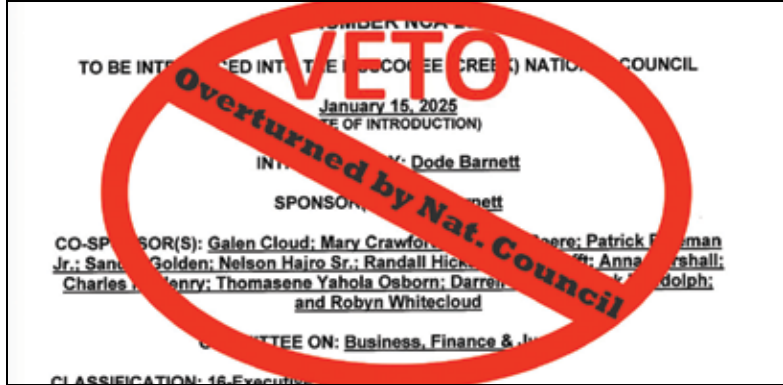




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# MVSKOKE NEWS

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The veto of a unanimously supported bill from the National Council was overturned during a Regular Session on Feb. 22 (MM File Photo)

## VETO OF BILL LIMITING REPEATED TEMPORARY CABINET NOMINATIONS OVERTURNED BY NATIONAL COUNCIL

THE VETO OF A UNANIMOUSLY SUPPORTED BILL FROM THE NATIONAL COUNCIL WAS OVERTURNED DURING A REGULAR SESSION ON FEB. 22

BY THOMAS JACKSON  
REPORTER

OKMULGEE, Okla. - The vote of NCA 25-018, a bill that would have limited the Principal Chief's ability to repeatedly nominate temporary cabinet positions, and would have penalized those who attempted to operate

in those positions without approval by the National Council, has been overturned by the National Council.

The bill had previously received unanimous support from the council, with all but one person on the council being a co-sponsor of the bill brought

**VETO**  
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NCA 24-096, a ballot initiative that could change district voting rules for how Mvskoke citizens vote is seeing mixed reactions from citizens. (Braden Harper/MM)

## AT LARGE MVSKOKE CITIZEN VOICES CONCERN FOR DISTRICT VOTING BALLOT INITIATIVE

NCA 24-096'S BALLOT INITIATIVE TO REVERT BACK TO DISTRICT VOTING WILL REQUIRE VOTERS TO VOTE FOR REPRESENTATIVES FROM THEIR HOME DISTRICTS, AND IF THEY DO NOT HAVE A HOME DISTRICT, WILL REQUIRE THEM TO SELECT ONE

BY BRADEN HARPER  
MANAGING EDITOR

MVSKOKE RESERVATION - One Mvskoke citizen is concerned she will soon lose the right to vote for all representatives in tribal elections. A law adopted by the National Council at the October 2024 Quarterly Session that adds a new ballot initiative for citizens to vote on in this year's tribal election is the topic of citizen forums and discussion. Mvskoke Media previ-

ously provided coverage on the bill in an article published on Nov. 27. NCA 24-096, the ballot initiative, proposes amendments to Article IV and Article VI of the Constitution of the Muscogee (Creek) Nation to re-establish district voting.

Mvskoke citizen Joy Sweger is worried if the ballot initiative is passed, it will mean that citizens like her who live outside of the MCN's jurisdictional boundaries will not have the ability to have their voice fully heard during

elections. She is afraid voters are not one hundred percent clear on what the ballot initiative is.

"There's not enough detail in what they're telling me to make a good decision," Sweger said. "It's very impacting how it would affect me and everyone else including in the districts and out of districts."

As the law currently stands all Mvskoke citizens who are registered

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Standing (left to right): Justice Amos McNac, Justice George Thompson Jr., Chief Justice Andrew Adams III, Vice-Chief Justice Richard C. Lerblance, Justice Montie R. Deer. Seated (left to right): Justice Leah Harjo-Ware, Justice Kathleen R. Supernaw. (Courtesy: MCN Supreme Court)

## ORAL ARGUMENTS HELD IN SC-2024-05

ARGUMENTS HEARD IN THE MATTER OF THE CONSTITUTIONALITY OF NCA 24-077, A LAW GOVERNING THE APPOINTMENT OF MCN SUPREME COURT JUSTICES

BY JERRAD MOORE  
ASSIGNMENT EDITOR

OKMULGEE, Okla. - Oral arguments were held via a Zoom meeting at the Muscogee Creek Nation Supreme Court on Feb. 21 in SC-2024-05 in the Matter of the Constitutionality of NCA 24-077. The oral arguments in this case had previously been scheduled for Jan. 10, but had to be rescheduled due to weather.

The MCN SC order setting oral arguments contained the stipulation, "All audio or video recording, photographs, and/or reproductions of the Virtual Meeting and Oral Argument are strictly prohibited."

Mvskoke Media contacted MCN SC Clerk Connie Dearman for permission to restream or utilize any of the audio or video of the oral arguments, which was denied.

The Mvskoke Media Editorial Board was consulted on how to proceed with coverage. The board decided that the best course was to follow the MCN SC order and not publish any audio or video from the livestream.

These oral arguments were livestreamed to the MCN SC's Facebook page on Feb. 21 and remained on that page until the end of the day at which time they were removed.

At least one local radio news outlet in Tulsa broadcast coverage of the oral arguments that featured recordings of

audio from the MCN SC livestream. Mvskoke Media contacted the MCN SC to determine if any legal action will be taken as it appears that the court order was violated.

MCN SC Clerk Dearman responded via email that the court had not granted permission to anyone to reproduce any part of the oral argument. Mvskoke Media did not receive any confirmation from Dearman that the participants in the oral argument could be quoted in text.

According to Dearman, the court had determined that Demario Solomon-Simmons, an attorney representing Grayson and Kennedy, had posted a video of the oral arguments to the Justice for Greenwood Foundation's YouTube page. Solomon-Simmons is listed as the Executive Director and Chairman of the Board for the foundation.

The MCN SC issued an order to Solomon-Simmons for him to remove the video before Noon Feb. 25. Mvskoke Media could not locate any video of the oral arguments on the foundation's YouTube channel as of Feb. 25.

Dearman was asked if the order directed at Solomon-Simmons would be made available on the MCN SC's website.

According to Dearman, "The Court typically only posts the major party briefs, any Order setting a hearing/oral argument, and the final Order

and Opinion disposing of the case to our website. All other court filings may be obtained (in any case that's not sealed) by purchasing copies at our filing window. This is a filing that would typically not be posted to the website under those parameters. The website posting policy was approved by the Court."

Since the order setting oral arguments states any "reproductions" of the oral arguments are prohibited, Justices and counsel will not be quoted here in text. Mvskoke Media has asked the court for clarification on whether transcriptions of the oral arguments are subject to the order's prohibitions, but has not received a response.

SC-2024-05 seeks to determine the constitutionality of NCA 24-077. NCA 24-077 is a law that gives the MCN National Council and Principal Chief the ability to appoint temporary MCN Supreme Court justices when seated justices recuse themselves from cases.

According to the National Council and Principal Chief David Hill, NCA 24-077 was enacted to ensure that there would always be seven justices hearing any case, and thus ensuring a four justice majority on all future opinions.

MCN Code Title 27 § 3-101 (codified from NCA 82-30) states that a "judgment or decision of the Supreme Court requires the approval of a minimum of four justices." However, later MCN SC decisions had issued deter-

minations that only a majority of seated, un-recused justices were constitutionally necessary to issue a decision. If justices recuse themselves, the case would continue to be heard with the remaining judges.

NCA 24-077 was passed and signed into law after two justices recused themselves in a related MCN SC case, SC-2023-10, Citizenship Board of Muscogee Creek Nation v. Grayson.

SC-2023-20 is currently stayed until a decision is issued in SC-2024-05.

After the passage of NCA 24-077, one of the temporary justices appointed to the Grayson and Kennedy case was former National Council Rep. James Jennings. Mvskoke Media's Lawyer'd Up Youtube program covered NCA 24-077 and showed an excerpt of Jennings prior Meet the Candidate video where he was asked about his opinion on the Grayson case, also known as the freedman case.

During his interview Jennings was asked about his position on the freedman case.

"My opinion on the Creek freedman case is that, if elected, I will support and defend the Muscogee Creek Nation constitution which states it's by blood," Jennings said.

July 8, 2024, Kennedy and Grayson filed a motion challenging the constitutionality of NCA 24-077 and petitioning the MCN Supreme Court to assume original jurisdiction.

The court assumed jurisdiction on Sept. 5.

During the oral arguments, attorney Jana Knott appeared on behalf of the petitioners Jeffery Kennedy and Rhonda Grayson. Knott challenged the constitutionality of NCA 24-077 on three main points.

According to Knott, NCA 24-077 defies the plain language of Article VII, Section 2 of the MCN constitution. Article VII, Section 2 dictates that the MCN SC shall be composed of 7 justices whose terms are 6 years, and require a vacancy for the nomination process to be triggered. Knott pointed out that, according to prior MCN SC rulings, a recusal is not a vacancy, as the justice who recused themselves is still a seated justice. In addition, since

this process is dictated by the MCN constitution, according to Knott the process cannot be changed by legislation, only by a constitutional amendment. Chief Justice Andrew Adams III asked Knott what she believed would happen in a scenario where 5 justices had to recuse. Knott responded that, while inconvenient, the constitution does not have any language that allows for the appointment of special justices.

Knott also asserted that NCA 24-077 violates the separation of powers doctrine. Knott pointed to prior MCN SC rulings, such as the Judge Patrick Moore case, which ruled that the court will not tolerate the National Council or Executive Branch attempting to influence the functions of the judiciary through legislation. Knott asserted that NCA 24-077 will produce distrust in MCN SC rulings.

Finally, Knott outlined how NCA 24-077 infringes on the due process rights of litigants appearing before the MCN SC. Prior MCN SC rulings dictate that litigants in the court have the due process right to have their issues heard by a fair and impartial tribunal. Knott also pointed out that the United States Supreme Court has ruled that an improperly constituted tribunal lacks judicial authority to render a lawful judgement. Knott's reasoning is that special justices appointed by the process in NCA 24-077 would result in an improperly constituted tribunal, and any ruling issued by said court would be "void ab initio," a legal term meaning invalid from the beginning.

According to Knott, because there is no vacancy on the court, the special justice is not a constitutionally appointed justice, due to article VII's seven justice requirement. Chief Justice Adams pointed out that the Nation could simply amend the constitution to address this problem to which Knott agreed. Knott pointed out that several other states and tribes have constitutional provisions which give the Chief Justice of the court the ability to appoint a special justice.

Kyle Haskins represented the MCN National Council. A good portion of Haskins' opening arguments derided

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**VETO***Continued from Page 1*

up by Representative Dode Barnett of the Creek District, and it had been passed by the National Council with a vote of 15-0 before being vetoed by Chief Hill.

The veto of the bill, which had been stated in the agenda as “A law of the Muscogee (Creek) Nation amending MCNCA Title 16 § 1-108, entitled “Legitimate purposes for commissions to fill vacancies,” and § 1-109, entitled “Commissions no substitution for joint approval of appointments,” and creating new subsection, entitled “Nominations” in MCNCA Title 16, Chapter 1, entitled “Organization of the Executive Office of the Principal Chief,” was overturned by a vote of 14-1.

