

Telling Our Story

The Spokane River Forum

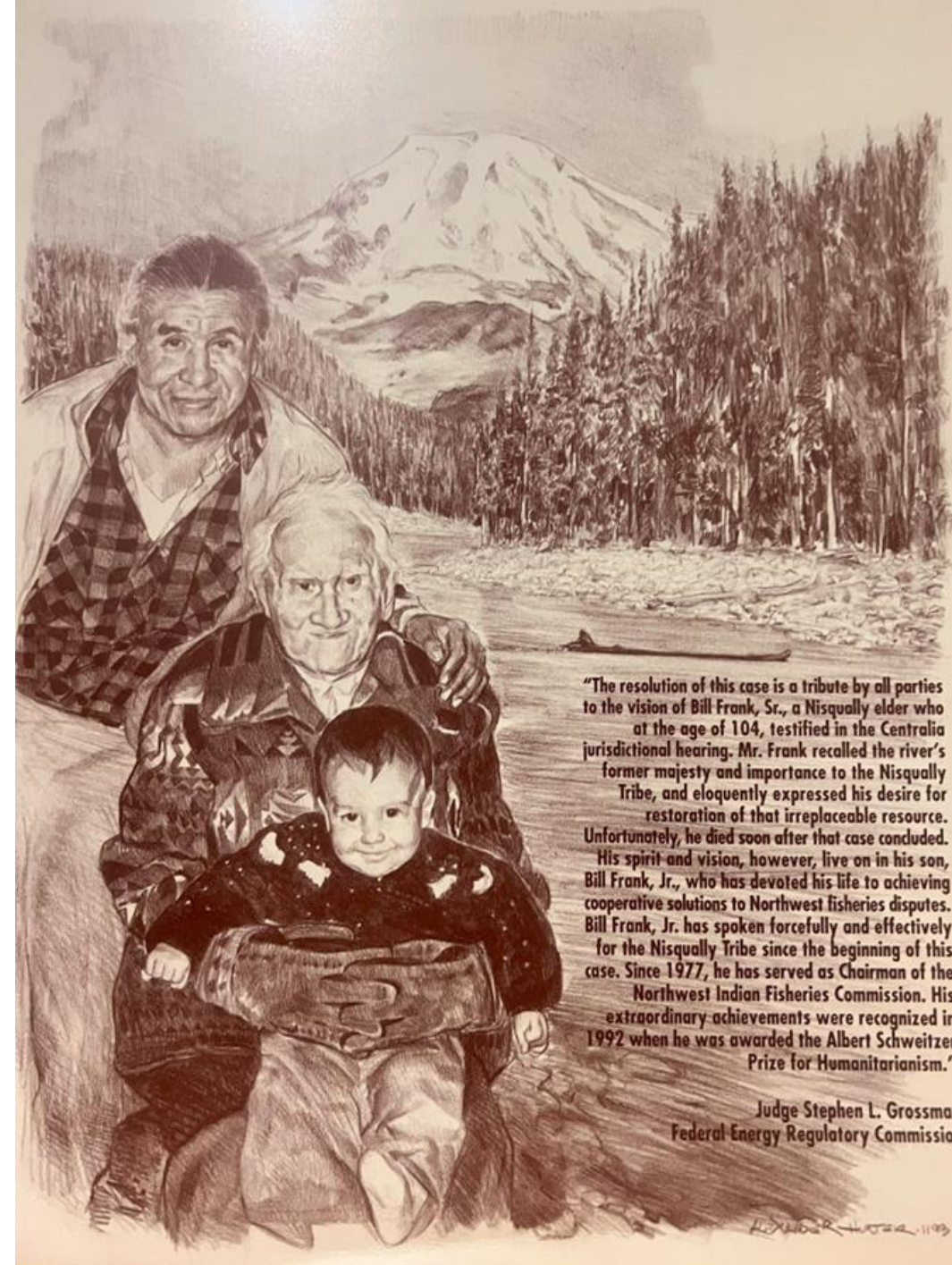
2025

By: William Thomas Crystal Frank III

Traditional Name: Qua-Lash-Qud

Family, Community, Kinship,

- Education, Healthcare, Housing,
- Fishing, Hunting, Gathering,
- Trade, Commerce, Environment,
- Respect, Love, Patience,
 Female, Male, Woman, Men,
 Children, Adults, Elders,
 Teaching and Living Together



"The resolution of this case is a tribute by all parties to the vision of Bill Frank, Sr., a Nisqually elder who at the age of 104, testified in the Centralia jurisdictional hearing. Mr. Frank recalled the river's former majesty and importance to the Nisqually Tribe, and eloquently expressed his desire for restoration of that irreplaceable resource. Unfortunately, he died soon after that case concluded. His spirit and vision, however, live on in his son, Bill Frank, Jr., who has devoted his life to achieving cooperative solutions to Northwest fisheries disputes. Bill Frank, Jr. has spoken forcefully and effectively for the Nisqually Tribe since the beginning of this case. Since 1977, he has served as Chairman of the Northwest Indian Fisheries Commission. His extraordinary achievements were recognized in 1992 when he was awarded the Albert Schweitzer Prize for Humanitarianism."

