



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

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## A MESSAGE

To: The Hoopa & Yurok People of the  
Hoopa Valley Indian Reservation

From: Assistant Secretary - Indian Affairs

The purpose of this message is to indicate to you, the Hoopa and Yurok people, a course of action which I propose to take in order to resolve the dispute over the use and benefit of the Hoopa Valley Reservation and remove the impediments to self-determination by Indian people in its management.

In view of the Department of the Interior's responsibilities regarding the people and resources of the Reservation, I recently directed my staff to take a fresh look at the entire history of the matter, including the past practices and policies of the Department. On the basis of this study, certain conclusions have been reached which point to a definite course of action. I know that you share my hope that this will result in a just resolution of the longstanding conflict and in the fair and proper use of the resources of the Reservation.

As you know, the Hoopa Valley Indian Reservation was established for Indian purposes by Executive Orders authorized by an Act of Congress. The Executive Order of 1891 established its present boundaries. In 1958, the Solicitor's Office of the Interior Department advised the Bureau of Indian Affairs that the Square was separate from the Extension and that the Hoopa Valley Tribe was entitled to exclusive use of and benefits from Reservation resources from the Square. However, in 1973, the Court of Claims in Jessie Short, et al v. United States decided that the Square and Extension were one Indian Reservation. In 1974, the Supreme Court declined to review the Court of Claims decision.

The fresh assessment of the overall controversy has focused attention on the obligations of the Department of the Interior in this matter, given the fact that the Reservation is subject to the administration

of the Secretary of the Interior for Indian purposes. One of these obligations is for the Secretary to remove all doubt about who is entitled to use and benefit from the Reservation and to formally designate the Indian beneficiaries. It is my intention to designate the Hoopa Valley Tribe and the Yurok Tribe as the Indians of the Reservation who are entitled to use and benefit from the Reservation and its resources.

The membership of the Hoopa Tribe is known. The membership of the Yurok Tribe is yet to be established, and membership standards and criteria have yet to be developed and announced. To the extent possible the membership of the Yurok Tribe will be constructed along lines similar to those used during the construction of the membership of the Hoopa Tribe, with the result that members of both Tribes will include some Indian people who are not necessarily of Hoopa or Yurok blood.

In the future, the Department of the Interior will deal and work with each Tribe and its governing body as separate entities on matters of exclusive concern to each. In the case of the Hoopa Tribe this means that certain of their current constitutional powers relating to management of Reservation assets will be limited and their constitution should be amended accordingly.

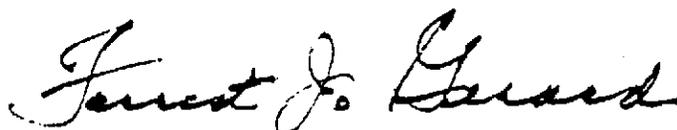
However, since both Tribes are entitled to share in the Reservation assets, a mutually agreeable arrangement will necessarily be developed for managing these assets and otherwise dealing with the range of matters affecting the Reservation as a whole. Until such time as a Reservation-wide management and coordination body or similar organization can be established, it is necessary for the Department of the Interior through my office to assume complete management of the Reservation assets on behalf of both Tribes. In so doing, a temporary moratorium is placed on all per capita payments as of February 1, 1979.

The first step in establishing a Reservation-wide management and coordination body is the organization of the Yurok Tribe. So that this may occur, I have directed that work begin immediately on a Yurok voters list and that the Yurok voters shall be accorded the opportunity to nominate and select an interim Yurok Committee. The Department will deal and work with this Committee under a temporary grant of authority so that as soon as possible they might avail themselves of those benefits afforded to Indian tribes. However, we foresee that the Committee's primary responsibility will be to draft a proposed Yurok Tribal constitution. This document would then be placed before the

Yurok people for their adoption or rejection in an election called for that purpose by the Secretary of the Interior. Once the Yurok Tribe is formally organized and functioning in accordance with its governing document, its membership roll may be certified. After certification of the roll, I will make trust funds available for the use of the Yurok Tribe which have been set aside since 1974. Subject to the usual Secretarial approval, these funds may be used for per capita payments or other purposes, as the Yurok Tribe may determine.

The present 70%/30% split of Reservation trust income will continue until February 1, 1979, when a single Reservation account will be established. When the Reservation-wide body is formally established, it will determine, under this general trust authority of the Secretary, the use of funds flowing into this account. Until this Reservation-wide body is established, only the amount necessary for essential organizational and administrative purposes of the Tribes will be made available in amounts approved by the Secretary. No per capita payments will be made from this account until the Reservation-wide body is established.

This course of action is consistent with my commitment to the people of the Hoopa Valley Indian Reservation to do all within my power to assist you in your attainment of self-determination goals and responsibilities. It embodies the indispensable first steps toward the realization of self-determination on the Hoopa Valley Reservation.



Assistant Secretary - Indian Affairs