



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, D.C. 20240

IN REPLY REFER TO:

Tribal Government Services
BCCO 6676

OCT 21 1998

Ms. Oranna B. Felter
P.O. Box 251
Roosevelt, Utah 84066

Dear Ms. Felter:

This is in response to your letter dated August 19, 1998, to Secretary Babbitt regarding the Ute Partition Act of August 27, 1954, 68 Stat. 868. You want to know why most of the tribes that were terminated during the 1950's and 1960's have since been restored, but Federal recognition has not been restored to the Ute mixed-bloods.

Federal recognition has been restored to more than 40 tribes since 1973. Thirty-one of those tribes were restored through court order. The balance of the tribes was restored through Congressional legislation. In those cases involving Congressional legislation, the tribes actively lobbied Congress to repeal the acts of Congress that terminated the Federal recognition of those tribes. The Department of the Interior did not initiate the restoration process on behalf of the tribes. The tribes initiated the restoration process by seeking support for restoration from their own members, other tribes and all levels of government. Any tribe seeking restoration through Congressional legislation must have the support of its Congressional delegation. It is very difficult for a tribe to get such support if another tribe with direct interest in the matter objects to the restoration of federal recognition.

We understand the frustration you feel as a result of the Ute Partition Act. We also understand the Ute Tribe's position on this same matter. Congressional restoration of Federal recognition to the Ute mixed-bloods as part of the Ute Tribe or as a separate tribal entity is unlikely, unless the Ute Tribe supports such restoration. The issue concerning the return of certain lands and other tribal assets to the Ute mixed-bloods has already been litigated. Congress would have to enact a relief bill to effect the changes you request. We regret that our response cannot be more favorable.

Sincerely,

Director, Office of Tribal Services