Principal Chief Hill had no comment.

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statements made by Solomon-Simmons in the media. While Haskins was reiterating that the MCN NC had followed the correct procedures to pass NCA 24-077, he was interrupted by Chief Justice Adams who directed Haskins to spend more time addressing the legal issues at hand, in particular the arguments that had been put forth by Knott.

Haskins stated that the prior MCN SC decisions that the court could rule on cases when justices recuse were made out of necessity. He reiterated that NCA 24-077 was the proper way to address the situation. According to Haskins, NCA 24-077 was not presented with the intention of influencing the MCN SC. Haskins implied to the court that prior or future decisions made by the MCN SC with less than seven justices might not survive federal scrutiny and could be the subject of future Indian Civil Rights lawsuits.

Haskins stated that NCA 24-077 preserves due process for litigants. Chief Justice Adams raised concerns about changes to habeas corpus procedures in NCA 24-077 that require seven justices to hear habeas corpus arguments. A writ of habeas corpus is a legal filing which requires a prisoner or other detainee to appear before the court to make a determination if their detention is lawful. Chief Justice Adams asked Haskins if he could address the possibility that a litigant with a legitimate habeas corpus concern could sit for an undue amount of time while the MCN NC and Executive Branch try to confirm a special justice in the event of a recusal.

Haskin replied that he did not see anything in NCA 24-077 that would introduce delay or compromise the due process rights of a criminal defendant. Chief Justice Adams pressed Haskins as to whether it was legally possible that such a scenario could happen and Haskins agreed that it was.

Justice Richard Lerblance wanted clarification from Haskins on how section C of NCA 24-077 changes the process from the current procedure, given the section states that if no special justice is appointed in 90 days then the case will be heard by the remaining justices. Haskins agreed that in that scenario the process would remain the same as before the passage of NCA 24-077. Justice Lerblance questioned Haskins on why that provision was included in the law. Haskins deferred the response to Chief Hill's attorney, because the Executive branch was the author of the law. Haskins reiterated that NCA 24-077 was passed out of fear of federal scrutiny of decisions

**BALLOT INITIATIVE***Continued from Page 1*

to vote can vote for National Council Representatives in all districts.

And if accepted by voters the new law will only allow registered voters to vote for National Council representatives from their home district. If a voter does not have a home district, they are required to declare one and will be considered a legal residence of that district for purposes of voting in elections.

When searching for the specific legislative document for NCA 24-096, Sweger found it hard to pull up the pdf file online. She claimed that she reached out to the National Council's office for help, but did not have luck in contacting anyone to answer her questions.

According to Sweger, she is not the only one in the community who has voiced her opinion on the initiative. When speaking with fellow citizens, she has received varying feedback.

“I get mixed (opinions),” Sweger said. “Some of them are not aware, some of them are asking how to register, in that case I send them the link and the form. All I'm trying to do is get some answers, that's all.”

**The Election Board**

Mvskoke Media reached out to the Muscogee (Creek) Nation Election Board for clarification on NCA

24-096. MCN Election Board Chair Sara Barnett said that Article IV, Section nine of NCA 24-096 will not take away at-large citizens' right to vote. The Election board statement reads,

“This proposed question, if passed by a three-fourths vote of the people, would mark a return to ‘in-district only voting.’ This means that citizens would only be eligible to vote for National Council representatives for their home district. All eligible voters would still participate in the elections of Chief, Second Chief, and any future Constitutional amendments.

Article IV, Section 9 of the Muscogee (Creek) Nation Constitution requires all eligible voters to have a designated home district. For citizens who live on the reservation, the ‘home district’ is the one in which they reside; for at-large citizens, or those living off the reservation, the home district is assigned one of two ways. First, the voter may select their home district at the time they complete their voter registration or voter registration update form(s). However, if they fail to select a home district, the Okmulke District will be assigned as their home district (as is clearly stated on the voter registration form).”

The MCN Election Board's statement says that for an amendment to pass it requires a three-fourths vote

of the people. According to Article IX of the MCN Constitution, an amendment must receive “a two-thirds (2/3) affirmative vote of the eligible voters who vote in special election called for said purpose by the Principal Chief pursuant to the rules and regulations that the Muscogee (Creek) National Council shall prescribe.” Mvskoke Media reached out to the Election Board again to clarify this detail. They responded with the following revision to their original statement,

“This proposed question, if passed by a two-thirds vote of the people (Article IX of the MCN Constitution), would mark a return to ‘in-district only voting.’”

Section 7 of Article IV states “All eligible voters shall be allowed to vote for the Principal Chief and Second Chief”. An eligible voter is defined as a Mvskoke citizen over the age of 18 who is registered to vote. Section 9 includes at-large citizens as eligible voters. If district voting is approved, voters will only be eligible to vote for representatives running in their home district. At-large citizens will be required to select a home district to vote for those running in their home district. All eligible voters can still vote for Principal Chief and Second Chief.

Likewise, the MCN Election Board encourages all citizens who are

eligible to vote to register and to continue updating their contact information with the department to ensure voter information is accurate. However, the board clarified that their statement was not provided to give guidance to voters, but to provide the exact verbiage voters will see on the ballot.

Mvskoke Media reached out to Chief's office and the National Council for statements regarding the NCA 24-096 ballot initiative. Neither responded before the time of publishing this story.

The district voting initiative is set to appear on the primary election ballot. According to NCA 24-096, if the ballot initiative passes, “the Amendment shall have full force and be effective from the date of approval.” This means district voting could go into effect as soon as the 2027 general election.

For Mvskoke citizens who still need to register to vote, there is still time. The deadline to request an absentee ballot is Aug. 27, the deadline to register to vote in person is Sept. 9. Those who need to register can do so online at muscogeneration.com/election-board/. To look up legislation on the National Council's website, visit the agenda tab and select the year the legislation was proposed or adopted. Each individual agenda is organized by date and committee.

issued by the court.

Justice Kathleen Supernaw asked Haskins if he could cite any cases where tribal court decisions were overturned at the federal level due to the tribal court not being constitutionally fully seated. Haskins stated that he had not found such a case. Chief Justice Adams stated that it was his understanding that there are other tribal courts that have guidelines that in the event that the tribal supreme court issues an evenly split decision that the lower court's ruling is automatically upheld. Haskins concurred that that was the case in other tribal court systems. Chief Justice Adams asked if federal courts operate under that same premise. Haskins agreed they did. Chief Justice Adams asked Haskins to explain his arguments related to sovereign immunity claims. Haskins replied that since the freedmen appellants were not citizens of the Muscogee Creek Nation, they had no standing to bring the action before the court. Haskins stated that he disagrees with the MCN District Court decision in the freedman case.

Chief Justice Adams pointed out that article VII of the MCN constitution does not include specific language giving the National Council the ability to legislate the structure of the court. Chief Justice Adams asked Haskins to elaborate on how NCA 24-077 works with the current construction of the constitution. Haskins stated that the Executive branch has the right to propose legislation to protect the rights of litigants and the duty of the National Council to enact legislation that benefits citizens of the Nation, and in his opinion this is the proper separation of powers.

Chief Justice Adams asked what would happen in a scenario where the Judicial branch promulgates rules that are later changed by legislative action by the Executive and Legislative branches. Haskins stated that as long as the court's rules were constitutionally created they would control, but asserted that no such rules currently exist. Chief Justice Adams asked about the current court rules that allow decisions of less than seven justices, which later MCN SC decisions rely on. Haskins replied that in his opinion, these rules were not

born out of the rule of law but necessity. His opinion was that the Ellis decision that established the rules was incorrect.

Rod Wiemer represented the Principal Chief David Hill in the oral arguments. In his opening statements, Wiemer disagreed with the framing of the case as a separation of powers issue. He asserted that the MCN NC and Executive branch were exercising their constitutional powers when they passed NCA 24-077 and seated the special justices. He argued that these actions did not interfere with the constitutional authority of the Judicial branch.

Weimer asked the court to find the action non-justiciable under the political question doctrine. His reasoning is that the court action infringes on essential executive and legislative functions of the Nation. He outlines these impacted functions as the power to pass legislation, nominate and confirm judges, and intrusion into the National Councils internal proceedings. Weimer stated that for these reasons the court should find the case non-justiciable.

If the court failed to determine that the case is non-justiciable, Wiemer asserted that NCA 24-077 is constitutional. He pointed to a prior MCN SC ruling in Cox v Childers that stated that the MCN SC must interpret the wording of the constitution strictly and not change the meanings of the words used. Chief Justice Adams asked how Wiemer responded to Knotts argument that a recusal does not equate with a vacancy. Wiemer stated that there are several jurisdictions that allow special judges to fill in for appellate judges. He stated that the appointment of a special justice under NCA 24-077 would not be adding a judge to the number of MCN SC justices. Wiemer used the Oklahoma Supreme Court as an example where the number of justices is determined by the Oklahoma constitution, but later statutes established a system for the appointment of special justices.

Wiemer addressed earlier concerns raised by Justice Lerblance about section C of NCA 24-077. He stated that he had prior experience with cases appearing before the MCN SC involv-

ing the Executive branch and the Legislative branch on opposing sides. In this situation it was possible that both branches would not be able to agree on a judicial appointment in the case of a recusal. Justice Lerblance asked if the preexisting rules for recusal were valid and the best way to operate the court. Wiemer hesitantly agreed, with the stipulation that that would be the case if no special justices could be appointed.

Justice Lerblance questioned why, if a special justice could not be appointed, would the recusal rules revert to the process used before NCA 24-077. Wiemer stated that this would be out of necessity, in case it was impossible to have seven justices hear the case and still have the court be able to issue a decision.

Chief Justice Adams asked if Wiemer could cite any case since the amendment of the MCN Constitution to establish seven justices on the MCN SC where the court could not comply with the four justice minimum rule for decisions. Weimer cited the MCN SC case concerning the extended term of office of Judge Patrick Moore.

Chief Justice Adams pointed out to Wiemer that the case occurred prior to the amendment of the constitution to establish seven justices on the MCN SC.

Wiemer replied that there has not been a case that has been decided by less than four justices since the constitutional amendment.

Chief Justice Adams asked if the seven justice amendment had addressed the concerns about the four justice rule for MCN SC decisions. Wiemer asserted that the purpose of the amendment was to ensure that there would not be tie votes. Chief Justice Adams asked if Wiemer had any legislative history or evidence that could illustrate that conclusion. Wiemer stated that he had personally participated in the constitutional process during Principal Chief A.D. Ellis' administration, and that he also handled the Trepp case on behalf of the Nation. Chief Justice Adams reiterated that he was asking for citations, not personal recollections as Wiemer was not a fact witness in the case. Wiemer replied that there is no legislative his-

tory with regard to the seven justice constitutional amendment.

Wiemer's arguments returned to MCN SC decisions made before the seven justice amendment to the constitution, which led Chief Justice Adams to ask if this line of argument had already been discussed earlier and resolved that there had not been a decision issued by less than four justices since the amendment.

