

TO: JOE DELACRUZ

FROM: R.C. Ryser

SUBJECT: ANTI-TREATY NETWORK IN WASHINGTON, NEBRASKA AND WISCONSIN -- UPDATE.

DATE: 15 APRIL 1985

Per your request, I have prepared this summary analysis of documents recently acquired which illustrate the areas in which the National Anti-Treaty Network is focusing energies in three states.

This summary analysis includes a review of documents received since Monday 8 April entitled:

1. WISCONSIN TOWNS ASSOCIATION correspondence to Senator Robert Dole regarding the proposed Presidential Commission, (February 21, 1985).
2. PROPOSAL TO THE PRESIDENT OF THE UNITED STATES FOR THE APPOINTMENT OF A NEW PRESIDENTIAL COMMISSION TO STUDY FEDERAL INDIAN POLICIES--SSPAWN COMMITTEE (February 25, 1985).
3. WASHINGTON STATE OFFICE OF THE ATTORNEY GENERAL PROPOSAL TO R. REAGAN FOR THE ESTABLISHMENT OF A PRESIDENTIAL COMMISSION Cover letter to Reagan (February 21, 1985) and attached document entitled: INDIAN TRIBES AND THE STATE OF WASHINGTON (February 15, 1985) which reviews conflicts between the State of Washington and Indian Tribes from 1889 to the present -- and considers optional Washington State strategies including, litigation, negotiations and federal legislation.
4. DOCUMENTS FROM NEBRASKA concerning the Winnebago Nation retrocession legislation and opposition from TEA and the Quinault Property Owners' Association in concert with the Nebraska Thurston County Concerned Citizens (February 28 thru March 28 1985).

OVERVIEW:

On February 15, 1985 the Washington State Office of the Attorney General completed a final draft of a document entitled: "INDIAN TRIBES AND THE STATE OF WASHINGTON" which reviewed the history and issues surrounding Indian/State confrontations and litigation from 1889 to the present. On February 21, 1985 Attorney General Ken Eikenberry transmitted a letter and a copy of INDIAN TRIBES AND THE STATE OF WASHINGTON to President Ronald Reagan (the letter was, according to Eikenberry's letter, "prompted by the recent report of your presidential Commission on Indian Reservation Economics [sic]).

Four days after Eikenberry sent his letter and his urging that the President establish another commission to study the impact of

federal Indian policy on "non-tribal Indians and non-Indians", the S/SPAWN Committee transmitted a letter and seventeen page proposal for the establishment of a Presidential Commission to Study the Impact of Federal Indian Policy on non-tribal Indians and non-Indians (February 25, 1985).

On February 21, 1985, the same day that Attorney General Ken Eikenberry sent his letter to R. Reagan with his proposal for a Commission, Ed K. Krueger, Executive Secretary of the Wisconsin Towns Association located in Shawano, Wisconsin sent a letter to Senator Robert Dole, urging that the Senator support efforts to establish a Presidential Commission "as requested by the State of Washington." Krueger's letter was supplemented by more than one hundred pages of newspaper and periodical clippings on Initiative 456 and related subjects, copies of resolutions from the Wisconsin Towns Association and materials produced by the National Association of Counties and the February, 1982 study by the National Marine Fisheries Service entitled: Net Economic Values for Salmon and Steelhead from the Columbia River System.

On February 28, 1985 a Legislative Resolution 57 was introduced by Senator Pappas from the 42nd District before the Nebraska State Legislature. Resolution 57 proposed the retrocession of Nebraska State "PL 280" jurisdiction over the Winnebago Nation. A month before the introduction of Resolution 57 by Pappas, Thurston County (Nebraska) Sheriff Clyde Storie wrote to Pappas expressing concerns and charges regarding what he said were potential consequences of retrocession affecting non-Indians, landowners and businesses on the Winnebago Indian Reservation. Pappas responded to Sheriff Storie's January 30, 1985 letter with his own February 11, 1985 letter stating; "...rest assured that the claims you raise in your letter are both unfounded and erroneous misstatements of the law." Sheriff Storie had included in his letter to Pappas a copy of a document produced by **TOTALLY EQUAL AMERICANS** and the **QUINAULT PROPERTY OWNERS' ASSOCIATION** under the contact name of Betty Morris.

