

ongoing controversy. Last week, during debate on the Interior appropriations bill, the House was told that Chairman POMBO has indicated his commitment to having the Resources Committee work on resolving problems associated with that management—a commitment we welcome. Our bill is intended to be part of that effort.

Our bill includes two major changes to the 1994 American Indian Trust Fund Management Reform Act, the underlying law governing Indian trust funds management.

First, it elevates the importance of Indian trust management and other Indian affairs within the Interior Department by establishing the position of Deputy Secretary for Indian Affairs, to oversee the Bureau of Indian Affairs and all aspects of the management of Indian trusts.

There would no longer be an Assistant Secretary for Indian Affairs. The current Office of Special Trustee for American Indians would be abolished, with the duties of the Special Trustee being transferred to the new Deputy Secretary, who would be in charge of a new Office of Trust Reform Implementation and Oversight. In addition, there would be clear legislative affirmation of the fiduciary standards to be applied to the management of Indian trust funds and assets.

Second, the bill strengthens provisions for Indian tribes to participate in the management of trust funds and assets, based on successful self-determination policies. Toward that end, the bill would authorize a Tribe to use authority under existing law to manage trust funds and assets, without terminating the trust responsibilities of the Interior Department.

To further assess the way the Interior Department performs its fiduciary and management responsibilities with respect to Indian Tribes and individual Indian beneficiaries, the bill would establish a special 12-member Commission, with four members appointed by the President, two each appointed by the Majority and Minority leaders of the Senate, two each appointed by the Speaker and the Minority Leader of the House of Representatives. The bill specifies that a majority of members must be representatives of federally-recognized Indian tribes (at least one of whom must be the beneficiary of an individual Indian trust fund account). The Commission will choose one of its members to chair its proceedings.

The bill requires the Commission to review and assess Federal laws and policies relating to the management of Indian trust funds and to provide Congress a report about their conclusions and recommendations within three years after the Commission's first meeting.

Finally, the bill includes specific and detailed provisions to make clear that its enactment will not limit any of the findings, remedies, jurisdiction, authority, or discretion of the courts in the Cobell v. Norton litigation and that no funds appropriated to carry out an historical accounting of the individual Indian trust funds are to be used except as may be provided in an order of the court in that case entered after the date of the bill's enactment.

Mr. Speaker, I am convinced that the time has come for Congress to directly address the problems associated with this subject. The bill we are introducing today is not intended to either whitewash or redress past wrongs, and it will not forestall the courts from resolving matters properly before them. Instead, it is intended to take an important first step toward

a better future for the Indian tribes and individuals in whose behalf the government is duty-bound to act.

For the benefit of our colleagues, here is a section-by-section outline of the bill:

OUTLINE OF "AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT AMENDMENTS ACT"

SECTION 1: Short Title—provides a short title for the bill.

SECTION 2: Definitions—amends section 2 of the American Indian Trust Fund Management Act of 1994 to provide definitions of the terms "audit," "tribal government," "trust asset," "trust funds," and "trustee."

SECTION 3: Responsibilities of Secretary—amends section 102 of the American Indian Trust Fund Management Reform Act of 1994 so as to clearly specify the responsibilities of the Secretary of the Interior with respect to accounting for Indian trust fund balances and with respect to other aspects of carrying out the trust responsibility of the United States.

SECTION 4: Affirmation of Standards—amends Title I of the American Indian Trust Fund Management Reform Act of 1994 by adding a Congressional affirmation of the standards for proper discharge of the trust responsibility of the United States.

SECTION 5: Indian Participation in Trust Fund Activities—amends the American Indian Trust Fund Management Reform Act of 1994 to explicitly authorize an Indian tribe to use authority provided under the Indian Self-Determination and Education Assistance Act to manage trust funds and trust assets without terminating the trust responsibility of the Secretary of the Interior or the trust status of the funds and assets involved.

SECTION 6: Deputy Secretary for Indian Affairs—amends the American Indian Trust Fund Management Reform Act of 1994 to establish the position of Deputy Secretary of the Interior for Indian Affairs, to specify the duties of the Deputy Secretary, and (effective upon appointment of the Deputy Secretary) to abolish the Office of Special Trustee for American Indians and transfer its functions to the Deputy Secretary.

SECTION 7: Commission for Review of Indian Trust Fund Management Responsibilities—establishes a Commission (with four Members appointed by the President, two each appointed by the Majority and Minority Leaders of the Senate, and two each by the Speaker and the Minority Leader of the House of Representatives) to assess the federal government's fiduciary and management responsibilities with respect to Indian tribes; specifies a majority of Commission members must be representatives of federally-recognized tribes (and at least one must be an individual beneficiary of an Indian trust account); requires the Commission to report its conclusions and recommendations to Congress and the Departments of Interior and Treasury within 32 months after Commission's first meeting.

SECTION 8: Regulations—directs Interior, in consultation with interested Tribes, to issue regulations to implement the bill.

SECTION 9: Effect of Act—States that nothing in the bill will limit the findings, remedies, jurisdiction, authority, or discretion of the courts in the Cobell v. Norton litigation; provides that no funds appropriated for an historical accounting of individual Indian trust funds shall be used except as provided in an order of the court in that case entered after the enactment of the bill.

