NOTES TO THE NATION MARCH 20, 2008

OSAGE NATION MOTION FOR RECONSIDERATION DENIED

As has been reported, on January 23, 2009 Judge James H. Payne of the U. S. Northern District Court ruled against the Osage Nation's Reservation case which sought to establish that the whole of Osage County was still a reservation. The Osage Nation filed to reconsider the case, alleging that the Nation had more evidence to present and the Osage Nation should have been able to have a trial.

On March 16, 2009 the motion to reconsider was denied by Federal Judge Payne. His ruling said the Osage Nation attorneys waived the Osage Nation rights to proceed because they did not follow the Federal Rules of Procedure in this case. He also said that after 8 years of litigation if you claim you had a better argument; you should have used it when you had the chance. This is a disturbing development.

The Nation's million dollar lawyers are appealing the [now weakened?] case to the 10th District Court of Appeals where they will be limited to evidence already presented.

Attached are copies of this **Court Order** and the **Bill of Costs** that the Osage Nation must pay to the State of Oklahoma.

RESOLUTION TO PLACE LAND INTO TRUST TO BE INTRODUCED

Like every other Osage, I would like to see the surface of the whole county legally declared to be a reservation; that would be a good thing. Unfortunately, recent events have caused the Nation to seriously consider the possibility that may not happen. The consequences could be devastating to the Osage Nation; we have three casinos setting on non-trust land, which means, they and the income they produce, could be in jeopardy.

Someone could fill the Osage people with the hope that filling lawyers with money will result in overcoming increasingly long odds; or we could heed the words of A. E. Housman:

> Since the world has still
> Much good, but much less good than ill,
> And while the sun and moon endure
> Luck's a chance, but trouble's sure,
> I'd face it as a wise man would,
> And train for ill and not for good.

Next week I will introduce a resolution authorizing and directing the Chief to begin the steps of getting the three casino sites placed into trust status. It will likely be a long process, but when completed the casinos will be safe no matter what happens in the Reservation case.

EXECUTIVE BRANCH PLACES NEW RESTRICTIONS ON EMPLOYEES OF THE NATION

This week at the last Director's meeting new guidelines were imposed on employees of the Nation. There are three pages titled, "**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

If you read the guidelines, some of it appears to be instructions on courtesy delivered in a parental tone. It is when you know the verbal instructions that accompanied it that you realize the demoralizing effect it is having on employees. Viewing the documents for the first time, one Congressman said, "Shouldn't these have Swastikas stamped on them."

If a member of Congress happens to visit or call anyone in any Department, that individual has to make a written report to the Chief in 48 hours. They are not even trusted with the freedom to judge if the contact is important or not. As one employee stated, " We have been told not to talk to you. This is all one way: It's what we have to do if you contact us, we are not supposed to contact you."

You might tell Osages they can't talk, but you'll never make a dent in the whispering.

Even though the directions are explicit as to how employees are to respond to written requests immediately, the Chief and his staff are not following the same rules. Look at the following item.

STIMULUS MONEY SHOULD BE A DONE DEAL

The Osage Tribe was in line to receive $658,000 in additional Native American Housing Assistance and Self Determination Act (NAHUSDA) money because of the Stimulus Legislation; just by amending the existing contract and sending it back to HUD. In addition to that, millions more are available on a competitive basis. We sent a letter over to the Chief to inquire if everything had been done to secure the first portion money and never got a reply. Of course, that's a red flag 'cause money like that normally is bragging material.

Now we're hearing the Osage Nation is "locked down" on additional grants due to accounting problems. This is no small issue—In December we were denied the $800,000 grant to build the Gray Horse Community Building. Not hearing it from the Chief though, so today we formally asked for documents to be delivered to an Appropriation Committee meeting next Tuesday.

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.

Arkansas City Traveler, Wednesday, December 10, 1879.

Indian Items.

The Osages derive a large revenue from the sale of ponies, and they have thousands of them. They receive five percent per annum interest on $69,120 for educational purposes, and five percent on $300,000, or $15,000 a year, paid semi-annually either in money or such articles as the Secretary of the Interior may direct. They have $39,911.53 in government bonds of the loan of 1881, bearing five percent, besides $7,000 of Missouri State bonds drawing six percent, the interest of which Missouri has failed to pay since 1861 to the present time.

The Osages cultivated 44,112 acres of land, and raised 4,000 bushels of wheat, 75,000 bushels of corn, 500 bushels of barley; put up 500 tons of hay, and cut 100 cords of wood. They have 3,177 ponies, 29 mules, 2,030 head of cattle, and 5,227 hogs.

Most of the Osages that make any pretense of religion are Catholics.

(Signed) C. M. SCOTT.