
NYP& PUBLIC HEARING
IN THE MATTER OF THE
PROPOSED PRESERVATION POWER CONTRACTS WITH NEWTON FALLS FINE
PAPER COMPANY AND UPSTATE NIAGARA COOPERATIVE, INC.

NEW YORK POWER AUTHORITY

DATE: July 28, 2011

TIME: 3:00 p.m. to 6:00 p.m.

LOCATION: Frank S. McCullough, Jr.
Hawkins Point Visitor Center
21 Hawkins Point Road
Massena, New York 13662

ORIGINAL

APPEARANCES

FOR NEW YORK POWER AUTHORITY:

KAREN DELINCE, ESQ., Corporate Secretary, Law
Department

JAMES F. PASQUALE, Senior Vice President, Marketing &
Economic Development

New York Power Authority

123 Main Street

White Plains, New York 10601

(914) 390-8085

SPEAKERS:

Kanietakeron (Larry Thompson)

Kakwerais (Dana Lee Thompson)

Katenies (Janet Davis)

Brian K. Hammond

MS. DELINCE: Good afternoon. My name is Karen Delince and I'm the Corporate Secretary of the New York Power Authority.

This public hearing is being conducted by the Power Authority to provide an overview and receive public comment on the proposed Preservation Power Contracts with Newton Falls Fine Paper Company and Upstate Niagara Cooperative, Inc.

During the 30-day period prior to today's hearing, copies of the proposed contracts have been available for inspection at the Authority's office in White Plains and our website.

Pursuant to Section 1009(1) of the Public Authorities Law, notice of this hearing was published in the following seven newspapers once a week for the four weeks leading up to the hearing: Albany Times Union; Massena Daily Courier-Observer; Ogdensburg Journal; Plattsburgh Press Republican; Syracuse Post Standard; Utica Observer Dispatch; Watertown Daily Times.

Also, pursuant to Section 1009(1) of the Public Authorities Law, notice of this hearing and copies of the proposed contracts were sent to: Governor Andrew Cuomo; President Pro Temp of New York State Senate, Dean Burnham Reporting (315) 379-0205

1 Skelos; Speaker of the Assembly, Sheldon Silver;
2 Chairman of the Senate Finance Committee, John A.
3 DeFrancisco; Chairman of the Assembly Ways and Means
4 Committee, Herman Farrell, Jr.; Senate Minority Leader,
5 John Sampson; Assembly Minority Leader, Brian Kolb.

6 If you plan to make an oral statement at this
7 hearing, I ask that you fill out a card and I ask that
8 you provide your complete name and the name of the
9 company you represent, if any. And I also ask that you
10 give copies of your written statement to the reporter
11 for the record. Both your oral statement and your
12 written statement will appear in the record of the
13 hearing.

14 The record of this hearing will remain open through
15 close of business Friday, July 29th, for submissions of
16 any additional comments or statements. These should be
17 addressed to the Authority's Corporate Secretary at 123
18 Main Street, 11-P, White Plains, New York 10601; or may
19 be faxed to (914) 390-8040; or e-mailed to
20 secretarys.office@nypa.gov.

21 A transcript of the hearing as well as your
22 submissions will be reviewed by the Authority's Trustees
23 and will be made available to the public on our website,
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1 www.nypa.gov.

2 At this point, I will ask Mr. James Pasquale, the
3 Authority's Senior Vice President of Marketing and
4 Economic Development, to provide additional detail on
5 the proposed contract extensions. I will then call on
6 speakers one by one. Thank you.

7 MR. PASQUALE: Thank you, Ms. Delince. Good
8 afternoon, everyone. As Ms. Delince said, my name is
9 James F. Pasquale, and I am the Senior Vice President
10 for Marketing and Economic Development at the New York
11 Power Authority. I'm here today to present an overview
12 of proposed contracts with two customers, Newton Falls
13 Fine Paper Company and Upstate Niagara Cooperative,
14 Incorporated, for the sale of 5 Megawatts and 3
15 Megawatts of Preservation Power, respectively, from the
16 St. Lawrence/FDR Power Project.

17 In 2005, the New York State Legislature enacted,
18 and the Governor signed, Chapter 313 of the Laws of 2005
19 which established the Preservation Power Program set
20 forth in Section 1005, Subsection 13, of the Public
21 Authorities Law.

22 Preservation Power allows businesses in Northern
23 New York to be served with low-cost hydroelectric power
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1 from the Authority's St. Lawrence/FDR Power Project.
2 This program governs the allocation of any power
3 relinquished from the block of 490 Megawatts of St.
4 Lawrence/FDR Power Project power currently sold to ALCOA
5 and RACER Trust, formally General Motors. The law
6 authorizes allocation of power to businesses in
7 Franklin, Jefferson and St. Lawrence Counties.

8 Each application for an allocation of Preservation
9 Power must be evaluated under criteria that includes,
10 but need not be limited to, those set forth in the
11 Public Authorities Law Section 1005, Subsection 13,
12 paragraph A, which details general eligibility
13 requirements. Among the factors to be considered when
14 evaluating a request for an allocation of hydropower are
15 the number of jobs created as a result of the
16 allocation, the business's long-term commitment to the
17 region as evidenced by the current and/or planned
18 capital investment in the business's facilities in the
19 region, the ratio of the number of jobs to be created to
20 the amount of power requested, the types of jobs created
21 as measured by wage and benefit levels, and the type and
22 cost of buildings, equipment and facilities to be
23 constructed, enlarged or installed.

