

HONORING CHIEF HELENA ASHBY

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. KUYKENDALL. Mr. Speaker, I rise today to honor Chief Helena Ashby, a distinguished member of the Los Angeles County Sheriff's Department. Chief Ashby is retiring from the department after nearly 36 years of exemplary service.

On April 29, 1964, Helena Ashby was sworn in as Deputy Sheriff. Thirty-one years and several promotions later, Helena Ashby made departmental history by becoming the first female chief in 1995. Tomorrow she will retire as the highest-ranking female executive in the department.

Chief Ashby is currently head of the department's Detective Division, responsible for all specialized criminal investigation throughout the County of Los Angeles. The division consists of six individual bureaus and is staffed by 759 personnel and has an annual budget of \$64 million. The investigations completed by the Detective Division involve homicide, narcotics, vehicle theft, organized crime, arson/explosives, forgery, and computer crimes.

As a Deputy, Sergeant, Lieutenant, Captain, Commander, and Chief, Helena Ashby has been a pioneer for women in law enforcement. She is also a model officer and a leader, an example for everyone in law enforcement. I commend her for her tireless service to the public.

I congratulate Chief Ashby on her distinguished career. Her achievements are many, and the community is grateful for her service. I wish her all the best in retirement. Although she is leaving the force tomorrow, she will leave a lasting impact on the Los Angeles County Sheriff's Department.

TRIBAL CONTRACT SUPPORT COST
TECHNICAL AMENDMENTS OF 2000**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing a bill to make technical amendments to the contract support cost provisions of the Indian Self-Determination Act. These amendments are long overdue, and will finally keep faith with the hundreds of tribes and tribal organizations across the country that so ably carry out the Federal Government's health care and social service programs.

One quarter of a century ago Congress firmly launched the Nation into the Indian Self-Determination era by enacting the Indian Self-Determination and Education Assistance Act of 1975. One goal of the Act was to break the cycle of paternalism and despair in our Native American communities. A second goal of the Act was to foster self-reliance and independence. And a third goal was to begin dismantling part of our highly inefficient and distant Federal bureaucracy, by turning over the daily operation of Native American programs from the Federal Government to the tribes and tribal organizations themselves.

Twenty-five years later the Indian Self-Determination Act experiment has proven to be a resounding success. All across the country American Indian and Alaska Native tribes and tribal organizations are administering contracts to operate the Federal Government's hospitals, clinics, law enforcement programs, social welfare programs, education programs and a raft of other initiatives serving some of the neediest people in our Nation. And they are doing this with greater efficiency and more services than we here in Washington could ever do it.

In my great State of Alaska, the Alaska Native people have been at the forefront of this effort, leading the country's Native American communities in the administration of Bureau of Indian Affairs and Indian Health Service programs. Over one-quarter of all IHS programs currently under Native American operation are operated by Alaska Native tribal organizations, who administer over \$200 million annually in desperately needed health care programs serving remote villages, many in the midst of Third-World conditions. Likewise, Alaska Native tribal organizations operate the entire BIA system on their own. No other area of the country is as advanced in these respects.

Despite its successes, the policy of self-determination has been consistently plagued by problems, with the most severe being the failure of the IHS and the BIA to fully pay contract support costs associated with carrying out these Federal Government programs under duly-executed contracts. This failure has amounted to a cruel hoax on the Native American people being served under these contracts.

Let me explain.

Mr. Speaker, the programs that have been turned over to Alaska Native and American Indian operation have from the beginning been severely underfunded. A recent study by the Indian Health Service shows that IHS programs, which are currently funded at roughly \$2 billion, are still \$13 billion short of meeting the health care needs of Indian and Alaska Native people. BIA funding is not much better. The tribal contractors therefore know that when they enter into a contract to operate a federal program locally, they will only be receiving a meager amount to meet the overwhelming needs of their communities. But what has made the situation much worse for these courageous tribal contractors, is that the agencies have forced the contractors to absorb the administrative costs of operating the Federal Government's own programs. The net effect is that there is even less available in these woefully underfunded programs to meet local needs.

Mr. Speaker, this should not be. In any other area where the Federal Government negotiates contracts with the private sector, the Federal Government fully pays the contractor's audited general and administrative overhead costs. Indeed if the government fails to pay, it can be held liable in a court of law. But somehow when it comes to Native American contractors, the Government thinks it's alright to change the rules, to break the contract, and to deny any liability regardless of the impact on the local people being served. Tribal contractors are made to be second-class contractors. Mr. Speaker, this is not right, and the bill I introduce today will put an end to this practice.

In addition, the bill will overcome a number of the more technical problems that have

plagued this system. Just one example will make this clear.

