



Delaware Indian News

"Honoring the Past! Building the Present! Shaping the Future!"

Lënapeí Pampil ♦ The Official Publication of the Delaware Tribe of Indians ♦ August 2008 ♦ Volume 31 Issue No. 1



Congressman John Sullivan (center) met with Chief Jerry Douglas, (right) and Assistant Chief Wayne Stull, (left) at Tribal Headquarters on July 18, 2008, Sullivan plans to introduce a bill on behalf of the Delaware Tribe before the August Congressional recess.

Sullivan Introduces Legislation to Reestablish Delaware Tribe's Federal Status

WASHINGTON, D.C. – Friday, August 1, 2008,

Congressman John Sullivan introduced legislation which will help the Delaware Tribe of Indians reestablish their recognized status with the United States Government.

"After three years of working with the Delaware tribe, the Cherokee Nation, and the U.S. Department of the Interior (DOI), I am pleased to introduce legislation which will help restore the rightful federal recognition of the Delaware Tribe. In addition, my legislation also incorporates mechanisms for the Delaware Tribe and the Cherokee Nation to resolve their economic and jurisdictional issues in North Eastern Oklahoma amicably. I applaud the cooperation of these two tribes in reaching this historic agreement" Sullivan said.

The Delaware Tribe was previously recognized by the United States Government throughout the 20th century until it was terminated by the DOI in 1979. The Department rescinded that decision in 1996,

and the Tribe was recognized from 1996 until 2004 when a Tenth Circuit Court decision ended the Tribes federal recognition. The United States Solicitor General stated to the United States Supreme Court that the Tenth Circuit decision to end status of the tribe resulted in the need for Congress to pass legislation restoring the Delaware Tribes full standing with the Federal Government.

Chief Jerry Douglas issued the following statement on behalf of the Delaware Tribe of Indians, tribal council and the tribal trust board:

"We are pleased and appreciative of the spirit of cooperation between the two tribes, Delawares and Cherokees, which has enabled us to arrive at a point that legislation to restore our federal recognition has been reached. Chief Smith and Congressman John Sullivan have been instrumental in assisting with the mechanics of getting our legislation drafted and introduced before Congress. I certainly

Continued page 3 See; Legislation

Federal Recognition Update

Tom Peckham, Nordhaus Law Firm

It has now been many months since the last Delaware Indian News and the last general update to the Tribal membership as a whole regarding the status of the Tribe's efforts to regain its status as a separate federally recognized Indian tribe. Those months have been fruitful, however. It appears that we are on a path involving both administrative and congressional action that will secure that separate recognition while preserving as much as possible.

Congressman John Sullivan is fully supportive of the most recent draft legislation and, in a meeting with Tribal leaders on July 18, 2008, announced that he will introduce legislation that builds on the administrative efforts of the Tribe and the Department of the Interior. Time permitting before the August recess, the legislation may already have been introduced before you receive this newspaper. Congressman Sullivan has stayed true to his commitment to put the Tribe in as close to the position it should be in light of all the political obstacles. The introduction of legislation is an important step and represents years of work by him and his staff on the Tribe's issues. Even if Congress cannot act on the bill in a shortened election year, this represents a significant step forward.

Simultaneously, we are pursuing an administrative option to restore the Tribe to its place on the list of recognized tribes. This is could be a major breakthrough.

The details of how we got to where we are, and where we think we are going, are below.

SUMMARY HISTORY

This summary is from the last issue of the

DIN. If your memory is good and you read it the last time, skip down to "Where We Are Today." Previous issues had even more history if you want to look back for more detail.

The Tribe signed the first Indian treaty with the new United States in 1778 after already having been forced westward from the Delaware and Hudson River Valleys. By the time the Tribe reached Oklahoma in the late 1860s, it had also had settlements in Ohio, Indiana, Missouri, and Kansas. The Tribe signed an agreement with the Cherokee Nation to move on to land within the Cherokee Nation in 1867. The Tribe bought and paid for that land and has always insisted that the Tribe maintained its separate tribal identity when it moved into Oklahoma.

For most of the time after 1867, the United States agreed. Congress gave money directly to the Tribe on a number of occasions, a strong sign that the recipient tribe is recognized. The Tribe's bylaws were approved by the Department of the Interior. The Supreme Court even stated in 1977 that "[d]espite their association with the Cherokees, these Indians . . . have over the years maintained a distinct group identity, and they are today a federally recognized tribe." And the Tribe was included on the 1978 list of "Governing Bodies of Federally Recognized Indian Groups" published by the Department of the Interior.

But the Department, ignoring all of this history, announced in 1979 that it would no longer deal with the Tribe as a separate entity but rather only "through" the Cherokee

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A Message From Chief Jerry Douglas

Dear relatives, friends and tribal members:

Once again, I would like to express my sincere and deep appreciation to our tribal voting membership, and supporters of this Tribal Council and my administration. Your participation in our tribal government through your voting, your cards, and letters with your opinions, comments, encouragement, support and your e-mails enable us to maintain a positive outlook in the face of difficult circumstances. Together we are making a difference and together we will prevail...culturally, socially, economically, and politically.

Since our last DIN publication there are a number of issues that I need to bring our tribal membership up to date on. First and foremost, our tribal federal recognition has been a source of frustration. We have an experienced, capable team of professionals working on our behalf and we are going to be successful in completing our goal of federal recognition. The federal recognition process, administratively or legislatively, is ordinarily time consuming and difficult. We are faced with the added burden of an unfavorable political climate due to the surge of Indian gaming. The time delays and obstacles we have been encountering is now subsiding and I can now see real progress being accomplished.

July 18, 2008, Congressman John Sullivan, representing the Congressional district of our tribal headquarters location, visited with our tribal elected officials to discuss restoring federal recognition to the Delaware Tribe. I will keep you updated on new developments.

Within the last twelve (12) months much criticism has been raised in local tribal political circles concerning our federal recognition. There has always been a local tribal faction that resents and rejects the idea that it was necessary to negotiate an agreement with the Cherokee Nation in order to regain our federal recognition. Members of our Tribal Council and I were advised and warned that it was going to be impossible to regain our federal recognition without resolving the dispute with the Cherokee Nation. A Memorandum of Agreement with the Cherokee nation is the only access to federal recognition for the Delaware Tribe of Indians. Explaining this to the local dissenting contingent is impossible.

We are in a tribal election year and you can expect to hear all sorts of facts and fiction; and bear in mind, it is important for us to consider the source. My three (3) most recent predecessors are opposed to the

MOA with the Cherokee Nation and almost everything this Council and administration has been working to accomplish.

Tribal politics is tribal politics and I choose not to dignify rumors and lies with an explanation. It is my intention and desire to serve the Delaware people with honor and dignity. So, as the politicians gear up to play politics; I sincerely want our tribal members to know that we are making progress, slower than we anticipated, and we will complete our mission.

We have successfully negotiated an agreement with the Cherokee Nation, under this administration, and are working together on a government to government basis. The negotiated agreement admittedly has pro's and con's; Federal Recognition for the Delaware far exceeds the con's.

It is important that your tribal government be responsive and represent all tribal members regardless to place or residence. This was one of my campaign promises, and one I fully intend to keep. In the November 2007 election, tribal voters approved amendments to our Constitution to clarify the term General Council. The approved Constitutional Amendments now prevent a small minority attending the General Council meeting from issuing mandates that affect our total tribal population. In the past many of the acts ratified at the annual general council meetings were exclusionary or violated the rights of tribal members not living in close proximity to the tribal headquarters.

Also, your Tribal Council, within the last year, has been holding Tribal Council meetings in neighboring communities to encourage members to attend and participate and get involved in tribal government. Call (918) 337-6595 for information concerning the dates, time, and locations of our Tribal Council meetings. We will welcome and honor your presence.

We have been able to manage our tribal affairs and government with federal carry-over monies that we were allowed to expend for specific purposes, and the proceeds from the sale of the tribal office building. The Delaware Trust Board interest income funds core programs and activities which have enabled our tribe to continue to operate

and provide minimal services to our tribal members.

Assistant Chief, Wayne Stull and I have maintained discussions with officials of the Cherokee Nation and we have been straightforward with one another concerning our federal recognition and our tribal financial position. Now that there is an agreement

between the two tribes, Delaware and Cherokee, Chief Smith and the Cherokee Tribal Council are standing with us to have our recognition restored.

The Delaware Housing Authority and Child Care programs are operating through agreements with the Cherokee Nation. The Delaware Elder Nutrition program, which has operated for more than three

(3) years through the efforts of volunteers, donations and some help from the Tribe, is now being funded and food provided by the Cherokee Nation.

Sustaining a productive and functional tribal government without depleting our Trust monies was a major concern for our Tribal Council and Trust Board. Our candid discussions with Cherokee officials prompted the release of \$277,867 in Aid to Tribal Government funding which was appropriated for the Delaware Tribe of Indians. The Cherokee Tribal Council approved a measure on July 3, 2008, to release our ATG funds as an indication of their willingness to work with my administration. The release of our ATG funding will enable us to maintain our governmental operations and preserve our tribal resources for other needs or uses.

The time delays we have experienced with our federal recognition effort has also affected our tribal economic development objectives and goals. Originally, it was decided under Chief Brooks' administration to include in our federal recognition legislative bill the language for congressional approval for the BIA to release a full and final judicial settlement of all trust fund claims to the Delaware Tribe of Indians. The Tribal Council and Trust Board has been advised that a portion of the judgment fund settlement can be released without congressional approval. This information prompted the Tribal Council and Trust Board to examine our commitment to economic development; and

two long-standing economic development projects that we can either move ahead with or terminate.

The Tribal Council and the Trust Board approved resolutions for the release of judgment funds not requiring Congressional action and that a part of this distribution be utilized to leverage USDA guaranteed loans to finance two Delaware Tribal Enterprises.

The Tribal Council and Trust Board in separate meetings and actions, conducted lengthy discussions, deliberating the fate of our economic development program and the two projects remaining after the loss of our federal recognition. The consensus and final conclusion of both Delaware governmental entities was to commit the required equity financing to leverage the USDA loan guarantees. Also, before any tribal expenditures, the projects would be reviewed to ensure that each project will be profitable and successful.

To move forward with our economic development activities was a difficult decision to make and one that will be thoroughly monitored before we expend any tribal monies.

Any final decisions regarding the expenditure of tribal or trust funds for economic development will be based on the philosophy of good stewardship.

The release of the Aid to Tribal Government funding from the Cherokee Nation and the release of the judgment funding from the Bureau of Indian Affairs will stabilize our governmental activities and enable our tribe to invest in opportunities that will benefit our tribal members.

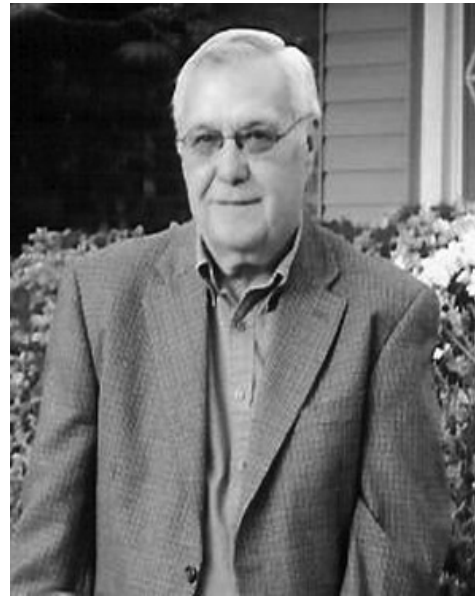
The November 2008 tribal election is just around the corner. The next issue of this publication (DIN), will be the Tribal Election edition. I would like to take this opportunity to encourage all voting age tribal members to vote in the upcoming election. I would also like to encourage all Tribal members able to be present to be in attendance at this year's Annual General Council meeting.

Thank you and may God bless and keep you and yours.

Jerry Douglas, Chief
Delaware Tribe of Indians

Delaware Tribe of Indians

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DELAWARE

Indian News

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The Delaware Indian News (DIN) the official publication of the Delaware Tribe of Indians. It is published quarterly by the Delaware Tribe of Indians and is mailed free to members. Subscription to non-tribal members are available at \$20 per year. To order a subscription a subscription please use the subscription form in this issue.

We invite letters, articles, photos, etc., but reserve the right to limit printing based upon available space. Tribal members are encouraged to support the D.I.N. with contributions.

Editorial statements of the D.I.N. guest columns and reader's letters reflect the opinion of the author and does not necessarily reflect the opinion of the D.I.N., its staff or the tribal government of the Delaware Tribe of Indians.

Editorials must be signed by the author and include the author's address. The D.I.N. does not guarantee publication upon submission of editorial comments. The deadline for articles, letters, ads and calendar of events is September 15, 2008 for the October 2008 issue. Submissions may be mailed, faxed or hand delivered to the D.I.N. office or email to delawarenews@cableone.net.

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The mission of the Delaware Indian of the Delaware Indian News is to serve, empower and inform the Lenape people, while adhering to the policy of unbiased reporting in an ethical and professional manner.

Trust Board Chairman, Raymond Cline

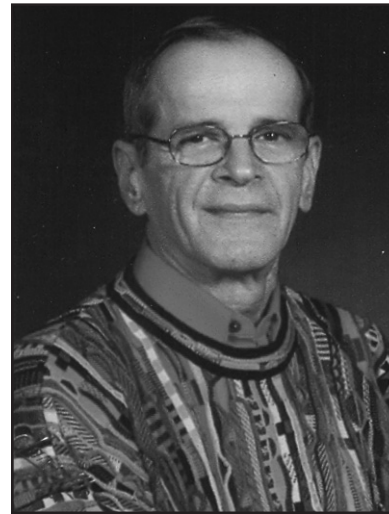
Dear Tribal Members,

I hope this issue of the Delaware Indian News (DIN) finds you all well and safe. It has been a busy time since our last issue. Our November election reinstated myself as your Trust Board Chairman, Ms. Verna Crawford as member and serves as your Trust Board Treasurer and newly elected former tribal councilman Doyle Hayes and newly elected former Trust Board member, Mr. William "Bill" Hatch. We thank you for your faith in us to lead the Trust Board into the future.

The Tribe's approved Trust Document requires a quorum of 100 tribal members signing in and receiving ballots to approve our Trust budget.

We were unable to obtain a quorum at the November 2007 General Council meeting and as a result, had to schedule a Special Emergency Trust Board General Council to get the Trust Board budget approved. Notice was sent out nationally announcing the Trust Board, Special General Council meeting.

The 2008 Trust budget had to be approved so we could continue providing services that our Trust Board programs fund. The meeting was held on January 12th. Precedence had been set to do this as myself and previous Trust Board Chairs have called special emergency meetings for this purpose. I was unable to attend this meeting as I was in the hospital and Vice Chair Wayne Stull was called to chair the meeting. However, when the meeting was called to order at 1:00 pm, with less than the required quorum present, confusion and misinformation was given to the attending tribal members by previous chief's and two (2) of your current council members. This resulted in utter chaos and the meeting was declared void but not before \$200 in door prizes was awarded to the very people who were causing the turmoil. The polls remained open until 5 pm as advertised to allow tribal members



to vote on the budget. One hundred twenty four (124) registered voting tribal members signed in and received ballots. Fifty-two (52) yes and forty-two (42) no votes were cast and counted by the election committee under the watchful eye of the security guard Dale Lewis. Thirty (30) people failed to turn in their ballots resulting in thirty (30) abstention votes. Tribal members approved the budget to the dismay of the dissenters. This allowed the programs operated by the Trust for the benefit

of tribal members to continue uninterrupted. I then followed through and notified the BIA as required by the Trust Document but since we have the majority of our funds privately invested this is just a courtesy to them.

Since the Tribal Council voted to conduct all tribal elections through a direct popular vote referendum process, our tribal elections now involve more tribal members in their tribal government. Eliminating the system of mailing ballots to only tribal members requesting them, and mailing ballots to all registered voting age tribal members has created a broader tribal voting base. There is an apparent increase in phone calls, letters, and e-mails from tribal members living in other areas of the nation, that are contacting our tribal headquarters expressing interest in ways to become more active in tribal affairs. The change to the referendum process for all tribal elections was a legislative decision intended to make our tribal government fair and equitable for all tribal members. The intended purpose has been achieved, but not to the satisfaction of everyone. There are some who argue that we need to operate by tradition and do things the way they have always been done.

If you or your family members are old

enough to vote, (18 years of age), make sure you are registered to vote in the upcoming November 2008 tribal election. Remember, don't let the Delaware Tribe of Indians, our tribe, our world, our nation, our way of life change without sounding off and exercising your rightsVote. November is a tribal election and November is a national general election. Tribally, we will be faced with selecting three (3) Tribal Councilors, two (2) Judges, approving a Constitutional Amendment, and other tribal business. The November tribal election will be an important election; the candidates and the issues will directly affect you and your family...as members of the Delaware Tribe. The negative forces that are at work can be stopped in the polling booth...with your vote. Study the candidates and study the issues and get your family, friends, and relatives to vote.

You still have freedom of choice. And you should exercise it....or you just might lose it. The national November general election will decide who our next president will be and the direction of this country. The world is changing and so is our nation. The social conservative agenda of the past eight (8) years is eroding our middle class into non-existence. The world is changing before our eyes. Fuel, food, housing costs and foreclosures dominate the news. Major lay-offs and business failures are just around the corner.

The "haves" have had their way for the past eight (8) years and November will be your chance to turn this country and economy around. Native America...let your voice be heard in November, see you at the polls.

Let us continue to look unto the hills from whence our help cometh.

I would like to add that we have started the new year by holding the monthly Trust Board meetings in the East Room of the Nowata Public Library, Nowata, Oklahoma. The meetings start at 6:30 pm. I encourage all tribal members to attend; we welcome your support and ideas.

Respectfully yours;

Raymond Cline

**Vote Vote Vote
it's
Your Right
&
Responsibility**

Legislation

Continued from page 1

don't want to minimize the cooperation and assistance from the members of the Cherokee Nation tribal council. We are looking forward to working with members of Congress and particularly the Oklahoma delegation in getting this bill moved through both houses."

Chad Smith, Principal Chief of the Cherokee Nation offered the following remarks:

"We thank Congressman Sullivan for working with both the Cherokee Nation and the Delawares to bring forward a bill that will preserve Cherokee Nation sovereignty while still allowing the Delawares to re-organize their tribal government. I especially want to thank Chief Douglas for his efforts on behalf of his people and his hard work to make sure that this bill is introduced."

From the Desk of Wayne Stull, Assistant Chief Trust Board Vice-Chairman and Delaware Enterprise Corporation Chairman

As your Assistant Chief, Vice Chairman of the Trust Board and Chairman of the Trust and Council Economic Development Committees, as always; I am pleased to address my fellow tribal members and reveal my thoughts and opinions concerning the most pressing issues facing our people and tribal government. Also, it is always my pleasure to meet and discuss our tribal affairs with individual tribal members and tribal groups or organizations. Having one-on-one discussions with many of you has helped me to understand your feelings and opinions about the issues of our Tribe that are important to you. I have been able to gain a better understanding of the needs and problems in our communities as a result of our talks.

I want each and every one to know that I sincerely appreciate your support and help as we, the elected officials of the Delaware Tribe of Indians, combat the many forces, both internal and external, that are working to keep our tribe from achieving our rightful status among the Indian nations of this country. Make no mistake!, we are in a battle for our tribal survival. The withdrawal of our federal recognition three (3) plus years ago has really taken a devastating toll on our tribal infrastructure and our governmental ability to take advantage of business opportunities. The bad news is....our progress on federal recognition restoration is lagging far behind the projected schedule that my fellow Tribal Council members and I had planned on. National politics, policies and politicians are creating obstacles for our congressional legislative restoration bill without knowing the facts of our uniquely classed, one-of-a-kind, federal recognition issue. Acknowledgement of tribal federal recognition has historically been a long drawn out process and since the advent of Indian gaming, it has become politically incorrect. The Delaware Tribe of Indians has encountered repeated political setbacks in the drafting of a congressional bill that would restore our tribe to our status of 1977-1979 and 1996-2004, as a federally recognized tribe. We have been told the Washington politicians want to attach a number of prohibitions to our federal recognition, or our bill will fail. The Delaware Tribal Council has been holding to the position that we want the sovereignty package we had and the same sovereignty package that all the other federally recognized tribes have. The Delaware Tribe should not be treated differently.

The elected officials of the Delaware

Tribe have every intent to regain our federal recognition, in a timely manner, and through decisions and agreements that best serve our people and our tribal government.

