

106TH CONGRESS
1ST SESSION

H. R. 562

To approve and ratify certain transfers of land and natural resources by or on behalf of the Delaware Nation of Indians, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1999

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

A BILL

To approve and ratify certain transfers of land and natural resources by or on behalf of the Delaware Nation of Indians, 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. RATIFICATION OF TRANSFER; EXTINGUISH-**
4 **MENT OF TITLE AND CLAIMS.**

5 (a) APPROVAL AND RATIFICATION OF PRIOR TRANS-
6 FER.—Any transfer of land or natural resources located
7 anywhere within what is now the boundaries of the State
8 of New Jersey, from, by, or on behalf of the Delaware
9 Nation of Indians or any of its members, which occurred
10 prior to 1833, including any transfer pursuant to any

1 treaty, compact, deed, Act, or statute of the State of New
2 Jersey, shall be deemed to have been made in accordance
3 with the Constitution and all laws of the United States
4 that are specifically applicable to transfer of land or natu-
5 ral resources from, by, or on behalf of any Indian, Indian
6 nation, or tribe or band of Indians (including, but without
7 limitation, the Trade and Intercourse Act of 1790 (ch. 33,
8 sec. 4 Stat. 137, 138)) and all amendments thereto and
9 all subsequent reenactments and versions thereof, and
10 Congress does approve and ratify such transfer effective
11 as of the date of the transfer.

12 (b) ABORIGINAL TITLE EXTINGUISHED AS OF DATE
13 OF TRANSFER.—To the extent that any transfer of land
14 or natural resources described in subsection (a) involves
15 land or natural resources to which the Delaware Nation
16 of Indians or any of its members, or any other Indian,
17 Indian nation, or tribe or band of Indians had aboriginal
18 title, subsection (a) shall be regarded as an extinguish-
19 ment of such aboriginal title as of the date of such trans-
20 fer.

21 (c) CLAIMS EXTINGUISHED AS OF DATE OF TRANS-
22 FER.—By virtue of the approval and ratification of a
23 transfer of land or natural resources under subsection (a)
24 or the extinguishment of aboriginal title under subsection
25 (b), all claims against the United States, the State of New

1 Jersey or subdivision thereof, or any other person or en-
2 tity, by the Delaware Nation of Indians or any of their
3 members or any predecessors or successors in interest
4 thereof, arising at the time of or subsequent to the trans-
5 fer and based on any interest in or right involving such
6 land or natural resources, including but without limita-
7 tions, claims for trespass damages or claims for use and
8 occupancy, shall be deemed extinguished as of the date
9 of transfer.

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