Most Native American contractors administering IHS and BIA programs run a wide range of other federal programs too. For most tribes, the Interior Department's Office of Inspector General determines a reasonable and necessary administrative overhead rate required to carry out all these programs, using strict guidelines issued by the Office of Management and Budget. Under the controlling OMB circulars, each federal agency entering into contracts or grants with that tribal contractor is then required to abide by the government-wide indirect cost rate set by the OIG.

This system would be fair to the Federal Government, fair to all of the funding agencies, and most importantly fair to the tribal contractors themselves, if everybody played by the OMB Circular rules. But many federal agencies do not. They either ignore the government-wide rate that has been determined by the Inspector General, or they recognize only a fraction of the rate. Once again, the Native American contractors are left holding the bag. In 1998, a ten-year-old class action lawsuit against the Federal Government was eventually settled for over \$70 million over this failure alone. The bill I introduce today assures that no such liabilities will ever recur in the future.

Further, this bill will clarify the rules governing the expenditure of contract funds; initiate a new measure to maximize efficiency in tribal program operations, improve Federal administration of the Act; clarify the rules governing the computation of contract support costs; provide the Federal agencies more time to plan for the transfer of Federal programs to tribal operation; and strengthen the Act's enforcement measures.

Mr. Speaker, in recent years I and many of my colleagues have worked very hard to correct the inequities in the contract support cost system. We have done this because that system is integral to the success of our country's overall Indian Self-Determination Policy. I believe firmly in reducing the size of the Federal bureaucracy. I believe firmly in maximizing local control. I believe firmly in the sanctity of our Government's private contracts with Indian and Alaska Native contractors. And I believe firmly that the Nation's Indian Self-Determination Policy must be corrected so that there is no longer an unfunded mandate that is paid for out of the very same trust programs that serve the neediest of the needs of our First Americans. I therefore urge that my colleagues on both sides of the aisle join me in seeing that this important legislation is enacted as swiftly as possible.

FLOOR STATEMENT FOR TRIBAL
CONTRACT SUPPORT COSTS
TECHNICAL AMENDMENTS OF
2000**HON. J.D. HAYWORTH**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. HAYWORTH. Mr. Speaker, today my colleague Congressman DON YOUNG, Chairman of the Resources Committee, is introducing the "Tribal Contract Support Costs Technical Amendments of 2000." I am proud

to be an original cosponsor of this legislation which would make technical amendments to the contract support costs provisions of the Indian Self-Determination and Education Assistance Act.

Over the past two years, the House Resources Committee has focused substantial attention on the problems associated with ongoing shortfalls in payments to tribes for contract support costs. The committee has not taken on this task without assistance. The National Congress of American Indians, the Bureau of Indian Affairs (BIA), the Indian Health Service (IHS), and many tribes have reviewed the matter and have assisted in developing a long-term solution.

In 1975, Congress firmly launched the nation on a course of Indian self-determination by enacting the Indian Self-Determination and Education Assistance Act. An important goal was to begin dismantling part of our highly inefficient federal bureaucracy by turning over the daily operation of Native American programs to the tribes and tribal organizations.

Twenty-five years later this Act has proven to be a resounding success. All across the country, tribes and tribal organizations are administering contracts to operate the federal government's hospitals, clinics, and many other programs.

Despite its successes, the policy of self-determination has been consistently plagued by problems, with the most severe being the failure of the IHS and BIA to fully pay contract support costs associated with carrying out these federal government programs under duly-executed contracts.

A recent study by the IHS shows that IHS programs, which are currently funded at roughly \$2 billion, are still \$13 billion short of meeting the health care needs of Indian and Alaska Native people. BIA funding is not much better. The net effect is that there is even less available in these woefully underfunded programs to meet local needs. This is not right.

The "Tribal Contract Support Costs Technical Amendments of 2000" will clarify the rules governing the expenditure of contract funds, initiate a new measure to maximize efficiency in tribal program operations, improve federal administration of the Act; clarify the rules governing the computation of contract support costs; provide federal agencies more time to plan for the transfer of federal programs to tribal operation; and strengthen the Act's enforcement measures.

I urge swift consideration of this proposal to ensure that Congress' support for Indian self-determination continues.

INTRODUCTION OF THE EDUCATION OPPORTUNITIES TO PROTECT AND INVEST IN OUR NATION'S STUDENTS (EDUCATION OPTIONS)

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. GOODLING. Mr. Speaker, today I am introducing the Education OPTIONS Act, the last component of the House's reauthorization of the Elementary and Secondary Education Act (ESEA). The Education OPTIONS (Opportunities to Protect and Invest in Our Nation's

Students) bill would allow states and local school districts unprecedented authority to transfer federal funds among programs to better meet their needs.

