

NYS LAND CLAIM CHRONOLOGY

DATE	ACTIVITY
1982	Mohawk Council of Akwesasne (MCA) files complaint in federal court.
1989	Saint Regis Mohawk Tribe (SRMT) and Mohawk Nation file joint complaint.
1998	US intervenes as plaintiff.
2001	Federal court issues decision on the State and Municipal Defendants' motions to dismiss, dismissing Mohawk Plaintiffs' claim to 144 acres in Hogansburg based upon the prior 1943 federal court decision.
2004	Parties reach agreement on a settlement. The Mohawk Plaintiffs hold referendum that is approved by tribal members. Parties sign agreement and it goes to NYS Legislature.
2005	U.S. Supreme Court decides <u>Sherrill</u> case, holds laches bars Oneida Nation's sovereignty over land it repurchased within its reservation boundaries. Second Circuit holds that <u>Sherrill</u> bars Cayuga Nation's land claim.
2005-2010	NYS & Counties withdraw from settlement & file motions for dismissal based on <u>Sherrill/Cayuga</u> . Second Circuit applies <u>Sherrill/Cayuga</u> to bar Oneida Nation's land claim.
2010	SRMT alleges breach of Tribal/State Gaming Compact, and withholds revenue share payments.
2011-2012	Federal court dismisses Mohawk Plaintiffs' claims except the Hogansburg Triangle area, based on <u>Sherrill/Cayuga</u> .
2013	SRMT continues to withhold revenue share payments and seeks arbitration of the Compact exclusivity clause breach. SRMT and NYS Governor agree to MOU that addresses revenue share issues and re-opens land claim settlement negotiations. Key is Tribe's agreement to re-pay one-half of monies that had been withheld (\$30 million), remainder at settlement of land claim, and to resume payments.

2014	SRMT, NYS, and St. Lawrence County negotiate an MOU providing a framework for settlement that retains basic elements of the 2005 settlement. The County would receive annual payments of \$4M from NYS.
2014-2016	SRMT begin negotiations with Franklin County and the State. Talks break down over County's insistence on limiting tribal land acquisition in Area B (in Ft. Covington)— <u>allowing acquisition only west of Pike's Creek</u> .
2016	Negotiations resume with Franklin County. Franklin County agree to significant expansion of land acquisition in Area B essentially doubling acres of available lands.
2016-2018	Many meetings with Franklin County and the State. A draft MOU is developed as a comprehensive settlement agreement with Franklin County. Despite much progress, a number of issues were not resolved, including State payments to Franklin County.
2018-2022	Beginning in June 2018 the State does not participate in person at Franklin County meetings. There is an impasse over the issue of State payments to the Counties. Franklin County insists that its payment be "guaranteed" by the State.
2021-2022	Tribe requests that litigation resume, which Magistrate grants.
March 2022	Court grants Plaintiffs' motions, ruling that: <ul style="list-style-type: none"> • No federal approval of NYS purchases of the Hogansburg Triangle; purchases violated the 1790 Trade and Non-Intercourse Act • Boundaries of the Tribe's 1796 treaty have not been disestablished or diminished This clears the way for the damages phase of the case.
April 2022	One month later the parties agreed to appointment of mediator (John Bickerman) to assist in settlement negotiations. The court orders that the parties provide regular status reports on mediation efforts
April 2022 to June 2023	Over the next 14 months the parties work with the mediator on settlement. Many meetings are held between and among the "groups" of parties (Mohawk Plaintiffs, Municipal Defendants, the State and United States). The Mediator is successful in resolving many lingering issues. The Mohawk Plaintiffs agree to enter into an

	<p>internal agreement amongst themselves, St. Lawrence County agrees to many of the terms included in the Franklin County MOU, and issues with the State on tuition, NYPA power and the Islands were largely resolved.</p> <p>However, over the course of this time period the State and Franklin County are unable to resolve their longstanding issue of guaranteed payments.</p> <p>The Magistrate is very frustrated with certain intractable issues that existed but reluctantly grants many extensions of the mediation process.</p>
June 2023	<p>The Court extends the mediation deadline to the end of June and requires status reports by the Parties to be filed by June 30, 2023. Finally, on June 5, 2023 after 14 months of mediated negotiations the State and Franklin County resolve their issues regarding payments to the County.</p> <p>At this point all major issues have been resolved in the settlement. In order to obtain approval for the State to execute a final settlement agreement a Bill is introduced in the NYS Legislature that gives authority to the Governor. This Bill passed on Saturday June 10, 2023.</p>
August 2023	<p>Tribe sends revised MOUs to Franklin and Saint Lawrence Counties with modest changes.</p> <p>MCA, Nation and Tribe send State a draft MOU between MCA, Nation, Tribe, State and NYPA reflecting agreements reached on State and NYPA issues over several months of negotiation.</p>
October 2023	<p>Franklin and Saint Lawrence counties agree to most but not all terms of the MOUs.</p> <p>State does not respond to MOU provided in August.</p> <p>MCA, Nation and Tribe file status reports with Court noting that State has not responded, and that issues remain with Counties.</p>
November 2023	<p>Court orders mediation reports due November 17, citing lack of sufficient progress.</p> <p>Counties agree to terms of MOUs.</p>

October 2024	Akwesasne Mohawks and State and NYPA reach agreement on Mohawk-NYPA-State MOU. Settlement Agreement is circulated for execution. Court issues order stating it expects execution by November 30, and orders status reports by December 6.
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