

“(3) **ELIGIBILITY FOR OTHER GRANTS.**—Receipt of an award under this subsection by a tribal domestic violence and sexual assault coalition shall not preclude the coalition from receiving additional grants under this title to carry out the purposes described in subsection (b).”

(b) **FUNDING.**—Section 2007(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1(b)) is amended by striking paragraph (4) and inserting the following:

“(4) 1/54 shall be available for grants under section 2001(d).”

Mr. SESSIONS. Mr. President, I ask unanimous consent that the committee-reported substitute be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, en bloc, and 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. 1601), as amended, was passed.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

#### MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2005

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.J. Res. 107, the continuing resolution which is at the desk; provided that the joint resolution be read the third time and passed, and the motion to reconsider be laid upon the table.

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

The joint resolution (H.J. Res. 107) was read the third time and passed.

#### REAUTHORIZING NATIVE AMERICAN PROGRAMS ACT OF 1974

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 634, S. 2436.

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

The legislative clerk read as follows:

A bill (S. 2436) to reauthorize the Native American Programs Act of 1974.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Indian Affairs with amendments, as follows:

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

S. 2436

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

#### SECTION 1. NATIVE AMERICAN PROGRAMS ACT OF 1974.

(a) **INTRA-DEPARTMENTAL COUNCIL ON NATIVE AMERICAN AFFAIRS.**—Section 803B(d)(1) of the Native American Programs Act of 1974 (42 U.S.C. 2991b-2(d)(1)) is amended by striking “There” and all that follows and inserting the following: “There is established in the Office of the Secretary the Intra-Departmental Council on Native American Affairs. The Commissioner and the Director of the Indian Health Service shall serve as co-chairpersons of the Council. The co-chairpersons shall advise the Secretary on all matters affecting Native Americans that involve the Department.”

[(a) **IN GENERAL.**—] (b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 2992d) is amended—

(1) by striking subsections (a) through (c) and inserting the following:

“(a) **IN GENERAL.**—There are authorized to be appropriated—

“(1) to carry out section 803(d), \$8,000,000 for each of fiscal years 2005 through 2009; and

“(2) to carry out provisions of this title other than section 803(d) and any other provision having an express authorization of appropriations, such sums as are necessary for each of fiscal years 2005 through 2009.

“(b) **LIMITATION.**—Not less than 90 percent of the funds made available to carry out this title for a fiscal year (other than funds made available to carry out sections 803(d), 803A, 803C, and 804, and any other provision of this title having an express authorization of appropriations) shall be expended to carry out section 803(a).”

(2) by redesignating subsection (d) as subsection (c); and

(3) by striking subsection (e).

[(b)] (c) **REPORTS.**—Section 811A of the Native American Programs Act of 1974 (42 U.S.C. 2992-1) is amended—

(1) by striking the section heading and all that follows through “each year,” and inserting the following:

“**SEC. 811A. REPORTS.**

“Every 5 years, the Secretary shall”; and

(2) by striking “an annual report” and inserting “a report”.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the committee-reported amendments be considered and agreed to. I understand Senator INOUE has an amendment at the desk, and I ask unanimous consent that the amendment be considered and agreed to; the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table without intervening action or debate, and any statements relating thereto be printed in the RECORD.

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

The committee amendments were agreed to.

The amendment (No. 3783) was agreed to, as follows:

(Purpose: To authorize research and educational activities relating to Native Hawaiian law)

At the end, add the following:

#### SEC. 2. RESEARCH AND EDUCATIONAL ACTIVITIES.

Section 7205(a)(3) of the Native Hawaiian Education Act (20 U.S.C. 7515(a)(3)) is amended—

(1) by redesignating subparagraphs (K) and (L) as subparagraphs (L) and (M), respectively; and

(2) by inserting after subparagraph (J) the following:

“(K) research and educational activities relating to Native Hawaiian law;”

The bill (S. 2436), as amended, was read the third time and passed, as follows:

S. 2436

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

#### SECTION 1. NATIVE AMERICAN PROGRAMS ACT OF 1974.

(a) **INTRA-DEPARTMENTAL COUNCIL ON NATIVE AMERICAN AFFAIRS.**—Section 803B(d)(1) of the Native American Programs Act of 1974 (42 U.S.C. 2991b-2(d)(1)) is amended by striking “There” and all that follows and inserting the following: “There is established in the Office of the Secretary the Intra-Departmental Council on Native American Affairs. The Commissioner and the Director of the Indian Health Service shall serve as co-chairpersons of the Council. The co-chairpersons shall advise the Secretary on all matters affecting Native Americans that involve the Department.”