The good news is!, we have resolved our differences with the Cherokee Nation and now have their support for the restoration of our federal recognition. This administration under Chief Douglas' leadership is working with Cherokee Chief, Chad Smith and the Cherokee Tribal Council to regain our recognition and also to restore operations to some of our tribal programs. In my personal opinion, we have accomplished more in the past three (3) months to regain our federal recognition than we have in the past three (3) years. I, now, am very optimistic that we will be a restored Tribe. You can expect an update on our progress in the next issue of the DIN.

It is important to affirm and acknowledge good people for doing good things. The Delaware people are so very fortunate to have an abundance of good hearted people, for instance;

The persistence and dedication of a group of our tribal members and elders have kept our Elder Nutrition program operating since the withdrawal of our federal recognition. Rain, sleet, or snow, tribal member and Elder Nutrition cook, Ms. Kay Anderson can be depended upon to have the elder nutrition site and a good meal ready for the weekday elder noon meal. Kay and the group of volunteers and donors that have kept this project operating have done so in spite of adversity and lack of resources.

The tribal members who have worked to keep this program operating and our elders served by this program are to be commended for a job well done.

I would also like to take this opportunity to announce and also thank Dr. Brad Cobb and Mr. Buel Anglen, Tribal Council members of the Cherokee Nation, for keeping their campaign promises to help and support the tribal government of the Delaware Tribe of Indians. The Cherokee Nation is now assisting our Elder Nutrition program through the



provision of food and funding. Councilman Brad Cobb and Councilman Buel Anglen are living up to their word and we certainly want them to know that we appreciate them and the Cherokee Nation for the help they are providing to our Elder Nutrition program.

The U.S. Small Business Administration notified my office that our tribal status as a Tribal 8(a) business was being withdrawn effective immediately because the Delaware Tribe of Indians was no longer a federally recognized tribe. Our Economic Development program has devoted much attention and time to maintaining our 8(a) status with the stipulation that federal contract participation be suspended contingent upon federal or state recognition. We are now discussing available remedies with our local regional office. SBA has cooperated and assisted our staff in

maintaining our 8(a) certification for almost four years. The unanticipated and unforeseen time delays with our federal recognition legislation placed DEC in a position of program participation termination.

Our tribal federal recognition is also having an impact on the financing of two (2) economic development projects that we have been working on for several years.

In spite of the problems and difficulties we have been encountering we now have an alternate source of financing for our economic development projects. The Delaware Tribe of Indians will not give up and we will not fail. Failure is not an option. We will obtain our federal recognition and we will be successful in our business endeavors. If it is necessary to go through the SBA 8(a) Certification process, we will do that also.

I am not appreciative or, not sympathetic toward anyone who is willing to give up because conditions get rough and times get tough. I am annoyed and angered by people suggesting that we give up on federal recognition and our economic development projects. No one said this chapter in our tribal history was going to be easy, and I will tell anyone....."the quickest way to fail is to give up. Give out, give in, but never give up."

In addition to having people thinking we

should give up on our federal recognition there are others thinking and saying that we do not need to go the route we are going, but another route. My fellow tribal members, do not be misled or misinformed; this Tribal Council is pursuing our federal recognition through the only means available, or we will never have our federal recognition restored.

I am a concerned Delaware and businessman that was appointed to serve our tribe and later was elected to serve our Delaware people and government. I am not a politician and from a witness perspective: I am totally tuned-out and turned-off by the politics I hear and see. I would like to offer a suggestion to our Delaware Tribal members that have reached voting age and will be voting in our next tribal election in November of 2008. Suggestion #1., If you are old enough to vote, I encourage you to please vote....your single vote can determine the outcome of an election. Suggestion #2., If the candidate seeking tribal office is opposed to the MOA with the Cherokee Nation; If the candidate seeking tribal office is campaigning to replace an existing Tribal Council member, who is running for re-election, and bases his or her campaign on negative this, negative that....everything is wrong; the Chief, the Council, the Trust Board, federal recognition, etc.:. If the candidate seeking tribal office overstates his or her experience and qualifications and promises to change this and that and save the tribe from making a terrible blunder. If the candidate asking for your vote meets any of the criteria above, he or she is not going to be a team player and it is a great possibility we will all suffer in the long run.

Your vote in November is critical and this non-politician is merely offering a suggestion.

Thank you for allowing me to express my opinion on the upcoming tribal election. While we are on the subject; I would like to encourage you and your family members to participate in this year's Annual General Council Meeting in November. It is an experience you will long remember and you will understand exactly why your vote and participation is so important to our Delaware tribal government.

Peace, prosperity and wellness to you and yours.

Thank you,
Assistant Chief Wayne Stull

Update

Continued from Page 1
Nation. Unfortunately, the Tribe did not have the resources to challenge that decision in court. Instead, the Tribe began a long and heroic effort to have the Department reverse the unlawful 1979 decision. Finally, in 1996 the Tribe succeeded: Interior reversed the decision and restored the Tribe's recognition.

The Cherokee Nation immediately sued the Department, claiming that the 1996 decision was wrong. The Tribe, which had joined the suit, won in the district court in 2002. As that court stated:

The Court finds that the 1979 [Interior] letter, relying on actions taken in 1958, fails to analyze, or even cite, any legal authorities which support such a sweeping change in policy. Further, such declaration of new policy was announced without regard to proper procedural safeguards. Therefore, the Court finds that the 1979 letter was both substantively and procedurally infirm. (241 F.Supp.2d 1374, 1385)

As Tribal members know, the United States Court of Appeals for the Tenth Circuit took a different approach on appeal and effectively removed the Tribe from the list of recognized Tribes in 2004. The court concluded that the Tribe had become a part of the Cherokee Nation when the Tribe signed the agreement with the Cherokees in 1867 and moved from Kansas to land within the Cherokee's boundary.

The Supreme Court refused to hear the case in October 2005 even though the United States Solicitor General acknowledged that the Tenth Circuit had erred.

WHERE WE ARE TODAY

Past issues of the DIN have discussed the three paths – judicial, legislative, and administrative – to recognition. The conclusion has been that there was no viable judicial route and that the Bureau's Part 83 administrative process would both take way too long and contained provisions that could prevent the Tribe from clearing the process successfully in any event. Thus, much of our emphasis over the past couple of years has been on legislation restoring the Tribe's recognition.

Senator Coburn has indicated that he supports restoration of the Tribe's recognition and in fact offered to introduce a bill that would have had Congress restore that recognition. However, he cautioned that in the current political environment, specifically in the Senate, he believed that any congressional restoration bill would almost certainly fail, and definitely could not be passed quickly.

To illustrate the difficulty in getting a restoration bill through Congress, consider the Lumbee Tribe in North Carolina. In 1956, Congress acknowledged the tribe but withheld most of the benefits of federal recognition. Lumbee has had nine bills introduced on its behalf over the past six years and it still has not gotten through Congress. The most recent version has passed the House, but has not been acted upon in the Senate. Lumbee was also required to accept a prohibition on

all Indian gaming in the latest version of the bill. Nine bills, six years, no recognition. It seemed imperative that we at least continue to try to find a way around that logjam.

Dr. Coburn also offered to introduce legislation that would have had the Tribe use the Part 83 Acknowledgement process through the Department of the Interior. Coburn expressed a willingness to put a time limit on the process and perhaps to alter some of the normal regulatory requirements to fit the Delaware's situation.

In a series of conferences with Interior, however, it became clear that at least some of the revisions to the Part 83 process that the Tribe believed would be necessary would have been very difficult for Interior to support. For example, the Tribe believed it would be necessary for Congress to alter somewhat the definition of a "community" since the Tribe now has a geographic and demographic pattern reflecting a tribe that has been maintaining an active membership roll for decades. (Remember that the acknowledgement regulations were written for the typical situation where a group of people are trying to revive a tribe after decades or centuries. In that case, the members of the new tribe are those who have been actively involved. The Delaware Tribe has members with a wide range of involvement in the Tribe.) But Interior was very concerned about setting a precedent that Congress can alter the process, something it has not done before.

The end result of these discussions was an understanding with Interior that an accelerated and modified Part 83 process was likely not the best solution. But with Part 83 and Congress out, what was left?

The Oklahoma Indian Welfare Act: An Overview

In consultation with the congressional delegation, the Tribe and the Department then began exploring seriously the possibility of reorganizing the Tribe under the Oklahoma Indian Welfare Act, 25 U.S.C. § 503, as a means of restoring the Tribe to the list of recognized tribes. I have mentioned the OIWA in past articles, but as described below, it is only recently that this vehicle has attracted renewed interest in the Department.

The History

Enacted in 1936, the OIWA allows Oklahoma tribes to reorganize (similar to the Indian Reorganization Act for tribes from other states). A December 3, 1940 letter of the Assistant Commissioner of Indian Affairs, approved by Assistant Secretary Oscar Chapman for the Department of the Interior on January 23, 1941, determined that the Delaware Tribe was eligible to organize as a distinct and separate tribe under the Oklahoma Indian Welfare Act, citing the tribe's long history of treaty relations with the United States, the "social solidarity" of the tribe, its ongoing governmental activities, its relations with other Indian tribes, and the tribe's "great past" which had been "so frequently treated as to make repetition needless." The Tribe tried to organize under the OIWA thereafter (during the "termination era" in the 1950s but was told by the Department that it must

use another method, which was obviously ultimately ineffective.)

The OIWA has not been used recently. It appears that the last OIWA reorganization was of the Creek Nation in 1979. The Tribe believes that the reason for this is quite straightforward: all other tribes eligible to reorganize under the OIWA have done so. (There may be one exception: the Cherokee Nation of Oklahoma. However, Cherokee is on the list of recognized tribes and thus has no obvious use for an OIWA reorganization.) It therefore is very likely that the Delaware Tribe could be the last reorganization under the OIWA.

The OIWA Process

The OIWA process is fairly straightforward. The Secretary of the Interior first approves a proposed governing document for a tribe. Since the Tribe has an existing 1982 Constitution, as amended, and also operated under that Constitution while on the list of recognized tribes from 1996-2004, approval seems very likely. The Secretary then has 180 days to hold an election of Tribal members to ratify the governing document. Members are first registered to vote after being contacted by mail. A majority of those Delaware members who choose to register for the special Secretarial election are required to ratify the reorganization and the constitution. The Tribe would then be restored to the list of federally recognized tribes.

The Result

The result of an OIWA reorganization would be that the Tribe would have the same rights as any other recognized tribe in the country. The OIWA does not lead to any different treatment.

The Current Situation

The Department is currently considering whether it can administratively reorganize the Tribe under the OIWA without any action by Congress whatsoever. An OIWA reorganization is premised on the following logic: the Department in its 1979 decision did not terminate the Delaware Tribe, but instead determined that the Tribe was recognized **through** the Cherokee Nation. Thus, while not on the list of recognized tribes, the Tribe is still formally "recognized" in an important technical sense. The OIWA is the process best-suited to separate formally the Tribe's recognition from the Cherokee Nation's. (I understand that most, if not all, Tribal members still bristle at the statement that the Tribe is part of Cherokee, but for better or worse, that is legally the current situation we face.) There is support within the Department for Interior proceeding with an OIWA reorganization.

There are two primary considerations for Interior, one legal and one policy. The legal question is whether the Tribe's ability to reorganize under the OIWA survived the Tenth Circuit decision. The Tribe believes that the answer is self-evident because the Tenth Circuit expressly held that it was not addressing the relationship between the Tribe and the United States after 1867. It thus did not consider the 1941 determination that the Tribe was able to reorganize.

The second consideration is a policy

concern: whether the Department should address a unique situation with an approach that has not been used since 1979. (Recall that the Department routinely routes "recognition" questions through Part 83.) As I have explained in the past, one of the Department's priorities in dealing with the Tribe is to not take a position that would be challenged by another tribe. Thus, the Department has stated expressly (just like the Oklahoma delegation did) that the Cherokee Nation must not oppose an OIWA reorganization if the Department is to proceed.

The Tribe is working with the Cherokee Nation to redraft the MOA to include the agreed-upon provisions previously embodied in the legislative drafts. It is not the Tribe's intent to change the substance of what was negotiated with Cherokee over a year ago. But since there is no longer an essential legislative component under the "OIWA plan," all of the agreed-upon language has to be in the MOA. The resulting document therefore would stand alone if the Department concludes it can reorganize the Tribe under the OIWA.

While coordination with the Cherokee Nation and the Department to secure an administrative reorganization under the OIWA is not without its complications, it appears that keeping Congress out of the restoration question will greatly speed the ability of Congress to act on the other issues addressed below. It also may avoid the reflexive application of a blanket gaming prohibition on the Tribe by the Senate. Such a prohibition is patently unfair and contrary to Congressman Sullivan's stated desire to put the Tribe on as close to an equal footing with other recognized tribes as possible.

Summary: OIWA Reorganization

If the Department concludes that it can proceed under the OIWA without congressional action, that is the surest way to a speedy restoration of the Tribe to the list of recognized tribes. While Congress may be faster and more certain than the Part 83 process (which can literally take decades), the past several years have taught the Tribe that Congress has its own obstacles, particularly in a time when there is great reluctance by Congress to get involved in recognition issues. If Interior is able to proceed, we should know that quite soon. The election would likely be held late this year or early next, and the Tribe would be back on the list of recognized tribes no later than April or May of next year, and perhaps much sooner. And an OIWA reorganization would return all the benefits of federal recognition to the Tribe.

LEGISLATION: AN IMPORTANT PIECE OF THE PACKAGE

It is great that Congressman Sullivan is committed to moving forward with the current draft legislation. Having read through the previous section on the OIWA, you may be asking yourself: if Interior can do this on its own, what do we need legislation for?

While the Tribe believes very strongly that legislation is not necessary for the Department

See: Recognition page 8

A Message from Tribal Councilman Curtis Zunigha To Delaware Tribal Members and Readers of Delaware Indian News

Greetings! As you finally get some news from the tribal office (the 1st since Oct. 2007) you must know that we are faced with great adversity and challenge. Here is a brief look at some of the most critical issues facing our tribe:

(1) The federal recognition plan of Jerry Douglas is failing and has not produced the promised results. As you read other comments in this newspaper, you may be asked to be patient and have faith in Jerry's plan and the Memorandum of Understanding (MOU) with the Cherokee Nation of Oklahoma. But as a veteran of tribal politics, I liken it to President Bush asking the American voters to have faith in the indefinite war plans in Iraq. We were promised fast-track passage of a federal recognition bill in Congress if we became subordinate to the Cherokee Nation in funding and jurisdiction. Jerry has a 5-2 majority on the Tribal Council supporting the Cherokee MOU. Annette Ketchum and I oppose this particular plan. Yet after two years we haven't even gotten a bill introduced in the House of Representatives. Congress just doesn't want to deal with the controversy of the Cherokee Nation's Freedman lawsuit and will not authorize any new recognition until that issue is resolved in federal court. That could take years.

The Tribal Council has adopted a completely different approach (which could also take years) in applying for federal recognition through the Bureau of Indian Affairs. The process is authorized by the Oklahoma Indian Welfare Act, a 1930's-era law that the Delaware Nation in Anadarko used for their recognition decades ago. Whatever approach we take we have been warned that the U.S. Government, particularly the Congress, and particularly Senator Tom Coburn, an Oklahoma Republican, DOES NOT WANT TO SEE THE DELAWARE TRIBE GET RECOGNITION FOR THE PURPOSE OF CASINO GAMBLING. That's why he held up our recognition on Capitol Hill. If you are behind Jerry Douglas's casino plans and expect to become wealthy from a tribal casino, I caution you not to have these expectations. We have been relegated to second-class tribal status in Washington, D.C. and there is little support for us to become a wealthy casino gaming tribe.

The B.I.A. is holding a million dollars in trust funds for the Delaware Tribe that

was supposed to be released to us when we got our federal recognition. Since the recognition bill is being held up, Jerry Douglas also got himself appointed as head of the Delaware Enterprise Authority, a company that allows him to appoint all the directors and pay their salaries. He has now gotten the Tribal Council to promise half of those million dollars to cover a loan by the Delaware Enterprise Corporation. I encourage all tribal members to monitor the business dealings of those who serve in the tribal government and head the tribal business corporation at the same time. That million dollars should come to you, the Delaware people, who are having a tough time with rising energy, medical, and food costs.

(2) Our tribal funds are being depleted at an alarming rate to pay for Jerry's salary (\$36,000/year) and to prop up the tribe's struggling business corporation (so far, an estimated \$75,000). We have no income from any tribal businesses because we have no tribal businesses or new jobs. Our casino prospects are virtually gone because we don't have federal recognition. And there is no chance we'll be operating a tribal casino at the proposed travel plaza in Dewey because Jerry signed away that right with the Cherokee Memorandum of Agreement. Yet he has the majority of the Tribal Council still authorizing his salary even though he has no job duties other than to chair a meeting once a month and sign checks. We pay for salaries for a Tribal Manager and Tribal Economic Development Director. We also pay thousands of dollars monthly for a local attorney for local tribal issues, a national law firm for federal issues, and a lobbyist in Washington, D.C. for our federal recognition. With no federal programs to administer there is no justification to pay Jerry Douglas to be Chief when the other Tribal Council members do the same amount of work for an honorarium of \$50/month. I urge you to APPROVE A RESOLUTION SUSPENDING THE



SALARY FOR CHIEF JERRY DOUGLAS during the next tribal election.

(3) Last October Jerry led an effort to conduct a tribal election to amend the tribe's constitution and was sued in tribal court over that action. Many of us elected leaders did not know of this effort to amend the Constitution

until we read it in the October issue of the DIN. A case was filed in Tribal Court last October and argued for several months. A recent (June 2008) decision by Tribal Court appointee Nathan Young indicated that the Delaware Constitution is so flawed that any violations of specific amendments

cannot overcome the people's right to vote on tribal issues. I will abide by the court's ruling but I call for a tribal-wide Constitutional Convention to rewrite and reconstruct this critical document that assures our rights as members of the Delaware Tribe.

Many tribal members have expressed their dismay at the integrity of the court's decision because (a) one judge had to recuse himself from the case because his brother was a defendant. He also asked me, the plaintiff, to drop the case as I would not likely win; (b) the presiding judge was disbarred by the Oklahoma Bar Association while the tribal case was being heard, yet remained on the tribal case; (c) another judge refused to recuse himself from the case, even though a complaint was filed because he was a running mate on the 2006 political slate with defendant Jerry Douglas; (d) another judge resigned in the middle of the case and left the duties of her office unfulfilled until the next election.

(4) Last Fall Jerry initiated another action to deed away our elder housing from tribal property rolls. He claimed that we didn't have the funds to support the management of three duplexes housing six Delaware elders. (see above #2). Yet Councilwoman Annette Ketchum and I fought to keep our property

and have since instituted policies and procedures to properly manage it for the benefit of our elders with full accountability. Delaware elders fully occupy tribally-owned housing in Bartlesville.

(5) Jerry collaborated with Trust Board Chair Raymond Cline to certify an "election" on the Trust Budget for 2008 after a disputed General Council Meeting on January 12, 2008. Neither men were at the meeting that declared the "election" null and void, yet they wrote the BIA and claimed that an "election" authorized the release of over \$125,000 to their control. Recently the Trust Board reviewed the action and directed an amended budget be resubmitted to the General Council for approval. I am calling for budget amendments that remove thousands of dollars from miscellaneous and unspecified contractual line items. I submit that those funds be redirected to key areas of educational scholarships, health care services, buildings and grounds maintenance, and better communication with our tribal members. Last year, over \$12,000 of those "contractual" funds paid for Jerry and his delegation to travel to Las Vegas for "economic development". We have yet to see any benefit to the tribe for such expenditures.

This is but a partial report on the political and community dysfunction going on in our tribe. Yet I believe that the spirit of our ancestors remains in watch over us. As long as we have our culture and our community; as long as we have hope and faith, we will continue this righteous struggle. We can overcome greed, corruption, ignorance, and prejudice but it takes our collective will and spirit to do so. I ask for your thoughts and prayers to benefit our beloved tribe.

For more information, greater detail, and interactive dialogue please contact me on my website:

www.curtiszunigha.com.
Wanishi!

Councilwoman Ketchum Reports

By Annette Ketchum

My first year in office ended in November, 2007. It was a difficult year for me because I and Curtis Zunigha generally stood alone on every vote or issue that came before the Tribal Council. Of course, I ran for office knowing much change is needed. I was raised Delaware and I want the Delaware Tribe to be known as a strong, respected tribe in the Indian world.

All Delawares cannot be expected to agree on everything, but on the major issues of the welfare of the Tribe certainly seven council people could agree. Possibly there may be some common ground that the Council can agree upon this year as the proposed legislation and MOA with Cherokee Nation has not been acceptable to the congressmen.

I challenge you to find out who you are voting for. Learn the background, agenda, experience, availability, and voting record

of the candidates before you vote.

