



Saint Regis Mohawk Tribe

Chief Beverly Cook
Chief Michael Conners
Chief Donald Thompson, Jr.
Sub-Chief Derrick King
Sub-Chief Agnes Jacobs
Sub-Chief Benjamin Herne

Ohiari:ha | June 30, 2025

SENT VIA ELECTRONIC MAIL:
Haig.Kadian@mail.house.gov

Honorable Bruce Westerman
Chairman
Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515

Re: Saint Regis Mohawk Tribe Testimony on H.R. 2916

Tekononhwerá:tons | Greetings Chairman Westerman,

Thank you for the opportunity to testify on H.R. 2916. Below are answers to your questions following my testimony before the Subcommittee on Indian and Insular Affairs on June 11, 2025.

(1) Your tribe could receive approximately 3,500 acres through the Akwesasne Mohawk land claim settlement. What does your tribe plan to do with this land? Will any landowners within this acreage lose their land?

The 3,500 acres is land already owned by the Tribe and a number of its tribal members. The lands are already being used by the Tribe for its governmental purposes, government buildings, offices, etc. There is a large tract that is being developed for tribal housing. The lands owned by individuals are being used primarily for residential purposes and small businesses. The Tribe may purchase other lands within the settlement areas in the future, from willing sellers. The purposes of the purchases and land use would depend upon the Tribe's needs at the time.

There will be no land ownership lost by the settlement.

(2) Explain how all parties came to an agreement on this settlement.

The agreement came about after 40 years of litigation and settlement negotiations. A settlement was first reached in 2005, but it was repudiated by defendants following the decision of the United States Supreme in City of Sherrill v. Oneida Nation of New York, which was read as creating a new defense—"Sherrill laches"—to Indian land claims. Defendants then filed motions to dismiss the land claim based on the

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Sherrill laches defense, but were only partly successful. In 2013, the court dismissed some, but not all, of the claims.

After that ruling, settlement negotiations began among the Tribe, the State, the New York Power Authority, and Saint Lawrence County, resulting in a 2014 Memorandum of Understanding to serve as a framework for settlement. Negotiations later expanded to include Franklin County, towns within Franklin County, the Mohawk Council of Akwesasne, and the Mohawk Nation Council of Chiefs (before it withdrew from the case). The court appointed a mediator to assist.

After years of negotiation, including two and one-half years of mediation, the parties agreed to final language for the settlement agreement in late 2024. In early 2025, the Mohawk Nation Council of Chiefs, decided not to be a party to the settlement and instead to withdraw from the case in order to allow the remaining parties to finalize the settlement. The other parties agreed to the withdrawal, and the court approved it. A revised settlement agreement deleting the Mohawk Nation Council of Chiefs as a party has been agreed to in principal and has been circulated for execution.

(3) If Congress does not pass this bill, what happens to the settlement?

The settlement will likely fall apart and the parties will be back in court. The settlement cannot proceed without federal legislation ratifying it. The settlement settles claims under the Non-Intercourse Act, which bars transfers of tribal land without United States approval. It is therefore not possible to settle Indian land claims without federal legislation. Congress has enacted many statutes to ratify Indian land claim settlements.

Niawn (thank you) for the opportunity to provide further clarification.

Please contact the Office of Tribal Council, if you have any questions regarding this correspondence.

Skén:nen | In Peace,

SAINT REGIS MOHAWK TRIBAL COUNCIL



Beverly Cook
Tribal Chief