

SUPPORT OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS AND THE CITY OF EDWARDSVILLE, KANSAS, FOR H.R. 5561

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2002

Mr. MOORE. Mr. Speaker, I recently received from Carol Marinovich, the mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, a letter in which she expresses the strong support of their governing body for H.R. 5561, legislation I have introduced that would settle pending land claims of the Wyandotte Nation in Wyandotte County, Kansas. Additionally, I received today correspondence from Edwardsville, Kansas, Mayor Luther Pickell strongly supporting H.R. 5561. I hope all Members of the House and the Senate will review the correspondence from Mayor Marinovich and Mayor Pickell, along with the resolutions unanimously adopted by the Unified Government's governing council and the city of Edwardsville in support of this measure, and join with me in endorsing this proposal.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KS,
CAROL MARINOVICH, MAYOR/CEO,
November 14, 2002.

Hon. DENNIS MOORE,
U.S. House of Representatives, Washington, DC.
DEAR CONGRESSMAN MOORE: On November 5, 2002, the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas ("Unified Government") unanimously approved Resolution No. R-95-02 fully and completely endorsing Congressional approval of H.R. 5561 or similar legislation, permanently settling and releasing all rights and land claims asserted by the Wyandotte Nation ("Nation") to approximately 1900 acres of real estate within our county. The terms of the Resolution, here attached, are the clearest expression of the governing body's collective endorsement in support of this legislation. The Unified Government respectfully requests your affirmative action in expediting this important legislation.

During the last ten years, the Nation and the Unified Government have struggled together to create an opportunity that mutually benefits the citizens of both our communities. Despite our best efforts in the Kansas Legislature and with the Kansas Governor, our actions to date have proven fruitless. Federal intervention remains the best and only viable solution to our problem.

The lawsuit, *Wyandotte Nation v. Unified Government of Kansas City and Wyandotte County*, Kansas, Case No. 012303-CM (U.S.D.C., Kan.), now pending before the United States District Court for the District of Kansas asserts a claim to 1900 acres of land in the Northeast area of our County. This realty includes the Fairfax Industrial area, with major industries such as General Motors, Owens-Corning and International Paper Corporation, as well as numerous other industries, large and small. Equally important and perhaps more compelling, the lawsuit's boundaries include many individual homeowners who have expressed fear at the prospect of losing their homes. The titles to all these properties are encumbered by this lawsuit. The cloud on their ownership affects the ability to purchase and sell, refinance, borrow and enjoy the security

found in owning their home free and clear of any encumbrances.

The role of the Federal government in this matter is worthy of note. The land claim stems from an alleged failure of the Federal Government in the Treaty of 1855 with the Nation to properly require the sale or ceding of all rights in the now disputed 1900 acres. The merits of the claim are before the Court, and the course of litigation, at a minimum, will be tortuous, lengthy and very expensive before the final chapter is written. The United States was a party to this case at its inception. However, a motion to dismiss asserting an immunity defense was quickly filed and granted, removing the Federal Government from the case. The individual homeowners, small business and industrial businesses were left to absorb the costs of litigation and endure the fear and uncertainty that remains. Except for the legislation introduced by Congressman Dennis Moore, no other representative of the people of Wyandotte County has taken steps to alleviate this burden. The United States government simply fled from this problem by the most expedient means.

The people of Wyandotte County overwhelmingly support the concept of Class III gaming in our community. In a referendum held several years ago on the question of whether casino-style gaming should be conducted on the grounds of a local pari-mutuel racing facility, 80% of the voters approved. The reasons for this are as varied as the individuals within our community, but would include generally economic development and entertainment. This vote, by the way, occurred several years before the litigation was filed and was not a factor in anyone's thinking.

The Nation and Unified Government have, through the years, held each other in high regard and esteem. This relationship has, however, no doubt been strained by the litigation. Criticism that has found its way into the media neither reflects the entire story nor all that has been said. The Unified Government has consistently voiced criticism of the litigation as a means to resolve the underlying issues. Nevertheless, our community and our governing body has just as consistently supported Class III gaming in our county. We have sought the assistance of our Governor and the Kansas Legislature, which have turned away from us on this issue. Congressional intervention remains the best solution to this complicated problem.

Our county takes its name from the Nation. The long standing historical connection between us lies no farther than the Huron Cemetery across the street from our three principal government buildings. Their ancestors and ours lay buried together. Many of our current residents claim a common lineage from tribal members that resided here before 1855. Notwithstanding the litigation, resolution of this matter will allow the parties to work cooperatively to see this project to conclusion.

For the reasons stated above, I, as Mayor/CEO of the Unified Government, respectfully urge Congress to approve H.R. 5561 or similar legislation to resolve the current litigation.

Sincerely

CAROL MARINOVICH,
Mayor/CEO.

CITY OF EDWARDSVILLE,
EDWARDSVILLE, KS,
November 14, 2002.

Hon. DENNIS MOORE,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MOORE: Congratulations on your successful re-election to the third District of Kansas. As you know during

the last ten years the Wyandotte Nation has struggled to successfully defend their rights to land which was wrongly taken from them over a century ago by the United States Government. We are aware of the generous support that you have marshaled in Congress and applaud your efforts on behalf of our citizens, businesses and local units of government.

As elected leaders from Wyandotte County, the Edwardsville City Council unanimously endorsed the proposed Congressional Act to permanently settle this matter and avoid a certain litigation strategy which will be both costly to taxpayers and the Wyandotte Nation. The clouded land title will prevent existing corporations and businesses from expanding in the Fairfax Industrial District costing The State of Kansas and Local Units of government millions in revenue. The litigation has already prevented one major corporation from expanding in the Fairfax District and forced the relocation of over 350 employees. We cannot sustain economic growth in this area without the settlement of the land claim.

Your legislation provides for a federal legislative solution that protects over \$2 billion in taxable real estate investment, saves over 4000 high salaried jobs for the State of Kansas and finally settles a century old land claim which badly needs to be ended. We wish you luck in the closing days of Congress and will assist you by any means necessary to gain passage of this important act.

Please notify us if we may be of assistance in explaining this to any other member of the United State Congress.

Sincerely,

LUTHER PICKELL, *Mayor.*

CONFERENCE REPORT ON H.R. 4546,
BOB STUMP NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL
YEAR 2003

SPEECH OF

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 12, 2002

Mr. BENTSEN. Mr. Speaker, I rise in support of the Fiscal Year 2003 Defense Authorization Conference Report, legislation which will provide our military forces with the resources needed to counter threats abroad while strengthening the security of our homeland.

This conference report provides crucial funding in several critical areas, among them: weapons procurement, research and development, operations and maintenance, and efforts against the proliferation of weapons of mass destruction. At \$393 billion, the conference report matches the President's request, and represents a 13 percent increase over current spending levels. As the largest national defense budget in inflation-adjusted terms since fiscal year 1990, this conference report confronts the changing security environment faced by our country and helps our armed services in coping with the new challenges facing them. I believe this legislation will provide the appropriate budgetary foundation to allow the President and Congress to pay for the war on terrorism as well as fulfill critical military needs that may arise.

Our military forces are today called upon to confront a host of wide-ranging challenges across every continent and hemisphere of the