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First name: Ian

Last name: Zabarte

Organization:

Title:

Comments: Comments of

Mr. Zabarte, Principal Man

Western Bands of the Shoshone Nation of Indians

On the

Ruby Mountains Oil and Gas Leasing Availability Analysis #52443

April 23, 2018

It is Shoshone custom that Newe speak for the Western Bands of the Shoshone Nation of Indians.

I present these comments because US law provides too little protection of the rights, titles and interests of the Western Bands of the Shoshone Nation of Indians and we want to be sure that US agency are being safe.

The Western Bands of the Shoshone Nation of Indians do not consent to the inclusion of any part of Shoshone Indian country defined by the Treaty of Ruby Valley (Consolidated Treaty Series Vol. 127 1863) into the boundaries or jurisdiction of any state or territory (Organic Act--Nevada Organizing Act 1861).

The Shoshone Nation was never conquered and won the peace by treaty as public international law that, "is in full force and effect."

Western Shoshone title remains unextinguished.

The Treaty of Ruby Valley is in full force and effect.

Unextinguished Indian title is a significant encumbrance upon the US.

The proposed Ruby Mountains Oil and Gas Leasing Availability Analysis #52443 is an act of environmental racism staged by the US. The process includes tribal government(s) eligible to receive service from the US because of their status as components created and manipulated under the superintendence of the Secretary of the Interior.

Because Shoshone land and people were exposed to radiation in fallout from United States and United Kingdom testing of 1000 weapons of mass destruction (WMDs), the Shoshone people are vulnerable and cannot endure an increased burden of risk from any source including hydraulic fracking.

Each fracking release has potential long lived half-life that are hazardous for thousands of years. Because of the Shoshone people's past exposure to radiation we cannot endure an increased burden of risk from sources that include releases of naturally occurring radioactive material (NORM) or technologically enhanced naturally occurring radioactive material (TENORM) that is a result of hydraulic fracturing concentration(s).

There is no culturally appropriate assessment of low dose exposure risk to the already vulnerable Shoshone people and should be done.

According to the National Academy of Sciences Biological Effects of Ionizing Radiation (BIERVII):

The BEIR VII report concludes that the current scientific evidence is consistent with the hypothesis that, at the low doses of interest in this

report, there is a linear dose-response relationship between exposure to ionizing radiation and the development of solid cancers in humans. It is unlikely that there is a threshold below which cancers are not induced, but at low doses the number of radiation induced cancers will be small.

Again, the Shoshone people cannot bear any increase in risk of exposure from hydraulic fracturing radiation released during leased operations on lands in the proposed Ruby Mountains Oil and Gas Leasing Availability Analysis #52443 and the US has not conducted any assessment of risk to the already vulnerable Shoshone people based on the basis or unique lifestyle differences and should be done and funded. There is no understanding by the United States of the past exposure of the Shoshone people and lands from radiation to exclude the increased risk expected over the sixteen thousand year half-life of long lived radionuclides or in the future, risks the Shoshone people are expected to be exposed to from the many fracking sited of potential

radioactive release to be abandoned over 55,000 acres in the Ruby Mountains of the Shoshone Nation.

Until an Article 6 reservation created, a moratorium on sale or disposal of Agriculture Department lands within the treaty defined Western Shoshone country to private title holders should be imposed to protect the public in the proposed Ruby Mountains Oil and Gas Leasing Availability Analysis #52443 from defective title that are subject to Indian title extinguishment.

The same moratorium should also be implemented concurrently by the US Department of the Interior to protect the public from defective titles pending implementation of the Treaty of Ruby Valley, Article 6 reservation homeland with water necessary to meet the needs of the Shoshone people.