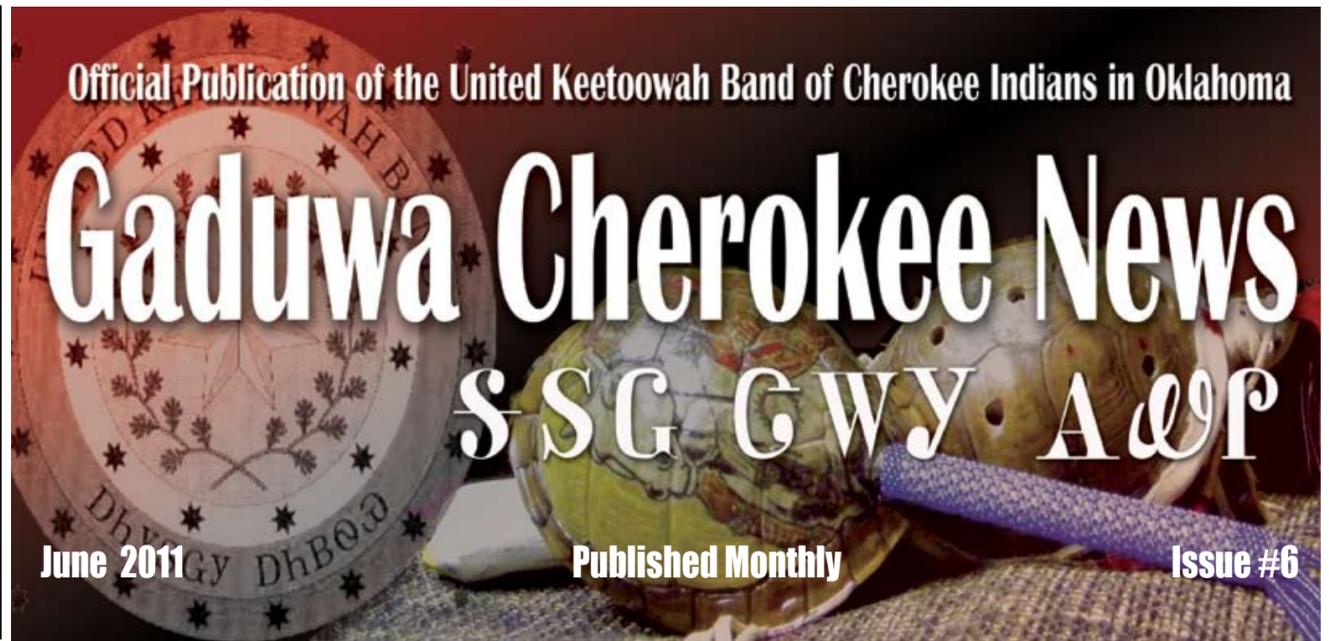


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UKB Gets Land in Trust

TAHLEQUAH, Okla.--The United Keetoowah Band of Cherokee Indians in Oklahoma is no longer a landless tribe thanks to an important decision of the Bureau of Indian Affairs. In a ten-page decision issued on May 24, 2011, the BIA announced its approval for the United States to take 76 acres of land into trust for the United Keetoowah Band of Cherokee Indians in Oklahoma, a federally-chartered corporation under Section 3 of the Oklahoma Indian Welfare Act.

The Tribe submitted its application to have the lands taken into trust in June 2004.

"We have fought for seven years to obtain this historic decision, which recognizes the Tribe's ability to properly serve our tribal members on our treaty lands," said Chief George Wickliffe.

The parcel of land is located in Tahlequah, Okla. and is home to the Tribe's sacred dance grounds, its community gathering and celebration place, site of its elder center and other government buildings. The land is situated within the treaty boundaries of the historic Cherokee reservation. Relying on June 2009 and September 2010 decisions of the Assistant Secretary of Indian Affairs, the decision found that the Tribe will exercise jurisdiction over these trust lands: "the Cherokee Nation [of Oklahoma] does not have exclusive jurisdiction within the former Cherokee reservation, and the UKB [will] have exclusive jurisdiction over land that the United States holds in trust for the UKB." The decision further noted that once "the subject property is taken in trust, it will become Indian country."

Prior to this decision, the Tribe owned no trust lands. Thus, in the words of the decision, ap-



Chief George Wickliffe signs the land deed for the 76 acres allowing placement of the tract of land into Trust Land. Photo by Sammy Still

proving the application satisfies the Tribe's need to have the land taken into trust "for activities to facilitate self-determination and self-sufficiency."

According to Assistant Chief Charles Lo-

cust, "The decision is significant in that it will enable the Tribal Council to continue to expand the scope of services that will improve the lives of our tribal members."

Keetoowah Cherokee Casino Celebrates its Silver Anniversary

This is the first in a two part story about the Keetoowah Cherokee Casino. Part II will run in the July issue.

The Keetoowah Cherokee Casino celebrates its 25th Anniversary in July with a myriad of promotions and giveaways the entire month.

The beginning of Tahlequah's original choice for gaming fun had humble beginnings. After much consideration and discussion, it was opened in 1986 as Keetoowah Bingo. But it was not without a great deal of thought and prayer. It was during the era of former Chief John Hair's leadership.

The United Keetoowah Band of Cherokee Indians in Oklahoma, previously referred to as the "Old Settlers" had migrated west voluntarily and had traded their homelands for land in Arkansas in the Treaty of 1817. In the Treaty of 1828, the Arkansas lands were traded for land in Indian Territory (Oklahoma). This group came to Indian Territory (Oklahoma) 10 years before the Trail of Tears.

The group organized under the 1946 Oklahoma Indian Welfare Act as the United Keetoowah Band of Cherokee Indians in Oklahoma, and its constitution and corporate charter were ratified October 3, 1950.

The UKB council members would pool their money to pay for meeting expenses, pay utility bills and to make trips to Washington to try and get their land in trust. John Hair served on the council a total of 22 years and was chief for eight years. He also worked for American Airlines, so he could fly to Washington free of charge. But the Keetoowah Cherokees knew they would have to hire attorneys to win the rights they deserved while helping their tribal members, and they needed a funding source.

Former Chief Hair said, "In the fall of 1985, a man and his wife came into my offices and asked if the Keetoowahs wanted to buy the former lumberyard property located at 2450 S. Muskogee Avenue in Tahlequah. We spent four days in a coffee shop in negotiations and finally settled on an offer - which was over a half a million dollars over a period of ten years. Then I knew I had to

take the offer to the council. I knew it was going to take some talking, because several of the council members didn't believe in gambling."

The council had several preachers and deacons in the church among its group. Hair said he went to the homes of Burt Spade and Jim Proctor and told them this was a way the tribe could afford to continue to fight for their rights, and to assist tribal members.

Hair said, "They both said, I understand what you are saying and we are going to support you." When the council met, the council supported the decision to purchase the property and began offering bingo. Continuing his story, Hair said, "Later on, as we grew and resources came about, we brought an attorney aboard.

In the spring of 1986, Keetoowah Bingo opened and became a popular attraction. Paper Bingo was continued until 2004, until the Class II machines (which is based on a bingo pattern) became more popular and there was less demand for paper bingo.

Despite the attempts of the Cherokee Nation of Oklahoma to try and force the closing of the casino, and to try and prompt other entities to close the casino, on April 26, 2005, the Federal Court in the Eastern District of Oklahoma specifically ruled that "the Cherokee Nation's interest in the case was very insubstantial."

A hearing was held Wednesday, June 22 in the Federal Court in the Eastern District in Oklahoma in Muskogee today. Several issues were before the court. The parties in the suit included the United Keetoowah Band of Cherokee Indians in Oklahoma, The United States Government, the Department of Interior, the National Indian Gaming Commission, and the State of Oklahoma.

Although Federal District Judge Ronald White had previously ruled that the Cherokee Nation (of Oklahoma) was not a necessary party and further ruled that the Cherokee Nation (of Oklahoma's) interest was "very insubstantial" the Cherokee Nation (of Oklahoma), nevertheless, filed an amicus curiae with the federal court, seeking leave of the court to accept their brief.

The Court instructed CNO Attorney, Dianne Hammonds, to appear at a settlement confer-



ence accompanied by someone from the Cherokee Nation (of Oklahoma) with settlement authority and on that condition, the court allowed CNO to submit their friend of the court brief.

The State of Oklahoma had filed a motion to abandon the temporary order which protected the UKB Casino from interference from authorities and from closure. The UKB filed their response to the State's motion and the State belatedly filed a reply brief without leave of the court. The UKB objected to the allowance of the reply brief and the

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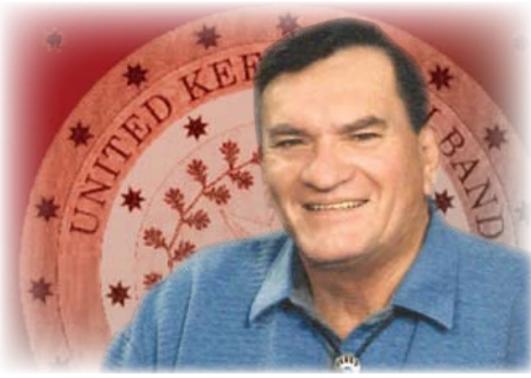
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A Letter to the UKB People From Chief George Wickliffe



OPEN LETTER TO THE MEMBERS OF THE UNITED KEETOOWAH BAND OF CHEROKEE INDIANS IN OKLAHOMA

Dear Members, Families and Friends:

In a historic decision issued today, the Bureau of Indian Affairs has decided to accept our 76 acre Community Services Parcel in trust on behalf of the UKB. A village center for our people, these lands are home to our sacred dance grounds-our community gathering and celebration place- the site of our elder center, and our other government buildings. This decision has been a long time coming and will stand as a major accomplishment in the history of our tribe's over 60 year history as a federally recognized Indian tribe.

On behalf of the UKB Membership, I wish to thank Assistant Secretary for Indian Affairs Mr. Larry Echo Hawk and his fine staff for giving our case a fair hearing, and for moving this decision through the BIA, the Department of Justice and the White House. The government of the UKB seeks only to work with our friends and neighbors to improve life for all Keetoowah, and for the community at large. This decision provides us with the legal foundation to take our activities for the people to new and greater levels.

Together with Assistant Chief Charles Locust and members of the Tribal Council, we have worked tirelessly to make sure that these lands

would come into trust. The Assistant Chief and I have spent significant time and energy working in Washington and Muskogee to ensure that federal officials understood the importance and the appropriateness of the Keetoowah having trust lands. It is our sincere belief that the Keetoowah people are ready to exercise the benefits of tribal trust land, including employing responsible jurisdiction over the lands that embody the traditional spirit of our people.

On June 24, 2009 when Assistant Secretary Larry Echo Hawk first issued a favorable decision regarding our application to have our 76-acre Community Services Parcel accepted into trust, I was convinced that the effort that our elders began years ago was achievable. Clearly, there have been numerous politically inspired policy and procedural difficulties that we have had to overcome. They include the Assistant Secretary having to consider whether he had the legal authority to take land into trust in light of the Carciere v Salazar case decided by the United States Supreme Court in February of 2009. (As you know, the Carciere decision stalled many other trust land applications for federally recognized Indian tribes across the nation.) On September 10, 2010 the Assistant Secretary issued a second decision explaining independent legal authority for taking our lands into trust under the Oklahoma Indian Welfare Act (the OIWA) - the UKB is organized under the OIWA. The OIWA is the basis of the decision that the Bureau issued today.

We know of no local governments that are inclined to file a lawsuit challenging our trust land decision. Nor would we expect the State of Oklahoma to do so. In fact, we would think that local governments, the State and others would welcome the decision as it settles this question once and for all.

If no challenge is filed, the Department of Interior will go to work immediately on clearing any remaining technical title issues on our land and would file a deed conveying the 76 acre parcel to the United States in trust for the UKB. The United States would then formally-and finally-accept the conveyance of our land in writing, and

the deed would be filed. Then, the Keetoowah people will finally be free to fully celebrate the trust acquisition --on our trust land!

I want to thank each one of you for keeping the faith as we have taken this long and sometimes adventurous journey. Your encouraging words of support; your expressions of commitment; and most important of all, your refusal to accept as true the misinformation and half-truths that have circulated widely throughout this effort have lifted my spirits and given our Tribal Leadership the strength to continue our march to the very end.