1 On November 24th, 2009, the Authority, the Empire
2 State Development Corporation and Franklin, Jefferson
3 and St. Lawrence Counties signed a Memorandum of
4 Understanding that outlines the process to coordinate
5 marketing and allocating Preservation Power. The
6 entities noted formed the Northern New York Advisory
7 Group with the intent of better using the value of this
8 resource to improve the economy of Northern New York and
9 the State of New York. Nothing in the MOU changes the
10 legal requirements applicable to the allocation of
11 Preservation Power and the Authority's Trustees are the
12 sole decision makers regarding allocation of
13 Preservation Power, subject only to the Governor's
14 contract approval role under Section 1009 of the Public
15 Authorities Law.

16 At their meeting of May 24, 2011, the Power
17 Authority Trustees approved an allocation of 5 Megawatts
18 of Preservation Power to Newton Falls Fine Paper Company
19 for a term of three years. Approval of the allocation
20 was based on an evaluation of the customer's application
21 for hydropower, in which it proposed to invest \$6.7
22 million to re-open its paper mill, purchase and install
23 new and used equipment, and begin papermaking in the
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1 short-term. The company also proposed to invest \$15
 2 million to build a biomass cogeneration plant to
 3 self-supply steam and electricity within three years.

4 The total investment of \$21.7 million would support
 5 the company's commitment to create 91 new jobs in
 6 addition to an existing base of 18 jobs. The allocation
 7 was supported by the Advisory Group and the St. Lawrence
 8 County Industrial Development Agency. The company has
 9 garnered various other economic development and energy
 10 efficiency incentives from Empire State Development,
 11 National Grid and NYSERDA.

12 The proposed contract requires the company to
 13 restart operations at the Newton Falls paper mill and
 14 begin producing paper within one year of Trustee
 15 approval of the allocation. The contract also provides
 16 an enforceable employment commitment of 109 jobs to be
 17 reached within two years of operation. There is an
 18 annual job reporting requirement and a job compliance
 19 threshold of 90 percent. Should Newton Falls Fine
 20 Paper's actual job numbers be below the compliance
 21 threshold of 90 percent, or 98 jobs, the Authority has
 22 the right to reduce the allocation on a pro rata basis.

23 Regarding Upstate Niagara Cooperative, on May 24,
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1 2011, the Trustees approved an allocation of 3 Megawatts
2 of Preservation Power based on an evaluation of the
3 customer's application for hydropower. Upstate Niagara
4 Cooperative proposed to invest \$11 million to purchase
5 and re-open the North Lawrence dairy processing
6 facility, to install two new high-speed productions
7 lines, and to re-hire workers to begin producing dairy
8 products. Upstate Niagara Cooperative has committed to
9 create 80 new jobs within three years of operation as a
10 result of this project. This allocation was supported
11 by the Advisory Group and the project is being supported
12 by Empire State Development and the St. Lawrence County
13 IDA.

14 The allocation amount will be subject to an
15 enforceable employment commitment of 80 jobs, and
16 includes an annual job reporting requirement and a job
17 compliance threshold of 90 percent. Should Upstate
18 Niagara Cooperative's actual jobs fall below the
19 compliance threshold of 90 percent, or 72 jobs, the
20 Authority has the right to reduce the allocation on a
21 pro rata basis. The contract also requires that an
22 energy efficiency audit be performed at least once
23 during it's five-year term.

1 The Authority will provide firm electric service
2 from the St. Lawrence/FDR plant, consisting of firm
3 power capacity and energy service. The service is
4 subject to pro rata curtailment when there is
5 insufficient generation at the Niagara and St.
6 Lawrence/FDR facilities to meet all its firm load
7 requirements. The power and energy will be sold and
8 billed directly to the customers by the Authority, with
9 delivery service provided and billed by the local
10 utility, National Grid. The rates, terms and conditions
11 for the sales are contained in the relevant service
12 tariff, "Schedule of Rates for Sale of Firm Power to
13 Preservation Power Customers - Service Tariff No. 10."

14 The contracts are subject to a public hearing and
15 approval by the Governor, as set forth in Section 1009
16 of the Public Authorities Law.

17 As Ms. Delince stated earlier, the Authority will
18 accept comments on the proposed contract until the close
19 of business tomorrow, Friday, July 29th, 2011. I will
20 now turn the forum back over to Ms. Delince.

21 MS. DELINCE: Okay. Thank you, Mr. Pasquale. I
22 will now call speakers, starting with Dana Lee Thompson.

23 KAKWERAIS: Larry.
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1 MS. DELINCE: Do you want to start?

2 KAKWERAIS: I'd rather let him go before me.

3 MS. DELINCE: Okay. And please state your name for
4 the record.

5 KANIETAKERON: I answer to the name of
6 Kanietakeron, my true name. My ex-slave name is Larry
7 Thompson. As it is with our tribal customs and usage in
8 our way, the ancient way, I need for you to grab hold of
9 this so that this could be officially documented and
10 officially conducted. Thank you.

