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INTRODUCTION OF A BILL TO CLARIFY ISSUES OF CRIMINAL JURISDICTION WITHIN THE EXTERIOR BOUNDARIES OF PUEBLO LANDS

**HON. TOM UDALL**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 9, 2005*

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to introduce legislation on behalf of myself and cosponsors HEATHER WILSON and STEVAN PEARCE that will help clarify issues of criminal jurisdiction within the exterior boundaries of Pueblo lands by amending the Indian Pueblo Lands Act of 1924.

This legislation addresses confusion over criminal jurisdiction on Pueblo lands in New Mexico arising out of the holding in *United States v. Jose Gutierrez*, an unreported decision of a federal district court judge in the District of New Mexico that overturned prior precedent regarding the jurisdictional status of the lands within the exterior boundaries of Pueblo grants.

The Gutierrez decision created uncertainty and the potential for a void in criminal jurisdiction on Pueblo lands. Because of the risk to public safety and law enforcement arising out of this uncertainty, it is important to clarify the scope of criminal jurisdiction on Pueblo lands. This amendment to the Pueblo Lands Act makes clear that the Pueblos have jurisdiction, as an act of the Pueblos' inherent power as an Indian tribe, over any offense by a member of the Pueblo or of another federally recognized Indian tribe, or by any other Indian-owned entity committed anywhere within the exterior boundaries of any grant to a Pueblo from a prior sovereign, as confirmed by Congress or the Court of Private Land Claims. The legislation also makes clear that the United States has jurisdiction over any offense within these grants described in chapter 53 of title 18, United States Code, committed by or against a member of any federally recognized Indian tribe or any Indian-owned entity, or that involves any Indian property or interest. Finally, the legislation makes clear that the State of New Mexico shall have jurisdiction over any offense within these grants committed by a person who is not a member of a federally recognized Indian tribe, which offense is not subject to the jurisdiction of the United States.

Nothing in this legislative clarification is intended to diminish the scope of Pueblo civil jurisdiction within the exterior boundaries of Pueblo grants, which is defined by Federal and Tribal laws and court decisions. This legislation also does not in any way diminish the exterior boundaries of these grants.

The All Indian Pueblo Council of the nineteen Pueblo Governors has agreed to the language included in this legislation. The Governors recognize the urgency of this matter and have come to Congress asking that we do everything in our power to avoid the unfathomable situation of creating places in New Mexico where someone could literally get away with murder. We here in Congress must also recognize the urgency of this situation and take action to address it.

EXTENSIONS OF REMARKS

I look forward to working with my colleagues in the House and the New Mexico delegation to pass this legislation.

CONDEMNING PROPOSED PEOPLE'S REPUBLIC OF CHINA ANTI-SECESSION LAW

**HON. THOMAS G. TANCREDO**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 9, 2005*

Mr. TANCREDO. Mr. Speaker, I rise today to condemn the recent "anti-secession law" proposed by the "legislature" of the People's Republic of China.

I believe it is clear to even the most casual observer that this move by China's rubber-stamp National People's Congress is little more than a thinly veiled attempt by Beijing to create a "legal framework" for starting a war with Taiwan.

Should China's unelected parliament enact this law, it will represent a clear-cut, belligerent and dangerous step toward a military attack of a peaceful and democratic ally of the United States. Moreover, it underscores once again that the government in Beijing is not sincere about resolving its differences with Taiwan in a peaceful or rational manner.

America's position is clear: Any change in the status quo between the People's Republic of China and Taiwan must have the assent of the people of Taiwan. As such, resolving the differences between these two nations can only be achieved through honest and direct state-to-state negotiations without preconditions. They cannot be resolved by intimidation, indignant bluster or threats of military force from Beijing.

Mr. Speaker, the truth is that Taiwan and China are not united. They are not "one country" as the communists in Beijing are so fond of asserting. If they were there would be no talk of "unification." China must accept that it does not have jurisdiction over Taiwan, and abandon this kind of counter-productive saber rattling. The simple fact is this: Regardless of whether the puppet legislature in Beijing enacts this "law" or not, Taiwan will remain free, independent and outside of the control of communist China. Those, Mr. Speaker, are the facts.

Nonetheless, world reaction to this P.R.C. "trial balloon" will be significant and watched with great interest by the autocrats in Beijing. Hard liners in Beijing will observe how civilized and modern nations respond to the explicit threat that the "anti-secession law" represents. In short, they are feeling out the free world to determine its commitment to the safety and security of Taiwan—and its more than twenty million citizens.

I hope the family of free nations will condemn the "anti-secession law" with a unified voice, making it clear to China that any resolution of cross-strait tensions must be peaceful and above all acceptable to the people of Taiwan.

February 9, 2005

RECOGNIZING WIMODAUISIS CLUB OF NEW CASTLE, PENNSYLVANIA

**HON. MELISSA A. HART**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 9, 2005*

Ms. HART. Mr. Speaker, I would like to take this opportunity to recognize the Wimodausis Club of New Castle, Pennsylvania for their selflessness and generous philanthropy towards the people of the 4th District.

Founded in 1905, the Wimodausis Club of New Castle was formed for the purpose of "creating an organized center for woman's work, thought, and action advancing her interests, promoting civic improvement and providing a place of meeting for its members. . . ." Since 1958 the Wimodausis Club of New Castle has donated over \$124,000 to various services in their community. These donations have aided the Girl and Boy Scouts of America, the Salvation Army, and a number of other organizations that work to better our community.

I ask my colleagues in the United States House of Representatives to join me in honoring the Wimodausis Club of New Castle. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute the service of organizations like the Wimodausis Club that personify civic pride and make the communities that they live in truly special.

CONGRESSIONAL RECOGNITION OF TIBOR AND SHEILA HOLLO

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 9, 2005*

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize the amazing achievements and munificence of Tibor and Sheila Hollo. These two individuals have assumed a remarkable leadership role in the South Florida community and I thank them for their countless contributions and admirable generosity.

Raised in a small town in France, Tibor Hollo and his parents were victims of the concentration camps, and though he and his father survived, his mother did not.

Symbolic of his perseverant nature, Mr. Hollo went on to earn his architectural engineering degree in Paris and moved to the United States where he embraced the "American Dream" and is now one of the most prominent business leaders in South Florida.

Transforming Miami's midtown district into one of South Florida's dynamic epicenters of business and entertainment, Mr. Hollo is the proud developer of several key complexes in my Congressional district. The Venetian/Omni, Bay Parc Plaza, The Club at Brickell Bay and Opera Tower and the Grand are just a few of his developments.

As the first recipient of the City of Miami Visionary Award, Mr. Hollo was recognized by his colleagues and the City of Miami for his outstanding foresight and determination to fulfill such visions.