



DELAWARE INDIAN NEWS

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

Lënapeí Pampil ♦ The Official Publication of the Delaware Tribe of Indians ♦ October 2007 ♦ Volume 30 Issue No. 3

NOTICE OF ELECTION SATURDAY, NOVEMBER 3, 2007

Tribal members are hereby notified that elections will be held by referendum and walk-in vote on Saturday, November 3, 2007. Election of one (1) Trust Board Chairman, three (3) Trust Board member positions and (5) questions resulting from filed and verified petitions. The five (5) ballot questions address the issue of reaffirming our Tribal Council's efforts to restore the tribe's federal recognition and constitutional amendments clarifying that the supreme governing authority of the Delaware Tribe is all adult voting members not just those in attendance at the annual general council meeting. Tribal members are urged to provide the election committee with the correct mailing address so that all eligible tribal voters will receive a ballot. Ballots will be mailed to voters October 3, 2007. Tribal members who wish to cast their vote in person may do so at the polling place located in the Delaware Tribe Community Center from 9:00 a.m. to 5:00 p.m. The community center is located at 5100 Tuxedo Blvd, Bartlesville, OK. All ballots must be received by the Delaware Election Committee by noon Saturday, November 3, 2007. Those ballots not received at the post office by noon November 3rd will not be counted. Vote and mail your ballot back as soon as possible.



Chief Jerry Douglas

CALL TO GENERAL COUNCIL SATURDAY, NOVEMBER 17, 2007

Chief Jerry Douglas and Trust Board Chairman, Raymond M. Cline jointly call for the Delaware Tribe's Annual General Council to be held on Saturday, November 17, 2007. The meeting this year will be held from 1:00 p.m. to 5 p.m. at the Delaware

Community Center located at 5100 Tuxedo Blvd., Bartlesville, OK. Tribal members are strongly encouraged to attend General Council this year as 100 voting age tribal members must be in attendance to approve the FY-2008 budget for the Trust Board to continue services to all tribal members. The funds are utilized by the Trust Committees of Educa-



Chairman, Raymond M. Cline

tion, Land Management, Community Services, Economic Development, Cultural Preservation, Tribal Operations and Reinvestment. These committees provide many services to tribal members including, but not limited to, scholarships, school supplies, athletic and academic assistance, utility, rental, dental, medical, student and elder eyeglass assistance, prescription assistance for our elders and many cultural programs and festivities. These committees also help with exploration of economic ventures for business possibilities, provide maintenance for our tribally owned properties, make certain a portion of our monies are reinvested and provide staff to ensure the programs are operated efficiently. ALL of these programs are available for the benefit of tribal members and the tribe as a whole. Both the Chief and the Chairman (or their designated spokespersons) will give the State of the Tribe and Trust Addresses. Federal Recognition efforts will be addressed. General Council allows tribal members to give their elected leaders input and guidance for the upcoming year. Every tribal member counts! Please put this date on your calendar and make plans to be in attendance.

General Council Agenda

Tribal Council Session

- 1 p.m. Call to Order
- Invocation
- Roll Call
- no minutes from 06 to approve
- Treasurer's Report—Tribal
- State of Tribe Address
- Old Business
- Reports
- Adjourn

Trust Board Session

- Call to Order—Trust
- Roll Call
- Approval of 2005 Trust Minutes
- Treasurer's Report—Trust
- State of Trust Address
- Committee Reports
- Old Business
- New Business
- Adjourn

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Tribal Update from Chief Jerry Douglas

First, I would like to congratulate those recipients of the education scholarships: Mary Cameron Carter, Scott Wilkins, Daniel K. Walden, Kyle Pickett, Grant Phillips, Marcus Payne, Traci Moore, Jeremiah J. McElroy, Charles Lewis, Jeremy R. Inman, Stephen Hatfield, Michelle L. Grigsby, Matthew J. Grigsby, and Christopher K. Bellamy. Way to go!! I would also like to take this opportunity to thank the Education Committee for their hard work and the Trust Board for their efforts to continue to provide services to our tribal members, near and far.

Next, I would ask everyone to keep in their prayers, those suffering from health issues, family or tribal strife, and last but certainly not least, our military leaders and warriors.

Third, I would like to take a moment and talk about the election ballots you will soon receive. This past year has been a long and trying time for our tribe, which is why I felt it necessary to file two petitions bringing forth issues for the vote of the people. The hundred signatures for each, as required by our Constitution, have been verified; and as Chief, it is my duty to call for an election on these petitions within 45 days. To save costs, we have included these is-

issues on the ballot with the Trust Board election.

The first petition involves constitutional amendments which will appear



on your ballot in PROPOSITION question form with “yes” being in favor of the amendments and “no” being opposed. The purpose of these amendments is to clarify that the supreme governing authority of the Delaware Tribe is all adult voting membership and not just those in attendance at the General Council meetings. Unfortunately only about 2-3% of the total eligible voting membership is present at General Council. I realize that many members may not have the ability or luxury of taking off work nor the money or

health to drive or fly, possibly thousands of miles, to exercise their inherent rights under the Constitution. The proposed amendments would ensure that the remaining percent of the adult voting membership is not forced to appear in person at General Council meetings in order to have a voice in their government. If you want to protect your rights and those of your children then vote “yes” for these amendments and return your ballot so it is received at the post office in Bartlesville, OK, no later than noon on November 3, 2007.

The second petition involves the proposed legislative bill to restore our federal recognition and release our Trust Fund judgment monies from our trust mismanagement suit against the U.S. Government. Although we as tribal members may not agree on which avenue is the best way to obtain restoration of our federal recognition, I think it’s safe to say, we all agree that restoring our federal recognition is critical to our survival. For some, negotiations with the Cherokee is repulsive, however, regardless of which avenue the tribe chooses, one thing is certain, there will be no federal restoration for our tribe with opposition from the Cherokee Nation. (Please see Tom Peckham’s article herein). The Legislative bill issue will appear on your

ballot in ADVISORY QUESTION form with “yes” being in favor of approving Tribal Council’s resolution 2006-08 which authorizes the Tribal Council, the Tribe’s legal council and the Tribe’s lobbyist to take such actions as they deem necessary to secure passage of the legislation, and “no” being opposed. Delaware are proud people, who want to be self-reliant, working to support themselves, their community and their tribe. Federal Recognition is crucial for funding and economic growth which in turn will provide jobs, healthcare, housing, education, elder support, and historic /cultural preservation for our citizens today and tomorrow. If you want to secure your future and futures to come, vote “yes” to this advisory question and return your ballot so it is received at the post office in Bartlesville, OK, no later than noon on November 3, 2007.

In sum, I urge all tribal members to attend the General Council meeting on November 17, 2007, not only to share your ideas and concerns and provide input to the Tribal Council, but also to help us meet our 100 member requirement to approve the Trust Board budget for the next year. I look forward to seeing and/or hearing from you.

Delaware Indian News

Subscription Form

If you would like to receive the latest information on what is happening with the Delaware Tribe of Indians - the official publication.

If you are an enrolled tribal member, your subscription is free. If not, the annual subscription is only \$20 per year. To order your copy of the D.I.N., fill out the form and send it with a check or money order made out to the Delaware Tribe of Indians to:

Delaware Indian News
170 N.E. Barbara
Bartlesville, Oklahoma 74006

Name: _____

Address: _____

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Vote! Vote! Vote! Vote!



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, Oklahoma 74006
or call 918-337-6593

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 probably be the way it is listed on the role. Including Tribal Registration number is helpful, but not required.

DELAWARE**Indian News**

170 N.E. Barbara
Bartlesville, Oklahoma 74006
918-336-5272

Delaware Tribe of Indians Website:

<http://delawaretribe.org>

Newspaper Committee

Marilyn Cole, Raymond Cline,
Verna Crawford, Jerry Douglas, Edna
Havens and Wayne Stull.

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. Subscriptions to non-tribal members are available at \$20 per year. To order 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 December 15, 2007 for the January 2008 issue. Submissions may be mailed, faxed or hand delivered, to the D.I.N. office or email:

(delawarenews@cableone.net)

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

Trust Board Chairman Raymond Cline

Dear Tribal Members, I am writing this column with the hope that this issue of the Delaware Indian News finds all tribal members well and my prayers are with those families who have loved ones serving our great United States in the military. I would like to announce that our Trust Board Election for Trust Board Chair and three members will be held Saturday, November 3, 2007. The ballot will include four constitutional amendments and an advisory question for tribal members to consider. I encourage all tribal members to vote Yes on these questions



and familiarize themselves with the candidates so that votes cast are for those that have the best interest of our great tribe in their hearts. I remind all tribal members to have a correct address with the Election committee as ballots will be mailed to all voting age tribal members on October 3, 2007. For those who wish to place their ballot in person a polling place will be provided at the Delaware Community Center located at 5100 Tuxedo Blvd, Bartlesville. The hours will be from 9:00 a.m. to 5:00 p.m. I also encourage that the ballot be returned in a

timely manner to the election Committee PO Box by noon, November 3, 2007 as ballots arriving after this date and time will not be counted. Please exercise your rights as a Delaware Tribal member and VOTE!

I would like to take this time to announce that I am pleased to jointly announce with Chief Jerry Douglas that the Tribe's Annual General Council will be held Saturday, November 17, 2007. General Council is a time for tribal members to gather and catch up with friends and family members. It also provides tribal members a chance to give their elected leaders support, ideas and direction they would like to see for our tribe. I strongly urge all to attend and look forward to seeing you there.



Delaware women



If you find mistakes in this publication consider that they are their for a purpose. We publish something for everyone and some people are always looking for mistakes.

From the Desk of Wayne Stull, Assistant Chief,

Trust Board Vice-Chairman & Delaware Enterprise Corporation Chairman

When I was a kid growing up in Dewey, Oklahoma, my mother would often talk to my brother Artie and I about things Delaware. She taught us the value of our Delaware heritage. She taught us the importance of family and friends and she taught us to stand together as brothers and stay together as family. My mother told us about a people who were brave and courageous; peaceful and friendly; loving and kind; yet when necessary, fierce and waring to either victory or death.

As a small child, I remember my mom explaining that the blood that flowed through our veins was special. She said our bloodline has survived famine, war, greed and evil; and that greed and evil was by far the worst. Greed and evil, she said, drove us from our land and our homes six times; from the shoreline of the east and finally into Kansas and Oklahoma.....now we have no land.