Judge Stephen L. Grossman
Federal Energy Regulatory Commission

Table of Contents

Medicine Creek Treaty of 1854

7 Treaties in Washington State

Washington State:1889

Indian Land Taken:1917

Bureau of Indian Affairs:1946

Public Law 280:1953

U.S. vs Washington:1974

Centennial Accord:1989

Millennial Agreement:1999

Out of State Accord:2004



sqwalit'ab's

NISQUALLY TRIBE



MEDICINE CREEK NATION





LEGACY OF LEADERSHIP: LESSONS FOR FUTURE GENERATIONS

"Whatever the future holds, do not forget who you are. Teach your children, teach your children's children, and then teach their children also. Teach them the pride of a great people ... A time will come again when they will celebrate together with joy. When that happens, my spirit will be there with you."

~ Chief Leschi, Nisqually



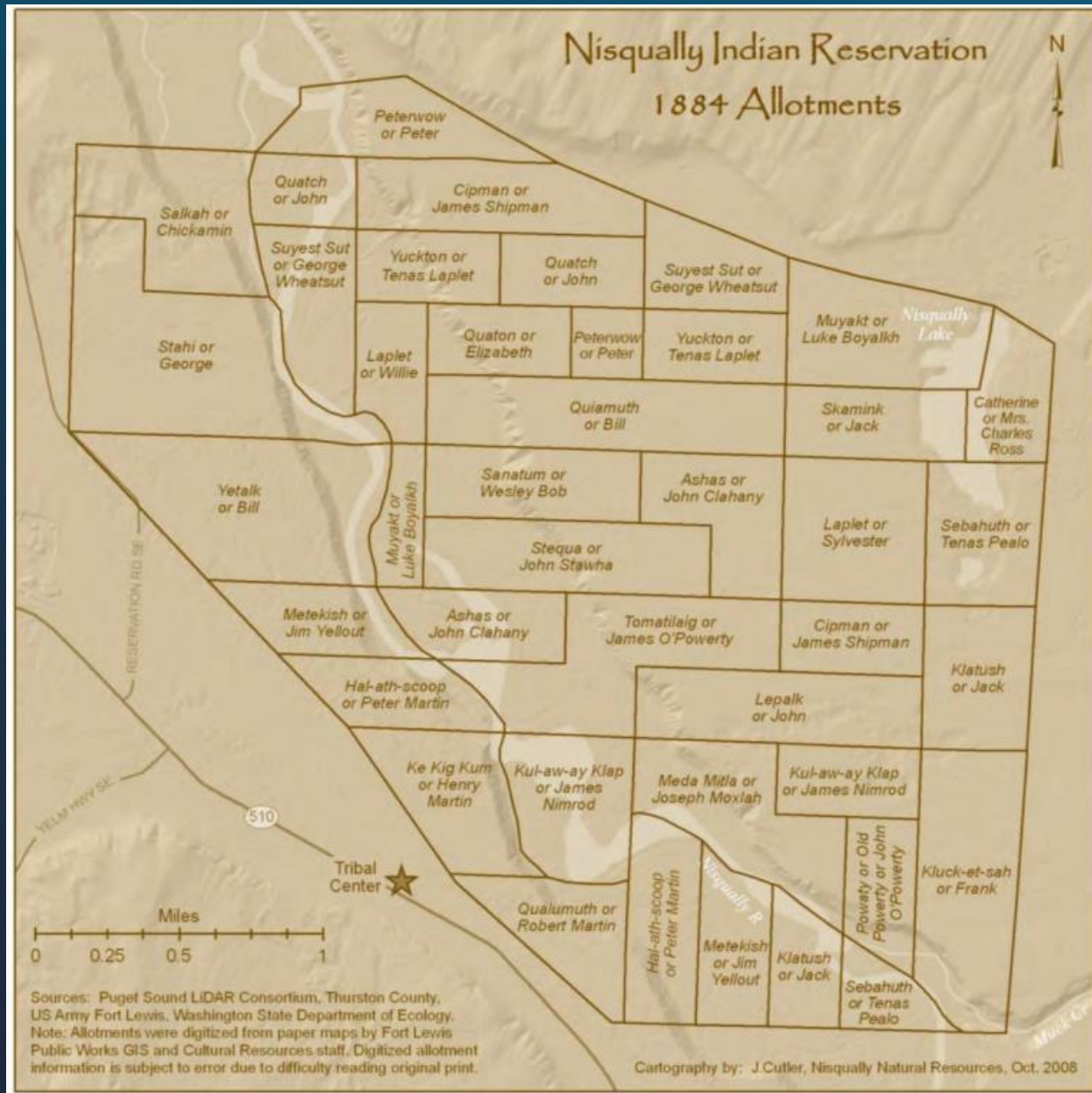


"Every time we carry
an eagle feather,
that's
sovereignty.
Every time we pick
berries,
that's sovereignty.
Every time we dig roots,
that's sovereignty."

Billy Frank Jr.