May God bless you and the Keetoowah people!

Appreciation Letter

The following letter was written by UKB Employee Bill Peters after attending a UKB Tribal and Keetoowah Cherokee Casino Employees "Victory Celebration" after the tribe received a decision from the Bureau of Indian Affairs approving land in trust for the tribe.

Dear Chief Wickliffe, Assistant Chief Locust, Tribal Secretary Hawk and Tribal Treasurer Worley,

"Thank you" for today's Celebration time together. It was an appreciation, recognition, and anticipation of good things to come! Many of us know this Celebration was due in no small part, to an almost indescribable amount of voluminous work done by you, our Leaders and many others.

Thank you for recognizing history, work done by our ancestors who labored before our time, under near unbearable deprivations. Your work will help preserve their traditions; and you have reminded us all that we must never forget our heritage of their sacrificial work. As result you are making available opportunities still before us for tomorrow's tasks to serve others!

Most of us are not aware of the many obstacles on your paths; yet when strength was needed to take one more step you found it. When courage was needed you found it, when wisdom was needed you found it, when renewed commitment to reach goals was needed you found it. Because of your work, May 24, 2011 will continue to be a historic day for so many!

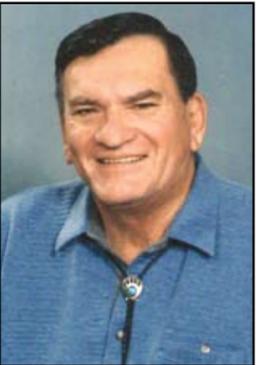
It is such a joy to be able to say "I work for the Keetoowahs".

Bill Peters
Federal Program Budget Analyst

Offices Closed for Independence Day Holiday

The United Keetoowah Band of Cherokee Indians in Oklahoma tribal offices will be closed Friday, July 1 and Monday and Tuesday, July 4 and 5 in observance of Independence Day Holiday. Offices will re-open on Wednesday, July 6th. We wish everyone a safe holiday.

UKB Council



Chief
George G. Wickliffe
Office: 918-431-1818
Cell: 918-207-2991



Tribal Treasurer
Ella Mae Cooksey Worley
Office: 918-453-9162
Cell: 918-822-3814



Delaware Dist. Rep.
Jerry Hansen
Cell: 918-822-3804



Saline Dist. Rep.
Charles Smoke
Cell: 918-457-7071



DISTRICT REPRESENTATIVES:



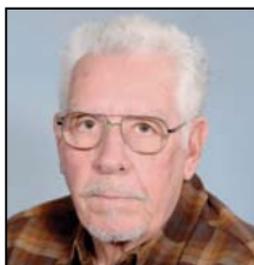
Assistant Chief
Charles Locust
Office: 918-431-1818
Cell: 918-207-9798



Canadian Dist. Rep.
Eddie Sacks
Cell: 918-822-1957



Flint Dist. Rep.
Tom Duncan
Cell: 918-507-1314



Sequoyah Dist. Rep.
Barry Dotson
Home: 918-775-2746
Cell: 918-207-2990



Goingsnake Dist. Rep.
William Christie
Cell: 918-822-3803



Tahlequah Dist. Rep.
Betty Holcomb
Cell: 918-822-3805



Tribal Secretary
Joyce Hawk
Cell: 918-822-3809



Cooweescoowee Dist. Rep.
Cliff Wofford
Cell: 918-822-1953



Illinois Dist. Rep.
Peggy Girty
Cell: 918-457-7067



George G. Wickliffe Chief
Charles D. Locust Assistant Chief

Joyce Hawk Secretary



Ella Mae Cooksey Worley Treasurer

District Representatives

Peggy Girty Jerry Hansen Betty Holcomb
Barry Dotson Tom Duncan Charles Smoke
William Christie Eddie Sacks Cliff Wofford

Keetoowah News

P.O. Box 746, Tahlequah, OK 74465
(918) 456-6533 Fax (918) 453-9345
E-mail: ukbnews@unitedkeetoowahband.org
Websites: www.unitedkeetoowahband.org
or www.ukb-nsn.gov

Sammy Still, Editor
Public Information Officer

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Honorable George Wickliffe
Chief, United Keetoowah Band of Cherokee Indians
P.O. Box 746
Tahlequah, Oklahoma 74465

MAY 24 2011

Dear Chief Wickliffe:

The United Keetoowah Band of Cherokee Indians (UKB) initially submitted this application to acquire 76 acres located in Section 8, Township 16 North, Range 22 East, in Cherokee County, Oklahoma (Community Services Parcel) into trust on June 9, 2004. On April 7, 2006, the Bureau of Indian Affairs, Eastern Oklahoma Region (Region) issued its decision declining to take the Community Services Parcel into trust (2006 Decision). The UKB appealed the Region's decision in *United Keetoowah Band of Cherokee Indians in Oklahoma v. Eastern Oklahoma Regional Director*, IBIA 06-68-A. On May 2, 2008, the Region requested a remand for reconsideration from the Interior Board of Indian Appeals (IBIA) in response to a directive issued by the Assistant Secretary – Indian Affairs (Assistant Secretary) dated April 5, 2008 (2008 Directive). The IBIA issued an order vacating the Region's April 7, 2006 Decision and remanded the case to the Region for reconsideration on June 4, 2008.

On August 6, 2008, the Region issued a decision again denying the UKB's fee-to-trust application (2008 Decision). The UKB appealed the Region's 2008 Decision to the IBIA. However, on September 4, 2008, the Acting Assistant Secretary informed the IBIA that he was taking jurisdiction of the appeal pursuant to 25 C.F.R. § 2.20 (c). Thereafter, the Assistant Secretary issued decisions dated June 24, 2009 (2009 Decision), July 30, 2009, and September 10, 2010 (2010 Decision), which, in essence, vacated the Region's 2008 Decision, and remanded the UKB's application to the Region for further consideration consistent with said Decisions.

In his 2010 Decision, the Assistant Secretary concluded that the UKB should be allowed to amend its application to invoke alternative authority for the acquisition of land into trust. On October 5, 2010, the UKB amended its application to take the Community Services Parcel into trust by requesting that the said parcel be taken into trust for the United Keetoowah Band of Cherokee Indians, a federally-chartered corporation (UKB Corporation) under Section 3 of the Oklahoma Indian Welfare Act of June 26, 1936 (OIWA), 25 U.S.C. § 503, rather than for the UKB under Section 5 of the Indian Reorganization Act of June 18, 1934 (IRA), 25 U.S.C. § 465. On January 21, 2011, the Assistant Secretary wrote to the UKB to clarify certain additional matters pertaining to

this application. The Assistant Secretary's April 5, 2008 Directive, his June 24, 2009, July 30, 2009, and September 10, 2010 Decisions, as well as his January 21, 2011 Letter are specifically incorporated in this decision by reference.

Adhering to the decisions issued by the Assistant Secretary in this matter dated June 24, 2009, July 30, 2009, and September 10, 2010, as well as the said January 21, 2011 Letter to the UKB, the Region has completed reconsideration of the amended fee-to-trust acquisition request. For the reasons discussed below, the UKB's amended fee to trust acquisition request is approved, conditional upon the satisfactory completion of certain title requirements as discussed below.

The determination to acquire property in trust is made in the exercise of discretionary authority that is vested in the Secretary of the Interior (Secretary) and delegated to this office. The request was evaluated in accordance with the regulations contained in Title 25, Code of Federal Regulations, Part 151 -- Land Acquisitions, and in accordance with the Assistant Secretary's June 24, 2009, July 30, 2009, and September 10, 2010 Decisions, as well as his January 21, 2011 Letter. The Region's evaluation of the remanded request, as amended, is as follows:

1. §151.3 - Land acquisition policy

Land may be acquired in trust by the United States Government for Indians and Tribes only when there is statutory authority to do so. The Assistant Secretary's 2010 Decision, as clarified by the Assistant Secretary's January 21, 2011 Letter to the UKB, concluded that Section 3 of the OIWA, 25 U.S.C. § 503, implicitly authorizes the Secretary to take land into trust for the UKB Corporation. The Assistant Secretary's Decision and Letter are binding on the Region and preclude further consideration of this issue by the Region. 25 C.F.R. § 151.3(a) states that land may be acquired in trust for a tribe when (1) the land is located within the exterior boundaries of the tribe's reservation or adjacent thereto, or within a tribal consolidation area; or (2) when the tribe already owns an interest in the land; or (3) when the Secretary determines that the acquisition of the land is necessary to facilitate tribal self-determination, economic development, or Indian housing. The Community Services Parcel is owned in fee by the UKB. Neither the UKB nor the UKB Corporation own any trust land. The UKB's stated need for the fee-to-trust request is for activities to facilitate self-determination and self-sufficiency. The Assistant Secretary's 2009 Decision found that the UKB has a need for this land to be taken in trust. The Assistant Secretary's 2010 Decision found that the UKB could exercise jurisdiction over land taken into trust for the UKB Corporation. Accordingly, the acquisition of this land into trust for the UKB Corporation will facilitate tribal self-determination for the UKB.

In accordance with the foregoing, the Region finds there is statutory and regulatory authority to take the Community Services Parcel into trust for the UKB Corporation.

2. §151.4 - Acquisitions in Trust of Lands Owned in Fee by an Indian

The proposed acquisition is for Tribally-owned property. The Bureau finds that this section is not applicable to this request.

3. §151.5 – Trust acquisitions in Oklahoma under Section 5 of the I.R.A.

The Assistant Secretary concluded in his 2010 Decision that authority exists for the Secretary to take land in trust for the UKB Corporation under Section 3 of the OIWA. Therefore, the Bureau finds that this section of the regulations is not applicable to this request.

4. §151.6 – Exchanges

The UKB is the sole owner of the property proposed to be acquired in trust. Accordingly, this section is not applicable to the UKB's request.

5. §151.7 – Acquisitions of fractional interests

This section of the regulations is also not applicable to the UKB's request because the UKB is the sole owner of the property proposed to be acquired in trust.

6. §151.8 - Tribal consent for non-member acquisitions

This section provides that an Indian Tribe "may acquire land in trust status on a reservation other than its own only when the governing body of the tribe having jurisdiction over such reservation consents in writing to the acquisition." 25 C.F.R. § 151.8. The regulations define a reservation in Oklahoma as "that area of land constituting the former reservation of the tribe as defined by the Secretary." 25 C.F.R. 151.2(f). The Department has consistently found the former treaty lands of the Five Civilized Tribes to be "former reservations." The UKB property is located within the last treaty boundaries of the Cherokee Nation as defined by the terms of the Treaty of New Echota, 7 Stat. 478 (December 29, 1835), and the 1866 treaty between the Cherokee Nation and the United States, 14 Stat. 799 (July 19, 1866). The Assistant Secretary's 2009 Decision concluded that the Congress overrode 25 C.F.R. § 151.8 with respect to lands within the boundaries of the former Cherokee reservation by including in the Interior and Related Agencies Appropriations Act of 1999 the following language: "until such time as legislation is enacted to the contrary, no funds shall be used to take land into trust within the boundaries of the original Cherokee territory in Oklahoma without consultation with the Cherokee Nation." 112 Stat. 2681-246. Thereafter, the Assistant Secretary specifically concluded that the Cherokee Nation of Oklahoma (CN) "does not need to consent to the acquisition in trust of the UKB's land. It is only necessary that the Department consult with the CN. The Department satisfied this requirement when it solicited comments from the CN." In his 2011 Letter to the UKB, the Assistant Secretary specifically advised the UKB that there would be no need to seek additional comments from local jurisdictions, unless a change in land use was planned for the parcel. Then, the Assistant Secretary wrote: "The Regional Director is to consider the application based on the comments submitted in connection with your first application." The Assistant Secretary's Decisions and determinations in connection with this application are binding on the Region. Consistent therewith, the Region finds this section is not applicable to this request, and that the requirement for consultation with the CN was met when the Region solicited comments from the CNO on February 28, 2005, in connection with the UKB's initial application for the acquisition in trust of the Community Services Parcel.

