

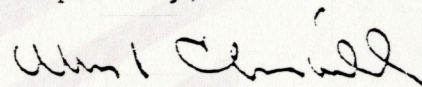
accurate script. When the time comes, we will gladly facilitate your securing the services of qualified American Indian participants in all other aspects of production as well.

As concerns Ms. Miller, we request that you instruct her to contact us immediately and directly, either by phone or by letter, to discuss how it is she has come to the conclusion that she is Indian. In the event that there is substance to her claim, we will happily assist her in validating it. If there is not, then the nature of her role in your operation will obviously require a rather quick adjustment.

Please understand that we are quite serious in extending this offer of support and assistance to what we feel may be a worthy and important endeavor involving our people. Please also understand, however, that we will be equally serious in our response, should our present assumptions concerning your honorable intentions prove unfounded. In that event, we will do everything in our power — which is considerable — to prevent consummation of your plans. This should be construed as including an invocation of the 1990 Indian Arts and Crafts Act, a statute making it a crime punishable by fines exceeding \$1 million and imprisonment for one year to knowingly market an artistic product on the basis of false claims of "Indianness" by one or more participants.

This should not be construed as a "threat." Rather, it is a statement offered in the spirit of candor and forthrightness. We are simply laying a few cards on the table in order to ensure there will be no confusion as to our position in this matter. We are confident you will do the same, and that you are as anxious to remove any point of potential conflict as we are. Moreover, we suspect that you are as interested, in your own way, in making a high-quality and socially useful film as we are in seeing one made. Given that the benefits accruing from a rapid resolution of our concerns appear to cut both ways, we anticipate hearing from you at your earliest opportunity. We can then initiate the process of reconciling our mutual interests.

Respectfully,



Ward Churchill,
Co-Chair for Public Relations

cc: Ralph Tornberg
Jack Leustig
Roberta Grossman
Dr. John M.D. Pohl