

U.S. Rep: Disenfranchising freedmen threatens federal funding

*By Donna Hales
Phoenix Staff Writer
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The Cherokee Nation must restore full tribal citizenship to disenfranchised Cherokee Freedmen or see its relations severed with the federal government, a U.S. representative said Monday.

That is threatening 6,500 jobs in eastern Oklahoma, said Cherokee Nation spokesman Mike Miller.

U.S. Rep. Diane Watson, D-Calif., visited with more than 500 people gathering in Tulsa and Muskogee, standing pat on her efforts to have the Cherokees honor the Treaty of 1866.

Severing relations would shut off more than \$300 million in federal funding to the Cherokees, Watson said. That would terminate vital services to thousands of Oklahoma Cherokees, according to Cherokee Nation Principal Chief Chad Smith.

"The proposed bill would create a state social services crisis, cutting \$270 million in health care, housing and child care for the neediest citizens," Smith said.

Smith said Monday that he had been unable to convince Watson to accept an invitation to meet with him.

Watson said she doesn't see a chance for negotiating, because the Cherokees are in violation of a federal treaty and until the tribe is in compliance, it shouldn't get federal funding.

She said the more than \$300 million in taxpayer funds that go into the Cherokee coffers come from "each and every one of you," she told a crowd of almost 300 people Monday evening at the Muskogee Civic Center.

"We're simply saying, if you're going to take a group of people (Cherokee Freedmen) and put them at risk and disenfranchise them, you can't do it with our money ... We do no pay for that with public funds."

Tahlequah attorney Nate Young III, a Cherokee, told the crowd: "It's not about culture, it's about the law - the Treaty of 1866 has been interpreted by the Supreme Court that Cherokee Freedmen are citizens.

"If there's any other remedy you could take that wouldn't be so harsh to the young, innocent and elderly ...," he asked.

But Miller said the Cherokee Nation does not consider that it has broken the law - that there is a federal lawsuit by the Freedmen in federal court in Washington that is trying to make a determination on that issue.

"If the federal court tells us we have broken the law, we're willing to comply," Miller said.

He said he would hope Watson would wait until that is determined.

Watson's spokesman Bert Hammons said Watson's bill is simple - but it's opened a Pandora's box about other Cherokee issues.

"Other chairmen are going to be weighing other issues," he said to a small group meeting with Watson before the Town Hall Meeting at the Civic Center.

The Resources Committee also is interested in some Cherokee issues, he said.

Watson heard varied views Monday night in Muskogee.

Cherokee Nation Councilor Cara Cowan Watts told Watson she is wondering why "our democracy is being challenged by an outside government."

Watts told Watson she was trying to create Cherokee Indians that don't exist. Her comments brought a loud reaction from freedmen in the audience.

A man who identified himself as a freedman told the crowd: "The Cherokee Nation has skeletons in their closets and you're looking at them right now, and they're not going away."

The applause resounded. "One of the things I can do is right a wrong," Watson said. "I have no intention to determine your sovereignty. What we determine in this bill is whether the Cherokee Nation has fulfilled its obligation to the Cherokee Freedmen."

Chief vetoes 17k for B&GC program

By TRAVIS METCALF
Tahlequah Daily Press

Cherokee Nation Principal Chief Chad Smith on Monday line-item vetoed a \$17,000 contribution to the Tahlequah Boys & Girls Club that would have, in part, fund a swimming camp featuring Olympic gold medalist Mark Spitz in September. According to District 1 Tribal Councilor Bill John Baker, \$12,000 had been earmarked for the B&GC camp, and the remaining \$5,000 would have provided fees for un-

derprivileged Cherokee youth to attend camps and events throughout the year.

Pending funding, the B&GC swimming camp will allow 100 area youth to participate in a two-day swimming clinic, and Spitz would make an appearance in Tahlequah to kick off the event. In an earlier Daily Press report, USA Swim Coach Bob Bradshaw said Spitz would be available to sign autographs, meet with the youth and give a motivational speech.

Ed. Note: A Freedom Of Information Act request has been submitted to the Cherokee Nation of Oklahoma Election Commission for the number of Freedmen that voted with the number that voted by absentee. As of todote we have not heard from them. We will inform you when we get the numbers.

