

“(k) HAZARDOUS FUELS REDUCTION FUNDING FOCUS.—In order to focus hazardous fuels reduction activities on the highest priority areas where critical issues of human safety and property loss are the most serious and within key municipal watersheds identified in forest plans, the Secretary of Agriculture and the Secretary of the Interior shall expend all of the hazardous fuels operations funds provided in this Act only on projects in areas identified as condition class 3 as defined in subsection (g) and at least seventy percent of the hazardous fuels operations funds provided in this Act only on projects within one-half mile of any community or within key municipal watersheds identified in forest plans. Nothing in this subsection will affect projects for which scoping has begun prior to enactment of this Act.

“(l) COMMUNITIES.—At least ten percent of the hazardous fuels operations funds provided in this Act shall be spent on projects that benefit small businesses that uses hazardous fuels and are located in small, economically disadvantaged communities.

“(m) MONITORING.—(1) The Secretary of Agriculture and the Secretary of the Interior shall establish a multiparty monitoring process in order to assess a representative sampling of the projects implemented pursuant to this section.

“(2) Funds to implement this subsection shall be derived from hazardous fuels reduction funds.”

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, September 18, 2002, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on H.R. 2880, a bill to amend laws relating to the lands of the enrollees and lineal descendants of enrollees whose names appear on the final Indian rolls of the Muscogee (Creek), Seminole, Cherokee, Chickasaw, and Choctaw Nations, and for other purposes.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to conduct a hearing during the session of the Senate at 10:00 a.m., on Tuesday, September 17, 2002. The purpose of this hearing will be to discuss implementation of the 2002 farm bill.

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

##### COMMITTEE ON ARMED SERVICES

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, September 17, 2002, at 9:30 a.m., in closed session to receive testimony on Iraq.

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

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, September 17, 2002, at 10:30 a.m., to conduct an oversight hearing on “The Tennessee Valley Authority and Financial Disclosure.”

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a Hearing during the session of the Senate on Tuesday, September 17, 2002, at 9:30 a.m. in SD-106. The purpose of the hearing is to receive testimony on the Federal Energy Regulatory Commission’s Notice of Proposed Rulemaking, “Remedying Under Discrimination through Open Access Transmission Service and Standard Electricity Market Design,” issued July 31.

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

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Public Health, be authorized to meet for a hearing on Losing Momentum: Are Childhood Vaccine Supplies Adequate? during the session of the Senate on Tuesday, September 17, 2002, at 2:30 p.m. in SD-430.

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

##### COMMITTEE ON INDIAN AFFAIRS

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Tuesday, September 17, 2002, at 10:00 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 1392, a bill to establish procedures for the Bureau of Indian Affairs of the Department of the Interior with respect to tribal recognition, and on S. 1393, a bill to provide grants to ensure full and fair participation in certain decision-making process at the Bureau of Indian Affairs.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, September 17, 2002 at 2:30 p.m. to hold a closed hearing on intelligence matters.

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

##### SUBCOMMITTEE ON AVIATION

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Subcommittee on Aviation be authorized to meet on Tuesday, September 17,

2002, at 10:30 a.m. on Aviation Cargo Security. This will be a closed hearing.

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

##### SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space be authorized to meet on Tuesday, September 17, 2002, at 2:30 p.m. on Nanotechnology.

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

#### NATIVE AMERICAN COMMERCIAL DRIVING TRAINING AND TECHNICAL ASSISTANCE ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 557, S. 1344.

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

The legislative clerk read as follows:

A bill (S. 1344) to provide training and technical assistance to Native Americans who are interested in commercial vehicle driving careers.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment to strike all after the enacting clause and insert in lieu thereof the following: [Strike the part shown in black brackets and insert the part shown in italic.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### [SECTION 1. SHORT TITLE.

[This Act may be cited as the “Native American Commercial Driving Training and Technical Assistance Act”].

#### [SEC. 2. FINDINGS AND PURPOSES.

[(a) FINDINGS.—Congress makes the following findings:

[(1) Despite the availability of abundant natural resources on Indian lands and a rich cultural legacy that accords great value to self-determination, self-reliance, and independence, Native Americans suffer higher rates of unemployment, poverty, poor health, substandard housing, and associated social ills than those of any other group in the United States.

