

# DEPARTMENT of the INTERIOR

news release

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## TENTATIVE AGREEMENT REACHED ON CAYUGA INDIAN NEW YORK LAND CLAIM

Interior Solicitor Leo M. Krulitz announced today that a tentative agreement has been reached on a proposed legislative settlement which would give the Cayuga Indian Nation a 5481-acre reservation and an \$8 million trust fund in return for extinguishment of the Nation's claim to 64,000 acres in Seneca and Cayuga Counties New York.

"I am delighted to report that all parties to the negotiations--the Cayuga Nation, the State of New York and the Departments of Agriculture and Interior--have worked out an agreement on the Cayuga claim," said Krulitz.

A public meeting has been scheduled on the settlement proposal for 7:30 p.m., Tuesday, September 11, in the Delavan Little Theater at Eisenhower College, Seneca Falls, N.Y. Krulitz said the Cayuga Indian Claim work group, which includes federal, state and tribal representatives, will explain the background of the claim and the settlement proposal. The work group will consider modifications to the settlement proposal based on the public's comments before legislation is drafted implementing the settlement. Final settlement will depend upon Congressional approval and a vote of the tribal membership.

"I want to congratulate everyone who worked so hard to reach this agreement. It proves again that negotiation can result in satisfactory settlements without years of costly court fights," said Krulitz.

The Interior and Justice Departments determined in 1977 that the Cayuga Indian Nation had a credible claim to the return of 64,000 acres--its former reservation, confirmed in a 1794 treaty with the federal government. The lands were later lost in transactions with the State of New York. The transactions were never ratified by the Congress and so are allegedly invalid under the Indian Non-Intercourse Act of 1790.

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Under the proposal, the State will transfer to the Interior Department at no cost the 1852-acre Sampson State Park to be held in trust for the Cayuga Nation. The State will continue to operate the park until October 1, 1983, and will retain exclusive use of the northern part of the park which contains the maintenance, storage and other facilities.

The tribe will have free use of all state park facilities and, from October 1, 1983, to January 1, 1989, will continue to operate and maintain the park for public recreation.

The Department of Agriculture would transfer 3629 acres of National Forest land in the Hector Land Use Area in Seneca County to the Interior Department to be held in trust for the Cayuga Nation. Krulitz emphasized that this part of the agreement carefully protects valid existing rights, including permits for livestock grazing. After transfer of the lands, the Cayuga Indian Nation would be authorized to issue grazing permits to non-Indians.

The Secretary of the Interior would establish terms for the administration of the \$8 million trust fund the legislation would establish. None of the funds would be distributed on a per-capita basis. The Secretary would be authorized to spend up to \$2.5 million of the original amount, plus any income to the fund, for the acquisition of additional trust lands on a willing buyer-willing seller basis. The lands held in trust for the tribe would be treated as a federal Indian reservation and thereby make the Cayuga Nation eligible for various federal government Indian programs.

Krulitz said that under the proposed settlement the tribe would consent to state criminal and civil jurisdiction.

Benefits of the settlement would be available to all enrolled members of the Cayuga Nation of New York, people who are matrilineal descendants by birth or adoption of members of the Cayuga Nation and who possess at least one-eighth degree of Indian blood.