11 MS. DELINCE: Okay.

12 KANIETAKERON: You can hold the white one for a
13 moment. It just makes it official between the people
14 you represent and the people we represent.

15 MS. DELINCE: Okay.

16 (Kanietakeron spoke to Ms. Delince and Mr. Pasquale
17 in native language.)

18 KANIETAKERON: I've been mandated by the clan
19 mother, the head clan mother of our tribe, to come here
20 and relent to you as to our concerns and the violations
21 that have been done to our tribe, the violations in
22 regard to what you produce here in front, is that before
23 you go on to conducting new business there needs to be
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1 old business that needs to be addressed. And the old
2 business that needs to be addressed is that your
3 forefathers, by way of New York officials, fraudulently
4 and by bad faith got to this point here where they place
5 this dam out across the water.

6 And as a friend, I come before you to bring this to
7 your attention because as a decent being if I was
8 involved in a conspiracy that occurred a long time ago
9 and conducted that conspiracy to go forth, I would want
10 somebody to come and tell me that, "Well, I'm involved
11 in a conspiracy," as I'm about to do with you.

12 The conspiracy was done by NYPA's officials in
13 Albany, New York. The land we speak of here is not
14 truly legally New York nor a part of the United States
15 legally. You have entities that have entered into
16 agreements by way of contract, compact, accord,
17 treaties, which are domesticated Indians, which are
18 expatriated Indians, created by New York, and they seek
19 protection under your Constitution. Our Constitution
20 forbids us to go in that direction, it's a violation of
21 our Divine Law. We would be committing treason if we
22 were to go in that direction, so we're forbidden to go
23 there.

1 I cannot speak for the people that have chose to go
 2 in that direction, which I again repeat, they entered
 3 into a compact with you, treaty, which have no effect on
 4 us. You've got land claims coming down the pipe
 5 shortly. Maybe in another two months another decision
 6 will be made in regard to those expatriated Indians,
 7 which we are no way, shape or form in privity of how
 8 they're battling it in regard to what they feel is
 9 theirs, but we have provided-- we will provide
 10 documentation that sits over here on this chair to show
 11 beyond a shadow of a doubt what I say is to be true, and
 12 New York by way of Governor Paterson was sent
 13 documentation in that regard.

14 Once you give that to your legal people, they will
 15 decipher it, do their due diligence and find out what I
 16 say is so because we are day and night with the
 17 expatriated Indians by way of the Tribal Council, St.
 18 Regis Mohawk Tribal Council, the Haudenosaunee Longhouse
 19 Mohawk Nation and the Band Council on the other side of
 20 the waters. They are in talks, they are in court,
 21 litigation, and we are not part of that. That needs to
 22 be known so that you may tell your superiors as to what
 23 I say, that that has no binding effect on us because we
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1 are of the ancient ways. We are of the clan mother who
 2 holds plenary authority over this area here, and that
 3 was never given up because it was -- it's not her place
 4 to give that up. The women are the underlying stewards
 5 of this land. They would never give that up because it
 6 belongs to the coming generations.

7 So with the others that I mentioned that we're not
 8 part of, I don't know what their position is, I have no
 9 idea what their argument is, but we're -- like I said
 10 earlier, we're not in privity with that. And that needs
 11 to be brought to your attention, where once you are told
 12 and the documentation provided to you and you hand it
 13 over to your superiors, right up to Governor Cuomo, who
 14 I understand is part of this, dialog needs to occur
 15 there -- shortly thereafter in regard to the status of
 16 this -- the legal status of this land, not by way of the
 17 expatriated, not by way of domesticated Indians who gave
 18 up their traditional way but by way of what we speak of.

19 The injustice that was done, the crime that was
 20 done, the fraud that was done, the bad faith that was
 21 done is all there. It's already been in your courts and
 22 it's already been ruled on so all you have to do is go
 23 over it, give it to your attorneys and then they'll find

1 out what we say to be true. This area here we speak of
2 has never been ceded or surrendered. It does not fall
3 under your Congress, it doesn't fall under your
4 President, by the ancient way, which is still alive and
5 well today, providing you have the right character to
6 present, and we have that right character to present
7 because we are of the old ancient ways. And I cannot
8 speak for the other people that are claiming to be
9 stewards, landlords of this area here, only I can speak
10 for our tribe, which I have been mandated by the clan
11 mother to bring to your attention.

12 Excuse me a moment. I wrote down a couple of notes
13 and I don't want to forget anything that I was mandated
14 to bring to your attention.

15 And as I indicated earlier, we are of the
16 Onkwehonwe Signatory Tribe, ancient. Your Governor --
17 ex-Governor I should say, not -- is it Paterson, the
18 ex-Governor was Paterson? He has documentation to the
19 effect as to our identification as to who we are, and
20 it's already in motion since I believe '09.

