

## **NOTES TO THE NATION NOVEMBER 6, 2008**

### **OFFICE OF FISCAL AND PERFORMANCE REVIEW ISSUES REPORT**

The OFPR (formerly called the Internal Audit Dept.) has delivered the current report to Congress. I have sent it along as an attachment for your review.

Due to the pending lawsuit the Chief has filed seeking a permanent injunction to stop the work of this department there have been no recent audits as the report shows. The OFPR has made several requests for routine information and has been stonewalled by the Executive Department on all requests. The law specifies that the OFPR is to have unrestricted access to information they need. It is likely that subpoenas will have to be issued in the near future.

I invite you to look at the duties of the OFPR. The purpose of this department is to improve performance, efficiencies and operations of the Osage Nation. Everything this Department does contributes to the improvement of the Nation, however, as hard as some of us have fought for this department, there are those who have fought against it.

The original bill was vetoed and the veto over ridden and two lawsuits have been filed to stop its operation. This department is the tool all elected officials should use to follow through on their campaign promises to provide *accountability and transparency*. How soon they forget, *if you allow it*.

### **MUSKOGEE CREEK NATION HOLDING CONSTITUTIONAL CONVENTION TOMORROW**

In 2004, the Muskogee Creek Nation made an amendment to their Constitution that provides for a Constitutional Convention. The first will be tomorrow, November 7 and November 8. If necessary it will extend over to Sunday, November 9.

Any Muskogee Creek citizen could submit a proposed amendment. Since 2004 over 120 proposed amendments have been received. Only registered Creek voters can enter the assembly to discuss and vote on the amendments. Amendments passed at this Constitutional Convention will then be voted on by tribal members at a general election to be scheduled later.

The Osage Nation Constitution has no such provision. About the only practical way our Constitution can be amended is for the Congress to muster up 10 votes to require proposed amendments to be brought to a vote of the Osage people in a special or general election. Several amendments have been proposed—all have come up short by 1 or 2 votes. Maybe we never will get the votes with this Congress. If the Osage Constitution is ever to be improved, something must change.

Some people have suggested that a General Council be called for the purpose of amendments: But, this doesn't have the effect of law.

Some have suggested that all proposed amendments be resubmitted and that Osage Nation attention be focused on the voting. (Politicians get real patriotic close to election time—votes might change.)

If the Osage people are forced to take matters in their own hands because Congress won't act, it will be the Congress who will regret it.

## **SCOTT BIGHORSE LOSES ELECTION FOR OKLAHOMA REP. DIST 36**

After the votes on November 4 were counted, Scott was not reelected to a second term and Osage County had lost a dedicated and hardworking representative.

In my opinion, and I said it at the time, the seed of this loss was the Chief's lack of diplomacy regarding ONCA 07-38, the environmental bill last year. You will recall it caused a major controversy in the county and turned neighbor against neighbor. Tribal lawyers, cattlemen, landowners, oilmen, County government and law enforcement perceived the bill to be an attempt to infringe on their rights. It even got to the point that a U. S. Congressman made a veiled threat against our tribal sovereignty. Scott's opponent was able to rekindle this lingering resentment to his political advantage.

Scott's opponent, Eddie Fields, inundated county voters with mailers. One of Fields' mailers criticized assistance Scott received from Indians—another mailer even said, "He's not one of us." It appeared to me to be an attempt to turn the non-Indian community against Scott, who is Osage.

Well, he is one of us. Maybe he'll run for the Osage Congress later.

Meanwhile, this government must remember that we're all swimming in the same puddle and one can't mess up the water for our neighbors without messing it up for ourselves.

## **GOOD NEWS FOR STUDENTS**

You may remember the situation that existed last year where a non-Osage employee could work at our Casino and get more assistance for scholarships than an Osage who didn't work at the Casino.

A lot of people, including me, didn't like that situation. We were able to change it in the recent Tsi Zho session. We didn't lower the Casino program, but we raised the amount available through the Osage Education Department. Now, a full time Osage student, anywhere in the Nation, going Spring, Fall and Summer with a 3.5 grade average or better can receive up to \$8,100 per year. Details are available from the Educational Department: <http://www.osagetribe.com/education/>

Funding for this Department was in ONCA-08-43. Voting for the bill was Anderson, Branstetter, Mason, Red Eagle, Revard, Shackelford, Simms and Supernaw. Voting against was Atterbury, Edwards, Red Corn and Freeman.