



## JENNY'S NEWSLETTER

March 13, 2010

*"When the people fear the government, that's tyranny.  
When the government fears the people, that's liberty."*

*Thomas Jefferson*

### Never Miss an Opportunity

*(Painful but Rewarding)*

I received a royal chewing out on the telephone the first part of this week. The caller was extremely upset that I would ask the citizenry to consider writing a letter to the Osage Nation Congress demanding that they not appropriate further funds for the Executive to litigate the Oklahoma Tax Commission Case. When I asked the caller if they were willing to listen to my reasoning, they refused and that was that. Having known the caller for over 50 years and knowing that this person is a shareholder and land owner, I was amazed at the call.

Deciding to give this some time, I waited a couple of days and re-visited the issue with the caller. This decision was rewarding for several reasons:

To begin with, the caller was under the impression that if the OKTC case went forward and was

successful; they wouldn't have to pay property tax on their land. I explained to the caller that the "supposed" purpose of this case was to prevent Osage employees working within Osage County from having to pay state income taxes and that it would not exempt all Osages from having to pay Osage County property taxes. I went on to enlighten the caller on the issue of an attempted hostile takeover of the Osage Minerals Estate and that five (5) members of the Minerals Council have voted on record that they believe the Minerals Estate belongs to the New Osage Nation Government and not the Osage Shareholders.

I explained to the caller that in all probability, the suit against the OKTC is in reality not for the purpose of exempting Osages from state income tax but in fact to connect one more dot in the hostile takeover of the Osage Minerals Estate puzzle and or plan.

Because as stated in my March (1) Newsletter, those in power are claiming that the Deed of 1870 between the Osages and the Cherokees was actually executed using the term "Osage Nation" rather than the "Osages or Osage Tribe," they apparently believe from a legal standpoint that this New Osage Nation government would have control over the entire 1.5 million acre reservation if the OKTC case were ruled in favor of the Osage Nation.

If this were to actually occur (which it won't), the New Osage Nation Government would then claim ownership of the entire Minerals Estate and all other assets distributed in the 1906 Allotment Act to include allotted land inherited from the Original Allottees.

This is when I explained to the caller that if this fantasy of the Gray Administration were to actually come true (which it won't), the caller wouldn't have to worry



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about paying property tax on land because the Osage Nation Government would claim the land as property of the Osage Nation and furthermore the caller wouldn't receive a royalty check either because the Osage Nation would claim the Minerals Estate too just as the 5 Minerals Council members have and are already doing.

The five Minerals Council members who believe that the Minerals Estate belongs to the Osage Nation Government and not the shareholders are: Jewell Purcell, Kathryn Red Corn, Kenny Bighorse, Bob Martin and David Dubler.

At the request of the caller, I have just explained to you what I explained to the caller. The end result was the caller became informed of the facts of which they were not aware.

Another major issue with this OKTC Action is that the Osage Nation Congress passed a 1 Million Dollar appropriations Bill in

December 2008 to litigate this monstrous witch hunt. It should be considered a travesty that gaming revenue derived for the purpose of benefiting shareholder and non-shareholder alike is being squandered for the purpose of finalizing the hostile takeover of the Minerals Estate. Congress members' who voted against the 1 million dollar appropriation were William "Kugee" Supernaw and Faren Anderson. 10 Congressman Members' voted to appropriate.

The moral of this story is that both shareholder and non-shareholder are paying for the demise of the Osage Tribe as we've known it. Considering there is no chance of the case being ruled in favor of the Osage Nation; gaming revenue and tax commission revenue is being put in the pockets of the Gray Administration attorneys and you can rest assured they tell our fearless leader daily that he has a chance of winning this case. This

is what attorneys do. They stroke the back of the check writer.

So, once again, I ask that you consider writing a letter to the Osage Nation Congress and demand that they not appropriate further funding for this lost cause. As Geoffrey Standing Bear pointed out, this case has been tried over and over and it will not succeed.

As Senator Tom Coburn warned, our status as a sovereign nation is being put on the line if Gray doesn't end this nonsense.

### **Speaking of Attorneys**

*Minerals Council Meeting*  
The Minerals Council meeting held yesterday morning ended with illegal voting on a Motion to rescind a Resolution that would prevent employees of the Osage Nation from being both employed by the Nation and serving on the Minerals Council at the same time.

