

# HONEY SPRINGS AND STONES RIVER NATIONAL BATTLEFIELDS

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## HEARING

BEFORE THE

SUBCOMMITTEE ON  
NATIONAL PARKS, FORESTS AND PUBLIC LANDS  
OF THE

COMMITTEE ON  
NATURAL RESOURCES  
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

ON

### **H.R. 4821**

TO ESTABLISH THE HONEY SPRINGS NATIONAL BATTLEFIELD AND  
WASHITA BATTLEFIELD NATIONAL HISTORIC SITE IN THE STATE OF  
OKLAHOMA, AND FOR OTHER PURPOSES

### **H.R. 4266**

TO EXPAND THE BOUNDARIES OF THE STONES RIVER NATIONAL  
BATTLEFIELD IN TENNESSEE, AND FOR OTHER PURPOSES

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HEARING HELD IN WASHINGTON, DC  
JULY 29, 1994

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H.R. 4821—ESTABLISHING THE HONEY SPRINGS NATIONAL BATTLEFIELD AND WASHITA BATTLEFIELD NATIONAL HISTORIC SITE IN THE STATE OF OKLAHOMA, AND FOR OTHER PURPOSES; AND H.R. 4266—EXPANDING THE BOUNDARIES OF THE STONES RIVER NATIONAL BATTLEFIELD IN TENNESSEE, AND FOR OTHER PURPOSES

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FRIDAY, JULY 29, 1994

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON NATURAL RESOURCES,  
SUBCOMMITTEE ON NATIONAL PARKS, FORESTS  
AND PUBLIC LANDS,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 9:00 a.m. in room 1210, Longworth House Office Building, Hon. Bruce F. Vento (chairman of the subcommittee) presiding.

**STATEMENT OF HON. BRUCE F. VENTO**

Mr. VENTO. The Subcommittee on National Parks, Forests and Public Lands will come to order.

We are considering two bills, H.R. 4821, to establish the Honey Springs National Battlefield and Washita Battlefield National Historic Site in the State of Oklahoma, and for other purposes; and H.R. 4266, to expand the boundaries of the Stones River National Battlefield in Tennessee, and for other purposes.

[Text of the bills, H.R. 4821 and H.R. 4266, follows:]

103D CONGRESS  
2D SESSION

# H. R. 4821

To establish the Honey Springs National Battlefield and Washita Battlefield National Historic Site in the State of Oklahoma, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 1994

Mr. SYNAR (for himself and Mr. LUCAS) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To establish the Honey Springs National Battlefield and Washita Battlefield National Historic Site in the State of Oklahoma, and for other purposes.

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 “Honey Springs Na-  
5 tional Battlefield and Washita Battlefield National His-  
6 toric Site Act of 1994”.

7 **SEC. 2. FINDINGS.**

8 (a) FINDINGS.—The Congress finds that:

9 (1) The Battle of Honey Springs, July 17,  
10 1863, was the pivotal battle fought between Union

1       and Confederate forces in the Indian Territory  
2       (Oklahoma). Union victory at Honey Springs pre-  
3       vented the Confederates from capturing Fort Gibson  
4       and resulted in Union control of the Indian Terri-  
5       tory for the remainder of the war.

6           (2) The Battle of Honey Springs represents  
7       more than the pinnacle of Confederate control in the  
8       Indian Territory, it was a multi-racial engagement  
9       where African-Americans, Indians from the Five  
10      Civilized Tribes, Anglos, and Hispanics fought with  
11      and against each other. No other Civil War battle  
12      claims such a distinction.

13          (3) The Battle of Honey Springs pitted Indians  
14      against Indians and symbolizes the bitter Civil War  
15      strife throughout the Indian Territory where no less  
16      than 90 battles were fought and where many of the  
17      soldiers were Indians.

18          (4) The battlefield retains much of its historical  
19      integrity and natural setting. Traces of the Texas  
20      Road, one of the major north-south corridors linking  
21      Texas with the midwest, bisects the battlefield.  
22      Much of the fighting at Honey Springs occurred  
23      along or near the Texas Road.

24          (5) The Battle of the Washita, November 27,  
25      1868, was one of the largest engagements between

1 Plains tribes and the United States Army on the  
 2 southern Great Plains. The site is a registered Na-  
 3 tional Historic Landmark.

4 (6) Lt. Colonel George A. Custer, leading the  
 5 7th United States Cavalry, attacked the sleeping  
 6 Cheyenne village of peace chief Black Kettle. Cus-  
 7 ter's attack resulted in more than 150 Indian cas-  
 8 ualties, many of them women and children.

9 (7) The Battle of the Washita symbolizes the  
 10 struggle of the southern Great Plains tribes to main-  
 11 tain their traditional ways of life and not to submit  
 12 to reservation confinement.

13 (8) The Washita battle site possesses a high de-  
 14 gree of integrity and the cultural landscape is essen-  
 15 tially intact. The Cheyenne village site has not been  
 16 altered substantially except by periodic flooding of  
 17 the Washita River.

18 **TITLE 1—HONEY SPRINGS NATIONAL**  
 19 **BATTLEFIELD**

20 **SEC. 101. PURPOSE.**

21 The purposes of this title are to—

22 (1) recognize the importance of the Battle of  
 23 Honey Springs as a nationally significant element of  
 24 the Civil War history of our Nation;

1           (2) establish Honey Springs as a national bat-  
2       tleground to preserve, protect, and interpret its na-  
3       tional, historical, and cultural resources for the ben-  
4       efit, inspiration, and education of the people of the  
5       United States; and

6           (3) commemorate the role of American Indians  
7       and African Americans in the bitter Civil War strug-  
8       gles that occurred in the Indian Territory and  
9       provide opportunities for American Indian represent-  
10      atives and other groups to be involved in the formu-  
11      lation of educational programs for the national  
12      battlefield.

13 **SEC. 102. ESTABLISHMENT.**

14       (a) IN GENERAL.—In order to provide for the preser-  
15      vation and interpretation of the Civil War battlefield of  
16      Honey Springs, there is hereby established the Honey  
17      Springs National Battlefield in the State of Oklahoma  
18      (hereafter in this Act referred to as the “national battle-  
19      field”).

20       (b) BOUNDARY.—(1) The national battlefield shall  
21      consist of approximately 3,300 acres as generally depicted  
22      on the map entitled “Honey Springs National Battlefield,”  
23      numbered \_\_\_\_\_ and dated \_\_\_\_\_ 1994. This  
24      map shall be on file in the offices of the Director of the  
25      National Park Service, Department of the Interior, the

1 State of Oklahoma, and other appropriate Federal and  
2 State offices. After advising the Committee on Natural  
3 Resources of the United States House of Representatives  
4 and the Committee on Energy and Natural Resources of  
5 the United States Senate, and the congressional office(s)  
6 where the battlefield parks are located, in writing, the Sec-  
7 retary may, from time to time, make minor revisions in  
8 the boundary of the national battlefield in accordance with  
9 the general management plan developed under section 105  
10 of this Act by publishing of a revised map or other bound-  
11 ary description in the Federal Register.

12 (2) By January 1, 1996, the Secretary shall submit,  
13 in writing, to the committees referred to in subsection (b),  
14 the congressional office(s) where the battlefield parks are  
15 located, and to the Committees on Appropriations of the  
16 United States Congress a detailed plan which shall  
17 indicate—

18 (A) the lands and areas identified in this  
19 section,

20 (B) the lands which have previously been ac-  
21 quired by purchase, donation, exchange, or transfer  
22 for the purpose of this battlefield park,

23 (C) the annual acquisition program (including  
24 the level of funding) recommended for the ensuing  
25 five years, and

1 (D) the final boundary map for the battlefield  
2 park.

3 **SEC. 103. ADMINISTRATION.**

4 (a) IN GENERAL.—The Secretary, acting through the  
5 Director of the National Park Service, shall manage the  
6 national battlefield in accordance with this Act and with  
7 provisions of law generally applicable to units of the Na-  
8 tional Park System, including the Act entitled “An Act  
9 to establish a National Park Service,” approved August  
10 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), and the Act  
11 of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467),  
12 and for other purposes.

13 (b) MANAGEMENT PURPOSES.—

14 (1) To protect and preserve the national battle-  
15 field, including the topographic features important  
16 to the battle sites, particularly the remaining traces  
17 of the “Texas Road” and the fords along Elk Creek,  
18 artifacts and other physical remains of the battle,  
19 and the visual scene as closely as possible as it was  
20 at the time of the battle.

21 (2) To interpret the cultural and natural re-  
22 sources of the national battlefield, providing for pub-  
23 lic understanding and appreciation of the area in  
24 such a manner as to perpetuate these qualities and  
25 values for future generations.

1 (c) COOPERATIVE AGREEMENTS.—The Secretary  
2 may enter into cooperative agreements with State and  
3 local public departments and agencies, Indian tribes, Afri-  
4 can-American organizations, and nonprofit entities to—

5 (1) provide technical assistance for the manage-  
6 ment, protection, and interpretation of the national  
7 battlefield; and

8 (2) provide grants for the annual costs of oper-  
9 ation and maintenance, protection, preservation, and  
10 rehabilitation of the national battlefield.

11 **SEC. 104. ACQUISITION OF PROPERTY.**

12 Within the national battlefield boundary established  
13 by section 102(b) of this Act, the Secretary is authorized  
14 to acquire lands and interest in lands by donation, pur-  
15 chase with donated or appropriated funds, or exchange.  
16 Lands or interest in lands owned by the State of Okla-  
17 homa or any political subdivision thereof may be acquired  
18 only by donation.

19 (1) Except for property which the Secretary de-  
20 termines to be necessary for the purposes of admin-  
21 istration, development, access or public use, an  
22 owner or owners (hereafter referred to as “owner”)  
23 of any improved property which is used solely for  
24 noncommercial residential purposes on the date of  
25 its acquisition by the Secretary or any owner of



1 lands used solely for agricultural purposes (includ-  
2 ing, but not limited to, grazing) may retain, as a  
3 condition of the acquisition of such property or  
4 lands, a right of use and occupancy of such property  
5 for such residential or agricultural purposes. The  
6 term of the right retained shall expire upon the  
7 death of the owner or the death of his or her spouse,  
8 whichever occurs later, or in lieu thereof, after a  
9 definite term which shall not exceed twenty-five  
10 years after the date of acquisition. The owner shall  
11 elect, at the time of conveyance, the term of the  
12 right reserved. The Secretary shall pay the owner  
13 the fair market value of the property on the date of  
14 such acquisition, less the fair market value of the  
15 term retained by the owner. Such right may, during  
16 its existence, be conveyed or transferred, but all  
17 rights of use and occupancy shall be subject to such  
18 terms and conditions as the Secretary deems appro-  
19 priate to assure the use of such property in accord-  
20 ance with the purposes of this Act. Upon a deter-  
21 mination that the property or any portion thereof,  
22 has ceased to be used in accordance with such terms  
23 and conditions, the Secretary may terminate the  
24 right of use and occupancy by tendering to the hold-  
25 er of such right an amount equal to fair market

1 value, as of the date of the tender, of that portion  
2 of the right which remains unexpired on the date of  
3 termination.

4 (2) As used in this section, the term “improved  
5 property” means a detached year-round one-family  
6 dwelling which serves as the owner’s permanent  
7 place of abode at the time of acquisition, and con-  
8 struction of which was begun before July 22, 1994,  
9 together with so much of the land on which the  
10 dwelling is situated, the said land being in the same  
11 ownership as the dwelling, as the Secretary shall  
12 designate to be reasonably necessary for the enjoy-  
13 ment of the dwelling for the sole purpose of non-  
14 commercial residential use.

15 **SEC. 105. MANAGEMENT PLAN.**

16 (a) Within three years after the date funds are made  
17 available, the National Park Service shall develop and  
18 transmit to the Committee on Energy and Natural Re-  
19 sources of the United States Senate and the Committee  
20 on Natural Resources of the United States House of Rep-  
21 resentatives, a general management plan for the national  
22 battlefield consistent with the purposes of this Act, includ-  
23 ing, but not limited to—

24 (1) a cultural resource protection program for  
25 the preservation of historic properties (including his-



1 sion shall be composed of members appointed by the Sec-  
2 retary for terms of five years as follows:

3 (1) One member who shall have professional ex-  
4 pertise in Civil War history.

5 (2) One member who shall have professional ex-  
6 pertise in Indian history or ceremonial activities.

7 (3) One member who shall have professional ex-  
8 pertise in African-American history.

9 (4) One member who shall have professional ex-  
10 pertise in outdoor recreation.

11 (5) One member who shall be an affected land-  
12 owner from the Oktaha community.

13 (6) One member who shall be an affected land-  
14 owner from the Rentiesville community.

15 (7) One member who shall have professional ex-  
16 pertise in cultural anthropology.

17 (8) One member from the Friends of Honey  
18 Springs Battlefield Park, Inc.

19 (9) One member from the general public.

20 (10) The Executive Director of the Oklahoma  
21 Historical Society, or his or her designee, ex officio.

22 (11) The Director of the National Park Service,  
23 or his or her designee, ex officio.

24 (b) Any member of the Commission may serve after  
25 the expiration of his or her term until a successor is ap-

1 pointed. A vacancy in the Commission shall be filed in the  
2 same manner in which the original appointment was made.

3 (c) Members of the Commission shall serve without  
4 pay. While away from their homes or regular places of  
5 business in the performance of services for the Commis-  
6 sion, members of the Commission shall be allowed travel  
7 expenses, including per diem in lieu of subsistence, in the  
8 same manner as persons employed intermittently in Gov-  
9 ernment service are allowed expenses under section 5703  
10 of title 5, United States Code.

11 (d) The Chair and other officers of the Commission  
12 shall be elected by a majority of the members of the Com-  
13 mission to serve for terms established by the Commission.

14 (e) The Commission shall meet at the call of the  
15 Chair or a majority of its members, but not less than twice  
16 annually. Six members of the Commission shall constitute  
17 a quorum. Consistent with the public meeting require-  
18 ments of section 10 of the Federal Advisory Committee  
19 Act (5 U.S.C. App.), the Commission shall, from time to  
20 time, meet with persons concerned with Indian history and  
21 historic preservation, and with other interested persons.

22 (f) The Commission may make such bylaws, rules,  
23 and regulations as it considers necessary to carry out its  
24 functions under this Act. Section 14(b) of the Federal Ad-

1 visory Committee Act (5 U.S.C. App.), shall not apply to  
2 the Commission.

3 (g) The Commission shall advise the Secretary and  
4 the State of Oklahoma on the management and develop-  
5 ment of the park, and on the preparation of the general  
6 management plan referred to in section 105. The Sec-  
7 retary, or his or her designee, shall from time to time,  
8 but at least semiannually, meet and consult with the Com-  
9 mission on matters relating to the management and devel-  
10 opment of the park.

11 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

12 There is authorized to be appropriated such sums as  
13 may be necessary to carry out the purposes of this Act.

14 **TITLE II—WASHITA BATTLEFIELD**

15 **NATIONAL HISTORIC SITE**

16 **SEC. 201. PURPOSE.**

17 The purposes of this title are to—

18 (1) recognize the importance of the Battle  
19 of the Washita as a nationally significant ele-  
20 ment of frontier military history and as a sym-  
21 bol of the struggles of the southern Great  
22 Plains Tribes to maintain control of their tradi-  
23 tional use areas; and

24 (2) establish the site of the Battle of the  
25 Washita as a national historic site and provide

1 opportunities for American Indian groups in-  
2 cluding the Cheyenne-Arapaho Tribe to be in-  
3 volved in the formulation of plans and edu-  
4 cational programs for the national historic site.

5 **SEC. 202. ESTABLISHMENT.**

6 (a) **IN GENERAL.**—In order to provide for the preser-  
7 vation and interpretation of the Battle of the Washita,  
8 there is hereby established the Washita Battlefield Na-  
9 tional Historic Site in the State of Oklahoma (hereafter  
10 in this Act referred to as the “national historic site”).

11 (b) **BOUNDARY.**—The national historic site shall con-  
12 sist of approximately 2,900 acres as generally depicted on  
13 the map entitled “Washita Battlefield National Historic  
14 Site”, numbered \_\_\_\_\_ and dated \_\_\_\_\_  
15 1994. This map shall be on file in the offices of the Direc-  
16 tor of the National Park Service, Department of the Inte-  
17 rior, the State of Oklahoma, and other appropriate offices  
18 of the Service. The Secretary may, from time to time,  
19 make minor revisions in the boundary of the national his-  
20 toric site in accordance with the general management plan  
21 developed under section 205 of this Act by publishing of  
22 a revised map or other boundary description in the  
23 Federal Register.

1 **SEC. 203. ADMINISTRATION.**

2 (a) IN GENERAL.—The Secretary, acting through the  
3 Director of the National Park Service, shall manage the  
4 national historic site in accordance with this Act and the  
5 provisions of law generally applicable to units of the Na-  
6 tional Park System, including the Act entitled “An Act  
7 to establish a National Park Service,” approved August  
8 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), and the Act  
9 of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467),  
10 and for other purposes.

11 (b) MANAGEMENT PURPOSES.—The park shall be  
12 managed for these purposes, among others:

13 (1) To protect and preserve the national his-  
14 toric site, including the topographic features impor-  
15 tant to the battle site, artifacts and other physical  
16 remains of the battle, and the visual scene as closely  
17 as possible as it was at the time of the battle.

18 (2) To interpret the cultural and natural re-  
19 sources of the national battlefield, providing for pub-  
20 lic understanding and appreciation of the area in  
21 such a manner as to perpetuate these qualities and  
22 values for future generations.

23 (c) CONSULTATION AND TRAINING.—The Secretary,  
24 acting through the Director of the National Park Service,  
25 shall consult regularly with the Cheyenne-Arapaho Tribe  
26 on the formulation of the management plan pursuant to



1 section 205 of this Act and on preparation of educational  
2 programs provided to the public. The Secretary is author-  
3 ized to enter into cooperative agreements with the Chey-  
4 enne-Arapaho Tribe, its subordinate boards, committees,  
5 and enterprises to further the purposes of this Act.

6 (d) COOPERATIVE AGREEMENTS.—The Secretary  
7 may enter into cooperative agreements with State and  
8 local public departments and agencies, Indian tribes, and  
9 nonprofit entities to—

10 (1) provide technical assistance for the manage-  
11 ment, protection, and interpretation of the national  
12 battlefield; and

13 (2) provide grants for the annual costs of oper-  
14 ation and maintenance, protection, preservation, and  
15 rehabilitation of the national battlefield.

16 **SEC. 204. ACQUISITION OF PROPERTY.**

17 Within the national battlefield boundary established  
18 by section 202(b) of this Act, the Secretary is authorized  
19 to acquire lands and interest in lands by donation, pur-  
20 chase with donated or appropriated funds, or exchange.  
21 Lands or interest in lands owned by the State of Okla-  
22 homa or any political subdivision thereof may be acquired  
23 only by donation.

