

The


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Mixed Blood's Direction

A Newsletter for The Plaintiffs of Felter-vs-Kemphorne

COUNSEL OF RECORD REPORT # 19

I am writing my Report from Albuquerque, NM where I am attending the 33rd Annual Federal Bar Association Indian Bar Association. U.S. District Court Judge Roberts has not issued his decision on the United States Defendants' Motion to Dismiss our case, Felter v. Kemphorne, Civ. No. 02-2156 D.D.C. Let's keep our Prayers and positive thoughts going that Judge Roberts will see the injustice that happened to all of you and deny the Motion to Dismiss.

You are part of an extremely powerful "social movement" to eradicate the evil of termination that remains as an active federal law and policy in the middle of the most democratic country in the world. Recent news reports tell of efforts by the Australian, Canadian and United States governments to "apologize" to the wrongs committed on their Indigenous Citizens who were powerless, in the past, to stop the theft of the lands, resources, tribal identities and tribal cultures. When I read these articles, I give out a laugh because as long as the Ute Partition and Termination Act (UPA) remains as law any so-called apology issued by the United States Congress is nothing but a cruel joke. Until Congress repeals the UPA, these proposed legislative apologies are just plain rubbish. Empty Words. Apologies are meant to paint over and hide the fact that the genocidal policy promoted by the United States government stands straight an tall right in Utah, supposedly one of the most religious states. The UPA is a federal law that justifies both the continuing theft from each of you of your sacred tribal identity and valuable land and resources and allowing non-Indians to reap the benefits of what is yours by all moral and legal perspectives.

All of us are not just telling a story on a piece of paper. We are all moving together to tell the American and international

public your story - "America's own Tibet". More significantly, we are marching together before the Federal Courts to actively litigate your case. No one else at this time is taking this aggressive approach and attack on the evils of the UPA. Each of you are on the front lines of this battle and all of you who have joined this case as plaintiffs should be proud to be True Warriors to reclaim that which was stolen from you and your ancestors.

I will be filing a Motion to Add Additional Plaintiffs to add the names of those who have come on the Felter v. Kemphorne case since the last Motion to Add was filed and granted in December 2006. The Motion has been forwarded to the Assistant United States Attorney for her review and statement of whether she agrees, disagrees or has no position on it. This procedure is required by the Local Rules of the U.S. District Court for the District of Columbia. I remind those plaintiffs who haven't paid your funds in full to do so as soon as possible. If you no longer desire to stay with us or if you haven't paid up in full, I will be filing a Motion to Strike Plaintiffs very soon.

I leave you with part of the paper that I will present to over 800 lawyers at the Indian Law Conference to wind up this Report:

I live in Sacramento County near "Florin." Right before the surprise attack by Japanese forces on Pearl Harbor on Sunday, December 7, 1941, Florin was a very productive agricultural area full of farms owned by American Citizens of Japanese Ancestry. Strawberries and other varieties of vegetables and fruit abounded in this lush green area at that time. Then, the trucks and railroad box cars were loaded with our own Citizens under the guard of military troops with bayonets glistening in the sun – babies, teenagers, mothers, fathers and the elderly – sent to remote "internment camps" throughout the West. The Spirit of Geronimo was there with them to make them strong so they would survive this inhumanity and American horror authorized by our Congress.

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“An Enigma”

The Perplexity of Life as a Mixed Blood Uinta

By: Earl Denver

There are still many barriers facing the terminated Uintas that seem extremely difficult to overcome. In the white communities adjacent to along with the Indian communities on the Uintah and Ouray Reservation, and some individuals within our own group; there exists a foundation of prejudice which inexorably targets the mixed-bloods efforts at regaining their Indian identity. While the full-blood Indian feels a need to marginalize the terminated mixed bloods and their descendant's because of dogmatic tenets within the Ute Tribe; the tribe supercilious believes all mixed bloods must be held prisoner behind invisible bars and malevolently feel that to allow the mixed blood to escape this prison will be the very death of the Ute Indian Tribe of the Uintah and Ouray Indian Reservation in Utah.

This kind of mindset is nothing more than a 1970's colloquium on South Africa and the Coloureds. This vociferous wanton attitude, by the tribe, its members; which is fomented by the white community, and with some mixed blood's supercilious dogmatic attitude, assiduously maligns the terminated mixed blood, which only serves to empower cabal grift-ers ad-nauseum.