In the State of Washington, in the month of March 1985, Anti-Treaty (**TOTALLY EQUAL AMERICANS-QUINAULT PROPERTY OWNER'S ASSOCIATION**) activists Helen Kirschling and Betty Morris led opposition testimony during Senate Transportation Committee Hearings on the Quinault Coastal Highway to encourage the Committee to rewrite proposed legislation to assert State jurisdiction over the proposed highway. The Senate Committee agreed with the opposition. On April 3 the House Transportation Committee held a hearing on the Senate proposed bill only with an amendment to revise the legislation back to its original form ... recognizing Quinault jurisdiction over the highway as originally agreed between the Quinault and the Washington State Department of Transportation. Despite testimony from Helen Kirschling and Betty Morris, the Committee voted to report the legislation to the House of Representatives with the amendment recognizing Quinault Jurisdiction.

NATIONAL ANTI-TREATY NETWORK SPRING OFFENSIVE:

During the period of sixty-days, (February 21 - April 15) the Anti-Treaty organizations S/SPAWN, Totally Equal Americans, Quinault Property Owners' Association, the Thurston County Concerned Citizens (an organization of which Sheriff Clyde Storie is a member) and the Attorney General of the State of Washington managed to undertake a coordinated set of initiatives in three states (Washington, the President of the United States. This coordinated initiative involved opposition to tribal/state cooperative efforts concerning jurisdictional questions, highway construction and land claims conflict resolution and a proposal to the United States Government to establish a President Commission on the Impact of Federal Indian Policy on non-tribal Indians and non-Indians.

NETWORK STRATEGY AND TACTICS:

True to the observations made in First our Land, Now our Treaties, the so-called National Anti-Treaty Network has begun a Spring Offensive which appears to be predicated on a strategy with these main points:

1. Press the U.S. Administration and Legislative Branch to establish a mechanism within the U.S. Government which can create the basis for Congressional modification or abrogation of treaties with Indian Nations and Tribes.
2. Promote a climate of public opinion in "Northern Tier States" supportive of treaty abrogation through the repeated emphasis of these themes: EQUAL RIGHTS FOR EVERYONE, NON-TRIBAL INDIANS AND NON-INDIANS ARE MISTREATED BY INDIAN GOVERNMENTS, INDIAN GOVERNMENTS ARE NOT LEGITIMATE, and ONLY THE U.S. CONGRESS CAN CORRECT THE "INDIAN PROBLEM".
3. Confront Indian Government initiatives to broaden their jurisdiction or reaffirm their jurisdiction in negotiations with neighboring state, county and city governments; state legislation; federal legislation and tribal, state and federal courts.
4. Challenge the legitimacy of Indian Government authorities within Indian Country and in neighboring jurisdictions.

These tactics are demonstrated to be systematically applied in the States of Washington, Nebraska and Wisconsin. The documents reveal that three key individuals in the State of Washington are playing the role of coordinators or principle agents of the National Anti-Treaty Network Spring Offensive. These are: Helen Kirschling (Quinault Property Owners' Association - QPOA), Betty Morris (Totally Equal Americans - TEA) and Barbara Lindsay (Steelhead and Salmon Protection Action for Washington Now - SSPAWN).

SUMMARY DOCUMENT REVIEW:

Proposal to the President for a COMMISSION ON THE IMPACT OF FEDERAL INDIAN POLICY ON NON-TRIBAL INDIANS AND NON-INDIANS. Attorney General Ken Eikenberry letter proposal - February 21, 1985.

** Transmission of Washington State Attorney General's "Report: INDIAN TRIBES AND THE STATE OF WASHINGTON". Produced by Assistant Attorneys General Dennis D. Reynolds and Jeffrey D. Goltz this document is "limited to the relationships between the State and tribes which have given rise to several conflicts".

The report observes that the focus of state-tribal litigation was focussed on Indian fishing rights and state taxing jurisdiction during the 1970s, but "Today the major focus has shifted to Indian land claims and assertions of tribal civil jurisdiction over non-Indians, including regulation of water, imposition of taxes, and establishment of land-use controls." The authors note that while other areas of conflict continue, "these areas pose new challenges for the State, local governments, and citizens."