The Circle of Life

1. Children, Adults, Elders,
2. Environmental Awareness
3. Environmental Protection
4. Family
5. Community
6. Kinship
7. Language and Communication
8. Fishing, Hunting, Gathering,
9. Horses, Canoes, Runners,
10. Salmon, Berries, Roots,
11. Cedar, Camas, Bark,
12. Song, Dance, Drumming,
13. Water, Trees, Mountains,
14. Stories, Traditions, Knowledge,
15. Food, Sports, Entertainment,

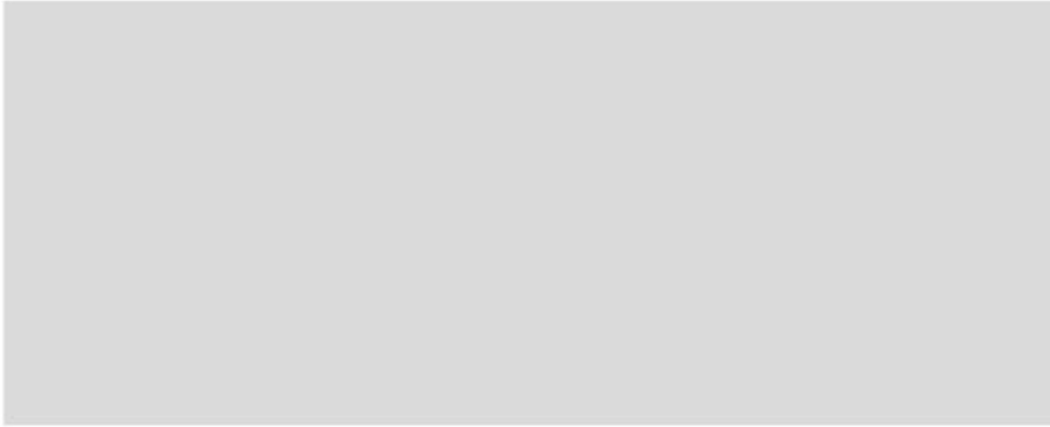


WILLIE FRANK (ACCOUNT F-7).

Willie Frank spent about half his award in the purchase of 6 acres of good bottom land at Nisqually River bridge, about 3 miles below the reservation, and across the road from the sawmill where Peter Kalana resides. Four acres of this land is partly cleared and in grass and can easily be placed under cultivation. During very high water part of this land overflows but does not seem to do any permanent damage. The Tacoma-Olympia paved highway is a short distance across the river, and the Nisqually railroad station about three-fourths of a mile. On this land, at the road, is a blacksmith shop, which Willie rents for \$10 a month to a blacksmith who has the shop fairly well equipped. A small house covered with shakes near the blacksmith is occupied by an old man. Willie and his wife live in a small cabin 14 by 20 feet, recent built of boards. It should have a better roof and foundation, and a woodshed, barn, chicken house and yard erected. Willie should also plant an orchard and a berry patch and put some of the land into cultivation. Willie and his wife are over in the Yakima Valley, each earning \$6 per day picking hops, fruit, and potatoes. The superintendent should see that the necessary improvements are made this fall or winter, or early spring at latest. (C, 31. Roblin, 22, 42.)



PLAN OF THE
PUGETS SOUND AGRICULTURAL
COMPANY'S LAND CLAIM





Billy Frank Jr.
and Older
Brother Don
McCloud Sr.

Winter Chum Fishing on the Nisqually
River





Willie and Angeline Frank, the names behind "Frank's Landing" on the Nisqually Delta.



WA HE LUT INDIAN SCHOOL FRANKS LANDING INDIAN COMMUNITY NISQUALLY RIVER

FOUNDED IN 1974, the Wa He Lut Indian School Campus was destroyed by Nisqually River flooding in February 1996. Located here at Historic Franks Landing, site of the struggle to protect treaty fishing rights, this school emphasizes academic excellence in an environment of cultural pride that will allow our graduates to succeed in their life goals.

THIS BUILDING IS DEDICATED to all past, present and future students of the Wa He Lut Indian School, and

IN MEMORY OF

WILLIE FRANK
QU-LASH-QUAD
ANGELINE FRANK
YEKABOLTS
MAUREEN FRANK
YEL-YOUS

ALVIN BRIDGES
PLA-PLEUP-TID
VALERIE BRIDGES
CA-BA-QUAD

"as long as the rivers run"

