

Whereas the legitimate interests of consumers are often overlooked in trade disputes;

Whereas the availability of affordable housing is important to American home buyers and the need for the availability of such housing, particularly in metropolitan cities across America, is growing faster than it can be met;

Whereas imposition of special duties on U.S. consumers of softwood lumber, essential for construction of on-site and manufactured homes, jeopardizes housing affordability;

Whereas the United States has agreed to abide by dispute settlement procedures in the World Trade Organization and the North American Free Trade Agreement, providing for international review of national remedy actions; and,

Whereas the World Trade Organization and North American Free Trade Agreement dispute panels are reviewing findings by the ITC: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), that it is the sense of the Congress that—

(1) The Department of Commerce and U.S. Trade Representative should work to assure that no delays occur in resolving the current disputes before the NAFTA and WTO panels, supporting a fair and expeditious review;

(2) U.S. anti-dumping and countervail law is a rules-based system that should proceed to conclusion in WTO and NAFTA trade panels;

(3) The President should continue discussions with the Government of Canada to promote open trade between the United States and Canada on softwood lumber free of trade restraints that harm consumers;

(4) The President should consult with all stakeholders, including consumers of lumber products in future discussions regarding any terms of trade in softwood lumber between the United States and Canada.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. LOTT. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., Wednesday, March 19, 2003, in room SR 301, Russell Senate Office Building, to conduct an oversight hearing on the operations of the Secretary of the Senate and the Architect of the Capitol.

For further information concerning this meeting, please contact Susan Wells at 202-224-6352.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, March 13, 2003, at 9:30 a.m., in open and possibly closed session, to receive testimony from unified and regional commanders on their military strategy and operational requirements, in review of the Defense Authorization Request for Fiscal Year 2004 and the future years Defense program.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Com-

mittee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 13, 2003, at 10 a.m., to conduct a hearing on "The Administration's Proposed Fiscal Year 2004 Budget for the Federal Transit Administration."

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, March 13, 2003, at 9:30 a.m., in SR-253, for an executive session.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, on Thursday, March 13 at 10 a.m., to receive testimony on gaining an understanding of the impacts of last year's fires and then looking forward to the potential 2003 fire season.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, on Thursday, March 13, at 2:30 p.m., is to conduct oversight on the designation and management of national heritage areas, including criteria and procedures for designating heritage areas, the potential impact of heritage areas on private lands and communities, Federal and non-Federal costs of managing heritage areas, and methods of monitoring and measuring the success of heritage areas.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, March 13, 2003, at 2 p.m., to hold a members briefing on Iraq's political future.

Briefer: The Honorable William Burns, Assistant Secretary for Middle East, Department of State, Washington, DC.

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

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing entitled "Setting the Record Straight: The Nomination of Justice Priscilla Owen" on Thursday, March 13, 2003, at 10 a.m., in the Dirksen Senate Office Building, room 106.

Witness list

Panel I: The Honorable Kay Bailey Hutchison and The Honorable John Cornyn.

Panel II: Priscilla Richmond Owen to be United States Circuit Judge for the Fifth Circuit.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, March 13, 2003, for a joint hearing with the House of Representatives' Committee on Veterans' Affairs, to hear the legislative presentations of the Retired Enlisted Association, Gold Star Wives of America, the Fleet Reserve Association, and the Air Force Sergeants Association.

The hearing will take place in room 345 of the Cannon House Office Building at 10 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, March 13, 2003, at 2:30 p.m., to hold a closed hearing.

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

SUBCOMMITTEE ON CLEAN AIR, CLIMATE CHANGE, AND NUCLEAR SAFETY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Climate Change, and Nuclear Safety be authorized to meet on Thursday, March 13, at 9:30 a.m. to conduct an oversight hearing on the implementation of the CMAQ and Conformity programs. This meeting will be held in SD 406.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session on the Senate on Thursday, March 13, 2003, at 2 p.m., in open session to receive testimony on the impacts of environmental laws on readiness and the related administration legislative proposal in review of the Defense Authorization Request for Fiscal Year 2004.

