

while giving due consideration to the claims of those seeking to be included on the roll.

SEC. 8(C). PROCESS FOR REORGANIZATION OF NATIVE HAWAIIAN GOVERNING ENTITY.

Sec. 8(c)(1) Roll: The sole purpose of the roll established by the Commission is to compile a list of those qualified Native Hawaiian constituents who can take part in the initial reorganization of a Native Hawaiian government.

Sec. 8(c)(1)(C)(III): Permits elderly Native Hawaiians and other qualified Native Hawaiian participants lacking birth certificates or other documentation due to birth on Hawaiian Home Lands or other similar circumstances to establish lineal descent by sworn affidavits from two or more qualified Native Hawaiian participants. This provision was included to address cases of hardship, and is not expected to be applied routinely. The Hawaii Congressional Delegation anticipates that the Commission will establish specific prerequisites allowing individuals to demonstrate that they are unable to obtain a birth certificate.

Sec. 8(c)(1)(I): Directs the Commission to publish the notice of the certification of the roll "regardless of whether appeals are pending." This provision is meant to ensure that challenges to the roll do not delay organization of the Native Hawaiian governing entity. The Hawaii Congressional Delegation emphasizes the importance of the deadlines established by this legislation. Barring unusual circumstances, the existence of pending disputes as to the inclusion of particular individuals on the roll should not be allowed to delay the reorganization process set forth in this section.

SEC. 9. REAFFIRMATION OF DELEGATION OF FEDERAL AUTHORITY TO STATE OF HAWAII; GOVERNMENTAL AUTHORITY AND POWER; NEGOTIATIONS; CLAIMS

Congressman Abercrombie has also extensively discussed Section 9 of H.R. 2314. To supplement his remarks, I would like to add that "Indian country" is a term codified by federal statute (18 U.S.C. 1151). Although section 1151 defines "Indian country" for the purpose of delineating the scope of federal criminal jurisdiction over Indians, the Supreme Court has applied the definition to determine the scope of tribal territorial jurisdiction, as well (*Alaska v. Native Village of Venetie*, 522 U.S. 520, 527 (1998); *DeCoteau v. District County*, 420 U.S. 425, 427, n.2 (1975)).

Because section 1151 expressly refers to "Indian country," "Indian reservation[s]," "dependent Indian communities," and "Indian allotments"—but never refers expressly to "Native Hawaiians" or to the "Native Hawaiian governing entity"—the bill neither creates nor recognizes any "Indian country" within the State of Hawaii (See Sec. 10(c)(2)). The scope of the Native Hawaiian governing entity's jurisdiction could be changed by further legislation, including legislation enacted to implement an agreement negotiated under paragraphs (1) and (2) of section 9(c).

Likewise, the Secretary of Interior lacks statutory authority to take land into trust on behalf of the Native Hawaiian sovereign. Such authority will only exist if Congress specifically provides for it in future legislation. Nor would such territorial jurisdiction arise by another method, absent express Congressional direction.

There has been extensive litigation relating to land claims, claims for money damages, and other types of claims, dating back at least to 1910 (*E.g.*, *Hawaii v. OHA*, 129 S. Ct. 1436 (2009); *Han v. Department of Justice*, 824 F.

Supp. 1480, 1486 (D. Haw. 1993), *affd*, 45 F.3d 333 (9th Cir. 1995); *Keaukaha-Panaewa Community Ass'n v. Hawaiian Homes Comm'n*, 588 F.2d 1216, 1224 n. 7 (9th Cir. 1979); *Naiwiona Kupuna O mokapu v. Dalton*, 894 F. Supp. 1397 (D. Haw. 1995); *Liliuokalani v. United States*, 45 Ct. Cl. 418 (1910). See also *Burgert v. Lokelani Bernice Pauahi Bishop Trust*, 200 F.3d 661 (9th Cir. 2000); *'Ohana v. United States*, 76 F.3d 280 (9th Cir. 1996); *Price v. Akaka*, 3 F.3d 1220 (9th Cir. 1995); *Ualeo v. Paty*, 902 F.2d 1395 (9th Cir. 1990); *Territory v. Kapiolani*, 18 Haw. 640, 645–46 (1908); *Territory v. Puahi*, 18 Haw. 649 (1908); *Bush v. Watson*, 918 P.2d 1130 (Haw. 1996); *Aged Hawaiians v. Hawaiian Homes Comm'n*, 891 P.2d 279 (Haw. 1995); *Bush v. Hawaiian Homes Comm'n*, 870 P.2d 1272 (Haw. 1994); *Pele Defense Fund v. Paty*, 837 P.2d 1247 (Haw. 1992)).