FIRST GRADUATE

BRIDGET CULPUS
SHE-CON-AWAT

JANUARY 10, 1998

WA HE LUT INDIAN SCHOOL BOARD

MAISELLE BRIDGES
SUZETTE MILLS
ALISON GOTTFRIEDSON
EDITH MC CLOUD
PAT KALAMA
MICHAEL REICHERT

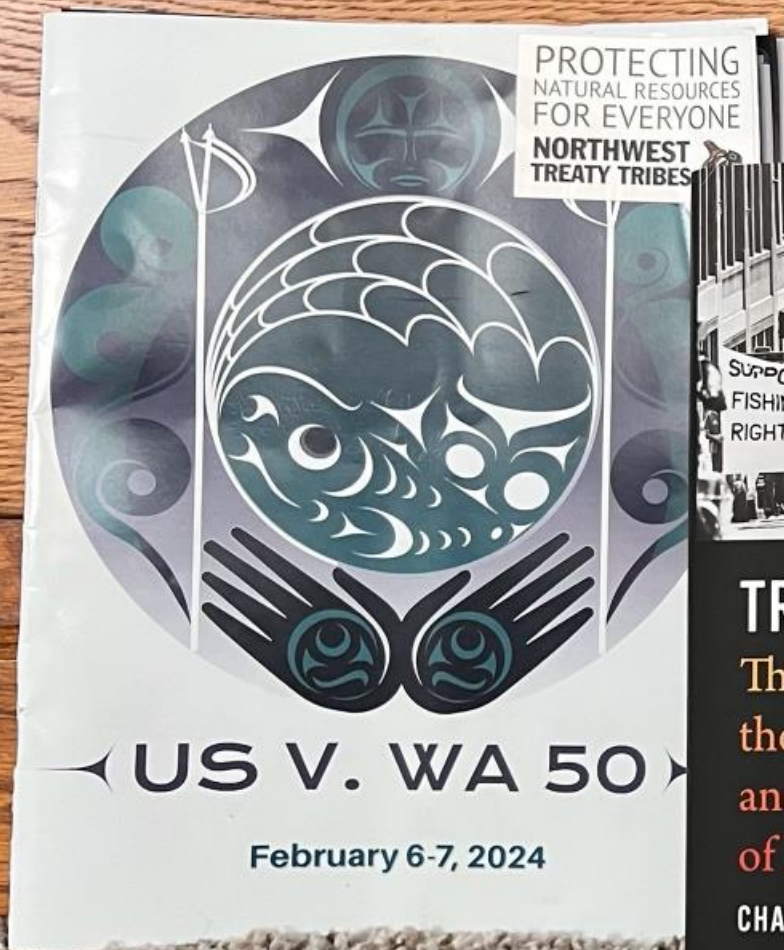
BASSETTI ARCHITECTS

RICK HUXLEY
RICHARD METLER
TOM TRUESDELL

FRANKS LANDING INDIAN COMMUNITY ELDERS M. A. MORTENSON CONSTRUCTION







TREATY JUSTICE

The Northwest Tribes,
the Boldt Decision,
and the Recognition
of Fishing Rights

CHARLES WILKINSON

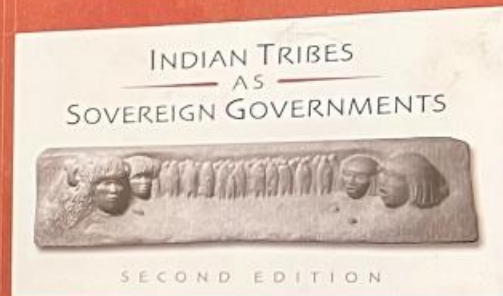
WASHINGTON
Messages from Frank's Landing
WILKINSON

"Charles Wilkinson has done it again. With unmatched familiarity and command, he adds another essential volume to the amazing history of Indigenous activism and legal advocacy that has made the Northwest such a vibrant region for Native rights and power. While much more remains to be done to affirm the recognition of Indigenous sovereignty in American legal institutions, Wilkinson's insights, vision, and legacy offer both guidance and inspiration."

NED BLACKHAWK *author of The RedCOVERY of American Native Peoples and the Unmaking of U.S. History*



UNIVERSITY OF
WASHINGTON PRESS
Seattle uwpress.uw.edu



Charles Wilkinson
&
The American Indian Resources Institute

N^o 4. *Am. & Hancock*

A
TREATY,
Held at the Town of
Lancaster, in PENNSYLVANIA,
By the HONOURABLE the
Lieutenant-Governor of the PROVINCE,
And the HONOURABLE the
Commissioners for the PROVINCES
OF
VIRGINIA *and* MARYLAND,
WITH THE
I N D I A N S
OF THE
S I X N A T I O N S,
In *JUNE*, 1744

PHILADELPHIA:
Printed and Sold by B. FRANKLIN, at the New-Printing-Office,
near the Market. M,DCC,XLIV.

TREATY
OF
Amity, Commerce, and Navigation,
BETWEEN
HIS BRITANNIC MAJESTY
AND THE UNITED STATES OF AMERICA,
BY THEIR PRESIDENT,
WITH THE ADVICE AND CONSENT OF THEIR
SENATE.
CONDITIONALLY RATIFIED
ON THE PART OF THE
UNITED STATES,
At Philadelphia, *June 24, 1795.*

TO WHICH IS ANNEXED,
A Letter from Mr. Jefferson to Mr. Hammond,
alluded to in the *seventh* Article of said
TREATY.

PHILADELPHIA,
PRINTED BY NEALE AND KAMMERER:
Sold N^o. 24, North Third Street.