24 (1) Except for property which the Secretary de-  
25 termines to be necessary for the purposes of admin-

1       istration, development, access or public use, an  
2       owner or owners (hereafter referred to as "owner")  
3       of any improved property which is used solely for  
4       noncommercial residential purposes on the date of  
5       its acquisition by the Secretary or any owner of  
6       lands used solely for agricultural purposes (includ-  
7       ing, but not limited to, grazing) may retain, as a  
8       condition of the acquisition of such property or  
9       lands, a right of use and occupancy of such property  
10      for such residential or agricultural purposes. The  
11      term of the right retained shall expire upon the  
12      death of the owner or the death of his or her spouse,  
13      whichever occurs later, or in lieu thereof, after a  
14      definite term which shall not exceed twenty-five  
15      years after the date of acquisition. The owner shall  
16      elect, at the time of conveyance, the term of the  
17      right reserved. The Secretary shall pay the owner  
18      the fair market value of the property on the date of  
19      such acquisition, less the fair market value of the  
20      term retained by the owner. Such right may, during  
21      its existence, be conveyed or transferred, but all  
22      rights of use of occupancy shall be subject to such  
23      terms and conditions as the Secretary deems appro-  
24      priate to assure the use of such property in accord-  
25      ance with the purposes of this Act. Upon a deter-

1       mination that the property, or any portion thereof,  
2       has ceased to be used in accordance with such terms  
3       and conditions, the Secretary may terminate the  
4       right of use and occupancy by tendering to the hold-  
5       er of such right an amount equal to fair market  
6       value, as of the date of the tender, of that portion  
7       of the right which remains unexpired on the date of  
8       termination.

9           (2) As used in this section, the term “improved  
10       property” means a detached year-round one-family  
11       dwelling which serves as the owner’s permanent  
12       place of abode at the time of acquisition, and con-  
13       struction of which was begun before July 22, 1994,  
14       together with so much of the land on which the  
15       dwelling is situated, the said land being in the same  
16       ownership as the dwelling, as the Secretary shall  
17       designate to be reasonably necessary for the enjoy-  
18       ment of the dwelling for the sole purpose of non-  
19       commercial residential use.

20 **SEC. 205. MANAGEMENT PLAN.**

21       (a) Within three years after the date funds are made  
22       available, the National Park Service shall develop and  
23       transmit to the Committee on Energy and Natural Re-  
24       sources of the United States Senate and the Committee  
25       on Natural Resources of the United States House of Rep-

1 representatives, a general management plan for the national  
2 historic site consistent with the purposes of this Act, in-  
3 cluding, but not limited to—

4           (1) a cultural resource protection program for  
5       the preservation of historic properties (including his-  
6       toric landscapes, objects, structures, and other types  
7       of sites), and natural values;

8           (2) a visitor use plan for programs and facilities  
9       that will be provided for public use, including the lo-  
10      cation and cost of public facilities;

11          (3) a research and curation plan;

12          (4) a highway signing program; and

13          (5) involvement by the Cheyenne-Arapaho Tribe  
14      in the formulation of educational programs for the  
15      national historic site.

16      (b) The general management plan shall be prepared  
17      in consultation with the Washita Battlefield National His-  
18      toric Site Advisory Commission established pursuant to  
19      section 206 of this Act and the State of Oklahoma.

20 **SEC. 206. WASHITA BATTLEFIELD NATIONAL HISTORIC**  
21 **SITE ADVISORY COMMISSION.**

22      (a) There is hereby established the Washita Battle-  
23      field National Historic Site Advisory Commission (herein-  
24      after in this Act referred to as the “Commission”). The

1 Commission shall be composed of members appointed by  
2 the Secretary for terms of five years as follows:

3 (1) One member who shall have professional ex-  
4 pertise in Indian history or ceremonial activities.

5 (2) One member who shall have professional ex-  
6 pertise in outdoor recreation.

7 (3) One member who shall be an affected land-  
8 owner.

9 (4) One member who shall have professional ex-  
10 pertise in cultural anthropology.

11 (5) One member from the Washita Battlefield  
12 preservation association.

13 (6) One member from the general public.

14 (7) The Executive Director of the Oklahoma  
15 Historical Society, or his or her designee, ex officio.

16 (8) The Director of the National Park Service,  
17 or his or her designee, ex officio.

18 (b) Any member of the Commission may serve after  
19 the expiration of his or her term until a successor is ap-  
20 pointed. A vacancy in the Commission shall be filled in  
21 the same manner in which the original appointment was  
22 made.

23 (c) Members of the Commission shall serve without  
24 pay. While away from their homes or regular places of  
25 business in the performance of services for the Commis-

1 sion, members of the Commission shall be allowed travel  
2 expenses, including per diem in lieu of subsistence, in the  
3 same manner as persons employed intermittently in Gov-  
4 ernment service are allowed expenses under section 5703  
5 of title 5, United States Code.

6 (d) The Chair and other officers of the Commission  
7 shall be elected by a majority of the members of the Com-  
8 mission to serve for terms established by the Commission.

9 (e) The Commission shall meet at the call of the  
10 Chair or a majority of its members, but not less than twice  
11 annually. Six members of the Commission shall constitute  
12 a quorum. Consistent with the public meeting require-  
13 ments of section 10 of the Federal Advisory Committee  
14 Act (5 U.S.C. App.), the Commission shall, from time to  
15 time, meet with persons concerned with Indian history and  
16 historic preservation, and with other interested persons.

17 (f) The Commission may make such bylaws, rules,  
18 and regulations as it considers necessary to carry out its  
19 functions under this Act. Section 14(b) of the Federal Ad-  
20 visory Commission Act (5 U.S.C. App.) shall not apply  
21 to the Commission.

22 (g) The Commission shall advise the Secretary and  
23 the State of Oklahoma on the management and develop-  
24 ment of the park, and on the preparation of the general  
25 management plan referred to in section 6. The Secretary,

1 or his or her designee, shall from time to time, but a least  
2 semiannually, meet and consult with the Commission on  
3 matters relating to the management and development of  
4 the park.

5 **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated such sums as  
7 may be necessary to carry out the purposes of this Act.

○

103D CONGRESS  
2D SESSION

# H. R. 4266

To expand the boundaries of the Stones River National Battlefield in Tennessee, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 1994

Mr. GORDON introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

To expand the boundaries of the Stones River National Battlefield in Tennessee, and for other purposes.

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. EXPANSION OF BATTLEFIELD**

4       The Act entitled “An Act to amend the boundaries  
5 of Stones River National Battlefield, Tennessee, and for  
6 other purposes”, approved December 23, 1987 (101 Stat.  
7 1433; 16 U.S.C. 426n) is amended by striking in the first  
8 sentence of section 1(a) “numbered 327/80,004B, and  
9 dated November 1991” and inserting “numbered  
10 \_\_\_\_\_ and dated \_\_\_\_\_ 1994”.



2

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

2       There is hereby authorized to be appropriated such  
3 sums as may be necessary to carry out the purposes of  
4 this Act.

○

Mr. VENTO. The sites are located in the great State of Oklahoma. I know that Congressman Synar and others have been working on them. I have been very impressed that he has enlisted the support of the State's chief executive officer to be here this morning and to aid and assist him. I know he always gets a tough time from this committee and Member.

This issue, of course, had been a subject of intense review by the Park Service. The testimony is positive with regards to both of these.

Furthermore, the Civil War Battlefields Commission that was established in the former administration and supported by the Congress, especially Senator Dale Bumpers, also recommended this as one of the high-priority sites.

We also have a separate measure introduced by our friend and colleague, Congressman Bart Gordon from Tennessee, which would reestablish the boundary of the Stones River National Battlefield in Tennessee.

The gentleman from Tennessee, Mr. Gordon, has been very active in attempting to legislate what is a difficult area in which the community in Murfreesboro, Tennessee, has undergone intense growth and pressure threatening the very resource of the Stones River monument established in the 1920s with really a development which would be inappropriate.

This is further complicated by the fact that the studies and evaluations upon which we attempt to make our policy have not been forthcoming with regards to this. This site also was a subject of the Civil War Battlefield Commission report in which it was listed as one of the most threatened sites, principally because of the development.

This site, as Congressman Gordon will point out, had as many losses of life as Antietam and many other famous and well-known battlefields which are preserved. And this deserves more intense review and protection, I think, from the Park Service.

So I am pleased to welcome all my colleagues. Without objection, your entire statements and the statements of witnesses will be made part of the record.

Hearing no objection, so ordered.

We are pleased to have Congressmen Synar, Gordon and Lucas testify at this time. I guess, Mike, you are the guy with the most seniority there, so please proceed.

#### **STATEMENT OF HON. MIKE SYNAR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OKLAHOMA**

Mr. SYNAR. Thank you, Bruce.

Let me start with an appropriate congratulation for your National Park concession bill victory yesterday, which is long overdue and will return us more money to the Park Service.

Mr. VENTO. Thanks for your help and sponsorship of that. I think the entire House should be congratulated, at least almost the entire House.

Mr. SYNAR. Thanks also for letting us testify on behalf of both Honey Springs and Washita National Parks. You will learn this morning that this proposition is supported by the entire delegation from Oklahoma, the State and local communities in the areas, and

by the Native American tribes, Cherokees, Creeks, and Cheyennes—who were involved in those battles.

You will also hear from some concerned landowners who I have invited to be here today, because we need a total picture of the concerns expressed by Oklahomans. We have already held meetings, both in Frank Lucas's district, and he will talk about that in a minute, and my district, with respect to the evolving question of whether or not these areas should become national parks. And I believe that we have to remain committed to these types of public input and full disclosure.

I believe these national parks in Oklahoma are long overdue. We are one of the very few States in the Union that have absolutely no national parks. And the citizens of this country and the citizens of Oklahoma would be greatly benefitted from the history you will hear about this morning.

I will leave the rest up to the citizens who have come up here to testify. I want to again thank you, and I would ask unanimous consent to submit the rest of my remarks for the record.

Mr. VENTO. They will be made part of the record, Mike. Feel free to join me as your schedule permits. I certainly understand the stress on my schedule and on yours.

[Prepared statement of Mr. Synar follows:]

CONGRESSMAN MIKE SYNAR'S TESTIMONY BEFORE  
THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS,  
FORESTS, AND PUBLIC LANDS  
ON LEGISLATION (H.R. 4810) TO DESIGNATE THE OKLAHOMA BATTLEFIELDS  
OF HONEY SPRINGS AND THE WASHITA AS NATIONAL PARKS  
JULY 29, 1994

Mr. Chairman, it is with great pleasure that I and my colleague from Oklahoma, the Honorable Frank Lucas, come before you today to testify on behalf of the legislation (H.R. 4821) we have introduced to designate the Honey Springs and Washita Battlefields as National Parks.

I believe the history of our great nation can be compared to one of the beautiful Indian blankets in my office; it is made up of hundreds of individual, but tightly woven, interdependent threads. I believe that a full understanding of the history of our nation, particularly events in the frontier West, is not complete without a proper National memorial to the heroic and tragic events that took place on these Oklahoma battlefields. The battles that occurred at Honey Springs and the Washita, which we will hear more about this morning, had a profound and lasting effect upon Indian Territory, now known as the great state of Oklahoma, and the ultimate settlement of the American Southwest.

It is important to note that the effort to designate these battlefields as National Parks has the support of the entire Oklahoma delegation, the State, the local communities in the vicinity of the battlefields, and by the Native American tribes--Cherokees, Creeks, and Cheyennes--that were involved in these battles. I understand that Senator Boren and Senator

Nickles will introduce a companion bill to H.R. 4821 next week. Governor David Walters, Dr. Bob Blackburn, Deputy Executive Director, Oklahoma Historical Society, and Mr. Lee Stidham, President of the Friends of Honey Springs, and a member of the Creek tribe are here to testify on behalf of the State, the Checotah community and the Creek Nation, respectively.

There are, however, some landowners who have voiced concerns because their property and homes are located within the proposed boundaries of the Park. I personally invited Ms. Sue Hill Stephens, who is here with her brother <sup>Steve</sup>~~Roger~~ Hill, to appear as a witness today to represent the views of landowners on the proposed Park.

Before introducing this legislation, both Mr. Lucas and I held public information meetings in our Districts to seek input from representatives of local communities, Indian tribes, effected landowners, and concerned citizens on the proposal to include these battlefield sites within the National Park system. We requested that officials of the National Park Service attend these meetings to inform the effected landowners about the various options--fee simple purchase, scenic easements, and life-use estates--that could be used to acquire property for the proposed Parks. After the meeting in my District, on July 16, 1994, I informed officials of the Oklahoma Historical Society and the National Park Service that I would like them to utilize easements and life-use estates to the maximum extent practicable in acquiring property. I understand that since the public meeting there have been ongoing discussions with Mrs. Stephens, members of her family, and other effected landowners, and tentative agreements have been reached about the options that would be used with respect to their

property.

As we move forward in this process to designate these battlefields as National Parks, we remain committed to seeking public input and full public disclosure. In the end, we want National Parks that all Oklahomans and other citizens of this country can take justified pride in, and which enjoy the continued strong support of the local communities.

In closing, I would like to thank Mr. Lucas, Governor Walters and the other witnesses who travelled here today to provide their valued opinions on this legislation. Finally, Mr. Chairman, I would especially like to thank you for holding this hearing and we look forward to working with you and your staff over the coming weeks on this legislation.

Mr. VENTO. I am pleased to welcome Bart Gordon from Tennessee. He has the proposal with regards to the Stones River.

**STATEMENT OF HON. BART GORDON, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF TENNESSEE**

Mr. GORDON. Mr. Chairman, I realize this is probably one of the busiest subcommittees in Congress. In addition to that, you have some other diversions going on right now. So I sincerely very much appreciate your time and your staff's time in getting this hearing together today.

I don't think there is much I can tell you that you don't already know about Stones River National Battlefield so I am going to submit my statement for the record. I am also going to submit a statement from Joe Jackson, the Mayor of Murfreesboro, as well as a letter from the Association for the Preservation of Civil War Sites, and The Friends of the Stones River National Battlefield.

[The documents follow:]



THE FRIENDS OF THE STONES RIVER NATIONAL BATTLEFIELD, INC.

P.O. Box 4092, Murfreesboro, Tennessee 37133-4092

July 27, 1994

Congressman Bart Gordon  
103 Cannon House Office Building  
Washington, D.C. 20515

Dear Congressman Gordon:

As both President of the Rutherford County Historical Society and Friends of Stones River National Battlefield, I would like to take this opportunity to personally thank you for your efforts in protecting our national resources; in particular, Stones River National Battlefield. You have certainly gone that extra mile in regard to previous boundary expansions and federal protection for the remnants of Fortress Rosecrans.

In this same context, I would like to submit the following comments concerning the Bill before Congress pertaining to the expansion of Stones River National Battlefield and ask that they be submitted for the congressional record at the hearings in Washington on Friday, July, 29, (Bill No. HR 4266).

As I understand it, this bill would authorize the National Park Service to acquire approximately 800 acres, most of which are located on lands bound by Manson Pike, Thompson Lane, and Interstate 24. This land was originally the site of the Gresham and Harding houses, and is the only battlefield landscape of its kind which retains the original integrity -- where visitors can visualize the massive Confederate attacks on Union forces -- the broad sweeping impact of lines and lines of troops. Here two of three divisions of McCook's right wing of the Union army were overwhelmed by Confederate forces. The only Union division to hold -- albeit temporarily -- was Sheridan's division near the Harding House, which he held long enough for General Rosecrans to redeploy his troops near the Nashville Pike.

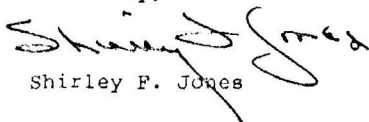


This acquisition would be extremely valuable because by protecting its character, not only do we protect sacred ground, but it would give the National Park Service the opportunity to interpret this vital component of the story as well. Not to mention the opportunity for the many visitors to Stones River who perhaps may have had ancestors who fought there to be able to walk on the ground of their forefathers. As a great-granddaughter of three Confederate soldiers, I cannot begin to tell you what a meaningful experience this would be. (I have personally visited every major battlefield where my ancestors fought and tried to experience what they may have felt walking into the face of enemy fire and death.)

If this proposed land acquisition is to become reality, it must be done soon, or it will be forever lost to development. This timing is particularly critical because of the recent opening of Thompson Lane. I know that you realize the importance in protecting this valuable site.

Again, we appreciate your efforts. Keep up the good work.

Sincerely,

  
Shirley F. Jones



## CITY of MURFREESBORO

Office of the Mayor

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 MURFREESBORO, TENNESSEE 37133-1139  
 AREA CODE 615 849-2629  
 FAX 615 849-2679

JOE B. JACKSON  
 MAYOR

JUL 30 1994

July 27, 1994

To Whom It May Concern:

The Stones River National Battlefield is a very important part of the history and the heritage of the State of Tennessee and this nation.

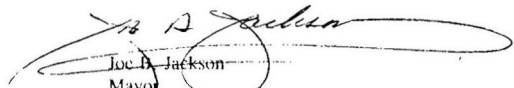
This 350 acre National park is the site of a crucial Civil War battle. More than 80,000 soldiers were involved in the three day struggle. Living history demonstrations are featured in the summer months, with a special Civil War encampment in July. Even though the Battle of Stones River, or the Battle of Murfreesboro, was fought more than 100 years ago, like Gettysburg, Shiloh, Fort Oglethorpe and many other Civil War sites, it serves as a reminder of an ugly segment of our history.

The Stones River National Battlefield was established in 1927 by the Federal War Department. The military park was transferred to the Department of Interior in 1933.

Over 200,000 people each year exit Interstate I-24 to visit the battlefield showing their interest in this part of the history of our country.

Murfreesboro, Tennessee, and the County of Rutherford are growing so rapidly that each year we are losing historically significant areas of this battlefield to development. It is my opinion, and the opinion of many others familiar with the problem at hand that it is imperative to pursue land acquisition funds when the Senate takes up the Interior Appropriation Bill. I believe that HR4266 is intended to pursue this important endeavor. It would be a disaster to lose an opportunity to adequately preserve this very important part of our history.

Sincerely yours,



Joe B. Jackson  
 Mayor

JBj:ps

## THE ASSOCIATION FOR THE PRESERVATION OF CIVIL WAR SITES, INC.

613 Caroline Street, Suite B  
Fredericksburg, Virginia 22401  
(703) 371-1860



P.O. Box 1862  
Fredericksburg, Virginia 22402  
Fax: (703) 371-3489

Thomas W. Richards, *Chairman* • Dr. James M. McPherson, *Vice Chairman* • Dr. Daniel J. Beattie, *Secretary* • David M. West, *Treasurer*  
A. Wilson Greene, *President*

On behalf of the Association for the Preservation of Civil War Sites, I welcome the opportunity to comment on H.R. 4266, a bill to expand the boundaries of Stones River National Battlefield.

Stones River was one of the major battlefields of the Civil War, recognized as such by its inclusion in the National Park System in 1927. Much to the chagrin of many historians and others interested in preserving our nation's cultural resources, Stones River has become one of the most threatened Civil War battlefields in the country. Commercial and residential development threatens to forever claim historically significant land. Former Interior Secretary Manuel Lujan included the Battlefield on his list of the 25 battlefields most threatened by development and in need of immediate attention.

Our Association is very much interested in preserving as much of the Battlefield of Stones River as possible and are pleased to endorse the substance of H.R. 4266. Prompt action to pass this legislation is essential. With Rutherford County being the fastest growing county in Tennessee, the cost of further delay is significant.

We understand that the recommendation of adding the additional acreage to the Battlefield's boundaries is in accordance with one of the National Park Service's alternatives included in the draft General Management Plan. We hope the National Park Service will continue to work closely with the community of Murfreesboro and complete the new General Management Plan as quickly as possible.

I would like to once again express the Association's support for including more historically significant land into the boundaries of one of the most important and endangered Civil War battlefields.

A. Wilson Greene  
President, APCWS

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Mr. GORDON. As you pointed out, Stones River Battlefield was a very bloody battle; 23,000 of the 83,000 troops at that time were either missing in action, injured or killed.

