

FAX COVER PAGE

**TO: CONGRESSMAN: NICK RAHALL 11 (D-W.V.3rd)
CHAIRMAN, NATIONAL RESOURCE COMMITTEE**

FAX NUMBER: 202-225-1931

DATE: JULY 15, 2008

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**FROM: Oranna Bumgarner Felter, Terminated American Indian
Referred by: Senator James Abourezk**

**ATTACHMENTS: Letter asking for Congressman Nick Rahall Diane
to Help with "Repeal of Termination of the
Mixed Blood Uinta Utes of Utah or completion
Of Public Law 671 of the 83rd Congress meaning
Termination of the Ute Indian Tribe of Utah**

**Copy of American Indian Policy Review
Commission Report to Congress, News Report**

FURTHER CORSPONDENCE PHONE NUMBERS:

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FAXED BY: Oranna B. Felter

Received Documents is requested Please.

Oranna B. Felter
Terminated Mixed Blood
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July 14, 2008
Page One

Congressman Nick Rahall 11 (D-WV 3rd)
Chairman, National Resource Committee
1324 Longworth House Office Building
Washington D.C. 20515-
Fax Number: 202-225-1931

Re: Repeal of the Ute Partition Act (UPA), Public Law 671, 68 Stat. 863 , Aug. August 27, 1954, Codified as amended at 25 U.S.C. 677- 677a (1982) for the Purpose of Termination the Ute Indian Tribe of the Uintah & Ouray Reservation located in the State of Utah.
I am being Referred to you by Senator James Abourezk, whom I contacted In doing research on the Termination of me and my people.

Dear Congressman Rahall,

I am Oranna Būngarner Moosman Felter. I am a Terminated American Indian from Roosevelt, Utah. We are the "Terminated Mixed Blood Uinta Band" members of the Ute Indian Tribe of Utah.

In the 1950's, Congress executed federal policy of "termination" by stripping individual American Indians and Tribes across the United States of their federally-recognized status. Unfortunately, we happened to be one of the first American Indian groups that Congress chose to Terminate. There were 490 members of the Uinta Band of Ute Indians that were terminated out of 1,900 other members of the Ute Tribe. Out of the 490, there were approx. 260 "minor children" of which I was one of those children.

The United States Government was able to use its authority during the termination era to "Execute a Forced Termination" on me, my parents, my Grandparents by enacting a "racist" Act of Congress that remains as federal law. Added to this, is the fact that the Bureau of Indian Affairs instigated a situation where many of the Terminated Members were forced to sell their Stocks in a Corporation, named the "Ute Distribution Corporation". Then BIA either intentionally or negligently allowed the valuable Stock to

July 15, 2008

be passed to the hands of the "Ute Indian Tribe", who Congress intended to also terminated, and non-Indians.

There is no evidence that neither me or my People ever voted to be terminated! I firmly believe that the BIA perpetuated a bald face lie to Congress to get the "Ute Partition Act" passed. This shameful law and its genocidal consequences has killed and maimed my People and wreaked havoc on us as we see the Ute Tribe and white people getting great benefit from corporate stock that was meant for us. This federal law has been an utter failure. By promoting the "lie" that we, "the Mixed Blood Uinta" freely and voluntarily gave up our Indian Status in return for valuable property, the federal government gets "off the hook" for the way it allowed the Ute Partition Act to destroy our Spirit, Culture and justify the outright theft of our land. Now, our assets are now in the hands of non-Indians and the Ute Indian Tribe.

As you can see, the combination of the lie that we voluntarily agreed to be terminated and geographic isolation of the Mixed Bloods, has kept the transfer of valuable assets intended for the benefit of the terminated Indians from outside view. Organizations and the Ute Indian Tribe, **"All Powerful and extremely cunning, and the BIA either siding with enemies and failing to protect the "terminated Uinta Utes from overreaching and unscrupulous attorneys and other parties has led to a situation where a massive "Human Rights Violation" has been effectively covered up, ignored and allowed to stand for all of these years.. for well over "55" years and it continues as I write you this letter.**

What is different about our Termination from any and all of the terminations in the United States is: We are the "only" people who only a "fourth" of a Tribe was Terminated. We are part of the Ute Indian Tribe and the Ute Indian Tribe is a part of Public Law 671 of the 83rd Congress. The rest of the Ute Tribe was to be terminated Along with us within five to seven years after we were terminated, this never happened. President Nixon enacted his "self determination without termination policy" thus putting a hold on termination, except for the Ute Indian Tribe, whose termination is still hanging in the balance.