Chief Justice Adams asked if a reasonable person could conclude that NCA 24-077 was an attempt to fix something that wasn't broken. Wiemer responded that NCA 24-077 was passed because the recusal of two MCN SC justices raised the possibility of a three to two decision by the MCN SC. Chief Justice Adams asked if a potential outcome was a credible analysis under rightness for Wiemers assertion that the issue was non-justiciable. Wiemer reiterated that the possible three to two decision in the freedmen case, as well as the possibility of the same result in other cases, was the motivation for the passing of the law. Chief Justice Adams asked what other case Wiemer was referring to. Wiemer stated that it could be any case where a different number of judges would decide the case. He stated that this was unfair and that NCA 24-077 leveled the playing field for all litigants.

Chief Justice Adams asked Wiemer why the Judicial branch was written out of the process in NCA 24-077. Wiemer pointed to prior MCN SC decisions where Chief Justice Adams had stated that the court could not participate due to ethical concerns. Wiemer also asserted that since the process in NCA 24-077 mirrors the constitutional process for the appointment of MCN SC judges, it is also constitutional.

Chief Justice Adams then asked Wiemer to address the habeas corpus concerns previously discussed with Haskins. Wiemer stated that there is legislation to address those concerns that is waiting to be passed after the MCN SC decides the case. Chief Justice Adams asked if Wiemer was aware of any other jurisdictions that required

**ORAL ARGUMENTS***Continued on Page 3***THE MVSKOKE NEWS**Angel Ellis, Director | [aellis@mvsokemedia.com](mailto:aellis@mvsokemedia.com)Braden Harper, Managing Editor | [bharper@mvsokemedia.com](mailto:bharper@mvsokemedia.com)Jerrad Moore, Assignment Editor | [jmoore@mvsokemedia.com](mailto:jmoore@mvsokemedia.com)Meredith Johnson, Reporter | [mjohnson@mvsokemedia.com](mailto:mjohnson@mvsokemedia.com)ShayIn Proctor, Reporter | [sproctor@mvsokemedia.com](mailto:sproctor@mvsokemedia.com)Thomas Jackson, Reporter | [tjackson@mvsokemedia.com](mailto:tjackson@mvsokemedia.com)Frances Herrod, Reporter | [therrod@mvsokemedia.com](mailto:therrod@mvsokemedia.com)Lindsey Arneecher, Layout | [larneecher@mvsokemedia.com](mailto:larneecher@mvsokemedia.com)

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judges to sit beyond ninety days due to the inability to seat special justices. Wiemer stated that the legislation to deal with that issue would require a lesser number of justices to hear habeas corpus matters.

Chief Justice Adams again asked if Wiemer was aware of any jurisdictions that had rules condoning the ninety day period and Wiemer stated he was unaware of any but that it was not an issue in this case, because the petitioners are not challenging the habeas corpus provisions of the law. Chief Justice Adams stated that Wiemer seemed to be implying that the court could not evaluate the constitutionality of the habeas corpus provisions in NCA 24-077. Wiemer responded that there were no habeas corpus provisions in NCA 24-077. Chief Justice Adams asked if subsection A of NCA 24-077 references habeas corpus. Wiemer apologized and admitted that it does include writs of habeas corpus.

In closing Wiemer pointed out that the National Council has previously passed legislation in relation to the MCN SC, in one instance to add additional requirements to supreme court justices in addition to the constitutional requirements. Wiemer pointed out that a MCN SC decision had upheld these additional requirements as con-

stitutional.

Knott presented three points on rebuttal. She asserted that the issue before the court was not a non-judicial political question, because the duty of the court is to review the actions of the legislature and if necessary declare them unconstitutional.

Knott stated that the MCN constitution does not give the National Council the authority to legislate the Judicial branch. Knott argued that even though there has been legislation enacted that dealt with the Judicial branch, that did not mean that those laws were constitutional.

Knott also addressed Wiemer's prior use of the Oklahoma Supreme Court and constitution as an example. Knott pointed out that the Chief Justice of the Oklahoma Supreme Court is given the authority to appoint special justices by the Oklahoma Constitution, not Oklahoma statute.

Knott closed by pointing out that a basic principle of constitutional law states that a party to a case cannot pick the judge who will decide their case, because that is inherently unfair. Knott posits that since the MCN Citizenship Board, which is part of the Executive branch, is a party to the freedman case, the Executive branch should not be allowed to determine the judges who will hear the case.

Haskins' rebuttal focused on James

Jennings comments concerning the freedman case. Haskins stated that the comments were taken out of context, and since they consisted of upholding the constitution and mirrored his oath of office, they were not evidence of his inability to be impartial.

Justice Lerblance asked if Haskins was implying that Jennings had stretched the truth because Jennings was running for political office. Haskins disagreed with that characterization of the remarks, and stated he believed Jennings' statements were accurate. Justice Lerblance pointed out that the oath of office would require Jennings to swear to be fair and impartial, which would be difficult considering his public statements. Justice Lerblance pointed out that people who have made similar public statements are excused from the jury in court proceedings. Haskins conceded that point, but stated that he believed that each individual judge would have to make a personal decision if he or she could be impartial. Haskins admitted that it was possible that Jennings or any other special justice might be appointed and afterwards decide that they must recuse from the case they were appointed to hear.

Chief Justice Adams pointed out that the appointment process for federal judges consists of review of the appointees prior statements, articles

and social media posts, to determine if the appointee is able to be impartial. Haskins agreed and stated that the special justices appointed to via NCA 24-077 were subject to the same type of review but recusal decisions are up to the individual justice.

Justice Supernaw asked if Haskins found it problematic that a party to the litigation is now selecting a judge that is going to have a say in the decision of the case. Haskins stated that there were two options, do nothing, or try to secure the rights of litigants so that the decision in the case would pass federal review. Judge Supernaw asked if the passing of NCA 24-077 would be grounds under federal review to reverse a decision. Haskins stated that if that were to happen, it would be addressed at that time.

Wiemer utilized his rebuttal time pointing out that the MCN SC had previously ruled that the MCN NC could legislate other branches of government, specifically the Executive branch and requirements for MCN SC justices. Wiemer referenced the Ellis decision by the court, which stated that a legislative fix was needed to fix the contradictions in the 1982 judicial code. Wiemer quoted the dissent in that case by Justice Leah Harjo-Ware that in her opinion decisions should have always been made by six justices with four justices in agreement. Wiemer asserted that

NCA 24-077 fixes this problem.

Justice Harjo-Ware confirmed that she had indeed made those statements in her dissent. Justice Harjo-Ware asked why, in light of the fact that the court has continued to operate without issue since the Ellis decision, there was the need to fix something that wasn't broken. Wiemer stated that it is because the legislature disagreed with the MCN SC decision in Ellis.

Justice Supernaw asked if Wiemer believed it was fair for a party to the litigation to be able to appoint a justice in the case. Wiemer stated that it was as fair as the process used to appoint all the currently seated justices hearing the case. Justice Supernaw pointed out that the justices were all appointed and confirmed before the litigation began. Wiemer stated that he agreed, but asserted that you can't have a recusal unless litigation is ongoing, and so you can't appoint a special justice unless litigation is ongoing.

Chief Justice Adams closed oral arguments by stating that the court will be issuing an order of notice that the decision will be taking more than ten days to be rendered. He assured the parties that the court will work expeditiously to issue its ruling.

Mvskoke Media will have ongoing coverage of this developing story.



(Photo Courtesy: Fus YvhiKV) (Photo Courtesy: Andrei)

**SOUR SOFKEE**

BY FUS YVHIKV  
COLUMNIST

**Editor's Note:** The following column is a fictionalized story written in the genre of 'Creek Dialect Writings'. The events and characters depicted are fictitious.

"Tvlse Secedes from Oklahoma" "Secession!" Fixico screams to the gathered masses. "Tvlse

should secede from Oklahoma! If states can secede from the Union, why can't a city secede from a failed state government?"

The crowd goes wild with approving applause. Shouts of "Secession Now!" can be heard throughout the motley throng.

The occasion was a rally that me, Yahola, Tarpalechee, and Fixico organized at Guthrie Green in the heart of The Magic City. Like many Oklahomans, we were quite unhappy with the ultra-conservative and big government Sooner State politics for several years.

Things have only gotten worse with the election of Kevin Stitt as Oklahoma governor. That the modern-day Indian fighter and Andy Jackson wannabe had declared jihad against the tribes was bad enough. Now the governor and the state legislature had declared war on local control by an attempted invasion of city governments. This was Big Government cancel culture at its worst.

Fixico is greatly enjoying his moment in the spotlight. His theatrics eggs on the boisterous crowd. He is equal parts showman and cheerleader. At one point he had the left side of the crowd

shout "Secession!" while the right side of the crowd responded "Now!" Fixico was orchestrating the crowd with a large Tulsa flag in much the same way that a band leader uses a baton. It wasn't quite Boomer! Sooner! But it was close. Once the shouting subsided, Fixico addresses the crowd.

"Yowzah! Yowzah! Yowzah!", Fixico says. "Oklahoma has launched an unprecedented attack on the Mvskoke, Cherokee, and Osage tribal nations. Oklahoma has also directly attacked towns and cities. Their goal is state control over tribal nations and local governments."

The crowd begins loud booing and hissing.

"The last straw," Fixico continued, "Is Senate Bill 1360 which effectively makes homelessness a crime and imposes state sanctions on cities for loving thy neighbor, being kind to the less fortunate, and sheltering the homeless."

Many in the crowd begin tearing up the Oklahoma state flag. One guy sets the state flag on fire. As he waves the burning flag on a long pole the crowd enthusiastically claps their approval.

"Accordingly, it is time for Tvlse to secede and to declare its

independence from Oklahoma. I have written a Declaration of Independence document that I would now like to read to you."

More wild and approving applause from the crowd. Fixico begins reading the Tvlse Declaration of Independence.

"Four score and several years ago...wait! Ahem! Wrong speech."

Fixico fumbles in his pockets and yanks out a crumpled piece of paper.

"Ah, here it is," Fixico says as he begins reading.

"When in the coarseness of human events, it becomes necessary for one people to dissolve the political bands that have held them in bondage to another, they should declare the causes that impale the separation.

"We hold these truths to be evidence...uh...uh, I mean self-evident. That all our citizens love the Tvlse Sound and therefore we must divorce Oklahoma."

There is a hushed silence as people scratch their heads in confusion over Fixico's baffling words. Fixico, however, soldiers on.

"The history of the present governor and the state legislature is a history of encroaching upon the powers and responsibilities of

our city government. Now with Senate Bill 1361, Oklahoma is attempting to make homelessness a crime and to punish city governments for having compassion for the unhoused."

Another round of boos! Shouts of "Bullstitt!" can be heard throughout the crowd.

"Now, therefore, let it be resolved that the City of Tvlse hereby secedes from the state of Oklahoma and shall henceforth be known as Tvlse, Indian Territory."

At that moment a huge Tulsa flag is unfurled on the stage behind Fixico. It says, "Tvlse, Indian Territory."

The crowd claps its approval.

"And as Tvlse, Indian Territory, we promise to honor our origins as the Tvlvhassee etvlwv and to always respect and uphold the sovereignty of the Mvskoke, Cherokee, and Osage tribal nations!"

His remarks are met with resounding applause and a standing ovation. As the crowd chants Fixico! Fixico! Fixico!, the Frybread Boys drop a large curtain behind the stage. There is a sign on the curtain that reads, "Fixico For Tvlse Mayor". Fixico is grinning like he just ate the last piece of frybread.