I think something that really strikes me is the fact that during the Civil War there were 10,500 battles, yet only 45 were thought to have a decisive impact on the outcome of the war. Stones River Battlefield was one of those.

It was also established as one of the most 25 endangered battlefields by former Secretary Lujan. The battlefield was established in 1927 with only 350 acres out of the 3,700 acres of the original battlefield.

That was really the problem. Growing up in Murfreesboro I was aware of the significance of the battlefield. So that was one of the obligations I had when I came here to Congress.

In 1987, with your help, we had a 57-acre expansion of the battlefield. And in 1991 there was an additional expansion. So I know it is a little greedy of me to come here today.

Quite frankly, I guess those were my mistakes in the past in that I was trying to deal with immediate problems of the day, things that had to be done, and didn't look on a bigger scale. Since that time, there is a general management plan which is being completed and takes a more expansive look at the battlefield. And that is really what we are talking about today.

The Park Service has not completed, as far as typing, photocopying, and sending the report in, but they have thoroughly looked at this particular situation. And they recognize that Murfreesboro is the fastest growing area in Tennessee, one of the 50 fastest growing in the Nation. There are great threats to historically significant land, and if something is not done immediately, we are going to lose much of this opportunity.

We are finally looking at it the way we should. You are not going to have to be further educated on this issue in the future. I think we will take care of the problems.

And again, I do thank you for all of your help. This is something that is very important to me. You have given this attention, all that I could ever expect, and I appreciate your efforts.

[Prepared statement of Mr. Gordon follows:]

BART GORDON  
6TH DISTRICT, TENNESSEE  
  
RULES COMMITTEE  
  
BUDGET COMMITTEE  
  
DEPUTY MAJORITY WHIP AT LARGE



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**Congress of the United States**  
**House of Representatives**

TESTIMONY OF THE HONORABLE BART GORDON  
ON H.R. 4266, TO EXPAND THE BOUNDARIES OF  
STONES RIVER NATIONAL BATTLEFIELD

BEFORE THE NATURAL RESOURCES SUBCOMMITTEE  
ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS

JULY 29, 1994

Mr. Chairman and members of the subcommittee, I would like to thank you for holding this hearing today. I know the workload of this subcommittee is the greatest in the House and each Member's schedule is very busy. I also want to take the opportunity to thank the subcommittee staff for all of their hard work and dedication to preserving this country's natural and cultural resources.

Before I begin my remarks I would like to submit for the record statements by the Mayor of my hometown, Murfreesboro, Tennessee, the Honorable Joe Jackson, Shirley Jones, of the Friends of the Stones River National Battlefield, and E. Wilson Greene, President of the Association for the Preservation of Civil War Sites.

The Battle of Stones River was fought from December 31, 1862 through January 2, 1863. While the Union and Confederate forces were nearly equal in number, Union General William S. Rosecrans led his forces to a hard fought, bloody victory over General Braxton Bragg and the Confederate forces. In all, more than 23,000 of the 83,000 combined forces were missing in action, injured or killed. Unqualified heroism and unyielding valor were characteristics of soldiers from both the North and the South.

Confederate attacks at Stones River moved from left to right on the 3700 acre battlefield. The Confederate "sledge-hammer" offensive began around 10:30am on December 31st. From 10:30am until dark the Confederate forces threw attack after attack advancing across the land which is now being impacted by the Thompson Lane extension. This area is known by historians as Hell's Half Acre. But for the fact that the Union forces' defense held in Hell's Half Acre, the Union forces would undoubtedly have been driven back and possibly annihilated with disastrous repercussions.

As a result of the Union victory at Stones River, Union forces were able to construct Fortress Rosecrans. Fortress Rosecrans was completed in early 1863 covering over 225 acres, and is the largest earthen fortress built during the Civil War. The site was chosen because of its geographic location in the center of Tennessee and because it was adjacent to the main tracks of the Nashville and Chattanooga Railroad. The Fortress originally included eight lunettes, four redoubts, a steam saw mill, a magazine, and several warehouses. Fortress Rosecrans is presently listed on the National Register of Historic Places.

The greater Stones River battlefield area originally consisted of approximately 3700 acres. Initially authorized in 1927, the Stones River National Battlefield and Cemetery included 350 acres. The battlefield's 1980 general management plan suggested the acquisition of 284 additional historically significant acres of land. In 1983, this proposal was amended to propose the inclusion of only 83 acres. The tremendous reduction was due to the commercial and residential development of the area surrounding the battlefield.

When it was established in 1927, Stones River Battlefield was located in a rural setting. Since the publication of the National Park Service's 1980 general management plan, the area surrounding the battlefield has been witness to extreme population growth and accompanying development. The 1990 census figures reveal that Rutherford county is the fastest growing county in the entire state, and is one of the 50 fastest growing counties in the country.

In 1987, Public Law 100-205 authorized the acquisition of 53 of the most threatened historically significant acres of land. In addition, the preservation, stabilization and interpretation of Fortress Rosecrans and the construction of a 2.6 mile historic river trail were authorized. In July of 1990, Secretary of the Interior, Manuel Lujan, announced the formation of the American Battlefield Protection Plan. Former Secretary Lujan included the Stones River National Battlefield as one of the top 25 Civil War battlefields most significantly threatened by development. The Secretary's plan is designed to acquire and preserve the Civil War battlefield land at these 25 locations in as expeditious manner as possible.

On December 11, 1991, the President enacted P.L. 102-225. This legislation authorized the expansion of Stones River National Battlefield by approximately 300 acres. Thanks to the tireless efforts of the volunteer organization, The Friends of Stones River National Battlefield, and the National Park Service, additional tracts of land were identified which played an integral role in the battle of Stones River and are of equal historical significance as that land included in the 1987 Act.

Mr. Chairman, as you recall, the more pressing reason behind the 1991 legislation was the state of Tennessee's decision to connect two existing segments of Thompson Lane in Murfreesboro, Tennessee. The Thompson Lane extension was both good news and bad news. The good news is Thompson lane provides direct access to the battlefield from Interstate 24. Stones River has been

plagued with increased inaccessibility as Murfreesboro continues to grow around the battlefield. The expansion of Thompson Lane will give visitors direct access to the battlefield.

The bad news was that the Thompson Lane extension runs very close to the battlefield and threatened the development of historically significant parts of the original battlefield. I pleaded with the subcommittee then that unless the legislation moved swiftly through the House and the Senate, several very important historical sites would be forever lost to development. That's exactly what happened. During Senate consideration of H.R. 2370, a section of the most historically significant land was purchased out from under us.

A section of Public Law 102-225 directed the National Park Service to complete a new General Management Plan. As I mentioned earlier, the most recent General Management Plan was completed in 1980 and the explosive growth in Rutherford county clearly required the completion of a new General Management Plan to determine what land was still available to acquisition. H.R. 4266 implements one of the three alternatives recommended by the new General Management Plan.

Today marks the third time I've come before this subcommittee requesting the boundaries of the Stones River National Battlefield be expanded.

H.R. 4266 recommends the acquisition of approximately 800 acres of land which the Park Service under the leadership of the Battlefield's Superintendent have located and documented as very historically significant. Much of the land retains the original integrity of the battle allowing battlefield visitors to visualize the movements and attacks of the Confederate and Union forces.

Mr. Chairman, as you know, the Civil War was divided into the Eastern and Western theaters. Over the years, much of the preservation and acquisition funding has been directed to the Eastern theater. H.R. 4266 offers an excellent opportunity to increase awareness and preservation in the Western theater.

I am also pleased to come before you again to report that visitations and visitor interest in Stones River National Battlefield continues to increase. Visitations in 1993 were 285,082, a 48 percent increase from 1990.



Mr. Chairman, the preservation of Stones River is very important to me. Not only do I have a keen interest in preserving Civil War history, the battlefield also happens to be in my hometown. I have personally walked over all the land we seek to authorize the acquisition of in this bill. I am pleased that the General Management Plan team under the leadership of the Superintendent researched the boundaries of the original battlefield and found these additional acres which were not included in the 1980 General Management Plan. I assure you that I have made every possible effort to maximize all available resources and use the appropriations in the most efficient ways possible. To this end, I consistently check on the progress of the projects for which this subcommittee has authorized and Congress has funded to make sure we are getting the most for our money.

I truly appreciate the Subcommittee's attention to my bill and encourage its expeditious passage. I'll be glad to answer any questions the Chairman and members of the Subcommittee may have.

Mr. VENTO. I hope we can resolve this. I don't want you to thank me too soon. While I am sympathetic to the proposal, obviously I don't know how far it will go this late in the session.

I certainly understand your concerns about coming in and doing it on a piecemeal basis. This is not common, but it is understandable in the sense that I think in many instances you had sought to have more done, and it was reduced back to a smaller denominator.

The end result, of course, is now we are facing a watershed type of decision on whether we want to keep the commitments that were made in 1927 or not.

Mr. GORDON. Right. I think, again, the general management plan has given us a better view of this. There will be testimony to that.

The other thing is that we are looking now at mistakes made in the past. We are seeing extraordinarily significant portions of the battlefield—I will point it out to you.

Mr. VENTO. Don't get too far away from that mike.

Mr. GORDON. The land that is colored here is the battlefield in existence. The numbers are significant points of the war. And so you can see how we only have a very small part.

And what we are attempting to do is come down and pick up this area here, which again, Dr. Bearss will be better able to explain to you, as well as some of these collateral areas, so we can include these significant portions. Others are just gone, and hopefully we will use it as a lesson for the future.

Mr. VENTO. Thank you, Bart. I appreciate it. We don't know what the schedule is going to be.

Actually, Congressman Bart Gordon was referring to the work on the Banking Committee. We have been involved in some hearings this week, until about 10:00 last night. Frankly, I would much rather be here.

Thank you very much, Bart.

We are pleased to welcome Congressman Lucas, a new Member of Congress. Frank, please proceed with your statement.

#### **STATEMENT OF HON. FRANK D. LUCAS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OKLAHOMA**

Mr. LUCAS. Thank you, Mr. Chairman. I appreciate the opportunity to testify before the committee, and I also appreciate the opportunity to join my senior House Member from Oklahoma, Mr. Synar, as well as Governor Walters to testify before this committee on behalf of H.R. 4821, the Honey Springs National Battlefield and Washita Battlefield National Historic Site Act of 1994.

Oklahoma was granted statehood in 1907. While being one of the youngest States in the Nation, Oklahoma, the region once known as the Indian Territory, has a vibrant and rich history that truly exemplifies a frontier spirit inherent in millions of Americans as they settled lands brought into the Nation by the Louisiana Purchase, the Spanish-American War, and other events that expanded the country to touch both oceans.

The two sites that we propose to elevate to national park status I believe represent two of the most significant historical events that took place in the Indian Territory which is now our State of Oklahoma.

In the 1860s the Indian Territory truly represented this Nation's Western frontier. It was a land populated by indigenous Indian tribes, Indian tribes who had been forcibly settled due to Anglo expansions in the East, Union forces, Confederate forces and freed slaves.

The battle of Honey Springs on July 17, 1863, and the Battle of Washita on November 27, 1868, helped map the course of history of both Union dominance in the West following 1868 and the U.S. Army's treatment of the Indian population following the American Civil War.

While I am pleased with Mr. Synar's comments about Honey Springs, I can't help but focus for a moment on the battle of Washita, which site is on my own Sixth District in Oklahoma, the largest engagement between the Plains Tribes and the U.S. Army. It had a significant impact on both the history of the Cheyenne tribe and the Army's dealings with Native Americans.

In the early morning hours of November 27, 1868, Lieutenant Colonel George A. Custer led his Seventh Cavalry in a merciless attack on the sleeping village of Cheyenne Peace Chief Black Kettle. Over 150 inhabitants of that village were killed or wounded, many of whom were women and children. This so-called Custer victory is seen as a precursor to his later defeat at Little Big Horn where he engaged in basically the same kind of tactics used on this Cheyenne village.

The Battle of Washita's message complements the other 367 units in the National Park Service System. Its unique mission will serve as a solemn reminder of the Plains Indian tribes' struggle against reservation confinement and their fight to maintain their traditional Indian lifestyles. The diversity of the greatest National Park System in the world would truly be enhanced if this national landmark could be made into a national historical site.

I believe it also must be stated that the Battle of Washita site retains much of the same character it did in 1868. It is already received and registered as a National Historical Landmark.

I am pleased that both Congressman Synar and I, along with the Park Service, had opportunities to meet with landowners on both of these impacted areas, hearings which gave citizens at both sites the ability to raise concerns and listen to the Park Service plans for each site. And you can be assured we will continue to work diligently to give these two historic battles the national recognition they deserve.

In closing, I would like to thank my colleague, Mr. Synar, for his efforts on this bill. I would also like to thank Bob Blackburn who spearheaded these actions, Lawrence Hart, for his testimony here today, a member of the Cheyenne tribe, and the good folks of Cheyenne, as well as the Park Service for their guidance in these efforts. I truly do believe this is a golden opportunity to preserve a national landmark while it is still in its very pristine state.

Thank you, Mr. Chairman.

[Prepared statement of Mr. Lucas follows:]

TESTIMONY BY CONGRESSMAN FRANK LUCAS  
BEFORE THE HOUSE SUBCOMMITTEE ON NATIONAL PARKS,  
FORESTS, AND PUBLIC LANDS  
ON HR 4821, "THE HONEY SPRINGS NATIONAL BATTLEFIELD AND  
WASHITA BATTLEFIELD NATIONAL HISTORIC SITE ACT OF 1994"  
JULY 29, 1994

Mr. Chairman members of the committee, I want to thank you for this opportunity to join the Senior House member from Oklahoma Mr. Synar, and Governor Walters to testify before your committee on behalf of HR 4821, the "Honey Springs National Battlefield and Washita Battlefield National Historic Site Act of 1994."

Statehood was granted to Oklahoma in 1907. While being one of the youngest states in our nation, Oklahoma, the region once known as "Indian Territory", has a vibrant and rich history that truly exemplifies a frontier spirit inherent in millions of Americans as they settled lands brought into the nation by the Louisiana Purchase, the Spanish American War and other events that expanded the country to touch both oceans.

The two sites we propose to elevate to national park status represent two of the most significant historical events that took place in "Indian Territory" which is now our state of Oklahoma. In the 1860's, Indian Territory truly represented our nation's Western frontier. It was a land populated by indigenous Indian tribes, Indian tribes who had been forcibly settled due to Anglo expansions in the East, Union forces, Confederate forces, and freed slaves.

The Battle of Honey Springs on July 17, 1863 and the Battle of Washita on November 27, 1868, helped map the course of history of both the Union dominance in the West following 1863, and the United States Armys' treatment

of the Indian population following the American Civil War.

While I am sure Mr. Synar will go into greater detail about Honey Springs, I must state this battle represented the high-water mark of the Confederacy's dominance in Indian Country. Its significance cannot be understated. It was one of the few multi-racial engagements of the Civil War, as it pitted Indians along side with Anglos and African Americans fighting against similar forces on the other side. It is truly deserving of this designation.

The Battle of Washita, whose site is in my District the Sixth District of Oklahoma, was the largest engagement between Plains Tribes in Indian Territory and the United States Army. It had significant impact to both the history of the Cheyenne Tribe and the United States Armies' dealings with Native Americans.

In the early morning hours of November 27, 1868, Lt. Colonel George A. Custer led his 7th Cavalry in a merciless attack on the sleeping village of Cheyenne Peace Chief Black Kettle. Over 150 inhabitants of this village were killed or wounded, many of whom were women and children. This Custer victory is seen as a precursor to his later defeat at Little Big Horn where he engaged many of the same tactics he used on this Cheyenne village.

The Battle of the Washita's message compliments the 367 units in the National Park Service System. Its unique mission will serve as a solemn reminder of the Plains Indian tribes' struggle against reservation confinement and their fight to maintain traditional Indian lifestyles. The diversity of the greatest national park system in the world will truly be enhanced when this National Landmark is made into a National Park.

Mr. VENTO. Thank you, Mr. Lucas, for your testimony and comments.

I am sure that coming late in the session it is going to be a formidable task to see these guided to enactment. So we are going to have to enlist all the support we can. I know that will be a challenge to you and to me and to the other Members as we proceed on this. So thank you for your testimony.

You are free to join us, but similarly I know there are other things pulling at your attention. Thanks for being present.

Mr. VENTO. We are pleased to welcome Governor David Walters, Governor of Oklahoma.

Governor, your statement has been made part of the record so you can summarize or read the portions you choose to read.

Thank you.

#### **STATEMENT OF HON. DAVID WALTERS, GOVERNOR OF THE STATE OF OKLAHOMA**

Governor WALTERS. Thank you, Congressman Vento, for this opportunity to speak to you about the current efforts to commemorate two important chapters of American history.

As you are going to hear from the historians, the Battle of Honey Springs and Custer's attack on Black Kettle's village are significant for many reasons. To me, the most important parts of the historic fabric deal with the heritage of Native Americans and African-Americans.

The impact of both the Civil War and the military conquest of the Southern Plains has traditionally focused on the dominant Anglo-American culture, as Congressman Lucas just pointed out. It is time we give equal recognition to the impacts on minorities, both during the period of conflict and following through with the sad legacy of suffering and the struggle for justice and civil rights.

I am here to testify to the role that the State of Oklahoma can play in the development and operation of these two historic sites. I think this is important because I believe in the powers of partnership, of drawing from the resources of multiple sponsors to share the responsibility, to share the privilege, of preserving our priceless historical legacy.

The State has been involved with both Honey Springs and the Battle of the Washita for many years. The effort to preserve the battle site near Honey Springs began during the Civil War Centennial, when a State commission identified all significant sites in Oklahoma and declared Honey Springs the most important.

When the National Park Service announced it would expand its Civil War Parks System into the trans-Mississippi theater, many people assumed Honey Springs would be one of the additions. Unfortunately, it was a time when African-American history and Native American history were not considered for priority interpretation.

So the selection committee at that time chose Wilson Creek in Missouri and Pea Ridge in Arkansas. The State stepped in and began buying land, confident that the National Park Service would someday recognize the significance of the site. Today the State of Oklahoma owns more than 700 acres at the battle site, much of it in the core areas needed for interpretation.

State investment did not stop at land acquisition. In 1987, the Oklahoma Historical Society turned to reenactments as a means of generating public support for the park movement. Other reenactments followed in 1990 and 1993, the last of which involved 1,400 reenactors and for which, Congressman, I actually went out and dressed up. I didn't realize there were so many Confederates out there, and they put me in a Yankee uniform.

But there were more than 20,000 spectators at the same reenactment. Most importantly, the major event proved that Honey Springs Battlefield could make a major impact in both education and economic development.

Meanwhile, the Oklahoma Historical Society turned to other sources for funding. Just last May, the efforts were rewarded when I approved an Intermodal Surface Transportation Efficiency Act, ISTEA, grant of \$784,077 for the further development of the Honey Springs Battlefield. With this money, we will acquire another 300 prime acres from a willing seller. In addition, the budget includes more than \$400,000 for alternative trails, an overlook, and a museum.

If Congress approves this authorization bill, all of these assets will either be turned over to the National Park Service or coordinated through their planning staffs.

The State has also been involved in preserving the site and interpreting the Battle of the Washita. In 1958, at a time when heritage tourism was seen as a new opportunity for economic development, the State tourism department constructed a small museum in the town of Cheyenne to tell the story of Chief Black Kettle and Custer's attack on the peaceful village in 1868. Four years later the State acquired three acres on the battle site for a visitor's overlook.

In 1991, the Black Kettle museum and overlook were transferred to the Oklahoma Historical Society, which hired a professional historian, sponsored new programming and forged new ties with the community. Most importantly, they opened the channels of communication with the Cheyenne people.

