

Chair Carpenter and members of the House Federal and State Affairs Committee,

Thank you for taking the time to receive my testimony. My name is Nathan Nogelmeier. I am the City Administrator for the City of Fairway, KS and I write on behalf of the City to ask you to oppose HB 2208.

The Shawnee Indian Mission is a National Historic Landmark (NHL). It is an NHL because nearly 100 years ago, the people of Kansas fought to save it and for all of those nearly 100 years, the State of Kansas has preserved it. Some may ask why the Shawnee Indian Mission is an NHL. The answer is truly very simple.... The historic events at the Shawnee Indian Mission impacted many different points and people in our history, not just affecting the State of Kansas but also our national heritage.

For years, the City of Fairway, the Kansas Historical Society and the Shawnee Indian Mission Foundation have been working to promote an understanding that the Shawnee Indian Mission is bigger than just one story. From when the land belonged to the Kaw, to when it served as a Mission, to its ties with Kansas history, the Civil War, Westward expansion and beyond, the Shawnee Indian Mission has countless stories to share.

The Kansas Legislature can take this opportunity to make clear that the near century-long investment by the people of Kansas to preserve this historically significant site must be protected and preserved for generations to come. Ownership by the people of Kansas, through the stewardship of the Kansas Historical Society, is the only path forward that promises the Shawnee Indian Mission will be a place for all people to learn about its entire history both now and in the future.

The greatest concerns surrounding conveyance center around three key points:

1. Loss of history – Should the site be conveyed, the Shawnee Tribe, now or later, could extinguish the public's ability to visit the site and learn about its long and significant history not just for the 22 tribes who sent children to the school, but also for those who inhabited the land before the Shawnee arrived, for the beginning of Kansas Statehood, Bleeding Kansas, the Trails West and the Civil War. These are just a few examples of the countless pieces of history that come together to create the Shawnee Indian Mission.
2. Future use of the land – If the site is conveyed, no one can commit or guarantee what tribal leaders, now or in the future, will decide what to do with the land. Case law is clear. There are pathways for the Shawnee Tribe to attempt to immediately or in the future claim the land as sovereign. In doing so, both the State of Kansas and the City of Fairway could lose jurisdictional authority over how the land is used. (See attached legal report.)
3. Loss of comprehensive, fact-based educational opportunities for future generations – In addition to the loss of physical history, the Mission may no longer serve as a fact-based educational institution. Generations of Kansans and beyond have visited the site to learn of its historical significance. If the Kansas Legislature gives the site away, they are giving away educational opportunities for generations to come.

While the potential consequences of conveyance affect us all differently, the potential loss of this National Historic Landmark and State Historic Site should be of great concern for the Kansas Legislature. The only way we can be assured the Shawnee Indian Mission remains a place for all to learn its stories is for the people of Kansas to remain its owners through the stewardship of the Kansas Historical Society.