

Counsel of Record Report # 20

September, 2008

By: Dennis G. Chappabitty,

I am writing my report from my home office in south Sacramento, CA. It has been along time since I visited with all of you in Roosevelt. I am keeping my hopes up that I will be up there soon to advise all Felter plaintiffs on a “winning” legal strategy. In other words, I am confident that U.S. District Court Judge Roberts will rule in our favor and reject the defendant United States motion to dismiss this major termination case.

I am extremely pleased that the signed petitions to Repeal the Ute Partition and Termination Act are flowing in from all over. In a previous Report, I expressed the need to immediately begin efforts to demand that the United States Congress repeal the UPA. My reason for advising on taking this direct approach was to gain momentum with a “Campaign to Repeal the UPA” while we await a legal decision from Judge Roberts. There is nothing THAT keeps us from going forward with Congress and keeping the case in front of the Court at the same time. I urge all of the Felter plaintiffs to join in with the rest of the Mixed-Blood Groups to force the U.S. Congress to repeal P.L. 671 or complete the termination of the rest of the Bands as quickly as possible.

We all agree that P.L. 671 is a racist piece of legislation that has held the original 490 terminated Mixed-Bloods and their descendant’s hostage. This racist Act of the United States Congress has destroyed so many lives and immorally deprived so many of us of our identities as “American Indians” while other reaps immense financial benefits at our expense. It is time that all Americans join with us in rectifying this massive injustice forced on us by P.L. 671 and wipe this immoral law off the Book of Congress. All the terminated Mixed-Bloods must be returned to federally-recognized status along with their descendants.

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What we must force out into public is the fact that, a well-orchestrated deception was put in place in 1954 resulting in misrepresentation that the 490 “mixed-blood” members of

the Uinta Band of Utes “voluntarily” voted to terminate themselves. This outright lie was handed over to the U.S. Congress who never knew their vote to enact to the UPA was obtained by fraud and deceit perpetuated by federal officials and tribal officials of the other Bands, the Uncompagre and White River.

Recently, Utah Senator Orrin Hatch responded to a letter written to him by Alvin Denver. In the letter, Sen. Hatch repeated the lie that the Mixed-Blood Uintas all voluntarily stood up and voted at a legally convened meeting to hand over the Indian identity and status to the Bureau of Indian Affairs there at that time. If this is the actual truth of the matter, where are the historical records that will prove this beyond a shadow of a doubt? Most assuredly, a “powerful” U.S. Senator could demand that the Department of the Interior produce historical records/archives to prove what he is saying is true. It is my firm belief that Sen. Hatch could force the truth to come out about this outright fraud of our U.S. Congress but he is afraid of the truths that will be uncovered. Each of you must keep up the pressure on Sen. Hatch to take the honorable approach and finally get to the bottom of what actually happened in 1954.

I want to thank everyone who has helped in this recent petition to repeal the UPA. It takes a great deal of time and effort to succeed in getting the word about what is happening in Utah out to everyone who has a Compassionate Heart to join in our humanitarian efforts. It is a cruel joke that the “Humane Society” was established in 1954 as a national animal-protection organization that confronted cruelties which lay beyond the capacity of local humane societies and state federations. While Americans concerned about the cruel treatment of animals were establishing a national organization to do something about it, our own Congress and federal government were cutting the hearts of humans and throwing them out for the vultures to scavenge. I suppose if you had fur or feathers on instead of the skin of a Uinta, Sen. Hatch might be more sympathetic and listen how we could repeal the UPA in the interest of all humanity.

In my last Counsel of Record Report #19, I urged all of you to “Pray to the Great Spirit and keep you’re Head up in Battle and never give up!!” We need to keep up our positive energy about our “Journey for Justice.”

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