

FOR IMMEDIATE RELEASE

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Bureau of Indian Affairs Fails to Investigate Allegations of Tribal and Federal Funds

Okmulgee, Okla. — The Bureau of Indian Affairs (BIA) has failed to answer a call for assistance to the Muscogee (Creek) Nation National Council in attempting to get to the bottom of suspicious Tribal Court activities involving financial records. The Council has repeatedly sought the assistance of the Bureau of Indian Affairs for an assessment audit and on-site monitoring of the Muscogee (Creek) Nation Judicial Branch through the BIA's Office of Justice Services. The nature of the investigation was initiated due to a recent audit of the Court's records that showed misuse of funds.

After several months of trying to address the underlying concerns by going through the systems already in place, the Council sought outside help to examine the situation from an objective viewpoint. On December 20, 2010, the Muscogee (Creek) Nation National Council submitted a request for the Bureau of Indian Affairs, Office of Justice Services (OJS) in Albuquerque, New Mexico to provide assistance by (1) conducting an assessment audit and (2) on-site monitoring of the Muscogee (Creek) Nation Judicial Branch. This request was made after the Council enacted a law on June 22, 2010, authorizing a forensic audit of the Courts to determine misuse of funds. The tribal Courts have refused the duly enacted law and the Council's multiple requests, both oral and verbal.

Besides the OJS, the Council has been unsuccessful in garnering any guidance from the Department of the Interior, Secretary's Office, Assistant Secretary of Indian Affairs' Office, and the Deputy Assistant of Indian Affairs' Office. The National Council has repeatedly contacted these offices through many different forms. Despite information of credit card misuse and credible allegations of other misuse of tribal gaming funds and federal funds, the BIA has refused to step in and investigate the situation.

The National Council is the legislative branch of a tri-partite system that shares equal power with the Executive and Judicial branches. Besides legislating, the National Council is charged with authorizing appropriations. The Muscogee (Creek) Nation Constitution requires "all expenditures of tribal funds shall be a matter of public record open to all the citizens of the Muscogee (Creek) Nation at all reasonable times." The National Council has attempted all reasonably responsible measures to investigate the misuse of funds to ensure financial responsibility to the Nation. The Muscogee (Creek) Nation Judicial Branch funding is derived from gaming revenues. The Nation and the Judicial Branch may only expend its gaming revenue

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in accordance with the Indian Gaming Regulatory Act (IGRA). Unless the Court fully discloses its expenditures, the Nation cannot be certain the Court's expenditures comply with IGRA.

In addition to the court's refusal to comply with tribal law and not produce financial records, nor submit to a forensic audit, a tribal judge that has not been reconfirmed is illegally holding over in office. These direct violations of the Nation's Constitution and laws has lead to much speculation and suspicion resulting in the Council seeking assistance from the BIA, Office of Justice Services.

The Bureau of Indian Affairs, Office of Justice Services (OJS) is the department responsible for providing direction and oversight of the BIA's law enforcement effort. Besides operating the Indian Police Academy, developing policies and procedures, conducting criminal investigations of law enforcement officers; the OJS also conducts inspections and evaluations of BIA and Tribal Services programs. However, the OJS has unofficially declined in assisting the Muscogee (Creek) Nation with an investigation.

The Muscogee (Creek) National Council will continue to abide by the Nation's Constitution and will work diligently at resolving the Court's suspicious activities. The Council has turned over financial records to proper authorities for investigations of individuals involved.

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