While the Region did not solicit comments from the Nation, it did receive and review letters dated October 21, 2010, October 28, 2010, March 9, 2011, and two letters dated March 21, 2011 submitted by or on behalf of the Cherokee Nation to either the Region or the Assistant Secretary. Initially, the Cherokee Nation argues that, because the UKB and the UKB Corporation are separate entities, an application from the UKB Corporation is a new application upon which the Nation should be allowed to comment. However, the Nation misunderstands the amendment. The entity requesting that the land be placed in trust is not the UKB Corporation, it is the UKB. The UKB presently holds fee title to the subject property, and the UKB passed a new Resolution authorizing that the land be placed into trust for the UKB Corporation and amending its application accordingly. Thus, the entity making the application has not changed. Only the identity of the requested trust beneficiary has changed. The substantive issue that the Cherokee Nation argues that it should be allowed to comment on is the determination that Section 3 of the OIWA authorizes the Secretary to take land into trust for a tribal corporation chartered under the OIWA. However, that issue was decided by the Assistant Secretary in his 2010 Decision, and the Region is precluded from revisiting it here.

7. §151.9 – Request for approval of acquisitions

By correspondence dated June 9, 2004, the UKB submitted a written request and accompanying documentation for the acquisition of the Community Services Parcel to be held in trust by the United States Government for its benefit. On October 5, 2010, the UKB submitted an amended fee-to-trust application requesting the property be taken in trust for the UKB Corporation under Section 3 of the OIWA. The Assistant Secretary determined in his 2009 Decision that the UKB satisfied this requirement by submitting a written request and supporting materials on June 9, 2004, to have the parcel placed in trust. Additionally, the Region finds that the amended fee-to-trust application dated October 5, 2010, by the UKB requesting the property be placed in trust for the UKB Corporation satisfied this requirement.

8. §151.10—On-reservation acquisitions

The following criteria must be considered in evaluating both on and off reservation acquisitions by Indian tribes:

- (a) The existence of statutory authority for the acquisition and any limitations contained in such authority.

The Assistant Secretary's 2010 Decision, as clarified by the Assistant Secretary's January 21, 2011 Letter to the UKB, concluded that Section 3 of the OIWA, 25 U.S.C. § 503, implicitly authorizes the Secretary to take land into trust for the UKB Corporation. The Assistant Secretary's 2010 Decision and January 21, 2011 Letter are binding on the Region. Accordingly, the Region finds that Section 3 of the OIWA, 25 U.S.C. § 503 provides the Secretary with authority to acquire the Community Services Parcel in trust for the UKB Corporation.

- (b) The need of the Tribe for additional land.

The Assistant Secretary's 2009 Decision found that the UKB has no land in trust and concluded that the UKB has a need for this land to be taken in trust. The Assistant Secretary's Decision is binding on the Region.

- (c) The purposes for which the land will be used.

The Assistant Secretary's 2009 Decision found that the UKB intends to utilize the property for the operation of programs which provide services to UKB Tribal members, and that such purposes would not conflict with existing zoning and use patterns for the area or with state or Federal law. The Assistant Secretary's 2009 Decision further found that the purposes for which the land will be used are permissible. The UKB's amended application to take the land into trust for the UKB Corporation did not identify any expected changes in the intended use of the property. The Region finds that the application as amended has adequately described the intended use of the property and that the stated uses are permissible.

- (d) The amount of trust land owned by an individual Indian and the need for assistance in handling his affairs.

This section of the regulations does not apply because the application is not for an individual Indian.

- (e) If the land to be acquired is in unrestricted fee status, the impact on the state and its political subdivision resulting from the removal of the land from the tax rolls.

The UKB currently owns this land in unrestricted fee status. Comments on the potential impacts of the proposed acquisition on regulatory jurisdiction, real property taxes and special assessments were previously solicited from the state and local political subdivisions. By letters dated February 28, 2005, the Cherokee County officials and the Cherokee Nation were contacted for their views. Responses were received from the Cherokee County Commissioners, Cherokee County Treasurer, and the CN. No negative impacts from the loss of the property tax revenue were identified by the aforementioned officials.

Real property in Oklahoma is subject to state ad valorem taxes, which is collected by the respective counties to fund a variety of countywide services. The largest share goes to the local school districts. The subject property is currently carried on the Cherokee County Assessor's rolls as taxable. Police, fire, water and sanitation services for the property are currently provided by Cherokee County, Oklahoma. There are no special assessments or outstanding tax assessments. Property taxes are not the sole source of county support. Based on the information submitted with the request dated June 9, 2004, the ad valorem taxes for the property identified in the proposed acquisition for 2003 totaled \$5,081.98. Although the UKB application has been amended since comments were solicited from the state and local jurisdictions, the Assistant Secretary's January 21, 2011 Letter specifically found that there was no need to seek additional comments from local jurisdictions unless a

change in land use is planned. Because the Region has concluded that no change in land use is planned for the Community Services Parcel, as discussed below, no additional comments were solicited from the local jurisdictions. We note, however, that 2009 tax information submitted by the UKB for purposes of the title opinion reflects that the ad valorem taxes for this property have not changed significantly since the county treasurer's response was received in 2005. The 2009 assessment was \$5,282.00. The Region finds that the impact on the state and local governments resulting from the removal of the subject property from the tax rolls will be insignificant.

- (f) Jurisdictional problems and potential conflicts of land use which may arise.

If the subject property is taken in trust, it will become Indian country. The Supreme Court has found that lands held in trust by the Federal Government for the benefit of a tribe are validly set apart for the use of the Indians under the superintendence of the Federal Government and, as such, constitute Indian country. *Oklahoma Tax Commission v. Citizen Band Potawatomi*, 498 U.S. 505, 511 (1991); see also, *United States v. Roberts*, 185 F.3d 1125, 1131 (10th Cir. 1999), cert. den'd *Roberts v. United States*, 529 U.S. 1108 (2000). A tribe's territorial sovereignty extends to those areas recognized as being within the tribe's Indian country. *Alaska v. Native Village of Venetie Tribal Government*, 522 U.S. 520, 527 n. 1 (1998). "Generally speaking, primary jurisdiction over land that is Indian country rests with the Federal Government and the Indian tribe inhabiting it, and not with the States." *Id.*

The subject property is located within Cherokee County, Oklahoma within the treaty boundaries of the Cherokee Nation as defined by the terms of the Treaty of New Echota, entered into on December 29, 1835 (7 Stat. 478). The 1835 Treaty provided that the Cherokee Nation relinquish all land east of the Mississippi River in exchange for land in Oklahoma and Kansas. By the terms of the Treaty of July 19, 1866 (14 Stat. 799), all land in Kansas and 6 tracts in Oklahoma were sold. Since the cessions of 1866, the Cherokee Nation boundaries set by the 1835 Treaty, which comprise all or a portion of 14 counties in eastern Oklahoma, have not changed. The Bureau has consistently recognized this area as the "former reservation" of the CN. The interest of the CN in its former reservation is well established. In *United Keetoowah Band v. Secretary*, No 90-C-608-B (N.D. Okla. Order May 31, 1991), the court stated "the Secretary of the Interior, or his designee, has determined that the subject lands of the old Cherokee Reservation are under the jurisdiction of the new Cherokee Nation, not the UKB." In *Buzzard v. Oklahoma Tax Commission*, No. 90-C-848-B, (N.D. Okla. Feb. 24, 1992), aff'd 992 F.2d 1073, 1075 n. 5 (10th Cir. 1993), cert. den'd sub nom *United Keetoowah Band of Cherokee Indians v. Oklahoma Tax Commission*, 510 U.S. 994 (1993), the court held that the UKB had "failed to show any treaty or Congressional act establishing UKB's inherited right or claim to reservation land within the boundaries of the old Cherokee Indian Reservation." In *United Keetoowah Band v. Mankiller*, No 92-C-585-B (N.D. Okla. Order January 27, 1993), aff'd 2 F.3d 1161 (10th Cir. 1993), the court stated "this court has previously decided that the Cherokee Nation is the only tribal entity with jurisdictional authority in Indian Country within the Cherokee Nation." The CN has enacted laws to regulate the activities of Indians occurring on Indian country within the jurisdiction of the Nation. These laws include, but are not limited to, gaming, tobacco and taxation laws and regulations. The Region consulted the CN as part of

its notice to political subdivisions and interested parties and pursuant to Section 101(e) of the Interior and Related Agencies Appropriations Act, 1999, P.L. 105-277. Having reviewed the CN's Comment Letter and the UKB's Reply thereto (in response to IBIA proceedings in UKB appeal of the 2006 Decision), it is clear that both the UKB and the CN would assert jurisdiction over the subject property if it were taken in trust. The UKB's Land into Trust Application stated:

Acquiring the land in trust will only confirm the jurisdiction of the UKB over these parcels of land, and the UKB is fully prepared to exercise such jurisdiction.

The CN's July 6, 2005, Comment Letter stated:

[T]he Department and the courts consistently have held that the Cherokee Nation has exclusive sovereign authority over Indian country within the boundaries of the Cherokee Nation Reservation. Because the 76-acre tract lies within the boundaries of the Cherokee Nation Reservation, if it is placed into trust it would become Indian country under the jurisdiction of the Cherokee Nation.

In its November 5, 2005, Reply to the CN's Comment Letter, the UKB did not deny the potential for jurisdictional conflicts.

The Region twice previously concluded that the potential for jurisdictional problems between the Cherokee Nation and the UKB is of utmost concern and weighed heavily against approval of the acquisition. However, in his 2009 Decision, as modified by his 2010 Decision, the Assistant Secretary concluded that the Cherokee Nation does not have exclusive jurisdiction within the former Cherokee reservation, and that the UKB would have exclusive jurisdiction over land that the United States holds in trust for the UKB. The Assistant Secretary further stated that the Region's conclusion that there would be problematic conflicts of jurisdiction between the CN and the UKB was premised on the conclusion that the CN has exclusive jurisdiction over its former reservation. However, the Assistant Secretary stated that 25 U.S.C. § 476(f) mandates that the "department or agencies of the United States shall not ... make any decision or determination pursuant to the IRA, or any other Act of Congress, with respect to a federally recognized Indian tribe that classifies, enhances, or diminishes the privileges and immunities available to the Indian tribe relative to other federally recognized tribes by virtue of their status as Indian tribes." The Assistant Secretary stated that this section of the IRA "prohibits the Department from finding that the UKB lacks territorial jurisdiction while other tribes have territorial jurisdiction," and concluded that "the UKB, like Cherokee Nation, possesses the authority to exercise territorial jurisdiction over its tribal lands."

As the Bureau office closest to tribal affairs in northeastern Oklahoma, the Eastern Oklahoma Region remains concerned that jurisdictional conflicts will arise between the UKB and the CN if property is placed into trust for the UKB within the former reservation boundaries of the Cherokee Nation. However, the Assistant Secretary concluded in his 2009

Decision that "the perceived jurisdictional conflicts between the UKB and the CN are not so significant that I should deny the UKB's application." The Assistant Secretary's findings and conclusions on this issue are binding on the Region.

(g) If the land to be acquired is in fee status, whether the Bureau of Indian Affairs (BIA) is equipped to discharge the additional responsibilities resulting from the acquisition of the land in trust status.

The land proposed for trust acquisition is within the jurisdictional boundaries of the Bureau's Eastern Oklahoma Region. The Secretary has determined that the lands within the former treaty boundaries of the Cherokee Nation are the Cherokee Nation's service area for purposes of administering Bureau programs under Indian Self-Determination and Education Assistance Act, P.L. 93-638, as amended. The Cherokee Nation administers the program functions associated with the management of trust lands formerly provided by the Bureau's Tahlequah Agency and Eastern Oklahoma Regional Office through a Self-Governance Compact pursuant to 25 U.S.C. § 458aa, et seq. These programs include, but are not limited to, real estate services and tribal court services, as well as law enforcement services. As a result of the Bureau's Self-Governance Compact with the Cherokee Nation, the Bureau agency with jurisdiction over Bureau programs within the treaty boundaries of the former Cherokee Nation—the Tahlequah Agency—was closed and the funds used to operate that agency, along with Regional Office funds utilized for direct services to the Cherokee Nation and all Indians within that area (regardless of tribal affiliation), were transferred to the Cherokee Nation Compact. There are no remaining direct service funds in the Region that have not been previously provided to the Cherokee Nation in its Self-Governance Compact. Although the Cherokee Nation has numerous full time employees available to provide Bureau services, the UKB would likely reject the authority of the Cherokee Nation employees and insist that the Region provide Bureau direct services as it has done in the past with respect to other Bureau services, e.g., processing of fee-to-trust acquisitions.

