

of this property is distributed under the same program that dealt with Moses Bruno. Five years ago, his descendants began tracking their patrimony. Their experience shows how difficult it can be to prove past wrongs and have them redressed.

Family members say Moses Bruno was never allowed to see his oil and gas account ledgers. It might not have done him much good if he had been, given that, like many Indians of his generation, he had never learned to read and could write only his name. When his eldest son Johnnie argued that the government was robbing him blind, the older man insisted that the Indian-agency people would never cheat him.

After World War II, Bruno's children tried to sue the oil company for saltwater damage to their soil caused by the pumping from the wells. "But even though my dad Johnnie took photos," says Ruby Withrow, 69, "we couldn't prove Moses had not allowed the salty runoff. There was no paper trail at that time." Nor was there money to pay for a lawyer. Over the years, family members looked for documents that could prove the bureau had treated Moses Bruno badly. They went to the National Archives in Washington, visited historical societies in Oklahoma and requested records from BIA offices in Shawnee and nearby Anadarko, Okla. Always they were told that few records were available.

The Cobell case reassured the Brunos that others had had similarly unhappy experiences with their BIA trust funds and motivated them to dig deeper for documents to support their complaints. Finally, after a 16-hour marathon on the Internet in the fall of 1998, Dana Dickson, Ruby Withrow's daughter, discovered on an obscure Indian arts-and-crafts site a link to Oklahoma Indian-agency files located at the regional National Archives in Fort Worth, Texas. A family delegation immediately made the trip. "I'll never forget the first time we went down there," says Dickson's cousin Johnnie Flynn. "Dana and I were pulling file after file. One of them was Moses Bruno's. It was three inches thick. I stopped and looked over at my mother and my Aunt Ruby. There were tears streaming down their faces."

They found grocery receipts and bills from JCPenney for socks at 15[cents] a pair and a coat for \$14.66. The purchase order from the Indian agency for Moses' first car was there, as were numerous voucher slips endorsed with his tentative, spidery signature. Most important, there were pages of ledger sheets detailing his individual BIA money account.

More than half a dozen visits later, Moses' grandson Leon Bruno has accumulated enough photocopies of documents to fill 19 loose-leaf notebooks. Papers show that Moses' entire 80-acre allotment first came under an oil lease in 1923. Six years later, according to BIA documents, 20 of those acres were sold to two local white men for \$1,311, or \$65.55 an acre. The family has found contradicting government estimates of the land's royalty value at the time, ranging from \$50 to \$400 an acre. And documents are unclear about whether Moses Bruno understood before the transaction was completed that the land was being sold. A well was drilled on these 20 acres in 1933 and still pumps to this day.

In 1931 Bruno got permission from the BIA to withdraw 20 separate acres of his allotment from the trust, and he began selling percentages of his oil and gas royalty interest. Four wells were eventually drilled on the remaining BIA-controlled 40 acres and pumped from March 1939 to the end of 1941. It was the practice then for oil companies to send royalty-payment checks for Indian-owned property directly to the superintendent of the local BIA office. Each day the Shawnee office made a deposit via cer-

tified mail to the Federal Reserve Bank in Oklahoma City, Okla. The deposit sheet listed the source of each check, its amount and the day's total deposits. Daily entries were also made in the office's cash-receipts journal, registering the payment to each individual Indian account on a ledger card.

Sorting through those old documents, with the lingering resentments the families have toward the BIA, can be confusing. When Dana Dickson began comparing the amounts posted to her great grandfather's ledger card with the sums on the deposit sheets for the same days, she discovered that 10% was routinely funneled from the oil check to a special-deposit account. Dickson and her relatives suspected that corrupt agents were taking the money for themselves. But Ross Swimmer, a Department of the Interior ombudsman working on behalf of Indian-trust beneficiaries, told *TIME* that the deduction, which was not exclusively to Moses Bruno's account, was simply a fee that the BIA charged for managing the oil and gas properties held by the trust funds.

Nearly two years after the elder Brunos died in 1960, a Shawnee bureau agent suggested that the family sell its remaining 40 acres, along with the property's mineral rights. "[The minerals have only a] nominal value," the agent wrote in a letter to the regional BIA office in Anadarko. The family signed off on the sale, netting a \$3,022.50. In 1982 a new oil well was drilled on that land and is still pumping.

The Bruno family acknowledges the pressure the BIA was under during the oil-boom years. In the 1935 annual report of the Shawnee agency, the superintendent called his office "woefully undermanned," handling 1,500 Indian money accounts with only one clerk, who had no modern account machines. "Maybe there were some mistakes made," says Leon Bruno. "[But] a lot of what went on was deliberate." The family estimates that Moses Bruno earned a total of \$35,000 from his oil and gas leases. The production figures the descendants unearthed, on just one well on the land that was sold in 1993, amount to almost \$70 million.

