

January 20, 1971

5500 39th N.W.

Washington, D.C.

ATTENTION: INDIANS OF ALL TRIBES, ALCATRAZ
BAY AREA NATIVE AMERICAN COUNCIL
DONALD JELINEK, ATTORNEY
AUBREY GROSSMAN, ATTORNEY

Here are the observations I have made while here in Washington D.C. in relation to Alcatraz.

#1. The government will not budge on the issue and are just watching us struggle which is nothing new since they're making a typical response to a typical situation that has been going on for years on the reservation or in the urban Indian community. The momentum of the Alcatraz issue has dwindled considerably which is inevitable in any controversial happening.

#2. We cannot get any large substantial amounts of money for operation costs of any program that we try to set up in order to continue the occupation. We can only depend on donations which gives us a pretty shakey foundation to operate on even though we will still hang on no matter what. This all being attributed to the fact that we do not have legal title which protects the other agencies who are sympathetic in wanting to give money but are held back because of the title situation. Another reason given is that the state will not recognize us in granting us our legal incorporation nor giving us state and

federally tax exempt status. The small donations from the average American is what has been keeping us together throughout the entire occupation with the exception of two or three large benefactors who can not continue to give because they can not write it off their taxes.

#3. We released to the press on our Anniversary, our proposal along with a time table that we must follow to some extent otherwise we will be seen as a failure through the eyes of the public at large and most importantly, to our own people. The legal route will save face for us not being able to come through with the six million dollars to begin our operations on the island by February, 71.

Steps we can take or alternative solutions must present itself as holds true for any Indian community or reservation. If we continue to sit then we are telling our people where ever they are that they must just sit too. The whole action of taking an island was symbolic in telling the American government and the American people that they are not going to continue to steal our lands nor are they going to tell us what to do.

We are contradicting our whole move of liberation if we just wait for the government, We are Indians who want action and we can not let the government continue to ignore us. We can not let Alcatraz die because just as it was symbolic in reawakening Indian consciousness and bring attention to the Indian people, it will be symbolic of our death if it should die.

What can be done in order for us to light a fire under the government ?

We must try to proceed down the only route that has been left open for us and use it to our advantage.

We claimed Alcatraz on the basis of the 1868 Sioux Indian treaty. The treaty and other legal grounds in court can be strengthened by making a test case with the treaty we claimed Alcatraz on. This is the only route that the government and the American public can understand which will force them to recognize and honor not only one treaty but all the moral and legal claims of all Indian peoples. If Alcatraz goes into the courts, we can bring in Indian people to testify on all the injustices that has made Alcatraz symbolic for freedom to the American Indian. We can only win in the minds of the public because the United States will be put in the position of having to prove that they were here before the Indians. We all know they can not do this. We know every American should be reminded who was here first. There are two things that come to mind. #1. We need title to have a complete and permanent victory and #2. We must start legal proceedings in the court right now because it does not appear that Congress or the President will simply give us title unless public opinion is aroused again. The court will help do this. If this should be our decision, our legal counsel is going to be the technician who leds us through the court scene. It is extremely important that all our counsel be highly competent with plenty of time and complete financial responsibility Aubrey Grossman and Donald Jelinek have served us to the best

of their capacity during the occupation along with help from our Indian attorney here in Washington, Browning Pipestem. Browning has recently left Washington and we no longer have a Washington counsel which is very important Communication-wise. There is an attorney here in Washington who has been very interested since the beginning of our take over on Alcatraz and with the help of a few friends, his interests have been rekindled. Fortunately, he is very well known in his profession, a very capable and competent attorney by the name of Edward Bennett Williams. He has taken cases such as the Jimmy Hoffa case and other well know cases. He is known for being a tough fighter, a top notch lawyer and a winner. Any case he takes usually gets constant newspaper and T V coverage any way. He is Washington's very best. He owns the Washington Red Sox and incidently was the one who gave the color TV set contribution to the island. I have had the opportunity to meet Mr. Williams and discuss at some length the situation in terms of positive direction and with the winning influence of Mrs. Ethel Kennedy, I believe he will help us in taking the case, free of charge of course in conjunction with Mr. Jelinek and hopefully Aubrey Grossman if he should desire or have the time.

I certainly hope that we do not let bitterness defeat our purpose or what ever else might be bothering individuals. We certainly have every right to be bitter but we must learn to step one step beyond and keep right on fighting. I realize that we

are the products of a hundred years of acculturation processes but even though, we must keep in mind that we are Indian people and we are in the forefront of fighting for our people and much depends on our actions as Indian people. We have got to stop all of this petty bullshit ego involvements with individuals and start thinking what's best for all instead of ones self. While we are in the court, we have the right to demand the government to return our water and electricity. If Governor Reagan has the right to continue recieving federal dollars for welfare in California while he is accused of violating the federal law, we certainly have the same right. I have enclosed a document which I've written directed to obtain Mr. Williams as legal counsel for Alcatraz. I have sent copies of letters to everyone directly involved with this decision and will be awaiting response in the very near future. I can be reached by telephone at these numbers, evenings 202-363-9690 and daytime at 202-293-1515. I am sending this letter special delivery so that all concerned parties can get it together and let me know immediately so I can give the go ahead. With the oil problem all over the Bay, our water situation is more critical than ever and immediate action may get us what we need. Please keep in mind that I have'nt given a year of my life and that of my son's on Alcatraz for nothing. I have this belief and I know we can win but we are not going to win holding back and just sitting. It takes a lot of work to make something work.

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