

Principal Man Ian Zabarte
Western Bands of the Shoshone Nation of Indians
P.O. Box 46301
Las Vegas, NV 89114

June 22, 2020

Las Vegas Review-Journal
1111 W. Bonanza Road
Las Vegas, NV 89106

This letter is in response to the article on June 15, 2020 in the Las Vegas Review Journal: Nuke Test Rumors Spur Nevada Lawmakers by Gary Martin.

As a Shoshone, we always had horses. My grandfather always told me, "*stop kicking up dust.*" Now I understand that it was because of the radioactive fallout. To hide the impacts from nuclear weapons testing the US Congress defined Shoshone Indian ponies as "*wild horses.*" There is no such thing as a wild horse. They are feral horses but, the Wild Horse and Burrow Acts of 1971 gave the Bureau of Land Management the affirmative act to take Shoshone livestock while blaming the Shoshone ranchers for destruction of the range caused by nuclear weapons testing. My livelihood was taken, and the Shoshone economy destroyed by the Bureau of Land Management. On the land, radioactive fallout destroyed the delicate high desert flora and fauna creating huge vulnerabilities where noxious and invasive plants species took hold.

Nuclear weapons testing at the Nevada National Security Site has left a dark legacy of radiation exposure to Americans down-wind from the battlefield of the cold war. Among the victims are the Shoshone people whom, by no fault of our own, were exposed to radiation in fallout from over 924 nuclear tests. All nuclear tests including those conducted underground released radiation. A clear example is the Mighty Oak accident and coverup. The Shoshone people never consented to the nuclear weapons testing. Nuclear testing is a violation of the peace treaty with the Shoshone, the Treaty of Ruby Valley 12 Statute 689-692, and the US Constitution Article 6 Section 2, the treaty supremacy clause. Nothing in the treaty contemplated the secret massacre of Shoshone people with radioactive poison from nuclear weapons testing within our own homelands. My tribe and family are the victims.

The enduring purpose of nuclear technology is the creation of weapons of mass destruction. Nuclear weapons are an indiscriminate, lack proportionality when used and their testing within the Shoshone homelands are deliberate acts that destroy the Shoshone people. No Shoshone, not one person should be sacrificed for the benefit of some Americans and the profit of the military industrial complex. Nuclear weapons development in Shoshone homelands violate humanitarian law, human rights law, environmental law and is racist. Racism is a crime. It is called genocide, "*a crime against humanity*" and a violation of 18 USC 1091 GENOCIDE. To prove intent to commit genocide we have only to look at the culture of secrecy of the military occupation of Shoshone homelands during, and since the cold war at the Nevada National Security Site. The acts committed in nuclear weapons development and testing against the Shoshone people benefit other Americans. The Shoshone people suffer without relief or acknowledgement of our silent

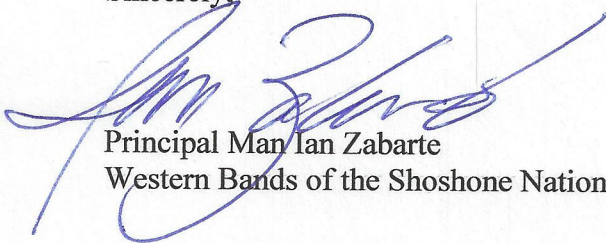
sacrifice. Secrecy is not transparent. Secrecy is not democratic and is unconstitutional when the acts are conducted in, and upon the Shoshone land and people.

Nothing in the Nuclear Waste Policy Act of 1982, as Amended in 1987, considered the fact of Shoshone ownership of the proposed Yucca Mountain high-level nuclear waste repository. Almost \$15 billion dollars was spent to characterize the site giving it the label as, *"the most studied piece of real estate in the world."* The Nuclear Regulatory Commission admitted in the licensing proceedings 63-001 Yucca Mountain before the Atomic Safety Licensing Board Panel that, the Department of Energy has not proven ownership. Nevada took hundreds of millions of dollars for characterization studies from the federal government in Grants Equal to Taxes from Shoshone property and gave nothing to the Shoshone. A clear case of taxation without representation to defraud the Shoshone people of our property interests.

What is needed now are hearing on, and support for, extension and funding of the Radiation Exposure Compensation Act of 2019, S. 947, and HR 3783. The Shoshone people need DNA testing and funding for tribal community health education on radiation basics and information on appropriate protective behavior to mitigate radiation exposure.

The Shoshone people are committed to the enforcement of law in the service of justice and human dignity. That is human growth and development not nuclear weapons.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ian Zabarte', with a long, sweeping horizontal stroke extending to the right.

Principal Man Ian Zabarte
Western Bands of the Shoshone Nation of Indians