

Dam. Therefore [the Colville Tribes] amended claim relates back and is not barred by the statute of limitations." 39 Ind. Cl. Comm. 159. As a consequence, the Colville Tribes, in 1976, were able to effectively respond to the U.S.' belated strategy to raise the 1951 statute of limitations.

The Spokane Tribe, however, was not similarly situated. While the Spokane Tribe, like the Colville Tribes, had timely filed its land claims before the Indian Claims Commission in 1951, the Spokane Tribe had already entered into a settlement agreement concerning its original claims on February 21, 1967, approximately nine years prior to any indication that the U.S. might suggest or attempt to limit or eliminate its obligations to the Tribes regarding Grand Coulee Dam. As a consequence, the Spokane Tribe did not have a pending Indian Claims Commission claim to amend in 1976 as did the Colville Tribes. As evidenced by the U.S.' attempt in 1976 to defeat the Colvilles' motion to amend their petition, the U.S. apparently hoped to prevent both the Colvilles and the Spokane from bringing Grand Coulee Claims.

While neither the Colville Confederate Tribes nor the Spokane Tribe knew in 1951 or in 1967 that they needed to file claims for damages and compensation for the construction and operation of Grand Coulee, it was mere happenstance that the Colville Tribes still had an Indian Claims Commission case pending and capable of being amended in the mid-1970's and the Spokane Tribe did not.

Up until the mid-1970's, neither the Colville Tribes nor the Spokane Tribe had any reason to distrust that the U.S. would not attempt to negotiate a fair and honorable compensation settlement given the past Federal agency pronouncements, legal opinions, on-going negotiations and Congressional directives.

When the Colville settlement legislation was moving forward in 1994, the Spokane Tribe pressed for an amendment to waive the statute of limitations and allow the Spokane Tribe to seek just and equitable compensation resulting from the construction of the Grand Coulee Dam. Fearful that the Spokane Tribe's efforts might delay and jeopardize final enactment of the Colville settlement legislation, the Colville Tribes and others requested that the Spokane Tribe defer its efforts to seek settlement of its claims. The Spokane Tribe honored that request. During the joint House and Senate hearings on the Colville legislation, the Assistant Secretary for Indian Affairs did commit in her testimony that she would study the merits of the Spokane claim. The day after the hearings, the Solicitor of the Department committed the Department to examine, independent of the Colville Bill, the Spokane Tribe's claims. The House Resources Committee Report accompanying the Colville legislation stated that the Spokane claim was "identical in many respects" to the harm suffered by the Colville Tribes. The Committee noted "that the Spokane Tribe has a moral claim and requests that the Department of the Interior and the Department of Justice work with the Spokane Tribe to develop a means to address the Spokane's claim." In the Senate, Senators INOUE, Bradley, MURRAY, MCCAIN and Hatfield joined in a colloquy expressing their concern that the claims of the Spokane Tribe should be addressed and urged the Administrative agencies to work with the Spokane Tribe to resolve the Tribe's claims.

Following a subsequent commitment from Associate Attorney General, John R. Schmidt, that the Department and other federal agencies would undertake an "earnest" and "fair evaluation" of the Tribe's claims, the Tribe committed a great deal of time, resources and funding to fully research and document its claims. By late 1995, the Tribe was prepared to formally request that the Interior and Justice Departments establish a federal "negotiating team." In a meeting with Interior Department officials in December 1995, Tribal representatives were astounded when they were advised that the Tribe should return to Congress and renew the Tribe's request for a waiver of the statute of limitations.

On July 9, 1996, Senators MURRAY, MCCAIN, INOUE, Bradley and I sent a letter to Secretary Bruce Babbitt stating the Federal/tribal negotiations urged by Congress in 1994 were not predicated on the Tribe's first obtaining a waiver of the statute of limitations, that the requirement for such an undertaking was "totally contrary to the understanding of the Tribe and to the direction of Congress," and urged that the Interior Department "proceed as soon as possible to negotiate with the Tribe on its power value and fishing claims as previously directed by Congress." Unfortunately, viable and equitable settlement negotiations have not materialized.