The Assistant Secretary stated in his 2009 Decision, that the former Assistant Secretary had stated in his April 5, 2008 Directive that the duties associated with this trust acquisition would not be significant and that the Region should either substantiate its decision or conclude that the BIA could discharge its duties. The Region's prior decisions stated that the acquisition of the subject property into trust would create a need for Bureau law enforcement services, tribal court services, and realty services, and that the Region had no funds in its budget to provide these services. The Region again expresses its concern that the Region will not have the necessary funds to discharge the duties that will arise as a result of this acquisition. However, the Assistant Secretary has previously rejected this concern as unsubstantiated and insignificant. In his 2009 Decision, the Assistant Secretary stated: "Because the [former] Assistant Secretary found [in his 2008 Directive that] the BIA could discharge the duties associated with this trust acquisition and because the Regional Director has not substantiated her decision, the [former] Assistant Secretary's finding stands." Therefore, consistent with the Assistant Secretary's 2008 Directive and 2009 Decision, the BIA can discharge its duties in connection with this acquisition.

(h). The extent to which the applicant has provided information that allows the Secretary to comply with 516 DM 6, Appendix 4, National Environmental Policy Act Revised Implementing Procedures, and 602 DM2, Land Acquisitions: Hazardous Substances Determinations.

The Assistant Secretary in his 2009 Decision directed the Region to complete the Exception Checklist for BIA Categorical Exclusion (CE) for the proposed acquisition. The Region found that the property proposed for acquisition was being developed and was under construction according to a Master Plan established for the property, so the Categorical Exclusion could not be applied at the time. The Assistant Secretary's January 21, 2011 Letter to the UKB urged the Region to make further inquiries into whether any change in land use is planned for the parcel. Following the January 21, 2011 Letter to the UKB, the Region again made inquiries, conducted a site visit to the property and found that the construction at the site was substantially complete. Further, the Region found that at this time there is no evidence to indicate that any change in land use is planned for the subject property. Accordingly, the CE was completed, and the Region finds that this CE is correct for this action and exempts the proponent of the action from preparing an environmental assessment to comply with the National Environmental Policy Act (NEPA) of 1969, as amended, and complies with both NEPA and 59 IAM 3-H, the BIA NEPA Handbook.

9. §151.11 – Off-reservation acquisitions

The subject property is located within the former reservation of the Cherokee Nation. In his 2008 Decision, the Assistant Secretary concluded that the UKB is a successor in interest to the "historic Cherokee Nation." In his 2010 Decision, the Assistant Secretary withdrew his conclusion concerning the status of the UKB as a successor in interest to the "historic Cherokee Nation," stating that his prior conclusion on this issue was unnecessary for purposes of his decision. Regardless, in his 2009 Decision, the Assistant Secretary found that he need not decide whether this is an on-reservation or off-reservation acquisition because the result is the same under both analyses. Because the interest of the UKB in the "historic Cherokee Nation," if any, has not been finally determined, we have considered herein the off-reservation factors.

The UKB has no land in trust and no reservation other than the interest that it claims in the "historic Cherokee Nation." Therefore, the Region finds that 25 C.F.R. §151.11(b) is inapplicable to this acquisition. Section 151.11(c) is also inapplicable because the subject property is not being acquired for a business purpose. The Region complied with 25 C.F.R. §151.11(d) with its letters to state and local governments dated February 28, 2005. The jurisdictional issues raised by the CN have been addressed in paragraph 8(f) above. In accordance with the Assistant Secretary's 2009 Decision and consistent with our discussion above in paragraph 8(f), the Region finds that the issues raised by the CN do not preclude the approval of this acquisition.

In accordance with the decisions issued by the Assistant Secretary dated June 24, 2009, July 30, 2009, and September 10, 2010 and the January 21, 2011 Letter to the UKB, the Region's review and evaluation of the amended request and supporting documentation reveal that regulatory and statutory authority for the acquisition of the property in trust for a tribal corporation exists in 25 C.F.R. §§151.3(a)(2) and (3) and Section 3 of the Oklahoma Indian Welfare Act, 25 U.S.C. § 503.

Additionally, the Region has applied the categorical exclusion checklist consistent with the Assistant Secretary's 2009 Decision and finds that the acquisition qualifies for a categorical exclusion. The Assistant Secretary and the Region have considered all relevant factors of 25 C.F.R. Part 151. The property is located in Cherokee County, Oklahoma, within the former reservation of the Cherokee Nation and is sought for a stated purpose that is not illegal or in conflict with existing land use. There would be a minimal and inconsequential loss of tax revenue to Cherokee County if this land were taken into trust. Jurisdictional problems and potential conflicts of land use may arise between the UKB and the CN concerning the jurisdiction over property held in trust for the UKB Corporation, however, the Assistant Secretary found that these potential conflicts do not limit his ability to take the property in trust for the UKB Corporation. Based on the above discussion, the Region approves the amended trust acquisition request for the UKB Corporation, contingent upon the UKB meeting the title requirements identified in the Region's Letter to the UKB dated February 23, 2011, which is attached hereto and incorporated herein by reference prior to closing.

This decision may be appealed to the Interior Board of Indian Appeals, U.S. Department of the Interior, 801 N. Quincy St., Suite 300, Arlington, Virginia 22203, in accordance with the regulations in 43 CFR 4.310-4.340 (copy enclosed.) Your notice of appeal to the Board must be signed by you and must be mailed within 30 days of the date you receive this decision. The date of filing your notice of appeal is the date it is postmarked or the date it is personally delivered to this office. It should clearly identify the decision being appealed. If possible, attach a copy of the decision. Copies of the notice of appeal must be sent to (1) the Assistant Secretary – Indian Affairs, 4140 MIB, U.S. Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240, (2) each interested party known to you, and (3) this office. The notice of appeal sent to the Board of Indian Appeals must certify that copies have been sent to these parties.

If no appeal is timely filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing a notice of appeal.

Should there be any questions, contact this office at (918) 781-4600.

Respectfully,



Acting Regional Director

Certified Mail – Return Receipt

cc: Oklahoma Tax Commission
 Mayor of the City of Tahlequah
 Chief of Police, City of Tahlequah
 Cherokee County Assessor
 Cherokee County Treasurer
 Sheriff of Cherokee County
 Board of County Commissioners of Cherokee County
 Honorable Chadwick Smith, Chief, Cherokee Nation
 Deputy Director, Field Operations
 Tulsa Field Solicitor
 Director, BIA

Keetoowah Cherokee Housing Report

Department: Housing Department

Month of: May, 2011

Director: Jan Laws

**No names are listed in this report to protect privacy and confidentiality.*

Narrative:

Bids are being accepted for 5 home rehab applicants and a contract is anticipated to be signed by May 25th. These applicants will receive home repairs up to \$5,000 from the 2008 Stimulus funding. Locations of the applicants are Eucha, Oaks, Jay, Salina and Sallisaw.

Three FEMA Trailers that have been assigned to rehab applicants for replacement homes are currently being set up by Cedar Creek Mobile Homes. (Applicants are in Saline, Tahlequah and Flint Districts). Two additional Trailers are to be set up within the next two to three weeks. Scheduled work for the Trailers are: footings for foundation, build handicap decks and ramps, hookup of utilities, skirting and tear down of old units.

One trailer for the Tribe was transported and organized by the Housing Inspector for Flint District for a tribal member whose home burned.

A Travel Trailer was transported and set up for a tribal member who is homeless and placed on his parent's property for temporary shelter.

Bids are being accepted from eligible contractors for the setup of 4 FEMA Trailers for applicants in Flint, Goingsnake, and 2 from Delaware Districts.

Twelve FEMA Trailers from Hope, Arkansas were transported to the Housing Office on Tuesday, April 19th and Wednesday, April 20th.

The home rehabilitation applicant from Tulsa will be receiving a replacement home that will be required to be constructed since it is within the city limits. Permits for construction and house plans are being obtained.

Housing Staff are processing applicants that own land for the FEMA Trailers. Several home rehabilitation applicants have refused a FEMA Trailer and only request home repairs.

The Housing Staff will be reviewing files, policies and documents in preparation for the Monitoring Review by the Southern Plains Office of Native American Programs to be scheduled sometime from July 1 to September 30th of this year. Monitoring reviews are conducted by HUD annually or within a three year period to ensure that Tribes and Tribally Designated Housing Entities are following NAHASDA Regulations for the Indian Housing Block Grants.

Waiting Lists for Housing Assistance

Homeownership Applications	134
Home Rehabilitation Applications	20

(This is the remaining number of un-served applicants)

Housing Specialist 1

5	Clients assisted with new applications
14	Updated applications
5	Applicants referred for Lead Base Paint Tests
4	Applicants referred for Environmental Reviews

Housing Specialist 2

4	Homeownership Applications
5	Rehab Applications

Served Applicants

Emergency Rent/Mortgage Assistance	165
Rehab Applicants served to date	26

OUR STRUGGLE FOR EQUALITY AND JUSTICE

A Letter to the UKB People

From
Assistant Chief
Charles Locust



January 2005, was when the present Administration physically took over the responsibility of the UKB Government and that was when I began my tenure as Assistant Chief. I had worked for several tribes but I didn't know what was going to be expected of me or what my position was responsible for.

But I knew I didn't want to be just a Public Relations official, who just plays golf all the time, or travels as an ambassador to Chamber of Commerce meetings. So, when I ran for office, I decided to educate myself and become knowledgeable of all tribal programs, businesses and activities.

During this initial startup of the new Administration, newly elected Chief Wickliffe was finishing out his contract teaching Cherokee language classes at a local college so his time at the tribal offices was limited. This gave me the opportunity to work directly with staff while I was learning about tribal operations.

Throughout my review, it became apparent to the new comptroller and administration, the tribe was not only in a negative financial position, but also had other issues to address, such as, not being accountable to the Council, not having up to date tribal audits, nor was the federal grants being monitored or properly administered. So, based on this assessment, our finances needed to become stable and the accounting department was the prioritized area needing immediate attention.

When a manager has previous experience working for a private business or another tribe, they can realize their Accounting Department is the heart of their operations, and it has to be reliable and run efficiently with transparency and accountability. We implemented internal policies and moved staff around to insure we provided professionalism and integrity in our daily operations of the tribe.

When you consider our own internal struggles, and having to face attacks daily by our (sister tribe) neighbors and state officials, little did Chief Wickliffe and I realize we would be present in Federal Court in the first two weeks of our new Administration and be asked if we were ready to go to jail.

This was not exactly what I had envisioned when elected as Assistant Chief, but we told the U. S. Attorney, "We are ready, if that is what is required?" and so this was a small shock for someone coming from education and the private business sector.

This was how this Administration began its tenure and now after almost seven years, we have reached a milestone in our tribal history. By finally receiving the official letter from the Department of Interior, stating our 76 acres will be placed in Trust for the UKB, the Federal Government has finally recognized our Federal Charter and Constitution, and will finalize our legal standing as a Federally Recognized, Sovereign Tribe with a land base and jurisdictional area.

Our new trust status cannot be removed or taken away by another tribe or state. We at the UKB are ready to sit down in a government to government consultation meeting with a tribe, a state, or federal government to discuss solutions and plan of actions to settle any differences which may arise between us.

Our legal fights in court had to address our landless issue more than once, so what appears to be small in nature, is in actuality a great obstacle that has been finally overcome. Years from today our descendants will realize how historic this land in trust issue really was.

The struggles in maintaining the UKB Government has provided strength for times when difficult decisions were required. My daughter and other UKB families will benefit from our planning and growth. But at this time in our history, the important things about getting trust land is that it will finally place the UKB in a position to receive all benefits other tribal governments receive.

Our Tribal Administration and Tribal Council will finally be able to make long range plans for the tribe and its businesses. It also classifies the UKB in a separate tribal category that allows us to apply for certain federal grants, where before we couldn't qualify because we did not have trust land.

It will assist in the growth of the Tribe's Economic Development Authority's future business ventures, by eliminating the majority of risk for private lending institutions wanting to provide financing to a tribal corporation or business entity.

But two of the main benefits from the letter is that it validates the UKB's jurisdictional land boundaries and service area, with state officials and agencies, and it also eliminates and squashes all misinformation and half truths that have been purposely circulated about the UKB, and our status as a legitimate tribe.