(MM File)

**NATIONAL COUNCIL OVERRIDES VETO ON NOMINATIONS BY CHIEF**

OVER \$41 MILLION APPROVED TO EXPAND INTERNET ACCESS WITHIN RESERVATION BOUNDARIES

BY FRANCES HERROD  
REPORTER

OKMULGEE, Okla. - The Muscogee (Creek) National Council held a Regular Session in the Mound Building both live and via teleconference following a Pre-Agenda on February 22, 2025. The National Council addressed the following legislation, the interpretation of which is attributed to language in the bills:

**NCA 25-018** A law of the Muscogee (Creek) Nation amending MCNCA Title 16 § 1-108, entitled "Legitimate purposes for commissions to fill vacancies" and § 1-109, entitled "Commissions no substitution for joint approval of appointments" and creating new subsection,

entitled "Nominations" in MCNCA Title 16, Chapter 1, entitled "Organization of the Executive Office of the Principal Chief".

This law will limit the amount of times a person may be nominated by the Principal Chief within a single session of the National Council, and establish penalties for failed nominees who attempt to illegally serve despite the National Council's rejection. It was returned as a Veto February 6, 2025 after passing Council on January 22. The Veto was overridden 14-1.

**NCR 25-002** A resolution of the Muscogee (Creek) Nation selecting Christopher M. Ray to the Board of Directors of the Muscogee Nation Gaming Enterprises, LLC. The resolution was sponsored by Representative

Robert Hufft of the Tulsa District and co-sponsored by Representative Randall Hicks of the Okfuskee District.

This resolution will add Christopher Ray to MNGE's Board of Directors. Adopted 15-0.

**TR 25-004** A tribal resolution of the MCN approving a revised eligibility, admissions and occupancy policy for the MCN Department of Housing. Representative Charles McHenry sponsored this legislation.

This legislation states each recipient will develop written policies for the MCN Department of Housing. Adopted 15-0.

**TR 25-005** A Tribal Resolution of the Muscogee (Creek) Nation adopting an updated procurement policy for the expenditure of Indian Housing Block Grant Funds.

The Native American Housing Assistance and Self Determination Act (NAHASDA) requires a written procurement policy. This resolution would update the procurement policy to include written procurement standards of 2 CFR 200. Postponed until next month 15-0.

**TR 25-007** A tribal resolution of the MCN adopting an updated payments and rents policy of the MCN Department of Housing. Representative Galen Cloud sponsored this legislation.

This legislation would adjust the schedule of ceiling rents and payments, based on the NAHASDA and 24 CFR Part 1000.10 for The MCN Department of Housing. Adopted 15-0.

**TR 25-010** A tribal resolution of the MCN adopting an updated Homeownership Collections Policy

of the MCN Department of Housing. Representative Mark Randolph sponsored this legislation.

This legislation would require the NAHASDA to adopt written policies contained in the legislation for certain activities that are assisted with IHBG funding. Adopted 15-0.

**TR 25-011** A tribal resolution of the MCN adopting and updated rental property collections policy of the MCN Department of Housing. Rep. Randolph sponsored this legislation.

This legislation updates the Rental Property Collections Policy that complies with HUD. These written policies will be developed for certain activities. Adopted 15-0.

**TR 25-012** A tribal resolution of the MCN adopting an updated rental property maintenance policy for MCN Department of Housing.

This legislation adopts a policy that will provide a decent, safe, and healthy environment for the MCN housing units that the residents stay in. Adopted 15-0.

**TR 25-013** A tribal resolution of the MCN adopting an updated Elderly Housing Policy of the MCN Department of Housing. Rep. Cloud sponsored this legislation.

This legislation adopts a newly updated policy for the MCN Department of Housing in the administration of the Elderly Housing Program. Adopted 15-0.

**TR 25-014** A tribal resolution of the Muscogee (Creek) Nation confirming the nomination of Erick Giles to serve on the Muscogee (Creek) Nation Public Gaming Commission. The law was sponsored by Representative Dode Barnett of the Creek Dis-

trict.

This resolution would have allowed Erick Giles to serve on the Muscogee Nation's Public Gaming Commission. Failed 6-9.

**TR 25-015** A tribal resolution of the Muscogee (Creek) Nation amending TR 19-076 (a tribal resolution of the Muscogee (Creek) Nation to suspend all special appropriations and donations) as amended by TRS 20-150, 21-080, 22-128, 22-143, 22-150, 22-155, 22-170, 23-045, 23-066, 23-096, 24-005, 24-095, 24-104 and 24-113. Representative Anna Marshall sponsored the legislation.

The amendment allows an MCN donation to Muscogee (Creek) elders to attend the 25th conference on the National Indian Council on Aging, INC. Adopted 15-0.

**NCA 25-007** A law of the MCN amending MCNCA Title 24, §2-102D entitled "Housing Division." Rep. McHenry sponsored this legislation.

The MCN Department of Housing has requested for a contract of the day-to-day operations for goods and services to be increased. These funds will be compatible with the updated Procurement Policy for IHBG funds and estimation costs. Postponed until next month 15-0.

**NCA 25-020** A law of the Muscogee (Creek) Nation authorizing the expenditure of grant funds in the amount of \$16,000 awarded from the United States Department of the Interior Bureau of Indian Affairs for

**NATIONAL COUNCIL OVERRIDES**

*Continued on Page 4*



**NATIONAL COUNCIL OVERRIDES**

*Continued from Page 3*

the benefit of the Muscogee (Creek) Nation Head Start. Marshall sponsored the legislation.

The MCN Head Start Program received an Indian Highway Safety Program Child Passenger Safety Grant. The funds will be used to purchase approximately 125 car seats, car clinic signs, traffic cones, sandwich boards, portable canopies, latch manuals, pool noodles, and brochures for training clinics. Adopted 15-0.

NCA 25-021 A law of the Muscogee (Creek) Nation authorizing the expenditure of grant funds in the amount of \$291,001 awarded from the United States Department of Agriculture for the benefit of the Muscogee (Creek) Nation Food Distribution Program. Rep. Marshall sponsored the legislation.

According to the legislation, the

grant funds will be used to purchase a Sygnal FDP system that supports multiple issuance models as an alternative system. The new software is recommended by the USDA. Adopted 15-0.

NCA 25-022 A law of the Muscogee (Creek) Nation authorizing a supplemental appropriation to the Muscogee (Creek) Nation Veterans Affairs Services Office Fiscal Year 2025 Budget, to the amount of \$20,000.00. The law was sponsored by Representative Leonard Gouge of the Tulsa District.

The MCN VASO will use the funds to purchase vests for Mvskoke Veterans the colors of which will signify Branch and color of the Branch in which they served. Adopted 15-0.

NCA 25-023 A law of the MCN amending NCA 22-083, A law of the MCN authorizing the expenditure of grant funds awarded from the U.S. Department of the Treasury for the benefit of the MCN Department of

Housing. Rep. Randolph sponsored this legislation

The MCN Department of Housing has received an award from the U.S. Department of the Treasury Homeowner Assistance Fund Plant Grant, the estimation was \$13 million. This law authorizes the expenditure for MCN DOH. Adopted 15-0. NCA 25-024 A law of the Muscogee (Creek) Nation repealing MCNCA Title 14 Chapter 1, Subchapter 1, Subsection 1-306, entitled "Search and Seizure;" and creating a new MCNCA Title 14, Chapter 1, Subchapter 1, Subsection 1-306, entitled "Search and Seizure" to conform search warrant practices to meet the requirements of the Federal Rules of Criminal Procedure. The law was sponsored by Rep. Harjo Sr.

This law will allow the Nation to obtain warrants involving telephones and warrants for the collection of evidence via device monitoring. Adopted 15-0.

NCA 25-025 A law of the Muscogee (Creek) Nation amending MCNCA Title 14, Chapter 2, Subsection 2-615, entitled "Disorderly Conduct", to add penalties for failure to confine, house, maintain, restrain, or secure an animal. The law was sponsored by Rep. Barnett.

This law will allow Muscogee Nation law enforcement to attempt to reduce the number of animals roaming freely within tribal borders. Adopted 15-0.

NCA 25-026 A law of the Muscogee (Creek) Nation authorizing the expenditure of grant funds awarded from the U.S. Department of Commerce National Telecommunications and Information Administration (NTIA) Tribal Broadband Connectivity Program Office (TBCPO), to the amount of \$41,216,619.00, for the benefit of the Muscogee (Creek) Nation Tribal Utility Authority. The resolution was sponsored by Repre-

sentative Dode Barnett of the Creek District.

This law will allow the Muscogee (Creek) Nation to deploy broadband and internet technology services within the borders of the Muscogee Nation reservation, giving better internet access to citizens. Adopted 15-0.

NCA 25-027 A law of the Muscogee (Creek) Nation authorizing a special appropriation to assist Muscogee (Creek) elders attending the National Indian Council on Aging, Inc. (NICOA) Conference, to the amount of \$18,000. The law was sponsored by Representative Anna Marshall of the Tukvptce District.

The 2025 NICOA conference will take place in Durant, Okla. from Sept 29-Oct 3. The appropriation is for lodging expenses for 60 elders in 30 rooms. Adopted 15-0.

To view the full meeting, visit: mcnn.com.



Courtesy Seminole County Sheriff's Office

**JIMCY MCGIRT CHARGED IN FEDERAL COURT**

MCGIRT CHARGED IN EASTERN DISTRICT COURT FOR VIOLATING CONDITIONS OF SUPERVISION

BY FRANCES HERROD REPORTER

**UPDATE 3/3/24:** Jimcy McGirt appeared in the Eastern District Court of Oklahoma on February, 28, 2025 where he waived a preliminary hearing and was given a copy of the Amended Petition for Revocation of Supervised Release. The court found probable cause that McGirt violated supervised release. McGirt was remanded to the custody of the U.S. Marshall and is being housed at The Okmulgee County Criminal Justice Authority pending a final revocation hearing.

Muskogee, Oklv. - Jimcy McGirt, the convicted child rapist at the center of the landmark McGirt v Oklahoma Supreme Court case, has been charged in the Eastern District Court of violating the conditions of his supervision.

An Amended Petition for Warrant or Summons for Offender Under Supervision and Non-Compliance Summary filed by US Probation Officer Christopher Villaneuva and reviewed and approved by Super-

visory U. S. Probation Officer Robert L. Gwin on September 13, 2024 showed multiple areas of non-compliance.

They include not committing another federal, state, or local crime, living at a residence approved by the probation officer, no association with a child under the age of 18 except in the presence of a responsible adult, consenting to the United States Probation Officer conducting periodic unannounced examinations on any computer equipment and installation, at the defendant's expense, any hardware or software systems to monitor the defendant's computer use, and attending and participating in a mental health program and/or sex offender treatment program as approved and directed by the Probation Officer, and abiding by program rules including polygraph testing. It recommends that McGirt's supervision be revoked.

According to the report on August 31, 2024, McGirt failed to register as a sex offender at a new residence within the boundaries of Seminole Nation and associated with children under the age of 18 without being in the presence of a responsible adult.

On two occasions McGirt's probation officer observed him with a cell phone that had internet capabilities which McGirt was using to maintain both a social media presence and email account. On August 5 and 6, respectively, McGirt failed to appear for a scheduled polygraph examination and sex offender treatment group. He again failed to appear for his sex offender treatment group on August 27.

