BUREAU OF INDIAN AFFAIRS REORGANIZATION ACT OF 1996

HON. J.D. HAYWORTH

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 1996

Mr. HAYWORTH. Mr. Speaker, today I am introducing the Bureau of Indian Affairs Reorganization Act of 1996. This legislation will address the long-standing problem of an overly bureaucratic BIA which is often unresponsible to the trial constituencies it is supposed to serve.

Since its establishment in 1824, the BIA has functioned as the lead agency through which the Federal Government carries out its trust responsibilities to native Americans. However, the evidence shows that the BIA largely fails to meet these obligations. Recent reports indicate that the BIA cannot account for billions of dollars it was supposed to hold in trust for native Americans. The Interior Department Inspector General has reported that many BIA school facilities are very poorly maintained and, in some cases, native American children must attend classes in buildings that have been condemned.

Compounding these problems is the lack of tribal input into BIA priorities and operations. There have been several attempts to reorganize and reform the BIA, including, most recently, the Joint Tribal/BIA/DOI Reorganization Task Force. Despite the fact that the Joint Reorganization Task Force submitted its final recommendations in the fall of 1994, shortly thereafter the BIA proposed its own organizational reform plan. Most tribes opposed the BIA proposal, in large part because the BIA plan was not devised with tribal input and because it ignored several key recommendations of the Joint Reorganization Task Force which the tribes supported.

The legislation that I am introducing, the Bureau of Indian Affairs Reorganization Act of 1996, will address these issues by allowing tribes to assume certain functions of the BIA. The bill requires the BIA to enter into negotiations with tribes to reorganize the agency. Tribes in the jurisdiction of each BIA Area Office will be allowed to decide which functions the BIA will continue to provide, and which functions the tribes will take over. These decisions may differ from region to region, as some tribes are more willing and able than others to administer particular services. Tribes which choose to perform certain BIA functions will receive corresponding BIA funds. Before any negotiated reorganization plan for a BIA Area Office is implemented, it must be approved by a majority of tribes in that region.

As you can see, Mr. Speaker, this legislation does not prescribe a certain outcome to reorganization of the BIA, but instead requires the BIA to follow a particular process which respects the sovereignty of tribal governments and our trust responsibilities to native Americans. The Senate Committee on Indian Affairs has already approved legislation, authored by my colleague from Arizona, Senator JOHN MCCAIN, similar to the bill I am introducing today. I hope that my colleagues will join me in supporting this effort to reform the BIA.

HONORING THE PORTLAND VOLUNTEER FIRE DEPARTMENT

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 1996

Mr. GORDON. Mr. Speaker, I am taking this opportunity to applaud the invaluable services provided by the Portland Volunteer Fire Department. These brave, civic minded people give freely of their time so that we may all feel safer at night.

Few realize the depth of training and hard work that goes into being a volunteer firefighter. To quote one of my local volunteers, ''These firemen must have an overwhelming desire to do for others while expecting nothing in return.''

Preparation includes twice monthly training programs in which they have live drills, study the latest videos featuring the latest in firefighting tactics, as well as attend seminars where they can obtain the knowledge they need to save lives. Within a year of becoming a volunteer firefighter, most attend the Tennessee Fire Training School in Murfreesboro where they undergo further, intensified training.

When the residents of my district go to bed at night, they know that should disaster strike and their home catch fire, well trained and qualified volunteer fire departments are ready and willing to give so graciously and generously of themselves. This peace of mind should not be taken for granted.

By selflessly giving of themselves, they ensure a safer future for us all. We owe these volunteer fire departments a debt of gratitude for their service and sacrifice.

TRIBUTE TO JOHN F. HENNING

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 1996

Ms. ESHOO. Mr. Speaker, I rise today to pay tribute to Ambassador John F. ''Jack'' Henning, a distinguished leader who is being honored by the 110 affiliated local unions of the Central Labor Council of San Mateo County, AFL–CIO, and their 65,000 members and families.

John F. Henning has dedicated his life to fight for racial and economic equality for all working women and men in California, the Nation, and internationally. He began his successful career in the labor movement in1938 while working with the Association of Catholic Unionists in San Francisco. He continued his fight for working people of the Nation while serving in the highest offices of government as the State Labor Federation's research director, director of the State's industrial relations department, Under Secretary of Labor in both the Kennedy and Johnson administrations, and U.S. Ambassador to New Zealand.

