

Testimony of Chief Ben Barnes Supporting HB 2384
Fed and State Committee
February 25, 2025

Chairman Kessler, Members of the Committee,

Thank you for the opportunity to testify in support of HB 2384 authorizing the transfer of the Shawnee Indian Manual Labor School in Fairway, Kansas, to the Shawnee Tribe. My name is Ben Barnes, and I serve as Chief of the Shawnee Tribe.

A Place of Deep Historical and Cultural Significance

The Shawnee Indian Manual Labor School is an integral part of American history, built on Shawnee land, by Shawnee hands, using Shawnee funds. Since its establishment on October 28, 1839, until its closure as a boarding school in 1862, this site has served as a landmark of profound historical importance. It was later designated as a National Historic Landmark due to its architectural and cultural significance.

Despite this recognition, the site has suffered from years of neglect and deterioration. A report by Architectural Resources Group (ARG), a nationally respected historic preservation firm, has identified severe structural concerns:

- Leaking roofs, windows, and walls
- Water damage compromising historically significant interiors
- Two-thirds of the site closed to the public
- The West Building, the oldest residential structure in Kansas, unsafe for entry

The National Trust for Historic Preservation has qualified this site as one of America's 11 Most Endangered Historic Places—a designation made only after expert examination. Yet, those responsible for the site have rejected offers of assistance, dismissed expert findings, and sought to discredit preservationists instead of addressing these urgent concerns.

The Shawnee Tribe's Deep Connection to Kansas

The Shawnee people have existed as a distinct people of North America for more than 500 years. We first encountered Europeans in what would become the southeastern United States in 1540. Our people have maintained our culture, religion, and language despite numerous forced removals. Our westward migration ended when we arrived in Kansas in 1828.

While other federally recognized Shawnee governments—the Eastern Shawnee Tribe and Absentee Shawnee Tribe—bypassed Kansas, my people, the Shawnee Tribe, chose the area of present-day Shawnee, Kansas, as our headquarters. Our lands originally stretched from the Missouri border to present-day Topeka. However, in 1854, the U.S. government reduced the Kansas Reservation to 160,000 acres, forcing many Kansas Shawnees to relocate to northeastern Oklahoma.

During the Civil War, Shawnees fought alongside Kansans in the Union Army, earning the title "Loyal Shawnee." But when we returned home, we found our lands overrun by squatters, leading many to migrate once again, this time to Indian Territory in what is now Oklahoma. Despite these hardships, the Shawnee people never lost our identity, language, or traditions. Finally, in December 2000, Congress restored our status as a federally recognized tribe with full treaty rights, naming us simply the Shawnee Tribe.

A Landmark in Crisis – and a Plan for its Preservation

The Shawnee Tribe stands ready to restore and preserve this historic site—not with state funds, but through our own financial resources. We have already commissioned a Historic Structures Report and estimated that full restoration will require up to \$15 million. The Shawnee Tribe is committed to funding the complete restoration and ensuring that the site remains a public asset for future generations.

Through HB 2384, we pledge to:

- Restore and preserve all three historic buildings to ensure they are safe, functional, and accessible to the public.
- Expand and enhance historical programming to tell the full story of the site's role in both Native and Kansas history.
- Provide immersive educational experiences for students and visitors, enriching their understanding of this landmark.
- Benefit the surrounding community by transforming a neglected site into a source of civic pride.

We are not seeking to change zoning or remove historic protections for this site. In fact, we will actively oppose any attempt to alter its landmark status or use it for anything other than has a historic site.

Ensuring Broad Tribal Consultation and Transparency

This site holds deep meaning for multiple tribal nations whose children attended this school. That is why HB 2384 requires ongoing consultation with affected tribes to ensure their histories are honored and accurately represented.

There were two errors in the drafting of the bill. We want to ensure the bill language reflects language from the resolution unanimously adopted by the Four Tribes of Kansas in support of this legislation. We respectfully request that the following amendments be made to the bill:

- On page 2, line 4, after “tribe” by inserting: *described in K.S.A. 22-2401a(j)(5)*
- On page 2, line 7, after (a) by inserting: *and representation of the stories of the Shawnee Indian Manual Labor School.*

Additionally, the Shawnee Tribe will provide regular updates to the Joint Committee on State-Tribal Relations every two years for the next decade to ensure accountability and transparency in our restoration efforts.

Dispelling Misinformation

Some opponents have falsely claimed that transferring the site to the Shawnee Tribe would put its history at risk. The reality is that history is already being lost due to the ongoing neglect and decay of the site.

Others have expressed concerns about educational programming. We share these concerns. Currently, only one building is open to the public, and programming largely fails to educate visitors about the true history of this place. Instead, much of the site's calendar consists of yoga sessions and chili competitions rather than meaningful historical interpretation. HB 2384 will change that.

The Shawnee Tribe's Proven Commitment to Preservation

Our Cultural Affairs Department is staffed with professional archaeologists, historians, and preservationists who have a track record of managing historic sites. We already maintain and preserve the Prophet's Grave, a historic site in Kansas, in partnership with the State and other stakeholders. With HB 2384, we will apply this same level of care and expertise to the Shawnee Indian Manual Labor School.

