

(4) AUDIT.—

(A) IN GENERAL.—The activities of the tribes in carrying out the tribal plans shall be audited as part of the annual single-agency audit that the tribes are required to prepare pursuant to the Office of Management and Budget circular numbered A-133.

(B) DETERMINATION BY AUDITORS.—The auditors that conduct the audit described in subparagraph (A) shall—

(i) determine whether funds received by each tribe under this section for the period covered by the audits were expended to carry out the respective tribal plans in a manner consistent with this section; and

(ii) include in the written findings of the audits the determinations made under clause (i).

(C) INCLUSION OF FINDINGS WITH PUBLICATION OF PROCEEDINGS OF TRIBAL COUNCIL.—A copy of the written findings of the audits described in subparagraph (A) shall be inserted in the published minutes of each tribal council's proceedings for the session at which the audit is presented to the tribal councils.

(d) PROHIBITION ON PER CAPITA PAYMENTS.—No portion of any payment made under this Act may be distributed to any member of the Yankton Sioux Tribe or the Santee Sioux Tribe of Nebraska on a per capita basis.

SEC. 7. ELIGIBILITY OF TRIBE FOR CERTAIN PROGRAMS AND SERVICES.

(a) IN GENERAL.—No payment made to the Yankton Sioux Tribe or Santee Sioux Tribe pursuant to this Act shall result in the reduction or denial of any service or program to which, pursuant to Federal law—

(1) the Yankton Sioux Tribe or Santee Sioux Tribe is otherwise entitled because of the status of the tribe as a federally recognized Indian tribe; or

(2) any individual who is a member of a tribe under paragraph (1) is entitled because of the status of the individual as a member of the tribe.

(b) EXEMPTIONS FROM TAXATION.—No payment made pursuant to this Act shall be subject to any Federal or State income tax.

(c) POWER RATES.—No payment made pursuant to this Act shall affect Pick-Sloan Missouri River Basin power rates.

SEC. 8. STATUTORY CONSTRUCTION.

Nothing in this Act may be construed as diminishing or affecting any water right of an Indian tribe, except as specifically provided in another provision of this Act, any treaty right that is in effect on the date of enactment of this Act, or any authority of the Secretary of the Interior or the head of any other Federal agency under a law in effect on the date of enactment of this Act.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act, including such sums as may be necessary for the administration of the Yankton Sioux Tribe Development Trust Fund under section 4 and the Santee Sioux Tribe [of Nebraska] Development Trust Fund under section 5.

SEC. 10. EXTINGUISHMENT OF CLAIMS.

Upon the deposit of funds under sections 4(b) and 5(b), all monetary claims that the Yankton Sioux Tribe or the Santee Sioux Tribe of Nebraska has or may have against the United States for loss of value or use of land related to lands described in section 2(a)(10) resulting from the Fort Randall and Gavins Point projects of the Pick-Sloan Missouri River Basin program shall be extinguished.

Mr. REID. Mr. President, I ask unanimous consent that the committee amendments be agreed to; that the bill, as amended, be read a third time,

passed, and the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to the bill be printed in the RECORD.

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

The committee amendments were agreed to.

The bill (S. 434), as amended, was read the third time and passed.

VICKSBURG NATIONAL MILITARY PARK BOUNDARY MODIFICATION ACT OF 2002

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 546, S. 1175.

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

The legislative clerk read as follows:

A bill (S. 1175) to modify the boundary of Vicksburg National Military Park to include the property known as Pemberton's Headquarters, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources with an amendment, as follows:

Strike out all after the enacting clause and insert the part printed in italic.

S. 1175

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 "Vicksburg National Military Park Boundary Modification Act of 2001".]

SEC. 2. MODIFICATION OF BOUNDARY.

