

of learning. Taking this to heart, teachers at Duffy Elementary School in West Hartford, Connecticut, have incorporated the fundamentals of character education into their schoolwide curriculum so that every child has the opportunity to focus on one aspect of character education in each grade. In turn, these learning opportunities have translated into action within the community.

Philip R. Smith Elementary School in South Windsor, Connecticut, was recently named a National School of Character by the Character Education Partnership for demonstrating outstanding character education initiatives that yield positive results in student behavior, school climate and academic performance. Their schoolwide approach has also translated into a number of community wide service projects. Annually, students organize and run a blood drive for the community and sponsor a two-month long clothing and can food drive for the homeless. In response to 9/11, students raised close to \$1,500 in change for the Red Cross.

Mr. President, character education programs work. Schools across the country that have adopted strong character education programs report better student performance, fewer discipline problems, and increased student involvement within the community. Children want direction—they want to be taught right from wrong. The American public wants character education in our schools, too. Studies show that about 90 percent of Americans support schools teaching character education.

As all education policy should be, character education is bipartisan. This year we have 28 cosponsors to our resolution, cosponsors on both sides of the aisle. Character education is also actively supported by a number of national education and youth organizations including 4-H, Boys and Girls Clubs of America and the Little League. Character education can and is being incorporated into children's lives in and outside of the classroom.

This measure provides a helping hand to our schools and communities to ensure those children's future are bright and filled with opportunities and success. Character education not only cultivates minds, it nurtures hearts. While our children may be one-quarter of our population, they are 100 percent of our future.

Mr. STEVENS. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 245) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 245), with its preamble, reads as follows:

S. RES. 245

Whereas the well-being of the Nation requires that the young people of the United

States become an involved, caring citizenry with good character;

Whereas the character education of children has become more urgent as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the Nation;

Whereas effective character education is based on core ethical values which form the foundation of democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those who have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of National Character Counts Week, during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations would focus on character education, would be of great benefit to the Nation: Now, therefore, be it

Resolved, That the Senate—

(1) proclaims the week beginning October 19, 2003, as "National Character Counts Week"; and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested groups to—

(A) embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) observe the week with appropriate ceremonies, programs, and activities.

WESTERN SHOSHONE CLAIMS DISTRIBUTION ACT

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 285, S.618.

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

The legislative clerk read as follows:

A bill (S. 618) to provide for the use and distribution of the funds awarded to the Western Shoshone identifiable group under Indian Claims Commission Docket Numbers 326-A-1, 326-A-3, 326-K, and for other purposes.

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 inserting in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic.]

S. 618

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 "Western Shoshone Claims Distribution Act".]

[SEC. 2. DEFINITIONS.]

[In this Act:

[(1) COMMITTEE.—The term "Committee" means the administrative committee established under section 4(c)(1).

[(2) WESTERN SHOSHONE JOINT JUDGMENT FUNDS.—The term "Western Shoshone joint judgment funds" means—

[(A) the funds appropriated in satisfaction of the judgment awards granted to the Western Shoshone Indians in Docket Numbers 326-A-1 and 326-A-3 before the United States Court of Claims; and

[(B) all interest earned on those funds.

[(3) WESTERN SHOSHONE JUDGMENT FUNDS.—The term "Western Shoshone judgment funds" means—

[(A) the funds appropriated in satisfaction of the judgment award granted to the Western Shoshone Indians in Docket Number 326-K before the Indian Claims Commission; and

[(B) all interest earned on those funds.

[(4) JUDGMENT ROLL.—The term "judgment roll" means the Western Shoshone judgment roll established by the Secretary under section 3(b)(1).

[(5) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

[(6) TRUST FUND.—The term "Trust Fund" means the Western Shoshone Educational Trust Fund established under section 4(b)(1).

