



St. Regis Mohawk Tribe

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NEWS RELEASE

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Land-To-Trust Decision Clears Path for Saint Regis Mohawk Tribe to Reacquire 39 Acres in Fort Covington

Tribe Commends Decision, But Prefers Negotiation to Litigation

Akwesasne, NY- A recent administrative ruling has cleared the way for the Saint Regis Mohawk Tribe to return 39 acres of ancestral land in the Town of Fort Covington to its recognized territory. The June 11 decision by the Interior Board of Indian Appeals affirms a 2011 action by the Bureau of Indian Affairs to take the land into trust.

The decision concludes a process that was initiated in 2007, when Franklin and St. Lawrence County withdrew their support of a negotiated land claim settlement with the Saint Regis Mohawk Tribe and New York State. At that time, the Tribe applied to the federal government to take the 39-acre transfer station parcel into trust. The land into trust process was outlined in 2005, when the Supreme Court found against the Oneida Nation in its property tax cases, ruling that the only option left to the Oneidas to regain their ancestral lands was to place reacquired lands into trust using federal land into trust regulations. Lands held in federal trust cannot be alienated, (sold, taxed or foreclosed upon) without the consent of the federal government.

Once the Secretary of Interior recognizes the land as part of Akwesasne, there are no further property taxes owed moving forward and the property will be treated as any other parcel on the reservation over which the Tribe exercises jurisdiction. The taking of the land into trust by the federal government will protect it from ever being re-taken by the State of New York or Franklin County.

“Although it remains our intention and hope to resolve our long standing boundary issues through a negotiated settlement, we are pleased that land into trust has now been shown to be a viable option to regain reservation status over our lands,” remarked Sub-Chief Eric Thompson of the Saint Regis Mohawk Tribal Council.

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After the Saint Regis Mohawk Tribe initiated the process, the Regional Director of the Bureau of Indian Affairs agreed to take the land into trust in August 2011. The State and Franklin County appealed. In the decision made on June 11, 2014, the Interior Board of Indian Appeals affirmed the decision of the Regional Director and rejected all arguments made by the State and Franklin County in opposition. The Board agreed with the arguments made by the Regional Director and the Saint Regis Mohawk Tribe, that the lands are part of those set aside under the Treaty of 1796, which have never been diminished by the federal government. The lands remain part of the Saint Regis Mohawk Indian Reservation to the present day.

Differing from the negotiated settlement being sought by the Saint Regis Mohawk Tribe, land into trust does not require agreement of Franklin County or the Town of Fort Covington. Land into trust does not require that payments to the towns be made in perpetuity to make up for any potential property tax losses moving forward.

“It has taken us, the Town of Fort Covington, Franklin County and New York State seven years of litigation and hundreds of thousands of dollars in legal fees to get to this point,” said Chief Ron LaFrance of the Saint Regis Mohawk Tribal Council. “This decision, as well as the decision in the recent Oneida land into trust application, has set a precedent for the Bureau of Indian Affairs in New York so that future reservation acquisitions using the land into trust regulations will be completed more quickly and less expensively.”

Last month, members of the Saint Regis Mohawk Tribal Council gathered in Albany with Governor Andrew Cuomo and leaders from St. Lawrence County to sign a Memorandum of Understanding outlining the terms of a negotiated settlement agreement. According to the MOU, a final settlement agreement would permit the Tribe to acquire, only from willing sellers, identified lands in St. Lawrence County and return them to the Tribe’s territory. In exchange, local governments will receive financial incentives that are not required by the land into trust process.

The Tribe is also trying to resolve long-standing boundary matters with Franklin County, and a final settlement agreement would also require the support of Franklin County. Negotiations between Franklin County and State officials are ongoing, and the Tribe anticipates that terms similar to those negotiated with Saint Lawrence County will be reached with Franklin County.

“Recovering our reservation land remains our first priority,” said Chief Beverly Cook. “We have every confidence that the Governor will continue to act in good faith and assist us all in mediating a negotiated settlement that is fair and beneficial to both the Mohawks and to the communities surrounding us.”

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