For the terminated Uinta, notwithstanding their disparate mixed blood lineage, this becomes a form of genocide, or, put in the word spoken as a hiss by Indians, assimilation. This is an enigma and is the crux of the problem for me.

I've been assimilated. It seems like a thousand years from Dry Mountain, Rock Creek, Pigeon Water and Mud Springs, to the freeways of California, and I traversed those thousand years in one swift stroke. I'm also one of the many thousands of *métis*¹ (mixed blood) whose combination ancestry serves to bridge those thousand years between white and Indian ways. I'm a living testament to the best, and the worst, of two significantly dissimilar worlds.

I suppose I'm luckier than most mixed bloods, including direct cousins. I look white and thus am automatically exempt from the immediate visual tag of half-breed. I do not consider myself much different from my white neighbors or my Indian cousins. However I do cling tenaciously to my Indian-ness and its like holding fast to a wet rope while the floodwaters try to carry me away.

We had our identities taken away by an antecedent wanton act, but those malevolent demagogues couldn't and won't make us disappear. The terminated mixed-blood is still here and here to stay!



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The next stop of the same well-oiled Congressional machine that legalized the Japanese American Internment was in Utah beginning right after the end of WWII. I am counsel of record for the several hundred individual “Terminated Mixed Blood Uintas” in the pending case *Felter v. Kempthorne*, Civ. No. 02-2156, D.D.C.

This time, Congress successfully terminated the Mixed Blood Uintas after non-Indians and federal officials inflamed other bands of Utes against them. These other greedy Utes found a way, facilitated by non-Indians, to excommunicate a large portion of the tribal membership when they had held in

Most Indians seem to think the government owes them just because they're American Indian, but that feeling isn't true of all American Indians. A few, like me, realize that you can't turn back the clock. Instead, we argue, pay the Indian his/her due, as spelled out in treaties, and then leave us the “h****” alone!

Is Education Our Salvation?

Education is the great dilemma facing our people. Without it, we will never be able to survive the white man and yet with it the full blood Indian has tried to destroy us. On today's U & O Reservation, Ute parents send their child to the local white school located off the Reservation to learn values and trades that do not necessarily relate to the world on the U & O. The reservation doesn't have the economy to support an Indian with an advanced education. It is fine to train a young Indian boy or girl to be a dentist, doctor or engineer, but when they must choose between going home and serving their people or moving to a large urban area and making money, the choice is obvious, especially if they're a descendent of a terminated Uinta, but for the full blood an advanced education is like trying to break the suction of a suckling piglet clinging to the tit of a Sow (the government.) All though there are a few exceptions to this rule, but not many.

We mixed bloods are better educated, but having a diploma doesn't mean you'll be infused with or automatically gain wisdom; wisdom can only be gained by experience and time.

When it comes to my Indian-ness, I'm pragmatic and not ignorant. Ignorance² is the condition of being unaware, or uninformed.” I have an awareness of things as they really are and I know who I am. The enemy wants to keep us ignorant! This can be prevented by making an effort at keeping the lines of communication open between each other and not shutting anyone out of the loop.

We are surrounded by many tenacious miscreants bent on keep us down. We must all have fidelity, fortitude and not abrogate our faith in, both, Dennis Chappabitty and Felter v. Kempthorne.

1 - *Métis were the offspring of local Indians and Europeans in the Red River area of what is now southern Manitoba. They call themselves the Forgotten People.*

2 - *Ignorance is a lack of knowledge. Ignorance is sometimes misinterpreted as a synonym of stupidity, and is as thus often taken as an insult.*

front of them a huge Indian Court of Claims judgment award that suddenly promised to make them very wealthy. The Mixed Blood Uintas suffered *exactly* the fate in 1954 with the enactment of the infamous Ute Partition and Termination Act, as those recently stripped of their tribal identity by tribal actions. You can read about the Mixed Bloods' “Journey for Justice” at www.undeclaredutes.net.

Pray to the Great Spirit and keep your Head up in Battle and never give up!!

Dennis G. Chappabitty

Alvin Richard Denver

(Little Sonny) Original MB #88

Sonny was born August 21, 1939 to Alvin Richardson (Big Sonny) Denver. (MB #87) and Naomi May (Houtz) Denver, at the hospital in Ft. Duchesne, Utah.