PHARMACEUTICAL MARKET  
ACCESS ACT OF 2003

SPEECH OF

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 2003

Mrs. MALONEY. Mr. Speaker, it is a disheartening reality in our country that the current administration refuses, so adamantly, to give seniors a real opportunity to obtain prescription drugs at a reasonable cost.

In times like these, when the economy is uncertain and prescription drug prices are soaring, it is essential to be creative in finding an affordable and effective way for Americans to obtain the drugs they so desperately deserve. H.R. 2427 gives our seniors, and other consumers, a tool they need to purchase life-saving drugs.

How many seniors are currently disabled by an illness that they cannot afford to treat with the drugs that their European counterparts can purchase for between 30 and 300 percent less? There are too many, and Congress cannot stand by and watch them suffer.

I know that my constituents in the Fourteenth District are suffering as a result of this government's inability to take meaningful action. A year ago, I co-released a report, detailing the outrageous prices seniors face when purchasing prescription drugs. For Prilosec, an ulcer and heartburn medication, a senior citizen in New York will pay on average \$144.60 per month. The same drug in Canada costs \$53.17. That is a 172% difference.

Zocor, which is one of the most common cholesterol-reducing drugs in the country, costs almost three times as much in New York City as it does in Canada. These are just two examples of the outrages our citizens face every day.

The Gutknecht bill will greatly reduce the cost of prescription drugs, and it will also ensure that imported medications will be safe for all seniors. H.R. 2427 mandates the use of greater technology to prevent the importation of counterfeit drugs, and it requires each shipment of drugs to be tested appropriately.

Twenty-two percent of Americans who are prescribed medication are unable to fill their prescriptions. This is an unacceptable statistic, one that my colleague's bill would take great strides to ameliorate.

America's seniors and consumers are afflicted by a disease: the absurd overpricing of prescription drugs. The fight against this epidemic must begin today. Vote "yes" on the Gutknecht bill, and let's give Americans a fighting chance.

COMMEMORATING THE TURKISH  
INVASION OF CYPRUS

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, July 25, 2003

Mrs. LOWEY. Mr. Speaker, today, we sadly commemorate the 29th anniversary of the Turkish occupation of Cyprus. Over one quarter century ago, more than 200,000 Cypriots were driven from their homes and forced to live under foreign occupation. Today, the legacy of this tragedy is the enormous Turkish

military presence in Cyprus and the ongoing mystery of the fate of those who have disappeared. The occupation has gone on for far too long. We must strive for reunification, and we must achieve it soon, so that all Cypriots can benefit from Cyprus's new stature on the world stage.

Cyprus is well on its way to full EU membership—by this time next year it will be official. And, while Turkish Cypriot leader Denktash has continued to throw up roadblocks in front of a formal settlement, it seems the people of Cyprus are fed up with living on a divided island. We have been inspired by the stories of peace and kindness that have emerged from the opening of the borders—an opening that has taken place without the violence Mr. Denktash so stridently predicted. We all know that while leaders may make peace agreements, people make peace—and that is what we have witnessed in Cyprus.

As Ranking Democrat on the House Appropriations Subcommittee on Foreign Operations, it has been an honor to fight to achieve a substantial earmark for Cyprus each year. This assistance demonstrates our commitment to the people of Cyprus and our recognition of their struggle. These funds support measures aimed at reunifying the island and reducing tensions and promoting peace between the people of Cyprus. I believe this earmark sends a strong signal to the people of Cyprus that the United States is unflinchingly committed to realizing the goal of a reunified Cyprus. As the appropriations process continues, I will work to ensure the earmark once again reaches its traditional level of \$15 million.

We must work together to keep up the pressure on Turkey to end its occupation of Cyprus and to allow the Cypriot people to live in peace and freedom. This year, more than ever, we must not let the opportunity for a resolution to this conflict pass.

IN HONOR OF THE 41ST ANNIVERSARY OF THE INDEPENDENCE OF TRINIDAD AND TOBAGO

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. RANGEL. Mr. Speaker, I rise today to recognize and celebrate Trinidad on the forty-first anniversary of her Independence and the 169th anniversary of emancipation in Trinidad and Tobago and the Caribbean.

Trinidad and Tobago and the U.S. have long enjoyed a prosperous relationship that has hinged upon interests in investment, trade, and regional security. Often noted for holding one of the largest and most elaborate Carnival celebrations in the world, there is much to know about how this small island nation evolved and has come to be such a great friend to our nation.

Trinidad was settled by the Spanish a century after Columbus landed there. The original inhabitants—Arawak and Carib Indians—were largely wiped out by the Spanish colonizers, and the survivors were gradually assimilated. Although it attracted French, free Black, and other non-Spanish settlers, Trinidad remained under Spanish rule until the British captured it in 1797. During the colonial period, Trinidad's economy relied on large sugar and cocoa plantations.

Tobago's development was similar to other plantation islands in the Lesser Antilles and quite different from Trinidad's. The smaller island of the pair, Tobago became known first as Tavaco, then Tabagua, then as Tobago. This was the name given by its tribal people who used a long stemmed pipe in which they smoked a herb called Vcohiba, known today as tobacco.

