

**JENA BAND OF CHOCTAW INDIANS OF LOUISIANA
CONFIRMATION ACT**

HEARING
BEFORE THE
SUBCOMMITTEE ON
NATIVE AMERICAN AFFAIRS
OF THE
COMMITTEE ON
NATURAL RESOURCES
HOUSE OF REPRESENTATIVES
ONE HUNDRED THIRD CONGRESS

FIRST SESSION

ON

H.R. 2366

TO CONFIRM THE FEDERAL RELATIONSHIP WITH THE JENA BAND OF
CHOCTAW INDIANS OF LOUISIANA

HEARING HELD IN WASHINGTON, DC

JULY 22, 1993

Serial No. 103-37

Printed for the use of the Committee on Natural Resources



U.S. GOVERNMENT PRINTING OFFICE

72-125

WASHINGTON : 1993

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-041484-9

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JENA BAND OF CHOCTAW INDIANS OF LOUISIANA CONFIRMATION ACT

THURSDAY, JULY 22, 1993

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIVE AMERICAN AFFAIRS,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to call, at 2:15 a.m. in room 1324, Longworth House Office Building, Hon. Bill Richardson (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. BILL RICHARDSON

Mr. RICHARDSON. The committee will come to order.

Today we will have a brief hearing on the recognition of the Jena Band Tribe of Choctaw Indians of Louisiana. The bill, H.R. 2366, is sponsored by a distinguished member of our subcommittee, Representative Richard Baker of Louisiana.

The committee considered a similar measure last year which passed both the Senate and the House. However, the bill was pocket vetoed.

H.R. 2366 would confirm that the Jena Band of Choctaws is a federally acknowledged Indian Tribe. The Tribe has a unique history which we will discuss today. We only have two witnesses before us today, the Tribal Chief of the Jena Band and the Executive Director of The Governor's Commission on Indian Affairs from the State of Louisiana.

The Department of the Interior will be submitting a written report to the committee on this measure.

At this time, I ask that the bill, background material, and section-by-section analysis be made part of the record. The record will be open for two weeks.

[The bill, H.R. 2366, and background information follow:]

103D CONGRESS
1ST SESSION

H. R. 2366

To confirm the Federal relationship with the Jena Band of Choctaw Indians
of Louisiana.

IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 1993

Mr. BAKER of Louisiana (for himself, Mr. HAYES, Mr. MCCREERY, Mr. LIVINGSTON, and Mr. JEFFERSON) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To confirm the Federal relationship with the Jena Band
of Choctaw Indians of Louisiana.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Jena Band of Choctaw
5 Indians of Louisiana Confirmation Act".

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) In 1903 and 1904, after presenting testi-
9 mony before the Dawes Commission, ancestors of

1 the Jena Band of Choctaw were identified as
2 "Fullblood Mississippi Choctaw Indians".

3 (2) More than 60 percent of the membership on
4 the Jena Band of Choctaw roll dated December 1,
5 1984, and later submitted to the Assistant Sec-
6 retary, Indian Affairs, on May 2, 1985, can docu-
7 ment possessing one-half or more Choctaw Indian
8 blood quantum based on descent from individuals
9 listed as "Mississippi Choctaw" by the Dawes Com-
10 mission or as "Choctaw" on the Indian Schedules of
11 the 1900 Federal Population Census.

12 (3) High blood degree such as that dem-
13 onstrated and documented by the Jena Band of
14 Choctaw, although not a requirement for maintain-
15 ing a Federal tribal relationship provides exceptional
16 evidence which supports confirmation of that rela-
17 tionship outside the normal administrative process,
18 because a group cannot maintain a high blood de-
19 gree without a continuity of close and significant so-
20 cial relationships which in themselves demonstrate
21 distinct social community.

22 (4) The Jena Band of Choctaw has retained a
23 distinct dialect of the Choctaw language on a contin-
24 uous basis since historic times, thus, providing sup-
25 porting evidence that the Jena Band has maintained

1 itself as a separate and distinct historic band of
2 Choctaw.

3 (5) The Jena Band's Choctaw ancestors resided
4 in close proximity in historic Catahoula Parish, the
5 predecessor to modern Catahoula and La Salle Par-
6 ishes, according to the 1880, 1900 and 1910 Fed-
7 eral population censuses; Federal documents place
8 the members of the Tribe in this same area in the
9 1930's and 1950's; 72 percent of the Tribe's current
10 membership still resides in La Salle, and neighbor-
11 ing Grant and Rapides Parishes, thus providing sup-
12 porting evidence for continuity of membership and
13 location.

14 (6) The Jena Band of Choctaw can document
15 and identify traditional leaders by name from 1850
16 to 1968 and elected leaders from 1974 to the
17 present, which in the historical context of their com-
18 munity provides supporting evidence for continuity
19 of political influence.

20 (7) Confirmation of the Federal relationship
21 with the Tribe is supported by all the federally rec-
22 ognized tribes in Louisiana and by the Mississippi
23 Band of Choctaw Indians.

24 **SEC. 3. DEFINITIONS.**

25 For purposes of this Act:

1 (1) The term "Tribe" means the Jena Band of
2 Choctaw Indians of Louisiana.

3 (2) The term "Secretary" means the Secretary
4 of the Interior.

5 (3) The term "Interim Council" means the
6 Board of Directors of the Jena Band of Choctaw In-
7 dians of Louisiana.

8 (4) The term "member" means an individual
9 who is enrolled on the membership roll of the Tribe.

10 (5) The term "State" means the State of Lou-
11 isiana.

12 **SEC. 4. CONFIRMATION OF FEDERAL RELATIONSHIP.**

13 Federal Recognition as a Tribe is hereby confirmed
14 with regard to the Jena Band of Choctaw Indians of Lou-
15 isiana. All Federal laws of general application to Indians
16 and Indian tribes, including the Act of June 18, 1934 (48
17 Stat. 984; 25 U.S.C. 461 et seq.), popularly known as the
18 "Indian Reorganization Act", shall apply with respect to
19 the Tribe and to the members.

20 **SEC. 5. RECOGNITION OF RIGHTS.**

21 (a) **EXISTING RIGHTS OF TRIBE.**—Nothing in this
22 Act may be construed to diminish any rights or privileges
23 of the Tribe, or of its members, that existed prior to the
24 date of the enactment of this Act.

1 (b) EXISTING RIGHTS AND OBLIGATIONS.—Except
2 as otherwise specifically provided in this Act, nothing in
3 this Act may be construed as altering or affecting—

4 (1) any rights or obligations with respect to
5 property,

6 (2) any rights or obligations under any con-
7 tract,

8 (3) any hunting, fishing, trapping, gathering, or
9 water rights of the Tribe or its members, or

10 (4) any obligation to pay a tax levied before the
11 date of enactment of this Act.

12 **SEC. 6. FEDERAL SERVICES AND BENEFITS.**

13 Notwithstanding any other provision of law, and
14 without regard to the existence of a reservation, the Tribe
15 and its members shall be eligible, on and after the date
16 of enactment of this Act, for all Federal services and bene-
17 fits furnished to federally recognized Indian tribes or their
18 members. In the case of Federal services available to mem-
19 bers of federally recognized tribes residing on a reserva-
20 tion, members of the Jena Band of Choctaw Indians of
21 Louisiana residing in La Salle, Rapides, and Grant Par-
22 ishes, Louisiana, shall be deemed to be residing on a res-
23 ervation. Notwithstanding any other provision of law, the
24 Tribe shall be considered an Indian tribe for the purpose

1 of the Indian Tribal Government Tax Status Act (26
2 U.S.C. 7871).

3 **SEC. 7. ECONOMIC DEVELOPMENT.**

4 (a) **PLAN FOR ECONOMIC DEVELOPMENT.**—The Sec-
5 retary shall—

6 (1) enter into negotiations with the governing
7 body of the Tribe with respect to establishing a plan
8 for economic development for this Tribe;

9 (2) in accordance with this section and not later
10 than 2 years after the adoption of a tribal constitu-
11 tion as provided in section 10, develop such a plan;
12 and

13 (3) upon the approval of such plan by the gov-
14 erning body of the Tribe, submit such plan to the
15 Congress.

16 (b) **RESTRICTIONS TO BE CONTAINED IN PLAN.**—
17 Any proposed transfer of real property contained in the
18 plan developed by the Secretary under subsection (a) shall
19 be consistent with the requirements of section 11 of this
20 Act.

21 **SEC. 8. INTERIM GOVERNMENT.**

22 Until such time as a constitution for the Tribe is
23 adopted in accordance with section 10(a), the Tribe shall
24 be governed by the Interim Council.

1 **SEC. 9. MEMBERSHIP.**

2 (a) **BASE ROLL.**—The Jena Band of Choctaw mem-
3 bership list dated December 1, 1984, and submitted to
4 the Assistant Secretary, Indian Affairs, on May 2, 1985,
5 shall constitute the base roll of the Tribe subject to the
6 review and approval of the Secretary.

7 (b) **ELIGIBILITY.**—(1) Until a tribal constitution is
8 adopted, a person shall be placed on the Jena membership
9 roll, if the individual is living, possesses at least one-fourth
10 or more Choctaw Indian blood quantum derived directly
11 from those Choctaw who lived in the historic Catahoula
12 Parish, and is not an enrolled member of another federally
13 recognized tribe, and if—

14 (A) that individual's name is listed on the Jena
15 Band of Choctaw membership list dated December
16 1, 1984, submitted to the Assistant Secretary, In-
17 dian Affairs, on May 2, 1985;

18 (B) that individual is not listed on but meets
19 the requirements established by the Jena Band of
20 Choctaw Indians of Louisiana in its Articles of In-
21 corporation, filed and recorded in the State of Lou-
22 isiana on May 22, 1974, which had to be met to be
23 included on the Jena Band's list dated December 1,
24 1984; or

1 (C) that individual is a lineal descendant of an
2 individual, living or dead, identified by subparagraph
3 (A) or (B).

