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## Saint Regis Mohawk Tribe Outraged at Senator McCaskill's Attempt to Abrogate Sovereign Immunity

Oct 5, 2017

**AKWESASNE TERRITORY** — The Saint Regis Mohawk Tribe issued the following statement today in response to legislation introduced by U.S. Senator Claire McCaskill (D-MO) that seeks to abrogate tribal immunity from being asserted in the *Inter Partes Review* proceedings on the tribally owned patents for RESTASIS® (Cyclosporine Ophthalmic Emulsion) 0.05% before the Patent Trial and Appeal Board:

*"The Saint Regis Mohawk Tribe is outraged that U.S. Senator Claire McCaskill (D-MO), has introduced legislation that specifically targets Indian tribes, yet exempts state universities and other sovereign governments engaged in the very same IPR process. The double standard that is being introduced by the Senator as a solution for a perceived abuse of the IPR proceedings does nothing to solve the underlying problem. The Tribes authority is inherent and has been reaffirmed through treaties and legislation from the earliest days of the country.*

*It is cruelly ironic that Indian Tribes, with the highest unmet health care needs in the entire country, are being attacked for exercising their sovereign obligation to fill gaps in health coverage caused by the federal government's abject failure to uphold its trust responsibility. The fact that the Mohawk community is home to three unmitigated EPA Superfund sites that harm the health of the community and surrounding non-Native communities is a stark example of the government's*

*failure. Congress shouldn't double down on its mistakes by denying the Tribe's sovereign authority in the IPR process.*

*As the largest private employer in Northern New York, the Tribe has a responsibility to ensure the livelihood and well-being of its tribal members and its hundreds of non-Native employees. The Tribe remains committed to working with all Members of Congress to discuss how its recent economic diversification efforts benefits the Tribe, its members, and the surrounding communities without harming competition among pharmaceutical companies (both private and generic) or artificially inflating drug prices."*

#####

*The Saint Regis Mohawk Tribal Council is the duly elected and federally recognized government of the Saint Regis Mohawk People.*

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## Working Together Today to Build a Better Tomorrow

Ska'tne ionkwaio'te ón:wa wenhniserá:te ne sén:ha aioianeréhake ne enióhrhen'ne



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