[(7) WESTERN SHOSHONE MEMBER.—The term "Western Shoshone member" means an individual who—

[(A)(i) appears on the judgment roll; or

[(ii) is the lineal descendant of an individual appearing on the roll; and

[(B)(i) satisfies all eligibility criteria established by the Committee under section 4(c)(4)(D)(iii);

[(ii) meets any application requirements established by the Committee; and

[(iii) agrees to use funds distributed in accordance with section 4(b)(2)(B) for educational purposes approved by the Committee.

[SEC. 3. DISTRIBUTION OF WESTERN SHOSHONE JUDGMENT FUNDS.]

[(a) IN GENERAL.—The Western Shoshone judgment funds shall be distributed in accordance with this section.

[(b) JUDGMENT ROLL.—

[(1) IN GENERAL.—The Secretary shall establish a Western Shoshone judgment roll consisting of all individuals who—

[(A) have at least $\frac{1}{4}$ degree of Western Shoshone blood;

[(B) are citizens of the United States; and

[(C) are living on the date of enactment of this Act.

[(2) INELIGIBLE INDIVIDUALS.—Any individual that is certified by the Secretary to be eligible to receive a per capita payment from any other judgment fund awarded by the Indian Claims Commission, the United States Claims Court, or the United States Court of Federal Claims, that was appropriated on or before the date of enactment of this Act, shall not be listed on the judgment roll.

[(3) REGULATIONS REGARDING JUDGMENT ROLL.—The Secretary shall—

[(A) publish in the Federal Register all regulations governing the establishment of the judgment roll; and

[(B) use any documents acceptable to the Secretary in establishing proof of eligibility of an individual to—

[(i) be listed on the judgment roll; and

[(ii) receive a per capita payment under this Act.

[(4) FINALITY OF DETERMINATION.—The determination of the Secretary on an application of an individual to be listed on the judgment roll shall be final.

[(c) DISTRIBUTION.—

[(1) IN GENERAL.—On establishment of the judgment roll, the Secretary shall make a per capita distribution of 100 percent of the Western Shoshone judgment funds, in shares as equal as practicable, to each person listed on the judgment roll.

[(2) REQUIREMENTS FOR DISTRIBUTION PAYMENTS.—

[(A) LIVING COMPETENT INDIVIDUALS.—The per capita share of a living, competent individual who is 19 years or older on the date of distribution of the Western Shoshone judgment funds under paragraph (1) shall be paid directly to the individual.

[(B) LIVING, LEGALLY INCOMPETENT INDIVIDUALS.—The per capita share of a living, legally incompetent individual shall be administered in accordance with regulations promulgated and procedures established by the Secretary under section 3(b)(3) of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1403(b)(3)).

[(C) DECEASED INDIVIDUALS.—The per capita share of an individual who is deceased as of the date of distribution of the Western Shoshone judgment funds under paragraph (1) shall be paid to the heirs and legatees of the individual in accordance with regulations promulgated by the Secretary.

[(D) INDIVIDUALS UNDER THE AGE OF 19.—The per capita share of an individual who is not yet 19 years of age on the date of distribution of the Western Shoshone judgment funds under paragraph (1) shall be—

[(i) held by the Secretary in a supervised individual Indian money account; and

[(ii) distributed to the individual—

[(I) after the individual has reached the age of 18 years; and

[(II) in 4 equal payments (including interest earned on the per capita share), to be made—

[(aa) with respect to the first payment, on the eighteenth birthday of the individual (or, if the individual is already 18 years of age, as soon as practicable after the date of establishment of the Indian money account of the individual); and

[(bb) with respect to the 3 remaining payments, not later than 90 days after each of the 3 subsequent birthdays of the individual.

[(3) APPLICABLE LAW.—Notwithstanding section 7 of the Indian Tribal Judgment

Funds Use or Distribution Act (25 U.S.C. 1407), a per capita share (or the availability of that share) paid under this section shall not—

[(A) be subject to Federal or State income taxation;

[(B) be considered to be income or resources for any purpose; or

[(C) be used as a basis for denying or reducing financial assistance or any other benefit to which a household or Western Shoshone member would otherwise be entitled to receive under—

[(i) the Social Security Act (42 U.S.C. 301 et seq.); or

[(ii) any other Federal or federally-assisted program.