My brother, Artie and I went from bedtime history lessons to grade school and on to high school knowing that we were the descendants of an ancient people.....great, great people. Mom said we were descendants of the original people, and the Grand Daddy of all people Indian.

As a Delaware child growing up, mom gave Artie and me something special to hold on to and cherish. There has never been a day go by that I do not take pride and thank God for the Delaware blood that runs through my veins. Through all

of life's up and downs, I have been able to survive because of what Mom taught me about things Delaware. And through all of the good and the bad, my family.....especially my wife Joyce of 38 years, has enabled me to call upon the blood that flows through my veins to be brave and courageous, peaceful and friendly, loving and kind and fierceless and waring to either victory or death.

Mom's bedtime history lessons and her life time teachings of things Delaware created Delaware Tribal Chief Justice, Art Stull and Assistant Chief, Wayne Stull. In a deep seated sentimental heart felt way, I wish I could share my mother with all the Delaware children throughout the world so that they would know things Delaware.

Mom's bedtime history lessons and her life time teachings led Artie and me into a commitment to serve our Tribe, the Delaware Tribe of Indians. Growing up, it was never my intention or ambition to be a tribal politician or elected official. Today, I am the Assistant Chief, Vice Chairman of the Trust Board, Chairman of the Delaware Enterprise Corporation, Chairman of the Trust Board Economic Development Committee, and



Vice President of the Delaware Enterprise Authority. The modicum of my business success does not warrant one person serving our Tribe in so many capacities. I would really like to see more of our Tribal members become involved in our Tribal government.

Our Tribe is blessed with many knowledgeable, educated and successful Tribal members who refuse to come forward and serve our Tribe because of what is viewed as political strife, infighting and bickering. This point of view

has legitimacy, however, I would remind everyone of things Delaware. It is not the Delaware way to under mind our Tribal government and create strife and division. In the spirit of things Delaware, I issue a call to service and commitment to our Delaware Tribal family. I would like to borrow and modify the words of President John F. Kennedy to be appropriate for our tribe and say, "Ask not what your Tribe can do for you, but what you can do for your tribe."

Your Tribal government is in a battle to have our federal recognition restored and now is not the time, and the time should be never, that we fight amongst ourselves and against our elected government. There is nothing wrong with having a differing point of view, and there is certainly nothing wrong with verbalizing an opinion. However, it is terribly wrong to be misinformed and utilize rumors and lies to access a divisive following to disrupt our government.

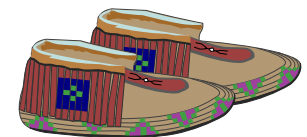
In the past six months, it has come to my attention that the nature of our pending legislative bill is being characterized as an undesirable means to an end. The memorandum of agreement with the Cherokee Nation of Oklahoma does not and will not in any way hamper our ability to seize opportunities for economic growth. The only time CNO can interfere in our tribal economic growth is if the Delaware Tribe of Indians puts land in trust

within the fourteen counties in the Cherokee Nation's jurisdiction. The Delaware Tribe will not be prohibited from having businesses within the fourteen counties as long as the businesses are operated on fee simple land. Our businesses can operate without CNO interference as long as the land is not trust land. The real distinction comes into play when lands are trust lands and in which case the Cherokee Nation would have the authority to tax our business ventures.

We have many economic opportunities that we are pursuing and none of the projects that we are looking at now or in the future will need to be located on CNO trust land. Additionally, we are not restricting our focus on economic development projects that are located within the fourteen-county jurisdictional area. I hope it's helpful to explain that the proposed legislative bill to restore our federal recognition is being misrepresented and characterized as a bad deal for us. I have read recent newspaper articles and had discussions with some of our tribal membership who have received reports that are not accurate. Your Tribal government is in need of your support to regain our federal recognition.....the Tribe as a whole can do without public criticism of our recognition effort. There is only one way and one way only that we can receive our federal recognition and that is through an agreement with the Cherokee Nation. There is no other way for the Delaware Tribe to have its federal recognition restored.

It is really important that you cast your vote in the Trust Board election and that you vote yes on the Proposition Questions and the Advisory Question.

Thank you and as always, God's Blessings upon you and yours.



Exercise Your Rights!!

Vote

in the Up Coming

Trust Board Election!

Federal Recognition Update: October 2007

Tom Peckham, Nordhaus Law Firm

Note: It has only been three weeks since I last wrote an article for the Delaware Indian News. In the past, I have repeated a lot of information in case members had not seen, or had forgotten some of the details. This time, since the last article was so recent, I am going to repeat less. If some Tribal Members need more background, please refer to the article in the September edition of the News.

Summary History: How the Tribe Landed in this Mess

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 also had settlements in Ohio, Indiana, Missouri, and Kansas. The Tribe signed an agreement with the Cherokee Nation to move onto Cherokee land in 1867. The Tribe has always maintained that it bought and paid for that land and 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 of a recognized tribe. 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 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 De-

partment 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 an 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.

The Rocky Paths To Restoration of the Tribe's Recognition

The question then became, and still is, how to have the Tribe's recognition restored. A tribe may be recognized by Congress, the Department of the Interior, or a federal court. A brief review of those options may help Tribal Members understand the challenges facing the Tribe in restoring its rightful place on the list of recognized tribes.

Judicial Recognition

The Tenth Circuit's decision is final as to the meaning of the 1867 Agreement. The Tenth Circuit did leave open the question of whether the Tribe was recognized after 1867 by the United States. While it is clear that the United States did recognize the Tribe (which was on the 1978 list of recognized governing bodies, after all), there is no ready avenue to challenge the 1979 termination in court at this point. The problem is that the statute of limitations period to challenge the Bureau's 1979 action arguably expired long ago. Thus, while there is an issue to be litigated, the Tribe would be taking a substantial risk of having a court action summarily dismissed. If the Tribe had had the resources to challenge the 1979 action inTM court, that would have been a powerful option. Today, that simply is not true.

One possible way to get into court on the post-1867 issues is for Congress to waive the statute of limitations. However, that means taking on all the congressional obstacles discussed below. If the Tribe can get a bill through Congress, it might as well be a restoration bill, not an authorization to sue, unless the politics in Congress suggest that having a court decision would make acceptable a result that would otherwise be politically unacceptable to some. But again, that means congressional action. Read on.

Administrative Recognition by the Department of the Interior

The Department of the Interior can recognize tribes. Its established procedure for doing so is in Part 83 of Title 25 of the Code of Federal Regulations. That process is very unattractive to the Tribe for several reasons.

First of all is the process itself. Over 200 Indian groups are on the list of those seeking recognition. The Senate Committee on Indian Affairs held a hearing on that process on September 19, and the conclusion was clear that the process is broken and hopelessly inefficient, with many tribes waiting ten, twenty, or more years just to get a decision. Only six-

teen tribes have been recognized through Part 83 in the almost 30 years the process has existed (as opposed to 28 by Congress in the same period). Part 83 is bureaucracy at its worst with an underfunded and overworked Bureau staff faced with more than it can possibly do.

There is an added difficulty for the Delaware Tribe. The Office of Federal Acknowledgement, which administers the Part 83 process, is headed by a Cherokee member, Lee Fleming. I have no reason to believe that Mr. Fleming would be biased against the Tribe, but the Part 83 process does require public consultation. If the Tribe were to head down the Part 83 path, the Cherokee Nation would certainly weigh in.

There are no certainties in life, but the Part 83 process just seems too uncertain. The Tribe could go through a decades-long process only to get a decision from the Department that would mirror the agreement we have already reached with Cherokee. In other words, the Tribe can be recognized but only subject to restrictions on the Tribe's jurisdiction and funding eligibility reflecting the Tenth Circuit's reading of the 1867 Agreement.

It may be possible that the Department would consent to consider an application for recognition by the Tribe under the Oklahoma Indian Welfare Act, a 1936 statute that allowed for "reorganization" of Indian tribes in Oklahoma as the allotment era was coming to a close. The Bureau approved the Tribe as eligible for reorganization under the OIWA in 1940. But there is no longer a clear process for recognition under the OIWA, so the likelihood of success is very uncertain. In addition, Interior has expressed concern that any action it might take outside of the now-normal Part 83 process would invite another lawsuit by the Cherokee Nation challenging any recognition action by the Department. Unless of course the recognition action incorporated Cherokee's concerns.

In short, any effort for action by
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Federal Recognition Update: October 2007 Continued

the Department would be highly uncertain, subject to challenge or influence by the Cherokee Nation, very costly, and long—probably very long.

Congressional Recognition

Congressional restoration of recognition has some profound advantages. First, it is certain. Unlike the 1996 decision by Interior, a congressional act cannot be challenged in court. If the Tribe obtains restoration through Congress, the Tribe's rollercoaster ride of the last 140 years will be over. Only another act of Congress could deprive the Tribe of its recognition, an event that is hard to imagine in this era.

Second, there is no bureaucratic process with its inherent delays. It is possible for Congress to act quickly (although as we have seen, Congress has its own kind of delays).

Third, Congress has the authority to specify areas for the restoration of land to the Tribe. Any process other than a congressional restoration will likely make it very difficult for the Tribe to rebuild any kind of land base.

However, Congress has its drawbacks. It is an inherently political body, which means that any congressional restoration would have to be politically acceptable to the Oklahoma congressional delegation, the rest of Congress, and the Cherokee Nation. As we are discovering, that is not an easy task.

Where We Stand

The Tribal Council discussed the barriers to administrative and judicial recognition after the Tenth Circuit's decision in November 2004. At that point, the decision was made to pursue both congressional restoration and to explore the possibility of getting an expedited restoration decision from the Department of Interior. Neither body was willing to even consider action until the Supreme Court refused to take the Tribe's appeal in October 2005.

Meetings with Interior in January 2006 made it clear that the strong support necessary for an administrative restoration over Cherokee opposition was not forthcoming. Concerns about

a potential Cherokee lawsuit and the political difficulty in giving the Tribe priority over other tribes that have been waiting in the Part 83 queue were both cited by the Department as very strong concerns.

Meanwhile, the Oklahoma congressional delegation stressed at the same time that a restoration bill could only garner support from the delegation, and therefore Congress, if it was acceptable to Cherokee.

