

(B) shall invest those funds in accordance with applicable law.

(j) **USE OF RESIDUAL FUNDS.**—On request by the governing body of the Community to the Secretary, and after passage by the governing body of the Community of a tribal council resolution affirming the intention of the governing body to have judgment funds disbursed to, and deposited in the general fund of, the Community, any judgment funds remaining after the date on which the Community completes the per capita distribution under subsection (a) and makes any appropriate payments under subsection (i) shall be disbursed to, and deposited in the general fund of, the Community.

(k) **REVERSION OF PER-CAPITA SHARES TO TRIBAL OWNERSHIP.**—

(1) **IN GENERAL.**—In accordance with the first section of Public Law 87–283 (25 U.S.C. 164), the share for an individual eligible to receive a per capita share under subsection (a) that is held in trust by the Secretary, and any interest earned on that share, shall be restored to Community ownership if, for any reason—

(A) subject to subsection (i), the share cannot be paid to the individual entitled to receive the share; and

(B) the share remains unclaimed for the 6-year period beginning on the date on which the individual became eligible to receive the share.

(2) **REQUEST BY COMMUNITY.**—In accordance with subsection (j), the Community may request that unclaimed funds described in paragraph (1)(B) be disbursed to, and deposited in the general fund of, the Community.

**SEC. 102. RESPONSIBILITY OF SECRETARY; APPLICABLE LAW.**

(a) **RESPONSIBILITY FOR FUNDS.**—After the date on which funds are disbursed to the Community under section 101(e)(1), the United States and the Secretary shall have no trust responsibility for the investment, supervision, administration, or expenditure of the funds disbursed.

(b) **DECEASED AND LEGALLY INCOMPETENT INDIVIDUALS.**—Funds subject to subsections (f) and (g) of section 101 shall continue to be held in trust by the Secretary until the date on which those funds are disbursed under this Act.

(c) **APPLICABILITY OF OTHER LAW.**—Except as otherwise provided in this Act, all funds distributed under this Act shall be subject to sections 7 and 8 of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1407, 1408).

**TITLE II—CONDITIONS RELATING TO COMMUNITY JUDGMENT FUND PLANS**

**SEC. 201. PLAN FOR USE AND DISTRIBUTION OF JUDGMENT FUNDS AWARDED IN DOCKET NO. 228.**

(a) **DEFINITION OF PLAN.**—In this section, the term “plan” means the plan for the use and distribution of judgment funds awarded to the Community in Docket No. 228 of the United States Claims Court (52 Fed. Reg. 6887 (March 5, 1987)), as modified in accordance with Public Law 99–493 (100 Stat. 1241).

(b) **CONDITIONS.**—Notwithstanding any other provision of law, the Community shall modify the plan to include the following conditions with respect to funds distributed under the plan:

(1) **APPLICABILITY OF OTHER LAW RELATING TO MINORS.**—Section 3(b)(3) of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1403(b)(3)) shall not apply to any per capita share of a minor that is held, as of the date of enactment of this Act, by the Secretary.

(2) **SHARE OF MINORS IN TRUST.**—The Secretary shall hold a per capita share of a minor described in paragraph (1) in trust until such date as the minor reaches 18 years of age.

(3) **DISBURSAL OF FUNDS FOR MINORS.**—No judgment funds, nor any interest earned on judgment funds, shall be disbursed from the ac-

count of a minor described in paragraph (1) until such date as the minor reaches 18 years of age.

(4) **USE OF REMAINING JUDGMENT FUNDS.**—On request by the governing body of the Community, as manifested by the appropriate tribal council resolution, any judgment funds remaining after the date of completion of the per capita distribution under section 101(a) shall be disbursed to, and deposited in the general fund of, the Community.

**SEC. 202. PLAN FOR USE AND DISTRIBUTION OF JUDGMENT FUNDS AWARDED IN DOCKET NO. 236-N.**

(a) **DEFINITION OF PLAN.**—In this section, the term “plan” means the plan for the use and distribution of judgment funds awarded to the Community in Docket No. 236-N of the United States Court of Federal Claims (59 Fed. Reg. 31092 (June 16, 1994)).

(b) **CONDITIONS.**—

(1) **PER CAPITA ASPECT.**—Notwithstanding any other provision of law, the Community shall modify the last sentence of the paragraph under the heading “Per Capita Aspect” in the plan to read as follows: “Upon request from the Community, any residual principal and interest funds remaining after the Community has declared the per capita distribution complete shall be disbursed to, and deposited in the general fund of, the Community.”