It is not clear whether the family will ever receive compensation for any miscalculations that may have been made on their land sales and oil leases. Elouise Cobell's class action has stalled in the face of the Department of the Interior's estimate that it would take five years and \$335 million just to account for the money from land and mineral leases covering a period of more than 100 years. And Congress is balking at the expense—even though its committees have issued more than one report over the years about gross mismanagement of Native American trust funds. In December the Bruno descendants decided to withdraw from the Cobell suit and hired a lawyer to pursue their own.

"It's not about the money," says Moses' granddaughter Ruby Withrow, a nurse who administers a diabetes program for the Absentee Shawnee tribe. "I want some justice for a man who trusted the United States and was betrayed." The BIA has looked into the family's claims and says that while the records for Moses Bruno's account may not be complete, "no instance of malfeasance was found in the records that we examined." In a fax to *TIME*, the agency stated that "understandably, the family did not review these files with a historian's commitment to objectivity."

Still, the search for what happened to Moses Bruno's land has produced a new sense of equanimity for his family. There have been several meetings to bring all the descendants—some 200 plus—up to date on the stories the documents tell. Leon Bruno has started a nonprofit corporation, funded by

garage sales, raffles and donations from family and friends, that he hopes will eventually allow the family to pay for an organized study of its Potawatomi culture and language. He and his wife Veta attend the annual gatherings of the nine Potawatomi bands, now scattered over several states. Leon has gone through the training and fasting that are required of those chosen as the tribe's honored fire keepers. And he has built a roundhouse on his property in Tecumseh, OK, where family members gather four times a year to light a sacred fire and pray for the memory of their ancestor Moses Bruno.

HONORING MONROE SWEETLAND

Mr. REID. Mr. President, I would like to say a few words about a citizen of the great western part of America, Monroe Sweetland.

Monroe lives in Oregon, where he has enjoyed a wonderful life of public service. He has been a State Senator, a national leader of teachers, a journalist, and the publisher of a number of small newspapers.

He served in the Pacific with the Red Cross during World War II. After returning home he became the political director for the National Education Association in the western States.

He was a confidant of Eleanor Roosevelt and an ally of President Harry Truman.

His home in Milwaukie, OR, which was built in 1878, is a historic landmark. That isn't just because it is an old house, but also because of the many important people who visited him there.

The most famous visitor was President John Kennedy. In fact, I have been told that Monroe's wife Lillie was the person who suggested to JFK that a rocking chair would ease the pain in his back.

Others who visited Monroe and Lillie included Vice President Hubert Humphrey, Ambassador John Kenneth Gailbraith, and Senators Wayne Morse, "Scoop" Jackson and Estes Kefauver.

Monroe recently turned 94 years old. Although he has been legally blind for several years, he is fond of saying that he has lost his sight, but not his vision. As a former newsman, he still enjoys having the paper read to him by visitors.

He has been called the father of the modern Democratic Party in Oregon, and a founding father of Portland State University.

He is also responsible, more than any other person, for a very important piece of Federal legislation—the Bilingual Education Act of 1968.

That law opened the doors of education and opportunity to young people in the West and other parts of the country who are native speakers of Spanish.

Up until then, these students were often placed in classes where they couldn't understand what was going on, with disastrous results. But in the early 1960s a number of innovative programs began to spring up, including a successful one at Pueblo High School in Tucson.

In 1966, Monroe organized a symposium on the education of Spanish speaking children. Prominent educators and elected officials from Western States came together, and a consensus emerged that bilingual education was a realistic approach to the needs of Spanish speaking students.

U.S. Senator Ralph Yarborough of Texas credited Monroe for his decision to attend the symposium, which influenced him to sponsor the Bilingual Education Act of 1968.

Once the bill was introduced, Monroe Sweetland helped marshal support for it. He arranged witnesses for the hearings, and he persuaded the NEA to endorse it. Without his efforts, it would not have passed.

The Latino community in the United States has come a long way since 1968. But we are still fighting to provide better education opportunities for Latino students. As we continue to press onward, I hope we never forget the contributions of Monroe Sweetland and others who helped pass the Bilingual Education Act of 1968.

On a personal note, my long-time chief of staff Rey Martinez was nurtured in the ways of politics by Monroe. Rey would be the first to acknowledge Monroe's political acumen, and I would be the second. Oregon and our entire country are a better place because of this good man.

HONORING OUR TROOPS

DEATH OF SGT CORY R. MRACEK

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of Cory R. Mracek, a fellow Nebraskan and sergeant in the United States Army. Sergeant Mracek was killed on January 27 when his patrol was attacked near Iskandariyah, Iraq. He was 26 years old. Sergeant Mracek served in the 3rd Battalion, 319th Airborne Field Artillery Regiment, 82nd Airborne Division, based in Fort Bragg, NC.