The authors go on to note that the State has historically reacted on an ad hoc, and piecemeal basis to Tribal-State conflicts. The purpose of INDIAN TRIBES AND THE STATE OF WASHINGTON is to define "a more comprehensive overview" to "facilitate resolution or avoidance of disputes".

REPORT CONCLUSIONS

8.1 One reason that the State of Washington and its Indian citizens have frequently been in court is because no one truly understands exactly what position an Indian tribe occupies within the federal system.

8.2 The United States has a federal system of shared national and state authority. Indian tribes, however, occupy a unique position in the federal system. While tribes possess undefined governmental powers, they are not the equivalent of states or foreign nations. In a governmental sense, tribes are truly sui generis (one of a kind).

9.3 A unique attribute of tribal governments is that, unlike the national, state, or local governments, those who reside within the boundaries of reservations are not necessarily entitled to participate in the selection of those who make tribal laws. Indeed, non-members constitute the majority on many reservations. This is at odds with a basic notion of the American democratic tradition: consent of the governed. Indeed, it is that very difference between tribal and other governments which has been one of the sources of friction between tribes and non-Indian citizens of the State.

9.4 The major source of friction is that frequently the tribal claims are actively asserted to change the status quo which has been in existence for approximately one hundred years. Such claims thus threaten long established life patterns, ownerships, and livelihoods.

9.5 Congress, which enjoys plenary power over Indian tribes, has complicated the picture further by taking various positions throughout history regarding the nature and extent of tribal sovereignty. The vacillations of federal policy have ranged from terminating tribal existence and sovereignty to, at other times, encouraging tribal growth and self determination.

9.6 The dominance of federal policy has often left the State of Washington reacting to federal policy, rather than developing and implementing its own policy. When federal policy has embraced the view of enhancing strong, independent tribal governments, and urged a theory of Indian immunity from state laws, the level of litigation has increased. Conversely, when federal policy has been to terminate tribes and assimilate them into society, the level of litigation has decreased.

10.7 Current federal policy is succinctly stated as one of strong recognition of tribal sovereignty. Consequently, the State is left with a difficult objective: how to govern a complex, interdependent society with independent "sovereignities" existing as jurisdictional enclaves within its borders.

10.8 The uncertainties surrounding the status of Indian tribes within the federal system, together with frequent federal policy shifts, have combined to encourage disputes between the State of Washington and Indian tribes within its borders. Many of these disputes also arise because Congress does not adequately perform its role. Often the issue between the State and its Indian citizens is one of Congressional intent embodied in either a treaty or a statute. Congress could have made its intent clear and thereby avoided or lessened the range of conflict. But that intent is often not clear, perhaps because of the nature of the political process. Consequently, the details of the Congressional intent are frequently worked out by administrative or judicial interpretation.

11.9 All Indian-State disputes are not alike. They involve different issues, different factors, and different sets of tribal, state, federal, and individual interests. Further, the various disputes have different histories. Because of these differences, different approaches to dispute resolution both are necessary and desirable. * * * Indian-State disputes may be resolved by three major avenues: negotiation, litigation, and legislation. * * * While none of these three approaches -- negotiations, litigation, and legislation -- is the one single solution, our experience with them all should teach us how to approach the disputes now facing the State of Washington. Simply stated, the solution must be tailored to fit the problem at hand.

** Attorney General's letter to the President "is prompted by the recent report of your presidential Commission on Indian Reservation Economics [sic]...."

** Attorney General urges "that you now create another presidential task force which would be charged with the responsibility of examining and reporting recommendations respecting the relationship between Indian tribes, nontribal Indians, and their claims to natural resources, with special regard for the impact being made on non-Indians." * * * "a unique attribute of tribal governments is that, unlike national state or local governments, many citizens who reside within the boundaries of reservations are not entitled to participate in the selection of those who make and enforce tribal laws." * * * "consideration should be given as to whether and to what extent should a tribe be empowered to regulate conduct of nontribal members."

PROPOSAL TO THE PRESIDENT OF THE UNITED STATES FOR THE APPOINTMENT OF A NEW PRESIDENTIAL COMMISSION TO STUDY FEDERAL INDIAN POLICIES. Transmitted by the S/SPAWN Committee on behalf of the voters of Washington State and concerned citizens and taxpayers of the United States. (February 25, 1985).

