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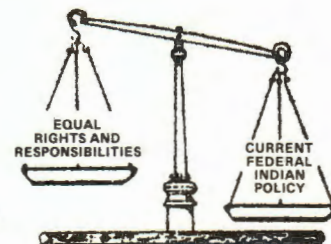
Blair K. Richendifer
Executive Director
Walthill, Nebr.

File

Interstate Congress for Equal Rights and Responsibilities, Inc.

April 20, 1981

Under Indian



Mr. Morton Blackwell
Special Assitant to the President
Old Executive Office Bldg.
Washington, D.C. 20500

Dear Mr. Blackwell,

Earl Veeder of Franklin, La., an old college cohort of yours, suggested that you might help in arranging a meeting with the Secretary of the Interior, James Watt or his immediate subordinates, to discuss the present Federal Indian Policy and its affects on the non-Indian population. A meeting in the latter part of May or in June, at their convience, would be in order. Frankly, we are not interested in BIA officials.

A brief run-down on our organization: The Interstate Congress for Equal Rights and Responsibilities was formed in February of 1976 at Salt Lake City, Utah by people from 10 western states. Including farmers, ranchers, businessmen, professionals, sportsmen, and just plain property owning taxpaying citizens.

The basic need for our organization did not come about because of the actions of people involed in ICERR, but instead was precipitated by the actions of some tribal advocates and their programs which can be viewed only as encroachments upon the constitutional rights and guarantees provided to all citizens of the United States.

It was not ICERR that proposed to place people under a government in which they could not participate - or that proposed to place people uner a jurisdiction where they could not vote and have some control - or who advocated tribal taxation over persons and property without furnishing benifits resulting from that taxation to all residents - or who advocated land use planning and zoning over all lands within the reservation boundaries regardless of ownership - or who advocated total control over all water within an area by a governing board in which only a privileged few could participate.

This organization advocates a program that places all people on equal ground - equal rights with equal resonsibilities. We ask for nothing more and will accept nothing less.

It is time for congress and the President to blow the whistle on the encouragement of the theory of tribal sovereignty. That theory is absolutly unacceptable - America is besieged with the guilt complex over the Indian situation. While we have sympathy and understanding for the down-trodden of the Indian race, we cannot accept the burden of the whole United States if perpetual repayment of past wrongs is deemed necessary.

more

A NONPROFIT CORPORATION CREATED TO INSURE THAT ALL CITIZENS OF THESE
UNITED STATES SHALL ACHIEVE EQUAL RIGHTS AND BEAR EQUAL RESPONSIBILITIES
UNDER THE LAW

Page 2
Mr. Morton Blackwell
Special Assistant to the President

All of America must pay in that case, rather than allow the descendant of the white settlers who homesteaded on reservations in the west, and innocent bystanders if the affected areas of the east to be slowly digested into the new 'Indian Nation' as payment for all of America.

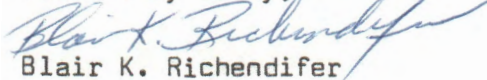
This is not a fight between the Indian and non-Indian. Rather, it is a fight between all citizens living on Indian reservations and claim areas of the east and south, with the Judges, Bureauacrats and Legal Aids that fail to see that all citizens are entitled to equal rights under the constitution.

In June of 1976 several representatives of our organization met with the Assistant Secretary of the Interior and several Interior and BIA policy makers. They seemed to understand the problems, but, unfortunately did not return after the election in Nov. Since that time, we have had nothing but deaf ears listening to the on-going problems. We are looking for a new beginning and an end to this fiasco.

Enclosed are two letters, from Elmer Winter a retired Pop and beer distributor and from Betty Morris a retired school teacher, both property owners on so-called Indian reservations, I would appreciate your reading them and passing them along to any interested party. Both tell most of the problems along with some solutions to the present day Federal Indian Policy.

Thank you for your indulgence.