*Do your leaders have a true commitment to the culture, language and traditions? These are what make us Delaware. If we do not hold onto our traditional ways, we will be no different from others who do not know their history.

*Do the leaders support "stand alone" sovereignty and federal recognition for our Tribe? Convoluted federal recognition that is different from what other Indian tribes retain, is not what the Delaware members should agree upon. If it takes twenty years to get "recognition done right", so be it. In the meantime we will protect, grow, and spread our culture.

* Will the leaders develop economic growth? There are all levels of economic endeavors. Start small and grow. Waiting for years to hit the home run means we never get in the game.

Some of the other issues that concern me are:

- 1)To have a Tribal Operating Budget.
- 2)To reinstate absentee ballot request forms for elections. To update the election policy.
- 3)To economize on the Tribe's expenditures before we run out of money.
- 4) To eliminate poll voting, except for real emergencies and be sure the poll votes are read into the minutes of the tribal council.

I love my tribe. I ran on the platform of opposition to "merging" with the Cherokee Nation of Oklahoma (CNO) in order to acquire a subservience federal recognition-something that the feds would create to appease the Cherokee government. Five chiefs before Chief Douglas passionately opposed giving up Delaware sovereignty to the CNO. I will never relent on this issue. History will prove I am right.

It is a pleasure to report that Delaware

Elder Nutrition is operating and a grant is in the immediate plan. The cultural preservation committee is working toward offering classes, lectures, and training in leadership for Delawares. If you would like to help, please call 918-333-8865.

The Elder Housing Units are now under the authority of the Tribe, not the Chelsea Housing Authority. This is a wonderful improvement and change.

There is a new book, "Long Journey Home," published by Indiana Press, about the Delaware. It has 448 pages and 90 color photographs. To order call 1-800-842-6796 or email IUPORDER@Indiana.Edu. To order the DVD, "Long Journey Home", call 1-317-636-2020. It is a one-hour documentary about the Delaware. It has shown many times on Public Television in most states.

God bless the Delawares,
Annette Ketchum,

Delaware Cultural Preservation Committee, Language & Culture initiatives for 2008 and 2009

by Annette Ketchum

The Delaware Cultural Preservation Committee have announced plans for cultural classes to run from July 1, 2008 through June 30, 2009. The committee chairperson is Trust Board Member Anita Lewis. In an effort to preserve the Delaware language and cultural arts classes will be taught on Tuesday nights throughout the twelve month period. Classes will be from two to six hours, with classes taught in two hour increments on from one to three evenings always on Tuesday. The classes will be from 7:00--9:00 p.m., with a 15-minute refreshment break from 7:45-8:00 pm.

The classes will be taught by Delawares who are expert in the art he/she teaches. There will be classes for students starting at 10 years old and up; some that are limited to 15 years and up; those for male only and those for female only. The classes are free to Delawares, but a non-Delaware may take the classes for a small charge. Everyone will pay for his/her materials, which will be provided by the teacher, in most cases, and the teacher will collect the materials fee at the first class. Some classes do not have a materials fee.

Everyone who is interested in cultural classes may complete the sign up form below. The committee believes these opportunities will be of interest to not only Delawares, but to a wide range of educators, historians, culturalists, and friends of the Delaware. There must be a minimum of six people signed up before we will have a particular class. Some classes will have a maximum of 10 students. In that case, more than one class may be offered in a subject.

No children under ten years old may attend or tagging along to the classes. On the fifth Tuesday (there are four) during the year, there will be a covered dish dinner at 6:30 and

cultural dancing. Everyone is welcome even those not taking the classes. Suggestions or requests for a class that is a Woodland or Delaware art will be considered, provided

a teacher is available and six people are interested. Call Annette Ketchum, 918-333-8865 if you have questions.

2008-2009 Delaware Language & Culture Class Schedule Enrollment Form

Phone: _____

Name: _____ Age (Opt.) _____ E-Mail: _____

Address: _____

Under age 18, give parent's (s') name (s): _____

Address if not same as above: _____

If Delaware Roll # _____ Non-Delaware (x here) _____ Male _____ Female _____

I want to enroll in these courses: (Mark the courses by priority, example, 1 is first choice, 2 is second choice, and so on. Mark no more than ten)

Class	Hours	Cost	Date	Teacher
Beginning Beading Class	6	\$10	Dec. 9, 2008, Jan. 13 & 27, 2009	J. Brown, A. Ketchum
Big House Religion	6	-0-	Oct. 14, Nov. 11 & 25, 2008	J. Sumpter
Federal Recognition Process	4.	-0-	Apr 14 & 28, 2009	R. Brown
History of the Delaware	6	-0-	Jul 8, Sep 9 & 28, 2008	C. Zunigha
Indian Sign Language Class	2	-0-	Mar 24, 2009	A. Ketchum
Lenape Language Class	48	\$10	1st & 3rd Tu. 2008-2009	J. Rementer/ J. Brown
Lenape Moccasin Making	6	\$25	Feb 10 & 24, Mar 10, 2009	P. Pechonick
Ribbon Work Class	6	\$20	Mar 12, Jun 9, Jun 23, 2009	P. Donnell
Shell Shaker Class	6	-0-	Aug. 12, 2008	A. Ketchum/D. Ketchum/J. Tatum
Stomp Dance Etiquette	2	-0-	Aug 26, 2008	D. Ketchum/J. Tatum/A. Ketchum
Water Drum	2	-0-	Jul 22, 2008	D. Ketchum/J. Tatum

All classes start are 7:00 - 9:00 PM at Delaware Community Center in Tuxedo Blvd. No tuition for Delawares and spouses. \$10 tuition for non-Delawares. You may bring your materials or purchase from the teacher at cost above.

Return form to: Annette Ketchum, 1412 Hampton Rd., Bartlesville, OK 74006
Delaware Tribe Culture Preservation Program Delaware Community Center 5100 E. Tuxedo Blvd., Bartlesville, OK 74006

Recognition

(Continued from page 5)

to reorganize the Tribe under the OIWA, the bottom line is that legislation will help the Tribe in several very important ways. Four are discussed expressly here:

First, the legislation would help the Tribe with two economic concerns. As has been discussed in previous issues of the DIN, the MOA with Cherokee requires Cherokee consent before the Tribe can take land in trust within the fourteen counties. Outside the fourteen counties, the Tribe would be subject to the normal BIA process for trust acquisitions. However, under those regulations, "off-reservation" trust acquisitions are subject to even greater scrutiny by the Department of the Interior than "on-reservation" ones, especially as a tribe get farther from its reservation or headquarters.

Given the MOA provision, therefore, we have been working with Congressman Sullivan to come up with a way to give the Tribe some meaningful help in restoring its land base and economy without circumventing the BIA processes. The solution we came up with is in the current draft legislation: within the Tribe's historical areas and for 25 years after an OIWA reorganization, the Tribe can request that Interior consider a trust acquisition request as "on-reservation." While on-reservation status does not eliminate the need to get comments from state and local governments, it does help prevent the Tribe from being penalized for seeking land away from Oklahoma. As the Tribe pursues economic development and cultural restoration projects in the future, such a provision could be instrumental in getting the necessary land into trust more quickly and on more favorable terms, and maybe getting it into trust at all.

Another provision also relates to economic development. The Small Business Administration's "8(a)" program is designed to assist tribes (as well as other disadvantaged businesses) in "compet[ing] in the American economy through business development." Until very recently, the Tribe had 8(a) status with the SBA, although that status had been "suspended" after the Tenth Circuit decision in 2004. After holding off as long as it could, SBA concluded that it could no longer hold that status in suspense and terminated it. The legislation agreed upon between the Tribe and Congressman Sullivan includes a provision intended to ensure that the Tribe is eligible to return to the 8(a) program after it is reorganized and that the time the Tribe's status was suspended will not be held against the Tribe when it rejoins the program. The Tribe is currently planning discussions with SBA about the best way to rejoin the program upon reorganization. It is possible that those discussions could eliminate the need for this provision or might lead to agreed-upon amendment language.

Third, the legislation would fully implement the trust fund settlement relating to the case the Tribe brought against the United States in 2002. That settlement will bring more than \$1 million to the Tribe and

more than an additional \$1 million split among many Tribal members. (Only Tribal members who were on the 1972 or 1980 judgment rolls, or the living heirs of deceased members, will receive per capita payments.)

Fourth and finally, the draft legislation contains a provision that would require the United States to respect the MOA provisions between the Tribe and the Cherokee Nation. If Cherokee agrees to embody the entire agreement between the two tribes in the MOA, it is likely to be important to the Nation to ensure that the MOA is enforceable. While I am confident that we can address the enforceability issues in the MOA itself, this provision might add an element of certainty.

In short, the legislation is not essential to a reorganization under the OIWA if Interior is willing to proceed on that front. But the legislation contains provisions that support the overall effort to restore the Tribe to its rightful place and to give it the tools necessary for effective economic development and self-government.

Introduction of the legislation is therefore a milestone. In election years, Congress leaves early and often does not come back. If the bill is not acted upon this year, we now have a template for moving forward immediately when the new Congress returns in January.

CONCLUSION

The Tribe owes a great amount to Congressman Sullivan and his staff. They have worked hard with us to arrive at an approach to these interrelated goals and issues that I think has a strong chance of success. Dr. Coburn has also been helpful, although issues may remain to be worked out with his office. I think we are on the road to arriving at clarification of the Tribe's separate recognized status on the "fairest terms possible."

Given the power of Cherokee in both Congress and the Department, coupled with the Cherokee Nation's very strong beliefs about its rights within the fourteen counties, I do not see a route to restoration that would leave the Tribe free from Cherokee influence. Thus, the "fairest terms possible" still include the MOA with Cherokee. But if the Tribe is successful in reorganizing under the OIWA and getting this legislation through, I am confident that the Tribe can enjoy a bright future with a diversified economy and a strong cultural base.

What You Can Do

1. Communicate to Congress

Help us thank Congressman Sullivan for his support. E-mails, phone calls, and faxes are better than letters because security screening of posted mail causes delays. Please thank him. If you have not already done so, you may also want to emphasize why it is important to you that you are a Delaware member separate from the Cherokee Nation; the impact the lack of recognition has had on you personally or on your family; why the Tribe is important to you; why it is important to you that the Tribe's recognition be restored as soon as possible; and/or anything else you think is important for your representatives to hear.

Representative John Sullivan
114 Cannon House Office Building
Washington, DC 20515-3601
Web: <http://sullivan.house.gov>
Email: ok01.sullivan@mail.house.gov

(202) 225-2211 Fax: (202) 225-9187

You may also want to send letters asking for continued support from the other members of the Oklahoma delegation:

If you can only do one or a few, please make your contacts in the order they are listed.

Dr. Tom Coburn
SD-B40D Dirksen Senate Office Building
Washington, DC 20510-3604
Web: <http://coburn.senate.gov/>
Email: (online form at)
<http://coburn.senate.gov/public/index.cfm?FuseAction=ContactSenatorCoburn.Home>

(202) 224-5754 Fax: (202) 224-6008

Senator James M. Inhofe
SR-453 Russell Senate Office Building
Washington, DC 20510-3603
Web: <http://inhofe.senate.gov/contactus.htm>
Email: (online form at)
<http://inhofe.senate.gov/public/index.cfm?FuseAction=Contact.ContactForm>

(202) 224-4721 Fax: (202) 228-0380

Representative Tom Cole
236 Cannon House Office Building
Washington, DC 20515-3604
Web: <http://www.house.gov/cole>
Email: (online form at) <http://www.cole.house.gov/contact-tom-form.html>

(202) 225-6165 Fax: (202) 225-3512

Representative David Daniel Boren
216 Cannon House Office Building
Washington, DC 20515-3602
Web: <http://www.house.gov/boren/>
Email: (online form at) <http://www.house.gov/boren/emailsignup.shtml>

(202) 225-2701 Fax: (202) 225-3038

Representative Mary Fallin
Washington, D.C. Office
1432 Longworth House Office Building
Washington, DC 20515
Web: fallin.house.gov
Email: http://fallin.house.gov/send_email_zip_authentication.shtml (for district residents)

(202) 225-2132 Fax: (202) 226-1463

Representative Frank D. Lucas
2342 Rayburn House Office Building
Washington, DC 20515-3603
Web: <http://www.house.gov/lucas/>
Email: (online form at) <http://www.house.gov/lucas/zipauth.htm> (for district residents)

(202) 225-5565

2. Keep your address current

With the elections coming up, hopefully including the OIWA reorganization election, it is important that you keep the Tribe informed when you move. It will also help when per capita payments are ultimately made. If you know of relatives or friends whose addresses are not current, urge them to get and stay current.

3. Stay Informed

Talk to your Council members and to each other. Read this newspaper and other materials from and about the Tribe closely.

Because the newspaper cannot be published with great frequency, I am also setting up a special e-mail list for Delaware members.

Send an e-mail to DelawareRestorationList@nordhauslaw.com to be included. I started this a year ago but only got seven replies or so. If response is better this time, I will send out reports when there is significant news to report.

Note: The Tribe does not have sufficient resources to pay for me to answer individual questions, so please do not expect an individual response. By sending an e-mail to that address, you are just signing up to receive the periodic updates. If you do ask a question that seems of general interest, however, I will try to address it in the next general update.

Anyone wanting an up-date on Federal Recognition or copies of documents contact Tribal Attorney Vicki Sousa - 918-337-6599 or Ernest Tiger - 918-337-6598. DO NOT CONTACT Cherokee Nation or Tom Peckum.

News from the Housing Authority of the Delaware Tribe

By Mike Ellick, Executive Director

The Housing Authority of the Delaware Tribe, (HDAT), was created by the directive of the Delaware Business Committee in 1978 to provide housing services to low-income participants within the operational boundaries of the Delaware Tribe. HDAT was incorporated under the state charter and is governed by its current Board of Commissioners who is appointed by the Tribal Council. All are members of the Delaware Tribe of Indians. They are Billie James, Chairman, Joanne Burger, Vice-Chairman, Jenan Alderman, Secretary, Bob Barnes and Rick Adair, members. HADT subscribes to the following mission statement:

The Mission of the Housing Authority of the Delaware Tribe of Indians of Oklahoma is to: Identify, develop, and provide housing, community and economic development services to low income Indians residing within the five county operational area; to involve those receiving services in the decisions that effect their lives and insure that services are provided in a manner considerate of cultural diversity, individual needs and desires.

The main office is now located at the Delaware Acres complex in Chelsea. The address is:

Housing Authority of the Delaware Tribe
#6 Northview Drive
P.O. Box 47
Chelsea, OK 74016

The staff members are Mike Ellick, Executive Director, Debbie Markle, Financial Coordinator, Carrie Brinkley, Housing Officer and Collections, Jerri Roberts, Housing Inspector and Safety Coordinator, Joyce Smith, Receptionist and Front Desk and Donnie Kirk and Randy Jones, Maintenance.

Housing Authority of the Delaware Tribe currently has 165 housing units under management and serves 84 Delaware families (53%) and 69 Native American families from other tribes. There are 8 non-natives American families currently being served from former housing program activities.

Since the Delaware Tribe has lost Federal Recognition status the Housing Authority has had to stop most of the programs it was able to run with the funds from NAHASDA Indian Housing Block Grants. The Housing Authority and at times, with the Delaware Tribe, has received over ten NASHADA Indian Housing Block Grants totaling over ten million dollars.

Currently the Housing Authority of the Delaware Tribe is under a Sub-recipient

Agreement with the Cherokee Nation, negotiated between the Delaware Tribal Council and the Cherokee Nation, which allows the Housing Authority to receive FCAS money only. This money allows the Housing Authority to operate efficiently annually. This agreement has been in place since October 1, 2006.

The following Housing Programs are available at the Housing Authority of the Delaware Tribe—HOMEOWNERSHIP and LOW Rent. These programs are occupied and filled when vacated. The Housing Authority maintains a first-come, first-served, Tribal preference, income determined waiting list.

Currently the Housing Authority has Homewenership Units available in Claremore, Bartlesville and Delaware. These are all three bedroom units. Also the Housing Authority has rental units available in Bartlesville and Chelsea.

The Housing Authority is also in the process of purchasing some homes in the Bartlesville area. We have an interest of more rental units in the area.

All applicants must update their information annually to remain on the waiting list.

All Low Rent tenants and Homeownership must be recertified annually and all Low Rent Rentants must renew their contracts annually. Lease agreements are for one year only.

Contract Carrie Brinkley at the Chelsea office, 918-789-2525 for more information.

The Housing Authority of the Delaware Tribe is responsible for the maintenance and upkeep of our low rent properties.

HOUSING AUTHORITY NEWSLETTER

The Housing Authority has again, started putting out a quarterly newspaper about Housing Authority activities. If you did not receive a copy or would like to get a copy please call or send your address to the Housing Authority office in Chelsea.

HOUSING AUTHORITY WEBSITE

The Housing Authority of the Delaware Tribe now has a web site to view. The address is: www.HADT.org.

With these two channels of communication now open, the Housing Authority should be able to communicate a lot better and everyone should be able to keep up with Housing Authority activities.

Housing Authority is also going to have an employee or employees in Bartlesville once a month. This will be assistance to the people in the area, not only will they not have to drive down to Chelsea, but will be another way of communication for the people. We will have an exact date and time in the near future.

Tribal Justice Sally Farley Resigns from the Tribal Court



Tribal Judge, Sally Farley recently announced that she would no longer serve the Delaware Tribe as a Tribal Justice. Judge Farley's decision to resign from the Tribal bench was made public at the conclusion of two lawsuits filed and heard in Tribal Court on March 14, 2008.

Sally, as she is affectionately known, has served the Delaware Tribe for many

years in many different capacities. Over the years, Judge Farley's tireless volunteerism has enabled our tribe to come through some difficult times.

The Delaware Tribe owes Judge Sally Farley a debt of gratitude for her many years of service to our Tribe.

In a parting statement, Judge Farley made the following comment;

"Congratulations!

Congratulations to those of you who have worked so tirelessly and diligently to assure nothing positive can be or perceived to be done concerning the leadership or the administration of the Delaware Tribe. Through your constant efforts you are able to stop or delay indefinitely anything that may be construed as positive. For only the intelligent, petty, vindictive individuals who believe if it isn't their idea and they can't get the credit for it, it won't work. They will go to any lengths to see it doesn't--of course, for the good of the Tribe! Once again congratulations. I'm sure the commiseration and chest beating will continue through the perpetual motion of complaints and lawsuits. Ergo: O - Si - O"

Letters to the Editor

To: delawarenews@cablone.net
Subject: At Long Last!

Marilyn Cole, Verna Crawford and all others responsible:

I just wanted to thank you all for your hard work at finally getting the DIN online. I was advised by my son in CA that he'd received his DIN and it was full of election information. I have not received mine to date. I live in a small town in Northern AZ and the mail is slower and I am leaving tomorrow for a long trip, so was disappointed in not getting my newsletter in today's mail. (I did get my ballot, though).

I decided to look at the new website I read about in the last DIN. Low and behold, the current DIN was there! I downloaded it, saved it and read every line. I know it has been a lot of hard work getting this done, and I just want to let you know how much I appreciate being able to read the latest tribal news in the, highly preferred, timely electronic fashion.

I am hoping that you will soon develop an email list of registered members that can be notified when the latest DIN is available online. It will surely save a lot of postage and printing costs for the Tribe.

Please put my email address on the electronic DIN list I'm sure you will be compiling soon: m Bailey186@aol.com
Yours truly, Mary (Lampitok Sarcoxie) Bailey
To: jldouglas2005@yahoo.com

CC: wstull2006@yahoo.com

Dear Chief Douglas:

I am writing to commend Marilyn Cole, in the Delaware Registration Office.

I am an enrolled Delaware residing in California. Over the last two days I have communicated with Ms. Cole a number of times via email with questions on how to calculate blood degrees and other issues.

Ms. Marilyn Cole was more than helpful, and her courtesy and willingness to assist me was truly wonderful and greatly appreciated. In this day and age customer service is often overlooked - not so with Ms. Cole. We Delawares are lucky to have employees of Ms. Cole's caliber.

In closing, let me say that I believe you and our other leaders (with notable exceptions) are doing the best you can for us. Keep up the good work!

Sincerely, Roxie Rose Cofer

To: jldouglas2005@yahoo.com

Jerry,

First I want to start out by saying my mother and I are very happy with your leadership and hope you remain Chief.

Now the reason for my e-mail, I have a question that no one seems to really know the answer. My mother was given her Native American name by Leonard Thompson and I was wonder who, if anyone, was passed that honor. I am interested in receiving my name.

