

**The original documents are located in Box 19, folder “Indians - General” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.**

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*Indian  
wars*

Monday 3/17/75

7:05 Dr. Marrs said he has been keeping Phil Areeda informed about his "Indian wars" -- and is asking who he should discuss them with now that Mr. Areeda will no longer be here.

*Red Hills*



May 19, 1975

*Baroody,  
Bill*

MEMORANDUM FOR: BILL BAROODY

FROM: PHILIP BUCHEN

SUBJECT: Indian Coordinating  
Group

In response to your memo of May 13, you may indicate my support for establishment of an Interdepartmental Task Force on Indian affairs.



THE WHITE HOUSE

WASHINGTON

August 11, 1976

*Indians #  
see Reu Appts.  
Patterson*

MEMORANDUM FOR: JIM CONNOR  
THROUGH: PHIL BUCHEN *P.*  
FROM: BOBBIE GREENE KILBERG *Bobbie*  
SUBJECT: Barody Memo re Appointment  
of Brad Patterson

Brad Patterson would do an excellent job as the White House liaison with the American Indian community, and I would strongly support Bill Barody's recommendation.

First paragraph of Presidential memorandum: When Art Quern and I were considering language for a Presidential memorandum to Department and Agency Heads, Art preferred utilizing the words "to encourage the improved coordination"; rather than the more activist wording of "to improve the coordination". (See paragraph 1 of Presidential memorandum.) Art is out of town until Thursday, and you may specifically want to check the wording with him.

Attachment



Date: August 9, 1976

Time:

FOR ACTION:

cc (for information):

Phil Buchen  
 Jim Cannon  
 Bob Hartmann

FROM THE STAFF SECRETARY

DUE: Date: Wednesday, Aug. 11

Time: 11 A.M.

SUBJECT:

Baroody memo dated August 4, 1976 re  
 appointment of Brad Patterson to work with  
 Indian leaders

## ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Jim Connor  
 For the President

THE WHITE HOUSE  
WASHINGTON

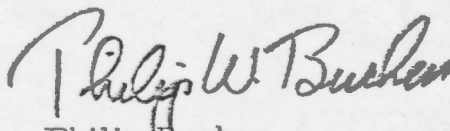
Dear Mr. Anderson:

President Ford has asked me to thank you for your letter of August 6 urging that he accept the invitation of Mr. Robert E. Davis and become an honorary member of the Improved Order of Red Men.

After careful consideration, however, the President has reluctantly concluded that it will not be possible for him to accept Mr. Davis' invitation. He deeply appreciates the gracious gesture and your own personal interest as a long-time member of the organization, and wants you to know that only the requirements of a firm policy to limit participation in all organizations during his term of office prevent him from accepting the invitation.

You may be sure you and your fellow Red Men brothers have the President's gratitude for your thoughtfulness as well as his warm good wishes for the future.

Sincerely,



Philip Buchen  
Counsel to the President

The Honorable Glenn A. Anderson  
House of Representatives  
Washington, D. C. 20515



*Indians sent 16  
Dudley*

August 18, 1975

Dear Mr. Anderson:

Thank you for your August 6 letter to the President concerning the desire of the Improved Order of Red Men to make him a member of the Organization.

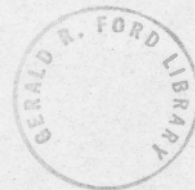
As you noted in your letter, the original request was made in a letter to Mr. Don Rumsfeld from Mr. Robert E. Davis. I was pleased to check into the status of Mr. Davis' letter and I have been advised that this thoughtful offer is under review. Please be assured that I shall make certain that the President learns of your interest in his acceptance of this honorary membership.

With kind regards,

Sincerely,

Vernon C. Loen  
Deputy Assistant  
to the President

The Honorable Glenn A. Anderson  
House of Representatives  
Washington, D.C. 20515



~~bcc:~~ w/incoming to Philip Buchen for further handling (as per telecon with Shirley this date)  
bcc: w/incoming to Warren Rustand - FYI

VCL:EF:VO:vo

GLENN M. ANDERSON  
22D DISTRICT, CALIFORNIA

1230 HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
TELEPHONE: (202) 225-6476

DISTRICT OFFICES:  
255 WEST FIFTH STREET  
SAN PEDRO, CALIFORNIA 90731  
TELEPHONE: (213) 548-2531

300 LONG BEACH BOULEVARD  
(P.O. Box 2349)  
LONG BEACH, CALIFORNIA 90801  
TELEPHONE: (213) 432-1141

*Group interview  
to confer honorary  
membership  
Pres July 1976*

# Congress of the United States

## House of Representatives

Washington, D.C. 20515

COMMITTEES:

PUBLIC WORKS AND  
TRANSPORTATION

- CHAIRMAN, AVIATION SUBCOMMITTEE
- MEMBER, SURFACE TRANSPORTATION SUBCOMMITTEE
- MEMBER, WATER RESOURCES SUBCOMMITTEE

MERCHANT MARINE AND  
FISHERIES

- MEMBER, FISHERIES AND WILDLIFE CONSERVATION AND THE ENVIRONMENT SUBCOMMITTEE
- MEMBER, MERCHANT MARINE SUBCOMMITTEE
- MEMBER, OCEANOGRAPHY SUBCOMMITTEE

August 6, 1975

The Honorable Gerald R. Ford  
The White House  
Washington, D.C. 20500

Dear Mr. President:

This is in reference to a letter of July 31, 1975, addressed to Mr. Donald Rumsfeld of your staff, from Robert E. Davis, Great Chief of Records, Great Council of the United States Improved Order of Red Men, P. O. Box 683, Waco, Texas 76703, informing him that their national officers have voted to make you an honorary member of their organization.

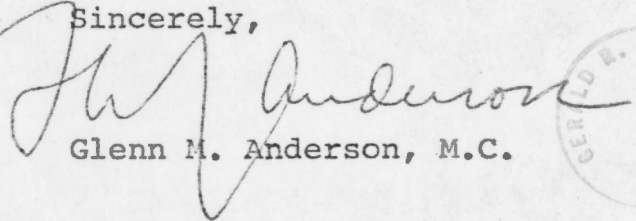
They would like to confer an honorary membership on you as part of their observation of the Bicentennial, and they have further indicated that the six national officers would come to the White House at your convenience.

I realize that you must receive many requests, and that your time is limited, but I also know that your acceptance would mean a great deal to the Membership of the Order of Red Men, an organization of which I have been proud to be a member for many years.

The Order of Red Men is a patriotic fraternity chartered by Congress, and is the oldest fraternal organization of purely American origin, having long been recognized as one of the leading patriotic societies in this Country.

Your acceptance of the Order of Red Men's invitation would be appreciated.

Sincerely,

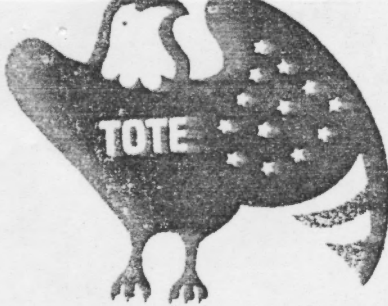


Glenn M. Anderson, M.C.

GMA/whp







Great Council of the United States  
Improved Order of Red Men

Robert E. Davis  
Great Chief of Records  
P. O. Box 683  
Waco, Texas 76703

July 31, 1975

Mr. Donald Rumsfeld  
% White House  
Washington, D. C. 20500

Dear Mr. Rumsfeld:

I am writing to you as national secretary of the Improved Order of Red Men, a national fraternal organization with members in twenty six states. I am enclosing a brochure that gives more in detail the history and precepts of our order. As you can see we are the oldest fraternal organization of purely American origin and have long been recognized as one of the leading patriotic societies in this Country.

We are chartered by a special act of Congress and participate in various programs at Freedoms Foundation at Valley Forge, also we have an annual ceremony of laying a wreath at the Tomb of the Unknown Soldier in Arlington, Virginia.

The reason for this letter is that our national officers have voted to make President Ford an honorary member of our organization. We have had Presidents Theodore Roosevelt, Warren G. Harding, Calvin Coolidge and Franklin D. Roosevelt as members of our Order. We would like to confer an honorary membership on President Ford as part of our observance of the Bicentennial, and also because we firmly believe that the President stands for the great principles that founded this Country and upon which our organization is built.

The ceremony would not take long (about fifteen minutes) and the six national officers could come to the White House at the convenience of the President. The adoption ceremony, to make the President an honorary member, is brief and would only be attended by our six national officers. The President would be presented with a gold life membership card and a beautiful ceremonial headdress. Our national officers are listed below.

Clifford E. Forrest, Sr., Great Inchoonee  
24 Titus Crt. Apt. C  
Rochester, New York 14617

Gary John Sontag, Great Senior Sagamore  
P. O. Box 8717  
Columbus, Ohio 43215



Letter to: M. Russell July 11, 1976  
Thomas J. Vollano, Great Junior Sagamore  
818 Edgewood Ave.  
New Haven, Connecticut 06515

Burton R. Davis, Great Prophet  
5937 E. Greenfield Ave.  
Indianapolis, Indiana 46219

Robert E. Davis, Great Chief of Records  
P. O. Box 683  
Waco, Texas 76703

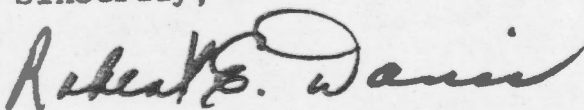
Robert L. Shaffer, Great Keeper of Wampum  
RD #2 Box 53  
Hummelstown, Pennsylvania 17036

We would like the ceremony sometime prior to July 1976. I know that the President gets many requests such as this and his time is very limited, but this would mean a great deal to our entire membership and I know the President would be proud to be a member of an organization that has truly always stood for "Freedom, Friendship and Charity," as well as advocating the principles of American democracy since 1765.

Knowing of your closeness to the President as one of his key advisors I sincerely hope you will give this request your most serious consideration. Please feel free, if you need more information about the Improved Order of Red Men, to check with Freedom's Foundation, Save the Children's Federation or our official history is in the Library of Congress. If you have any other questions please let me know.

Hoping to hear from you soon.

Sincerely,



Robert E. Davis  
Great Chief of Records  
GCUS

RED/1a

cc: John Tower  
Glen Anderson

Dear Brother Anderson:

Anything that you can do to help us accomplish this would be greatly appreciated by our entire Board of Great Chiefs.



