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Senate Passes FY2004 Omnibus Package – Nearly four months into fiscal year 2004, the Senate voted today to end debate and to pass the FY2004 omnibus appropriations conference report (H.R. 2673). Despite much protest from Democrats over several contentious provisions in the package (country-of-origin labeling, media ownership, overtime pay, etc.), a Senate vote of 65-28 cleared the \$820 billion spending bill for the President's expected signature. The massive omnibus measure finances seven of the most controversial FY2004 spending bills: Agriculture, Commerce-Justice-State, District of Columbia, Foreign Operations, Labor-HHS, Transportation-Treasury, and VA-HUD.

The measure contains numerous provisions of concern for tribes, particularly tribes in Alaska. One adverse provision significantly limits which tribes in Alaska are eligible to receive 2004 Tribal Justice grant monies—excluding tribes with less than 25 members and tribes within seven of the major boroughs and municipalities in Alaska. Additionally, the omnibus authorizes the creation of a "Justice Commission" to review Federal, State, local, and tribal jurisdiction over civil and criminal matters in Alaska. The panel is charged with making recommendations for a "unified law enforcement system, court system, and system of local laws" for Native villages, with "the possibility of first, second, and third class villages with different powers." The bill directs that the panel consist of nine representatives, only three of which are from the Alaska Native community, despite the Commission's direct and considerable impact on Alaska tribes and people. Other troubling language in the bill instructs the Office of Management and Budget to consult with the for-profit ANCSA corporations on the same basis as Indian tribes under Executive Order No. 13175, enhancing the political and legal status of Alaska Native corporations.

The bill also contains a number of positive provisions specific to individual tribes and to self-governance tribes as well as several key funding increases for tribes.

The full bill can be viewed at

<http://thomas.loc.gov/cgi-bin/query/D?c108:5:./temp/~c108v8m20A::> .