



## UNITED SOUTH AND EASTERN TRIBES, INC.

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USET Resolution No. 2005:021


### OCCUPATIONAL HEALTH AND SAFETY ADMINISTRATION'S (OSHA'S) FAILURE TO RESPECT TRIBAL SOVEREIGNTY

- WHEREAS,** United South and Eastern Tribes, Incorporated (USET) is an intertribal organization comprised of twenty-four (24) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** Indian Tribes are sovereign indigenous nations, with rights of self-government pre-dating the United States; and
- WHEREAS,** the Constitution of the United States, treaties, statutes, and numerous Presidential directives acknowledge the sovereign status of Indian nations as governments; and
- WHEREAS,** President Bush, and many of his predecessors, have issued Presidential directives to all federal agencies to work with Indian nations on a government-to-government basis and consult with them before taking any action that could have an impact; and
- WHEREAS,** the Occupational Health and Safety Administration (OSHA), in its dealings with the Mashantucket Pequot Tribe, the St. Regis Mohawk Tribe, the Oneida Indian Nation, and other Indian nations has refused to comply with the aforementioned Presidential directives; and
- WHEREAS,** OSHA has consistently refused to work with Indian nations on a government-to-government basis, and has openly disregarded and disrespected the sovereign status and governmental jurisdiction of Indian nations in clear violation of the U.S. Constitution, treaties, statutes and Presidential directives; therefore, be it
- RESOLVED,** that the USET Board of Directors requests President Bush to compel the Secretary of Labor to require OSHA to respect the sovereignty of Indian nations, their governmental status and jurisdiction and work with Indian nations on a government-to-government basis in compliance with the U.S. Constitution, treaties, statutes and Presidential directives; and, be it further
- RESOLVED,** that the USET Board of Directors calls upon the United States Congress to conduct hearings and an investigation into the refusal of OSHA to respect the sovereignty of Indian nations, their governmental status and jurisdiction and work with Indian nations on a government-to-government basis in compliance with the U.S. Constitution, treaties, statutes and Presidential directives.

#### CERTIFICATION

This resolution was duly passed at the USET Impact Week Meeting at which a quorum was present in Arlington, VA on Thursday, February 10, 2005.

  
Keller George, President  
United South and Eastern Tribes, Inc.

  
Eddie L. Tullis, Secretary  
United South and Eastern Tribes, Inc.

*“Because there is strength in Unity”*