

THE DAILY ASTORIAN

Founded in 1873



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Water under the bridge



Compiled by Bob Duke
 From the pages of Astoria's daily newspapers

10 years ago this week — 2005

Astoria business owner Sam Buck must change the name of the downtown coffee shop she dubbed after herself, a federal district judge ruled Tuesday.

She also must pay out hundreds of thousands of dollars to cover the legal fees incurred by Starbucks Coffee following a legal battle that lasted 3 1/2 years.

Buck doesn't know the details of the opinion laid out by Judge Ancer Haggerty of the U.S. District Court of Oregon, because she just heard the news Tuesday night, but "The judge said I willfully infringed on (Starbucks') trademark, that I diluted their trademark."



Daily Astorian/File Photo
Sambuck's owner Sam Buck strikes a playful but forceful pose, readying herself for Round 2 in a battle against Starbucks over her business' name in May 2002.

"It never ceases to amaze me how you people come out in this weather."

The conditions were again authentic for Friday's commemoration of Lewis and Clark's arrival at Fort Clatsop, recreated by the Discovery Expedition of St. Charles, Mo., including "Meriwether Lewis," aka Bryant Boswell, who expressed his appreciation for the crowd's perseverance in the face of the intermittent rain.

"I really believe that we can have a rideable, beautiful, world-class skatepark here in Seaside, Oregon, in August," said Sunset Parks Director Mary Blake, part of a diverse group of people who have worked on the skatepark project.

Since arson shut down the temporary skatepark Sept. 19, Blake, Angela Fairless and children on the skatepark committee have raise money to repair it. The ramp has been resurfaced with nonflammable plastic sheeting and has been open at Broadway Park for about four weeks.

"It's a lot better," said skater Chris Senick, 16. "It's a lot smoother."

50 years ago — 1965

Hundreds of residents of the lower Columbia lined the streets of Astoria Saturday afternoon, to see the merry Christmas parade of children marking the yuletide opening of business establishments, to greet Santa Claus and cheer Heck Harper, parade marshal, astride his horse, Jody.

Some say it was a smaller parade than in other years, some say it seemed longer, but costumes of the small marchers and decorations of bicycles and miniature floats were carried out with more careful attention to detail and theme, judges said.

"Almost as many spectators as the Regatta parade," several merchants stated.

Nineteen-year-old Peter H. Roscoe, 946 Sixteenth, continued a family tradition Thursday afternoon when he was sworn into the U.S. Navy by his father, retired Rear Admiral D.L. Roscoe Jr., in ceremonies at the post office.

Roscoe follows in the footsteps of his father, who was in command of the naval station at Astoria before his retirement in 1959.

75 years ago — 1940

"Operator, give me the police department."

"Police department."

"This is Mrs. John Doe. I just saw a man entering the house across the street. He crawled through the window. My address is 1111 Bond."

"All right Mrs. Doe, we'll be right over."

And here's where Astoria's new two-way police radio goes into action.

The operator steps into the radio room and takes a hand microphone from a hook on the wall. The machine is in operation night and day so there is no waiting for it to warm up.

"Calling car 2, calling car 2. Go to 1111 Bond. Man reported entering house across the street through window, 1111 Bond. Astoria police KQKX 10:58. That is all."

Now the patrol car reports back to the station. The car is equipped with a sender and microphone over which the patrolman can talk to headquarters.

"Car 2 calling station, car 2 calling station. Investigated case at 1111 Bond. Man had forgotten house key and had to get into house through window. That is all."

Local citizens will be able to pick up calls from the station to the cars but will not be able to pick up calls from cars to station on household radios.

The Christmas season will be officially opened tonight at 7:30 p.m., when local merchants unveil their windows to present to Astorians the latest styles in hundreds of objects suitable for Christmas gifts.

In the windows of 66 stores will be one item that doesn't really belong there. These 66 stores are the ones participating in the Christmas wrong item window contest, which is open to the public with three cash prizes for the three top contestants.

Though he didn't put it in so many words, the first officer of the British ship Carlton Hall assured Astoria people today that Britain will eventually triumph over the German air forces and army. Quietly, and without any vestige of a "whistling in the dark" attitude, the ship's officer said that the English are steadily making progress in their preparations for the showdown.

The Carlton Hall is lying at the port docks today discharging ballast after an uneventful voyage from England to the Columbia river. The ship is unloading 1,000 tons of shale and scrap coal from the coal fields of north-eastern England. The ballast will be dumped into the river around the piling supporting pier three in an attempt to stop the eroding effect of the tides which are carrying away the river floor.

