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Day 3. Wednesday, August 13, 2003: Clifford Duncan, Ute Tribe

Clifford Duncan

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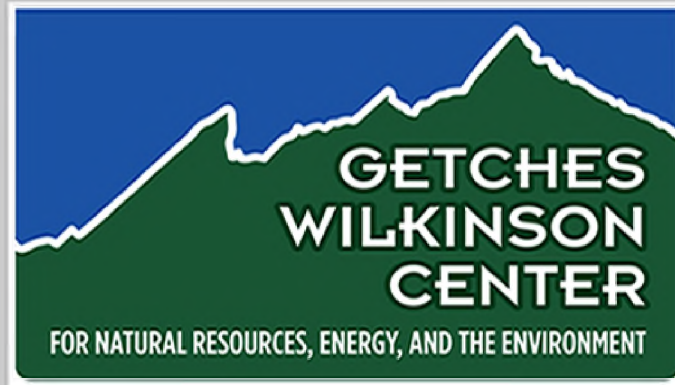
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Day 3. Wednesday, August 13, 2003: Clifford Duncan, Ute Tribe, in ENERGY FIELD TOUR 2003 (Natural Res. Law Ctr., Univ. of Colo. Sch. of Law 2003).

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Conversation with Clifford Duncan, Ute Elder

Ute Tribe, Utah Division of Indian Affairs web site
<http://dced.utah.gov/indian/Today/ute.htm>

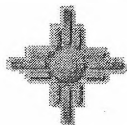


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Ute Tribe



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Ute Indian Tribe

Uintah and Ouray Agency

PO Box 190

Fort Duchesne, Utah 84026

Web site: <http://sage.ubtanet.com/~northernute/>



Dine'



Goshute



Paiute Tribe



Shoshoni Tribe



Ute Tribe



White Mesa

THE LAND: The home of the Ute Indian Tribe is the Uintah and Ouray (U & O) Reservation, located within a three-county area in Northeastern Utah, known as the "Uinta Basin," and covers a large portion of western Uintah and eastern Duchesne Counties. This vast reservation is a virtual storehouse of Mesozoic wealth. Hydrocarbons in a multitude of forms that have been trapped beneath the surface for millions of years are now being mined. Oil and gas, tar sands, oil shale and gilsonite are in abundant supply. On the surface of this hydrocarbon wealth are large areas of natural forest, fish and game preserves, and farming and grazing lands with considerable water resources.

The opening and settlement of the U & O Reservation in 1905 brought with it a checkerboard pattern of ownership and jurisdiction. Today's surface ownership of the Uinta Basin is a mixture of Federal Lands (50.5%), Fee Lands (23.8%) Tribal Trust Lands (17.5%) and State of Utah Lands (8.2%). The Ute Tribe, with slightly less than one million acres has ownership of almost 1/4 of the Uinta Basin's total land area. However, the ownership of the surface does not necessarily mean ownership of the minerals. A large area of land, known as the Hill Creek Extension is tribally owned with mineral rights being owned by the Federal Government. Oil and gas production from this land represents 1/4 of the oil and gas produced in Uintah County. Because of this mixed ownership, getting access to the wealth requires numerous jurisdictional clearances, requiring more time, cost and jurisdictional cooperation than is required in most oil and gas producing areas within the United States. Notwithstanding the fact that production of these resources is important to the future development of the entire region, community confrontation and conflict are a constant threat to the process.

THE PEOPLE: According to the Tribe's Department of Vital Statistics, the enrolled membership of the Ute Tribe is presently 3120 members. This population has grown from about 2500 members in 1980 and is projected to increase to 4,672 by the year 2010. Eight-five percent (or about 2650) presently live within the boundaries of the Reservation.

The population of the Tribe living on the Reservation is made up of 703 households. Of the families making up those households, 345 (or 49%) fall into the very low income category and 147 (or 21%) are in the low income category.

The average size of families making up these two categories is 4.15 people.

County	Total Population	Total Households	Very Low Income	%	Low Income	%
Duchesne	685	158	51	32	49	31
Uintah	2,435	545	294	54	98	13
Total	3,120	703	345	49	147	21

A review of the Ute Indian Housing Authority's waiting list indicates that of the 139 families awaiting some sort of affordable housing, 120 are defined as very low income families, with ten more being in the low income category. The following table indicates a breakdown of these households by family size and income:

The median annual income data for the United States, the State of Utah, the Counties of Duchesne and Uintah, and of the Ute Indian Tribe, as indicated by the 1990 U S Census, are as follows:

Median Income Data

United States	\$ 35,979.00
State of Utah	\$ 31,417.00
Duchesne County	\$ 26,491.00
Ute Indian Tribe	\$ 14,500.00

The statistics indicated above are further compounded when the senior citizens of the Ute Tribe are considered. Like most communities in Rural America, the aging population of the Ute Indian Tribe is growing.

THE GOVERNMENT: The Ute Indian Tribe is made up of three bands - the Uintah, the White River, and the Uncompahgre. Two representatives from each of these bands are elected to serve four year terms on the Business Committee, the governing council of the Tribe.

This council makes decisions that govern the Tribe by resolution. Community Presidents from the five communities that make up the population base of the Reservation bring public issues and concerns to the Business Committee, whose responsibility it is to make final decisions regarding them. Governmental procedures are

implemented in accordance with the Tribe's Constitution and By Laws that were established and adopted in 1937.

The organizational structure of the Ute Tribe is complete. As with most other governmental entities, departments have been established to carry out administrative functions. These departments include Legal, Human Resources, Accounting and Auditing, Revenues and Taxation, Resource Management, Fish and Wildlife Management, Environmental and Cultural Protection, Vital Statistics, Social Services and Health Care, Education and Training, Seniors and Aging, Youth Programs, Community and Economic Development, Fire and Emergency Response, Motor Pool, Property and Supply, Police and Security, Judicial Systems, and others. Additionally, the Tribe operates several tribal enterprises that are designed to provide services for the membership and to produce revenue for the Tribe.

PROTOCOL: The Tribal Council will not make decisions on any issue unless that issue is addressed publicly at a regularly scheduled Council meeting. Anyone who has an issue or proposal to be addressed by the Council must schedule time on a meeting agenda, and submit supporting documents, at least seven days before the item is to be addressed. It is customary for items of business to be screened by an appropriate tribal department prior to bringing them to the Business Committee. This procedure can be implemented by calling the Business Committee Office at (435) 722-5161 between the hours of 8:00 AM - 4:30 PM Monday through Friday.

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