[(2) The United States has an obligation to assist Indian tribes with the creation of appropriate economic and political conditions.

[(3) The economic success and material well-being of Native American communities depends on the combined efforts of the Federal Government, tribal governments, the private sector, and individuals.

[(4) Two tribally controlled community colleges, D-Q University in the State of California and Fort Peck Community College in the State of Montana, currently offer commercial vehicle driving programs.

[(5) The American Trucking Association reports that at least until the year 2005, the trucking industry will need to hire 403,000 truck drivers each year to fill empty positions.

[(6) According to the Federal Government Occupational Handbook the commercial driving industry is expected to increase about as fast as the average for all occupations through the year 2008 as the economy grows and the amount of freight carried by trucks increases.

[(7) A career in commercial vehicle driving offers a competitive salary, employment benefits, job security, and a profession.]

[(b) PURPOSE.—It is the purpose of this Act—

[(1) to foster and promote job creation and economic opportunities for Native Americans; and

[(2) to provide education, technical, and training assistance to Native Americans who are interested in a commercial vehicle driving career.]

#### **[SEC. 3. DEFINITIONS.]**

[In this Act:

[(1) **COMMERCIAL VEHICLE DRIVING.**—The term “commercial vehicle driving” means the driving of a vehicle which is a tractor-trailer truck.

[(2) **SECRETARY.**—The term “Secretary” means the Secretary of Labor.]

#### **[SEC. 4. COMMERCIAL VEHICLE DRIVING TRAINING PROGRAM.]**

[(a) **GRANTS.**—The Secretary may award 4 grants, on a competitive basis, to eligible entities to support programs providing training and certificates leading to the professional development of individuals with respect to commercial vehicle driving.

[(b) **ELIGIBILITY.**—To be eligible to receive a grant under subsection (a), an entity shall—

[(1) be a tribally-controlled community college or university (as defined in section 2 of the Tribally-Controlled Community College or University Assistance Act of 1978 (25 U.S.C. 1801)); and

[(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.]

[(c) **PRIORITY.**—In awarding grants under subsection (a), the Secretary shall give priority to—

[(1) grant applications that propose training that exceeds the United States Department of Transportation’s Proposed Minimum Standards for Training Tractor-Trailer Drivers; and

[(2) grant applications that propose training that exceeds the entry level truck driver certification standards set by the Professional Truck Driver Institute.]

[(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out the Act.]

#### **SECTION 1. SHORT TITLE.**

*This Act may be cited as the “Native American Commercial Driving Training and Technical Assistance Act”.*

#### **SEC. 2. FINDINGS AND PURPOSES.**

(a) **FINDINGS.**—Congress finds that—

(1) despite the availability of abundant natural resources on land under the jurisdiction of Indian tribes and the existence of a rich cultural legacy that accords great value to self-determination, self-reliance, and independence, Native Americans suffer higher rates of unemployment, poverty, poor health, substandard housing, and associated social problems than any other group in the United States;

(2) the United States has an obligation to assist Native American communities in the establishment of appropriate economic and political conditions;

(3) the economic success and material well-being of Indian communities depend on the combined efforts of the Federal Government, tribal governments, the private sector, and individuals;

(4) commercial vehicle driving programs are currently offered at several tribal colleges and universities;

(5) the American Trucking Association reports that at least until 2005, the trucking industry will need to hire 403,000 truck drivers each year to fill vacant positions;

(6) according to the Federal Government Occupational Handbook, the commercial vehicle driving industry is expected to expand at the average rate of expansion for all occupations through the year 2008 because of economic growth and an increase in the quantity of freight carried by trucks; and

(7) a career in commercial vehicle driving offers a competitive salary, employment benefits, job security, and a profession.

(b) **PURPOSES.**—The purposes of this Act are—

(1) to foster and promote job creation and economic opportunities for Native Americans; and

(2) to provide education, technical, and training assistance to Native Americans who are interested in commercial vehicle driving careers.