Yours very truly,


Blair K. Richendifer
Executive Director

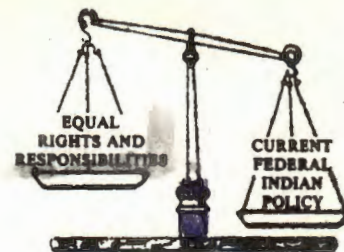
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P.S. My phone number is ac 402-846-5005

**INTERSTATE CONGRESS
for
EQUAL RIGHTS AND RESPONSIBILITIES, INC.
WASHINGTON STATE CHAPTER**

P.O. Box 17059
Seattle, Wa. 98107

P.O. Box 2368
Bellingham, Wa. 98225



P.O. Box 555
Kingston, WA 98346
April 4, 1981
(206) 297-2195

Organizations

Assoc. of Property
Owners and Residents
of Port Madison Area
P.O. Box 257
Indianola, Wa. 98031

Civil & Equal Rights
for All
P.O. Box 153
LaConner, Wa. 98257

Concerned Citizens for
Constitution & Conservation
P.O. Box 7
Richmond Beach, Wa. 98197

Grays Harbor Poggie Club
900 River View Dr.
Aberdeen, Wa. 98520

Green River Steelhead
Trout Club
28940 229th Pl. S.E.
Kent, Wa. 98031

Lummi Property Owners Assoc., Inc.
P.O. Box 1266
Ferndale, Wa. 98248

Puget Sound Gillnetters Assoc.
C-3 Bldg. Fishermans Term.
Seattle, Wa. 98119

Quinault Property Owners
Assoc., Inc.
P.O. Box 887
Aberdeen, Wa. 98550

Skagit River Guide Assoc.
P.O. Box 212 W. Nelson
Sedro Woolley, Wa. 98284

Steelhead Trout Club of Wash.
Seattle Chapter
1212 Pacific Bldg.
Seattle, Wa. 98104

Washington Trollers Assoc.
P.O. Box 771
Port Angeles, Wa. 98368

Wildcat Steelhead Club
P.O. Box 435
Sedro Woolley, Wa. 98284

The Honorable James Watt
Secretary of Interior
C Street between 18th and 19th, N. W.
Washington, D.C. 20240

Dear Secretary Watt:

During the last three administrations, I have made several attempts to communicate with the Dept. of Interior over serious tribal jurisdictional problems. I can only assume my correspondence was intercepted by some one along the way sympathetic to Indian causes, and before it reached anyone in authority. Although my letters were never returned, I have yet to receive an answer. Other property owners report receiving form letters totally unrelated to our problems or request for help. I trust President Reagan's administration will restore our faith in justice and our government.

I apologize for the length of this letter, but it barely touches the magnitude or seriousness of our problems.

During the Carter administration, Senator Magnuson and Senator Jackson arranged an appointment for our Kitsap County Commissioner and Prosecuting Attorney to meet with Sec. Andrus for a discussion of tribal jurisdictional problems. On every point Sec. Andrus turned to the two Indians behind him for direction. Only the Indian viewpoint was considered.

Meanwhile our problems escalate. Hatred and outrage grow as our cries for help are ignored and we are deprived of our rights--the same rights of citizenship you and our fellow citizens enjoy. **WHERE DO WE TURN FOR HELP?**

Just before the November election I was sent a copy of the Clary Institute Newsletter (Indian press) in which President Reagan answered questions posed by Indian reporters. His answers



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UNDER THE LAW

ORGANIZED IN TWENTY ONE STATES OF THE U.S.A.



April 4, 1981

indicate his aides have little knowledge concerning the serious problems those of us who live on or near an Indian reservation face daily.

I realize the Indians must be heard. However, it is important to point out that every administration listens to the Indians and responds to their emotional theatrics and the constant demands of a well financed Indian lobby. **OUR CONCERNS HAVE YET TO BE HEARD.** We have no lobby. Our money, of necessity, goes to lawyers as we seek to preserve our property rights. It is time some one listened to fee patent land owners.

INDIAN PROBLEMS CAN NEVER BE SOLVED UNLESS OUR PROBLEMS, TOO, ARE RESOLVED.

The sad plight of the Indian is well known. The equally sad plight of the non-Indians who purchased or homesteaded lands made available by Congress, is not. Just like the Indians, we are the victims of the vacillating policies of Congress and the Dept. of Interior. We bought in good faith. That trust has been betrayed. Indians never trusted the government; unfortunately we did. Today we are the innocent victims of our faith and trust in the United States government. Will this administration listen and heed our cry for help?

In their attempt to remedy the "plight of the poor Indian," I am sure that Congress had no intention of placing countless thousands of innocent citizens under the control of tribal governments in which we have no voice--a government which is itself a ward of the United States government. However, that is the way the present policy of self-determination has been interpreted and implemented by the Dept. of Interior.

"Come settle this land," our government urged. "Come homestead this land, irrigate and farm the land, feed the nation, and educate the savages." Flyers were distributed across the nation by the Dept. of Interior, encouraging citizens to come purchase these surplus lands. Today, as a reward for their industry and patriotism, these trusting American citizens are being deprived of their constitutional rights in order to appease the militant Indians of the nation.

