



St. Regis Mohawk Tribe

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PRESS RELEASE

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United States Supports Mohawk Land Claim

Akwesasne Mohawk Territory – The United States has joined forces with the Mohawks, resulting in an unprecedented legal effort on the part of both the Tribal Plaintiffs, and the United States’ Departments of Interior and Justice to uphold the ruling as to Hogansburg Triangle and to fight the dismissal of other portions of the Mohawk claims including the claims to Barnhart, Croil and Long Sault Islands, as well as the Town of Fort Covington area. While the Mohawks agree that the Hogansburg Triangle, located in the middle of the Saint Regis Mohawk Reservation is the most easily distinguishable portion of the claims, the Mohawks and the United States have also put forth strong legal arguments that their claims to the other two areas, Fort Covington and the islands, are also distinguishable from the facts of the Oneida and Cayuga cases.

On September 28, 2012, Magistrate Judge Dancks issued a *Report and Recommended Decision* in the case which proved that the claim filed by the Saint Regis Mohawk Tribe, the Mohawk Nation Council of Chiefs and the Mohawk Council of Akwesasne is still valid. This recommendation is now subject to appeal to the district court judge for a final decision.

Due to the fact that the Mohawk claim for the Hogansburg triangle is factually different from other tribal land claims, Judge Dancks recommended that the Mohawk claim not be dismissed. The Triangle is the most highly Mohawk populated area of the land claim; over three quarters of the population is Mohawk.

Both the United States and the Mohawk plaintiffs make these arguments in briefs filed last Friday, November 16. The United States stating, “In other New York land claims...dismissed by the Second Circuit, it was inarguable that the lands at issue had become heavily populated and developed by non-Indians in the years since New York unlawfully acquired the lands....That is not true here....the Mohawks... never departed the region and have remained a powerful enduring presence both as a government and as a population in the region and within the specific claim areas.”

As for the claim to the islands, the United States and the Mohawks have presented a unique argument that has never been considered in any other land claim because of the particular facts of the case. “The Department of Justice Attorneys and the Department of Interior met with tribal leadership recently and listened to our concerns. They responded with the filing of a strong brief that supports the Tribe’s efforts and their own interests, as owners of the underlying title to some of the islands that make up the Power Project.” said Chief Randy Hart.

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The Mohawks have stated their continued desire to resolve this decades-old land dispute with the State of New York and the surrounding counties and towns. The Tribe believes that it would be in the best interest of all parties to resolve this case rather than continuing to engage in this costly and protracted litigation. Resolution would bring clarity and as well as financial benefits to the local governments and surrounding communities.

Although the land claims litigation is important to the Saint Regis Mohawk Tribe, and the other plaintiffs, they have stated that a legal loss will not change the make-up of the lands at issue and will not resolve the longstanding disputes between the parties. Mohawks will continue to own and live on their properties, Franklin County will continue to send tax bills they are unable to collect upon, and both sides will continue to believe that they are right.

“We, and I’m sure the counties and towns, have spent a great deal of money litigating these claims, and it is time to come together and resolve the matter among those most affected, the Mohawks and our neighbors and partners.” said Chief Ron LaFrance.

“In 2005, we had an agreement that was signed by all parties, including the State, the counties and the New York Power Authority. A negotiated settlement now would be in all parties best interests.” said Chief Paul Thompson.

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The Saint Regis Mohawk Tribal Council is the duly elected and federally recognized government of the Saint Regis Mohawk People.