are in need of technical positions involving land management, such as surveyors, range conservationists, lease compliance officers, rights of way specialists, and accountants. In sum, the tribes request a reversal of the reorganization process and that resources be redirected as to be more effectively used at the reservation level under control of the local agent.

The concepts in S. 2523 are particularly poignant in light of serious questions that have been raised regarding failures in the OST's entire management and administrative system. As a result of these questions, I have requested a wide-ranging investigation of the OST. This investigation centers on a number of concerns tribal leaders have raised in recent years as OST has expanded its mission from one designed to oversee trust reform efforts at the Interior Department to one implementing most major fixes. Under the Bush administration, the agency's budget has dramatically increased while funds for other Indian programs are being cut or flat-lined.

In addition to questioning funding considerations, I question whether the OST is operating in a manner consistent with the 1994 Act that created it. During the Bush administration, the agency has seen unprecedented growth and has slowly taken over programs formerly managed by BIA, including cash management, appraisals, probate and accounting. Tribal leaders and some lawmakers say this expansion violates the intent of Congress in creating the office.

I am honored to represent a State that has nine treaty tribes. Federally-recognized Indian tribes in South Dakota signed the Treaty of Fort Laramie with the desire to declare peace and thereby perpetuate a nation-to-nation relationship with the Federal Government. The treaty establishing the South Dakota Tribes is a contract negotiated between sovereign nations, relating to peace and alliance formally acknowledged by the signatories of the nations. The United States entered into such agreement because they desired peace and cessions of land from the Sioux Tribes, and in return they made promises that must be upheld.

It is important to point out that my treaty tribes opt to receive their services directly from the BIA. As such, it is essential to my tribes that they have a clear understanding of what their Bureau is up to and how its actions will affect the services received by my tribes. In South Dakota, the BIA affects our Indian people every single day. Their partnership with the Federal Government is paramount to their survival as nations and is vital to the health of its people. With this premise in mind, I implore the Department to do a better job of consulting with tribes, appropriately fund BIA programs, and have an open and frequent dialogue with Congress. As a member of both the Appropriations and Indian Affairs Committee, I must be made aware of the Bureau and the Office of Special Trustee's programming plans.

S.J. RESOLUTION 37

Mr. JOHNSON. Mr. President, I rise today in support of S.J. Resolution 37, a resolution to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all native peoples on behalf of the United States.

A formal apology is the first appropriate step in reconciling relationships with Indian tribes and native peoples. However, an apology by itself is not enough to heal the wounds inflicted by some of the devastating policies adopted by our government. To really make amends with Indian tribes and native peoples, our government needs to return to the original understanding of the Federal–tribal relationship. The foundation of the Federal–tribal relationship is rooted in our great Constitution and the Indian treaties ratified pursuant to it. When a person reads the Founder's words pertaining to the sovereignty of Indian tribes, in conjunction with the early laws and treaties ratified by our government, he or she quickly realizes that the underpinnings of the Federal–tribal relationship is based upon mutual respect, trust responsibility, and the idea that our government must obtain consent from Indian tribes and native peoples before any Federal action can be taken.

Almost every Indian treaty recognizes that Indian tribes have control over their lands and that our government could not assert authority or take lands away from tribes unless there is an articulation of tribal consent. The first treaty our government signed with an Indian Nation was the 1778 Treaty of Fort Pitt. During the American Revolutionary War, our government signed this treaty to obtain permission from the Delaware Nation to allow General Washington's army to cross through their territory. If the Delaware Nation would not have permitted this crossing, the history of our United States might have turned out drastically differently.

As history teaches, when our government swayed away from the foundation of the Federal–tribal relationship, Indian tribes and native peoples suffered. For example, in 1830, Congress narrowly passed the Removal Act to remove all Native Americans west of the Mississippi River. However, the text and legislative history of the Removal Act clearly demonstrates that removal would not occur unless there was tribal consent. Because many Cherokee did not consent to being removed, in 1838, our government forced their removal, thus resulting in the Trail of Tears tragedy.

Chairman J.C. Crawford of the Sisseton–Wahpeton Tribe wrote to remind me that in 1862 nearly 400 Dakota Indians were tried by a military court without legal representation following a conflict arising out of our government not adhering to its treaty obligations. Eventually, on December 26, 1862, 38 Dakota men were hanged. To date, this has been the largest mass execution in American history.

Our government violated the 1868 Fort Laramie Treaty. Under the Fort Laramie Treaty, our government agreed that if any land is to be taken from the Lakota Nation, three-fourths of all adult males must agree to any cession. Because our government failed to obtain Lakota consent, three prominent historical tragedies occurred, the Battle of Little Big Horn, the Wounded Knee Massacre, and the taking of the Black Hills.

Additionally, in the late 1800s, our government violated numerous treaties and embarked upon a harsh assimilationist policy that ignored the foundations of the Federal–tribal relationship. For example, in 1887 our government enacted the General Allotment Act. Under the General Allotment Act, tribal lands were broken up, thus reducing tribal lands from 138 million acres in 1887 to 48 million acres in 1934. Although our government ended the harsh policies contained in the General Allotment by enacting the 1934 Indian Reorganization Act, by the 1950s our government quickly reversed course and implemented legislation that terminated the Federal–tribal relationship with some Indian tribes. Although many Indian tribes have been successful with regaining federal recognition status, some have not been as successful.

Currently, our government is committed to tribal self-determination and empowering tribal governments. However, to make this apology complete and to demonstrate that our government is sincere in apologizing to Indian tribes and native peoples, our government needs to allocate more resources to Indian tribes and native peoples and fulfill its trust obligation found in treaties and concurrent legislation.

Our government has adopted numerous laws and policies that undermined and adversely impacted the Federal–tribal relationship. For those reasons, I strongly support the apology articulated in S.J. Resolution 37. I urge my colleagues to similarly support this resolution and reflect on the meaning of the Federal–tribal relationship.

ADDITIONAL STATEMENTS

HONORING THE ACCOMPLISHMENTS OF ALLISON HAMMER

• Mr. BUNNING. Mr. President, I pay tribute and congratulate Allison Hammer of Summer Shade, KY, on being named a distinguished finalist for the Prudential Spirit of Community Awards. This award honors young people in middle level and high school grades for outstanding volunteer service to their communities.