With the statute of limitations sitting in the middle of the judicial path and Interior's concerns blocking the administrative path, the Council chose to concentrate on the congressional path. The MOA with Cherokee and the other concessions necessary to get Cherokee support for restoration legislation has been discussed in my prior articles in the News, including the last issue. As painful as some of the concessions are, we now have a bill that Cherokee will not oppose.

We are now in the process of trying to work through the final changes necessary to have the legislation introduced by Congressman Sullivan in the House of Representatives. When I wrote the last article several weeks ago, I hoped that introduction of a bill would follow in a matter of days.

However, we have since run into unexpected difficulties with Senator Coburn. (It is important to realize that it is very difficult to get a bill through Congress without the unanimous support—or at least non-opposition—from all of the members of Congress from the relevant state. This is especially true in the Senate.) After having had draft bill language for over a year, Senator Coburn recently suggested that the Tribe go through the Part 83 process. But it is quite clear that even a congressional reference to the Bureau would face Cherokee opposition unless it met Cherokee's concerns embodied in the MOA. So, the Tribe would still have to make the same concessions and have to face the obstacles and expense of the Part 83 process. (The Tribe might be able to get expedited consideration if directed by Congress, but that apparently could not free the Tribe of the

concessions to Cherokee).

Such a process would combine all of the negatives of congressional restoration with most of the negatives of the Part 83 process. Accordingly, John Montgomery (the Tribe's D.C. lobbyist) and I are continuing to work with the delegation to try to work out a solution that is acceptable to the Tribe and Dr. Coburn. The last week of September and the first week of October should be telling as to whether a path can be found through the maze of conflicting interests.

If acceptable legislation cannot be introduced soon, it may make sense for the Tribe to reconsider its administrative options. But I firmly believe that it is premature to abandon the legislative route. The Tribe has struggled with uncertainty regarding its status for almost 140 years. The Council has consistently (and I believe correctly) underscored the importance of obtaining restoration of recognition quickly, with certainty, and on the fairest terms possible. Despite the long road, complete with unexpected roadblocks and twists, Congress still provides the best chance of obtaining restoration soon on the fairest terms possible.

Note that I say 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, in light of the goals established by the Council, we will continue to work toward a congressional restoration in the shortest time possible.

What You Can Do

Communicate to Congress, Especially Dr. Coburn

Help us with the Oklahoma congressional delegation, especially Senator Coburn. E-mails, phone calls, and faxes are better than letters because security screening of posted mail causes delays. Please 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. If you can only do one or a few, please make your contacts in the order they are listed at the end of this article.

When communicating with Dr. Coburn's office, you may want to recall the following commitments he made on his website when running for the Senate in 2004:

"As Senator, Dr. Tom Coburn will work to hold the [BIA] accountable to the Congress and Oklahoma tribes. He was a thorn in the agency's side working on behalf of Oklahoma tribes while in the House, and will again be an advocate as a U.S. Senator."

The Tribe needs Dr. Coburn's support to correct the injustice of the BIA's unlawful termination of the Tribe in 1979.

Please be strong and firm without being disrespectful.

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. When there is significant news to report (and no less frequently than about once a month), I will send out a report on where the restoration effort stands.

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

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Federal Recognition Update: October 2007 Continued

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.

Conclusion

I hope that the next update will bring the good news that a bill has been introduced to restore the rightful recognition of the Delaware Tribe. There is no easy or quick way to accomplish the Tribe's goal, but I hope that we have almost found our way out of the maze that is federal recognition.

Oklahoma Congressional Delegation Contact Information

Dr. Tom Coburn
SD-B40D Dirksen Senate Office Building
Washington, DC 20510-3604
(202) 224-5754
Fax: (202) 224-6008
Web: <http://coburn.senate.gov/>
Email: (online form at) <http://coburn.senate.gov/public/index.cfm?FuseAction=ContactSenatorCoburn.Home>

Representative John Sullivan
114 Cannon House Office Building
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Senator James M. Inhofe
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(202) 224-4721
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Web: <http://inhofe.senate.gov/contactus.htm>
Email: (online form at) <http://inhofe.senate.gov/public/index.cfm?FuseAction=Contact.ContactForm>

Representative Tom Cole
236 Cannon House Office Building
Washington, DC 20515-3604
(202) 225-6165
Fax: (202) 225-3512
Web: <http://www.house.gov/cole>
Email: (online form at) <http://www.cole.house.gov/contact-tom-form.html>

Representative David Daniel Boren
216 Cannon House Office Building
Washington, DC 20515-3602
(202) 225-2701
Fax: (202) 225-3038
Web: <http://www.house.gov/boren/>
Email: (online form at) <http://www.house.gov/boren/emailsSignup.shtml>

Representative Mary Fallin
Washington, D.C. Office
1432 Longworth House Office Building
Washington, DC 20515
(202) 225-2132
Fax: (202) 226-1463
Web: fallin.house.gov
Email: http://fallin.house.gov/send_email_zip_authentication.shtml (for district residents)

Representative Frank D. Lucas
2342 Rayburn House Office Building
Washington, DC 20515-3603
(202) 225-5565
Web: <http://www.house.gov/lucas/>
Email: (online form at) <http://www.house.gov/lucas/zipauth.htm> (for district residents)

From Councilman Curtis Zunguha

TO: DELAWARE TRIBAL MEMBERS AND READERS OF THE DELAWARE INDIAN NEWS
Re: www.curtiszunigha.com
Greetings! many of you have inquired where you may find:

- The real news!
- The details!
- News with no tribal censorship!
- The latest in political developments and how they affect you and your family!
- Community and cultural news.

I encourage you to visit my website at www.curtiszunigha.com for important tribal information. I also am looking forward to receiving your feedback about issues that are critical to you.
Wanishi.

Remember to check the Delaware Tribe website: www.delawaretribe.org and all elected Council and Trust Board Members may be contacted at anytime.

All ads and articles from individuals is solely the opinion of that person or group, not necessarily that of the full Council or Trust.

FOURTH 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.

To make sure that those 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 will receive a check as discussed below. Do not contact the Tribe again unless your address or legal name changes.

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 call (918) 337-6593, or 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.

There were 1,372 Delaware Tribe afterborns on the 1980 roll, which means that each member (or her or his living heirs, pro rata) will receive \$865.13, plus interest accrued before checks are distributed (after the Court's and the custodial bank's administrative expenses are deducted, we expect that the interest rate will be between 3 and 4 percent).

So far, we have current informa-

tion for over 1,100 of the 1,372 afterborns. We are exploring with the Idaho court whether the court will permit sending checks to members for whom we have current information before completing the list of all 1,372 people. If the court will allow it, we will get checks out as soon as possible, **BUT AT THIS POINT WE DO NOT KNOW WHEN DISTRIBUTIONS WILL BE MADE.**

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

If you have any questions, please call: (918) 337-6593.

Name -- Last, First Middle

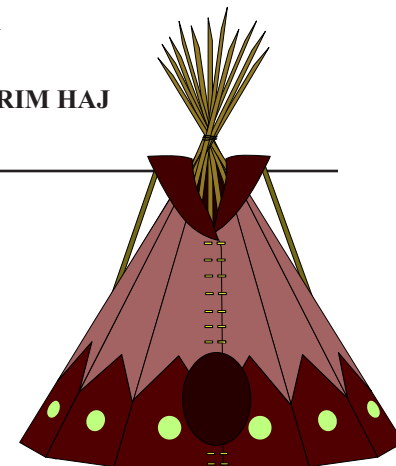
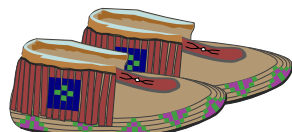
ALLEN, MICHAEL SHAUN
ANDERSON, BRIAN JACOB
ANDERSON, CARRIE LYNN
BAILEY, BILLY ROBERT
BAILEY, TANYA YVONNE
BANNING, SUGAR MICHELLE
BARNETT, SHEILA ANNE
BARTON, DOUGLAS WAYNE, II
BEATTY, ANGELA MARIE
BEAUBIEN, MICHELLE RENAE
BERRY, AMBER RENEE
BIERSCHIED, TIFFANY MARIE
BIGGOOSE, VINCENT SHUDAY
BLANCHARD, CONRAD CALEB
BLANKE, SHELLY DIANE
BRATTON, AMANDA IRENE
BROADUS, ALICIA LEIGH
BROOKS, TAMMY VENITA
BROOKS, VIRGINIA MAE
BUNK, DEANNA LYNN
BUOY, BILLY JOE
CALLAWAY, QUINTON L
CAOQUETTE, JOSHUA SCOTT
CAREY, TONIA KAY
CARLISLE, SABRINA
CARLISLE, SADIE NOEL
CARPENTER, MICHAEL SCOTT
CARPENTER, CLIFTON QUINTON
CARR, MICHELLE RENAE
CARREON, MIRANDA
CHILDERS, LORI E
CHILDERS, CHRISTINE M
CODDING, RYAN EUGENE
CONNER, AMY L

Name -- Last, First Middle

CONNOR, JOHNNY HERBERT, III
COOKE, STEPHANIE D
COX, CHRISTOPHER KEITH
CRADDOCK, JASON LEE
CREED, MISTY
CREED, BRIDGETTERENAE
CUMMINGS, DANA LEE
CURLEY, JANA
DAVIS, LINDSEY RENEE
DENNIS, DELEICIA CHANTELL
DICK, DAMON LEE
DICK, LYSA WYEE
DODGE, MYSTIC DANIELLE
DONAHO, ALEX RAY
DRY, DAWN MICHELE
DRYWATER, JOHN DANIEL
DUNCAN, STEPHEN WILLIAM
DUSHANE, DAWNE ARNEL
DWOJAK, SUNSHINE MARIE
DWOJAK, JAMES EDWARD, JR
ELLIS, ANDREA LANE
ENGLISH, PHILLIP WADE
EVANS, DESIREE YVETTE
EVANS, KYLE LEE
FARLEY, JEREMY DUANE
FIELDS, JOHNATHON VINCENT
FININEN, WILLIAM TIMOTHY
FLORES, ARTIE JOEL
FREEMAN, TERRY GLEN
FREEMAN, BRIAN M
FREEMAN, GREGORY L
GALICH, MICHAEL R
GARCIA, JESSE LEE
GIBSON, NATHAN LEE

