

Press Release – For Immediate Release

Western Shoshone Nation Uses 1863 Treaty to Stop Yucca Mtn Nuclear Waste

March 4, 2005. Las Vegas, Nevada.

TODAY: This morning, March 4, 2005, at 10:00 am, the Western Shoshone National Council filed a lawsuit in the federal district court in Las Vegas, Nevada. The complaint, which lists the United States, and the Secretaries of the Departments of Energy and Interior as defendants, seeks declaratory and injunctive relief to stop nuclear waste and storage at Yucca Mountain, an area long held as significant to the Western Shoshone Nation and included within the boundaries of the 1863 Treaty of Ruby Valley. A hearing will be scheduled by the court and could be held as early as the end of March. A press conference was held both before and after the filing on the steps of the federal courthouse. Following is a press statement issued by the Western Shoshone National Council. For additional information, please contact Attorney Robert R. Hager at 775-336-7586.

NEWS RELEASE
FROM THE

WESTERN SHOSHONE NATIONAL COUNCIL

The Western Shoshone National Council has filed this lawsuit against the plan of the United States Department of Energy to make Yucca Mountain the dump for nuclear waste from the United States and from forty-one other countries around the world. Yucca Mountain is located in the Territory of the Western Shoshone Nation, as described in Article 5 of the 1863 Treaty of Peace and Friendship entered into between the Western Shoshone Nation and the United States, at Baa Gaa Zoo (also now called Ruby Valley, Nevada).

Article 6 of the U. S. Constitution states that “(T)reaties are the supreme law of the land.” This Treaty, then, overrides all other U.S. laws. Under the Treaty, there were five uses which the United States of America and the Western Shoshone Nation agreed could occur on Western Shoshone Territory. Those five uses are the establishment of (1) settlements, (2) mines, and (3) ranches, and the construction of a (4) railroad, and of (5) roads. The agent of the United States of America who negotiated and signed the Treaty, the United States Congress which ratified the Treaty, and the Western Shoshone Nation all agreed that those were the only five uses which would ever occur on Western Shoshone Territory. If any other uses are contemplated, they can not occur unless the Treaty is modified by the consent of both the Western Shoshone Nation and the United States.

All across this country, U.S. Federal District Courts have found that Treaties with the Indian Nations remain in full force and effect as binding contracts. The Western Shoshone Nation has always abided by the Treaty and regarded the Treaty as a binding, enforceable agreement between the Nation and the United States. We seek by this lawsuit to have the Treaty of Ruby Valley enforced to stop this project which threatens to desecrate our sacred lands.

The Western Shoshone Nation does not consent to the use of Yucca Mountain as a dump for the most toxic substance ever created by man. We have a sacred duty to stop this plan by the United States and its Energy Department officials to make Yucca Mountain the storage place for high level nuclear waste from all over the world.

Mother Earth is sacred to all humans. The Western Shoshone Nation holds Mother Earth as such. High level nuclear waste must not be stored in the breast of Mother Earth at Yucca Mountain.

The Western Shoshone National Council

For More Information contact Attorney Robert R. Hager 775-336-7586