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**APPROVED**  
**JAN 2-1975**

ACTION

THE WHITE HOUSE

Last Day: January 4

WASHINGTON

January 1, 1975

*Posted  
1/3  
To Archive  
1/3*

MEMORANDUM FOR THE PRESIDENT

FROM: KEN COLE

SUBJECT: Enrolled Bill S. 521  
Trust Land, Cheyenne-Arapaho Tribe  
Oklahoma

Attached for your consideration is S. 521, sponsored by Senator Bartlett and Senator Bellmon, which would declare that 5 acres of Government-owned land be held in trust for the Cheyenne-Arapaho Tribe.

OMB recommends approval and provides additional background information in its enrolled bill report (Tab A).

Max Friedersdorf (Loen) and Phil Areeda both recommend approval.

RECOMMENDATION

That you sign S. 521 (Tab B).





EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 29 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills:

- (1) S. 3358 - Trust land, Absentee Shawnee Tribe, Oklahoma  
Sponsor - Sen. Bartlett (R) Oklahoma
- (2) S. 3359 - Trust land, Pottawatomie Indians, Oklahoma  
Sponsor - Sen. Bartlett
- (3) S. 521 - Trust land, Cheyenne-Arapaho Tribe, Oklahoma  
Sponsor - Sen. Bellmon (R) Oklahoma and Sen. Bartlett
- (4) S. 2888 - Trust land, Inter-Tribal Council, Miami, Oklahoma  
Sponsor - Sen. Bartlett

Last Day for Action

January 4, 1975 - Saturday

Purpose

Each of the four bills would declare that certain lands are to be held in trust for the tribe(s) named therein.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

Approval

Discussion

S. 3358 and S. 3359 would convey title to tracts of land already owned by the tribes named in each bill to the United States to be held in trust for the same tribes. S. 521 and S. 2888 would each declare that a certain tract



of Federally-owned land is to be held in trust for the Indians named therein. Interior testified favorably on each of the four bills before the House and Senate Interior Committees.

S. 3358 would authorize the Absentee Shawnee Tribe to convey title to 33 acres which it purchased from the U.S. in 1964 to the Secretary of the Interior, who would then hold the tract in trust for the tribe. The land, which abuts Highway 18 near the city of Shawnee, Oklahoma, is valued at \$50,000. Improvements include a hospital, which tribal officials have leased to the Public Health Service, and an office building. Transferring the land to trust status would enable the tribe to apply for grants and loans under the Economic Development Act in order to develop commercial and industrial sites.

Similarly, S. 3359 would authorize the Citizen Band of Pottawatomie Indians to convey seven tracts of land amounting to about 280 acres to the Secretary of the Interior to be held in trust. The tracts comprise a compact block of land and are located approximately one mile south of the city of Shawnee. The Citizen Band obtained fee title to one of the tracts from the U.S. in 1960 and to the other six in 1964, and now leases the tracts for agricultural purposes. This tribe also desires to have their lands placed in trust in order to apply for assistance under the Economic Development Act.

S. 521 would declare that 5 acres of Government-owned land northwest of Canton, Oklahoma, is to be held in trust for the Cheyenne-Arapaho Tribe. The Government acquired the land from an Indian allottee in 1909 to build a day-school for Indian children, but the school was never built, and the tribe is now using it for a community building under a permit from Interior.

S. 2888 would declare that a 114-acre tract of Federal land is to be held in trust for the Inter-Tribal Council of Miami, Oklahoma -- a group of eight tribes, only four of which are Federally recognized. Part of the tract was acquired by the U.S. in 1934, and the remainder in 1941, for a dairying school; that use was discontinued about 8 years ago, and the



acreage is no longer needed by the Bureau of Indian Affairs. The Council, which itself owns no land, proposes to develop the tract for labor-oriented industry in order to create jobs for members of the Council's constituent tribes, and the site is well located for this purpose.

Interior recommended that the lands be transferred in fee rather than in trust since the U.S. could not hold lands in trust for the nonrecognized tribes, all four of which had once been Federally recognized but whose recognition was terminated under various Acts in 1954 and 1956. The committee instead amended the bill to withhold the interests of these four tribes so long as they are not Federally recognized, but set a deadline of 5 years for them to qualify for recognition.

