

War, the Korean War, the two world wars, I do not need to recite to my colleagues what happens and what it means to be a patriot in this great Nation of ours.

Yes, it is not a perfect country. If we say that the greatest blessing of this Nation is based on its diversity, people from all different walks of life, from all different ethnicities and nationalities, that the United States truly is a microcosm of the whole world in itself, and we are here because we believe in the principle that nobody is above the law. This Nation is founded upon laws and not men.

How I appreciate the gentleman reminding me, my good friend, the gentleman from Illinois (Mr. DAVIS), of how great this country is to all of us. I am sure our colleague, the gentleman from Rhode Island (Mr. KENNEDY), would have said the same thing. Whether it be the Kennedys, the Markeys, the Faleomavaegas, what a beautiful Nation in the diversity it stands for.

Yes, we have problems. Some have asked what America means to me as a patriot. With all my own imperfections and weaknesses, I would say that what I recall was said on the steps of the Lincoln Memorial in the summer of 1963 by an African American and a minister by the name of Martin Luther King, Junior, it could not have been said better what America is all about as patriots. That is, he had a dream. The dream is that one day his children will be judged not by the color of their skin but by their character. I think that is the essence of what America is about. This is what Patriots' Day is about. Thank God we live in a country that is free, that allows us to pursue our own sense of happiness, whatever that might be.

Again, I thank my good friend, the gentleman from Massachusetts (Mr. MARKEY), for his eloquence and for bringing this resolution to the floor. I thank my good friend, the gentleman from South Dakota, for doing likewise.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to commend again the gentleman from Massachusetts (Mr. MARKEY) for providing the opportunity for this moment. I believe that it is moments like this on the floor of this House that speak to the greatness of this Nation and how connected we are and how similar are our experiences. It does not matter whether one grew up in South Dakota, in Massachusetts, in American Samoa, or even in a little town in Arkansas, as I did, but there was a level of connectedness.

Mr. HOLT. Mr. Speaker, I thank my colleagues for introducing this resolution (H. Con. Res. 149) and I applaud Congress for supporting the annual celebration of Patriots' Day.

Every year the states of Maine and Massachusetts celebrate the events of April 19th, 1775, when the first American patriots stood up to British troops, leading to the beginning

of the Revolutionary War and the birth of our nation.

We need to do more to bring national recognition to this celebration of the brave men and women who sacrificed so much on the battlefield to help our nation achieve independence. It is important that we honor all of our first patriots and we should help many more Americans learn as much as possible about the birth of our nation and the hard-fought struggle that accompanied it.

That is why Congress should do more to preserve our precious heritage and to celebrate not just the events and battles that started the Revolutionary War, but all of the major battles that shaped the outcome of this historic conflict with has changed the ensuring course of human history.

We should certainly celebrate Paul Revere's midnight ride and the Battles of Lexington and Concord as the crucial opening salvos in our national struggle for independence. At the same time, we should also recognize that the Revolutionary War spanned six years and claimed the lives of nearly 4500 Americans, demonstrating not only the cost of liberty but also the willingness of colonial patriots to make the ultimate sacrifice to secure our freedom.

In particular, I want my colleagues to know that New Jersey was of critical importance during the American Revolution due to its strategic location between the British armies headquarters in New York City and the Continental Congress sitting in the City of Philadelphia. General George Washington spent almost half of the period of the American Revolution personally commanding troops of the Continental Army in New Jersey, including two severe winter encampments at Morristown.

The early turning point in the war played out across multiple battlefields in and around my congressional district in Central New Jersey. It was during ten fateful days of the American Revolution between December 25, 1776 and January 3, 1777 that General Washington recrossed the Delaware River and won crucial battles at Trenton and Princeton, after having retreated from New York City to Pennsylvania at the risk of near total defeat.

New Jersey's critical role in America's fight for independence is part of our national story and thus should be preserved for all Americans. This is why Congressman Frelinghuysen and I have introduced the Crossroads of the American Revolution National Historical Heritage Act of 2003 (H.R. 524). Our bill would establish a national heritage area to preserve, promote, and connect central New Jersey's extraordinary Revolutionary War battlefield sites through a greenway and interpretive programs for all Americans to enjoy. We hope this much-needed, bipartisan legislation can be enacted during the 108th Congress to protect these hallowed grounds and educate future generations about the struggle to create this great nation.

I wholeheartedly support the resolution before us and hope for an ever-widening celebration of Patriots' Day all across America, not just in Massachusetts and Maine. In the same spirit, I urge our bipartisan leadership and all of my colleagues to support prompt and favorable legislative action to create the Crossroads of the American Revolution National Heritage Area.

Mr. MEEHAN. Mr. Speaker, I rise to honor Patriots' Day and express my strong support

for H. Con. Res. 149—a resolution expressing support for the annual celebration of Patriots' Day and honoring the Nation's first patriots. As Massachusetts citizens, every April we are fortunate to celebrate Patriots' Day in honor of the heroic battles of Lexington and Concord which were fought on April 19, 1775.

I am proud to represent Concord where Patriots' Day is celebrated on the actual day, April 19. Each year on Patriots' Day troops of "Minutemen" assemble in Concord and the neighboring towns to stage a mock battle with a troop of "Redcoats." The historic events along Battle Road marked the beginning of a struggle for Massachusetts residents to retain their rights. The subsequent national war for independence and self-government would last another eight years. The Resolution on the floor today supports the many different ways citizens throughout Massachusetts and other states commemorate this important day in our nation's early history and I urge its passage.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time.

Mr. JANKLOW. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from South Dakota (Mr. JANKLOW) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 149, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. JANKLOW. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING ACHIEVEMENTS AND CONTRIBUTIONS OF NATIONAL WILDLIFE REFUGE SYSTEM ON CENTENNIAL ANNIVERSARY AND EXPRESSING STRONG SUPPORT FOR ITS CONTINUED SUCCESS

Mr. RENZI. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 173) recognizing the achievements and contributions of the National Wildlife Refuge System on the occasion of its centennial anniversary and expressing strong support for the continued success of the National Wildlife Refuge System.

The Clerk read as follows:

H. RES. 173

Whereas the National Wildlife Refuge System, operated by the United States Fish and Wildlife Service, marked its centennial anniversary on March 14, 2003;

Whereas President Theodore Roosevelt stated in 1903 that "Wild beasts and birds are by right not the property merely of the people who are alive today, but the property of unknown generations, whose belongings we have no right to squander.";

Whereas the vision of conserving wildlife embraced by President Roosevelt was begun with the plants and animals located on Pelican Island off the East Coast of Florida, and

has since flourished across the United States and its territories and possessions, allowing for the preservation of an overwhelmingly vast array of flora and fauna;

Whereas the National Wildlife Refuge System is composed of 540 refuges encompassing nearly 95 million acres, hosts 35 million visitors annually, and benefits from the selfless efforts of 30,000 volunteers; and

Whereas the National Wildlife Refuge System has established refuges in every State in the United States, many of which are reachable within an hour's drive of almost every major city: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the achievements and contributions of the National Wildlife Refuge System on the occasion of its centennial anniversary;

(2) expresses strong support for the continued success of the National Wildlife Refuge System;

(3) encourages the United States Fish and Wildlife Service in its efforts to broaden understanding and appreciation for the National Wildlife Refuge System by increasing partnerships on behalf of the refuge system to better manage and monitor wildlife and by continuing its support of wildlife dependent recreational activities as embodied in the Refuge System Improvement Act of 1997 (Public Law 105-57); and

(4) reaffirms its commitment to the National Wildlife Refuge System and the conservation of the rich natural heritage of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution was introduced by our colleagues, the gentlemen from Florida, Mr. BOYD and Mr. PUTNAM. It celebrates the 100th anniversary of the National Wildlife Refuge System.

This system of public lands had its humble origins in Sebastian, Florida when in 1903, President Theodore Roosevelt set aside a 5-acre strip of swampland on Pelican Island. Since that time, the system has grown to some 540 units that provide habitat for hundreds of wildlife species and recreational opportunities for millions of Americans.

As a member of the Committee on Resources, I recognize the value of these lands and their importance to the 39 million people who visit a refuge each year to hunt, fish, observe wildlife, photograph them, and engage in conservation education.

It is appropriate that we recognize the refuge system at this important milestone, and I congratulate the Bush administration for requesting the highest level of funding ever for the National Wildlife Refuge System for the upcoming fiscal year. The American people deserve the finest refuge system, and I am committed to the revitalization of this system and to reduce the unacceptable maintenance backlogs of projects that currently exist.

I urge a ye vote on House Resolution 173, and I compliment the authors of this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I commend the gentleman from Arizona (Mr. RENZI) for his management of this piece of legislation. I also commend the gentleman from Florida (Mr. PUTNAM) for his sponsorship of this proposed resolution.

