

Testimony of
Congressman John Shimkus
before the
House Resources Committee
on
May 8, 2002

Mr. Chairman, members of the Resources Committee, it is a pleasure to testify today on H.R. 791, a bill that would protect private landowners in Illinois from American Indian claims to their land. The bill was introduced by my fellow Illinois Congressman, Tim Johnson. Thank you for the opportunity to share my thoughts with you and your subcommittee.

First, I would like to commend Congressman Johnson for introducing this important piece of legislation.

During my campaign for office, I ran on just a few central promises. One of my promises to the voters was that I would protect private property rights. My voting record in Congress so far would strongly back up that claim. That is why I cosponsored this legislation, even though, at the time, it did not impact any part of my Congressional District. However, under a new Congressional map, 3 of the 15 counties impact by this claim will be in my new District.

The legislation is straightforward and fair to both sides. First it protects property owners in Illinois, who have acted in good faith and done nothing wrong, and ensures that they will not lose their homes, farms, and businesses. Second, it provides the tribes recourse to the Federal Courts. The Miami claim is based upon an assertion that the United State government never properly obtained land title from the Tribe as required by an 1805 treaty between the Tribe and the federal government. This legislation would allow them to pursue their claim against the Unites States, with whom their argument is really with since Illinois was not a state in 1805.

The State of Illinois has carefully reviewed this claim and thoroughly studied the issues raised by the Tribe and the relevant historical documents. Based upon this review, the State concluded that the claim lacks any merit.

These claims have been made for the sole purpose of establishing a casino and not for any true reparations for their tribe. State law in Illinois limits casino gambling to the 10 existing licenses. Furthermore, I firmly believe that current landowners cannot and should not be held accountable for any claims by the Miami or any other native American tribes. They are innocent people in this claim.

Mr. Chairman, thank you again for allowing me to testify on this important piece of legislation. I am willing to answer any questions the Committee might have.