

DG W Y D S 4 o d J



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Serving the Cherokee People Since 1992

After Fifty-Six Years as a Land-less Tribe...

For Immediate Release

March 27, 2006

Today was a historic moment for the United Keetoowah Band of Cherokee Indians when Chief George Wickliffe signed documents submitting an application for Land in Trust for a ten-acre gaming parcel in Fort Smith, Arkansas to the Bureau of Indian Affairs, Eastern Oklahoma Region.

The application states, "The Secretary currently holds no lands in trust for the UKB. The UKB desires that the Secretary place the Subject Property into trust for the UKB so that they may have an inalienable tribal land base that is secured for its members for generations to come."

"This land base may be utilized to further UKB's self-determination and economic self-sufficiency, and provide services and employment opportunities for existing UKB tribal members and for future generations of UKB. Since at least 1992, the Bureau of Indian Affairs (BIA) has acknowledged the UKB's plans to relocate outside of Oklahoma to Arkansas."

Officials state "No lands have been taken into trust for the UKB since its recognition by Congress as a separate Cherokee Band in 1946. Creation of a land base the UKB will help provide continuity for the UKB, its members and its tribal government by providing an inalienable land.

The Fort Smith property lies within the historic treaty boundaries of the Cherokee Indians who were the ancestors of the UKB, and, therefore, is culturally significant to the UKB and its

members."

Historically, the UKB's ties to Arkansas which date back almost two hundred years. By 1808, certain portions of the Cherokee people were desirous of removing west of the Mississippi River.

In 1817, they asked the United States to fulfill the promises it had previously been made to them, ceding lands in Arkansas known as the western Cherokee's original reservation in Arkansas.

Although this territory was then ceded by the western Cherokee in 1828 in return for lands in what is now Oklahoma, the Keetoowah people retain their ancient attachment and contact with this, their original territorial area west of the Mississippi.

The UKB Council accepted the gift of the Fort Smith Property from Arkansas Developer Bennie Westphal. Westphal deeded the land to the UKB in hopes of economic development for the tribe and the struggling economy of Ft. Smtih as major employers have left the region.

Chief Wickliffe commented, "It's an opportunity that has presented itself and it's our sovereign right to venture back to our former reservation. We will be good neighbors to our friends in Arkansas and will bring a positive impact on the local economy of Ft. Smith."

The United Keetoowah Band is one of three federally recognized Cherokee tribes, organized pursuant to Acts of Congress and recognized on October 3, 1950. They have remained landless for over 56 years, even though their tribal members own over 2000 acres of restricted land in Oklahoma.

Judicial Appeals Tribunal Stops Special Election

TABLEQUAH— The Cherokee Nation Judicial Appeals Tribunal granted the Tribal Council a permanent injunction Monday, blocking a scheduled special election on the Council's pay increase. Principal Chief Chad Smith had previously called for the election after the Cherokee Nation Election Commission certified a referendum petition.

The court found that Smith had called the election "in the proper exercise of his Constitutional duty..." and that the Council members had brought the case "individually and in their official capacities..."

The case turned on the fact that the justices thought the referendum petition "is insufficient on its face to inform a person signing of the matter to be voted on." The descriptive language of the referendum mentioned "Cherokee Nation Legislative Act 28-99", but did not give a title or description of the Act.

Chief Justice Darrell Dowty wrote the unanimous decision of the court, stating:

"At a minimum, the petition should have contained the title of the act. Without this information on the face of the Petition, the person signing is left to word-of-mouth or other potentially unreliable source(s) for information on the substance of the act subject to referendum. With the required content on the face of the petition form, the person signing is presumed to understand the subject of the referendum and extrinsic evidence is unnecessary. In these cases, this Court FINDS that the Referendum Petition herein does not contain on its face the

minimum information necessary to inform the electorate of the substance of the Act they are seeking to repeal."

The Justices went on to point out that the petitioners did not have guidance in the format of presenting a referendum petition because the Council had never passed a law doing so.

"In this case, we find ourselves having to reject an attempt at the exercise of the power of the referendum because of a deficiency on the face of the petition. We do so with great reluctance. The Petitioners sought to exercise this power without the guidance mandated by the Constitution to be provided by the Council, resulting, at least in part, in the Council benefiting directly from their own inaction."

The Justices reviewed evidence of "irregularities in the circulation of the petition," and found there may have been evidence to support the allegation.

Before granting the motion for permanent injunction, which prevents the special election, the Justices wrote:

"...we are convinced that many honest citizens tried honorably to exercise the right of referendum and have been thwarted by this unfortunate process. It is our sincere hope that this litigation does not discourage the citizens of the Nation in the exercise of the Initiative and Referendum and we encourage the branches of this government to protect, defend and give priority to the rights reserved to the people by our Constitution."

The JAT opinion was signed by Chief Justice Darrell Dowty and Justice Darell R. Matlock.

Gov. Henry Requests Federal Disaster Declaration for Delaware County

Oklahoma City – Gov. Brad Henry today requested President Bush to declare Delaware County a federal disaster area in the wake of extensive damage in that area stemming from a March 12 tornado.

The Governor toured sections of the county earlier today.

"Our thoughts and prayers are with the people of Delaware County now faced with getting their lives back in order," he said. "The tornado damage in Delaware County is widespread and significant. I am optimistic that the President will approve the request for a federal disaster declaration. The citizens of Delaware County deserve and need the aid."

If approved, a federal disaster declaration would qualify the impacted region for public and private assistance.

