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September 19, 1963

*Int
Indians*

Honorable Henry M. Jackson, Chairman
Interior and Insular Affairs Committee
United States Senate
3106 New Senate Office Building
Washington, D.C.

Dear Scoop:

There is pending before your committee a bill, H. R. 6496, which has been passed by the House and which would authorize the Secretary of the Interior to convey certain Federally owned land in trust status to the Cherokee Indian Tribe of Oklahoma.

The Cherokees do not ask for a gratuity; they expect to pay the full value of the land in question. The tract will be used for an industry that will employ tribal members. Several prospective industries are interested.

I shall greatly appreciate your expediting committee action on this bill.

Sincerely,

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Chilocco
I & I A

October 2, 1963

Honorable Henry M. Jackson, Chairman
Interior and Insular Affairs Committee
United States Senate
Washington, D.C.

Dear Scoop:

Last Wednesday, September 25, 1963, we introduced in the Senate S. 2178, a bill which has been referred to your committee. This measure provides that the United States shall hold certain Chilocco Indian School lands at Chilocco, Oklahoma, in trust for the Cherokee Nation of Oklahoma upon payment by the Cherokee Nation of \$3.75 per acre to the Federal Government.

During the 87th Congress, Public Law 87-284 was approved which conveyed two small homestead sites located within the Chilocco Indian Industrial School Reserve in Oklahoma to the Indians occupying them at that time. In consideration of this legislation (House Report 1047, 87th Congress, to accompany S. 1807) Assistant Secretary of the Interior John A. Carver, Jr., submitted a letter to the Speaker of the House, dated April 24, 1961, advising there were 2,700 acres of land on the reserve which were excess to the needs of the school program. He recommended that other than the conveyance of the homestead sites, the balance of the surplus land be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949. This latter recommendation was not included in the final passage of 87-284 and disposal of the property must be the subject of legislation.

The Cherokee Nation agreed to sell the lands in question to the United States only because the land was to be used for the specific purpose of educational facilities for our Indian children. Now that the educational

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facility, under the direction of the Bureau of Indian Affairs, Department of the Interior, has declared certain of these lands to be surplus to their needs, the Cherokee Nation of Oklahoma would like to regain possession of their land and to have it set aside in trust for them.

We believe that the records on the obtaining of this land will reflect some preliminary disagreement as to the status of this land in the 1870's but on May 17, 1882, the Congress authorized the construction of buildings for a school (Chilocco) "upon a section of land" within the Cherokee fee title Outlet, for educational purposes of Indian children. (22 Stat., 68). It is our understanding that the difference of opinion resulted from language contained in the Treaty of July 19, 1866 (Article 1866) between the United States and the Cherokee Nation of Oklahoma.

The Cherokee Nation, represented by the Honorable Earl Boyd Pierce, Cherokee Tribal Attorney, is protesting the disposition of these certain lands through public sale. The tribe desires the return of these lands for which they are willing to reimburse the United States \$3.75 per acre -- the per-acre price for which they have been paid by the United States Government for this Cherokee Outlet Land. It is their belief that the Government, as guardian of the Cherokee Nation, would not wish to dispose of this property to others, when by doing so the profits from the sales will directly inure to the benefit of the United States and not to the Cherokees.

The Cherokee Nation does not want the property in order that they might sell it for personal gain, but as the legislative proposal indicates they desire it to be placed in trust for them.

The land is generally fine textured soil with slow to very slowly permeable sub-soils and generally good fertility potential and will respond to fertilization. The native vegetation is predominately tall bunch grasses. The cropland is well adapted to small grains, sorghums, and alfalfa on the more permeable soils. Corn can be grown successfully. Also adapted tame and improved pasture crops would do well, including sudan grass, seresia lespedeza, sweet clover, vetch and rye, and bermudagrass and Korean lespedeza. There is about 1,730 acres of cropland in the land that is included in the approximately 2,667 acres.

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Currently there are ten revokable grazing and farming lease permits on a total of 2,215 acres of this land. All of the permits expire March 31, 1964. Under the provisions of the permits, all price supported farm crops are prohibited from being grown. The per annum income from the permits is \$9,049.30.

There are 12 sets of improvements on the land. Normally there is a small house, a shed or two, a concrete tank, well and windmill in each set. The buildings in general have salvage value only, but some of the metal sheds are still being used for hay storage. The conditions of the wells are not known, but most of the windmills are beyond repair. Some fencing on the land is still usable. However, if the tract is made available to the Cherokee Nation, several miles of fencing would be necessary on the property.

The Cherokee Nation has started a "bootstrap operation" of its own in behalf of its people, and this acreage is desired so that it may be leased to experienced Cherokee-blooded farming people for their use in farming or grazing purposes.

We are in favor of the efforts of our Cherokee Indian people to improve their lot and we further agree with them that an injustice would be heaped upon other injustices they suffered in the past through the disposal of these surplus lands through public sales.

We respectfully ask that the appropriate Departments be asked for reports expressing their views on this legislative proposal.

Sincerely yours,

A. S. Mike Monroney, U.S.S.

J. Howard Edmondson, U.S.S.

House of Representatives, U.S.