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

PRIVILEGE OF THE FLOOR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Bruce Artim and Dr. Mark Carlson from Senator HATCH's staff be granted floor privileges for the remainder of the session.

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

GILA RIVER INDIAN COMMUNITY JUDGMENT FUND DISTRIBUTION ACT OF 2003

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Item No. 30, S. 162.

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

The legislative clerk read as follows:

A bill (S. 162) to provide for the use and distribution of certain funds awarded to the Gila River Pima-Maricopa Indian Community, and for other purposes.

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

Mr. BENNETT. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to this bill be printed in the RECORD.

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

The bill (S. 162) was read the third time and passed, as follows:

S. 162

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Gila River Indian Community Judgment Fund Distribution Act of 2003”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.

TITLE I—GILA RIVER JUDGMENT FUND DISTRIBUTION

- Sec. 101. Distribution of judgment funds.
- Sec. 102. Responsibility of Secretary; applicable law.

TITLE II—CONDITIONS RELATING TO COMMUNITY JUDGMENT FUND PLANS

- Sec. 201. Plan for use and distribution of judgment funds awarded in Docket No. 228.
- Sec. 202. Plan for use and distribution of judgment funds awarded in Docket No. 236-N.

TITLE III—EXPERT ASSISTANCE LOANS

- Sec. 301. Waiver of repayment of expert assistance loans to Gila River Indian Community.

SEC. 2. FINDINGS.

Congress finds that—

(1) on August 8, 1951, the Gila River Indian Community filed a complaint before the Indian Claims Commission in *Gila River Pima-Maricopa Indian Community v. United States*, Docket No. 236, for the failure of the United States to carry out its obligation to protect the use by the Community of water from the Gila River and the Salt River in the State of Arizona;

(2) except for Docket Nos. 236-C and 236-D, which remain undistributed, all 14 original dockets under Docket No. 236 have been resolved and distributed;

(3) in *Gila River Pima-Maricopa Indian Community v. United States*, 29 Ind. Cl. Comm. 144 (1972), the Indian Claims Commission held that the United States, as trustee, was liable to the Community with respect to the claims made in Docket No. 236-C;

(4) in *Gila River Pima-Maricopa Indian Community v. United States*, 684 F.2d 852 (1982), the United States Claims Court held that the United States, as trustee, was liable

to the Community with respect to the claims made in Docket No. 236-D;

(5) with the approval of the Community under Community Resolution GR-98-98, the Community entered into a settlement with the United States on April 27, 1999, for claims made under Dockets Nos. 236-C and 236-D for an aggregate total of \$7,000,000;

(6) on May 3, 1999, the United States Court of Federal Claims ordered that a final judgment be entered in consolidated Dockets Nos. 236-C and 236-D for \$7,000,000 in favor of the Community and against the United States;

(7)(A) on October 6, 1999, the Department of the Treasury certified the payment of \$7,000,000, less attorney fees, to be deposited in a trust account on behalf of the Community; and

(B) that payment was deposited in a trust account managed by the Office of Trust Funds Management of the Department of the Interior; and

(8) in accordance with the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401 et seq.), the Secretary is required to submit an Indian judgment fund use or distribution plan to Congress for approval.

SEC. 3. DEFINITIONS.

In this Act:

(1) **ADULT.**—The term “adult” means an individual who—

(A) is 18 years of age or older as of the date on which the payment roll is approved by the Community; or

(B) will reach 18 years of age not later than 30 days after the date on which the payment roll is approved by the Community.

(2) **COMMUNITY.**—The term “Community” means the Gila River Indian Community.

(3) **COMMUNITY-OWNED FUNDS.**—The term “Community-owned funds” means—

(A) funds held in trust by the Secretary as of the date of enactment of this Act that may be made available to make payments under section 101; or

(B) revenues held by the Community that—

(i) are derived from trust resources; and

(ii) qualify for an exemption under section 7 or 8 of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1407, 1408).

(4) **IIM ACCOUNT.**—The term “IIM account” means an individual Indian money account.