THE WHITE HOUSE

WASHINGTON

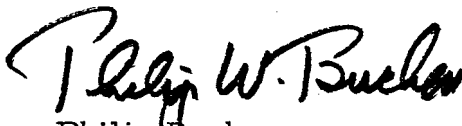
Dear Mr. Davis:

President Ford has asked me to thank you for your kindness in inviting him to become an honorary member of the Improved Order of Red Men.

After careful consideration, however, the President has reluctantly concluded that it will not be possible for him to accept your invitation. He deeply appreciates your gracious gesture, and only the requirements of a firm policy to limit participation in all organizations during his term of office prevent him from accepting the invitation.

The President wanted you to know of his gratitude for your thoughtfulness, and he asked that I convey his warm good wishes to you and your fellow Red Men brothers.

Sincerely,

  
Philip Buchen  
Counsel to the President

Mr. Robert E. Davis  
Great Chief of Records  
Great Council of the United States  
Improved Order of Red Men  
Post Office Box 683  
Waco, Texas 76703



August 26, 1975

*Judith*  
Davis  
Robert E.

Dear Mr. Davis:

Thank you for your July 31 letter concerning your interest in conferring on President Ford next year an honorary membership in the Improved Order of Red Men.

Your comments have been brought to the attention of Mr. Philip Buchen, Counsel to the President, for appropriate action relating to your request, as well as to members of the White House staff who have responsibility for coordinating functions in the bicentennial year. You will be contacted by a White House staff official when a decision can be made.

Sincerely,

Donald Rumsfeld  
Assistant to the President

Mr. Robert E. Davis  
Great Chief of Records  
Great Council of the United States  
Improved Order of Red Men  
Post Office Box 683  
Waco, Texas 76703

DR:ND:nch

bcc w/incoming to attn. ~~to~~ Philip Buchen & Sandy Drake

*for action*



Great Council of the United States  
Improved Order of Red Men

Robert E. Davis  
Great Chief of Records  
P. O. Box 683  
Waco, Texas 76703

July 31, 1975

Mr. Donald Rumsfeld  
% White House  
Washington, D. C. 20500

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818 Edgewood Ave.  
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Robert E. Davis, Great Chief of Records  
P. O. Box 683  
Waco, Texas 76703

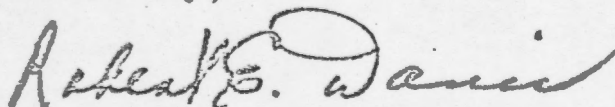
Robert L. Shaffer, Great Keeper of Wampum  
RD #2 Box 53  
Hummelstown, Pennsylvania 17036

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Knowing of your closeness to the President as one of his key advisors I sincerely hope you will give this request your most serious consideration. Please feel free, if you need more information about the Improved Order of Red Men, to check with Freedoms Foundation, Save the Childrens Federation or our official history is in the Library of Congress. If you have any other questions please let me know.

Hoping to hear from you soon.

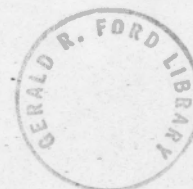
Sincerely,



Robert E. Davis  
Great Chief of Records  
GCUS

RED/la

cc: John Tower  
Glen Anderson



*Indians*

THE WHITE HOUSE  
WASHINGTON

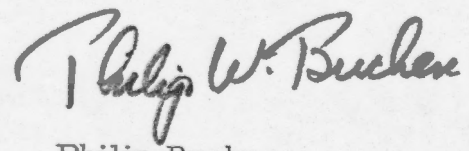
Dear Mr. Poage:

Thank you for your letter of September 3 supporting the invitation of Mr. Robert E. Davis for the President to become an honorary member of the Improved Order of Red Men.

After careful consideration, the President has reluctantly concluded that it will not be possible for him to accept Mr. Davis' invitation. He deeply appreciates the thoughtfulness which this gracious gesture represents, however, and wants you to know that only the requirements of a firm policy to limit participation in all organizations during his term of office prevent him from accepting the invitation.

You and the Improved Order of the Red Men have the President's gratitude and his warm good wishes for the future.

Sincerely,



Philip Buchen  
Counsel to the President

The Honorable W. R. Poage  
House of Representatives  
Washington, D. C. 20515



W. R. POAGE  
CONGRESSMAN  
11TH TEXAS DISTRICT

VICE CHAIRMAN  
COMMITTEE ON AGRICULTURE

MR. C. DAYLE HENINGTON  
ASSISTANT FOR  
CONGRESSIONAL AFFAIRS

MR. CHARLES E. BLAKE  
ASSISTANT FOR  
DISTRICT DEVELOPMENT

*Indians*

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

September 3, 1975

STAFF

WASHINGTON OFFICE  
2107 RAYBURN BUILDING  
PHONE (202) 225-6105

MISS RUTH LAIR  
MRS. C. H. PATTIE  
MRS. CHLOE GLASS  
MISS MATTIE MCKEE

TEXAS OFFICE  
205 FEDERAL BUILDING, WACO  
PHONE (817) 752-7271

MISS KATHERINE HOLSTEAD  
MR. JOHN A. HASTINGS, JR.

FILE REFERENCE:

Mr. Philip Buchen  
Counsel to the President  
The White House  
Washington, D.C. 20500

Dear Mr. Buchen:

I am told that the oldest patriotic fraternal organization in the United States is the Improved Order of Red Men and that George Washington, Samuel Adams, Thomas Jefferson and John Hancock were all members, as well as Theodore Roosevelt, Warren G. Harding, and Franklin D. Roosevelt.

The national headquarters of this organization are in Waco, Texas, and the Great Chief of Records (Secretary) is Mr. Robert E. Davis of Waco. Mr. Davis is my personal friend. He is an outstanding businessman in our city. He tells me that the Order wants to bestow an honorary membership on President Ford and that the national officers would come to Washington to do this at any time it was convenient to the President. I understand they can confer this membership in ten minutes time.

Naturally, I would hope that the President could find an opportunity to accept this degree; but, my major purpose in writing to you is to acquaint you with the Order and to let you know that it is, indeed, a legitimate and patriotic organization; and that the President's acceptance would seem to be a very appropriate part of our Bicentennial Celebration.

Thanking you, I am

Yours sincerely,

*W. R. Poage*  
W. R. Poage, Congressman



WRP:g

Thinking that it might be helpful to your understanding of the Red Men, I am enclosing a little fact sheet about the Order.

WRP

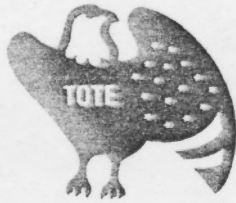
Enclosure



WHAT EVERY AMERICAN  
SHOULD KNOW ABOUT

**THE ORDER**  
**OF**  
**RED MEN**





# WHO ARE THE RED MEN?

The Order of Red Men is a National Fraternal Organization that believes in...

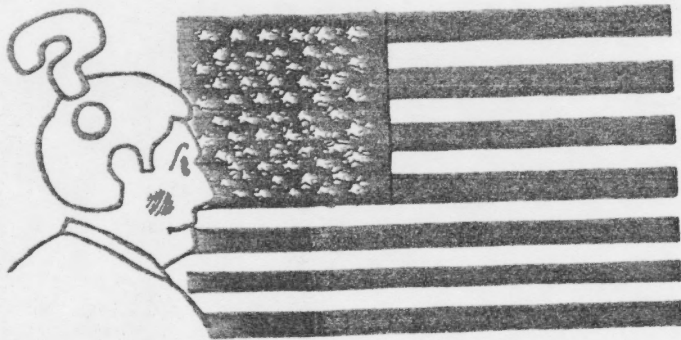
- ★ Love and Respect of the American Flag...
- ★ Preserving our Nation by defending and upholding the principle of free Government...
- ★ America and the democratic way of life...
- ★ Preserving the traditions and history of this great Country...
- ★ Creating and inspiring a greater love for the United States of America...
- ★ Helping our fellowmen through organized charitable programs;
- ★ Linking our members together in a common bond of Brotherhood and Friendship;
- ★ Perpetuating the beautiful legends and traditions of a vanishing race and the keeping alive of its customs ceremonies, and philosophies.

---

Legally, The Order of Red Men is a Patriotic Fraternity Chartered by Congress. It is a Non-Profit Organization devoted to Inspiring a greater love for the United States of America and the principles of American Liberty.

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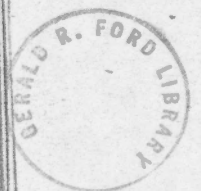




## WHY THE NAME RED MEN?

The Fraternity was founded in 1765 and was originally known as the Sons of Liberty. These patriots concealed their identities and worked "underground" to help establish freedom and liberty in the Early Colonies. They patterned themselves after the great Iroquois Indian nation and its democratic governing body. Their system with elected representatives to governing tribal councils had been in existence for several centuries.

After the American Revolution the name was changed to The Order of Red Men. They kept the customs and terminology of the Indians as a basic part of the Fraternity. Some of the words and terms may sound strange, but they soon become a familiar part of the language for every member. The Masons are similar to the Order of Red Men in that they have patterned their rituals and work after the Ancient Masonic Craftsman.