** Letter to the President . The letter asserts that "In conformance with your goals under the 'New Federalism' for greater respect of state's rights and state management authority over natural resources, the voters of Washington State passed initiative 456 on November 6, 1984.

** Proposal: * * * ...we are formally requesting that you appoint a nonpartisan Presidential Commission to study the effects of federal Indian policies on non-tribal Indian and non-Indian citizens of the United States, particularly as to how current federal policies impact natural resources -- lands, waters, timber, fish, and game, our constitutional rights, property and natural resources of all people. * * * We are asking that: (1) A new Presidential Commission be formed to review studies undertaken in the past decade to obtain pertinent recommendations that are directly related to its mission; (2) That such a commission, in carrying out its responsibilities, be authorized to conduct hearings, interviews, and reviews at field sites across the nation, wherever deemed necessary to fulfill its duties; (3) That the heads of Executive agencies shall, to the extent permitted by law, provide this commission with such information as may be necessary for the effective performance of its functions; (4) That the commission be authorized to confer with State, County, City, Indian tribal, and other local government officials, private sector business managers, private property owners, and other organizations and individuals dealing with matters pertaining to the Commission's mission; (5) That the President and Secretary of Interior shall, to the extent permitted by law and subject to the availability of funds, provide this commission with such administrative services, facilities, staff, and other support services as may be necessary for the effective performance of its functions for a twelve month

time period (estimated operating cost of the commission would be approximately \$900,000 as the work would necessitate approximately 5 staff-years of support); (6) That the commission be composed of no more than fifteen members, from as many different states, who would be appointed by the President from among the private and public sectors with an inter-racial composition.; (7) That the commission shall, unless otherwise extended, submit a final advisory report to the President and the Secretary of Interior within twelve months after appointment of the last commissioner, or by April 15, 1986, whichever comes earlier; and (8) The commission terminate 60 days after it transmits its final advisory report, or on June 15, 1986, whichever comes earlier. * * * The impact on non-tribal Indians and non-Indians has not yet been considered or addressed. (The proposal goes on to describe how the American Indian Policy Review Commission functioned, and a "sampling of major issues which should be considered".

PROPOSAL TO CREATE A PRESIDENTIAL COMMISSION TO INVESTIGATE THE IMPACT OF PERSONS LIVING ON INDIAN RESERVATIONS AND AS IT RELATIONS TO WHITE MEN LIVING ON THOSE LANDS ALSO. Wisconsin Towns Association. (February 21, 1985).

** Wisconsin Towns Association Executive Secretary Ed K. Krueger transmitted a letter to Senator Robert Dole observing that Dole is "toying with the idea that a special committee be set up to take testimony to further determine whether or not such a Presidential Commission should in fact be established as requested by the State of Washington." He urges Dole to support the concept.

** 1984 Resolutions Adopted at Wisconsin Towns Association 1984 Convention. Resolutions include: ... recommend that American Indians be required to abide by the same hunting and fishing rules that any American citizen must abide by. * * * ... request the Wisconsin legislature to take action and solicit coordinated efforts with other state legislatures and then with the federal government to establish by negotiations, by law and by constitutional amendment if necessary, an absolute equality of rights and responsibilities for all United States citizens, including those of Indian ancestry. * * *...by unanimous vote that the Wisconsin Towns Association seek a way to stop the purchase of property by any profit-making group, such as Native Americans, and having it taken off the tax roll.

** THE TOWN OF LAC DU FLAMBEAU submission to the Investigating Committee set up to hear testimony concerning the need to appoint a Presidential Commission to study the impact on non-Indians living on Indian reservations and on ceded lands. (February 25, 1985).

** 10.2 INDIAN AFFAIRS. a working document with resolutions of the National Association of Counties (NACo) adopted at the 49th Annual Conference (July 7 - 10, 1984) in Seattle, Washington.

The National Association of Counties, therefore, calls upon Congress to resolve this situation by clearly defining the nature and scope of tribal jurisdictions, rights and sovereignty, their relation to the various states, and, through the states, to the local government.