(5) **JUDGMENT FUNDS.**—The term “judgment funds” means the aggregate amount awarded to the Community by the Court of Federal Claims in Dockets Nos. 236-C and 236-D.

(6) **LEGALLY INCOMPETENT INDIVIDUAL.**—The term “legally incompetent individual” means an individual who has been determined to be incapable of managing his or her own affairs by a court of competent jurisdiction.

(7) **MINOR.**—The term “minor” means an individual who is not an adult.

(8) **PAYMENT ROLL.**—The term “payment roll” means the list of eligible, enrolled members of the Community who are eligible to receive a payment under section 101(a), as prepared by the Community under section 101(b).

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

TITLE I—GILA RIVER JUDGMENT FUND DISTRIBUTION

SEC. 101. DISTRIBUTION OF JUDGMENT FUNDS.

(a) **PER CAPITA PAYMENTS.**—Notwithstanding the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401 et seq.) or any other provision of law (including any regulation promulgated or plan developed under such a law), the amounts paid in satisfaction of an award granted to the Gila River Indian Community in Dockets Nos. 236-C and 236-D before the United States Court of Federal Claims, less attorney fees and litigation expenses and including all ac-

rued interest, shall be distributed in the form of per capita payments (in amounts as equal as practicable) to all eligible enrolled members of the Community.

(b) **PREPARATION OF PAYMENT ROLL.**—

(1) **IN GENERAL.**—The Community shall prepare a payment roll of eligible, enrolled members of the Community that are eligible to receive payments under this section in accordance with the criteria described in paragraph (2).

(2) **CRITERIA.**—

(A) **INDIVIDUALS ELIGIBLE TO RECEIVE PAYMENTS.**—Subject to subparagraph (B), the following individuals shall be eligible to be listed on the payment roll and eligible to receive a per capita payment under subsection (a):

(i) All enrolled Community members who are eligible to be listed on the per capita payment roll that was approved by the Secretary for the distribution of the funds awarded to the Community in Docket No. 236-N (including any individual who was inadvertently omitted from that roll).

(ii) All enrolled Community members who are living on the date of enactment of this Act.

(iii) All enrolled Community members who died—

(I) after the effective date of the payment plan for Docket No. 236-N; but

(II) on or before the date of enactment of this Act.

(B) **INDIVIDUALS INELIGIBLE TO RECEIVE PAYMENTS.**—The following individuals shall be ineligible to be listed on the payment roll and ineligible to receive a per capita payment under subsection (a):

(i) Any individual who, before the date on which the Community approves the payment roll, relinquished membership in the Community.

(ii) Any minor who relinquishes membership in the Community, or whose parent or legal guardian relinquishes membership on behalf of the minor, before the date on which the minor reaches 18 years of age.

(iii) Any individual who is disenrolled by the Community for just cause (such as dual enrollment or failure to meet the eligibility requirements for enrollment).

(iv) Any individual who is determined or certified by the Secretary to be eligible to receive a per capita payment of funds relating to a judgment—

(I) awarded to another community, Indian tribe, or tribal entity; and

(II) appropriated on or before the date of enactment of this Act.

(v) Any individual who is not enrolled as a member of the Community on or before the date that is 90 days after the date of enactment of this Act.

(c) **NOTICE TO SECRETARY.**—On approval by the Community of the payment roll, the Community shall submit to the Secretary a notice that indicates the total number of individuals eligible to share in the per capita distribution under subsection (a), as expressed in subdivisions that reflect—

(1) the number of shares that are attributable to eligible living adult Community members; and

(2) the number of shares that are attributable to deceased individuals, legally incompetent individuals, and minors.

(d) **INFORMATION PROVIDED TO SECRETARY.**—The Community shall provide to the Secretary enrollment information necessary to allow the Secretary to establish—

(1) estate accounts for deceased individuals described in subsection (c)(2); and

(2) IIM accounts for legally incompetent individuals and minors described in subsection (c)(2).

(e) **DISBURSEMENT OF FUNDS.**—