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03/12/05

# HAUDENOSAUNEE

ONONDAGA NATION  
HEMLOCK ROAD - BOX 319-B - VIA NEDROW, NEW YORK 13120

Thursday, March 10, 2005

Dear Sir or Madam:

On behalf of the Onondaga Nation of the Haudenosaunee Confederacy I write to provide information on the Nation's Environmental and Land Rights legal action that will be filed in the Federal District Court in Syracuse on March 11, 2005.

The Nation will ask the Court to declare that five purported treaties and land agreements entered into between 1790 and 1823 that allegedly conveyed portions of the ancestral land of the Onondaga Nation to New York State are null and void. I'll not lengthen this letter with a detailed explanation of the Case, but direct you instead to the web site [www.onondaganation.org](http://www.onondaganation.org) that contains a copy of the complaint and other background information on the Onondaga Nation.

I do want to make several points about the Case to explain why the Nation brought this action, why it did so at this time, and what we hope will come from it.

Let me start by assuring you that the decision to file this case was not made quickly or easily. I cannot calculate the amount of time over the past number of years we debated what to do. However, Governor George Pataki's legal representative last fall advised us that the Governor could not discuss this matter further until we file suit. The Council felt it had no option; a law suit was the only way to reopen the dialogue.

What does the Nation want from this Case? In two words, justice and healing. For over 200 years, we have endured hardship and indignities from the unjust taking of our ancestral land. We have been confined to a small reservation. We have suffered the painful loss of our traditional way of life. We no longer can eat the fish that come from Onondaga Lake or from other lakes or streams because industrial polluters have poisoned their waters. Our ability to hunt has been illegally restricted. The land itself is contaminated by hazardous waste sites, abandoned industrial dumps, and other outrages that impact on our health and the health of our neighbors. Where once our people walked along the shores of Onondaga Lake and met in a sacred conclave with the Great Peacemaker, there now exists oozing pits of industrial debris that ruin the land and add new toxic burdens to the waters.

The Onondaga Nation brings this action not to obtain a casino. A casino could never compensate for the years of injustice endured from New York State Administrations. We want our neighbors to know there is no intent to take action against citizens living in Central New York. There will be no actions to evict our neighbors from their homes as we know all too well the pain and suffering displacement causes.

As you may be aware, the Governor recently introduced legislation to "settle all Indian land claims." It is the Nation's contention which we believe will be agreed with by the federal court that neither the Governor nor New York State Legislature has the unilateral power to force a settlement with Indian Nations. This lawsuit is brought as a timely reminder of that fundamental legal and constitutional reality.

The Nation's Land Rights Case asks the Federal Court to strike down the fraudulent state "treaties" and land agreements that took away our land. As the Case proceeds, the Nation intends to expand its efforts to work with our friends and neighbors in Central New York to protect the environment and to force polluters to stop discharging hazardous substances into the air and water or creating new waste sites on the land. We seek to bring about a healing of the land and waters and reconciliation with our neighbors. As a sign of our commitment to the environment, we have named several of the region's largest polluters as individual, corporate defenders in the case. Moreover, the Nation intends to continue to participate actively in proceedings and legal actions to protect the health and safety of New Yorkers.

I can assure you that this case is not "attack" on any of our neighbors or any of the town, city or county governments operating within our ancestral land. Rather, we seek to continue to live in peace and intend this action to bring about stronger ties among all who are struggling to survive in Central New York. The original injustices and takings were caused by the illegal actions of New York State. This is why the State is the primary defendant in the case. Accordingly, we have formally requested the Governor to waive the State's claim of sovereign immunity and step forward voluntarily to defend themselves and all other named defendants. As the original wrong doer, the State surely has this obligation as well as the obligation to resume discussions immediately.

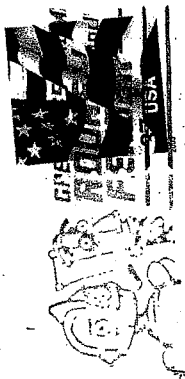
Finally, to open or to maintain a productive dialogue and improve the understanding of the Onondaga, the Nation is prepared to send a representative to meet with public agencies and civic groups within communities covered by this action. Please feel free to contact me directly if you have further questions. I would like to arrange for a representative of the Nation to meet with residents in your community. My address is Box 258C Route 11a, Onondaga Nation via Nedrow, NY 13120. The phone number is 315-492-1922. Alternatively, you can contact Joseph Heath, the Nation's General Council at 315-475-2559.

Sincerely,

*Tadodaho Sidney Hill*

Tadodaho, Sidney Hill  
On behalf of the Council of Chiefs  
Onondaga Nation

Onondaga Nation  
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Route 11A  
via Nedrow, NY 13120



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