21 So to prove that I come in peace, honor and
22 friendship, I've offered all the documentation so that
23 we can maintain the peace. And the reason why we need
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1 to maintain the peace and honor and friendship is
 2 because I am confident that we, the Onkwehonwe Signatory
 3 Tribe, still holds plenary authority by way of our clan
 4 mother, still holds underlying title and still are the
 5 landlords, and the building across the waters here was
 6 taken fraudulently. And to prove that we are the
 7 stewards, the legal stewards of this area, I'm going to
 8 come back after Saturday. We have not had a clan
 9 meeting to direct me as to when I shall be coming back,
 10 but when I do come back I will be coming to gather and
 11 harvest a deer in this lands that we are on now. And I
 12 will be putting up a dwelling shortly thereafter to
 13 prove what I say, that we are the stewards and we have
 14 every right to do such a thing. I will be doing that
 15 also.

16 And you need to inform your superiors so that they
 17 may inform their park police that when they see this
 18 identification (indicating) that they are to not molest
 19 me, that they are to stand down and give recognition as
 20 to who we truly are, and we are the entities that I
 21 spoke of earlier, that we do not have no treaty, we do
 22 not have to no compact, we do not have no accord, we
 23 don't have no covenant with the State of New York who
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1 has sovereign powers when it comes to Indians against
2 the United States and we are above that, and we have
3 sovereign power above the United States.

4 And when I speak of New York having sovereign --
5 sovereign status when it comes to the Indians, that is
6 the time of the Nonintercourse Act. Thereafter the
7 United States has a say but there before the United
8 States cannot tell me what to say or what to do. So
9 it's important that you give this documentation to
10 Governor Cuomo, who is sovereign in some ways when it
11 comes to speaking of our kind. And I mean our kind
12 meaning the ancestral ways that we never let go and are
13 still doing our tribal customs and usage.

14 And when I do come here, I say it's going to be
15 after Saturday, I will be coming after a deer to harvest
16 for the coming winter, and I will be coming to put up a
17 dwelling to prove -- now, those documents are your law.
18 Those documents will prove that your officials in the
19 olden days, not too far back, committed these frauds,
20 committed this bad faith. It's all in there. And when
21 it reaches the people that took an oath to uphold the
22 law, they will either do one of two things: Turn a
23 blind eye and be part of the conspiracy and break their
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1 oath, or honor and correct the wrongs that were done to
2 our tribe. And we hope for the latter, but we cannot
3 control what is going to come down by the decision
4 makers of your government, which this is a part of.
5 This is NYPA, New York State Power Authority.

6 And in regard to the power that has already been
7 agreed upon to sell 5 and 3 Megawatts, that needs to be
8 put on hold because corrections need to be done to go
9 forth with our tribe. That supercedes your Trustees, it
10 supercedes New York and it supercedes the United States,
11 and we get that authority by way, as I indicated
12 earlier, of Causus Omissis, which is the clan mother of
13 our tribe.

14 New York, as well as the United States, is ruled by
15 corpus juris secundum, which is second law to the land.
16 We are ruled by Causus Omissis, which is first law to
17 the land. We gave you the right, meaning the invaders,
18 to come and use and occupy, as long as they maintained
19 the peace and lived in peace. We have upheld our end to
20 date and we are still trying to uphold our end, and very
21 difficult. So the test will be tested, I guess, when I
22 do -- when I do return and harvest a deer and put a
23 dwelling as to see what position your government will
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1 take, as to see what position NYPA will take.

2 The documentation for our phone numbers are in
3 there. You can contact us any time and you can have
4 your attorneys or their attorneys look at it and do
5 their due diligence and they will find -- as sure as the
6 sun comes up from the east and goes down in the west,
7 they will find the documentation that I will provide for
8 you, it's true. The question is: Do they continue with
9 the conspiracy?

10 The documentation that defines the expatriated
11 Indians are in the documentation we're going to give to
12 you. They are of no more our kind by choice, maybe by
13 ignorance, but ignorance is no defense of the law,
14 according to your way. We know who we are. We have
15 studied your ways and we know what they are saying, not
16 that we agree but it is what it is. This came from
17 Judge Jan Plumadore as to defining those entities that I
18 speak of that disassociated themselves from the ancient
19 ways by choice, I guess, we can't answer for them; but
20 that documentation is provided for you in there, a copy
21 of my identification is provided in there and anything
22 that will justify as to what is leading to my actions in
23 coming back here.

1 And if they should arrest me then they're in breach
2 of the peace. If they should arrest me and throw me in
3 jail, they're in -- they're violating our peace with
4 them and they're molesting me because, legally speaking,
5 they don't have the authority to do that to me. With --
6 according to Jan Plumadore, if they change their
7 character, if it was an expatriated Indian coming here
8 and try to argue the same argument I'm telling you, he
9 could and he will, and that has already been done, they
10 have already been arrested and it already went through
11 your system in your courts. I, on the other hand, am
12 not part of your court. As I said earlier, we are the
13 first law to the land, Causus Omissis. The European is
14 second law to the land, corpus juris secundum, and
15 that's just the way it is. So I'm pretty much done.
16 I'll leave this up for the young lady here.

17 MS. DELINCE: All right. Thank you.

18 KANIETAKERON: Unless you have any other questions,
19 I'm here.

20 MS. DELINCE: No. You can just give me your
21 materials and I'll be sure to pass it along to the
22 Trustees. Do you want to speak now?