While we would have greatly preferred that S. 2888 provide for transfer in fee rather than in trust, we join with Interior in recommending approval of it and the other three enrolled bills since the various Indian groups involved will receive important economic benefits from these transfers.

(signed) Wilfred E. Rommel

Assistant Director for  
Legislative Reference

Enclosures





# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

**DEC 24 1974**

Dear Mr. Ash:

This responds to your request for the views of this Department on S. 521, an enrolled bill "To declare that certain land of the United States is held by the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma."

We recommend that the President approve the enrolled bill.

As enrolled S. 521 would declare that all right, title, and interest of the United States in certain lands, amounting to 5 acres, and the improvements thereon shall be held in trust for the Cheyenne-Arapaho Tribes of Oklahoma. Section 2 would provide that the conveyance be subject to existing rights-of-way for waterlines, electric transmission lines, roads, and railroads.

The land to be transferred is located approximately 8-1/2 miles west and 5-1/2 miles north of Canton, Oklahoma. It is surrounded by fee land but lies within the Canton-Seiling area which contains numerous tracts of individually owned trust allotments. A block of tribal land is located about 9 miles southeast of the tract.

The property was originally a part of the allotment of Mower, allottee No. 1831. It was acquired by the United States for a consideration of \$150 by Indian Deed Noncompetent Lands on September 20, 1909. The Government acquired this site for the purpose of providing a day-school for Indian children in the vicinity. However, the need apparently passed; the school was never built, and the land was never used for school purposes.

At a later date tribal members constructed a small wooden building on the tract to be used for tribal meetings. The Cheyenne-Arapaho Tribe has been using the tract under revocable permit since January 21, 1972, for community building purposes. The Tribe is presently involved in a program to establish local community buildings and recreation grounds at various places throughout the reservation area. By tribal resolution, No. 281-217, December 4, 1971, the Cheyenne-Arapaho Tribal Council has requested the conveyance of this land in trust.



The land lies on a blacktop road and is about one-third fenced-in and cultivated with adjacent private land to the east and north; the remainder is potential cropland and being used as parking for the community building. The Tribe does not have a formal land consolidation program at this time.

Within the past 5 years there has been some mineral activity in the area, but production is spotty. Producing oil wells exist both several miles to the southwest and southeast, but some dry holes have been punched in the immediate neighborhood. The Geological Survey estimates the mineral value at \$75 per acre as of February 9, 1972. The estimated fair market value of the land is \$1,500.

Since this Tribe's Indian Claims Commission claim has already been settled, there was no need of a section containing a standard offset provision.

The land is surplus to our needs, and we concur in the tribal request to transfer its title in trust.

Sincerely yours,

  
Assistant Secretary of the Interior

Honorable Roy L. Ash  
Director, Office of  
Management and Budget  
Washington, D.C.



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 29 1974

To  
H. Neuharth  
12-30-74  
11:00 a.m.

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bills:

- (1) S. 3358 - Trust land, Absentee Shawnee Tribe, Oklahoma  
Sponsor - Sen. Bartlett (R) Oklahoma
- (2) S. 3359 - Trust land, Pottawatomie Indians, Oklahoma  
Sponsor - Sen. Bartlett
- ✓(3) S. 521 - Trust land, Cheyenne-Arapaho Tribe, Oklahoma  
Sponsor - Sen. Bellmon (R) Oklahoma and Sen. Bartlett
- (4) S. 2888 - Trust land, Inter-Tribal Council, Miami, Oklahoma  
Sponsor - Sen. Bartlett

Last Day for Action

January 4, 1975 - Saturday

Purpose

Each of the four bills would declare that certain lands are to be held in trust for the tribe(s) named therein.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

Approval

Discussion

S. 3358 and S. 3359 would convey title to tracts of land already owned by the tribes named in each bill to the United States to be held in trust for the same tribes. S. 521 and S. 2888 would each declare that a certain tract





THE WHITE HOUSE

WASHINGTON

December 31, 1974

MEMORANDUM FOR:

WARREN HENDRIKS

FROM:

*Ken L. Friedersdorf*

MAX L. FRIEDERSDORF

SUBJECT:

Action Memorandum - Log No. 919

The Office of Legislative Affairs concurs with the Agencies that the enrolled bill should be signed.