4 (2) After adoption of a tribal constitution, such con-
5 stitution shall govern membership in the Tribe. In addi-
6 tion to meeting any other criteria imposed in such tribal
7 constitution, any person added to the roll must be of Choctaw
8 ancestry derived directly from those Choctaw who
9 lived in the historic Catahoula Parish and cannot be a
10 member of another federally recognized Indian tribe.

11 **SEC. 10. TRIBE CONSTITUTION.**

12 (a) **IN GENERAL.**—Upon the written request of the
13 Interim Council, the Secretary shall conduct, by secret bal-
14 lot, an election to adopt a constitution for the Tribe which
15 is consistent with this Act. Such constitution shall be sub-
16 mitted by the Interim Council to the Secretary no later
17 than 1 year following the date of enactment of this Act.
18 Absentee balloting shall be permitted regardless of voter
19 residence. The election shall be conducted in accordance
20 with section 16 of the Act of June 18, 1934 (48 Stat.
21 987; 25 U.S.C. 476), as amended.

22 (b) **ELECTION OF TRIBAL OFFICIALS.**—Not later
23 than 120 days after the Tribe adopts a tribal constitution,
24 the Secretary shall conduct an election by secret ballot for
25 the purpose of electing tribal officials as provided in the

1 constitution. Such election shall be conducted according
2 to the procedures stated in subsection (a) except to the
3 extent that such procedures conflict with the tribal con-
4 stitution.

5 (c) TRIBAL GOVERNMENT.—Notwithstanding any
6 other provision of law, the governing body of the Tribe
7 established under the constitution adopted under sub-
8 section (a), shall be treated as an Indian tribal govern-
9 ment for purposes of the Internal Revenue Code of 1986,
10 and all other Federal laws of general application to Indi-
11 ans and Indian tribes, including the Act of June 18, 1934
12 (48 Stat. 984; 25 U.S.C. 461 et seq.), as amended.

13 **SEC. 11. REAL PROPERTY.**

14 (a) SUBJECT TO EXISTING RIGHTS AND OBLIGA-
15 TIONS.—Any real property taken in trust by the Secretary
16 shall be subject to—

17 (1) all legal rights and interests in such lands
18 existing at the time of acquisition of such land by
19 the Secretary, including any lien, mortgage, or pre-
20 viously levied and outstanding State or local tax;

21 (2) foreclosure or sale in accordance with the
22 laws of the State of Louisiana pursuant to the terms
23 of any valid obligation in existence at the time of the
24 acquisition of such land by the Secretary; and

1 (3) the provisions of the Indian Gaming Regu-
2 latory Act (25 U.S.C. 2701 et seq.).

3 (b) TAX EXEMPTION.—Any real property held in
4 trust by the Secretary pursuant to this Act shall be ex-
5 empt from Federal, State, and local taxation on and after
6 the date such property is accepted by the Secretary.

○

BACKGROUND ON H.R. 2366

The Jena Band of Choctaw are located near the center of Louisiana. The Band has 152 members with over 60% of the membership possessing a blood quantum of 50% or greater.

The Jena Choctaw were certified as members of the Choctaw Tribe and eligible for land allotments by the Dawes Commission pursuant to the General Allotment Act of 1887. However, the Band never received any allotted land. Consequently, in 1901, tribal leader Willis Jackson and members of the Band walked 600 miles to meet with the Dawes Commission in Muskogee, Oklahoma, to discuss the allotment issue. In 1903, Commissioner Tams Bixby, notified the Jena Band that they qualified for allotments. Due to the hardship of the previous trip, the Band chose not to walk the 600 miles again to process the allotments and never received allotted land.

In 1932, the Penick Indian School was opened in Jena. The school was funded by the BIA. Federal funding continued for the school until 1939. Significantly, in 1938, the Assistant Commissioner of the Bureau of Indian Affairs, William Zimmerman, and several other BIA officials authorized the Superintendent of the Choctaw Agency to move the Jena Band to the Mississippi Choctaw reservation and place them on land that had recently been acquired as an addition to the reservation. It should be noted that, in general, only federally recognized tribes are eligible to occupy trust lands. However, the Bureau never followed through on this promise and the Jena remained in Louisiana.

Through the years, the Jena Band has maintained its own sacred Native American burial site at the White Rock Indian Cemetery. In 1953, tribal members established an Indian church.

Since 1973, the Jena Band has participated in programs sponsored by the State's Commission on Indian affairs and was a founding member of the Louisiana Inter-Tribal Council in 1975. In 1974, with assistance from the State, the Jena Band adopted organizational documents and incorporated under state law. Prior to 1974, the tribe had a traditional form of government.

In 1989, the Jena council sponsored a statewide substance abuse program in cooperation with the Louisiana Indian Commission. Besides maintaining a high level of Choctaw blood quantum, the present day Jena Band continues to speak the Choctaw language. Virtually every member of the tribe is a direct descendant of persons on the Dawes' Commission rolls and ties to Jena, Louisiana, have been constant for this tribe.

In 1992, a bill to recognize the Jena Choctaw was pocket vetoed by President Bush. H.R. 2366 provides federal recognition to the tribe.

SECTION-BY-SECTION ANALYSIS OF H.R. 2366**SECTION 1. SHORT TITLE**

Section 1 cites the Act as the "Jena Band of Choctaw of Louisiana Confirmation Act."

SECTION 2. FINDINGS

Section 2 provides the findings of the Congress.

SECTION 3. DEFINITIONS

Section 3 sets forth the definitions for terms used under the Act.

SECTION 4. CONFIRMATION OF FEDERAL RELATIONSHIP

Section 4 provides that the federal recognition of the tribe is confirmed and all federal laws of general application to Indian tribes apply to the Jena Choctaw.

SECTION 5. RECOGNITION OF RIGHTS

Subsection (a) provides that nothing in the Act is to diminish existing tribal rights.

Subsection (b) provides that existing rights and obligations of the tribe are not affected by the Act with regard to property; contracts; hunting, fishing or water rights; and pre-enactment tax obligations.

SECTION 6. FEDERAL SERVICES AND BENEFITS

Section 6 provides that the Jena Choctaws are eligible for Federal Services provided to Indian tribes. Members of the Band residing in LaSalle, Rapides, and Grant Parishes in Louisiana are deemed to be residing on a reservation. Jena Choctaw is to be considered a tribe under the Indian Tribal Government Tax Status Act.

SECTION 7. ECONOMIC DEVELOPMENT

Subsection (a) provides that the Secretary shall (1) negotiate an economic development plan with the tribe; (2) develop the plan within 2 years of the adoption of the tribal constitution; and (3) upon the approval of the plan by the tribe, submit it to the Congress.

Subsection (b) provides that transfers of property under the plan are subject to Section 11.

SECTION 8. INTERIM GOVERNMENT

Section 8 provides that the tribe is to be governed by an Interim council until the constitution is adopted.

SECTION 9. MEMBERSHIP

Subsection (a) provides that the membership list submitted to the Assistant Secretary in 1985 is the base roll of the tribe.

Subsection (b) provides for the eligibility requirements which include one-fourth Choctaw blood quantum, and (A) the person is on the 1985 list, (B) the person is not on the 1985 list but meets the enrollment requirements, or (C) the person is a lineal descendant of a person identified in (A) or (B). In addition, any person added to the roll must be of Choctaw ancestry from an ancestor who lived in historic Catahoula Parish and cannot be a member of another federally recognized tribe.

SECTION 10. TRIBAL CONSTITUTION

Subsection (a) provides that the Secretary is to conduct an election to adopt a constitution upon request of the Interim Council within a year of enactment which will allow absentee ballots and be conducted pursuant to the Indian Reorganization Act.

Subsection (b) provides that the Secretary is to conduct an election to elect tribal officials within 120 days after the tribe adopts a constitution.

Subsection (c) provides that the Jena Choctaw tribal government is to be treated as an Indian tribe pursuant to all federal laws.

SECTION 11. REAL PROPERTY

Subsection (a) provides that any real property taken in trust by the Secretary shall be subject to: (1) legal rights and interests in the land at the time of acquisition including liens, mortgages or outstanding taxes; (2) foreclosure or sale in accordance with the laws of Louisiana pursuant to obligations in existence at the time of acquisition by the Secretary, and (3) the provisions of the Indian Gaming Regulatory Act.

Subsection (b) provides that any real property held in trust by the Secretary under this Act is exempt from taxes after it is accepted by the Secretary.

Mr. RICHARDSON. Before I call the witnesses, I would like to recognize the distinguished Ranking Minority Member.

STATEMENT OF HON. CRAIG THOMAS

Mr. THOMAS. Thank you very much, Mr. Chairman. I just would make some brief comments with respect to the bill, or to my understanding of the bill. I am anxious to hear from the witnesses.

As you know, I have had the position—and intend to continue with the position—that there is a process for recognition and that process ought to be used, unless there is overwhelming and compelling evidence that a group needs to be treated specially.

I understand this bill has gone through the Congress. I understand that there is also some controversy about whether, in fact, this is recognition legislation or whether it is restoration legislation.

There is some controversy I think—or difference of view—as to whether the contacts that have been made with the Tribe by the BIA and the Federal Government in the past have been individual contacts which could easily have been made with any Indian citizens or whether, in fact, they were government-to-government contacts and, therefore, really represent recognition.