Since getting our constitution in 1950, the UKB has waited over 61 years for this historic moment. This official notification from the Department of Interior, begins the healing process for some UKB members who have had to endure discrimination and inhumane treatment, during times when they had to reluctantly request or apply for assistance from another tribe, with medical expenses, or with housing rehabilitation or for food and living expenses.

Our ancestors predicted the "real Indians" would take back their government and that this event would occur when the other tribe suffers setbacks. Before the letter, we had to always look behind us and watch what the other tribe was going to do to cause us delays in providing services to our members.

This required our Administration to develop a "Financial Back Up Plan" for how the Administration would react to closure of the casino, while continuing to fight injustices and insure daily operational expenses are taken care of.

This would normally not seem like a difficult issue to handle, but the unknown factor of when and where we would have to implement the "Back Up Plan" option, produced internal stress for employees and management, and caused financial limitations or caps to be set for services.

During the chaos and struggles endured by the UKB, we also need to remember; the United Keetoowah Band persevered by the establishing a strong financial platform and security base to work with and grow from. The new outlook will provide pride and honor for our members, where in the future, none of our members will be denied using "Cherokee" in their name or advertisement, and our children will be proud to announce and tell anyone who asks, "I am Keetoowah!"

So today, just as it was when I first campaigned in the summer of 2004, I continue to stand on a platform that promises to provide a positive direction for the UKB. I have attempted to bring to the tribe integrity, accountability and reliability, and not just for the tribe, but to show Washington D.C.

With our revised plans, goals and oversight, we are able to insure financial accountability to our members, while upgrading our communications to the federal agencies and to our own members. These goals could only be accomplished by having persons in the leadership roles that have the necessary tribal government experience and knowledge, so our members can be assured they meet the daily operational challenges while making the right decisions for them.

This type of experienced leadership is necessary in today's world, so we can guarantee our government is capable of communicating the needs of our people to Congress and the Senate. We cannot forget what financial shape the tribe was in, and how, if it would have continued, it would have damaged the tribe beyond repair, by causing the loss of Federal Programs and layoff of numerous employees.

But as of today, with our experienced staff, we have implemented upgrades to tribal operations, internal controls and policies, and they have proved to be the major factors in the financial restructuring of the tribe.

As Assistant Chief of the United Keetoowah Band of Cherokee Indians for the last six and half years, I have witnessed in the day to day operations, how our government has had to utilize our limited resources to protect our federal recognition and sovereignty against another tribe, state and federal agencies. I feel there should be an agency who aids tribal governments when they are attacked by states or other stronger and influential tribes.

There have been several attempts to harm the UKB, these attempts include,

- trying to terminate our tribal government,
- trying to eliminate UKB participation in state and federal funding,
- trying to eliminate UKB participation in the Arkansas Riverbed Settlement,
- trying to eliminate our HUD Housing grants,
- trying to eliminate participation in Indian Health Services Contract Services at our local I.H.S. Facility,
- trying to eliminate B.I.A. contracts for Roads,
- trying to cause unnecessary delays in receiving Certificate Degree of Indian Blood Cards stating tribe as Keetoowah, and some as long as three years.

These are just a few challenges the UKB Government has struggled with on a daily basis. But even with these difficult issues to address, the administration continues to stress the importance of consistency and accountability within our daily operations and delivery of services, while insuring we treat our members with respect during their times of need. The current leadership stresses to all employees -- let's go above and beyond in our attempts to assist our members, and insure all are treated equally.

The current administration has challenged the old philosophies and policies of the Federal Government and has had the huge obstacle of addressing the negative perception toward the UKB in the State of Oklahoma and Washington, D. C., and we can proudly state, this negative perception has changed dramatically in the last six years.

Now the UKB can proudly state, we are in control of our own destiny and have finally begun gaining ground on the Government to Government relationship it so desired and requires.

So, as everyone can witness, these changes in the last six years have made the UKB and our people stronger. The UKB Government is at its strongest point in its history, and two main reasons are because we have made the tribe accountable and placed integrity as a high priority in the daily decision making. This was all made possible by having a council and administration that works together in the best interest of the entire tribe.

But as Keetoowah people, we cannot forget throughout these struggles and difficult times, the Keetoowah Cherokee continue moving in the right direction. But, none of these challenges or court appeals would have been possible, if not due to our main funding source, our small casino in Tahlequah, Oklahoma. Our small gaming venture allows us the financial resources to fund special elderly and tribal programs, fight injustices, discrimination against our members, and overcome uncontrollable obstacles set up by our enemies.

But all members must take into consideration when evaluating the UKB leaders' performance, that our tribal government is in its infancy at this time in its history. Sometimes when new governments are established and running efficiently, then there will always be a struggle for power.

So, while we are celebrating our victory, we must not overlook how some outsiders will personally attack the leaders or other tribal members, because they are the persons responsible for improving tribal operations and placing the tribe in its current positive financial position. They have hopes of influencing other tribal members and the general public, in believing their biased and inaccurate stories, because 99.9% of the time, they are without any documented evidence to prove their position against or for a subject. These types of attacks, of discrediting or slandering will cause anyone's credibility to be damaged beyond repair. Let's insure these accusers can prove their statements with official documents, because it doesn't matter whether their accusations are true or not, the damage will be done.

So for whatever reason we are attacked, the UKB will continue to fight these injustices and work hard toward providing the much needed services to our members. For me, the last six years has been a memorable time period which has allowed me to gain experience and knowledge that some could not receive in their entire lifetime. I am so blessed to be given these opportunities. I feel I need to express my appreciation and thanks to all tribal members, employees and especially the elders. I am honored to be involved with my Tribal Government during this historical time period for the United Keetoowah Band of Cherokee Indians of Oklahoma.

So during the upcoming 2012 elections, remember the progress made by the current Administration, the new programs, services and benefits, and let's continue to direct our Tribal Government to move in this positive direction. Let's not allow these enemies of the UKB to destroy what we have developed and built in the last six years. We have a lot of good things happening, and these positive items far out way the few negative rumors. Let's be thankful for what we have and not be angry for things we don't. So, at this time in history, May 24, 2011 marks a new day and new beginning for the United Keetoowah Band of Cherokee Indians in Oklahoma.

If you have questions, please call or come and see us. Thank you for allowing me to hold this important and honored position of Assistant Chief.

Thank You,

Charles Locust
Assistant Chief
United Keetoowah Band of Cherokee Indians in Oklahoma



NOTICE

UKB Tribal members should make it a point to change registration for tribal membership at all Indian hospitals and clinics to the full title of United Keetoowah Band of Cherokee Indians in Oklahoma.

If you have questions, please call 918-457-7264.

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UKB delivers supplies to flood victims

The old joke about April showers did not leave many people laughing this year. Record rains across the region fed creeks and rivers until they left their banks and wandered across roads and through yards and homes leaving families stranded and without necessities.

Leola Stopp, Keetoowah Casino pull team attendant, said the morning of April 26 began with the river backing up, but not enough for some to be concerned with. One of her neighbors drove his truck across the water-covered road without any problem, only to try to return later in the day and have his truck flood-out in the rising water.

Stopp said she and her family went to check on some family members living in a lower area in the Chewey community and found people crossing fields to escape their flooded homes.

As the waters continued to rise, the community discovered they were isolated by the flood. The only two ways out were blocked by water, impassable to cars and trucks. Some of the families discovered they were low on supplies for their babies.

Stopp said some of the people with boats and rafts took to floating across the flooded section at Red Cabin and walking the mile to the Red Cabin Store to get supplies. Then they walked the mile back to their boats to float across to their trucks. The problem here was the store did not carry all the necessary supplies for infants.

Stopp then called the United Keetoowah Band's (UKB) administration office to get help. After back and forth calls between Stopp, Stapleton and Willie Christie, Goingsnake district representative, to determine exactly what supplies were needed Chief George Wickliffe authorized Verna Stapleton, administrative assistant, to purchase diapers, baby wipes, baby formula, water and milk to help this community.

Chris Thompson, Lighthouse director, and



UKB Lighthouse and the Emergency Management team traveled to Chewey community to aide flood victims, delivering needed supplies such as diapers, baby formula, water and milk to waiting tribal members. Photo by Thomas Jordan

Mickey Spears, surveillance director, loaded the supplies into a Lighthouse truck and headed to Chewey.

Thompson said the next problem was actually reaching the community. The Scenic River Commission had closed the entrance to the Highway 10 entrance. So, Thompson and Spears drove an extra 40 to 50 miles out of the way through Westville, then to Chewey Road and finally back around to where the people were waiting.

During this time, Tenkiller Dam released enough water to ease the pressure of the Illinois River somewhat and allow the delivery through

without the use of boats. Christie met Thompson and Spears onsite to help disperse the supplies to the proper households.

The elation of the delivery was short lived as word of a small dam up river had given way and another 10 feet of water was headed toward the small party.

In the passing days some of the water receded, but not all of it. Rivers and lakes remain above normal levels with many state parks closed due to the destruction and prominent meteorologists are calling for more rain in the forecast.

Deadline to Apply for Summer Elder Assistance is June 17 at noon

The United Keetoowah Band of Cherokee Indians in Oklahoma is pleased to announce the Elder Assistance Program. Applications may be picked up at any tribal or satellite office or from your District Representative. Completed applications are to be turned in by fax, mail, or direct delivery to the Tribal Enrollment Office located at 2386 S. Muskogee Ave. in Tahlequah, OK. Fax (918) 453 - 9345

UKB elders are eligible for \$200 assistance checks in June and December to all UKB exclusive tribal members 55 and older. Elders between 55 and 64 years old must have been a member of UKB for one year to qualify; elders 65 and older will qualify for assistance after council approval of new enrollees.

Elders must have an updated enrollment form on file in the Enrollment Office and must fill out the summer 2011 Elder Assistance Application. Applications for June will be accepted from June 1st until NOON on June 17th. Assistance checks for June applicants will be mailed on June 7th, 14th and 21st.

For more information contact the UKB Enrollment Office at (918) 453-9375

UKB June 2011 Calendar of Council, District and Special Meetings

June 4 UKB Regular Council Meeting, 10 a.m.
UKB Community Services Building

June 7 Saline District Meeting, 7 p.m.
Kenwood Community Building

June 9 Illinois District Meeting, 6:30 p.m.
Vian Satellite Office

June 9 Delaware District Meeting, 6:30 p.m.
Jay Community Center

June 9 Sequoyah District Meeting, 5:30 p.m.
Sallisaw Satellite Office

June 10 Tahlequah District Meeting, 6 p.m.
UKB Elder Center, Tahlequah

* No other meeting dates available at press time.



Goingsnake district representative, William Christie, distributes milk, water, baby formula and diapers to residents of the Chewey community during the heavy rains that left communities flooded. Photo by Thomas Jordan

Thank you letter from the Chewey community

First of all we would like to thank the United Keetoowah Band for the emergency supplies they brought to the Chewey Community.

Due to the river flooding we could not get out of our road.

We would like to say thank you to Lighthouse for bringing out the supplies. We greatly appreciate Verna for her quick response to helping out the families. Also, special thanks to William Christie.

Thank you,
Leola Stopp, Byron Sands, Larry Blossom, Shirley Whaler

Attention Graduates

The Gaduwa Cherokee News to Feature Graduates in July Issue

The Gaduwa Cherokee News will prepare a special section to honor our graduates in the July issue. Kindergarten, Eighth Graders, High School Seniors, those attaining Associates, Bachelors, Masters', and Doctorate degrees will be featured.

Please submit a photo, along with information on the student such as hometown, school attended, age, field of study, parents' names, sibling's names, spouse or children if applicable, and grandparents' names. Other information might include future goals, hobbies, special awards and honors. Photos will not be returned.

Please mail graduate information to The Gaduwa Cherokee News, PO Box 746, Tahlequah, OK 74465, e-mail, mccraig@unitedkeetoowahband.org or drop by the office which is located in the UKB Community Services Building Annex located at Keetoowah Circle off West Willis Rd. For more information, call (918) 456-6533.

The following is a letter from the Office of the Attorney General of the United Keetoowah Band of Cherokee Indians in Oklahoma to Oklahoma's Attorney General in reference to a recently published article in the Tulsa World, "Attorney general awaits ruling on tribe's casino."