Names Continued

| Name -- Last, First Middle | Name -- Last, First Middle | Name -- Last, First Middle |
|---|--|---|
| <p>GIDDENS, JOSEPH MICHAEL GILLILAND, SEAN BRANDON GLADDEN, SHEILA DIANNE GLOVER, MATTHEW WESLEY GOFF, REBEKAH MARIE GOFF, KAREN ELAINE GOLDEN, APRIL JAYNE GOODSON, JASON LEROY GOODSON, HOLLY MARIE GRAVES, GREGORY NELSON GRAVES, CHRISTY ANN GREGORY, KENNETH JAMES GRIFFIN, JOSHUA WAYNE GRIFFITTS, JENNIFER CHRISTINE HALL, GREGORY WAYNE HALL, MATTHEW KENLEE HAMMER, EDWARD JAMES HARTMEYER, MICHAEL LAYMAN HARVEY, CRYSTAL LEA HEINERIKSON, ANGELE DANA HIGGINS, ANDREA MINEA HINDS, ROBERT BRANDON HOFFNER, VENUS VADEAN HUGHES, CHERILYNN DELANE HURT, CRAIG JORDAN HUTCHINSON, MARANDA DAWN HUTSON, JOLENE DONNELL HUTSON, JESSICA LYNNE INGRAM, JENNIFER MARIE (UNDERWOOD) JACKSON, JOHN DAVID JACKSON, DALEN LEE, JR JAMES, JUSTIN LEE JENSEN, STEPHANIE DAWN JENSEN, MICHELLE LEE JOHNS, KANDI NICOLE JOHNSON, JENNANA LYNN JOHNSON, GABRIEL FLOYD KALT, DAMON JESSE KELLER, SHELLY DEION KETCHUM, DAVID FRANKLIN KETCHUM, CASEY JAMES KING, LEWIS STEVEN KING, BETH ANN KLEY, CHRISTINE MICHELLE KNOWLES, JUSTIN DAVID LEAKE, LISA MICHELLE LINDLEY, JUSTIN ALLEN LINDSEY, BRIAN MAURICE LOVE, CHRISTY LYNNE LUNDY, ROBERT KEITH, III</p> | <p>MAGEE, SUMMER DAWN MARK, SARAH A. MARK, BENJAMIN L MARLER, ERIN ELISABETH MARTIN, ANGELL A MCANINCH, ROBIN ELIZABETH MCDONALD, QUENTIN MICAB MEEKS, COURTNEY JANETTE MENSCH, HELEN RUTH METZNER, MELISSA ANN MEYER, STEWART NAIRN, JR MILLER, TANIA SUE MILLER, TEDDY LEE MILLER, RUSSELL WAYNE, JR MONDAY, JENNY DAWN MORRISON, JESSE LEE MULLENS, MELISSA MICHELLE NEWCOMBE, CORY JAMES NEWLON, KELLEY ANN NORTON, MELANIE DAWN OLIVER, ALICIA MARI ORNELAS, ASHLEE GENE PERKINS, ROBIN VIRGINIA (RENO) PORTER, EMILIE CATHERINE PREGLER, PAUL MATTHEW PREGLER, PRESTON PHILLIP, JR PRIMEAUX, ROSAN LUCIA REPLOGLE, JENNIFER JANE REYNOLDS, AREN CHRISTIAN REYNOLDS, BRON HUDSON REYNOLDS, CALE ERIC ROBISON, STACY MARIE ROBRAN, LYNDEE LANETTE ROBRAN, KRISTY MICHELE ROGERS, ANDREA CHRISTINE SANCHEZ, JUAN GUADALUPE SAUNDERS, AUBREY SEQUOYA SCHNICHELS, JENNIFER KAY SCHOPMEYER, CHRISTOPHER RYAN SCHOPMEYER, SARA LOUISE SCHWENKER, RACHEL DAWN SCHWENKER, REBECCA GRACE SCHWENKER, ROBERT CLARENCE, III SCOTT, SHANNON LEANN SEARS, KIMBERLY RANEE SHAMBLIN, MARY KATHRYN SIDERS, IVANA DAWN SIMMONS, LILLY EVELENA SKAGGS, DENNIS ROBERT SMITH, TYLER THOMAS</p> | <p>SMITH, BRANDIE MARLENE SMITH, ALEXANDER MELVIN SMITH, GREGORY ALLEN, JR SOCKEY, STEVEN CHARLES SOLANDER, TRINA LEE SOLANDER, B J EDWARD SOLANDER, TRISHA LENORE SPALDING, HEATH HAROLD STANDLEY, TRAVIS LEE STANLEY, KRISTA RENEE STARK, JIMMY DALE STEINBACH, JEREMY CHAD STEINMAN, AMY NICOLE STEVENS, MARDI ELAINE STEVENS, CLARENCE MATTHEW, III STOKES, SPENCER C STOKES, SAMUEL B STOKES, JEREMY JAMES SULLIVAN, AUBREY LEE SWAIM, BROOKE LEE SWAIM, MICHAEL ERROL SWALLEY, RACHAEL LYNETTE TATE, CHRISTOPHER LEE TAYLOR, BRANDON WAYNE TAYLOR, SCOTT ALLEN TEETER, KILEY A TEETER, SHELBY L THOMAS, DWAYNE MICHAEL THOMPSON, JUSTIN WARD THOMPSON, ZACHARY FRANCIS THOMPSON, CLINTON ANTHONY THOMPSON, JESSICA ROSE THORNTON, AMY RENEE THORNTON, DAVID JASON TONEY, JASON LEE TURNER, TIMOTHY JAY VAUGHN, SONYA LEE (NADING) VERNON, KARLA MICHELLE WALKER, CHRISTOPHER GENE WALTRIP, JUSTIN E WASINGER, DANIEL AARON WATTS, ALVIN LEE WEAVER, JEREMY DEAN WEST, MARY MAY WILSON, JOSEPH WAYNE, JR WING, DAVID GENE WOLFE, LAURA LYNN WOOLERY, NICHAWN FAY WRIGHT, CASEY MERLE YAHIYA, TALIB ABDULKARIM HAJ</p> |



Initiative Petition to be considered on Ballot

The following petition shown below was filed with the Tribal Council Secretary then, as required by our Constitution and Bylaws, 138 signatures were obtained on this petition and subsequently verified by our Tribal Council Secretary. The petition involving Constitutional Amendments will appear on the ballot you will soon receive as proposition questions and the petition involving the legislative bill will appear on the ballot as an advisory question.

Constitutional Admendment Petition

INITIATIVE PROCESS

As Provided in Article III of the Delaware Tribe of Indians Bylaws

STATEMENT OF PURPOSE:

The purpose of this petition is to amend the following constitutional provisions: Article I – Supreme Authority, Article IX – Amendments, Article X – Recall / Removal from Office and Article XI – Annual Membership Meeting of Constitution (1982) of the Delaware Tribe of Indians, to clarify and secure the rights and privileges of the entire membership.

AMENDMENT “A”

CURRENT LANGUAGE:

ARTICLE I – Supreme Authority

The supreme governing authority shall rest with the adult voting membership acting within its powers as set forth in this Constitution and Bylaws.

All powers not granted to the Tribal Council by this Constitution and Bylaws are reserved by the members of the Delaware Tribe.

PROPOSED LANGUAGE:

ARTICLE I – Supreme Authority

The supreme governing authority shall rest with all Delaware Tribe members, eighteen (18) years of age or older who are registered to vote. Adult voting membership shall mean the “entire” voting membership of the Delaware Tribe of Indians in accordance with Article VI, section 6.

All powers not granted to the Tribal Council by this Constitution and Bylaws are reserved for the members of the Delaware Tribe.

AMENDMENT “B”

CURRENT LANGUAGE:

ARTICLE IX – Amendments

Section 1. This Constitution and Bylaws may be amended by 2/3 majority vote of the General Council.

Section 2. It shall be the duty of the Chief to call a General Council meeting for the purpose of amending the Constitution and Bylaws when:

- (a) petition signed by at least one hundred (100) registered voters, setting forth the full text of the proposed amendments, has been filed with the Tribal Council Secretary, or
- (b) upon a 2/3 vote of the Tribal Council, a resolution is passed, calling for an amendment to the Constitution.

PROPOSED LANGUAGE:

ARTICLE IX – Amendments

Section 1. This Constitution and Bylaws may be amended by 2/3 majority of votes cast by eligible voting membership.

Section 2. It shall be the duty of the Chief to call for an election for the purpose of amending the Constitution and Bylaws when;

- (a) petition signed by at least one hundred (100) registered voters, setting forth the full text of the proposed amendments, has been filed with the Tribal Council Secretary, or
- (b) The Tribal Council, passes a resolution by a 2/3 majority vote, calling for an amendment to the Constitution.

AMENDMENT “C”

CURRENT LANGUAGE:

ARTICLE X – Recall / Removal from Office

Section 1. If any elected member of the Delaware Tribal government is convicted of a felony or crime which involves dishonesty, his office shall be considered forfeited upon passage of a resolution by the Tribal Council, or by 2/3 vote of General Council.

Section 2. Any member of the Delaware Tribal Council not in attendance of two consecutive, unexcused absences, at the regularly scheduled Council meetings, shall forfeit his office.

PROPOSED LANGUAGE:

ARTICLE X – Recall / Removal from Office

Section 1. If any elected member of the Delaware Tribal government is convicted of a felony or crime which involves dishonesty, his office shall be considered forfeited upon 2/3 vote of the Tribal Council by resolution, or by 2/3 of votes cast by eligible voting membership.

Section 2. Any member of the Delaware Tribal Council not in attendance for two consecutive, unexcused absences, at the regularly scheduled Council meetings, shall forfeit his office.

AMENDMENT “D”

CURRENT LANGUAGE:

ARTICLE XI – Annual Membership Meeting

Section 1. A General Council meeting of the adult membership shall be held on a Saturday, during the month of November, at which time the Chief or his designated spokesman shall make a “State of the Tribe”. Notice of the General Council meeting shall be given by the Chief, not less than thirty (30), nor more than forty-five (45) days preceding the meeting.

