



NORTHERN CHEROKEE NATION

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ADMINISTRATIVE OFFICE TRIBAL COMPLEX

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Elizabeth Appel
Office of Regulatory Affairs & Collaborative Action
U.S. Department of the Interior
1849 C St, NW.
MS-4141-MIB
Washington, DC 20204

In regards to: **1076-AF18**
Assistant Secretary for Indian Affairs Kevin Washburn

Dear Assistant Secretary Washburn:

My name is Kenn Grey Elk Descombes, Principal Chief of the Northern Cherokee Nation of Missouri and Arkansas. The assignment of #100 was assigned to us in August of 1985 in response to our original letter of intent. #100a was assigned to our Sac and White River Band, September of 1991 and #100b assigned to another band in February 1992. Our tribal headquarters and Administrative Office addresses are listed above. We have also joined the 21st century with a website, and a facebook page, www.northerncherokeenation.com, and www.facebook.com/northerncherokeenation, respectively.

The fact that Missouri passed a law in 1889 making it illegal for 'Indians', in our case Cherokees, from living in the state under penalty of death or deportation, (a copy of the original law is included in the *History of the Northern Cherokee* ©1996), made it extremely difficult to stay connected as a people and governing body. Because of that law and its direct enforcement, and because the payoff to informants was 50% of the property belonging to anyone they turned in, many of our people were forced to leave Missouri. Most managed to return to Missouri but claiming to be of another race. A reaffirmation of the law in 1899 and again in 1909 forced more of our people to go 'underground' to survive. Many claimed to be Spanish, French, Portuguese or Black Dutch to keep themselves and their families from being deported at best or hung or shot at worst. As a result, our tribal government also had to keep a minimal profile.

We do, however, have over 200 years of documented history in Missouri and Arkansas. Some of the documents include treaties, such as one with the French in 1750. In 1794, the Spanish Governor of the Louisiana Territory, Don Esteban Rodríguez Miró, under order of the Spanish King, Charles IV, signed a formal land grant for the Cherokees known as the Chickamauga, which included all land in the 1794 Girardeau County of the

Dan Deerinwater, Regional Director, Southern Plains

Louisiana Territory of Spain. This area later became known as Lawrence County and eventually was split up into 56 different counties covering Southern Missouri and Northern Arkansas.

In 1831 Benjamin Green was elected as Principal Chief of all three bands, the Sac River Band, the White River Band and the Green Band. The Green Band was also known as the Northern Band. He was followed by a succession of leaders from James Green to Levi Adams even through all the tribulations caused by the Missouri Expulsion Law of 1889. After 1900 we had John Harvey and William Neal. Everett Jesse Harris was elected in 1940 and governed until 1981. He was followed by David Quentin. Chief Quentin was followed by Chief Elva Beltz and then her brother Carl Gray Owl Griggs. Phil Hawk Gazer Glascock followed Chief Griggs and on his death was followed by myself Principal Chief Kenn Grey Elk Descombes.

We have records of a continuing tribal government and its actions and our people's existence in Missouri and Arkansas for a great span of time which far exceeds the new proposed requirements. We also have numerous records of official state documents proving over 50 years of a government to government relationship with Missouri. The Northern Cherokee Nation and its bands were acknowledged by Missouri Governor Christopher Bond by proclamation in 1983. We were recognized again in 1984 by the Missouri House of Representatives. Then in 1996 we were given a second proclamation of acknowledgement by then Governor Mel Carnahan, formally recognizing us as an old historical tribe in the state of Missouri. Considering the original law of 1889 and its amendments have never been removed, we appreciate all of this recognition as a big step in the right direction. Also, in 1995 we were recognized as a Sovereign Nation by the United Nations. As far as I know, we are the only Native American Nation in America with this official designation.

Because of the law of 1889 and its continuance, and the resulting difficulty living and maintaining a culture in Missouri and by extension, Arkansas, our tribe has a unique position to be the only tribe banned as an entire people from a state. We are requesting a special exclusion from some of the requirements of the Recognition Act. We ask only for a fair hearing to present our case and show our records to prove our position.

Sincerely,



Kenn Grey Elk Descombes
Principal Chief of the Northern Cherokee Nation

cc: Sally Jewell, Secretary of the Interior
Lee Fleming, Director of the Office of Federal Acknowledgement
Dan Deerinwater, Regional Director, Southern Plains