

# Washington sides with native people in land claim

WASHINGTON (Reuters) - The U.S. government said Monday it has intervened in another lawsuit filed by native tribes against New York state for allegedly stealing land from their ancestors.

The U.S. Justice Department said it is joining a private lawsuit filed in federal court in 1974 by the Oneida Indian Nations of New York and Wisconsin and the Thames Band of Southwestern Ontario over land in Madison and Oneida counties in New York state.

The suit challenges the validity of the sale of about 100,000 hectares from the Oneida to the state of New York in the 18th and 19th centuries, although only 1,133 of those hectares are now owned by the two counties.

U.S. Interior Secretary Bruce Babbitt said the government is joining the lawsuit and is willing to take the case to court but he expressed hope the matter could be settled through negotiations between the state and the tribes.

"The Oneida Nation has an

historical and federally protected interest in this land," Lois Schiffer, assistant attorney general in charge of the department's environment division, said in a statement.

"New York state violated federal law when it purchased the land without congressional approval in the late 18th and early 19th century. It is time to right this wrong and compensate those who have been injured," she said.

The lawsuit alleges the state tried to buy land from the Oneida

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*Lois Schiffer,  
Assistant Attorney General*



tribe on 22 occasions between 1795 and 1846 without the approval of Congress, despite a 1790 federal law that bans the purchase of land from native tribes without such approval.

The U.S. government announced Friday it joined a similar suit filed in 1993 by the Seneca Nation and the Tonawanda Band of Senecas against New York state for allegedly stealing land from their ancestors.

Such suits are in danger of being dismissed because of a 1997 Supreme Court ruling that tribes may not bring land claims against state officials.

But the ruling does not apply to the U.S. government, which may sue states in federal court, the Justice Department said.