In the name of justice for Indians, we are losing our homes, our businesses, the use of our property, our water, even the air above our lands, and most important of all, the rights and privileges that you, and our fellow citizens enjoy. Often many lifetimes of work are at stake. As Indian claims grow state by state, so do the numbers of innocent victims. Who will be next?

Helplessly we watch as more and more innocent victims are held hostage by the militant Indians of the nation. Connecticut citizens are currently fighting a case which will affect Indian claims to millions of acres in the eastern United States. I understand the Supreme Court asked the Justice Department's views--the Reagan administration view on the Connecticut

April 4, 1981

case which ultimately could affect land claims involving Cayuga and Oneida tribes in New York, the Catawba claims in South Carolina, the Maliseet tribe in Maine, the Mashpee, Chappaquiddick and Gay Head Wampanoag tribes in Massachusetts, the Narragansetts claims in Rhode Island and the Western Pequot and Schaghticoke Indian claims in Connecticut. Louisiana and Florida have large claims against them.

These claims and actions are no less ludicrous than Iranian militants' demands. Does any one in government have the "guts" to say no?

On the Quinault Reservation in Washington state, my fee-patent land, which the Dept. of Interior had described before its purchase in 1967 to be "no longer under tribal jurisdiction... free and clear of all encumbrances, whatsoever... and out of trust in 1920," is today useless and unsaleable. The Quinault's, like many other Indian tribes across the nation, are claiming jurisdiction over everything and everyone on, under, beside, and above our land, including the water below and the air above. Need I remind you that this is the land that they sold nearly a century ago?

Tribal leaders assure us that we have no rights. Our attempts to meet with them were to no avail. They insist we do not exist. Unfortunately, we do.

Tribes claim to be sovereign nations with the jurisdictional power to zone, the power to tax, and the power to police. You may recognize, as we do, that these are powers to destroy, and we are being destroyed! These powers are being effectively used to harass us physically, legally, and emotionally. Tribal leaders assure us they will tax us off the reservation and many of us have already been effectively zoned out of existence. Let me remind you that this is the same land that the Dept. of Interior stated was "no longer under tribal jurisdiction" before it was purchased.

Joe De La Cruz, tribal chairman of the Quinaults, would have the public believe this land was misrepresented by a realtor. Unfortunately, that is not the case. We were "sold" by our faith and trust in the United States government. County and state officials tell us they cannot (which translates into will not) help us. Many of us have used up our savings, attempting to fight tribal lawyers and their battery of Justice Department lawyers. We are the helpless victims of our faith and trust in our government, with no where to turn for help.

Can you go back to your grandfather's or great-grandfather's land and claim jurisdiction over the land that he sold several decades ago? I think not--unless, of course, you are an Indian. Today tribes across the United States are actively claiming jurisdiction over lands they sold decades ago. The Muckleshoot tribe (Washington) owns less than an acre (.29), yet they are claiming the right to zone the 22,000 acres of their original reservation. The 9th circuit court recently ruled in favor of the Muckleshoots (Trans-Canada vs. Muckleshoots). We wonder about justice!

The very nation that fought a war 200 years ago over the principle of taxation without representation, is guilty today of placing us under a tribal government which claims the right to tax us--a government in which we have no voice and no rights. WE ASK HOW A GOVERNMENT THAT FOUGHT SO VALIENTLY FOR THIS UNIQUE PRINCIPLE, CAN TODAY BE ACTUALLY ENCOURAGING THESE TRIBAL GOVERNMENTS TO TAX US, ZONE US, AND REGULATE US OUT OF EXISTENCE? These tribal taxes are in addition to --not in lieu of--our federal, state, and local taxes.

As a friend remarked wryly, "Justice is not blind, she's dead."

Outrage grows with the realization that we must not only provide services and support tribal governments with our tax dollars, but we must watch helplessly as our own tax dollars are used against us to provide free legal services to the tribe--often batteries of the nations best lawyers--to aid the tribe in suits which deprive us of our constitutional rights, our water, and our property.

Meanwhile, we must provide for our own legal defense. For many of us that is utterly impossible. We are being wiped out. Bankrupted. Destroyed.