John F. Henning has been one of the most eloquent spokespersons in our time for the rights of working people. John F. Henning's leadership has produced some of the great milestones in labor's history, from the passage of landmark proworker legislation in California, to gaining labor rights for farm workers, to fighting for affirmative action as a regent of the University of California, to leading the successful fight to have the university divest in apartheid South Africa.

Mr. Speaker, John F. Henning is an exceptional man who has graced the stage of our Nation's labor movement. I ask my colleagues to join me in honoring and saluting him for his leadership, his commitment and his dedication to the workers of our Nation.

REMARKS OF AMBASSADOR MADELEINE K. ALBRIGHT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 1996

Mr. HAMILTON. Mr. Speaker, I take great pleasure in bringing to the attention of my colleagues excerpts from a speech recently delivered by our Ambassador to the United Nations, Madeleine K. Albright, at the Thomas Aquinas College in Sparkill, NY, on ''Initiatives for World Peace.'' Ambassador Albright was the guest speaker in The Honorable Benjamin Gilman Lecture Series sponsored by that college. I commend Congressman GILMAN for his leadership in foreign affairs and for inviting Ambassador Albright to speak at this important function. I ask that excerpts of her speech reviewing U.S. foreign policy initiatives and the U.S. role in the United Nations be included in the CONGRESSIONAL RECORD.

REMARKS OF AMBASSADOR MADELEINE K. ALBRIGHT, REPRESENTATIVE TO THE UNITED NATIONS

Dr. Fitzpatrick, Chairman Gilman, faculty, students and friends, I am delighted to be here. As a former professor, I get a little homesick every time I visit a university campus, especially a beautiful campus such as this, especially in spring.

So I feel very much at home. I am pleased to play a part in your celebration this week of Dr. Fitzpatrick's inauguration. And I am honored to deliver a lecture named for our mutual friend, Representative Ben Gilman.

I have known Ben Gilman for many yerars. Throughout his career, he has been a thoughtful and principled public servant and a virgorous advocate of American leadership around the world. He has been an especially strong defender of human rights. I hope that those of you who live in this District are as proud of your representative as I am sure he is of you.

This morning, I would like to discuss America's role at the United Nations within the context of our overall foreign policy, and with an eye towards past lessons, present realities and future challenges.

Today's threats include the spread of nuclear and other advanced arms, the rise of international criminal cartels, the poisoning of our environment, the mobility of epidemic disease, the persistence of ethnic conflict and—as we have seen too often in recent weeks—the deadly and cowardly threat of terror.

Despite all this, the trend towards isolationism in America is stronger today than it has been in 70 years. As I know Representative Gilman would agree, this trend must be rejected.

We must, of course, devote primary attention to problems at home. Our position in the world depends on good schools, a healthy economy, safe neighborhoods and the unity of our people.

Today, under President Clinton, we are called upon to develop a new framework—to

protect our citizens both from old and emerging threats and to reinforce principles that will carry us safely into the next century.

That framework begins with our armed services.

As we have seen in recent years in the Persian Gulf, Haiti and the Balkans, the U.S. military is the most potent instrument for international order and law in the world today. And it is keeping America safe.

That is why our armed forces must remain modern, mobile, ready and strong. And as President Clinton has pledged, they will.

America must also maintain vigorous alliances—and we are.

In Europe, the trans-Atlantic alliance is defying those who thought it would fall apart as soon as the Soviet empire disappeared. NATO air strikes played a key role in ending the Balkans War. And for the first time in history, there exists a real possibility of a fully democratic Europe, fully at peace.

In Asia, our core relationships with Japan and South Korea remain strong and our commitments are being met. During the President's visit to the Far East this week, he made it clear to North Korea that there is no future in military adventurism but that the door to multilateral discussion and negotiation is open. And he re-iterated our insistence that the problems between China and Taiwan must be resolved without violence.

This brings us to the third element in our foreign policy framework: creative diplomacy in support of peace. Here, our goal is to build an environment in which threats to our security and that of our allies are diminished, and the likelihood of American forces being sent into combat is reduced.

One way to do that is lower the level of armaments around the world. Last year, we were able to gain a global consensus to extend indefinitely and without conditions the Treaty barring new nations from developing nuclear weapons. That is a gift to the future.

