

ONEIDA INDIAN NATION



ONEIDA NATION HOMELANDS

September 14, 2017

Chairman Ron Hill
N7210 Seminary Road
Oneida, WI 54155

Dear Chairman Hill:

Shekóli. On June 21, 2017, members of our Council and I accepted an invitation from Chairwoman Cristina Danforth, through our respective attorneys, to meet in a good faith effort to negotiate a resolution to longstanding issues between us. At her request, we traveled to Detroit with the intent and authority to reach an understanding among our governments, and to form a framework to address future issues that may arise between us.

Upon arriving at the meeting, we were surprised to discover that she did not show up to the meeting. Without affording us the courtesy of any advance notice, there were representatives who lacked authority to make any agreements to reach a resolution, and who were prepared only to reassert your position and only request concessions from us. The meeting was therefore futile. Sending delegates who lack authority to enter an agreement, after your attorney assured us that she would be present to negotiate in good faith, was just another example of how your tribe has approached its dealings with us throughout the years.

After the meeting, your tribe resumed its efforts to obfuscate and undermine our governmental authority in New York, by again creating confusion as to your presence here. Your tribe's application to cancel our federally-registered trademarks, which we sought more than a decade ago, are a continuation of your effort to misappropriate the historic name and tribal identity of the Oneida Indian Nation. We are enclosing a copy of a letter that we sent to Chairwoman Danforth, outlining these facts. Your tribe purchased land within our reservation and has asserted a right to govern it, even though the DOI does not recognize it. In 1993, your tribe created a new entity called the "Oneida Preservation Society" to impersonate the Oneida Nation of New York. You sent thousands of mailings and broadcasting advertisements in central New York addressing political/legal land claim issues. When we sued to stop the impersonation, the Vice Chair of your tribe entered into a court-ordered consent decree barring efforts to create future confusion. Your tribe has paid dissidents to challenge our government and has urged DOI to withdraw recognition of the government. You even claimed a share of our casino profits.

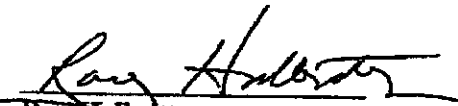
After failing at that effort, you underwrote the cost of a lawsuit to close our Oneida Nation casino.

Most recently, without public notice – and without any notice to us – your tribe manipulated the federal process for recognizing Indian nations by seeking to change its name from “Oneida Tribe of Indians of Wisconsin” to “Oneida Nation.” That change dropped all words that distinguished the Oneida Tribe of Wisconsin from the Oneida Nation in New York. The Federal Register states that Larry Roberts, a member of (and former lawyer for) the Oneida Tribe of Indians of Wisconsin, was the Assistant Secretary for Indian Affairs who authorized publication of the revised list. Even before approving the name-change request, the BIA’s Midwest Regional Office told your tribe that “changing the name will cause confusion” and that “compounding the difficulty will be the name of the tribe in the state of New York, called the ‘Oneida Nation of New York.’” The BIA warned that “[w]hile the two names would not be exactly the same they are close enough so that they will undoubtedly be confused more often than they are now.” Your tribe did not dispute any of this, and, in fact, admitted that its name change “may result in confusion with the Oneida Nation of New York.”

In justifying its name change, the Wisconsin tribe told the BIA that the name change is “more responsive to the Tribe’s governmental status.” That was revealing. It showed that the name change is intended to claim the Oneida Nation’s root name as part of a false claim to be the one, true Oneida Nation. As a result, you are attempting to mislead DOI to portray us as a subset or offshoot of an alternate Oneida Nation in Wisconsin, which creates unnecessary confusion and conflict. Your tribe doesn’t seem to be able to just live with us in peace. In fact, your tribe already has started exploiting the new name in a commercial setting that will create confusion. You attempted to create a national golf event called the “Oneida LPGA Classic,” even though we had prior use and reputation as a premier national golf destination in Indian country.

Based upon this history, as detailed more fully in the attached letter, we do not have any confidence in your tribe’s willingness to conduct itself in an appropriate government-to-government manner, and to confer in good faith on matters of tribal interest. We must protect our Nation’s interests from your tribe’s unwarranted aggression. Your tribe’s conduct has compelled us to file a lawsuit in federal court to reverse this injustice, and to restore us to the proper standing. Accordingly, we are enclosing a copy of the lawsuit that details the violations.

NA ki’ wa,


Ray Halbratter
Nation Representative

Enclosures