



upstate citizens for equality, inc.
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October 26, 2003

Honorable Charles Schumer
Senator of the United States
100 South Clinton Street, Room 841
Syracuse, NY 13261-2850

Dear Senator Schumer:

The intent of the Indian Gaming Regulatory Act of 1988 was “to promote tribal economic development, tribal self sufficiency, and strong tribal government.” The Act has undoubtedly enabled the creation of some “strong tribal governments,” but has failed miserably in supervising the type of governments it has created and the uses to which those governments expend very significant amounts of gaming revenues.

In the midst of my community lies a very small, but very rich “Indian tribe” whose federally recognized leader, Mr. Ray Halbritter, heads a government that holds no elections, and has manufactured a non-traditional governmental body known as the “Men’s Council” whose members hold their positions for life. Opposition to this non-representative and non-republican form of government is effectively silenced by the regime by removing tribal members benefits, removing their “voice” in tribal affairs, and most recently, by evicting dissidents from their homes on the reservation and demolishing those homes.

In 1968 Congress passed the Indian Civil Rights Act in order to protect tribal members from unaccountable tyrannical tribal government. In Senate Report No. 841, it was stated that the purpose of the act is “to ensure that the American Indian is afforded the broad Constitutional rights secured to other Americans...[in order to] protect individual Indians from arbitrary and unjust actions of tribal government.” Notwithstanding, the U.S. Supreme Court decision *Santa Clara Pueblo v. Martinez* (1978) has effectively placed the enforcement of the Act into the very hands of the violator: tribal governments.

One can argue the legitimacy of the Halbritter regime, but in the midst of riches, nothing can excuse the systematic eviction of single mothers and the poorest of tribal members from their homes, and the demolition of those homes before their very eyes. This is a crime of immeasurable dimensions that we surely cannot countenance. I implore you to immediately act upon this unnecessary, unjustifiable, and inexcusable crime. Thank you.

Very respectfully,

Scott E. Peterman, President