This is not just a simple case of treaty rights. It well might be considered consumer fraud, perpetrated and perpetuated by the federal government. This same federal government would be the first to prosecute any business or corporation for fraud that had victimized its customers as our own government has victimized and betrayed us--her innocent citizens. Let me remind you again, that this was all done in the name of justice for Indians!

Repeatedly Indians tell us they are "going to take America back." They are doing just that with the help and blessing of our Dept. of Interior, the Justice Department, and liberal judges who hope to go down in history by regulating social change at the expense of their innocent fellow citizens. Treaties are being re-interpreted in courts today by liberal judges who give tribes rights never intended when the treaties were written.

However, these vocal militant Indian leaders are very selective in which parts of the treaty they choose to claim for enforcement. When it serves their purpose they are members of a sovereign nation. On other occasions, when it is to their advantage, they loudly clamor for their rights as United States citizens. Thus, they can "have their cake and eat it, too."

I was one of the few fee-patent owners in the nation to be allowed to testify before the American Indian Policy Review Commission. As a teacher in this great nation, I believed and taught that the Congressional committees

came out to the "grass roots" to obtain an understanding of the problems of the people in order to correct them.

The "democracy in action" I observed at this Congressional Committee hearing was frightening and appalling. Certainly, what I witnessed was a far cry from the democracy that I'd been teaching children of America for the past 30 years to expect and believe in. Indians had weeks and months to prepare testimony. They were on a first name basis with the Indians who made up the Congressional Committee's panel. The non-Indian officials (mayors, county commissioners, sheriffs) who had been called to testify, invariably testified to three days notice and often they were substitutes for the official who had a previous appointment.

Non-Indian witnesses were lectured, ridiculed, hassled, and their testimony twisted to suit the preconceived goals of the panel. These commission members need not have left their offices in Washington, D.C. to write their report--a \$2,000,000 farce. Literature handed out at the front desk as we entered, set forth their goals of sovereignty before they heard the testimony. As I listened, the implications for America were frightening beyond belief.

Today in Arizona, 25% of the citizens in Apache County must financially support the schools and services for the other 75% who are reservation Indians, --thus untaxed.

Ironically, the Arizona Supreme Court has ruled that, although a reservation Indian has no allegiance to the state of Arizona, he must be allowed to hold county or state office. This places him in the position where he not only may determine the amount of tax the non-Indian citizens (Negro, Mexican, or white) must pay, but he will determine where and how these tax monies shall be used, though he is immune to the taxes he has imposed.

We keep telling each other, "This just can't happen in America!" But, it is happening and it is scary. It is apparent to us that we have been sacrificed to pay for the insatiable guilt of America--for the real and imagined wrongs of the past. We wonder how many generations must continue to pay? Will our children still be obliged to pay? And their children? Who is an Indian? Will we continue to subsidize people who are 1/128th Indian--or even 1/1024th Indian (see pg. 8 of Legacy of Wounded Knee, enclosed)?

"Self-determination--without termination" is a unique form of "privileged citizenship" which not only provides Indians with all the rights of United States citizenship, but, as interpreted today, confers special privileges with none of the responsibilities of citizenship. In effect, a kind of special privileged nobility has been established in our society, a status decried by those who wrote the constitution and who believed so strongly in equal

April 4, 1981

rights and justice for all. Groups of victimized property owners and concerned citizens throughout the nation, have been forced to join together in defense of those precious rights. I am the National Vice-President of this group--Interstate Congress for Equal Rights and Responsibilities (ICERR). We seek justice--the same rights and privileges our fellow Americans enjoy. ICERR now has chapters or representatives in more than 20 states. That number grows as Indian claims deprive more and more citizens of their property and their rights. It may surprise you to learn that our membership includes Indian members who are being deprived of their rights by their tribal leaders.

Mr. Secretary, we need your help. Someone must listen before it is too late. Unfortunately, it is already "too late" for many of our fellow citizens. Outrage--fear--hatred, all are growing where friendship and respect for Indians formerly existed.

We did not create our problems. They were created by Congress, and since the 60's, with a considerable amount of help from the Dept. of Justice and the Dept. of the Interior. Our problems can be solved with your help, the help of the Reagan administration, and the help of Congress. Justice must prevail for Indian and non-Indian citizens alike.

