

NOTES TO THE NATION DECEMBER 7, 2008

GOVERNMENTAL OPERATIONS COMMITTEE MEETS TOMORROW AT 10:00 AM

This committee of the Congress will meet to discuss bill ONCA 09-02 which proposes to appropriate a million dollars to be placed in reserve to finance anticipated litigation regarding a tax case against members of the Oklahoma State Tax Commission.

The outcome of this suit could determine the status of the Osage Nation Reservation. This could reach beyond taxation and also impact our gaming operations—We have 3 casinos that are on not on trust land: Tulsa is one of those.

The bill would, in effect, pile up a million of the people's dollars in front of two attorneys and just say, "You're on the honor system boys, take what you need."

Members of Congress were given a binder of papers to review this weekend. It gives a history of the suit and the reasons the Osage Nation believes the reservation still exists. What it does not give us is an assessment of our chances of success or the risks should we fail.

This last week we heard of a bill for \$375 that was presented to the Home Health Department. They did not know what it was for and asked for details. We are told the bill was referred to some attorneys and the bill was returned with an explanation and \$ 1,000 added to the bill. We need to find out if this is true, who the attorneys were and how we can see that this kind of thing is not repeated.

These requests come to us almost always as an emergency, our only advice is from those either spending the money or getting it, and the majority of Congress will approve it time after time. I hope tomorrow cool heads prevail.

CONSTITUTIONAL AMENDMENTS BEING CONSIDERED BY CITIZENS

A grass roots effort to develop amendments to the Osage Nation Constitution seems to be gathering momentum throughout the Nation.

The Congress has not been able to get the necessary 10 votes to allow citizens to vote on amendments, so the citizens themselves are taking up the effort. A thing like this can get out of hand: Why people may even think members of Congress should show up to work in order to get paid!

I am reprinting something posted on one Osage blog yesterday:

From Galen Crum:

There seems to be a great deal of interest in Constitutional amendments building around the country. The most logistically viable method of accomplishing this would be by having some introduced through the Congress, to be voted on by the membership at the next regular election or at a special election called for that purpose. This requires a vote of at least 10 Congress members. Previous Congressional resolutions for amendments have fallen at least one vote short of passage. I believe it possible to gain that one vote if good, well thought out amendments are presented and given vigorous support by a significant number of members.>>>> In order to develop those amendments and begin building support for their passage, I propose we start by bringing forth and compiling concepts of the changes that we feel are necessary. I say concepts; because if we can develop and agree on the concepts, we have good Osage lawyers that can help write actual amendments to accomplish the desired goals. We aren't legal wordsmiths, but we do have some pretty good ideas about what is not working in the Osage Constitution. Some ideas will be easy to write, while others are complex and will likely require multiple amendments to cure the problem. >>>> An

example of an easy concept and cure would be the “right to membership” rather than “eligible for membership” problem. Changing the wording in this clause back to “right to membership”, like we voted for in the referendum, would eliminate the current situation where any seven Congress members and the Chief, can remove anyone or any group of people from tribal membership with no process or appeal. >>>> An example of a more complex concept would be restoring control of the Mineral Estate to officials elected by the shareholders. This would probably require multiple changes to the Constitution, as well as some serious thought as to what would be the best mechanisms to accomplish that goal. Another problem that is begging for a solution is making the grassroots initiative method of introducing amendments a practical alternative. Then the people’s desire for a better government couldn’t be held hostage by as little as a fourth of the Congress. >>>> These are a just a few of my ideas for amendment concepts, but we need to hear from others of you out there. I suggest you air your ideas here if you like, so as to get input on their merits. You can send them to me at galen.crum@galencrum.com if you wish, and I will start compiling them. I understand others are also willing to serve as collection points. Perhaps some of you can host meetings of some sort in your areas to get the ideas flowing and the momentum building. If we can put together a list of proposed amendments, perhaps groups like the California organizations could vote on those they wish to support at their next meetings. I understand our OSA leadership is reluctant to play a part, but that wouldn’t stop those in the Pawhuska area from having meetings to develop these concepts and a plan of action. Just let me know when, and I would be glad to attend. What do you say? Are there any ideas out there?

From Kugee Supernaw:

Some elected officials have also recognized the need for constitutional amendments and are willing to support the efforts of our citizens. There are ongoing discussions of how we can lend support using the Nation’s resources. ++++++ I know that at least one citizen tried to place a notice in the tribal newspaper merely to offer her email address as a contact person for amendment discussions. She was told the minimum charge would be \$150.00. A review of past issues may reveal previous, apparently free, ads placed by relatives of elected officials. Anyway, for the present time the tribal news seems to not be an option. ++++++ The current law suits eliminate the use of the tribal membership list for mass mailings. ++++++ Communication seems to be the biggest obstacle, so I might offer this suggestion: We all network with our email mailing lists and blogs to publicize the effort and disseminate the email addresses of people who are willing to be organizers. No one blog seems to reach a large percentage of our citizens and the least active of all is the tribal website forum. ++++++ I will publish the email address of anyone who asks in my Notes to the Nation, or if you wish, forward it to Galen since he is the first to come forward. ++++++ This looks like a grassroots effort to accomplish what the Congress has been unable to do and I am willing to help in any way I can. ++++++ There is more interest than many people realize. I sat in on one discussion where the possibilities were explored and the hope was expressed that committees of interested Osages might be formed around the county. (Some might be internet groups.) If that does happen, it might be possible to raise the funds to help committee representatives travel to a Citizen’s Constitutional Convention. ++++++ My email address is: Supernaw@flash.net

Here are some responses you may wish to contact:

Galen.crum@galencrum.com Kansas

okcann@gmail.com California C. Ann Norris

b.nerak@yahoo.com Texas

There are other responses from southern and northern California.