A Historic Landmark for the Future

The Shawnee Indian Manual Labor School was built on the Shawnee Reservation. The Shawnee Tribe was the last to cede this land. Historically, legally, and culturally, this is a Shawnee place—but more importantly, it is a place of shared history that belongs to all who seek to understand its significance.

The passage of HB 2384 will allow us to save this site from further deterioration, create an exceptional historical experience, and ensure its preservation for future generations—without asking the State of Kansas for a single dollar.

I am grateful for the opportunity to testify in support of this critical legislation. I am happy to answer any questions the Committee may have.

RESOLUTION OF THE FOUR TRIBES IN KANSAS
Prairie Band Potawatomi Nation
Iowa Tribe of Kansas and Nebraska
Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas
Sac and Fox Nation of Missouri in Kansas and Nebraska

RESOLUTION No. 2025-003

A Joint Resolution Supporting the Introduction of Legislation Authorizing the State Historical Society to Convey Certain Real Property located in Johnson County to the Shawnee Tribe

WHEREAS: Each of the four abovenamed Indian Tribes in Kansas (the “Four Tribes”) are federally recognized and sovereign Indian Tribes and maintain a government to government relationship with the United States; and

WHEREAS: The Four Tribes are each organized under the Indian Reorganization Act of June 18, 1934 (48 Stat.984) as amended by the Act of June 15, 1935 (49 Stat.378); and

WHEREAS: The four federally recognized Tribes of Kansas met on January 29, 2025 to discuss and approve the Four Tribes’ support for the introduction of legislation in the form attached hereto as Exhibit A authorizing the State Historical Society to Convey Certain Real Property located in Johnson County to the Shawnee Tribe on the terms and conditions stated in Exhibit A; and

NOW, THEREFORE BE IT RESOLVED that the Four Tribes having reservations in the State of Kansas do hereby approve a joint resolution supporting the introduction of legislation in the Kansas Legislature, in the form attached hereto as Exhibit A, which would authorize the State Historical Society to Convey Certain Real Property located in Johnson County to the Shawnee Tribe.

CERTIFICATION

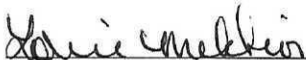
The foregoing Four Tribes Resolution was considered at their meeting on the 29th day of January 2025, at which all of them were present, and it has been duly approved by an authorized representative of each of the Four Kansas Tribes.


Iowa Tribe of Kansas and Nebraska

Kickapoo Tribe of Indians of the
Kickapoo Reservation in Kansas


Timothy Rhodd, Chairman


Gail Cheatham, Chairperson

Attest: 

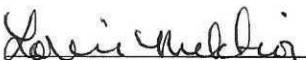
Attest: 

Prairie Band Potawatomi Nation

Sac and Fox Nation
of Missouri in Kansas and Nebraska


Joseph "Zeke" Rupnick, Chairman


Tiauna Carnes, Chairperson

Attest: 

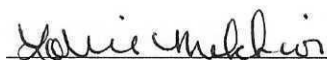
Attest: 

EXHIBIT A

AN ACT concerning the disposition of certain state real property; authorizing the state historical society to convey certain real property located in Johnson county to the Shawnee Tribe; imposing certain conditions; prescribing costs of conveyance.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Subject to the provisions of this section, the state historical society, for and on behalf of the state of Kansas, shall convey to the Shawnee Tribe all of the rights, title and interest in the following described real estate, and any improvements thereon, located in Johnson county, Kansas, containing 11.97 acres more or less:

A part of the Southwest quarter of Section 3 Township 12 Range 25, Beginning at the Northwest corner of the Southeast 1/4 of the Southwest 1/4, then North 475.4 feet then East 472.85 feet, then Southeasterly 1024.37 feet, the West 548.27 feet, then North 545.5 feet to the point of beginning, approximately 11.97 acres.

(b) Conveyance of such rights, title and interest in such real estate, and any improvements thereon, shall be executed in the name of the state historical society by the executive director of the state historical society by quitclaim deed without the necessity of appraisal, bid or publication and shall not be subject to the provisions of K.S.A. 75-3043a, and amendments thereto. No exchange and conveyance of real estate, and any improvements thereon, as authorized by this section shall be made by the executive director until the deeds and conveyances have been reviewed and approved by the attorney general. Such deeds and conveyances shall contain restrictive covenants prohibiting any gaming or gambling activities in and on the land and improvements described in subsection (a).

(c) The Shawnee Tribe agrees to pay all costs related to the conveyance and shall grant the state a historic preservation easement that will reflect current federal preservation laws regarding properties listed as national historic landmarks. The Shawnee Tribe further agrees that such land described in subsection (a) and any land adjacent to or near such land shall not be used as a casino or other gaming facility.

(d) The Shawnee Tribe will engage in formal consultation with the four federally recognized tribes described in K.S.A. 22-2401a(j)(5) and any other federally recognized tribe that had children that attended the Shawnee Indian Manual Labor School concerning rehabilitation of the land and structures described in subsection (a) and representation of the stories of the Shawnee Indian Manual Labor School.

(e) The Shawnee Tribe shall provide an update on its work to rehabilitate and manage the property described in subsection (a) and its consultation efforts every two years for ten years to the joint committee on state-tribal relations.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.