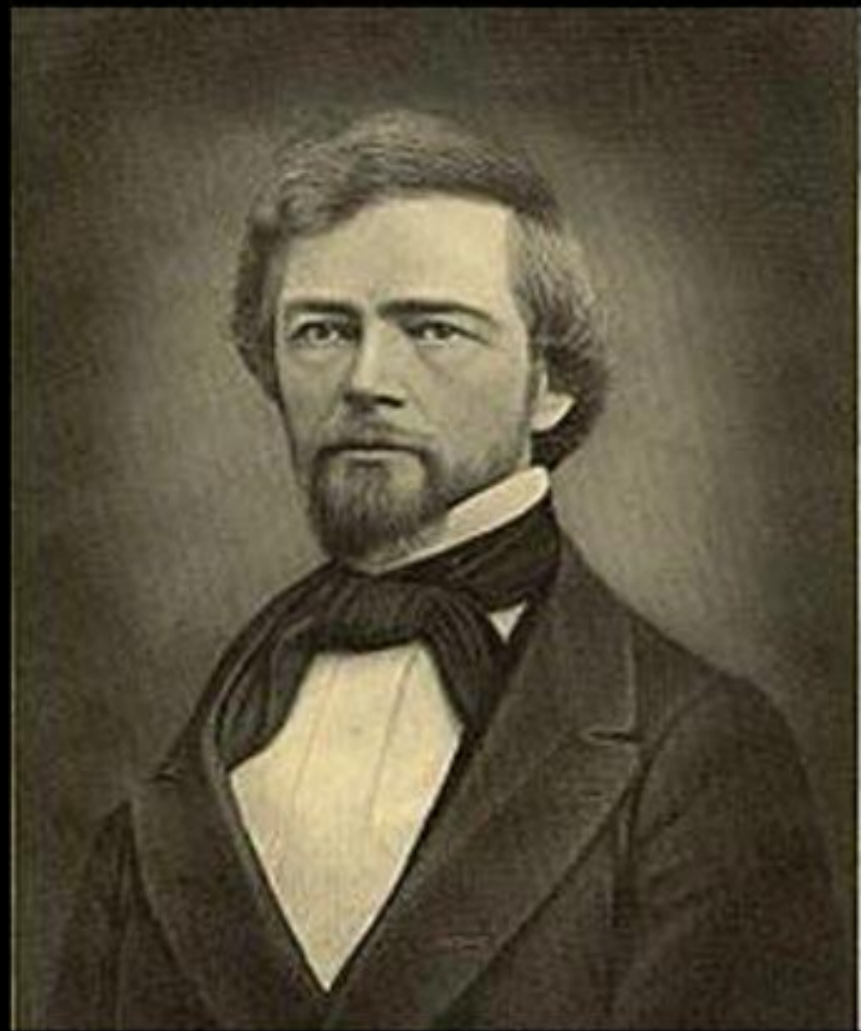
—1795—

WA Territory & Stevens Treaties

- Indians relinquished (gave up) their tribal homelands – **64 million acres (100,000 square miles)** from 1854-1855
- Indians moved to **reservations** – total of <6 million acres.

Treaty Outcomes:

- The U.S. government agreed to pay for the land it acquired over 20 years.
- The U.S. built schools on the reservations.
- The U.S. government provided free health care on the reservations.
- Assumed tribes would **assimilate** to American settler's culture.
- Limited **tribal sovereignty**.



Isaac Stevens

U.S. / TRIBAL TREATIES

- U.S. recognizes tribal existence as sovereign nations and rightful owners of the land and resources.
- To open way for peaceful settlement, U.S. enters into treaties with tribes from 1832-1871.
- These treaties were unlike the war treaties from 1774-1832, which were fashioned in the manner of the Treaty of Paris ending the Revolutionary War.

TRIBAL SOVEREIGNTY

- Important to understand the unique legal status and political relationship that tribes have with the U.S.
- Tribal sovereignty is the inherent authority of tribes to govern themselves.

Tribal sovereignty refers to tribes' right to:

- Self-govern;
- Define membership;
- Manage tribal property;
- Regulate business and domestic relations; and
- Have a government-to-government relationship with the Federal government.

WHAT WAS PROMISED IN THE TREATIES?

- In exchange for land, tribes received certain promises from the U.S. including:
 - reservation homelands for their exclusive use and occupancy
 - protection of right to fish, hunt and gather
- “...the right of taking fish at all usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the territory ...”

WHAT IS A TREATY?

- Legally binding agreement between two or more sovereign nations.
- President can enter into treaties with advice, consent of Senate.
- All treaties must be ratified by the Senate and become statutes.

U.S. CONSTITUTION ARTICLE VI, SECTION 2

"The Constitution . . . of the United States and all treaties made, or which shall be made, under the authority of the United States, *shall be the supreme law of the land*;

And the judges in *every state shall be bound thereby*, anything in the Constitution or laws of any state to the contrary notwithstanding."



• ARTICLE 1.

• The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States, all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows, to wit: Commencing at the point on the eastern side of Admiralty Inlet, known as Point Pully, about midway between Commencement and Elliott Bays; thence running in a southeasterly direction, following the divide between the waters of the Puyallup and Dwamish, or White Rivers, to the summit of the Cascade Mountains; thence southerly, along the summit of said range, to a point opposite the main source of the Skookum Chuck Creek; thence to and down said creek, to the coal mine; thence northwesterly, to the summit of the Black Hills; thence northerly, to the upper forks of the Satsop River; thence northeasterly, through the portage known as Wilkes's Portage, to Point Southworth, on the western side of Admiralty Inlet; thence around the foot of Vashon's Island, easterly and southeasterly, to the place of beginning.



- ARTICLE 3.
- The right of taking fish, at all usual and accustomed grounds and stations, is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting, gathering roots and berries, and pasturing their horses on open and unclaimed lands: Provided, however, That they shall not take shellfish from any beds staked or cultivated by citizens, and that they shall alter all stallions not intended for breeding-horses, and shall keep up and confine the latter.