Section 2. Committee Reports and other reports regarding the operation of Delaware Tribe programs and projects shall be presented as well as other business properly brought before the membership.

PROPOSED LANGUAGE:

ARTICLE XI – Annual Membership Meeting

Section 1. A General Council meeting of the adult membership shall be held on a Saturday, during the month of November, at which time the Chief or his designated spokesman shall make a “State of the Tribe” address. The General Council meeting shall be presided by the Chief and Tribal Council in accordance to Roberts Rules of Order. Resolutions or motions that rescind or effect previously adopted resolutions or ordinances passed by the Tribal Council must be approved by 2/3 of votes cast by eligible voting membership. Resolutions passed at the annual General Council meeting must be approved by 2/3 of votes cast by eligible voting membership. Resolutions or motions presented at the General Council meeting must be approved by 2/3 vote of the Tribal Council or 2/3 of votes cast by eligible voting membership in an election.

Section 2. Committee Reports and other reports regarding the operation of Delaware Tribe programs and projects shall be presented as well as other business properly brought before the membership.

Initiative Petition to be considered on Ballot

The following petition shown below was filed with the Tribal Council Secretary then, as required by our Constitution and Bylaws, 138 signatures were obtained on this petition and subsequently verified by our Tribal Council Secretary. The petition involving Constitutional Amendments will appear on the ballot you will soon receive as proposition questions and the petition involving the legislative bill will appear on the ballot as an advisory question.

Petition to Affirm Approval of Tribal Council Resolution For Federal Recognition

INITIATIVE PROCESS

As Provided in Article III of the Delaware Tribe of Indians Bylaws

STATEMENT OF PURPOSE:

The purpose of this petition is to affirm the approval of the following Resolution (Tribal Council Resolution 2006-08), Reaffirming Approval Of The Proposed Settlement Of The Tribe's Trust Fund Litigation Pending In The United States Court Of Federal Claims In Washington, D.C., And Approving Language Negotiated With The Cherokee Nation Regarding Restoration Of The Tribe's Federally Recognized Status.

WHEREAS, pursuant to the Constitution, Article V, and Bylaws of the Delaware Tribe (1982), the Tribal Council is designated as the body with the power to represent and act on behalf of the Tribe in all matters concerning the general welfare of the Tribe; and

WHEREAS, on November 24, 2003, by Resolution No. 2003-62, and again on December 20, 2004, by Resolution 2004-70, the Tribal Council approved the settlement of the suit brought by the Tribe and the Trust Board in the United States Court of Federal Claims in Washington, DC, Delaware Tribe of Indians and Delaware Trust Board v. United States, No 02-26L, regarding distribution and mismanagement of judgment funds awarded to the Tribe and held in trust by the United States, and

WHEREAS, procedural technicalities of that litigation prevented the Tribe from litigating to a final conclusion the Tribe's contention that, without regard to the 1867 Agreement between the Delaware Tribe and the Cherokee Nation, the United States recognized the Tribe as a distinct, federally recognized tribe through a series of actions after 1867, and that the Tribe was therefore properly included on the Department of the Interior's List of Governing Bodies of Federally Recognized Tribes in 1978; and

WHEREAS, without federally recognized status, most Tribal programs are currently unfunded and have been discontinued, the Tribe was forced to auction its headquarters, and the ability of the Tribe to serve its members and maintain a vital Tribal government has been critically impaired; and

WHEREAS, the Tribal Council has expended every effort to have the Tribe's federally recognized status restored by Congress or the Department of the Interior immediately and without any concessions to the Cherokee Nation, but it became apparent that the Tribe could not be successful during this congressional session, if at all, in advancing legislation in Congress that would restore the Tribe's status over Cherokee opposition; and

WHEREAS, the Tribal Council, after conferring with the members of the Tribe and Congress, entered into negotiations with the Cherokee Nation in an effort to agree on language to be presented to Congress that would restore the Tribe's federal recognition; and

WHEREAS, the nature of the negotiations has forced the Tribe to make concessions regarding certain governmental and programmatic activities and powers only within the fourteen counties delineated by Cherokee's treaties with the United States, and which concessions are reflected in the draft legislation attached to this Resolution; and

WHEREAS, it pains the Tribal Council that such concessions are necessary to restore the Delaware Tribe, the first Indian tribe to sign a treaty with the United States, to its rightful place as a federally recognized tribe; and

WHEREAS, the Tribal Council is nevertheless persuaded that the damage being done to the Tribe by its removal from the list of federally recognized tribes is dire and urgent, and therefore that regaining the Tribe's place on that list immediately is of such great importance that it outweighs the concessions necessary to reach agreement with the Cherokee Nation in an unequal bargaining situation; and

WHEREAS, the Tribal Council finds deplorable that situation, which is a direct result of the many forced removals of the Tribe by the United States from its homeland in the Delaware River valley and surrounding area across much of the United States and ending with the removal of the Tribe from Kansas to Cherokee lands in the Indian Territory pursuant to the 1867 Agreement.

NOW THEREFORE BE IT RESOLVED THAT, the Tribal Council of the Delaware Tribe of Indians reaffirms its earlier approval of the proposed settlement of the trust case and, with profound reluctance but a strong sense of necessity, approves the draft legislation for presentation to Congress; and

BE IT FURTHER RESOLVED THAT, the Tribal Council authorizes the Chief, members of the Council, and the Tribe's legal and lobbying counsel to take such actions as they deem necessary to attempt to secure passage of the legislation.

ABSENTEE BALLOT
DELAWARE TRIBE OF INDIANS
GENERAL ELECTION
Bartlesville, Oklahoma
November 3, 2007

This is your secret ballot.
Do not sign or otherwise mutilate it.
DO NOT ERASE
TO VOTE: USE A #2 PENCIL (NO INK)
Complete the arrow(s)
pointing to your choice(s), like this

VOTE BOTH SIDES

TRUST BOARD CHAIR

(select (1) one only)

RUSTY BROWN

RAYMOND CLINE

TRUST BOARD MEMBER

(select (3) three only)

TONYA ANNA

VERNA CRAWFORD

WILLIAM "BILL" HATCH

DOYLE HAYES

JOHNEY TUCKER

PROPOSITION 1

PROPOSING TO AMEND ARTICLE I OF THE
DELAWARE TRIBE OF INDIANS CONSTITUTION
TO READ:

***Article I-SUPREME AUTHORITY.**

The supreme governing authority shall rest with all
Delaware Tribe members, eighteen (18) years of age or
older who are registered to vote. Adult voting
membership shall mean the "active" voting membership
of the Delaware Tribe of Indians in accordance with
Article VI, section 6.

All powers not granted to the Tribal Council by this
Constitution and Bylaws are reserved for the members of
the Delaware Tribe."

YES

NO

PROPOSITION 2

PROPOSING TO AMEND ARTICLE IX OF THE
DELAWARE TRIBE OF INDIANS CONSTITUTION
TO READ:

***Article IX-AMENDMENTS.**

Section 1. This Constitution and Bylaws may be
amended by 2/3 majority of votes cast by eligible voting
membership.

Section 2. It shall be the duty of the Chief to call for an
election for the purpose of amending the Constitution
and Bylaws when:

(a) A petition signed by at least one hundred (100)
registered voters, setting forth the full text of the
proposed amendments, has been filed with the Tribal
Council Secretary; or

(b) The Tribal Council passes a resolution by a 2/3
majority vote, calling for an amendment to the
Constitution."

YES

NO

PROPOSITION 3

PROPOSING TO AMEND ARTICLE X OF THE
DELAWARE TRIBE OF INDIANS CONSTITUTION
TO READ:

***Article X-RECALL / REMOVAL FROM OFFICE.**

Section 1. If any elected member of the Delaware Tribal
government is convicted of a felony or crime which
involves dishonesty, his office shall be considered
forfeited upon 2/3 vote of the Tribal Council of a
resolution, or by 2/3 of votes cast by eligible voting
membership.

Section 2. Any member of the Delaware Tribal Council
not in attendance for two consecutive, unexcused
absences, at the regularly scheduled Council meetings,
shall forfeit his office."

YES

NO

SAMPLE BALLOT

VOTE BOTH SIDES

PROPOSITION 4

PROPOSING TO AMEND ARTICLE XI OF THE
DELAWARE TRIBE OF INDIANS CONSTITUTION
TO READ:

***Article XI-ANNUAL MEMBERSHIP MEETING.**

Section 1. A General Council meeting of the adult
membership shall be held on a Saturday, during the
month of November, at which time the Chief or his
designated spokesman shall make a "State of the Tribe"
address. The General Council meeting shall be presided
by the Chief and Tribal Council in accordance with
Roberts Rules of Order.

Resolutions or motions that rescind or effect previously
adopted resolutions or ordinances passed by the Tribal
Council must be approved by 2/3 of votes cast by eligible
voting membership.

Resolutions passed at the annual General Council
meeting must be approved by 2/3 of votes cast by
eligible voting membership. Resolutions or motions
presented at the General Council meeting must be
approved by 2/3 vote of the Tribal Council or 2/3 of votes
cast by eligible voting membership in an election.

Section 2. Committee Reports and other reports
regarding the operation of Delaware Tribe programs and
projects shall be presented as well as other business
properly brought before the membership."

YES

NO

ADVISORY QUESTION

Do you support Tribal Council Resolution 2006-08 which
reaffirms earlier approval and release of trust fund
settlement monies from our trust mismanagement suit
against the United States government and authorizes
the Tribal Council to take such actions as they deem
necessary to secure passage of the legislative bill
restoring the Tribe's federal recognition?

YES

NO

Candidates For Trust Board Chairman



Rusty Creed Brown

My name is Rusty Creed Brown and I am running for the Chairman of the Delaware Tribe of Indians Trust Board. I was born in Tulsa, OK on April 21, 1973 and grew up in Catoosa, OK.