Mr. Speaker, as stated by the previous gentleman, my good friend, the gentleman from Arizona (Mr. RENZI), this is a noncontroversial resolution which salutes our National Wildlife Refuge System on its 100th birthday. Certainly our refuge system must be listed as one of our Nation's best and most enduring conservation success stories.

While I agree wholeheartedly with my colleagues that we indeed should celebrate our refuge system, I would be remiss if I did not also remind my colleagues of the significant challenges that confront this system today.

At present, the refuge system faces a combined operations and maintenance backlog, backlog, Mr. Speaker, that is approaching some \$1.8 billion. Funding to acquire or protect additional refuge lands has also shrunk, leaving some refuges fragmented or with gaping holes which both complicate and frustrate management.

In addition, Mr. Speaker, critics still debate whether the "wildlife first" mission of the refuge system should be adjusted more towards the benefit of wildlife and less to the interests of other stakeholders who wish to extract or otherwise use refuge resources.

Mr. Speaker, these are all issues that the refuge system will have to face as it begins its second hundred years. But for now, we should take a moment to reflect with pride on the accomplishments of this genuine conservation success story and congratulate it for a job well done.

Again, I commend my good friend, the gentleman from Arizona (Mr. RENZI) for bringing this resolution to the floor; and I commend our chairman, the gentleman from California (Mr. POMBO), and our ranking member, the gentleman from West Virginia (Mr. RAHALL), for their leadership and support of this legislation.

I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. RENZI. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. PUTNAM), the cosponsor of the bill.

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Mr. PUTNAM. Mr. Speaker, I thank the gentleman from Arizona (Mr.

RENZI) for yielding me time, a good friend who has made a tremendous difference in this body in a very short period of time; and my friend and colleague from American Samoa (Mr. FALEOMAVAEGA); and our fellow author of this bill, the gentleman from Arizona (Mr. BOYD). Truly, conservation in the movement and the commitment to public access for hunting and other outdoor activities is a bipartisan effort and something all of us are committed to.

Mr. Speaker, on March 14, 2003, the National Wildlife Refuge System celebrated its centennial anniversary. A hundred years ago, President Theodore Roosevelt established the first refuge, the Pelican Island Bird Reservation in Florida's Indian River Lagoon. Today the National Wildlife Refuge System has evolved into the world's most unique network of lands and waters set aside specifically for conservation of fish, wildlife, and plants. With 540 refuges encompassing nearly 95 million acres and hosting some 35 million visitors annually, the National Wildlife Refuge System is a complex network of lands managed for wildlife and the public. There are refuges in every State of the Union and within an hour's drive of almost every major city.

The Secretary of the Interior, Gayle Norton, was joined by thousands of wildlife enthusiasts, Members of Congress, and notable conservationists to celebrate the centennial of the system on March 14 at Pelican Island. These celebrations occurred simultaneously at wildlife refuges across America, and the celebration will continue throughout the year.

To commemorate this event, the gentleman from Florida (Mr. BOYD) and I introduced H. Res. 173 to commemorate this centennial anniversary and to express support for its continued success in the next 100 years and beyond.

As we gather in support of this to commemorate this tremendous birthday for the system, I would like to read into the RECORD an advertisement from Roll Call sponsored by nearly 40 sportsmen conservation groups. This diverse group represents the backbone of America's conservation efforts, and their strong support of the refuge system is both a testament and a tribute to the vision of the sportsman conservationist President Theodore Roosevelt, who proclaimed the first refuge in 1903. The ad begins with a quote from that great President and reads as follows: "In a civilized and cultivated country, wild animals only continue to exist at all when preserved by sportsmen. The excellent people who protest against all hunting and consider sportsmen an enemy of wildlife, are ignorant of the fact that in reality the genuine sportsman is by all odds the most important factor in keeping the larger and more valuable wild creatures from total extermination."

The hunting community was one of the original, if not the only original, entity that recognized the need for

wildlife conservation, not only for hunters but for all those who seek to enjoy wildlife. Hunters were conservationists long before it was the politically correct thing to do. The timing of the formation of the National Refuge System illustrates this. The system was formed after the virtual eradication of the native bison, together with a dangerous reduction in a number of other species such as the prong horn, migratory water fowl and others. Hunters were the first to wake up to the reality that our wildlife resources were not unlimited.

