

Sergeant John Minor and Mark Watson provide us with the type of diversity that would benefit any organization. Their dedication to law enforcement and their unique backgrounds provide us with a great learning opportunity. I appreciate their commitment and value their participation in such an important institution and they deserve to be honored for committing to protect and serve their second home.

HAL JENSEN: 2001 JOHNS FELLOWSHIP AWARD WINNER

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2001

Mr. FILNER. Mr. Speaker, and colleagues, I rise today to recognize Hal Jensen, as he is honored by the San Diego Labor Community at the 19th Annual John S. Lyons Memorial Banquet with the 2001 "JOHNS Fellowship" Award.

Hal was born in Canada in 1936 and later gained U.S. citizenship. As a member of the Mormon Church, he served a mission to Africa from 1955 to 1958, and upon his return was married to Rebecca Campbell Jensen.

Hal attended Brigham Young University where he received the "Outstanding Student" award and earned degrees in Finance and Economics. He then went on to attend Stanford University School of Law.

After school, Hal went to work for IBM and led the team which developed IBM's banking system. Upon leaving IBM, he founded his own computer company, Computer Planning Corporation (CPC). Among its many accomplishments, CPC developed the first real-time business system.

CPC was acquired by TRACOR, Inc., and after serving as a board member for TRACOR, Hal left to form the Industrial Development Corporation, which remains his flagship company. Hal got involved in real estate, and in 1978, helped found Palomar Grading and Paving, Inc. It is one of the largest operations of its kind, and employs many skilled tradesmen and women.

Beyond success in the business world, Hal has remained committed to helping people in need. In 1980, aware that Native Americans face enormous challenges in their own country, he developed programs to assist Native American businessmen and help reservations with economic self-sufficiency.

Hal joined the Board of American Indian Services, which provides over 1200 college scholarships each year to Native Americans, and serves as Chair of its California Chapter and its Economic Development Committee.

Hal's achievements are both extraordinary and broad. He has chaired the Navajo Nation National Advisory Board and has participated in the drafting and amending of tribal constitutions. He is a member of the Haskell University Advisory Board. He served as Chairman of the I-15 Design review Board, and has been commended on a number of occasions by Israeli institutions for his good work.

My congratulations go to Hal Jensen for his significant contributions to our community, our nation and the world. Hal's commitment to all of humanity is evident by his actions, and I am pleased that he is the recipient of the 2001 "JOHNS Fellowship" Award.

PAYING TRIBUTE TO THE UNIVERSITY OF MICHIGAN CLASS OF 2001

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2001

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to pay tribute to the 2001 graduating class of the University of Michigan. Due to their hard work and dedication, they are now prepared to make significant contributions to the State of Michigan and the United States of America.

As graduates from one of the most prestigious public institutions in the United States, whatever endeavors the University of Michigan class of 2001 may pursue, success is certain to follow:

Therefore, Mr. Speaker, I respectfully ask my colleagues to join me in recognizing the University of Michigan Class of 2001. May this only be the beginning of the great accomplishments they will achieve in their lifetime.

HONORING MELVYN E. STEIN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2001

Mr. McINNIS. Mr. Speaker, it is with much sorrow that I would like to take a moment to honor the memory of Mel Stein. He was taken from us on the morning of Sunday, June 24th after suffering from injuries as a result of a head-on car accident the night before in Montrose, Colorado. Mel lived a long, accomplished life during which he contributed in many ways to our American community.

Mel was born in Chicago, Illinois on May 18, 1927. Upon graduating from high school he served in WWII as a member of the U.S. Army Air Corps. Following his service he returned to Chicago to attend law school at DePaul University. Mel spent the next 10 years as a trial attorney and Special Agent with the U.S. Department of Justice, Immigration and Naturalization Service before going into private practice. He was very successful and influential in the legal and immigration fields; so much so that his children followed his lead and have chosen the same profession. He also spent a great deal of his career helping immigrants achieve their U.S. citizenship, including offering help to my office when we had a tough case.

It is always tragic to lose someone so unexpectedly and my heart goes out to his wife, Lois, his daughter, Doree and his son, Eric. He served his country during times of conflict and helped to ensure others got the chance to pursue the American Dream. Mel has given so much to so many—his contributions will not be forgotten.

ELOUISE COBELL'S NOBEL EFFORTS TO FIX THE INDIAN TRUST FUND MESS

HON. DENNIS R. REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2001

Mr. REHBERG. Mr. Speaker, for over 100 years the Federal Government has grossly mismanaged Indian Trust Funds derived from grazing, minerals and other natural resources revenues. Elouise Cobell of the Blackfeet Tribe in Montana, who after years of getting stonewalled in her efforts to get an accurate accounting of Indian Trust Funds, filed the monumental lawsuit *Cobell v. Babbitt* in 1996.

Federal Judge Royce Lamberth has ruled in favor of Elouise and other plaintiffs on numerous occasions. In a December 1999 civil contempt ruling, he stated "The Federal Government here did not just stub its toe. It abused the rights of these plaintiffs to obtain these trust documents, and it engaged in a shocking pattern of deception of the court. I have never seen more egregious conduct by the Federal Government."

