



Statement of Shivwits Band Council - February 13, 2020

- **We are fighting against Termination by the BIA and Tami:** In 1954, it was Congress that terminated the Shivwits Band of Paiutes, but now it is the BIA and Chairwoman Tamra Borhardt-Slayton (Tami) telling all the Bands of Southern Paiutes that have existed since time immemorial that they don't have sovereign rights. Shivwits is fighting against termination once again. When Congress first terminated the Shivwits Band it said the federal government had no trust responsibility to the Band, that the Band could not access federal government services and benefits, and that the Indian Reorganization Act (IRA) did not apply to Shivwits. Sadly, Tami has said the same things. In a letter she sent to the BIA on October 25, 2019, she said the Bands don't have sovereign rights, that the IRA doesn't apply to the Bands, and that Bands can't access federal programs and services other tribes are entitled to access. You can see a copy of her letter for yourself on www.shivwitsbandofpaiutes.org, or get a copy from the Band Council members. Tami is helping the BIA and other federal agencies ignore the trust responsibility that was restored to the Bands in 1980! Both are taking the position that federal agencies have no legal duty to the Bands. Congress said the Bands were restored to federal recognition in 1980; Tami and the federal agencies (following her lead) say no. The Shivwits Band Council won't stand by and let termination happen again.
- **Constitutional Amendments:** We have worked within the Paiute Indian Tribe of Utah 'system' for nearly 40 years, but the system is outdated and is stopping true progress for everyone. It was set up by BIA in 1980 when Bands weren't able to govern like we can now. Also, only 10 Shivwits members voted for it! We invested over two years of time and money and patience into working with the PITU respectfully to propose Constitutional amendments, but we have been ignored. Even though three Bands (Cedar, Shivwits, and Kanosh) all passed Resolutions supporting Constitutional amendments, Tami shut them down. We were encouraged when PITU started a Constitutional amendment process and submitted proposed amendments, but it turns out it was just lip service; Tami stopped the process and stopped Paiute members from having a voice about Constitutional amendments. Why is she afraid of letting members vote on it?
- **Tami acts on her own, without Tribal Council approval:** Time and again Tami has acted without Tribal Council approval. The Tribal Constitution and the Council's Rules of Procedure say she can't act on her own, and that all actions have to be approved by Tribal Council motion and resolution. She has violated the Tribal Constitution by acting on her own. The Shivwits Band and Kanosh Bands are standing up against Tami acting on her own. When we have asked for copies of PITU Resolutions supporting her actions, she has refused to provide them. Tami denied an open hearing on her make-shift 'removal' complaint against Shivwits, Cedar, and Kanosh Council members, on her own, without a Resolution of the Tribal Council.
- **Shivwits has been compelled to sue in Federal Court:** Tami has refused multiple times for over a year to provide a Tribal Court option for Shivwits to raise its concerns, even though she is mandated by the Tribal Constitution to provide a Tribal Court. Without a Tribal Court option, the Shivwits Band is forced to go to Federal Court for relief. The Shivwits and Kanosh Bands have filed a federal lawsuit against CBS

to stop her unilateral actions. You can read it at www.shivwitsbandofpaiutes.org or get copies from any Band Council member.

- **PITU needs better leadership.** Tami's idea of leadership has been to talk down to Tribal elders on the Tribal Council. Her approach has been to boss around her elders on the Tribal Council, telling them what to do and think. She silences their voices. She has actually excluded the Shivwits Band from the Tribal Council for seven months now. Shivwits' requests to be on the PITU agenda have been ignored.
- **Tami shut down the Shivwits Health Clinic:** Tami coordinated the closure of the Shivwits Health Clinic on the Shivwits Band Reservation without ever consulting the Shivwits Band Council. The gag order she imposed to make sure Shivwits didn't hear about it until too late is unprecedented. Not having our own health clinic that we control hurt Shivwits members.
- **Tami ignored a valid Tribal Council Resolution:** Tami ignored the lawful resolution of the Tribal Council to start an investigation against her. She ordered Tribal employees to ignore the Resolution, and instead began efforts to retaliate against every person that voted against her. She picked on Lora Tom, Carmen Clark, Corrina Bow, and Delvern Pikyavit because they dared to vote against her. She has now wasted thousands of dollars of Tribal money funding her personal retaliation fight.
- **Tami tried to shut Bands out of tobacco talks with the State.** Tami recently fought against the Cedar, Shivwits, and Kanosh Band's chance to participate in discussions with the State about tobacco tax exemptions. The State invited the Bands since they run the stores and the PITU Constitution says that Bands can negotiate with the State and that they are in charge of business affairs. When Tami found out the Bands were invited, she wrote a letter (without a motion or resolution of the Tribal Council) to the Governor to stop the Bands from participating. The State disagreed with her letter where she claimed to speak for everyone and continued to invite the Bands to the table.
- **Shivwits' Goal:** Our goal remains as it has always been: **for all Bands to exercise the powers of sovereignty that were restored to each in 1980 in a cooperative way, with access to the same benefits available to all other federally recognized Tribes.** Shivwits has the capability to do what all other tribes do. We need to be able to put in for grants every year; not just once every six years. We should control our own elections, enrollment, and destiny as Shivwits people. Tami has been fighting against these things because she doesn't want to lose power or be able to get grant money based on Shivwits' population.

**The Shivwits Band of Paiutes is a federally recognized tribe.
Shivwits Band members should stand for the sovereignty of the Shivwits Band.**

Shivwits Band Council:


Chair Carmen Clark


Vice Chair Tina Gonzales


Councilmember Sabrina Redfoot


Councilmember Glenn Rogers


Councilmember Sherwin Tillahash

Please join us in fighting for Shivwits' future!