

RESOLUTION
OF THE
OSAGE MINERALS COUNCIL

No. 1-

WHEREAS,

1. The Osage Minerals Council, established pursuant to Article XV of the Osage Nation Constitution, is an independent agency within the Osage Nation; and

2. The Osage Nation Constitution vests the Osage Minerals Council with the powers to administer and develop the Osage Mineral Estate in accordance with the Act of June 28, 1906, 34 Stat. 539, as amended, such powers which prior to ratification of the Osage Nation Constitution were vested in the "Osage Tribal Council"; and

3. The Osage Minerals Council is greatly concerned about the June 2010 elections for positions on the Osage Minerals Council; and

4. The Osage Minerals Council has sought to clarify the procedures under which elections for the Osage Minerals Council shall be conducted, and sent a letter to and met with officials representing the Assistant Secretary of Indian Affairs regarding the applicability of 25 CFR 90; and

5. The Bureau of Indian Affairs (BIA) replied in a letter of February 12, 2010, from the Acting Director of the Bureau of Indian Affairs, that the Department viewed the 2004 Osage Reorganization Act as eliminating the BIA's authority under Part 90, and expressed their view that BIA participation would be an intervention in the internal governmental affairs of the Osage Nation; and

6. The Osage Nation Congress is charged with providing an election code governing all necessary election procedures under Article XIII, Section 2 of the Osage Nation Constitution; and

7. The Osage Minerals Council has been recognized as an independent agency free from government intervention in the administration and development of the Osage Mineral Estate, under Article XV, Section 4 of the Osage Nation Constitution, consistent with the Osage Allotment Act of June 28, 1906, as amended; and

8. The Osage Minerals Council has been granted the right to promulgate its own rules and regulations consistent with the Osage Nation Constitution and the 1906 Allotment Act; and

9. It is in the best interests of the Osage Minerals Council to promulgate its own election rules and regulations for the election of Minerals Council members; and

10. It is in the best interests of Osage mineral royalty interests holders to request the Osage Nation Congress to recognize the independence of the Osage Minerals Council and confirm or delegate the right of the Osage Minerals Council to promulgate election rules and regulations for the elections of Osage Minerals Council members; and

11. The Principal Chief has stated he would request that the Bureau of Indian Affairs provide modified technical assistance in the administration of the Osage Minerals Council election as offered in the Bureau of Indian Affairs letter of February 12, 2010. **THEREFORE, BE IT**

RESOLVED,

1. The Osage Minerals Council hereby requests that the Osage Nation Congress amend the Osage Election Code to allow the Osage Minerals Council to promulgate its own election rules and regulations for the election of Osage Minerals Council members; and

2. The Osage Minerals Council hereby requests that the Principal Chief of the Osage Nation request that the Bureau of Indian Affairs provide the appropriate modified technical assistance in the administration of the Osage Minerals Council election, including, but not limited to, the value of the ballot of each headright owner based on headright owner's interest shown on the March, 2010 quarterly annuity role; and

3. The Chairperson of the Osage Minerals Council is hereby authorized to sign this Resolution.

CERTIFICATION

I hereby certify the foregoing Resolution No. 1-__ was considered by the Osage Minerals Council at a duly called meeting in Pawhuska, Oklahoma, at which a quorum was present and the same was adopted by a vote of __ in favor and __ opposed on this __st day of __ 2010.

Chairperson

Attest:

Secretary