A federal warrant executed yesterday authorized McGirt's arrest for an appearance in front of the United States Court of the Eastern District to answer charges he violated the conditions of his supervision imposed by the court. The warrant was executed by The United States Marshall's Service of Eastern Oklahoma and a check of VINE, a notification system for offenders and crimi-

nal cases in US jails and prisons, shows McGirt was transferred from the Seminole County Sheriff's Office on 2/27/2025.

The Motion for Detention cites Failure to register under 18 U.S.C. § 2250, Serious risk Defendant will flee, and the burden of establishing by clear and convincing evidence that Defendant will not flee or pose a danger to any person or to the community rests with Defendant pursuant Fed.R.Crim.P 32.1. According to the motion there are no conditions of release that will reasonably assure that McGirt will appear or ensure the safety of any other person and the community.

McGirt had been serving a 6 month sentence after pleading No Contest of violation of sex offender registration requirements in Seminole Nation.

McGirt was originally released on May 7, 2024 after taking a 30-year plea deal that gave him credit for time served. It was McGirt's conviction in Oklahoma State Court that led to the United States Supreme Court affirming the Muscogee (Creek) Nation Reservation and restoring the sovereign jurisdiction that the state had held unconstitutionally for over 100 years. The ruling has now extended to include a total of 10 Native American tribal nations in Oklahoma.

*This is a developing story.*



Cameron Lynn will now serve a life sentence in prison with an additional 10 years for assault charges. (Tulsa Police Department)

**CHOCTAW CITIZEN SENTENCED TO LIFE IN PRISON FOR FIRST DEGREE HOMICIDE**

A FEDERAL JURY FOUND CAMERON LYNN GUILTY ON ALL FOUR CRIMINAL COUNTS RELATED TO A SHOOTING IN FEBRUARY 2024 IN INDIAN COUNTRY

BY BRADEN HARPER MANAGING EDITOR

TULSA, Okla. - Choctaw Nation citizen Cameron Lynn was sentenced to life in prison with an

additional 10 years for the 2024 first degree homicide of Alcides Monroig in Indian Country. Monroig and another victim were shot by Lynn in a homeless camp near Pine and Highway 75. Lynn faced charges of First Degree Murder in Indian Country, Assault with a Deadly Weapon, Brandishing and Discharging a Firearm During a Crime of Violence, and Assault Resulting in Serious Bodily Injury in Indian Country. The indictment was filed in March 2024.

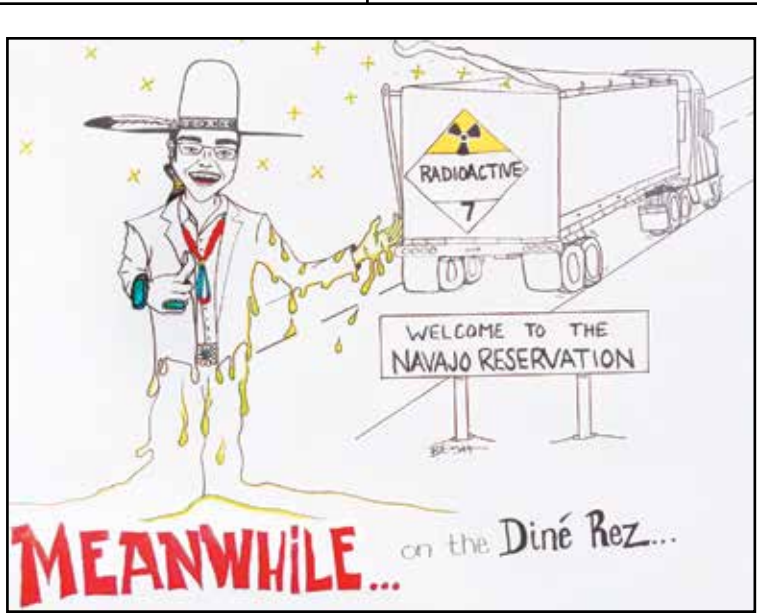
According to a release from the United States Attorney's Office of the Northern District of Oklahoma, Tulsa Police were dispatched around midnight on February 24, 2024 to a call about an individual who had been shot in a homeless camp in a heavily wooded area near railroad tracks. When first responders arrived on scene it was discovered that two victims had been shot. Medical personnel arrived on scene to render medical aid to both victims. One victim was shot in the abdomen and was transported to a local hospital. Monroig died at the scene.

The surviving victim testified that they found Lynn rifling through their belongings. Lynn was asked to leave, but refused. Lynn then shot both victims and fled the scene. Several witnesses corroborated this statement and said they heard gunshots just before seeing Lynn fleeing the scene. Lynn then altered his appearance to avoid being found by law enforcement.

Due to the fact that Lynn is a citizen of a federally-recognized tribe that committed a crime in Indian Country, the case was investigated by Tulsa Police and the FBI.

"Our community is a much safer place due to Cameron Lynn's conviction," Johnson said. "I want to thank the Tulsa Police Department and the FBI for their hard work in solving this case and working collaboratively during this investigation."

Lynn is currently awaiting transfer to the U.S. Bureau of Prisons.



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The Senate Committee on Indian Affairs held an oversight hearing on Feb 12.

# SENATE INDIAN AFFAIRS HEARING FORESHADOWS FUNDING CHAOS AND HIGHLIGHTS GROWING VOICES IN ADVOCACY

NATIVE LEADERS REMINDED COMMITTEE OF U.S. TREATY AND TRUST OBLIGATIONS DAYS BEFORE FEB. 14 LAYOFFS

BY MEREDITH JOHNSON  
REPORTER

WASHINGTON, D.C. - At the start of each new Congress, the United States Senate Committee on Indian Affairs holds a regular oversight hearing to review and examine priorities for Native Communities. The committee, headed by Senator Lisa Murkowski (R-Alaska) and Senator Brian Schatz (D-Hawaii), heard from representatives of the National Congress of American Indians, the National Indian Health Board, the Native American Financial Officers Association, National Indian Education Association, and the Council for Native Hawaiian Advancement.

With comments and testimony from Native leaders, the 2025 Oversight Hearing, held Wednesday, Feb. 12, opened with a focus on past Congressional bipartisan support in several legislative gains for Indian Country. It also opened with a firm focus on treaty rights and obligations amidst approaching funding chaos fueled by the Jan. 27 Office of Budget and Management memo freezing all federal grants and programs.

Testimony from Native leaders

addressed the needs to secure and strengthen treaty rights and Congressional responsibilities in many areas involving health, education, business development, federal treaty rights, jurisdictional issues, agriculture, criminal justice, housing and infrastructure, EPA protections, and tribal sovereignty.

In her opening statements to the Committee, Chairwoman Senator Murkowski recognized the Jan. 27 freeze and rescission, the rollback of funding for grants and programs in DEI, and the implications for treaty rights in Indian Country.

"I immediately raised your concerns to the new administration at every chance I got, including in my meetings with the president's nominees," she said. "We sent a letter to OMB urging them to acknowledge that tribes have a unique political status and to clarify across the federal government that as the administration carries out its initiatives it does so in a way that respects this unique political status and the federal government's responsibility to native people."

Murkowski further acknowledged the Jan. 30 Order from the Secretary of the Interior, SO 3416, which outlined the department's

intent to cease all equity related programs and activities. The order states that the cessation would not affect legally required activities with "statutory authorities, treaty, and/or trust obligations of the Department and its Bureaus/Offices to Tribal nations and the Native Hawaiian Community."

### Funding freeze, federal firing chaos, treaties and trust reminders

The priorities presented in testimony touched on the broad span of federal American Indian policy. Additionally, much of the testimonies made the case for necessary improvements and attention to existing programs and the legislation needed to fully serve Indian Country. Yet, a top priority for all groups at the hearing was the confusion between and the distinction of federal treaty obligations in light of the current cuts to Diversity, Equity, and Inclusion (DEI) programs and funding.

A common thread throughout the testimony hinged on the unique foundational relationship between the federal government and Tribal Nations.

Mark Marcarro (Pechanga Band of Indians), President of the National Congress of American Indians, began his testimony outlining this relationship.

"The promises made by the U.S. Government in treaties and agreements with Tribal Nations are today known as part of a trust responsibility that your forbears assumed," Marcarro said. "It is a sacred responsibility to ensure that these promises are kept."

"Last month, the U.S. Government threatened to stop payment on its promises, forgetting this responsibility and forgetting that millions of dollars are administered in Indian Country by Indian Country, because Tribal Nations are parties to self-governance compacts and contracts.

"We ask you not to take lightly actions that break your sacred trust, and to deliver on the promises of protections that have been guaranteed to us in these very halls," Marcarro said.

Acknowledging the confusion left by the Jan. 27 OMB Memo, William Smith (Valdez Native Tribe), Alaska area representative and Chairman of the National Indian Health Board, said that the memo put a strain on critical resources within the Indian Health Service. He noted that the strain caused a delay in services immediately for patients and impacted staff.

"Our workforce is also being compromised by the Executive Order instituting a federal hiring freeze for civilian employee positions and instructing the creation of the plan to reduce the size of the federal workforce," Smith said. "This has been accompanied by a deferred resignation solicitation which went out to federal employees in Tribal programs and the IHS."

"Currently, IHS has a workforce gap of 30% and a 36% vacancy rate for physicians, which hinders our ability to provide timely care to American Indian and Alaska Native (AI/AN) beneficiaries."

Smith then reminded the committee of the treaty and trust responsibilities held by Congress. He stated, "Congress has full constitutional authority to legislate with regard to Indian health care, and should continue to promote Tribal sovereignty and uphold the government-to-government relationship between the United States and Tribes in fulfillment of its trust and legal responsibilities in any health care reform proposal it considers."

### Facing workforce reductions and threats Indian Country grows advocacy

These concerns would play out two days later on Feb. 14 with thousands of layoffs across the federal workforce. The government wide reductions are part of a 10% decrease in the federal workforce mandated in President Trump's Feb. 11 Executive Order "Implementing the President's 'Department of Government Efficiency' Workforce Optimization Initiative."

The reductions targeted probationary employees with reports of firings in the Education Depart-

ment, the Consumer Protection Financial Bureau, the Department of Veterans Affairs, the National Park Services and many others. They also revealed, contrary to the urgings of the Senate Committee on Indian Affairs, that Indian Country will not be immune to the federal government downsizing plans. The layoffs included employees in the Indian Health Service, the Bureau of Indian Affairs, and the Bureau of Indian Education.

Reports of nearly 1,000 employees were let go within the IHS. The two BIE run colleges lost staff in nearly every department. Haskell Indian Nations University announced one third of its staff had been fired and Southwestern Indian Polytechnic Institute lost 20 employees out of a staff of 100.

Senator Ben Lujan, a member of the Senate Committee on Indian Affairs, and eight other colleagues released a letter to the President on Feb. 14 after early reports of the IHS layoffs, urging him to halt the forced reductions in the IHS.

"The federal government is already failing to meet its trust and treaty obligations to Tribal Nations, and further reductions in IHS workforce will severely impact the health and wellbeing of Tribal communities across the country," Lujan wrote. "Therefore, we strongly urge you to stop these firings and retain IHS probationary staff."

Newly confirmed Health and Human Services Director Robert F. Kennedy, Jr. rescinded the IHS layoffs that evening and in a statement said, "The Indian Health Service has always been treated as the red-headed stepchild at HHS. My father often complained that IHS was chronically understaffed and underfunded."