OFFICE OF THE ATTORNEY GENERAL
United Keetoowah Band
of Cherokee Indians in Oklahoma
P.O. Box 746 • Tahlequah, OK 7 4465
2450 S. Muskogee • Tahlequah, OK 74464
Phone: (918) 431-1818 • Fax: (918) 431-1873

May, 20, 2011

Hon. E. Scott Pruitt
Attorney General
Office of Attorney General
313 N.E. 21st Street
Oklahoma City, OK 73105

Re: May 17, 2011 Attorney General Letter

Dear General Pruitt:

I am the Attorney General of the United Keetoowah Band of Cherokee Indians in Oklahoma (the "Keetoowahs"), a federally recognized tribe organized pursuant to the Oklahoma Indian Welfare Act. I write in response to your letter of May 17, 2011 to Secretary of the Interior Ken Salazar and Chair of the National Indian Gaming Commission, Tracie L. Stevens.

It is truly unfortunate that you should take such a public position on a matter of such great importance to the Keetoowahs without contacting the tribe in an effort to obtain an unbiased view of the "facts" suggested in your letter.

The National Indian Gaming Commission ("NIGC") regulated the Keetoowahs' gaming operations for nine full years. Without any forewarning, the NIGC reversed its long held position and concluded that it could not regulate the Keetoowahs' gaming operations. Thus, it is, at best, inaccurate to suggest that the NIGC has made only one decision and that decision was that the Keetoowahs were not operating the facility on "Indian lands". An accurate description would be that the NIGC fully regulated the Keetoowahs' gaming operations for nine years and then reversed course in what U.S. District Court Judge White determined to be an arbitrary and capricious decision.

Your many references to taxes that the state has foregone because of the matters pending before the NIGC is similarly inaccurate and based on what can only charitably be described as misinformation. The only way that fees would be due the State of Oklahoma is if the Keetoowahs and the State entered into a Class III gaming compact and offered Class III games (which we do not offer). Such a compact would not be precluded by the injunction currently outstanding. The Keetoowahs have sought a Class III gaming compact for years, to no avail. Nevertheless, the Keetoowahs are prepared immediately to open discussions leading to the signing of a compact.

For reasons best known only to themselves, the Cherokee Nation of Oklahoma ("CNO") has embarked upon a plan of action to harm their fellow Cherokees, the Keetoowahs, in any way possible. We believe it likely that the CNO has contributed in some way to the misunderstandings described above. We also note that the CNO is in the midst of a campaign for election of principal chief on June 25 and that Chief Smith is running for reelection. Thus, your letter may inadvertently have an effect on the outcome of that election, or create an unintentional appearance that the State of Oklahoma has a partisan position in that election.

Lastly, we want to express our concern that the Tulsa World received a copy of your letter before the Keetoowahs. As you no doubt know, the CNO would appear to be one of the largest advertisers in the Tulsa World, thus furthering our concern that your letter may have been influenced by an extremely biased view of the Keetoowahs.

In the future, we sincerely urge you to consider reaching out to the Keetoowahs before taking a public stand based upon an incomplete and biased view of the context in which the Keetoowahs and the CNO exist.

Respectfully yours,
Kennis M. Bellmard
Attorney General
United Keetoowah Band of Cherokee
Indians in Oklahoma

cc: Secretary Ken Salazar
United States Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Tracie L. Stevens, Chair
National Indian Gaming Commission
1441 L St. N.W., Suite 9100
Washington, DC 20005

James C McMillin
McAfee & Taft
A Professional Corporation
10th Floor, Two Leadership Square
211 North Robinson
Oklahoma City, OK 73102-7103

Ms. Ziva Branstetter (via email: ziva.branstetter@tulsaworld.com)

Housing Announcement

The Keetoowah Housing Program has several incomplete applications for both Rehab and Home Ownership Programs.

Reminder: If your address and/or telephone numbers have changed.

Please contact the UKB Housing office to update your information and check the status of your application. Please call the Housing Program (918) 431-1808.

The Gaduwa Cherokee News wants YOU!

If your son or daughter, niece, nephew, or extended family members are students either attending K-12, vo-tech, college or a university, and are doing exceedingly well or showing strong leadership abilities or talents through their academic performance, sports, art, music, chorus and/or in other areas of interest, please contact the media department at (918) 456-6533. We would like to feature your student in an upcoming Gaduwa Cherokee News Article!

Public Hearing for Child Care Development Fund Plan FY2012-2013

There will be a public hearing for the UKB Child Development Fund plan on Thursday, June 23, from 5:30 p.m. to 6:00 p.m. at the UKB Henry Lee Doublehead Child Development Center, located at the Keetoowah Cherokee Complex on Keetoowah Circle, which is located off West Willis Road in Tahlequah.

This hearing is being conducted to review the new CCDF plan and to inform the community of any changes to the plan or to answer any questions about the program.

This program allows the UKB to assist with child care costs and child care of tribal families enrolled with the tribe.

WARNING!

A warning has been issued by the United Keetoowah Band Media Department warning all Keetoowah Cherokee members and Native Americans who have or are working with the representatives of the Indian Trust Land Settlement, a counterfeit toll free number has been issued for information regarding the settlement. When calling this number, **1-888-404-8013**, you are asked for your personal information, this number is not associated with the Indian Trust Land Settlement, it is a fraudulent number seeking only personal information, so please be careful who you reveal your personal information too, this is another form of identity theft and can damage your personal credit.

The correct number to contact representatives of the Indian Trust Land Settlement is, 1-800-961-6109 or you can reach them online, www.IndianTrust.com.

Again, **do not** contact this fraudulent number, **1-888-404-8013**.

Museum Seeking Donations

The UKB Historic Preservation Office (HPO) is looking for items for use in the John Hair Cultural Center and Museum, scheduled to open in the fall of 2011.

The museum is debuting with an exhibit on the history of the Keetoowah people from the first fire, given by the Creator, through today using audio-visual elements, graphic panels and historical items. Different exhibits are planned for the future.

Items of interest are photos, furniture (handmade, heirloom), newspapers, books (in Cherokee and English), household items typical of Cherokee homes more than 30 years ago, tribal items and artifacts (must certify items did not originate on federal property or from graves.) All items must relate to the Keetoowah Cherokee people for placement in the museum.

The HPO is asking for items to be donated but allows for items to be put on permanent loan, which allows the owner or the owner's heir(s) to reclaim the item(s) at a later date.

For people interested in donating or loaning items, call Lisa LaRue at 918-772-4389 or e-mail her at llarue@unitedkeetoowahband.org.



UKB Tribal Member Aaron Roberts sets his sights on becoming a Doctor

United Keetoowah Band tribal member Aaron Roberts graduated from Gravette High School in a class of 110 students in the spring of 2007. He currently attends John Brown University, which is located in Siloam Springs, Arkansas. He just completed his junior year majoring in Biology. He will graduate in 2012.

After attaining his Bachelor's degree, Aaron hopes to continue his education and eventually become a physician and open a family practice.

"I would love to have a job helping people. Last year, I shadowed Dr. Scott Stinnett a physician who was a General Practitioner in Siloam Springs and I enjoyed the experience very much," he said. Aaron would make a good doctor, for he loves to be around people, including people of other cultures.

Last June, Aaron spent two months in Jordan in the Middle East on an archeological dig. The site of the dig was the Biblical city of Abila. Dr. Vila, a Professor of Biblical Studies and Religion from John Brown University, led the dig with approximately 20 young men and women who were all students from JBU. They dug approximately five centimeters at a time.

The group dug up skeletal remains, an old water channel along with several other structures, as well as pieces of ancient mosaic floors. The digs started early in the morning from 5 a.m. to noon due to the 105 degree weather. Aaron paid for the trip and received nine hours of college credit.

There were many experiences Aaron will long remember. The group toured the ancient city of Petra, one of Jordan's most visited tourist attractions. Petra was made famous by being featured in an Indiana Jones film.

The group did a lot of walking and camped in the desert and did some scuba diving in the Red Sea. A daily breakfast consisted of pita bread, cheese, boiled eggs and jam, with hot tea.

A member of the Christian Health Professionals of tomorrow, Aaron had the opportunity to interact with locals and had dinner at a Muslim man's house. Being a Christian, he was nervous at first but the host made him and the group feel comfortable and was very hospitable. Aaron stressed that most Muslims were good people, not like the extremists we often hear about in the news.

The group was served a special and delicious dish called Mansef which had chicken on top of rice, with pine nuts and goat's milk yogurt. Aaron learned that it was the custom to eat with your hands. They also drank tea as a beverage. The host was very careful to keep his home clean, and all shoes were removed before entering the home.

"The trip was a very memorable experience that I am glad I had and one I will never forget," said Aaron. There is no doubt the young man will have many memorable experiences on his way to become a doctor, but after meeting him, there is no doubt he is up to the task.

Aaron is the son of Jherri and Belinda Roberts of Gravette, Arkansas. His grandparents are Kay Roberts of Gravette, Arkansas and Austin and JoNell Crawley of Decatur, Arkansas.

Marilyn Craig
UKB Media Specialist



UKB member Aaron Roberts at the site of his archeological dig.

Addyson Nicole Stopp

Addyson Nicole Stopp
Born: April 1, 2011 @ 11:25
Weight: 8lbs 2oz and 19 ¼ inches long
Proud parents: Chris and Amanda Stopp
Siblings: Krista and Rance Stopp
Grandparents: Clifford and Brenda Doublehead, Tim Washington and Luther and Karla Stopp
Great-Grandparents: Mollie Washington and Eugene Eagle



Delaney Drywater All-Around Outstanding Student

Delaney Drywater doesn't have a subject she's weak in. The eleven year old fifth grader excels in all subjects. That point was reinforced the second week of May at the Briggs School's Awards assembly, as her name was called and she went to accept her awards.

Delaney was given a total of twelve certificates, including a writing award for creative writing, a certificate for the Principal's Honor Roll, a reading achievement award, good conduct award, language arts achievement, Dare program, social studies award, science achievement, spelling achievement, and mathematics achievement.

The other two awards she received were for Student of the Month. The young lady won the top award for students in the 5th grade in September and May.

All of these are quite impressive under any circumstances. It was especially impressive because it was Delaney's first year to attend Briggs. She was a new kid in school, who had to learn all about the way things are done at Briggs, and had to get to know her classmates and make new friends.

Delaney's home room teacher was Mrs. Marta Franks. Mrs. Franks said, "She was the top student in my class; she is a very smart girl. She studied hard, and did everything I asked her to do. She gets along well with others, and is very easy going."

Mrs. Franks added, "This was Delaney's first year at Briggs School, but she fit right in. I have enjoyed having her in class. She is a wonderful student."

Delaney's proud parents are Kim Drywater and Rick Panther. Her brother is Jerrick Drywater and little sister is Erianna Drywater. She is the granddaughter of Jackie Drywater of Tahlequah, and the niece of Shawna Terhune-Drywater and Terry Terhune of Muskogee and Elmer "Fudd" and Nina Panther.

Delaney's hobbies include reading, playing with friends and being with family.



Delaney Drywater displays several scholastic achievement awards she received during Briggs School's awards assembly recently. Delaney will be attending 6th grade in the fall. Photo by Sammy Still

United Keetoowah Title VI Nutrition Menu June 2011

Sun		Mon		Tue		Wed		Thu		Fri		Sat	
						1. Grilled Ham & Cheese Sandwich Tomato Soup Crackers Salad & Dessert		2. Spaghetti W/ Meatballs Grilled Veggies Garlic Toast Salad & Dessert		3. Closed For Cleaning		4.	
5.		6. Beef Stew Cheese Sticks Corn Muffins Crackers Salad & Dessert		7. Brown Beans / Bacon, Spinach Diced Potatoes Cornbread Salad & Dessert		8. Steak Fajitas Refried Beans Spanish Rice Salad & Dessert		9. Chicken & Dumplings Corn, Coleslaw Texas Toast Salad & Dessert		10. Brunch Served from 10:30 am—12:00 pm		11.	
12.		13. Loaded Baked Potato Soup Broccoli Cheese Biscuit Salad & Dessert		14. (Flag Day) Pizza Green Beans Broccoli Salad Dessert		15. Homemade Chili W/Fixings Hominy, Jalapeno Cornbread Salad & Dessert		16. Catfish Rice Pilaf Corn, Coleslaw Hushpuppies Salad & Dessert		17. "Fishing Day" UKB River Park" 11:30 - ?		18.	
19. Fathers Day		20. BBQ Chicken Potato Salad Baked Beans Texas Toast Salad & Dessert		21. (Summer begins) White Beans/ham Greens, Potatoes Corn Muffins Salad & Dessert		22. Smoked Sausage W/Cabbage Black-Eyed Peas Breadsticks Salad & Dessert		23. Goulash Baby Carrots Green Beans Garlic Toast Salad & Dessert		24. Brunch Served from 10:30—12:00		25.	
26.		27. Enchiladas Spanish Rice Chile Beans Salad & Dessert		28. Chicken Cordon Blue Potatoes w/Green Beans, Breadsticks Salad & Dessert		29. Cultural Day June Birthdays		30. Closed For Cleaning		Menus are subject to change without notice. For more info call: 918-772-4380		Milk, Tea, Coffee & Water Served Daily During Lunch	

Hey Kids!!!