Just prior to this Motion and vote, Kirke



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Kickingbird, Attorney for the Minerals Council provided his interpretation of the law regarding the issue of denying employees of the nation the opportunity to serve on the Minerals Council simultaneously.

Kickingbird's demeanor when answering legitimate questions from Cynthia Boone had me wondering if Cynthia wasn't sitting in the witness box being chastised by a defense attorney. As he gave his "all knowing" answer to Cynthia's question he determined that the Minerals Council must abide by the Osage Nation Constitution and Code of Ethics, therefore, unless the Minerals Council wished to amend the Constitution and for that matter, federal law, they could not rule that employees of the Nation could not simultaneously serve on the Minerals Council.

The federal law that Kickingbird referred to was the 1906 Act which was

written a few days before the 2004 act, therefore the authors of the 1906 Act didn't have to concern themselves with this New Osage Nation government situation. I find it odd that these folks run from the 1906 Act on some occasions and then cling to it on others? At any rate, Kickingbird adamantly stated that the Osage Nation Code of Ethics would come into play should anyone serving on the Minerals Council be placed in a conflict of interest situation during a decision making process.

Within 5 minutes of Kickingbird's illustrious performance and defense of the Osage Nation Ethics Code, Jewell Purcell, who is an employee of the Osage Nation Government and simultaneously serves on the Osage Minerals Council, made a motion to rescind a Resolution that passed during the last Council meeting excluding eligibility of Osage Nation employees from running for Minerals Council.

The problem with this is that Jewell Purcell without a doubt has a conflict of interest in this Motion and according to the Osage Nation Code of Ethics that Mr. Kickingbird so adamantly defended states: *"Tribal officials and employees shall abstain from participation in deliberations or decision-making where any conflicts are deemed to exist."* So, Jewell Purcell had no right to make such a Motion on the floor of the Minerals Council in the first place.

In the second place, Jewell even went on to vote for her Motion to Rescind the Resolution as did Kathryn Red Corn who is also an employee of the Osage Nation Government and obviously serves on the Minerals Council simultaneously.

Jewell's Motion to rescind the Resolution passed with Jewell, Kathryn Red Corn, Kenny Bighorse and Bob Martin voting to rescind. John Henry Mashunkashey, Cynthia Boone and David



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Dubler voted not to rescind.

Mr. Kickingbird witnessing this entire voting process apparently stood quietly in the background, worn out from his irate display of arrogance performed against Cynthia Boone, and said not a word to defend his precious stand on abiding by the Osage Nation Ethics Code.

Perhaps the wind blew through the chambers causing this entire act of lawlessness to swish over the heads of Kickingbird and the Chairman of the Minerals Council because without objection, the vote stood and the meeting was

adjourned, but not without the arrogance of Minerals Council member, Bob Martin making a statement to the effect that this is what elections are for and if the people don't want someone on the Council they can vote accordingly.

This is just one of hundreds of instances where laws are defied, ignored and only used when needed in this government. Those of you who believe you have an interest in the matter should consider making your voices heard by protesting this sequence of events. As long as these acts are allowed to continue you can rest

assured they will indeed continue.

## **Revard Rally-March 16**

I will be at the Revard Rally on Tuesday, March 16<sup>th</sup> in Edmond, Oklahoma. The Rally will be held at the VFW Post 4939, 116 East Cambell. 6:00 p.m. to 10:00 p.m. For information on this rally you may contact Jim Ryan: 210-804-0687 or e-mail: [jimr812@peoplepc.com](mailto:jimr812@peoplepc.com).

## **UNTIL NEXT TIME**

Read Article X-Code of Ethics below, stay tuned and have a pleasant week-end!

Jenny Miller  
Candidate  
Osage Nation Congress

### Osage Nation Constitution ARTICLE X – CODE OF ETHICS

**Section 4.** Conflicts of Interest: In order to assure independence and impartiality, tribal officials and employees are prohibited from using public positions of influence or otherwise effect government decisions for personal gain. *Tribal officials and employees shall fully and in a timely manner disclose any conflicts, real or apparent, that might be seen to influence their judgment in the performance of their duties. Tribal officials and employees shall abstain from participation in deliberations or decision-making where any conflicts are deemed to exist.*