

Western Shoshone Nation
Congressional Briefing Sheet
Background and Current Situation
April 2004

Background:

The Western Shoshone people are in a decades long struggle to retain their homeland. In 1863, the United States entered into a Treaty of Peace and Friendship with the Western Shoshone. The treaty, known as the Treaty of Ruby Valley, recognizes 60 million acres of Western Shoshone territory throughout Nevada, California, Utah and Idaho. Despite this formal recognition, the U.S. claims that these lands are “public” lands and is attempting to force a one time payment on the Western Shoshone in the form of the Western Shoshone Distribution Bill, HR 884/SB 618. These lands are the source of the third largest gold production in the world, behind only South Africa and Australia. They are also the site of Yucca Mountain, the proposed national nuclear waste repository and hundreds of energy production applications.

The Western Shoshone Distribution Bill (HR 884) is highly controversial and pays pennies on the acre to the Western Shoshone who have long stated that their lands are sacred and not for sale. Senator Reid and Congressman Gibbons, both with strong ties to the mining and energy industries, have put a great deal of political weight behind pushing the bill through.

The fear is that once the U.S. has distributed these monies, they will claim that the Shoshone have been “paid” and that title to the land is cleared, thereby paving the way for privatization and sale to the highest corporate bidder. The Senate passed the bill and it is now sitting in the House of Representatives. Concerns have been raised by members of Congress. In fact, last November, Congressman Grijalva from Arizona sent a hard hitting letter to Secretary of Interior Gale Norton. Congressman Udall from New Mexico also raised several questions to Interior during the Committee hearings – questions which remain unanswered.

In his letter, Congressman Grijalva writes that *“concerns have been raised regarding the treatment of Western Shoshone land and treaty rights, specifically with regard to actions taken by the Department of Interior in the management of these lands and in enforcement actions against Western Shoshone people on the lands. If these concerns are accurate, [the Western Shoshone Distribution Bill] may be...in conflict with the Department of Interior’s position as a Trustee and its obligation to uphold the laws of the United States.”* The letter contains four pages of detailed, concise questions directed at the Interior’s involvement in the current situation of the Western Shoshone. The complete letter is available at www.wsdp.org. The week of February 16, Interior submitted its preliminary response which consists of statements already made with no new information. A complete response to the questions is essential.

Current Situation:

Since the Congressional recess last fall, in Nevada and in Washington, D.C. actions by and against the Western Shoshone have come to a heightened level. With support from both tribal and traditional communities, Western Shoshone, through Attorney Jeff Herman, filed a lawsuit in the D.C. federal district court asserting Western Shoshone title to over 60 million acres of lands throughout Nevada, Utah, Idaho and California. (*Western Shoshone v. U.S.*, U.S. District Court, Washington, D.C., Case No. 03-CV-2009). On the ground however, the U.S. is pushing back with continued tactics some have equated to “domestic terrorism”. The most recent is cattle impoundment notices against 99 year old Western Shoshone grandfather, Robert Healy Sr. of Odger’s Ranch and lien threats against Western Shoshone grandmothers Mary and Carrie Dann.

On the legislative front, Senator Harry Reid and his Nevada colleagues continue pushing the one time payment on the Western Shoshone through the Western Shoshone Distribution Bill (HR 884/S. 618). Senator Reid has promoted the bill to Western Shoshone under the promise that the bill will not affect efforts to protect their land rights. However, recently introduced bills by Senator Reid’s Republican ally, Congressman Gibbons, regarding the same land; the Senator’s refusal to employ the Treaty with the Western Shoshone to stop the Yucca Mountain Nuclear Waste Repository; and his continued refusal to work in good faith with Western Shoshone demonstrates apparent conflicting motivations by the Senator.

One recent legislative measure, HR 2869, would allow for privatization of culturally significant areas within Shoshone territory to multinational gold giant, Placer Dome. One of the areas, Mt. Tenabo is located in Crescent Valley, also the site of the federal seizures of hundreds of Shoshone livestock, and is the home to local Western Shoshone creation stories, ancient burial sites and medicinal and food plant sources. Another bill, HR 2772 also sponsored by Gibbons would encourage large scale expansion of geothermal energy production with no provision for Western Shoshone cultural beliefs or compensation for use of the hot waters. The magnitude of this expansion was reflected in a quote by Senator Reid last summer wherein he termed the land as the next “Saudi Arabia” of geothermal energy.

FOR ADDITIONAL INFORMATION: www.wsdp.org