23 KAKWERAIS: Wait. She wants to read that into the
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1 record.

2 KATENIES: Good afternoon. My name is Katenies.
3 I'm with the Onkwehonwe Signatory Tribe. This is dated
4 July 28th, 2011, to Richard M. Kessel, President and
5 Chief Executive Officer, New York Power Authority, 123
6 Main Street, White Plains, New York 10601. Mr. Kessel,
7 we are here to re-clarify the command that was sent to
8 former Governor David A. Paterson July 4th, 2009. For
9 further clarification, the St. Regis Mohawk tribe, the
10 Mohawk Council of Akwesasne and the Mohawk Nation
11 Council of Chiefs are not to be associated with our
12 Onkwehonwe Signatory Tribute members for we are not in
13 privity with any of the parties in Northern District of
14 New York Case Number 5-82-CV-00783 (NPM/GHL), attached.
15 It's a cover sheet.

16 Also attached you will find a copy of the command
17 sent to former Governor David A. Paterson, determination
18 of County Judge Jan H. Plumadore, April 9th, 1980, a
19 notice of a removal in a District Court for the Northern
20 District of New York 08-CV-0711, Franklin County Court
21 judicial assignment notice, Northern District civil
22 cover sheet, Northern District admission of service
23 08-CV-0711, Franklin County Attorney Jonathan Miller,
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1 identification of Onkwehonwe Signatory Tribe head man
2 Kanietakeron, Larry Thompson. You do not hold Seisin
3 Title and can only hold the Right of Occupancy if
4 granted by the ancient Onkwehonwe Signatory Tribe. We
5 have attached -- on there's our letterhead, it has our
6 phone number, which is a contact number, (518) 651-9091,
7 and this was again by the head man Kanietakeron with the
8 Causus Omissis, the bear clan mother, and attached is
9 all the documents and the packages for you.

10 MS. DELINCE: Thank you. Did you want to speak?

11 KAKWERAIS: Do I have to go there because I believe
12 she can hear me?

13 MS. DELINCE: You can speak from there, that's
14 fine.

15 (Kakwerais spoke to Ms. Delince and Mr. Pasquale in
16 native language.)

17 KAKWERAIS: My name is Kakwerais, and I addressed
18 Karen -- I don't want to say your name wrong.

19 MS. DELINCE: Delince.

20 KAKWERAIS: Delince. And the reason why I
21 addressed you is because you're a woman. And as a
22 woman, if you're a child bearer, if you have children,
23 then maybe to some degree you can understand what I'm
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1 going to say because when you're a woman you have a
 2 responsibility when you bring a child into the world,
 3 and that means that you'll do whatever is humanly
 4 possible to protect your children and your grandchildren
 5 no matter what.

6 Your -- your thing that says here New York Power
 7 Authority and why you're conducting these hearings to
 8 ask if you could sell 8 Megawatts of power to two
 9 different entities, and one of the things is that if I
 10 went somewhere and stole and cheated and pillaged a
 11 people and then years later have hearings to conduct to
 12 want to sell something that doesn't belong to me, and
 13 this is what I feel that this hearing is, is that there
 14 is a big elephant in the room which the New York State
 15 Power Authority thinks, maybe believes, that this is
 16 theirs. It's not. It's our people and it's for our
 17 children, even the ones that aren't here. But the miss
 18 -- to misconstrue this is very simple, how maybe you sit
 19 here and say "Who are these people? Where did they come
 20 from? Why are they addressing us?" Because of the fact
 21 of the convoluted, distorted, untrue history that your
 22 government helped facilitate.

23 With no disrespect, the St. Regis Mohawk tribe was
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1 a creation of the State of New York. New York State
2 created the St. Regis Mohawk tribe for many different
3 reasons, and it wasn't for the reason for the good of
4 the people. They created a legal entity. And the
5 reason why I bring that up is because of the court
6 issues that are before the Federal Court in the Northern
7 District of New York in regard to a land claim which New
8 York State Power Authority is part of.

9 The second group that's in there is called the
10 Mohawk Council of Akwesasne, which was an entity that
11 was created by the Canadian government imposed under the
12 Indian Act of Canada, and that was done too not for the
13 goodness of the people but to further what Canada was
14 continuing to do, which was create chaos, to steal and
15 to do many terrible things to our people. So the Mohawk
16 Council of Akwesasne was created by Canada. As a matter
17 of fact, when they went there and the Indians after
18 numerous times wouldn't accept it, they shot a man, his
19 name was Jake Fire. And that's how Canada created the
20 Mohawk Council of Akwesasne.

21 And the third part is the Mohawk Nation Council of
22 Chiefs, which is a body of people who say that they're
23 under the authority of the Haudenosaunee. That's the
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1 third party. We are not of any of those parties because
 2 we come to understand how this works, how the government
 3 of the United States and -- well, New York would see
 4 that the United States and Canada created all these
 5 entities. So today as we sit here in 2011, it's like a
 6 legal fiction that's been created of entities that
 7 purport to say that they represent the Onkwehonwe, which
 8 is not so.