Sonny spent his younger years on and around his Grandparents, Elmer and Mary (Harris) Denver's place north of Ft. Duchesne, Utah. He started and attended school at Ft. Duchesne from 1945 until the family moved to Mt. Emmons in 1948, when Dad was given an assignment of land by the Ute Tribe for his service during World War II. Sonny spent his teenage years on that land just south of Mt. Emmons and in 1958 graduated from Altamont High in Altamont, Utah.

On December 25, 1957, Sonny married Pearl Gay McDonald in his Mom and Dad's home on the Farm. After graduation from Altamont High He and Gay moved to St. George where his Dad was living and working on Interstate 15. In the fall on 1958 Sonny enrolled at Dixie Jr. College in St. George until 1960.

In March of 1961 he moved to Ogallala, Nebraska. On April 23, 1963, He and Gay were divorced. While in Ogallala Sonny met his present wife Melva June (Platter) Denver. They were married on April 26, 1963. He and Melva lived and worked in Ogallala until March 1979, then moved to Broomfield, Colorado. Sonny joined the Teamster Union and worked on road construction jobs all over the state of Colorado and in Utah.

He retired from Teamsters Union on Dec. 31, 1996 and moved back to Uintah Basin on Jan. 1, 1997 where he worked in the Oil

Fields as heavy equipment operator, until late 1998. After working in the Oil Fields Sonny worked in Salt Lake City, Ut. driving concrete mixer truck until August 2000. After suffering a back injury on the job he was forced into full retirement.

Sonny's Father died Nov. 2004 from a broken heart after losing his farm and Indian identity due to termination. When termination was forced on Him and his Dad, this put a crimp in his plans for a higher education because there was no funding.

Sonny has three Sisters: Flora Jean (Denver/ Winn) Heater, Roberta Lee Denver, Sheila Denver and one Brother: Earl Stanley Denver (wife Kathy).

Sonny has three Children from his first marriage. They are Richard Wayne (Denver) Jackson, Neita Gaye (Denver, Jackson) Sorensen and A. Lance (Denver) Jackson. These children were taken away by the State of Utah after his divorce and were adopted out in 1964. Melva and Sonny have two daughters, Valerie Jayne (Denver) Atkinson and Raelene (Denver) French. He has eleven grandchildren and three great grand children.

Sonny has been involved in political research about the termination of the 490 Uinta Band members of the Ute Tribe since 1984. He stated, "I have been looking for a reason why the 490 were denied their ancestral rights, culture and religion." Sonny is a Plaintiff in Felter v. Kempthorne.

On April 26, Sonny and Melva will celebrate 45 year of marriage. His wishes are Hope, Faith and Prays, "may the Creator be with us on our quest."



Prayer List

A list of individuals in need of our prayers.

Sonja N. Anderson: Daughter of Naturitch K. Nielsen, #103
C/O P.O. Box 1763 Roosevelt, UT 84066
just not feeling well...

Robyn A. Bumgarner: Daughter of Craig Bumgarner, #33.
1801 Dalton St. Tulare, CA 93274
recuperating from major surgery...

Alvin R. Denver: #88
Route 2 Box 2524 Roosevelt, UT 84066
recovering from major Heart surgery...

Illa (Hendricks) Disney: #104
62000 E. 263 Loop, lot 9 Grover, OK 74334
having a hard time recovering from surgery...

Colleen Gardner: #116
P.O. Box 53 Whiterocks, UT 84085
lost her home in Farm Creek in the big Fire...

Ladonna (Kolb) Johnson: #465
339 E. 700 N. 96-11 Roosevelt, UT 84066
fell and had to have surgery...

Naturitch (Kolb) Nielsen: #103
822 Lagoon St. Unit 56-15 Roosevelt, UT 84066
mourning the loss of her brother Tawanee Kolb...

Kaden D. Peterson: Son of Bert Peterson, Great-Grandson of Oranna B. Felter #32

C/O Bert Peterson, P.O. Box 1901 Roosevelt, UT 84066
Kaden was born premature, has had many problems and has been diagnosed to have Cerebral Palsy (C.P.)...

La Jean N. Richman: #407
Route 1 Box 1341 Roosevelt, UT 85066
suffering from a Lung Disease...

Nola Zuniga: #490
158 E. 800 S. 19-11 Roosevelt, UT 84066
suffering from Arthritis and in constant pain...

