

105TH CONGRESS  
2D SESSION

# H. R. 4341

To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Sand Creek Massacre National Historic Site in the State of Colorado as a unit of the National Park System, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 28, 1998

Mr. BOB SCHAFER of Colorado introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Sand Creek Massacre National Historic Site in the State of Colorado as a unit of the National Park System, 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 “Sand Creek Massacre  
5 National Historic Site Study Act of 1998”.

### 6 **SEC. 2. FINDINGS.**

7 (a) FINDINGS.—Congress finds that—

1           (1) on November 29, 1864, Colonel John M.  
2           Chivington led a group of 700 armed soldiers to a  
3           peaceful Cheyenne village of more than 100 lodges  
4           on the Big Sandy, also known as Sand Creek, lo-  
5           cated within the Territory of Colorado, and in a run-  
6           ning fight that ranged several miles upstream along  
7           the Big Sandy, slaughtered several hundred Indians  
8           in Chief Black Kettle’s village, the majority of whom  
9           were women and children;

10          (2) the incident was quickly recognized as a na-  
11          tional disgrace and investigated and condemned by  
12          2 congressional committees and a military commis-  
13          sion;

14          (3) although the United States admitted guilt  
15          and reparations were provided for in article VI of  
16          the Treaty of Little Arkansas of October 14, 1865  
17          (14 Stat. 703) between the United States and the  
18          Cheyenne and Arapaho Tribes of Indians, those  
19          treaty obligations remain unfulfilled;

20          (4) land at or near the site of the Sand Creek  
21          Massacre may be available for purchase from a will-  
22          ing seller; and

23          (5) the site is of great significance to the Chey-  
24          enne and Arapaho Indian descendants of those who  
25          lost their lives at the incident at Sand Creek and to

1       their tribes, and those descendants and tribes de-  
2       serve the right of open access to visit the site and  
3       rights of cultural and historical observance at the  
4       site.

5   **SEC. 3. DEFINITIONS.**

6       In this Act:

7           (1) SECRETARY.—The term “Secretary” means  
8       the Secretary of the Interior acting through the Di-  
9       rector of the National Park Service.

10          (2) SITE.—The term “site” means the Sand  
11       Creek massacre site described in section 2.

12          (3) TRIBES.—The term “Tribes” means—

13               (A) the Cheyenne and Arapaho Tribe of  
14       Oklahoma;

15               (B) the Northern Cheyenne Tribe; and

16               (C) the Northern Arapaho Tribe.

17   **SEC. 4. STUDY.**

18       (a) IN GENERAL.—Not later than 18 months after  
19       the date on which funds are made available for the pur-  
20       pose, the Secretary, in consultation with the Tribes and  
21       the State of Colorado, shall submit to the Committee on  
22       Energy and Natural Resources of the Senate and the  
23       Committee on Resources of the House of Representatives  
24       a resource study of the site.

1 (b) CONTENTS.—The study under subsection (a)  
2 shall—

3 (1) identify the location and extent of the mas-  
4 sacre area and the suitability and feasibility of des-  
5 ignating the site as a unit of the National Park Sys-  
6 tem; and

7 (2) include cost estimates for any necessary ac-  
8 quisition, development, operation and maintenance,  
9 and identification of alternatives for the manage-  
10 ment, administration, and protection of the area.

11 (c) ORAL HISTORIES.—To the extent practical, the  
12 Secretary shall record and incorporate into the resource  
13 study oral histories of the Sand Creek Massacre that have  
14 been passed down to descendants of its survivors within  
15 the Tribes.

16 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated such sums  
18 as are necessary to carry out this Act.

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