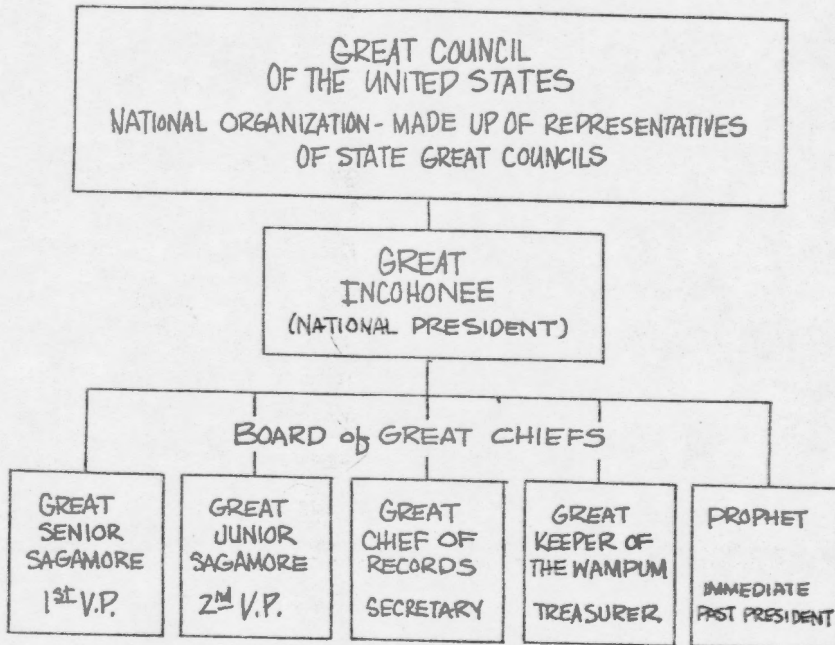
## SOME WORDS YOU WILL HEAR AND WHAT THEY MEAN

- Paleface - Non-Member
- Tribe - Local Lodge
- Wigwam - Meeting Place
- Sachem - President or head of Lodge
- Senior Sagamore - 1<sup>st</sup> Vice-President
- Junior Sagamore - 2<sup>nd</sup> Vice-President
- Chief of Records - Secretary
- Keeper of Wampum - Treasurer
- Wampum - Money
- Great Council - State Organization
- Kindling the Council Fire - Opening a Meeting
- Quenching the Council Fire - Closing a Meeting
- Raising Up of Chiefs - Installing Officers
- Great Council of United States - National Organization
- Great Inchoonee - National President
- Hunting Grounds - Location of Wigwam
- Reservation - Territory area which state has jurisdiction
- Great Spirit - God
- Ponemah - Heaven
- Twigging - To Vote



# THE RED MEN ORGANIZATION

## NATIONAL ORGANIZATION



The Board of Great Chiefs is elected from the Past State Great Sachems who are representatives to the Great Council of the United States.

## STATE ORGANIZATION

The State Organization is set up like the National Organization, with a State Great Council and a State Chief as President. The Board of Chiefs are elected from Past Chiefs of Local Tribes.

## LOCAL ORGANIZATION

The Local Organization is set up like the National and State Organizations. The Local Organization is called a Tribe. The Sachem presides with a board of Officers with similar duties as the state and national organizations.



# WHAT PROJECTS AND PROGRAMS DO RED MEN HAVE ACROSS THE NATION?

AID-American Indian Development; National charity to provide health care and education for Indian children.

FLAG RECOGNITION PROGRAM - A program to honor those patriotic Americans who display the flag regularly.

FAITH OF OUR FATHERS CHAPEL - Chapel erected at Freedom Foundation, Valley Forge, Pennsylvania to memorialize the ideals and principles of our founding fathers.

ANNUAL PILGRIMAGE TO FAITH OF OUR FATHERS CHAPEL - Annual meeting to renew and strengthen our beliefs in the American Way of Life.

BRILLE PRESS - Financial support to aid and promote books for the blind.

RETARDED CHILDREN'S PROGRAM - Support of various projects and programs of the Association of the Retarded, including the Special Olympics.





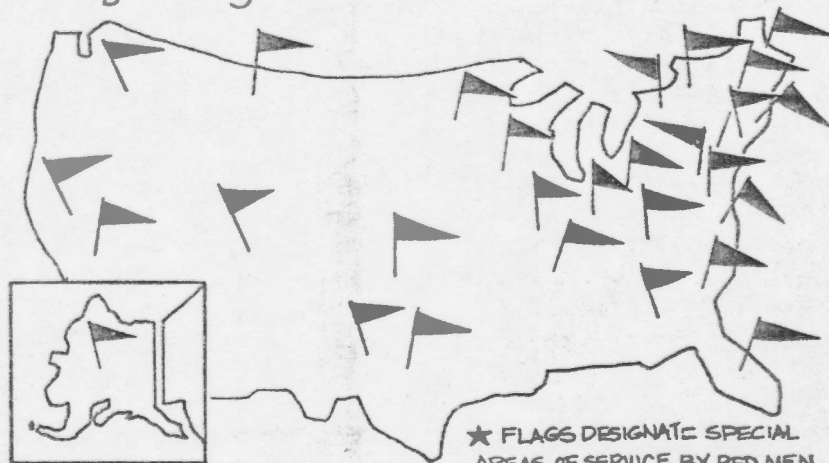
ALL-AMERICAN CONFERENCE - Financial support to this organization whose primary goal is to combat Communism, by promoting Americanism.

INDIAN AFFAIRS PROJECT - This program furnishes food, clothing and other needed articles to Indian Reservations for distribution.

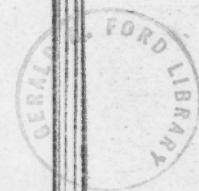
RED MEN'S DAY AT ARLINGTON NATIONAL CEMETARY - Annual ceremony to honor our unknown soldiers and all brave Americans who have fallen in battle to protect our Freedom.

RED MEN'S WEEK - Week of December 16<sup>th</sup> designated as National Red Men's Week, commemorating Boston Tea Party in 1773.

HIGHWAY SAFETY PROGRAM - A national program to promote safe driving.



★ FLAGS DESIGNATE SPECIAL AREAS OF SERVICE BY RED MEN



# WHAT IS THE HISTORY

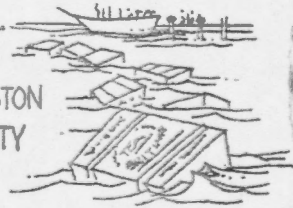
①



The Order of Red Men traces its origin to certain secret Patriotic Societies founded before the American Revolution. They were established to promote Liberty and to defy the tyranny of the English Crown. Among the early groups were: The Sons of Liberty, Sons of Tamina and the Red Men.

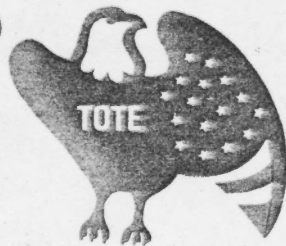
②

THE BOSTON  
TEA PARTY



On December 16, 1773 a group of men, all members of the Sons of Liberty, met in Boston to protest the tax on tea imposed by England. When their protest went unheeded, they disguised themselves as Mohawk Indians, proceeded to Boston harbor and dumped overboard 342 chests of English tea.

⑤



For the next 35 years each group went its own way, under many different names. In 1813, at historic Fort Mifflin, near Philadelphia, several of these groups came together and formed one organization known as the Society of Red Men.

⑥



At Baltimore, Maryland, in 1847, the various local tribes came together and formed a national organization called the Grand Council of the United States.



# OF THE RED MEN?



③

During the Revolutionary War, members of secret societies quenched their council fires and took up muskets to join with the Continental

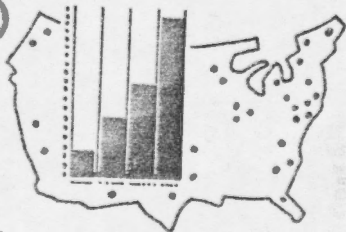
Army. To the cause of Freedom and Liberty, they pledged their lives, their fortunes and sacred honors. At the end of the hard-fought war, the American Republic was born and was soon acknowledged among the Nations of the world.

④



Following the Revolution the various secret societies founded before and during the conflict continued in existence as brotherhoods or fraternities.

⑦



With the formation of a national organization the Order of Red Men soon spread, and within 30 years there were State Great Councils in 21 states with a membership over 150,000. The Order continued to grow and by 1920, tribes in 46 states totaled membership over one half million.



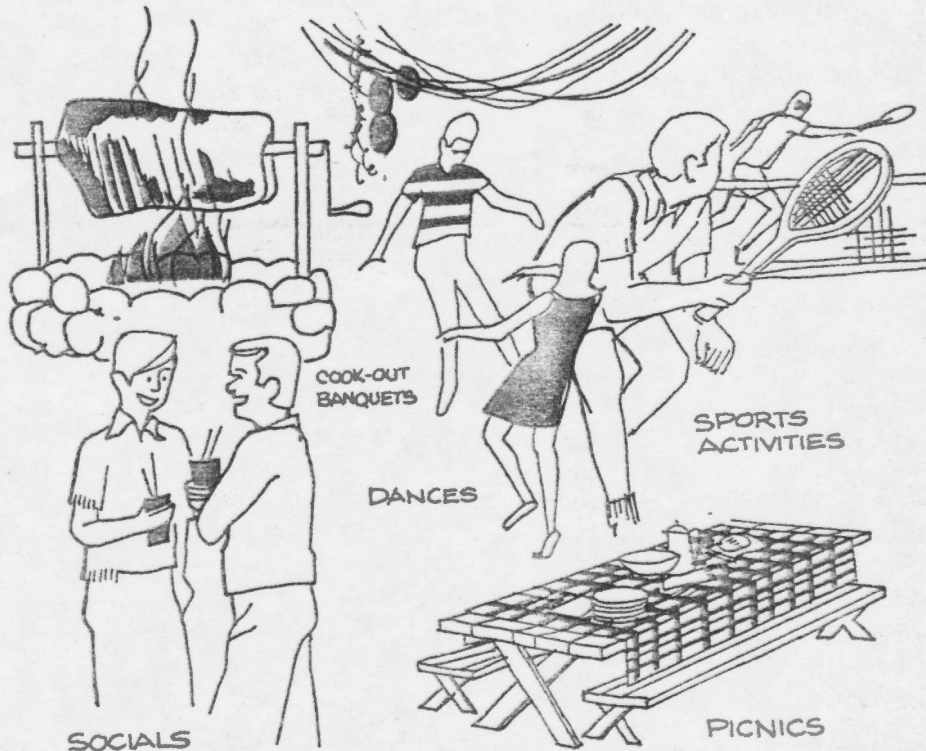
Today the Order of Red Men continues to offer all Patriotic Americans an organization that is pledged to the high ideals of Freedom, Friendship and Charity. The same ideals on which the American Nation was founded. By belonging to this proud and historic organization you can demonstrate your desire to continue the battle started at Lexington and Concord to promote Freedom and protect the American Way of Life.



# RED MEN HAVE FUN, TOO!



Each Red Man tribe has a full schedule of Social Events...





## QUESTIONS OFTEN ASKED ABOUT RED MEN

- Q: How do I become a Member?  
A: Contact a local tribe or member who will provide you with an application blank.
- Q: What if there is no tribe in my town?  
A: Contact the National Office, P.O. Box 683, Waco, Texas 76703
- Q: Is it expensive to join?  
A: No - The initiation fee and annual dues vary with the individual tribes laws and the facilities that are offered.
- Q: Is the Adoption (initiation) Ceremony difficult or embarrassing to go through?  
A: No - this ceremony symbolizes the precepts of our order. It is done in good taste and is beautiful to behold.
- Q: Must I memorize a large amount of unwritten or secret work?  
A: No - You will be required to know the Password and the secret signs of the Order, both of which may be learned in only a few minutes.
- Q: Will I be required to wear Indian dress to the meetings?  
A: No - The only time the Indian Regalia is worn is during the Adoption degree. Occasionally the tribal officers may wear the Indian costume at various public affairs, but this is done with discretion.