President Roosevelt, an avid hunter and conservationist himself, recognized the need to preserve wildlife through sustainable use. Unfortunately, some who oppose these hunting efforts attempt to revise history to diminish the hunting community's contribution to wildlife conservation. Recently on the eve of the centennial of the system, some have cast a pall by waging a litigation challenge to the system. Sadly, they missed the beauty of the refuge system as a place for all to enjoy wildlife and to cooperate in that effort.

The National Wildlife Refuge System Improvement Act of 1997, identified by then President Clinton as "the most significant conservation legislation to emerge from Congress to date," was a collaborative effort born of extensive negotiations between executive branch, Congress, environmental groups, and sportsmen organizations. According to the executive order that announced the 1997 law, the bill was "proof that when there is a shared commitment to do what is right for our natural resources, partisan and ideological differences can be set aside and compromises can be negotiated for the benefit of the common good."

Sportsmen are the original conservationists. The stewardship of the game population that provides a bounty of food and sport is crucial in the survival of many game species. The gains achieved in scientific management of game species can be linked to the efforts of hunters to maintain the populations and quality of the game they hunt. Populations of game animals have flourished through proper game management by concerned and devoted hunters. The populations of deer and turkey alone are far greater now at the beginning of this century than they ever were at the beginning of the last.

It is in a hunter's best interest to maintain game populations so that they may continue to practice the tradition they love. Licensed game hunters are deeply involved in game management on a number of levels. They pay taxes on their arms and ammunition, stamps and permits, funds that all go to help protect and maintain the sport that they hold so dear to their hearts. The rules and codes that today's sportsmen follow serve to protect and improve the quality of game species for generations to come.

I again thank the cosponsors of this legislation on both sides of the aisle,

and I appreciate the time given us by the gentleman from Arizona (Mr. RENZI).

Mr. FALEOMAVAEGA. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. TANNER) to speak in support of the legislation.

Mr. TANNER. Mr. Speaker, I thank the gentleman from American Samoa (Mr. FALEOMAVAEGA) for yielding me time.

Mr. Speaker, as the National Wildlife Refuge System celebrates its 100th anniversary, recognition for water fowl hunters and the contribution they have collectively and individually made on behalf of the refuge system is in order. Acquisition of lands for the National Wildlife Refuge System is funded in part by sales of the migratory bird hunting and conservation stamp, known wide and far as the duck stamp. Water fowl hunters are required to purchase a duck stamp as part of their hunting license to hunt water fowl on or off any refuge.

Since 1934, the hunting community virtually alone has been funding the duck stamp program, raising more than a half a billion dollars for the refuge system. In fact, 98 percent of the revenue generated from sales of the duck stamp goes directly to acquisition of our national wildlife refuges, some 5 million acres so far, an extraordinary contribution, I think, by any measure.

Currently, the 8th Congressional District of Tennessee is home to seven: Chickasaw, Cross Creeks, Hatchie, Lake Isom, Lower Hatchie, Reelfoot and Tennessee national wildlife refuges.

Beginning back in August of 1934, Federal law mandated that individuals buy a duck stamp for the privilege of hunting migratory water fowl. Some 635,000 hunters paid \$1 each for that stamp issued and it was none too soon. For the if the Great Depression was bad on people, it was worse on the ducks. Their prairie pot holes, ponds, marshes, and wetlands dried up and blew away along with much of the Midwest. Revenues from the duck stamp program were used to purchase and restore submarginal land for wildlife, particularly migratory water fowl.

Today, the cost of a duck stamp is \$15, but duck populations are stable and growing. So the next time you are at a National Wildlife Refuge and see a flight of ducks sweeping across the sky, remember to thank a hunter.

Mr. RENZI. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Speaker, many lands and waters managed by the Fish and Wildlife Service allow recreational fishing and include more than 260 public fishing programs on national wildlife refuges nationwide. There were about 6 million fishing visits to national wildlife refuges in 1999. While the number of visitors engaged in freshwater fishing is holding steady, saltwater fishing is growing in popu-

larity. Recent surveys indicate that many people engage in fishing in order to experience peace and solitude. National wildlife refuges can offer a quiet, yet wild, fishing experience for the American people.

Among prime fishing experiences on national wildlife refuges are Tamarac Refuge in Minnesota, featuring some 21 lakes, five of which are open to canoes or small boats; anglers can reel in northern pike and walleye. The Bayou Sauvage near New Orleans gives urban anglers a spectacular setting of both freshwater and saltwater fishing. In Philadelphia, John Heinz Refuge provides year-round fishing opportunities as one of the growing number of refuges with facilities that are disabled accessible. In my home State of Florida there are about 30 such refuges in where countless numbers of natives and tourists go each year to experience the great outdoors.

