



Modoc Nation  
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May 23, 2019

Oregon State Legislature  
House Committee on Veterans and Emergency Preparedness  
900 Court St. NE  
Salem, Oregon 97301

**Re: Modoc Nation Support, and Request for Senate Concurrent Resolution 12**

Dear Esteemed Committee and Honorable Representatives,

The Modoc Nation<sup>1</sup> (the “Tribe”) appreciates your review and deliberation of Senate Concurrent Resolution 12 that commemorates and, most importantly, honors those who lost their lives during and following the Modoc War of 1872-1873. Respectfully, we offer to you this written testimonial, that may be found of assistance to this legislation.

The Modoc Nation is a federally recognized Indian Tribe by federal act of May 15, 1978, Public Law 95-281, §2(a)(3). Our Tribe consists of those Modoc Indians who are direct lineal descendants of those Modocs removed to Indian territory (now Oklahoma) following the Modoc War of 1872-1873, otherwise known as Captain Jack’s band of Modoc Indians; and of those Modocs who were otherwise unable to return to Oregon pursuant to the Act of 1909,<sup>2</sup> as referenced in Senate Concurrent Resolution 12.

We are a separate and distinct federally recognized government from that of the Klamath, Yahooskin Paiute and Modoc (the “Klamath Tribes”) who were permitted to remain in Oregon on the Klamath Reservation and those who were able to return following the Act of 1909, as well as any other group of people claiming Modoc descentance. Of import, the terms that are found within the Treaty of 1864, including all recognized Treaty rights that are afforded to the Klamath Tribes, also apply to the Modoc Nation.

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<sup>1</sup> The recognition of the Modoc Tribe of Oklahoma (25 U.S.C. §861a(a), 25 U.S.C. § 5131, 84 Fed. Reg. 1200, 1204 (Feb. 1, 2019)) has been amended following a Secretarial Election in January of 2019, the result amended the recognized designation to the “Modoc Nation”. Henceforth, please refer to our government as the Modoc Nation. We understand that there is an impersonation of our Nation as professed by an individual named Jefferson “Greywolf” Kelley, as such we will seek the appropriate remedies against the party. This letter, in part, is to provide clarity on any confusion that may have been caused by other testimony submitted.

<sup>2</sup> The Act of 1909, 16<sup>th</sup> Congress, Session II, Chs. 253, 254, Section 5 (1909).

While we did not make a request for this resolution, we do have one request. Our government requests that language be included in this resolution to acknowledge that the federally recognized Modoc Nation is a Native Tribe of Oregon. Our homelands, that our direct ancestors fought, died, and were exiled from, include much of southern Oregon in the present-day counties of Douglas, Jackson, Lake, and Klamath Counties. At present we have very few government-to-government conversations with the State and State Agencies of Oregon, and as a result it has been difficult to protect or preserve our Tribe's cultural assets and sacred places. Often times our interests have gone unnoticed, and our voice has gone unheard on matters that directly impact our cultural heritage within Oregon. As such, a very simple remedy to this is to acknowledge that the federally recognized Modoc Nation is an Oregon Tribe and direct the government agencies to consult directly with our government on issues that do and may impact our interests. We propose language such as:

“The State of Oregon acknowledges the federally recognized Modoc Nation as a Native American Tribe of Oregon, and as such are afforded all rights and status as a Native American Tribe of Oregon.”

Again, we express our appreciation for this proposed resolution and the efforts of Senator Girod. It was quite the pleasant surprise to come to our attention that the State of Oregon was considering such a proactive action. We look forward to reestablishing our long-standing government to government relationship with the people of Oregon.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill G. Follis". The signature is fluid and cursive, with a prominent initial "B" and "G".

Bill G. Follis, Chief