The statement went on to say, "President Trump wants me to rectify this sad history. Indians suffer the highest level of chronic disease of any demographic. IHS will be a priority over the next four years. Pres-

**SENATE INDIAN AFFAIRS**  
*Continued on Page 6*



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**SENATE INDIAN AFFAIRS**

*Continued from Page 5*

ident Trump wants me to end the chronic disease epidemic beginning in Indian country.”

In reaction to the BIE reductions, a number of organizations have advocated for Tribal exemptions. The American Indian Higher Education Consortium and the National Indian Education Associations released a joint statement calling for an exemption to the layoffs at Haskell and Southwestern Polytechnic. The statement reads in part, “AIHEC and NIEA affirm that those employed at the two colleges and throughout the BIE K-12 system are fulfilling the federal government’s trust and treaty obligations to Tribal

Nations and should be exempt from this broad directive.”

This letter echoes the earlier advocacy in a Feb. 2 letter from The Coalition Group, a collective of 18 Tribal Organizations, to federal leadership, including President Trump, House Speaker Mike Johnson, Senate Minority Leader Chuck Shumer, and Secretary of the Interior Doug Burgam. The coalition includes the Native American Rights Fund, the Indian Gaming Association, Native Forward, and the National Council on Urban Indian Health. It reminded federal leadership that Tribal Nations are political entities and are exempt from the DEI policy changed in the President’s Executive Orders.

They wrote, “All the Tribal orga-

nizations represented here are also resolute on a touchstone: Indian Country is a vital non-discretionary part of the federal government budget. So, we urge this Administration to work towards historic achievements by fully embracing the sovereign status of Tribal Nations to drive unprecedented economic development and prosperity across Indian Country.”

The group would later release a slew of letters in response to the Feb. 14 layoffs to a number of agencies including the EPA, DOI, HHS, Department of Education, OMB, and OPM. The statements reminded the recipients of federal trust and treaty obligations and the status of Tribal sovereignty. While the IHS retracted the Feb. 14 layoffs, as of

press time it is still unclear if other agencies retracted or rescinded the firings of Tribal positions.

Currently, no funding to the Muscogee (Creek) Nation has been affected by the federal funding orders. According to Muscogee Nation Press Secretary Jason Salsman, the MCN isn’t currently having issues drawing down funds and is not considering layoffs at this time.

“To this point, no funding to MCN has been affected by any of the Executive Orders. The MCN currently has no issues drawing funds, aside from the initial freeze that only lasted a day or two,” Salsman said in his email response to Mvskoke Media. “We are hopeful that the work has been done to

convey the importance of trust and treaty responsibilities being protected and separate from any other classification of funding.”

Salsman said, “The MCN has offered support to various national organizations and our own Oklahoma Congressional delegation in letters to the Office of Management & Budget to convey that funding or programs that provide for tribal nations are not “preference” or “race-based” but rather deliver certain obligations to tribal communities and that the federal government has a legally binding trust responsibility to tribal nations.” As of press time, those letters were unavailable.

Mvskoke Media will continue to monitor the situation and provide updates.

**IN MEMORIAM**



**ISAAC SCHOOLEY**

Isaac Okie Hunter Schooley, resident of Wichita, Kansas, passed away on Thursday, December 26, 2024 at the age of 23. He was born on Wednesday, September 5, 2001 in Claremore, Oklahoma.

Isaac grew up in the heartland of America, where he developed a deep appreciation for family and friends. He pursued a career in

maintenance, where he was known for his hard work and commitment to getting the job done right.

Though Isaac’s time with us was brief, his legacy of love, friendship and kindness will forever be remembered and cherished by those who were fortunate enough to know him.

He leaves behind his living legacy, his daughter, his diamond angel, Diamante Angeles Reyes-Mares. He is also survived by his mother and stepfather, Sarah Schooley and David Lindeblad; biological father, Robert Miller; half-brother, Jeremy Miller; half-sister, Emily Miller; niece, Tyleigh Edwards; nephew, Jericho Miller; grandmother, Hulda Schooley. His passing is a profound loss to his family and community. He will be dearly missed.

The family extends their heartfelt thanks to family and friends for their compassionate support.



**RUSTY POWELL**

Russell Keith “Rusty” Powell, a cherished resident of Okmulgee, Oklahoma, passed away on Thursday, February 27, 2025, in Tulsa at the age of 77. Born on September 25, 1947, in Okmulgee, he was the son of David Logan Powell and Vena Mae (Sampson) Randall.

Rusty was a dedicated member of the Gravcreek Indian Baptist Church in Hitchita, where he served in vari-

ous capacities, including deacon, chair, exhorter, and singer. His unwavering faith and commitment to his church community were evident in his active participation and leadership roles.

Beyond his spiritual commitments, Rusty was renowned for his playful nature and sense of humor. He had a knack for lightening the mood with a well-timed joke, bringing smiles to those around him. His infectious laughter and jovial spirit made him a beloved figure among family and friends.

Rusty was an avid supporter of OU football.

Rusty was preceded in death by his grandmother, Mabel Hill, who raised him; his parents; his wife, Rose Phillips; his sister, Anita Sue Powell; and his brothers, Richard Lynn Powell and Billy Jones.

He is survived by his daughter, Annette Powell-Taylor, and her husband, Chance Taylor, of Checotah; grandchildren Rowdey Osceola, Leah Ann Hill, and Lila Mae Hill, all of Big

Cypress, Florida; sisters Sharon Whitecloud of Okmulgee, Pamela Palmer of Okmulgee, and Peggy Powell of Durant; brothers, Butch Powell of Tulsa, David Powell Jr. of Okmulgee, and Mitchell Powell of Oklahoma City; as well as a host of other relatives and friends.

A viewing will be held from 1:00 to 3:30 PM on Monday, March 3, 2025, at Integrity Funeral Service. Wake services are scheduled for 7:00 PM on the same day at Gravcreek Indian Baptist Church in Hitchita.

Funeral services were held March 4, 2025, at the church, with Rev. Norman Daniel officiating and Rev. Wallace Gambler assisting. Interment followed at Gravcreek Cemetery (407337 East 1030 Road) in Hitchita.

Pallbearers included Chance Taylor, Jerry Sumka, Sherman Hill, James Whitecloud, Jed Kitchkommie, Steven Powell, and Logan Powell. Honorary pallbearers are Eddie Lowe, Kevin Tiger, Herman Harjo, Curtis Scott, Charles West, and Paul Tecumseh.



**JOYCE ANN WASHINGTON**

Joyce Ann Washington, born on July 7, 1957 in Phoenix, Arizona, was a beloved daughter of

the late George Washington Jr. and Charlesetta Washington. Known closely by her family as Ann, she received her early education in the Phoenix Roosevelt District and graduated from South Mountain High School. She was an enrolled citizen of the Muscogee (Creek) Nation.

Throughout her life, Joyce held various jobs, including lifeguard at Hermosa Park, City of Phoenix Court Reporter, and even a brief stint as a maid. However, her true calling was in caregiving. Joyce became a certified nursing assistant, a role in which she found great fulfillment, dedicating herself to helping those in need and touching the

lives of many throughout her career.

Joyce’s spiritual journey began at a young age when she was baptized and nurtured her relationship with God at Saint Paul Missionary Baptist Church in Phoenix. Her faith was an essential part of her life.

Joyce had a variety of passions that brought her joy. She had a fondness for Mexican food, enjoyed listening to oldies music, and loved to entertain her nieces and nephews by taking them to the mall and the movies. Her greatest achievement was her three children. They meant more to her than anything in this world. Her greatest passion however, was her love for animals, particularly cats and dogs. Throughout

her life, she always had a Chihuahua by her side, often taking in stray pets and providing them with the love and care they deserved. One special Chihuahua named Northern was rescued from a busy street on Northern Avenue. Joyce cherished her deeply. Her last dog was named Dog, who will miss her greatly.

Preceding her in death is one sister, Audrey Teresa Washington, and her son, Isiah Patterson.

Joyce Ann Washington leaves behind her beautiful and precious daughters Shawnine Huff and Laki-sha Washington, as well as her long-life companion Maurice Patterson. Her siblings, Bella Blakely Ham-

ilton, George W. Washington III, Cassandra Ali, Linda Wilson, and Constance Washington. She also leaves behind 11 grandchildren, Keira, Xavier, Kamara, Malaysia, Dream, Kal-El, Nova, Shawnine Jr., Xandria, Xavion, and Malakai. Two Great grandchildren, Jaiden and Kyomi.

One Aunt, Sylvia Pitre-Hudson, many nieces and nephews, and other extended family members and friends. Together, they will cherish her memory and honor the love and compassion she brought into their lives. Joyce’s legacy lives on through her family, who will remember her kindness, strength, and unwavering spirit.

**COMMUNITY CALENDAR**

**Mvskoke Hoktvyke Suletaww Honor Flight**

Veterans Affairs Services Office Honor Flight to Washington D.C. will be for Muscogee Women Veterans. Trip will take place June 2-6 Registration deadline is March 28 For questions, contact 918-732-7739

**Elder’s Meeting**

Okmulgee Elder Nutrition Center 2900 N. Osage Pl. | Okmulgee, OK. April 2 at 9:30 a.m.

**Mvskoke Art Market**

River Spirit Casino Resort April 26-27 | 10 a.m. - 5 p.m. 8330 Riverside Parkway, Tulsa, OK

**Coffee and Donuts**

Veterans Affairs Services Office April 10 at 8 a.m. - 12 p.m. 1006 Bear Ln., Okmulgee, OK For questions, contact 918-732-7739

**Muscogee Nation Festival**

Muscogee Nation Omniplex June 26-29 2950 Warrior Rd., Okmulgee, OK

**Health Shelf Donation Drive**

College of Muscogee Nation Health & Wellness is seeking hygiene products, laundry detergent, and gently used blankets- and pillows for students in need. Every five items donated will enter donors into a drawing. Donations can be dropped off at 2170 Raven Circle, Okmulgee, OK. For more information, contact, 918-549-2800



(Courtesy: Chris Azbell)

**CHEWIN' THE CUD**

BY CHRIS AZBELL  
CMN EXTENSION OFFICE

Hesci readers... welcome back to another edition of Chewing the Cud with CMN Extension. On this blustery March afternoon, I have been quite fixated on the idea of traditional ecological knowledge and how it can be shared to the masses in a self-perpetuating manner. How can we teach a topic that will in turn be shared and perpetuated without governmental intervention? The answer is culture. When everyone does a particular thing or engages in a particular practice that is the essence of culture and cultural identity. For CMN Extension, we are hyper focused on reconnecting people to the land to engage in traditional agricultural practices and bring about a Mvskoke food economy that lends itself to food sovereignty.

Right now CMN Extension utilizes various avenues of education,

including a fully functional website (extension.cmn.edu), a monthly newspaper article via Mvskoke Media (Chewing the Cud), the Mvskoke Gardener Series (YouTube Series via Mvskoke Media with a second season to begin in Spring), and the first ever Mvskoke Gardener Program (MGP) which is taking place right now at the College of the Muscogee Nation. CMN Extension is simply meeting the demand for agricultural education. The interest in sustainable agriculture and food sovereignty is growing exponentially and I believe the next step in this media conglomeration is to have a radio program and podcast. I am proposing to have a weekly radio program on Friday afternoon at KOKL 1240 The Brew that will feature various players in the Native American agriculture community who can provide some guidance to our interested citizens. Please stay tuned for our official launch date.