Now, we have one fourth of the Ute Tribe "terminated" and three fourths of the Ute Tribe "Federally Recognized." This is an injustice. One fourth of the Terminated Uinta Ute Tribe living and breathing are strapped to a Congressional Law that was **created and breathed life into for a "whole tribe."** All of this time, the Ute Indian Tribe continues to function as a "Federally Recognized Tribe" when they should have been terminated along with us under the same law that terminated us! The Ute Partition Act was created for them too, they still fall under the same termination law today.

This Termination Law is a **"Open" "Alive" and "Breathing" until either the Terminated Mixed Blood Uintas is Federally Recognized or "The Ute Indian Tribe Is Terminated. This law remains a "functioning and threatening law to every Indian Tribe in the United States of America!!!"**

We have tried for years to get rid of this genocidal law and have Congress give us back our Identity. However, the Ute Indian Tribe blocks us at every step we take. We have tried to present a resolution to the National Congress of American Indians, but they keep kicking it out because the Ute Indian Tribe won't approve the Resolution for us to be Federally-Recognized.

I must emphasize to you that we "do not want to be reinstated with the Ute Indian Tribe. What we want is our identity as American Indians of the Uinta Band restored back to us, along with everything else that was lost or taken from us as a result of the passage of this immoral and inhumane Act of Congress in 1954.

The Ute Indian Tribe wants to hold us "Hostage to a Congressionally Enacted Law "Created" not just for us, but for the rest of the Ute Indian Tribe as well." By endorsing this Termination Law, the Ute Indian Tribe is jeopardizing the Sovereignty of every Indian tribe in the United States, by saying "Termination is okay as a consequence of them refusing to help put this genocidal law out of commission."

We have filed many lawsuits over the years, without any success. The federal rules that the courts must go by favor the thieves over the ones they stole from. In 2002, we filed a lawsuit in Washington D.C. as individual plaintiffs. The case was filed in the Federal Court, who tossed it out saying we had "six" years after termination to file any objections and we failed to do so. It is interesting that six years after termination I would have been 16 years old. I and many other minors were left totally unprotected by our so-called guardians and the Bureau of Indian Affairs.

Our Attorney filed an appeal to the Court of Appeals in D.C. and they put the case back in the hands of the Federal Court. We are now waiting for the Judge to rule on whether the federal government ever made an accounting to us of what the terminated Mixed-Bloods owned before 1954 that was thrown into a big pot and handed out to the Ute Indian Tribe and many others who never owned our property and assets.

The first time the same judge took three years to come down with a ruling on the statute of limitations. Now, we have been waiting on the same judge almost a year. Our Attorney is Dennis Chappabitty, a Full Blood Apache, Comanche Indian. Dennis donates a lot of his work, because he knows we are not rich, and struggle to come up with funds to pay him for his work. We hope you will include him in any serious and legal communications that may be necessary to deal with this injustice to our People.

We decided when we started the lawsuit we would also try and get P.L. 671 repealed. We are old. We are all Elders. Our babies on our rolls are in their late fifty s, we cannot afford to sit and wait year after year with no way to correct the injustice our own U.S. Congress placed on us, its own Citizens.

That is why I was doing the research on the "American Indian Policy Review Commission" that was set up by Congress in the 1970's This Commission was headed by Senator James Abourezk. I decided to try and locate him concerning "Task Force Ten" which dealt with Terminated and Non Federally Recognized Indians. The Task Force made their recommendations to Congress.

Task Force Ten came here to the Reservation in the early seventies and conducted interviews with the Terminated Mixed Blood Uintas. They were here for around three days, listening and learning of our plight. They then went to the University of Utah and conducted hearings there before flying back to Washington D.C.