I urge my colleagues to read the following article from the September 9, 2001 issue of Parade Magazine focusing on Elouise Cobell's noble efforts to fix the Indian Trust Fund mess.

THE BROKEN PROMISE

(By Peter Maas)

On the wall next to Elouise Cobell's desk is a blown-up reproduction of a famous Peanuts cartoon strip. After Lucy assures Charlie Brown, "Trust me," she once again snatches away the football he's about kick, and he ends up flat on his back.

"I decided to stop being Charlie Brown," Cobell told me. For her, "Lucy" is 5 feet 4, a wife and mother, Cobell is a member of the Blackfeet Indian tribe sequestered in the northwest corner of Montana. As a result of a lawsuit she filed on behalf of her fellow Native Americans, they finally are about to collect a staggering sum of money—as much as \$40 billion—from Washington.

"It's not as if we're taking money from the government," she explained, a steely edge creeping into her normally soft-spoken voice. "It's our money that was taken from us." Indeed, a federal judge declared. "I have never seen more egregious misconduct by the federal government." And were it not for Elouise Cobell, it would still be going on.

What she finally could not take anymore was the betrayal for more than a century—"a shocking pattern of deception," as the court put it—regarding the property rights of the Blackfeet and many other Native American tribes. This betrayal began in 1887, when Congress opened up previously established tribal reservations to white settlers. In return, individual Indians were granted land allotments—generally ranging from 40 to 320 acres. But they were judged to be incapable of managing their own affairs, so the federal government decided to do it for them.

As a result, Indians could not lease or sell their property without government approval. This included grazing and quarrying rights as well as leases for timber, agriculture, oil, natural gas and minerals. The government would make all the deals. The income would be held in trust and distributed to each Indian family. The Bureau of Indian Affairs (BIA) in the Department of the Interior was to be in charge, and the Treasury Department would send out the checks.

But the Indians never got what was owed them.

At one of the endless meetings she attended to try to rectify matters, Cobell actually heard a Treasury Department official admit that millions and millions of Indian dollars were being forwarded by the Department of the Interior with no instructions. "So we just put it in the general fund," said the official.

Cobell said she eventually discovered that the money apparently had been used, among other notable examples, to help bail out New York City during its 1975 fiscal crisis, to save the Chrysler Corporation from going under and even to reduce the national debt.

On assignment for PARADE, I recently visited Cobell. Along with her husband, she has a 320-acre allotment ranch with about 100 head of cattle in Glacier County, which encompasses much of the Blackfeet reservation and ranks as the 35th poorest county in the U.S. This is where she grew up in a house with no phone, electricity or running water and where she began her education in 1950 in a one-room grade school.

As it happened, Cobell's teacher subscribed to the Sunday New York Times, which she shared with her students. "It would arrive a month late, but it exposed me to a world I never knew existed," Cobell told me. "It gave me a chance to dream a little."

She went on to high school, which required a daily 50-mile round-trip by bus. Then Cobell made a daring move to the nearest city, Great Falls, to enroll in a two-year business college, where she specialized in accounting. "I wanted to learn more and to help out at home," she recalled. "My dream was to buy my mother a new dress."

Cobell cut short further studies at Montana State University in 1968 to return home and care for her mother, who had terminal cancer. Then her father died.

Because of her accounting background, the Blackfeet Tribal Council appointed Cobell the tribe's treasurer in 1976. "I remembered, as a little girl," she said, "the elders would come to my father's house and wonder where the money was. You lived with it all the time. But they didn't know what to ask. They had no information, and the Bureau of Indian Affairs was something to be feared. You felt so powerless."

She already had seen the local office of the BIA in action in a college work-study program. "I was people treated very badly," she recalled. "People sitting all day on hard benches, with no rest rooms. Some were begging for money, for food, for clothes for their children. I would tell my mother, and she'd say, 'Don't make waves.'"

Under the BIA's management of the so-called Individual Indian Money trust fund, Native Americans never were informed who had leased their land or for what purpose, how much the lease was for or how long the lease was to run. On occasion, the Treasury Department would mail checks to individuals for a pittance, with no accounting or explanation of any kind. (In addition to the Individual Indian Money trust, the government manages a separate trust fund covering more than 300 tribes.)

"As the tribe's treasurer," Cobell said, "I tried to get a handle on everything. I found that the BIA's investment of Blackfeet tribal trust funds was accruing negative interest. How could this be? Under the law, this money was only supposed to be invested in the safest government securities. But when I asked about this at a meeting with the BIA supervisor, he just stared at me and said, 'Why don't you learn how to read a statement?' It was so humiliating.

"Later—a lot later—I discovered what had happened. The BIA had taken a big chunk of money from the Blackfeet, loaned it to another tribe for whatever reason and forgot to replace it. After all, it was not their money, and we were just dumb Indians."