"QUESTIONS", continued

Q: Do you have to be an Indian to belong?

A: No.

Q: How is the Order of Red Men associated with the Indians?

A: Only through its national charity which aids Indian children. The only other association we have is through our customs, terminology, and ritualism, which is patterned after early American Indians. For example, the Masons take their teaching and work from the history of the Ancient Masonic craft.

Q: What are the primary purposes and beliefs of the Order?

A: The Motto, or precepts, of the Order are Freedom, Friendship and Charity.

FREEDOM - We endeavor to preserve and uphold the American Way of Life and its guarantee of Liberty. Freedom has been the hope and aim of the oppressed of every land. It is now the proud boast of every American. We dedicate our lives to its maintenance.

FRIENDSHIP - Is the binding link and the unswerving loyalty of one to another, which makes sweet and lasting the relations that one member bears to another.

CHARITY - Is giving with an open hand and willing heart in time of need, assistance to the weak or unfortunate and is measured not by wealth but by moral worth. Charity exemplifies the Brotherhood of Man.

Q: What do you do at your meetings?

A: Our meetings are conducted much the same as any organization. Aside from our ritualistic opening and closing, the regular business of the tribe is conducted. Various projects are planned and discussed and regular programs are presented. Social affairs are apart from these.



# PROMINENT AMERICANS WHO HAVE BELONGED TO THE ORDER OF RED MEN

---

- ★ George Washington
- ★ Samuel Adams
- ★ Thomas Jefferson
- ★ Patrick Henry
- ★ John Hancock
- ★ Thomas Paine
- ★ Paul Revere
- ★ Theodore Roosevelt
- ★ Warren G. Harding
- ★ Franklin D. Roosevelt

★ And Many Other Prominent Citizens

---

“I am confident that in the final analysis we shall find that the stability of our government depends not so much on our armies and navies, though they may be vastly important, but rather, we must depend upon the Brotherhood of Humanity as represented by the great force of fraternity. The fraternal societies are one of the greatest powers for good government and the protection of the home that we have in this country. The government will endure just as long as we protect the great interests represented by our fraternal societies.”

- Theodore Roosevelt



# RED MEN

## AFFILIATED ORGANIZATIONS

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### DEGREE OF POCAHONTAS

The Degree of Pocahontas is the women's auxiliary of the Order of Red Men. The first Council of this degree began in 1887 in Philadelphia, Pennsylvania.



This order seeks the affiliation of women who are willing to endeavor to promote the principles of our country and the American Way of Life.

Americanism is its Keynote and Loyalty to our country is its watchword. This Order is active in charitable and patriotic causes, and provides fraternal care for its members. As a Social and Beneficial Order, the Degree of Pocahontas is an equal with the best Fraternal orders in the United States.



## DEGREE OF HIAWATHA



This is a junior tribe composed of boys 8 years and older and is dedicated to inspiring young American boys with the love of Country and Good Citizenship.

Each junior tribe conducts itself according to the Indian customs and democratic principles. Each boy learns to appreciate the virtues of unity, freedom, strength, peace, charity, loyalty, friendship, patriotism and tolerance.

## DEGREE OF ANONA



This is a junior council for girls and is the training degree for good citizenship and patriotism. Here they learn how to organize themselves and provide social service to people in need and develop lasting patterns of friendship and responsibility.

---



# How Do I Become A Member?

Contact any member of any tribe of Red Men for an Application, or—

## CONTACT:



NATIONAL OFFICE • P.O. Box 683 • WACO, TEXAS 76703





*Indians*

THE WHITE HOUSE  
WASHINGTON

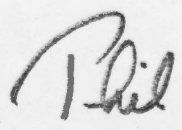
Dear Senator Tower:

President Ford has asked me to thank you for your letter of September 3 forwarding a letter from Mr. Robert E. Davis who has invited the President to become an honorary member of the Improved Order of Red Men.

After careful consideration, however, the President has reluctantly concluded that it will not be possible for him to accept Mr. Davis' invitation. He deeply appreciates the gracious gesture and wants you to know that only the requirements of a firm policy to limit participation in all organizations during his term of office prevent him from accepting the invitation.

The President is grateful for your interest and the thoughtfulness of the Order of Red Men and asked that I extend his warm good wishes.

Sincerely,



Philip Buchen  
Counsel to the President

The Honorable John Tower  
United States Senate  
Washington, D. C. 20510



SEP 12 1975

September 4, 1975

Dear Senator:

Thank you for your recent letter on behalf of Mr. Robert E. Davis who wishes to bestow the Improved Order of Red Men upon the President.

I have referred your letter and a copy of Mr. Davis' letter to the appropriate White House office and you may be certain that his request will be given careful and thoughtful consideration.

With best wishes,

Sincerely,

Patrick E. O'Donnell  
Special Assistant  
to the President

The Honorable John Tower  
United States Senate  
Washington, D. C. 20510



bcc:w/incoming to Dr. Theodore Marrs for further action please ✓  
POD:pd

JOHN TOWER  
TEXAS

COMMITTEES:  
ARMED SERVICES  
BANKING, HOUSING AND  
URBAN AFFAIRS  
JOINT COMMITTEE ON  
DEFENSE PRODUCTION

# United States Senate

WASHINGTON, D.C. 20510

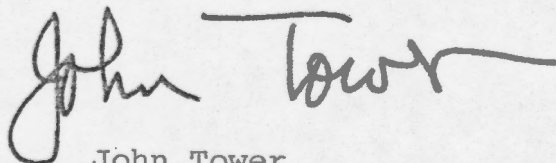
September 3, 1975

Mr. Patrick E. O'Donnell  
Special Assistant for Legislative Affairs  
The White House  
Washington, D.C.

Dear Mr. O'Donnell:

I have just received the enclosed letter from Mr. Robert E. Davis of Waco, Texas. Since I am always interested in trying to extend all possible and proper assistance to my constituents, I will appreciate your consideration of this request.

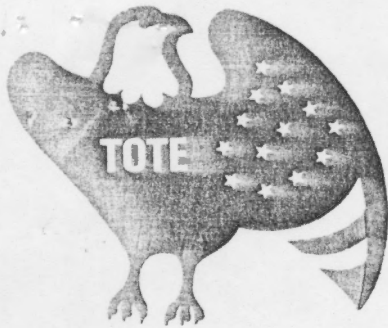
Sincerely yours,



John Tower

JT/lj





*Letter*

Great Council of the United States  
Improved Order of Red Men

Robert E. Davis  
Great Chief of Records  
P. O. Box 683  
Waco, Texas 76703

*Pat O'Hanlon*

August 29, 1975

The Honorable John G. Tower  
United States Senate  
Washington, D. C. 20510

Dear Sir:

Enclosed you will find a copy of a letter, received today, from Mr. Donald Rumsfeld, Assistant to the President, regarding our early request that we be allowed to make the President an honorary member of the Improved Order of Red Men, as one of our bicentennial projects.

Any follow up you or your Staff could do, in talking with Mr. Buchen, or other members of the White House Staff would be greatly appreciated by me and other members of our organization.

We feel that it would be very appropriate to have the nation's oldest patriotic fraternity to confer an honorary membership on the President of the United States during the bicentennial year.

Again, thank you for your past efforts in our behalf and your continued assistance will be greatly appreciated.

Sincerely yours,

*Robert E. Davis*

Robert E. Davis  
Great Chief of Records, GCUS

RED/la

cc: Forrest  
Sontag  
Davis  
Vollano  
Shaffer



THE WHITE HOUSE  
WASHINGTON  
August 26, 1975



Dear Mr. Davis:

Thank you for your July 31 letter concerning your interest in conferring on President Ford next year an honorary membership in the Improved Order of Red Men.

Your comments have been brought to the attention of Mr. Philip Buchen, Counsel to the President, for appropriate action relating to your request, as well as to members of the White House staff who have responsibility for coordinating functions in the bicentennial year. You will be contacted by a White House staff official when a decision can be made.

Sincerely,

Donald Rumsfeld  
Assistant to the President

Mr. Robert E. Davis  
Great Chief of Records  
Great Council of the United States  
Improved Order of Red Men  
Post Office Box 683  
Waco, Texas 76703



THE WHITE HOUSE  
WASHINGTON

Tell Bobbie that I  
agree with her  
recommendation.

P.



THE WHITE HOUSE

WASHINGTON

September 7, 1976

MEMORANDUM FOR: PHIL BUCHEN *Bowie*  
FROM: BOBBIE GREENE KILBERG  
SUBJECT: Presidential Treaty  
Review Commission

Attached is a memorandum which Brad Patterson drafted. He would like you to sign and send it to him. It basically asks Brad to get specific details from the Ogala Sioux Traditionalists on the scope and authority, etc. of their proposed Presidential Treaty Review Commission. My recommendation is that you do not sign this memorandum, but I did promise Brad that I would pass it on to you for your personal decision. Ken has reviewed the memo and agrees that it should not be signed.

A certain segment of the Native American community has been advocating the establishment of a Presidential Treaty Review Commission. No one in the Executive branch of the government with whom I have spoken is positive about the establishment of such a Commission. Also, on a number of occasions, I have asked its Indian advocates to define the specific scope and authority of a Treaty Commission. In response, I have gotten generalized statements but no tangible specifics.

I have recommended to Brad that he send a memorandum to the Ogala Sioux Traditionalists under his signature rejecting the request for a Treaty Commission. Brad opposes this at this time because he believes that both Indian and non-Indian (e.g., Marlon Brando) activists would use such a memorandum as an indication that the President is insensitive to the needs of Native Americans. Brad recommends the attached memo as a delaying tactic. In my opinion, you should not sign



this memo (1) because the Counsel's Office already has asked for the specific information on a number of occasions and has not received it; and (2) a Buchen memo also would be used by some of the activists in a negative way, allowing them to charge that it is precisely a delaying tactic being used for political reasons.

If Brad thinks that a negative response to a Treaty Commission should be delayed, I recommend that he delay verbally. We also could try to shift this whole issue to Interior but that also will generate criticism since the Indian activist community considers it a treaty issue and thus "Presidential".

Brad is meeting with a delegation of Ogala Sioux Traditionalists on September 10.