Mr. Speaker, I urge Members to support this resolution and our National Wildlife Refuge System, which creates these opportunities for anglers all across the United States.

Mr. LOBIONDO. Mr. Speaker, today I rise in support of House Resolution 173. This resolution recognizes the achievements and contributions of the National Wildlife Refuge System on the occasion of its centennial anniversary and expresses strong support for the continued success of the National Wildlife Refuge System.

On March 14, 1903, President Theodore Roosevelt set aside Pelican Island off Florida's east coast to preserve the natural beauty of the islands for future generations. This act gave birth to a vision for America that has become the National Wildlife Refuge System.

Each year, millions of people who share Teddy Roosevelt's passion for the outdoors and his devotion to preserving these places visit and enjoy more than 540 refuges and nearly 100 million acres nationwide all set aside for the wildlife that live and visit these areas and for the people that treasure these natural wonders.

In my Southern New Jersey District, we have much to be thankful for with the trio of jewels that are the Supawna Meadows National Wildlife Refuge in Salem County, the Edwin B. Forsythe National Wildlife Refuge in Atlantic and Burlington Counties, and the Cape May National Wildlife Refuge in Cape May County. These three refuges provide both a welcome respite for important species who visit in this area as well as places for thousands of visitors to see these species in their natural habitat.

Throughout my service in Congress, I have been proud to work to preserve and enhance these wildlife refuges. However, much of the credit for the hard work of protecting our wildlife refuges must go to the dedicated employees and volunteers at each of our local refuges. Without their dedication and drive, these refuges would not be a living realization of Teddy Roosevelt's dream which began a century ago.

It is my hope that one hundred years from now, those who visit these national treasures are as astounded and inspired by the same beauty that the National Wildlife Refuge System is working so hard to preserve today.

Mr. CASTLE. Mr. Speaker, I rise today in strong support of House Resolution 173, recognizing the important achievements and contributions of the National Wildlife Refuge System. The National Wildlife Refuge System has been a national treasure for one hundred years thanks to the efforts of the U.S. Fish and Wildlife Service. Since its creation in 1903, the National Wildlife Refuge System has successfully protected numerous plant and animal species in each of the fifty states. In my great State of Delaware, the Bombay Hook and Prime Hook National Wildlife Refuges have protected and encouraged growth of migratory bird populations so that future generations can benefit from their existence just as we and our ancestors have marveled at their presence.

The Bombay Hook National Wildlife Refuge has provided a safe habitat for eagles, deer, and migratory waterfowl and shorebirds since its creation in 1937. During that period, the refuge has maintained an eagle population and has seen 28 eaglets fledged. The refuge currently has one active bald eagle nest. I am thankful that, through the efforts of taxpayers, volunteers, and refuge employees, future generations of Delawareans will not miss the splendor of a soaring bald eagle, a national icon. Bombay Hook National Wildlife Refuge has also successfully protected the tidal salt marsh so that waterfowl populations including the snow geese continue to migrate to the Delaware shore. Recently, ten years of horse-shoe crab surveying have led to the implementation of tighter restrictions on the harvesting of the species. All of these achievements have benefited nature lovers and birders across the nation and enriched the education of generations of children.

The Prime Hook National Wildlife Refuge, since its establishment in 1963, also has provided protection for numerous migratory bird and other populations. The refuge has expanded recently from a satellite of the Bombay Hook National Wildlife Refuge to become an independent refuge with an active bald eagle nest and one of the largest freshwater marshes on the East Coast. I have been proud to work with Delawareans to improve Prime Hook through the voluntary purchase of new properties in and adjacent to the refuge. These land purchases will provide a valuable buffer between the refuge and fast growing development in the county.

It gives me great pleasure, Mr. Speaker, to recognize these achievements and to ensure that these refuges receive the continued support of Congress. In reaffirming our commitment to the conservation of our nation's rich natural heritage, we allow our future generations to witness the same natural wonders we have the privilege of seeing today.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and agree to the resolution, H. Res. 173.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GILA RIVER INDIAN COMMUNITY JUDGMENT FUND DISTRIBUTION ACT OF 2003

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the Senate 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.

The Clerk read 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 accrued 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