[(4) UNPAID FUNDS.—The Secretary shall add to the Western Shoshone joint judgment funds held in the Trust Fund under section 4(b)(1)—

[(A) all per capita shares (including interest earned on those shares) of living competent adults listed on the judgment roll that remain unpaid as of the date that is—

[(i) 6 years after the date of distribution of the Western Shoshone judgment funds under paragraph (1); or

[(ii) in the case of an individual described in paragraph (2)(D), 6 years after the date on which the individual reaches 18 years of age; and

[(B) any other residual principal and interest funds remaining after the distribution under paragraph (1) is complete.

[SEC. 4. DISTRIBUTION OF WESTERN SHOSHONE JOINT JUDGMENT FUNDS.]

[(a) IN GENERAL.—The Western Shoshone joint judgment funds shall be distributed in accordance with this section.

[(b) WESTERN SHOSHONE EDUCATIONAL TRUST FUND.—

[(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish in the Treasury of the United States, for the benefit of Western Shoshone members, a trust fund to be known as the “Western Shoshone Educational Trust Fund”, consisting of—

[(A) the Western Shoshone joint judgment funds; and

[(B) the funds added under in section 3(b)(4).

[(2) AMOUNTS IN TRUST FUND.—With respect to amounts in the Trust fund—

[(A) the principal amount—

[(i) shall not be expended or disbursed; and

[(ii) shall be invested in accordance with section 1 of the Act of June 24, 1938 (25 U.S.C. 162a); and

[(B) all interest income earned on the principal amount after the date of establishment of the Trust fund—

[(i) shall be distributed by the Committee—

[(I) to Western Shoshone members in accordance with this Act, to be used as educational grants or for other forms of educational assistance determined appropriate by the Committee; and

[(II) to pay the reasonable and necessary expenses of the Committee (as defined in the written rules and procedures of the Committee); but

[(ii) shall not be distributed under this paragraph on a per capita basis.

[(c) ADMINISTRATIVE COMMITTEE.—

[(1) ESTABLISHMENT.—There is established an administrative committee to oversee the distribution of educational grants and assistance under subsection (b)(2).

[(2) MEMBERSHIP.—The Committee shall be composed of 7 members, of which—

[(A) 1 member shall represent the Western Shoshone Te-Moak Tribe and be appointed by that Tribe;

[(B) 1 member shall represent the Duckwater Shoshone Tribe and be appointed by that Tribe;

[(C) 1 member shall represent the Yomba Shoshone Tribe and be appointed by that Tribe;

[(D) 1 member shall represent the Ely Shoshone Tribe and be appointed by that Tribe;

[(E) 1 member shall represent the Western Shoshone Committee of the Duck Valley Reservation and be appointed by that Committee;

[(F) 1 member shall represent the Fallon Band of Western Shoshone and be appointed by that Band; and

[(G) 1 member shall represent the general public and be appointed by the Secretary.

[(3) TERM.—

[(A) IN GENERAL.—Each member of the Committee shall serve a term of 4 years.

[(B) VACANCIES.—If a vacancy remains unfilled in the membership of the Committee for a period of more than 60 days—

[(i) the Committee shall appoint a temporary replacement from among qualified members of the organization for which the replacement is being made; and

[(ii) that member shall serve until such time as the organization (or, in the case of a member described in paragraph (2)(G), the Secretary) designates a permanent replacement.