As a child I was fairly involved with Lenape activities, Operation Eagle, etc

See: Letters continued page 11

Delawares in the News

Elizabeth Ruth Hemker and Matthew Robert Schmidt Wed

Elizabeth Ruth Hemker and Matthew Robert Schmidt were married January 6, 2007 at St. Ferdinand Church in Florissant Missouri by Father Jack Dempsey.

She is the daughter of Ruth & Raymond Hemker of Florissant MO. He is the son of Patsy & Bill Schmidt of Savannah MO.

The bride was escorted by her father. Matron of Honor was Cindy Carter, bridesmaid was Becky Hinkebein both cousin's of the bride. Best man was Brian Schmidt, brother of the groom. Groomsman was Shane Reavis, cousin of the groom. Others in the wedding party were Ushers Matt Hemker, brother of the bride and Jason Ramsey, cousin of the groom. Flower girl was Olivia Ramsey, cousin of the groom and ring bearer Joe Carter, cousin of the bride. Lectors were Kasey Woods, friend of the bride



and Kelley Schmidt sister-in-law of the groom. Programs Paula Price friend of the couple. Music by Mike Miloszewski.

The reception and the rehearsal dinner were held at the Stegton Regency in St. Charles. The newlyweds honeymooned on the beaches of Rivera Maya in Mexico.

She is a 2005 graduate of Missouri State University in Springfield with a bachelor's degree in professional writing. She is employed with Midwest Employers Casualty Company.

Matthew is the great nephew of Chief Jerry Douglas and the grandson of Everette & Dortha Reavis of Savannah, MO. He is a 2001 graduate of Missouri Western State University with a bachelor's degree in secondary education. He is employed by the Missouri State Highway Patrol as a trooper. They make their home in St. Charles, MO.



Brayden Karel Schmidt

Brian and Kelley Schmidt of Arnold, MO., wish to announce the birth of their son, Brayden Karel Schmidt.

He was born February 14, 2007 and weighed 8 lbs. 2 oz. and was 21.5 inches long.

Grandparents are William and Patsy Schmidt of Savannah and Pam and Otto Matyska of St. Louis. Great-grandparents are Dortha and Everette Reavis of Savannah and Mary Leachman of Afton, MO. Brayden is the great, great nephew of Chief Jerry Douglas



Jennings Cash Johnson

Red Day and Jeremy Johnson of Noble, OK announce the birth of their son, Jennings Cash, born at 8:19 a.m. October 4th at Ada, Oklahoma. Jennings weighed 7 pounds, 5 ounces and was 19.5 inches long.

Maternal grandparents are Faye Thomas of Bartlesville and John Thomas of Tahlequah.

Paternal grandparents are Laura and Jack Maynor of Copan and John and Teri Johnson of Ramona.

Jennings was welcomed home by his 18-month-old sister Marian.

Elizabeth Reeve, Ms. Wheelchair Oklahoma

Elizabeth Reeve, a member of the Delaware Tribe, received the honor of Ms Wheelchair Oklahoma, on March 17, 2008. She will be going to Maryland at the end of July to compete in the Ms Wheelchair American Pageant.

Elizabeth is the daughter of Linda and Roy Hall, originally from Nowata, Oklahoma and now resides in Tahlequah, Oklahoma. As a child Elizabeth was able to travel the world as a military dependent. She then went on to graduate high school in the top 20 percent of her class in Crowley, Tx. From there she went to the University of Texas in Arlington and Tarleton State University where she obtained her first Bachelor's degree in 1998. After obtaining her teacher certification from Texas Christian University, she worked as a first grade teacher in Fort Worth, Texas, than later become a Special Education teacher.

She worked for both the Irving and Dallas Independent School Districts. Unfortunately, Elizabeth ended up having two back injuries and later began losing strength in her legs to the point she was not able to stand on her own without falling. In the meantime, Elizabeth found out she had Sarcoid, which is the scaring of the tissues for no reason.

Elizabeth saw life giving her lemons, but she has decided to make lemonade.

Elizabeth has taken on the challenge of living in a wheelchair with a positive attitude. Going back to school she obtained a Bachelors in Business Administration with emphasis in Information Systems (which she received on May 10, 2008 with Magnum Cum Laude honors). While there she started the Wheelchair and Friends Organization at Northeastern State University. She has been an advocate for individuals long before being placed in a wheelchair and continues to be an advocate while in her wheelchair.

Ms. Reeves has been given several awards such as the Who's Who Among American High School Students, Delta Mu Delta Honor Society, Rho theta Sigma Honor Society, and even the Entrepreneur Spirit of the Year. Most of the individuals who know Elizabeth can say she is very enthusiastic and motivated to make a difference for Society.

When asked what she is the most proud of out of all of her accomplishments in life, Elizabeth responds back that she is proud to have had the opportunity to represent the Delaware Tribe with such honor and dignity. Elizabeth says everyone in the tribe is a

representative of the tribe, and when everyone gives their best to all they do they represent the tribe with honor, dignity, and prestige. Everyone in life is given the opportunity to represent the tribe in their daily life no matter how important the individual may think their representation might be, it is up to individual rather or not it will be a positive or a negative representation. Elizabeth desires to give the Delaware tribe honorable representation, and has no plans to stop representing our tribe with such prestige.

If you would like to give to Elizabeth Reeve, you may send a check made out to: Ms Wheelchair America 549 South Cherokee Avenue Tahlequah, OK 74464.

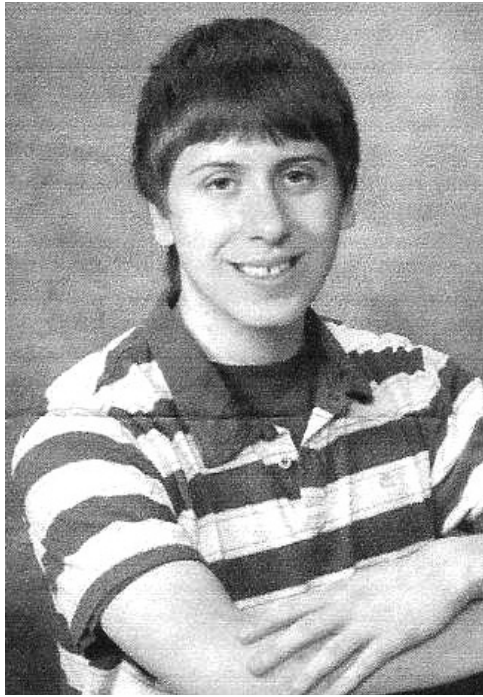
If you have any questions, please feel free to call Elizabeth at (918)457-8241 or reeve@nsuok.edu

To find out more about MS Wheelchair America, the url address is:

<http://mswheelchairamerica.org/>

Delawares in the News

Daniel K. Walden Valedictorian



Daniel Kenton Walden was Valedictorian at Thomas Edison High School, Tulsa, Class of 2007.

He is the son of James K. & Lela Walden of Tulsa, OK, grandson of Susie J. (Stout) Walden and the late James M. Walden of Tulsa OK. He is the great-grandson of Edward & Mae Stout, late of Nowata, OK and the great-great grandson of John & Susie Stout, late of Nowata County, OK.

Daniel, a proud member of the Delaware Tribe, was also named a Scholar by the Native American Chamber of Commerce and received a financial honor in conjunction with that distinction. He has been named a National Native American Honor Student for the last three years. Among his many academic honors Daniel was a gold and silver medalist at the national level in Latin.

He has not neglected other parts of his life as he has volunteered his time in animal rescue, played soccer and baseball, learned the piano and been a good person along the way.

Daniel received several scholarships and will be attending The American University in Washington, DC on a full tuition, room and board award valued at approximately \$180,000 over four years. He plans to major in Economics.



Proud Kiowa grandmother, Bernice Chapman, with Grandson John Chapman Young at his graduation from the University of New Mexico Law School in Albuquerque, NM.

Proud Grandmother, Bernice Chapman, attends Graduation of John Chapman Young

Proud Kiowa grandmother, Bernice Chapman, formerly from Pawnee, Oklahoma now residing in Tahlequah, Oklahoma, her daughter Carol Young, son-in-law Nate Young and family traveled to Albuquerque, New Mexico for the graduation ceremony of her grandson, John Chapman (Chief) Young.

John received the Juris Doctorate Degree in Law during the Cloaking Ceremony on Saturday, May 17th, 2008 at the University of New Mexico Law School. John is Pawnee, Kiowa, and Delaware, and graduated from Tahlequah High School in 1996. He attended the University of Arkansas and Northeastern State University prior to receiving his undergraduate degree in 2003 from the University of Oklahoma where he completed his capstone in the Spanish Language. Prior to attending Law School John taught English to physicians at the University of Quadalahaaura,

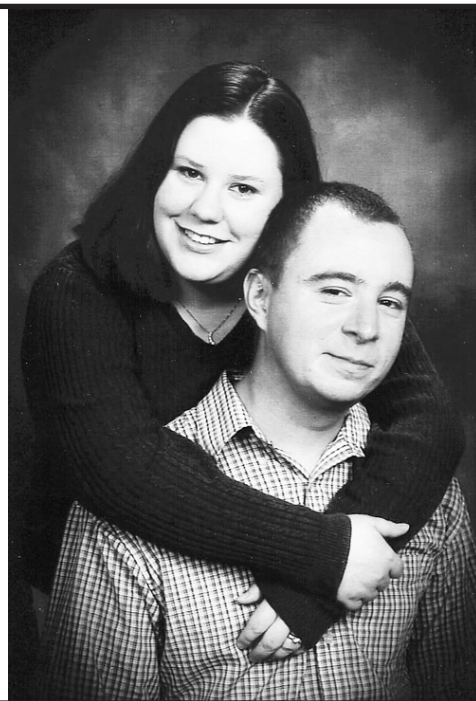
School of Medicine International Program, in San Antonio, Texas.

John is married to Lauren Fowler Young who also graduated from the University of Oklahoma in 2003 where she also completed her capstone in the Spanish Language. Lauren Young, a Choctaw Indian, is Program Coordinator of the Study Abroad Programs, Office of International Programs and Studies at the University of New Mexico. Both John and his wife Lauren enjoy International travel and are interested in linguistics and speak several languages.

Lauren and John were married in Hong Kong, China while attending a Mandarin Chinese Language Immersion School. While attending Law School John often interpreted Spanish while interning for the Public Defender's office. He will take the New Mexico State Bar Exam at the end of July and will practice law in New Mexico.

John is the grandson of the late Thomas Chapman Jr. of Pawnee; John's great-grandfather Henry Chapman served as official interpreter for the Pawnee's during the early 1900's and translated the Pawnee language to English for anthropologist Dr. Gene Weltfish, acclaimed author who wrote of the history and culture of the Pawnee people in "The Lost Universe." John's paternal grandparents are Betty and Nathan Young formerly of Dewey, now residing in Tahlequah. John is the great-great grandson of John Young, early tribal leader of the Delaware people.

Harold Peterson and Kelly Watlington are pleased to announce their marriage on May 3, 2008. The wedding is to take place in Murfreesboro, TN. Harold Peterson is a Delaware and the son of Mark and Mary Peterson of Bartlesville, OK. Kelly Watlington is the daughter of Betty and the former James Watlington of Murfreesboro,



Letters continued from page 9

because my grandmother was pretty involved. Then as I got older, my grandmother passed, we moved, and now I am in Illinois. Now that I am older and more recently I have become very interested in the happenings for the Lenape with the encouragement of my mother. I would love to be more involved, but with living so far away I know that is almost impossible. As I saw Anette was trying to make that COMPLETELY impossible. I

figured being named is another honor of being Lenape that I wish to receive. Any information or help would be great.

Good luck & God bless,
Kasey Jean Sutton

To: jldouglas2005@yahoo.com
Chief Douglas:

Thank you for your letter regarding the recent election results. I have also accessed

the ballot tallies on line.

Congratulations!

As a registered Delaware, living in California, I am proud of the current leadership and pleased with the direction that our leaders are taking us.

Thank you.

Roxie Rose Cofer, Descendant of Chief Journeycake

IN THE DELAWARE TRIBAL COURT OF THE DELAWARE TRIBE OF INDIANS

JOHN SUMPTER)	
Plaintiff)	
JERRY DOUGLAS as Council Member;)	Case No. CV-07-002
RAYMOND CLINE, VERNA CRAWFORD)	
as Council Members and Trust Board)	
Members; and MARILYN COLE, Tribal)	
Manager)	
)	
Defendants)	

Stull, C.J., joined by DAVIS, A.J. and YOUNG A.J., delivered the opinion of the Court. PECHONICK, A.J., dissents in Count I and concurs in Count II and will write separately on Count I.

Procedural History

Tribal member John Sumpter, roll #9718, filed his original suit with the Tribal Court Clerk October 23, 2007. John Sumpter amended his suit six times with the final amendment filed with the Court on February 20, 2008. The amended suit, filed February 20, 2008, alleges Chief JERRY DOUGLAS, as Council Member; RAYMOND CLINE, VERNA CRAWFORD, as Council Members and Trust Board members; and MARILYN COLE, as Tribal Manager knowingly and with aforethought did misappropriate tribal trust funds and therefore defrauded every tribal member. A preliminary hearing was held on January 22, 2008 and the Court found enough probable cause to justify a full court hearing. Subsequent to this hearing the Court asks the Plaintiff to amend the suit and to be more specific as to which defendant(s) and to which tribal rule(s) these defendants were alleged to have violated. February 11, 2008 and again on February 20, 2008 the Plaintiff filed the asked for amended suit with the Court. The Defendants, on March 6, 2008, filed an answer and a counter claim to the Plaintiffs' suit. January 2, 2008 the Defendants filed an affidavit of prejudice against Associate Judge PAULA PECHONICK. February 3, 2008 the Plaintiff filed an affidavit of prejudice against Associate Judge NATHAN YOUNG III. Chief Justice ARTHUR E. STULL JR. ruled on March 13, 2008 that "sufficient just cause" was not shown by the affidavits and therefore both affidavits of prejudice were denied. The Delaware Tribal Court (en banc) held trial on March 13, 2008 for Case No. CV-07-002.

Jurisdiction

The Delaware Tribe of Indians Constitution and Bylaws create a court of five judges. Article XII of the Delaware Tribe's constitution states: "There is hereby created a Delaware Tribal Court .. the purpose of the court shall be to hear and resolve any disagreement arising under any provisions of this Constitution or any civil or criminal acts against the Tribe, members, or persons under jurisdiction of the Delaware Tribe (emphasis added)."

Title 9-section 2-7 also states: "The Court of the Delaware Tribe shall have exclusive original jurisdiction in all matters in which the Delaware Tribe of Indians or it's [sic] officers or employees are parties in their official capacity."

Therefore; the Delaware Tribal Court finds it has jurisdiction, both subject matter and personal jurisdiction, over this case and all parties involved in this case.

Count I

Plaintiff JOHN SUMPTER asked the Delaware Court to find Chief JERRY DOUGLAS, Trust Board Chairman RAYMOND CLINE, Councilwoman VERNA CRAWFORD and Tribal Manager MARILYN COLE guilty of knowingly misappropriating Delaware trust funds; and to additionally find that RAYMOND CLINE and VERNA CRAWFORD violated their oaths of office and fiduciary responsibility in the performance of their duties as trustees of the Delaware Trust Fund.

Court Opinion and Directive

The Delaware Tribal Court recognizes the seriousness of the Plaintiffs' allegations and therefore; the Court requires "extraordinary, overwhelming and unimpeachable" evidence to sustain these allegations. By majority vote (3-1) the Court has held that the burden of proof, heard at trial, fell far short of establishing guilt and therefore; all allegations must be dismissed.

As a further explanation of this decision the Court did differentiate between a professional manager and a volunteer manager. The professional manager should be held to a much higher standard of job performance as compared to a volunteer manager whose "training" is varied and "experience" could be very limited.

The Court agrees with the Plaintiff that the Defendants did not use "proper procedure" when approving a Trust Board trip to Las Vegas or the subsequent funding for the Las Vegas trip. Were these procedural errors made by professional managers this Court would impose strict sanctions on the professional managers but when these same errors are made

by nonprofessional "volunteer" managers the Court must look deeper into the cause of these errors to determine if the errors were either due to intentional acts, due to negligent acts, due to poor training, due to an attempt at clever deception or due to poor management guidelines.

The Court finds that the Plaintiffs' court arguments did not provide the "extraordinary, overwhelming or unimpeachable" proof that a criminal act or a fiduciary violation requires but the Plaintiffs' arguments did shine a light on a management system that is without understandable guidelines.

Regardless if the manager is a professional or a nonprofessional a fiduciary's responsibilities always demand an open and transparent accounting of all monies.

The monies expended by the Trust Board for the Las Vegas trip were a legitimate use of trust funds as these funds were provided by line item in the approved 2007 Trust Board budget. The Defendants, by sworn affidavits and written documentation satisfied the Court that no trust fund money was misappropriated or used for an invalid reason. The fact that the entire (quorum) of the Trust Board did not vote to approve or disapprove this Las Vegas trip is both "troubling" and "disappointing."

The Court is "troubled" by the realization that any future spending by the Trust Board, without a change in procedures, could cause a similar suit to be filed with the Court.

The Court is "disappointed" to learn that there does not exist a simple, easily understood and highly accessible Trust Board procurement policy. The Court is equally "disappointed" to find that no document exists outlining the exact procedure to follow when obtaining authorization for tribally paid travel.

Regardless of the Tribes' insufficient management guidelines all tribal volunteers and managers should be given a copy of the Delaware Constitution and Bylaws and a copy of the controlling documents that outline their responsibilities and duties to the position they hold within the tribal government.

Whereas; the Tribal Court directs the Trust Board (within 90 days) to write, propose and pass an easily understood procurement policy and a Trust Board travel and authorization procedure policy. These policies shall be posted and made readily available to all tribal members. The Court would encourage that both the Trust Board and the Tribal Council use similar or the same language in the construction of these policies

The Court finds Trust Board Chairman RAYMOND CLINE did not misappropriate or defraud the Delaware people. The Court acknowledges that Chairman CLINES' loose management style contributed to this suit but no evidence was given to sustain or support the Plaintiffs' allegations of misappropriation. Trial testimony regarding Chairman CLINES' alleged violations of his oaths of office or fiduciary duties pointed more toward this loose management style and poor documentation rather than an intentional breach of trust or breach of his fiduciary responsibilities and therefore; all allegations are dismissed.

The Court finds Trust Board Secretary Treasure VERNA CRAWFORD did not misappropriate or defraud the Delaware people. The Court found no evidence was given to sustain or support the Plaintiffs' allegations against Secretary Treasure CRAWFORD. No testimony was given regarding Secretary Treasure VERNA CRAWFORDS' alleged violations of her oaths of office or fiduciary duties and therefore; all allegations are dismissed.

The Court finds Tribal Manager MARILYN COLE did not misappropriate or defraud the Delaware people. The Court found no evidence was given to sustain or support the Plaintiffs' allegations against Tribal Manager MARILYN COLE. As Tribal Manager it is MARILYN COLES' obligation to perform the managerial function of acknowledging and initialing payment vouchers but the ultimate responsibility of initiating and signing these vouchers lies elsewhere and therefore; all allegations are dismissed.

Count II

The Plaintiff JOHN SUMPTER asked the Court to find Chief JERRY DOUGLAS and Trust Board Chairman RAYMOND CLINE guilty of knowingly misappropriating trust funds as related to the combined Tribal Council and Trust Board election, November 2007. The Plaintiff also asked the Court to find that Chief JERRY DOUGLAS and Chairman RAYMOND CLINE did violate their oaths of office and the tribal election regulations.

Court Opinion

The Plaintiff argued that combining a Trust Board election with a Tribal Council special election defendant's Chief JERRY DOUGLAS and Chairman RAYMOND CLINE did misappropriate tribal trust funds. After the Defendants provided signed affidavits and unimpeachable documents proving that no additional monies were spent and that a combination election had previously been held the Plaintiff continued to argue that merely combining the elections a wrongful act was committed. The Court finds this argument to be both shallow and lacking in merit and therefore; not worthy of a detailed response from this Court.

The Defendants proved that no additional money was expended by combining the Tribal Council special election and the Trust Board election. The Defendants provided documents showing a combination election had previously been held. The Defendants proved through

Conclusion bottom left page 13

IN THE DELAWARE TRIBAL COURT OF THE DELAWARE TRIBE OF INDIANS

CURTIS ZUNIGA

Case No. CV-07-001

Plaintiff

V.