The Hawaii Congressional Delegation envisions that issues concerning asserted historic or moral claims may be the subject of negotiations among the new Native Hawaiian governing entity, the State of Hawaii, and the United States, together with the other issues encompassed within the process set forth in section 9(c) of this Act, and that such negotiations will provide an appropriate forum in which to address these claims questions. H.R. 2314 will not limit claims by the Native Hawaiian governing entity that first arise after recognition of the Native Hawaiian governing entity.

In closing, I thank my colleagues for their votes in support of Native Hawaiians, who, like American Indians and Alaska Natives, have an inherent sovereignty based on their status as indigenous, aboriginal people. Mahalo nui loa (thank you very much).

TRIBUTE TO J. WILLIAM "BILL" TAYLOR

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to a good friend, Cheraw, South Carolina's 2009 Citizen of the Year, Mr. J. William "Bill" Taylor. Mr. Taylor received the Cheraw Chamber of Commerce's award last November.

Bill Taylor was recognized with this distinguished honor for the tremendous work he has done for nearly 29 years as Cheraw's town administrator. He has served in the post under four mayors and numerous members of the town council. Another longtime personal friend, Howard Duvall, the former Cheraw Mayor who hired Bill in May 1981, presented the Citizen of the Year award to him.

Duvall characterized Bill's greatest strength as his management style. He has instilled loyalty and respect among his staff, which has resulted in low turnover and many department heads who have worked for him nearly 20 years. Among his other accomplishments are erecting the Dizzy Gillespie statue honoring the hometown jazz legend, and the development of the Carolina Centre Industrial Park, the Cheraw Community Center, Arrowhead Park, and the Theatre on the Green. Bill earned a Bachelor's degree from Clemson University and a Master's in Public Administra-

tion from the University of Georgia. He came back to South Carolina to work for the Upper Savannah Council of Governments. He later worked for the city of Lancaster before becoming Cheraw's town administrator.

He is very involved in the community serving as a former president of the Cheraw Rotary Club, former chairman of the South Carolina Cotton Trail Committee, and as a former board member for the Girls Scouts of Eastern South Carolina. He is a current board member for the South Carolina Advanced Technology Education Center and is a member of the Cheraw Economic Development Corporation, the Carolinas Centre Industrial Park Corporation, and the Chesterfield County Extension Advisory Council.

Bill is also a member of a number of professional organizations including the Alliance for Innovation and the Governor's Drought Response Committee. He serves as the southeastern regional vice president for the International City & County Management Association and is a former member of the organization's executive board. He is also a former state president of the South Carolina City and County Management Association and is a graduate of the South Carolina Executive Institute. Bill and his beloved wife, Mindy, have three children—Olivia, Katie, and Brandon.

Madam Speaker, I ask you and my colleagues to join me in congratulating Bill Taylor on his selection as Cheraw's 2009 Citizen of the Year. This honor is recognition of his long commitment of service to his community and its people. I believe that the highest compliment you can be paid for your work is to be recognized by your peers. This award shows that Bill Taylor's peers appreciate his nearly 29 years of dedication and service. I am pleased to add my voice to those in Cheraw in thanking Bill Taylor for his tremendous contributions.

RECOGNIZING WOLCOTT MILL METROPARK

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 2, 2010

Mrs. MILLER of Michigan. Madam Speaker, I rise today to honor and recognize Wolcott Mill Metropark in Ray Township, Michigan. On December 8, 2009, Wolcott Mill was listed on the National Historic Places Register thanks to the hard work of volunteer Kathie Lucas of Armada and Supervising Interpreter Bill Thomas.