THE “FISH WARS”

- State refuses to recognize treaty-reserved rights and arrests tribal members fishing off-reservation.
- Decades of strife lead to “Fish Wars” of the 1960s and 1970s.
- Only recourse for tribes was to seek legal remedy.



BROKEN PROMISES

- More than 370 treaties were ratified that helped the US expand its territory and led to many broken promises to the tribes.
- The tribes lost much of what was reserved and was guaranteed in these treaties.
- We are still here!
 - Diseases (smallpox, tuberculosis)
 - Assimilation
 - Boarding schools
 - Indian self-determination

U.S. V. WASHINGTON BOLDT DECISION (FEB. 12, 1974)

- Tribes have right to fish in all usual and accustomed places.
- Tribes are co-managers of the resource and are entitled to 50% of the harvestable fish.
- State can regulate Indian fishing only if it proves a conservation need; non-Indians must be regulated first.



UPHELD BY SUPREME COURT

The state refused to implement Boldt's ruling until 1979 when the Supreme Court largely upheld the decision.

"...other than some desegregation cases in the South, the civil disobedience by Washington State officials is the single greatest act of defiance of federal law witnessed in this century."

WHAT IS TRUST RESPONSIBILITY?

“The trust responsibility consists of the highest moral obligations that the United States must meet to ensure the protection of tribal and individual Indian lands, assets, resources, and treaty and similarly recognized rights.”

— Cohen's Handbook of Federal Indian Law

TREATY INTERPRETATION

- Under canons of treaty construction, treaties must be interpreted the way tribes would have understood.
- Ambiguities in construction must be resolved in favor of the tribes.
- Rules are rooted in the unique trust relationship between the U.S. and tribes.

Tribal Sovereignty

- Important to understand the unique legal status and political relationship that tribes have with the U.S.
- Tribal sovereignty is the inherent authority of tribes to govern themselves.
- Tribal sovereignty refers to tribes' right to:
 - Self-govern;
 - Define membership;
 - Manage tribal property;
 - Regulate business and domestic relations; and
 - Have a government-to-government relationship with the Federal government.





Whatcom

Bellingham

San Juan

Anacortes

Skagit

Mount Vernon

Island

Lakewood

Snohomish

Everett

Clallam

Port Angeles

Forks

Jefferson

Kitsap

Bremerton

Seattle

Bellevue

Renton

King

Federal Way

Mason

Tacoma

Puyallup

Grays Harbor

Hoquiam

Aberdeen

Olympia

Thurston

Pierce

Centralia

Pacific

Raymond
South Bend

Lewis

Cowlitz

Longview

Wahkiakum

Skamania

Chelan

Chelan

Douglas

Coulee City

Wenatchee

Grand Coulee

Ephrata

Grant

Moses Lake

Kittitas

Ellensburg

Yakima

Yakima

Okanogan

Omak

Republic

Ferry

Stevens

Pend Oreille

Newport

Lincoln

Wilbur

Spokane

Spokane

Whitman

Colfax

Pullman

Garfield

Clarkston

Benton

Richland

Kennewick

Franklin

Pasco

Walla Walla

Walla Walla

Columbia

Dayton

Asotin

- I. Preamble and Guiding Principles

- This Accord dated August 4, 1989, is executed between the federally recognized Indian tribes of Washington signatory to this Accord and the State of Washington, through its governor, in order to better achieve mutual goals through an improved relationship between their sovereign governments. This Accord provides a framework for that government-to-government relationship and implementation procedures to assure execution of that relationship.

- Each Party to this Accord respects the sovereignty of the other. The respective sovereignty of the state and each federally recognized tribe provide paramount authority for that party to exist and to govern. The parties share in their relationship particular respect for the values and culture represented by tribal governments. Further, the parties share a desire for a complete Accord between the State of Washington and the federally recognized tribes in Washington reflecting a full government-to- government relationship and will work with all elements of state and tribal governments to achieve such an accord.





TRIBAL-STATE JURISDICTION IN THE UNITED STATES: **BY THE NUMBERS**

35

STATES WHERE
THERE ARE
**FEDERALLY
RECOGNIZED
TRIBES**



7

STATES HAVE
**RETROCEDED AT
LEAST SOME
JURISDICTION** -
SHOWING THEY
ARE NOT
INTERESTED IN
JURISDICTION
OVER INDIAN
COUNTRY

10

STATES WITH
CONSTITUTIONS THAT
HAVE PROVISIONS
RELATED TO **DISCLAIMING
LAND AND JURISDICTION**



22

STATES HAVE A
PL280-LIKE PROVISION

PL 280



28

STATES WITH THE **STATE
ENABLING ACTS**, 8 OF
THOSE ACTS SPECIFICALLY
DISCUSS THE **U.S.
RETAINING JURISDICTION
OVER INDIAN LANDS**



*Brown's
Flowers*



48TH AND S. TACOMA WAY
P. O. BOX 9396
TACOMA, WASHINGTON 98409

CONGRATULATIONS

DEAR JUDGE BOLDT,

THIS WILL BE THE GREATEST INDEPENDENCE DAY
EVER FOR INDIAN PEOPLE IN THE GREAT NORTH-
WEST.

YOU WERE THE GREAT JUDGE FOR THE INDIANS
AND THE RESOURCE.

