



NEW YORK STATE SENATOR

Kenneth P. LaValle

Senate Passes Bill to Establish Procedure for Recognition of Montaukett Tribe

KENNETH P. LAVALLE June 18, 2013

New York State Senator Ken LaValle (R-C-1, Port Jefferson) has passed a bill in the New York State Senate today that establishes a procedure for the Montaukett Indian Tribe to be recognized by the State of New York. The bill previously passed the Assembly.

“My bill passed by the Senate today will hopefully give the Montauketts what they rightfully deserve,” Senator LaValle said.

“The Montaukett Indian Nation is alive and thriving and deserves to be acknowledged by the State,” noted Assemblyman Fred Thiele who passed the bill in the Assembly. “Passage of this bill is a huge step forward for the Montauketts who, for over 100 years, have been trying to reverse this injustice. It is time for their rights as a New York indigenous nation to be restored.”

Historically, the New York State Legislature has granted recognition or acknowledgment to Indian groups in the state of New York by an act of the Legislature. There currently are no objective standards in place to consider a request by an Indian group to obtain recognition by the State. This legislation would establish objective criteria for consideration of acknowledgement or recognition which may be used by the Legislature in evaluating such request.

The Native American Montaukett Tribe has a long, culturally rich history on the East End of Long Island. The Montaukett Indians had been formally recognized by the State of New York, until their acknowledgement was questionably removed from in 1910 in the land claim case of *Pharaoh v. Benson*, 69 Misc. Rep. 241 (Supreme, Suffolk Co., 1910) affirmed 164 App. Div. 51, affirmed 222 N.Y. 665, when the Montaukett Indians were declared to be extinct. This case was subsequently described in a 1994 State Supreme Court case, *Breakers Motel, Inc. v. Sunbeach Montauk Two, Inc.*, as being of “questionable propriety.”

The bill will now have to be signed into law or vetoed by the Governor.