Wolcott Mill Metropark is a 2,380 acre park which includes a 250 acre working farm, an 18 hole golf course, 10 miles of equestrian trails, and is the home of "Camp Rotary," a camping area for organized youth groups. In 1847 the namesake mill was built and continued operating as a grain grinder until 1967.

This machinery is still viewable and offers visitors an opportunity to see firsthand the importance of old mills and the antique farming equipment used.

I am proud to have Wolcott Mill Metropark in my congressional district and I congratulate the Huron-Clinton Metropolitan Authority on this historic occasion.

Madam Speaker, I ask my colleagues to join me in honoring Wolcott Mill Metropark and congratulating them on this recognition.

HONORING ED GOTTHARDT

**HON. HENRY CUELLAR**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 2, 2010*

Mr. CUELLAR. Madam Speaker, I rise today to honor the contributions of the late Ed Gotthardt, former Mayor of Seguin, Texas. Mayor Gotthardt served the community through his distinguished business career and great service as mayor for two terms in Seguin, Texas.

Mayor Gotthardt was born on January 1929 in Galle, Texas and passed away of natural causes February 2010 in New Braunfels, Texas. His accomplished lifetime as a businessman and mayor stemmed from his humble beginnings. His childhood was spent on a farm in Galle in a town between Seguin and San Marcos where he learned about produce. He received his education in the public schools of Guadalupe County, where he graduated from high school. At the age of twenty-one, the late Gotthardt was hired as a produce worker at a local grocery store. With a twelfth grade education, he rose through the ranks to store manager, unit director, to the corporate office as a buyer and then as Vice President of Produce Marketing. In the 1980s, he retired having lived during his career throughout the area in Seguin, San Antonio, and Corpus Christi. The late Gotthardt had a thirty-seven year career in the grocery business before serving two three-year terms as Mayor. After his retirement, he later served as President of the H-E-B grocery store retirees' organization.

In 1990, Gotthardt announced that he planned to run for mayor of Seguin. He had not previously held any position in public office, but his involvement with the community and commitment to the people of Seguin aided to his election. His re-election was without opposition, serving as mayor until 1996. During his time in office, Mayor Gotthardt contributed to the city by ensuring that the Sebastopol State Historical Park in Seguin was renovated and dedicated much of his work for those who served their country in the military. He worked on the Veterans Memorial at the Guadalupe County Courthouse extensively. The late Mayor Gotthardt was recognized for his tireless efforts to ensure the community and people were provided the services needed.

Along with his business career and terms as Mayor of Seguin, the late Gotthardt was a member of Seguin Masonic Lodge AF&AM 109, Alzafar Shrine, Elks Lodge 1229, Order of the Eastern Star Chapter 555, the Seguin Chamber of Commerce, the Seguin Rotary Club and the Comal County Seniors Center. His leisure time was spent with the Seguin Chamber of Commerce, senior center, and with his family.

Madam Speaker, I am honored to have had this time to recognize the late Ed Gotthardt, former Mayor of Seguin, Texas on his contributions to the community. I thank you for this time.

COMMENDING THE NORTH  
CLACKAMAS CHAMBER COMMU-  
NITY SAFETY HONOREES**HON. KURT SCHRADER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 2, 2010*

Mr. SCHRADER. Madam Speaker, for the third year, the North Clackamas Chamber of Commerce in my district is holding a Community Safety Luncheon to recognize the members of the community whose actions have improved public safety in our local neighborhoods. For some of these men and women, they're first responders and public safety employees who regularly go above and beyond the call of duty in their jobs. For others, they are tireless volunteers, giving up hours of their free time to improve the lives of their neighbors. But all of them are being recognized today because of the importance of what they do and because the support of community members like these is key to the success of public safety departments throughout the country.

