



United States Department of the Interior

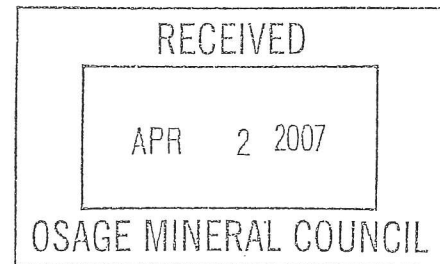
BUREAU OF INDIAN AFFAIRS
Washington, D.C. 20240

IN REPLY REFER TO:

MAR 19 2007

Tribal Government Services
COCR 2007 000498

Mr. Charles O. Tillman, Jr.
Rt. 1, Box 45-1
Fairfax, Oklahoma 74637



Dear Mr. Tillman:

Thank you for your letter dated December 21, 2006, to Senator John McCain, in which you seek his involvement in protecting your trust interests. Senator McCain asked our office to respond directly to you.

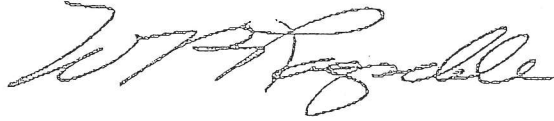
On December 3, 2004, Congress enacted Public Law 108-431, 118 Stat. 2609 (the Act), which reaffirmed the right of the Osage Nation to determine its own form of government as well as its membership. Until passage of the Act, the Osage Nation was the only federally recognized tribe that lacked express congressional authority to reorganize its form of tribal government and redefine its membership.

At the request of the Tribal government, the Bureau of Indian Affairs (BIA), Eastern Oklahoma Region, provided technical assistance and advice pursuant to Section 1 (b)(3) of the Act to the elected Tribal leadership on conducting an election to implement the Act. After the passage of the Act, provisions in the Code of Federal Regulations (CFR) specifically relating to the Tribe became obsolete. For instance, 25 CFR § 5(e) established a one-quarter degree of Osage Indian blood degree requirement rather than membership to qualify for Indian Preference in employment. Previously, the BIA had to seek a waiver of that provision to provide Indian preference to Osages that were generally considered members but lacked the quarter degree Osage blood. The Act clarified the Tribe's membership and made obsolete the special provisions of 25 CFR §5(e), which related only to the Osages.

The Act included a provision "that the rights of any person to Osage mineral estate shares are not diminished thereby." The Osage Constitution, adopted by the vote of the Osage people as determined by the previous elected tribal leadership and council, upheld the intent and direction of the Congress in this regard. There is no need for the BIA to take any further or new action at this time to protect the Osage mineral estate for those Osages that share in it, which is your concern as a headright holder.

We appreciate your interest in Indian issues.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. P. Rogalla".

Director, Bureau of Indian Affairs

cc: Copy to Senator McCain's Washington Office
Director, Eastern Oklahoma Region