Freedmen turned away at tribal polls

Thomas Drew, a longtime Vian resident, church pastor and Cherokee Freedmen, went to the polls in his hometown on June 23 for the Cherokee election expecting to vote. Instead, he said that he and other members of his family were turned away at the polls.

Drew explained that about a week prior to the election the tribe sent many Freedmen, including most of his family, absentee ballots in the mail, although Drew said that he and his family didn't request the ballots.

Drew was skeptical about filling out the absentee ballots because he was afraid they wouldn't make it to Tahlequah in order to be counted, and planned to go to the polls and vote in person.

On June 23, Drew said he went to the polls in Vian, and poll officials looked in the book and told him that they saw he was sent an absentee ballot. For that reason, Drew said he was told that he wasn't going to be able to vote.

Drew was told that he would have to fill out the absentee ballot and drive nearly an hour to Tahlequah to turn it in.

As a result, Drew didn't vote. If he voted absentee, he said it had to be turned in by a certain time in Tahlequah. "Saturday was too late." *

"There's no reason for anyone to be forced to vote absentee," he said.

Drew said that he thought since by having a poll open in his hometown, he could just bring the absentee ballot to the poll and vote on an exchange ballot. But he said that he wasn't allowed to do that.

This was not the first time for Drew to vote in a tribal election. He first voted in the special March 3 election, which rescinded the tribal membership of descendants of Freedmen listed on the Freedmen rolls of the tribe. Since that time, more than 250 descendants of Freedmen and others have appealed their citizenship status in the Cherokee Nation court system.

Currently, a temporary injunction in tribal court is in effect, which allows descendants of Freedmen to keep their citizenship and voting rights while their citizenship appeals work their way through the tribal court system.

The tribe has said that the March amendment permits the more than 2,800 Freedmen descendants affected by the vote to become permanent citizens if they can prove lineage to an Indian ancestor on the base census roll.

Drew said his family has been in the Cherokee Nation since the late 1800s or early 1900s when the Dawes Commission was brought in.

He provided the original homestead deed that his great-grandmother, Lottie Drew, who was a Freedmen, was given in 1902. The deed indicated that Lottie Drew was a member of the tribe, and she was entitled to land allotment and the other rights of the tribe. The deed was also signed by the tribe's principal chief at the time.

In the veto document, Smith cited a need for an all-inclusive B&GC funding plan, so as to better serve all clubs within the tribe's 14-county jurisdiction.

"I have vetoed line 1b - Charitable Contributions to the Tahlequah Boys & Girls Club because the nation does not presently have a comprehensive plan for funding Boys and Girls clubs fairly throughout the Nation, something that is currently under development," Smith wrote.

The Cherokee Constitution doesn't grant Smith the power of line-item veto; however, the question is under review by the Cherokee Nation Supreme Court.

Communications Officer Mike Miller wanted to assure area residents of the continued support of B&GC by the Cherokee Nation. "Cherokee Nation is a big supporter of Boys & Girls Clubs in all of the 14 counties of the tribe's jurisdiction," said Miller. "In the past three years, CN has contributed \$300,000

"Just about every Freedmen around here has true Indian blood," he said. But he pointed out that at the time of the Dawes Commission, even if Freedmen had Indian blood, they were placed on the Freedmen roll - not the base census roll.

While the tribe maintains that there are Freedmen who are not affected by the March vote, Drew disagrees.

"All Freedmen were affected by that vote," Drew said.

Drew said he feels like he should have a right to all the privileges of citizenship, just like other Cherokees.

"Just because my skin is black doesn't mean I don't have Indian blood," he said.

Drew said he feels like Freedmen have a right to the tribe because the tribe's 1866 treaty with the government put them in the Cherokee Nation. The Freedmen also walked right alongside the Cherokees on the Trail of Tears.

Some Freedmen were slaves of Indians and married into Indian families even before the white people did, he said.

"We as Freedmen know we have Cherokee blood," he said. "It's our color that's separating us and trying to get us ousted."

But Cherokee Nation Principal Chief Chad Smith, who was narrowly re-elected in the latest election, has publicly disputed the claim that the issue is about race and the tribe has a right to decide the tribe's membership.