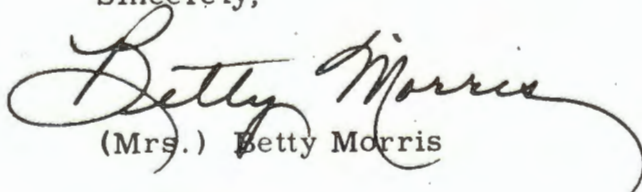
I would like to suggest a meeting, Mr. Secretary, in which a few of our fee-patent land owners from across the nation meet with you, your aides, and members of President Reagan's staff to discuss our particular problems, and work out a solution. We are anxious to work with your staff, as we seek justice for all people.

The annual meeting of Interstate Congress for Equal Rights and Responsibilities (ICERR) will be held in Washington, D.C. this year, probably the later part of May or in June. We have held the dates open in order to be able to meet with you at your convenience.

Your secretary can contact me at 206-297-2195; Executive-Director Blair Richendifer, P. O. Box 6, Walthill, Nebraska 68067 (402-846-5005); or President William S. Clendenin, District Director N. A. S. D. Inc., 75 Federal St., Boston, Mass. 02110 (617-482-0466 or 617-888-1203).

We pray that you and the Reagan administration will do what no other administration has done--listen--and help us work out our problems. I repeat, Indian problems can never be solved until our problems, too, are resolved. Thank you, Mr. Secretary.

Sincerely,


(Mrs.) Betty Morris

Enclosures (3)

Mahnomen, Minnesota 56557
April 16, 1981

President Ronald Reagan
The White House
Washington, D. C. 20510

Dear Mr. President:

Needless to say, I along with millions of other citizens was shocked beyond belief by the attempted assassination on your life. I very sincerely wish you a speedy recovery to full health.

Mr. President, we have some very serious problems here in northern Minnesota and throughout the country within the exterior boundaries of former so called "Indian reservations".

Among the problems are the following:

Jurisdiction. Tribal governments are asserting implied powers to completely control all Indians and non-Indians living within these areas.

Hunting and fishing. The courts have been very liberal in construing century old treaties in favor of Indians.

Clouded land titles. When these areas were opened for homesteading, the government freed up these lands and encouraged our forefathers to homestead them. Now after many years of improvements and paying taxes, some of us are discovering that our land titles are in jeopardy and that we may possibly lose our entire life's savings.

The Tribes are also asserting jurisdiction over land use ordinances, zoning ordinances, licensing businesses and taking control of on and off sale liquor licenses, etc.

In 1911 President Theodore Roosevelt said, "The time is long past for these people to be tribal members, they should be citizens instead". Now it cannot be argued that he expected them to be granted citizenship in addition to tribal status. Thirteen years later, in 1924, congress did grant all Indians full citizenship. For some unexplained reason, congress failed to require them to relinquish their tribal status in return for this privilege. It can now only be speculated whether this was an oversight or whatever.

Indians have for as long as I can remember received free health, dental care, and education. We have never complained about this although we could not quite see the rationale behind it. When the Tribes started asserting jurisdiction over non-Indians, that is when we started to rebel! We refuse to allow ourselves to become subject to a government in which we have no voice or vote!

Suggested solutions to the problems - congressional action in the following areas:

Jurisdiction. Congress must enact legislation that clearly spells out that Indians do not have jurisdiction over non-Indians living within exterior boundaries of so called Indian reservations. The former Meed's jurisdiction bill of 1977, H.R. 9950, should be amended and redrafted before reintroduction and enactment.

Hunting and fishing. We need a sense of the Congress resolution, instructing the courts to refrain from legislating and start interpreting the law instead. A case in point, the Minnesota vs. Clark case decided by the Minnesota Supreme Court in 1980, (with certiorari denied, so the lower court decision stands). A brief explanation -- the court readily admits that by "The treaty of 1855 the Chippewas agreed to cede, sell, and convey to the United States all their rights, title, and interest in and to the lands now owned and claimed by them, in the territory of Minnesota". Thus the Court reasons, "We, necessarily conclude that the treaty of 1855 extinguished all their aboriginal hunting and fishing rights in the area in question".

However, the Court then reasons that these rights were required by the treaties of 1864 and 1867, even though neither of these treaties even mentions hunting and fishing.

The court reasons that the Tribes thought they were requiring these rights since hunting and fishing was necessary for sustenance at that time. I believe it can be very effectively argued that hunting and fishing for sustenance for the non-Indian homesteader in that day and age was also very necessary for survival. Today we have adequate welfare programs for all citizens in need of sustenance.

Therefore, we need a "Sense of the Congress" resolution that would instruct the Courts. In any treaties with the Indians, if hunting and fishing rights were not specifically granted, then those rights do not exist! If this legislation were to be enacted it would have the immediate effect of overturning the Minnesota vs. Clark decision plus more similar decisions throughout the land.

