Indian ~~XXXXXXXXXX~~ natural resources rights, will be clearly asserted. I continue to hope that the Congress will ~~enact~~ enact the measure creating an Indian Trust Counsel Authority.

(c) The Council of Energy Resources Tribes

I would wish to ensure that all affected tribes, including those in the Council, are consulted prior to ^(federal) any actions which affect their interests.

5. Government restructuring

Insofar as ~~XXXXXXXXXX~~ any reorganization affecting Indian affairs is concerned, I would want most of all to have the prior views of Indian tribes and the national Indian organizations. I would not favor any zero-based budgeting applications which would imply a terminationist philosophy. ~~XXXX~~ the termination idea is dead and will not be resurrected under any Administration of mine.

Position on S-1

The original S-1 provisions of course have been changed in response to concerns expressed by tribes. ~~With respect even to the~~ The August, 1975 ~~EXXXXXXXXXX~~ version of S-1 contains some parts affecting jurisdiction and, as my answer to the ~~qzzz~~ retrocession question, above, indicated, I desire to have further consultations take place before ~~a~~ deciding on what jurisdiction language to support in the Congress

7. "Curbing Government Funds for Indians"

The record of the Republican administration ~~XXXXXXXXXXXXXXXXXXXX~~ for Indian programs is right here for all to see: ~~XXXXXXXXXX~~ since FY 1969 BIA funds up almost 300% ~~(to \$764 millions)~~ Indian Health budget up almost 400% ~~(to \$125.6 millions)~~ Commerce's EDA up 160% ~~(to \$27.7 million AS)~~ Labor's ~~EXXA~~ CETA funds up (since 1973) up 433% to \$75 millions. I am not going to turn downward towards termination and no officer of my ~~XXXXXXXXXX~~ Executive Branch has any intention of doing so either.

8. Future of CETA

I believe the CETA Act is an excellent example of the shift of decision-making responsibility away from the Washington bureaucracy and into responsible, elected local bodies, including Indian Tribal Councils. I will support continuation and improvement of the CETA program for Indian manpower training.

9. ~~XXXXXXXXXXXXXXXXXXXX~~ Severe Indian Unemployment
just

Under regulations and guidelines ~~XXXXXXXXXXXXXXXXXXXX~~ promulgated by the Department of Commerce for the new Public Works Act, ~~Indian~~ 70% of the funds are reserved for projects where there is a local unemployment rate ~~in~~ in excess of the national rate. Indian

Reservations will clearly qualify for ~~YXX~~ this priority category. The CETA ^{Indian} program itself is ~~also~~ ^(also) targeted at ~~XXXXXX~~ Reservations of greatest need and CETA funds are now going to 157 Indian prime sponsors.

10. BIA Funds to State and Local Governments

~~XXXXXXXXXXXX~~ I do not favor changing the route of any ~~current~~ BIA funds. Such funds now go almost entirely to tribes and tribal organizations and that is their proper ~~destination~~ destination. No one in my Executive Branch is ~~even~~ suggesting anything else and the "memo" to which the question refers makes no such recommendations. What I support particularly strongly is the Indian Self-Determination Act (which I signed in January of 1975 and) (and renies) for more and more of BIA and Indian Health functions to be contracted to tribes directly.

11. Money for Indian Education

The Office of Education's monies for Indian Education have risen from \$18 millions in FY 1973 to \$42 millions today. I will continue ~~XXXXXXXXXX~~ my record of strong support for the education of Indian children and for giving ~~XXXXXXXXXX~~ themselves tribes and ~~XXXXXXXXXX~~ Indian parents more say in how this education money is used.

12. Interior and Justice as "adversaries in Indian Court cases"

Contrary to the implication in the question, the Departments of Interior and Justice in the last several years have been in the forefront ~~to~~ to defend and protect Indian trust rights in Court. They have won landmark victories in such ~~cases~~ well-known cases as McClanahan, Washington, Mancari, Mazurke, Bryan and Stevens and are arguing forcefully in such pending cases as Pyramid Lake. ~~XXXXXXXXXX~~ ^{second} In my administration they will continue to assert and defend Indian natural resources rights. (one of the) ~~best~~ best ways to resolve any conflicts is for the Congress to enact the Indian Trust Counsel Authority which we proposed six years ago.

ACTION REQUESTED

September 19, 1976

MEMORANDUM FOR: BRAD PATTERSON
FROM: FRED SLIGHT *FWS*
SUBJECT: Article Request

The President has been requested to submit his views on issues concerning American Indians for publication in the American Indian Historical Society's newspaper, the Wassaja (attached at Tab A).

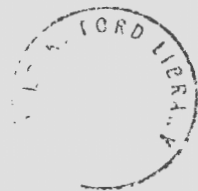
As many of the concerns expressed in the Society's questions were answered in the article attached at Tab B entitled "President Ford's Policies for American Indian People," I would like your opinion as to the appropriateness of sending this article to the Society in lieu of a personalized article response.

If you concur with sending the attached article, I would also appreciate your advice as to what other Presidential statements, speeches or messages might be included for the Society's use.

As the deadline for the Society's publication is the end of September, I would appreciate your comments by c.o.b. Wednesday, September 22.

Thank you for your continuing assistance.

Attachments



THE WHITE HOUSE
WASHINGTON

September 21, 1976

MEMORANDUM FOR: FRED SLIGHT
FROM: BRADLEY PATTERSON, JR.



With respect to your note of yesterday, I believe we should respond to the Wassaja invitation, but do not think that the generalized piece we did for the Association of American Indian Affairs will do the trick here. I think we should take a crack at answers to the specific questions which Wassaja has put to us.

So I have done this in a draft which is attached.

Please circulate it (together with the questions) for clearances and invite any readers to discuss the draft with me so we can shape it up quickly. Please include Mrs. Kilberg on your list for clearance on this one.

I am sending it to you in rough draft form, partly to save time.



September 21, 1976

MEMORANDUM FOR: FRED SLIGHT
FROM: BRADLEY PATTERSON, JR.

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