9 And the thing of it is is that in our -- in your
 10 laws it says you can never ever take land from the
 11 Indians, that's your law, but they can give it. And
 12 those entities that were created were not created for
 13 the betterment of our people, those were created for the
 14 betterment of your government. It's just like, as an
 15 example, if people come here and say to you today maybe
 16 the Syrians can come here and they'll go to Albany or
 17 they'll go to Washington and they'll say we want to make
 18 a new government for you, how would that be? Would
 19 Albany embrace that idea? Would the United States? No.
 20 It would be unheard of. So the thing of it is is that
 21 the world is changing, times are changing, but we
 22 haven't changed.

23 And so when you have a hearing which you have a
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1 prepared statement that you read in regard to these two
 2 entities of things that you want to sell, which is not
 3 yours to sell, it's very wrong. It's very wrong because
 4 the creation of the FDR Power Project did many things
 5 and it wasn't of a benefit to our people at all, and you
 6 brought it up yourself today: You talked about RACER
 7 Trust and ALCOA, how you gave them power. You gave them
 8 cheap power, those two -- three entities because now
 9 it's known as ALCOA, it was before known as Reynolds.

10 And what those people did with their cheap power --
 11 you talked about jobs. Our people didn't get jobs from
 12 those places, but what our people got was the residue
 13 that you allowed these corporations to pillage and
 14 contaminate, which today the terms are called
 15 environmental genocide. You gave General Motors power
 16 at a cheap rate and they dumped all their poison in our
 17 community, in our children's bodies, which today we can
 18 get the lead scientist in the world and they don't have
 19 a way how to extract that poison from our systems. So
 20 it's known in your government, the Environmental
 21 Protection Agency, that that site is one of the top 10
 22 sites in the United States in regard to the
 23 contamination of PCB's.

1 In 1976 when the United States finally realized
2 that they were dealing with something that was very
3 terrible, they banned it. They banned it. But the only
4 thing is that General Motors and the people that you
5 gave cheap power to continued to dump their poison into
6 our communities and not even -- even blink an eye. All
7 they did was look into the east where our villages were
8 and what they did is they rolled up their dump trucks,
9 put their poison in there, went off and just dumped it
10 right onto the ground. They didn't put it in a secure
11 landfill. They did not get a permit from their
12 superior, supposedly the State of New York. They defied
13 all laws that they were supposed to do. And the
14 destruction and the havoc that these plants, which you
15 gave this cheap power to, wrecked havoc on our people.
16 And so had you understood and looked a little bit
17 further instead of looking at its insatiable appetite
18 for power and money.

19 Our ancestors told you -- told us about you, about
20 the white brothers that were going to come across the
21 salt water. So today, even sitting here as you are
22 sitting here listening, maybe you're thinking this is
23 just another -- another one of these -- we have to kind
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1 of listen to the Indians, but it's more than that
 2 because of when we came, what we did. We were given
 3 things too to try to make it what's right. And one of
 4 the things is the Law of Creation and the Law of Nature
 5 and we set into motion those things also to try to see
 6 if your ears and your minds could be open and to try to
 7 understand what that has done to our communities and
 8 then have the gall even today in 2011 to think that you
 9 can sell stuff that doesn't belong to you and not
 10 address the past.

11 I didn't make those agreements because I wasn't
 12 here, but the State of New York before it came -- became
 13 the State of New York, the Continental Congress, and
 14 subsequently the United States government, they did
 15 these things. They created fraud. They created even
 16 Indian government to make things like this. So I guess
 17 I'm -- what I'm here to say is that as a woman, as an
 18 Onkwehonwe woman, I have a responsibility, and maybe if
 19 I didn't bring children into the world I could go like
 20 that (turning head), but I can't because I was a life
 21 giver. And so your government doesn't own this land, it
 22 can't ever own it.

23 And the second part of it is they tried to create
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1 the semblance, the paper, like they did own it, but they
 2 don't. One of the largest firms in the United States,
 3 and the oldest, called Case & White out of New York
 4 City, knows what I talk about. And they do not have
 5 original Indian title to our lands because we didn't
 6 give it up. We never gave it up. And so each day as I
 7 read in your -- all your documents, even when you wanted
 8 a re-licensing in 2003, you didn't tell the truth then
 9 either. All you were looking at is the fact of greed
 10 and money and never taking into account the people who
 11 are the true owners. It's not New York.

12 And so if you have it in you, you'll go through
 13 82-CV-783 in the Northern District, which is a document
 14 that entities have put in there to make a land claim.
 15 You can't claim something that's yours. If it's yours,
 16 you don't need to make a claim. Those things were
 17 created to take our people off the track. So what I'm
 18 saying here is that you bear responsibility in the law
 19 of creation, in natural law. If you turn and close your
 20 ears and you don't speak the truth and you don't look
 21 for the truth because the forces that help us, which you
 22 can't see, which your people always try to erase from
 23 who we were. That's why you went into our homes and
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1 took our children because, one, you wanted -- you didn't
 2 want us to speak our language, you didn't want us to
 3 identify with who we were and you didn't want us to
 4 still have our connection, but many of our people
 5 suffered, many of our people were massacred and many of
 6 our people fought on to today, and that's why we're
 7 still here because there was some of our people that
 8 never gave that up. Ever.

