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Legislative Proclamation

On July 5, 2011, Speaker Branstetter, Osage Nation Congress signed a Legislative Proclamation under the authority of Article VI, Section 10 of the Osage Nation Constitution. The Tenth Special Session was called and set for date and time specific. Thursday, July 14, 2010 at 9:00 a.m. to consider the following subjects:

- 1) Investigative hearing on accounting and treasury practices within Accounting and Treasury; and
- 2) Consideration of legislation to address accounting and treasury practices within Accounting and Treasury if necessary.

Special Session

Speaker Branstetter addressed the Congress with concerns surrounding the Osage Nation Treasury and Accounting department. At issue is oversight and

accountability with regard to checks and balances of these departments. Speaker Branstetter pointed out that the Osage Nation Congress had a duty within its legislative powers to investigate possible problems that have been brought to the attention of certain members of the Congress.

Congressman RedCorn injected his understanding of possible infractions regarding, collateralization, Transfer of funds and relaxation of procedural controls. RedCorn stated that there is a possibility of exposure to the Nation for loss of assets and concurred with the Speaker that Subpoenas should be served to the following employees:

1. William Kemble, Treasurer
2. Clint Hill
3. Johnna Hopper
4. Pam Jester
5. Penny Bradford
6. Stephanie Hendron
7. Julia Hudson
8. Carolyn Kerr
9. Sandra Lytle

10. Vickie Moler
11. Leslie Young
12. Tammy Moxley

The Congress voted to approve an investigation and to serve the subpoenas to the above listed employees. The vote was unanimous.

Mineral Funds Involved

According to Congress member Geoffrey Standing Bear, he was told that mineral estate funds had been accessed by the Osage Nation Treasurer's office for the benefit of the Osage Nation.

It is unknown to me how the Osage Nation Congress members can all of the sudden become concerned and/or shocked that such an act would occur. Is it not we "Millerists" who have been yelling from the roof tops that complete separation of the Mineral Business was essential without compromise? I think so.

Never mind that the very Constitution that the Osage Nation Congress embraces

clearly states that: *The mineral estate of the Osage Reservation is reserved to the Osage Nation. The government of the Osage Nation shall have the perpetual obligation to ensure the preservation of the Osage Mineral Estate. The government shall further ensure that the rights of members of the Osage Nation to income derived from that mineral estate are protected.*

Article XV, Section 1. General Authority: *The legislature of the Osage Nation shall provide for the utilization, development and conservation of all natural resources within the territory of the Nation for the maximum benefit of the Osage people.* [Emphasis added.]

What the MOU Says: *The Parties understand that the Constitution of the Osage Nation (Constitution) provides that the Mineral Estate of the Osage Reservation is reserved to the Osage Nation. Parties also understand that the Constitution requires that the Treasurer accept, receipt for, keep and safeguard all tribal funds as directed by the Congress. Const. Art VII §13. The Parties recognize that Congress has vested signature authority for*

checks, drafts or other written instruments of payment drawn on any account of the Osage Nation exclusively in the Nation's Treasurer, with the exception of financial instruments in excess of \$150,000.00, which shall also be signed by the Principal Chief. Parties further understand and agree that the accounts previously managed by the OMC prior to the adoption of the Constitution, commonly referred to as the S-510, C-395 and C-510 accounts, belong to the Osage Nation, and signature authority over such accounts, by law reside with the Nation's Treasurer.

We Are Not in OZ

For the Congress to act as though they are appalled at the very idea that Mineral Funds are involved in some sort of improper accounting practices just isn't going to wash. Not when Standing Bear and Supernaw continue attempts at some sort of compromise with the five Council Members who embrace usurpation of the Osage Tribal Council.

What is happening today is nothing at all short of what happened in 2009 when Council Member Boone discovered that the S-510 Account had been

transferred from the 1st National Bank of Pawhuska to Citizens Bank and that she was no longer a signatory on the account. When that was discovered, Jim Gray and the then Osage Nation Treasurer were on the signature card and not one Mineral Council member was on the card.

Mineral Council?

If mineral Council funds are in fact involved in some sort of sinister laundering scheme, I hardly think that the Mineral Council should sit back and allow Congress to assume full reign of an investigation nor should they sit back and allow Congress to have complete control of an audit.

Hiring an outside auditing firm was mentioned in the Congressional Session. It seems to me that the Shareholders thereby the Mineral Council should assume equal control of an auditing process. It was on May 11th of this year that the Osage Nation Attorney General was of the opinion that the Osage Mineral Council was under the Osage Nation Open Records Act. The Mineral Council's attorney believes otherwise stating that the Open Records Act did not apply to the Mineral's

Council. It's beyond me how the Osage Nation Treasurer can legally have anything to do with the Mineral Council accounts given that he has no business accessing them whatsoever because the accounts are NOT under the Osage Nation Open Records Act.

No doubt the issue of an investigation is one that both the Congress and Mineral Council are in agreement on. It's my thought that the Mineral Council should hire their own auditing firm for the protection and security of the Shareholders interest. There can be no doubt that if funds belonging to the

Shareholders have been mismanaged (a clear fact), given the funds have been usurped by the Nation's Treasury, that hands down, the Mineral Council should hire auditors in their behalf to work alongside the Osage Nations auditors and be given their own reports for the record.