

Written Testimony in Support of HB 2408
Submitted to the Federal and State Affairs Committee
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Submitted by
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Iowa Tribe of Kansas and Nebraska

Chairman John Barker and Members of the Committee:

Thank you for the opportunity to provide written testimony in support of House Bill 2408 on behalf of the Iowa Tribe of Kansas and Nebraska. I write here both as an attorney for the Tribe and as an enrolled citizen of the Tribe.

House Bill 2408 transfers the Iowa and Sac & Fox Mission at Highland, Kansas to the Iowa Tribe of Kansas and Nebraska. The Mission site is owned by the Historical Society and was operated as a museum until 2008, when the museum was shut down due to state budget constraints.

The Mission was built by the Presbyterian Church in 1845, as a mission to educate the children of the Iowa and Sac & Fox. At the time of construction, the Mission was located on lands owned by the Tribe within the boundaries of the Tribe's Reservation, and funded through an annuity to the Tribe that was secured by treaty. From 1846 to 1866, the Mission was used as an Indian school and orphanage, and there are suspected burials of children at the site.

The Historical Society supports this transfer to the Tribe. To ensure that the property is used for historic preservation purposes, the Tribe and the Historical Society have agreed that a preservation easement is required as part of the transfer. The preservation easement will be held by the Kansas Historical Society, will run in perpetuity, and will permanently attach to the property.

The Tribe intends to apply to have this land taken into trust with the federal government. Some have questioned whether having the land in trust would allow the Tribe to conduct gaming activities on the site. The short answer to that question is no for two reasons. First, the preservation easement held by the Historical Society requires that the property be used for cultural and educational purposes. The Historical Society must agree to any change in use. Second, even if the land were accepted into trust by the federal government, any change in use to gaming would require the approval of the National Indian Gaming Commission, the Governor of the State of Kansas, and the Secretary of the Interior.

Transfer of the Mission to the Tribe will help to ensure continued preservation of our shared history: The tribes that were here before us, the Iowa and Sac & Fox Tribes, the Highland community, and the State of Kansas.

Thank you for the opportunity to provide this written testimony.