(2) **GENERAL PROVISIONS.**—Notwithstanding any other provision of law, the Community shall—

(A) modify the third sentence of the first paragraph under the heading “General Provisions” of the plan to strike the word “minors”; and

(B) insert between the first and second paragraphs under that heading the following:

“Section 3(b)(3) of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1403(b)(3)) shall not apply to any per capita share of a minor that is held, as of the date of enactment of the Gila River Indian Community Judgment Fund Distribution Act of 2002, by the Secretary. The Secretary shall hold a per capita share of a minor in trust until such date as the minor reaches 18 years of age. No judgment funds, or any interest earned on judgment funds, shall be disbursed from the account of a minor until such date as the minor reaches 18 years of age.”

**TITLE III—EXPERT ASSISTANCE LOANS**

**SEC. 301. WAIVER OF REPAYMENT OF EXPERT ASSISTANCE LOANS TO GILA RIVER INDIAN COMMUNITY.**

Notwithstanding any other provision of law—

(1) the balance of all outstanding expert assistance loans made to the Community under Public Law 88–168 (77 Stat. 301) and relating to Gila River Indian Community v. United States (United States Court of Federal Claims Docket Nos. 228 and 236 and associated subdockets) are canceled; and

(2) the Secretary shall take such action as is necessary—

(A) to document the cancellation of loans under paragraph (1); and

(B) to release the Community from any liability associated with those loans.

Mr. REID. Mr. President, I ask unanimous consent that the committee substitute, as reported, be agreed to; that the bill, as amended, be read a third time and passed and the motion to reconsider be laid upon the table; and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment in the nature of a substitute was agreed to.

The bill (S. 2799), as amended, was read the third time and passed.

**ENHANCING THE MANAGEMENT AND PROMOTION OF ELECTRONIC GOVERNMENT SERVICES AND PROCESSES**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 2458, which is now at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2458) to enhance the management and promotion of electronic Government services and processes by establishing a Federal Chief Information Officer within the Office of Management and Budget, and by establishing a broad framework of measures that require using Internet-based information technology to enhance citizen access to Government information and services, and for other purposes.

There being no objection, the Senate proceeded to the consideration of the bill.

Mr. LIEBERMAN. Mr. President, I rise to applaud passage by the House and Senate today of the E-Government Act of 2002. The E-Government Act is strong, bipartisan legislation that will help bring the Federal Government into the electronic age by improving the access of all citizens to the government services and information they rely on every day in their work and personal lives.

The bill that we are passing today, H.R. 2458, represents a consensus between Democrats and Republicans in the Senate and the House, and with the administration. It is the product of more than a year of negotiations and cooperation between Senators FRED THOMPSON, CONRAD BURNS and me, and Congressmen TOM DAVIS, JIM TURNER, DAN BURTON, and HENRY WAXMAN. It is also the result of important input from a range of constituencies who support electronic government. This bill has won the support of the IT industry, of the public access community, of privacy advocates, and of non-profit groups interested in good government. There are many others who have contributed to the legislation, too many to name here. The bill demonstrates what can happen when we put aside partisan interests and work together to improve the performance of our Government.

I introduced the E-Government Act, S. 803, on May 1, 2001, with Senator BURNS as chief co-sponsor, and many original co-sponsors from both parties. This March after months of negotiations with the White House and with the help of my friend Senator THOMPSON, an amended version of the bill was reported out of the Governmental Affairs Committee. The committee filed Report No. 107–174 with the bill; this report provides important explanations and background on key concepts and terms in the legislation and should be

referred to as relevant legislative history. The E-Government Act first passed the Senate on June 27 of this year. This fall, the House Government Reform Committee took up H.R. 2458, companion legislation to S. 803 that had been introduced by Rep. JIM TURNER on July 11, 2001. The House Government Reform Committee incorporated virtually all of the amended S. 803. It also expanded upon several provisions and added new ones, some of them initiatives that had been worked on for some time by Congressman DAVIS, TURNER, BURTON and WAXMAN. The revised E-government legislation was passed by the House by unanimous consent early this morning.