Your TIMES was unable to reach a spokesperson for the tribe for comment, but in a statement prior to the election, Smith claimed there was a misconception that the tribe is trying to exclude all Freedmen.

"It is important to understand that there are currently more than 1,500 African-American descendants of slaves (known as Freedmen) who are citizens of the Cherokee Nation because they also have an Indian ancestor listed on the Cherokee Nation's base roll," Smith said in the statement. "Those 1,500 Indian Freedmen descendants will remain citizens and are completely unaffected by the recently adopted constitutional amendment.

"Thousands of other Cherokees of African and other heritage are also citizens because they have an Indian ancestor on the Cherokee Nation's base roll."

If the March vote stands and the Freedmen are forced out of the tribe, Drew said he wants to see the tribe's federal funding cut.

A California legislator is currently trying to make the funding cut a reality. On June 21, U.S. Rep. Diane Watson (D-Calif.) introduced legislation to cut the estimated \$300 million in federal funding to the tribe and cut off the tribe's ability to conduct gaming unless the tribe allows Freedmen citizenship. Watson's efforts are in response to the tribe's March vote. Watson is seeking to force the tribe to comply with an 1866 treaty with the government that gave Freedmen, descendants of former black slaves, citizenship to the tribe.

How journalists reported the Cherokee-Freedmen story

BUFFALO, N.Y. - A recent study looked at journalistic coverage of the Cherokee Nation March 3 vote on an amendment to its constitution that ended tribal citizenship for descendants of the Freedmen, not otherwise connected with Cherokee lineage.

The research analyzed mainstream news media presentation of the story, specifically how they dealt with sometimes competing issues such as the CN's sovereignty and citizenship issues of the Freedmen. It also looked at the news sources cited or quoted in the reports and the balance between sources on either side of the issue.

"In general, this was reported as a classic clash between oppressor and victim," Ron Smith, communication professor and the study's principal, said. "Missing were nuance, historical perspective and a context within which to understand the contemporary significance of the story."

The study, released March 22, was conducted by the American Indian Policy and Media Initiative at Buffalo State College. It reported the following additional findings:

* Spokespeople on both sides of the issue had their say in the news stories, but the Freedmen opponents to the amendment generally were quoted before news sources associated with the Cherokee Nation.

* Both issues of racism and self-determination were discussed, but the racism theme figured more prominently (sooner) in the story than the tribal governance or sovereignty theme. * Few reports gave details or context to the vote itself, either the voting numbers or the voter turnout.

* Nearly two-thirds of the reports raised the money issue, generally without supporting information, as a factor motivating the vote.

* Most of the articles highlighted the slave-owning history of the Cherokees, but fewer explained the incorporation of former slaves into the tribe or the confusion created by the Dawes Commission.

The research reviewed published news reports and broadcast tran-

scripts between Feb. 27 and March 10. It focused on headlines, leads, quoted news sources, statistical information about the vote and presentation of information about money and about the historical context. It also looked at the use of terms such as "racist" and "sovereign."

"Overall, this is another instance of mainstream media failing to understand the complexity of an issue involving American Indians and their oversimplification of an intricate situation," Smith said, who has conducted other research on media presentation of news focused on Native American topics. "We look at how the media 'frames' the story, whose version gets top billing, what themes are presented."

Smith said the media coverage, because it lacked a historical context, covered the story as an example of an Indian nation versus African Americans.

"Some of the reports used terms such as 'kick out' and 'disown.' Several headlines screamed 'racism,' such as one that read: 'Cherokees Accused of Racist Plot as Sons of Slaves Are Cast Out,'" he said.

By a ratio of 5-to-1, Freedmen sources were the first quoted in the reports. Most of the reports used the term "racism," with two-third of those in the lead or opening paragraphs. By contrast, while three-quarters of the articles implied the concept of sovereignty, only 12 percent used the term "sovereignty."