Recently Departed Family Members

Fern (Harris) Burdick: #35
Tawanee Kolb: #217

Please say a prayer for, or send a card to the above individual's who are suffering and let them know that they are not forgotten and to the families of those who have lost a loved one!

Honors 'mixed bloods'

A Letter Printed in the Publication 'Indian Country Today' and Posted on their Website: February 22, 2008

Thank you for allowing your readers an opportunity to voice their opinions on the subjects that you cover.

I am writing in regards to the many people that live and thrive on their heritage. Those people are the people of American Indian ancestry, the mixed bloods. I have found it appalling over the years how so many people of mixed blood are treated. I have often wanted to know why it is that anyone who has verifiable proof of ancestry is constantly refused recognition because of the quantum of blood. My elders once said to me, "Walks, all it takes is one drop, and soon that one drop will call to you. When it does you must not refuse."

That was 20 years ago. I am like many others of mixed blood; we live our lives in peace and harmony with our surroundings. We carry no racism, no hatred, and do our best to treat all with respect. We wake every morning and offer smoke to the directions, to the Creator of all things and to our Earth Mother. The battles that are constantly being waged upon the Natives of this country would be best fought in numbers.

Tim Walks Tall

Choctaw/Creek

Baton Rouge, La.

Response to Mr. Walks Tall's Letter From Oranna B. Felter as it appears in Indian Country Today, (vol, 27 Issue 38) March 07, 2008.

More 'mixed' messages

Posted: March 07, 2008

I noticed in the Feb. 22 issue a letter by Mr. Tim Walks Tall titled "Honors Mixed Bloods" [Vol. 27, Iss. 38]. I was very impressed with it and I wanted to respond.

I am a "terminated" American Indian who lives in eastern Utah. [Our members] were terminated in the late 1950s and early '60s. Reading Mr. Walks Tall's letter made me think of our termination and how we were judged by blood quantum. There were only 490 in our group; out of the 490, around 260 were minor children. We were labeled the "terminated mixed blood," even though we have full bloods listed on our rolls.

Just like Mr. Walks Tall, I cannot understand how Congress or other tribes would let the government brand American Indians with blood quanta just like the pedigree of a dog, horse or cow. These are "racial blood degrees," and should have never come into existence for the American Indian, or anyone else.

We, too, live our lives in peace and harmony trying to teach our children what we have been taught by our elders. We struggle with other tribes who consider us to be "white" because the U.S. Congress stamped "Terminated" on our foreheads.

Our people attend Native ceremonies but we are always looked down on. We live in constant fear for other tribes because as long as our termination is alive and breathing, it puts every tribe in the United States at risk of eventually suffering termination when the winds of politics shift direction. Most of our people are now elders and we have seen things happen because of being branded "mixed-blood" that no Indian should ever have to see or endure.

I agree that the battles that are constantly being waged upon the Natives of this country would be best fought in numbers and not [those] who the government chooses to be Indian, regardless of their Native heritage.

Oranna B. Felter

Roosevelt, Utah

“Wisdom, Knowledge and Understanding”

By: Larry Kibby

Great Spirit grandfather, I send these words to you, Hear my Prayer. For these are my words, to Father Sun, To Grandmother Moon, to Mother Earth, to “all my relations,” That have been created as I. To the four Winds, that brings us the season of life.

To the “East” where Father Sun rises bringing to us a new day, a new meaning of life, a light in which to see the path before us.

To the “South” where the warm air comes to us bringing heat and warmth, the season of “spring and summer.”

To the “West” where Father Sun goes to bring to us darkness, so we may see the universe and search for the questions of our own life.

To the “North” where the Cold Winds comes; bringing to us the seasons of “fall and winter.”

Oh Great Spirit; hear my words for to you I offer my heart and soul you made me what I am, an “American Indian”. I pray for my people of the past whose “blood” covers this Mother Earth, I pray now as an Indian blood of my Ancestors.

Great Spirit, Grandfather; you gave your people the breath of life, so that we may live with dignity and pride, to always know and understand

That life was meant for us your most humble traditional people, and all that was created and given the breath of life.

Great Spirit, Grandfather; let my heart, Soul and Mind be always “Strong” with “wisdom” “Knowledge” and “Understanding.”

Great Spirit, Grandfather; hear my words asking for wisdom so that I may open my eyes and see all that is good around me; for wisdom so that I may open my ears and hear all that is good around me; for I am humble before you.

I seek strength to continue on this path that I travel on before you in a most sacred manner.