JERRY DOUGLAS, Chief, Delaware Tribe

WAYNE STULL Assistant Chief

RAYMOND CLINE Council Member

VERNA CRAWFORD Secretary

MARILYN COLE, DIN Committee Member

EDNA HAVENS, DIN Committee Member

170 NE Barbara Street

Bartlesville, OK 74006

(918) 336-5272

MEMORANDUM OPINION

This matter comes for hearing on this 13th day of March 2008. For the court are AJ's Davis, Farley, Pechoneck, and Young. Chief Judge Stull previously recused himself. Chief Judge Stull prior to the hearing appointed Associate Judge Young to preside. Present is the plaintiff Curtis Zunigha, appearing pro se, and the Defendants by their counsel Vicki Sousa. Both parties announce ready for trial. The court proceeds to hear evidence and the oral argument of counsel.

On October 24, 2008, a hearing was held on Plaintiff's Motion for preliminary injunction and temporary restraining order. The request was denied.

The first issue to be addressed is the disqualification of tribal attorney Vicki Sousa. Any issue as to her disqualification was voluntarily waived by the Plaintiff hearing at the October 25. Since that hearing the issue has been raised again with another body. The other body found nothing improper with Ms. Sousa's representation of the defendants. This court agrees. There is not any law or facts to suggest anything improper on the part of Ms Sousa. A strong argument could be made that it is her duty to represent the defendants as Tribal Attorney. Such complaints do nothing to resolve the primary issues before this court.

The basis of plaintiff's action is to enjoin and declare unlawful certain questions placed on the 2007 Trust Board election ballot. These questions were to amend certain parts of the Delaware Constitution and to allow the people to express their opinion on an agreement between the Cherokee Nation and the Delaware Tribe of Oklahoma.

FACTS

The relevant facts of the case are simple. An initiative petition to present the aforementioned questions for a vote by the membership was filed with the Tribal Secretary. In the allowable period approximately 150 adult voting members of the tribe signed the petitions. This was more than the 100 signatures required by the Constitution and Bylaws. After the Tribal Secretary certified the petitions had the required number of signatures, the Chief called an election for the supreme governing authority to vote on the petition issues. This election was held in conjunction with the November 2007 Trust Board Election. The issue or questions presented by the petitions all received an affirmative or YES vote in excess of 80% each.

ISSUES

Was the Initiative Petition Election properly called? In the circulation of the Initiative

Conclusion Case No. CV-07-002 from page 12

signed affidavits and unchallenged documentation that no additional cost was incurred by combining these elections.

The Plaintiff argued that both Chief JERRY DOUGLAS and Chairman RAYMOND CLINE violated the election regulations, their oaths of office and their duties to the Delaware Tribe by holding a combination election. The Court finds that duel elections versus a combination election would have doubled the cost to the Tribe and therefore; the decision by both Chief JERRY DOUGLAS and Chairman RAYMOND CLINE saved the Tribe thousands of dollars.

The Court finds that Chief JERRY DOUGLAS did not misappropriate funds, violate his oath of office or violate tribal election regulations and therefore; all allegations are dismissed.

The Court finds that Chairman RAYMOND CLINE did not misappropriate funds, violate his oath of office or violate tribal election regulations and therefore; all allegations are dismissed.

The Court finds that each party shall bear the cost and fees of their litigation.

Done and signed by the Delaware Tribal Court this _____ day of _____ 2008

Petition and subsequent election did the defendants do anything improper? The answer to the first question is an unqualified YES. The answer to the 2nd question is an unqualified NO. In other words the election on the petition issues was lawful and the defendants committed no wrong.

APPLICABLE LAW

The real heart of the problem is the ambiguities and defects in the Delaware Constitution and Bylaws. Adopted in 1982, the Delaware Tribe has outgrown its Constitution. At the time of its adoption the Delaware Tribe was very parochial in its approach to Tribal Government. Everybody thought they agreed upon the meaning of the provisions of the Constitution. Regrettably, as the Tribe grew and its government became more complex it became apparent not everyone was in agreement. The Tribal Government was small and centered on the Bartlesville area. Twenty Six years later the Tribe has drastically changed. There are new demands on the Tribal Government and there are divisive factions within the tribe. This has drastically changed the tribe. The current Constitution does not meet the needs of a Tribe entering the twenty first century. This problem of a defective Tribal Constitution is not unique to the Delaware. Numerous tribes are faced with a similar problem.

The issues of this litigation are resolved by applying several key provisions of the Constitution and Bylaws.

Article 1 of the Constitution clearly states that the supreme governing authority of the Delaware Tribe is the adult voting members. In this opinion the supreme governing authority shall be synonymous with "the people."

Article 1 further states that powers not granted to the Tribal Council are "reserved" for the people. Indeed, Article 3 of the Constitution (The Rights of the Members) states that the people shall be granted equal protection of the law. Therefore, an enactment or action by the government shall treat all members (the supreme governing authority) equally. A law or a provision of a law cannot operate in a manner that discriminates or unfairly treats the members.

Therefore the guiding principle of our Constitution is the governing body of the Delaware Tribe is its members. Each member must be treated equally under the Constitution (Article 3).

The powers of the tribal council are set forth in Article 5. The tribal council's powers are limited to those enumerated in Article 5 reserving the any remaining powers to the people

The initiative process is set forth in By Law, Article 3. . To deny a petition for some miniscule technical reason would be denying a right of the Supreme Governing Authority. From THE EVIDENCE ADMITTED a trial it would appear the defendants were in substantial compliance with article three of the Bylaws.

. Additionally, Constitution Article 8 reserves the power of the people to amend their laws without tribal council permission. Bylaw Article 3 reemphasizes the right of the people to undertake this initiative process.

Constitution Article 3 specifically states the tribal council (which is a limited governing body) shall not deny any Delaware member equal protection of the law. Section 1 of that Article also again states the right of the members to petition their government.

To hold otherwise would result in the supreme governing body (the members) being subject to the dictates of the few that can travel to Bartlesville in November. The actions of the defendants expanded democracy. They protected the right of all members to participate in their tribal government.

Undoubtedly, some self-anointed Delaware leaders will criticize this opinion. Their beliefs would take away the powers of all of the members (the supreme governing authority) in order to allow a privileged few to take control of the Delaware Tribe.

This action is DISMISSED with judgment in favor of the defendants. All defendants are exonerated.

Associate Judge Davis concurs. Associate Judge Pechonick dissents.

N.H. Young, Associate Judge, Delaware Tribal Court

Footnote:

A proper interpretation of the Delaware Constitution limits the power of the Article 11 annual membership meeting. Past actions at previous General Council Meetings may have exceeded their authority. The Article 11 languages "...as well as other business properly brought before the membership..." (referring to a specific meeting) limits the actions that may be taken. Following the principle that the Supreme governing authority is the adult voting membership actions taken in the past (including resolutions) may have been unlawful. One reason is the term General council is not defined in Article 11 for the entire Constitution and By Laws. Furthermore, there is not a quorum requirement for a General Council. Again, how could a hand full of people make decisions reserved for the Supreme Governing Authority? Previous action at Annual Membership Meetings may have thwarted the rights of the Supreme Governing Authority and the equal protection of Delaware members.

A. E. Stull Jr.
Chief Justice

Paula K Pechonick
Associate Judge

Andy Davis
Associate Judge

Nathan Young III
Associate Judge

"In Fond Memory"

James H. Burrows

James H. Burrows, 90, of Decatur, IL died Friday, October 26, 2007, with his wife and family at his side.

Jim was born December 29, 1916, in Copan, OK the son of Wes and Pearl (Wilson) Burrows.

He was always proud of his Delaware Indian heritage on his mother's side and his membership in the Delaware Tribe of Indians in Oklahoma.

He married Connie Hermanek on March 30, 1941 in Neosho, MO. Jim retired in 1982 from Marvel-Schebler Division of Borg-Warner Corp after 40 years of service.

He is survived by his wife of 66 years, Connie, son Jimmy (wife, Nancy) of Lakewood, CO; daughters Debby Wilcox of Decatur and Becky (husband, Ted) Kaatmann of St Charles, MO; grandchildren, Michael Dondeville and Michele Galloway, Joe & Dan Burrows, Jimmy Wilcox, Aaron Jacobus, Greg Wilcox, Rachel, Diane & Lexi Kaatman; 8 great-grandchildren. He is also survived by brother, Vidal Burrows of Borger, TX, sister Cleta Coddling of Mustang, OK.

Jim was preceded in death by his daughter, Connie Jeanette Brennan, his parents and sisters: Treva Kerr and Lahoma Yard.

Pastor Gary Borders officiated and interment was in the Fairlawn Cemetery.



Ada Mae Dick

Funeral service for Chelsea resident, Ada Mae Dick were held Friday, March 14, 2008, at First Baptist Church, Chelsea, Oklahoma, with Pastor Gerald Biswell officiating. Burial followed at Loyal Shawnee Cemetery at White Oak, under the direction of Chelsea Funeral Home and Crematory. Visitation will be held at her daughter's home, #32 Delaware Acres in Chelsea, beginning at 5:00 p.m. on Wednesday, and a traditional wake was held at White Oak Shawnee Community Building.

Ada died, March 11, 2008, at Claremore Regional Hospital at the age of 91.

The daughter of Willie and Julia (Barnett)

Dick was born February 12, 1917, in White Oak, Oklahoma. She was a full-blood Native American, and attended the Seneca Indian School in Wyandotte, Oklahoma. In 1937, Ada married John Dick, Sr., in White Oak. She spent most of her working years as a Nurse Aid, retiring from Pool's Nursing Home in 1979. Ada was a talented homemaker and mother of nine children. She enjoyed playing Solitaire, growing flowers, and making quilts for her many family members. In her later years, she made pillows instead of quilts. She was a member of First Baptist Church of Chelsea.

Ada was preceded in death by her parents, Julia and Willie Dick, her husband, John Dick, Sr., son, John Dick, Jr., daughter, Norma Jean Dick, and brothers, William Ellick, Mac Ellick, William Dave Dick, and Herman Dick.

She is survived by her children: Marvin Thomas of Vinita, Billy Joe Dick and wife Jan of Chelsea, Nathaniel Dick and wife Andrea of Broken Arrow, Katherine Leaf of Chelsea, Julie Whitetree and husband Pete of Miami, OK, Paul Dick of Vinita, and Beverly Blalock of Chelsea. Also sister, Angeline Stewart of Chelsea, 18 grandchildren, 38 great-grandchildren, 11 great-great-grandchildren, a host of nieces and nephews, and many, many friends..

Memorial contributions may be made to the Alzheimer's Association, 6465 S. Yale Ave., Suite 312, Tulsa, OK 74136-7804.

Herb Frauenberger

Orville William (Herb) Frauenberger, age 69, passed away at his residence in Nowata, on May 18, 2008, with his family by his side.

He was born August 28, 1938, to Milton Milo and Auddria (Moore) Frauenberger. Herb, as everyone knew him, attended Armstrong School for 8 years, then attended and graduated from Nowata High School in 1956. March 29, 1957, he married Wilma Sue Lay, at her parents' home east of Nowata.

Herb was a member of the First Christian Church in Nowata, the Fraternal Order of Eagles in Bartlesville, and a member of the Delaware Tribe and the Cherokee Nation.

He loved the outdoors and enjoyed fishing. He was employed as a heavy equipment operator for Western Continental and Peabody Coal Companies, Bellmar Color Press in Nowata as a truck driver, and J-S Valve Company in Nowata as a truck driver. He was also self-employed with trucks and equipment and at one time worked for Phillips Petroleum Company in Oklahoma, North Dakota and Montana. His driving experiences have taken him to nearly every state in the USA. He always had cattle

or horses or both.

He is survived by his wife, Wilma, daughters Shawn Alicia Frauenbergers of the home, Billie Joanna Frauenberger, his son William Bryant Frauenberger and his wife Sharon, grandchildren Katherine Marie Branham and Brent William Branham, Chelsea Nicole Frauenberger and Kaylee Ruth Frauenberger, all of Nowata.

A reception was held in Herb's honor on May 20, 2008, at First Christian Church (Disciples of Christ) in Nowata, and private family burial services were on Tuesday, May 20, 2008.

Donations may be made to First Christian Church (Disciples of Christ), Nowata City-County Library, or 10-33 Ambulance Team in Nowata.

Herb was preceded in death by his parents, a daughter, Kelly Sue Frauenberger in 1993, his mother and father-in-law, Mr. and Mrs. Earnest Lay and maternal grandparents Mr. and Mrs. George (Lucinda Secondine) Moore, and paternal grandparents Mr. and Mrs. Otto W. Frauenberger.



Jessie Lucille Gardner

On October 11, 2007 the soul of Jessie Lucille Gardner departed this world for a better place. She was born in Bartlesville, Oklahoma on August 8, 1919 to the proud parents of Roy and Geneva Sarcoxie. She was the oldest of three children. She received her elementary education at Fish and Rice Creek Schools. Her later education was received in the Ochelata School System. On August 11, 1935 Jessie (better known as Lucille) and Lee James Gardner were united in marriage. They made their first home 5 miles south of Ochelata, where Lucille maintained the home while Lee helped build the Ochelata School. Lee was later employed by Foster Cattle Ranch north of Ochelata, where they lived for many years.

They started their family on August 25, 1937 with the birth of their first daughter Anita. In the next twelve years Lucille gave

birth to three more daughters and raised them while Lee worked on the ranch. In 1955 they left the ranch when Lee was employed by the Reda Pump Company and moved into Ochelata where Lee built her a new house, which she lived in at the time of her death.

After Lee retired from Reda Pump, they moved to Grand Lake and lived there until Lee's death in 1991. Lucille then moved back to Ochelata with her beloved dog Butchie. Lucille was very active in her Christian faith from a very early age and remained in her faith until her passing. She loved to go and watch her girls play sports and then later her grandchildren, going as much as she could. She liked to watch baseball and basketball on TV but not football. She just could not understand why they were always knocking each other down. Lucille loved to travel to places she had never been. She even lived in the mountains of Wyoming in the summers with her daughter Phyllis for many years.

Lucille is survived by her four daughters, Anita Rudd (Gale) of Ketchum, Oklahoma; June Young (Leroy) of Ochelata, Oklahoma; Cathy Ward (Gary) of Stillwater, Oklahoma and Phyllis Pierce (Larry) of Cabool, Missouri; one brother Bill Sarcoxie (Norma) of Newkirk, Oklahoma; thirteen grandchildren, thirty-five great-grandchildren and four great-great grandchildren.

Lucille was preceded in death by her husband, Lee James Gardner, her parents Roy and Geneva Sarcoxie, her brother Raymond Sarcoxie, a grandson, Larry D Pierce II, a great grand-daughter, two great grandsons and a great-great grandson. She will be greatly missed by all who loved her.

Wyenona Leota Hawkes

December 9, 2007, Wyenona L. Hawkes died after a lengthy illness. She was 97. Her niece, Karlleen Dunning, was at her bedside.

Cremation has taken place. Family services were held at Elmwood Cemetery in Fruita at a later date.

Wyenona resided at Heritage Homes in Grand Junction Colorado for the past seven years. She was born in Oklahoma on October 22, 1910, to John and Lucy Weaver.

Wyenona and Wendall Hawkes were married in 1928. Mr Hawkes worked for several different oil companies, so they lived for a time in many different states. Upon his retirement in 1960 they moved to Grand Junction to be near her parents.

Wyenona is survived by sisters, Jackie Wheeler and Lucille Powell, of Moab, Utah; a brother, Donald Weaver, of Jacumba, Calif; and several nieces and nephews.

She was preceded in death by her parents John and Lucy Weaver; a brother John Weaver; and a sister Mary Jane Trospier.

James Edward Morrison

James Edward Morrison, 72 of Bartlesville passed away Wednesday, January 23, 2008 at Jane Phillips Hospital.

Jim was born February 11, 1935 in Bartlesville to John and Pauline Morrison. He attended Bartlesville and Dewey schools and later attended Pawnee Boarding School. Jim played football at Pawnee and was proud that he played on an undefeated team. He loved his family and was a good friend. He was an OU football fan and liked dogs and horses.

He worked on off shore oil rigs in California, drilled test sites for testing A-bombs in Nevada and was one of the first workers at the Port of Catoosa, but his favorite job was driving big rig trucks.

Jim is survived by his wife Maxine; a son, Jay; one sister, Beverly Martin; two granddaughters, Rhiannon and Nancy; one grandson, Bryan; three great-great grandchildren, Caden, Caylee and Blake; and his life long friend Bob Jones and his wife Nancy. He was preceded in death by his mother, father and a sister, Helen.

Indie Adaline (Reeve) Sanders

9-2-1907 0 2-3-2007

Indie Reeve Sanders, 99, of Nederland, TX peacefully passed away on February 3, 2007 in Beaumont, TX. Born in Dewey, Oklahoma, Indie was a resident of the Beaumont area since 1930. She was a proud member of the Delaware Tribe.

Indie was preceded in death by her husband, D.F. "Cotton" Sanders and is survived by her son, Malcolm R. Sanders (deceased 8-30-07) and his wife Tina of Austin; daughter, Amy Sanders of Beaumont; sister, Amy Jean Bell; granddaughters, Sherri Rainwater, Debra Hanks Hebert, Holly Sanders and Patricia Fuller; great grandchildren, Tabitha Ramb, Kristina Hanks, Lance M.D. Sweeney, Hannah Arrant, Taylor Rainwater and Sydney Arrant; and great-great grandchildren, Jasmin Ramb, Landen Hanks and Autum Ramb.

A grave side service was held Wednesday, February 7, 2007 at the Forest Lawn Memorial Park in Beaumont.

Earl Ray Secondine

Mr. Earl Ray Secondine, 63, of Bartlesville, Oklahoma, died Thursday, March 13, 2008 at his home.

Funeral services for Mr. Secondine were held at the Stumpff Funeral Home Chapel with Rev. Ross Atkins of the Bartlesville Church of God officiating. Interment was in the White Rose Cemetery where full military rites were accorded by the James H. Teel American Legion Post # 105. Funeral services and interment was under the direction of the

"In Fond Memory"

Stumpff Funeral Home & Crematory.

Casket escorts were his brothers, Don Secondine, Glenn Secondine, Roger Secondine, Fred Secondine, and David Secondine and his son, Josh Secondine. The Secondine family received guests at the Stumpff Funeral Home Sunday evening. The Earl Ray Secondine Memorial Fund has been established and friends who wish may make their contributions at any Arvest Bank location.

Mr. Secondine was born on July 25, 1944 at Nowata to Mary Mae (Tate) and Henry Anderson Secondine. He grew up and received his education in Nowata County and graduated from Delaware High School in 1962. He also attended classes at the Chilocco Indian Academy in auto mechanics from 1962 to 1964. He entered the United States Army on January 28, 1965 and after serving in Germany he received his Honorable Discharge on January 9, 1968 as an E-5(Sp5). Mr. Secondine was employed with Phillips Petroleum Company in the mail room from 1968 until 1974. In 1974 he began his employment with TRW-Reda Pump where he remained until 1995. He was then employed with Spears Manufacturing until his retirement in August of 2006. He was married to Tonya Ann Baumgardner at the Evangelical Methodist Church in Bartlesville on April 15, 1989 and they have made their home in Bartlesville since that time. Mr. Secondine enjoyed going to tractor pulls and collecting tractors and elephants. He also enjoyed time with his family, children, and grandchildren. He had a positive effect on everyone that he came into contact with. He was a member of the Evangelical Methodist Church and attended the Bartlesville Church of God.

Survivors include his wife, Tonya Ann Secondine; two sons, Josh R. Secondine and his wife, Brandy of Caney, Kansas, and Dustin D. Dickey and his wife, Jamie of Bartlesville; two daughters, Stephanie Lott of Tulsa and Amber Dawn Folkers and her husband Hunter of Diller, Nebraska; five brothers, Don Secondine and wife Sarah of Claremore, Glenn Secondine and wife, Joyce of McKinney, Texas, Roger Secondine and wife, Annette of Irving, Texas, Fred Secondine and wife Jo of Nowata, and David Secondine and wife, Karen of Tacoma, Washington; one sister, Patricia Harrell of San Jose, California; and seven grandchildren, Anthony Lott, Mykal Folkers, Abby Secondine, Mykah Folkers, Skylar Folkers, Kaylin Dickey, Zoey Secondine; and a host of nieces and nephews.

See: Momerics
Edward L Wilson page 19

Howard Alvin 'Wolf' Shipley

Howard Alvin 'Wolf' Shipley, 83 year old long time Nowata area resident, passed away Sunday, November 25, 2007 at his home.

Howard Alvin 'Wolf' Shipley was born September 12, 1924 in Centralia, Oklahoma to William Perry Shipley and Mamie Martin-Harrison. He attended school in Childers. Mr. Shipley later went on to serve his country in the United States Navy during World War II aboard the U.S.S. Beagle. Soon after his return from the War, Mr. Shipley married Shirley Geraldine Lewis on April 3, 1947. Mr. Shipley worked as an over the road truck driver for many years and also worked in the oil fields and as a welder. He enjoyed hunting, fishing and participated in numerous rodeos. He was an excellent team roper and was a member of the Senior Rodeo Association (SPRA).

