

Land Claim Settlement

The Saint Regis Mohawk Tribe, the Mohawk Council of Akwesasne (the Canadian side recognized government) have agreed to terms with the State of New York, the New York Power Authority and Franklin County and St. Lawrence County to settle the long running land claim case.

The Mohawk Nation Council of Chiefs (aka People of the Longhouse), the traditional government for the territory but not a federally recognized Indian tribe, were a named plaintiff in the case, but chose not to participate in the settlement and thus moved to withdraw from the litigation without prejudice. All remaining parties to the case, including the United States (represented by the DOJ) consented to their withdrawal, which was granted by the Judge.

Terms

- The Saint Regis Mohawk Tribe may acquire, **only from willing sellers**, certain identified lands in Franklin and St. Lawrence counties and return them to the Tribe's territory.
- The Settlement does **not require** a federal monetary contribution.
- NYPA will make payments to the Tribe of \$2 million per year for 35 years and nine (9) megawatts of power at NYPA's lowest rate.
- The State to waive tuition and mandatory fees for Mohawks enrolled at Akwesasne who qualify for admission to any State University of New York institution.

In addition to the direct economic incentives, the settlement would clarify questions related to:

- **Building codes** - the agreement requires, and the St. Regis Mohawk Tribe already requires, adherence to New York State Building Codes.
- **Police and Fire services** - the agreement sets clear boundaries for the Reservation, removing our disagreements over jurisdiction. It provides a forum for resolution through discussion, rather than through the courts.

Federal Legislation

Federal legislation enacting the settlement is necessary in order to ratify the early 19th Century state treaties that lacked federal consent and thus formed the basis of the litigation. Congress has the ability to ratify land transactions which didn't have federal approval under the Indian Non-Intercourse act, a law that prohibited any land transactions between individuals and tribes without explicit authorization from the US Congress.