So, Mr. Chairman, I am pleased that you have it here. I am anxious to hear from our associate, Mr. Baker, and hear the others. But I do want to tell you that I do have these concerns. I think it is a matter of conscience as to whether you deviate from a system that is there. If the system is failing us, then that is one thing. If the system is there and simply not being used, that is quite another.

I can imagine that there is no need to have a system if every Tribe that has a request comes through the Congress to do it, and I think that would be a mistake. There needs to be a regular system that is used.

So I am anxious to hear from the witnesses and will reserve some of my judgment until I do.

Thank you, Mr. Chairman.

[Prepared statement of Mr. Thomas follows:]

**STATEMENT OF HON. GRAIG THOMAS
REGARDING
H.R. 2366: THE JENA RECOGNITION BILL**

July 21, 1993

Thank you, Mr. Chairman.

First of all, let me be clear on one thing: Despite efforts to cloak this bill in restoration terminology, no attempt at verbal manipulation can disguise the fact that this is recognition legislation. Inasmuch as restoration of an Indian group is predicated on past recognition, the Jena Band cannot be restored. The United States has never formally recognized the Band as that term is understood in Indian law; nor has the federal government committed any act which might properly be construed as extending recognition.

While there have been some contacts with the Jena, none of them rise to the level necessary to demonstrate the establishment of a formal government-to-government relationship between the United States and the Band. Although individuals within the Band may have been previously identified as Choctaw Indians, such identification did not constitute previous recognition of the Jena as a whole as a tribal entity. Examination of the records provided by the Jena show a consistent pattern of the federal government dealing with individual members of the group because of their status as Indians qua Indians, and not because of their status as members of a recognized tribe.

For example, funds provided regarding the Jena school were clearly provided to individuals because of they were

Indians, and not because they were members of the Jena Band of Choctaws. The children attending the school at Jena were given funds simply as Indians, not because they were members of a specific tribe. While the five or six families may have formed an identifiable community of Indians, there was no recognition of the group as a distinct tribal entity. It should be noted that government policy at this time was that the "Federal Government has an obligation to all people of at least one-fourth Indian blood who have a diminished social, health, or educational service in the communities in which they are living as a result of the fact that they are Indians." Memorandum from Carson Ryan, Director of Indian Education, Office of Indian Affairs (1934). The "group at Jena" is specifically mentioned in this memo.

Similarly, identification of individual members of specific families as Mississippi Choctaw Indians by the Dawes Commission for purposes of receiving land allotments in 1903 was based on their being Choctaw Indians, not on their being members of a specific band.

Finally, offers to move certain Choctaw Indians to a reservation occupied by other Choctaws in another state do not constitute recognition of the former as a tribe. Indeed, a more valid extrapolation from the transfer offer is that the Indians living around Jena were members of the Mississippi Choctaw tribe, which is now a federally recognized entity, and not members of a separate group. In a letter on the transfer, the Superintendent of the BIA based the move on the fact that the Jena group "are Choctaw and speak the language." Given these facts,

If the process is so bad, however, we should either junk it or, as the gentleman from American Samoa has urged in a bill he recently introduced, fix it. If the process is so horrendous that the Lumbee and the Jena shouldn't have to go through it, then I would like to ask the Chairman why any of the 101 petitioning groups should have to do so?

This Subcommittee must decide if it will continue to support the utilization of an equitable and standardized method of determining which Indian groups should be recognized by the federal government, or if it will return us to the pre-1978 days of piecemeal and arbitrary recognition through individual bills such as H.R. 2366.

While it is clearly within our power to recognize Indian tribes, we have tried our hand at it before. Because we

one could easily argue that perhaps the Jena Band should be properly "subsumed" by the Mississippi group. In fact, Section 2 of the bill declares that "each family of the Jena Choctaw Tribe [in 1902] was identified as full-blooded Mississippi Choctaw, an Indian tribe recognized by the Federal Government"

I am unlikely to support passage of HR 2366 because it would bypass the FAP through which all other nonrecognized groups must pass in seeking recognition, and is thus unfair to all other Indian tribes. I am sure that we will hear all of the usual complaints about the FAP today, but the Jena are hardly in a position to complain about the process. They have still not responded to a second letter of obvious deficiency sent to them by the BIA on October 1, 1987.

did it so badly and so politically, however, leaders from both parties on this Committee and from throughout Indian country insisted on a better way -- the administrative FAP process of the BIA. Passage of H.R. 2366 is contrary to the recommendations of the American Indian Policy Review Commission, and is opposed by the Department of the Interior and a majority of tribes. It can only serve to undermine further an already beleaguered recognition process, to encourage other groups to circumvent that process, and to place recognition in an arena where emotional arguments, influential sponsors, and the partisan nature of Congress replace merit and fact.

Mr. RICHARDSON. The Chair recognizes the distinguished author of this bill, our good friend, Mr. Baker, who has been very concerned about Native American affairs on this issue and many others.

The Chair recognizes the gentleman.

STATEMENT OF HON. RICHARD H. BAKER

Mr. BAKER. Thank you, Mr. Chairman. I really appreciate your courtesy in moving in such a timely manner in granting the hearing on this important bill and do appreciate your courtesies extended in past sessions on the same subject matter.

There is no doubt that the circumstances surrounding the Jena Tribe of Louisiana are, indeed, unique. Having initiated efforts to formally seek recognition since the 1850s and continually since that time until the present day, it has been an extraordinary set of events which have led to the failure of the Government to fully implement and totally, officially, recognize the Jena Tribe as a historically recognized Indian community.

There will be, I think, clear and convincing argument made today for the members who have concerns as to the extreme distance to which the Tribe traveled, and the extraordinary efforts made on their behalf to comply with all historic rules and processes.

The current BIA process really seeks to create a recognition process for new Tribes. And in this instance, I think Mr. Thomas' comments are accurate. This is really a matter of restoration, not a matter of recognition.

We will have two very well-informed witnesses who will fill in the historical gaps in the record for those who need to hear it. And I would certainly hope the committee would look favorably upon this recognition request and pass the bill out to full committee where, again, we will explain the matter. And I look forward to passing it through the House and ultimately through the process.

This is not simply a newly formed effort created in the last 2 or 3 years, but it is a process which has been engaged in well over 100 years. That, in itself, I think, makes this request stand above and somewhat differ from those who have recently come to the Congress seeking Federal benefits.

I thank the Chairman, again, for his courtesies and look forward to working with those Members of the committee who should have questions.

[Prepared statement of Mr. Baker follows:]

REMARKS OF
CONGRESSMAN RICHARD BAKER

House Committee on Natural Resources,
Subcommittee on Native American Affairs

Confirmation of Federal Recognition
For the Jena Band of Choctaw

July 22, 1993

Mr. Chairman, first of all let me say that I applaud your efforts to give this bill a timely hearing. As the sponsor of H.R. 2366, I am a strong supporter of a favorable confirmation of the federal relationship with the Jena Band of Choctaw. H.R. 2366 has the same objective as a bill which passed last year in the House by voice vote. This bill has the effect of placing the Jena Band on equal footing with the rest of the federally recognized tribes in the country. The Jena Band of Choctaw has waited a very long time for resolution of this important relationship, and I believe now is the time.

The Jena Band of Choctaw began their journey for federal recognition ninety years ago when the Jena Band marched nine long months from their home in Louisiana to Muskogee, Oklahoma to testify

before the Dawes Commission. It is my hope that we can finally resolve this matter in the coming months for this small group of 152 members from central Louisiana. Their small size has been a disadvantage to the band in the sense that it has led to years of federal neglect. However, their efforts to maintain this authenticity is a source of strength because it has given them continuity of bloodlines and membership, a strong unity and adherence to heritage, history, and tradition.

Ninety years ago, the Dawes Commission identified the Jena members as full-blooded Mississippi Choctaw Indians entitled to land and services. But no land or benefits were given to them and they returned to Louisiana in March 1903. Upon their arrival home, the Jena Band received a letter stating that they could claim the land and benefits to which they were entitled, but only if they were to return to Oklahoma by August -- only four and one-half months later. The trip, of course was impossible to make in such a short time and was never made. During the 1930s, the Jena Band received educational benefits through the Bureau of Indian Affairs. Later, in 1938, the BIA offered the Jena reservation lands in Mississippi -- a strong, clear and unambiguous confirmation of the tribe's status as a recognized Indian Tribe.

The Jena Band has repeatedly sought to have their federal recognition restored. The BIA has insisted the tribe go through the

standard acknowledgement process which is the means by which new tribes are recognized. However, this procedure does not apply to the Jena Band because they were previously recognized and the BIA's acknowledgement process does not include standards for determining whether a tribe was previously recognized. Nevertheless, the Jena Band has the support of a near unanimity among experts, Indian tribes, the State of Louisiana, and many others, all of whom believe that the Jena Band should be properly recognized.

Throughout this process, the Jena have struggled, in the face of poverty and other difficulties to maintain very strong bloodlines and a continuity in their traditions. At times when others would certainly have lost hope, they never have lost faith in the justice this county would eventually show them. These are deserving people with a reasonable request. I believe we have an obligation to act. I wholeheartedly support restoring the Jena Band of Choctaw's federal recognition.

Mr. RICHARDSON. I thank the gentleman.