NOTES ON THE ECONOMY

As everybody knows, the big three automakers went to Washington to ask for \$25 billion, only to be turned away and told, "Come back with a plan. Drive and leave your private jets at home." So, they did come driving back with a plan, only this time they want \$34 billion. Maybe Congress better settle for that—if they have to hitchhike back, no telling what they'll want.

They did offer to make some concessions, like working for a dollar a year. Will Rogers would have said, "Instead of paying 'em a dollar, pay 'em what they're worth, that'd be a big savings."

I just worry about what could happen if they do go under. It might not be just ripples across a pond. In that industry it seems like thousands of manufacturers are in the position everyone tries to avoid—having only one customer.

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.

PERSONAL RECOLLECTIONS OF EARLY DAY SETTLERS.

C. M. Wood's Story Continued.

Winfield Courier, Thursday, March 4, 1886.

Excerpt from article:

"In the first winter of our settlement here, the Osage Indians conceived the idea of raising a stake by levying a tax or giving a license to each claim holder, allowing them to remain on their claims for the sum of \$5 per annum, to be paid in advance, for which they would give a receipt in which they would state that such person was to be protected in all of the rights that the general government could give them in living on and holding a claim of 160 acres of land. Chetopa, in company with Bill Conner, his interpreter, of whom I have heretofore spoken, would go from one settler to another, making this proposition to them, and in some instances was successful in getting the coveted \$5. Chetopa came to me one day in this manner and was told that he need not expect anything. So he good naturedly made me a present of one of his receipts, saying that he was my friend and that he would not charge me anything.

The following is a true copy of my receipt, which has been preserved by Mrs. Wood as a memento of those times.

Dutch Creek, Cowley County, January 18, 1870

This is to certify that C. M. Wood has made presents to the amount of six dollars to Chetopa, Chief of the Little Osage Indians for which said C. M. Wood is to be protected in his claim and property by the said Indians for one year from date.

CHETOPA, his x mark.

This seemed to please him very much and he went away seeming to feel that he had made a good point. I soon found out that other settlers had told him that if I would pay him, they would do the same, so he went back to them telling that I had paid, now they must do the same or else leave here. Next day quite a number of settlers came to me asking about the matter when I told them the facts in the case. Some of them had thought best and had paid their money, others had put him off until they would get at the truth of this matter, promising to pay if all the rest had to. This thing stopped right here and I never heard Chetopa speak about the matter again. He acted as though he was conscious of doing a mean act, which I found out afterwards was put up by Bill Conner. During the winter Chetopa would often come to our house, generally in company with other Indians, and at all times acted the part of a perfect gentleman. He would not allow other Indians to spit tobacco juice on the floor; but would admonish them to spit in a spittoon, which they would do when he

was present. He would occasionally take a meal of victuals with us, but the first time it took some persuasion to get him to sit down at the table with us. He was always neat and mannerly, and Mrs. Wood used to remark that she would be much better pleased if all white men eating at our table were as nice as he was. He came to our house one night, all alone, it being quite late. We asked him to remain all night, which he did. Mrs. Wood made him a bed on the floor out of six or eight buffalo robes, of which we had plenty at that time. When he came to lie down, he looked up at us and said, "logany," (meaning good). We all slept well and he left after breakfast next morning in good spirits.

The Indians would often bring things which they had traded for at the store, and hand them over to Mrs. Wood for safekeeping. She would mark them and put them away upstairs, where many things would remain uncalled for days at a time. These little incidents only go to show that they had more confidence in Mrs. Wood than they had in me or some of their own people, for they would say, "Too many bad Indian; steal heap." Chetopa at one time bought a fine saddle of Baker, and Manning gave him a very nice bridle, both of which he took to Mrs. Wood and left them for about a month, and when he came riding up to our house one day on a very fine, large American horse, he seemed to be under some excitement, and called for his saddle and bridle, which were brought downstairs, when he put both saddle and bridle on his horse, and as proud a man as can be, rode off across the prairie at full gallop, looking more like that noble Indian so much spoken of by our poets, and especially John G. Whittier, than any Indian I have ever seen, before or since.

One day while I was trading with two old Indians, a couple of white men came into the house by the name of Beadle and Tryon, who had taken the Kickapoo corral claim. Mr. Tryon said, "I am going to have some fun with these fellows," and thereupon drew a sack having some coffee in it and acted as though he was going to strike one of them. The Indian whipped out his butcher knife, which he had hidden under his blanket, and made at Tryon with the full intention of cutting him up. Mr. Tryon was much scared and jumped across the house out of his way. The Indian persisted in his intention; and it took some considerable talk from me before he was satisfied that it was only intended for a joke. I don't think Mr. Tryon has ever joked another Indian in that way, but has learned that such movements might not be very healthy.

If these stories should prove to be interesting, I shall feel that I have been well paid for writing them, as it is not at all unpleasant for me to go back and look over the old ground, for in fact, notwithstanding it may seem like a hard life to live, I believe that I enjoyed it as well as any portion of my life, as there was a fascination about the excitement that is pleasant to experience."