The conversational format of the show will be similar to “The Joe Rogan Experience” with open-ended questions and ability to delve deeper into important issues of the day. Listeners will be able to call in with specific questions for guests to ensure citizens are being engaged in a meaningful and impactful manner. Topics may include food and agricultural policy for the Nation, food sovereignty, horticulture, greenhouse management, climate change, global warming, seed saving/storing, food preservation, GMOs, and a

**CHEWIN' THE CUD**

*Continues on Page 7*



Wild onions will soon be prepared at many churches and communities across the state of Oklahoma. (Shutterstock)

**ARE THOSE WILD ONIONS I SMELL?**

ONE MVSKOKE CITIZEN HAS OPTIMIZED HER WILD ONION DINNER SCHEDULE TO ATTEND AS MANY AS POSSIBLE IN A SHAREABLE SCHEDULE SPREADSHEET.

BY BRADEN HARPER  
MANAGING EDITOR

MVSKOKE RESERVATION - Spring marks the season of growth and renewal. For the Mvskokvlke, spring blooms wild onions found in meadows, woodlands and riversides that will be picked, cleaned and prepared for the hallowed tradition of wild onion dinners. Within the past three years Mvskoke citizen Shonday Randall has taken on the role of charting wild onion dinners on the Mvskoke reservation, as well as outside communities within the state.

Randall has been tracking wild onion dinners throughout Oklahoma for the past three years. After temporarily moving out of state for

a couple years, she returned home to the reservation in 2022. Returning home allowed her to plug in with the community again, a factor that was missing abroad.

“The thing I missed the most while I was gone was my Indigenous people, my family and it was spring-time so I was really missing those wild onion dinners.” Randall said.

Keeping an ear out for wild onion dinners to attend, Randall noticed there were many community fliers advertising wild onion dinners on Facebook. She did not want to miss a single one. Randall has experience as a higher educa-

**WILD ONIONS**

*Continues on Page 7*





The 2025 American Indian Higher Education Consortium (AIHEC) logo.

## CMN TO HOST THE 2025 AIHEC BASKETBALL TOURNAMENT

THIS YEAR'S CMN AIHEC BASKETBALL TEAM WILL BE COMPETING TO WIN THE CHAMPIONSHIP HERE ON THE OKMULGEE RESERVATION

BY SHAYLN PROCTOR  
REPORTER

OKMULGEE, Okla.- The College of the Muscogee Nation (CMN) will be hosting the 2025 American Indian Higher Education Consortium (AIHEC) basketball tournament in Okmulgee. The tournament will feature different tribal college teams throughout the United States. It will be a three day tournament running March 24-26. Admission fee of \$5 per day will cover all three gym locations and the children age three and under will be free.

CMN's Marketing Coordinator Marissa Lewis (Mvskoke) and CMN's women's coach/Criminal Justice Instructor Cheryl Najera (Mvskoke) spoke about the tournament preparation.

There will be a welcoming banquet on March 23rd for the tribal college teams and registration at Tulsa's River Spirit Casino. They will be served food, listen to stomp dancers from a ceremonial ground, and entertainment from Actor/Speaker Chance Rush.

Coach Najera commented on the inclusion of cultural experiences.

"I'm excited to show other tribes' athletes some of our traditional Creek ways and how we

operate here on the reservation, so that's what I'm excited for," Najera said. "We want them to know how excited we are to welcome them to our Muscogee Nation."

This year AIHEC has 17 male and 12 female teams that will be playing in this tournament.

"When we go out to the tournaments held elsewhere we're talking to people from other tribes

that we haven't met before and learning things about their culture so I think having all the tribal communities from here and then with our high Indigenous population here in Oklahoma I think it's just going to be a great experience, it's something I'm happy to be a part of," Lewis said.

Games will be divided into three gyms, they will start at 8:00 a.m each day of play. Games will be held at the Brock Gym (Okmulgee High School), Dunbar Gym (Elementary School) and Mvskoke Dome. On March 24 pool play begins. On the 25th the tournament play begins and on the 26th the Championship game will take place at the Mvskoke Dome.

Najera has been preparing CMN's women's team for this tournament and she is excited to be playing in front of their home crowd. She hopes to have a good fan turnout.

According to Najera, CMN has good athletes this year and they are excited to play.

According to Lewis and Najera, CMN hosting the tournament has been in discussion since 2024. She said CMN's goal is to host the

2028 AIHEC student and basketball conference. This is the first time the AIHEC National Basketball Tournament will be held in Oklahoma.

Preparation for the event included budgeting, finding partnerships for gym use, and finding lodgings. CMN was happy to have the Okmulgee Public School, Dunbar and Mvskoke Dome help for gym locations.

CMN's President Dr. Randall spoke with Nike N7 founder and former general manager Sam McCracken in a meeting to sponsor the tournament. McCracken agreed to do so for this year's AIHEC basketball tournament. This year each team player will receive a Nike N7 backpack and N7 souvenir shirt.

CMN also has four different sponsorship levels, platinum, gold, silver and bronze. They are happy overall to get the sponsorship on the National level and they feel like a lot of sponsors want to be part of this.

"This is the first time that we're hosting a National basketball tournament so it's been a learning experience for all of us but I think we're doing a good job and we're really excited to make all of these connections with the community with our sponsorships," Lewis said.

"We are showing people outside of the reservation that we are here, and that we have a lot to offer," Najera said.

"We're just ready to welcome people and let them know, non-native and native that we're doing big things and we love our students."

For any questions about the time, locations and anything within the AIHEC basketball tournament you can contact CMN's Project Manager/CMN's AIHEC Tournament Director Mykalia Frank at 918-549-2865 and her email is mfrank@cmn.edu

Schedules of the basketball tournament will also be on the CMN's website, just click on the AIHEC logo.



The 2025 CMN's women's basketball photo. (Photo Courtesy: CMN)



The 2025 CMN's men's basketball photo. (Photo Courtesy: CMN)

## VETERANS SPOTLIGHT



### BOURBAN N. LASARGE JR.

The Muscogee Nation Veterans Services Office is proud to honor tribal veteran Burban N. LaSarge Jr. for his dedicated service to the U.S. Marine Corps, the United States and the Muscogee (Creek) Nation. Burban honorably served for three years from 1966 to 1969 and is a recipient of the Purple Heart Medal. Mvto Mr. LaSarge for your selfless service to your country and your community.

## CHEWIN' THE CUD

Continued from Page 6

host of other topics that are becoming increasingly important to Native producers. Listeners will drive the guest lineup.

If you haven't noticed, the world is changing. Artificial Intelligence, drone delivery service, self-driving cars, internet/phone connectivity via star link, and the potential colonization of Mars are all real-life happenings. Agriculture allows us to connect to practices that are locked in time. You have to put a seed in soil to make it grow and that is one thing that I will always cherish as real. Let's develop and drive our food system forward as a cultural movement rather than another top-down governmental initiative.

## WILD ONIONS

Continued from Page 6

tion administrator, which equipped her with research skills, as well as providing resources with condensed information for others. In order to keep track of every dinner happening on the reservation, Randall organized dates, times, locations and prices on an Excel spreadsheet. What started as a way to stay on top of dinners, turned into providing a sturdy resource for community members seeking fellowship over wild onions.

"Rather than having to click on several different posts, or personal pages just to find that one dinner, I created a spreadsheet with all of the events that I can find and that way if I put them in chronological order maybe I can maximize the number of events we might be able to attend." Randall said.

According to Randall the feedback was amazing. Not only did fellow Mvskoke citizens respond to the spreadsheet, many community members from other tribes around the state reached out too, contributing their own community dinner dates and times.

### A Stroll down Wild Onion Memory Lane

Growing up in the northwest corner of the reservation, Randall's family attended Broken Arrow Indian United Methodist Church. She is a descendant of the Childers

and McIntosh families. As an adult Randall's family attended Haikey Chapel United Methodist and helped out with their community wild onion dinners. Although community members may make event planning look easy, it takes a team to tackle the demands of an annual wild onion dinner.

"You learn about everything it takes to host one of these large dinners," Randall said. "It takes all ages and all hands on deck. Everything from food prep in the days leading up to the event, setting up your outdoor cook site, the dining area, learning from the elders and all the men and women cooking these traditional dishes out on the open fires."

Additionally, volunteers learn customer service skills including taking down orders, preparing to-go orders and busing tables. Oftentimes these dinners can see long lines of people eager to eat.

When asked about good spots to pick wild onions, Randall had a few in mind. However they were not locations she was willing to disclose. According to Randall, preparing wild onions is a laborious task. It involves pulling, cleaning and chopping to turn into the final product.

Unfortunately, wild onion dinners have not been immune to rapidly rising inflation over the past five years. According to the United States Department of Agriculture, the all items consumer price index shows food prices increased 2.5 percent

from January of 2024 to January of 2025. Grocery store and restaurant prices are only projected to increase this year. Eggs, a common ingredient used to prepare wild onions, are currently seeing a shortage in the United States due to the current H5N1 avian flu outbreak. The shortage has increased egg prices 13.8 percent in January, after an 8.4 price increase in December 2024. Based on community flyers published on social media this season, wild onion dinner plates will range from \$12-\$30.

"We are seeing a little bit of a price increase on some of the adult and child dinners," Randall said. "I have heard from three or four churches that are not going to be able to hold their event this year because of that reason."

In spite of increasing prices, Randall still plans to attend a dinner this season. She remarked that the food she looks forward to most is a sweet and salty combination: salt meat and grape dumplings. Randall said that most churches would be open to accepting volunteers for anyone who would like to assist them and learn more about what it takes to host a wild onion dinner. A list of nearby wild onion dinners can be found below.

### List of Wild Onions Dinners:

**Mary Lee Clark UMC**  
Wild Onion Dinner  
Saturday, March 15  
11 a.m. - 3 p.m.

\$15/plate  
1100 Howard Dr., Del City, OK  
**Thlophlocco UMC**  
Wild Onion Dinner  
Saturday, March 15  
11 a.m. - 3 p.m.

Adults \$12, Children 3-12 \$6,  
Veterans \$10 (with ID)  
377187 E. 1170 Rd.,  
Okemah, OK

**Big Cussetah Methodist Church**  
Annual Wild Onion Dinner  
Saturday, March 15  
11 a.m. - 2 p.m.

Adults \$15, Children under 10 \$8  
20566 Prairie Bell Road, Morris, OK  
**Hominy Friends Meetinghouse**  
Annual Wild Onion Dinner  
Saturday, March 15  
4 p.m.

510 Friends Road,  
Hominy, OK

**Tulsa Indian UMC**  
Wild Onion Dinner  
Saturday, March 15  
11 a.m. - 3 p.m.

\$15/plate  
1901 N. College Ave., Tulsa, OK  
**Indian Women's Pochontas Club**  
Wild Onion Dinner  
Saturday, March 15  
11:30 a.m. - 2 p.m.

Adults \$30  
1615 N. Highway 88  
**American Indian Resource Center**  
11:30 a.m. - 1:30 p.m.