PUBLIC DOCUMENT

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Ed Edmondson

M. C.

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For your information, on the Chilocco Bill.

l.g.

OKLAHOMA.

ED EDMONDSON
2D DIST., OKLAHOMA

HOME ADDRESS:
MUSKOGEE, OKLA.

COUNTIES:
ADAIR NOWATA
CHEROKEE OKMULGEE
CRAIG OSAGE
DELAWARE OTTAWA
HASKELL ROGERS
MAYES SEQUOYAH
MCINTOSH WAGONER
MUSKOGEE WASHINGTON

Congress of the United States

House of Representatives

Washington, D. C.

October 1, 1963

Honorable Wayne Aspinall, Chairman
Committee on Interior & Insular Affairs
U. S. House of Representatives
Washington, D. C.

Dear Mr. Chairman:

Sept 45 S. 2178
Last Tuesday, September 24, 1963, I introduced in the House H. R. 8538, a bill which has been referred to your Committee. This measure provides that the United States shall hold certain Chilocco Indian School lands at Chilocco, Oklahoma, in trust for the Cherokee Nation of Oklahoma upon payment by the Cherokee Nation of \$3.75 per acre to the Federal Government.

During the 87th Congress, Public Law 87-284 was approved which conveyed two small homestead sites located within the Chilocco Indian Industrial School Reserve in Oklahoma to the Indians occupying them at that time. In consideration of this legislation (House Report 1047, 87th Congress, to accompany S. 1807) Assistant Secretary of the Interior John A. Carver, Jr., submitted a letter to the Speaker of the House, dated April 24, 1961, advising there were 2,700 acres of land on the reserve which were excess to the needs of the school program. He recommended that other than the conveyance of the homestead sites, the balance of the surplus land be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949. This latter recommendation was not included in the final passage of 87-284 and disposal of the property must be the subject of legislation.

The Cherokee Nation agreed to sell the lands in question to the United States only because the land was to be used for the specific purpose of educational facilities for our Indian children. Now that the educational facility, under the direction of the Bureau of Indian Affairs, Department of the Interior, has declared certain of these lands to be surplus to their needs, the Cherokee Nation of Oklahoma would like to regain possession of their land and to have it set aside in trust for them.

We I believe that the records on the obtaining of this land will reflect some preliminary disagreement as to the status of this land in the 1870's but on May 17, 1882, the Congress authorized the construction of buildings for a school (Chilocco) "upon a section of land" within the Cherokee fee title Outlet, for educational purposes of Indian children. (22 Stat., 68). It is my understanding that the difference of opinion resulted from language contained in the Treaty of July 19, 1866 (Article 1866) between the United States and the Cherokee Nation of Oklahoma.

The Cherokee Nation, represented by the Honorable Earl Boyd Pierce, Cherokee Tribal Attorney, is protesting the disposition of these certain lands through public sale. The tribe desires the return of these lands for which they are willing to reimburse the United States \$3.75 per acre -- the per-acre price for which they have been paid by the United States Government for this Cherokee Outlet Land. It is their belief that the Government, as guardian of the Cherokee Nation, would not wish to dispose of this property to others, when by doing so the profits from the sales will directly inure to the benefit of the United States and not to the Cherokee.

The Cherokee Nation does not want the property in order that they might sell it for personal gain, but as the legislative proposal indicates they desire it to be placed in trust for them.

The land is generally fine textured soil with slow to very slowly permeable sub-soils and generally good fertility potential and will respond to fertilization. The native vegetation is predominately tall bunch grasses. The cropland is well adapted to small grains, sorghums, and alfalfa on the more permeable soils. Corn can be grown successfully. Also adapted tame and improved pasture crops would do well, including sudan grass, sericia lespedeza, sweet clover, vetch and rye, and bermuda-grass and Korean lespedeza. There is about 1730 acres of cropland in the land that is included in the approximately 2,667 acres.

Currently, there are ten revokable grazing and farming lease permits on a total of 2,215 acres of this land. All of the permits expire March 31, 1964. Under the provisions of the permits all price supported farm crops are prohibited from being grown. The per annum income from the permits is \$9,049.30.

There are 12 sets of improvements on the land. Normally there is a small house, a shed or two, a concrete tank, well and windmill in each set. The buildings in general have salvage value only, but some of the metal sheds are still being used for hay storage. The conditions of the wells are not known, but most of the windmills are beyond repair. Some fencing on the land is still usable. However, if the tract is made available to the Cherokee Nation several miles of fencing would be necessary on the property.

The Cherokee Nation has started a "bootstrap operation" of its own in behalf of its people and this acreage is desired so that it may be leased to experienced Cherokee-blooded farming people for their use in farming or grazing purposes.

I am in favor of the efforts of our Cherokee Indian people to improve their lot and I further agree with them that an injustice would be heaped upon other injustices they suffered in the past through the disposal of these surplus lands through public sales.

-3- (Hon. Wayne Aspinall)

^{We}
I respectfully ask that the appropriate Departments be asked for reports expressing their views on this legislative proposal.

Sincerely yours,

ED EDMONDSON, M. C.

cc: Chief W. W. Keeler, Bartleville, Okla.
Mr. Earl Boyd Pierce, Muskogee, Okla.