Great Spirit, Grandfather; my words are for you. I honor and respect the life you have put before me; I seek the strength to forever continue upon this sacred path.

Great Spirit, Grandfather; carried on the Four Winds are my words for strength for they come from the Heart, Soul and Mind, words, I send to you in a Sacred manner.

Oh Great Spirit... hear my words for to you I offer my heart and soul you made me what I am and I am “Indian” “Americas Prisoners of War”

Great Spirit, Grandfather; grant “Wisdom, Knowledge, and Understanding” let it be my strength to continue on this path that I travel before you as a Traditional Native American Indian.

Now and Forever; Amen.

This prayer is for you and for you not to forget that we are in a battle for our lives! Dennis and all the ones who work for you on this case needs your Prayers and Support. The case has been a long hard fought case for over five going on six years, but we must all remember that we knew when we started this case it wouldn't get resolved in a few months. We have been waiting for years for someone to help us and Dennis came along, with all of his Knowledge on Federal Indian Law. He has stood beside us and fought very hard for us and is continuing to fight, as we wait for a decision from Judge Roberts.

Be Stong, Be Patient, Be Supportive, and remember just because you don't hear something every day or month that the case is gone.. that's not true. You will be contacted when we hear from Judge Roberts. Until then, “Keep the Fire's Burning for our Journey to Justice.

Pray for us. This is your case!

Blessings to all of you, Keep the Faith!

Oranna B. Felter, Lead Plaintiff, Felter V. Kempthorne

The Mixed Blood's Direction

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Send comments to the Mixed Bloods Direction at the address below or e-mailing edenver@bak.rr.com and they will be forward to the Attorney for review. We're looking forward to hearing from you...

The Mixed Bloods Direction
27913 Taft Hwy
Taft, CA 93268



Relay For Life

The American Cancer Society will be holding their Relay for Life on June 6 & 7th at Uintah High School in Vernal, UT. Starting at 6:00 P.M. on June 6th.

We will have a team walking for all of our people, who are suffering from, have survived, or who have journeyed on with cancer.

We will be calling ourselves “Skin-Walkers” (in case some of you didn't know; some Indians call each other “skins”, so we decided to call ourselves “Skin” because we are Indian and “Walker”, because we will be walking our derriere's off.)

Our team name will appear on the back of our tee-shirts and say “Mixed Blood Uinta “Skin-Walkers”.

Please try to come and walk a few laps with us; every laps walked earns points. There also will be luminaries available with cancer victims name printed on them for a donation of only \$10.00. If you have a loved one who is a survivor or who is fight cancer or had a family member taken by this dredged disease here a good way to remember them.

Cancer does not care whether you're white, mixed blood, full blood, etc. Lets come together to help fight this awful disease. Please Pray for all Cancer Victims.

For more information: Contact, Oranna B. Felter @ 435-722-3220

NEW SCHOOL PRAYER

Since the Pledge of Allegiance and The Lord's Prayer are not allowed in most public schools anymore because the word 'God' is mentioned.... A 15 year old school kid in Arizona wrote the following...

NEW School prayer : -

Now I sit me down in school
Where praying is against the rule
For this great nation under God
Finds mention of Him very odd.

If Scripture now the class recites,
It violates the Bill of Rights.
And anytime my head I bow
Becomes a Federal matter now.

Our hair can be purple, orange or green,
That's no offense; it's a freedom scene.
The law is specific, the law is precise.
Prayers spoken aloud are a serious vice.

For praying in a public hall
Might offend someone with no faith at all.
In silence alone we must meditate,
God's name is prohibited by the state.

We're allowed to cuss and dress like freaks,
And pierce our noses, tongues and cheeks.
They've outlawed guns, but FIRST the Bible.
To quote the Good Book makes me liable.
We can elect a pregnant Senior Queen,
And the 'unwed daddy,' our Senior King.
It's 'inappropriate' to teach right from wrong,
We're taught that such 'judgments' do not belong.

We can get our condoms and birth controls,
Study witchcraft, vampires and totem poles.
But the Ten Commandments are not allowed,
No word of God must reach this crowd.

It's scary here I must confess,
When chaos reigns the school's a mess.
So, Lord, this silent plea I make:
Should I be shot; My soul please take!
Amen

If you aren't ashamed to do this,
please pass this on.
Jesus said,
'If you are ashamed of me,
I will be ashamed of you before my Father.'