PANEL CONSISTING OF HON. JERRY D. JACKSON, CHIEF, JENA BAND OF CHOCTAW, LOUISIANA; AND DIANA S. WILLIAMSON, EXECUTIVE DIRECTOR, THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS, BATON ROUGE, LA

Mr. RICHARDSON. The Chair recognizes the Hon. Jerry Jackson, Chief of the Jena Band of Choctaw, Louisiana; and Mrs. Diana S. Williamson, Executive Director of The Governor's Office of Indian Affairs in Baton Rouge.

Chief Jackson, welcome. Mrs. Williamson, welcome to the subcommittee. We have an informal attitude in terms of questioning. We like to question our witnesses. In order to do that, we ask that your opening statement be limited to five minutes. Your full statement will be made a part of the record. And if you see those little lights in front of you, don't despair, but try to honor them. The green means keep talking; the yellow means wrap up; the red means basically, we are close to the five minutes.

So thank you again for coming. We know this is a very important issue to you. We know that the Congress has acted before, and we are responding to the gentleman and our subcommittee's request to move expeditiously. We are going to try to do that.

So Chief Jackson, welcome. And please proceed.

STATEMENT OF HON. JERRY D. JACKSON

Mr. JACKSON. Thank you, Mr. Chairman.

I am going to submit my testimony, so I would just make my comments very brief.

The Mississippi Band of Choctaw, which is a key in our case, by council resolution, stated that the Jena Band was once part of the original Choctaw Nation.

Along about 1850, during the time of Choctaw removal, five families settled in Jena, Louisiana, which is about 50 miles west of Natchez, Mississippi. These five families did not want to continue on to Oklahoma for lands, and they were doing rather well there in the Jena area.

In the early 1900s, they heard that the Government was taking testimonies; and if you were declared to be full-blood Choctaw, you were eligible for land allotments in the Oklahoma Territory.

So in 1902, the whole Tribe walked 600 miles up to Muskogee, Oklahoma, to give testimony before the Dawes Commission. After pretty intensive investigation by the Dawes Commission, every one of the families were identified to be full-blood, Mississippi Choctaw, eligible for land allotments and services.

What the Tribe did not understand at that time was that the land was not ready to be given out, nor the services. So they stayed up there 2 or 3 months; and they decided, we will go back home. So they walked back to Louisiana.

The following year, when they got back to Louisiana, there was a letter waiting from the Chairman of the Dawes Commission, Tams Bixby, who said, you have qualified, we have identified you as being eligible, come on back; but they would not make the trip back there to claim it. So what happens, we just kind of get neglected at that point.

In the 1930s, there are two things that are important in our case. One, the Bureau of Indian Affairs was funding three schools for three different Indian Tribes in the State of Louisiana.

Out of that, the Chitimacha, the Coushatta and the Jena Band, we are the only ones that are not receiving any services today.

In 1938, the Bureau decided to close the school down. They came up with a plan to move the whole Tribe to Mississippi to new Federal lands that they had purchased for the Choctaw people in Mississippi.

We, at the time, decided that we would go.

Then, I don't know what the Bureau decided. They left us alone. They did not move us over there. So again, we think, with this decision from the Bureau, from then Assistant Secretary of the Interior, William Zimmerman, to move us to reservation lands that we were administratively recognized at that point. But because of lack of education on our part, we did not pursue it.

So we were caught in Louisiana without any benefits, without any services, without any identity as being Choctaw Indian. We began actively working toward recognition along about 1982.

In the process, we had a consultant by the name of John Shapard who was then recently retired as Branch Chief of the Acknowledgment Branch. He came to Jena, Louisiana, he reviewed our documents, pointed out to us that we, in his opinion, had been recognized twice in our history and just forgotten.

So then we decided that, well, we would go through Congress to try to get justice for our case. And, of course, you know the legislative history.

We are now on active consideration over at the Acknowledgment Branch. The problem with that, in my opinion, for the Tribe is, in review of their past performance with Tribes, we were too concerned that a gap of any size could give us a negative determination over there at Acknowledgment. And with that, you are pretty well out of the system. And one of the options that we have is going through the acknowledgment process. But being stamped a loser over there is very important to our case.

We know that in the past they have turned down Tribes for maybe a 10-year gap in their history. Tribes like mine who could not read and write until the 1950s are going to have gaps in their history. But our argument is that, on the basis of the Dawes Commission rules of 1903, all the Jena Choctaw were identified as being Mississippi Choctaw; and, therefore, all the group today, which is 152 people, are direct descendents of that group.

The tie-in is that the Dawes Commission records of that date were used for the tribal role for the Oklahoma Choctaw and the Mississippi Choctaw. Therefore, there is not one ounce of difference between the Jena Choctaw, the Oklahoma Choctaw, and the Mississippi Choctaw.

So, therefore, we feel that we have been served an injustice by the Government; and we come before you today for support of this bill to correct this.

That concludes my statement.

Mr. RICHARDSON. Thank you very much, Chief.

[Prepared statement of Mr. Jackson follows.]



Jena Band of Choctaw

H. R. 2366

MR. CHAIRMAN:

MEMBERS OF THE COMMITTEE:

My name is Jerry Jackson. I have served four terms as Tribal Chief of the Jena Band of Choctaw. I am before you today to ask for your support of House Bill 2366, which calls for the "CONFIRMATION" of our federal status.

The Mississippi Choctaw Tribal Council by resolution have confirmed that the Jena Band was once part of the original Choctaw Nation.

The five families that made up the Jena Band were forced into north-central Louisiana around 1850, during the turbulent Choctaw Removal Period. Once in Louisiana, separated from Choctaw Tribal authority, an independent tribal government was established. Although it has adapted to changing times, it still functions today.

In 1902, Tribal Chief, Willis Jackson, my great-grandfather, led the entire Tribe to Muskogee, Oklahoma in an effort to apply for Indian lands and benefits. It took 9 months to walk the 600 miles from Jena, Louisiana to Muskogee, Oklahoma. Having no money, they had to work their way there and back again. Several died during this attempt to gain recognition. After their testimony, each family was identified as full-blood Mississippi Choctaw, entitled to land allotments and other services from the Bureau of Indian Affairs.

AND IN FACT, their names were listed on the first list that was prepared of Choctaw Indians after the Removal Period. This listing of recognized Choctaw was carried out as per instruction of Congress, and under provisions of the Dawes Act of 1887.

On returning home in 1903, letters were awaiting them from Dawes Commission Chairman Tams Bixby, instructing the families to return to Oklahoma, to claim their land allotments. But, the time frame for the this return trip was an impossibility, considering the hardships of the previous year's trip. Since there was no follow-up by the Dawes Commission nor any other governmental agency, my Tribe fell through the cracks of governmental bureaucracy.

IN LOUISIANA DURING THE 1930'S , there were three Indian schools funded by the Bureau of Indian Affairs. Of the three Tribes in Louisiana, who were funded at that time by the Bureau (Chitimacha, Coushatta and the Jena Band) we remain the only one not receiving services from the Bureau today.

IN 1938 , a plan was developed to move the Jena Band to new lands being purchased for all Choctaw people in the Pearl River area of Mississippi. After passage of the Wheeler-Howard Act or the so-called Indian Reorganization Act of June 18, 1934, the general feeling of the day was that Indians, who held a land base, would be recognized or serviced by the Bureau of Indian Affairs. And in-as-much as my Tribe was landless, the 1937--1938 relocation plan was intended to solve our landless status.

Chris Jackson, our Tribal Chief and my grandfather, agreed to this plan of relocation. Although no tribal documents exist to show the Tribe's position, due to the fact that no one could read nor write, governmental records indicate that negotiations were conducted between the Tribe and B.I.A. Officials. These B.I.A. documents clearly show that the Bureau of Lands, the Superintendent of the Choctaw Agency in Mississippi and other Departmental Officials agreed to this plan.

ON JULY 11, 1938 then Assistant Commissioner of Interior, William Zimmeraman authorized the removal of the Jena Choctaw to new lands in Mississippi. By his letter, my Tribe was ADMINISTRATIVELY RECOGNIZED by the United States Government. Letters similiar to Jena's letter have been used by at least four other groups to substantiate their claim to federal status.

Shortly after Assistant Commissioner Zimmerman's letter, there was a change in personnel at the B.I.A. Area Office in Philadelphia, Mississippi. The needs of the Choctaw in Mississippi over-shadowed the needs of the Choctaw in Louisiana, therefore our move to Mississippi never took place.

ON APRIL 25, 1968 , in response to my request for educational benefits from the Mississippi Band of Choctaw, Mr. James D. Hale, then Superintendent, B.I.A. Choctaw Office located in Philadelphia, Mississippi, responded by letter stating the following:

" We are happy to inform you that we have been able to establish that you are 4/4 Degree Indian Blood through the enrollment of your parents, Chris Jackson and Alice Williams, on our June 8, 1903, Mississippi Choctaw Rolls. "

Another clear statement, from a B.I.A. official, expressing the validity of our case.

During the 1970's , the Tribe received funding from the Department of Housing and Urban Development for the purchase of 2 acres of land and the construction of a Tribal Center and office complex. Also, we began receiving Indian educational funding, which continues today.

IN 1982 , the Jena Band participated in funding provided by the Administration for Native Americans, which was administered for us by the Mississippi Band of Choctaw. This led to direct funding in 1984. Since going on our own, we have used funding to conduct administrative training of Tribal staff, preparation of a 5 year economic development plan, a Tribal needs assessment and the development of a Tribal Constitution.

TODAY , the Jena Band consists of 152 members. Each one is directly descended from the original five families listed on the original Daves' Commission Rolls.