For the past year, these society administrators have coordinated new development efforts between the National Park Service, the Heritage Conservation Fund, tribal leaders, and local landowners. At this time negotiations are being conducted with a willing seller to purchase the core 300 acres with private foundation money. If acquired, that land will also be donated to the Federal Government. The State's commitment will not stop with the transfer of property.

Last March, I signed a bill creating the Oklahoma Battlefield Commission. That commission will serve as a direct line of communication to the Oklahoma Legislature as well as the Governor's office.

I can also guarantee the continued cooperation of the Oklahoma Historical Society, which has been reinvigorated these past few years, as well as other State agencies such as the Oklahoma Department of Transportation and the Oklahoma Department of Corrections.

As you can see, the State of Oklahoma is willing and able to be a good partner in the development and operation of both battlefield parks. With the leadership of the National Park Service, we can

preserve two historical sites with national significance and tell a unique story that all Americans should know.

Thank you for your consideration, Mr. Chairman.

[Prepared statement of Governor Walters follows:]



Testimony of  
The Honorable David Walters  
Governor of Oklahoma

before

U.S. House Subcommittee on  
National Parks, Forests, and Public Lands

on

H.R. 4821

July 29, 1994

Congressman Vento, members of the Subcommittee, I want to thank you for this opportunity to speak to you about the current efforts to commemorate two important chapters of American history.

As you will hear from the historians, the Battle of Honey Springs and Custer's attack on Black Kettle's Village are singularly significant for many reasons. To me, the most important parts of the historic fabric deal with the heritage of Native Americans and African Americans.

The impact of both the Civil War and the military conquest of the Southern Plains has traditionally focused on the dominant Anglo-American culture. It is time we give equal recognition to the impact on minorities, both during the period of conflict and following through with the sad legacy of suffering and the struggle for justice and civil rights. I am here today to testify to the role that the State of Oklahoma can play in the development and operation of these two historic sites. I think this is important, because I believe in the powers of partnership, of drawing from the resources of multiple sponsors to share the responsibility, to share the privilege of preserving our priceless historical legacy.

The State has been involved at both Honey Springs and the Battle of the Washita for many years. The effort to preserve the battle site near Honey Springs began during the Civil War Centennial, when a state commission identified all significant sites in Oklahoma and declared Honey Springs the most important.

When the National Park Service announced it would expand its Civil War parks system into the trans-Mississippi theater, many people assumed Honey Springs would be one of the additions.

Governor Walters' Testimony, Page 2

July 29, 1994

Unfortunately, it was a time when African American history and Native American history were not considered for priority interpretation, so the selection committee chose Wilson Creek in Missouri and Pea Ridge in Arkansas. The State stepped in and began buying land, at all times confident that the National Park Service would someday recognize the significance of the site. Today, the State of Oklahoma owns more than 700 acres at the battle site, much of it in the core areas needed for interpretation.

State investment did not stop at land acquisition. In 1987, faced with severe budget cuts, the Oklahoma Historical Society turned to reenactments as a means of generating public support for the park movement. Other reenactments followed in 1990 and 1993, the last of which involved 1,400 reenactors and more than 20,000 spectators. Most importantly, the major event proved that Honey Springs Battlefield could make a major impact in both education and economic development.

Meanwhile, the Oklahoma Historical Society turned to other sources for funding. Just last May, the efforts were rewarded when they received an Intermodal Surface Transportation Efficiency Act (ISTEA) grant of \$784,077 for the further development of Honey Springs Battlefield. With this money, we will acquire another 300 prime acres from a willing seller. In addition, the budget includes more than \$400,000 for interpretive trails, an interpretive overlook, and a museum. If Congress approves this authorization bill, all of these assets will either be turned over to the National Park Service or coordinated through their planning staffs.

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Governor Walters' Testimony, Page 3  
July 29, 1994

for economic development, the State Tourism Department constructed a small museum in the town of Cheyenne to tell the story of Chief Black Kettle and Custer's attack on the peaceful village in 1868. Four years later, the state acquired three acres on the battle site for a visitor's overlook.

In 1991, the Black Kettle Museum and overlook were transferred to the Oklahoma Historical Society. Despite budget cuts, they were able to hire a professional historian, sponsor new programming, and forge new ties with the community. Most importantly, they opened the channels of communication with the Cheyenne people. For the past three years, Society administrators have coordinated new development efforts between the National Park Service, the Heritage Conservation Fund, tribal leaders, and local land owners. At this time, negotiations are being conducted with a willing seller to purchase the core 300 acres with private foundation money. If acquired, that land will be donated to the federal government.

The State's commitment will not stop with the transfer of property. Last March, I signed a bill creating the Oklahoma Battlefield Commission. That commission will serve as a direct line of communication to the Oklahoma Legislature as well as the Governor's Office. I can also guarantee the continued cooperation of the Oklahoma Historical Society, which has been reinvigorated the past few years, as well as other state agencies such as the Oklahoma Department of Transportation, and the Oklahoma Department of Corrections.

As you can see, the State of Oklahoma is willing and able to be a good partner in the development and operation of both battlefield parks. With the leadership of the National Park Service, we can preserve two historical sites with national significance and tell a unique story that all Americans should know. Thank you for your consideration.

Mr. VENTO. Thank you, Governor. It is apparent you have a very proactive interest in cultural and historic preservation.

Governor WALTERS. Yes, sir, sure do.

Mr. VENTO. One of the most successful programs that the Congress has written and has administered in Federal law is the State Historic Preservation Officers Program. For a small amount of dollars, that is a vital part of the entire Historic Preservation Act. It sounds as though they have been very proactive in the State of Oklahoma, that you in fact have directed them to be active.

Governor WALTERS. We tried to be supportive as much as we can and preserve these sites, particularly pending national recognition of them.

Mr. VENTO. I suspect there may be a couple of reasons, at least some political and some perhaps resource based, that have resulted in not recognizing or expanding the Stones River and Honey Springs sites, mostly because the other side or at least the North won in those battles.

Actually I am from the South. We weren't here then. But obviously we get very interested.

Governor, we very much appreciate your presence and are pleased to meet you. I want you to say hello to Wes Watkins, my classmate.

Governor WALTERS. I will do that.

Mr. VENTO. We are pleased to welcome Jerry Rogers, the associate director for cultural resources at NPS. Edwin Bearss, special assistant is accompanying him. Mary Ann Peckham, the superintendent for Stones River is also with him.

I am pleased you could all be here this morning. I see Doug Faris is behind you, too.

Mr. Rogers, you had a busy week before the subcommittee. You actually missed one day, as you know. We tried to organize this so that we would have more continuity in terms of what we were doing. But this was the best we could do based on the fact that the Governor was in town and others were not prepared.

Please proceed with your testimony, whichever bill you prefer to testify on first.

**STATEMENT OF JERRY L. ROGERS, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY DR. EDWIN C. BEARSS, SPECIAL ASSISTANT TO THE DIRECTOR, NATIONAL PARK SERVICE; MARY ANN PECKHAM, SUPERINTENDENT, STONES RIVER NATIONAL BATTLEFIELD, NATIONAL PARK SERVICE; AND DOUGLAS D. FARIS, ASSISTANT REGIONAL DIRECTOR, PLANNING, SOUTHWEST REGION, NATIONAL PARK SERVICE**

Mr. ROGERS. Thank you very much, Mr. Chairman.

Under any circumstances it is a pleasure to participate in the legislative process with this subcommittee on places that are so important to America's historical heritage. You have already said that all the witness statements are in the record, and I know that you are busy, so I too will try to hit only the high points.

But I do want to say that I am grateful for your statement a moment ago to the Governor pertaining to our valued partner, the

Oklahoma State Historic Preservation Office. We are grateful for that type of activity in every State, but Oklahoma certainly sets a model for many others.

With regard to H.R. 4821, to establish the Honey Springs National Battlefield and the Washita Battlefield Historic Site, the position is we support enactment of H.R. 4821 if amended in accordance with this testimony.

You have already heard a lot of good historical information about those two battles from previous witnesses, and you know that Dr. Bearss can give you better historical information than I.

I will simply say that the battlefield protection study done in 1991 under our American Battlefield Protection Program for Honey Springs provides ample justification for the national significance and potential of sites in this area.

The Battle of Honey Springs in July of 1863 was the largest and most significant engagement in Indian Territory. It paved the way for Union control of the region. Unlike most others, it was a multi-racial engagement in which African-Americans, Indians from the Five Civilized Nations, Anglos and perhaps even Hispanics participated. And unlike many others, it pitted Indians against Indians; Creeks, Cherokees, Choctaws, Seminoles all participated in this fight.

It is not well-known by the public in general that Indians were equally divided along sectional lines just like the rest of the Nation during the Civil War, and unfortunately Indian rights in Oklahoma were abrogated after the Civil War partially due to a perception of Indian support for the Confederacy. That is in spite of the fact that many American Indians served faithfully on the Union side in this battle and others.

Much of the core area of Honey Springs is intact, and it retains a high degree of historical integrity. Title II of H.R. 4821 would establish Washita Battlefield National Historic Site, a place that I had the opportunity to visit only about 10 days ago. The plan for that park would include involvement of the Cheyenne-Arapaho Tribes and formation of educational programs.

It is certainly an important battlefield, as you have heard from previous witnesses, and it represents the tragic failure of two cultures to understand one another, even remotely. The Indian wars had an aspect of tragic inevitability about them, and Washita represents that.

Not just a monument to something Custer did and got away with this time, it is really a monument to poor Black Kettle who tried as hard as anyone to remain at peace with the United States and seemed unable to succeed in doing so.

The surrounding natural and cultural landscapes of the battle have not changed significantly since 1868. The site has been a National Historic Landmark since 1960.

We do recommend a few modifications to H.R. 4821. One, we do not recommend, as I think you would anticipate, the establishment of a Federal advisory commission for Honey Springs or committee for Washita. The administration, as you know, is committed to controlling the growth of such commissions, and in lieu of commissions and committees, the National Park Service would work closely with

local residents and concerned interests and try to ensure full participation in planning and management of those park units.

Mr. VENTO. I know from your preliminary testimony, you do not recommend the Honey Springs commission. But I also notice there were two in there.

Mr. ROGERS. Yes, sir. That was my—

Mr. VENTO. I just want to point that out. The administration testimony is not in favor of either. I would anticipate that, but unless there are extenuating circumstances—so I will just leave it at that.

Please proceed with your testimony. I am sorry to interrupt you, Mr. Rogers.

Mr. ROGERS. That is fine. Section 102(b) of title I should be amended to set the size of the battlefield at approximately 3,400 acres as generally depicted on the map provided. And section 1 of title II should be amended to set the size of Washita at approximately 3,200 acres.

Certainly Doug Faris is extremely well informed on the planning backgrounds for both Honey Springs and Washita. Ed Bearss is extremely well informed on the historic significance of all three of the battlefields, particularly Stones River and Honey Springs. And Mary Ann Peckham is extremely well informed on the planning background to Stones River in the current status.

Turning to testimony on H.R. 4266, our position is, we have no objection to the bill. Our planning process is still under way. The last expansion legislation was directed at the Department of the Interior to prepare a new general management plan, and that is in preparation. Congressman Gordon made reference to that.

It is one of the most important battlefields by virtue of the significance of its campaign, but it is one of the most vulnerable battlefields, as it is in the path of development covered in this proposal.

The Civil War Sites Advisory Commission visited Stones River National Battlefield in February of 1992, noting then that less than 10 percent of the 3,700-acre battlefield was actually preserved and interpreted on park land.

In the course of doing the update of the general management plan as directed by law, the planning team inventoried extant battlefield resources, and as I have said before, I am happy about one thing, one result of our American battlefield protection program. It has resulted in your discovering a lot that we have not known about many battlefields and that local people and even historians didn't know about the extant remains that are worthy of preservation.

In the course of doing this inventory, we have seen that there could be an opportunity to reverse the trend of fragmentation at Stones River and the trend of encroaching development to dramatically improve the battlefield's value to visitors. The subject bill is crafted to do those things.

Mr. Chairman, I would be happy to attempt to answer your questions and certainly Superintendent Peckham, Dr. Bearss, and Mr. Faris can help as well.

[Prepared statement of Mr. Rogers follows:]

STATEMENT OF JERRY ROGERS, ASSOCIATE DIRECTOR FOR CULTURAL RESOURCES, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS, AND PUBLIC LANDS, HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 4821, A BILL TO ESTABLISH THE HONEY SPRINGS NATIONAL BATTLEFIELD AND WASHITA BATTLEFIELD NATIONAL HISTORIC SITE IN THE STATE OF OKLAHOMA; AND FOR OTHER PURPOSES.

July 29, 1994

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Mr. Chairman, it is a pleasure to appear before the Committee today to testify on H.R. 4821, a bill to establish the Honey Springs National Battlefield and the Washita Battlefield National Historic Site in the State of Oklahoma, and for other purposes.

Mr. Chairman, we support the enactment of H.R. 4821 if amended in accordance with this testimony.

Title I of H.R. 4821 would establish the Honey Springs National Battlefield. It provides the Secretary of the Interior with authority to acquire lands and interests in lands through donation, purchase, or exchange. It directs that the site be managed according to other authorities and requirements of the National Park System. The bill provides for the possibility of land owners to retain use and occupancy of acquired lands for a term of years. Section 105 of TITLE I requires the preparation of a general management plan within 3 years after funds are made available. Section 106 would establish a Honey Springs National Battlefield Advisory Commission, composed of 11 members appointed by the Secretary for terms of 5 years.



In 1991, the National Park Service in cooperation with the State of Oklahoma produced the Battlefield Protection Study: Honey Springs Battlefield Park, Oklahoma, which helped to form the foundation for the proposed legislation. This study provides ample justification for the national significance and park status potential of the sites currently under consideration.

The battle of Honey Springs was the pivotal battle fought between Union and Confederate forces in the Indian Territory. In July 1863, Confederates under Brigadier General Douglas H. Cooper initiated a campaign to capture Fort Gibson, an important military base on the Arkansas River, to drive the Union army from the region. Amidst bitter fighting, Honey Springs became the largest and most significant engagement in the Indian Territory. Union victory at Honey Springs paved the way for Union control of the region.

The Battle of Honey Springs represents a multi-racial engagement, in which African-Americans, Indians from the Five Civilized Tribes, and Anglos-and perhaps Hispanics-participated. The men of the First Kansas Colored Volunteer Infantry who fought at Honey Springs comprised the first African American to fight in the Civil War. Honey Springs also pitted Indians against Indians. Creeks, Cherokees, Choctaws, Seminoles, and Chickasaws saw action in the fight.

Honey Springs symbolizes the bitter fighting throughout Oklahoma during the Civil War, in where no fewer than 90 battles were fought, and in which many of the soldiers were American Indians. The fact that Indians were equally divided along sectional lines like the rest of the Nation is not well known. Indian rights to Oklahoma were abrogated after the Civil War due to Indian support for the Confederacy -- this in spite of the fact that many American Indians served faithfully on the side of the Union States.

Much of the core area of the Honey Springs battlefield is intact, and retains much of its historical integrity and cultural and natural setting. Traces of the Texas Road bisect the battlefield. This was one of the major north-south corridors connecting the Midwest with Texas -- bisects the battlefield, and played a major role in the battle.

TITLE II of H.R. 4821 would establish Washita Battlefield . National Historic Site. The proposed legislation gives the Secretary of the Interior the authority to acquire lands or interests in lands by donation purchase, or exchange, for the purposes of the park, and to manage the historic site. The bill also provides for the possibility of property owners to retaining a right of use and occupancy for a term of years following acquisition. A general management plan for the proposed historic site would be completed within 3 years of the date funds are made

available. This plan, among other things, would address involvement of the Cheyenne-Arapaho Tribe in the formulation of educational programs for the national historic site.

The Washita National Historic Site would preserve significant resources relating to one of the largest battles between Plains Indian tribes and the United States Army on the Southern Plains. This encounter, one of the most controversial in the nation's efforts to subjugate Native tribes, is perceived by many historians as a slaughter of noncombatant women and children asleep in their lodges.

In the broadest context, the Battle of the Washita can be interpreted as a conflict of cultures. The encounter directly resulted from repeated failed understandings between two divergent and dynamic cultures. For the Indians, the aftermath of the encounter pushed them into an ever-shrinking domain. With hunting grounds destroyed or replaced by farms and ranches, and iron tracks invading buffalo range, many of the Indian survivors of Washita reluctantly accepted their fate of reservation confinement.

The Battle of the Washita remains a tragic, classic example of the cultural failings involving American Indians and whites. Most of the Indians who survived the Washita encounter submitted

quickly to the reservation way of life; by 1875, all Indians living on the Southern Plains had been placed on reservations, ending a way of life that had lasted for centuries.

The Washita site possesses a high degree of historical integrity. The site of the Cheyenne village has not been altered except by periodic flooding of the Washita River. The surrounding cultural and natural landscapes have not changed significantly since 1868. The Washita site has been a registered National Historic Landmark since 1960, indicating its national significance.

We recommend the following modifications to H.R. 4821:

We do not recommend the establishment of a Federal advisory commission for Honey Springs National Battlefield. The Administration is committed to controlling the growth of advisory and operating commissions. The National Park Service will work closely with local residents and concerned interests to develop positive partnerships and assure full participation in the planning and management of the proposed park units.

Section 102 (b) of TITLE I should be amended to add language setting the size of the site at approximately 3,400 acres as generally depicted on the map entitled Honey Springs National Battlefield, numbered HOSP 20,000 and dated June

1994.

Section 201 of TITLE II should be amended to add language setting the size of the site at approximately 3,200 acres as generally depicted on map entitled Washita Battlefield National Historic Site, numbered WABA 20,000, and dated June 1994.

This concludes my prepared remarks, Mr. Chairman. I would be pleased to respond to your questions at this time.

Mr. VENTO. Thank you very much.

Just to comment while the Governor is still listening and is able to be present, the commission issue is one that has special concern for the administration and for the Members here. The experience has been that there isn't necessarily the line of accountability, either federally or statewide, in terms of these commissions, that they fulfill an autonomous role.

We think that the State of Oklahoma generally—my assumption would be that it would certainly be subordinate to your counsel on this, Governor—but that they have enough political subdivisions, and therefore are trying to utilize through a compact or other means the authorities and responsibilities that they have to in fact respond to.

So I would suggest that we see if there is a need to meld together additional governing structure at the local level to provide input to the secondary so that we would have a State, national, or in the true sense of the word, Federal relationship in terms of what takes place to clarify those lines of authority.

I am sensitive to try and put together and coordinate a local political subdivision, whether it be county or other entities that need to be working with the States. We are sensitive to it. It is just that we want to provide a different form of continuity.

In some cases it may be that the only thing that is workable is a commission. So we are not unalterably—but you really have to make the case that it is a special circumstance.

Mr. Rogers, I don't know if you would concur with my statement. But I did want to—know there is a level of concern. We find the commission is in need of a budget; they need a staff. All of a sudden we are down the road with supporting more governing structure.

I think the issue here should be to try and consolidate to some extent the townships. I don't know all the political subdivisions in Oklahoma. At least I know that is the case from my own experience in Minnesota and other parts of the Nation.

Mr. Rogers, I notice that Congressman Gordon had pointed out the map here for this area. Do you have a similar map for Oklahoma so we can get a little bit of a sense of where this is located or not?

Mr. Faris I see is unrolling it. Maybe he could use the mike. I don't know if we have adequate tools there. He would have to hold it up. I am just trying to get an idea of what the area is like and where it is located in the State. I assume it is close to Mike's district.

