

REMARKS OF PRESIDENT ROBERT ODAWI PORTER
ANNOUNCING THE SENECA NATION'S APPLICATION TO
ACQUIRE THE SENECA PUMPED STORAGE FACILITY LICENSE
NOVEMBER 30, 2010

Nya:weh Ske:no. I'm thankful that you are well.

We are here today to begin the process of righting an historic wrong. As we all know, the interaction between indigenous and colonizing peoples in our lands has had a common characteristic throughout history – that being the uncontrollable need for the colonizing peoples to acquire the lands and resources of the indigenous peoples.

For 300 years, the Seneca people have faced this same struggle. While we have not always succeeded, we have sufficiently repelled the repeated efforts of the English, and later the American, colonists to take all that is ours. We have survived, and we have done so because we have a strong will to survive. Because of this fortitude, we have been able to secure promises from the American government to recognize our sovereignty and the aboriginal title to our lands.

The hallmark of this resolve has been the treaties that our Nation entered into with the United States. Foremost among them is the Canandaigua Treaty of 1794 between the United States, the Seneca Nation, and the other Six Nations of the historic Haudenosaunee Confederacy. Under that treaty, we agreed to live in peace in exchange for a significant promise from the United States:

Now, the United States acknowledge all the land within the aforementioned boundaries, to be the property of the Seneca nation; and the United States will never claim the same, nor disturb the Seneca nation, nor any of the Six Nations, or of their Indian friends residing thereon and united with them, in the free use and enjoyment thereof: but it shall remain theirs, until they choose to sell the same to the people of the United States, who have the right to purchase.

The construction of the Kinzua Dam and Reservoir stands as the most aggressive and violent action taken by the United States against the Seneca Nation in the modern era to violate

the terms of the Canandaigua Treaty. In 1936, American officials initiated plans to construct a dam on the Allegany River under the pretense of flood control for downriver communities such as Pittsburgh. It took them 30 years, but eventually they succeeded. In 1965, the Kinzua Dam began operation.

The cost of the Kinzua Dam to the Seneca Nation was tremendous. The United States burned and bulldozed the homes of our people, forcefully relocated 600 of them to higher ground, and took control over 10,000 acres of our Allegany Territory. Many of our people did not survive this ordeal. In the years that followed, our cultural foundation as a people has been disrupted and we are now on the verge of losing our sacred language. For these offenses, our memory burns with anger at what the United States has done to us.

I wish that I could say that these events of five decades ago were the extent of the harm done to the Seneca Nation and the Seneca people. But they are not. Not only were Seneca lives lost and Seneca lands confiscated, but the use of our lands and waters was taken from us for the profit-making activities of American corporate interests. Forty years ago, the Seneca Pumped Storage Generating Station – which is the hydroelectric facility attached to the Kinzua Dam -- began operation. Since that time, hundreds of millions of dollars in profits have been made by its corporate owners from the use of the waters stored on, and flowing through, Seneca Nation lands. We have not received one penny of these profits.

II.

We are here today to begin the process of correcting this historic injustice. We announce today that the Seneca Nation is filing an application with the Federal Energy Regulatory Commission to obtain the license to the Seneca Pumped Storage hydroelectric facility currently held by the FirstEnergy Corporation.

Our application makes the case that the Seneca Nation has suffered immensely from the operation of the Kinzua Dam and that the continued operation of the Seneca Pump Storage facility misappropriates Seneca Nation lands and waters in violation of Federal law. Our application makes clear that a legion of faceless Federal bureaucrats were driven for decades to promote a rogue agency agenda to build a dam that need not have taken our lands or violated the Canandaigua. And our application makes clear that American corporate interests have profited for decades from this injustice while the Seneca Nation and Seneca people have received absolutely nothing in return.

It is true that the Nation received some compensation for the use of our lands for flood control purposes. At the time, the settlement we received was some measure of justice, as much as justice at the end of a bonfire or a bulldozer can be. But the United States never compensated the Nation for the use of our lands and waters for profit-making purposes. Indeed, our leaders were not even informed of the hydropower project that was then being planned and which commenced operation in 1970. That the United States would grant a license to private corporations to generate income at our expense is to add insult to injury.

Let me be clear. FirstEnergy Corporation and its predecessors have been stealing the use of our lands and waters for the benefit of their corporate shareholders with the official sanction of the United States government. Today we begin the effort to end this travesty of justice.

III.

Our effort to obtain the Seneca pump storage facility license is not, however, simply an effort to redress an historic injustice. It is also an effort by the Seneca Nation to diversify our economy by entering into the hydroelectric power business.

The Seneca Nation government operates and provides services to the Seneca people by generating revenues from profit-making ventures. Our tobacco and gaming enterprises have done much during the last 25 years to uplift the Nation and the Seneca people as a whole from the crushing effects of debilitating poverty – a condition that was spawned from the loss of nearly all of our aboriginal lands over 200 years ago.

We are on our way back on the path of recovery, but to do so we need to continue to diversify our economic activities. Last year, the Nation Council established Seneca Holdings to promote new ventures that have long-term profit-making potential for the Nation. Just a few weeks ago, Holdings closed on our first major deal, the acquisition of a telecommunications company that we believe has long-term growth potential.

Seneca Holdings is uniquely suited to move forward with the process of operating a Seneca Nation-owned hydroelectric facility. While it could not have been said just a few years ago, the Seneca Nation now has the ability through Seneca Holdings to develop a partnership with an experienced hydropower partner to operate the Seneca pumped storage facility with the license we plan to acquire. While we have three years before we must file our final application with FERC, the process of identifying our potential hydro-partner will commence immediately.

Perhaps more important for everyone concerned, acquiring the Seneca Pumped Storage Facility license is exactly the kind of “green energy” development that is completely consistent with our time-honored Seneca values of protecting the lands and waters of our Mother Earth. Unlike corporate interests that scatter their profits to shareholders far and wide, our interests focus on the long-term survival of our people and the vitality of our region. We guarantee our survival by being vigorous stewards of our lands and waters, and reinvest our profits accordingly.

We Seneca people have been living in this area for hundreds of years. And I am sure we will be living here for hundreds more. Who better than us to have the right to operate a hydroelectric power facility for the next 50 years that is sustained by our very own lands and waters?

IV.

That is the question we are now asking the United States and the Federal Energy Regulatory Commission. We believe the answer clearly favors the Seneca Nation being granted the license to operate the Seneca Pumped Storage hydroelectric facility.

In doing so, we are committed to remedying an historic wrong in a manner that serves the public good. We have suffered greatly from this dark chapter in America's treatment of indigenous people. For our part, we are committed to spending the resources necessary to prove to the Federal regulators that we are capable of operating this facility. The open question is whether the United States is willing to do its part. We plan to do everything necessary to convince the American government that now is the time to do the right thing.

No one should underestimate our resolve in accomplishing this objective. We have been mistreated and we have every right to be angry. But our goal today is not vengeance. Our goal today is to honor the sacrifices of our ancestors by taking action to secure the survival of our future generations. We will take one more step in that process by obtaining the license for the Seneca Pumped Storage Facility and generating hydropower from our own lands and waters for the decades to come.

Nya:weh.