

Testimony of
The Honorable Timothy V. Johnson
Member of Congress
15th Congressional District, Illinois
May 8, 2002

The Committee on Resources

Hearing on HR 791, a bill to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois

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Thank you Chairman Hansen, for holding this important hearing regarding Indian land claims in Illinois. I also want to thank the Members of the House Resources Committee for their time and attention today.

In the summer of 2000, fifteen landowners in east-central Illinois received notice the Miami Indian Tribe of Oklahoma was suing them. These 15 individuals from 15 separate counties were told they were being sued because the Miami was claiming that some 2.6 million acres rightfully belonged to them under a treaty, the Treaty of Grouseland signed in 1805.

Illinois was granted statehood in 1818, a full 13 years after the Treaty of Grouseland was signed by the United States Government and the Miami Tribe. For this reason, I introduced HR 791. Basically, the legislation will waive sovereign immunity and allow the tribe to file its claim in the U.S. Federal Court to seek settlement. I'm not in front of this committee today to say whether the Miami tribe is right or wrong in its pursuit of this claim. I am here today, however, to say that the property owners of east-central Illinois should not be part of this claim. The Miami's fight should not be with the hard-working, honest citizens of Illinois, nor should it be with the state of Illinois, but rather with the Federal Government.

I am not opposed to the Miami Indian Tribe as a society within our great nation. In fact, I am encouraged by their stature and their ability to diversify our country and influence our future. And, I will concede that at one point in our nation's history, the Miami may have been rightful owners of the land they are now trying to reclaim. However, I do not feel they are justified in victimizing hard working landowners who live within the area I represent. Those families have owned and paid taxes on their land, in some cases for many generations. The Miami Indian Tribe alleges that the U. S. Government never properly obtained land title from them as required by the 1805 Treaty. Therein lies the dispute.

No one would argue that Native Americans were not wronged in our country's past. We would also welcome all attempts to improve the standard of living to which our Native Americans are subject. However, the landowners of east central Illinois should not pay this price.

Just over a year ago, Speaker of the House, Dennis Hastert and I, visited the home of one of the landowners being sued. His name is Rex Walden of Urbana, Illinois. Mr. Walden is a 98-year-old retired farmer. He told the Speaker and I about his life spent on the farm. All he wants now is to leave the farm to his children. Mr. Walden worked the farm and paid taxes all his life. To be sued and face the possibility that he could lose that land because of a 200 year-old treaty is unjust, at best.

The problem goes beyond Rex Walden and the 14 other landowners. A cloud has been cast over the titles of all property in the 2.6 million acre region. Imagine if you were thinking of locating a business in east central Illinois. Why locate in the region in question when you could locate that business, those jobs, and

that tax revenue outside that region?

In closing, I want to thank you again, Chairman Hansen and the Members of the House Resources Committee for holding this hearing. This issue, while regional in scope, is of the utmost importance to the citizens of my congressional district in east central Illinois.