POLICY STATEMENT

- A. Recognizes the unique citizenship status of the Native American.
- B. Recognizes the important contributions Native American peoples and cultures have made to our national heritage.
- C. Supports the principles of tribal self-government.
- D. Supports measures to preserve the cultural and social identity of Native American peoples; and
- E. Pledges cooperation with Indian tribes for the provision of constituent services within our individual jurisdiction.

TRIBAL JURISDICTION - NACo calls upon Congress to enact comprehensive legislation which makes clear the governmental powers granted tribes by Congress and/or treaty, balancing the unique status of the tribes with other constitutional concerns.

CONDEMNATION OF LANDS BY HIGHER LEVELS OF GOVERNMENT - Local political subdivisions should be compensated for lands and/or facilities condemned by state or federal governments.

PAYMENTS-IN-LIEU-OF-TAXES - Where a system of payments does not adequately replace state and local taxes on federally owned, tax-exempt lands, a payment-in-lieu-of-taxes should be made by the federal government directly to the states for automatic and unimpeded distribution to counties where federally owned lands are located, to provide full tax equivalence as though the property were in private ownership.

** INDIAN TREATY RIGHTS Wisconsin Counties Association Convention (September 23 - 26, 1984) Green Bay, Wisconsin.

WCA #59 INDIAN TREATY RIGHTS Wisconsin Counties Association ... formally request the U.S. Congress to enact legislation which would limit the usufructuary rights granted to Chippewa Indians by the Treaties of 1837 and 1842 to tribal and individual reservations and Indian trust lands.

** MICHIGAN UNITED CONSERVATION CLUBS correspondence to SSPAWN Executive Director Barbara Lindsey (January 28, 1985) from Thomas L. Washington (MUCC Executive Director) expressing the Michigan United Conservation Clubs organization support for "appointment of a Presidential Commission to examine and study the impacts of Indian Treaty rights on non-Indians.

** NATIONAL WATER RESOURCES ASSOCIATION report from its Fifty-Third Annual Meeting in Phoenix, Arizona (November 11-14, 1984).

RESOLUTION 84-5 RESERVED WATER RIGHTS urges that "each state and the water users therein to establish procedures as they deem appropriate to adjudicate water rights in such a manner as to take full advantage of the 43 U.S.C. 5666 (McCarran Amendment) by making the United States a party to such suits so that the United States will be required to define, identify and quantify all of its claims to water within such state, including those made on behalf of Indians.

** WASHINGTON ASSOCIATION FOR FISHERIES memorandum to Initiative 456 Committee (February 11, 1985) contributing to the proposal for the establishment of a Presidential Commission.

** WESTER STATES WATER COUNCIL correspondence to Secretary Watt commenting on "proposed rules published on January 5, 1981, concerning regulation of reserved water on Indian reservations.

RESOLUTION OF THE WESTERN STATES WATER COUNCIL concerning the Central Arizona Indian Tribal Water Rights Settlement Act of 1976.

** LEGACY OF WOUNDED KNEE by Jack Taylor. The Daily Oklahoman. Series with 8 parts printed June 8-15, 1980. NEEDY INDIANS RECEIVE FRACTION OF MASSIVE FUNDING, MISMANAGEMENT, ABUSE WIDESPREAD IN INDIAN PROGRAMS, NO MATTER HOW YOU COUNT, THEY ALL MEAN DOLLARS, PADDED UNEMPLOYMENT ROLLS INFLATE INDIAN MILLIONS, 'SELF-DETERMINATION' DRIVE GALLS FAR SHORT OF GOAL, FEDERAL INDIAN CREDIT PROGRAMS SINK INTO DISARRAY, INDIAN-AID ACT SINKS IN SEA OF LOAN WOES, BIA, INDIAN BANK LOSSES COMMON WOE.

** ABSTRACT OF BRIEFING DOCUMENT: PUBLIC LAW 280 AND RETROCESSION AFFECTING THE WINNEBAGO INDIAN RESERVATION. Native American Rights Fund. (February 1985).