#### **SEC. 3. DEFINITIONS.**

In this Act:

(1) **COMMERCIAL VEHICLE DRIVING.**—The term “commercial vehicle driving” means the driving of—

(A) a vehicle that is a tractor-trailer truck; or

(B) any other vehicle (such as a bus or a vehicle used for the purpose of construction) the driving of which requires a commercial license.

(2) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) **NATIVE AMERICAN.**—The term “Native American” means an individual who is a member of—

(A) an Indian tribe; or

(B) any people or culture that is indigenous to the United States, as determined by the Secretary.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Labor.

#### **SEC. 4. COMMERCIAL VEHICLE DRIVING TRAINING PROGRAM.**

(a) **GRANTS.**—The Secretary may provide grants, on a competitive basis, to entities described in subsection (b) to support programs providing training and certificates leading to the licensing of Native Americans with respect to commercial vehicle driving.

(b) **ELIGIBILITY.**—To be eligible to receive a grant under subsection (a), an entity shall—

(1) be a tribal college or university (as defined in section 316(b)(3) of the Higher Education Act (20 U.S.C. 1059(b)(3)); and

(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.]

(c) **PRIORITY.**—In providing grants under subsection (a), the Secretary shall give priority to grant applications that—

(1) propose training that exceeds proposed minimum standards for training tractor-trailer drivers of the Department of Transportation;

(2) propose training that exceeds the entry level truck driver certification standards set by the Professional Truck Driver Institute; and

(3) propose an education partnership with a private trucking firm, trucking association, or similar entity in order to ensure the effectiveness of the grant program under this section.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this Act.

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

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

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

The bill (S. 1344), as amended, was read the third time and passed.

## **INDIAN FINANCING AMENDMENTS ACT OF 2002**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 558, S. 2017.

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

The legislative clerk read as follows:

A bill (S. 2017) to amend the Indian Financing Act of 1974 to improve the effectiveness of the Indian loan guarantee and insurance program.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment to strike all after the enacting clause and insert in lieu thereof the following: [Strike the part shown in black brackets and insert the part shown in italic.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **[SECTION 1. SHORT TITLE.]**

[This Act may be cited as the “Indian Financing Act Amendments of 2002”.]

#### **[SEC. 2. FINDINGS AND PURPOSE.]**

[(a) **FINDINGS.**—Congress finds that—

[(1) the Indian Financing Act of 1974 (25 U.S.C. 1451 et seq.) was intended to provide Native American borrowers with access to commercial capital sources that, but for that Act, would not be available through loans guaranteed by the Secretary of the Interior;

[(2) although the Secretary of the Interior has made loan guarantees available, acceptance of loan guarantees by lenders to benefit Native American business borrowers has been limited;

[(3) 27 years after enactment of the Act, the promotion and development of Native American-owned business remains an essential foundation for growth of economic and social stability of Native Americans;

[(4) acceptance by lenders of the loan guarantees may be limited by liquidity and other capital market-driven concerns; and

[(5) it is in the best interest of the guaranteed loan program to—

[(A) encourage the orderly development and expansion of a secondary market for loans guaranteed by the Secretary; and

[(B) expand the number of lenders originating loans under that Act.]

[(b) **PURPOSES.**—The purposes of this Act are—

[(1) to stimulate the use by lenders of secondary market investors for loans guaranteed by the Secretary of the Interior;

[(2) to preserve the authority of the Secretary to administer the program and regulate lenders;

[(3) to clarify that a good faith investor in loans guaranteed by the Secretary will receive appropriate payments;

[(4) to provide for the appointment by the Secretary of a qualified fiscal transfer agent to administer a system for the orderly transfer of the loans;

[(5) to authorize the Secretary to—

[(A) promulgate regulations to encourage and expand a secondary market program for loans guaranteed by the Secretary; and

[(B) allow the pooling of the loans as the secondary market develops; and

[(6) to authorize the Secretary to establish a schedule for assessing lenders and investors for the necessary costs of the fiscal transfer agent and system.]

#### **[SEC. 3. LOAN GUARANTEES.]**

[Section 205 of the Indian Financing Act of 1974 (25 U.S.C. 1485) is amended—