In less than a decade the tremendous growth of the Internet has transformed the way industry and the public conduct their business and gain access to needed information. This, in turn, has spawned a growing public expectation that government will make use of new information technologies, and a growing support for electronic government. Information technology, and the Internet in particular, provide a unique opportunity to re-package government information and services, so they are offered to the public according to the needs of individual customers. They can also facilitate interagency cooperation without requiring a major reorganization of government agencies. Ultimately, e-government can transform the way government operates, essentially effecting a "virtual" re-engineering of government. This paradigm shift requires systems based on function and the needs of the citizen rather than agency jurisdiction. If the government integrates processes across agency boundaries, the public will experience government as a seamless web of offerings. Federal services and information on the Internet can even be consolidated with those of state and local governments.

The "E-Government Act of 2002" will facilitate this transformation to a government organized more appropriately according to the needs of the public. The bill requires agencies to link their e-government initiatives to key customer segments, and to work collectively in doing so. The E-Government Fund provides necessary funding for inter-agency projects, overcoming the difficulty in securing appropriations for cooperative endeavors. The Federal Internet Portal provides "one-stop shopping" for citizens, businesses, and other governments: information and services will be integrated according to the needs of all users, all of it accessible from a single point on the Internet. The Administrator of the Office of Electronic Government will oversee and promote this vital transformation.

Among its many provisions, the E-Government Act would: establish an Office of Electronic Government, headed by a Presidentially-appointed Ad-

ministrator within the Office of Management and Budget; authorize \$345 million over four years for an E-Government Fund to support interagency e-government projects; improve upon the centralized Federal Government online portal that now exists so that it is more user friendly and establish an online directory of Federal web sites, organized by subject matter; require Federal courts to post opinions and other information online, and regulatory agencies to conduct rule-making over the Internet; improve recruitment and training of information technology professionals in Federal agencies; and encourage electronic interoperability so that different agencies can communicate with one another more efficiently.

We have taken care to include significant privacy protections and we extend and improve successful information security provisions due to expire this month. The Thompson-Lieberman Government Information Security Reform Act, which was enacted at the end of the last Congress, has provided a sturdy management framework for protecting the security of government computers. Congressman DAVIS has authored a new version of the legislation, updating it and improving it.

As we are also in the process of debating homeland security legislation, it is worth noting that the E-Government Act is directly relevant to the goal of ensuring improved homeland security. The E-Government Act will give the Federal Government the tools and structure to transform its IT systems, one of the greatest vulnerabilities of agencies now tasked with homeland security missions. As we've seen through dozens of depressing revelations over the last year, we have desperate need for more effective information systems at agencies like the FBI, CIA, Department of State, the INS, and state and local authorities. The E-Government Act will help the Federal Government get that job done, by establishing more effective IT management, establishing mandates for action, and authorizing funding.

The bill will also substantially enhance the ability of the Federal Government to quickly provide information and services to citizens to help them prepare for, and respond to, terrorism, natural disasters, and other homeland threats. In the hours and days after the terrorist attacks of September 11, Americans flooded government websites in record numbers, seeking information more targeted than what the media was providing: what was happening; how they should respond to protect themselves from possible future attacks; how they could help victims; and how people who were victims themselves could seek assistance. The E-Government Act will substantially enhance the ability of the Federal Government to quickly provide

information and services to citizens to help them prepare for, and respond to, terrorism, natural disasters, and other homeland threats.

Mr. President, Congress's passage of this legislation will result in a better Government and a stronger America.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times, passed, and the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2458) was read the third time and passed.

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UNANIMOUS CONSENT  
AGREEMENT—H.J. RES. 124

Mr. REID. Mr. President, I ask unanimous consent that the majority leader, with the concurrence of the Republican leader, may at any time proceed to the consideration of Calendar No. 762, H.J. Res. 124, the continuing resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

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UNANIMOUS CONSENT AGREEMENT—AUTHORIZATION TO FILE

Mr. REID. Mr. President, I ask unanimous consent that following the sine die adjournment of the 107th Congress, the Select Committee on Intelligence be authorized to file, and the Secretary of the Senate be authorized to receive, a report in either classified or unclassified form, or both, solely on the committee's investigation into the intelligence community's activities before and after the September 11, 2001, terrorist attacks on the United States, on one of the following days: Friday, December 20, 2002, or Thursday, January 2, 2003, from 10 a.m. to 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

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ORDERS FOR MONDAY, NOVEMBER  
18, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 11 a.m., Monday, November 18; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business until 12 noon, with Senators permitted to speak for up to 10 minutes each regarding retiring Members; and at 12 noon the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.