I'd like to take a minute to recognize the brave and selfless men, women and organizations who are being honored by the North Clackamas Chamber today:

American Medical Response River Rescue, which worked to turn a local community swimming hole on the Clackamas River from a dangerous site where drowning deaths were an all too regular occurrence to a safe swimming location for the community.

Amy Bullard, a retired teacher from the Oregon Trail School District, who helped train over 1,000 students at Sandy High School in lifesaving skills when she incorporated CPR and first aid training into the tenth grade health classes.

Damascus Community Church, which has hosted shelter trainings and been a leader in the community in emergency management operations with their participation in community safety events.

Angela Fox, publisher of the Clackamas Review and Oregon City News, who works to provide the community with in-depth reporting on public safety issues, using the media to educate and inform the public.

Olga Gerberg, a volunteer from Sandy who has coordinated bike helmet fitting and child safety seat inspection workshops for the local community and regularly reaches out to her neighbors to share safety information about available resources and services.

Tom Hogan, the volunteer coordinator for the Gladstone Emergency Management Support team who volunteers his time to improve emergency preparedness in the community, training other volunteers and working to bring grant funding to the community.

Dale Kim, with the Clackamas County Juvenile Department, who serves as the lead organizer for the Sandy Youth Service Team and whose work reaching out to at-risk youth and intervention and prevention services have helped countless community youth. The Milwaukie Public Safety Foundation, which has raised over \$20,000 to start a K-9 program for the Milwaukie Police Department and supports the department by conducting an annual Office of the Year function and a Parent Awareness Night.

Jeff Oliver, with the Lake Oswego Police Department, who volunteers to assist at the

monthly Child Safety Seat Fitting Station and has trained, certified, and re-certified 36 CPS technicians in North Clackamas County.

Portland Mountain Rescue, a volunteer organization that provides specialized search and rescue services to Mt. Hood and other areas in the region and participated in 10 mountain rescues in 2008, in addition to providing outdoor and wilderness safety training to the community.

And Larry Alexander, from the Boring Water District, who is the first recipient of the North Clackamas Chamber's Shining Star Safety Award, for his work in securing funding for the water district as well as his work in establishing an effective notification system to notify all Boring Water customers of an emergency in under one minute. He's also been an active volunteer in his home community, starting a neighborhood watch with the Clackamas County Sheriff's Office.

To these men and women as well as every other community safety volunteer who does their part to keep our neighborhoods safe, I say thank you for all that you do.

# RECOGNIZING THE DIFFICULT CHALLENGES AND HEROISM OF BLACK VETERANS

SPEECH OF

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 24, 2010*

Mr. RANGEL. Mr. Speaker, I rise today to recognize the challenges and difficulties that our Black veterans encounter as they embark on reintegrating to civilian life. I would also like to commend the Honorable LARRY KISSELL for introducing H. Con. Res. 238, and his conviction on recognizing the importance of their military sacrifices and patriotism.

The story of the African American soldier is one of extraordinary faith, hope and determination in the face of bitter disappointment over denial of their well-earned rights to full citizenship. It is a story of inspiration, leadership and a refusal to accept "no" for an answer. Ultimately, it is a story of their victory over legal segregation and discrimination. Their story speaks of their long struggle for equality and willingness, in each instance, to forsake violence in their struggle for justice.

Black Americans have fought for their country going back to the Revolutionary War when 5,000 Black men risked their lives in the cause of independence. Serving in the Continental Army, mostly as infantry and artillerymen, they fought in the first battles at Lexington and Concord, and crossed the Delaware with George Washington. Overwhelmingly, they resisted the enticements of the British enemy, who offered promises of freedom if they would join the Redcoats. Yet, after the victory, the first of Black America's military heroes were met, not with parades or accolades, but with whips and chains as they as they surrendered their weapons for bondage on the plantation.

African Americans also served in the War of 1812 when the Battalion of Free Men of Color helped to save New Orleans in a counter-attack against the British invaders. The nation reneged on the rhetoric of General and later president Andrew Jackson who told the Black fighters, "You surprised my hopes. The nation will applaud your valor."