THE WHITE HOUSE

WASHINGTON

September 1

Bobbie -

Bad Wound called me yesterday and I told him about my designation. He and his group are coming to town on the 9th and 10th and insist on seeing me on the 10th.

For obvious reasons, I need this kind of a memo in hand, signed by Phil. Equipped with it, I may be able to get the information we all need, or at least fend off the subject for a while rather than give them an out-and-out negative. But it's gotta come from Phil and sound a little officious -- like the attached draft. Can you do the rest?

*Paul*



Subject: A Possible Presidential Treaty Review Commission

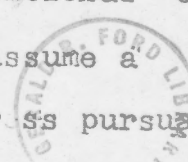
I am familiar with reports from the meetings which Dr. Ted Marrs, Mrs. Kilberg and you have had with the Traditional Chiefs and Headmen of the Oglala Nation of the Teton Sioux, here in Washington and at Harper's Ferry. I am aware, through the attachment to Mr. Larry Red Shirt's letter to you of June 14, 1976, that the Chiefs and Headmen want a Presidential answer to their request: that he "approve and support the concept of the Presidential Treaty Review Commission." ~~\_\_\_\_\_~~

~~\_\_\_\_\_~~ As Counsel to the President, and since this is a matter involving Treaties, claims and the law, I would have to participate with you in any advice to the President.

As you know, the President would not make any decision on such a subject without having very specific details in front of him about the precise functions of such a Commission, its authority, responsibilities, membership, funding, reporting deadline and its procedures for holding sessions. These would have to be very clear and be put in writing. Would it, for example, review Indian treaties generally or be limited to the 1868 Fort Laramie Treaty? In either case, what <sup>would</sup> ~~will~~ 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 ~~the~~ Task Force 1 of the American Indian Policy Review Commission, which <sup>(currently)</sup> ~~is~~ 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, 1975, are any specifics of this sort.

I understand that you have already informed the Traditional Chiefs at Harper's Ferry that a Treaty Review Commission could not assume a treaty-negotiating role, since that is proscribed by Congress pursuant



to 25 USC 71.

With respect to the implementation, specifically, of the Treaty of Fort Laramie of 1868, I understand that you have called to the attention of the Traditional Chiefs and Headmen the letter to them from the Assistant to the President of January 8, 1974. This letter and its detailed attachment answered a series of fifteen questions which the Chiefs propounded about the 1868 Treaty -- pointing out that the United States has "never disclaimed or declared invalid the 1868 Treaty as a whole" -- but that "portions have been modified, revoked, superceded or satisfied" -- in most cases by the Congress.

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 Black Hills case.

In view of these facts, I am left quite unclear as to what the functions of a Presidential Treaty Review Commission would be that have not already been handled in law or in past correspondence. You and I know that the President will require much more specific information -- in advance -- before he would even consider the subject.

I understand that you are meeting with some of the Traditional Chiefs on September 10. Please endeavour to find out from them -- and be given in writing -- the detailed information about their proposed Presidential Treaty Review Commission which the President -- and before that, you and I -- must have.

Philip W. Buchen  
Counsel to the President



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



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 diligently to have the 1868 Fort Laramie Treaty presented to an international Forum i.e. United Nations -- Possibly the World Court.



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

Ernest 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

Michael J. Coffey Witness

William H. Mayan Witness

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Charles Red Cloud

Charles Red Cloud

Milo Yellow Hair Witness

Wm 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



SIR:

At a series of meetings which were held on the following date  
Rapid City, South Dakota. February 26-27-28-1976, the following ac  
was taken by the Lakota Treaty Council revelant to the so-called B  
Hills Claims case.

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

"BY 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  
above named Indian Nations.

This action is being taken in utmost good faith on the part of  
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



BAD WOUND *[Signature]*  
A HEADMAN OF THE OGLALA LAKOTA NATION

*[Signature]*  
CHIEF FRANK POOLS CROW  
OGLALA LAKOTA NATION

*[Signature]*  
MATHEW H KING - NOBLE RED MAN  
CHAIRMAN OF THE INTERNATIONAL  
INDIAN TREATY COUNCIL

cc: H. Rowley  
American Arbitration  
Association

Cong. Ron Dellums  
and the Black Caucus

All signatory Indian  
Nation to the 1868 Ft.  
Laramie Treaty.



THE WHITE HOUSE

WASHINGTON

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 23, 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  
Ryle, South Dakota



THE WHITE HOUSE  
WASHINGTON

May 19, 1975

MEMORANDUM FOR: BILL BAROODY

FROM: PHILIP BUCHEN *T.W.B.*

SUBJECT: Indian Coordinating  
Group

In response to your memo of May 13, you may indicate my support for establishment of an Interdepartmental Task Force on Indian affairs.

*Indian  
Coordinating  
Group*



THE WHITE HOUSE

WASHINGTON

May 13, 1975

MEMORANDUM FOR: PHIL BUCHEN ✓  
JIM CANNON  
JAMES LYNN  
JACK MARSH

FROM: BILL BAROODY /s/

SUBJECT: Indian Coordinating Group

Indian concerns have traditionally been brought to the White House. As you know, Ted Marrs has been handling a terrific volume of Indian matters. He has carefully studied the situation and is convinced that Presidential responsibilities in this area require a mechanism to cope with increased activity (violence, litigation, legislation, petitions, etc.).

Of equal importance are the coordination of Indian policy among the Departments and Agencies and an updating of that policy with consideration to the economic and social impacts. This body would direct focus on those critical areas.

After thorough review and discussion, the establishment of an Interdepartmental Task Force is advocated. The Indian Community and the Departments and Agencies favor this approach. Your careful review and comment on the attached paper will be appreciated.

Enclosure



THE WHITE HOUSE

WASHINGTON

May 12, 1975

ACTION

MEMORANDUM FOR: THE PRESIDENT

FROM: BILL BAROODY  
PHIL BUCHEN  
JIM CANNON  
JIM LYNN  
JACK MARSH

SUBJECT: Coordinating Group, Federal Indian Policy

I. BACKGROUND

Indian relationships to the United States Government are unique and complex. They revolve around a responsibility for resources, funds and personal well-being of what is now estimated as one million people of whom five hundred thousand are on reservations. This is based on trust, treaty, law, Presidential edict, responsibility, tradition and expectation.

Over the years, policies have varied widely and inconsistency has been the prevalent characteristic. In general, programs have been administered with little regard for Indian aspirations or participation.

In a Presidential message to the Congress in July of 1970, "self-determination without termination" became the centerpiece of Indian policy. Minus the baroque, this means responsiveness to Indian tribes which are willing and able to manage their own affairs in a given area. You have reaffirmed that policy position.

"My Administration is committed to furthering the self-determination of Indian communities without terminating



the special relationships between the Federal Government and the Indian people."

(Jan. 4, 1975, signing statement Indian Self-Determination and Education Assistance Act)

In January 1975 the Congress established, through SJ Resolution 133, an American Indian Policy Review Commission consisting of members of the House, Senate, and Indian representatives. There are no Executive Branch members. This commission is charged to develop a new national Indian policy, conduct an independent management review of BIA, issue a report, and terminate activities, no later than June 1977. This commission will, in all likelihood, be making proposals to which the Administration must be prepared to respond.

Recently, several Departments and Agencies have organized Indian desks but there is no mechanism to coordinate Federal Indian policy and consult with Indian leaders. Despite good intentions, definition and coordinated implementation of policy are lacking. Because of express need and Congressional activity, such a mechanism should be established.

## II. OPTIONS

Three options are available: A Presidential Commission on Indian Affairs, a Domestic Council Committee on Indian Affairs or a Presidential Task Force on Indian Affairs. All options would include the use of an appropriately constituted advisory council of Indian membership and all, to maintain vitality, will require the continued interest of the President and senior advisors.

### Option One: Presidential Commission

Discussion: A Commission would provide an excellent vehicle for study and research. Due to a good indication of White House interest and commitment and



inherent prestige of a Presidential Commission, it should be welcomed enthusiastically by the Indian Community. The composition and tenure of the Commission would pose difficult problems as would the definition of its mandate. The operational tendency would be to study the problem rather than be action oriented. Staff tends to proliferate and costs generally increase above those projected.

Option Two: Domestic Council Committee

Discussion: A Domestic Council Committee would be prestigious and demonstrate a clear indication of White House interest and support. With Secretarial participation, the attention factor would be considerable but experience demonstrates the absence of direct involvement. Staff needs would be more modest than a Commission and the composition of the Committee would be "in house." In late 1974, there was a rough consensus among the Departments and Agencies that such a Committee would be desirable but the Indian reaction was negative. There exists a perception that similar committees have not been particularly effective.

Option Three: Presidential Task Force

Discussion: The Indian Community favors an Inter-departmental Task Force and the proposal is in accord with current thinking of the affected departments and agencies. The composition of the Task Force would include the various Indian desks and they would be direct participants rather than point of contact. The Task Force would be action oriented with a diminished ability to pursue study and research projects. While it is a sub-cabinet group, a sufficient indication of White House interest and support could be evidenced by Presidential directive and the fact that it would be chaired by the Special Assistant to the President for Human Resources. The membership of the Task Force would have, in large measure, name identification with the Indian Community. Modest staff needs and cost would be internalized.



III. RECOMMENDATION

That you approve Option Three which provides for the establishment of a Presidential Task Force on Indian Affairs.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

It is further recommended that you announce the establishment of this Task Force at a meeting with appropriate representatives of the Indian Community present.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

*M. Bucher*

*Indians*

**JUL 22 1975**

MEMORANDUM FOR BILL BAROODY

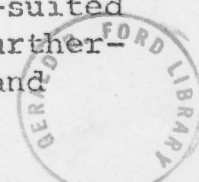
FROM: JAMES LYNN *151* *L*

SUBJECT: Indian Coordinating Group

This is in response to your memorandum of May 13, 1975, requesting review and comment on a proposed memorandum to the President on the establishment of a coordinating group on Federal Indian policy.

Since the Administration decided to propose no additional funding for the National Council on Indian Opportunity beyond June 30, 1974, a decision in which the Congress concurred, there has been a good deal of discussion in the Indian community concerning the Administration's plans for establishing an organization which would assume some of the functions the NCIO was established to perform. During 1974, Mr. Zarb actively sought the opinions of the Indian community on this subject, and I have attached for your information copies of a proposal circulated among Indian leaders for comment, correspondence received from a number of organizations, and Mr. Zarb's memorandum to Mr. Cheney summarizing his efforts.