Time to right an old wrong

Clatsop-Nehalem Tribe deserves federal recognition

By ELIZABETH FURSE
 For The Daily Astorian

In 1953, Congress devised a plan to discontinue promised services to American Indian tribes, gain control over vast natural resources and provide a windfall to the timber industry. House concurrent resolution 108 declared it to be the sense of Congress that it should be the policy of the United States to abolish federal supervision over Indian tribes and subject tribal members to the same laws as all other citizens.

In essence, termination acts adopted under HCR 108 ended the government-to-government relationship between the named tribe and the federal government established by treaties signed during the previous century that promised services and protections in exchange for tribal lands. Unfortunately for many of Oregon's coastal tribes, these signed treaties were not ratified by the U.S. Senate. However the tribes in question fulfilled their part of the bargain, giving up vast acres of timberlands to private investors.

A total of 62 tribes and bands in Oregon were named in the Western Oregon Indian Termination Act. Termination resulted in chaos for many named tribes. They had transferred much of their land base by treaty but now received none of the assistance promised by the United States.

For many years no relief for the tribes seemed available until Charles Wilkinson, University of Oregon law professor, theorized that if Congress could terminate a tribe's govern-

ment-to-government relationship, then Congress could restore the relationship by legislation.

From 1978 to the present, using Professor Wilkinson's restoration theory, Congress restored six terminated Oregon tribes. Oregon's congressional delegation understood that termination was a disaster and acted.

From 1982 until 1988 while employed by the Native American Program of Oregon Legal Services, I assisted in the coordination needed to get Acts of Congress introduced in both the House and Senate to restore Oregon's terminated tribes, but it was the tribal leadership who did the heavy lifting, who organized local support, who traveled on their own funds, and who never gave up the dream of once again being part of the family of Tribal Nations. Their struggle to right a grievous wrong had gone on for over 30 years.

Passage of HR 3736 will right a wrong committed by the U.S. over a half-century ago.

There is another path to federal recognition that had been taken from a tribe by various actions or inactions of the federal government. The Federal Acknowledgment Program established by Congress is a bureaucratic process administered by the Department of Interior. However it expressly bars terminated tribes from applying for acknowledgment, making congressional legislation their only practical means of obtaining recognition as a federally recognized tribe.

Every terminated tribe has the right to petition Congress to introduce a bill restoring its recognition by the federal government and, if they meet the criteria set by Congress, they may succeed.

The Clatsop-Nehalem Tribe, through careful documentation and



Former U.S. Rep.
 Elizabeth Furse

persistence, have made their case and their congressional representative, Suzanne Bonamici, has introduced HR 3736 that embodies their effort and aims.

The Clatsop/Nehalem Confederated Tribes have worked with their surrounding communities for many decades, and because of that cooperation and community spirit they have received enthusiastic support for their restoration from local communities, governments, and organizations. Like many terminated tribes, the goal of restoration is to have the ability to protect their culture and their burial sites. Many laws passed since termination have recognized the need for tribes to be the cultural protectors. Once restored these tribes will be recognized for their history and ongoing practices. HR 3736 will once again give tribal members access to educational and medical services eliminated by termination.

HR 3736 does not allow for gaming or hunting and fishing rights and HR 3736 does not interfere with any other tribes' rights or privileges.

While termination is a tragic period of federal tribal history, restoration is a glowing light at the end of a tunnel of despair. Passage of HR 3736, the Clatsop/Nehalem Restoration Act, will not only right a wrong committed by the United States over a half-century ago, it will also benefit North Coast communities by recognizing and maintaining the cultural and economic contributions of a local native tribe whose history includes welcoming the Lewis and Clark Expedition to their Pacific Ocean villages.

Passage of the legislation will also open the doors to federal support secured by the treaty that was intended as payment for land made available for non-Indian settlement.

Elizabeth Furse represented the 1st Congressional District in the U.S. House from 1993 to 1999.

Alexander Hamilton's green solution

By DAVID BROOKS
 New York Times News Service

I've been confused about this Paris climate conference and how the world should move forward to ameliorate climate change, so I sanced up my hero Alexander Hamilton to see what he thought.

I was sad to be reminded that he doesn't actually talk in hip-hop, but he still had some interesting things to say.

First, he was struck by the fact that on this issue the GOP has come to resemble a Soviet dictatorship — a vast majority of Republican politicians can't publicly say what they know about the truth of climate change because they're afraid the thought police will knock on their door and drag them off to an AM radio interrogation.