My parents are Ken Brown and Vicky Baker-Brown. I have one older half-brother Ken D. Brown and a younger sister, Carrie Hope Brown-Hosey. My Delaware grandmother is Dorothy Wilson-Jackson. My Delaware great-grandparents are Anderson Wilson and Lillie Parker-Wilson. My Delaware great-great-grandparents are, Adam Wilson, Amanda Bascomb-Wilson, George Parker, and Mary Bigfield-Parker

I attended the University of Alaska in Anchorage, for my undergraduate program. While at UAA, I studied Natural Sciences, and received my B.S. in December 1998. Once I finished my undergraduate degree in Alaska, I moved back to Tulsa. Shortly thereafter, I applied to the University of Tulsa and was accepted into both the law school and graduate school. While at law school I focused my studies on Federal Indian Law and Environmental and Natural Resource Law. At graduate school, I continued my studies of Geology, with a strong emphasis on environmental issues. I am currently a candidate for an LL.M., a Master of Laws, an advanced law degree. My course of study is Native American and Indigenous Peoples Law. I have finished all of my coursework and am in the process of writing my thesis.

After graduating in December 2003, with both my law degree and graduate degree, I continued working as an environmental consultant. In 2004, I was hired by the Osage Nation as its Natural Resources Specialist. While working for the Osage their Principal Chief recruited me to be the Director of the Child Support Services program. I accepted and wrote the departments policies, procedures, and codes; ultimately getting the department funded and working child support cases. Currently, I am the Policy Analyst for the Sac and Fox

Nation, where I advise the Principal Chief and the Business Committee on various types of policies ranging from internal Human Resource policies to federal legislative matters, which may affect the Sac and Fox Nation.

I have also had the pleasure and the honor to serve our people for two years as an Associate Judge on the Delaware Tribal Court. During this time I learned many things and I want to continue serving our people.

As a trustee of our trust monies, I will offer strong, healthy, educated, and professional leadership for the Trust Board. It is time that we as a people breathe new life into our governmental entities, including the Trust Board. Many of the same people have been holding office or running the Tribe for years; I believe it is time for change in the way we conduct ourselves and run our governmental business.

If elected to the Trust Board, I will ensure that our trust monies are used for the specific purposes for which they are intended. I will hold all board members to a higher standard to ensure that what has happened in the recent past does not happen again. I will hold regular meetings and make the Trust Board's actions more transparent, while making the Trust Board more accessible by providing information to the Delaware people.

Now is not the time for stagnation but rather it is a time for new creative thought, which will help us move forward. Now is a time to listen to our elders, listen to our people, and listen to our children; knowing that we are working for the preservation of our culture and our heritage, and following the path of our ancestors as strong and proud Lenape people.

I would like to see all the Delaware Tribal leadership be held accountable for their actions. I will work hard to bring the accountability back to the people I represent. If elected to the Trust Board, I will not have been chosen to represent only those that voted for me. I will have been elected to represent all Delaware people, which I will do, with integrity and honesty; always mindful that the Trust Board has a fiduciary duty to all tribal members.

Please contact me with any questions, rusty.creed@gmail.com or 918.519.6063.



Raymond Cline

I know that the last issue of the Delaware Indian News brought to light some happenings that should be of great concern to you. I consider all our tribal elections important. It is important that you examine your choices of candidates for office and choose those that will work to ensure your rights as tribal members, your rights now and those of our children and their children. That the candidate of your choice makes decisions that will ensure that you are well represented. Candidates who will not decide to take those rights away when they are elected to office, nor change their mind on our federal recognition restoration after being elected to office or try to stall the growth of the tribe.

I have always been an advocate of tribal members rights regardless of where they live. I have family of my own that live out of state and are not sometimes available to travel to our annual general council meeting, the fact remains they are DELAWARE tribal members, their ancestors are our ancestors! We should not exclude them just because the circumstances of their lives do not permit them to either live here or the luxury of traveling here. I am the son of Shirley M (Secondine) Hutton and the late James R (Bob) Hutton and the late Michael N Cline. I am the grandson of Charles & Minnie (Parker) Secondine and Ben & Dora C (Sanders) Cline. I have one brother Eddie L Cline a half sister Kathy A (Cline) Parrett and a half brother Harold D Cline. I am very proud of my Delaware heritage.

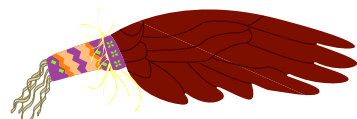
For the many years (18) I have been involved with the tribe both as a volunteer and as an elected official, I have had the best interests of the tribe and its members in my heart. Over the years

I have not only served my tribe but the community as well. I am the President of the Nowata County Historical Society, Museum and Glass Mansion (a private house Museum); Chairman of the Nowata Educational Endowment Foundation; Chairman of the Nowata Chamber Industrial Foundation; Museum for the Shenandoah Valley board member. I was awarded the Chamber Business Man of the Year in 1993 and was honored by Tribal Resolution and Chief Lewis Ketchum in 1993 for my work and dedication to the Delaware Tribe. I am also on the Board of Directors for the Nowata City County Library Committee. As Chairman of the Industrial Foundation I was instrumental in acquiring the location for the new Cherokee Nation Nowata Indian Clinic which provides medical services to our Delaware Tribal members. I proudly served our country, as I was in the Army from 1970 to 1972 and then with the Oklahoma National Guard for several years.

I know that to be a strong force the Trust Board and the Tribal Council must work together towards the goals set for us. This would include the restoration of our federal recognition and economic development so that we can provide services, jobs and education to our tribal members regardless of where they live. These are some pretty big goals but I feel that as a team we can accomplish them and would thank you for your continued support in returning me to the position of Trust Board Chair.

I am an enthusiastic and dedicated tribal leader. I feel our tribe needs and deserves leaders who listen and are available to our tribal members; leaders who believe that our elders and children are assets; leaders who believe that our culture, language should be saved for those generations that will come after us; leaders who believe that we should proceed into the future with strong economic development projects that will allow the tribe to provide the many services and per capita benefits that are afforded other Indian Tribes, and most of all leaders who believe that we are a great and strong Delaware Tribe.

I thank you for your continued support as Trust Board Chair.



Candidates for Trust Board Member



Tonya Anna

My name is Tonya Anna and as a Delaware member would like to contribute my time into the Tribe. It's that time of year again when we have elections to think about and how it will affect the Delaware's.

I was born and raised in Wooster, Ohio, by my parents Barbara (Delaware) and Ezra Anna (Choctaw). Graduated from Triway High School and the Wayne County Schools Career Center in 1985 and received an Associates Degree in Business Management from Wooster Business College in 1990. I held various employment positions in the printing and clerical field. Then the opportunity arose in the steel industry where I dedicated thirteen years with the last three being in the Quality Assurance department.

The decision was made to move to Copan, Oklahoma on the original property that my Grandfather, Richard Falleaf Sr., and his wife, Lera, nurtured for many years. Currently my Mother and daughter, (Heather, 20) are living in the original home while my son (Benjamin, 13) and I live on another location of the property.

Upon moving to Copan two years ago I obtained employment at Tri County Technology Center (TCTC) as the Economic and Community Development Administra-

tive Assistant. This position has given me gratification in serving others and has also given me the opportunity to enhance my education and skills by taking courses and attending a variety of seminars. This past year I completed eight months of Leadership training and a month of Franklin Covey training.

I am affiliated with the Bartlesville Indian Women's Club (BIWC) serving as their Scholarship Committee Chairman. It was a great pleasure to notify Indian applicants that they had been selected to receive Scholarship funding. As a Board member for the Bartlesville Indian Women's Club (BIWC) I hold the position of Secretary while representing the BIWC.

Now that I have been around tribal activities for a couple of years and have obtained valuable training in my employment I wish to participate in the tribal activities. As you can see I have the experience in other organizations, have the educational training, and take pride in helping others. I assure you that I will uphold the position with the tribe's best interest in mind. Being more than capable of holding a members position on the Trust Board I ask for your vote during the November elections.



Verna Crawford

I send greetings to all my Lenape brothers and sisters and ask for your vote to remain on the Trust Board.

Most of you know who I am,

for those who don't, my name is Verna Faith (Stout) Crawford.

I am married, have five children, 10 grandchildren and 4 great grandchildren.

I have served the Delaware Tribe for over 25 years as a volunteer, employee and elected leader of the Delaware Tribe. I served 12 years as a member of the Board of Commissioners of our Housing Authority. I was involved in developing our tribal newspaper and over the years have remained involved. I was an employee of the Tribe as part of the office staff and gift shop. I am currently serving on the Tribal Council and Trust Board. I am proud of the fact that I was instrumental in our tribe receiving the first ANA (Administration for Native Americans) grant which began the process of getting our trust monies returned to our tribe and people. The release of our trust monies to our tribal government was an overt acknowledgment that government to government relationship existed between our tribe and the U.S. government. The payment of trust monies was the acknowledgment of a trust responsibility and in 1996 we were again placed on the federal list of federally recognized tribes. As you know, our recognition was removed again in 2004.

I am proud to be serving the Delaware people at this critical time in our tribal history. The loss of our federal recognition is devastating to us all. The present Tribal Council has charted a course to have our Federal Recognition reinstated. As a member of the Trust Board, I have and always will stand firm to protect the Trust monies that have been set aside for the Tribe's financial foundation.

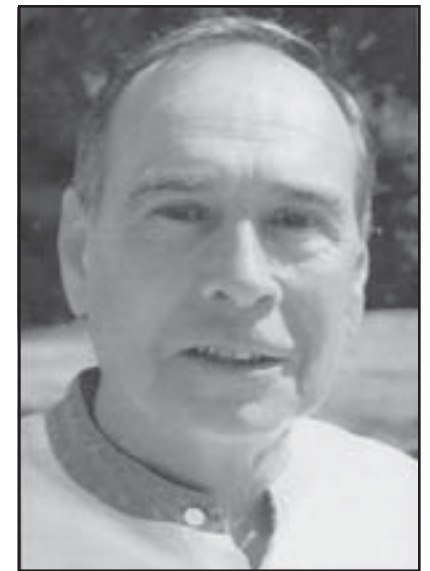
I would appreciate and thank you for the opportunity to continue serving you as a member of the Trust Board.

As Chair of the Education and Vice-Chair of Community Services committee I have been involved in the planning and development of

educational programs and assistance programs that benefit all tribal members. When federal recognition is restored the federal monies along with our trust funds will be available to assist more tribal members.

I will work to expand our programs for all Delaware people. Our youth and elders are our treasure, I will work to provide services for all of them.

No matter who you support for your Trust Board members, be sure to Vote!