WE LOVE YOU AND YOUR FAMILY. GOOD LUCK!

BILL FRANK, JR.,
N.W.I.F.C.

FRANKS LANDING ON THE NISQUALLY RIVER

491 6375

TACOMA'S OUTSTANDING AND LARGEST FLOWER SHOP



Note of thanks
from Billy
Frank Jr.

Boldt Family
Collection



Strickland, Cantwell, Inslee Visit I-5 Nisqually River Bridge Project



April 12, 2022 Press Release

(strickland.house.gov/)



DON'T BE ASHAMED THAT YOU LOST YOUR CULTURE

We gotta be who we are
and still live and try to live in the society
and try to keep our culture out there--
Whether it's building canoe or fishing
and having our ceremonies and teaching our children.
That's all got to take place.
And it is taking place.
It's getting more and more, better and better.

I went up to Tulalip the other day
and watched their canoe carvers
and building the canoes for the centennial celebration,
And they got this person from the University of Washington
that comes out and he's a white person
and he's a very good person,
professor or doctor or whatever.
And he comes out and gives free time to the Tulalip tribe
and he show them
--actually shows them,
uses the old tools,
how to build and how to design that canoe.
Big giant canoe.
And I'm telling them,
you learn everything that that man is teaching you.
Everything.
And then you'll be the teacher
and then you'll teach your children.
And then we got it back again.

But you learn from anybody.
I don't care what,
whether it's a person at the University of Washington
or a person over there
But you learn the Indian,
you learn.

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Don't be ashamed that you lost your culture
and that teaching.
Because you're going to get it back
if you want to get it back.
You can learn from that person
and he's giving you the opportunity to show you.
And, you know, I think that's just really great.
That opportunity is there
and we're going to take advantage of it.

Billy Frank, Jr., Nisqually
February 24, 1989

世界の先住民と先住権

第1回取材レポート

2022年10月20日～11月9日

■アメリカ・ワシントン州

■カナダ・ブリティッシュコロンビア州



ビリー・フランク・ジュニアとともに

取材スタッフ

●監督・インタビュアー 影山あさ子

●撮影 吉田泰三

●プロデューサー 藤本幸夫

本当に、
けることなのです。
私たちの評議会に若いメンバーがいることは、私た
になります。シェイと話してみてください。彼女らは、私た
ちの言葉の先生です。言葉を守ってくれている人たちです。
私たちの言語は、何十年も眠ったままでした。「どうし
て言葉を教えてくれなかったのか」と父に訊ねると、父は
いつもこう答えました。祖父が教えてくれなかったからだ
と。祖父は、自分が受けたような扱いを私たちに経験させ
たくなかったのです。学校で殴りつけられたり、口を石鹸
で洗われたりという、体験です。
でも今、私たちの言語のチームがあります。私たちは、
公立小学校やそのような全ての場所で、言葉を取り戻し始
めたところです。

自分たちの言葉を 受け継いでゆく子供たち

私の名前はヤイストゥブルー。政府に登録している名前
は、シェイ・スクワリーです。ニスクワリーのトライブ評議
会のメンバーです。

私は、ワヒルインディアン学校 (Wahluke
School) とウ...

任感などの基礎を子どもたちが、先住民として身に付けて
ゆく場所なのです。
祖父はよく言っていました。白人が来る前、ニスクワリー
インディアンは楽園に暮らしていたのだと。山を見てくた
さい。マウント・レイニアです。マウント・レイニアは、
ニスクワリーの言葉でタホマと言います。「水を忘れるな
という意味です。ニスクワリーの言葉を聞くのは気持ち
いい。長いこと許されなかった言葉ですから。今、その
言葉をまた聞くことができる。私たちの学校で、そして
公教育の中で。祖父も誇りに思っていることでしょう。



シェイ・スクワリー
●ニスクワリー・トライブ評議員
●ワヒルインディアン学校部族語教師

です。寄宿学校では、部族語を話すことは禁じられ、文化
や生活習慣もすべて禁じられました。私たちの伝統を維持
することを許さない多くの障害があった中で、今日、私
たちが部族語を話すことが出来ることは、本当にすごいこと
です。

今、4名の部族語の教師がいます。周辺の公立学校でも
部族語を教えること

[illegible]

A topographic map of the Eatonville/Ashford area in North Carolina. The map shows the Blue Ridge Parkway (labeled 'The Divide') running diagonally from the top right towards the center. Eatonville is located in the upper center, and Ashford is in the lower center. The Blue River flows from the top left towards the center. Several properties are highlighted in orange and labeled with boxes: 'Otep Properties' near Eatonville; 'Machul Prairie 2', 'Indian Henry Cemetery', 'Machul Prairie', and 'Machul Shoreline Property' clustered near the Blue River; 'Markus Properties' near the center; and 'Hancock' in the lower right. A scale bar at the bottom left indicates distances in miles (0 to 2). A north arrow is located in the top left corner. The map also shows 'Reliance' and 'Blue' (likely Blue Lake) in the lower center, and 'Mount Baker National Park' in the bottom right corner.