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 919

Date: December 30, 1974

Time: 5:00 p.m.

FOR ACTION:

Mike Duval *o.k.*  
Max Friedersdorf *ok.*  
Phil Areeda *no obj*

cc (for information):

Warren Hendricks  
Jerry Jones  
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date:

Time:

SUBJECT: Enrolled Bills:

- S. 3358 - Trust land, Absentee Shawnee Tribe, Okla.
- S. 3359 - Trust land, Pottawatomie Indians, Okla.
- S. 521 - Trust Land, Cheyenne-Arapaho Tribe, Okla
- S. 2888- Trust land, Inter-Tribal Council, Okla.

ACTION REQUESTED:

- |   |   |
|---|---|
| <input type="checkbox"/> For Necessary Action     | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply              |
| <input type="checkbox"/> For Your Comments        | <input type="checkbox"/> Draft Remarks            |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
For the President

Date: December 30, 1974

Time: 5:00 p.m.

FOR ACTION: Mike Duval  
Max Friedersdorf  
Phil Areeda

cc (for information): Warren Hendriks  
Jerry Jones  
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Tuesday, December 31

Time: 2:00 p.m.

SUBJECT: Enrolled Bills:  
S. 3358 - Trust land, Absentee Shawnee Tribe, Okla.  
S. 3359 - Trust land, Pottawatomie Indians, Okla.  
S. 521 - Trust Land, Cheyenne-Arapaho Tribe, Okla.  
S. 2888- Trust land, Inter-Tribal Council, Okla.

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*No Objection  
P Areeda*



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately. Warren K. Hendriks For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 919

Date: December 30, 1974

Time: 5:00 p.m.

FOR ACTION: Mike Duval  
Max Friedersdorf  
Phil Areeda

cc (for information): Warren Hendriks  
Jerry Jones  
Jack Marsh

FROM THE STAFF SECRETARY

DUE: Date: Tuesday, December 31

Time: 2:00 p.m.

SUBJECT: Enrolled Bills:

- S. 3358 - Trust land, Absentee Shawnee Tribe, Okla.
- S. 3359 - Trust land, Pottawatomie Indians, Okla.
- S. 521 - Trust Land, Cheyenne-Arapaho Tribe, Okla
- S. 2888- Trust land, Inter-Tribal Council, Okla.

ACTION REQUESTED:

- |   |   |
|---|---|
| <input type="checkbox"/> For Necessary Action     | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply              |
| <input type="checkbox"/> For Your Comments        | <input type="checkbox"/> Draft Remarks            |

REMARKS:

Please return to Judy Johnston Ground Floor West Wing

*OK Mike Duval*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks  
For the President

DECLARING THAT CERTAIN LAND OF THE UNITED STATES IS HELD BY THE UNITED STATES IN TRUST FOR THE CHEYENNE-ARAPAHO TRIBES OF AKLAHOMA

---

MAY 21, 1974.—Ordered to be printed

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Mr. BARTLETT, from the Committee on Interior and Insular Affairs, submitted the following

## REPORT

[To accompany S. 521]

The Committee on Interior and Insular Affairs, to which was referred the bill (S. 521) to declare that certain land of the United States is held by the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF BILL

The purpose of S. 521 is to convey to the Cheyenne-Arapaho Tribe of Oklahoma five acres of land northwest of Canton, Okla, which will be held in trust for the Tribe by the United States. The conveyance will be subject to the existing rights-of-way for waterlines, electric transmission lines, roads and railroads.

### BACKGROUND

The property described in S. 521 was originally a part of the allotment of Mower, allottee No. 1831. The Government acquired the site for the purpose of providing a day-school for Indian children in the vicinity. It is surrounded by fee land but lies within the Canton-Seiling area which contains numerous tracts of individually owned trust allotments. A block of tribal land is located about nine miles southeast of the tract.

Within the past five years there has been some mineral activity in the area, but production is spotty. Producing oil wells exist both several miles to the southwest and southeast, but dry holes have been

drilled in the immediate neighborhood. The Geological Survey estimates the mineral value at \$75 per acre as of February 9, 1972. The estimated fair market value of the land is \$1,500.

