

# INDIAN LAW RESOURCE CENTER

1101 VERMONT AVENUE, N.W., WASHINGTON, D.C. 20005 • (202) 347-7520

May 1, 1979

Mr. Howard Cannon  
Litigation Coordinator  
Oneida Tribe of Wisconsin  
Route 4  
De Pere, Wisconsin 54115

Dear Mr. Cannon:

This is to confirm our telephone conversation of this afternoon.

We have drafted and expect to file late next week a law suit against Forrest Gerrard and the Department of the Interior to stop them from carrying out their plan to set up another government for the Oneidas in New York. The suit is in the name of the Oneida Nation as it exists in New York and as recognized by the Six Nations Confederacy. The suit also names individual Oneidas as plaintiffs.

The suit alleges that the Oneidas have the right of self-government and that a traditional government already exists as part of the Confederacy. The suit alleges that the defendants are interfering with the right of self-government of the Oneidas in violation of treaties and international law and without any authority under United States law. The suit also alleges that the referendum and the Gerrard's plan are arbitrary and unfair and constitute a denial of due process.

Finally, the suit includes a claim for damages in favor of individual Oneidas whose names, clans and birthdates were disclosed by the BIA in preparation for the referendum. The disclosure violated the federal Privacy Act.

The Center will agree to represent the Oneida Tribe of Wisconsin as a co-plaintiff or intervenor in this law suit, provided that the Six Nations Council and the Oneida Nation in New York agree. I expect they would approve. I understand that our representation would have the concurrence of the Native American Rights Fund. Please let me know the decision of your council.

Congratulations regarding the strong and thoughtful letter to the President. The Nation's position is very sophisticated and well thought through. It could be a model for others.

Sincerely,



Robert T. Coulter  
Executive Director