

INFO MEMO

FOR: DONALD J. TRUMP FOR PRESIDENT

FROM: LAWRENCE KOGAN & BRUCE J. MORAN

**Subject: NATIONAL SECURITY: Protecting Private Property and the U.S. Food Supply
Against Federal Government Abuse of Wildlife and Tribal Policies**

- **U.S. INTERIOR DEPARTMENT (“DOI”) ABUSES CONTROL OVER WESTERN IRRIGATION PROJECT FARMERS:** DOI’s Bureau of Reclamation (“BOR”) oversees 130 federal irrigation projects, and DOI’s Bureau of Indian Affairs (“BIA”) oversees 16 federal Indian irrigation projects hosting mostly non-Indian farmers. [BOR](#) and [BIA](#) have failed to provide project irrigators with accountings of their repaid construction costs, in violation of federal law, thereby preventing irrigation districts from taking ownership of (title to) previously paid-for farmer-managed project infrastructure and/or from undertaking project operations and maintenance (“O&M”) necessary to ensure proper water deliveries to irrigators.
- **BOR ABUSES WILDLIFE & TRIBAL POLICIES IN OREGON-CALIFORNIA KLAMATH BASIN:** In 2001, DOI successfully shut down water deliveries to the federally-owned [Klamath Irrigation Project](#) (“[Project](#)”) to save “endangered” and “threatened” fish species (Coho salmon and sucker fish) and recognize aboriginal tribal water rights. Since 2009, the Obama administration, OR and CA developed, promoted and signed several Klamath Basin agreements, seeking to align water supply & demand, mitigate the environmental effects of irrigation, restore basin endangered/threatened critical habitats, protect tribal fishery resources BIA holds in trust for 3 federally recognized Indian tribes, and to remove [4 perfectly good hydroelectric dams](#) and replace them with “more sustainable” solar and wind energy sources. The net effect of these agreements (and others now being developed) is to curtail water flows and dry up the basin and [Project](#) to diminish agriculture. Family farmers supporting the agreements are promised significant government subsidies payments which may never materialize.
- **BIA ABUSES WILDLIFE & TRIBAL POLICIES IN MONTANA FLATHEAD BASIN:** During January and April 2015, respectively, the DOI Secretary, Montana and the Confederated Salish & Kootenai Tribes (“CSKT”) executed the [CSKT Water Compact](#) and the Montana legislature and governor enacted it into state law. The Compact cedes to the CSKT instream flow rights to [20% of Montana’s rivers and tributaries](#) in deference to federally reserved aboriginal tribal water rights bearing a time-immemorial priority date that BIA holds in trust for the Tribes. The Compact diminishes the state-recognized water rights of non-Indian farmers operating w/in the [Flathead Irrigation Project](#) (“FIP”) located inside the Flathead Indian Reservation. It enables the CSKT to deprive non-Indian farmers of early season mountain instream flows that otherwise would be captured in CSKT-controlled reservation reservoirs, to increase Flathead River and Clark Fork River levels to protect “endangered”/“threatened” fish species. It also curtails late season FIP water diversions from the CSKT-owned Kerr Dam & the BOR owned Hungry Horse Dam. The Compact has been submitted to Congress for ratification.
- **ABUSED WILDLIFE AND TRIBAL POLICIES THREATEN U.S. AGRICULTURE & POSE NATIONAL SECURITY PROBLEM:** Curtailed water flows to generations-old non-Indian FIP farms serving major U.S. livestock & produce markets effectively dries them up, reduces their economic value and [discourages future generations of western farmers](#). Fewer western farmers to harvest crops & livestock for Americans means a reduced U.S. market supply of such products. U.S. national security is compromised if America becomes more dependent on third world agricultural imports, the safety, security and delivery of which cannot be guaranteed.

WORKABLE 3-STEP PLAN: U.S. AGRICULTURE: MAKE AMERICAN GREAT AGAIN!

1. **Promote title transfer to farmers of federal irrigation projects;**
2. **Don’t recognize federally reserved tribal aboriginal water rights;**
3. **Curtail exercise of federal agency plenary powers thru use of civil war-era ‘war power’ statute.**

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