Enactment of settlement legislation addressing the meritorious claims of a Tribe, claims otherwise barred by a statute of limitations, is neither new or precedent setting. There is ample precedent for Congressional recognition of the moral claims of Indian tribes and provision of appropriate compensation. Several tribes within the Missouri River Basin suffered very significant damage because of inundation of reservation bottom lands through construction of the Pick-Sloan Project dams. In recognition of these damages, Congress has provided substantial compensation to the Affiliated Tribes of the Fort Berthold Reservation and the Standing Rock Sioux Tribe (P.L. 102-575), the Crow Creek Sioux Tribe (P.L. 104-233), and the Lower Brule Sioux Tribe (P.L. 105-132). Compensatory legislation for the Cheyenne River Sioux Tribe (S. 964) and the Santee Sioux and Yankton Sioux Tribes (S. 1148) are currently pending before this Congress and are expected to move through the Senate Commission on Indian Affairs shortly.

The Federal Government, by its own admission, had a conflict of interest and blatantly breached its fiduciary trust responsibility to the Spokane Tribe. Having breached that trust by converting the Tribe's resources to its own benefit, it led the Tribe to believe it would receive fair and honorable compensation. The United States then changed its position and belatedly asserted new legal defenses against compensation for the Tribe. Now, the U.S. seeks to avoid fair and honorable negotiations with the Tribe it betrayed because the Tribe failed to timely file its claims before the expiration of the statute of limitations. As quoted by the Assistant Secretary for Indian Affairs in her testimony on the Colville settlement legislation:

... I am reminded of the words of Justice Black . . . in litigation about another dam flooding the lands of another tribe's territory: "Great nations, like great men, should keep their word." When the Congress enacts and the President signs this legislation, we can all be proud that we are, at last, acting as a great nation should.

I urge my colleagues to keep the word of our Nation and act expeditiously and favorably

on this legislation as it proceeds through the Congress.

RECOGNIZING GARNER E. SHRIVER

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. TIAHRT. Mr. Speaker, I rise today to pay tribute to a great Kansan and a great American.

Garner E. Shriver was born July 6, 1912 in the small Butler County town of Towanda. He attended public schools in Towanda and Wichita, and started an illustrious career of service to our nation by enlisting in the United States Navy following graduation from the University of Wichita and Washburn School of Law.

Honorably discharged as an officer after three years in the Navy, Mr. Shriver served in the Kansas Legislature in both the House of Representatives and the State Senate. In 1960, he was elected to the U.S. House of Representatives by the people of the 4th District of Kansas, who re-elected him seven times. Congressman Shriver was a relentless advocate for the 4th District of Kansas, and worked tirelessly as a senior member of the powerful House Appropriations Committee on behalf of his constituents. During his 16 years in Congress, Garner became an influential voice on significant issues of the day, including health and education benefits for our Nation's veterans, and landmark civil rights legislation. He served on the committee that drafted the Civil Rights Act of 1964.

Although Mr. Shriver left the House in 1977, he didn't leave Congress. He moved over to the Senate and served as minority staff director and general counsel for the Senate Veterans' Affairs Committee from 1977 to 1982, where he made a significant impact on his fellow veterans' lives. Mr. Shriver returned home to Wichita where he practiced law until his death, March 1, 1998. Garner Shriver is survived by his wife, Martha Jane, and three children David, Kay, and Linda. He also has seven grandchildren and two great-grandchildren.

Garner E. Shriver was a noble public servant and served the people of the 4th District with distinction. I am honored to succeed him as the current 4th District Representative, and I am pleased to have an opportunity to honor his service to our nation by introducing legislation today that will designate the facility of the United States Postal Service at 9350 East Corporate Hill Drive in Wichita, KS as the "Garner E. Shriver Post Office Building."