William "Bill" Hatch

My name is William 'Bill' Hatch. Many of you remember that I was elected to the Trust Board and removed twice by a prior administration. The reason I was removed from office was that I supported gaming as an economic development venture for the great Delaware Tribe. I supported per capita payments to all tribal members and I supported that every eligible voting age tribal member receive a ballot on issues concerning their tribe. These are both issues that I support today. I support and agree that the Trust Board and the Tribal Council should work hand in hand towards the greater good of the tribe. I am asking for your support to allow me to represent you as your Trust Board member.

I would like to see our tribe grow

Candidates for Trust Board Member Continued

(Bill Hatch Continued from page 14)

and prosper, in order to do this we must step into the future and make sure that we secure strong business ventures that include but is not limited to gaming. We should as a tribe be able to provide services to our tribal members both locally and those who live throughout the United States and abroad. Services that other federally recognized tribes offer their members that include education, health benefits and jobs. I also believe that our culture, language and history should be saved for all generations. As a grandparent and tribal elder I feel that our children are precious assets. I am a proud Delaware Tribal member.

As a tribal member who does not live in the Bartlesville area I will be able to represent those who do not live there as well. My ancestors are Delaware, and my relatives are scattered through out the entire country as well as northeastern Oklahoma. I feel strongly that our trust funds should be protected and accounted for, as these funds were left to us by those that worked hard throughout their lives to get them released to us. I will help to restore strong leadership and will listen to the voices of you the tribal member and do my best to let your voice be heard. I appreciate and thank you for your support as Trust Board member.

**Do
your
part,
Vote !**



Doyle Hayes

Many of you know me as I have previously served the tribe as Assistant Chief and as Treasurer of the Tribal Council. I would appreciate your consideration as Trust Board member. I feel that my experience both in life and as a past elected official I will be able to represent all tribal members both locally and those nationwide fairly. I am a proud Delaware! My grandfather was John R. Ketchum and I can trace my ancestors to Captain Ketchum.

I am a 1965 graduate of Nowata High School and a 1972 graduate of Northeastern State University with a B.S. degree in Accounting and Business Administration. I served our country as I was in the Army from 1968 to 1970. My wife Jane and I have been married for 35 years and we have one daughter and son-in-law and one granddaughter. I am a co-owner of Hayes Air Conditioning & Heating for over 12 years. I am a licensed mechanical contractor and a member of the Plumbers and Pipe fitters union #430 in Tulsa. I feel these are qualifications that will allow me to make knowledgeable decisions concerning our trust funds.

As a father and grandfather I

strongly feel that the rights of our tribal members must be protected. I strongly believe that we should invest in tribal businesses and ventures that will ensure a strong legacy for our young and provide services to our tribal elders. As your Trust Board member I feel that I can help accomplish this. I know how important it is to have a good working relationship with the Tribal Council as we are all representatives of you the tribal members. We must work together towards the restoration of our federal recognition so that we can move forward towards providing services to our tribal members, services that other federally recognized tribes offer to their members.

I appreciate your support in letting me serve as your Trust Board Member



Johnney Tucker

He Lenape awenik. My name is Johnney Tucker and I am asking for your support by electing me to continue serving you. I was appointed to the Trust Board in 2006 and currently serve as the Chairman of the Reinvestment Committee and Vice-chair of Tribal Operations. I am also a Land Management Committee Member. I have done my best to

serve and protect the interests of my people.

I have resided in the Bartlesville area since 1973 and have had the pleasure of being raised in the setting of our Tribal Headquarters. In 1999, I was employed by the Delaware Housing Authority as the Project Coordinator and Construction Foreman, where

I assisted in the creation of the Delaware Housing Rehabilitation Program. This allowed me to apply my construction skills toward the repairs on homes owned by Lenape Tribal members and allowing the opportunity of our Tribal Elders to live in safe and sanitary conditions. In 2005, I assumed the position of Delaware Housing Inspector. And in 2006, I became the Delaware Housing Maintenance Supervisor. I am now self-employed as a housing construction and repair contractor.

I am the eldest son of Evelyn Kay (Scott) Anderson, eldest grandson of Evelyn (Jackson) Thomas (one of the very few full-blood Lenapes) and the great-grandson of James H. Jackson and Emma (Webber) Jackson. I am the father of two children that are active in many aspects of our culture, of which I am very proud. My family has been and is currently involved in many Lenape organizations. My experiences with my people in Tribal fellowship and my former Delaware Housing Employment, has been instrumental in my interest of preserving of our culture, the education of our children and the welfare of our elders.

As your Trust Board official, I vow to listen with an open mind and reply with your concerns at heart, as your interests are my interests and your issues are my issues. I offer honest leadership with the dream of solidarity. Together we are the Delaware Tribe, Divided we are merely groups sharing the name.

I appreciate your support. Wanishi.

ELECT EXPERIENCE, HONESTY AND PROVEN LEADERSHIP



For Trust Board Chair - Raymond M. Cline

I have served the tribe and it's members for many years. As many of you know I have devoted myself to all tribal members not just those who live locally. I would like to continue serving you as the Chair of the Trust Board. We have over the years made many strides to provide the best programs possible to tribal members. We have many things yet to accomplish and I would like to be a part of advancing our great tribe forward. I thank you for your continued support.

I BELIEVE:

- *In a strong accounting & safeguarding of our trust and tribal funds (our past audit was clean)*
- *I believe we must take care of our elders, they are our history and identity.*
- *We must cherish our young. Nourish and educate them, as they are the future of our great tribe.*
- *We must take charge of our future by establishing our own businesses and industries.*
- *We must provide jobs, educational opportunities and other services to all tribal members, regardless of where they live.*
- *Protect the rights of all tribal members regardless of their locale. Remember that we are all proud Delaware Tribal members.*
- *Tribal members should be allowed to benefit from tribal business ventures by issuing a portion of the profits as per capita payments while still investing in the tribe and furthering its growth.*



VERNA FAITH CRAWFORD
TRUST BOARD MEMBER

I have been a volunteer, employee and elected leader of the Delaware Tribe for the past 25 years. I would appreciate and thank you for the opportunity to continue serving you as a member of the Trust Board. As Chair of the Education and Vice-Chair of Community Services committee I have been involved in the planning and development of educational programs and assistance programs that benefit all tribal members. When federal recognition is restored the federal monies along with our trust funds will be available to assist more tribal members.

I BELIEVE:

- Safeguarding, strong accounting and accountability of funds used, both tribally and trust.
- I believe our elders and children are our most important assets and should be protected. They are our past and future.
- Provide jobs and education to our tribal members so that they may be successful in their life goals.
- Establish a strong economic base so that the tribe can flourish and grow.
- Protect the RIGHTS of all tribal members. We are all proud Delaware.
- Allow tribal members to benefit from the profits of tribal business ventures by allowing per capita payments.

Thank You for your continued support by electing as your Trust Board member.

WILLIAM "BILL" HATCH



TRUST BOARD MEMBER

My name is William 'Bill' Hatch. I am asking for your support to allow me to represent you as your Trust Board member.

I would like to see our tribe grow and prosper, in order to do this we must step into the future and make sure that we secure strong business ventures that include but is not limited to gaming. We should as a tribe be able to provide services to our tribal members both locally and those who live throughout the United States and abroad. Services that other federally recognized tribes offer their member such as education, health benefits and jobs. I also believe that our culture, language and history should be saved for all generations. As a grandparent and tribal elder I feel that our children are precious assets. I am a proud Delaware Tribal member.

I BELIEVE:

- That all tribal members throughout the United States and Abroad should be well represented by the elected leaders. I will help to restore strong leadership and will listen to the voices of you the tribal member and do my best to let your voice be heard
- I strongly feel that our trust funds should be protected, accounted for and utilized properly.
- That the tribe should work to provide jobs and education for our tribal members. To do this we must establish a strong economic base with viable economic enterprises.
- We must take care of our culture, history, tribal elders and our young. These are the past, present and future of our tribe.

I appreciate and thank you for your support as Trust Board member.

DOYLE HAYES



TRUST BOARD MEMBER

I have previously served the tribe as Assistant Chief and as Treasurer of the Tribal Council. I would appreciate your consideration as Trust Board member. I feel that my experience both in life and as a past elected official I will be able to represent all tribal members both locally and those nationwide fairly. I am a proud Delaware! My grandfather is John R Ketchum and I can trace my ancestors to Captain Ketchum.

I BELIEVE:

- As a father and grandfather I strongly feel that the rights of our tribal members must be protected.
- I strongly believe that we should invest in tribal businesses and ventures that will ensure a strong legacy for our young and provide services to our tribal elders.
- That the Trust Funds must be safeguarded for generations to come, and be utilized the best ways possible to provide services to tribal members today.
- The Tribal Council and the Trust Board work together to achieve the common goal - to restore the federal recognition of our great and noble tribe.
- We must move forward towards the future.

As your Trust Board member I feel that I can help accomplish this.

I appreciate your support in letting me serve as your Trust Board Member

Silent No More!

From A Concerned Tribal Member.

Most of us who read the Delaware Indian News seldom give the Council and Trust Board minutes more than a brief scan or very casual reading. Please read the approved minutes of the March 19, 2007 Council meeting published in the September 2007 DIN, or online at www.delawaretribe.org. It is most apparent and startling that we had better start being very attentive and alert to these Council reports.

Council person Annette Ketchum is directly quoted on record as saying “We don’t want Absentee Voting in our Tribe, if they can’t walk in, they don’t need to vote.”

What? “We” want to deny the majority of our Tribal adult voters a voice in our Tribe and the direction it takes in the future. Are “we” the same group of Bartlesville, Washington County Delaware’s who were so ill-mannered, disruptive and rude at the last General Council meeting in Bartlesville that our elected officials could not conduct a meeting or even remain on the podium?

“We” want to disenfranchise the majority of our people, our Tribal members, and fundamentally destroy the democratic process we have fought so hard to preserve? “We” want to permit a small minority to rule us, speak for us, dictate our path and determine our future without our voice being heard?

Who, Council person Ketchum, is “we”?

