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Seneca Nation Requests Federal Review of Compact Amendment
Arbitration panel’s ruling requires approval by the United States Department of Interior

ALLEGANY TERRITORY, SALAMANCA, N.Y. – Citing the federal Indian Gaming Regulatory Act, the Seneca Nation is calling on the United States Department of the Interior to review a Compact amendment created by an arbitration panel, in accordance with federal procedure.

“The arbitration panel’s members, instead of interpreting the clear language of the Nation-State Compact, took it upon themselves to effectively and materially amend the agreed upon terms of the Compact, and they did so without regard for federal law and required procedures that govern both the Compact and the amendment process,” said Seneca Nation President Rickey Armstrong, Sr. “Their ruling creates an obligation on behalf of the Seneca Nation that does not exist in the Compact as it is written, or as was reviewed and deemed approved by the Secretary of Interior in 2002. To allow this amendment to take effect without review by the Department of Interior would undermine the process by which the federal government carries out its trust responsibility to the Seneca Nation, and other sovereign Nations across the country.”

“The arbitration panel gave New York State, without the benefit of a negotiated agreement, or a review by the Department of Interior, more than
a billion dollars in additional payments that they did not bargain for,” President Armstrong added. “We are obligated by federal law to submit such an amendment for review by the Department of Interior.”

Pursuant to the federal Indian Gaming Regulatory Act, which governs Nation-State Compacts, all amendments to Compacts must be reviewed and approved by the Secretary of Interior before they may be lawfully enforced, so that the Secretary of Interior may make a determination whether the amendment is consistent with the IGRA and with the trust obligations of the United States.

The arbitration panel, despite finding that the Compact contains no provision requiring payments during years 15-21, created additional obligations that were never reviewed or approved by the Department of Interior, thereby amending the Nation-State Compact and triggering the legal requirement to request Secretarial review.

“The Seneca Nation and the Seneca people deserve to have our agreements with other governments honored and protected, despite repeated and ongoing attempts to ignore, violate, and, in this case, bluntly change the agreements we have made. By exercising our right to request that the Department review the amendment, the Nation leadership is fulfilling our obligation to the Seneca people to always defend our sovereignty and the sanctity of our agreements.”

Since the Seneca Nation began its gaming operations in 2002, the Nation has sent more than $1 Billion in revenue share contributions to Albany. The Seneca Nation has also invested more than $1 Billion to develop its casino properties in Niagara Falls, Salamanca and Buffalo. Today, the Nation’s casino operations employ approximately 4,000 workers, making Seneca Gaming Corporation one of the largest private employers in Western New York.