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Geoffrey M. Standing Bear
Principal Chief

Osage Nation

Office of the Principal Chief



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Raymond Red Corn
Assistant Principal Chief

EXECUTIVE VETO MESSAGE

April 20, 2016

To the Honorable Maria Whitehorn, Speaker of the Osage Nation Congress and Members of the 4th Osage Nation Congress:

I hereby transmit pursuant to the provisions of Section 11 of Article VII and Section 14 of Article VI of the Osage Nation Constitution my objection to ONCA 16-27, entitled:

“An Act to establish a fund and appropriate money for home loan and down payment assistance for first-time home buyers to all Members of the Osage Nation; and to establish an alternate effective date .”

Osage Nation has an existing down payment assistance program. I veto ONCA 16-27 because there has been no communication from the Sponsor with our existing program staff, the Assistant Principal Chief, or myself on how our program works, and our hopes to expand. If the Sponsor or any Member of this 4th Congress had consulted with me they would have learned we need more money for the existing program. Instead, ONCA 16-27 provides only one dollar. Even so, ONCA 16-27 violates the single subject rule by combining appropriations with substantive law.

So what does ONCA 16-27 accomplish if it is made law? First, ONCA 16-27 restricts eligibility for down payment housing assistance to: “A household annual gross income, of less than \$75,000.” This number is arbitrary and unfairly restricts down payment housing assistance. Our federal money component of down payment housing assistance has federal guidelines which must be followed. This bill does not take any of this into consideration. We have sought to supplement the federal money and open this program to Osages who make more than \$75,000 a year in gross income. ONCA 16-27 restricts the program to first-time home buyers. My Administration believes down payment housing assistance should be available for Osages who are buying any home which is their primary residence, whether or not it is their first home. ONCA 16-27 also requires that eligibility is denied for any of our Osage people who wish to purchase a home on our restricted or trust reservation lands. My Administration has been working to

coordinate federal housing programs such as Section 184 Mortgages with a down payment housing assistance program. ONCA 16-27 works against our efforts.

Our down payment housing assistance program staff point out ONCA 16-27 does not provide for any additional staff or administrative support funds to carry out any new conditions of our existing down payment housing assistance program.

I also veto this bill because it is in clear violation of our Osage Supreme Court ruling in the case of *Standing Bear vs Whitehorn*. ONCA 16-27 places preconditions upon housing funding, preconditions which are made up in legislative imagination without regard to the Constitutional command that the Executive Branch should set the standards for administration of these programs. ONCA 16-27 violates the doctrine of separation of powers by making policy by putting qualifications, limitations, and policies into law and directing Executive management on how to implement it.

Based upon these objections and justifications, I hereby veto this bill.

Sincerely,



Geoffrey M. Standing Bear
Osage Nation Principal Chief

GMS/sld