Currently, we are working hard to build a similar consensus achieve the total elimination of anti-personnel landmines—weapons that kill or maim 26,000 people per year around the world, mostly innocent civilians.

This brings us to a fourth essential element in our foreign policy framework, and one of particular interest to me, and that is the United Nations.

The UN performs many indispensable functions, from establishing airplane safety standards to feeding children, but its most conspicuous role—and the primary reason it was established—is to help nations preserve peace.

The Clinton Administration has continued efforts, begun under President Bush, to improve and reform UN peacekeeping. We know that the better able the UN is to contain or end conflict, the less likely it is that we will have to send our own armed forces overseas.

UN peacekeepers have shown that they can separate rivals in strategic parts of the world, such as Cyprus, South Asia and the Persian Gulf.

They can assist democratic transitions as they have done successfully in Namibia, Cambodia, El Salvador, Mozambique and Haiti.

And they can save lives, ease suffering and lower the global tide of refugees, as they have done in Africa and former Yugoslavia.

During the Cold War, most UN peace missions were limited to separating rival forces, with their consent, until permanent peace agreements could be forged. Today's more complex operations include a menu of functions from humanitarian relief to disarming troops to repatriating refugees to laying the groundwork for national reconstruction.

There is a limit, however, to how ambitious these new peacekeeping mandates should be. The challenge of keeping a peace is far simpler than that of creating a secure environment in the midst of ongoing conflict. In Somalia and Bosnia, the Security Council sent forces equipped for peacekeeping into situations with which they could not cope. We are determined not to make that mistake again.

So, at out insistence, the Council has adopted rigorous guidelines for determining when to begin a peace operation. We are insisting on good answers to questions about cost, size, risk, mandate, and exit strategy before a mission is started or renewed.

We are also working to make the UN more professional.

Five years ago, the UN's peacekeeping office consisted of a handful of people—mostly civilians—working nine to five. Today, a 24 hour situation center links UN headquarters to the field and a host of military officers are on hand. A Mission Planning service helps assure that lessons learned from past missions are incorporated in future plans. And special units focused on training, civilian police, de-mining, logistics and financial management all contribute to an integrated whole.

The goal of these efforts is to design peacekeeping operations that don't go on forever, don't cost too much, don't risk lives unnecessarily and do give peoples wracked by conflict a chance to get back on their feet.

The UN's role in responding to conflicts and other emergencies is especially important now, when we have so many emergencies is especially important now, when we have so many of them. Like other eras of historical transition, ours is beset by political upheaval. The human costs are high. Over the past decade, the number of regional conflicts has quintupled and the population at risk is up sixty percent.

Americans are a generous people, but we could not begin to cope with such a crisis alone. Today, twenty-seven million people are under the care of the UN High Commissioner for Refugees. Millions more benefit from the efforts of the UN Development Program, the World Food Program and the UN Children's Fund.

Working with the Red Cross and other nongovernmental organizations, UN agencies provide the shelter, food, medicine and protection that help families displaced by violence or disaster to rebuild and resume normal lives. The work is always difficult and often dangerous. It is tempting to ask those who believe the U.S. should get out of the UN what their choice would be. Are they prepared to do this work themselves? Or would they simply let the displaced and impoverished die?

Peacekeeping and emergency response are two UN functions that contribute to our security and wellbeing; another is international economic sanctions.

Since the end of the Persian Gulf war, strict economic and weapons sanctions have been in place against Iraq. Our purpose has been to prevent that country from once again developing weapons of mass destruction or threatening its neighbors with aggression.

We do not wish to hurt the Iraqi people, but Saddam Hussein has still not formally accepted the chance we have offered to sell oil to buy humanitarian supplies. He continues to squander Iraq's money building palaces for his cronies. He continues to demonstrate ruthless brutality towards those who oppose him—even within his own family. And he continues to evade full compliance with the Resolutions of the UN Security Council.

Until last summer, Iraq denied outright the existence of a biological warfare program. Because the UN refused to accept that lie, Iraq finally confessed to producing more than 500,000 liters on anthrax and botulinin toxin—enough poison to kill everyone on Earth.

Before the Persian Gulf war, the Iraqis had placed much of this material in artillery shells, ready to use. The danger to American forces and to our allies could not have been more real. And that danger will remain real until we have hard evidence that this material and the capacity to produce it have been destroyed.