During the colonial period, French, Dutch, and British forces fought over possession of Tobago, and the island changed hands 22 times—more often than any other West Indian island. Tobago was finally ceded to Great Britain in 1814. Trinidad and Tobago were incorporated into a single colony in 1888.

Trinidad became an oil economy in the 20th century. Oil was discovered in the Guayaguayare, Point Fortin, and Forest Reserve areas in Trinidad. Over time oil and oil related exports came to dominate the economy.

The establishment of U.S. bases on the island in 1941 in exchange for 50 destroyers which at the time was sorely needed by an overstretched Britain, resulted in the construction of numerous roads. Additionally, the G.I.s injected American culture and money into a stagnant economy and shifted the focus of the country from Britain to the U.S.

In the 1950s, the British sponsored the West Indies Federation as a potential post-colonial model, in the belief that most of the Caribbean islands would be unable to survive politically or economically on their own. The Caribbean peoples thought otherwise and the Federation collapsed in the early 1960s.

In Trinidad and Tobago a movement was being born in the 1950s. After receiving his Ph.D. and serving as assistant professor at Howard University, Eric Williams returned to Trinidad and Tobago and formed the People's National Movement (PNM), a political party of which he became the leader. In September of 1956, the PNM won the national elections and he became the chief minister of the country from 1956 to 1959, premier from 1959 to 1962, and prime minister from 1962 to 1981. During his term as prime minister, Williams led Trinidad and Tobago into full independence within the Commonwealth in 1962. Eric Williams is considered the father of Trinidad and Tobago. He died in office on March 29, 1981.

After its 1962 independence, Trinidad joined the United Nations and the Commonwealth. In 1967, it became the first Commonwealth country to join the Organization of American States (OAS). A U.S. embassy was established in Port of Spain in 1962, replacing the former consulate general. Today, the Republic of Trinidad and Tobago remains a stable government with close ties and a working relationship to the United States.

Evidence of government stability is represented in the fact that U.S. investment in Trinidad and Tobago exceeds one and one-quarter billion dollars. In addition, Trinidad and Tobago is becoming the leading importer of liquefied natural gas to the U.S. It also is active in the U.S.-initiated Summit of the Americas process and fully supports the establishment of the Free Trade Area of the Americas.

With a population of 1.2 million people and the size of the state of Delaware, Trinidad and Tobago maintains strong relations with its Caribbean neighbors as well. As the most industrialized and second-largest country in the English-speaking Caribbean, Trinidad and To-

bago has taken a leading role in the Caribbean Community and Common Market (CARICOM), and strongly supports CARICOM economic integration efforts.

The two countries also share its people and culture. There are large numbers of U.S. citizens and permanent residents of Trinidadian origin living in the United States. These individuals keep strong cultural ties to their country of origin. About 20,000 U.S. citizens visit Trinidad and Tobago on vacation or for business every year, and over 2,700 American citizens are residents. In addition, Trinidad like carnivals are held in numerous cities across the U.S. with a major celebration occurring in Brooklyn every Labor Day of which Trinidadians have played an integral role in sustaining.

The Trinidadian, Jessie Wardell was responsible for obtaining the first street permit to celebrate Carnival outdoors on Lenox Avenue in Harlem. Trinidadian, Rufus Gorin, moved the Carnival to Brooklyn where he paired with the Trinidadian, Carlos Lezama, and formed the West Indian American Day carnival Association (WIADCA), which for over thirty years has participated in attracting millions of people to New York to participate in the largest Carnival celebration in the U.S.

I take great pleasure in reflecting upon the magnitude of Trinidad and Tobago's contribution to New York City, our nation, and the world and expressing my personal appreciation for the association I have had with her people over the years. I salute the republic of Trinidad and Tobago and her accomplishments and ask that you join me in honoring her as she celebrates her 41st Anniversary.

HONORING EDGAR B. "PETE"  
DOWNS

**HON. GEORGE RADANOVICH**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. RADANOVICH. Mr. Speaker, I rise today to recognize Edgar B. "Pete" Downs on his 60th birthday and for his dedication to the wine industry of America. Pete will be celebrating his birthday on August 10, 2003.

Pete has been involved in the wine industry for over 30 years. His interest in wine was refined when he studied and received his Bachelor of Science in Fermentation Science at University of California, Davis in 1973. He specialized in enology, the study of wine, and brewing studies. This education led him to becoming a winemaker for several top wineries in California. In 1992, he became the General Manager of Lakeport, Edmeades and Vinwood, three of the wineries in the Kendall-Jackson family. His success with these wineries led to his promotion to be Vice President of Government Affairs of Kendall-Jackson Wine Estates.

Pete's involvement not only with the winery, but with members of the industry on every level has led him to be one of the most successful Vice Presidents of the wine industry in the United States. Pete is a board member of the American Vintners Association, the Family Winemakers of California and a professional member of the American Society for Enology and Viticulture. He is also Chairman of the Congressional Wine Foundation and active in Washington, DC wine efforts.