After getting nowhere at local and regional BIA offices, Cobell tried the Interior Department in Washington, D.C. And still got nowhere. "I did spreadsheets," she said, "and saw huge gaps where oil and gas companies that had leased out land weren't paying anything. There was no accounting system in place, so the Interior Department had no idea who was paying and who wasn't. They didn't care."

Then, in 1989, Rep. Mike Synar—an Oklahoma Democrat with a large Native American constituency—helped to arrange a meeting at the White House under the first Bush Administration with officials of the Office of Management and Budget. Cobell was invited, as well as some outside experts, including a prominent banking attorney named Dennis Gingold. Very little came out of it, except that Cobell remembered Gingold acidly saying at one point to the government men, "I'm amazed you guys haven't been sued."

In 1994, Synar got Congress to authorize the Presidential appointment of a special trustee to provide a full

And, despite repeated attempts to see Babbitt herself, Cobell never did. "He wouldn't meet with me," she said. "I was told he didn't have the time. All I got were empty assurances that mismanagement of our trust funds was a top priority."

Cobell already had reached the breaking point after meeting Attorney General Janet Reno at a conference where Reno was the main speaker. Cobell sketched out what she was going through, and Reno invited her to Washington. But when Cobell arrived in February 1996 with high hopes, Reno also declined to see her and relegated her to underlings. She was treated with such rudeness and condescension, Cobell told me, that "a lawsuit was the only option I had left."

She went back to Dennis Gingold and asked the attorney if he would accept the case. He agreed, telling her, "We cannot allow this to happen. Our government can't operate like this." But Gingold warned her that it would be extremely costly. Cobell said she'd get the money somehow. And she did, pleading her cause to private foundation after foundation, eventually raising nearly \$8 million. During this period, to her astonishment, she received a John D. MacArthur "genius award" and immediately threw the \$300,000 grant into the pot.

The class-action suit representing 500,000 Native Americans was filed in the District of Columbia on June 10, 1996. The Justice Department, representing the Interior and Treasury Departments, declined to enter into settlement talks. The presiding federal district judge, Royce Lamberth, twice ordered Interior and Treasury to produce documents involving the Individual Indian Money trust fund. Despite promises to do so, a special investigator appointed by Judge Lamberth discovered that, during the course of the proceedings, Interior had in fact been destroying documents. What's more, Treasury officials had shredded 162 cartons of ledgers listing transactions and disbursements plus records of uncashed checks—some 100 years old—that never reached their intended Indian recipients.

On Aug. 10, 1999, after holding Interior Secretary Babbitt and Treasury Secretary Robert Rubin in contempt of court, Judge Lamberth fined them a total of \$625,000, which the U.S. paid with our tax dollars.

On Dec. 21, 1999, Judge Lamberth ruled that the government had breached its sacred trust duties across the board. He ordered the Interior and Treasury Departments to file quarterly reports detailing efforts to reform the trust system and decreed court supervision of these efforts. The Justice Department appealed on the grounds that the judge had overstepped his authority. But a federal appeals panel of judges unanimously upheld Lamberth's ruling.

This May, the Bush Administration abandoned an appeal to the U.S. Supreme Court. What remains now, in the second phase of Cobell's lawsuit, is to determine how much the Native American plaintiffs will receive. Some estimates range from \$20 billion to as much as \$40 billion.

Whether the government will continue the battle or begin serious settlement talks remains up in the air. In June, the House Appropriations Committee said it had no interest in funding more litigation, which so far has cost the U.S. more than \$31 million.

Meanwhile, Louise Cobell has dedicated herself to helping Native Americans achieve economic self-sufficiency. She is the founder and current chairperson of the Blackfeet National Bank—the first bank in the nation owned by Indians.

In Montana, when Cobell drives from her ranch to her bank office in the woebegone town of Browning, with an unemployment rate as high as 70 percent, she passes a sign. It marks the site of the government's first Indian office on the Blackfeet reservation, under agent John Young. It says that this is where, in the terrible winter of 1884, 500 Blackfeet Indians died of starvation.

"The truth is," Cobell told me, "that agent Young kept the rations he had on hand for white people." She pointed to a ridge opposite the sign, where a trench was dug to bury the Blackfeet bodies. "We call it Ghost Ridge," she said. "I think of those souls every day. I'm fighting for them too."

HONORING THE GATEWAY/ UNAWEEP VOLUNTEER FIRE DEPARTMENT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 13, 2001

Mr. McINNIS. Mr. Speaker, fire fighters place their lives on the line every time they battle a blaze. This challenge requires serious training, dedication and compassion for other human beings. The Gateway/Unawep Volunteer Fire Department in Colorado was experiencing difficulties until a team of individuals collaborated to rekindle the spirit of the department and enable it to become a reliable emergency response unit once again. Due to this unwavering persistence, the Gateway/Unawep Volunteer Fire Department has been able to once again become a viable community resource and I would like to acknowledge and congratulate the efforts of the members of the department for all that they have done.

Fire fighting in this area of Colorado did not always have the benefit of modern tools. This basic level of equipment did not deter Dean Rickman, a web site designer from Chicago, from relocating and joining the department. After being inspired by Oprah's Angel network, Angela Morgan decided she would help others