[The boundary of Vicksburg National Military Park is modified to include the property known as Pemberton's Headquarters, as generally depicted on the map entitled "Boundary Map, Pemberton's Headquarters at Vicksburg National Military Park", numbered 80,015, and dated July, 2001. The map shall be on file in the appropriate offices of the National Park Service of the Department of the Interior.]

SEC. 3. ACQUISITION OF PROPERTY.

[The Secretary of the Interior may acquire the property described in section 2 from a willing seller or donee by donation, purchase with donated or appropriated funds, or exchange.]

SEC. 4. ADMINISTRATION.

[Upon acquiring the property described in Section 2, the Secretary of the Interior shall administer the property as part of Vicksburg National Military Park in accordance with applicable laws and regulations.]

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated such sums as may be necessary to carry out this Act.]

SECTION 1. SHORT TITLE.

This Act may be cited as the "Vicksburg National Military Park Boundary Modification Act of 2002".

SEC. 2. BOUNDARY MODIFICATION.

The boundary of Vicksburg National Military Park is modified to include the property known as Pemberton's Headquarters, as generally depicted on the map entitled "Boundary Map, Pemberton's Headquarters at Vicksburg National Military Park", numbered 306/80015A,

and dated August, 2001. The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

SEC. 3. ACQUISITION OF PROPERTY.

(a) PEMBERTON'S HEADQUARTERS.—The Secretary of the Interior is authorized to acquire the properties described in section 2 and 3(b) by purchase, donation, or exchange, except that each property may only be acquired with the consent of the owner thereof.

(b) PARKING.—The Secretary is also authorized to acquire not more than one acre of land, or interest therein, adjacent to or near Pemberton's Headquarters for the purpose of providing parking and other facilities related to the operation of Pemberton's Headquarters. Upon the acquisition of the property referenced in this subsection, the Secretary add it to Vicksburg National Military Park and shall modify the boundaries of the park to reflect its inclusion.

SEC. 4. ADMINISTRATION.

The Secretary shall administer any properties acquired under this Act as part of the Vicksburg National Military Park in accordance with applicable laws and regulations.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

Mr. REID. Mr. President, I ask unanimous consent that the committee amendment in the nature of a substitute be agreed to; that the bill, as amended, be read a third time, passed, and 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. 1175), as amended, was read the third time and passed.

HONORING CORINNE "LINDY" CLAIBORNE BOGGS ON 25TH ANNIVERSARY OF FOUNDING OF CONGRESSIONAL WOMEN'S CAUCUS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H. Con. Res. 439 just received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 439) honoring Corinne "Lindy" Claiborne Boggs on the occasion of the 25th anniversary of the founding of the Congressional Women's Caucus.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Ms. LANDRIEU. Mr. President, I rise today to express my admiration and gratitude to a woman who served the State of Louisiana and indeed the entire Nation with devotion and sense of unwavering dedication. Throughout her life, she answered every call to service made to her.

Lindy came to Washington in 1940 with her husband, the late Hale Boggs and following his tragic death in 1972, she became the first woman to elected to the House of Representatives from the State of Louisiana. She continued

her service to Congress until 1990, when she retired to New Orleans. In Congress she sat on the Appropriations Committee and the Select Committee on Children, Youth, and Families, spearheading legislation on issues ranging from civil rights to pay equity for women. She chaired the committees on the Bicentennials of the American Constitution in 1987 and the House of Representatives in 1989. In 1997, President Clinton asked her to assist her country once again, this time as the American ambassador to the Vatican.

But the reasons to honor Lindy go far beyond a recitation of her resume, distinguished as it may be. Lindy Boggs continues to be a role model for those of us in Congress and thousands of young women across this country who aspire to public service. She used her Southern charm and keen political mind to become one of the most formidable forces in the U.S. House of Representatives. She served as a mentor and teacher to me as well as the Congresswomen that followed her. She not only taught them the rules and expectations of Members of Congress, she taught us how to be a strong, independent women.