** NEBRASKA LEGISLATIVE RESOLUTION 57. regarding Winnebago Retrocession. (February 28, 1985)

** RETROCESSION OF WINNEBAGO RESERVATION IN THURSTON COUNTY. correspondence from Nebraska Attorney General Robert M. Spire to Nebraska state Senator James E. Groll outlining his office's opinion "as to various effects of retrocession of the Winnebago Reservation in Thurston County as proposed in Legislative Resolution 57. (March 28, 1985)

** WINNEBAGO RETROCESSION correspondence from NARF attorney Robert M. Peregoy to Thurston County Board of Supervisors member Mark Casey. ((March 15, 1985).

** WINNEBAGO RETROCESSION correspondence from Nebraska State Senator James E. Pappas (introduced resolution 57) to Thurston County Sheriff Clyde Storie stating in part: "please rest assured that the claims you raise in your letter are both unfounded and

erroneous mistatements of the law. Accordingly, the scenarios you anticipate will never materialize." (February 11, 1985).

FINAL OBSERVATIONS

The documents to which this memo refers will be sent to the Quinault Office in their totality. A copy of all materials will be reserved, and to the extent desired, they will be "copied" into the COTB Indian Government Documents Center computer. The Center computer will be programed and available to subscribing governments in May.

The National Anti-Treaty Network Spring Offensive is clearly underway as evidenced by the above noted documents. Left unapproached, the results could be vary serious in terms of impacts on Indian Rights. It does appear from some of the materials that there may be important advantages to Indian Governments if they seriously examine the Washington Attorney General's Report conclusions, the policy positions of the National Association of Counties position papers, resolutions and policy papers, and even the proposal for the establishment of a Presidential Commission on Federal Indian Policy impacts on non-tribal Indians and non-Indians. Instead of "opposing" certain elements of the Anti-Treaty Offensive, perhaps we should consider co-opting some elements of their strategy. By co-opting the opposition, we would be able to reduce the impact of their offensive and even "steal" some of their supporters (i.e the attorney General, National Association of Counties and some other organizations.

It should be noted by the Chairman that some of the conclusions contained in the Attorney General's Report: INDIAN TRIBES AND THE STATE OF WASHINGTON, reflect similar types of questions we entertained when we developed TRIBES AND STATES IN CONFLICT: A TRIBAL PROPOSAL in 1979. Based on our conclusions in the Inter-Tribal Study Group on Tribal/State Relations document, it may be possible to establish a "dialogue" with the Washington State Attorney General -- thus work to answer some of the concluding questions that appear in his report. Such an effort would necessarily have to be very controlled, but I believe would could co-opt the Attorney General and "win him to our side!".

As for the National Association of Counties, it should be possible to arrange through our neighbors and opportunity to enter into a dialogue with that organization. Its policy position is not so far off the mark that we couldn't deal with them. Indeed, we may find that we want to work with them. Again, co-opting the opposition would strip away the shroud of legitimacy that S/SPAWN, TEA and the Property Owners' Associations have wrapped themselves in. They are obviously attempting to make their essentially racist position more palatable by associating themselves with the Attorney General in Washington State, the National Association of Counties and their sub-units in Wisconsin and various congressmen. Why not simply remove legitimacy and expose them as the racists they are?

CONFERENCE OF TRIBAL GOVERNMENTS

STEERING COMMITTEE

APRIL 09, 1985
(ENTERTAINMENT CENTER, TULALIP INDIAN TRIBES)

PROPOSED

AGENDA

Meetings of the COTG STEERING COMMITTEE:

APRIL 09, 1985: Entertainment Center

9:00am

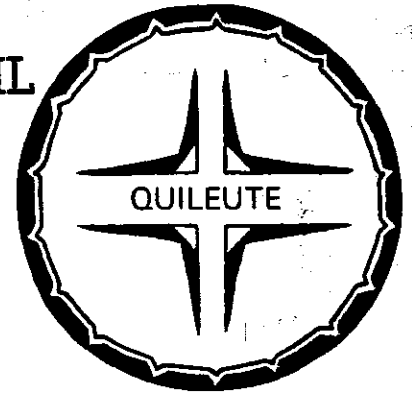
Meeting Nine

- ITEM #1. Working Group on Tribal Conflict Resolution; *Linda - Kufay White, G. Peterson*
- ITEM #2. Fifth Session of the General Assembly
- ITEM #3. PROJECT AWARENES: Organization and initiation
- ITEM #4. COMMITTEE ASSIGNMENTS
- ITEM #5. INDIAN NATIONAL ECONOMIC STUDY - *Tribal Technical Team - include IIT.*
- ITEM #6. Tribal Intergovernmental Relations.
Establishment of Framework thru COTG
Bilateral Basis (1-1)
Multi-lateral Basis (many tribes/state)
Set of procedures for dealing w/one another (in principle)
NW Water Resources Committee urging establishment of framework.