A resident of Hay Springs, NE, Sergeant Mracek was a dedicated soldier who was committed to his family and country. Sergeant Mracek enlisted in the Army after graduating from Hay Springs High School in 1995. His mother, Pat, said her son was a good soldier who "was very proud of his country," and loved serving in the Armed Forces.

In addition to his mother, Sergeant Mracek is survived by his father, James, and sisters, Stacy and Heather. Our thoughts and prayers are with each of them at this difficult time.

Sergeant Mracek and thousands of brave American service men and women confront danger every day in Iraq and their tremendous sacrifices must never be taken for granted or forgotten. For his service, bravery, and sacrifice, I ask my colleagues to join me and all Americans in honoring Sgt. Cory Mracek.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

One such crime occurred in Fort Wayne, IN, on March 29, 2002. John Runner, a 34-year-old gay man with disabilities, was found severely beaten in his home. He had also suffered substantial burns caused by hot bacon grease. Part of his brain had to be removed during emergency surgery. Law enforcement agents allege that Runner's cousin and roommate, Maurice Ellis, found Runner in bed with another man and an argument ensued. Investigators say that Ellis proceeded to beat and torture Runner over a 12-hour period. Runner was unable to defend himself due to his disability.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

THE FEDERAL BUDGET

Mr. VOINOVICH. Mr. President, I rise today to discuss an issue that I have been known to have some thoughts on from time to time and that is our Nation's fiscal situation and this body's approach to its budget responsibilities.

First, I would like to congratulate my colleagues for passing the Omnibus Appropriations bill. In this bill, we funded all of the President's priority items requested in the fiscal year 2004 budget and still restricted discretionary spending to \$876 billion.

I recognize that many people were dissatisfied with this legislation. Some people believe Congress spends too little and last year my colleagues on the other side of the aisle offered amendments that would have added over \$87 billion to total spending in fiscal year 2004. Other people believe Congress spends too much and asked President Bush to veto the Omnibus Appropriations bill because it contains too much "pork". It seems that neither extreme was pleased by the fiscal result, which may be the best indication we did the right thing. I will not claim the fiscal year omnibus is perfect. Nevertheless, this bill represents the best possible compromise between true fiscal discipline and Congress' desire to spend.

Unfortunately, this is our eighth consecutive year of compromising fiscal discipline and the American people are beginning to wonder when we will ever get our act together. The last time dis-

cretionary outlays authorized by Congress were lower than spending requested by the President was in 1996. According to the Cato Institute, real discretionary spending increases in fiscal years 2002, 2003 and 2004 are three of the 10 largest annual increases in the last 40 years. Also, the Congressional Budget Office reports that if current appropriations maintain the same rate of growth we have given them since 1999, we will increase discretionary spending by \$2.7 trillion over 10 years and every penny of added spending will be reflected in the Federal deficit and debt.

Some people may take comfort in CBO's baseline projections that show the budget reaching surplus in 2013. Let me tell my colleagues these projections should not lull us into a false sense of complacency.

First, CBO itself explains the baseline projections must estimate the future paths of Federal revenues and spending under current laws and policies. The baseline is therefore not intended to be a prediction of future budgetary outcomes. Simply put, the CBO baseline projection assumes Congress will restrict the growth of spending to the rate of inflation, less than 3 percent a year and less than half its current rate of 7 percent. CBO also estimates that Congress will allow Federal revenues as a percentage of GDP to increase from 15.9 percent to 20.1 percent, almost a one-third increase.

Does anyone seriously believe Congress will restrict spending or increase taxes by the amounts required to meet the CBO projections? I wish I could say that I believed these projections but I outgrew fairy tales a long time ago.

Second, if we are honest with ourselves, many people just do not think deficits are important anymore. The commonly heard refrain from some of my colleagues is that Ronald Reagan proved deficits don't matter. Meanwhile, some people only seem to care about deficits when they get in the way of increased spending.

In 1995, the first year Republicans controlled Congress, spending grew by \$25 billion. In 2004, with Republicans still in control of Congress, spending will increase by \$224 billion. Essentially, the amount we increase spending each year has grown tenfold in just 9 years.

Well, I am here to tell you deficits are important. After 10 years as Mayor of Cleveland and 8 years as Governor of Ohio, I can tell you exactly why deficits are important. When a local or State government allows its finances to become dangerously unbalanced, creditors demand higher and higher premiums on municipal bonds until interest rates become unsustainable. Contractors withhold goods and services or demand strict payment terms as a condition of doing business. Taxes are often raised, which has a serious impact on businesses and families. Finally, government leaders are forced to make draconian cuts in public services.