Mr. ROGERS. Mr. Faris is putting up the map for Honey Springs.

Mr. VENTO. What I am concerned about here is the size of the area. Maybe it is in the bill.

Mr. ROGERS. The size of the area for Honey Springs should be approximately 3,400 acres and for Washita approximately 3,200 acres. Mr. Faris can elaborate for you.

Mr. VENTO. Yes, Mr. Faris.

Mr. FARIS. Mr. Chairman, the Honey Springs Battlefield site is located south of Tulsa, Oklahoma, and south of Muskogee, Oklahoma, between Muskogee and Checotah, Oklahoma, and along the old Texas Road which was a major historic trail for transportation

and migration from Missouri and that part of the frontier to Texas. It was along this route in July of 1863 that the battle occurred.

The site that we are discussing includes a boundary of some 3,400 acres, approximately, and a number of landowners, including the State, as was previously mentioned by Mr. Synar and Governor Walters. Approximately 700 acres of State land, approximately 50 some private owners at this point in time.

Mr. VENTO. And there are no Federal lands in that area; is that correct?

Mr. FARIS. There are no Federal lands at this time.

Mr. VENTO. What is the topography other than the fact it has a road? It obviously is not mountainous. Are there water or streams through the area?

Mr. FARIS. Yes, sir.

Mr. VENTO. Can you speak to that from where you are? I don't know that they are depicted very well on the map. I see a blue line. I guess that was the road.

Mr. FARIS. There are two communities in the area at this point: Grenisville to the south and Optima to the north. The road traversed this area pretty much from north to south across a creek known as Elk Creek or Dairy Creek, and the largest land form in this area is Pumpkin Ridge, which is in this location. As this battle occurred on the ridge to the north of the battlefield—

Mr. VENTO. You are getting into Ed Bearss' jurisdiction. Just yield to him whenever you feel comfortable to do so.

Mr. FARIS. So these land forms did play a major role in the battle, of course, and as the Confederates dropped back to this creek, they were forced with their artillery to try to cross under a difficult situation across the bridge, not unsimilar to the bridge at Manassas, and that resulted in the situation of many of the Confederates being killed as they dropped further south toward Honey Springs.

Mr. VENTO. Dr. Bearss.

Dr. BEARSS. Can you hear me good now?

The Confederates were preparing a concentration to drive the Federals out of the Indian Territory. The Federals moved southward finally and established themselves at Fort Gibson about 25 miles north and east of Honey Springs, where the Confederate forces, consisting of Texans, representatives of the Five Civilized Nations under General Cooper, were located.

They were expecting reinforcements coming in from Fort Smith under General Cavel and General Blount. He is one of these interesting characters you only find in the Civil War. He was born in Maine, had been a sea captain, had become a doctor and had gone to Kansas, when Kansas was bleeding Kansas, and had assumed leadership, and he had moved southward and established a base at Fort Gibson.

Now, he knew the Confederates were bringing troops in from Arkansas to join General Cooper. So he decided to beat them to the punch. There had been heavy rains. The Arkansas River is high up around Muskogee. So he crosses the river on the night of the 15th, and moves southward, coming down the Texas Road. The Texas Road is one that I think Mr. Faris said would be a good national trail at some time.

They are coming down the Texas Road, and the Confederates prepare to meet them. And the Confederates take a position north of Elk Creek. It is a fairly gently rolling countryside with Pumpkin Ridge as the highest elevation. The Confederates take a position north of Elk Creek, about 300 yards, much of it on the hill property here, and the Union troops move southward.

Now, as we know, the Union has just gone to organizing African-American troops. The first African-American unit organized is the First Kansas. The First Kansas moves forward here, taking position in the center. The other Union units, consisting of—it is a civil war between the Civilized Nations. They have Union units here consisting primarily of Cherokee, Creek and Seminole fighting the other Five Civilized Nations on the Confederate side.

So they take position here, and the battle starts. It is one of the first of these battles because there are a lot of questions on African-Americans. Will they fight? It is answered here on the way the First Kansas stands tall. And the Federals begin pushing southward.

The Confederates break and have to converge to flee across this narrow bridge creek, and the Union pursues them southward to Honey Springs, the Confederate base at Honey Springs.

Blount is, of course, outnumbered in the area. Cooper moved off in this direction. And then Blount moves back. One month later Blount takes the field as they drive the Confederates almost out of Indian Territory and occupy Fort Smith.

So this is a decisive battle in Indian Territory. It is an important battle because, as you know as well as we do, that in the Park Service it was a long time before we began to recognize the contributions of African-Americans as combat troops in this Civil War. And here is one of the places where it first takes place.

You recognize the importance of the Native Americans fighting on both sides, the Civil War among Native Americans. So we have a new dimension here. It is not, like so many of our Civil War battlefields are, nationally significant. But they don't reach and tell this broad story of social conflict in the United States. This is an ideal place to tell it. I am strongly for it.

Mr. VENTO. Thank you very much, Dr. Bearss, for your explanations. It is very helpful.

The topography here is vegetative cover. It is forested at this time? Is the area forested?

Dr. BEARSS. The area now is kind of a low-growth forest, not tall trees like you have up in Minnesota. They are kind of short trees and grasslands, and around the hills they have cultivated land. But it was an area at that time of woods, kind of a low-growth wooded area, and then you are beginning to get out into the Plains where you have the grass.

Mr. VENTO. Well, thank you very much for your explanation. It is one of the side benefits to having hearings like this, having Dr. Bearss explain this in detail. I think it underlines the importance of the interpretation of the possibilities here.

Let me turn then to ask Mr. Faris, I think, who had the other map on the Washita area that is being discussed, if you have it available.



While you are putting that up, Mr. Rogers, do you anticipate some cooperative agreements with regards to this? What do you envision in terms of the Honey Springs and the Washita areas that are being proposed here?

Mr. ROGERS. I think in particular, Mr. Chairman, the cooperative agreement authority will enable us to do a better job of engaging specific groups that we really need to call upon to help us with our planning and interpretation, specifically the Cheyenne and Arapaho tribes, probably African-American groups, and other of the Five Civilized Nations that Ed Bearss referred to, to help us with the research and interpretive planning with regard to the roles of those ethnic groups in the battles.

Mr. VENTO. Do the tribes today have reservations close to this area with significant enrollments of Native Americans?

Mr. ROGERS. There are large populations of the tribes in the nearby area. The representation of Oklahoma is—

Mr. VENTO. I would be happy, without objection, to recognize Mr. Lucas, who is on the dais, if you want to help or guide me through this, Mr. Lucas.

Mr. LUCAS. Absolutely, Mr. Chairman.

We do not have reservations as such in Oklahoma. All the native populations are scattered throughout the State.

Mr. VENTO. You know, they have an enrollment process in most States; you enroll as an Arapaho in my area.

Mr. ROGERS. There are enrollment processes for the tribes, Mr. Chairman. I am not an expert—

Mr. VENTO. There are significant populations. In order to engage their benefits they have to be integrated into the community, is what the recognition is, as Mr. Lucas said.

But there are significant populations. They would be active participants in whatever cooperative agreement in terms of interpretation, perhaps at this site and/or with respect to the roles they played at the Honey Springs area. That is, you say people of color were active in a way that was unique at this particular proposed site.

Mr. ROGERS. Indeed they would, Mr. Chairman, in both battlefields.

Mr. VENTO. Mr. Faris, I think you are prepared now to give us a little geography, background, landownership patterns. Mr. Lucas is here, so we have to be careful when we make suggestions about designations of historic trails.

Mr. FARIS. Mr. Chairman, the area you see depicted on this map representing where the Battle of the Washita was fought in November of 1868 is adjacent immediately west to Cheyenne, Oklahoma, 20 miles north of Interstate 40 and the communities of Sayre and Elk City, Oklahoma, and south of other important historical areas such as Camp Supply and Dodge in Kansas.

The Washita River runs through this site, in the east-west fashion. You see a boundary depicted on this map of approximately some 3,200 acres. There are approximately 14 separate landowners, including the State of Oklahoma within this area.

And as has previously been stated, the State of Oklahoma and the Oklahoma Historical Society and its legislature has passed resolutions that State lands within both of these sites would be donated, transferred to the management of the Federal Government.

I or Dr. Bearss will be happy to present to you any overview you would like.

Mr. VENTO. I think he enjoys watching his students perform here, but in any case, just a question. You mentioned that there are 14 landowners, 3,200 acres. The State is one of the principal land owners. Do you know the amount of State land?

Mr. FARIS. The State land is fairly minimal at Washita. It includes a small site of three acres where there is a monument and where the national—

Mr. VENTO. The land in this area is principally agricultural, but how would you characterize the land use in the Washita area as well as the Honey Springs area?

Mr. FARIS. The large majority of land within the Washita area is native grassland and used primarily for cattle grazing and horses. The bottomland areas and those areas that are suitable for growing of cotton, wheat and other crops, probably represent some 20 percent or so of the total area within this boundary.

At this point in time there is hay and wheat which are the two primary crops raised within the bottomland areas. This is a little west of the tall grass. And the Honey Springs area, of course, is located pretty much in the edge of the Cross Timbers area, which is the beginning of the tall grass zone in eastern Oklahoma.

Mr. VENTO. These sites are not, obviously, contiguous. How far away are they from one another?

Mr. FARIS. Approximately 250 miles or so. One is in eastern Oklahoma, the other western Oklahoma.

Mr. VENTO. I bet they obviously are related in the sense that they have common themes.

Mr. FARIS. They are very much related. Dr. Blackburn will point out some of the significant relationships in these two sites and the two sites of the history of Oklahoma and the Native Americans in Oklahoma. You asked about the agriculture practices on Honey Springs. Some similar practices are going on there.

Of course, the majority of the Honey Springs Battlefield is covered in timber today, but there are crops raised there, primarily hay and other grasses used for grazing of cattle and horses.

Mr. VENTO. So the development has taken place; there are 50 landowners. It is a principally residential, scattered site?

Mr. FARIS. Yes, sir. There are approximately 22 residential sites in the Honey Springs Battlefield area. On the Washita area, there are four separate residential developments, three of which we would anticipate acquiring. The fourth one probably would be an easement arrangement.

Mr. VENTO. Would you say that again? You said there are four—

Mr. FARIS. There are four residential developments within this 3,400-acre area at Washita.

Mr. VENTO. Three of which you would seek to acquire and one which you would seek a life tenancy?

Mr. FARIS. Or an easement. Probably an easement.

Mr. VENTO. Dr. Bearss, did you want to explain the events here? You covered the Civil War and now you are covering the Native Americans. Do you cover anything in Italy?

Mr. BEARSS. Thank you so much. It is always a pleasure to appear before your committee.

In 1868 it had been war upon the frontier, and the importance again of these cooperative ventures. Until we had the meeting here in March, Mr. Mangum and I did not know why Black Kettle, when they went into camp, was on the farther periphery of the campsites.

Mr. Hart will show the advantage of cooperative activities and oral tradition. Black Kettle four years before in Sand Creek, Colorado, a peace chief, his camp had been attacked by Colonel Chivington, an attack that the one on Washita underscores. The cavalry could not deal with the Native Americans on the Plains, unless they could get a new strategy, and that was to attack them in their camps during the winter. This first occurred over at Bear River in January of 1863.

Colonel Chivington does it in November of 1864. So there is no underground, and the Arapaho and Cheyenne have gone to a traditional camping ground along the Washita River.

Sheridan, at this time, is holding out in one hand a sword, which will be represented by Custer, with the olive branch represented by Hazen down at Fort Cobb.

Black Kettle has been to Fort Cobb to indicate he is a peace chief, and he will return to the village. And his village is the most exposed part of all the villages. It is the upper village. The Washita River flows and then it goes north, flows east and then flows south.

On the 23rd of November, the 7th Cavalry, remember, marched from Camp Supply. They had had problems there. Custer had pulled his rank of major general over Sully of brigadier general. And, of course, Sully is up in your neck of the woods at one time. They also want to get moving before General Crawford shows up.

Moving south from Camp Supply, as Black Kettle returns from Fort Cobb, Custer has picked up a trail. Sheridan is not with them. They ride south through the Antelope Hills. On the 26th of November they approach this area here.

They spot the camp from this high ground here. Look over, and the camp is quiet. They make their plans. At daybreak, the cavalry, just like they will do in all the cavalry attacks in the west camps, will divide. One force will swing toward Congressman Lucas' property, swing to the west, cross the Washita and come in from the south. Elliot will move east and swing in from the north and northeast. And the main force under Custer—Custer's band, I don't know how long they will play Garry Owen because it is around zero, about 18 inches to 24 inches of snow on the ground, until the mouth pieces freeze up—comes into camp.

Black Kettle—for the second time in four years one of the Native Americans about the time they are coming, they sound the alarm, but it is too late. Black Kettle and his wife will ride to get on a horse, and they are shot down. Custer and his men charge the camp and take position looking over the camp from this place near where the State has their historic marker.

They sweep through the camp. Of course, now down the river, refugees flee there and sound the alarm. They will begin to turn out. Custer will remain in camp in the area until late in the day destroying the lodges, the meat that has been brought in to supply through the winter, slaughtering the horses. It has always become an important thing on these attacks on the Indian villages.

The warriors begin turning out from the other villages, the Arapaho and the Cheyenne. One of Custer's units under Elliot goes over in this area here. Elliot will be engulfed. As darkness approaches on a bloody day, Custer moves off this way and then goes back to Camp Supply.

Thus, they have a national tragedy. Part of our history that we are just beginning to address, changing the name of the Custer Battlefield to the Little Big Horn, which you had an important role in doing, to recognize this war of cultures.

I think it is very important, particularly when Mr. Hart gets up here, because all the books were written by the white man that I read did not mention why, until I heard Mr. Hart speak of why Black Kettle is in that exposed position. Thank you so much.

Mr. VENTO. Thank you, Dr. Bearss. And Mr. Lucas wants to explain that it may be a different Lucas.

Mr. LUCAS. The comment about the property ownership, actually that is my grandmother-in-law's property on the side there.

Mr. VENTO. We appreciate that. We have had Members that have ended up in parks. So we accept all contributions to the National Park Service, don't we? And in any case, I think that the testimony of Mr. Faris and his professional work in the Southwest is becoming near legend. Very, very good work in terms of survey work and identifying this. And, of course, Dr. Bearss has been a celebrated PBS commentator on the renowned Civil War series. So getting this presentation this morning, it sounds like Congress could be fun, Mr. Lucas.

Well, it is great to be able to work in this area where we have a common interest. And the opportunity to do something with our heritage and culture and to work with a Governor like the Governor that is here, Governor Walters, and Congressman Synar and yourself on these efforts. It is something that will obviously be available for a long time for future generations if we do our job right and put this together right.

So we have got a lot to do. Obviously, there are some private landowners here and considerations that need to be addressed. I look forward to working with them. I think we have touched on most of the questions I had. Mr. Lucas did you have any questions of Mr. Rogers, Dr. Bearss or Mr. Faris on your bill?

Mr. LUCAS. No.

Mr. VENTO. I know the Stones River issue has been discussed here. And let me just touch on some questions on that. You have testified to that particular matter, Mr. Rogers. What about the plan? The plan was supposed to have been completed last year.

Congressman Gordon is at the end of his time on the window of opportunity to get this done. Are we going to be able to have the benefit of that study before he urges me to do more work on the Stones River? I know Ms. Peckham has been sitting here patiently while others have had the opportunity to speak.

Ms. Peckham, is this your area of expertise, this study?

Ms. PECKHAM. I don't know that it is my area of expertise, but I can certainly comment on where we are in our general planning process. We are presently basically looking at the alternatives and discovering the feasibility of the different alternatives and by September we will be having the full public forum.

As of last night, we had met and have contacted all of the affected landowners. To date, we have met with many of the city and county planners, representatives of the governing agencies affected here and interested citizens in the community.

Mr. VENTO. The measure proposes the expansion by about 800 acres. Is that correct?

Mr. ROGERS. I believe that is correct, sir.

Mr. VENTO. And so the concern is the same one we had in 1994. In 1991, the Congress authorized the expansion of Stones River National Battlefield by 300 acres. What is the status of that expansion?

Ms. PECKHAM. We, of course, have had two boundary expansions.

Mr. VENTO. Yes, I am aware of that.

Ms. PECKHAM. And now in 1991 we combined all of those tracts for a total of 70 tracts, of which we have acquired 15 and 10 are presently in negotiation.

Mr. VENTO. And so that means that there is an outstanding 45 tracts where there has not been—

Ms. PECKHAM. Right.

Mr. VENTO. Various stages of that. How many separate tracts will be involved in this 800-acre number?

Ms. PECKHAM. We have 48 separate tracts.

Mr. VENTO. So these are larger tracts?

Ms. PECKHAM. Correct.

Mr. VENTO. Congressman Gordon appeals to the members of the committee that there is a lot of development going on in this area. Could you characterize this 800 acres for the committee in terms of what the package is you would face.

Are you familiar with the boundaries and so forth that he has proposed to include in the park and could you characterize the 800 acres?

Ms. PECKHAM. Yes, I am familiar with it. And approximately 100 of those 800 acres are presently zoned for light industrial. But not all are developed at that level. A majority of the land is either agricultural or residential in zoning and that is the present use. The bulk of the area, the majority of the significant area of acquisition below Manson Pike is agricultural at that time.

Mr. VENTO. So it is agriculture and zoned agricultural. What are we getting an acre for that land, two grand? Do you know?

Ms. PECKHAM. I don't know.

Mr. VENTO. You don't want to venture a guess. Well, I think that is one of the questions, Mr. Rogers, that I know is going to come up. And that is, What is the cost? What do you estimate is the cost of acquiring the 800 acres.

Mr. ROGERS. Mr. Chairman, it would be highly preliminary, but based upon tax assessor records and projected administrative cost, something in the range of \$4 million to \$5 million would be needed.

Mr. VENTO. That would be the administrative costs of acquiring it and so forth; is that correct? But it is preliminary.

Mr. ROGERS. Yes, sir.

Mr. VENTO. So that is the bottom line in terms of preserving this area. Ms. Peckham, this has been rated by the Civil War Battlefield Commission as a threatened area. Mr. Rogers, do you want to comment on this, too. What about this threatened status, one of 25 of the most threatened battlefields because of development? Do you concur in that? And perhaps you would give us some specifics about the threats.

Ms. PECKHAM. I concur 100 percent. One of the principal quarters that represented an entry way to Murfreesboro and the battlefield is the new Thompson Lane extension that leads from the Interstate, I-24, into the heart of Murfreesboro and comes to the front door of the battlefield. That is certainly ripe for development. That is probably the one area of the proposed boundary that is the most likely to experience rapid land use change in the next four to five years.

Mr. VENTO. Congressman Gordon's concern about getting a policy in place that provides direction to the Park Service in this case is very important. Are you satisfied that the 800 acres is necessary? Obviously, you want to go through your process, but do you think that most of what he is recommending here is what would be a preferred alternative in terms of what came out in the study?

Ms. PECKHAM. I do know that the area represents very much the third alternative that the general management team is looking at as an area where there are significant resources that have integrity and for which we can develop visitor access and public enjoyment of that area. We are confident that that could occur within that acreage. Within the planning process, we actually looked at other extant resources that still are there from the original battlefield, as outlined in the blue shaded area of the map.

Mr. VENTO. In other words, what you are telling us is that the other alternatives are more expansion?

Ms. PECKHAM. At one time the plan was considering an alternative that was larger, but we pulled back in when we applied certain criteria for that.