Their Final Report to the American Indian Policy Review Commission in October of 1976 stated in part:

Specific Findings

1. Terminated Mixed Bloods of the Uintah Band of Utes.

The Task force, through a hearing held in Salt Lake City, Utah and Washington D.C. and correspondence received by numerous individuals, has compiled a massive backlog of information relative to the "termination process of the mixed blood Uinta Utes." For the most part, the termination process effecting the mixed-blood portion of the Uintah Utes was a "highly complex and extensively detailed set of operations, which would have required several teams of federal attorneys and social scientists, a number of years of study and investigation to comprehend the intricate legal and social processes involved. This of course, has not been possible within the restraining financial and time limitations of the task force's life span. Further, the task force is reluctant to recommend any specific legislative action to the commission.

However, the Task Force is quite aware of the high stakes involved: "A tribe ravaged and divided by termination, a "recognized" Ute Tribe subjugated to an impending "termination" and to further aggravate matters, a reservation rich in "vital natural resources, such as Natural Gas, Minerals and Water."

The Task Force "recommends" further and "immediate investigation into the Situation on the Uintah-Ouray Reservation, involving BIA mismanagement of the "trust assets" and "non ethical" and "Illegal BIA administrative actions throughout each phase of the termination process."

Page 1702

F. "Congress should direct the "general accounting office" to "immediately" proceed with "full and complete investigation of trust mismanagement of "assets" of all terminated tribes, in particular the Klamath tribe of Oregon and the "Terminated Ute Indians of Utah."


It is because of the massive Human Rights Violations we, the Mixed Blood Uinta Band of Ute Indians of Utah have been forced to endure that I am asking you to introduce Legislation to Restore our Tribal Recognition and our Descendents. I further ask that you help us in our effort to encourage the General Accounting Office to conduct a full and complete investigation of trust mismanagement. Our assets, including gas, oil, minerals, water, timber, and IIM accounts, trust accounts should have been maintained in Washington D.C. in the name of the "Terminated Mixed Bloods", included the possibility that these accounts were in the name of the "Affiliated Ute Citizens of the State of Utah" or "Ute Distribution Corporation".

We ask that all Federal Programs be restored to me and my people immediately, including Indian Health Services, Educational Grants, Housing, Commodities, etc. We ask that all payments that are scheduled to be paid to the Ute Indian Tribe or The Ute Distribution Corporation cease until a complete investigation is completed. We ask that all lands be restored back to the Terminated Mixed Blood Uintas. We also ask that the ones of the Terminated Original 490 who do not wish to be Federally Recognized (who will be very few) will be permitted to stay as they are, but will not receive anything from Federal programs, such as Indian Health Services, Federal Funding, Federal Grants for Homes, Federal Educational Grants, Federal Trust Accounts etc. anything that recognizes them as Indians. We also ask that any of our Members who were Terminated and Died before this Act could take place will have their identity restored as American Indians and their Descendents will be rightfully recognized. We also ask that we will be permitted to enroll our Descendents in our Uinta Band, as long as they can prove they are the legal heirs of one of the Terminated Mixed Blood Uinta Band of Ute Indians. Public Law 671 has to come to an end as quickly as possible, either by Repealing the Law or by fully completing the Law as intended by Congress since it is an injustice continue on with this charade to exist with one fourth of the group terminated and the other three fourths "federally recognized."

We are asking you Congressman Rahall to help us to regain our identity as American Indians, because our own Senators, Orrin Hatch and Robert Bennett refuse to help their own state people, as does Congressman Matheson. We ask that you take action on this as quickly as Congress implemented the law against us without our full consent. I want to thank Senator James Abourezk in taking the lead to help us in putting to rest this most awful chapter of American history. Thank You, Senator Abourezk. My People and I are, at the present time, getting petitions signed and ready to have Public Law 671 Repealed or Completed. We would be more than happy to meet with you or your staff here in Utah as we are poor and do not have the funds to travel to Washington D.C. at any given notice. We would be happy to meet you in Salt Lake City Utah and bring you're here to the Reservation, in Northeastern Utah.

I will be looking forward to hearing from you at your earliest convenience. Please visit our website at: www.undeclaredutes.net. We felt we had to post a website since no one knew there was a "Terminated American Indian Tribe" that was still suffering because of an Act of Congress that has not been repealed.

Again, Thank You,


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Faxed to: Congressman Nick Rahall at: 202-225-1931 on Tuesday July, 15, 2008
Email Copy to: Senator: James Abourezk cc: Terminated M.B. Uintas of Utah