[(4) DUTIES.—The Committee shall—

[(A) distribute interest funds from the Trust Fund under subsection (b)(2)(B)(i);

[(B) for each fiscal year, compile a list of names of all individuals approved to receive those funds;

[(C) ensure that those funds are used in a manner consistent with this Act;

[(D) develop written rules and procedures, subject to the approval of the Secretary, that cover such matters as—

[(i) operating procedures;

[(ii) rules of conduct;

[(iii) eligibility criteria for receipt of funds under subsection (b)(2)(B)(i);

[(iv) application selection procedures;

[(v) procedures for appeals to decisions of the Committee;

[(vi) fund disbursement procedures; and

[(vii) fund recoupment procedures;

[(E) carry out financial management in accordance with paragraph (6); and

[(F) in accordance with subsection (b)(2)(C)(ii), use a portion of the interest funds from the Trust Fund to pay the reasonable and necessary expenses of the Committee (including per diem rates for attendance at meetings that are equal to those paid to Federal employees in the same geographic location), except that not more than \$100,000 of those funds may be used to develop written rules and procedures described in subparagraph (D).

[(5) JURISDICTION OF TRIBAL COURTS.—At the discretion of the Committee and with the approval of the appropriate tribal government, a tribal court, or a court of Indian offenses operated under section 11 of title 25, Code of Federal Regulations (or a successor regulation), shall have jurisdiction to hear an appeal of a decision of the Committee.

[(6) FINANCIAL MANAGEMENT.—

[(A) FINANCIAL STATEMENT.—The Committee shall employ an independent certified public accountant to prepare a financial statement for each fiscal year that discloses—

[(i) the operating expenses of the Committee for the fiscal year; and

[(ii) the total amount of funds disbursed under subsection (b)(2)(B)(i) for the fiscal year.

[(B) DISTRIBUTION OF INFORMATION.—For each fiscal year, the Committee shall provide to the Secretary, to each organization represented on the Committee, and, on the

request of a Western Shoshone member, to the Western Shoshone member, a copy of—

[(i) the financial statement prepared under subparagraph (A); and

[(ii) the list of names compiled under paragraph (4)(B).

[(d) CONSULTATION.—The Secretary shall consult with the Committee on the management and investment of the funds distributed under this section.

ISEC. 5. REGULATIONS.

[(The Secretary may promulgate such regulations as are necessary to carry out this Act.)]

SECTION 1. SHORT TITLE.

This Act may be cited as the “Western Shoshone Claims Distribution Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMITTEE.—The term “Committee” means the administrative committee established under section 4(c)(1).

(2) WESTERN SHOSHONE JOINT JUDGMENT FUNDS.—The term “Western Shoshone joint judgment funds” means—

(A) the funds appropriated in satisfaction of the judgment awards granted to the Western Shoshone Indians in Docket Numbers 326–A–1 and 326–A–3 before the United States Court of Claims; and

(B) all interest earned on those funds.

(3) WESTERN SHOSHONE JUDGMENT FUNDS.—The term “Western Shoshone judgment funds” means—

(A) the funds appropriated in satisfaction of the judgment award granted to the Western Shoshone Indians in Docket Number 326–K before the Indian Claims Commission; and

(B) all interest earned on those funds.

(4) JUDGMENT ROLL.—The term “judgment roll” means the Western Shoshone judgment roll established by the Secretary under section 3(b)(1).

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) TRUST FUND.—The term “Trust Fund” means the Western Shoshone Educational Trust Fund established under section 4(b)(1).

(7) WESTERN SHOSHONE MEMBER.—The term “Western Shoshone member” means an individual who—

(A)(i) appears on the judgment roll; or

(ii) is the lineal descendant of an individual appearing on the roll; and

(B)(i) satisfies all eligibility criteria established by the Committee under section 4(c)(4)(D)(iii);

(ii) meets any application requirements established by the Committee; and

(iii) agrees to use funds distributed in accordance with section 4(b)(2)(B) for educational purposes approved by the Committee.

SEC. 3. DISTRIBUTION OF WESTERN SHOSHONE JUDGMENT FUNDS.

