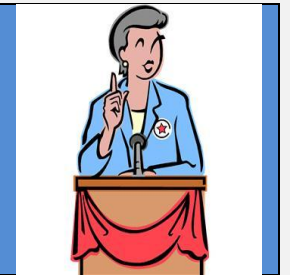




# Hypothetical Question: Are You Prepared?

By:  
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## Tribal Council

Though not likely, if you were actually faced with an election by May 12, 2011 for new Tribal Council members, do you have any candidates in mind? If not, it would be wise to begin thinking about what you, as shareholders of the Mineral Estate, plan to do regarding the possibility of an election should the BIA admit their wrongs and relent to the demands of the Shareholder's Appeal.

If you believe you want to take advantage of such situation and elect Council members who will be loyal to the Shareholders and the 1906 Act, you of course will need to be thinking about who would be a good Chief and Assistant Chief for you and then 8 Council members who also will work for the benefit of the Shareholder and uphold the 1906 Act. While clear evidence proves Cynthia Boone, Dudley Whitehorn and Curtis Bear to be honest, dependable staunch supporters of the 1906 Act, you must be aware that Galen Crum, Myron Red

Eagle, Melvin Core, Andrew Yates and Sonny Abbott have shirked their responsibilities to you and do not meet the standards necessary to hold office any longer than absolutely necessary. If you question this assessment of these 5 council members; you have only to read the documents including previous newsletters on the HOT TOPICS page of my website.

It is a real possibility that you will be faced with an election in the near future.

## Clarification

While people are coming to understand that the BIA never informed us of the appeals process and while I agree that it is a big deal, it seems my point of view of this is not understood.

BIA Regulations (CFR's) 2.6(c): *"Decisions made by the Assistant Secretary-Indian Affairs shall be final for the Department and effective immediately unless the Assistant Secretary---Indian Affairs provides otherwise..."*

BIA Regulations (CFR's) 2.7(c): *"All written decisions, except decisions which are final for the Department pursuant to 2.6(c), shall include a statement that the decision may be appealed pursuant to this part, identify the official to whom it may be appealed and indicate the appeal procedures, including the 30 day time limit for filing a notice of appeal."*

To me, these two Regulations 2.6(c) & 2.7 (c) tell us that if we were not informed of an appeals process as prescribed by federal law and regulations by the BIA (which we were not); that the response letters we received from the BIA were final decisions.

We have numerous letters from the BIA with no information on an appeals process and one letter from the Assistant Secretary which according to regulations, *"Decisions made by the Assistant Secretary-Indian Affairs shall be final for the*

*Department and effective immediately unless the Assistant Secretary—Indian Affairs provides otherwise in the decision.”*

Clearly the letter from the Assistant Secretary dated January 2008, does not provide otherwise in his decision.

### **What Does This Mean?**

It means that not only do we have letters from the BIA from the lowest level to the Highest level of seniority misinterpreting federal law, specifically P.L. 108-431 but also failing to recognize their very own Administrative Procedures as set out in the Code of Federal Regulations.

Given that the referenced letters are so specific that in their arrogance, they list letter after letter after letter that had been received in a summary letter, denying assistance as requested in each letter listed with no notice of an appeals process.

I fail to see and a Judge and Jury will fail to see how much more final they could have gotten short of drowning us all at the nearest lake! Never mind the Assistant Secretary's letter of January 2008

which is simply the icing on the cake!

### **What Now?**

Common sense indicates it would be in the best interest of everyone concerned for the BIA to cry UNCLE while they have the chance. My personal preference would be go to jury trial and watch the show!

The same thing goes for the Osage Nation Government. The common sense thing to do would be let loose of the Mineral Affairs, agree to remove all mineral matters from the constitution, accept that the Tribal Council is still in force according to federal law and go about their own business before they end up losing the entire new government to fraud, embezzlement and sundry other federal issues that are surely to come out at a jury trial.

It seems to me that this is an opportunity to see just how smart Pipestem really is. If he doesn't advise his buddies in the BIA and the Osage Nation to BAIL OUT NOW, he will prove to be bordering on insane.

The ball is in the BIA and the Nation's Court. It is their fate they are sealing.

### **So---Are You Prepared?**

Considering this volatile situation, the prudent thing to do would be to work together and come up with some viable candidates. As you must be aware by now, thought processes into selecting candidates must be thorough. We have seen what can happen—(Say one thing and do another once elected).

A Tribal Council election will come first. What happens with the Nation is anyone's guess but they have options such as a Constitutional Convention.

Good luck with the task of finding 10 people you can trust to carry out their duties. The only ones I know of so far are Cynthia Boone, Curtis Bear and Dudley Whitehorn. 7 more is all you need.

Once again, if the BIA is wise, they will set a date for a Tribal Council election in 60 to 90 days. No one knows what they will do but it's always good to be prepared!

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Liberty & Justice for All!  
They fed him to the sharks!