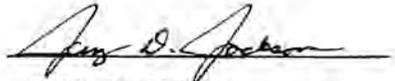
72% of the Tribe's current membership live within 50 miles of the original settlement site. Nearly 60% of the present members possess 1/2 OR MORE CHOCTAW BLOOD QUANTUM . High blood degrees such as that demonstrated and documented by my Tribe clearly provides exceptional evidence of a close, ongoing, distinct, Indian community. Also, the Jena Band can document and identify traditional leaders by name from 1850 to 1968 and elected leaders from 1974 to the present, clearly showing continuity of political influence.

The Jena Band has retained our own distinct dialect of the Choctaw language on a continuous basis since historic times, thus providing supporting evidence that the Jena Band has maintained itself as a separate and distinct historic band of Choctaw.

Finally, the Jena Band of Choctaw is one of the few groups seeking federal status that have satisfied the toughest critics of all, other nearby Federal Tribes. Our recognition efforts are supported by all the federally recognized Tribes in Louisiana and by the Mississippi Band of Choctaw.

MR. CHAIRMAN , I would like to request that this Committee rule favorably on House Bill 2366 and correct a long standing injustice to my Tribe.

MR. CHAIRMAN , that concludes my statement.



Jerry D. Jackson
Tribal Chief
Jena Band of Choctaw



STATEMENT OF JOHN "BUD" SHAPARD, RESEARCH CONSULTANT TO
THE JENA BAND OF CHOCTAW INDIANS OF LOUISIANA AND FORMER
CHIEF OF THE BRANCH OF ACKNOWLEDGEMENT AND RESEARCH

JULY 22, 1993

Thank you Mr. Chairman for the opportunity to comment on H.B. 2366. This bill, if enacted will correct an injustice done to the Jena Choctaw Indians by the United States Government. What the Jena people seek is legislation to confirm the Tribe's status as a federally recognized Indian Tribe.

During the past several years I have researched the Jena case and more importantly visited their community. I have seen first hand both their documented history and how they actually live today. I would like to share with you several key points, that in my opinion clearly indicates justification for passage of this important legislation.

1. Each member of the Jena Band shares direct lineage from Dawes' Commission enrollees
2. Jena membership possess unusually high degrees of Choctaw blood quantum.
3. The vast majority of the present day membership resides in close proximity to each other.
4. Tribal leadership continues to exert strong political influence over it's community membership
5. Tribal members retain their own native Choctaw language.

Mr. Chairman, I have worked with both recognized and unrecognized Indian Tribes for over 30 years. In both my professional and personal opinion, there is no American Indian Tribe more deserving of federal recognition than the Jena Band of Choctaw of Louisiana.

This concludes my remarks:

Mr. RICHARDSON. Mrs. Williamson, welcome to this committee, and please proceed.

STATEMENT OF DIANA S. WILLIAMSON

Mrs. WILLIAMSON. I am here on behalf of the State of Louisiana. I have been Executive Director in The Governor's Office of Indian Affairs for nine years; and I have been personally involved in some of the research for this Tribe.

More important, I am here to state on behalf of the Governor and the State that consistently the State of Louisiana has supported this effort. It has not been a rubber-stamped effort. We have been approached by other State-recognized Tribes for endorsement and have elected not to. The Jena Band of Choctaw has had the support of both Governor Edwards and Governor Roemer and now Governor Edwards again. The State legislature has reviewed the case. The Attorney General has no opposition to it.

Another important fact is the case was presented to all three federally recognized Tribes within the State of Louisiana and all three have passed tribal council resolutions in support of this effort, in contrast to other Tribes who have again tried to come before Congress where our Tribes have taken a position of opposition.

Although we are not known as an Indian State, we take our Indian affairs seriously; and we have worked very closely with them. Jena has provided all of the documents to us.

What made me interested in the case was it wasn't the Tribe's claims. Interior records determined the blood line for the Tribe; and it was Interior's effort to relocate a group of Indians to a reservation which demonstrated the tribal status.

Prior to Mr. Shapard, the Acknowledgment chief was coming and telling us the case was different; they had prepared a petition and had sought the same method that Mr. Thomas suggested. It was Mr. Shapard that indicated they were already recognized, and that the Acknowledgment Branch and the petition process was for new Tribes only, and it was inappropriate for them to go through that method.

We came here in 1989 and met with Mr. Mineta of the Senate Select Committee who indicated that restoration was for Tribes that were terminated. To answer your question earlier, and your comment: That is where it got caught in the cracks. Well, this is a previously recognized Tribe, and basically they were never derecognized and were forgotten.

They were five families in Jena, Louisiana, which is the middle of nowhere in the United States; and they just got overlooked.

In the Chief's testimony, he indicated why they weren't removed to Mississippi. They were offered land in the Pearl River Reynolds lumber track specifically, and the man who was to make that happen was A.C. Hector who was superintendent of the Bureau in Mississippi at that time. He was going to do it.

William Stewart of the lands division in Washington approved the move, and they were about to do it, and A.C. Hector left. I found these archives records. He left for illnesses.

A new man, L.M. Page, came into the picture as superintendent; and he was contacted by Interior about why he hadn't completed this move since the Tribe had consented. And he said in a letter

that he was going to get all the Mississippi Choctaw in place first since he represented Mississippi.

He then left and a new man, Fickenger, came on. By then, they had forgotten the Jena Choctaw again. Again, it was only five families. It really wasn't that important in the scheme of Indian affairs. And that is where the Federal neglect comes in.

The other thing that I find compelling is, we often hear, well, so, they got services. A lot of nonrecognized groups got services. Once again, archives records show that, as a result of the Indian Reorganization Act, Federal officials came to Louisiana to look at five Indian groups during the 1930s. Only three became eligible for services. Two of those are federally recognized today. My Tribe, the Chitimacha and the Coushattas. Two other Tribes were denied services.

So repeatedly, the Federal Government, I have to say, did a good job keeping track of who is eligible and who qualified; and they deemed Jena eligible with two other federally recognized Tribes.

That concludes my remarks.

[Prepared statement of Mrs. Williamson follows:]



EDWIN W. EDWARDS
GOVERNOR

STATE OF LOUISIANA

Governor's Commission on Indian Affairs

DIANA S. WILLIAMSON
EXECUTIVE DIRECTOR

Testimony of Diana S. Williamson, Executive Director of The Governor's Office of Indian Affairs of the State of Louisiana, to the Subcommittee on Native American Affairs regarding H.R. 2366, a bill to confirm the Federal relationship with the Jena Band of Choctaw Indians of Louisiana.

As the Executive Director of the Governor's Office of Indian Affairs of the State of Louisiana I want to offer my support and endorsement of H.R. 2366. Because of the tribe's cooperation and willingness to present any and all documentation requested to substantiate their claims of previous federal recognition I am able to state that their case has been one of federal neglect and oversight. Unfortunately, due to language barriers, illiteracy and isolation, throughout the nineteenth and twentieth centuries, tribal leaders of this small Indian band were incapable of dealing with a non Indian federal bureaucracy.

National Archives records provide evidence of a repeated tribal/federal relationship. A review of the membership rolls of 1990, supported by certified Daves Commission records reflect that 90% of the members of that time were full blood Choctaw. Tracking their ancestry to today's tribal rolls reveal that even present day membership (with a minimum blood quantum of one fourth) reflects that 60% of the Jena Band of Choctaw are one-half or more Choctaw Indians.

Finally, this tribal band's efforts to confirm federal recognition have garnered the support of all statewide elected officials since 1986 when they began to seek the assistance of Congress. Since that time, there has been no opposition from any source within this state. In addition, the Jena Band of Choctaw have received endorsements from the tribal councils of the three federally recognized tribes within our state. Even more importantly, they continue to receive recognition and support from the Mississippi Choctaw (their ancestral tribe prior to the Treaty of Dancing Rabbit Creek).

In closing, I want to express my appreciation for your consideration of this bill and urge you not to delay in its passage in order that these people may once again enjoy the rights and privileges of this country's Native Americans.

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Mr. RICHARDSON. The Chair recognizes the gentleman from Wyoming.

Mr. THOMAS. Thank you, Mr. Chairman.

I certainly thank you for your testimony and thank you for your efforts in coming. If I understand it correctly, for instance, our Wyoming tribes of—I think it is the Shoshones, maybe it is the Arapahos, one or the other—determined who then is eligible for membership in terms of their blood and background and so on.

You could be eligible to be at Choctaw now, could you not? Mississippi Choctaw?

Mr. JACKSON. No. We were approached several years ago to merge with the Mississippi Band of Choctaw.

Chief Martin called me and said that they would like to purchase 500 acres in the Jena area for reservation blah, blah, blah.

But I think what happened, BIA did not allow them to take land across State borders or something. I think we are definitely related to the Mississippi Band. We have been away from them for over 100 years, and we have pretty well run our own affairs since then. It would be hard to merge.

Mr. THOMAS. How do you run affairs with a Tribe of 150? What kind of affairs? You don't have a reservation.

Mr. JACKSON. We don't have a reservation.

Mr. THOMAS. You don't have health care; you don't have police protection. What do you do as a Tribe?

Mr. JACKSON. Well, I tell you, when you got a bunch of basically poor people, there are always things that have to be done. We intervene with substance abuse cases, child molestation cases. We handle funerals. We help write grants for kids to go to college. We are involved in identifying what services are available from the State, parish, city, whatever, in helping put that person with those services.

Mr. THOMAS. Sure.

Mr. JACKSON. Because most of our group is uneducated and will not, on their own, go forward for those services.

Mrs. WILLIAMSON. I want to add, when Chief Martin made the offer of membership to them with 500 acres in Louisiana, as the director of Indian Affairs I had a problem with that, with the Mississippi Choctaw of Mississippi holding lands and trusts in the State of Louisiana. I thought that created a real kettle of worms.