(a) IN GENERAL.—The Western Shoshone judgment funds shall be distributed in accordance with this section.

(b) JUDGMENT ROLL.—

(1) IN GENERAL.—The Secretary shall establish a Western Shoshone judgment roll consisting of all individuals who—

(A) have at least $\frac{1}{4}$ degree of Western Shoshone blood;

(B) are citizens of the United States; and

(C) are living on the date of enactment of this Act.

(2) INELIGIBLE INDIVIDUALS.—Any individual that is certified by the Secretary to be eligible to receive a per capita payment from any other judgment fund based on an aboriginal land claim awarded by the Indian Claims Commission, the United States Claims Court, or the United States Court of Federal Claims, that was appropriated on or before the date of enactment of this Act, shall not be listed on the judgment roll.

(3) REGULATIONS REGARDING JUDGMENT ROLL.—The Secretary shall—

(A) publish in the Federal Register all regulations governing the establishment of the judgment roll; and

(B) use any documents acceptable to the Secretary in establishing proof of eligibility of an individual to—

(i) be listed on the judgment roll; and

(ii) receive a per capita payment under this Act.

(4) FINALITY OF DETERMINATION.—The determination of the Secretary on an application of an individual to be listed on the judgment roll shall be final.

(c) DISTRIBUTION.—

(1) IN GENERAL.—On establishment of the judgment roll, the Secretary shall make a per capita distribution of 100 percent of the Western Shoshone judgment funds, in shares as equal as practicable, to each person listed on the judgment roll.

(2) REQUIREMENTS FOR DISTRIBUTION PAYMENTS.—

(A) LIVING COMPETENT INDIVIDUALS.—The per capita share of a living, competent individual who is 19 years or older on the date of distribution of the Western Shoshone judgment funds under paragraph (1) shall be paid directly to the individual.

(B) LIVING, LEGALLY INCOMPETENT INDIVIDUALS.—The per capita share of a living, legally incompetent individual shall be administered in accordance with regulations promulgated and procedures established by the Secretary under section 3(b)(3) of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1403(b)(3)).

(C) DECEASED INDIVIDUALS.—The per capita share of an individual who is deceased as of the date of distribution of the Western Shoshone judgment funds under paragraph (1) shall be paid to the heirs and legatees of the individual in accordance with regulations promulgated by the Secretary.

(D) INDIVIDUALS UNDER THE AGE OF 19.—The per capita share of an individual who is not yet 19 years of age on the date of distribution of the Western Shoshone judgment funds under paragraph (1) shall be—

(i) held by the Secretary in a supervised individual Indian money account; and

(ii) distributed to the individual—

(I) after the individual has reached the age of 18 years; and

(II) in 4 equal payments (including interest earned on the per capita share), to be made—

(aa) with respect to the first payment, on the eighteenth birthday of the individual (or, if the individual is already 18 years of age, as soon as practicable after the date of establishment of the Indian money account of the individual); and

(bb) with respect to the 3 remaining payments, not later than 90 days after each of the 3 subsequent birthdays of the individual.

(3) APPLICABLE LAW.—Notwithstanding section 7 of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1407), a per capita share (or the availability of that share) paid under this section shall not—

(A) be subject to Federal or State income taxation;

(B) be considered to be income or resources for any purpose; or

(C) be used as a basis for denying or reducing financial assistance or any other benefit to which a household or Western Shoshone member would otherwise be entitled to receive under—

(i) the Social Security Act (42 U.S.C. 301 et seq.); or

(ii) any other Federal or federally-assisted program.

(4) UNPAID FUNDS.—The Secretary shall add to the Western Shoshone joint judgment funds held in the Trust Fund under section 4(b)(1)—

(A) all per capita shares (including interest earned on those shares) of living competent adults listed on the judgment roll that remain unpaid as of the date that is—

(i) 6 years after the date of distribution of the Western Shoshone judgment funds under paragraph (1); or

(ii) in the case of an individual described in paragraph (2)(D), 6 years after the date on which the individual reaches 18 years of age; and

(B) any other residual principal and interest funds remaining after the distribution under paragraph (1) is complete.

SEC. 4. DISTRIBUTION OF WESTERN SHOSHONE JOINT JUDGMENT FUNDS.

(a) IN GENERAL.—The Western Shoshone joint judgment funds shall be distributed in accordance with this section.

(b) WESTERN SHOSHONE EDUCATIONAL TRUST FUND.—

(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall establish in the Treasury of the United States, for the benefit of Western Shoshone members, a trust fund to be known as the “Western Shoshone Educational Trust Fund”, consisting of—

(A) the Western Shoshone joint judgment funds; and

(B) the funds added under section 3(b)(4).

(2) AMOUNTS IN TRUST FUND.—With respect to amounts in the Trust fund—

(A) the principal amount—

(i) shall not be expended or disbursed; and

(ii) shall be invested in accordance with section 1 of the Act of June 24, 1938 (25 U.S.C. 162a); and

(B) all interest income earned on the principal amount after the date of establishment of the Trust fund—

(i) shall be distributed by the Committee—

(I) to Western Shoshone members in accordance with this Act, to be used as educational grants or for other forms of educational assistance determined appropriate by the Committee; and

(II) to pay the reasonable and necessary expenses of the Committee (as defined in the written rules and procedures of the Committee); but

(ii) shall not be distributed under this paragraph on a per capita basis.

(c) ADMINISTRATIVE COMMITTEE.—

(1) ESTABLISHMENT.—There is established an administrative committee to oversee the distribution of educational grants and assistance under subsection (b)(2).

(2) MEMBERSHIP.—The Committee shall be composed of 7 members, of which—

(A) 1 member shall represent the Western Shoshone Te-Moak Tribe and be appointed by that Tribe;

(B) 1 member shall represent the Duckwater Shoshone Tribe and be appointed by that Tribe;

(C) 1 member shall represent the Yomba Shoshone Tribe and be appointed by that Tribe;

(D) 1 member shall represent the Ely Shoshone Tribe and be appointed by that Tribe;

(E) 1 member shall represent the Western Shoshone Committee of the Duck Valley Reservation and be appointed by that Committee;

(F) 1 member shall represent the Fallon Band of Western Shoshone and be appointed by that Band; and

(G) 1 member shall represent the general public and be appointed by the Secretary.

(3) TERM.—

(A) IN GENERAL.—Each member of the Committee shall serve a term of 4 years.

(B) VACANCIES.—If a vacancy remains unfilled in the membership of the Committee for a period of more than 60 days—

(i) the Committee shall appoint a temporary replacement from among qualified members of the organization for which the replacement is being made; and

(ii) that member shall serve until such time as the organization (or, in the case of a member described in paragraph (2)(G), the Secretary) designates a permanent replacement.

(4) DUTIES.—The Committee shall—

(A) distribute interest funds from the Trust Fund under subsection (b)(2)(B)(i);

(B) for each fiscal year, compile a list of names of all individuals approved to receive those funds;

(C) ensure that those funds are used in a manner consistent with this Act;

(D) develop written rules and procedures, subject to the approval of the Secretary, that cover such matters as—

- (i) operating procedures;
 - (ii) rules of conduct;
 - (iii) eligibility criteria for receipt of funds under subsection (b)(2)(B)(i);
 - (iv) application selection procedures;
 - (v) procedures for appeals to decisions of the Committee;
 - (vi) fund disbursement procedures; and
 - (vii) fund recoupment procedures;
- (E) carry out financial management in accordance with paragraph (6); and

(F) in accordance with subsection (b)(2)(C)(ii), use a portion of the interest funds from the Trust Fund to pay the reasonable and necessary expenses of the Committee (including per diem rates for attendance at meetings that are equal to those paid to Federal employees in the same geographic location), except that not more than \$100,000 of those funds may be used to develop written rules and procedures described in subparagraph (D).

(5) JURISDICTION OF TRIBAL COURTS.—At the discretion of the Committee and with the approval of the appropriate tribal government, a tribal court, or a court of Indian offenses operated under section 11 of title 25, Code of Federal Regulations (or a successor regulation), shall have jurisdiction to hear an appeal of a decision of the Committee.

(6) FINANCIAL MANAGEMENT.—

(A) FINANCIAL STATEMENT.—The Committee shall employ an independent certified public accountant to prepare a financial statement for each fiscal year that discloses—

- (i) the operating expenses of the Committee for the fiscal year; and
- (ii) the total amount of funds disbursed under subsection (b)(2)(B)(i) for the fiscal year.

(B) DISTRIBUTION OF INFORMATION.—For each fiscal year, the Committee shall provide to the Secretary, to each organization represented on the Committee, and, on the request of a Western Shoshone member, to the Western Shoshone member, a copy of—

- (i) the financial statement prepared under subparagraph (A); and
- (ii) the list of names compiled under paragraph (4)(B).

(d) CONSULTATION.—The Secretary shall consult with the Committee on the management and investment of the funds distributed under this section.

SEC. 5. REGULATIONS.

The Secretary may promulgate such regulations as are necessary to carry out this Act.

Mr. STEVENS. Mr. President, this is a bill introduced by Senator REID and Senator ENSIGN. I further ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The bill (S. 618) was read the third time and passed.

MEASURE READ THE FIRST TIME—S. 1751

Mr. STEVENS. Mr. President, I understand that S. 1751 introduced by Senator GRASSLEY yesterday is at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 1751) to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes.

Mr. STEVENS. Mr. President, I now ask for its second reading and I object to my own request.

The PRESIDING OFFICER. The bill will receive its second reading on the next legislative day.

ORDERS FOR FRIDAY, OCTOBER 17, 2003

Mr. STEVENS. Mr. President, on behalf of the leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. October 17. I further ask that following the prayer and the 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 the Senate then resume consideration of S. 1689, the Iraq-Afghanistan supplemental appropriations bill as provided under the original order.

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

PROGRAM

Mr. STEVENS. Mr. President, for the information of all Senators, tomorrow the Senate will resume consideration of this Iraq-Afghanistan supplemental appropriations bill. At 9 a.m., the Senate will proceed to a stacked series of votes on the remaining pending amendments. Senators should therefore expect the first vote of Friday's session to begin at 9 a.m., and votes will continue throughout the day. It is still our intention to complete action on this bill on Friday.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. STEVENS. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 1:05 a.m., adjourned until Friday, October 17, 2003, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate October 16, 2003:

DEPARTMENT OF STATE

TIMOTHY JOHN DUNN, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS DEPUTY PERMANENT REPRESENTATIVE TO THE ORGANIZATION OF AMERICAN STATES.

STUART W. HOLLIDAY, OF TEXAS, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

ZALMAY KHALILZAD, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE TRANSITIONAL ISLAMIC STATE OF AFGHANISTAN.

EXECUTIVE OFFICE OF THE PRESIDENT

ADAM MARC LINDEMANN, OF NEW YORK, TO BE MEMBER OF THE ADVISORY BOARD FOR CUBA BROADCASTING FOR A TERM EXPIRING OCTOBER 27, 2005, VICE CHRISTOPHER D. COURSENE, TERM EXPIRED.

DEPARTMENT OF STATE

JAMES CURTIS STRUBLE, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PERU.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 271:

To be commander

- DELANO G ADAMS, 0000
- WILLIAM F ADICKES, 0000
- JAY A ALLEN, 0000
- ERIK S ANDERSON, 0000
- STANLEY B BALINT, 0000
- NICHOLAS A BARTOLOTTA, 0000
- DENNIS S BAUBY, 0000
- JAMES D BAUGH, 0000
- GEORGE G BONNER, 0000
- DOUGLAS K BRUCE, 0000
- ERIC L BRUNER, 0000
- MELISSA A BULKLEY, 0000
- KEVIN C BURKE, 0000
- GREGORY A BUXA, 0000
- WENDY M CALDER, 0000
- WILLIAM L CHANEY, 0000
- JASON C CHURCH, 0000
- TONY C CLARK, 0000
- WILLIAM J COFFEY, 0000
- CRAIG S CROSS, 0000
- JOHN M CUSHING, 0000
- JOHN J DALY, 0000
- RUSSELL A DAVIDSON, 0000
- TIMOTHY Y DEAL, 0000
- PETER N DECOLA, 0000
- CLAYTON L DIAMOND, 0000
- SHERYL L DICKINSON, 0000
- ROMUALDO DOMINGO, 0000
- WILLIAM M DRELLING, 0000
- MICHAEL J EAGLE, 0000
- BRIAN T ELLIS, 0000
- EMER O EMBERIC, 0000
- DOUGLAS M FEARS, 0000
- DAVID S FIEDLER, 0000
- DAVID S FISH, 0000
- BRUCE C FISHER, 0000
- PATRICK FLYNN, 0000
- RICHARD D FONTANA, 0000
- JASON A FOSDICK, 0000
- CRAIG A FOWLER, 0000
- MARK A FRANKFORD, 0000
- JEFFREY D GAFKJEN, 0000
- ROBERT L GANDOLFO, 0000
- MICHAEL P GERMINARIO, 0000
- ERIC M GIESE, 0000
- MATTHEW J GIMPLE, 0000
- PATRICK M GORMAN, 0000
- BRIAN K GOVE, 0000
- KARL GRAMS, 0000
- CHARLES M GREENE, 0000
- DIRK A GREENE, 0000
- CAROLYN HARRISS, 0000
- PETER J HATCH, 0000
- DAVID C HAYNES, 0000
- LARRY W HEWETT, 0000
- RICHARD L HINCHION, 0000
- JEFFREY S HUDKINS, 0000
- DONALD E JACCARD, 0000
- MARK A JACKSON, 0000
- KIRK D JOHNSON, 0000
- DANIEL P KANE, 0000
- RICHARD M KEESLER, 0000
- DANIEL E KENNY, 0000
- KEVIN C KIEFER, 0000
- PETER M KILFOYLE, 0000
- ROBERT D KIRK, 0000
- ROBIN J KORTUS, 0000
- AMY B KRITZ, 0000
- ROBERT A LAABS, 0000
- RONALD A LABREC, 0000
- JUNG A LAWRENCE, 0000
- DANIEL L LEBLANC, 0000
- ROBERT J LEFEBVRES, 0000
- PATRICK J MACUIRE, 0000
- THURMAN T MAINE, 0000
- ROBERT B MAKOWSKY, 0000
- ANDREA M MARCILLE, 0000
- KENNETH D MARLEN, 0000
- MICHAEL P MCGRAN, 0000
- SCOTT R MCFARLAND, 0000
- PATRICIA A MCFETRIDGE, 0000
- ROBERT E MCKENNA, 0000
- CLAUDIA V MCLAUGHT, 0000
- DANIEL J MCLAUGHLIN, 0000
- PATRICK M McMILLIN, 0000
- BRENDAN C MCPHERSON, 0000
- NEIL E MEISTER, 0000
- MARK S MESSERVEY, 0000
- THOMAS C MILLER, 0000
- KATHLEEN MOORE, 0000
- RICHARD L MOUTREY, 0000
- SEAN R MURTAGH, 0000
- CHRISTOPHER S MYSKOWSKI, 0000
- JOHN P NADEAU, 0000
- MARCH H NGUYEN, 0000
- DAVID L NICHOLS, 0000