

116TH CONGRESS
1ST SESSION

H. R. 396

To provide for the equitable settlement of certain Indian land disputes regarding land in Illinois, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2019

Mr. MULLIN introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for the equitable settlement of certain Indian land disputes regarding land in Illinois, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SETTLEMENT OF CLAIMS.**

4 (a) FINDINGS.—The Congress finds the following:

5 (1) The Miami Tribe of Oklahoma has chal-
6 lenged title of certain lands within the State of Illi-
7 nois based upon treaties negotiated with the United
8 States.

9 (2) The Miami Tribe of Oklahoma claims to be
10 the rightful owner of approximately 2,648,420 acres

1 of land reserved and guaranteed to it by the Federal
2 Government in the Treaty of August 1, 1805 (7
3 Stat. 91), known as the Treaty of Grouseland.

4 (3) The land reserved and guaranteed to the
5 Miami Tribe of Oklahoma by the Treaty of
6 Grouseland is located in the State of Illinois and
7 persons and entities other than the Miami Tribe of
8 Oklahoma currently hold title to that land.

9 (4) Congress desires to remove any cloud on
10 title resulting from the Miami Tribe of Oklahoma's
11 claim to the land under the Treaty of Grouseland
12 and to afford the Miami Tribe of Oklahoma the op-
13 portunity to resolve its claims arising from the Trea-
14 ty of Grouseland.

15 (b) JURISDICTION CONFERRED ON THE UNITED
16 STATES COURT OF FEDERAL CLAIMS.—Notwithstanding
17 any other provision of law, exclusive jurisdiction is hereby
18 conferred upon the United States Court of Federal Claims
19 to hear, determine, and render judgment on the Miami
20 Tribe of Oklahoma's land claim under the Treaty of Au-
21 gust 1, 1805 (7 Stat. 91), without regard to legal or equi-
22 table defenses based on the passage of time, including the
23 statute of limitations identified in section 2501 of title 28,
24 United States Code, and any delay-based defense, includ-
25 ing laches, estoppel or acquiescence, no matter how char-

1 acterized. The United States shall be the only entity or
2 individual liable regarding such a claim and monetary
3 damages shall be the only available remedy. The jurisdic-
4 tion hereby conferred on the United States Court of Fed-
5 eral Claims shall expire unless a claim is filed by the
6 Miami Tribe of Oklahoma within 1 year after the date
7 of the enactment of this Act.

8 (c) EXTINGUISHMENT OF TITLE AND CLAIMS.—Ex-
9 cept for the claim of the Miami Tribe of Oklahoma against
10 the United States as a defendant in an action before the
11 United States Court of Federal Claims as provided in sub-
12 section (b), all other claims of the Miami Tribe of Okla-
13 homa, or any member, descendant, or predecessor in inter-
14 est to the Miami Tribe to title are extinguished, including
15 claims arising under the Treaty of Grouseland, the North-
16 west Ordinance, the 5th amendment to the Constitution,
17 the laws commonly known as the “Trade and Intercourse
18 Act of 1790”, and any other Federal law, treaty, or agree-
19 ment.

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