

April 17, 2006

President Gordon B. Hinckley
Church of Jesus Christ of Latter Day Saints
50 East North Temple Street
Salt Lake City, Utah 84150

Dear, President Hinckley

My name is Earl Denver. I was born on the Uintah and Ouray Ute Reservation in eastern Utah in 1947 and currently reside in Taft, California. I'm the youngest Son of Alvin Richardson Denver, one of the original Uinta (h) Ute's who was terminated from the Ute Indian Tribe of the Uintah and Ouray Indian Reservation in the early 1950's.

In 1963, at the young age of 16, my Parents sent me to live with my older Sister who was living in Taft, CA. At that time I considered the move to be a great adventure never knowing or even wondering why my Parents took this action.

Before I go any further, let me give you some background information on why I'm writing this letter.

I sure your aware of the Ute Partition Act of 1954 (P.L. 671). This act was just one of many law's passed by the 83rd Congress of the United State's in 1954, This time period is known as the termination era. These Law's was designed to end the special relationship America Indians had with the Federal Government.

The Ute Partition Act divided the Ute Tribe into two groups based on degree of blood. These two groups are known as the Mixed Bloods and the Full Bloods. In the beginning, this racially based act was intended to end the existents of the entire Ute Tribe as recognized American Indians and integrate them into main stream America. When Congress passed this act the Mixed Blood group was targeted for immediate termination, with the full bloods to follow in ten years. Pryor to this taking effect, the Ute Tribe was able to convince Congress to amend P.L. 671 (The Ute Partition Act) extending the date of the full blood's termination indefinitely. The mixed blood's had already been terminated and was no longer American Indians in the eyes of the Ute Tribe and the Federal Government.

The Ute Tribe is made up of three different Bands of Indians, The Uinta (h), Whiteriver, and Uncompahgre. The Uinta (h)'s are the only band indigenous to the State of Utah; the other two are originally from Colorado and was moved to the U & O Reservation by the Government in 1882. When the Ute Tribe was divided, the mixed blood group was made up mostly, (over 90%,) of individuals from the Uinta (h) Band. Pryor to 1954, the Uinta Band had an enrollment of approximately 760 individual members. Of this number, 490 were targeted for termination on August 27, 1954 and labeled Mixed Blood members of the Tribe. Of these 490 terminated Ute's, approximately 260 of them were Minor Children. There also were a number of Minor Children of terminated Adults, estimated to be an equal number, who were left off the final roll. It is widely believed that this was done intentionally in order to not raise any suspicion of discrimination in the process.

Right from the beginning it was obvious to those involved that something was wrong. Almost every Adult person who was terminated soon realized that what he or she was told was not what was being done. Most Adults who had property and relied on Ranching to make a living soon lost everything they had, including my father. After fifty two years these people have never been able to recover fully from the aftermath because of the actions of some powerful individuals in Washington D.C. and within the State of Utah. These individuals took advantage of defenseless Indian's; the terminated Ute's were already productive members of the Ute Tribe and were on the road to becoming productive members of mainstream society and had everything taken from them by this Act. Many of these Terminated Ute's were forced into poverty within a few years because the Government failed to properly implement the U.P.A. Abandoned by those sworn to protect them, they were made outcasts and thrown to the wolves.

When the Government told these Indians they could no longer be identified as Indian and in the future would be "White", it caused such unrest within the terminated Ute's that they were unable to function as a united group. Under these conditions they could not hold themselves together which caused them to become vulnerable to the attacks from outsiders who coveted the property and assets these Indian's were suppose to receive under the agreement forced upon them by the U.P.A.

On July 8, 1970, the late President Nixon sent a special message to Congress condemning Indian termination, "quote" In short, the fear of one extreme policy, forced termination, has often worked to produce the opposite extreme "unquote." The opposite extreme was the erosion of the terminated mixed blood Ute's initiative and morale's. Congress responded to the President's message by repealing all termination act's, except for one, "The Ute Partition Act, which is still in effect.

In November 2002, after many years of unsuccessfully trying to regain their Indian identity, a lawsuit was filed in the U.S. District Court in Washington D.C. by Dennis G. Chappabitty, an attorney from Sacramento, CA, on behalf of a number of the original terminated Ute's and their descendants which is titled "Felter-vs-Norton". In January of this year, Judge Richard Roberts ruled in favor of the U.S. Government, dismissing the case by ruling that the statutes of limitations had run out. A notice of Appeal was filed with the U.S. Courts of Appeals in Washington, appealing Judge Roberts ruling.

Since the beginning of this, in 2002, many letters have been written and sent to members of both the U.S. Senate and member of the House seeking an answer to their position on why the Ute Partition Act is still law, when all the other Termination Act have been repealed. Up to now, no senator or Congressman has been willing to answer this question. Letters sent to Senator Hatch have gone unanswered and he neither has nor even given these people the common courtesy, acknowledging that his office received their letters.

Having lived through and witnessed the devastating, inhumane, and genocidal effect this has had on the Indian of Eastern Utah. I ask for your support in ending this tragedy.

I pray that your responds to this letter will be positive. Thank you.

Respectively
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U.S. Senate Indian Affairs Committee
Chairman and members.

Member's of Congress.