EXPRESSING SUPPORT FOR RE-NEWED EFFORT TO FIND PEACEFUL, JUST, AND LASTING SETTLEMENT TO CYPRUS PROBLEM

SPEECH OF

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 9, 2003

Mr. SMITH of New Jersey. Mr. Speaker, I rise in support of H. Res. 165, a resolution that calls for the rights of Greek Cypriots and

Turkish Cypriots to be protected. Most importantly, the resolution urges that steps be taken to resolve the longest unresolved conflict in Europe—the division of Cyprus.

The Commission on Security and Cooperation in Europe, which I co-chair, has held several briefings over the last 18 months on the evolution of a hoped-for solution to the Cyprus impasse. The tone of these briefings varied from optimistic to skeptical. Those concerned about this problem were hopeful when United Nations Secretary General Kofi Annan put forth a proposed plan last November.

After further discussions, Mr. Annan adapted the plan to encompass the concerns voiced by both sides of the conflict. Unfortunately, Mr. Rauf Denkash, leader of the Turkish Cypriots, failed to accept either the comprehensive settlement or the proposed referendum advanced by the Secretary General. Denkash's inability to find common ground with his fellow Cypriots from the Greek side keeps Cyprus divided.

H. Res. 165 calls for the most logical resolution of the problem—let the people of Cyprus, whether they be Greek Cypriots or Turkish Cypriots, determine their own fate at the ballot box. Tens of thousands of Turkish Cypriots have demonstrated their support for this proposal in massive public marches. Many Turkish Cypriots are obtaining Republic of Cyprus passports in an attempt to move this process ahead.

Mr. Denkash must heed the call of these times. The time for a single man to stand in the way of progress for an entire people, for an entire country, is past. I call on you, Mr. Denkash, to allow the referendum to be held now or step aside in the interest of your people and the prospect of reconciliation on the divided island nation of Cyprus!

EXPRESSING SUPPORT FOR THE
CELEBRATION OF PATRIOT'S DAY

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. MARKEY. Mr. Speaker, today my colleagues from Massachusetts and I are introducing identical resolutions in both the House and the Senate that celebrate a shining moment in the history of the United States, the beginning of the most enduring free and democratic experiment in the world. On April 19, 1775, the American colonists in Lexington, in Concord and in "every Middlesex village and town" rose up to claim their inherent right to govern themselves, free of the whims of the English king.

While this day is already celebrated as a state holiday in both the Commonwealth of Massachusetts and the State of Maine, and the national significance of the events surrounding the "shot heard 'round the world" is unquestioned, the recent establishment of a national day of remembrance on September 11 as "Patriot Day" has understandably confused some Americans regarding "Patriot's Day" in April. We introduce this resolution not in any way to diminish "Patriot Day," but only to remind our colleagues and the public that "Patriot's Day" continues to serve every year as a reminder of the origins of the freedoms we enjoy today.

So this year we ask all Americans to join us in celebrating Patriot's Day, 2003, to be cele-

brated on Monday April 21. As a reminder of this day, I am including excerpts from Longfellow's "Paul Revere's Ride" and from Emerson's "The Concord Hymn"

PAUL REVERE'S RIDE

"Listen my children and you shall hear
Of the midnight ride of Paul Revere,
On the eighteenth of April, in Seventy-five;
Hardly a man is now alive
Who remembers that famous day and year.
He said to his friend, "If the British march
By land or sea from the town to-night,
Hang a lantern aloft in the belfry arch
Of the North Church tower as a signal light,
One if by land, and two if by sea;
And I on the opposite shore will be,
Ready to ride and spread the alarm
Through every Middlesex village and farm,
For the country folk to be up and to
arm . . ."