This bill makes significant improvements in the remaining programs in ESEA, streamlines programs, reduces bureaucracy, and increases dollars going to the classroom. We continue our focus on quality, as well as local and parental empowerment.

Education OPTIONS includes a provision to allow States and local school districts to transfer Federal funds among major programs in order to better meet their unique circumstances, including targeting students with the greatest academic needs.

I continue to believe that state and local educational agencies, along with parents, are in a better position than we are in Washington to determine how best to use federal funds to help students improve their academic achievement. Education OPTIONS puts the priority on children rather than federal regulations.

The legislation includes programs for violence and drug abuse prevention, technology in the classroom, charter schools, and a number of other smaller authorizations. ESEA governs the bulk of the federal government's involvement in elementary and secondary education. Once this bill is completed the House will have completed the ESEA reauthorization process that we began last year with the following components: Education Flexibility Partnership Act (signed into law as P.L. 106-25); Teacher Empowerment Act, H.R. 1995 (passed the House); Student Results Act, H.R. 2 (passed the House); Academic Achievement for All Act, H.R. 2300 (passed the House); LIFT (Literacy Involves Families Together), H.R. 3222, and Impact Aid, H.R. 3616, were approved last month in committee and are awaiting consideration by the full House.

I urge my colleagues to support this bill.

HONORING CAPTAIN JOSEPH AVVEDUTI, CMDR., U.S.S. "KALAMAZOO"

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. UPTON. Mr. Speaker, it is my distinct pleasure to come today before this House and the American people to formally thank and honor a true American hero, Capt. Joseph Avveduti, for his great and long service to our nation.

Captain Avveduti served as commander of the U.S.S. *Kalamazoo* from September 1995 to August 1996, and will be retiring from the U.S. Navy in July of this year. His retirement will not only be a great loss to our Armed Forces, but our nation as a whole.

Joseph Avveduti first came to my attention as commander of the U.S.S. *Kalamazoo*, a vessel whose namesake is Kalamazoo, MI, a city in my district. Like the residents of Kalamazoo, Captain Avveduti represents the best America has to offer.

In reviewing his distinguished service record, Captain Avveduti's dedication to his country is immediately evident. Throughout his many years of meritorious service to our country, he has been awarded the Bronze Star, three Meritorious Service Medals, the Air

Medal and the prestigious Legion of Merit in addition to service and campaign medals too numerous to name here.

Captain Avveduti should be embraced as a shining example for many young men and women who are entering our Armed Forces today. After graduating from the U.S. Naval Academy in 1974, he was designated a naval aviator and served his initial aviation tour with the helicopter Anti-Submarine Squadron in Jacksonville, FL.

Mr. Speaker, Captain Joseph Avveduti has not only spoken of dedication and service to our nation throughout his career—he's lived it. Between 1983 and 1985 while serving as the assistant air officer of the U.S.S. *Guam*, Joseph Avveduti saw combat in Grenada and in Beirut, Lebanon. Just a few years later, Captain Avveduti was once again called to arms to defend democracy during Operation Desert Storm. During this conflict, by all accounts, Captain Avveduti served valiantly aboard the U.S.S. *Saratoga* in the Red Sea as part of the team that successfully defeated Saddam Hussein and restored freedom to the people of Kuwait.

After returning to the United States, in 1997 Captain Avveduti graduated from the National War College here in Washington, DC, and, in his tradition of continuing dedication, he currently holds the Chief of Naval Operations Chair at that institution.

Mr. Speaker, I believe I speak for every Member of this Congress and a grateful nation when I extend to Captain Avveduti, his wife Carol, and his sons Joseph and David, our best wishes for a happy, healthy, and productive retirement. Because I am humbled by his dedication and achievements, I ask your indulgence in making these remarks part of the permanent record of the Congress so that all Americans, now and in the future, can read and reflect on the honor, distinguished service and achievements of a great American—Capt. Joseph Avveduti.

VALLEY GRANGE HONORED ON 100TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 30, 2000

Mr. KANJORSKI. Mr. Speaker, I rise today to honor Valley Grange 1184 of Danville, Pennsylvania, on the occasion of the 100th anniversary of its charter. Valley Grange was chartered April 2, 1900, and has been continuously active since that date.

The Grange is a non-profit organization dedicated to improving the quality of life through educational, social and legislative activities; promoting family life through family-oriented activities; advancing the cause of agriculture; developing rural leadership; and acting as a spokesman in public affairs.

From its founding, the Grange has been in the forefront of the fight to secure fair treatment and better conditions for farm and rural citizens. From securing rural free mail delivery to rural electrification, to fair prices for farm products to local tax reform, the Grange has been there for its citizens, "preserving the traditions of yesterday and ensuring the hope for tomorrow," as its current slogan proclaims.

The Grange deserves much credit for preserving the very traditions that have made