Villages, Fishing Stations and Place Names
Nisqually Watershed and Vicinity

Key to Map Labels
Villages/People Who Lived There
Nisqually Fishing Stations
 Native Place Name (Current Place Name)
 Native Watershed Boundary (Current Watershed Boundary)

Washington State
Arc Enlarged

DRAFT - October 2013

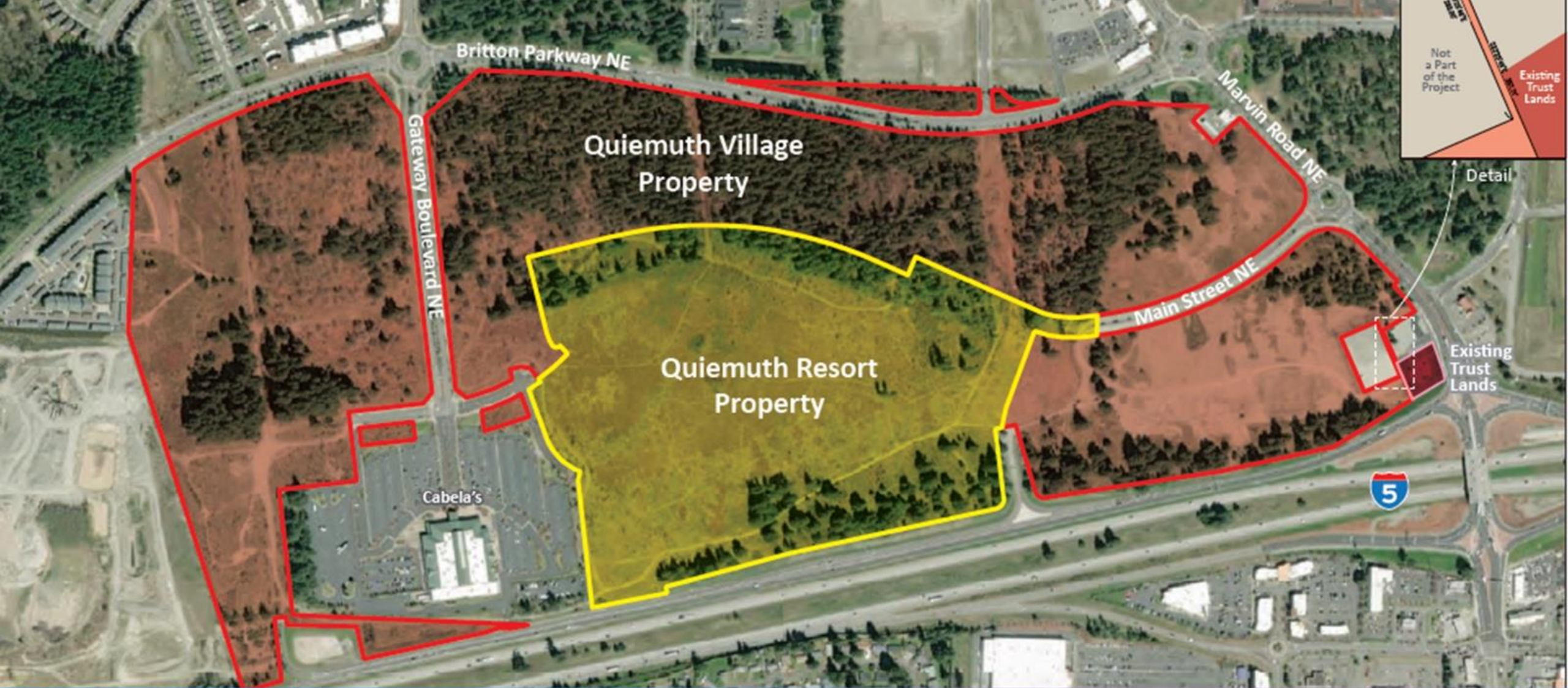
Data derived from: Villages, Fishing Stations and Native Place Names – primarily based on the research of Cecilia Felish Carpenter, Nisqually Historical Association – WASHCO, WASHCO, USA
 Disclaimer: This map is intended for general reference only. Sites may be missing or incorrectly identified; the legend or implied boundaries; the Watershed of Electrification; the Watershed of Fisheries are a particular purpose.

Lower Nisqually Detail

Nisqually Indian Tribe

Villages/People Who Lived There
Unusually Fishing Stations
Native Place Name (Current Place Name)
Native Name(s) (Current Name(s))

DRAFT - October 2013



Quiemuth Village & Resort Property
Size: 250 Acres



What did the Boldt Decision do for Tribes in Washington State?

Generally:

- Improved central aspects of Tribal life:
 - o Culture, Family, Community, Kinship, Governance, Education, and Economic Development
- Tribes reclaimed a seat at the table:
 - o Strengthened Tribal Sovereignty and reinforced Self-Determination

Specifically:

- Reaffirmed Treaty Rights
 - o Defined the reserved rights secured in the treaties
 - o Restored Tribes as the managers of their natural resources.
 - o Tribes again determined the best way to steward treaty and cultural resources
- Initiated Self-Determination legislation
 - o Self-Determination Act and Education of 1975
 - Increased Tribal control over governance and education
 - o Native American Religious Freedom Act of 1978
 - Independence to practice our songs and dances and to speak our traditional language
 - o Indian Child Welfare Act of 1978
 - Jurisdiction over the wellbeing and safety of our children