Mr. VENTO. Where is Mr. Gordon on this? Is he for the maximum size or the minimum size or some place in between?

Ms. PECKHAM. His proposal would be very closely aligned with the third alternative that we are presently studying.

Mr. VENTO. Number three. Okay.

Is the study examining other than the conventional, national-historic-park type of designation for all of these lands? Has it looked at other concepts such as a heritage area or different types of relationships which would achieve the preservation or the conservation of these resources?

Mr. ROGERS. The study—

Mr. VENTO. Other than a designation. In other words, designation would mean incorporation into the park. What I am saying is, Does the study look at other methods? Would you want to deal with this as a heritage area? Are there other alternatives that are being studied?



Mr. ROGERS. The study is basically a revision of the general management plan, Mr. Chairman, and so those do consider alternative means of preservation. But I can't comment on the degree to which this one does.

Mr. VENTO. Perhaps I am not making myself clear, but I was really wondering if there were other alternatives that were examined. I think here that it is a traditional type of consideration in terms of designation and purchase of easements or fee simple and so forth. And dedicating it there can be certain types of limitation, life tenancy or whatever the range of terms are, but it is a more of a traditional type of park. You could have a core area with a surrounding area where development might be limited and other ways of achieving the goal.

Ms. PECKHAM. We are certainly looking to other partnerships to achieve the protection of some of those other extant resources. There are homes contemporary to the battle that were battle sites, hospital sites, and we are looking to a number of active partnerships in the community, in fact, very much promoted and supported by the American Battlefield Protection Program.

Mr. VENTO. So you are exploring those alternatives.

Ms. PECKHAM. It is a parallel tract at Stones River.

Mr. VENTO. So there are some historic registers and historic landmark buildings and structures outside of the area and within it; is that correct? Historic landmark and areas or districts in this region?

Ms. PECKHAM. Yes, sir.

Mr. VENTO. And that relates to the theme that we are talking about here, clearly.

Ms. PECKHAM. Yes.

Mr. VENTO. And so how active has the State of Tennessee been in this or the local government of Murfreesboro.

Ms. PECKHAM. The local government has been very supportive and involved, as well as the county, Rutherford County, in working towards right now developing an interpretive plan and doing an identification of all extant resources from the Civil War era from this county and the city and developing some kind of an interpretive plan to bring visitors not only to the battlefield, but also to link the battlefield to other sites that were related.

Mr. VENTO. How many times have you appeared before the zoning authorities?

Ms. PECKHAM. Several.

Mr. VENTO. I am happy to hear that. I think that is where you ought to be. I think if we are going to deal with transboundary issues, and you have the people out there and you prevent them from actually speaking to the issue, it is a problem. And so I am pleased to hear that, and I would hope that you would get encouragement to continue those activities. I encourage you to do that.

Has the State Historic Preservation Office been involved?

Ms. PECKHAM. They have been involved in the general planning process.

Mr. VENTO. I expect that you don't always meet with universal acclaim with regards to the observations that are made, but I think that it is important that information be present. So I encourage you to keep doing that.

Dr. Bearss, I would like to go through this, but I am torn by my effort to get through the schedule today and we have other witnesses. And Dr. Blackburn will talk about Oklahoma and not this area. Could you give us a brief synopsis of what took place in this area and the importance of sites that Congressman Gordon has proposed?

Dr. BEARSS. Yes, sir, I will be delighted. The major area in which Congressman Gordon is interested is the area that would lie north of the interstate and west of Thompson Lane. This triangle here, a very important area because of these roads here, it has maintained its integrity.

The Union Army would be positioned on the 29th in an angle running like this confronting the Confederate Army at about a half a mile off. Like at First Manassas, the two generals had the same plan. Rosencrans was going to attack with his left against the Rebel right and the Rebel plan is to attack the Union right with their left. So if they both started at the same time, you might get a circular movement going around.

But the Confederates scheduled their attack for day dawn, Rosencrans for 7:30. So at day dawn, 10,000 Confederate troops positioned here advanced, sweeping through here. The Union left dissolved. Some of the men traveled three miles in less than an hour to throw away everything and when they came back they have even lost their hats. They sweep in through here.

It looks for a few hours like the army of the Cumberland is a thing that was. As their right wing collapses, the Confederates sweep north and in this area here is two Union divisions; one commanded by Phil Sheridan, who we heard of when we talked about Washita and another by Jefferson Davis. The Union, Jefferson Davis. And in this area, which still means a great deal of integrity, the Union buys time.

Napoleon, the greatest soldier of the nineteenth century, says that is the most valuable element that a soldier can have. They buy time as they slowly sell ground for lives through this area here to fall back and allow Rosencrans to reform his line along the Nashville Pike, so there is a critical two hours gained in this area here which is the majority of the land in Congressman Gordon's acquisition. That means a great deal of integrity. It was blood-soaked at one time and by this time.

It is of high significance to tell the story of the Union building up and stopping the Confederate sweep. A Confederate sweep at that time could have been disastrous for the Union. We had had Fredericksburg in mid-December, a disaster for the Union, and if another disaster occurred at this time, perhaps Lincoln would have found the job too great.

Mr. VENTO. Thank you for your brief explanation. You add a lot to the understanding of this and we appreciate your work with the Park Service and the general public in terms of education.

Mr. Rogers and Ms. Peckham, thank you very much for your presence and work in the Stones River and the other matters before the committee. Thank you very much.

Mr. ROGERS. Thank you, Mr. Chairman.

Mr. VENTO. We have a panel of witnesses including Dr. Bob Blackburn, who has received high praise from Professor Bearss, so



we look forward to hearing his testimony; Lee Stidham, president of Friends of Honey Springs and a member of the Creek Tribe; Mr. Lawrence Hart, peace chief and director of Cheyenne Cultural Center; and Ms. Sue Stephens, a private landowner at Honey Springs. If you would come forward at this time we would be pleased to hear your statements and perhaps we will have a few questions for you.

I had requested that your complete statements will be part of the record and will be available for staff and Members so therefore you don't have to read them in their entirety. If that is where your comfort level is in terms of reading it, I don't want to make you uncomfortable here. I want to make it as easy as I can for each of you.

Let me start with Dr. Blackburn, and your reputation proceeds you here based on Dr. Bearss' testimony and statements. Proceed with yours.

**PANEL CONSISTING OF DR. BOB BLACKBURN, OKLAHOMA HISTORICAL SOCIETY; LEE STIDHAM, PRESIDENT, FRIENDS OF HONEY SPRINGS, AND MEMBER OF THE CREEK TRIBE; LAWRENCE HART, PEACE CHIEF AND DIRECTOR OF CHEYENNE CULTURAL CENTER; AND SUE STEPHENS, PRIVATE LANDOWNER AT HONEY SPRINGS**

**STATEMENT OF DR. BOB BLACKBURN**

Dr. BLACKBURN. Thank you very much, Congressman Vento. We appreciate this opportunity of speaking to your committee today, and we appreciate the efforts of Congressman Lucas and Congressman Synar and the staffs of your committee and their committees on getting this done so quickly. I also appreciate your committee's reputation for close scrutiny to any new project that may be undertaken by the Park Service.

Why then should we expect you and your subcommittee to judge these two sites as worthy of National Park Service status and why should these sites be chosen from a long list of other properties that deserve protection? Simply, we feel that these sites are unique turning points in American history with themes that cannot be told at any other site and each carries a message that all Americans need to hear.

In the larger context of national history, the Battle of Honey Springs and Custer's attack at the Washita together represent the turning point in the closing of America's last frontier, the Indian Territory. For more than 200 years, the American experience had been one of a continuously expanding frontier with the dominant Anglo-Americans taking the lands of one Indian tribe after another.

By the Civil War, the last well-watered soil between the two oceans lay in the Indian Territory, an island of productive land withheld from the onslaught of American settlers. The first crack in the walls around this last frontier was the Civil War, which gave the Federal Government the opportunity of punishing the Five Civilized Nations for siding with the Confederacy.

The Punitive Reconstruction Treaties of 1866 created the tools that would be used for tribal destruction. The treaties were harsh. The first railroads were allowed through the Indian Nations, the

concept for allotment in severalty was established, and the principles of territorial organization and statehood were forced on the tribes. The results were a flood of white intruders, destruction of the concept of tribal ownership of the land, and the dissolution of the tribal governments by 1907 and the entry of Oklahoma into the Union.

On the heels of the Reconstructive Treaties came the military offensive to clear the southern Plains of the nomadic tribes such as the Kiowa, the Comanche, the Arapaho and the Cheyenne. It was an attempt to open the last frontier to white settlers.

The first major battle in this new crusade was Custer's attack on Black Kettle's village on the Washita River. It was the inaugural test of General Phil Sheridan's winter campaign, designed to defeat and demoralize the Plains Indians. It worked all too well.

The attack on Black Kettle's village was the beginning of the end for the nomadic way of life on the southern Plains and the beginning of reservation life with all the attendant features of punishment, abuse and attempts at cultural genocide.

Although these two sites offer unique opportunity for interpreting an important chapter of American history, there are other themes that are just as important in their own way. One is the story of the Cheyenne people, and the strength of their traditional culture.

Using the battle site as a point of departure, the interpretation could describe the complex social, cultural and economic foundations of Cheyenne society. The interplay between the warrior societies and the peace chiefs could offer new perspectives into the history of these remarkable people. Then by following through with the results of battle, the story of the Cheyenne could be traced into the twentieth century with contemporary issues such as world views adaptation and cultural survival.

The same opportunity would be available at the Honey Springs site where the larger story of the Five Civilized Nations could be told. The tragic Trail of Tears, the violent divisions within the tribes and the remarkable success of constitutional self-government could be explained within the context of Honey Springs and the terrible consequences of the Civil War. Nowhere else within the National Park Service System is this story told.

Then there is one of the most unique aspects of the Battle of Honey Springs, which has been mentioned a couple of times, the diversity of the ethnic groups involved in the life-and-death struggle. More than 80 percent of all the troops at Honey Springs were Indian representing no less than six tribes. For extra drama there were Indians on both sides, brothers fighting brothers, clans fighting clans, fighting for their homes, their families, and their freedom.

Hispanics fought at the battle, as well, shoulder-to-shoulder with their Texan comrades, placed in the heart of the Confederate lines where they paid the highest sacrifice. The most remarkable part of the story, perhaps, and the greatest opportunity nationally, as was mentioned by Mr. Rogers, is the role played by the regiment from Kansas, the First Kansas Colored.

Recruited from the refugee camps of former slaves from the Indian Territory, the regiment was organized by abolitionists who believed in their equality. When he made plans for the Battle of Honey Springs, abolitionist General James G. Blunt decided that the world should know that black men could fight just as well as any man. He put them in the center of the Union lines, and they won the battle.

To summarize, they won the battle repulsing several waves of Confederate charges with iron discipline and deadly fire. Their victory was won on July 17, 1863, the day before the well-publicized assault of the 54th Massachusetts Colored Infantry on Fort Wagner, the battle depicted in the movie "Glory."

The fight for freedom didn't end that day, or even with the end of the war. Some members of the First Kansas Colored were reorganized as 9th and 10th Cavalry regiments, which played significant roles in frontier history and others were among the freedmen returned to their homes in the territory and settled in all black communities such as Taft, Boley, and Rentiesville, a town that has survived today within rifle shot of the battlefield. The struggle for freedom for equal opportunity began with the Civil War and continues today.

If I might summarize by emphasizing a couple of points that the Governor made, sir. We want to be good partners in this battle. We want to make a difference with both of these sites. We think they have a thematic connection. And the State of Oklahoma is willing and eager to submit to the Federal Government all the assets that we bring to the table. Not only do we have the land and the energy and the resources and cooperating opportunities, we have a million dollars in cash right now waiting to be negotiated with our Oklahoma Department of Transportation.

Right now \$300,000 is budgeted for acquisition. We can allocate more of that for acquisition. So we can get a long way towards purchasing much of the land in easement, as Mrs. Stevens will mention in a minute.

We want to help negotiate easements with as many of the landowners as possible. We think we can get much of this land with that million dollars, this cash, before we go for any appropriations in the future. At Washita battle site we are in negotiation with a willing seller to buy the 300 acres that Mr. Faris outlined as fee simple land that is needed for the park.

I met yesterday with a private foundation here in Washington. We are talking with philanthropists in Oklahoma. Congressman Lucas and I will be approaching them to go ahead and purchase the land of Betty Wester, who is a primary landowner there. We hope by the end of this calendar year we will have significant land in Washita and at Honey Springs and remain good partners throughout this process in the future.

And I want to commend, as you have mentioned, the staff of the National Park Service, who have been very professional. They are good stewards of Federal resources. The congressional staff have been very cooperative and we appreciate the opportunity today.

Mr. VENTO. Thank you for your observations. Let me invite the other witnesses to testify before the questions. Mr. Stidham, proceed with your testimony. Use the microphone that Dr. Blackburn used.

#### STATEMENT OF LEE STIDHAM

Mr. STIDHAM. Chairman Vento, I want to thank you for giving me an opportunity to speak before you in favor of the legislation to make Honey Springs a national park.

From three different viewpoints, I have great interest in the preservation and development of this historic site on the old Texas Road.

First, I have served as president of Friends of Honey Springs for the last three years. Our organization has over 1,000 charter members representing 23 States and 3 foreign countries. We have been actively working with the Oklahoma Historical Society in the reenactments. We have also worked with the National Park Service and Congressman Mike Synar to hold two public meetings in order that all interested parties could express their views.

Second, I am a citizen of the Muskogee Nation Creek Tribe. My great grandfather was a part of the 1838 forced removal from Alabama and resettlement to the Indian Territory. He served under Colonel Chile MacIntosh in the 2nd Creek Mounted Volunteer Regiment during the Battle of Honey Springs and throughout the Civil War.

After the war, he was a delegate to the Federal Government in Washington, DC, on many occasions representing the Creeks. The tribe is very interested in the development of this battlefield located within the Creek Nation. I have with me a letter of endorsement from our principal chief, Bill Fife.

Third, for the last 80 years, my family has been associated with the Peoples National Bank in Checotah, MacIntosh County, Oklahoma, a small city located about three miles from Honey Springs. As a banker, I have been interested in the development of our area for the past 38 years. The establishment of a national park so near the junctions of Highway 16, the main artery between Kansas City and Dallas, and Interstate 40, which carries over 12,000 vehicles per day, would help to develop all of eastern Oklahoma, as a tourist destination.

Again, I appreciate the opportunity to endorse the legislation to develop Honey Springs National Park.

[Letter of support follows:]

*Peoples* NATIONAL BANK

CHECOTAH, OKLAHOMA 74426

"Since 1911"

George Lee Stidham  
President/CEO

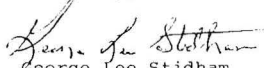
July 16, 1994

To Whom It May Concern:

Peoples National Bank is proud to endorse the proposal of the Honey Springs Battlefield as a National Park.

Checotah is accessed by Interstate 40 and Highway 69 and the economic impact of having a National Park in this area would be a tremendous asset to Checotah.

Sincerely,

  
George Lee Stidham  
President/CEO

GLS:jmt

300 West Gentry - Checotah, Oklahoma 74426  
918 473-2296



## MUSCOGEE (CREEK) NATION

OFFICE OF THE PRINCIPAL CHIEF  
P.O. BOX 580, OKMULGEE, OK 74447 (518) 758-5700

BILL S. FIFE  
PRINCIPAL CHIEF  
SHELLY STUBBS CROW  
SECOND CHIEF

### BILL S. FIFE, PRINCIPAL CHIEF COMMENTS

- The Battle of Honey Springs is sometimes referred to as the Battle of Elk Creek. The battle took place approximately 25 miles south of Fort Gibson.
- The Battle occurred July 17, 1863.
- This was the largest and was also the pivotal battle of the American Civil War fought in Indian Territory.
- Two Creek Confederate regiments, the first under Colonel D. N. McIntosh and the second under Chilly McIntosh, were involved in the battle.
- Confederate forces contained a total of five Indian regiments. In addition to the Creeks there were Cherokee, Choctaw, and Chickasaw regiments.
- This Confederate force was lead by Brig. General Douglas Cooper. His intent was capture Fort Gibson.
- The Union forces at Fort Gibson led by General James Blunt (with a numbers disadvantage of approximately 3000 to 6000) advanced on the Confederate forces before the planned attack. Three regiments of this force were Indian. Creek participation with Union forces in this battle is uncertain . . . likely there was participation, perhaps in guerilla fashion, though there seems to be no formal regiments involved.
- Blacks were included with the Union forces.
- The victory there by Union forces effectively ended significant Confederate military operations in Indian Territory for the remainder of the war.
- This victory also forced Confederate Creeks and their families to retreat out of the Creek homeland into the Choctaw and Chickasaw Nations and Northern Texas.

Muscogee (Creek) Nation is supportive of this effort.



July 14, 1994

To Whom It May Concern:

As an organization concerned with community revitalization, Checotah Main Street realizes the importance of economic development. In the same vein, our organization recognizes the importance of preservation. When the elements of preservation and economic development work hand in hand the results can be tremendous. With this in mind, Checotah Main Street wholeheartedly endorses the proposal for Honey Springs Battlefield to become Oklahoma's first National Park. When this is accomplished, years of dreams and hard work will come to fruition; Checotah, the region, and the state of Oklahoma will benefit. More importantly, the designation of Honey Springs as a National Park will preserve this significant site for future generations to appreciate.

If our organization can be of any assistance in this matter, please don't hesitate to call or write. Thank you for your consideration.

Sincerely,

Vicki D. Hilliard  
Checotah Main Street  
Program Manager

# Checotah Landmark Preservation Society, Inc

Post Office Box 721  
Checotah, Oklahoma 74426

To: Adam & Mary Concerns:

Re: Nancy Springs as a National Park

The C.L.P.S. is, by purpose and name, concerned with preservation of history with emphasis on local sites.

In the past decade we have been partners-in-activities at Nancy Springs; we have been continuously impressed with projects to develop the park and to retain its heritage thru efforts of the Oklahoma Historical Society.

Please place this organization's membership help at the top of the list of those who seek approval of National Park status for the Butterfly. We wholeheartedly endorse the proposal to be presented for Congressional acceptance.

Most sincerely,

Emmy Scott Stebbins,

President

Checotah Landmark Preservation Society

July 12, 1994



CHECOTAH

CHAMBER of  
COMMERCE

38 YEARS  
ACCREDITED  
CHAMBER OF COMMERCE  
CHAMBER OF COMMERCE  
OF THE UNITED STATES

July 15, 1994

To Whom It May Concern:

Checotah Chamber of Commerce wishes to go on record as supporting Honey Springs as a National Park. Since the 1863 battle, local citizens have come to fully understand the importance of this site. Now it is time for the nation to become aware of the events that took place on this hallowed ground.

The Chamber supports every individual and organizational effort to bring Honey Springs to National Park status. Without such strong, broad based support, it is doubtful this worthy goal could have even been attained.

In closing, the Checotah Chamber of Commerce looks forward to the day, when we can say "Checotah...Home of Honey Springs National Park."

Thank you for your support in this matter.

Matt Vandiver, President  
Checotah Chamber of Commerce

# CITY OF CHECOTAH

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Mike Earlywine, Mayor  
115 N. Broadway, Checotah, OK 74426  
918/473-5411 FAX 918/473-6302

July 15, 1994

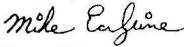
To Whom It May Concern:

The City of Checotah fully supports efforts made by the Friends of Honey Springs, Oklahoma Historical Society, members of Congress and the National Park Service to designate Honey Springs Battlefield as a National Park. Honey Springs is a site with great historical significance, not only to this area but to the state and nation as well.