In addition, a damage assessment survey of the area was concluded today by the U.S. Small Business Administration (SBA), Federal Emergency Management Agency (FEMA), state Office of Emergency Management (OEM) and local officials.

The brunt of the tornado damage path occurred in an area stretching from Twin Oaks to Colcord, where eight residents were injured. Ninety-five homes were damaged or destroyed, with 42 of those structures destroyed completely. Additionally, the Grand River Dam Authority and Northeast Oklahoma Electric Cooperative reported damage to their systems.

Oklahomans wanting to make donations to tornado victims are asked to contact the American Red Cross, the Salvation Army or one of a number of faith-based organizations.

Contact: Michelann Ooten, Office of Emergency Management (office) 405-521-2481, (pager) 405-636-8577

Cherokee Chief Calls for Removal of the Cherokee freedmen from Tribal Membership Status

Press Release:
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Descendants of Freedmen
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On Monday, March 13, 2006 at the regular tribal council meeting, Principal Chief Chad Smith of the Cherokee nation of Oklahoma called for the tribal council to propose and approve a constitutional amendment which would be placed on the ballot at the next Cherokee general election to allow the Cherokee voters to strip the Cherokee Freedmen from their status as tribal citizens.

The Cherokee Freedmen are descendants of freed slaves and free mixed African Cherokee peoples who received Cherokee citizenship in 1866 based on a treaty with the US government and based on amendments to the 1839 Constitution.

This comes on the heels of a March 7 2006 decision by the Cherokee nation highest tribal court, the JAT, which ruled that tribal council ordinances which had prevented the Cherokee freedmen from obtaining tribal membership cards and tribal voting cards after 1983 were illegal.

The court ruled that under a constitution approved by the Cherokee voters in 1976 and approved by the US government, that the tribal council did not have the authority to pass laws which would strip tribal membership and voting rights from any class of citizens or their descendants who were listed on the Dawes Final rolls prepared by the US government and approved by Congress in 1907.

The Principal Chief indicated that the Freedmen had been "paid off" when they received their allotments and had thus received more than the former slaves of US citizens. He also indicated that the Freedmen had not built up the tribe for more than 100

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Travel Expenses of Cherokee Nation Elected Officials

When the Cherokee Independent Press Act of 2000 (Legislative Act 11-00) was approved by the Tribal Council and signed into law by Principal Chief Chad Smith in July 2000, Section 10 of that act superseded previous legislation requiring the publication of the council meeting minutes and the travel expenses of elected officials on the Cherokee Nation Web site and quarterly notification of Cherokee Phoenix readers that the information was posted on the Web site.

Section 10, titled Publications Requirements and Codification, states

On a quarterly basis a public service announcement will be published, stating that copies of council meeting minutes and travel expenses of elected officials will be posted on the Cherokee Nation Web Site and be available through the Internet to fulfill the intent of previous legislative acts requiring such publications. This act shall be codified in conformance with the format and the requirements of Cherokee Nation Code Annotation Title 25.

If this is the Cherokee Law, then why have they not been published since 2002. That is four (4) years of breaking the Law. This is a law and the Accounting Department should publish them. But they can't because Chief Smith won't let them publish them, because he doesn't want the Cherokee People to know how much he has spent or how he has spent these funds.

These funds are the Cherokee People's money and our elected leaders need to held accountable for mis-spending them. See sample of request letter on page 3.

Cherokee Font Available FREE!

Blackwell, Oklahoma: The Cherokee Observer & The Whitepath Foundation has provided the Cherokee Font to the Cherokee people & organizations since 1992. Franklin McLain developed the Cherokee WP font for PC's & AI Webster for Apple.

It provided a way for us to save our Cherokee language. This was done in 1991 - 1992. It allowed the Whitepath Foundation to provide translates & created articles, stories and ads in Cherokee, then publish them in the Cherokee Observer. The efforts from the Cherokee's working these last 14 years have all been volunteers; they have worked from their Cherokee Hearts. We have not received federal funds or tribal funds to do this. They have provided the articles, stories, flashcards, and fonts by subscriptions, advertisements, and DONATIONS. We provided the Cherokee Observer with these articles, stories and advertisements FREE to many Cherokees that only speak, read and write Cherokee. We give freely to the youth as well; we send many newspapers to them. From our efforts we see today many Cherokees learning to read, write and speak Cherokees. This is done with your help, so please support this worthy cause.

With your support . . . the Cherokee people will hold on to our Cherokee language and will grow more every year!

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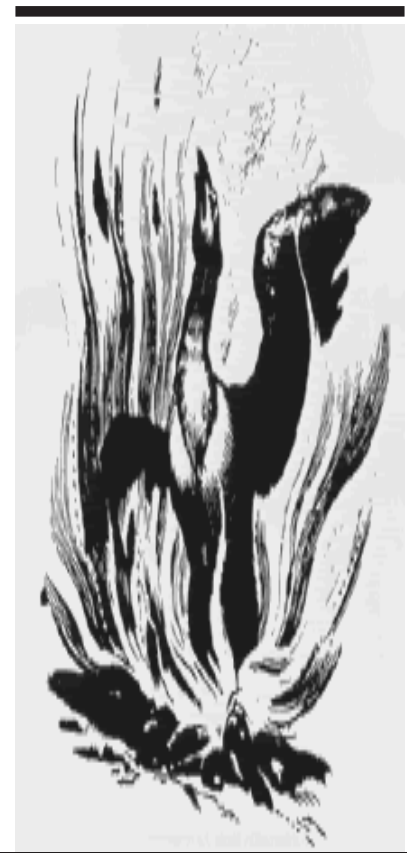
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