9 And so if -- I don't know if you're Christians, if
 10 you're Muslims, if you're -- if you believe in the Koran
 11 or whatever, but usually people who say that they
 12 believe in a higher power are supposed to live by truth,
 13 not lies. Honesty. And so that's what I'm asking you.

14 If you have that in yourself and not just to think
 15 that this is another exercise like going to the Niagara
 16 Falls Vista, okay, we have to listen to these people,
 17 they're going to come in, maybe they're with the Green
 18 Party, maybe they're with the person we want to give the
 19 powers, maybe we're with their people who are against
 20 them, but we just have to, you know, go along through
 21 and listen to this stuff. I hope that's not how you're
 22 sitting here with your mind because that's the wrong
 23 way. That's the wrong way. But if you're a man or a

1 woman that has a belief in a higher power, you know what
2 you have to do. And if you don't, then it's at your
3 peril, meaning that -- how you were brought up.

4 I'm sure that when you were brought up your parents
5 told you you have to be honest, you have to tell the
6 truth and you have to stand up for what's right because
7 I know most people, that's how they bring their children
8 up. Do not steal from anybody. Don't take something
9 that's not yours. Don't commit any crimes against your
10 -- others. Don't do those kind of things. Most people
11 in the world, that's what they teach their children. I
12 can't say with great certainty that that's what you were
13 taught by your parents, but the most people that have
14 common goodness for humanity, that's what they teach
15 their children.

16 And I'd like to bring up one other thing: Our
17 people, they have a name for your presidents, from the
18 first one to the one today, and our people gave him a
19 name. It's called Rahnatakias, village destroyer,
20 that's the name he was given, and he'll keep that name
21 until he does what's right. Village destroyer. And so
22 what I'm saying to you is that our people have every
23 right to come here if they want to put a dwelling, if
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1 they want to harvest food, if they want to pick
 2 medicine, because it's theirs.

3 And so -- and the most important thing is to
 4 distinguish the creations that the State of New York
 5 created and what Canada created is not who our people
 6 are. Those creations were created to be able to deal
 7 and make documents and make agreements and make it have
 8 the semblance of being valid, which it's not. Our
 9 people can't give up anything that doesn't belong to
 10 them. It doesn't belong to us, it belongs to the
 11 children of the faces that we don't see yet, that's
 12 whose it is.

13 And so because the New York State Power Authority
 14 has been doing this and helping and creating havoc with
 15 our people and changing how we live downstream because
 16 it's all polluted, poisoned, and you facilitated as New
 17 York State Power Authority because you gave those people
 18 free power. Had they not -- not free power, cheap
 19 power. Cheap power that even the people there because
 20 you facilitated with that, and because our people are
 21 suffering, dying, east because of these things, we're
 22 telling them to move west, above the poison, because the
 23 only way to extract poison that's in our systems,
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1 there's two ways. How do you get PCB's which has
 2 wrecked havoc -- go online, read the studies. Read the
 3 studies of all the people throughout the world why they
 4 banned its use in 1976, because of the fact of what it
 5 does. Two ways for it to come out of your body, known.
 6 One is through the breast feeding of your children, and
 7 two is through the sperm. Those are the only two human
 8 ways that the scientists know. So is that a good thing?
 9 Feed your baby poison or make one?

10 So New York State Power Authority facilitated those
 11 industries to do that to our people, so that's what
 12 we're telling our people, move above the pollution.
 13 It's beautiful here. We know, we always come here. And
 14 so it's not your land, it never was. Even through your
 15 legal documents, even through your legal documents, it's
 16 not yours. And so I hope that the ancestors, yours,
 17 that did all the corruption, and mine, who suffered
 18 under it, are here right now listening and maybe they'll
 19 want you to correct the wrongs of the past.

20 And you bring up RACER Trust. Even after all that,
 21 after you gave them the cheap power and they did what
 22 they did, they even got the nerve to say we want to --
 23 we want to sell that land to a defense contractor and
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1 maybe you're going to want to give them cheap power, but
2 they don't got a right to sell nothing because it's not
3 theirs either.

4 And so what I would like to say is that I just hope
5 that the forces of nature make you do what's right and
6 not be like your ancestor because we're the true people
7 of this land. Thank you.

8 MS. DELINCE: Thank you for your testimony.

9 KANIETAKERON: Just so you will know, when I
10 return, the United States and New York, I guess, more so
11 the United States, we can agree they have much enemies
12 out there and coming to a facility like this, as I said
13 earlier, I come in peace, honor and friendship. And
14 when I return, I still come in peace, honor and
15 friendship, so they don't need to call the National
16 Guard when they see me come. So that there you can re
17 -- you know, tell your superiors to tell their park
18 police or whomever, New York State Police, or maybe
19 they're going to send the National Guard, but as sure as
20 I said earlier, the sun will come up and go down, I'm
21 coming back.

22 Sovereignty is exercising it, not just talking
23 about it. If it's here (indicating) and if it's here
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1 (indicating) and it's together as one, you will do what
 2 you feel is right. With the knowledge that we gathered
 3 up, I believe I have the wisdom to know what's coming
 4 and that peace will prevail, it will hold, because the
 5 truth will make your superiors honor their pledge and
 6 uphold the law which your forefathers, superiors,
 7 lawmakers, violated and broke. It's in that
 8 documentation. I guarantee you it's in there. And they
 9 will have to be -- you know, stand out.