The City of Checotah applauds all efforts made by tireless preservationists who have worked for so many years to make the Honey Springs "dream" into reality. We want to acknowledge the importance of Oklahoma Historical Society's recent grant award of ISTEAFunds to further improve Honey Springs with trails and a visitor's center. As a community, we know the importance of this site from a historical point of view; as a functioning city, we also know the positive economic benefits that will occur as a result of National Park status. The City of Checotah views the designation of Honey Springs as a National Park as a "win-win" situation. Honey Springs will "win" because it will be protected for generations to come; the City of Checotah will "win" because of positive economic impacts as a result of having a National Park nearby.

To reiterate, the City of Checotah does, with full conviction, support all efforts to make Honey Springs Battlefield into a National Park. It is exciting to be involved in a project of this magnitude for our community, our area, and our state.

Sincerely,



Mayor Mike Earlywine

City Clerk:  
Shirley Fox

Council Members:  
Jim R. Barrett  
Otis Brewer  
Kelton Buck  
James Don Campbell  
Kay M. Kindt  
J.M. Meador  
Ramona Payne  
Lonnie Robison

---

Founded February 13, 1872

Checotah is:  
Steerwrestling Capitol of the World  
Host City of Honey Springs  
An Oklahoma Main Street Community



## Checota Lodge No. 86

A.F. & A.M.  
CHECOTAH, OKLAHOMA 74426

July 12, 1994

Mr. Lee Stidham  
President  
Friends of Honey Springs  
P.O. Box 756  
Checota, Oklahoma 74426

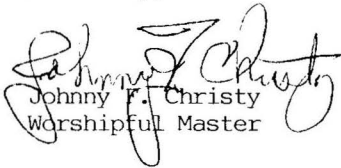
Dear Lee:

As Worshipful Master of the Checota Lodge A.F. & A.M., I have visited with many of our members about Honey Springs becoming a National Park.

They are excited as I am about the past history and future benefit to our area.

We are very interested in the continued development of the Park at the National level.

Sincerely,

  
Johnny F. Christy  
Worshipful Master



July 11, 1994

Lee Stidham  
President, Friends of Honey Springs  
% Peoples National Bank  
300 W Gentry  
Checotah OK 74426

Dear Mr. Stidham:

The City of Checotah and Fountainhead Resort Hotel, Inc have always worked hand-in-hand to enhance our community. We at Fountainhead Resort Hotel, Inc. wish to extend our support in your efforts to have the Honey Springs Battlefield area declared a National Park.

We support this effort not only because it is the right thing to do, but we feel this would be a great impact to the economy in this area with an additional tourist attraction.

If Fountainhead Resort Hotel, Inc. can be of further assistance in pursuing this matter, please don not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Barry R. Nolan".

Barry R. Nolan  
General Manager

BRN:jjj

Eastern Oklahoma Development District

P.O. Box 1367

Telephone 682-7891

Muskogee, Oklahoma 74403

July 12, 1994

The Honorable Mike Synar  
U.S. House of Representatives  
Room 2B22  
125 South Main  
Muskogee, OK 74401

Honorable Representative Synar:

The annual re-enactment of the Battle of Honey Springs attracts thousands of tourists and participants. The Battle is not only an outstanding performance of our national heritage but is a tremendous economic boost to the surrounding area.

The development of Honey Springs into a National park would compliment the already existing historical and tourist attractions in Eastern Oklahoma. If one weekend at Honey Springs attracts thousands of citizens, just imagine the impact if it were opened year round and listed as a National Park.

Eastern Oklahoma Development District (EODD) supports the development of Honey Springs Battlefield as a National Park and commends you on your effort to accomplish this.

Sincerely,



Bruce Mahaffey, Executive Director  
Eastern Oklahoma Development District

BM:lm

cc: Lee Stidham



STATE OF OKLAHOMA  
DEPARTMENT OF

## TRANSPORTATION

### OKLAHOMA TRANSPORTATION COMMISSION

Kent Pharaoh, Member  
P. O. Box 640  
Henryetta, OK 74437

July 8, 1994

Mr. Lee Stidham, President  
Friends of Honey Springs National Park  
c/o People's National Bank  
P.O. Box 324  
Checotah, OK 74426

RE: LETTER OF ENDORSEMENT

Dear Mr. Stidham:

It gives me great pleasure to once again address a matter near and dear to my heart; the development of the Honey Springs Battlefield Park to a National Park Service site.

As you know, the Oklahoma Department of Transportation accepted the application from the Oklahoma Historical Society, on your behalf, in the fall of 1993. After careful review, ODOT brought your application for federal grant monies forward with their recommendation that the Transportation Commission approve this application for \$627,262.00. The Commission took this matter under consideration at their meeting of May 2nd. [Agenda Item No. 96] where it was given final approval.

In an effort to place this particular application and project in perspective, this was the largest application approved for this cycle of funding under the ISTEA Transportation Enhancement Program in 1993-'94, representing almost 11.5% of the total program funds for 1993-'94 of \$5,468,882.

I trust that the National Park Service Representatives will also recognize the importance of the Honey Springs Battlefield Park site as it relates to all of us and our children and grandchildren to come.

Respectfully submitted,

TRANSPORTATION COMMISSION

*Kent Pharaoh*  
Kent Pharaoh, Member

AN EQUAL OPPORTUNITY EMPLOYER

07/14/94

10:45

501 682 1364

AR PARKS/TOURISM

001/001



DEPARTMENT OF  
PARKS & TOURISM  
One Capitol Mall  
Little Rock, AR 72201  
Phone: 501-682-7777  
Fax: 501-682-1364  
History Commission  
501-682-6900 (VTT)  
Personnel Section  
501-682-7742 (VTT)  
State Parks Division  
501-682-1191 (VTT)  
Tourism Division  
501-682-7777 (VTT)

Jim Guy Tucker  
GOVERNOR

Richard W. Davies  
EXECUTIVE DIRECTOR

STATE PARKS,  
RECREATION  
& TRAVEL  
COMMISSION:  
Charles A. Yeager  
CHAIRMAN  
J.D. "Bud" Shanbarger  
VICE-CHAIRMAN  
Steve Chrychel  
Ed Fehwell  
Jagme Fehwell  
Jim Gaston  
Joe Harris  
Billy Lindley  
Cone Mogie  
Donna Kay Morrison  
McClaine McNulty  
Dean Murphy  
Mona Sechrest  
Ovid Switzer

DIVISION DIRECTORS:  
Lenny Corgile  
ADMINISTRATION  
Bing Batts  
STATE PARKS  
Joe David Rice  
TOURISM  
Nancy Clark  
GREAT RIVER ROAD  
John L. Ferguson  
HISTORY COMMISSION

KEEP ARKANSAS  
BEAUTIFUL:  
Ardis Middleton  
DIRECTOR

AN EQUAL  
OPPORTUNITY/  
AFFIRMATIVE ACTION/  
AMERICANS WITH  
DISABILITIES ACT  
EMPLOYER

# Arkansas.

THE NATURAL STATE

July 14, 1994

Mr. Lee Stidham  
President  
Friends of Honey Springs  
P.O. Box 324  
Checotah, OK 74426

Dear Mr. Stidham:

I want to congratulate you on your efforts and add my support for federal assistance in the preservation of the Honey Springs Battlefield. The "war in the west" has long been overlooked by many, and in the last few years there has been a real resurgence of interest in just what went on here and why it was, and is still important to all of us. We have both state and federal battlefield parks nearby, and Honey Springs would be a welcome addition to help interpret the Civil War in this area.

Another connection Arkansas has with Honey Springs is that Union and Confederate troops engaged in Oklahoma were also involved in the battles of the Union Red River Campaign in south Arkansas, where we have three state battlefield parks.

Best of luck with your efforts, and if I can be of any assistance in providing you with information concerning connections with the war in Arkansas, please let me know.

Sincerely,

Richard W. Davies  
Executive Director

RWD/rph

Mr. VENTO. Thank you, Mr. Stidham. We will proceed with the remainder of the panel.

Mr. Lawrence Hart is the peace chief and director of the Cheyenne Cultural Center.

#### STATEMENT OF LAWRENCE HART

Mr. HART. Thank you. It is gratifying to be present before you and this subcommittee. I am grateful for the opportunity to speak to you regarding the possible acquisition of the Battle of the Washita site and future plans to develop the site into a national park operated by the National Park Service.

Some of us who occupy traditional responsibilities within the Cheyenne tribe have been involved since the inception of discussions on this very important development. There is a Cheyenne Indian word, *i' pi va*, which when translated becomes more than a mere five-letter word. *I' pi va* means it is good. A sign can also accompany the word. Many times the sign is used without uttering the word. Both the word *i' pi va* and the sign are rather simple, but the meaning can be most profound, for the word and the sign are not used lightly.

There is not one Cheyenne person in western Oklahoma who does not have any connections to the event of November 27, 1868. All the Cheyenne Indian people are either descendants or have some relationship to those who were victims or those who survived the so-called battle.

Furthermore, all of us have oral tradition stories embedded in our minds which have been passed down to us three, four, five or more generations. I may be biased, but I think I can say that the Cheyenne Indian people have a history and tradition unsurpassed by other southern Plains Indian tribes.

I was asked recently by a historian as to what explanation there is for the Cheyenne to have such a unique history of severe conflicts. I immediately thought of historic conflicts such as the Sand Creek massacre, the story of Roman Nose at Beecher's Island, the burning of a village by General Hancock, the campaigns of Colonel George Armstrong Custer, the campaign of General Nelson Miles, the Red River war and subsequent imprisonment of more Cheyenne warriors than any other tribe at Fort Marion, Saint Augustine, Florida, just to mention a few.

As I have reflected on my answer, it was only partial. I suggested that the conflicts with the military were the fact that we had great warrior societies, especially the Dog Soldiers, who were second to none on the High Plains, and any military officer who wanted notoriety sought to engage them.

But that was only part of our history. While we had great warriors, the real heroes in my estimation, were the peace chiefs. Black Kettle is but one of the great ones. Recently, I brought a group of our Cheyenne elders to the National Museum of Natural History of the Smithsonian Institution to view and identify Cheyenne artifacts in their collection.

The peace chiefs, as well as other Cheyenne people, have teachings to this day that they are to care for their elders, women, and children. One teaching all Cheyenne people have is to love and cherish children. This matter was impressed upon us as we viewed



funerary objects of a Cheyenne child taken at Walnut Creek in August of 1868, three months before the battle of the Washita.

Undoubtedly, those who carefully buried this child inside a travois basket were the Dog Soldiers. Loving and cherishing children was evident in those funerary objects. They consisted of five Buffalo robes on which the child was laid, three beaded cradles and many other beaded objects placed by the child and five wool trade blankets laid on top of the child who had been carefully wrapped.

There was no evidence of the remains of the child. The most touching aspect of what we saw was a pair of plain, unbeaded old, well-worn moccasins a grandmother had placed beside the child. Perhaps this baby girl was a namesake for this grandmother.

These funerary objects are subject to repatriation under the National Museum of the American Indian Act of 1989, now known as Public Law 101-185. However, we are recommending that we not repatriate these objects. We are convinced they have an immense educational value. Instead, we plan to work out an agreement with the Smithsonian Institution to hold these objects for future generations to view and be educated on how we cherish children.

Cherishing children. That, in essence, was the view of Black Kettle. That is why he was motivated to go to Camp Weld near Denver in September of 1864, just a few months before Sand Creek. That is why he signed the Treaty of Medicine Lodge. That is why he signed the Treaty of Little Arkansas only a year after Sand Creek. And that is why he went to Fort Cobb Indian Territory to seek assurance for peace.

But that is also the reason the Dog Soldiers were opposed to his camping with the main body of Cheyenne people. He was asked to take his band and camp separately from the main Cheyenne Indian village in November of 1868. His village was beyond that of the Arapaho, who always camped separately from the Cheyenne. Black Kettle's village was then highly vulnerable, for the village was not protected. November 27, 1868, was the last day in the life of this great peace chief.

This and other stories need to be told. We need to protect the historic site and be educated about the events. For us, as Cheyenne Indian people, this is one of the primary purposes for supporting the effort of H.R. 4821. I and the traditional Cheyenne societies, our families, and our tribe, fully support this effort. Above all else, a national park can be of great benefit educationally to all of us and to future generations. I am here to say in Cheyenne just one word about H.R. 4821, Mr. Chairman: *i' pi va*. Thank you.

[Prepared statement of Mr. Hart follows:]

**"Washita Battlefield National Historic Site Act of 1994"**  
Testimony before the House Subcommittee on National Parks, Forests, and Public Lands  
Washington, D. C.

Chairman Vento and members of this distinguished Committee, my name is Lawrence Hart. I am a Cheyenne Indian enrolled with the Cheyenne and Arapaho Tribes of Oklahoma. I reside with my family in Clinton, Oklahoma where I work for the Cheyenne Cultural Center, Inc. I have my existence with the Cheyenne Indian people on our former Cheyenne and Arapaho Indian reservation. I speak the Cheyenne language and I serve as but one of the traditional Peace Chiefs of the Cheyenne. While I do possess other credentials, I view my rootedness with the Cheyenne Indian people as the most important.

It is an honor and privilege to be present before you and to give testimony on the proposed legislation marked as "The Washita Battlefield National Historic Site Act of 1994". I am grateful for the opportunity to speak to you regarding the possible acquisition of the "Battle of the Washita" site and future plans to develop the site into a National Park operated by the National Park Service.

Some of us who occupy traditional responsibilities within the Cheyenne tribe have been involved since the inception of discussions on this very important development. I can testify that representatives of the traditional Cheyenne Indian people who are my colleagues have had presence and participatory activity at every meeting concerning this site.

I want to say at the outset of my testimony that we as Cheyenne people view the very grounds on which the village of Black Kettle stood that fateful day of November 27, 1868, as venerated. We do not go on the actual site before we have one of our traditional priests perform a ritual, which includes an offering and prayer. Only after a ritual is performed do we walk on those grounds and talk about the attack on Black Kettle's village, especially recounting those events from our oral history.

There is a Cheyenne Indian word, *i' pi va*, which when translated, becomes more than a ~~three~~<sup>five</sup> letter word. In English, *i' pi va* means "it is good". A sign can also accompany this word. Many times the sign is used without uttering the word. Both the word *i' pi va* and sign are rather simple, but the meaning can be most profound for the word and the sign are not always used lightly. There is forethought, contemplation and sometimes ceremony before any pronouncement of *i' pi va* is given, particularly on an issue as important as the one before you.

There is not one Cheyenne person alive today who does not have any connection to the event of November 27, 1868. All the Cheyenne Indian people are either lineal descendants or have some genetic relationship to those who were victims or those who survived the so-called battle. Furthermore, all of us have oral tradition stories imbedded in our minds passed down to us three, four, five or more generations. As the drafted Bill before you indicates, this historic event represents an important milestone in the history of White and Plains Indian relations. It is indeed a milestone in Cheyenne Indian history but it is not the only one.

I may be biased, but I think I can say unequivocally that the Cheyenne Indian people have a history and tradition unsurpassed by other southern Plains Indians and many others beyond that. I was asked, recently, by a historian as to what explanation there is for the Cheyenne to have such a unique history of severe conflict. I immediately thought of historic conflicts typified in such events as the Sand Creek massacre; the story of Roman Nose at Beecher's Island; the burning of a village by General Hancock; the campaigns of Custer culminating in the Washita; the campaign of General Nelson A. Miles; the Red River War and subsequent imprisonment of more Cheyenne warriors than any other tribe at Fort Marion, St. Augustine, Florida, just to mention a few. In my answer to the question, I suggested that the conflicts arose for the fact that we had warrior societies, especially the Dog Soldiers, who were second to none on the High Plains and any military officer who wanted notoriety sought to engage them.

But that was only part of our history. While we had great warriors, the real heroes in my estimation were the Peace Chiefs. The legacy of our Peace Chiefs is unmatched by any tribe, anywhere. Black Kettle was but one of the great ones.

Recently I led a group of our Cheyenne elders on a trip to the National Museum of Natural History of the Smithsonian Institution here in Washington, D. C. We came to view and identify Cheyenne objects in their collection. The Peace Chiefs have teachings to this day that they are to care for their elders, women and children, among other servant tasks. One teaching all Cheyenne have is to love and cherish children. This was impressed upon us as we viewed funerary objects of a Cheyenne child taken at Walnut Creek, near Fort Larned, Kansas in August of 1868, but three months before the "Battle" of the Washita. Undoubtedly those who carefully buried the child inside a travois basket were the Dog Soldiers, who were still off the newly created reservation conducting <sup>separations</sup> ~~repatriation~~s. Loving and cherishing children was evident in the funerary objects we saw. The objects consisted of five buffalo robes on which the child was laid, three beaded cradles and many beaded objects and other items placed with the child, including five woolen trade blankets laid on top of the child who was carefully wrapped. There was no evidence of the remains of the child. The valuable items indicated that the child was indeed cherished. The most touching aspect of what we saw was a pair of plain, old, unbeaded, and well worn moccasins a grandmother had placed beside the child. Perhaps the baby girl being buried was a namesake for this older Cheyenne woman.

These funerary objects are subject to repatriation under the National Museum of the American Indian Act of 1989, now Public Law 101-185. This important Act, together with the Native American Graves Protection and Repatriation Act of 1990 or Public Law 101-601 is the genesis of much collaboration and cooperation between museums and all tribes across the nation.

Public Laws 101-185 and 101-601 were enacted by your wisdom and that of your colleagues in Congress. These two Acts permit Indian tribes, lineal descendants and traditional religious leaders to work cooperatively and collaboratively with various museums across the nation. This is an unprecedented activity made possible by your actions.

I and the Cheyenne elders are convinced that the funerary objects we saw have an immense educational value. Instead of repatriating them we plan to work out an Agreement with the National Museum of Natural History of the Smithsonian Institution to have these objects held by the museum in perpetuity. This will permit contemporary and future generations of Cheyenne as well as other people to view these objects and be educated on how we cherished children.

Cherishing children. That, in essence, was the view of Black Kettle. That's why he sought to live in peace. That's why he was motivated to go to Camp Weld, near Denver in September of 1864, to seek peace only two months before the Sand Creek Massacre. That's why he signed the Treaty of Little Arkansas in 1865 just a year following Sand Creek. That's why he signed the Treaty of Medicine Lodge in 1867. That's why he went to Fort Cobb, Indian Territory, to seek assurance of peace just days before his village on the Washita was attacked.

The Cheyenne Dog Soldiers opposed his actions and those of other Peace Chiefs following the Sand Creek Massacre, for the massacre was such a tragedy. This opposition was the reason Black Kettle was asked to take his band and camp separately from the main Cheyenne Indian village in November of 1868. His village was beyond that of the Arapaho. It was always a practice for the Arapaho and Cheyenne to camp separately for we are two distinct tribes. Black Kettle and his band complied and they set up their village separately and away from the main body of Cheyenne. His village was then highly vulnerable. November 27, 1868 was the last day in the life of a great Peace Chief.

This and other stories need to be told. We not only need to view the Washita battlefield site, but we need to be educated about this important historical event. For those of us who have provided leadership for our Cheyenne Indian people since day one on this important matter, to be educated is the primary reason for supporting the proposed legislation before you.

Chairman Vento, I respectfully urge you and your colleagues to consider favorably the "Washita Battlefield National Historic Site Act of 1994". Just as those funerary objects of a Cheyenne child I mentioned earlier are of immense educational value, above all else, the "Washita Battlefield National Historic Site Act of 1994" can be of great benefit educationally to the citizens of our nation and, indeed, to the citizens of the world now and future generations.