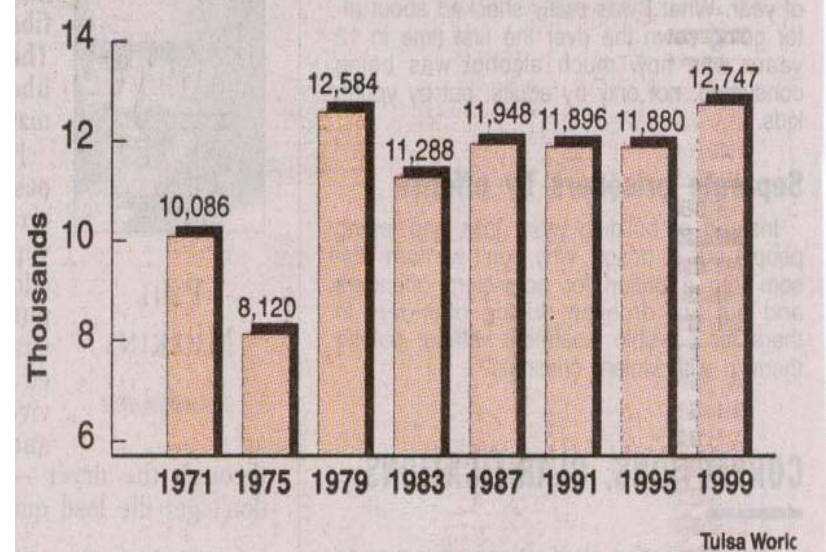
Few published reports noted the legal relationship of the Cherokees in particular or Native tribes and nations in general. Half of the articles mentioned the Dawes Commission that loomed large in the history of the controversy, but most of those without explanation.

A full text of the research report is available online at www.buffalostate.edu/communication (American Indian Initiative).

- Buffalo State College Communications

John's Place Media analysis

Votes cast in Cherokee chief elections



2003 - 7,281 voted for Chad Smith, 5,449 voted for Joe Byrd. Which is a total of 12,730 voted for Chief in General Election.

2007 - 8,035 voted for Chief Chad Smith, 5,675 voted for Stacy Leeds. Which is a total 13,711 voted in General Elewctions.

That is only 17 votes difference from 1999 and 2003 general elections. With 981 more votes from 2003 and the 2007 General Elections.

HOW CAN THESE FIGURE'S KEEP COMING OUT AT AROUND THE SAME TOTAL'S - ELECTION AFTER ELECTION?

"The Cherokee Nation has been a huge supporter of the Tahlequah Boys & Girls Club," said Randall. "We have received an abundance of funding, and we have 11 units in this county, compared to Miami's two units. They have been more than fair in their donations. I'm just glad if they had to tell us 'no' for something, this was the item they chose. We have other avenues, such as corporate sponsorship, we can check with to fund the swimming camp."

Bradshaw was disappointed when he learned the news, but like Randall, he believes other avenues of funding may be available.

"Right now, it's on hold," said Bradshaw. "I don't know if [the program's] in jeopardy. We're sending letters to corporations right now to try and raise the funds. We never intended for the Nation to foot the whole bill."

Bradshaw is keeping a positive outlook, but realizes time

is a factor to make the program a reality.

"That's the way the ball bounces," said Bradshaw. "We haven't signed a contract [with Spitz], fortunately, but we need to get this done within a week or so." Baker agrees with Smith concerning the need for a new initiative regarding B&GC.

"Are we helping the Tahlequah Boys & Girls Club? Yes," said Baker. "And we will continue to do so, as the majority of the children involved in the club are Cherokee. I believe a comprehensive program for helping fund the B&GC is a good idea. We're soon going to enter into budget hearing, and I would be happy to floor that suggestion."

Contact Teddy Snell at tsnell@tahlequahdailypress.com. Sports Editor Travis Metcalf contributed to this report.

This is in reference to Bruce Ross IV letter to the editor RE: UKB. The whole letter is found on the www.cherokeeobserver.org link to webboard.

This is the last sentence of the letter. "Anyway, it's okay and even understandable that Chief Wickliffe might not be all that knowledgeable about treaties that real tribes have, since his organization doesn't have any and never has had."

Respectfully,
R. Bruce Ross, IV
Cherokee Registry # CO 53097

Ed. Note: Maybe Mr. Ross should read his history, too. The Cherokee Nation of Oklahoma never had any treaties with the United States Government. Since the CNO was created by Ross Swimmer in 1975. The real Cherokee Nation government created in the 1830's, however, entered into treaties long before the CNO was ever created. The UKB or Old Settlers had earlier treaties with the U.S., too. mjs