10 So as I said, I will return, and the first one, to
 11 get a deer; the second one, to put a dwelling, and I
 12 will -- in time we'll see many other people come. So
 13 we're putting you on legal notice, we're not hiding, and
 14 those other people that come will also come in peace,
 15 honor and friendship because this is rightfully theirs.
 16 This building that sits on this area is legally theirs.
 17 And NYPA has no authority or legal right to give away
 18 lands in the water, known as an island, lands on the
 19 shore. Legal, they have no legal authority to pass them
 20 over to anyone. It is not theirs to give legally. We
 21 are the first law.

22 I could go on for a few more days but the
 23 documentation there is going to keep your attorneys busy
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1 for a little bit, but all they have to do is call up the
2 people that were involved, which my wife and I were
3 involved in it, and we know what they have to do. They
4 have to honor their pledge. They have to honor their
5 allegiance. As painful as it was, and it was painful
6 for them, but the truth they say hurts at times and what
7 I present to you today is the truth.

8 To add on to our belief, which I feel very strongly
9 your Pope believes in it, if you're Christian by Roman
10 Catholic standards, the Queen, anybody that believes in
11 a higher power, we summon the people that have passed.
12 They're here. It's like the wind. The air is here but
13 you don't feel it unless it allows you. With the
14 spirits that we called, they will follow you home. They
15 may come in your dream. They may be in your back seat
16 when you're driving home alone and you look in the
17 mirror, there they are, and you go and look, they're not
18 there. That's just to put you on notice that they are
19 here helping you to guide you to do the right thing.
20 This is above you and I. This is the spiritual end.

21 You may hear somebody in your house. You know
22 you're all alone. You may be sleeping and then the
23 blankets will come off you, put the lights on, no one is
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1 there. The spirits protect us. They're not here to do
 2 harm to you or anyone else but to bring you consciously
 3 that they do exist and they will guide you. As
 4 difficult as that may be, you may believe it, you may
 5 not, but I will not tell you this if I didn't believe it
 6 myself.

7 And the message we gave to you today, you need to
 8 give that to Cuomo. Cuomo is a very powerful man when
 9 it comes to telling what the United States can do and
 10 can't do when it comes to our kind. He's just as
 11 powerful because of those documents that they made
 12 fraudulently. The only reason why you have this area
 13 here is because New York made a fraudulent document,
 14 they call it a deed, so that the banks could give loans
 15 to develop the area, whether it be a farmer or whether
 16 it be a plant. They're not worth the paper it's written
 17 on legally, legally, true legal. That will blow your
 18 mind because we have already witnessed New York State
 19 stand down already. They had no choice.

20 The documents speak for themselves, and as I said,
 21 the truth hurts and your superiors will have to stand
 22 down and enter into talks with our kind, not the ones
 23 they created, expatriated Indians who seek protection

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1 under the Constitution of New York State or the federal
2 government. They have joined by way of assimilation.
3 They left their ancient ways and have gone with the
4 so-called American way of life. We have not. We still
5 practice our tribal customs and usage and still respect
6 mankind no matter how much harm they have done us, how
7 much wrong they have done us. We're trying to
8 understand. How much is enough? But I understand one
9 thing, once you eat from the trough of greed, the
10 chances of survival is almost impossible. I have yet to
11 witness that yet. So having said that, I close.

12 MS. DELINCE: Thank you.

13 KANIETAKERON: Unless you have any questions for
14 any one of us.

15 MS. DELINCE: Will you make sure the transcriber
16 has the correct spelling of your names for the record.

17 KANIETAKERON: Don't forget to tell your people, I
18 come in peace. When I do come, it will be in the
19 morning, early before sunrise, when a true hunter goes
20 and takes the creation for making it here. Again, have
21 a good day.

22 MS. DELINCE: Thank you.

23 KANIETAKERON: They don't need to come blaring out,
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1 which, I have to be honest, I expect them to do, unless,
2 of course, you deter that.

3 MR. PASQUALE: We will let them know.

4 KANIETAKERON: I leave you in peace, honor and
5 friendship, and you too.

6 MR. PASQUALE: Thank you.

7 (Off-the-record discussion.)

8 MS. DELINCE: All right. Now we have Brian
9 Hammond. Go right ahead.

10 MR. HAMMOND: I'm Brian K. Hammond, President of
11 Teamsters Local 687 representing the members at North
12 Country Dairy in North Lawrence, New York. And I
13 strongly urge anything that the Power Authority can do
14 to help create jobs at that facility would definitely be
15 greatly appreciated by the Teamsters. Thank you very
16 much.

17 MS. DELINCE: Thank you, Mr. Hammond.

18 MR. PASQUALE: Thank you. I'm glad you made it.

19 (Off-the-record discussion.)

20 MS. DELINCE: Well, it is now six o'clock. Seeing
21 no more speakers, I declare this hearing officially
22 closed.

23 (The public hearing concluded at 6:00 p.m.)

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