Are “we” the same group of Bartlesville, Washington County, Delaware’s who have for years presented themselves as the Delaware Tribe and have prevented and discouraged any inclusion of all Delaware Tribal members into the governing and guidance of our Tribe? Are “we” the same Tribal members who have seen our recognition and sovereignty as only an opportunity to move us to the front of the welfare line rather than being self sustaining through the use of our opportunities? Are “we” the same as those who for years have sacrificed the welfare of the many, for the pride, short-sightedness and limited vision of a few? Are “we” those who have continually fought against inevitable change that would benefit the many? Are “we” those who still believe they know what is best for all of us more than we know what is best for ourselves? Does “we” include Council person Curtis Zunigha? If not, speak up Curtis, your silence and fence-riding says it all.

We know who “we” aren’t. “We” aren’t the great majority of our Tribe. “We” aren’t the large majority of our Tribal Council or Trust Board. “We” aren’t Chief Jerry Douglas, Council persons Verna Crawford, Judy Harmon, Raymond Cline, and Wayne Stull. All of whom have worked hard and continue to endeavor

for the inclusion of all Tribal members in directing the future of our Tribe and for the benefit of all Tribal members, regardless of where they live.

Our Chief and these four members of our Council need our continued support and endorsement to continue to resolve our inherited problems and move forward with opportunities that will benefit all Tribal members, not just the locals. Shared opportunities and benefits for all Tribal members resulting from aggressive economic development projects is one of their foremost goals. This is the type of progress we really need.

Chief Douglas and Council members, Verna Crawford, Judy Harmon, Raymond Cline and Wayne Stull have successfully found and employed some of the most talented, skilled and sincere employees our Tribe has ever had. This is one of the greatest testaments to the excellent leadership of Chief Douglas and these four Council members.

Let them know you support them with your letters, e-mails, and telephone calls. They welcome your input, suggestions and ideas.

If the apparent advocacy for the suspension of voting rights for the majority of Tribal members is not enough cause and reason for the recall for removal of Council person Ketchum from the Council, it most certainly has the merit to never elect or appoint her or anyone that is like minded to a position of leadership in our Tribal government again.

In the words of Sojourner Truth; “We ain’t where we gonna be, we ain’t where we wanna be, we ain’t even where we should be – but thank God we ain’t where we were.”

Sincerely yours, Bill Hatch

I Urge all Tribal Voters to Vote Yes, November 3rd!

**Vote: Raymond Cline-Chair
Verna Crawford-Member
Bill Hatch-Member
Doyle Hayes-Member**

Vote Yes! Constitutional Proposition Questions

Vote Yes! Advisory Question

WHY CONSTITUTIONAL AMENDMENTS?

“I was appalled at the “hi-jacking” of the meeting by a vocal band of dissidents” (tribal member Doyle Gregory describing 2006 General Council)

I want to inform tribal members, both near and far, of what I see as an increasingly threatening situation that if not stopped now, may lead to a termination of our rights as tribal members. Stop it now, VOTE YES!

- “We don’t want absentee voting in our tribe, if they can’t walk in, they don’t need to vote.” (councilwoman Annette Ketchum 3/19/07)

- “I wasn’t elected to travel to meetings, they should be in Bartlesville” (councilwoman Annette Ketchum in reference to council meetings 3/19/07)

- “Why mail ballots out to 7,000 tribal members when a mail-out to less than 300 could be done.” (councilwoman Annette Ketchum 8/20/07 opposing referendum elections)

- The Supreme Governing Authority shall rest with the adult voting membership acting in General Council as set forth in the Constitution and Bylaws (from an invalid petition submitted by tribal member Mike Standeford).

- The members of the Delaware Tribe, acting in General Council, reserve unto themselves the power to initiate and pass resolutions and ordinances (Mike Standeford’s invalid petition submitted).

First, let me give you some background information. In our constitution, it clearly states that the General Council, which is comprised of the eligible adult voting membership of the tribe is the supreme governing authority of the Delaware Tribe of Indians. It also states, very clearly, that any tribal member wishing to amend or change the constitution must file a petition with the Tribal Council Secretary, collect 100 names of tribal members supporting their cause, have them verified by the Tribal Secretary, which then calls for the Chief to set a date for a vote of the eligible voting membership. The amendment must then pass by a two-thirds majority of the General Council, in order for the proposed change to be adopted as an amendment to the constitution.

Last year, in the weeks leading up to the election and General Council, a petition was filed proposing an amendment to our Constitution declaring that only those attending the annual membership meeting in November would be considered the “General Council”, the supreme governing authority and would be afforded the authority to make any decision it deems credible. As you may remember, last year’s annual membership meeting was disrupted and taken over by some of this same group who initiated the petition in an effort to bypass the constitutional guidelines and instead incite those in attendance to be part of an unsanctioned and illegal gath-

ering.

I, for one, believe that the membership of this tribe deserves better than that. I don’t think that the tribal members want a local group of 30-40 to make decisions that will affect the entire tribe. I know I don’t. That is why I filed a petition to amend the constitution by clarifying the term “General Council” to be defined as the “eligible adult voting membership”. In these past nine months I have been in office, it has become apparent for this clarification when one of our own tribal council members is making statements like those quoted above. Frankly, these statements scare me. General Council is nearing and at this time, I feel the urgency to secure the rights of those members who reside too far away to attend the annual meeting. Even if you live in Bartlesville but are unable to walk in and place your vote, this council member wanted to take away your voice, your right to participate. I hope everyone will take this issue very seriously and give some thought to the possible ramifications this could have, now and in the future.

The above quotes express the opinions of locals who want to take away your ability to exercise your inherent right under the constitution to have a voice in your government.

Don’t let them do it!

**VOTE
YES!
FOR THE
PROPOSED
AMENDMENTS
(ballots must be received no
later than noon, November 3rd)
ACT NOW!
VOTE!!!**

Paid for by Jerry Douglas, Tribal Chief

FEDERAL RECOGNITION NOW MUCH LATER OR NEVER!

Just so you are aware, of how dangerous this local group who call themselves the Delaware Tribe of Indians Elder Committee is becoming, they recently met and created Resolution EC-2007-01 entitled:

A Resolution repudiating the Proposed Draft Legislation and Memorandum of Understanding, which the Tribal Council of the Delaware Tribe of Indians and the Cherokee Nation have presented to the United States Congress for the Federal Recognition of the Delaware Tribe of Indians.

This group has intentionally set out to sabotage your Tribal Council's efforts to regain our Federal Recognition. The Resolution opposes the Congressional legislation to restore the tribe's federal recognition and misleads tribal members and others by giving a false appearance of representing the majority of Delaware elders and members of the tribe. In August, this group presented Senator Tom Coburn a copy of their resolution and has outlined a strategy to distribute their resolution to State legislators, Federal legislators, Bureau of Indian Affairs, and others. The Tribal Council and the Chief refrained from commenting to the media and public concerning the legitimacy of the group and their intentions. It is important that you understand that the group also distributed their resolution to the media and had news articles published in the local media outlets seeking to have the draft legislation and memorandum of understanding completely withdrawn by Congress. The so-called Delaware Tribe of Indians Elder Committee that initiated the resolution and news articles is comprised of twenty-two tribal members, including two former Chiefs, one of whom is not even an elder. Within this group are two council members, one of which initiated a tribal council motion supporting the amended MOU with the Cherokee Nation. After his unsuccessful bid for Chief during the 2006 election, he changed his mind and called for the Tribal Council to rescind the federal recognition bill previously negotiated with the Cherokee Nation.

These two former Chiefs, Dee Ketchum and Curtis Zunigha could have and should have taken care of our Federal Recognition but chose not to. Now they are sabotaging our current Chief and administration for working to complete the job they should have completed. Federal Recognition is very critical to our tribe and our two former Chief's and Councilwoman Ketchum are attempting to mislead Tribal voters and the public by saying the Delaware will not have true sovereignty as long as the Cherokee Nation is involved in our restoration recognition legislation. You would think from the so-called

"Elder's Committee" news article entitled "Delaware Elders take stand" that this group represented the Elders from your family and mine. You would also think that our former tribal Chiefs would be respectful enough of our tribal elders not to use them for personal political posturing.

It is alarming that a few of our tribe's present and former tribal leaders would take advantage of our tribal elders and provide them with erroneous and false information under the pretext that we are going about getting our federal recognition the wrong way.

Tribal family members, relatives and friends... our federal recognition is of utmost importance to us all even our ancestors of the past and our yet unborn generations of the future. The predominant requirement for the restoration of federal recognition to the Delaware Tribe of Indians is an agreement with the Cherokee Nation. Congressional representatives and the Department of Interior have made it perfectly clear to Chief Douglas and our Tribal Council that without a negotiated agreement with Cherokee, there is no chance that the Delaware would ever receive separate federal recognition. Time and time again during the last two years and ten months, members of Congress, Department of Interior officials, and the Department of Justice have questioned whether or not the "Cherokee Nation is on board with the Delaware recognition effort."

Every avenue to obtain our federal recognition has been investigated by the Tribal Council and Chief Douglas. It has taken a lot longer to get a draft legislative bill than preferred, however, we are now very close to finalizing the process.

Chief Jerry Douglas, Assistant Chief Wayne Stull, Secretary Verna Crawford, Treasurer Judy Harmon and Councilman Raymond Cline are working to obtain our federal recognition for all Delaware, even those who disagree with the process.

Review Your Voting Ballot

Vote yes on the Advisory Question to support the Tribal Council Resolution 2006-08 which reaffirms earlier approval and release of trust fund settlement monies from our trust mismanagement suit against the United States government and authorizes the Tribal Council to secure passage of the legislative bill restoring the Tribe's federal recognition.

Paid for by Jerry Douglas, Tribal Chief

FEDERAL RECOGNITION

VOTE YES!

- **Vote Yes for the Federal Recognition Bill**
- **Vote Yes for our future**
- **Vote Yes for our children's future**

CONSTITUTIONAL AMENDMENTS

VOTE YES!

- **Vote Yes to protect your voice in your government**
- **Vote Yes to protect your children's voice in their government**
- **Vote Yes to protect the voice of your people**

TRUST BOARD CANDIDATES

VOTE YES!

- **Vote Yes for Raymond Cline as Trust Board Chairman**
- **Vote Yes for Verna Crawford as Trust Board Member**
- **Vote Yes for William "Bill" Hatch as Trust Board Member**
- **Vote Yes for Doyle Hayes as Trust Board Member**

The Right Direction

The Right Leaders

The Right Time!!!

(Paid for by Chief Jerry Douglas & Assistant Chief Wayne Stull)