Mr. Shipley is survived by five daughters, Sandra and husband Bob Mosely, Debbie and husband Mike Williams, Pam Landrum, Beverly Gibson and Brenda and husband Jack Tiry; by one brother, John Shipley; by on sister, Joyce Zofness; by a niece Carol Shipley; by 19 grandchildren; by 52 great-grandchildren; by numerous nieces, nephews and by a host of friends.

He was preceded in death by his wife on June 21, 2006; by his parents; a brother Kenneth Harrison; an infant sister Willa; a great-grandson, Tristian Tiry; and a nephew Kenny Shipley.

Leona Belle (Sarcoxie) Shipley

Mrs. Leona Belle (Sarcoxie) Shipley, 94, life ling resident and mother of Ms. Joanne Markley died Saturday, February, 16, 2008 in the Forrest Manor Nursing Home. Committal prayers and interment were directed in the Memorial Park Cemetery.

A native of Bartlesville, Leona Belle Sarcoxie was born July 24, 1913. She was the daughter of Charlie Sarcoxie and Myrtle Iva (Whiteturkey) Sarcoxie. She was reared in Bartlesville and attended Jefferson Elementary School, completeing her education in Bartlesville Central High School. Her grandfather, the Rev. John Sarcoxie was the first pastor of Bartlesville First Baptist Church. She and Roy Manford Shipley were united in marriage on December 15, 1929 at Independence, Kansas and they established their home in Bartlesville. Mr. Shipley was employed with Marple Grocery prior to his long association with Reda Pump Company. Mrs. Shipley was a devoted wife and mother. They continued their home here following

his retirement in 1971 and he preceded her in death on March 30, 1978. Leona Shipley was a member of Virginia Avenue Baptist Church where she served in the nursery for 44 years; a member of the Delaware Tribe and Bartlesville Indian Women's Club. Her love of children was evident with her commitment to Operation Eagle Indian Education Program.

Survivors include her daughter, Ms. Jo Anne Markley; Bartlesville; her grandchildren, Lu Ann Hainline, Michael Morrison, Mark A. Hainline Sr., Mrs Oletha Mahan, Elaine Clinton, Jake Coffey, Maleah Watson, Kristin Morrison, Kari Sawyer, Bartlesville, Tony Killscrow, Ponca City, Jennifer Pool, Heath, TX, Melissa Tibbets, Towanda, KS, several nieces and nephews including a special niece, Bonnie Jo Griffith; her sister Mrs. Betty Barnes, Ochelata, OK, and a large extended family of relatives and friends including the Forrest Manor residents and staff. Leona was preceded in death by a daughter Patsy Lou Morrison, and sisters Bonnie May and Ruth Ford in addition to her husband.

William C. Sutton

William C. "Billy" Sutton, 44 of Nowata, died Wednesday, July 9, 2008 at the St John Medical Center in Tulsa.

Services were held at the Living Word Family Church with Pastor Jim Winslow officiating on Saturday, 12, 2008. Internment followed at the Nowata Memorial Park Cemetery under the direction of the Benjamin Funeral Home.

Billy Sutton was born August 23, 1946 in Nowata, Oklahoma to William H Sutton and Mary Gerogiann Armstrong-Sutton. He attended schools in Nowata until high school when he transferred and graduated from Lenapah. Mr Sutton had bee driving a truck for Bonham Trucking for the last several years.

Mr Sutton was also a race car driver. He drove in the Pure Stock class at the dirt track in South Coffeyville quite often. When he wasn't racing, he was driving the wrecker at the races. He had a love for racing that extended from working on motors to watching Jeff Gordon and NASCAR on television. He also enjoyed morning coffee at the Bliss and visiting with friends. But, perhaps the time he enjoyed most was the special fishing trips he took with his mom or enjoying a visit from the children and grandchildren.

Mr Sutton is survived by his mother, Mary of Nowata; by a daughter, Tristina French of Nowata; by a son Dillion Dobbs of Nowata; by a sister Brenda Savala of Nowata; by grandchildren, Bre-Lynn French and Jacob French; by nephews Jeffery Sutton and Shane Savala; by a niece Monica Savala of Nowata; and by a special friend Brandy Combs and her daughter Stacey Guffey. He was preceded in death by his father.

Delaware Tribal Council Meetings

Monday, October 15, 2007

The Delaware Tribe of Indians met Monday, October 15, 2007. The meeting was called to order by Chief Jerry Douglas at 6:00 p.m. Council members present at roll call included Annette Ketchum, Verna Crawford, Raymond Cline, Judy Harmon, Assistant Chief Wayne Stull and Chief Douglas. Curtis Zunigha arrived at 6:10 p.m. Audience members included Donna Adams, Anita Lewis, Jan Brown, Chet Brooks, Don Wilson, Rosetta Coffey, Jess Coffey, Bonnie Thaxton, Jean Kirkendall, Evelyn Thomas, Doyle Hayes arrived at 6:30, Marilyn and James Coffey arrived at 6:55 and Barbara Wallace and Johnney Tucker arrived at 7:20. Tribal employees Marilyn Cole and Earnest Tiger were present as well as tribal attorney Vicki Sousa. Invocation was given by Earnest Tiger. Guests were welcomed by the Chief.

Minutes of the previous meeting were reviewed and approved with one abstention, Annette Ketchum.

Treasurer's report was given by Judy Harmon. She stated we are ready for the 2006 audit to begin as soon as the CPA firm is ready for us. Annette stated she would like to see the check registers and budgets.

Old Business:

Chief Douglas stated he has been on the phone daily with the lobbyist and attorney Tom Peckham. We do not seem to be getting anywhere. Wayne stated the climate in Washington DC is not favorable towards Indians. This is an election year and our delegates will not introduce a bill even if we do not do gaming. He stated our lobbyist does not seem to be working for us, but would like to wait until we hear on Wednesday with his update until we make the decision to let him go. Annette Ketchum made a motion to terminate the lobbyist, no second. Wayne also stated we can get economic development without doing gaming. Lengthy discussion followed on the bill language, gaming, 1500 acres of trust land and the shall language and getting Cherokee Nation support and the fact that Senator Coburn is against all Indians. Discussion also included we might need to meet with Chief Chad Smith on the issue. Annette Ketchum stated we need to be a stand alone recognized tribe even if it takes twenty years to accomplish.

Elder Committee nutrition report was given by Zunigha. He stated there has been no movement on this committee since the last meeting. There are no monies to support a program and the committee has not met to offer an alternative plan. The personnel committee has met and Annette Ketchum's proposed plan with selected employees and pay scale was discussed but at this time will not be implemented. His suggestion is to wait for federal recognition and apply for title 6 funding. Wayne Stull stated he has talked with Cherokee Nation Councilman Dr. Brad Cobb and he indicated the food pantry monies might be available to us. Zunigha stated he talked with Melanie Knight and she made no promises of support for the program. Annette Ketchum stated she has abandoned

the committee as no one looked at her budget or inventory. Raymond Cline stated this was reviewed but it was her opinion and not the committee as a group which was what was requested. Chief Douglas requested he and Wayne Stull work with Dr. Cobb to get some funding for the program. Stull then stated he had talked with Melanie Knight and she stated the Cherokee Nation council passed support for us. He will again call her and Dr. Cobb. Zunigha made a motion to let the elder committee do what they are doing, no second. Annette stated the elder nutrition program has received \$2,000 from Grand Gateway and they are awaiting word on the \$10,000 grant applied for.

Reports:

A resolution was read by Marilyn Cole to approve new tribal members, approved with all in favor.

New Business:

Chief Douglas stated Councilman Curtis Zunigha has filed a lawsuit in tribal court against some council members and Delaware Indian News committee members. He has filed this as a tribal member. The Chief desires to have Vicki Sousa represent the council as well as for Edna Havens and Marilyn Cole Delaware Indian News committee members. **Motion was made to allow Vicki Sousa to represent Edna Havens and Marilyn Cole as counsel was made by Verna Crawford, seconded by Judy Harmon. Discussion followed. Vote 5 yes 2 no, Curtis Zunigha and Annette Ketchum, motion passed.**

Zunigha expressed his views on the election and general council. He reviewed last years meeting and stated he wants to have a meeting following the court hearing to prepare for general council.

NCAI annual meeting was discussed. Wayne Stull and Earnest Tiger are attending from the trust board. Annette Ketchum made a motion to send the chief, no second as Chief Douglas stated he is not able to attend NCAI. **Motion was then made to send Zunigha to the annual meeting in Denver November 11-16 with Wayne Stull as the delegate and Earnest and Curtis as alternates was made by Raymond Cline, seconded by Wayne Stull.** Zunigha reviewed why he should attend and that his expenses of registration, travel, hotel and per diem will be covered. **Motion carried all in favor, Zunigha abstained from vote. Motion to approve NCAI resolution 07-08 approving Wayne Stull as Delegate and Councilman Curtis Zunigha and Earnest Tiger as alternates made by Curtis Zunigha seconded by Raymond Cline motion carried all in favor.**

Discussion of having a special meeting on Monday, October 29th at 6:00 p.m. to discuss general council. The meeting was then scheduled for that Monday.

Zunigha requested a donation of \$250 for the color guard to get harnesses to carry flags. There are several up coming events such as veterans day parades and powwows. It was suggested this could possibly come from cultural preservation Zunigha will ask on Tuesday evening.

Annette Ketchum stated she has written and received a letter from John Arledge and Associates concerning mis-appropriation of trust funds.

Verna stated the council should be able to help with the donation to the color guard request since they also represent the tribe. **Motion to approve of the donation request of \$125 to the color guard was made by Verna Crawford, seconded by Wayne Stull. Motion carried, all in favor. They will be ordered by the cultural preservation committee..**

A billing for Community Services was brought up for discussion. This will be addressed by the committee.

Annette stated the grass at the Dewey cemetery is tall and she has called County Commissioner Linda Herndon and this will be taken care of. Annette Ketchum questioned the status of the sign that was at the old building, the pictures that hung in the old council room and the dedication shovel. These items are in storage at the present time.

Doyle Hayes addressed the content of an email received Monday, October 15, 2007 that was posted on the internet by Rusty Brown for Annette Ketchum. He stated that he served the tribe honorably for four years and now that he is running for office she has tried to dig up dirt by implying that he stole. He stated that anyone who was at the meeting knew that this was discussed, it is in the minutes what was going to be done with this stuff. Anita Lewis and the council members went outside to discuss what to do with the items so that an outdoor powwow could be held. The email implies that Anita had no knowledge of this. There was old metal that came off the building, some bricks a roll of felt. Anita was going to pay someone \$40 an hour to haul this off. There was no rebar, there was a pile of chicken type wire that could be used in conservation to prevent erosion. This stuff had been laying there for two years killing the grass. It was never used to fix the pond when it was dried up. Doyle stated that he didn't have any use for the stuff but stated that he would haul it off. He spent over \$400 to have his employees to remove it. In the email it stated that an elder got a license tag number which is a lie as you cannot see the tag when a trailer is hooked to the truck. There is a large sign on all his trucks that says Hayes Air Conditioning we don't hide from anybody and it gives the phone number. His employees also wear t-shirts that have Hayes Air Conditioning on them. He asked if this sounds like he is trying to hide or steal that stuff? Annette Ketchum questioned why he didn't put this in the storage building. Doyle stated this was not mentioned to him and why would he pay his men to come here to do that? He got the use of about three pieces of used metal. The rest of the metal wasn't usable and it cost him more to dispose of it. He did this to help clean up the property. Levi Randoll got the wood now this could of been used for the fire at their powwow and he is assuming that the housing authority got the bricks. Now

still they was to pay someone \$40 an hour to finish removing the debris, and it is still not done. He stated that she should not drag him through the mud. Annette Ketchum thanked him for explaining this. Doyle stated that this has been explained at meetings and to Anita Lewis. . The email states that he is playing dumb about this and it is a lie. Annette Ketchum stated that Anita Lewis was out money to move this back. Anita Lewis and her husband were only out gas money as they were in Nowata at a meeting. Doyle stated that he took off work early and loaded the felt and wire. He feels this email is from him running for office. Annette Ketchum stated that everyone gets a nick when they run for office, she has. Verna Crawford stated that Doyle Hayes was correct and she remembers the discussion and directions given at the meeting.

The meeting adjourned at 7:20 p.m.

Special Tribal Council Meeting Monday, October 29, 2007

The Tribal Council of the Delaware Tribe of Indians met in a special called meeting Monday, October 29, 2007. The meeting was called to order at 6:06 p.m. by Chief Jerry Douglas. Council members present at the meeting were Chief Douglas, Wayne Stull, Raymond Cline, Curtis Zunigha and Verna Crawford. Annette Ketchum and Judy Harmon were absent. Present in the audience were Jan Brown, Barbara Wallace, Benny Thaxton, Donna Adams, Chet Brooks, Johnney Tucker, Jack Tatum and Kay Anderson. Tribal employees Marilyn Cole and Earnest Tiger and tribal attorney Vicki Sousa were also present. Earnest Tiger gave the invocation, guests were welcomed by the Chief.

There are three agenda items to be discussed. Item one, the petition received concerning child care using the community center has been verified by Verna Crawford. She stated that this was a moot issue as child care has withdrawn their proposal for community center use. Zunigha stated we must follow through and call for an election. Discussion of the costs followed as the issue is not valid now. Several council members stated they have not seen this petition. There are two submitted only one has been returned with signatures. **Motion that the Chief call and give written notice to the tribal council when he calls for the election was made by Curtis Zunigha seconded by Wayne Stull. Motion carried with all in favor.** Verna then read the petition with signatures as there are two submitted and the one with signatures is a moot point. Further discussion followed. Zunigha stated the chief is to notify the council when an election is called and he will accept an email as notice.

Item two, Zunigha stated Jenifer Pechonick took notes and Benny Thaxton was the chair of the meeting and that minutes need to be put back on the agenda. He also wants food to be provided. **Motion that the Chief chair the meeting for general council**

Continued Page 19

Delaware Trust Board Meetings

October 1, 2007

Chairman Cline called the meeting to order at 6:15 pm. Chet Brooks gave the invocation. At roll call, members present included: Chairman Cline, Vice Chairman Wayne Stull, Jenifer Pechonick, Verna Crawford, Anita Davis-Lewis, Michael Morrison, and John Tucker.

September 10, 2007 minutes with corrections were approved.

Verna Crawford gave the financial report. As of 8/31/07 the balance of the trust fund is \$3,479,782.83. Treasurer's report pending audit was approved with all in favor.

Raymond Cline reported community service had funded all complete applications for services, any incomplete applications were on hold for completion.

Earnest Tiger reported on behalf of Economic Development. He said the Mayor of Dewey and the City Council wanted to issue an apology to the tribe. The mayor said the city put the land into surplus lands as a result of advice from their attorney. This was unnecessary and the travel plaza project will continue.

Verna Crawford reported the education committee approved their budget and reluctantly accepted Michael Morrison's resignation.

Anita Lewis reported land management is almost caught up with mowing and debris removal.

Reinvestment and Tribal Operations did not meet.

Motion passed with all in favor to take a 15 minute recess to discuss the Economic Development budget. The meeting reconvened at 6:40 p.m.

Motion made to approve the proposed 2008 budgets. Discussion: Jenifer Pechonick questioned the budget line items. She pointed out there are contractual expense line items in several committees. She discussed that this line item was used for salaries last year. She explained that the committees know what their expenses are for the year, they have been in place for years and there was no need for a contractual expense line item. Jenifer said that she was against the budget. Verna Crawford, Wayne Stull and Michael Morrison voted yes, Jenifer Pechonick, John Tucker and Anita Lewis voted no. In a tie vote, Chairman Raymond Cline voted to break the tie, and voted yes, passing the motion. When the tribe had federal recognition, the Land Management trust funds were used to pay a portion of the maintenance department salaries.

Wayne Stull made a motion to rescind the resolution allowing salaries to be taken from contractual expense Trust Board monies with the exception of Economic Development director and Business Manager, if necessary. 2nd Michael Morrison. Motion passed all in favor.

Discussion was held regarding NCAI in Denver Nov 11-16th.

Motion made to approve Wayne Stull and Earnest Tiger out of Economic Development to attend NCAI in Denver. Motion passed all

in favor.

Meeting was adjourned at 7:00 p.m.

Monday, December 3, 2007

The Trust Board of the Delaware Tribe of Indians met Monday, December 3, 2007 at the Delaware Community Center, Bartlesville, Oklahoma.

The newly elected members were sworn in.

Earnest Tiger gave the invocation.

Roll call: Chairman Raymond Cline, Wayne Stull, Verna Crawford, Anita Davis-Lewis, Bill Hatch, Doyle Hayes, and Jenifer Pechonick were present.

There was no trust board meeting in November, the chairman and vice chairman were out of town.

The minutes for October were approved, 4 yes votes and 2 abstained, Bill Hatch and Doyle Hayes.

Verna Crawford gave the Treasurer's report. The ending market value is \$3,272,255.65.

Chairman Cline said Community Service is still providing assistance to those who meet the requirements and referring out to other agencies.

Anita Davis-Lewis gave her report on Cultural Preservation. She reminded everyone that the annual Christmas Party will be December 11th.

Earnest Tiger gave the Economic Development report. He said the soil testing and the engineering studies are scheduled to start this week for the Dewey travel plaza. After this is completed, construction activities should begin. The revised financial package will be completed in mid-January. There are several institutions that have shown interest in financing the project. Wayne stated we need to meet with Arvest or have an Arvest representative come to a meeting to discuss our investments. Need to make sure our securities aren't losing money. Raymond will contact our representative.

Verna Crawford gave the education report. She said they are in the process of sending out information to the fall scholarship recipients to update their information for the spring scholarships.

Land Management did not meet.

Reinvestment and Tribal Operations met and approved their budgets.

Curtis Zunigha asked if there was a line item in Tribal Operations for the Delaware Indian News. Jenifer said that she would not support trust funds paying for the Delaware Indian News if the Trust Board had no say so in it. Curtis said the tribe has business that needs to be communicated to the tribal members. Jenifer stated the tribal council should pay for the Delaware Indian News if they are appointing the committee and overseeing the newspaper. Raymond said there's a \$2500 line item in Community Service budget for the Delaware Indian News. Previous administrations have used trust funds to publish the Delaware Indian News. Trust board members Raymond Cline, Verna Crawford and Wayne Stull are on the Delaware Indian News committee. Wayne



CHEROKEE NATION®

CHGFI
Chad "Cornstassel" Smith
Principal Chief

JLO@J@h@
Joe Grayson, Jr.
Deputy Principal Chief

April 3, 2008

Jerry Douglas, Chief
Delaware Tribe of Indians
170 NE Barbara
Bartlesville, OK 74006

Dear Chief Douglas:

Dr. Brad Cobb, Cherokee Nation Councilor, forwarded me a copy of a letter you addressed to him dated March 26, 2008. In that letter, you requested his support for a resolution from our legislature for the Delaware Tribe to resume its BIA programs. However, as you know, we have already reached agreement concerning the operation of BIA programs.

The Memorandum of Agreement we negotiated between the Cherokee Nation and the Delaware Nation covered many programs in different federal agencies, including BIA programs. The agreement we have in the MOA concerning BIA programs states as follows:

The parties agree that the Tribe shall resume its Aid to Tribal Government program, funded at \$239,877 plus an additional \$41,033 for indirect costs annually, subject to congressional appropriations and BIA allocation of direct and indirect costs. The Aid to Tribal Government program is critical to fund necessary core governmental services of the Tribe. Accordingly, such funding shall be utilized to provide enrollment or administrative services of the Tribe, including personnel and other basic operating costs. The Tribe's priorities and activities performed with such funds must be consistent with the Act. Such funding is subject to Section IV, Subaward Requirements, of this MOA.

The MOA becomes effective when the federal legislation is passed to recognize the Delaware Tribe of Indians. Recognizing the needs of the Delaware Tribe to cover basic expenses now, I am willing to consider implementing this section of the MOA in advance of the passage of federal legislation. This would be accomplished by negotiating an agreement similar to the one we have in place for the Child Care Program. The amount available would be \$241,073 plus an additional \$36,794 in indirect costs (based upon BIA funding of 94.8% of 16.1%), for a total of \$277,867. The funds could be paid to the Tribe as soon as BIA pays them to the Nation in 2008, which has not yet occurred. I am delegating Melanie Knight, Secretary of State, to negotiate the agreement with you on my behalf.

