

(II) in subparagraph (A), by striking "and" at the end;

(III) in subparagraph (B), by striking the period and inserting "; and"; and

(IV) by adding at the end the following:

"(C) be used to acquire undivided interests on the reservation where the income was derived."; and

(ii) by striking paragraph (2) and inserting the following:

"(2) USE OF FUNDS.—The Secretary may utilize the revenue deposited in the Acquisition Fund under paragraph (1) to acquire some or all of the undivided interests in any parcels of land pursuant to section 205.";

(7) in section 217 (25 U.S.C. 2216)—

(A) in subsection (e)(3), by striking "prospective applicants for the leasing, use, or consolidation of" and insert "any person that is leasing, using or consolidating, or is applying to, lease, use, or consolidate,"; and

(B) by striking subsection (f) and inserting the following:

"(f) PURCHASE OF LAND BY TRIBE.—

"(1) IN GENERAL.—Before the Secretary approves an application to terminate the trust status or remove the restrictions on alienation from a parcel of trust or restricted land, the Indian tribe that exercises jurisdiction over such a parcel shall have the opportunity to match any offer contained in such application, or where there is no purchase price offered, to acquire the interest in such land by paying the fair market value of such interest.

"(2) EXCEPTION FOR FAMILY FARMS.—Paragraph (1) shall not apply to a parcel of trust or restricted land that is part of a family farm that is conveyed to a member of the landowner's family (as defined in section 206(c)(2)(A)(iv)) if the tribe that exercises jurisdiction over the land is afforded the opportunity to purchase the interest if the interest is offered for sale to an entity that is not a member of the family of the owner of the land. Section 206(c)(2)(A) shall apply with respect to the recording and mortgaging of the trust or restricted land referred to in the preceding sentence."; and

(8) in section 219(b)(1)(A) (25 U.S.C. 2219(b)(1)(A)), by striking "100" and inserting "90".

(b) DEFINITION.—

(1) IN GENERAL.—Section 202(2) of the Indian Land Consolidation Act (25 U.S.C. 2201(2)) is amended—

(A) by striking "means any" and inserting the following: "means—

"(A) any";

(B) by striking "or any person who has been found to meet" and inserting the following: "or

"(B) any person who meets"; and

(C) by striking "if the Secretary" and all that follows through the semicolon and inserting ", except that the Secretary may promulgate regulations to exclude any definition if the Secretary determines that the definition is not consistent with the purposes of this Act, or

"(C) with respect to the ownership, devise, or descent of trust or restricted land in the State of California, any person who meets the definition of Indians of California as contained in section 1 of the Act of May 18, 1928 (25 U.S.C. 651), until otherwise provided by Congress pursuant to section 809(b) of Public Law 94-437 (25 U.S.C. 1679(b));".

(2) EFFECTIVE DATE.—Any exclusion referred to in the amendment made by paragraph (1)(C) shall apply only to those decedents who die after the Secretary of the Interior promulgates the regulation providing for such exclusion.

(c) MORTGAGES AND DEEDS OF TRUST.—The Act of March 29, 1956 (25 U.S.C. 483a) is amended in the first sentence of subsection (a) by inserting "(including land owned by any person in passive trust status pursuant to section 207A of the Indian Land Consolidation Act)" after "land" the first place that such appears.

(d) ISSUANCE OF PATENTS.—Section 5 of the Act of February 8, 1887 (25 U.S.C. 348) is amend-

ed by striking the second proviso and inserting the following: "Provided, That the rules of intestate succession under the Indian Land Consolidation Act (25 U.S.C. 2201 et seq.) (including a tribal probate code approved under that Act or regulations promulgated under that Act) shall apply thereto after those patents have been executed and delivered.".

(e) TRANSFERS OF RESTRICTED INDIAN LAND.—Section 4 of the Act of June 18, 1934 (25 U.S.C. 464), is amended in the first proviso by striking ", in accordance with" and all that follows through the colon and inserting "in accordance with the Indian Land Consolidation Act (25 U.S.C. 2201 et seq.) (including a tribal probate code approved under that Act or regulations promulgated under that Act):".

SEC. 5. EFFECTIVE DATE.

This amendment made by this Act shall not apply to the estate of an individual who dies prior to the later of—

(1) the date that is 1 year after the date of enactment of this Act; or

(2) the date specified in section 207(g)(5) of the Indian Land Consolidation Act (25 U.S.C. 2206(g)(5)).

Mr. REID. Mr. President, I ask unanimous consent that the substitute amendment be agreed to, the bill, as amended, 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 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. 1340), as amended, was read the third time and passed.

EXECUTIVE SESSION

NOMINATION DISCHARGED

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and that the Rules Committee be discharged from further consideration of the following nomination and that the Senate then proceed to its consideration: Bruce James to be Public Printer. Further, I ask unanimous consent that the nomination be confirmed; that the motion to reconsider be laid upon the table; that any statements relating to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

Bruce R. James, of Nevada, to be Public Printer.

Mr. REID. Mr. President, Bruce James is from Nevada. He was in business and was very successful. He retired in Nevada after having been successful in business. He is a devout Republican. In fact, he ran against me at one time in a primary, but he made the mistake of having JOHN ENSIGN in the primary. He is a fine man. I have been to his home. He has a lovely wife. He really feels he wants to spend some

time in public service. He made his money in printing, so he should be a great Public Printer. I wish him and his family the best of luck as they move to Washington.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

NATIONAL FLOOD INSURANCE PROGRAM

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 13, introduced earlier today by Senator SARBANES.

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

The legislative clerk read as follows:

A bill (S. 13) to extend authorization for the national flood insurance program.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD, with no intervening action or debate.

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

The bill (S. 13) was read three times and passed, as follows:

S. 13

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

SECTION 1. AUTHORIZATION FOR THE NATIONAL FLOOD INSURANCE PROGRAM.

The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) in section 1309(a)(2) (42 U.S.C. 4016(a)(2)), by striking "December 31, 2002" and inserting "December 31, 2003";

(2) in section 1319 (42 U.S.C. 4026), by striking "December 31, 2002" and inserting "December 31, 2003";

NATIONAL RUNAWAY PREVENTION MONTH

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from the consideration of S. Res. 339, and that the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A resolution (S. Res. 339) designating November 2002 as "National Runaway Prevention Month."

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc; that the motion to reconsider be laid upon the table; and that any statements relating to the resolution be printed in the RECORD.

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