

**TOM COLE**  
4TH DISTRICT, OKLAHOMA

DEPUTY WHIP

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DEFENSE



**Congress of the United States**  
**House of Representatives**

November 2, 2023

PLEASE REPLY TO:

- 2207 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
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- 2424 SPRINGER DRIVE  
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- 711 SW D AVENUE  
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(580) 357-2131
- SUGG CLINIC OFFICE BUILDING  
100 EAST 13TH STREET, SUITE 213  
ADA, OK 74820  
(580) 436-5375

The Honorable Bruce Westerman  
Chairman  
House Natural Resources Committee  
1324 Longworth HOB  
Washington, D.C. 20515

The Honorable Raúl M. Grijalva  
Ranking Member  
House Natural Resources Committee  
1332 Longworth HOB  
Washington, D.C. 20515

House Natural Resources Committee Member Hearing Day  
Statement to be Submitted to the Record—H.R. 5831

I submit the following statement in support of my legislation, H.R. 5831, To provide for the equitable settlement of certain Indian land disputes regarding land in Illinois, and for other purposes. This legislation would extinguish any cloud on title resulting from the Miami Tribe of Oklahoma's claim to 2.6 million acres of eastern Illinois farmland. Under the bill's provisions, the tribe waives all claim to the land and provides the United States Court of Federal Claims jurisdiction to hear their case.

In 1805, the Miami Tribe, Eel River Band, and Wea signed the Treaty of Grouseland and ceded a parcel of land in present-day southern Indiana. In exchange, the tribes demanded acknowledgement of ownership of the land encompassed within the Wabash River watershed, including land located west of the Wabash River - in present-day Illinois. The United States provided that acknowledgement in Article IV of the Treaty and expressly agreed that it would "not purchase any part of the said country without the consent of each of the said [three] tribes." Because Article IV vested the Tribe with a treaty-recognized title, such title can only be acquired, extinguished, or otherwise alienated from tribal ownership by the clear expression of Congress.

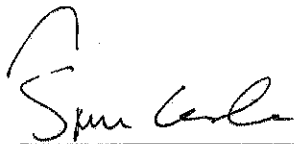
As the bands of tribes separated, they began ceding most of their land reserved under the Treaty of Grouseland through a series of subsequent treaties; however, the Miami Tribe never ceded or relinquished the title to the remaining 2.6 million acres of the reserved land that is located in present-day east central Illinois. In the middle-1800s, the Illinois Land Office began illegally patenting parcels of the unceded land to non-native settlers, without having acquired title to or compensated the Miami Tribe for the land. As a result of the defective patenting, title to some 2.6-million acres of land held in east central Illinois is clouded by the Tribe's superior claim to title and its claim for treaty taking of the land.

Congress created the Indian Claims Commission (ICC), which arbitrated longstanding claims between the Tribes and the United States. Upon its adjournment in 1978, the ICC transferred its pending docket to the United States Court of Federal Claims (CFC) mandated by

Public Law 94-465. Today, if a tribe wants to bring a claim forward that surpasses the statute of limitations and because the ICC is no longer in operation, they must receive congressional authorization to go through the U.S. Court of Federal Claims to bring their case forward. H.R. 5831 simply authorizes this ability and relinquishes all claim to the land—there is no monetary compensation included.

Thank you for your time and consideration and I urge the House Natural Resources Committee to swiftly pass H.R. 5831.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Cole", written in dark ink. The signature is positioned above a horizontal line.

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Tom Cole  
Member of Congress  
Co-Chair, Congressional Native American Caucus