The relationship between the Cherokee Nation and the Delaware Tribe is very positive under your leadership, and I am confident it will remain so. I respectfully request that if you have any issues regarding program operations, that you address them with me or my staff directly. This will assist us greatly in coordinating them in light of all of our prior negotiations. Thank you for your continued cooperation.

Sincerely,

Chad Smith
Principal Chief

cc: Dr. Brad Cobb, Cherokee Nation Council, District 8

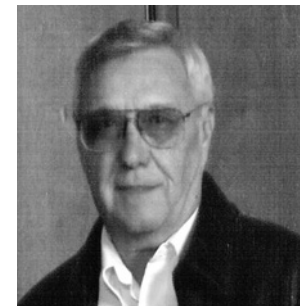
Stull has recently resigned.

Janifer Brown asked who was in charge of maintenance of the community building both inside and out. Janifer pointed out that someone is throwing the used filters out by the kitchen and the cover is off the septic.

Committee assignments were made Community Service - Raymond Cline, Chairman and Verna Crawford, Vice Chair. The committee meets the 1st Wednesday of the month

Continued page 19

WE SUPPORT CHIEF DOUGLAS



This administration has been able to improve our tribal financial position by approximately \$800,000 to maintain our tribal operations. The Cherokee Nation has agreed to release \$277,867, Aid to Tribe government Funding, specifically ear marked to finance our tribal operations. Over \$500,000 has been requested and will be released from the Bureau of Indian Affairs Delaware Land Claim settlement and will be utilized to leverage \$5 million to finance tribal economic development projects.

Locally, opposition forces have taken issue with the tribal chief receiving a salary. Those complaining have no idea the time and work involved at this most critical period in our tribal history. The chief kept our tribal organization moving forward in the last six months of our previous chief's administration. Chief Douglas served our tribe 7 months with out a salary. A resolution introduced at last years annual general council meeting raised issue with the chief being paid a salary. The chief is taking the issue to a vote of the people because this issue should be decided by the people and not a small gathering at the general council.

Two lawsuits were filed in Delaware Tribal Court and both lawsuits were dismissed by the court. The cases and the court's rulings are printed in this issue of the DIN, (review for further information). The tribal attorney waived \$10,169 of her normal fee structure to reduce the cost of representing the tribe in these two lawsuits. Without the reduction in attorney fees these lawsuits would have cost the Delaware Tribe \$22, 238.62. The actual cost to the tribe, after the fee reduction was \$12,069.62.

The frivolous lawsuits and the people who filed them are out to under mine this administration and will do so at the expense of all Delaware tribal members.

Paid for by supporters of Jerry Douglas, Delaware Tribal Chief.

Delaware Trust Board Meetings

Continued from page 18

Cultural Preservation - Anita Lewis, Chairman and Jenifer Pechonick Vice Chair. The committee meets the 3rd Tuesday of each month at 6:00 p.m.

Economic Development - Wayne Stull Chairman and Doyle Hayes, Vice Chair. The committee meets the 3rd Monday of each month at 4:00 p. m.

Education - Verna Crawford, Chairman and Wayne Stull, Vice Chair. The committee meets the 1st Monday of the month at 4:30 p.m.

Land Management - Jenifer Pechonick, Chairman and Anita Lewis, Vice Chair. The committee meets the third Tuesday of each month at 6:30 p.m.

Re-investment - Bill Hatch, Chairman and Raymond Cline, Vice Chair - meets quarterly

Tribal Operations - Doyle Hayes, Chairman and Bill Hatch, Vice Chair - meets quarterly

Discussion was held about the 2008 budget.

Verna Crawford made a motion to conduct a special General Council for the Trust Board of the Delaware Tribe of Indians for February 23rd for approval of the budget, 2nd Anita Davis - Lewis. Discussion was held, the Delaware Indian News will go out on January 11, 2008. Motion passed with all in favor.

Motion made and approved with all in favor to add "other business" to the Trust Board agenda.

Janifer Brown discussed incentives for the meeting. She discussed the door prizes and a meal.

Discussion was held regarding a stipend for the election committee. Jenifer made a motion to give a stipend of \$50 to the election committee, 2nd Bill Hatch. Discussion was held regarding Edna Havens and Chet Brooks appointments to the committee - Mary Jo Peterson needed more help. Motion passed all in favor.

The meeting was adjourned at 7:25pm.

Delaware Tribal Council Meetings

Continued from page 16

was made by Verna Crawford, seconded by Raymond Cline. Motion carried with all in favor. One no, Zunigha. Zunigha then stated tve do not need armed guards. He then asked the audience to not be unruly. Crawford questioned if the veterans will bring in the flags? Zunigha stated he would be happy to ask them. Johnney Tucker stated there will be new veterans pictures to dedicate. The issue of having a parliamentarian present was discussed. Discussion of cultural preservation doing something after the meeting.

Item three, is to reimburse expenses to

Wayne Stull and Judy Harmon for their attendance and representation of the tribe at the mid-year NCAI conference. Discussion of this followed. Zunigha stated he is not going to vote against this as he is going to Denver. Motion to reimburse Wayne Stull and Judy Harmon their expenses to attend mid-year NCAI in Anchorage AK was made by Raymond Cline, seconded by Verna Crawford. Motion carried with all in favor. One abstention , Wayne Stull.

Meeting adjourned at 6:55 p.m.

Delaware Tribe of Indians Address Correction Form

Address changes: Use this form, drop a note or a post office change of address card to the tribal office or e-mail to dtriberegistration@yahoo.com

**Delaware Tribe of Indians
Registration Department
170 N.E. Barbara
Bartlesville, OK 74006**

Name: _____
 Address: _____
 City _____ State _____ Zip _____

To have a name changed on the tribal roll, send proper documentation, such as a legal document, stating the change (examples: marriage license, adoption papers, divorce papers, etc.) Be sure to include your previous name or names since that will be the way it is listed on the role. Including Tribal Registration number is helpful, but not required.

FIFTH NOTICE BORN BETWEEN 10/3/1972 AND 8/1/1980? ON THE 1980 ACT DELAWARE ROLL? READ THIS PER CAPITA PAYMENT INFORMATION.

In 1980, Congress passed an act allocating the judgment funds won by the Tribe and the Delaware Nation in the last of the Indian Claims Commission Act cases brought by the two tribes. That act required that Tribal members born between October 3, 1972 and August 1, 1980 were to receive a slightly higher per capita payment than other Tribal members also included on the roll under the 1980 Act. The Department of the Interior did not compute those adjustments when it made per capita payments under the Act. Members of the Kansas and Idaho Delaware groups brought suit against the United States alleging other violations of the 1980 Act. While those groups lost on those other counts, the United States did admit it had underpaid the "afterborns," those members of the Delaware Tribe (and of the unrecognized Idaho and Kansas Delaware groups) born between those dates in 1972 and 1980. The Idaho federal court hearing the case ordered the United States to correct the underpayments (including authorization to Interior to collect the underpayments made to other Tribal members). The United States did not make up the underpayments, or collect the overpayments.

As part of the negotiations of the Tribe's current trust mismanagement suit against the United States, this issue was uncovered. The United States has agreed, and the Idaho federal court has now ordered, that the United States must make up the underpayments, with interest, out of the United States own funds. **Over 1,000 checks have already been issued, but we are still looking for 331 people.**

To make sure that ***all*** afterborns on the 1980 Act roll receive their per capita payment, the Idaho court has asked the Tribe to identify the afterborns **on the 1980 Roll**, including their current address. If a Tribal member on the 1980 Roll has passed away, his or her heir(s) are entitled to the per capita payment.

If you were born between October 3, 1972 and August 1, 1980 ***and*** your name appeared on the 1980 Act roll ***and*** your name does ***not*** appear on the list below, the Tribe already has current information for you. You should have already received a check in January, or in the last week or so. (A list was submitted to the court the week of July 7 with over seventy names on it. If those checks have not already gone out, those people should receive a check in the next week or two.) If you have received a check or submitted your information to the Tribe in the last six months, do not contact the Tribe again unless your address or legal name changes or unless you have not received a check by the end of July.

The list below contains only members for whom we have not verified current contact information. If you:

- (1) were born between October 3, 1972 and August 1, 1980, ***and***
- (2) your name appeared on the 1980 Act roll, ***and***
- (3) your name is on the list below, or if you know where someone on the list is,

please send an e-mail to dtriberegistration@yahoo.com, or send the information to Enrollment Department, Delaware Tribe of Indians, 170 NE Barbara, Bartlesville, OK 74006. Regardless of which method you use, please include your name, address, phone number, and birth date. If you were born between those dates and you were on the 1980 Roll but your name is NOT on the list below, it is because we believe we have a current address for you. If you have moved recently, or if you have not received the Delaware Indian News in the last year, please send your information in one of the ways listed above. If you know that someone on the list has passed away, please also let us know that as well. Documentation will need to be submitted concerning the deceased. **PLEASE NOTE THAT IF YOU WERE NOT ON THE 1980 ACT ROLL PREPARED BY THE SECRETARY OF THE INTERIOR, YOU ARE NOT ELIGIBLE FOR A PAYMENT EVEN IF YOU WERE BORN BETWEEN THE RELEVANT DATES AND ARE CURRENTLY AN ENROLLED MEMBER.**

Current Status

In late November 2006, the United States deposited into an account with the Idaho court \$1,414,315.81, of which \$1,186,964.08 is allocated to the afterborn members of the Tribe. (The remainder is allocated to the afterborns on the 1980 rolls of the Idaho Delawares and Kansas Delawares.) That amount is now earning interest in a bank account administered by the Court. We are still looking for the remaining 331 Delaware Tribal members entitled to a check of out a total of 1,372 Delaware Tribe afterborns on the 1980 roll.

Please do not call or e-mail to find out when a check will arrive!!!! You will receive it as soon as possible. Watch the next Delaware Indian News for an update.

This is the list of afterborns we have not been able to locate:

Maria L Allen	Adam Mark Barnes	Sheila Anne Barneti
Brian Jacob Andersen	Jeremy Dian Barnes	Douglas Wayne II Barton
Carrie Lynn Andersen	Joel Anderson Barnes	Donald Ray Beeson
Billy Robert Bailey	Nathaniel David Barnes	Carson James Beets
Tanya Yvonne Bailey	Steven W Barnes	Amber Renee Berry
Sugar Michelle Banning	Tracy L Barnes	Tiffany Marie Bierschied

Conrad Caleb Blanchard
Shelly Diane Blanke
Julie F Blount
David James Boyce
Robert Charles III Boyd
Carrie Arlene Brimmer
Alicia Leigh Broadus
Roger Eugene Bronson
Tammy Venita Brooks
Virginia Mae Brooks
Amy Michelle Bunch
Deanna Lynn Bunk
Quintin Lee Callaway
Joshua Scott Caouette
Sadie Noel Carlisle
Clifton Quinton Carpenter
Michael Scoff Carpenter
Miranda Carreon
Timothy Bryan Chambers
Marcus Richard Chatterton
Lisa Renee Cheatham
Christine M Childers
Lori E Childers
Amy Cherese Christensen
Kristin Lynn Clingan
Kaliska Juanita Verarie Cockrell
Amy L Connor
Johnny H III Connor
Christopher K Cox
Natalie M Cox
Jason Lee Craddock
Clinton Stewart Cupp
Dona Kay Cupp
Jane Marie Curley
Dawn Michelle Davis
Lindsey Renee Davis
Deleicla Chantell Dennis
Damon Lee Dick
Lysh Wynee Dick
Alex R Donaho
Megan Christine Doubt
Lacey Rebecca Downum
John Daniel Drywater
Stephen William Duncan
Niget Dale Dunham
Dawne Arnel Dushane
James Edward Jr Dwojak
Sunshine Marie Dwojak
Holly Diana Ellis
Phillip Wade English
Shauna Lynn Ercolin
Adley Marion Fautln
Irene C Felder
James R Felder
David Leroy Fiedler
Tiffany Ann Fiedler
Johnthon Vincent Fields
William Timothy Fininen
Artie Joel Flores
Jennifer Elaine Flores
Adrian Herman Forbes
Lucien SIRRUCK Forbes
Thalimika Da Anna Forbes

Brian Michael Eugene Freeman
Gregory L Freeman
Terry Glen Freeman
Michael Robert Galich
Rose Ann Davina George
Nathan Lee Gibson
Joseph Michael Giddens
Karen Elaine Goff
Rebekah Marie Goff
April Jane Golden
Holly Marie Goodson
Christy Ann Graves
Gregory Nelson Graves
Jennifer Christine Griffiths
Lucius Eli Gynther
Arin L Haff
Joshua David Haff
Jeremy Scott Halfmoon
Edward James Jr Hammer
Jason Lynn Hammon
Kristine Marie Haner
Matthew Ryan Harris
Crystal Lea Harvey
Curbs Robert Hatcher
Jeffrey Mack Hawkins
Anna Marie Hayes
Charles David Jr Hayes
Lori Lynn Hayes
Angele D Heinerikson
Mickey Ann Henry
Ginger Ann Herkender
Kyle Edward Herkender
Janessa Leann Hernandez
Andrea Mine Higgins
Robed Brandon Hinds
Jennifer Rae Hodgdon
Misty Dawn Hodgdon
Tonla Sue Holt
Jewel Elaine Huddleston
Cherilynn Delane Hughes
Kenda Tennille Hunt
Tracy Lynn Hunt
Miles Grady Hunt
Kathryn Theresa Hunter
Maranda Down Hutchinson
Jessica Lynne Hutson
Jolene Donnell Hutson
Elizabeth Mae Infield
Brian Scoff Inglis
John Michael Inglis
Dalen Lee Jr Jackson
Heather Marie Jackson
Jennifer Kay Jackson
John David Jackson
Melanie Marie Jackson
Sarah Leanne Jackson
William D Jackson
Mary Elizabeth James
Jason A Jay
Phillip C Jr Jay
Bobby Warren Jeffers
Angela Denise Jenkins
Jennifer Carol Jenkins
Michelle Lee Jensen
Stepahnle Dawn Jensen
Kandi Nicole Johns
Mark Christopher Jones
Anthony David Kelley
Gingalea Ann King
Lewis Steven King
Richard Lynn II King
Kenneth Charles Klein
Dearl Gene Jr Lankford
Elizabeth Ann Lankford
Staci Lynn Layton
Sarah H Lemmon
Christy Lynne Love
Nichole Renee Lowrey
Jason Robert Lowry
Wesley Jacob Lowrey
AnfleeMichelle Maddox
Maria Rae Maddox
Randy Jr Mammedaty
Benjamin L Mark
Sarah A Mark
Shannon Gene Matthews
Robin Elizabeth
McAnnich
Brandon David McCabe
Justin Scott McClemore
Latisha Ann McCrery
Quentin Micab
McDonald
Jennifer A McGuire
Teddy Jake Measles
Misty Gayle Merrill
Benjamin Scott Miller
Brian Clifford Miller
Charla Ann Miller
Christina Marie Miller
Jason Lloyd Miller
Roger Dewayne Miller
Bradley Z Mooring
Arlo Jonathon Morrow
Jolene Michelle Nelson
Angela M Nevius
Nina Newcomb
Kelley Ann Newlon
Justin W Nidiffer
Timothy Jason Nowlin
Anthony Paul Nunn
Sarah Catherine Nunn
Thomas William Nunn
Jason Shone Nunnallee
Kimberly Dawn Parnell
Shelly Jo Peceny
Lissa Irene Pecore
Mary Ella Perryman
John Maxwell Plank
Stephanie Shuler Plank
Cindy Marie Pope
Emerson Lewis Pope
Jennifer Lynn Pope
Jennifer Tina Pope
Jason P Porter

(List continued page 19)

(List continued)

Paul Matthew Pregler
 Preston Phillip Jr Pregler
 Eva Marie Prestin
 Rosan L Primeaux
 Matthew Zane Rampey
 Wayne Charles Ramsey
 Kelli Sue Randall
 Dora Kimberly Reich
 Jennifer Jane Replogle
 Aren Christian Reynolds
 Bron Hudson Reynolds
 Cole Eric Reynolds
 Daniel Steven Rice
 Jeremy S Rich
 Jodi D Richesin
 Ronald L Robertson
 Jason Ray Rodriguez
 Andrea C Rogers
 Ricky J Rogers
 John E Jr Rosser
 Christopher S Rowan
 Johnny Michael Jr Rowan
 Mitzi Nicole Rowan
 Thomas Anthony Russell
 Jose Juan Jr Sanchez
 Sara Louise Schopmeyer
 Elizabeth Nicole Schroeder
 Rachel D Schwenker
 Rebecca G Schwenker
 Robert C Ill Schwenker
 Christopher S Scott
 Shannon LeAnn Scott
 Tasha Deann Scott
 Trisha Dawn Scott
 Beven Leon Scuggins
 Leanne J Scuggins
 Tonya R Scuggins
 Robyn Dionne Secondine
 Markus William Edward
 Shawnee
 Brian Lee Shilling
 Jon Ryan Shilling

Lilly Evelena Simmons
 Melissa Lynn Simpson
 Justin David Sleight
 Justin D Smart
 Kimberly Michelle Smith
 Michael Chad Smith
 Rebecca Heather Smith
 Tyler T Smith
 B J Edward Solander
 Trina Lee Solander
 Trisha Lenore Solander
 Joshua E Stacy
 Janie Lee Ann Standley
 Travis Lee Standley
 Matthew Luke Stanfel
 Rena Machelle Stanfel
 Jeremy Chad Steinbach
 Kris Anne Stevens
 Laura Allison Stewart
 Samuel B Stokes
 Spencer C Stokes
 Karri Leigh Stout
 Paula Gail Stout
 Samuel Owen Strother
 Brooke Lee Swaim
 Michael Errol Swaim
 Cara Cameron Switch
 Gregory A Switch
 Jason M Switch
 Christopher Lee Tate
 Billy D Taylor
 Brandon W Taylor
 Scott A Taylor
 KileyA Teeter
 Shelby L Teeter
 Dwayne Michael Thomas
 Jessica Lynn Thomas
 Kathy Jo Thomas
 Kindrid Jane Thomas
 Nathan Charles Thomas
 Justin Ward Thompson
 Amy Renee Thornton
 David Jason Thornton

Jeromy Michael Thrasher
 Samuel Vinson Tiblow
 Linda S Tiblow
 George Edward Tinker
 Gregory John Tollett
 Jason Lee Toney
 Shelly Rene Totty
 Brian Keith Townsend
 Harold Lafayette Jr Travis
 Brandon D Trimble
 Timothy Jay Turner
 Michael A Van Antwerp
 Jeffrey Keith Vinyard
 Channah Dawnelle Walker
 Christopher Gene Walker
 Jeremiah Wade Walker
 Krishna L Walker
 Valerie Elizabeth Wear
 Stephanie C Weathemian
 Jessica Marie Wells
 Heather Nikole Wilson
 Charlene Wilson
 Joseph Wayne Jr Wilson
 Justin Wade Wilson
 Phillip Anderson Wilson
 Timothy B Wilson
 Skipper D Wilson
 Michael Jason Winesburg
 David Gene Wing
 Emily E Wolff
 April Cheri Wood
 Joshua Lee Wood
 Bert Anderson Jr Woodring
 Indle Joe Woodring
 Clinton Lee Woods
 Wenona Kay Woods
 Nlchawn Pay Woolery
 Tonya Melody Woolery
 Amanda Diane Wright
 David Eric Ybarra
 Melissa Rae Yelton
 Clinton Jay Zoglman
 Coy Joseph Zoglman

DELAWARE LEADERS FOR OPEN AND ACCOUNTABLE GOVERNMENT!!!

Curtis Zunigha & Annette Ketchum - Tribal Council
Jenifer Pechonick & Anita K. Lewis – Trust Board

We are elected leaders of our tribe's government. We promised to follow the Constitution & Trust Document in our service to the Delaware Tribe. We have witnessed **outrageous actions** by **Chief Jerry Douglas and Chairman Raymond Cline** that ignore lawful requirements of open meetings and group decisions. That is why we have challenged them in monthly meetings, in General Council meetings, and in Tribal Court. **We cannot allow secret decision-making** without conducting open meetings. This is what has been happening under the guise that it is an "emergency". The only emergency has been their lack of planning, preparation, and disclosure in administering tribal government. They'll spend our money but have produced no results. And we find out about it days or weeks later! Now we are doing our best to uncover these practices and hold these leaders accountable. So-called "poll votes" (phone calls or emails) to conduct the business of the tribe is corrupting the integrity of our government. We call on Chief Douglas and Chairman Cline to **cease this practice immediately!** We call on you voters to demand the same.