- 1 staff level meetings
- 2 tribal official/state/staff
- 3 preliminary understanding / informed discussions
- 4 formal disc/ negotiations
5. ~~formal~~ mechanism established on formal basis

QUILEUTE TRIBAL COUNCIL

POST OFFICE BOX 279
LA PUSH, WASHINGTON 98350



The Honorable Governor Booth Gardner
Office of the Governor
Capitol Building
Olympia, Washington 98504

May 7, 1985

Honorable Governor Gardner:

Since late October, Indian Government officials have been consulting with each other regarding establishment of a dialogue with the State of Washington on the "renewal of efforts to create a government-to-government framework for resolving disputes between our governments and the government of the State of Washington."

In January we sent our staff liaison, Rudy Ryser, to meet with your Chief of Staff Dean Foster to provide him with a background briefing on past Indian Government/State Government relations; and a proposal for a three-step process for the establishment of a formal dialogue between chosen Indian Government officials and the Governor of the State. In our communication through Chief of Staff Foster, we proposed that a three-step process include:

1. Preliminary Briefings.
2. Preparatory Discussions.
3. Formal Talks.

A further description of 3 steps include:

1. Preliminary Briefings: Staff level discussions to prepare the basis for step two.

(Foster agreed to participate in step 1. That meeting took place on January 25 in your office involving Chief of Staff Dean Foster, Governor's Counsel Terry Sebering and our Staff Liaison Rudy Ryser. This discussion centered on background and these points: Governor's Office will conduct an internal review of State policies and practices concerning Indian Governments; framework discussions be undertaken in steps involving formal and informal process; the process should involve two-levels -- principles and technical discussions.)

2. Preparatory Discussions: Informal meetings between chosen Indian Government officials and key policy level staff in the Governor's office would be conducted periodically.

The first of these meetings took place on February 14 in Olympia involving Foster and Chairman, Vice Chairman and Councilman. It

was understood at the end of this meeting that sharing of information was essential, neither side will interfere in the internal policies of the other, each side should designate a staff-level working group to continue exchange of information, inquiry would be made to determine if the Northwest Renewable Resource Center could play a helpful role in the process, and, the informal discussions (step 2) should continue. Informal staff level discussions would be followed by informal discussions between the Governor and chosen Indian Government officials.

3. Formal Talks: Structured and systematic talks on establishing an intergovernmental framework for conflict resolution would commence involving the Governor and chosen Indian Government officials.

Since February 14 there have been no further informal discussions. We believe they should continue, as proposed and partially implemented. Indian Governments reconvened the Conference of Tribal Governments in Sessions conducted during March and April. We have concluded that Preparatory Discussions can be fruitful, and indeed, the prospects for serious progress toward improved relations between our governments are very good. We believe the time is right for establishing a working government-to-government framework that is based on acceptable principles and provides for effective bi-lateral and multi-lateral resolution of tribal-state disputes. We hope you share our belief that the process we jointly entered in January should continue with all deliberate speed.

Sincere regards,



Walter Jackson
Chairman
Quileute Tribal Council

On behalf of the Conference of Tribal Governments Steering Committee

Cecile Maxwell, Chairwoman, Duwamish Tribe
Willie Jones, Vice Chairman, Lummi Indian Tribe
Stan Jones, Jr., Treasure, Tulalip Board of Directors
Ed Claplanhoo, Vice Chairman, Makah Indian Tribe
Joan McBride, Vice Chairman, Shoalwater Bay Tribe
Mel Tonasket, Vice Chairman, Colville Confederated Tribes
Roger Jim, Chairman, Yakima Nation
Joe DeLaCruz, Chairman, Quinault Indian Nation