So through the night rode Paul Revere;
And so through the night went his cry of
alarm

To every Middlesex village and farm,
A cry of defiance, and not of fear,
A voice in the darkness, a knock at the door,
And a word that shall echo for evermore!
For, borne on the night-wind of the Past,
Through all our history, to the last,
In the hour of darkness and peril and need,
The people will waken and listen to hear
The hurrying hoof-beats of that steed,
And the midnight message of Paul Revere.

THE CONCORD HYMN

By the rude bridge that arched the flood,
Their flag to April's breeze unfurled,
Here once the embattled farmers stood
And fired the shot heard round the world.

The foe long since in silence slept;
Alike the conqueror silent sleeps;
And Time the ruined bridge has swept
Down the dark stream which seaward creeps.
On this green bank, by this soft stream,
We set today a votive stone;
That memory may their deed redeem,
When, like our sires, our sons are gone.
Spirit, that made those heroes dare
To die, and leave their children free,
Bid Time and Nature gently spare
The shaft we raise to them and thee.

EMERGENCY WARTIME SUPPLE-
MENTAL APPROPRIATIONS ACT,
2003

SPEECH OF

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 2003

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1559) making emergency wartime supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes:

Mr. WU. Mr. Chairman, there is no doubt that our airlines are hurting. Passenger numbers have never recovered from September 11. Orange terror warnings and media reports are also scaring away passengers. The war in Iraq has the potential of having a serious and negative effect on this industry. The first Gulf War helped cause the demise of four commercial airlines, all of which disappeared into liquidation.

But another handout directly to the airlines is not going to solve the problem. The \$3.2 billion in this bill comes just a year and a half after we approved a \$15 billion package of

post September 11 loans and grants designed to tide airlines over.

The real problem is that people aren't flying. Even though the number of flights have been reduced, on average, more than 25 percent of the seats on flights are left unsold. And a reduction in flights means job cuts.

It is time we try something more direct. We are proposing a way to get the American public flying again. By filling empty seats, we can actually help to preserve and even create jobs.

That's why Representative SCOTT and I are offering an amendment that will encourage people to fly. Our "Freedom to Fly" amendment would set aside the same proposed amount—\$3.2 billion—to support an airline ticket discount program. The discount coupons we propose could be used to purchase any airline travel at a 50 percent discount. For example, a voucher costing the passenger \$100 would be worth \$200 toward the purchase of an airline ticket. Our program would apply the \$3.2 bill to directly subsidized passengers and indirectly the airlines. This program would apply to everyone buying tickets on U.S.-owned passenger airlines.

As a result of this amendment, air travel would increase because the consumer cost of air travel would be cut in half. And this plan would benefit not just the airlines and the traveling public, but also stimulate business for hotels, rental car companies, travel agencies, and other travel related industries.

The total effect of the program would be far greater than just subsidizing the airlines. Over the past week, the airlines have laid off 10,000 workers. A subsidy will not stem the tide of additional layoffs. On the other hand, the proposed vouchers will result in increased airline business, and in increased demand for workers.

The proposed program would be developed and administered by the Department of Transportation, and would be in effect for one year, through March 31, 2004. This is a short-term program that actually has some real prospect of being successful. Giving Americans the "freedom to fly" will fill those empty seats by making them affordable, thereby increasing revenues for the airlines, preserving jobs, and generating additional revenues for others involved in travel commerce.

I encourage all my colleagues to join us in support of this important amendment.

THE DEAN AND BETTY GALLO
PROSTATE CANCER CENTER'S
EDUCATION INITIATIVE

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 10, 2003

Mr. HOLT. Mr. Speaker, I rise today to salute the Dean and Betty Gallo Prostate Cancer Center's new education initiative.

Prostate cancer is the most common cancer among men—about 220,900 new cases will be diagnosed this year. Approximately 28,900 men will be stricken down by this disease—one that devastates so many families by killing so many fathers, brothers, and sons.

I am proud to say that the Dean and Betty Gallo Prostate Cancer Center in central New Jersey is working hard to improve these statistics. On April 12, the Gallo Center will kick off