Did you leave a coat at the Spring Break Culture Camp?
Please contact Cindy Hair at (918) 457-9812.



KEETOOWAH CHEROKEE Tribal Transit is now in full operation providing transportation for tribal members and the public. For a ride contact 918-772-4350 or 1-800-259-0093.

UKB Regular April Council Meeting Minutes

UKB Regular Monthly Council Meeting At the UKB Community Services Building April 02, 2011 10:02 a.m. – 1:05 p.m.

I. Call to order by Chief George Wickliffe

II. Invocation: Jerry Hansen

III. Roll Call: 11 + Chief answered Roll Call; Eddie Sacks absent at roll call

IV. Chief's Address

- I would like to go into my address beginning with the attack of CNO. That is the most unadvised and unknowledgeable thing I have ever read. I do not understand how he can lie and make the comments he made. Anyway, it did not affect us at all. There was a reaction or two by people who do not know what an agency decision is and so I am just going to say it is just part of the course. Today at the end of the meeting we will call Executive Session and discuss legal items with the Council. There are several items to discuss. We have been in office since 2005. Since that time we have seen growth and progress. We have had good things happen. In 1950 when UKB received the Corporate Charter we should have been able to use our charter for economic growth. We have had information through the by-laws with interpretation. Our charter is our business guide. We function as strong as any tribe (government) could with the charter and by-laws and have a map of how to achieve putting the 76 acres into trust.

- The most important statement from Echohawk is that he said he will put our land into trust for economic growth. The whole purpose for the corporate charter and organizing under the Oklahoma Indian Welfare Act was for us to have our government. We, UKB, have been told we have no treaties. This is a lie. We had 3 that I know of at this time. In 1976 CNO's constitution was signed; therefore, it only gave them from that time. We are always ready for any item that we have to defend with CNO by staying united as a strong tribe and people.

- I still have not found anything that the full bloods wrote up that does not recognize the U.S. Constitution

- I am so impressed by the person who found O.I.W.A. to help the tribes that have been organized under this act. We have always been driven by God.

- A book is being written based on our history, with comments by chief and assistant chief and several others, but the book's completion is still waiting on the trust land finalization. We will recognize the lawyer (s) who helped us reach this goal as well as many others of importance. There are numerous people to mention and thank for being able to have this book published.

- Okay we will continue with the agenda. The Public Forum sign-in sheet has been established beginning today. People who wish to speak will sign-in and put his/her topic of discussion. People wishing to speak will be given 4-5 minutes to speak.

V. Approval of the minutes for the month of March 2011

1. MOTION by Ella Mae Worley to approve the Regular Council minutes of March 2011; SECONDED by Willie Christie; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

VI. Presentations -

1. Barry Dotson:

- Said Jim Teehee would like to know how to get assistance for a ball team if there is any assistance available.

- Asked why this is no longer a Human Services Committee.

- Betty Holcomb asked if we could keep Eddie Sacks and Lois Fuller on the Elder Committee.

- John Hair recommended keeping the same members on the Elders Committee with the first alternate being Juanita McCarter and the second alternate being Dorothy Ice. Frank Mink resigned and Robert Whitekiller will be seated in Frank's place.

2. Committee Suggestion List 2011:

- Peggy Girty asked about the new list that was given to Council at last month's meeting (March).

- Joyce Hawk stated two years ago each committee began a different effective date. Due to Council approval on different committees and more discussion on other committees; therefore, it has been recommended at this time to vote on the Elder's Committee. Joyce read the list to Council of the standing committee members who will be on the committee.

- Chief asked Barry Dotson if he wished to inquire about the Human Services Committee.

- Bryan Shade: The Human Services committee was established to develop a policy for Human Services if any changes are needed for operations. Changes may be needed to accommodate a program. Joyce Hawk stated this committee was internally run, meaning the department staff sit on this committee due to the many emergency requests that come to that department.

- Peggy Girty: who was on this committee?

- Bryan Shade: read the members' names aloud. The Emergency Committee will meet due to availability of funds by budget. We will keep the Human Services but they will meet on an as-needed basis. If any policy changes are necessary that is when the Human Services Committee will meet.

- Barry Dotson: Why did the tag agency change from the 1st Saturday to the 2nd Saturday?

- Joyce Hawk: stated since I hold the chairman seat of the Tax Commission I can answer your question. There was not enough business coming through on the first Saturday; therefore, Tax Commission moved hours of operation to the second Saturday of each month. I can bring this information before Tax Commission and have a more detailed answer for you at the next Council meeting. Just to let everyone know we do also operate through the mail if that is any more convenient.

- Barry Dotson: Thank you. I know my members and I would appreciate it.

- Chief Wickliffe: recommended we vote with a blanket resolution on all the committee members since we have already

discussed the Elder Committee and Human Services Committee. Also we have a recommendation to keep the Human Services committee but the committee will meet as needed contingent on any changes within policies. If there is no more discussion I recommend a vote.

- Peggy Girty: Should there be a certain number of council on each committee?

- Joyce Hawk: Most, if not all, committees should hold at least two council members which is the policy for the committees.

- Bryan Shade: stated it would be up to the committee.

- No further discussion so there will be an amendment to Cliff Wofford's motion to accept the entire revised list of committees.

MOTION by Cliff Wofford to approve the entire revised committee list; SECONDED by Charles Smoke; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

3. Juanita McCarter:

- Funding for elders is being cut drastically at a government level, so if there is any help available please contact Rebecca Dreadfulwater.

- Chief Wickliffe: are you asking for support from the council?

- Juanita McCarter: any source to contact to help with this program would be appreciated.

- Chief Wickliffe: okay we will try to put something together to address your presentation. Boren is who we forward this information to and get some input back.

- Willie Christie: Since this involves council could we have a copy of the documents as well?

VII. Reports to Council

1. Ken Bellmard: Codes Project

- We have been meeting the last two months on the Tribal Codes with Joyce, Georgia Dick and Verlita Watie. We have been trying to gather all codes that have been in place since 1990. Georgia Dick's grant will have all codes electronically formatted. Written copies will be in the Tribal Secretary's office and the Court Clerk's office, other than that they will be on disk.

- There are so many codes that we have to update one code at a time.

- Verlita Watie is working with attorneys to scan codes so all are on the program and saved. Also discussed on how to make sure a protocol on the software to accommodate the codes. Those are still in a phase but will be an issue to bring forth to Council eventually.

- Assistant Chief Locust: The IT department and the server are areas we need to keep in mind considering the growth of programs.

- Ken Bellmard: We have a due date which will be September 30, 2011.

• LENGTHY DISCUSSION:

- Corporate Charter
- Enrollment
- B.I.A.
- Codes (revisions)
- Codes will be brought to Council
- Exclusivity
- Public Record
- Code availability on disk

- Assistant Chief Locust: KEDA Board would like to add Cliff Wofford the board to replace Woodrow Proctor as an alternate.

MOTION by Willie Christie to approve to replace Woodrow Proctor with Cliff Wofford on the KEDA Board as an alternate due to Woodrow Proctor no being a District Representative or member of Council; SECONDED by Charles Smoke; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

2. Ella Mae Worley: Cobell Trust Settlement

- Asked Council to please give the information to members in your community and at district meetings.

- Betty Holcomb: asked if the Cobell Trust information could be presented to the elders in the next week or so.

- Ella Mae Worley: Yes, I can be there to do a presentation regarding a claim form to apply for trust settlement.

- Ken Bellmard: stated that it is in the best interest to just apply and something can maybe become beneficial to each heir.

3. Enrollment Report: Joyce Hawk

MOTION by Cliff Wofford to accept and approve nine new applicants for UKB tribal enrollment; SECONDED by Ella Mae Worley; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

MOTION by Cliff Wofford to acknowledge and honor 4 membership relinquishments from UKB tribal enrollment; SECONDED by Ella Mae Worley; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

VIII. Public Forum

1. John Hair:

- He announced his 79th birthday and invited all to come to dinner at Kenwood to help him celebrate.

- Thanked council for their work. Thanked the Chief for his leadership.

- Joyce Hawk: asked John if he would like this to be public as noted in the minutes or stricken from public because the announcement of his age.

- John Hair: stated it has to be public.

2. Robert Whitekiller:

- Asked everyone present how many people had read "Burning Phoenix." I challenge you to read it if you have not.

IX. Unfinished Business –

- Willie Christie: asked Jan Laws, Housing Director, if there is anything we can do to help people that are trying to help themselves.

- Jan Laws: stated for rehab and owner-occupied policy has to be in place.

• HUD stated used IHS monies

• Environmental Health through CNO have assisted UKB members

• As of right now we do not have any such program

- Assistant Chief Locust: These policies are in place pertaining to housing, but they are so restricted. We restrict ourselves. We need to write these policies in a way so as not to restrict our people and ourselves; therefore, we advise to have a case-by-case policy.

- Jan Laws: Regulations are standard policy. The applicant can come back and reapply after six months.

- Betty Holcomb: Please call the client and answer their concerns. Please call them and let them know when they will be eligible for services. You can also notify them by letter.

- Jan Laws: I have notified staff to please return the people's phone calls.

- Jerry Hansen: asked if we write our own IHP.

- Assistant Chief Locust: We need to know the terminology of standards and regulations. This is what we are looking into now.

- Jan Laws: We have to obtain three bids on jobs for work on some projects.

- Tom Duncan: introduced himself to Jan Laws and said it was nice to meet her. He understands she has a big job with housing. He asked how many trailers do we have left at this time?

- Jan Laws: stated we have 22 at a lot in West Siloam Springs, AR. There are 5 people approved for rehab. There will be 4 more coming from Hope, AR very soon.

- Tom Duncan: What would you consider an emergency?

- Jan Laws: to me an emergency is anything that immediately affects the health of our tribal members.

- Bryan Shade: HUD does not recognize an emergency. There is no such thing as an emergency in HUD guidelines. That is where our internal policies allow us to treat it as an emergency.

- Chief Wickliffe: Council could have an emergency in their district so let's be able to treat it as one by policy. We do what we can to take care of an emergency in a timely manner.

- Jerry Hansen: We need to develop a setup for an emergency situation by having them determine a radius of certain companies to work on our housing projects. They should be licensed or bonded. They should be close so that when emergencies arise those companies can start projects as soon as they are notified and the proper paperwork is completed.

- Chief Wickliffe: Let's just make sure we don't have any legal situations just trying to get the need taken care of. It is not easy and we do not like to tell our people "no."

- Willie Christie: Yes it is time consuming with bids, guidelines and legwork, but it can get done. It just takes a little time.

- Chief Wickliffe: These are issues we deal with daily, but we always find a solution.

X. New Business –

Agenda Item X, 1

MOTION by Charles Locust to table Agenda Item 1 under New Business; SECONDED by Betty Holcomb; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

Agenda Item X, 2

MOTION by Cliff Wofford to approve the submission of a grant application to the United States Department of Justice Coordinated Tribal Assistance Solicitation; SECONDED by Ella Mae Worley; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

- Chief Wickliffe: We have received an \$800,000. grant for the 40 acres for the educational/vocational center.

- Assistant Chief Locust: I think now would be a good time to acknowledge Georgia Dick. She has brought into the tribe over several million dollars. This is a great asset to help our people and shows the growth of our structure.

Agenda Item X, 3

MOTION by Jerry Hansen to approve the submission of a grant application for the Department of Energy "Energy Efficiency Development and Deployment in Indian Country" grant, funding opportunity number DE-FOA-0000423; SECONDED by Ella Mae Worley; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

- Chief Wickliffe: stated there was a recommendation to have Jerry Henson placed on the Ad-Hoc Committee. We need to vote on this recommendation.