We have a number of concerns relative to the proposed memorandum to the President which you forwarded to us. Most importantly, we believe we are not in a position to make a recommendation to the President on an organizational structure of an Indian coordinating group until its functions and objectives -- which are crucial to the form of organization that the President might select -- are spelled out in more detail. Two areas of proposed activity as noted in your memorandum -- violence and litigation -- particularly concern us, because we believe that the planning and conduct of some types of activities in these areas are especially ill-suited to a committee approach at the Presidential level. Further-  
more, a delineation of coordinating group objectives and



functions would greatly facilitate the review by Indian groups, as discussed below, of the proposed structure of advisory bodies. Finally, it just makes good sense to have a clear idea of what the group would be trying to accomplish.

In developing objectives for such a group, we believe the following criteria should be used:

- The issues addressed should be susceptible to remedial action at the Washington level. Some of the programs are very decentralized, and coordination issues are much more effectively handled at the Federal field or tribal levels.
- The issues addressed should be national in scope and Presidential in nature.
- The issues should be soluble by the individuals participating in the group. In such interagency areas, some agencies send representatives of successively declining rank, eventually reaching a point where they simply cannot speak for the agency on the issues at hand.
- Attention should not be diverted from agency efforts to resolve management issues affecting their individual programs.

Secondly, the forms and compositions of the alternatives presented to the President need to be outlined in more detail and described in terms of their relative effectiveness in achieving the proposed objectives. For example, the option recommended in the draft memorandum to the President involves a group composed of sub-cabinet officials. In order to avoid inflating the expectations of all parties, one must seriously ask the question: would such a sub-cabinet group be able to achieve solutions to Presidential-level issues and problems assigned to them? Can the problems be resolved only by Cabinet-level officials, and, if this is the case, would it be preferable for such officials to meet face-to-face on the issues rather than working through their subordinates? These are the types of questions which need to be asked once the objectives and functions of a coordinating body are developed.



Thirdly, we recognize that the major focus of comment from the Indian community on the Domestic Council Committee idea circulated by Mr. Zarb was on the proposed Indian advisory bodies. In order to maintain good working relations with all sections of the Indian community, to assure the success of an advisory mechanism, and to assure as well that we in the Executive Office follow our own guidelines for the creation of advisory bodies under the Advisory Committee Act, we believe that the same process as that described above for a coordinating group -- specification of objectives and functions followed by proposal of alternative forms -- needs to be followed preceding a recommendation to the President on the establishment of an advisory group. The following are the types of questions which need to be addressed:

- On what topics is advice being sought?
- Who is seeking the advice?
- From whom is the advice sought?
- Who should select the advisory group?
- Who will perform the required administrative tasks for the group including preparation of a charter, publication of meeting times in the Federal Register, payment of any expenses, selection of a meeting place and time, taking minutes as required by law, and the other administrative tasks?
- To whom does the Indian community assume it is providing advice? The President? Cabinet-level officials? Sub-cabinet officers? Departmental staffs?
- Does an advisory mechanism need to be tied to a coordinative mechanism? Are Indians being expected to advise on the mechanics of interagency coordination or on some broader policy issues not intended to be the foci of the coordinating group?
- Will the members be paid? If so, how much? From what appropriated funds will the required monies be derived?
- Is the advisory group to be permanent or temporary?



Finally, you will note that Mr. Zarb's memorandum to Dick Cheney mentions an assurance given Indian groups that an additional dialogue would be held with them on the subject of the advisory group. We believe that this commitment needs to be honored.

In summary, we recommend against asking the President to make a decision on either a coordinating group or an advisory group at this time. We recommend instead that the above questions and issues be addressed within the Executive Office with input from the Indian community and the affected Federal agencies. I believe you will agree that this is necessary and would be happy to discuss this further with you if you so choose.

cc:

Mr. ~~Buchen~~

Mr. Cannon

Mr. Marsh

DO. Records

DO Chron

Director

Dep. Director

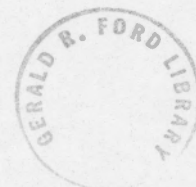
Mr. Mitchell

Mr. Crabill

NR Records/WSasaki

HBorgstrom

NRD/HGBorgstrom/ew 6-5-75



THE WHITE HOUSE  
WASHINGTON

Date

9/28

*file*

TO:

Phil Buchen

FROM:

BOBBIE GREENE KILBERG

For Your Information

For Your Comments/Recommendations

Per Your Request

Per Our Conversation

REMARKS:



THE WHITE HOUSE

WASHINGTON

September 28, 1976

MEMORANDUM FOR: JIM CANNON

FROM: BOBBIE GREENE KILBERG *Bobbie*

SUBJECT: S. 522 - Indian Health Care Improvement Act

I recommend that the President sign the Indian Health Care Improvement Act for the following reasons:

(1) S. 522 would provide Medicare and Medicaid reimbursement for Indian Health Service hospitals. HEW states that this would enable Native Americans to effectively use the Medicare and Medicaid benefits for which they are eligible.

(2) In arguing against new categorical programs, OMB states that all of the proposed program activities could be conducted under the broad flexible legislative authorities of the Snyder Act and other laws. However, in fact, many of these program activities are not being conducted under those legislative authorities, either because of a lack of Departmental or bureaucratic initiative and creativity or because of active policy opposition.

(3) The trust responsibility which the Federal government has to federally recognized tribes is unique and must be weighed very carefully before turning down programmatic legislation.

(4) It is my perception that Indian life expectancy rates are significantly lower and Indian infant mortality rates are significantly higher than the rates for the general population in the United States. Dan McGurk says that this statement cannot be borne out when one eliminates alcoholism, suicide and accident rates. Ted Marrs, however, had consistently asserted that the figures



were still substantially different from the national average even when alcoholism, suicide and accidents are not counted. Further, S. 522 would authorize new programs specifically aimed at the alcoholism, suicide and accident rates which take such a serious toll in Indian lives. According to the OMB memo, S. 522 programs would include mental health (including community and inpatient mental health services, model dormitory mental health services, therapeutic and residential treatment centers, and the training of traditional Indian practitioners in mental health) and alcoholism treatment and control.

(5) I strongly agree with Brad Patterson's statement that the physical defects in Indian health facilities are not limited to the lack of 8 foot-wide halls, as No. 4 of OMB's arguments against approval might imply. From my personal experience, I think a tour of Indian health facilities would reveal buildings and equipment in such condition as to raise serious questions about the health care and safety of patients.

(6) While S. 522 contains a significantly higher authorization than OMB believes is warranted, OMB does indicate that more realistic appropriations levels can probably be achieved through the budget process.

(7) While I agree with OMB's criticism of the urban Indian provision in S. 522, I would not recommend veto of the bill because of it.

(8) It is my understanding that Congress will override a Presidential veto and that a majority of Republican Senators and Congresspersons will vote for that override. This includes Congressman Rhodes, who has written the President requesting that he sign the bill; Senator Fannin, ranking minority member of the Senate Interior & Insular Affairs Committee; and apparently Congressman Skubitz, ranking minority member of the House Interior & Insular Affairs Committee, and Senators Dole, Goldwater, Bartlett, Domenici, Stevens and Hatfield.

(9) As a political matter, a veto of this bill will be portrayed as direct Presidential action against the improvement of health care for the Native American community, a group which the majority of people in this



country still has substantial empathy for. The fact that we have made significant progress in the area of Indian health care and are devoting substantial resources to it will be lost in the negative headlines.

cc: Phil Buchen





Date: September 25

Time: 1000am

FOR ACTION:

Patterson  
 Max Friedersdorf  
 Bobbie Kilberg  
 Robert Hartmann (veto message attached)  
 Spencer Johnson  
 Bill Seidman

cc (for information): Jack Marsh  
 Jim Connor  
 Ed Schmults  
 Dick Parsons  
 George Humphreys

FROM THE STAFF SECRETARY

DUE: Date: September 27

Time: 500pm

SUBJECT:

S. 522-Indian Health Care Improvement Act,

**ACTION REQUESTED:**

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

**REMARKS:**

please return to judy johnston, ground floor west wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

SEP 23 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 522 - Indian Health Care  
Improvement Act  
Sponsor - Sen. Jackson (D) Washington and  
24 others

Last Day for Action

October 1, 1976 - Friday

Purpose

Authorizes new categorical programs and substantially increases appropriation authorization levels for Indian Health Service programs of the Department of Health, Education, and Welfare (HEW).

Agency Recommendations

Office of Management and Budget

Disapproval (Veto  
message attached)

Department of Health, Education,  
and Welfare

Approval

Department of the Interior

Approval

Discussion

S. 522 would authorize approximately 20 new categorical programs at substantial funding levels, with the stated objective of improving the health status of Indians and Alaskan natives. The bill was considered by four different Congressional committees during this Congress. The Committees' clear intent is that the appropriation authorizations be in addition to current funding levels.

This legislation was approved in the Senate by unanimous consent and in the House by a 310-9 vote. The Senate concurred in the House-passed bill by a 78-0 vote on September 9, 1976.



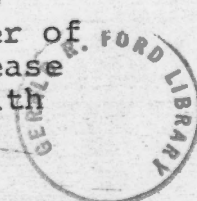
The major provisions of S. 522 would:

- establish a new program of scholarships for Indians desiring to pursue health training, as well as assistance to those serving Indians,
- authorize numerous new narrow categorical programs for the delivery of health services,
- authorize a specific program for the construction and modernization of health facilities, including water supply and waste disposal facilities,
- remove the existing prohibition against Medicare and Medicaid reimbursements to Federal Indian Health Service facilities, and
- establish a new program of services for non-federally-recognized Indians living in urban areas.

The Senate and House Interior and Insular Affairs Committees both expressed the view that S. 522 is needed because Indian and Alaska natives suffer a health status considerably below that of the general population. The Committees attribute the lower health status to inadequate and understaffed health facilities, lack of access to health services, and lack of safe water and sanitary waste disposal services. HEW, in testimony and reports to the Congress, strongly opposed enactment of the legislation, except for the extension of Medicare and Medicaid reimbursements to eligible beneficiaries in Indian Health Service facilities. HEW's position was based on marked improvement in the health status of Indians over the past decade, generally liberal funding levels for Indian health activities, and the fact that all of the proposed activities can be conducted under existing legislation. Moreover, HEW stated that the authorization levels would raise unrealistic expectations of the resources the Federal Government could afford to devote to this purpose.