Lindy is the founder of the Congressional Women's Caucus, a legislative body that has done so much in its 25-year history. Twenty-five years ago, very few women had served in the Senate, and today we have 13. Thirteen women, and that number is sure to grow. As women, we champion the rights of women everywhere from Afghanistan to China and even here at home. We are a force to be reckoned with, and Lindy is our leader.

What is most impressive about Lindy is the long list of firsts that accompany her biography. She was the first female Representative elected from Louisiana, the first women to chair the National Democratic Convention, the first women to sit on the Board of Regents of the Smithsonian Institution and the first woman to serve as ambassador to the Holy See.

She continues to be my mentor and even more, my friend. It is an honor to join the entire Louisiana delegation and I am sure women in public service everywhere to honor this very special Louisiana and American, Lindy Boggs.

Mr. REID. I ask unanimous consent that the concurrent resolution and preamble be agreed to and the motion to reconsider be laid upon the table, without intervening action or debate.

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

EXECUTIVE CALENDAR

NOMINATION OF JULIA SMITH GIBBONS, OF TENNESSEE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT

Mr. REID. Mr. President, I move that the Senate proceed to Executive Session to consider Calendar No. 810, Julia Smith Gibbons, to be United States Circuit Judge.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on Executive Calendar No. 810, the nomination of Julia Smith Gibbons, of Tennessee, to be U.S. Circuit Judge for the Sixth Circuit.

Harry Reid, Tom Daschle, Charles Schumer, Mitch McConnell, Fred Thompson, Bill Frist, Phil Gramm, Jon Kyl, Charles Grassley, Wayne Allard, Trent Lott, Don Nickles, Larry E. Craig, Craig Thomas, Mike Capo, Jeff Sessions, Pat Roberts, Jim Bunning, John Ensign, Orrin G. Hatch.

Mr. REID. I ask unanimous consent that the live quorum under rule XXII be waived.

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

LEGISLATIVE SESSION

Mr. REID. I ask unanimous consent that the Senate return to legislative session.

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

ORDERS FOR THURSDAY, JULY 25, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m., Thurs-

day, July 25; 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 be in a period for morning business until 10:30 a.m., with Senators permitted to speak for up to 10 minutes each, with the first half of the time under the control of the Republican leader or his designee and the second half of the time under the control of the Democratic leader or his designee; that at 10:30 a.m., the Senate resume consideration of S. 812.

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

Mr. REID. Mr. President, I apologize to the Presiding Officer. I indicated we would be finished by 7 p.m. and we missed that by 35 minutes.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

There being no objection, the Senate, at 7:33 p.m., adjourned until Thursday, July 25, 2002, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate July 24, 2002:

BROADCASTING BOARD OF GOVERNORS

JOAQUIN F. BLAYA, OF FLORIDA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2002, VICE CARL SPIELVOGEL, RESIGNED.

JOAQUIN F. BLAYA, OF FLORIDA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2005. (REAPPOINTMENT)

BARRY GOLDWATER SCHOLARSHIP & EXCELLENCE IN EDUCATION FOUNDATION

PEGGY GOLDWATER-CLAY, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE BARRY GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION FOUNDATION FOR A TERM EXPIRING JUNE 5, 2006. (REAPPOINTMENT)

HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

JUANITA ALICIA VASQUEZ-GARDNER, OF TEXAS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S. TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2003, VICE STEVEN L. ZINTER, TERM EXPIRED.

DEPARTMENT OF JUSTICE

ROBERT MAYNARD GRUBBS, OF MICHIGAN, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF MICHIGAN FOR THE TERM OF FOUR YEARS, VICE JAMES DOUGLAS, JR., TERM EXPIRED.

JOHNNY MACK BROWN, OF SOUTH CAROLINA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE ISRAEL BROOKS, JR., TERM EXPIRED.

DENNY WADE KING, OF TENNESSEE, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE EDWARD SCOTT BLAIR, TERM EXPIRED.