

Claims, and the funds referred to under paragraphs (7) and (8) of section 2, together with all earned interest, shall be distributed as follows:

(1)(A) Not later than 120 days after the date of enactment of this Act, the Secretary shall establish in the Treasury of the United States a trust fund to be known as the "Western Shoshone Educational Trust Fund" for the benefit of the Western Shoshone members. There shall be credited to the Trust Fund the funds described in the matter preceding this paragraph.

(B) The principal in the Trust Fund shall not be expended or disbursed. The Trust Fund shall be invested as provided for in section 1 of the Act of June 24, 1938 (25 U.S.C. 162a).

(C)(i) All accumulated and future interest and income from the Trust Fund shall be distributed, subject to clause (ii)—

(I) as educational grants and as other forms of educational assistance determined appropriate by the Administrative Committee established under paragraph (2) to individual Western Shoshone members as required under this Act; and

(II) to pay the reasonable and necessary expenses of such Administrative Committee (as defined in the written rules and procedures of such Committee).

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

(2)(A) An Administrative Committee to oversee the distribution of the educational grants and assistance authorized under paragraph (1)(C) shall be established as provided for in this paragraph.

(B) The Administrative Committee shall consist of 1 representative from each of the following organizations:

- (i) The Western Shoshone Te-Moak Tribe.
- (ii) The Duckwater Shoshone Tribe.
- (iii) The Yomba Shoshone Tribe.
- (iv) The Ely Shoshone Tribe.
- (v) The Western Shoshone Committee of the Duck Valley Reservation.
- (vi) The Fallon Band of Western Shoshone.
- (vii) The at large community.

(C) Each member of the Committee shall serve for a term of 4 years. If a vacancy remains unfilled in the membership of the Committee for a period in excess of 60 days, the Committee shall appoint a replacement from among qualified members of the organization for which the replacement is being made and such member shall serve until the organization to be represented designates a replacement.

(D) The Secretary shall consult with the Committee on the management and investment of the funds subject to distribution under this section.

(E) The Committee shall have the authority to disburse the accumulated interest fund under this Act in accordance with the terms of this Act. The Committee shall be responsible for ensuring that the funds provided through grants and assistance under paragraph (1)(C) are utilized in a manner consistent with the terms of this Act. In accordance with paragraph (1)(C)(i)(II), the Committee may use a portion of the interest funds to pay all of the reasonable and necessary expenses of the Committee, including per diem rates for attendance at meetings that are the same as those paid to Federal employees in the same geographic location.

(F) The Committee shall develop written rules and procedures that include such matters as operating procedures, rules of conduct, eligibility criteria for receipt of educational grants or assistance (such criteria to be consistent with this Act), application selection procedures, appeal procedures, fund disbursement procedures, and fund recoupment procedures. Such rules and procedures shall be subject to the approval of the Secretary. A portion of the interest funds in the Trust Fund, not to exceed \$100,000, may be used by the Committee to pay the expenses associated with developing such rules and procedures. At the discretion of the Committee, and with the approval of the appropriate tribal governing body, jurisdiction to hear appeals of the

Committee's decisions may be exercised by a tribal court, or a court of Indian offenses operated under section 11 of title 25, Code of Federal Regulations.

(G) The Committee shall employ an independent certified public accountant to prepare an annual financial statement that includes the operating expenses of the Committee and the total amount of educational grants or assistance disbursed for the fiscal year for which the statement is being prepared under this section. The Committee shall compile a list of names of all individuals approved to receive such grants or assistance during such fiscal year. The financial statement and the list shall be distributed to each organization represented on the Committee and the Secretary and copies shall be made available to the Western Shoshone members upon request.

#### SEC. 4. DEFINITIONS.

In this Act:

(1) ADMINISTRATIVE COMMITTEE; COMMITTEE.—The terms "Administrative Committee" and "Committee" mean the Administrative Committee established under section 3(2).

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

(3) TRUST FUND.—The term "Trust Fund" means the Western Shoshone Educational Trust Fund established under section 3(1).

(4) WESTERN SHOSHONE MEMBERS.—The term "Western Shoshone members" means an individual who appears on the Western Shoshone Judgment Roll established under section 2(1), or an individual who is the lineal descendant of an individual appearing on the roll, and who—

(A) satisfies all eligibility criteria established by the Administrative Committee under section 3(F);

(B) fulfills all application requirements established by the Committee; and

(C) agrees to utilize funds distributed in accordance with section 3(1)(C)(i)(I) in a manner approved by the Committee for educational purposes.

#### SEC. 5. REGULATIONS.

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

Mr. DURBIN. I ask unanimous consent that the committee substitute amendment be agreed to; the bill, as amended, be read the third time and passed; the motions to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating thereto 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. 958), as amended, was read the third time and passed.

#### EXTENDING PROCEDURAL RELIEF UNDER USA PATRIOT ACT

Mr. DURBIN. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 2845 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2845) to extend for one year procedural relief provided under the USA PATRIOT Act for individuals who were or are victims or survivors of victims of a terrorist attack on the United States on September 11, 2001.

There being no objection, the Senate proceeded to consider the bill.

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

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

The bill (S. 2845) was read the third time and passed, as follows:

S. 2845

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

#### SECTION 1. EXTENSION OF PERIOD OF LAWFUL PRESENCE IN THE UNITED STATES FOR CERTAIN ALIEN VICTIMS OF TERRORIST ATTACK ON UNITED STATES ON SEPTEMBER 11, 2001.

Section 422(a)(1)(B) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (Public Law 107-56; 115 Stat. 357) is amended by striking "1 year" and inserting "2 years".

#### AMENDMENTS TO THE MICROENTERPRISE FOR SELF-RELIANCE ACT OF 2000 AND THE FOREIGN ASSISTANCE ACT OF 1961

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 689, H.R. 4073.

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

The legislative clerk read as follows:

A bill (H.R. 4073) to amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance programs under those acts, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations 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.]

H.R. 4073

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

#### SECTION 1. AMENDMENTS TO THE MICROENTERPRISE FOR SELF-RELIANCE ACT OF 2000.

[(a) PURPOSES.—Section 103 of the Microenterprise for Self-Reliance Act of 2000 (Public Law 106-309) is amended—

[(1) in paragraph (3), by striking "microentrepreneurs" and inserting "microenterprise households";

[(2) in paragraph (4), by striking "and" at the end;

[(3) in paragraph (5)—

[(A) by striking "microfinance policy" and inserting "microenterprise policy";

[(B) by striking "the poorest of the poor" and inserting "the very poor"; and

[(C) by striking the period at the end and inserting "; and"; and

[(4) by adding at the end the following: