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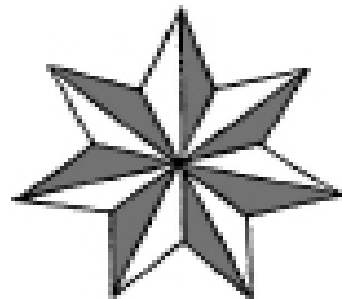


"The Only Independent Cherokee Newspaper"
Vol. 15 No. 1 - January 2007

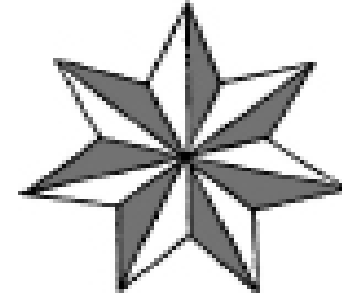
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ANNIVERSARY ISSUE CONSTITUTIONAL CRISIS



FEDERAL JUDGE SETS HEARING DATE FOR PRELIMINARY INJUNCTION REQUEST TO HALT MARCH 3 2007 SCHEDULED CHEROKEE NATION ELECTION SET UP BY TRIBAL LEADERS TO KICK OUT BLACK INDIAN TRIBAL MEMBERS

On February 9, 2007, Federal Judge Henry Kennedy set a hearing date pertaining to a preliminary injunction request by Cherokee freedmen tribal members to halt the special Cherokee nation election. The hearing is set for Wednesday February 21, 2007 at the US District Court, District of Columbia in Washington DC. The hearings will begin at 3pm in Courtroom 27A. Attorneys for the freedmen tribal members will present oral arguments as well as attorneys representing the Cherokee nation and Principal Chief Chadwicke Smith. The tribe and the Principal Chief were added as defendants to the lawsuit Vann et Al Versus Kempthone (filed to stop the US Department of Interior from approving a tribal constitutional amendment removing Federal oversight of new constitutions and constitutional amendments in which freedmen citizens were not allowed participation) after filing motions with the court to dismiss the lawsuit. The Freedmen tribal members are descendants of former slaves of Cherokee Indians or free mixed African- Indians whose tribal membership rights are guaranteed by an 1866 treaty with the US and Cherokee nation governments. Judge Kennedy on December 19th 2006 refused to dismiss the Freedmen lawsuit and allowed the plaintiffs to add the Principal chief and the tribe as defendants to the lawsuit based on the freedmen tribal members treaty rights and the US government 13th constitutional amendment.

The removal of the freedmen tribal members prior to the June 2007 general elections for tribal officials is publicly supported by the Principal Chief and some members of the tribal council. The proposed special election was made possible by the Principal Chief using powers under a tribal constitution not recognized by the US government in which the freedmen tribal members had no participation in its design or enactment.

The injunction request stated that irreparable harm would be done to the plaintiffs if the election was allowed to take place while the tribe would not suffer irreparable harm if the election was delayed until the end of the federal case. The injunction request also includes letters from the US Department of Interior dealing with a similar case in which the Seminole nation dis-enrolled Seminole freedmen tribal members after the freedmen sued the department of Interior to participate in a judgment fund awarded to the tribe. (Unlike the Cherokee nation & or its tribal corporations, the Seminole nation does not appear to have made payments to now convicted felon lobbyist Jack Abramoff during critical time periods involving freedmen issues). In that case, Federal funds were cut off from the tribe during the time it operated under an illegal constitution in which tribal members with citizenship rights by treaty were forcibly removed from the tribe against their will. The Cherokee freedmen lawsuit does not request judgment funds or

reparations from the tribe or the federal government.

The special election places a proposed constitutional amendment before Cherokee voters which would remove tribal membership from those whose membership is derived solely from a 'freedmen tribal member who was enrolled by the Dawes Commission approximately 100 years ago on a "Cherokee freedmen" section of the Dawes rolls. Although tribal leaders state that the amendment if passed will give the tribe an "all Indian tribe" and state to the voters that no "Indians" will be dis-enrolled, the proposed amendment does not remove citizenship from descendants of adopted whites - who were identified as such and listed without blood quantum by the Dawes Commission and placed on the Cherokee by blood roll and Delaware rolls, including some whose ancestors purchased tribal memberships.

The proposed amendments makes no provision to retain tribal membership of those freedmen tribal members who can establish proof of Indian ancestry thru records prepared by the Dawes Commission such as census cards or testimonies. Neither will the proposed constitutional amendment remove the citizenship rights of adopted Delawares or Shawnee Indians who have treaty rights to citizenship or of adopted Creeks, Natchez Indians, or Catabas (or adopted whites) who have no treaty rights to Cherokee citizenships

Marilyn Vann, lead plaintiff in the Vann et al case and a descendant of Cherokee Indian Catherine Fields who came to Oklahoma during the trail of Tears during the 1830s states that "She is quite dismayed that the Cherokee nation leaders would advocate going the way of other nations who have removed citizenship of long time citizens against their will such as the Nazi Germans who removed citizenship of German Jews in 1935 and South Africa which removed citizenship of Black South Africans in 1970. The Cherokee freedmen have only asked that their treaty rights be upheld by the US government and the tribe. The Cherokee nation has never dis-enrolled its citizens historically, and tribal members only lost citizenship when they abandoned the tribe as individuals. Since the tribe has not designed the ballot to remove the citizenship rights of descendants of adopted whites who were identified as such by the Dawes Commission and listed on "by blood rolls" without blood quantum, the movement to disenroll the freedmen can only be seen as a move to keep the freedmen from voting in the June 2007 elections and not a movement to create an "All Indian tribe".

Press Release: 2/10/2007
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Ed. Note: This article shows how Chief Smith's Slate council representatives have failed the Cherokee people.

Slate Decides No Increase In Punishment On Serious Crimes

The Cherokee Council failed by one vote to override, (9-6), Chief Chad Smith's veto, of the Crimes Against Public Justice Act of 2006, during the Full Council meeting in May, which would have increased the possible penalties a judge could order as punishment on crimes such as bribery, forgery, perjury, fraud, embezzlement and stealing to political banishment whereby anyone found guilty or an accessory to such crimes could not hold public office or be employed by the tribe. Ten votes are required for an over ride.

Linda O'Leary, of Delaware County, brought forth the Act which was approved by the Full Council in April as good legislation. However few vetoed Acts have been over ridden this term even though they may have been unanimously supported by Council as good legislation initially.

According to Principal Chief Smith, the act as written was too narrow in its overall goal. In addition, the act was open to vague interpretation of who was included in the definition of "department head." Within Smith's veto he questioned "Is stealing a crime in the Cherokee Nation?"

The nine Councilor members voting to raise the punishment on serious crimes were: Joe Crittenden of Adair County, Johnny Keener of Mayes County, David Thornton of Sequoyah County, Bill John Baker and Audrey Connors, of Tahlequah, Linda O'Leary and Melvina Shotpouch of Delaware County and Chuck Hoskins of Craig County.

The six who voted not to increase punishment to discourage and prevent serious crimes were: Jackie Bob Martin of Adair County, Meredith Swimmer Frailey of Mayes County, Phyllis Yargee of Sequoyah County, Cara Cowen of Rogers County, Bill Johnson and Buel Anglen of Tulsa County.

Frailey an attorney, who serves as Chair on the Rules Committee where all new law must originate, stated she didn't understand the Act and voted against it. Since becoming Councilor in 2003 to represent Cherokees in Mayes County, District 6, Frailey has voted straight down the line with the Chief's political slate.

Keener, who also represents District 6, has voted consistently to create better law and more accountability in the tribe however Frailey has voted opposite on almost every important issue.

Keener, an elder full blood, said "It is as if Meredith is representing an entirely different group of people from somewhere else. When she votes it is like there are two different worlds of Cherokees within our District. But I have lived here long enough to know that just isn't true," he said.

Some of Frailey's voting record is:

1. Voted against creating an Attorney General position that would serve as an independent prosecutor within the tribe to be elected instead of being appointed by a Chief,
2. Voted against Cherokee people having the right to call a Grand Jury to investigate improprieties within the Cherokee Nation government.
3. Voted against over riding the veto of an Act just after approving it as good legislation the month before, which would have amended the Initiative and Referendum Petition Act to provide better unconstitutional.
4. Voted against a bill that would make it illegal for one candidate to pay for another candidate's campaign out of contributions (i.e. So a Chief can not fund a political slate of councilors to have control over the legislative branch).
5. Voted for it to remain legal to use CNO tribal moneys for contributions in Cherokee Nation elections.
6. Voted against a Bill that would mandate that all money paid to any lobby firm would first have to be approved by Council.
7. Recently voted against moving the money back to the Housing Authority.
8. She voted against increasing the dividend for tribal services from CNE.

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Speaker Frailey Attacks Reporter and Citizens' Rights

Tahlequah, Cherokee Nation - According to witnesses, a new low was reached this month in the struggle for the Cherokee people's civil rights when recently appointed Speaker of the Council and Chair of a special Rules Committee meeting, Meredith Swimmer Frailey, Mayes County, ordered a reporter to stop filming the proceedings at a public meeting and then after that same meeting allegedly accosted another reporter.

During the meeting Frailey, who is an attorney, sent an order through Gail Miller, an employee of the Council, notifying Jenni Monet to cease video taping the public meeting. Monet quietly complied. Monet, an independent

request. The meeting was specifically called by a majority of non-slate Councilors, to discuss removing a question placed on the General Election ballot by the Council concerning freedmen citizenship.

At Large Councilor Taylor Keen, said, "Because a Special Election is now officially scheduled and a similar question will be voted on only two days before the General Election begins, the Council's question that was proposed before any of this happened now becomes redundant and is moot."

Keen proposed removing the Council question as a matter of proper legislative house



Councilor Meredith Swimmer Frailey, Speaker of the Council, Chairs the meeting called by a majority of Councilors after she refused to schedule it to discuss the freedmen question.

reporter, has been filming at tribal events in an effort to compile a documentary about the Freedmen.

A majority of Councilors have the authority to call a special



Jenni Monet is a TV journalist compiling a documentary movie on Indian freedmen.

meeting. Frailey refused to schedule a meeting despite their

cleaning. Keen explained that the Cherokee Nation Supreme Court has ruled that a petition circulated by former Deputy Chief John Ketcher had sufficient signatures to place an identical question on a special ballot now scheduled for March 3rd and also ruled that Chief Chad Smith was within his rights to call the Special Election.

"The Council proposing the same question on the 2007 general election is unnecessary," Keen said. "The Cherokee people exercised their constitutional rights and circulated a petition. They were the proper body to bring forth such a question," he added.

Councilor Joe Crittenden, Adair County, said, "For the Council to propose such a question revoking tribal membership of any Cherokee citizen could be construed as a violation of the oath of office taken by Councilors, because they also have the exact responsibility to provide and protect the rights of freedmen

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Speaker Frailey Attacks Reporter and Citizens' Rights

just as they do members by blood because both are Cherokee citizens according to our highest court."

company known as Global Energy Group, (GEG). Seven Councilors filed a federal securities fraud case naming

Election Commission and began collecting support of voters to propose a constitutional amendment to remove freedmen from the tribe through the petition process, a power reserved by the people within the constitution. Ironically the verbiage was identical on the petition to what Martin was proposing to Council.

Martin's amendment, which only took a majority of Council support, was approved, but the Special Election, which requires two thirds in support, failed. Councilors argued it was a waste of Cherokee money to spend what some estimate to be as much as \$300,000 on a Special Election only months before the General Election where the question could be presented to voters without any additional expense.

Soon thereafter Councilors realized that a new provision within the 1999 Constitution provided any Chief the authority to call a Special Election should the Cherokee people circulate a referendum petition. This minor change empowered one person, a chief, to circumvent the authority, which historically required the extreme support of two thirds of the legislative body to approve.

The court ruled Smith was within his right to call the Special Election but no one challenged if a Chief can set the date of the election. Smith initially set the election in February but it became obvious that it was impossible so he modified the date to two days before the candidate announcement period of the 2007 Election.

Smith contends he wants to get the politics involving the freedmen resolved before the general election. Others say he is doing everything possible to get the freedmen out of the election process so they can't vote against him and his slate, Don Garvin, Jackie Bob Martin, Buel Anglen, Cara

Cowen Watts, Bill Johnson and Meredith Swimmer Frailey, all who have personally worked against the freedmen, holding community meetings with Cherokee money and carrying petitions to help remove the freedmen's citizenship.

After much discussion comparing the similarity of double jeopardy in the courtroom, where no American can be twice tried for the same crime, with voting on the same question in back to back elections, Jackie Bob Martin made a motion to table all discussion and was seconded by Cara Cowen. The slate voted as a block and the motion to table won. The freedmen citizenship question presently remains on the ballot in both elections within months of each other.

Just prior to the vote Buel Anglen, Councilor for Tulsa and Washington Counties asked for the floor, "I wanted to state for

publicly televised live over the Internet. What gives you the right to order me or anyone else to stop taking pictures of Cherokee people specifically after such a meeting is adjourned? Do you understand the 1st amendment to the Constitution of America?"

Crittenden described Frailey as becoming so mad that she was spitting fire when she said, "I have trouble believing any of that!"

Crittenden responded, "Then I'm amazed that you ever passed the Bar Exam."

Crittenden alleged that Frailey grabbed his arm and pushed him sideways into the wall. He said he bounced against the wall, quite shocked, but after regaining his balance remarked, "Meredith [Frailey] you are out of control."

Frailey then barked, "Let me out of here," and plowed her shoulder and body directly into

government for a redress of grievances."

Crittenden's Uncle, Don "Chief" Crittenden, was seated on the first Cherokee Council of the Cherokee Nation of Oklahoma and was reelected to serve the Cherokee people for 26 years. Since the recent passing of Sam Ed Bush, Crittenden is the last living person to have contributed such a length of elected public service by his people.

Editor's Note:

United States Constitution Bill of Rights

First Amendment - Freedom of speech, press, religion, peaceable assembly and to petition the government.

Ratified 12/15/1791

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people



Councilors listen as Taylor Keen explains that if the Council question remains on the general election ballot freedmen will be subjected to double jeopardy by presenting the same question in two different elections. Councilors from left Chuck Hoskin, David Thornton, Johnny Keener, Joe Crittenden, Linda O'Leary.

Crittenden's fellow councilor Jackie Bob Martin, also of Adair County, presented the proposed amendment to the constitution just after the Judicial Appeals Tribunal, now the Supreme Court, ruled Cherokee freedmen had been citizens since the Treaty of 1866 and are entitled to all rights and privileges as citizens including voting in all Cherokee elections.

Within that Council meeting it was discovered that Diane Hammons rather than the Council's attorney Todd Hembree had drafted the amendment for Martin. Smith had just appointed Hammons to serve as the Attorney General, (AG) within the Executive Branch and at the same time appointed her to his personal cabinet to serve as the General Council to the Chief. Legal scholars say she can not serve as prosecutor for the tribe and defense attorney for the Chief, yet Smith contends there is no conflict.

A recent controversy exemplifies this situation where Cherokee Nation Industries, (CNI) just wrote off nearly \$6 million as a loss from a questionable investment in a

Smith as a co-conspirator in the scandal but the federal judge dismissed the case saying that Councilors lacked standing to file the case to recoup the Cherokee peoples' money.

After the ruling, Councilor Bill John Baker Co-Chair of Executive and Finance, (E & F) served Hammons with all of the supporting evidence for her investigation and or prosecution as the AG. Councilor Linda O'Leary, of Delaware County, Chair of E & F and Advisory Board Member to CNI Board served that Board with the same evidence. The judge ruled that only the stockholders or the corporate board who voted to purchase the stock would have proper standing to bring the case. However, Hammons as AG and tribal prosecutor would be the proper officer to investigate and prosecute any criminal or civil charges on the parties involved. The federal judge did not examine any of the evidence to determine guilt because the case was dismissed on a technicality.

Just prior to Martin proposing his amendment and Special Election to the Council, Ketcher filed his petition with the



Chad Smith's wife Bobbie Gale and John Ketcher, front row center, attended the meeting concerning the Cherokee freedmen question.

the record that I support taking away peoples' rights."

After the Special Council Meeting was adjourned Ed Crittenden, a reporter for the Cherokee Observer, was taking pictures of the crowd as they filed out of the meeting room into the lobby of the Council House. A Cherokee Marshal approached him and ordered that he cease taking pictures.

Crittenden questioned the officer "Why would you make such an order since it would be considered by most, a violation of the first amendment of the US Constitution?"

The officer replied he "was told to do so by Frailey."

Crittenden, a 53-year-old life long resident Cherokee, said he calmly approached Frailey and asked her, "Under what authority do you order the press to refrain from photographing and reporting the events of a public meeting?"

Crittenden said, "This is America. I am a tribal member and an American reporting on the events of a meeting that was

Crittenden shoving him off balance backward through the doorway into the lobby.

Crittenden said "The force was such that I almost fell. She became so disturbed that her lips were quivering and she was shaking all over. I would have never expected such violence and aggression from a Cherokee Council member if I hadn't experienced it first hand."

The same Marshal then approached Crittenden and told him that he was ordered to escort Crittenden from the building. Crittenden said, "I'm not going anywhere with you unless of course you want to take me to jail and I will gladly go. But you need to ask yourself if you really want to do this because you're going to become famous for violating my civil rights."

The Marshal said, "I am just trying to do my job." Crittenden said, "So am I."

Frailey rapidly exited the building. The Marshal went about his business leaving Crittenden unharmed.

Crittenden stated afterward, "I am ashamed that a Councilor would act so belligerent and undignified. For a public servant of the legislative branch, that is also an attorney, to attack our basic Constitutional rights of freedom of speech and of the press and then physically assault a reporter is despicable and a sacrilege to the honor of all our ancestors who have served on this Council."

He added, "This incident illustrates how a blatant attack on one person's primary rights becomes an assault on everyone's rights within our Nation. Today it was freedom of speech and the press. Tomorrow it may be freedom to choose our religion, peaceably assemble or petition the

peaceably to assemble, and to petition the Government for a redress of grievances.

The most basic component of freedom of expression is the right of freedom of speech which is protected by the 1st Amendment to the United States Constitution. The right to freedom of speech allows individuals to express themselves without interference or constraint by the government. The Supreme Court requires the government to provide substantial justification for the interference with the right of free speech whenever it attempts to regulate the content of the speech. The Supreme Court has recognized that the government may prohibit some speech that may cause a breach of the peace or cause violence. The right to free speech includes other mediums of expression that communicates a message.

The right to freedom of the press guaranteed by the first amendment is very similar to the right of freedom of speech. It allows an individual to express themselves through publication and dissemination. It is part of the constitutional protection of freedom of expression. It affords members of the media the same rights and privileges afforded to all citizens in general.

Judicial wars have been fought throughout the history of this country where the court has historically upheld the peoples' rights against governmental oppression. Whenever any body of government chooses to repress the basic rights of a citizen, all rights of every citizen within that Nation are in jeopardy.



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e-mail: cwyobserver@yahoo.com
editors@cherokeeobserver.org
Phone/Fax: 1-580-363-5438
PUBLISHER: Marvin J. Summerfield
OWNER: Cherokee Observer, Inc.
www.cherokeeobserver.org

Back Issues rate per copy\$2.00
Yearly Mailing Rate (domestic).....\$22.00
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Slate Decides No Increase In Punishment On Serious Crimes

Anglen, one of the Chief's political slate who voted identical with Frailey on the above issues, is currently in litigation within the JAT where a question will soon be decided if he is Shawnee or if he is Cherokee by-blood as required by the 1975 Constitution. If Anglen is found to be not by-blood and illegally seated for the past five years, every issue that has been decided by one vote could be in question. Anglen has been the center of controversy since he applied for the empty seat the last term after Dorothy McIntosh's death. Questions are still unclear how Anglen could have been seated when records show he was not residing within the district at the time.

Anglen is also currently under investigation by the Department of Housing and Urban Development (HUD) to determine if he may have committed fraud against the federal government when he swore to the Election Commission and Council, that he lived in a house in Sperry, OK he listed as his residence while at the same time submitting it to the Cherokee Housing Authority as his Mother's residence, which later received almost \$40,000 of federal money through the tribe for a total remodel. Anglen was at the time an employee in Community Development, which was the same department that approved the remodel expenditure. Anglen did not resign as an employee until the final week Council voted on the appointment. However the law requires that any employee must first resign before seeking political office.

The Crimes Against Public Justice Act of 2006 to increase punishment on serious crimes was killed by a lack of support the same day suit was filed against Chief Chad Smith, Cherokee Nation Enterprises and other unnamed officials of the Cherokee Nation, alleging misappropriation of \$750,000 in tribal money when Smith cut the largest check in Cherokee Nation history for a single expense after a referendum was filed that constitutionally stopped the expenditure some say to get those funds away from any over sight by Council.

For Your Information

Breaking news from Jay, Oklahoma
We contacted the school and they informed us that Chad Smith's son had not been re-hired because he failed to get his teaching certification. When we asked about the charges concerning the teenage girl the school said the district attorney was investigating the allegations. The rumors about Smith's son started floating around after the christmas break according to sources. Allegedly, it was common knowledge among the coaching staff that Smith had some sort of contact with the teenage girl. If the district attorney is really investigating then they should start questioning the teachers and coaching staffs of Jay High School. Reports are the DA office does not know anything about it. More to come.

Goto www.cherokeeoobserver.org and www.cornsilks.com to read the current or archived articles to Cherokee issues.

The proposed budget authority for the Indian Health Service, an agency in the Department of Health and Human Services, for fiscal year (FY) 2008 is \$3.3 billion. This is a \$212 million, or approximately 7 percent, increase over the FY 2007 Continuing Resolution amount.

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You Got To Be Kidding! Chief Chad Smith has nominated Troy Poteete for Justice.

Chief Chad Smith has nominated Troy Poteete to fill Justice Stacy's Leeds seat on the Cherokee Supreme Court. Poteete has only been around 3 years as an attorney. It has been stated in the justice system, that a person should not defend self until you have had 40 to 50 trial cases. It has been alleged that Poteete has not had 40 to 50 court trials. Troy Poteete was a disaster at the Historical society, to the brink of closure and he would be a disaster on the JAT. So it is not surprising that Chad Smith would want this kind of judge to serve on our court (another puppet). This letter was sent to the then Chief Wilma Mankiller, FROM: Lee Fleming, read it and you will see why we would not want Poteete on our Supreme Court.

DATE: December 7, 1994
TO: Wilma Mankiller, Principal Chief
FROM: Lee Fleming
RE: Your Telephone Request of 12/ 6/94.

Pursuant to your request, I am sending you information regarding the Cherokee National Historical Society and Mr. Troy Poteete as I have been able to assess since starting on November 7, 1993 as Interim Executive Director.

After visiting with you and letting you know that I was willing to assist the Cherokee National Historical Society, Ross Swimmer then contacted me and specifically wanted me to just maintain the Society until a new Executive Director could be found and to give Carol Hinkley assistance in some grant applications that needed to be submitted before year-end and in January.

I asked Carol to assist me in developing an interim plan, with the first priority of developing and maintaining a work environment in which people can accomplish goals efficiently and effectively. As she was developing the first drafts of this plan, I started collecting and reviewing governing and controlling documents: the Incorporation, the By-laws, policies, procedures, minutes of the Executive Committee and the Board of Trustees, audit reports, annual budgets, inventories, tax returns, former plans, funding sources, job descriptions, personnel files, etc.

The administrative files and records were not centralized. Files were found in the former Executive Directors office, the secretary's office, the bookkeeper's office, the vault, etc. As I began to centralize all of these records, I became very apparent of serious problems with Troy Poteete, the former Executive Director, in the following areas:

Job Knowledge, Skills - Due to Troy's lack of knowledge and skills in fund raising and the non-profit sector, he has allowed certain funding sources to come into jeopardy. The State Arts Council of Oklahoma, cancelled three grants (including one which was funded for three years). Had he allowed information to flow directly to the Development Director and the accounting office, a segmentation of responsibility would have been in place. In fact, he did not effectively utilize any human resource available to him.

Financial - Troy allowed an accumulation of debt to accrue in the amount of approximately \$200,000 with almost 100 vendors now demanding full payment. I nearly fell over, when I requested an accounts payable listing from bookkeeping, and wondered why some of the Board of Trustees did not observe this way before it got out of hand. Additionally, receipts will show he permitted non-management-level employees to "charge" purchases around the community, including prison trustees, friends, and temporary personnel.

He made purchases, approved his own expenses, and signed

all the checks, forbidding the accounting department to have any input into the judicious use of funds. He removed invoices from the Society, and did not return them. To date, an accurate financial statement cannot be obtained without these invoices (the accounting department can, however, reconstruct and document these expenses, when instructed).

The above clearly prompted me to request from the executive support unit to come to the Society to do an internal audit for the years 1993-4. After visiting with Don Vaughn, he instructed me to request this in a memo and he would have it approved as soon as possible. This audit could have been done in time for this December 7th. meeting of the Executive Committee, however, when Don presented the memo request to the Tribal Executive Directors meeting, this past Monday, the Tribal Executive Directors felt that the Society's board of trustees should approve of the audit first. Let me now document that I intend to see this achieved (a clear definition between the old and the new before a new executive director comes on board) to ensure my own professional reputation. It's time to come clean or, at least, to set the record straight.

Additionally, the Director of Resource Development is completely unwilling to carry on in her position without a clean slate for this organization, financially, to protect her reputation as a fund raiser with an ethical and fiduciary obligation to the public. Self-Management - Due to his responsibilities as a Tribal Council Member, his personal life, and this awesome job, Troy simply could not plan or organize his own work. Due to the lack of exiting procedures, I had to personally oversee and observed Troy pack his office (which was not begun until I was brought in to the position).

I witnessed his attempt to untangle the intermingling of his personal records, his tribal council member records, and the Society's records. I clearly wanted to protect the records of the Society. Interpersonal Relationships - Clearly, Mr. Poteete pitied employee against employee. He encouraged employees to assist in his personal efforts, make them beholden to him which, at the same time, prevented any kind of team effort. He harassed individuals on the staff and did not clearly communicate with his board.

Even though Mr. Poteete has resigned his position, his presence is still being felt directly and indirectly. It is my opinion that he is still advising current employees, and other Tribal Council members, to undermine positive efforts that I have been trying to implement. He fired people without following standard personnel procedures, or the personnel policy of the Society.

Communication - Troy did not listen to his support units. In fact,

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Tribal campaign ads in question

By TEDDY SNEEL
Tahlequah Daily Press

The filing period for Cherokee Nation candidacy may be almost a month away, but political advertising campaigns have already begun, and some are coming under fire.

The most recent edition of the Cherokee Phoenix, the tribe's monthly publication, is riddled with advertisements of potential candidates trying to garner votes - including eight incumbent tribal councilors, one potential council candidate, Principal Chief Chad Smith, Deputy Chief Joe

"Questions have been posed to my office about some of the election ads in the most recent Cherokee Phoenix," said Hammons. "We are researching these questions and the ads before deciding what next steps should be taken."

Candidates are required to name a financial agent - a person or people - designated and authorized by a candidate to accept contributions and pay obligations related to the campaign.



Patsy Morton, of Stilwell Chair of the Election Commission, reads an excerpt from a history book during the Commission meeting where Commissioners decided the schedule for an upcoming Special Election where the question will be freedmen citizenship. Morton concluded, "Race has always been a part of the Cherokee election process."

Grayson, and Stacy Leeds, former tribal justice and candidate for principal chief.

Ads from several candidates were labeled as being paid for by "Cherokees working together to continue the progress!" Those included incumbents Jack D. Baker, at-large councilor; Meredith Frailey, District 6; Jackie Bob Martin, District 2; Don Garvin, District 4; Cara Cowan-Watts, District 7; and Buel Anglen, District 8; as well as newcomer Bradley Cobb, who is running for the second District 8 council slot now occupied by Bill Johnson.

Two other council incumbents - Chuck Hoskin, District 9; and Bill John Baker, District 1 - also have ads in the paper. Baker's ad does not indicate who paid for the space, and Hoskin's was "paid for by friends of Hoskin."

Leeds' half-page ad didn't indicate payment, and Smith's and Grayson's full-page ad merely stated "paid advertisement."

Cherokee Nation election law indicates campaign contributions may only be made by people, and bars contributions by corporations, partnerships or any other legal entity. A legal entity is defined as "any associations or groups comprised of any combination of individuals or corporations that expresses interest by political activities, financial contributions or other methods of either support for or opposition to any candidate for an office in any Cherokee Nation election." Diane Hammons, attorney general for the tribe, was recently made aware of the ads, although she did not indicate which ones were under scrutiny.

In Hoskin's case, for example, "Friends of Hoskin," could be expected to be named as his financial agent for his campaign when the filing period closes.

In the cases of Baker and Leeds, no notice of payment by a group or individual indicates the candidates paid for the ad themselves. What candidates cannot do is accept money from a group that is contributing to more than one campaign, as in the case of "Cherokees working together to continue the progress," according to the tribe's election law.

Cherokee Nation Election Commissioner Jim Briggs was unable to answer questions before deadline, but agreed to look into the matter. "I do not have my copy of the election law with me, so I am not able to be specific with an answer," said Briggs via an e-mail interview. "I will research your questions; however, I am but one of five commissioners who make up the election commission."

Briggs indicated his personal opinion is not binding, and could be overruled by a majority of the election commissioners. He suggested making a formal inquiry with the Election Commission, which meets this evening at 6 at the tribal complex.

Todd Hembree, attorney for the Tribal Council, withheld comment on the subject. "I don't care to comment until Diane Hammons has had the opportunity to review the situation," said Hembree. "It should be allowed to run its appropriate course."

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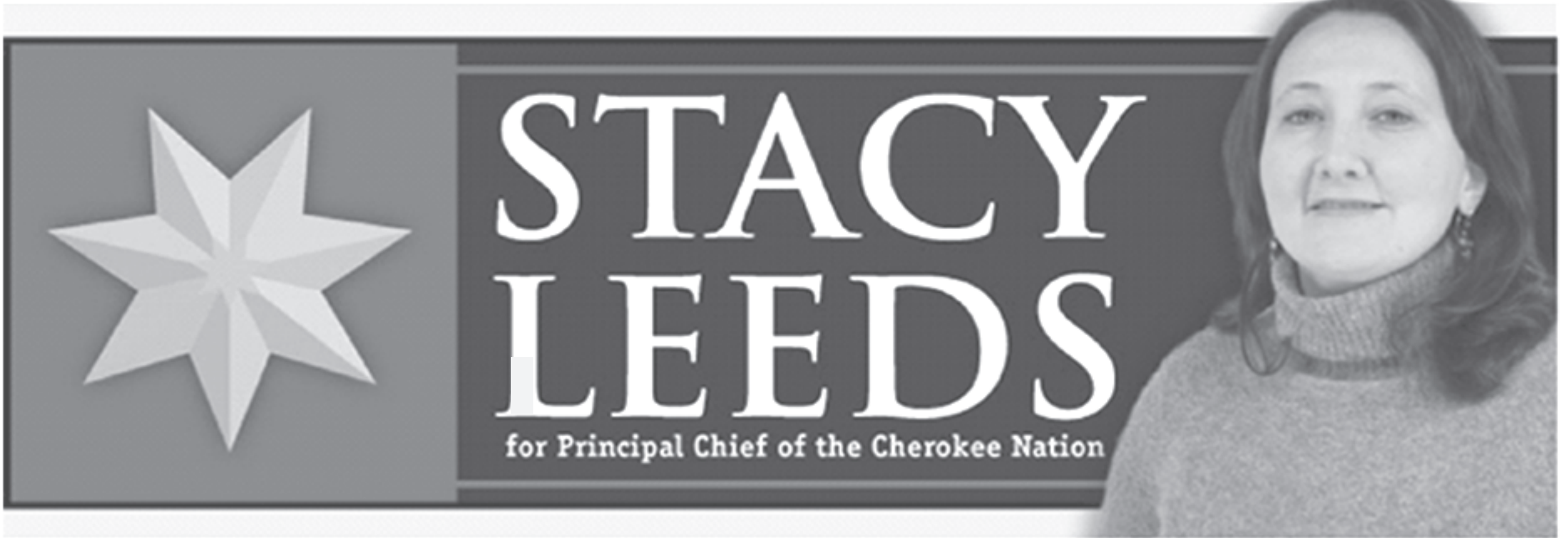
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I am looking for a woman by the name of Onie Ghlea Pritchett Humphry. She was born June 24, 1930 in Ellijay, GA. Her family relocated in her late teens to Kansas. She had a child in Ponca City, OK in 1949, but was separated from him at a early age. If you have any information about her please contact me at 1807 Sharonwood Lane, Rock Hill, SC 29732 or by email: mlm_designs@hotmail.com. Any information you have would be greatly appreciative.

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- Successfully diversify Cherokee businesses to provide private sector job stability for Cherokee people.
- Empowering and organizing our communities.
- Creating a government of the highest integrity that is accountable to the Cherokee people.

Stacy Leeds is a former Cherokee Supreme Court Justice, tenured Professor of Law and the Director of the Tribal Law and Government Center. Raised in Muskogee, she descends from the Leeds-Yates-Bean-Timberlake Cherokee family of Ft. Gibson. She and her husband, Michael Stewart, live north of Tahlequah.

For More Information, email stacy@stacyleeds.com or view her website:

www.stacyleeds.com

Rings around Saturn

There are two rather humorous statements made by John Ketcher and Cara Cowan Watts in that story that definitely needs to be addressed.

John Ketcher says that he never saw a black person until he was older. If you know anything about the community in which John Ketcher grew up, you will know why. John grew up in the Earbob community south of Locust Grove, Mayes County. The community was named for his grandmother Takey Earbob's family. It is mostly a full blood community surrounded by white settlements.

The Ketcher and Earbob families were among the most prominent of that community, which lies only five miles from Locust Grove, a small city of less than 1,000 souls. There was a small store in the Earbob community and a really good swimming hole at a place called Twin Bridges.

Like many of the families living in that area, John Ketcher's family made trips to Locust Grove to trade for items they could not produce themselves or purchase from the local store. The store of course was owned by a white family. And like so many of the so-called "full blood" communities in the Cherokee Nation, they were only full blood in name, not in blood. Because the Cherokees had become so mixed with white and negro ancestry in the pre-Civil War era, many families who were enrolled by the Dawes Commission as full bloods actually possessed some degree of white and/or negro ancestry. It was not uncommon for the Cherokee women of negro ancestry to hide their undesirable hair texture under a scarf and the men to hide their with short haircuts and big hats.

White was not the only blood coursing in the veins among the Cherokees residing in the Earbob community. John Ketcher himself is enrolled as 11/16th Cherokee. That leaves us with a questionable 5/16th blood of which Mr. Ketcher claims is white. However, a careful search

of the family records would probably reveal something quite different despite how his ancestors appear on the Dawes Roll.

Like many of the Cherokee/Black mixed bloods who spoke Cherokee and lived a life as a traditional Cherokee person, they chose to live among the full bloods undetected by the Dawes Commission and their racist efforts to classify all Cherokees of negro ancestry as Freedmen.

This scenario played itself out in community after community across the Cherokee Nation. In the Proctor Community, there is a cemetery prominently located in the center of the small berg. And at the heart of the cemetery is the largest headstone there and belonging to a woman named Emily Weaver.

Emily Weaver is the ancestor of many Cherokees by blood and was herself the daughter of William Crittenden, a Cherokee Indian of mixed white ancestry. However, Emily was enrolled by the Dawes Commission as a Freedmen. But the story does not end there. Emily, being the astute and well connected Cherokee woman that she had been before the arrival of the Dawes Commission, used her influence and family connections to get most of her mixed negro/Cherokee children placed on the by blood roll. As far as I can tell, only two of her six children were enrolled as Freedmen. The rest, due to her influence, were enrolled as Cherokees by blood and at least one of her descendants worked for the Cherokee Nation in the accounting department when I worked in enrollment.

In the very traditional Cherokee community of Cherry Tree, we find a man named John Vann, a Freedmen, who spoke both the English and Cherokee languages fluently. He was married to a full blood Cherokee woman and his descendants live today in that same community. Ironically, one of his granddaughters, Dora Mae Vann Watie, was the au-

thor of the 1983 rule which disenfranchised the Freedmen under the leadership of Ross O. Swimmer.

In Fort Gibson, a Cherokee woman named Mary Elliot found herself relegated to the Freedmen roll by the Dawes Commission, even though she was 3/8 Cherokee by blood, 1/8 Negro and 1/2 white. She had been married to a Cherokee by blood named John Kell French, whose stately historic family home stands on the corner of College and Keetoowah Streets in Tahlequah. John Kell French died before the Dawes Rolls were made and his two sons, along with their mother, and half brothers were placed on the Freedmen Roll, even though they had more Cherokee blood than anything else. Mary Elliott, late in her life, was honored by the City of Fort Gibson, sometime in the 1940s, as a Cherokee Princess.

Negro ancestry courses through the veins of many many Cherokee families whose ancestors chose to blur the lines between the Indian and negro races, just as many Cherokees had chose to do with whites. When you know the truth of how integrated the Freedmen were prior to the Dawes Commission efforts to segregate them from the rest of the Cherokee people, a vote to extricate them from the Cherokee Nation become ludicrous.

The other statement made by Cara Cowan Watts regarding her own ignorance of the Cherokee Freedmen would be hysterically funny if it were not a statement of the fact that she, like so many Cherokees, has been deprived of her own history by the state of Oklahoma and more recently by Chad Smith and his so-called "history course."

In the state of Oklahoma, we are required to study Oklahoma history for one semester in the 9th grade. This

history touches on the Indian Territory days, but does not go into detail, and intentionally ignores blacks, focusing instead on the development of the state of Oklahoma post 1907. Cara Cowan Watts is 1/256 degree of Cherokee blood. That itself would give one pause to wonder how she, being raised among whites, would know anything about Cherokee history or culture. If Saturn were the core of Cherokee life, Cara Cowan Watts would be one of the far outer rings orbiting the planet. She, like all Cherokees since statehood, has been deprived of the history of her Nation. However, she has refused to properly educate herself on the subject, instead clinging to her racist views and fears of losing her job on the council to the Freedmen vote.

I have been involved in Cherokee politics, culture, religion and daily life for the entirety of my life of 48 years and more particularly since 1976. I had NEVER heard of Cara Cowan Watts prior to her bid for a seat on the tribal council. By her standard against the Freedmen, she would not be a Cherokee because I would venture to guess that most Cherokees outside her own hometown have never heard of her. Fortunately for her and 90 percent of the unknowns of our tribe, that's not how we determine citizenship.

It is one thing to be ignorant of your own tribe's history. That is not Cara's or anyone's fault. It is her fault to remain ignorant. And it is the ultimate evil to perpetuate that ignorance in an effort to deny innocent people their rights and heritage.

David Cornsilk response to Freedmen, AP News Story! .



continued from page 3

You Got To Be Kidding! Chief Chad Smith has nominated Troy Poteete

he did not respond to memos, he did not provide information when requested by subordinates, or management, he did not act on problems (including those of a legal or regulatory nature). He, also, did not present clear and direct information to his board.

Decision-making - Despite board policies, he made decisions which were contrary to the governing body of the Society. And, in fact, refused to implement or acknowledge and adhere to regulatory procedures put forth by the board, contractors, grantors, the state and the FRS (the latter in matters concerning deductible contributions, labor laws, taxes and safety).

Personnel (Staffing) - Troy provided no personnel plan, vague job descriptions, undefined duties, no consistent evaluations, no standards or measures to evaluate job performance objectively. He had no chain of command. When he was away from the office, or the grounds (which was frequently), there was no one permitted to be in authority. He inappropriately used employees for personal gains, using them in positions they had no experience in, or giving them titles for which they had no prior education or skills... Troy made derogatory comments about his staff.

Problem Solving - Troy simply could not implement workable solutions to problems. He did not plan. The staff was without any direction, and few had any knowledge of their job responsibilities.

Safety - There were no safety regulations, or measures, in place when I arrived. Simple precautionary practices were ignored and will need to become a priority for the safety of the employees, records, the collection, the public and the facilities.

Management, Professional Conduct - Clearly, no sound understanding of planning, organizing, delegating, coordinating, professional development, and controlling. Development of Subordinates - Troy was inconsistent. He favored certain employees over others.

Documentation for the above information can be provided for your personal inspection, at your convenience, in the administrative office

of the Society. I believe that it is imperative that some of our communication, and documentation, be kept confidential, because I firmly believe that the Society may be investigated due to lack of compliance in some of our federal funding. The entire management staff (Linda King O'Seland, Carol Hinkley, Tom Mooney, Lee Fleming) is willing to openly discuss with you, as a Trustee, and others you and the Board deem appropriate, their knowledge and experiences regarding these matters.

Wilma, I point these areas out because they have a direct impact on the current condition of the Society. Despite Troy being gone, we have tried to pick up and go on with what needs to be done to make the Society succeed. Yet, Troy is still here! I spoke with him directly and he clearly has a vengeance for Carol Hinkley and remarked that "As long as she is there, the Society will never succeed. I am not the problem, she is." HE IS THE PROBLEM AND NEEDS PROFESSIONAL HELP. I have no time to put up with his hurt ego, his antics to jeopardize the employment of the current staff, undermining a major appropriation from the Cherokee Nation because of a personal vendetta he has with Carol.

To be positive, we are implementing our interim plan. We are excited to have each staff position defined with specific tasks and we will meet our stated goals. We will be ready for the new Executive Director Mac Harris this January 2, 1995. Please find the interim plan and specific statistics regarding our on-going development in fundraising and membership for the Society. end

Support a mailing of the Observer to 100 Cherokees that are not getting the truth! for \$45.00 Donation.

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Address & phone # on page 2

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Red Bird Smith



Kiah Smith
7th Son

1930 United States Federal Census about Kiah Smith
 Name: Kiah Smith
 Home in 1930: Campbell, Sequoyah, Oklahoma
 Age: 39
 Estimated birth year: abt 1891
 Birthplace: Oklahoma
 Relation to Head of House: Head
 Spouse's name: Elizabeth
 Race: Indian (Native American)
 Occupation:
 Education:
 Military Service:
 Rent/home value:
 Age at first marriage:
 Parents' birthplace:
 View image
 Neighbors: View others on page
 Household Members:
 Name Age
 Kiah Smith 39
 Elizabeth Smith 32
 Salley Smith 10
 Clarahta Smith 6
 Stanly E Smith 4
 Rodiah Smith * 21
 Martha Smith * 19



1930 United States Federal Census about Rachel Quinton
 Name: Rachel Quinton
 Home in 1930: Bunch, Adair, Oklahoma
 Age: 29
 Estimated birth year: abt 1901
 Relation to Head of House: Wife
 Spouse's name: Geroge L
 Occupation:
 Education:
 Military Service:
 Rent/home value:
 Age at first marriage:
 Parents' birthplace:
 View image
 Neighbors: View others on page
 Household Members:
 Name Age
 Geroge L Quinton 30
 Rachel Quinton 29
 Lula Quinton 7
 Cordelia Quinton 5
 Charlotte Quinton 3
 Curtis J Quinton 14/12
 Nelson Quinton 10
 Nancy Hogtoater Grandmother

In the question Chad Smith, Principal Chief of being kin to Redbird Smith the below documents present evidence that Nelson was listed as a Quinton rather than a Smith and is not shown as a descendant of Kiah Smith, the son of Redbird Smith.

The 1920 federal census show Kiah Smith as single with no children. Listed below are two Federal Census records of 1930, one of Kiah Smith's household and the other of George Quinton household which includes Rachael Quinton his wife, which is Nelson's mother.

As you can see, Nelson is not listed in Kiah Smith's household in 1930; Nelson would have been 10 years old. However, Nelson shows up in George Quinton's household with his wife Rachael and Nelson as his stepson. He's listed as Nelson Quinton age 10.

Is Nelson Quinton the son of Kiah Smith who's the 7th son of Redbird Smith? The family of Kiah Smith honor Kiah's view that Nelson Quinton is not Kiah's son. It has been alleged that Kiah Smith was on military duty overseas at the time of inception and they were never married. If this is so, that would mean Chad Smith, Principal Chief could not be the Great Grandson of Redbird Smith as alleged. It has also been alleged that Nelson might not be Chad Smith's father. The only validation is found in Chad Smith's personal writings, his Cherokee history course and his speeches. Nothing to date has been found to legally show a blood lineage from Redbird Smith to Chad Smith, Principal Chief of the Cherokee Nation of Oklahoma. Chad Smith needs to submit to a DNA test to stop the speculation.

1930 United States Federal Census

Form 14-4
DEPARTMENT OF COMMERCE-BUREAU OF
FIFTEENTH CENSUS OF THE UNITED STATES
POPULATION SCHEDULE

State: Oklahoma Incorporated place: _____
 County: Sequoyah Ward of city: _____ Block No.: _____
 Township or other division of county: Campbell Twp Unincorporated place: _____ Institution: _____

PLACE OF ABODE	NAME	RELATION	HOME DATA			PERSONAL DESCRIPTION			EDUCATION			PLACE OF BIRTH			MOTHER TONGUE (LANGUAGE) OF FOREIGN BIRTH
			Married	Single	Widow	Color or race	Age	Sex	Married	Single	Widow	Person	Father	Mother	
1	Beatrice	Wife-H				W	17	3				Georgia	Georgia	Georgia	
2	Lee	Son				W	12	8				Oklahoma	Oklahoma	Oklahoma	
3	Frank	Son				W	9	6				Oklahoma	Oklahoma	Oklahoma	
4	Ruby	Daughter				W	7	12				Oklahoma	Oklahoma	Oklahoma	
5	Neil	Head R				W	20	5				Oklahoma	Missouri	Missouri	
6	Henry	Son				W	19	37				Oklahoma	Full Blood	Cherokee	
7	7070 Kiah	Head R				W	39	37				Oklahoma	Full Blood	Cherokee	
8	Elizabeth	Wife-H				W	32	19				Oklahoma	Full Blood	Cherokee	
9	Salley	Daughter				W	12	8				Oklahoma	Full Blood	Cherokee	
10	Charlita	Daughter				W	6	8				Oklahoma	Full Blood	Cherokee	
11	Stanly E	Son				W	4	8				Oklahoma	Full Blood	Cherokee	
12	Rodiah	Daughter				W	2	8				Oklahoma	Full Blood	Cherokee	
13	Martha	Daughter				W	2	8				Oklahoma	Full Blood	Cherokee	
14	7171														
15	7171														
16	7171														
17	7171														
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49	7171														
50	7171														

Form 14-4
DEPARTMENT OF COMMERCE-BUREAU OF
FIFTEENTH CENSUS OF THE UNITED STATES
POPULATION SCHEDULE

State: Oklahoma Incorporated place: _____
 County: Adair Ward of city: _____ Block No.: _____
 Township or other division of county: Bunch Township Unincorporated place: _____ Institution: _____

PLACE OF ABODE	NAME	RELATION	HOME DATA			PERSONAL DESCRIPTION			EDUCATION			PLACE OF BIRTH			MOTHER TONGUE (LANGUAGE) OF FOREIGN BIRTH
			Married	Single	Widow	Color or race	Age	Sex	Married	Single	Widow	Person	Father	Mother	
1	Littlyba	Son				W	12	5				Oklahoma	Full Blood	Cherokee	
2	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
3	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
4	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
5	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
6	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
7	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
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13	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
14	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
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17	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
18	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
19	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
20	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
21	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
22	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
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27	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
28	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
29	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
30	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
31	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
32	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
33	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
34	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
35	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
36	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
37	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
38	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
39	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
40	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
41	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
42	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
43	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
44	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
45	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
46	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
47	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
48	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
49	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	
50	229 229					W	12	5				Oklahoma	Full Blood	Cherokee	

Red Bird Smith and Son's



Red Bird Smith



John Smith
Oldest Son



Sam Smith
2nd Son



Richard Smith
3rd Son



Thomas Smith
4th Son



Kiah Smith
7th Son



Stoke Smith
8th Son

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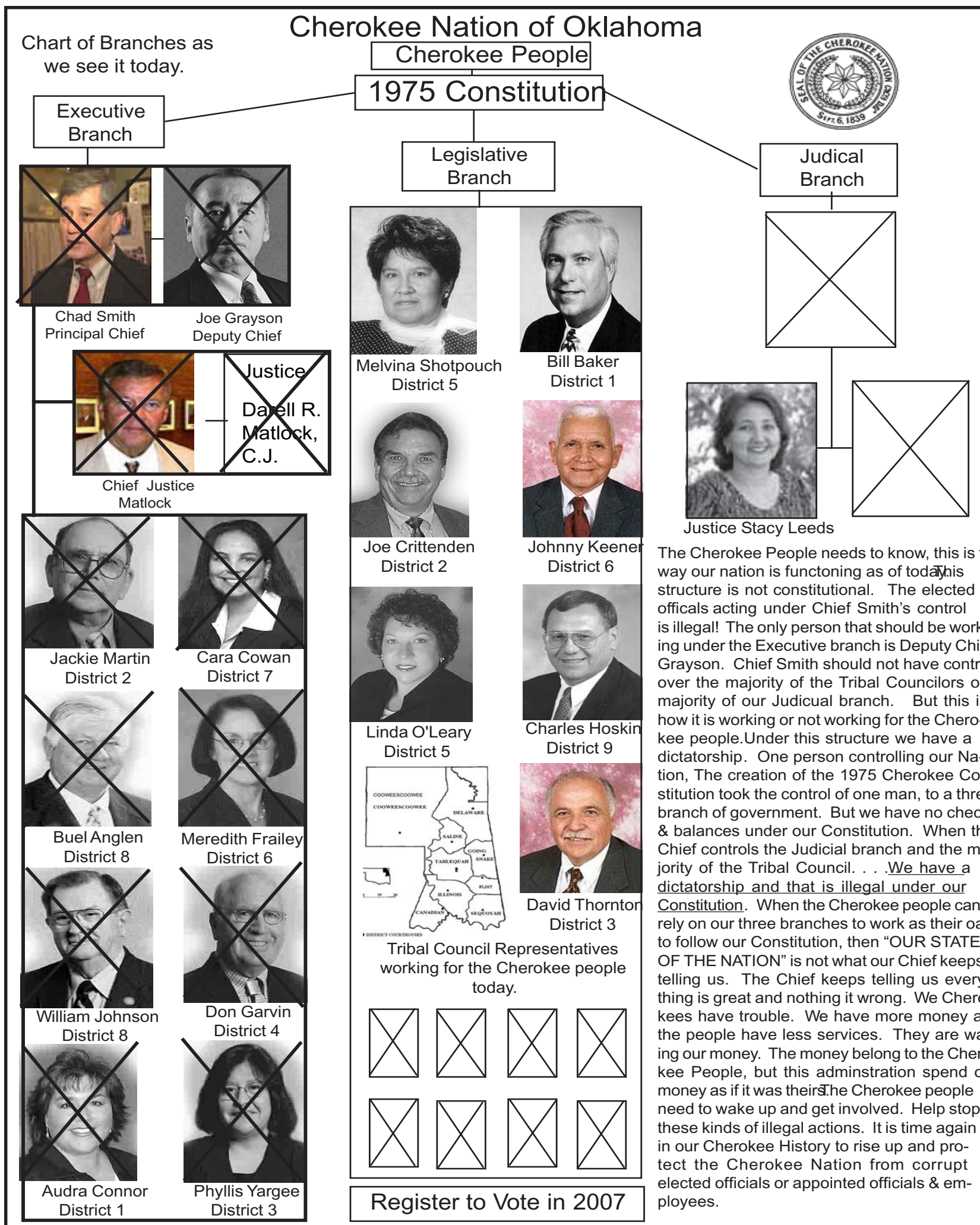
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So, why is this important?
Our leader's have to be above reproach! They have to tell us (the Cherokee People) the truth. It violates Cherokee election laws if these claims are false. As more information becomes available the entire truth will be discovered. (If you have any documents related to this issue, please send them to us.)

"VOTE ON JUNE 2007 - MAKE A CHANGE"



Tribal councilors to serve staggered terms Service Employees Bonuses Again Rejected

During February regular council meeting the Cherokee Nation Tribal Council approved an act, voting 13-3, that would stagger terms for councilors elected in 2007.

Jack D. Baker, at-large councilor, was the only one who commented on the act. Baker pointed out the act is being suggested very close to the candidate filing period and the upcoming election.

"This measure passed 6-4 in subcommittee and would provide either six- or four-year terms," said Baker. "I think it would be better to wait to consider this after the election."

Some may find the new legislation confusing, as the new districting plan required by the new Cherokee Constitution has yet to be determined.

According to District 1 Councilor Bill John Baker, elected terms in his district would be split, one position serving six years and the other four years. But if the redistricting plan is passed, it may create a third slot in District 1, which would provide a second, six-year slot for the district. Since staggered terms would alternate between six and four years beginning with district one, a third position in District 1 would also affect all the other districts down the line, as far as terms are concerned.

Principal Chief Chad Smith's veto of legislation that would provide the balance of the Cherokee Nation employees bonus was upheld, 10-6, following impassioned comments from councilors on both sides of the issue. This was the second time Smith has vetoed similar legislation to fund the remainder of the \$1,000 bonus to every employee within the service base of tribal operations. Initially after council appropriated money for the bonus, the administration chose to withhold operation and overhead costs shorting employees approximately \$300. Councilors argued this was not the intent of council and that overhead and indirect costs were already being covered by the normal salary expense.

Councilor Cara Cowan-Watts, one of Smith's political slate councilors representing Rogers County, argued in favor of sustaining the veto. Most tribal employees within Roger's County district are employees of Cherokee Nation Enterprises, (CNE).

"I understand this is an emotional, passionate issue," said Cowan-Watts. "But I believe we should balance providing services to citizens with providing attractive employment packages to employees. I have to support the veto."

Councilor Phyllis Yargee pointed out that services to citizens would not be affected, and that by providing the balance of the \$1,000 bonus promised to Cherokee Nation employees, they would be operating "within the true spirit of Gadugi."

During committee meeting discussion comparison was reviewed between bonuses to Cherokee Nation employees and employees of CNE.

Councilor Buel Anglen, of Tulsa, Washington area, stated during committee meeting discussion on

the Act, "Comparing employees working for the tribe to employees working in our casinos is like comparing apples to oranges. CNE is our cash cow and those people make money for the tribe," he said.

Linda O'Leary responded, "The main focus of operation for this tribe is providing services to the Cherokee people. These employees supplying gambling are more deserving of a bonus than the ones who provide services and that won't hold water," she said.

Bill John Baker, Co Chair of Executive and Finance, brought to light that last year the administration failed to spend nearly \$35 million dollars the Council had appropriated to be spent on services. "If the administration is not going to spend the money on services then let's get some of this into the hands of the Cherokee workers," Baker said. "The merit system for raises does not reach every employee and it allows the administration to pick and choose who will and won't get a bonus. I think since Cherokee employees did not get the cost of living raise last year that the state gave last year, we need to catch them up."

The average CNE hourly employee bonus in 2006 was \$1,700 while the average corporate salaried employee bonus was \$10,000. Many upper level salaried officials receive 80% to 100% of their salary as a bonus so an average is not a good representation of who bonuses reach. Bonuses for CNE employees totaled over \$10 million in 2006. (See the comparison of CNE and CN employee bonuses.)

During the regular meeting committee reports, Bryan Collins, CEO for Cherokee Nation Industries, reported \$5.7 million in revenue for CNI for 2006, with \$1.4 million in actual profit.

Councilor Bill John Baker asked Collins for breakdown in write-offs for CNI for 2006.

Collins said \$3.6 million had to be written off as losses in 2006, with the majority of the funds being attributed to the investment in Global Energy Group, (GEG) and Cherokee Idling Solutions.

Seven councilors filed a federal lawsuit alleging Smith and others were involved in securities fraud. Councilors hoped to recoup nearly \$6 million of tribal funds spent on what they called a worthless investment and mismanagement of funds. The case was dismissed on a technicality where the judge ruled councilors lacked the standing to file the case. All surrounding evidence has since been turned over to the CNI board and the Attorney General for investigation and or prosecution. The councilors say they will be watching to see if these entities do their duty.

"Surplus inventory played into that write off figure," said Collins. "We had some inventory that had been outdated and was obsolete."

Councilors concerned about the operations of CNI stood united in opposition during the board appointment agenda items Monday night. However, Williams continued on page 8

Raymond Vann announces his run for Deputy Chief in 2007 General Election, June 2007.

Raymond Vann, 4/4 Cherokee by blood.

I was born in 1943 near Watts, Oklahoma to Pete and Nannie (Gibson) Vann, Full blood Cherokee. I reside with my wife Sioux Nell Smith-Vann, a citizen of the Cherokee Nation, in our rural Cherokee County home along the Illinois River.

I attended Oaks Indian School, high school in Collinsville, finished with a GED in Texas. I have an associate degree in arts & applied science from Mountain View College in Dallas Texas, and numerous awards and certificates in management from general Motors over my 31 years of employment there.

I retired in 1995 from General Motors, Corp., after thirty-one years. I have two sons, Daniel, who resides in Fort Worth, Texas, and Larry McIntyre, now deceased and three grandsons, one brother, and several sisters.

My Wife Sioux and I have always had a desire to help our Cherokee people in need of basic survival necessities of life, we decided in 2003 that we should create a non-profit so we could have an advantage to get out to more people and help in a larger and more frequent ways. So, Warpony Community Outreach, Inc. was started and got its status for a non-profit in just a few months. You can see a write up in the Cherokee Advocate in a 2003 edition, about our organization start up.

We have and are working, along with some of the Cherokee Nation Council Members, through our non-profit. They frequently help in case of emergency or with a particular difficult need.

We also work with the UKB and frequently donate any needed item for

their community family needs. We work with local food pantries and help with fundraisers so the money can go to them.

We even had the privilege of helping one of our Iraq warriors with money to come home on an emergency leave. That felt GOOD!

We have helped in these ways as well; Tuition's for Cherokee students to go to college, bought school supplies, clothing, etc.

Rent, utilities bills, propane and tanks, deposits Repairs on homes, roofing material, flooring, doors, cabinets Auto parts, gas money, and rides Household furniture, ranges, refrigerators Air conditioner, heaters, and wood stoves with free wood. Medicines, rides to doctor or hospital Help with getting wells, septic tanks and water lines. Food, baby formula and diapers. Teeth replacement or repair Eye tests and glasses Prosthesis (legs for community people)

Helped tribal members get legal representation when living out of fourteen counties and local tribal members get legal services and representation or clarification. Help with grants under our organization for local fire departments. Help with grants under our organization to get community gardens started. Helped purchase 2-way radios for local fire department and first responders Lawnmowers or mowed lawns for older tribal members Help with fundraising to local stomp grounds to help get started and to many other things to mention. these are some of the many ways we try to help.

Contact Info
Raymond Vann
21828 North
Ben George Road
Tahlequah Ok. 74463
Phone: (918)458-9095
rvann@raymondvann.com

Notice

If you are running for office in the upcoming Cherokee Nation of Oklahoma general election this June 2007.

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Sources in Tahlequah say the travel reports are being held up by the chief's office..why? If in fact they are being held up by Chad then it is up to the council members to demand the administration publish these reports. Doesn't Cherokee law states the government must print all travel reports? We want to know where Chad Smith and the council members have been for the past 8 years. We want to know how much Cherokee money they spent while traveling all over the world while rank and file Cherokees beg for services.

Every Cherokee can help! Become a cwReporter for the Cherokee Observer.

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editors@cherokeobserver.org
or snail mail to PO Box 487, Blackwell, OK 74631-0487

Attention Class Of 1967 Sequoyah High School

You are invited to participate in our **Class Reunion for May 4, 5, & 6, 2007 at the Annual Alumni Banquet.**

Please bring pictures of your families to share. Hope to see you. Call Betty Jack-Pulver at 1-918-227-1508 or LeRoy Adair 918-682-9916

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Address & phone # on page 2

To read the entire dissention from justice Leeds & Justice Dowty goto The Cherokee Nation Judicial Branch has rulings on this issue.

<http://www.cherokeecourts.com>

These are the letter's that the Seminoles received from the BIA when they tried to remove their Freedmen tribal membership. It could happen to the Cherokee Nation of Oklahoma.



United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
 Eastern Oklahoma Regional Office
 101 N. 5th Street
 Muskogee, OK 74401-6206

RECEIVED
 JUL 03 2000
 SEMINOLE NATION OF OKLAHOMA

JUN 29 2000

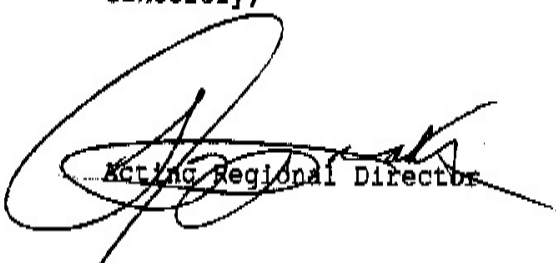
Honorable Jerry Haney
 Principal Chief, Seminole Nation of Oklahoma
 P.O. Box 1498
 Wewoka, OK 74884


Dear Chief Haney:

This office has been advised that the Seminole Nation of Oklahoma has scheduled a Referendum Election for July 1, 2000, regarding a number of proposed questions providing for the expulsion of the Freedmen members of the Seminole Nation which, if ratified, would amend the Seminole Nation Constitution. Pursuant to the Seminole Nation's Constitution, amendments ratified by a majority vote of the qualified voters of the tribe "shall be submitted to the Commissioner of Indian Affairs and shall have full force and effect from the date of his approval." Seminole Nation of Oklahoma Constitution, Article XIII, section 1; see Seminole Nation of Oklahoma v. Acting Director, Office of Tribal Services, Bureau of Indian Affairs (BIA), 24 IBIA 209 (1993).

In considering the approval of a constitutional amendment, the BIA is responsible for determining whether the amendment is in conformance with federal law. That analysis is done at the Regional Office level. When completed, we make a recommendation to the Deputy Commissioner of Indian Affairs. While we have not been asked to review the proposed questions, we note that they are not being presented to the Seminole Nation's qualified voters by way of the procedures established pursuant to the Oklahoma Indian Welfare Act, 25 U.S.C. section 503, and the regulations promulgated at 25 C.F.R. Part 81. Accordingly, we are obligated to advise you that under the current circumstances we cannot recommend approval of the proposed questions. See Solicitor's Opinion, October 1, 1941, I Op. Sol. On Indian Affairs 1076 (U.S.D.I. 1979).

If you have any questions, please do not hesitate to call on me.

Sincerely,

 Acting Regional Director



United States Department of the Interior
 OFFICE of the SECRETARY
 Washington D.C. 20240

SEP 29 2000

Honorable Jerry Haney
 Chief, Seminole Nation of Oklahoma
 P. O. Box 1498
 Oklahoma City, OK 74414

Dear Chief Haney:

On Aug 30, 2000, I wrote you to request that the Seminole Nation of Oklahoma submit nine recently proposed constitutional revisions to the Bureau of Indian Affairs in accordance with Article XIII, section I of the Seminole Constitution. While the revisions would effect a number of changes in the Seminole Nation government and territory, the Department is particularly concerned about the revisions that purport to disenfranchise the Freedmen members of the Seminole Nation.

The Freedmen Bands became members of the Seminole Nation of Oklahoma pursuant to Article II of the Treaty of March 21, 1866, 14 Stat 715,756:

The Seminole Nation covenant (s) that henceforth in said nation slavery shall not exist, nor involuntary servitude, except for and in punishment of crime, whereof the offending party shall first have been duty convicted in accordance with law, applicable to all members of said nation. And in as much as there we &mom& the Seminoles many persons of African descent and blood, who have no interest or property in the soil and no recognized civil rights, it is stipulated that hereafter these persons and their descendants, and such other of the same race as shall be permitted by said nation to settle there, shall have and enjoy all the rights of native citizens, and the laws of said nation shall be equally binding upon all persons of whatever rut or color, who may be adopted as citizens or members of said tribe.

The recently proposed constitutional revisions would, among other things, remove the Freedmen from membership in violation of this Treaty and the Indian Civil Rights Act of 1968, 25 U.S.C. & 3101. The Nation has not submitted the proposed revisions for review and approval as requested, but, instead, has indicated that it does not intend to submit the proposed revisions. Neither has the Nation offered any justification for its removal of the Freedmen or its failure to submit the revisions for review and approval. Therefore as stated in the August 30 letter the revisions and their implementation pursuant to Resolution No. 2000 105, dated August 10, 2000, removing the Freedmen from membership are deemed disapproved and invalid and the Department of the Interior declines to afford them any force or effect

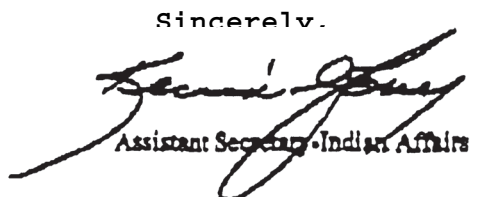
Additionally, be advised that for purposes of carrying out the government to government relationship between the United States and the Seminole Nation of Oklahoma We will not recognize any future resolutions or actions of the General Council without the participation of the Freedmen The exclusion of the Freedmen from participation in the Nation's government in violation of the treaty rights guaranteed to them in 1866 means that the United States cannot discharge its trust responsibilities to the Seminole Nation through the General Council because that governing body is no longer lawfully constituted.

As the United States District Court for the District of Columbia noted nearly 20 years ago in connection with litigation over the removal of the Principal Chief of the Seminole Nation:

The longstanding controversy that has divided the Indian tribes [sic] into competing factions has cast into doubt the representativeness of the General Council and its officers, and has threatened the integrity of the trust funds over which the BIA has ultimate authority and responsibility. . . BIA has a strict and heavy burden to administer funds to be distributed to Indians consistent with the highest fiduciary standards . . . The court finds that the Secretary's decision to withhold tribal assets is consistent with its role as trustee and with its responsibility under the Indian Self Determination Act. (Citation omitted.)

Milam v. US Department of the Interior No. 82 3099 (D.D.C. 1982) 10 ILR 3013, 3017.

I regret having to take this action; however this decision is final for the Department of the interior.

Sincerely,

 Assistant Secretary - Indian Affairs

In 1993 the Seminole Nation argued that proposed amendments to the Nation's Constitution did not need to be approved by the BIA. The Interior Board of Indian Appeals (IBIA) rejected these arguments. Seminole Nation of Oklahoma v Area Director, 24 IBIA 209,222(1993). The removal of the Freedmen from membership changes the composition of the class of voters eligible to participate in the selection of the Principal Chief. Therefore the amendment which would remove the Freedmen from membership in the Nation requires Secretarial approval under the Act of October 22, 1970, Pub Law 94 495, 84 Stat 1091.

continued from page 7

**Tribal councilors to serve staggered terms
 Service Employees Bonuses Again Rejected**

Grass and Jim Carson were both confirmed to be reappointed by Smith to the CNI board of directors, 9-7.

Councilor Linda Hughes-O'Leary, an Advisory Board member of CNI, opposed the appointments.

"Since no one on the board at CNI has seen fit to find out more about the investment in GEG, I cannot support reappointing any of these members to the board," said O'Leary.

Councilor David Thornton noted that William Grass was not only on the agenda for confirmation to CNI's board, but also to the board of Cherokee Nation Business.

"I can't support confirming William Grass, because I don't think anyone should be able to serve on the board of a business and on the board of Cherokee Nation Business, which approves funding for that same entity," Thornton said. "I think it presents a conflict of interest."

Other board appointment confirmations included Dennis Dowell and B.J. Dumond, who were confirmed to serve on the board of directors of Cherokee Nation Enterprises.

Other action
 Editor Note: The question is before the Court if Councilors can set a longer term of the office than designated within the constitution and increase half of the seats to six years or if they must instead designate half of the seats within this election cycle as two year terms. Some say it is unconstitutional for the legislative to exceed the constitution by increasing their own term of office and that they must instead use a period that is less than the maximum allowed by the constitution to accomplish the staggered terms as mandated within the 1999 Constitution.

**CNE Bonuses for FY2006
 Compared to Cherokee Nation bonuses and tribal dividends.**

CHEROKEE NATION ENTERPRISES						
CNE	# Employees	Amount	Average \$	Gross Payroll	Avg %	By Comparison
Hourly	2,451	\$ 4,182,940.00	\$ 1,706.63	\$ 46,836,000	9%	2.8 (NEARLY 3 TIMES CN AVG)
Salary	675	\$ 6,104,029.00	\$ 9,043.01	\$ 30,537,000	20%	14.6 (NEARLY 15 TIMES CN AVG)
CNE TOTAL	3,126	\$ 10,286,969.00	\$ 3,290.78	\$ 77,373,000	13%	5.3 (OVER 5 TIMES CN AVG)

CHEROKEE NATION			
CN Employees	Amount	Average \$	%
2,142	\$ 1,322,120.00	\$ 617.35	2%

- + Fringes taken out \$ 462,743.00 35%
- + IDC taken out \$ 315,137.00 18%
- = Appropriation \$ 2,100,000.00

Other related comparisons

2006 CNE Bonuses	\$ 10,286,969.00	
2006 CNE Dividend Paid	\$ 25,511,350.00	(CN budgeted/appropriated \$23 million)
CNE bonuses as % of dividend	40%	
CNE Net Income	\$ 89,261,000.00	
2006 CNE Bonuses	\$ 10,286,969.00	
CNE Net Income before bonuses	\$ 99,547,969.00	
% of Net Income paid in bonuses	10%	
% of Net Income paid in dividend	26%	

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