When he had an anonymous group from 1854, that they acted as a Tribe separate.

Mr. THOMAS. What are you going to do for lands and trusts and this arrangement?

Mrs. WILLIAMSON. They have agreed to comply with all Federal standards. They have three acres in Jena right now. And if they want to expand, they are going to have to buy some and meet all the criteria for acquisition of land.

Mr. THOMAS. Who is going to pay for that?

Mr. JACKSON. Well, I wish Congress would.

Mr. THOMAS. That is what I had a hunch that you—

Mr. JACKSON. But we don't. We don't have anything in this bill, back to the membership question.

Mr. THOMAS. I understand. I don't mean to be critical. Let's say this happens. Then what is the responsibility of the Congress? Is

it then up to the Congress to spend a bunch of dough and fix up another reservation and set up health care and set up a specific thing for 150 people?

Mr. JACKSON. Well health care and all comes directly from the Bureau of Indian Affairs.

Mr. THOMAS. You get that now.

Mr. JACKSON. No. We would get all those services once we are federally recognized. It would not cost Congress one extra penny than is appropriated over there right now. It is not going to have any effect whatsoever on BIA's budget.

Mr. THOMAS. I don't agree with you. The money has to come from somewhere, and these other folks are not willing to take less. Well, at any rate—

Mr. JACKSON. What I am saying is, okay, in my mind, we are and have been federally recognized for 150 years. Why haven't we been receiving those services? See?

We have already told the State of Louisiana we have no land claim against the State of Louisiana; we are not from there. So we have to start our own. We have to look for economic development, and we have to go. That is our responsibility.

This bill is not about that. This bill is about whether we are or are not a federally recognized group.

Mr. THOMAS. I understand. And I appreciate that.

Mr. JACKSON. It is very important to us personally.

Mr. THOMAS. I understand that. And I sympathize with it. I guess my only concern and my only thought process will have to be on how best to do that, whether it is this kind of a bill or the other process.

Thank you very much.

Mr. RICHARDSON. The Chair recognizes the gentleman from Louisiana.

Mr. BAKER. I thank the Chairman. Let me ask the Executive Director of our State Bureau, with regard to Federal benefits to tribal members today, since two other recognized Tribes have indicated they have no opposition to the matter—

Mrs. WILLIAMSON. Three.

Mr. BAKER. Three. And the fact that benefits which may flow as a result of national recognition are subject to budget limits, whatever dollars are made available to the Louisiana Bureau of Indian Affairs Management Operation, that figure is not what we would describe in Federal terms as an entitlement.

There are a limited number of dollars to meet whatever the number of people's needs are in that respective State.

Mrs. WILLIAMSON. The monies only go to on-reservation Indians.

I am half Chitimacha, but I reside in Baton Rouge; and I am not eligible for any assistance.

Mr. BAKER. Correct. But my real point is with regard to Mr. Thomas' concern with regard to total budget made available to the State of Louisiana for the extension of benefits to properly recognized Members of an Indian Tribe.

Mrs. WILLIAMSON. Okay.

Mr. BAKER. If we had ten such Tribes recognized as a result of this legislation, the total amount of dollars being made available to your office would not be increased accordingly.

Mrs. WILLIAMSON. No dollars were made available to the State of Louisiana anyway. States don't generally participate in the Bureau's funding. The Tribes apply directly.

Mr. BAKER. So that, in response to Mr. Thomas' concern, it is not an entitlement in a social security sense; it is a programmatic appropriation. And the number of recipients of those respective services, then, equally divides whatever dollars may be made available for that purpose.

Mrs. WILLIAMSON. Correct.

Mr. BAKER. I think the concern Mr. Thomas had was that by recognizing 150 or so new individuals that we were increasing the Government's responsibility for care and expenditure by a pro rata number of individuals. And that clearly is not the case.

Mrs. WILLIAMSON. Correct.

Mr. BAKER. I just wanted to clear that up. Thank you.

Mr. RICHARDSON. I thank the gentleman.

Let me just ask a couple of questions. And then I am going to turn the hearing over to the gentleman from American Samoa briefly while I go to the Floor for an urgent matter, on which Mr. Thomas is doing the same.

Chief, how many full bloods or half bloods in your Tribe? Do you have that information for the record?

Mr. JACKSON. I don't have the exact total with me.

Mrs. WILLIAMSON. Sixty percent are half or more.

Mr. RICHARDSON. Okay.

Mrs. WILLIAMSON. They stop at a quarter.

Mr. RICHARDSON. Mrs. Williamson, you fully support this bill, and you have no doubt that this is an Indian Tribe?

Mrs. WILLIAMSON. Absolutely.

Mr. RICHARDSON. Recognition that you gave as a State was in what year?

Mrs. WILLIAMSON. I gave it in committee last year, in this committee; and then in 1989 we did it again.

We wrote a letter on behalf of the Governor in 1986. We passed legislation in 1986 before the State legislature. It has been ongoing.

Mr. RICHARDSON. The State does provide some services to the Tribe?

Mrs. WILLIAMSON. As of this year, absolutely no more. We have renegotiated our position. We are now sovereign-to-sovereign with our three Federal Tribes negotiating compacts on revenue, gaming.

I am a one-person office after this last session. We are now the Office of Indian Affairs who enters into compacts with federally recognized Tribes.

Mr. RICHARDSON. Now, again, Mrs. Williamson, the Tribe is located in, as I understand it, a very economically weak parish, correct?

Mrs. WILLIAMSON. Correct.

Mr. RICHARDSON. Is it your view that the economic development of the tri-county area—I understand there are three parishes affected—would improve the economy of the area?

Mrs. WILLIAMSON. Yes. Over the past few years, in hopes of Federal recognition, we have met with different companies about possible economic development.

My experience is with grant writing and programs. I have always advised Chief Jackson that his numbers were so small that to get Federal grants the administrative costs would always outweigh the services and he was going to have a hard time being eligible for Federal dollars, that independent economic development would be a better source of income from the Tribe than programs.

Mr. RICHARDSON. For Indians and non-Indians, too?

Mrs. WILLIAMSON. Yes.

Mr. RICHARDSON. Is there Indian gaming in Louisiana now?

Mrs. WILLIAMSON. High stakes bingo. And we have gaming in three compacts with the Tunica, the Coushatta, and the Chitimacha.

Mr. RICHARDSON. Are there compacts for Class Three gaming?

Mrs. WILLIAMSON. All three of those are Class Three. I am the Chairman of the Indian Gaming Commission.

Mr. RICHARDSON. You are?

Mrs. WILLIAMSON. Yes, in the State.

Mr. RICHARDSON. That is handy. That is terrific.

Chief or Mr. Chairman? Which is your proper title?

Mr. JACKSON. The Indians of Louisiana kind of got misdirected in the 1970s; and they started calling themselves Tribal Chairmen. And they didn't know what that meant. Through a grant in working with ANA, we developed a constitution, and we identified our leadership the way it should have been in the past, as Tribal Chief.

Mr. RICHARDSON. Chief, the bill limits membership to those born in Catahoula Parish as I understand?

Mr. JACKSON. That is the ancestral—our members live in a three-parish area.

Mr. RICHARDSON. You have no problem with accepting that limitation in the bill?

Mr. JACKSON. Well, I am never satisfied.

Mr. RICHARDSON. Right.

Mr. JACKSON. But I have to face facts, that we have a small group, and that is where we are located.

Mr. RICHARDSON. Now, you will have a reservation after the bill passes?

Mr. JACKSON. I will have three acres, one acre being a graveyard. We have two acres where we bought with money from HUD. We established a community center and office complex. We only have a total of three acres.

Mr. RICHARDSON. Now, you have a relationship with the Mississippi and Oklahoma Choctaws. They obviously are your relatives.

Do they support this bill?

Mr. JACKSON. We have a letter of support, a resolution from Mississippi Band of Choctaw.

Mrs. WILLIAMSON. It is Mississippi, because that was their ancestral Tribe.

Mr. RICHARDSON. Would you submit that for the record?

Mr. JACKSON. Yes.

[The information follows:]

MISSISSIPPI BAND OF CHOCTAW INDIANS



TRIBAL OFFICE BUILDING
P.O. BOX 6010
PHILADELPHIA, MISSISSIPPI 39350
TELEPHONE (601) 656-5251

March 5, 1990

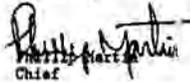
Mr. Jerry Jackson, Chairman
Jens Band of Choctaws
Post Office Box 14
Jean LA 71342

Dear Mr. Jackson:

Enclosed please find one original of Tribal Council Resolution GHO 66-90, endorsing the Jens Choctaws' efforts toward reinstatement of federally-recognized status. The resolution appears rather lengthy; but we wanted to spell out in some detail for the uninformed the strong ties between you all and the people here, and explain a little of the history of the Jens Choctaws.

Please let us know of anything further that we need to do from here to assist you and the Jens Choctaws in receiving federal services.