#### Major provisions

Student assistance. S. 522 would authorize 5 new programs designed to increase generally the number of health professionals serving Indians and to increase specifically the number of Indians receiving health training. The programs would:



provide grants and scholarships to recruit, prepare and enroll Indians in health professions schools,

-- authorize scholarship grant recipients to be employed in the Indian Health Service (IHS) during nonacademic periods, and

-- authorize continuing education allowances to all IHS health professionals for professional consultation and refresher training courses.

These programs would be in addition to HEW's broad programs of assistance to medical students and schools under which HEW can already give priority to disadvantaged students, including Indians.

Health services and facilities. S. 522 would authorize a broad range of new programs and substantially increase the numbers of health service personnel over current levels; e.g., it would authorize an increase of 425 new personnel in 1978, 515 in 1979 and 593 in 1980--a total of 1,533. This would be in addition to the current IHS staffing level of 8,800. Programs specified in S. 522 would include patient care, field health, dental care, mental health (including community and inpatient mental health services, model dormitory mental health services, therapeutic and residential treatment centers, and the training of traditional Indian practitioners in mental health) and alcoholism treatment and control. The bill would also direct HEW to apportion at least 10% of all funds authorized for Indian health services for research in each health service area.

In addition, S. 522 would specifically authorize the construction and renovation of Indian hospitals, health centers, health stations and staff housing as well as safe water and sanitary waste disposal facilities in Indian homes and communities. The enrolled bill would make eligible for federally provided sanitation facilities certain Indian tribes currently not eligible for such assistance, e.g., the Senecas and Mohawks of New York. This provision would have the effect of expanding the eligible Indian population by approximately 7,000. Preference to Indian firms would be authorized in awarding construction and renovation contracts for IHS facilities and for the construction of clean water and sanitation facilities for Indians.



Medicare and Medicaid reimbursements. Under current law, IHS hospitals, as Federal facilities, cannot receive reimbursement from Medicare or Medicaid for either Indians or non-Indians. These facilities, however, serve as the principal health delivery system for reservation Indians. S. 522 would make them eligible for Medicare and Medicaid reimbursement as long as they meet required standards or have an acceptable plan to bring a facility into compliance within 2 years. HEW favored this provision, but opposed related provisions in S. 522 that would:

-- prohibit consideration of third-party reimbursements received by IHS in determining appropriation levels for IHS facilities, and

-- require the Federal Government to reimburse 100%--rather than 50% to 80% under current law--State Medicaid agencies which in turn reimburse IHS facilities.

The Secretary would be required to maintain a special revolving fund into which these reimbursements would be paid to be used solely for facilities improvement.

Urban Indian programs. S. 522 would authorize HEW to enter into contracts with organizations of Indians living in urban areas for the purpose of enabling the organizations to identify and assist in providing needed health services. The bill also specifies criteria HEW must consider in selecting the urban Indian organizations, contract conditions, and reporting requirements.

Other provisions. In addition, S. 522 would:

-- authorize HEW to conduct a study to determine the need for and feasibility of establishing a school of medicine to train Indian health professionals;

-- require HEW to promulgate regulations to implement the Act, to develop and submit to Congress--within eight months--a plan for implementation of the specific authorities in S. 522, and to submit annual reports to the Congress and additional reports on expenditures and recommendations for additional appropriation authorizations.



-- authorize HEW to enter into leases of up to 20 years with Indian tribes to construct health facilities. The purpose of this provision is to allow Indians to construct, staff, equip and maintain health facilities and lease them at full cost--including salaries, drugs and equipment--to the IHS. Cost for this would be in addition to the specific amounts authorized and would involve long term commitments for Federal funds.

Cost and budget impact. S. 522 would authorize a total of \$480 million for the first three years of the bill, fiscal years 1978-1980, including \$145 million for fiscal year 1978. The clear legislative intent is that the amounts authorized to be appropriated be in addition to current appropriation levels. The 1977 budget proposed \$395 million for Indian health programs, but the Interior appropriation bill for fiscal year 1977, which you approved, contains \$425 million for the IHS--a 230% increase over the 1970 appropriation of \$128 million. Even if adjusted at a liberal inflation rate of 10% per year, the increase in funding since 1970 amounts to more than 100%.

A detailed summary of the amounts authorized by S. 522 for Indian health programs is attached to this memorandum.

#### Arguments in favor of approval

1. The Congressional committees believe that S. 522 would concentrate Federal resources on meeting deficiencies in Indian health services and facilities through a sustained and coordinated effort. The Committees state that health statistics and other indicators of health status--e.g., incidence of tuberculosis, infant mortality, ratio of physicians--demonstrate the need for targeting special Federal resources on Indian health problems.

2. There are indications that the Congress believes it has met important Administration objections, e.g., the potential cost of S. 522 has been reduced from \$1.6 billion to \$481 million in response to HEW opposition (this was accomplished by reducing the number of years with specific authorization amounts from seven to three and authorizing the outyears at "such sums"). Despite the high authorizations, more realistic appropriations levels can probably be achieved through the budget process.

S. 522 has broad congressional and interest group support. It was approved by both Houses by nearly



unanimous votes and has been endorsed by several national health organizations, including the American Dental Association, the American Academy of Pediatrics and the American Medical Association.

4. Congressional proponents, Interior and HEW suggest that your approval of S. 522 would demonstrate a positive commitment to solving Indian health care problems and would signify to Indian people a recognition of one of their priority problems and a real concern for and interest in them.

5. Although S. 522 duplicates many existing HEW programs, it could be viewed as a follow-on step to other laws enacted in recent years--e.g., the Indian Financing Act, the Indian Self-Determination and Education Assistance Act, the Indian manpower component of the Comprehensive Employment and Training Act of 1973--which have been directed toward improving the economic, educational and social status of Indians.

#### Arguments against approval

1. S. 522 is a prime example of unnecessary and inappropriate Congressional enactments. The bill would add some 20 new narrow categorical programs and appropriation authorizations to an already large array of existing Federal activities aimed at improving the health of Indians. All of the proposed program activities can be conducted under the broad flexible legislative authorities of the Snyder Act and other laws. For example, Indians and non-Indians desiring to serve in reservation areas are already given special consideration under HEW's health professions and National Health Service Scholarship programs.

2. The authorization levels in S. 522 are significantly higher than warranted and raise highly unrealistic expectations of what the Federal Government can or will provide. Moreover, the cost reduction claimed by Congressional proponents of S. 522 is spurious at best, since it was achieved by substituting "such sums" language for specific authorization amounts for the last 4 years of the 7-year authorization period. Other hidden additional costs would arise from contractual arrangements and lease agreements with Indian tribes and Indian organizations. As the minority members of the House Interstate and Foreign Commerce Committee stated, "These levels are grotesque when viewed in the light of budgetary increases totaling over 200% in



the past eight years, and the definite progress in improving Indian health through priorities given to these programs over many competing demands."

3. Substantial Federal funds are already being spent on Indian health. The Administration has indicated its strong commitment to improving the health status of Indians and Alaska natives. As noted above, you have approved a 1977 level of \$425 million for the Indian Health Service, a 230% increase since 1970 which amounts to \$771 for each Indian or \$3,084 for an Indian family of four. These amounts do not include services provided to the eligible Indian population from other Federal health programs.

4. Contrary to the negative emphasis in Congressional committee reports, very substantial improvements have been made over the past several years in the health status of Indians. Dramatic reductions are apparent in such areas as Indian and infant death rates and the incidence of tuberculosis, influenza and pneumonia, gastritis and related diseases. No evidence has been developed to warrant the conclusion that a vast infusion of funds for additional and traditional health services such as proposed in S. 522 will significantly improve the health status of Indians.

To a large extent, alcoholism, suicide and accidents are a part of cultural and reservation conditions not readily amenable to traditional health and mental health services. Moreover, it is not clear that forcing IHS hospitals to comply to Joint Commission on Accreditation of Hospitals (JCAH) standards at high cost will result in improved quality of care since many of the standards JCAH applies, e.g., requiring halls to be 8 feet in width cannot be directly related to quality, particularly when the small size of IHS facilities is considered.

5. The provisions singling out non-reservation Indians living in urban areas for special health programs not only duplicate existing narrow categorical programs, e.g., community mental health centers, which provide services to all members of the community including Indians and other disadvantaged groups, but are conceptually at odds with your health block grant proposal that would give the States Federal funds and clear authority and responsibility in this area.





## Recommendations

HEW, in its attached views letter on S. 522, recommends approval, stating: "At this stage ...the Administration can only approve or disapprove the bill as a whole." Noting that S. 522 would for the first time permit Indians to effectively use Medicare and Medicaid benefits, HEW states "If Native Americans are to be fully integrated into the mainstream of the American health care system, and in particular in terms of a future national health insurance program, they must be given meaningful participation in, and develop familiarity with, the most extensive programs we have in this area to date." HEW concludes that "approval of this bill would reaffirm the Administration's real concern for and interest in Native Americans; disapproval would adversely affect the view Native Americans and others have as to the Administration's commitment to Native Americans."

Interior also recommends approval of S. 522. Interior states "...we believe it is essential that the President affirm the commitment to improved Indian health as embodied in S. 522, and which has received the overwhelming endorsement of the Indian people."

\* \* \* \* \*

We believe S. 522 is a particularly egregious example of unnecessary legislation that will result in highly unrealistic expectations among the very group it is intended to help. As pointed out previously, all of the program activities authorized by S. 522 can be accomplished under existing legislative authority.

Moreover, funding of Indian health activities has been increased substantially during the past few years and has resulted in dramatic improvements in the status of Indian health. In 1977, \$425 million will be spent by a force of over 8,800 Federal employees. No other segment of American society receives comparable Federal resources for health.

We do not find any of the arguments offered by the Congress or by the Departments of HEW or Interior sufficiently compelling to recommend approval of S. 522, particularly



in light of the special priority already given to Indian health programs. Accordingly, on the merits, we recommend that you veto S. 522 and have attached a draft veto message for your consideration.

