

## NOTES TO THE NATION MARCH 25, 2009

### CONGRESS EXPRESSES UNIFIED DISMAY AT TREATMENT OF THE NATION'S EMPLOYEES

Tuesday there was a mandatory employees meeting held by the Chief at the cultural center for the sole purpose of explaining the “**Executive Branch Protocol and Procedures for Working with and Communicating to the Osage Nation Congress**”, and a form that has to be filled out each time an incident occurs.

<http://www.king2d3d.com/notes.html>

Here is a transcript of two statements made at the meeting. One was from Hepsi for the Executive Branch and one is Doug Revard that was typical of way most of Congress reacted to the Protocol.

### Employee Meeting Notes

Chief Gray called a meeting of all employees on Monday 3/23/2009 at 11:00 to discuss proper protocol to address Congress members.

*Hepsi Barnett covered the documentation that was passed out for proper protocol to follow. As she fielded questions from the employees it was asked, “What penalty would be imposed if the procedure was not followed?” Ms Barnett said, “Your job relies on you following the policy and procedures.”*

*Congressman Revard raised his hand to speak and said, “Perception is everything and for the benefit of the chief and head of staff that this is going to be perceived very badly by the general membership of the Osage tribe. The congress has oversight over all the programs over ,the offices and any time you put rules in effect to tell the general people not to talk to congress that you have created perception of dictatorship that goes all the way to Hitler. And that is how it is going to be perceived by the general public. I agree that you need some rules. With oversight Congress is trying to find things that will benefit. This says it can only benefit them if executive principal chiefs office agrees, not what is happening. But only as to the principal chief’s office and that is censorship to the highest.”*

The Osage Nation Congress expressed consternation at the effect of the new protocol of the Executive Branch regarding Osage Nation employee’s communication with members of Congress.

Congress went into a committee of the whole for the purpose of discussing the situation freely and in a public forum. The transcript will give you some idea of the thoughts expressed and the audio helps to judge the depth of anger many of us feel to see our fellow citizens treated in such a high-handed manner. These links will give you access to:

The transcript: <http://www.osage-tribe.com/congress/uploads/FY%2009%20Hunkah%20Session/Transcription3.24.09.pdf>

The audio: (about mid-way) <http://www.osage-tribe.com/viewvideo.aspx?video=Osage - Audio ArchiveHunkahSessionDay8 3-24-09.wma>

The Speaker’s letter to the Chief on behalf of Congress:

<http://www.osage-tribe.com/congress/uploads/FY%2009%20Hunkah%20Session/CommunicationProtocolLetter.3.24.09.pdf>

We can pass laws and we can make statements, but unless we act in a decisive and unified manner things will not change. Congress has got to come together and put a stop to any work place environment for Osage citizens that attempts to control through fear and intimidation.

Of all the statements made, the most eloquent was the shortest statement of all. When Congresswoman Faren Anderson spoke those few words with a tear in her eye that mirrored the pain in the heart of a Nation, it summarized all that a conscientious Congress should feel.

How had it come to this?

### **OFPR SUIT CONTINUED TO MAY 28, 2009**

The pre-trial hearing that had once been delayed until March 26, 2009 has been continued to May 28, 2009 at 2:00 PM to give attorneys more time for discovery.

This is the suit filed by the Chief attempting to get a permanent injunction against the Office of Fiscal and Performance Review. The OFPR is the internal auditing department established by Congress to make routine audits of departments of the Nation to help insure compliance with the intent of law and the efficiency of operations. The work of this department has been delayed for months now due to the lawsuit and it appears to be stalled even longer by the recent continuance. Ironically, had this department not been tied up by the lawsuit they may have been able to avoid the problems we are now having with HUD, which were brought on by non-responsiveness.

### **ATTEMPTS TO RUSH A BILL THROUGH CONGRESS APPEAR TO HAVE ULTERIOR MOTIVE**

After 2 ½ years there seems to be an urgency to get an independent press established. The problem is that the bill proposed is not the Act currently in litigation. That Independent Press Act was sponsored by Faren Anderson. It passed the Congress and was vetoed by the Chief. Then, Congress over rode the veto and the Act became law. The Chief would not enforce the law and instead filed suit in the Osage trial court to have the Act reviewed, alleging that it was unconstitutional. In a shocking move, the Trial Court accepted the suit, even without a defendant, and ruled the Act unconstitutional.

The Osage Congress has appealed to the Osage Supreme Court.

I am convinced that the Trial Court will be reversed and the law restored. I think that the Chief also knows that this will happen and he is trying desperately to get Congress to drop the appeal. The suit now has become more than just an attempt to reinstate the original Act—now it will decide if an over ride is final; or if the Chief can challenge any law passed by the Congress. I hope that Congress will stand firm and see this issue through to the end.

If members of Congress fold by introducing a competing bill and dropping the appeal, in the worst case scenario, any citizen of the Nation might be able to challenge any law with which they might disagree, even if there had been no conflict. Imagine the chaos that could cause. In my opinion, we need to wait and see how the Supreme Court will rule in their first test.

## **PER CAPITA BILL GAINING SUPPORT THROUGHOUT THE NATION**

The response in favor of the Per Capita bill has been overwhelmingly in support of the proposal. We will begin to discuss the details of the plan next week in the Congress. Those that have not been supportive seem to have received some misinformation such as it will take away from existing programs. In fact, the plan has to have the approval of the Appropriate Bureau official in the BIA to see that it is in compliance with the Indian Gaming Regulatory Act. That requires that it must be proved that the plan will not take away from existing tribal programs.

We are projecting that with gaming revenue of \$50,000,000 we will be able to fund all tribal programs and we hope to even establish some reserve accounts. In addition to gaming revenue we are expecting \$16,500,000 from federal grants.

Where the stories of taking away from existing programs are originating or why, I don't know. If you do, please let me know.

## **ADDRESS CHANGES**

Some Osage citizens, especially those who work for the Nation, are getting concerned about receiving the Notes on the tribal email. Some are fearful of being monitored and are asking to send to an alternate address. If you wish to change email addresses, please let me know.

## **OSAGE CONGRESS TO OBTAIN THEIR OWN EMAIL SERVER**

Due to the continuing problems of blocked email, the threat of the "Mail Marshall" and the concern over security for citizens who wish to contact Congress, we voted today to set up with our own system as soon as possible. I try to confine all my internet contact with Osage citizens to the following email address: [Supernaw@flash.net](mailto:Supernaw@flash.net), which is totally independent of the tribal site. I would ask you to continue to use that address when contacting me. My phone which is also secure, is 1-918-724-1002.

## **NEWS ARTICLES FROM THE PAST**

These articles are taken from Kansas newspapers from the late 1800's. The news was written from the white man's point of view and sometimes the Osage didn't get treated fairly. These excerpts are passed on for their historical value only.

*Winfield Courier*, August 7, 1874.

### **Another Indian Outrage.**

On the morning of the 22nd inst., as Mr. H. H. Wiggins and son were returning from Medicine Lodge, and when about twelve miles southeast of that place, they were suddenly surrounded by about thirty Osage Indians and robbed of their teams. The men were not otherwise molested. The Messrs. Wiggins had been to Barbour County attending a lawsuit in which they were interested, and were returning loaded with cedar posts. The two teams are valued at six hundred dollars, and the loss falls with crushing weight upon the owners. *Sumner County Press*.