

## NOTES TO THE NATION MARCH 28, 2010

### FIRST CONSTITUTIONAL AMENDMENT TO BE ON THE JUNE BALLOT

The Osage Congress passed the first resolution calling for an amendment to the Osage Constitution last Friday, March 27. The [amendment](#), if approved by the voters, will change the constitution wording from membership to citizenship and changes the current wording from eligible for membership to have a right to citizenship.

During the Legislative Field Hearings leading up to the passage of Public Law 108-431(H. R. 2912) in 2004, U. S. Representative Dale E. Kildee, Michigan, made the following statements:

*“This is a very important issue. I support H. R. 2912 as a bill that would reaffirm the very inherent right of the Osage Tribe to determine its own citizenship. I try to remind people in Congress that—I had to remind a candidate for Governor one time that sovereign tribes are not social clubs. They are sovereign tribes.*

*Article 1, Section 8 of the Constitution (U.S.), which I carry with me all the time, defines—it doesn’t grant you your sovereignty. It recognizes your sovereignty. So, I generally refer to the term citizenship rather than membership.*

*Particularly when I talk to young Native Americans when they come to Washington, I remind them that I have two citizenships. I’m a citizen of the United States, and I’m a citizen of the state of Michigan, but they have three citizenships. They’re citizens of the United States, and they have proven it over and over again. Proportionately, more Native Americans have served in our armed forces and other groups. They’re a citizen of whatever state they may be, and they’re a citizen of their respective tribes. And they have rights and responsibilities that flow from those three citizenships.”*

During the discussions leading up to the ratification of the Osage Constitution many people had expected the Constitution to say that all lineal descendents of the 1906 Roll would have a **right** to membership. Instead, the final version said that these people would be **eligible** for membership. No one seems to know how this got changed. This has caused concern among our people, particularly those in California where they are seeing the purging of rolls in many tribes in that state. Our people should not have to worry about this happening and the amendment seeks to remedy that possibility.

I have proposed this resolution on four previous occasions and it has been voted down each time, although it once got within one vote of the 10 needed to pass. I had said that I would continue to submit it until it passed or I did. Fortunately,( in my opinion) it passed first. The resolution received 11 yes votes—Freeman was absent. Patriotism is getting more popular each day the next election gets closer.

The amendment, which must be approved by 65% of the voters casting votes in the June 2010 election cannot be vetoed by the Chief—he had expressed opposition to the amendment at the southern California meeting two years ago.

Four other resolutions calling for constitutional amendments were offered and voted down last Friday.

Kugee