This week's Paris conference, I observed, seems like a giant Weight Watchers meeting. A bunch of national leaders get together and make some resolutions to cut their carbon emissions over the next few decades. You hope some sort of peer pressure will kick in and they will actually follow through. I'm afraid Hamilton snorted.

The co-author of the Federalist papers is the opposite of naive about human nature. He said the conference is nothing like a Weight Watchers meeting. Unlike weight loss, the pain in reducing carbon emissions is individual but the good is only achieved collectively.

You're asking people to impose costs on themselves today for some future benefit they will never see. You're asking developing countries to forswear growth now to compensate for a legacy of pollution from richer countries that they didn't ben-

efit from. You're asking richer countries that are facing severe economic strain to pay hundreds of billions of dollars in "reparations" to India and such places that can go on and burn mountains of coal and take away U.S. jobs. And you're asking for all this top-down coercion to last a century, without any enforcement mechanism. Are the Chinese really going to police a local coal plant efficiently?

This is perfectly designed to ensure cheating. Already, the Chinese government made a grandiose climate change announcement but then was forced to admit that its country was burning 17 percent more coal than it had previously disclosed. The cheating will create a cycle of resentment that will dissolve any sense of common purpose.

I countered by pointing out that policymakers have come up with some clever ways to make carbon reductions more efficient, like cap and trade, permit trading and carbon taxing.

The former Treasury secretary pointed out that these ideas are good in theory but haven't worked in reality. Cap and trade has not worked out so well in Europe. Overall, the Europeans have spent \$280 billion on climate change with very little measurable impact on global temperatures. And as for carbon taxes, even if the U.S. imposed one on itself, it would have virtually no effect on the global climate.

Hamilton steered me to an article by James Manzi and Peter Wehner in his favorite magazine, *National Affairs*. The authors point out that according to the United Nations Intergovernmental Panel on Climate Change, the expected economic costs of unaddressed global warming over the next century are likely to be about



David Brooks

3 percent of world gross domestic product. This is a big, gradual problem, but not the sort of cataclysmic immediate threat that's likely to lead people to suspend their immediate self-interest.

Well, I ventured, if you're skeptical about our own policies, Mr. Founding Father, what would you do?

Look at what you're already doing, he countered. The United States has the fastest rate of reduction of CO2 emissions of any major nation on earth, back to pre-1996 levels.

That's in part because of fracking. Natural gas is replacing coal, and natural gas emits about half as much carbon dioxide.

The larger lesson is that innovation is the key. Green energy will beat dirty energy only when it makes technical and economic sense.

Hamilton reminded me that he often used government money to stoke innovation. Manzi and Wehner suggest that one of our great national science labs could work on geoengineering problems to remove CO2 from the atmosphere. Another could investigate cogeneration and small-scale energy reduction systems. We could increase funding on battery and smart-grid research. If we move to mainly solar power, we'll need much more efficient national transmission methods. Maybe there's a partial answer in increased vegetation.

Hamilton pointed out that when America was just a bunch of scraggly colonies, he was already envisioning it as a great world power. He used government to incite, arouse, energize and stir up great enterprise. The global warming problem can be addressed, ineffectively, by global communiqués. Or, with the right government boost, it presents an opportunity to arouse and incite entrepreneurs, innovators and investors and foment a new technological revolution.

Sometimes, like your country, you got to be young, scrappy and hungry and not throw away your shot.

Where to write

• **U.S. Rep. Suzanne Bonamici (D):** 2338 Rayburn HOB, Washington, D.C., 20515. Phone: 202-225-0855. Fax: 202-225-9497. District office: 12725 SW Millikan Way, Suite 220, Beaverton, OR 97005. Phone: 503-469-6010. Fax: 503-326-5066. Web: bonamici.house.gov/
 • **U.S. Sen. Jeff Merkley (D):** 313 Hart Senate Office Building, Wash-

ington, D.C. 20510. Phone: 202-224-3753. Web: www.merkley.senate.gov

• **U.S. Sen. Ron Wyden (D):** 221 Dirksen Senate Office Building, Washington, D.C., 20510. Phone: 202-224-5244. Web: www.wyden.senate.gov

• **State Rep. Brad Witt (D):** State Capitol, 900 Court Street N.E., H-373, Salem, OR 97301. Phone: 503-986-

1431. Web: www.leg.state.or.us/witt/Email: rep.bradwitt@state.or.us

• **State Rep. Deborah Boone (D):** 900 Court St. N.E., H-481, Salem, OR 97301. Phone: 503-986-1432. Email: rep.deborah.boone@state.or.us District office: P.O. Box 928, Cannon Beach, OR 97110. Phone: 503-986-1432. Web: www.leg.state.or.us/boone/