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 2992d) is amended—

(1) by striking subsections (a) through (c) and inserting the following:

“(a) **IN GENERAL.**—There are authorized to be appropriated—

“(1) to carry out section 803(d), \$8,000,000 for each of fiscal years 2005 through 2009; and

“(2) to carry out provisions of this title other than section 803(d) and any other provision having an express authorization of appropriations, such sums as are necessary for each of fiscal years 2005 through 2009.

“(b) **LIMITATION.**—Not less than 90 percent of the funds made available to carry out this title for a fiscal year (other than funds made available to carry out sections 803(d), 803A, 803C, and 804, and any other provision of this title having an express authorization of appropriations) shall be expended to carry out section 803(a).”

(2) by redesignating subsection (d) as subsection (c); and

(3) by striking subsection (e).

(c) **REPORTS.**—Section 811A of the Native American Programs Act of 1974 (42 U.S.C. 2992-1) is amended—

(1) by striking the section heading and all that follows through “each year,” and inserting the following:

“**SEC. 811A. REPORTS.**

“Every 5 years, the Secretary shall”; and

(2) by striking “an annual report” and inserting “a report”.

#### SEC. 2. RESEARCH AND EDUCATIONAL ACTIVITIES.

Section 7205(a)(3) of the Native Hawaiian Education Act (20 U.S.C. 7515(a)(3)) is amended—

(1) by redesignating subparagraphs (K) and (L) as subparagraphs (L) and (M), respectively; and

(2) by inserting after subparagraph (J) the following:

“(K) research and educational activities relating to Native Hawaiian law;”

#### ORDERS FOR THURSDAY, SEPTEMBER 30, 2004

Mr. SESSIONS. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn until 9:30 a.m. on Thursday, September 30; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time

for the two leaders be reserved, and the Senate then resume consideration of S. 2845, the intelligence reform bill; provided that upon conclusion of the debate on the pending Warner amendment, Senator GRAHAM of Florida be recognized to offer the next amendment.

Mr. REID. Mr. President, I have spoken to the necessary parties. I ask that this request be modified to allow Senator BYRD to speak for up to 20 minutes following the first vote we have tomorrow.

The PRESIDING OFFICER. Does the Senator accept the modification?

Mr. SESSIONS. We have no objection.

Mr. REID. I have no objection to the request of the Senator from Alabama.

The PRESIDING OFFICER. Without objection, the request is modified as agreed to.

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PROGRAM

Mr. SESSIONS. For the information of all Senators, tomorrow the Senate will resume consideration of the intel-

ligence reform bill. We had good debate on the bill today, disposing of several amendments. In addition, we were able to lock in a final list of amendments and a filing deadline for tomorrow, as well, so that Members will be able to view actual legislative text for each amendment.

For the remainder of the day tomorrow we will continue working through amendments to the bill. The chairman and ranking member will be here to receive amendments. Again, we will complete action on the bill prior to adjourning. Senators who wish to offer amendments are encouraged to work with the managers to get their amendments pending. Senators should expect rollcall votes throughout the day.

I observe that when the Senate passed fiscal year 2005 Defense appropriations conference report, we adopted discretionary spending levels for all fiscal year 2005 appropriations of \$821.9 billion. Unfortunately, the continuing resolution, H.J. Res. 107, authorized an annualized spending level of more than \$840 billion because section 103 of the resolution allows billions in 2004 sup-

plemental appropriations to continue into a new fiscal year. It is my understanding the House of Representatives will shortly pass a bill to correct this problem and eliminate funding in the CR for any one-time 2004 spending items. It also is my understanding that the majority leader and Chairman STEVENS will seek to have the Senate consider that correction whenever it becomes available. I believe it is essential we comply with the spending limits we previously adopted, and I look forward to working with my colleagues to ensure that we do.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. SESSIONS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:36 p.m., adjourned until Thursday, September 30, 2004, at 9:30 a.m.