Sincerely,


Phillip Martin
Chief

PM:eb

"CHOCTAW SELF-DETERMINATION"

MISSISSIPPI BAND OF CHOCTAW INDIANS

RESOLUTION CHO 6-90

A RESOLUTION TO SUPPORT THE MEMBERS OF THE JENA BAND OF CHOCTAWS IN THEIR EFFORT TO BE REINSTATED AS A FEDERALLY-RECOGNIZED TRIBE

WHEREAS, the Tribal Council of the Mississippi Band of Choctaw Indians has had contacts with the members of the Jena Band of Choctaws, Jena, Louisiana, for several years, and has no doubts that the members of said Band are descendants of members of the Mississippi Band of Choctaw Indians, possessing Choctaw surnames and speaking the Choctaw language in the dialect of the Bogue Chitto community in Neshoba and Kemper counties, Mississippi, and

WHEREAS, the Jena Band of Choctaws is seeking a reinstatement of federal recognition based on the fact that Jena Choctaws received federal educational services through the Choctaw Agency, Bureau of Indian Affairs, Philadelphia, Mississippi, and under Congressional appropriation in the years 1936 and 1937, based upon records obtained from the Choctaw Agency; a position identical to that of a tribe which obtained federal recognition on that basis in 1974, the Coushatta Tribe of Louisiana, which, along with the Chtimacha Tribe of Louisiana and the Jena Choctaws, was the recipient of such educational appropriations in the 1930's, and

WHEREAS, among the evidence compiled by the Jena Choctaws are Dawes Commission documents from 1902 establishing persons in LaSalle Parish, Louisiana, as Mississippi Choctaws (provided that they remove to the Indian Territory in that same year), including one Willis Jackson (Ah-la-pin-ubbee) who testified that he had been born in Scott County, Mississippi, and had moved to Louisiana with his father, William Johnson (E-la-palo-ubbee) from Scott County, and

WHEREAS, in 1938, Choctaw Agency Superintendent A.C. Hector suggested that the Jena Choctaws be removed to the Pearl River reservation in Neshoba County, Mississippi, but, though some families indicated agreement, none made the move, now therefore be it

RESOLVED, that the Tribal Council of the Mississippi Band of Choctaw Indians does hereby express its support for the reinstatement of federal recognition for the Jena Band of Choctaws, and be it further

RESOLVED, that the Tribal Council does hereby authorize the Chief to take such other and further actions as may be appropriate to assist the Jena Choctaws in their efforts to obtain recognition.

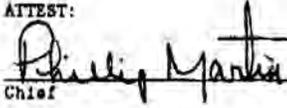
CERTIFICATION

I, the undersigned, as Secretary-Treasurer of the Mississippi Band of Choctaw Indians, certify that the Tribal Council of said Band is composed of 16 members, of whom 16, constituting a quorum, were present at a special meeting thereof, duly called, noticed, convened, and held this 20th day of February, 1990; and that the foregoing Resolution was duly adopted by a vote of 16 members in favor, 0 opposed, and 0 abstaining.

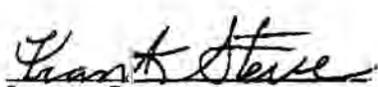
Dated this 20th day of February, 1990.

Resolution CHO 66-90
Page 2

ATTEST:



Chief



Secretary-Treasurer

Mr. RICHARDSON. Oklahoma, also?

Mr. JACKSON. No.

Mr. RICHARDSON. OK. Will you be able to obtain land in the three parishes?

Mr. JACKSON. Well, I mean, I don't know how right now; but we have to go into business. And we have to figure out how to get it.

Mr. RICHARDSON. Well, let me say that I am now going to turn over the hearing to the gentleman from American Samoa. I believe that you have a good case, and I am going to support this bill. I have to discuss this issue with the Ranking Member, who works very closely with us and who obviously has some concerns, and the gentleman from Louisiana, who is a very valuable member of the subcommittee. I personally think the recognition process that exists right now at the BIA needs real revamping, revision, restructuring—whatever word you want to use. I am not pleased with it.

The gentleman from American Samoa has a bill which we are going to be taking a look at that speeds up that process. Nonetheless, the Congress has acted on this bill before; and I think we should again. That is my view.

My good friend from Wyoming, we are going to have to discuss this.

The Chair recognizes the gentleman from American Samoa.

Mr. FALEOMAVAEGA. Mr. Chairman, thank you.

I certainly first would like to commend the gentleman from Louisiana, Mr. Baker, for introducing this piece of legislation, which I think is most timely, and certainly for consideration by our committee, and the fact that this tribal organization in the State of Louisiana certainly needs to be given Federal recognition.

So I am very pleased and happy with the bill that is now brought before the subcommittee for consideration.

And I would like to say, Mr. Chairman, for the record, I absolutely support the provisions of this bill and what it stands for.

So I commend the gentleman from Louisiana for bringing this to the attention of the committee. I just have one or two questions I would like to ask of Mr. Jackson and Mrs. Williamson, if you could help me out on this.

Is there any account for those who are less than 50 percent members of the Jena Choctaw?

Mr. JACKSON. Our constitution, as it stands today, you have to be one-quarter. And not only that, you are going to have to be of a lineal descendent from those persons that were identified on the Dawes Commission roll.

Now, the reality is, with us, just like with every Tribe across America, we will probably have to lower our blood degrees; but we will never change the descendency.

Mrs. WILLIAMSON. Let me add to that. Right now they are so pure blood, they can no longer inter-marry without it being incest. That is how closely related they all are.

Mr. FALEOMAVAEGA. Mrs. Williamson, in the first place, I am very much disturbed by the fact that certainly it was not the Native Americans who decided on how this blood quantity item was going to be quantified.

The fact that this was what the Congress passed, not only as a matter of policy, but it was made into Federal law, that in order

for a person to be considered an Indian that you have to be 50 percent or more, which to me is probably the most racist form of legislation I have ever heard in my life, what has happened over the years, they just simply carry this on. And now it is even affecting my own people in Samoa.

Anyone in his right mind—can you imagine trying to tell them that you are 50 percent Jena Choctaw, but if you are 49.9 percent, you are not? I mean, is there any sane person in this world that would ever give such consideration just to sheer numbers?

Supposing that this person marries another member of another Tribe. Does that make them any less Indian, other than the fact that you may be 40 percent Jena but you are an additional 20 percent Cheyenne? Does that make you less Indian?

I mean, to me, this thing and its origin was racist to begin with.

I want to ask you for your opinions. If the fact that putting blood quantity item as a criteria, do you consider this to be good policy as well as legislation to simply say, you are 50 percent Jena and, therefore, you are not a Jena, if you are 49.9 percent, if you were born and raised as a Jena?

Mr. JACKSON. No. Because, I mean, we have been like a leaf being blown by the wind. The politics says keep your blood degrees the way they are. We have tried to play the game the way it should be played, to approach other Tribes to show them the purity of our case. We have kept our numbers pure and our case very simple. We will have to lower blood degrees.

I do not view a full blood different from one-eighth, in my mind, and qualifying for services. And in my overview of plans for the future, I have to consider all.

But we wanted to keep it high because we wanted to show the difference between Jena and all the rest, and there are a lot of differences between Jena and the rest.

Mr. FALEOMAVAEGA. Just for my own edification, for what you consider to be Jena, how many members do you have right now?

Mr. JACKSON. One hundred and fifty-two.

Mr. FALEOMAVAEGA. If you add all the one-quarter, you are talking about a total what then?

Mr. JACKSON. One hundred and seventy-eight.

Mr. FALEOMAVAEGA. I thought maybe you had 10,000 or something like that.

Mr. JACKSON. No. This is not going to have a big impact on the national budget.

Mr. FALEOMAVAEGA. But nevertheless very important as far as I am concerned.

And in terms of giving you this Federal recognition, how much trust land are you anticipating getting if we pass this?

Mr. JACKSON. We are anticipating putting three acres we now own in trust.

Mr. FALEOMAVAEGA. Three acres. How are 178 people going to live on three acres.

Mr. JACKSON. We don't live on the three acres. One is a graveyard, and two of them is an office complex.

Mr. FALEOMAVAEGA. Let me ask you, by way of tradition, if you were to go back in the essence of time, the Jena people, how many

acreage of land did you claim to be under the sovereignty of the Jena Tribe before Columbus, or even—

Mr. JACKSON. We are a little different, see. We came from Mississippi in 1850.

Now, the Choctaw, which we are a part, lost 2.5 million acres over there in Mississippi. Of course, they were paid by Congress; we didn't get any of that in Jena. We haven't gotten a thing since 1850. We are not expecting anything except for starting when that bill was signed, we want the services provided to other Indians across the country.

Mr. FALEOMAVAEGA. Are there any federally held lands in the State of Louisiana?

Mrs. WILLIAMSON. My Tribe was 285 acres, and that is reservation. We have always occupied those lands.

Coushatta has acquired about 350 acres over the years since 1975. And Tunica is working—we put in 127 acres in trust. And Tunica and Coushatta have bought some lands that have not been put in trust yet. But nobody exceeds 400 acres in the State. We have three Federal Tribes.

Mr. FALEOMAVAEGA. Do you have any knowledge if the State of Louisiana has any trust lands held in trust by the State of Louisiana?

Mrs. WILLIAMSON. I wouldn't know.

Mr. FALEOMAVAEGA. Any information that anybody would have any knowledge of that?

Mrs. WILLIAMSON. I wouldn't know that.

Mr. FALEOMAVAEGA. I see.

The gentleman from Louisiana, did you have any questions?

Mr. BAKER. Just one more comment.

I think it is important in summarizing the activities from an historical perspective of this group of individuals, although slightly more than 150, perhaps more than 170, if the blood requirements are taken to their lowest number, if possible, that in the over 100 years, 1850 to 1990 history, we have had a group of individuals who have lived cohesively together as an identifiable community on a very small tract of land, a very poor part of a rural State.

I don't think anyone could allege properly that today this group would have conducted themselves in such a manner solely to come to the United States Congress in 1993 and ask for Federal benefits as a result of being a recognized Indian Tribe. It is almost incomprehensible to me that, for whatever reason, the process has not already recognized this group of individuals as an historic, recognized Indian Tribe of the United States of America.

