

**THE GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS’
TAKINGS CLAIMS FOR THE LOSS OF ITS 1855 TREATY LANDS
AND
THE NEED FOR A CONGRESSIONAL REFERENCE BILL**

Statement to the Expert Mechanism on the Rights of Indigenous People
Twelfth Session

Madame/Mr. Chairman –

My name is John Petoskey, I am a citizen of the Grand Traverse Band of Ottawa and Chippewa Indians and I speak on its behalf. We are a tribe of Anishinaabe people in the State of Michigan, United States. Article 8.2(b) of UNDRIP commits states to provide redress for the taking of indigenous property. During its last Periodic Review the United States supported recommendation 176.326 to correct “historical injustices and offer compensation” to indigenous people. Today, however, my community still has an unresolved claim.

In 1836, my tribe signed the Treaty of Washington, which ceded 13.8 million acres of land to the United States. This land became the State of Michigan. The treaty provided for removal of my people to the west. But we resisted. The result of this resistance was the Treaty of Detroit signed in 1855 which promised us 87,000 acres of land as a permanent home for my people.

The treaty was not implemented. To quote a Federal Court, we were “cheated out of [our] land.” Federal agents diverted nearly the entirety of the 87,000 acres promised to our people to non-indigenous hands. Land that remained was appropriated by non-indigenous squatters. Congress then passed a series of federal statutes in 1872, 1874, and

1876 that legitimated the appropriation of our land. These Acts did not provide for compensation and we are still holding the bill. I want you to imagine the pain my ancestors must have felt witnessing their world collapse before their eyes. I feel it in my heart as I speak these words today. But I also feel their love. This love empowers me to speak today as well.

What we seek is a chance to sue the United States in the Federal Court of Claims for compensation for the robbery of our land. Because of the immunity of the United States government from suit, our Tribe needs a Congressional Reference Bill passed by either the US House or Senate authorizing our claim. Therefore, I recommend that the United States fulfill its promises to my indigenous community and to the international community by passing a congressional reference bill to authorize our suit for compensation. Miigwetch, thank you.