MOTION by Betty Holcomb to approve Jerry Henson be seated a an Ad-Hoc Committee member; SECONDED by Willie Christie; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

- Chief Wickliffe requested that Council vote to enter into Executive Session to discuss legal items.

MOTION by Jerry Hansen to enter into Executive Sessions, session to include Attorney General Ken Bellmard (TIME: 12:50 PM); SECONDED by Willie Christie; VOTE: 11 Yes, 0 No, 0 Abstentions (Sacks absent).

- Betty Holcomb stated she needed to leave at this time.

MOTION by Charles Locust to exit from Executive Sessions and return to regular session (TIME: 1:21 PM); SECONDED by Charles Smoke; VOTE: 10 Yes, 0 No, 0 Abstentions (Sacks & Holcomb absent).

XI. Announcements -

- Joyce Hawk: Asked Council to please notify constituents of the Gospel Singing. There is a flyer in each of Council's packets.

- Sammy Still: Reminded everyone that the Easter Egg Hunt is at 1:00 PM on Saturday, April 16, 2011. Sammy also reminded everyone the event "Walk a Mile in Her Shoes" takes place April 16, 2011 at 10:00 AM.

XII. Benediction: Tom Duncan

XIII. Adjourn:

MOTION by Charles Locust; SECONDED by Ella Mae Worley; Approve by affirmation: 1:25 PM

continued from page 1

Court ruled that the reply brief be stricken from the official record citing three local court rules that had not been observed by the State.

The most important issue; that of the State's Motion to Lift the Temporary Order, was denied by the Court. The Court pointed out that the UKB had been gaming for nineteen years on the property in question and had continued to do so for the past ten months, since this case was removed, by the State of Oklahoma, to federal court. The Court also pointed out to the standard of review for maintaining a temporary order which included maintaining the current status quo as well as weighing the irreparable harm to each party.

The Court found that the most severe irreparable harm would be to the UKB in their immediate loss of revenue and loss of jobs to almost 300 UKB employees. More devastating to UKB tribal members would be the impact of lost human, social, and educational tribal services to the majority of its 10,000 members.

The final issue of further discovery in the case, a request made by the UKB, was taken under advisement by the Court for ruling at a future date, once the court had contemplated a new scheduling order.

Under the current administration, the Keetoowah Gaming Enterprise Authority was formed, with Assistant Chief Charles Locust serving as the Chairman of the Board. The group had the goal of insuring that the casino continued to remain profitable by making wise investments and strategic planning which would allow the tribe's many programs to remain funded.

The administration and the Gaming Enterprise Authority also took a risk in hiring a young man who had no experience in managing a casino, but Rod Fourkiller did have an accounting degree with a lot of business knowledge. He also believes in valuing his co-workers and employees and believes in the golden rule. Under the KGEA and the new general manager, and all the dedicated Keetoowah Cherokee Casino employees, the revenue continued to go up.

The proceeds from Keetoowah Cherokee Casino funds make up a major portion of the tribes' overall budget. In addition to funding payroll for the Casino employees, Administration, the Tribal Council and a great percentage of tribal employees, programs funded by the casino including the following:

- Education programs and college scholarships. UKB college students who are enrolled on a full time basis receive a total of \$1,500 to help with college expenses. The student receives \$750. at the beginning of the semester and the remaining \$750. when they complete that semester. Part-time students carrying at least 6 hours receive a total of \$750 per semester, made also in two payments.

The tribe also provides graduation bonuses to graduates upon completion of their degree. Graduation bonuses are \$200 for vocational licenses or certificates (1050 hours, \$300 for associate's degrees, \$400 for a bachelor's degree and \$500 for a master's degree.

- Emergency Assistance - Provides emergency assistance to tribal members who are temporarily out of work or are experiencing a hardship. Also includes burial assistance.

- Annual School Supplies and Clothing Vouchers - are awarded to school age children before school starts in August. Qualified children in grades K-8 receive \$75, and students in grades 9-12 receive \$100.

- Christmas Gift Cards for every Keetoowah Child - Children receive a Christmas gift card from Wal-Mart for \$40.00

- Elderly Assistance Program - twice a year, in the summer and in the winter, tribal elders ages 55 and up are given a \$200 assistance check.

- Housing Rehabilitation Program - assists tribal home owners in renovating their homes.

- Employee 401K program - matches employees contributions to their 401K up to 4% of their net pay.

- Annual Leave Buy Back Program - the casino allows employees to sell surplus annual leave.

- UKB Language, History and Culture Department - Known as the most traditional of the Cherokees, the Keetoowah Cherokees value the preservation of their culture and language. In addition to culture camps during spring break and in the summer, the tribe also offers a series of 10 week language classes in many different communities several times a year and has a culture outreach program

Americorps worker spends year helping UKB elders

The goal for many people is to live a life worth lived. This idea is a major tenant among Keetoowah Cherokees and is usually accomplished by serving others selflessly.

While the usual route to espousing this ideal is teaching the younger generation about service to their neighbors, this time the tribe imported a selfless individual from outside the tribe. Her name is Lauryn Thomas.

Lauryn entered this world via Garland, Texas the product of Kathryn Van Winkle and William Thomas. She says her original dreams on life were centered around puppies, but after time spent at R.L. Turner High School in Farmers Branch, Texas and the University of Colorado in Denver her future turned toward helping others.

A major turning point for Lauryn was a college summer break rescuing animals at an eco-center in Croatia. She lived in a two-bedroom house with 25 people and no luxuries.

She said after that summer she no longer takes hot showers and huge grocery stores for granted. What she thought was a normal life was considered luxurious by Croatian standards.

At the end of summer, Lauryn returned to school to finish her degree in psychology. She thought about doing a stint with the Peace Corps, but found a program with Americorps that allowed her to perform the same service without leaving the country.

Volunteers In Service To America (VISTA) is a branch of Americorps dedicated to fighting poverty inside the United States. Non-profit organizations such as the National Society for American Indian Elderly, which hired Lauryn, sponsor VISTA workers to build poverty-fighting programs wherever they are assigned.

Lauryn says when she got hired and was trained she was ready to hit the ground running and solve all the problems. After arriving and getting a taste of the actual challenge, she understands it takes a lot of time and patience to be truly effective.

VISTA workers are assigned to an area for one year. Lauryn started last September and has been very busy ever since. She started an elder walking group, teaches an elder computer class,

started an elder center garden, sets up intergenerational activities and was involved in the elder needs grant survey for the elder center. She is also helping organize a traditional Keetoowah Cherokee cookbook.

Rebecca Dreadfulwater, Title VI coordinator, says the elders love Lauryn. She gets in, interacts with them and has made quite a few friends. Besides the classes and elder programs, Lauryn makes the Meals on Wheels deliveries and is more than willing to help in the kitchen or wherever she is needed when someone needs help.

Dreadfulwater also says that Lauryn went the extra mile during the elder needs survey. Lauryn attended local community events, health fairs and did home visits to complete the 183 surveys. She also attended district meetings to get a feel for the United Keetoowah Band.

In her off time, Lauryn volunteers with the Native American Warrior Society, a non-profit organization that raises money to send Native American soldiers care packages while they are overseas.

Lauryn says she wants to work for the Veterans Administration helping veterans and their families one day or some type of service organization helping others. She says serving others is in her blood now. She's had a good life and wants to help others have what she has.

She was accepted into the University of Oklahoma at Tulsa's graduate school where she plans on studying social work. After her year is up, she wants to stay in Tahlequah and find a job. Lauryn admits coming to Tahlequah was a shock for her culturally. She always lived in big cities but the small town life appeals to her now. On her first day in town, people were nice and talked to her. Plus, as different as the Keetoowah Cherokee is from what she is used to, she has taken a liking to it and tries to experience as much of it as possible, including making fry bread.

While striving to help others, Lauryn has grown in experience. She set out with good intentions and the UKB is reaping the rewards of her hard work.

*by Thomas Jordan
UKB Writer/Photographer*



Lauryn Thomas, Americorps VISTA worker, mans a booth to teach high school students about the benefits of serving in the Americorps. Thomas is one of around 7,000 workers around the country who fights poverty in service to the country.

that teaches classes for schools, churches and elder groups in the fourteen county areas.

- Annual Keetoowah Cherokee Celebration is held annually on the first weekend in October to commemorate the signing of the UKB Constitution. The event features a parade, 5 K run, dignitaries breakfast, gospel singing, stomp dance, powwow, the Chief's state of the nation address, children's activities, turtle races, kid's fishing derby, hog fry, arts and crafts, blowgun competition, stickball, marbles, cornstalk shoot, free bingo, volleyball tournament, horseshoes tournament, and a history exhibit.

- Departments funded by the casino include: Tribal Dept. of Justice, Gaming Human Resources, Tribal Human Resources, Light horse (UKB Law Enforcement), Transportation Department, Information Technology Department, Tribal Operations, NAGPRA, Gaming Commission, Office of Public Information/ Media, Election Office and Board, Accounting, Budget and Finance, Keetoowah Economic Development Authority, Henry

Lee Doublehead Child Development Center and the Natural Resources Program.

Part of what makes the Keetoowah Cherokee Casino so successful has to be all the good that comes out it for tribal members, employees, and the Tahlequah Community. Another reason is the service, the employees and the fact that customers win more at the Keetoowah Cherokee Casino than they do in other area casinos.

"Our greatest asset is our local customer base, which supports the casino and the tribe," stated Assistant Chief Charles Locust.

Things are sure to get exciting in July, when the casino celebrates the Silver Anniversary! The anniversary party with a big cake will be held on Friday, July 15, but there will be special events going on all month long. For more information, call the Keetoowah Cherokee Casino at (918) 456-6131.

(Look for part II on the Keetoowah Cherokee Casino Silver Anniversary in the July issue of the Gaduwa Cherokee News.)

Employee Appreciation Day



This year's Employees and Managers of the Year recipients were announced for the UKB tribe and Keetoowah Cherokee Casino during the annual UKB Employee Appreciation day held at Camp Heart 'O the Hills, May 6. Pictured left to right are, UKB Chief George Wickliffe; Casino Employee of the Year, David Hardman, Housekeeping; Casino Manager of the Year, Janice Davis; Tribal Manager of the Year, Sammy Still, Public Information/Media; Tribal Employee of the Year, Danny McCarter, Human Services Advocate; and UKB Assistant Chief Charles Locust. Photo by Thomas Jordan



Employees of the Keetoowah Cherokee Casino enjoy a game of volleyball at the UKB Employee Appreciation day at Camp Heart 'O the Hills. Photo by Thomas Jordan



Who won the three-legged sack race? Seems some of the participants in the UKB Employee Appreciation day sack race are laying down on the job, only one team has a leg up on the other competition. Photo by Thomas Jordan



Chris Stopp, Casino Maintenance, waits his turn to toss his horseshoes as Amanda Stopp, Interim Registrar, throws a ringer during the UKB Employee Appreciation day held at Camp Heart 'O the Hills. Photo by Thomas Jordan



A highly intense game of basketball is underway by UKB employees during Employee Appreciation day. Photo by Thomas Jordan



Amber Convirs, Keetoowah Cherokee Casino security dispatcher, throws two over-sized dice hoping to throw a pair of six during the UKB's version of "The Price is Right" game at the Employee Appreciation day. Photo by Thomas Jordan

The Gathering of Nations

The sacred bald eagle opened the celebration at Gathering of Nations blessing the "The Pit" and dancers before the grand entry. Photo by Sammy Still



Miss Keetoowah Cherokee Vera Rooster and Junior Miss Keetoowah Cherokee Martha McCarter danced into the arena named "The Pit" during grand entry of the Gathering of Nations in Albuquerque, NM. Thousand of Native tribes entered into "The Pit" in their colorful regalia as they danced around the arena. Photo by Sammy Still



A young native dancer poses with Miss Keetoowah Cherokee Vera Rooster and Junior Miss Keetoowah Cherokee Martha McCarter at the Gathering of Nations celebration in Albuquerque, NM. Photo by Dama Still



Thousands of Native American dancers in their colorful regalia filled the arena named "The Pit" at the University of New Mexico in Albuquerque during the grand entry of the Gathering of Nations. Photo by Sammy Still