INDIAN COMMUNITY THRIVES AT TRIBAL CENTER IN BARTLESVILLE

We are tribal leaders in our Indian community too. Our tribe's culture is still practiced weekly at the Delaware Community Center. We bring our families and food; our tribal songs, dances, and musical instruments. We speak our language, do beadwork, make moccasins, tell our ancestors' stories, and fellowship in the LENAPE SPIRIT. We hold daily lunches, town hall meetings, weddings, and funerals. We pray together to the Creator for blessings on our Lenape people and our Delaware Tribe. We welcome YOU to join.

Wanishi (Thank You).

This ad was paid for by:
Curtis – Annette – Jenifer - Anita

Cherokee Open New Health Center in Nowata, Oklahoma

The Cherokee Nation dedicated the Will Rogers Health Center, a 25,000 square foot health care facility on Tuesday, December 18, 2007 in Nowata, OK.

The \$6.6 million facility will offer a variety of health services, including family services, WIC, behavioral health, community health, laboratory services, diabetic assistance and a drive through pharmacy. Clinic staff members will move into the new building after the first of the year with no disruption in service to patients officials said.

The Cherokee Nation designed the building with a Will Rogers theme; 54 pieces of art that depict Rogers from childhood to maturity will be on display there. The facility is part of the Cherokee Nation Health Services, which operates eight facilities in the tribe's 14-county jurisdiction. The present Nowata clinic reports about 1,700 patient visitors each month, according to officials.

Jane Quick , Pennsylvania Senior Citizwn, Swindled out of Family Farm

Reprint from the Museum of Indian Culture Quarterly.

Dear Members, Friends & Colleagues:

On October 21, 2007, the Museum of Indian Culture agreed to host an "American Indian's Against Fraud Symposium" for Sharon Galloupe, 9th generation granddaughter of Tamanend (Chief of the Delaware who signed the land treaty with William Penn).

This symposium was to take place near Allentown PA. However, due to the nature of this symposium, it became a target of much attack by groups claiming to be Lenape. To divert some of the tension, the attendance was down-sized and moved to an undisclosed location in Hershey, PA. At that point the only individuals permitted to attend were law enforcement officials. As a result of this symposium and Sharon's tireless efforts, elderly fraud was exposed. Due to the seriousness of this situation and as a public service the Museum has agreed to print this article. Any comments or questions relating to this article will be forwarded directly to Sharon Galloupe. Pat Rivera, Executive Director.

JANE QUICK PENNSYLVANIA SENIOR CITIZEN SWINDLED OUT OF FAMILY FARM BY WANNABE GROUP POSING AS AMERICAN INDIAN TRIBE

By Sharon Galloupe

Pennsylvania has the third largest population of senior citizens in the United States and this fact makes this story a must read for families and friends of the elderly. Jane Quick is a very intelligent, strong willed and sharp minded individual who was taken in because of her kind and generous heart. Jane was the victim of a cruel group of con artists, liars, cheats and thieves preying upon Jane without conscience or regret. Read here just what happened to Jane and let this be a lesson to senior citizens of Pennsylvania and nationwide.

In a local news paper, Jane read an article about a tribe of Indians traveling down the Delaware River by canoe for the signing of a renewed brotherhood treaty. The Lenape Nation of Pennsylvania, Inc. was named as an American Indian tribe located in Pennsylvania. The article stated that the tribe could gain state recognition if they had land. Since Jane lives alone and has problems with walking she thought these people might be willing to help her and in turn she would help them by making her farm a gift to the tribe. Jane contacted the reporter at the newspaper responsible for the article to help Jane locate the Lenape Nation of Pennsylvania Inc.

Soon Jane had opened a dialogue with the Lenape Nation of Pennsylvania. Jim Beer and Shelly DePaul, both members of the group did most of the talking and planning with Jane. They always claimed to be American Indian with stories about the tribe's history. They were always calling and including Jane in whatever was happening at the time. Jane, now convinced these people were truthful, would deed the farm over to them to become tribal land and a home for the tribe. This was her way of doing good where bad had been done so long ago. She was righting a wrong to the Indians, or so she thought.

On August 10, 2005, Jane Quick did a Gift of Deed. Instead of the Lenape Nation

of Pennsylvania, Inc. using their name on the deed "Tri-State Unity Coalition" was used. Jim Beer told Jane Quick that Tri-State Unity Coalition and Lenape Nation of PA are one in the same. A problem arose at Jane's attorney's office when Chuck DeMund, chief of the Lenape group, announced he couldn't sign the deed because of a law suit involving him, the so-called tribe needed to hide their assets, including the farm. So they used Tri-State Unity Coalition to do that very thing. What Jane Quick didn't know was that Jim Beer had been named to the board of directors of Tri-State Unity Coalition in June 2005 (only two months before the signing of the deed). Chuck DeMund told Jim Beer he would have to sign the deed. Of course, Jim Beer sprang into action ready to sign the deed. At this point Jane Quick had been swindled out of her family farm.

Conditions were part of the deed and were to be followed: Grantee shall restore and maintain the farm buildings and agricultural fields existing and within a reasonable period of time and shall use said buildings and fields in support of a viable agricultural operation. Grantee was to pay Grantor the sum of two hundred dollars a month for the rest of the Grantors natural life. She could retain exclusive possession of her residence for the rest of her natural life. She could jointly occupy the donated lands for live stock, grazing and other agricultural purposes.

If you think this legal document kept Jane Quick safe from these groups, it did not.

Before the deed was signed, Jane Quick was courted by the Lenape Nation of Pennsylvania, Inc. She was treated to constant phone calls, people coming to the farm and invitations to meetings and events. Jane Quick had been lonely and the group provided company for Jane. The day of the deed signing, the group paid for Jane's lunch and she gave them her farm... or so she thought. That was also the day Jane went home to the farm and discovered she was more alone than she had ever thought. Suddenly the phone calls were few and far between and no invitations were extended as before the deed signing. Jane had a very uneasy feeling that she had made a serious mistake.

Jim Beer came to the farm after the signing of the deed and Jane went to see him. She informed him she had seen another doctor and was feeling better. Jim said, "Well I really hate to hear that", with a smug grin. This one statement is what made Jane think she had been swindled. This statement shows what she is facing with these people.

Jane Quick did not know me and I did not know her, but I knew about her and the farm I also knew the Lenape Nation of Pennsylvania had lied to her about everything they had claimed as Indian. From Kansas, I put together a file on this "wannabe" group and decided I would travel to Pennsylvania and go to the Pennsylvania State Police, which I did in October 2007. I gave the authorities my personal information so it could be validated. I also gave them a file of information I gathered on the Jane Quick farm. The Criminal Investigator went to see Jane and she and I were then in contact with each other. Jane was sure she was in trouble with these people and I knew for a

fact that she was. We talked day after day and compared notes and information. Jane said there hadn't really been any activity on the farm until October 2007. It picked up when the group came to the farm promising to make good on all the promises made to Jane. This was when they stripped the farm house and discarded Jane's personal belongings without asking. They broke out windows and threw items out the window to the dumpster below. These items had been left there for them to use and certainly not to be destroyed. Jane said the first thing they took was the antique door knob from the front door. They pulled up the flooring and rifled through boxes which belonged to Jane's parents and grandparents. Jane is seventy-nine years of age and has a bad leg. How was she supposed to stop them from looting her farm?

Perry A Gower, a member of Tri-State Unity Coalition, called the attorney representing Jane and admitted he owned the farm, not the Lenape Nation of Pennsylvania. He stated that they had no right to even be on the property. He also stated that if Jane wanted the farm back she could have it. Unfortunately, Perry A Gower has yet to sign over the farm as promised. Perry A Gower has never spoken to Jane Quick. Instead he stalls for time while he hides behind the straw non-profit called, Tri-State Unity Coalition, that he used under false pretext when he took

Jane Quick's farm.

I intend to see she gets the deed back even if it means in a court of law. I would like to say this is settled, but it isn't. I will stay in this fight as long as it takes. The farm was neglected and allowed to rot down without any effort to save it. These people took advantage of Jane her good and kind heart and there is the real crime. They saw her as an old woman incapable of fighting back. Jane may be seventy nine years old but she is sharp and alert she knows right from wrong and she knows she was cheated by several people... not one or two, but several.

Beware of any group claiming to be Lenape in Pennsylvania. We have no Lenape tribes residing in the Commonwealth of Pennsylvania. Senior citizens are courted by these groups to be tribal elders. If they were really Indian tribes there would be no need to recruit senior citizens.

In an excerpt from Lenape Nation of Pennsylvania's newsletter entitled, "Letter from the Chief", Chuck DeMund makes the following statement: "On Saturday, October 21, 2006, our people...gathered together at the farm in Hawley, PA to participate in a reburial of remains that were disturbed recently."

Because they are a bogus group pretending to be Indian, there are questions being raised by Pennsylvania Officers and Jane Quick as to who or what was buried on the farm.

"Fond Memories"

Continued from page 15

Edward Lee Wilson, Sr.

Edward Lee Wilson died April 9, 2008. Born in 1928 in Copan , Oklahoma, Ed Wilson was the youngest of five sons born to Rueben Wilson and Edith (Slack) Wilson. He attended school in Sequoyah Indian School, Bacone College, University of Oklahoma and the George Meaney Center for Labor Studies (now known as "The National Labor College"). Ed was a veteran of the United States Air Force, having served honorably in World War II. He joined American Airlines as a mechanic in 1953.

He was a strong advocate for workplace justice. His 43 year career as a mechanic in the airline industry was distinguished by his leadership of the Transport Workers Union Local 514. He served over 14 years as President of Transport Workers Union Local 514, the largest labor organization in the State of Oklahoma. Representing the workers of American Airlines, Zebco and Hertz Rental Cars. When he retired from labor policts in 1992, wilson was hearded in the Tulsa World for having created the "Union of the Future". He was a recipient of the Northeastern Oklahoma Labor Council "Eagle Award" in 1994 and was inducted in the Oklahoma Labor Hall of Fame at the 2007 annual meeting of the Oklahoma AFL-CIO.

Wilson was a full blood Delaware

Indian. Throughout his life, he spearheaded participation in public service campaigns for which he received commendations from the United Way, the City of Tulsa and the State of Oklahoma. He had a passion for gardening and shared his vounty with his family, friends and the Delaware Tribe Elder Nutrition Program. He also enjoyed fishing, making flutes and beadwork. He was a devoted father, loyal friend and mentor.

Ed is survived by his children Fawn Wilson Gielow, Shirley Carolyn Wilson, William Victor Wilson and Charles Steven Wilson and his grandchildren Bear Tompkins, CJ Wilson Jr and Stephanie Brutlag. In accordance with his last wishes, no funeral services were held.

A memorial service was held on Wednesday, April 16 at the Transport Workers Local 514 Union Hall in Tulsa Oklahoma.

Sovereignty - Recognition - Freedom

By A. E. Stull Jr.,

In 2004 the 10th circuit court in Denver ruled (I think wrongly) against the Delaware Tribe of Indians. The net effect of this ruling was the federal government withdrawing recognition of the Delaware Tribe. This loss of federal recognition had an immediate and devastating effect on all tribal activities, i.e. the loss of grant funds - layoff of dedicated tribal employees - the ultimate forced sale of our impressive tribal office buildings. This loss of our federal recognition "does not" - I repeat "does not" - mean the loss of our Delaware Tribe's sovereignty.

The Delaware people have the sovereign right to assemble and hold meetings, the sovereign right to form a tribal government, the sovereign right to pass rules and laws to govern our people and the sovereign right to establish our membership. These sovereign rights are taken by every Delaware baby at the moment of birth and cannot be removed by federal, state or local governments but I warn every Delaware that our sovereignty is not "guaranteed" and our sovereignty can be lost. Read on.

In 2005 the Delaware people voted (in a special general council meeting) unanimously to have our tribal leaders pursue every avenue to restore our recognition with the federal government. Subsequently, the Department of Interior strongly suggested to our leaders that the Delaware Tribe must come to an agreement with the Cherokee Nation before restoration of our tribal recognition could be considered. Through painful good-faith negotiations with the Cherokee Nation a final agreement was reached. This negotiated memorandum of agreement (MOA) was forwarded to republican Senator Tom Coburn and republican Congressman John Sullivan with the expectation our two elected officials would introduce and support legislation that restores our Delaware tribal recognition. The hope of our tribal leaders and the Delaware people was soon lost as; without discussion, republican Senator Tom Coburn interjected two demands into our agreed upon MOA changing the MOA language to read that the Delaware Tribe "will not take land in trust" and "cannot pursue gaming." If the Delaware Tribe acquiesces to these demands it is still uncertain if republican senator Tom Coburn will support the Delaware Tribe's restoration of recognition efforts. It is obvious, by his actions, that republican senator Tom Coburn has little respect for the Cherokee Nation or the Delaware Tribe and has subsequently interjected his twisted demands into our MOA and appointed himself the new "Indian Agent" for the Delaware people and his first act as our "Indian Agent" was to award the Delaware people a symbolic smallpox impregnated blanket! Is Indian history repeating itself?

I wrote earlier in this piece that our sovereignty is not guaranteed and that our sovereignty can be lost - now let me explain. Maintaining tribal sovereignty demands constant stewardship by all Delaware people. If we allow, by our actions or inactions, the state of apathy, disinterest, conflict, disagreement or the unwillingness to fight for what is right to creep into our Delaware Tribe we will find ourselves on that slippery slope to losing our sovereignty. While it is true that our sovereignty cannot be taken from us I tell you this as "surely as the sun rises in the east" that the simple acts of neglect and discontent by the Delaware people will slowly erode our sovereignty to the point of rendering our sovereignty worthless.

I want my children, my grandchildren and all the Delaware people that follow to know that I did everything in my power to help restore our federal recognition and to protect our sovereignty. To that end I propose a "FREE THE DELAWARE" march to be held as soon as practical. I suggest our "FREE THE DELAWARE" march begin at the Delaware Community Center and end, twelve days later, at Indian Agent and republican Senator Tom Coburn's offices located 1800 S. Baltimore in Tulsa, Oklahoma. On this march we will ask for President Bush to research our historic connections with the United States and to find the Delaware people to be just as worthy (the Presidents word) of a government to government relationship as the country of Columbia. We will take this opportunity to tell President Bush and all of America that the Delaware people were one of the few Indian tribes that fought on the side of the colonist in the Revolutionary War. We will also use this march to tell President Bush and the American people that the Delaware people fought on the North's side in the Civil War and that the Delaware people sent their men and women to fight in every conflict and war since the beginning of these United States. Are we not worthy?

I foresee this march to be both enjoyable and serious. The march will be enjoyable because the Delaware people will be together with unity of heart and unity of purpose. This march will be enjoyable because camaraderie and laughter will accompany us from start to finish. Good food, singing and dancing will be shared by all each evening. It will be an historic march. Will each of you join me?

This march is serious because our causes are of the utmost urgency and the final resolution of our causes will forever impact the Delaware people. I want the world to know that Indian Agent and republican Senator Tom Coburn, by his actions, is brutalizing his constituents, the Delaware people. I want the world to know that in these United States the "land of the free" the Delaware people are still in search of their

freedom. I want Indian Agent Tom Coburn to resign as our Indian Agent and to return to his Senate post as a United States Senator from Oklahoma who has a commitment and obligation to fairly represent all the people of Oklahoma including Native Americans.

I do not think that President Bush has been made aware of the federal governments involvement and actions, possibly unintentional, that will almost certainly hurry the extinction of the Delaware Tribe of Indians from Oklahoma. President Bush is right in wanting freedom for the people of Afghanistan and President Bush is right in wanting freedom for the people of Iraq. I feel that if President Bush hears our compelling story the President will also want freedom for the Delaware people.

History tells us that as many as six times the Delaware-Lenape people were forced to move from the lands they called home to new unfamiliar lands and to start over. Our people were first forced to move for the convenience of the Europeans and then were forced to move for the convenience of the newly formed United States of America and finally were forced to move for the convenience of a railroad! Our Delaware ancestors made these moves by walking and carrying what they could through the worst weather and over the toughest terrain imaginable. Our ancestors were a strong, tough and determined people who realized the sacrifices they made were necessary to preserve and protect their way of life and to pass their rich heritage on to the Delaware yet to be born. Will we be as strong and determined as our ancestors or will history tell a different story about the Delaware in the year 2008. Will you march with me?

I will march for federal recognition,

for 10,000 acres put in trust in one of our aboriginal lands and for our trust application to be fast tracked (no more than 180 days to approve) once we have submitted the application to the Department of Interior.

When we make this "Free the Delaware" march we cannot lose. By marching we will uphold the tradition, set by our ancestors, of protecting the Delaware way of life. By marching we will stamp the name Delaware into the history of this country and by doing so all the people that follow us will be proud to call themselves Delaware.

I am asking all Delaware people to get involved in our "FREE THE DELAWARE" march. I am asking for the Delaware people to volunteer their feet, their time, their moral support and their money to make this march a success. Please call our tribal offices (1-918-336-5272) and urge our leaders to come on board and help us with this march.

If you want to volunteer please call Art Stull @ 1-918-845-0941.

Treat all Delaware people with love and respect for they are you.

Exercise Your Rights!!

**Vote
in the upcoming
Elections
Tribal,
Local,
and National.**

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2008 Tribal Election

Much to Gain, Everything to Lose

The future of our Tribe, the Delaware Tribe of Indians hangs in the balance as we approach another election to determine who will serve as Tribal Council members for the next four years. The upcoming 2008 November Tribal election is a very serious tribal business matter because three (3) tribal council members and 2 tribal judges will be selected, and the elected council members and judges will be required to make critical decisions that will determine the future of our tribe.

At the core of the major issues facing our tribe is our tribal federal recognition and constitutional reform. The council members and judges elected in November 2008 must be willing, qualified, and able to work with the present tribal administration to complete the goals already in progress.

We are faced with the grave risk of electing Tribal Council members who are opposed to accepting our federal recognition through an agreement with the Cherokee Nation. Without a negotiated agreement with the Cherokee Nation, the Delaware Tribe will never receive federal recognition. A vote to elect tribal council members who are opposed to the existing federal recognition process is a vote to seal our fate as an unrecognized tribe. We have more than our fair share of tribal members who are self-appointed "experts" in Indian law and federal recognition, and refuse to accept the fact that Chief Douglas and the majority of the present Tribal Council are headed in the right and only direction to restore of our federal recognition.

Fellow tribal members, it is possible for the Delaware Tribe of Indians to have a bright and prosperous future, however, it is very unlikely if we elect the wrong people and reject federal recognition now. There are very serious decisions required of our voting tribal membership in the upcoming November 2008 election. The most critical issue, among many issues, is for the Delaware people to decide (at the ballot box), whether or not we want our federal recognition now or never. The candidates that are in opposition to Chief Douglas' administration and the time, work and effort that has been utilized to advance our struggle for federal recognition are saying this Council and Chief Douglas are selling out the Tribe. That regaining our federal recognition through a Cherokee agreement is all wrong. That the present approach to federal recognition is not in the best interest of the Delaware Tribe.

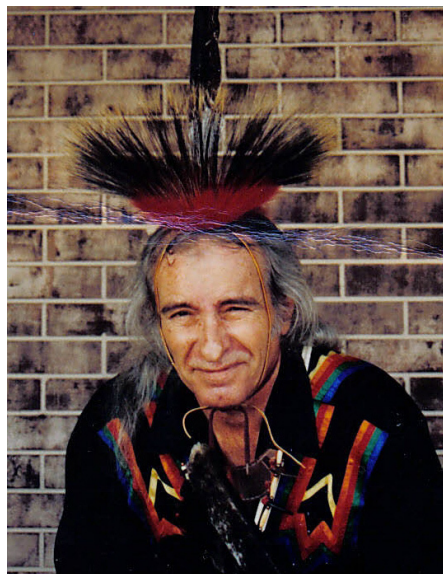
The candidates that will soon come forth making these claims can and will de-rail our federal recognition, if elected.

Make no mistake about the problem. **WE NEED OUR FEDERAL RECOGNITION RESTORED NOW.** A minority of the current Tribal Council members, want to pretend that the problem is our present Chief and current tribal administration. One will probably be running for reelection in this election. He contends that the MOA with the Cherokee is deplorable, our current Chief should not continue to be paid, and that getting our recognition back will take forever. He also asserts that our tribe can never become a gaming tribe or achieve any other economic development.

The November 2008 Delaware Tribal Election will be a defining moment. This historical election will forever dominate our future and culture as the Delaware Tribe of Indians.....as a federal recognized tribe. For this reason, we – William "Bill" Hatch, Chester "Chet" Brooks, and Wayne E. Stull, ask for your support and vote for Tribal Council in the November 2008 election.



William "Bill" Hatch



Chester "Chet" Brooks



Wayne E. Stull

"We support and want our Federal Recognition NOW!!"