*Paul H. O'Neill*  
Paul H. O'Neill  
Acting Director

Enclosures



S. 522--Indian Health Care Improvement Act  
(Budget Authority in \$ millions)

	Fiscal Years <sup>2/</sup>		
	<u>1978</u>	<u>1979</u>	<u>1980</u>
<u>Student assistance</u>			
Recruitment and post-secondary assistance	.9	1.5	1.8
Scholarships:			
Preparatory	.8	1.0	1.3
Health professions	5.5	6.3	7.2
Indian Health Service extern program	<u>.6</u>	<u>.8</u>	<u>1.0</u>
Subtotal	7.8	9.6	11.3
<u>Continuing professions education</u>	.1	.2	.3
<u>Health services</u>			
Patient care	-	8.5	16.2
Field health	-	3.3	5.5
Dental care	-	1.5	1.5
Mental health	-	3.4	5.1
Alcoholism	4.0	9.0	9.2
Maintenance	<u>-</u>	<u>3.0</u>	<u>4.0</u>
Subtotal	14.0 <sup>1/</sup>	28.7	41.5
<u>Health facilities</u>			
Hospitals	67.2	73.3	49.7
Health centers	7.0	6.2	3.7
Staff housing	<u>1.2</u>	<u>24.7</u>	<u>4.1</u>
Subtotal	75.4	101.2	57.5
<u>Sanitation and safe water construction</u>			
Existing homes	43.0	30.0	30.0
New homes	"such sums"	"such sums"	"such sums"
<u>Health services for urban (non-reservation) Indians</u>	<u>5.0</u>	<u>10.0</u>	<u>15.0</u>
<u>Total, specific authorizations</u>	145.3	179.7	155.6

<sup>1/</sup> Includes \$10 million for all of the health services programs other than alcoholism.

<sup>2/</sup> The bill authorizes "such sums" for fiscal years 1981-1984.

TO THE SENATE

I return without my approval, S. 522, the "Indian Health Care Improvement Act."

I return this bill to Congress reluctantly because I strongly support any responsible efforts that will result in improving the health of our first Americans. The "Interior and Related Agencies Appropriations Act, 1977," which I approved just last July, included \$425 million for Indian health programs. This amounts to spending by the Indian Health Service alone of \$771 for every Indian and Alaskan Native, or \$3,084 for a family of four, and an increase in funding levels of 230% just since 1970. I believe this growth reflects a strong commitment to the health needs of Indians and Alaskan Natives. No other segment of American society receives comparable Federal resources for health.

At the same time, I must oppose unnecessary and undesirable legislation. S. 522 is objectionable because it would unnecessarily authorize 20 new categorical health programs at funding levels which can only raise unrealistic expectations. The administration of Indian health programs--which currently benefit from flexible and discretionary authorities--would be made considerably more complicated by S. 522.

Substantial improvements have been made over the past few years in the status of Indian health. Dramatic reductions have been made under current authorities in such areas as Indian adult and infant mortality rates, as well as in the incidence of tuberculosis, influenza and pneumonia, gastritis and related diseases. There is no demonstrable evidence that a vast infusion of funds, such as proposed by S. 522, would achieve better or faster

results than are being achieved under orderly program growth.

Indian health programs have received, and will continue to receive, ample funding under existing program authorizations. I am confident that the priority given to this area in the past will continue without S. 522.

THE WHITE HOUSE

September , 1976





DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The Honorable James T. Lynn  
Director, Office of Management  
and Budget  
Washington, D. C. 20503

SEP 23 1976

Dear Mr. Lynn:

This is in response to your request for a report on S. 522, an enrolled bill "To implement the Federal responsibility for the care and education of the Indian people by improving the services and facilities of Federal Indian health programs and encouraging maximum participation of Indians in such programs, and for other purposes."

In summary, we recommend that the President sign the enrolled bill because he will thereby affirm in the eyes of Indians and others this Administration's strong commitment to advancing the welfare of our Native Americans; the bill's provisions largely overlap existing legal authority but represent a congressional statement of support for Indian health activities.

The enrolled bill would provide additional appropriation authorizations of approximately \$480 million for the fiscal years 1978 through 1980 for specific Indian health programs in the areas of manpower training, services, and facilities; under present law, funds may be appropriated for Indian health activities up to any amount. The Administration recommended \$395 million in appropriations for Indian health services and facilities for fiscal year 1977. The enrolled bill would also permit Indian Health Service (IHS) facilities to receive Medicare and Medicaid funds for services provided to eligible persons under those programs. Each IHS facility not presently meeting Medicare or Medicaid standards would be required within six months of enactment of the enrolled bill to develop a plan to meet the requirements of those programs. The facility could then receive Medicare and Medicaid funds for one year without meeting the usual requirements of those programs, but after that only if those

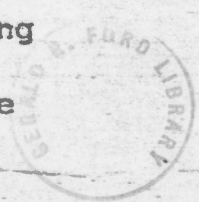


requirements had been met. The Federal government would completely reimburse States for Medicaid funds paid to IHS facilities. S. 522 would in addition direct the Secretary to conduct a study concerning the need for and feasibility of an Indian school of medicine, to promulgate regulations under the enrolled bill within ten months of enactment, and to develop a plan of implementation within 240 days of enactment. Funds appropriated under S. 522 would remain available until expended.

We opposed this bill consistently during its consideration by the Congress because it would authorize a number of specific programs duplicating our present general authority in this area and because the additional appropriation authorizations implied a congressional desire to exceed our budget requests in the area of Indian health. At this stage, however, we feel that other considerations strongly suggest that the President sign S. 522.

The enrolled bill would for the first time permit Native Americans effectively to use Medicare and Medicaid benefits for which they are eligible; these benefits cannot under present law be used in Federal facilities (except in certain restricted situations). If Native Americans are to be fully integrated into the mainstream of the American health care system, and in particular in terms of a future national health insurance program, they must be given meaningful participation in, and develop familiarity with, the most extensive programs we have in this area to date.

The enrolled bill does not contain, as did earlier versions of the bill, any authorizations for fiscal year 1977. In any event, the bill's authorizations merely duplicate existing authority. The enrolled bill, moreover, is viewed by many Native Americans, Congressmen, and other persons concerned with the welfare of Native Americans as a statement of Federal commitment to advance the welfare of our Native Americans. During congressional consideration, our objections to provisions in the bill were part of a dialogue in developing the best possible approach in the area of Indian health. At this stage, however, the Administration can only approve



or disapprove the bill as a whole. The President's approval of this bill would reaffirm the Administration's real concern for and interest in Native Americans; disapproval would adversely affect the view Native Americans and others have as to the Administration's commitment to Native Americans.

The enrolled bill was passed by the Senate by a vote of 78 to 0, and in an earlier version by the House by a vote of 310 to 9.

We recommend that the President sign the enrolled bill.

Sincerely,

*Maryjane Lynch*

Under Secretary







# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

SEP 22 1976

Dear Mr. Lynn:

This responds to your request for the views of this Department on the enrolled bill S. 522, "To implement the Federal responsibility for the care and education of the Indian people by improving the services and facilities of Federal Indian health programs and encouraging maximum participation of Indians in such programs, and for other purposes."

We recommend that the President approve the enrolled bill.

While the administration of the Indian health care program is not under the jurisdiction of the Bureau of Indian Affairs, we recognize the urgent need to upgrade the quantity and quality of health services sufficiently to insure adequate health care for Indians and Alaska Natives. The unmet health needs of the American Indian and Alaska Native people are severe and their health status and average life expectancy are far below that of the general population of the United States. In many cases, the poor health status of these people affects their ability to fully participate in and derive the economic, educational and social benefits that accrue to them from programs administered by the Federal Government. Because the low health status of the American Indian and Alaska Native people is one of the most critical problems they confront, efforts to ameliorate this condition are vitally necessary. Delivery of adequate health services is a major cornerstone upon which rests the success of all other Federal programs for the benefit of Indians.

The purpose of S. 522 is to insure a significant improvement in the health status of the American Indian and Alaska Native people. The enrolled bill would authorize the financial resources needed to overcome the inadequacies in the existing Indian health care program. Further, S. 522 would invite the greatest possible participation of Indians and Alaska Natives in the direction and management of that program. In view of the legislative authorities handed down in Public Law 93-638, the "Indian Self-Determination and Education Assistance Act", programs and authorities such as those contained in S. 522 could not be more timely. We see potential in Titles II and III of the enrolled bill whereby some of the health services and health facility improvements proposed might be performed under



grant or contract with tribal governments instead of directly by the Indian Health Service. The bill authorizes approximately \$480 million in appropriations over a three-year period.

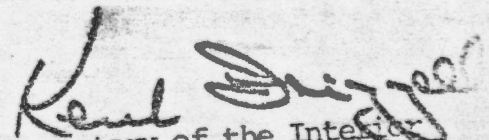
Sections 201(c) (4) (C) and 304 of the enrolled bill include provisions that involve the Bureau of Indian Affairs, and we look forward to working with the Indian Health Service towards implementing them.

The generally low health status of Indian people adversely impacts the social and cultural fiber of their communities, and contributes to the high attendant rates of mental illness, alcoholism, accidents, homicide and suicide. Because of this condition, which pervades many reservations, the attainment of true economic self-sufficiency is almost impossible.

Despite the fine accomplishments of the Indian Health Service, much remains to be done, and can only be accomplished through a program such as that in S. 522. This, in great part, is due to the outdated and inadequate IHS health facilities, one half of which do not meet the standards for national hospital accreditation. There is also an acute manpower shortage among physicians and related health personnel - there is approximately one IHS physician for every 989 Indians in Indian country, while the national ratio is about one doctor per 600 persons.

As the Department primarily charged with carrying out the Federal responsibility to Indians and promoting their general welfare, we believe it is essential that the President affirm the commitment to improved Indian health as embodied in S. 522, and which has received the overwhelming endorsement of the Indian people.

Sincerely yours,

  
Acting Secretary of the Interior

Honorable James T. Lynn  
Director, Office of  
Management and Budget  
Washington, D.C. 20503



THE WHITE HOUSE  
WASHINGTON

November 23, 1976

*Pres  
Autograph/  
signature*

MEMORANDUM FOR: BRAD PATTERSON

FROM: PHIL BUCHEN *P.*

SUBJECT: The Constitution of the Cherokee  
Nation of Oklahoma

With this memorandum, I am transmitting to you the printed copy of the above Constitution along with various notes given to me as part of the request that the President sign the document.

In accordance with our conversation, you were going to check with the Secretary of the Interior and were going to write to Mr. Ross Swimmer to the effect that it is unnecessary and inappropriate for the President to sign this document. As you will note, the wording of Article XVIII covering adoption refers to the fact that it is to be signed by the Secretary of the Interior in behalf of the U. S. Government -- not by the President.

I would appreciate your keeping me and Wilber Jones informed of the disposition of this matter.

Attachment

cc: Wilber Jones

