I. Efforts to Reverse the Hudson Denial

1. The Applicants and Havenick Seek Reconsideration of the Denial

The Four Feathers group went into a second phase of action after the July 14 denial in an attempt to have the Hudson decision reconsidered. The primary vehicle for obtaining their objective soon became a federal lawsuit against Secretary Babbitt and other Interior officials. Before filing that action, however, they first attempted to gain Interior, White House or DNC support for reversal of the decision.

Applicant tribal leaders personally contacted Loretta Avent at the White House in July soon after the decision was made public. The tribal leaders complained to Avent about the White House involvement in the denial of the application by Interior. Avent tried to disabuse the tribal leaders of this notion. As stated in her memo to Ickes dated July 27, 1995, "I've explained to them that we had no direct involvement."[482] Avent at that point in time did not know that Ickes and his staff had been in contact with both the DNC and Interior regarding the Hudson matter. Accordingly, Avent wrote to Ickes that her "initial instinct on this was right (**STAY OUT OF THIS. WHOEVER THE PRESSURE COMES FROM COULDN'T BE WORTH OUR GETTING INVOLVED. I DIDN'T, THANK GOD!**)" (Emphasis in original.) While a handwritten note by one of Ickes's assistants indicates that Ickes wanted to know more about

[482]Avent's July 27 memo contained a "re:" line which stated, "Concerning previous discussion." Neither Avent nor Ickes could recall any such previous discussion. Avent's memo was copied to Cheryl Mills, Margaret Williams and Michael Schmidt, who had been recipients of some of her earlier correspondence concerning Patrick O'Connor's calls about the Hudson matter in April 1995.