#### NEED

The land was never used for school purposes, but the Tribe has been using the land under revocable permit since 1972 for community building purposes. The Tribe is presently involved in a program to establish local community buildings and recreation grounds at various places throughout the reservation area and has requested by adoption of a resolution dated December 4, 1971, the conveyance of this land in trust.

The lands are surplus to the needs of the United States and the Department of the Interior concurs in the tribal request to transfer the tract in trust.

#### LEGISLATIVE HISTORY

Senators Bellmon and Bartlett introduced S. 521 on January 23, 1973. Hearings were held before the Subcommittee on Indian Affairs on May 13, 1974, and the bill was reported favorably to the full Interior Committee. The Department of the Interior recommends enactment of S. 521.

#### COST

Enactment of S. 521 will result in no additional cost to the Federal government.

#### COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs in open mark-up session on May 16, 1974, unanimously ordered S. 521 favorably reported to the Senate.

#### DEPARTMENTAL REPORTS

The favorable report of the Department of the Interior on S. 521 is set forth in full as follows:

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., May 13, 1974.*

HON. HENRY M. JACKSON,  
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate,  
Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department on S. 521, a bill "To declare that certain land of the United States is held by the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma."

We recommend enactment of this bill.

S. 521 would declare that all right, title, and interest of the United States in certain lands, amounting to 5 acres, and the improvements thereon shall be held in trust for the Cheyenne-Arapaho Tribes of Oklahoma. This conveyance would be subject to existing rights-of-way for waterlines, electric transmission lines, roads, and railroads. The bill provides that the Indian Claims Commission will determine

the extent to which the value of the title conveyed should or should not be set off against any claim against the United States determined by the Commission.

The land to be transferred is located approximately 8½ miles west and 5½ miles north of Canton, Oklahoma. It is surrounded by fee land but lies within the Canton-Seiling area which contains numerous tracts of individually owned trust allotments. A block of tribal land is located about nine miles southeast of the tract.

The property was originally a part of the allotment of Mower, allottee No. 1831. It was acquired by the United States for a consideration of \$150 by Indian Deed Noncompetent Lands on September 20, 1909. The Government acquired this site for the purpose of providing a day-school for Indian children in the vicinity. However, the need apparently passed: the school was never built, and the land was never used for school purposes.

At a later date tribal members constructed a small wooden building on the tract to be used for tribal meetings. The Cheyenne-Arapaho Tribe has been using the tract under revocable permit since January 21, 1972, for community building purposes. The Tribe is presently involved in a program to establish local community buildings and recreation grounds at various places throughout the reservation area. By tribal resolution, No. 281-R17, December 4, 1971, the Cheyenne-Arapaho Tribal Council has requested the conveyance of this land in trust.

The land lies on a blacktop road and is about one-third fenced-in and cultivated with adjacent private land to the east and north; the remainder is potential cropland and being used as parking for the community building. The Tribe does not have a formal land consolidation program at this time.

Within the past five years there has been some mineral activity in the area, but production is spotty. Producing oil wells exist both several miles to the southwest and southeast, but some dry holes have been punched in the immediate neighborhood. The Geological Survey estimates the mineral value at \$75 per acre as of February 9, 1972. The estimated fair market value of the land is \$1,500.

The land is surplus to our needs, and we concur in the tribal request to transfer its title in trust. Since this tribe's Indian Claims Commission claim has already been settled, section 3 of the bill, containing a standard offset provision, is superfluous.

The Office of Management and Budget has advised that there is no objection to the presentation of the report from the standpoint of the Administration's program.

Sincerely yours,

JOHN H. KYL,  
*Assistant Secretary of the Interior.*

○

# Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,  
one thousand nine hundred and seventy-four*

## An Act

To declare that certain land of the United States is held by the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the following described land, and improvements thereon, are hereby declared to be held by the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma:*

*Beginning at the southwest corner of lot 2 in the northwest quarter of section 7, township 19 north, range 14 west of the Indian meridian, Dewey County, State of Oklahoma, thence east 20 rods, thence north 40 rods, thence west 20 rods to the west line of said lot 2, thence south 40 rods to the place of beginning, containing 5 acres, more or less.*

*SEC. 2. This conveyance is subject to existing rights-of-way for waterlines, electric transmission lines, roads, and railroads.*

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*