Clouded land titles. A time limitation for Indian claims was first imposed in 1966, and since has been extended at least five times to December 31, 1982. Millions of dollars have been expended in research, etc. It is our hope that the final extension has been granted and that our government will settle all

claims by the proposed deadline.

I can assure you, Mr. President, if the above suggestions were enacted into law, a multitude of our problems would be resolved.

Thank you for your consideration and best wishes.

Sincerely,

Elmer H. Winter

Elmer H. Winter
Mahnomen, MN 56557
Telephone: (218) 935-5201

EHW:jcg

cc: Honorable James Watt, Secretary of Interior
Honorable David Durenburger, U.S. Senator
Honorable Rudy Boschwitz, U.S. Senator
Honorable Arlan Stangeland, U.S. Congressman

Merrill B. Mechem
Chairman of the Board
Vernal, Utah

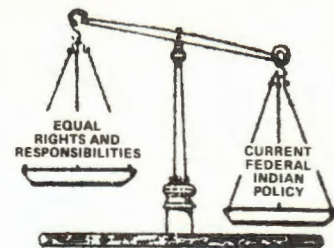
William Clendenin
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Vice President
Hoquiam, Wa.

Blair K. Richendifer
Executive Director
Walthill, Nebr.

Interstate Congress for Equal Rights and Responsibilities, Inc.

April 20, 1981



Dear Elmer,

An excellent letter you wrote to the President. I believe we must concentrate on the points you addressed in the letter.

From the Clary Institute News Bulletin for Indian Leaders 3/31/81:

"The Senate Select Committee on Indian Affairs held hearings Mar. 25 on Indian related budgets (BIA, IHS and Dept. of Ed.). Acting Deputy Assistant Secretary for Interior for Indian Affairs, James Canan told the Committee, "I feel we were treated very well by the Administration since the Dept. of the Interior took about twice the cuts that BIA did."

Asked about his thoughts on the "BIA as 51st state" concept, Canan probably set tribal sovereignty back by at least 200 years. He told the Committee that "block grants to states could go two ways: (1) grants could flow through the states to the tribes, or (2) from a department to BIA to the tribes" as do funds for "highway Safety program and Title I and Handicapped Ed., with the Sec. of the Int. acting as governor." Then, asked if this wasn't like categorical grants, Canan replied that "tribes are recognized as local governments whether funds go through the states or Interior."

In effect, the Reagan White House is treating Indians as a minority and/or public interest group rather than as government entities on a tribe-by-tribe basis.

During his campaign, Reagan promised to treat tribal governments on a government-to-government basis, as they should be treated. If he wants to make good on this promise, Reagan should immediately place responsibility for Federally-recognized American Indian tribes in the functional area of Presidential Assistant for Intergovernmental Affairs Richard Williamson. Because Federally-recognized tribes have sovereignty, they should be treated with the same dignity as are states, counties and cities --- all of which are under Williamson."

"Suzan Harjo, Native American Rights Fund, stated that eliminating the Legal Services Corp. (which Reagan is proposing to do) will effectually block Indians from using the nation's court system, since LSC is one of the few affordable legal services available to tribes." "*****"

Elmer, I believe there will be a marked slow-down in Indian activities. Many of the demands will be put on the back burner for another time. Unless we push for legislation that corrects the inequities that have been going on for the last 15 years, we will be in the same position down the road. Yours truly, *T. Blair*

A NONPROFIT CORPORATION CREATED TO INSURE THAT ALL CITIZENS OF THESE
UNITED STATES SHALL ACHIEVE EQUAL RIGHTS AND BEAR EQUAL RESPONSIBILITIES

THE WHITE HOUSE
WASHINGTON

Morton:

Attached is a note I
took on this matter from
Earl Vreeder.

I gave him Ken Smith's
name & phone #. He will
get back with me if he
can't get an appointment
with him.

Thank you
JMB
4/28

Thinks BIA policies are ridiculous.

THE WHITE HOUSE
WASHINGTON

(h) 318-923-4409 after 6:30

(o) 318-828-3857

Carl Veeder

from
Franklyn La.

wants meeting with Sec. Watt
re litigation in La
on Indian Affairs

Rusty Cloutier suggested
he call you.

Blair Richenderfer

Walt Hill Feb. ^{letter to Monton Apr. 20.}

Interstate Congress for Equal Rights & Responsibilities