So the burden of proof is not on us; it is on Iraq. Iraq must demonstrate through actions, not words, that its intentions are now peaceful and that it respects the law of nations. After years of deceit, that proof will not come easy.

Saddam Hussein's complaints about the unfairness of all this remind me of the story about the schoolboy who came home with his face damaged and his clothes torn. When his mother asked him how the fight started, he said: ''It started when the other guy hit me back.''

From our perspective near millennium's end, we can look back at centuries of arrangements developed to deter aggression and prevent war. Before the UN, there was the League of Nations; before that the Congress of Vienna; before that the Treaty of Westphalia; before that medieval nonagression pacts; and before that the Peloponnesian League.

No perfect mechanism has been found. We have little reason to believe it ever will. Certainly, the UN is no panacea.

But, the UN does give us military and diplomatic options we would not otherwise have. It helps us to influence events without assuming the full burden of costs and risks. And it lends the weight of law and world opinion to causes and principles we support.

That is why former President Reagan urged us to ''rely more on multilateral institutions''. It is why former President Bush said recently that we should ''pay our debts to the UN.'' And it is why the Clinton Administration will continue to place a high priority on our leadership there.

Force, strong alliances, active diplomacy and viable international institutions all contribute to American security. But the final element in our foreign policy framework is even more fundamental. To protect American interests in the coming years and into the next century, we must remain true to American principles.

Some suggest that it is softheaded for the United States to take the morality of things into account when conducting foreign policy.

I believe a foreign policy devoid of moral considerations can never fairly represent the American people. It is because we have kept faith with our principles that, in most parts of the world, American leadership remains not only necessary, but welcome. And central to our principles is a commitment to democracy.

The great lesson of this century is that democracy is a parent to peace. Free nations make good neighbors. Compared to dictatorships, they are far less likely to commit acts of aggression, support terrorists, spawn international crime or generate waves of refugees.

Democracy is not an import; it must find its roots internally. But we can help to nourish those roots by opening the doors to economic integration, granting technical assistance, providing election monitors and backing efforts to build democratic institutions.

Not all of these tools work quickly, but none should be discounted. Remember that, for half a century, we refused to recognize the Soviet conquest of the Baltics. For decades, with Representative Ben Gilman in the lead, we pled the cause of emigration for

Syrian and Soviet Jews. And despite the resistance of some, the west ultimately joined the developing world in isolating South Africa's racist regime.

There were times when these efforts seemed almost hopeless. We could not stop the tanks that entered Budapest in 1956 or Prague 12 years later. We could not save the victims of apartheid. But over the past decade, almost two billion people, on five continents, in more than five dozen countries, have moved towards more open economic and political systems.

Today, a global network exists helping new democracies to succeed. America belongs at the head of this movement. For freedom is perhaps the clearest expression of national purpose and policy ever adopted—and it is America's purpose.

My own family came to these shores as refugees. Because of this nation's generosity and commitment, we were granted asylum after the Communist takeover of Czechoslovakia. The story of my family has been repeated in millions of variations over two centuries in the lives not only of immigrants, but of those overseas who have been liberated or sheltered by American soldiers, empowered by American assistance or inspired by American ideals.

I will remember all my life the day the PLO-Israeli agreement was signed. I will remember, in particular, something that was said by then-Israeli Foreign Minister Shimon Peres. When the history books are written, he said:

''Nobody will really understand the United States. You have so much force and you didn't conquer anyone's land. You have so much power and you didn't dominate another people. You have problems of your own and you have never turned your back on the problems of others.''

Now this generation, our generation, of Americans has a proud legacy to fulfill.

We have been given an opportunity, at the threshold of a new century, to build a world in which totalitarianism and fascism are defeated, in which human liberty is expanded, in which human rights are respected and in which our people are as secure as we can ever expect them to be.

By rejecting the temptations of isolation, and by standing with those who stand against terror and for peace around the world, we will advance our own interests; honor our best traditions; and help to answer a prayer that has been offered over many years in a multitude of tongues, in accordance with diverse customs, in response to a common yearning. We cannot guarantee peace; but we can—and will—do all we can to minimize the risks of peace.

That is our shared task as we prepare for the future.

And if we are together, it is a task in which we will surely succeed.