I want the record to reflect that if the committee is to use any discretion in the judgmental processes, this is the one instance in my mind where it is clear and without doubt that this group of individuals is and has been a properly organized and recognized historically Indian Tribe for purposes of Federal benefits.

Thank you, Mr. Chairman.

Mr. FALEOMAVAEGA. I appreciate the gentleman from Louisiana's comments on this.

Just a couple more questions. I would appreciate it if you could bear with me. A little bit about the history under the Dawes.

Was it the Dawes Commission that gave you Federal recognition but never any land allotted to you?

Mrs. WILLIAMSON. The land was allotted to them. What happened was—I didn't just take the reference ahead. I found out how to go to Muskogee, and we got archives, records, from Fort Worth.

The Dawes Commission had posted in post offices announcing that if you are so much Indian, come to Muskogee. So this entire Band walked. It took them nine months to get there.

And we also have copies of the testimony from 1903 on each one. And then we have the response from Tams Bixby who was the chairman who wrote back to them and said, you are certified as full-blood Mississippi Choctaw. But he told them to come back to get their allotment, and they had a 90-day period to get back; and it took them nine months the first time to walk. So they didn't go back and get it. They just let it go.

There are some records we found in State Government and some of the Federal archives in between 1903 and the 1930s that they are still together, little news clippings and all. But then it became an issue again because of Indian reorganization: Who is a Tribe? What is a Tribe? Who is eligible for services?

We have letters from Ruth Underhill—I can't remember the other person who came down in the 1930s. Anyway, they looked at five Indian groups in the State to determine if they were going to be eligible for services or not.

Jena Choctaw and Coushatta were deemed eligible and were receiving funds under Indian Education.

Two other groups, Mima and Tunica, were denied services because they weren't a Tribe. There were, specifically, letters saying, well, they do not function as a Tribe.

Jena did not receive services with the statement. Well, they are getting them because they are a Tribe, but they knew they denied other groups. They took a hard look at Louisiana. Under IRA, they received services.

Then they were offered land in Mississippi, and it made sense. If I were in the Interior Department in the 1930s, that is what I would have done. I had 75 people isolated in Jena, Louisiana. I wish you had the time to come to Jena, Louisiana. It is nowhere. I mean it is like going back into the 1940s even today. It is back in time.

It was smart on the Interior's part just to take this bunch and move them back where they came from 100 years earlier, but they got caught up in the Mississippi Choctaw's business, and they were so small. And, again, they didn't speak English and have lawyers to represent them. They got forgotten again. We have the letters from July 11, 1938.

Mr. JACKSON. 1937.

Mrs. WILLIAMSON. 1937—when Assistant Commissioner Zimmerman offered them the land in Mississippi. Within six months of that period, they went through three superintendents over in Mississippi: A.C. Hector, L.M. Page, and then Fickenger. And they got forgotten because of the turnover, I think, and because of their smallness.

But the letter even specifies the Jackson family was going to be the first one to move to Mississippi.

Mr. JACKSON. I would like to follow up on that about—

Mr. FALCOMVAEGA. Could I try the chronology on this thing again? Because I am a little confused now.

Originally the Choctaw Nation inhabited what is now the State of Mississippi.

Mrs. WILLIAMSON. Correct.

Mr. FALCOMVAEGA. By some historical fact, or whether it be other pressures, then, the Jena Clan of the Tribe of the Choctaw moved to Louisiana.

Mrs. WILLIAMSON. Under the treaty of Dancing Rabbit Creek when they began removal in the late 1800s.

Mr. FALCOMVAEGA. They were forced then to leave Mississippi.

Mrs. WILLIAMSON. If you can picture a map of Mississippi, Choctaw is up here; and it is across the State line.

Mr. FALCOMVAEGA. But more or less you were forced to move to Louisiana?

Mr. JACKSON. Oklahoma.

Mrs. WILLIAMSON. And they stopped in Louisiana.

Mr. JACKSON. The five families that made up my Tribe didn't go.

Mr. FALCOMVAEGA. But you were still considered a member of the Choctaw Nation. You were forced to move up to Oklahoma, and there you walked 600 miles to—

Mrs. WILLIAMSON. All right. You are right, you need the chronology.

In the mid-1800s was the Treaty of Dancing Rabbit Creek. They started from Mississippi to Oklahoma and stopped in Louisiana. It was a terrible failure. They came back at the turn of the century with the Dawes Commission and tried again to remove the Indians up to Oklahoma.

And this time the Jena Choctaw family went to Muskogee. But you had to pass a strenuous review and certify as full blood to receive 640 acres. If you were certified half, you got 320 acres. And all of his ancestors, basically the grandparents, qualified as full bloods.

Mr. FALCOMVAEGA. Was the Jena Band the only band that was forced out of Mississippi to go up to Oklahoma?

Mr. JACKSON. That is one of the confusing points of acknowledgment. We did not call ourselves the Jena Band at that time. We were the Choctaw from Mississippi. But they wanted, historically, the Jena Band, see?

When we incorporated as a nonprofit in 1974 in the State of Louisiana, we then took the name "Jena Band of Choctaw." But before that, we were just the Choctaw of Mississippi.

So in 1903, when we were identified as the Dawes Commission rolls, we were simply the Mississippi Choctaw.

Now, see, what is important about the Dawes Commission, those rolls later become the rolls of the Oklahoma Choctaw in Oklahoma, the Choctaw Nation, and later became the rolls of the Mississippi Band of Choctaw.

So the criteria that was used to get on the roll was the same for my grandparents as it would be for somebody in Oklahoma or Mississippi. There isn't an ounce of difference in all of this.

Mr. FALCOMVAEGA. How did you end up in Louisiana? That is what I am trying to get at.

Mr. JACKSON. When they were moving the groups from Mississippi to Oklahoma, they were going up by barge; and then one night when they camped on this river, five families just snuck away in the middle of the night. They said we ain't going no further, because they didn't understand what a reservation was and they were scared; so they run over from outside of Jena. And from 1850 to today we are still there.

Mr. FALEOMAVAEGA. In Louisiana.

Mr. JACKSON. Yes.

Mr. FALEOMAVAEGA. And at this time there was still no recognition of you by the Mississippi Choctaw?

Mr. JACKSON. Tribes—we were unaware of any benefits by being Indian.

Mr. FALEOMAVAEGA. The point I am making is you are still a branch of the Choctaw Nation in Mississippi, and since your separation of the main body of the Choctaw Nation, you have not ever been held accountable or even to say, hey, we are a member of the greater Nation which is predominantly in Mississippi.

There was never any further communication between your families and the Choctaw Nation in Mississippi, as well as in Oklahoma?

Mr. JACKSON. In the early 1980s, we were trying to get funding so we could start our petition. So we approached the Mississippi Band of Choctaw to help us. So they wrote our first A&A granted in 1982 and administered it for us. And we did a needs assessment.

Mr. FALEOMAVAEGA. But through all these years, you were not given any entitlements or any trust land provisions or any benefit to the two million acres that the Choctaw Nation once held in what is now the State of Mississippi?

Mr. JACKSON. No.

Mr. FALEOMAVAEGA. Have you ever petitioned the Chairman of the Choctaw Nation that now makes up both Mississippi and Oklahoma for benefit as a member of the Choctaw Tribe?

Mr. JACKSON. No.

Mr. FALEOMAVAEGA. Has there been any communication in that effort?

Mr. JACKSON. Several years ago, in 1990, Chief Phillip Martin of the Mississippi Band called me and wanted to take us in and wanted to buy 500 acres. And at that time, BIA would not allow him—the State would not allow him to take lands across State lines in the trust.

Mr. FALEOMAVAEGA. I thought you only had 153 acres.

Ms. WILLIAMSON. No. Three acres.

Mr. FALEOMAVAEGA. Now you are—

Mr. WILLIAMSON. No. No. Phillip Martin called Jerry and said, we will take you into the Mississippi Choctaw and what we want to do is get 500 acres of land in Louisiana and place it in trust for the Mississippi Choctaw for Jena to stay on.

And I had problems with the Mississippi Choctaw entering into Louisiana Territory in jurisdiction. It started creating some problems for the State, and they had been autonomous since the 1850s anyway. They had their own tribal standing.

Mr. FALEOMAVAEGA. I understand the provisions in this bill will take care of all your needs?

Mr. JACKSON. Hardly. It solves a minimal dilemma we have had for 150 years, that we finally can say that we are Choctaw Indian. That is all it does.

Mr. FALCOMAVAEGA. Well, it certainly is a good start. And I want to commend the gentleman from Louisiana for this start.

I notice that we don't have any more witnesses, but I want to thank you, Mr. Jackson and Mrs. Williamson, for appearing before the committee.

I am sure that one of the blessings of having this chairman of the committee is that he also happens to be a deputy whip, so that means he can talk to the big guys up there of the leadership of the House as far as Native American issues are concerned.

But, again, I want to thank the gentleman from Louisiana for being here with us this afternoon and also for having been the author of this bill. And I sincerely hope that we will move with efficiency, with due respect, to the gentleman from Wyoming, who is our Ranking Minority Member.

We are having a little difficulty in trying to go through the recognition process, but I see your situation somewhat similar to what the Lumbees of North Carolina have been going through for the last 100 years.

But be that as it may, we will consider pursuing this issue. But I want to thank you very much for your appearance.

And, Mr. Baker, thank you for being here.

The committee is adjourned.

[Whereupon, at 3:00 p.m., the subcommittee was adjourned.]

72-125 (56)

ISBN 0-16-041484-9