Thursday, March 20  
\$10/Plate  
908 S. College Ave.,

Tablequah, OK  
**Grace Indian Baptist Church**  
Wild Onion Dinner Fundraiser  
Saturday, March 22  
11 a.m. - 3 p.m.  
\$13/Plate

3650 Enterprise Blvd.,  
Durant, OK  
**Dallas Indian Mission UMC**  
Wild Onion Dinner  
11 a.m.  
\$15/Plate

1203 Hollywood at  
Emmett, Dallas, TX  
**New Hope Indian UMC**  
Onion Dinner  
Saturday, March 29  
11 a.m. - 6 p.m.

910 W. 9th, Dewey, OK  
**Broken Arrow Indian UMC**  
Saturday, March 29  
11 a.m. - 2 p.m.  
\$15/Plate

20854 E. 141st St. S.  
Broken Arrow, OK  
**Springfield UMC**  
Wild Onion Dinner  
Saturday, April 5  
N 3810 Rd. Okemah, OK

**Achena Presbyterian Church**  
Old Fashion Wild Onion Dinner  
Saturday, April 5  
11 a.m. - 3 p.m.  
35188 E W 131, Maud, OK

*Mvskoke Media will continue to update the list. To share your event with us contact Braden Harper at bharper@mvsokemedia.com or call 918-732-7636.*



(MM File)

## HOUSER PLEADS GUILTY TO THEFT AND TAX FRAUD

BY JERRAD MOORE  
ASSIGNMENT EDITOR

OKMULGEE, Okla. - Micheal Anthony Houser pleaded guilty to theft concerning programs receiving federal funds and tax fraud Feb. 20. As previously reported, former Muscogee (Creek) Nation employee Michael Anthony Houser was charged on Feb. 3 with two federal counts, one for embezzling federal funds and one for tax fraud.

According to Houser's plea, "Beginning prior to 2016 and continuing until in and around March 2024, the defendant served as agent

of the Muskogee (Creek) Nation."

Specifically, the defendant served as an Accounts Payable Manager for the Muscogee (Creek) Nation Gaming Operations Authority Board from on or about January 14, 2014, until in and around December 2021.

The defendant then served an Accounts Payable Manager for the Muscogee Nation Gaming Enterprises, LLC from in and around December 2021, until February 3, 2023, and later as a Purchasing Manager from on or about February 3, 2023, until in and around March 2024.

During a time period ending prior to 2016, the Muscogee (Creek) Nation Gaming Operations Authority Board employed a contractor, identified as Vendor-A, to perform services for the MCN's casinos and entertainment venues.

As a result, the accounting systems for the MCN casinos had saved information related to Vendor-A, including bank account information that allowed the MCN Gaming Operations Authority Board to make direct payments to Vendor A's account.

In and around July 2016, the defendant caused the bank account

information for Vendor-A to be changed to list a new bank account. The new bank account listed was an account created by the defendant, held in the defendant's name, and controlled solely by the defendant.

Beginning in and around July 2016, the defendant used his position as an agent of the MCN to submit and approve requests for payments to Vendor-A. At times, the defendant created paper invoices, purporting to be from Vendor-A,

## HOUSER PLEADS GUILTY

Continues on Page 8



**HOUSER PLEADS GUILTY**

*Continued from Page 7*

to support the requests for payment. At times, the defendant cut and copied signatures of the defendant's supervisors onto the fraudulent invoices to make it appear that the invoices had been approved by individuals other than himself. After each invoice was approved in the accounting system, the accounting system initiated a payment to the account listed in the system for Vendor-A - which was a bank account held by the defendant.

Between in and around July 2016, and continuing until in and around February 2024, through the use of false invoices and his ability to submit and approve invoices, the defendant embezzled and obtained by fraud monies totaling \$24,905,436.07, which were owned by and under the care, custody, and control of the MCN and its agencies.

On or about October 16, 2023, in the Eastern District of Oklahoma the defendant willfully made and subscribed to a false 2022 Form 1040, U.S. Individual Tax Return, that the defendant knowingly reported an Adjusted Gross Income of \$471,237.00, and knew was false and that the Adjusted Gross Income failed to report \$7,851,027.28 of income.

The defendant's 2022 Form 1040, U.S. Individual Tax Return was prepared, in part, in the Eastern District of Oklahoma and was filed with the Internal Revenue Service.

When this 2022 Form 1040, U.S. Individual Tax Return was made, the defendant was a resident of Broken Arrow, Wagoner County, Oklahoma, which is in the Eastern District of Oklahoma. The defendant also similarly prepared, made, or signed false Form 1040s, U.S. Individual Tax Returns in 2016, 2017, 2018, 2019, 2020, and 2021."

Houser has been released on his own recognizance. A sentencing hearing has not yet been scheduled.

Mvskoke Media will continue to update this story as it develops.

**MCN SUES TULSA COUNTY DISTRICT ATTORNEY AND SHERIFF**

THE NATION'S LAWSUIT SEEKS TO END PROSECUTIONS BY TULSA COUNTY OF NATIVE AMERICANS ON THE RESERVATION.

**BY JERRAD MOORE**  
ASSIGNMENT EDITOR

TULSA, Okla. - The Muscogee Creek Nation's lawsuit against the city of Tulsa currently has a stay in effect until March 18, so that both parties can engage in settlement discussions. Since the stay was issued, newly elected Tulsa Mayor Monroe Nichols has instructed Tulsa City attorneys to send traffic citations involving tribal citizens to tribal courts for review. Mayor Nichols ran a successful campaign that included working with tribal governments on the jurisdictional issue as a key part of his platform.

According to media reports, Tulsa County District Attorney Stephen Kunzweiler has stated publicly that the Tulsa Police Department has not been forwarding cases to his office when they involve citizens of tribal nations. Kunzweiler sent a letter to Mayor Nichols asking that he "facilitate the delivery of criminal case referrals to the Tulsa County District Attorney's Office for review and potential prosecution by the State of Oklahoma."

Kunzweiler's justification for the ongoing prosecution of non-Mvskoke tribal citizens on the Mvskoke Reservation is the recent O'Brian decision from the Oklahoma Court of Criminal Appeals. This decision held that the City of Tulsa had jurisdiction over Native Americans that have committed crimes in Tulsa County, as long as they are not Mvskoke citizens.

In response to Kunzweiler's continued attempts to prosecute tribal citizens, the MCN filed another lawsuit, this time against Tulsa County, Kunzweiler and Tulsa County Sheriff Vic Regolato. The suit seeks a declaratory judgement that the county lacks crimi-



(MM File)

nal jurisdiction over tribal citizens and continued assertion of that jurisdiction violates federal law. The suit also seeks an injunction barring the DA from exercising criminal jurisdiction over tribal citizens.



Criminal case exposes fragile relationship between Muscogee (Creek) Nation and the Muskogee County District Attorney's Office after a three-day delay in charging Kaytlin Fultz in the tribal jurisdiction she resides on

**NATIVE AMERICAN FOSTER MOM CHARGED WITH MISDEMEANOR IN MCN TRIBAL COURT**

CRIMINAL CASE EXPOSES FRAGILE RELATIONSHIP BETWEEN MUSCOGEE (CREEK) NATION AND THE MUSKOGEE COUNTY DISTRICT ATTORNEY'S OFFICE AFTER A THREE-DAY DELAY IN CHARGING KAYTLIN FULTZ IN THE TRIBAL JURISDICTION SHE RESIDES ON

**BY JERRAD MOORE**  
ASSIGNMENT EDITOR

HASKELL, Okla. - Kaytlin Fultz is now out of jail after posting a \$7,500 bail bond for a misdemeanor child neglect charge in Muskogee (Creek) Nation District Court on Feb. 27. Fultz is a citizen of Cherokee Nation who lives within the Muskogee (Creek) Nation jurisdictional boundaries. The alleged child neglect took place at Fultz's residence when a foster child was left outside in freezing cold temperatures. Fultz's husband, Andrew Fultz, who is not a citizen of a federally-recognized tribe, was charged with a felony child neglect charge in Muskogee County. He was released after posting a \$50,000 bail bond.

The Fultzs are foster parents who have been accused of abuse by other parents and neighbors.

The couple came under investigation when an online video went viral of a girl standing outside in freezing cold temperatures on Feb. 19. The girl appears to be wearing nothing but pajamas and no shoes. She can be seen hiking her legs up, trying to keep her bare feet off the freezing ground. She can also be heard begging to be let back inside. This was allegedly a form of punishment.

According to Kaytlin Fultz's attorney, the foster child was removed from Fultz's foster home on Feb. 22. The Fultzs surrendered themselves to Muskogee County authorities on Feb. 25. A motion to dismiss Kaytlin Fultz's charges due to lack of jurisdiction was filed on the same day. The charges were thrown out of court on Feb. 26.

When the video went viral, the Muskogee Nation Lighthorse Child Crimes Investigation unit contacted the Haskell Police Department to inform them that they were available to take over the case if one of the perpetrators or the victim was a Native American citizen. The City of Haskell has a cross deputization agreement with the Nation.

According to Press Secretary Jason Salsman, Haskell Chief of Police Zachery Stephens was initially cooperative with Lighthorse officers, but that changed when Muskogee County District Attorney Larry Edwards got involved.

Edwards claimed he notified the Nation once it was discovered that Kaytlin Fultz was a Cherokee citizen. The Nation says Edwards did not immediately notify them when Kaytlin Fultz was arrested.

"We have some diversion here, we didn't get the case right away, but at the top of the affidavit for probable cause she (Kaytlin Fultz) was listed as American Indian. So they new right away that she was a Native" Salsman said.

A medical examiner's report listed the foster child was unharmed. A Department of Human Services check listed the foster house was found in high compliance and that there was no immediate danger to the other foster children living in the home.

According to Salsman, the reason why Kaytlin's charge was only a misdemeanor was because the Nation does not have felony child neglect charges within the tribal court system. Regardless, the Nation is intent on bringing Kaytlin Fultz to justice.

Salsman shared the Nation's frustration with how this case was handled by outside law enforcement agencies, he believes the situation could have been handled with more transparency.

"The Nation is extremely disappointed in another instance of noncooperation from a fellow law enforcement agency, not with Haskell PD, we think this lies with the Muskogee County DA," Salsman said. "We've had problems in the past, here they are again. We feel if the Nation had this case from the get go, there wouldn't be the public outcry that there is, and we would have been able to handle this more quickly"

Kaytlin Fultz is a teacher at Preston Public Schools. She was put on administrative leave in light of the misdemeanor charge. The Oklahoma Department of Investigation is currently investigating Fultz's conduct as a teacher.

Kaytlin Fultz's next appearance in MCN District Court is scheduled for March 17. Andrew Fultz's next appearance in Muskogee County District Court is March 11.

Muscogee (Creek) Nation  
**CESO**

**RIVER SPIRIT CASINO RESORT**  
8330 Riverside Parkway | Tulsa, Oklahoma

**NATIVE OWNED**  
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**EXPO**

**DOOR PRIZES!**  
MUST BE PRESENT TO WIN

**14 APRIL**  
2025  
**10AM - 3PM**  
**RECEPTION 4PM - 6PM**

**Q&A Sessions**  
on the Bid Process, etc. from  
Tribal Departments During Event.

**DEPARTMENTS IN ATTENDANCE**

- TRIBAL CONSTRUCTION
- FEDERAL ROADS
- HOUSING
- MVSKOKE LOAN FUND
- GAMING ENTERPRISES
- DEPT OF HEALTH

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