Chairman Vento and members of this distinguished Committee, our Societies, my colleague Peace Chiefs, our extended families and our entire Cheyenne Tribe view this proposed legislation seriously. I want you to know that we consider the "Washita Battlefield National Historic Site of 1994" as *i' pi va!*

*Hi ho.* Thank you.

Lawrence H. Hart  
July 29, 1994

Mr. VENTO. Thank you for your elegant testimony, Mr. Hart.

And finally, Ms. Stephens, it falls to you to give us a world of caution about this, but we are listening and Congressmen Synar and Lucas are obviously sensitized and concerned about the issues in terms of individuals such as yourself and the viewpoint that you are representing. Please proceed.

#### STATEMENT OF SUE STEPHENS

Ms. STEPHENS. Mr. Chairman and members of the subcommittee, my name is Sue Ann Hill Stephens, and I am not a politician. I am not a banker, and I am not a doctor of history, but I am an American and a four-generation landowner in the proposed site of Honey Springs park.

My family has owned this land for 94 years, and it is our desire to keep ownership and access of the land in our family. After visiting here this week, we are a little bit more cautious about the easements. We are not sure about that as well, but it is a consideration we might think about.

While the preservation of Honey Springs battle site is important to my family, we feel that the current 700-plus acres owned by the State is sufficient and would provide the same economic benefits to the area as the proposed 3,300 acres which they now have changed to 3,400 already. They told us 3,300 acres in the public meeting.

There are many other battle sites in grave danger and suffering immediate threat. Not so with Honey Springs. This battle site has no buildings, no cannons nor any visual proof that the battle occurred. The land is all that remains and has been used for agricultural purposes since the battle, as it is today by my family.

The battle site is not threatened by any development or commercialization. The recent home construction has been on small plats in the northern sections of the proposed park and were constructed in this area by these families to ensure their privacy and to avoid development. The land owned by the Hill family has not changed in the 94 years that we have owned it.

The highly emphasized economic benefits will not be enjoyed by those of us sacrificing our past, present and future lives, but instead by businesses in the neighboring town. Therefore, we ask that consideration be given to altering the proposed boundaries to eliminate the destruction of homes and lives.

Summer vacation tourists and historians can experience the battle on the current land owned by the State and our American dream will not be lost. What one man considers a hobby is another man's life and future.

Governor Walters and Mr. Synar can add the park to their political achievements, Dr. Blackburn will be very proud if the park comes to pass, and Mr. Stidham will benefit from increased banking revenue. None of these people lose one thing. I represent a group of people who stand to lose everything if land condemnation is part of this bill.

I also represent a group of people who do not hold the almighty dollar as a reason for living as today's economic verbiage will indicate. I have statements from some of these people and would like these made part of the record. These statements echo the sentiment of our community, and I beg you to consider their content.

Many of the people who are involved here in my community, until recently, they basically ignored the threat of the park because they could not believe that it was going to happen. And a lot of people have sat back and now they are becoming alarmed because now we are threatened by the park pulling in here. And Mr. Blackburn referred to a battle that these people were fighting back then to preserve their lands, and we are fighting the same battle today. You know, it is ironic that that is what we have been forced to do, which is the same thing they did in the Civil War.

Mr. VENTO. And I guess in the other issue with the Washita. Does that conclude your statement?

Ms. STEPHENS. Yes, it does.

[Letters follow:]



To Whom It May Concern:

Submitted by  
L. S. Higgins

As a concerned citizen & land owner of 300 acres of land designated as part of the Honey Springs Battlefield, I am definitely against the proposed park. My late husband, Buck Wallace, purchased our land about 40 years ago and have derived our livelihood from it. We have invested a considerable amount of money in making it an investment that we are proud of and want to keep it as our heritage.

I understand that you want to purchase a piece of land and want to build an overlooking facility for visitors to view the former battlefield. I understand that that land is available to you. Please use some judgement & be wise in your plans. Don't uproot families & destroy lives of people who are trying to survive & take care of themselves.

Sincerely,

Betty Wallace Pope - Mrs. Buck (Flamin) Wallace

To Whom it may concern,

7-26-94

We would like to begin by saying we are not against the preservation of history. History is a wonderful and informative part of everyones life.

We are land/home owners on the land in which the Oklahoma National Historical Society would like to purchase. We are concerned and upset about this proposal.

The O.N.S. already owns an adequate amount of acreage that is a large part of the actual battlefield of Honey Springs. If they would concentrate on developing and improving the existing park area it would be more beneficial. We have been to the reenactment and enjoyed it. But it was overcrowded, the parking was awful, and the area is very grown up.

What is now being proposed is ridiculous. It is infringing on our rights as landowners. Why is it necessary for there to be so much more land added? How many people will ever actually want to see the entire area? A few historians, maybe. But that doesn't mean you have to take our land. If you follow through with this it will destroy our lives and many others.

Our family love our home, our location, and our privacy. We grew up

in this town (Oktaha) and we chose to raise our family here. Because of the small country atmosphere. Yes, if the park enlarges it will bring more money and people into the area. But, so will improvement and advertisement of the existing park. We don't want the growth. We want our home in this small rural area just as it is.

It doesn't somehow seem at all fair that these people with a hobby or interest in history can come here for a few weeks and enjoy themselves and at the same time destroy our way of life. This is a farming community not a tourist community. If ~~I~~<sup>we</sup> wanted to live in a tourist community we would have moved elsewhere.

In making your final decisions we hope you will consider the lives you will affect for generations to come.

Sincerely,  
 Jeff Ward  
 Alison Ward

Dear Sir's,

I am writing this letter in support of the HoneySprings Battlefield but in opposition to the acquisition of new land for park expansion.

I own ten acres of land in the area that is being considered for acquisition and have recently begun construction on our new home. I know compared to the other land owners in the area, who have a great deal more to lose than we do, my small amount of land must seem trivial and the value of our land insignificant. But how can you put a value on a dream? I believe that our dream is as big if not bigger than any of the large land owners.

Since moving to Oktaha seven years ago we have been renting a house in town while searching for some land on which to build our dream. Anyone who knows anything about Oktaha will tell you that land for sale is very scarce here. We planned on renting just a few months until we found some land. Well six months turned into six years and finally this small acreage became available for our dream. We have just started construction on our new home a few weeks ago.

I realize the importance of national parks and remembering the battles that were fought for our freedoms, but doesn't one of those freedoms that so many died for give us the right to own land?, so that average people like myself, regardless of Race, background, or financial standing would have the right to own some land to build a dream upon without the fear of losing it?

I ask you to find a way to make HoneySprings Battlefield the best it can be, so we can all remember the sacrifices made. But I ask you to do this without sacrificing the dreams of ordinary people who make up this community and this country.

Sincerely,  
Ron R. Lindsey

July 10. 1994

Dear Sir.

The home built here in Checotah  
all our life and take pride in  
our community and all the good  
people living in this area

My father started the business  
we have in 1909 and we  
have managed to keep it going  
through some difficult times

We would appreciate any  
help in keeping our history in  
our area alive and would  
very much appreciate your  
help in any program

Sincerely,  
George E. Gule  
Tucker

Mr. VENTO. Thank you. Well, we take your concerns seriously. And at the same time, of course, understand that if the designation were to go forth, I don't know if it was an estimate change from 3,300 to 3,400 or if it is actually a change in terms of including some land that was not included and that was considered important. We know that as development sometimes takes place, individual landowners and counties as well as zoning authorities make decisions on how to subdivide the areas for utilities and water and so forth. So I think that the inclusion of the 3,400 acres would not be based, I don't think, on what is convenient, but what is significant culturally and important in terms of establishing the historic park.

They think they need that area. You are specifically on the Honey Springs site and so there actually has been reenactments of the battle which must have taken place on private land; is that correct?

Ms. STEPHENS. No, on State land. They own 700=plus acres, and it has been a good reenactment. One of the best. But that is quite a bit south of where I am.

Mr. VENTO. The whole issue of reenactments, in any case, is something I will leave to the debate between the historians and others.

In the legislation that we have, they offer a number of alternatives in terms of easements or purchasing some sort of limitation or life tenancy. So you know the range of options that they are proposing.

Ms. STEPHENS. Yes, there are few—

Mr. VENTO. The issue that I would underline is that, constitutionally, the law really is on the side of the private landowner in the sense that they have to receive fair market value. Even the Park Service cannot pay you less than fair market value for any type of land. Obviously, they would seek voluntary agreements in the end. A landowner may choose or decide to do something adverse with the land that would negatively impact on what the State and what the Federal Government may decide in terms of designation of these special areas. And then there has to be the tool to resolve that, to stop that adverse action. That is the bottom line from where I am coming from.

I will tell you candidly, Mrs. Stephens, and others here that the economic benefits of this are not the principal consideration. This may be something that engenders support from the Chamber of Commerce back home, but it is not the basis on which we decide to designate or not designate these areas. In fact, we try to exclude that and look at what the nature of the resource is and hope that it will be very useful to Americans.

But in such, we just recognize the area as being very special. And we hope that there will be visitation to it and utilization of it in an appropriate manner. But whether or not it results in a great economic boon for the great State of Oklahoma is not the purpose for our involvement.

Mr. Lucas has a question, I will yield to the gentleman from Oklahoma.

Mr. LUCAS. Thank you, Mr. Chairman. Actually, I guess I have a couple of questions. Dr. Blackburn, being a historian and having

been on the site, for the benefit of us, could you describe, comparing how the site probably looks now with the way it would have in 1868? The condition of the site, I suppose is what I am asking.

Mr. BLACKBURN. It is similar. One reason the Park Service has included so much land in easement, just about 300 acres are in easement, is to protect that view shed. And in negotiations with landowners in the area, easements will be satisfactory and keep the land in its current use because most of it is a native grass. Only in the bottom would we have to return some of the row crop land back to its native look, but other than a few houses it looks much like it would have on that fateful day in 1868.

Mr. LUCAS. The principal property that the Wesners own has only changed hands a very limited number of times since homesteaders in 1892. We are at a point where we are changing generations aren't we, doctor, this is one of those once-in-a-lifetime opportunities.

Mr. BLACKBURN. Yes, Mrs. Wesner is a widow and a willing seller, of course, for the right price. But she is a willing seller, and we have been working with Mrs. Wesner for two years trying to find a way to acquire that land. Both of her children are both interested in selling as one. One son lives on the land. The daughter and her husband live about two miles away. And it would benefit Mrs. Wesner especially who is widowed and would like to move to town.

Mr. LUCAS. To Mr. Hart, if this project were to go forth and were to be developed, are there really other comparable sites in the country that reflect on Cheyenne tribal country and history? Both the good and the unfortunate events that have taken place, are there other sites comparable to this?

Mr. HART. There are no other sites that are comparable except for the possibility that the site of the Sand Creek massacre four years before, that might be—that is the only one I can think of. But I don't think that particular site has the significance that the Battle of the Washita site possesses.

Mr. LUCAS. So if this project were to go forth, it would be unique in its focus on the Cheyenne's history and on how Uncle Sam interacts with the tribes during that period.

Mr. HART. That is right. That is correct.

Mr. VENTO. You may have other Native American battle sites. I know Little Big Horn is obviously one that comes to mind. I don't know that we have any other additional sites that we have designated.

Dr. Bearss, Mr. Faris, Mr. Rogers, can you use Mrs. Stephen's microphone.

Mr. ROGERS. Mr. Chairman, there are other somewhat similar sites from the Indian wars, massacre sites, Bear River, Sand Creek, as Mr. Hart represented, but there are no others that tell the Cheyenne story in the way that this—

Mr. VENTO. But have we designated Sand Creek or others?

Mr. ROGERS. Sand Creek is not a national historic landmark and I believe it is because of owner objection, but we do recognize that it is a very important place.

Mr. VENTO. We use an informal means of designation through landmark recognition. But I am talking about sites that the Park Service has interpreted. The general plan of the Park Service is to,

in fact, have a number of these sites as designated sites; is that correct.

Mr. ROGERS. Indeed, sir, and I should have said that we have done a lot of work with the Wounded Knee site in the last few years, but its future is—

Mr. VENTO. I know there is a proposal, but that is more of a contemporary problem and as we get further away from these we then can get a clearer focus of events. Sometimes with history, you need about 100 years or a couple of generations in order to get an objective view. We are so caught up in the self-righteous activities that take place and for those of us that had ancestors here, it makes it an easier objective, I guess.

I am very cognizant and we are very steeped, I guess, in the values and the views with regard to the rights of property. It is sort of interesting to recognize that our laws today are very guarded in terms of the rights of Mrs. Stephens and myself and everyone else. But certainly there was a cavalier—a different attitude pervaded—in the nineteenth century with regard to the rights of Native Americans.

You know in our minds now I always think of history as something very old, but it is very contemporary in terms of a world view of events. I have wondered, as I heard Mr. Hart give his eloquent testimony, when we look at the problems that we face from a cultural and pluralistic sense in many continents around the world, if we still don't fall far short and if we could still learn some lessons and gain some additional expertise.

I think as Americans, we have a unique opportunity to do that because of our backgrounds and because of the racial and ethnic differences. And I think it does propose or give us a mandate as peacekeepers and peacemakers. But we are far from perfect in that role.

But I think the recognition of it is very important. I think it is amazing that after the events that had occurred, that Black Kettle, whose history I really didn't understand, would still persist, after the really outrageous actions, that he would still persist in attempting to resolve these issues. It is amazing.

Well, I don't know that I can add anything to that. Your testimony has been very good, I think, representing the dilemma that we face in terms of how do we resolve this because this is an important cultural site for the future. How do I resolve your concerns and rights in order to provide for an evolution or a movement. I think if people say everything has to be as it is, then I think we have a problem, but if there is flexibility, I think that we can work this through. I hope we can.

We are obviously faced with a short time frame to get it done this session. And sometimes that is as well. There obviously have been many people that have come to the meetings, not all the local land owners, but many others who have been strongly in favor, as has been indicated, by Mr. Hart's comments.

Are there more questions? Mr. Hart, did you have any additional comments? I think your testimony was very moving and effective. I wish only that all of the Members of Congress could be here to have heard your comments. I think they are very effective.

Mr. HART. No, Mr. Chairman, I do not. And thank you.



Mr. VENTO. Mr. Stidham, how large is your organization, Friends of Honey Springs?

Mr. STIDHAM. Mr. Chairman, there are approximately 1,000 members.

Mr. VENTO. And have you been involved in any of these reenactment activities? Have you used Governor Walters in your reenactment?

Mr. STIDHAM. Yes, we have we put the Governor with the North instead of the South.

Mr. VENTO. We have to have all the help we can get in Oklahoma.

Mr. STIDHAM. We have been very active and cooperated with the Oklahoma Historical Society. People not only in our immediate area, but in the entire eastern part of the State are interested in this national park.

Mr. VENTO. Have you been involved in trying to gain financial support for this along with Dr. Blackburn, that is, from a private-sector funding, not only the State, but private-sector funding?

Mr. STIDHAM. Yes, sir, we have been very active in the reenactments and have spent a considerable amount of money locally to stage those reenactments.

Mr. VENTO. You are principally of Honey Springs. Dr. Blackburn. It seems that your discussion was on the Honey Springs site in terms of the funding. Was it not, or was it on the Washita site?

Dr. BLACKBURN. No, sir, the State funding that is available now is on the Honey Springs.

Mr. VENTO. Did you want to speak to the fact in terms of the private funding and funding problems that might be faced on the other side? Obviously, Mrs. Stephen's interest is in the Honey Springs site.

Could you give me any insights on what the possibility or probability of funding there is? It sounds as if we have done a lot of work in terms of historians involved in conservation who ought to know about private philanthropy.

Dr. BLACKBURN. There is one landowner who is a widow whose name is——

Mr. VENTO. You were talking to what site. Proceed.

Dr. BLACKBURN. At Honey Springs. We have Sue Woodard, who has 300 acres that is right in between the land that the State owns at this time. And Mrs. Woodard is a willing seller, and we have been negotiating with her for two years. The money that we have set aside from the ISTE grant is for acquisition of that area, including Pumpkin Ridge, that Dr. Bearss referred to as the overlook. We are hopefully going to conclude in the fall an agreement with her.

Mr. VENTO. Proceed.

Dr. BLACKBURN. Another contact we had is with the Heritage Conservancy Fund and we have been working with private foundations to raise money to buy lands, and so we have been formulating plans for several years. During these public meetings and debates we have had several landowners call and want to sell their lands as if we had the money right now, would you buy it tomorrow, so there are some willing sellers.

Everyone, though, is concerned, just as Mrs. Stephens is, about what the future holds. What we can say is that we are dedicated to working out the best possible situation for both the landowners and the park so we can be good neighbors.

Mr. VENTO. Well, this is important to me. The issue is always difficult for the Federal Government and the committee to pass a law that sort of superimposes the designation. When we designate it, we need to do something. I don't want to make any pretences about it. I will put tools in the hands of the Park Service insofar as I can so they can do what I have been asking them to do all along.

Do you feel there has been considerable progress made at the local level? Dr. Blackburn has been positive about that progress. Is there considerable effort being made locally where you could look down the path and see some resolution of some land purchase?

Ms. STEPHENS. The only contact I had is when we had a public hearing two weeks ago. That was when the landowners at Dirty Creek learned that there was activity of making a national park.

This has been rumored since when I began to remember it. I have been paranoid about it my whole life, that somebody is going to take my land, my father's land, my brother's land. To actually know anything about what the immediate work and all this they have described today, most of us landowners were notified two weeks ago about the public hearing, and that is when we realized that a lot had been done that we were not aware of.

Mr. VENTO. But I think the record will probably show that there have been studies and public notices—earlier in your testimony you said you all knew this was being proposed but didn't think it was serious.

Ms. STEPHENS. Rumors of the park, like I said, since I was a child in Honey Springs and talk of a park, but no official notification that anything was being done.

The people, even when they heard this, several of the landowners did not come because they do not believe they are—you know, they are country people and they just do not believe that it is going to happen. Several of them.

Mr. VENTO. I think it is important to understand that it is a very serious proposal, that it is very actively being considered, but there are some folks in Oklahoma that obviously—Dr. Blackburn, Mr. Hart, I am sure you find it interesting today that there is a sensitivity from Washington, Mr. Hart, when there perhaps was little or no consideration in the past when other events have taken place. But nevertheless we hope to learn from that and accomplish this in a harmonious way.

As much as this is sudden news, I would hope that you would realize, Mrs. Stevens, and others who are affected, that the provisions are in place by law which puts you in a position where they can't buy it for less than the fair market value.

I think the authors of the bill have been sensitive to this in using the commonly-used tools to resolve the issue. But sometimes things happen more quickly. But this is obviously of intense interest.

I have no further questions.

Mr. Lucas, do you have any further questions of the witness?

I very much appreciate your presence and coming up here today. I regret that more of our colleagues didn't come, but I certainly will report to them on your testimony. The record will be there, and they will rely upon it.

Ms. Stevens had asked if other correspondence could be put in the record. Without objection, the record will remain open for 10 days. So I would recommend that if others have a statement or other information, realize we have a short time frame. We want to be sensitive to their observations.

If you have personal problems or issues with this, contact the staff and we will be happy to try and provide further explanation. Certainly your Members of Congress want to keep you happy. They like to get reelected. Especially in these election years we want to keep you happy, would be my observation. I do the same myself. So thank you all very much for your testimony.

The meeting stands adjourned.

[Whereupon, at 11:05 a.m., the subcommittee was adjourned.]



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