tribal justice systems, and/or other purposes consistent with this Act.

SEC. 103. TRIBAL CRIMINAL ASSISTANCE GRANTS.

Subject to the availability of appropriations, the Attorney General, in consultation with the Office of Tribal Justice, shall award grants to non-profit entities, as defined by section 501(c)(3) of the Internal Revenue Code, which provide legal assistance services for Indian tribes, members of Indian tribes, or tribal justice systems pursuant to federal poverty guidelines that submit an application to the Attorney General in such form and manner as the Attorney General may prescribe for the provision of criminal legal assistance to members of Indian tribes and tribal justice systems, and/or other purposes consistent with this Act. Funding under this title may apply to programs, procedures, or proceedings involving adult criminal actions, juvenile delinquency actions, and/or guardian-ad-litem appointments arising out of criminal or delinquency acts.

SEC. 104. NO OFFSET.

No Federal agency shall offset funds made available pursuant to this Act for Indian tribal court membership organizations or Indian legal services organizations against other funds otherwise available for use in connection with technical or legal assistance to tribal justice systems or members of Indian tribes.

SEC. 105. TRIBAL AUTHORITY.

Nothing in this Act shall be construed to—

(1) encroach upon or diminish in any way the inherent sovereign authority of each tribal government to determine the role of the tribal justice system within the tribal government or to enact and enforce tribal laws;

(2) diminish in any way the authority of tribal governments to appoint personnel;

(3) impair the rights of each tribal government to determine the nature of its own legal system or the appointment of authority within the tribal government;

(4) alter in any way any tribal traditional dispute resolution fora;

(5) imply that any tribal justice system is an instrumentality of the United States; or

(6) diminish the trust responsibility of the United States to Indian tribal governments and tribal justice systems of such governments.

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

For purposes of carrying out the activities under this title, there are authorized to be appropriated such sums as are necessary for fiscal years 2000 through 2004.

TITLE II—INDIAN TRIBAL COURTS

SEC. 201. GRANTS.

(a) IN GENERAL.—The Attorney General may award grants and provide technical assistance to Indian tribes to enable such tribes to carry out programs to support—

(1) the development, enhancement, and continuing operation of tribal justice systems; and

(2) the development and implementation of—

(A) tribal codes and sentencing guidelines;

(B) inter-tribal courts and appellate systems;

(C) tribal probation services, diversion programs, and alternative sentencing provisions;

(D) tribal juvenile services and multi-disciplinary protocols for child physical and sexual abuse; and

(E) traditional tribal judicial practices, traditional tribal justice systems, and traditional methods of dispute resolution.

(b) CONSULTATION.—In carrying out this section, the Attorney General may consult with the Office of Tribal Justice and any other appropriate tribal or Federal officials.

(c) REGULATIONS.—The Attorney General may promulgate such regulations and guidelines as may be necessary to carry out this title.

(d) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out the activities under this section, there are authorized to be appropriated such sums as are necessary for fiscal years 2000 through 2004.

SEC. 202. TRIBAL JUSTICE SYSTEMS.

Section 201 of the Indian Tribal Justice Act (25 U.S.C. 3621) is amended—

(1) in subsection (a), by striking ''1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''2000 through 2007'';

(2) in subsection (b), by striking ''1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''2000 through 2007'';

(3) in subsection (c), by striking ''1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''2000 through 2007''; and

(4) in subsection (d), by striking ''1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''2000 through 2007''.

TITLE III—TECHNICAL AMENDMENTS TO ALASKA NATIVE CLAIMS SETTLEMENT ACT

SEC. 301. ALASKA NATIVE VETERANS.

Section 41 of the Alaska Native Claims Settlement Act (43 U.S.C. 1629g) is amended as follows:

(1) Subsection (a)(3)(I)(4) is amended by striking ''and Reindeer'' and inserting ''or''.

(2) Subsection (a)(4)(B) is amended by striking ''; and'' and inserting ''; or''.

(3) Subsection (b)(1)(B)(i) is amended by striking ''June 2, 1971'' and inserting ''December 31, 1971''.

(4) Subsection (b)(2) is amended by striking the matter preceding subparagraph (A) and inserting the following:

''(2) The personal representative or special administrator, appointed in an Alaska State court proceeding of the estate of a decedent who was eligible under subsection (b)(1)(A) may, for the benefit of the heirs, select an allotment if the decedent was a veteran who served in South East Asia at any time during the period beginning August 5, 1964, and ending December 31, 1971, and during that period the decedent—''.

SEC. 302. LEVIES ON SETTLEMENT TRUST INTERESTS.

Section 39(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1629e(c)) is amended by adding at the end the following new paragraph:

''(8) A beneficiary's interest in a settlement trust and the distributions thereon shall be subject to creditor action (including without limitation, levy attachment, pledge, lien, judgment execution, assignment, and the insolvency and bankruptcy laws) only to the extent that Settlement Common Stock and the distributions thereon are subject to such creditor action under section 7(h) of this Act.''.

TITLE IV—NATIONAL LEADERSHIP SYMPOSIUM FOR AMERICAN INDIAN, ALASKAN NATIVE, AND NATIVE HAWAIIAN YOUTH

SEC. 401. ADMINISTRATION OF NATIONAL LEADERSHIP SYMPOSIUM FOR AMERICAN INDIAN, ALASKAN NATIVE, AND NATIVE HAWAIIAN YOUTH.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Education for the Washington Workshops Foundation $2,200,000 for administration of a national leadership symposium for American Indian, Alaskan Native, and Native Hawaiian youth on the traditions and values of American democracy.

(b) CONTENT OF SYMPOSIUM.—The symposium administered under subsection (a) shall—

(1) be comprised of youth seminar programs which study the workings and practices of American national government in Washington, DC, to be held in conjunction with the opening of the Smithsonian National Museum of the American Indian; and

(2) envision the participation and enhancement of American Indian, Alaskan Native, and Native Hawaiian youth in the American political process by interfacing in the first-hand operations of the United States Government.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Senate agree to the amendment of the House.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

OMNIBUS INDIAN ADVANCEMENT ACT

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5528, which is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5528) to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes.

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

ANCSA HISTORIC SITE AND CEMETERY SELECTIONS

Mr. FEINGOLD. Mr. President, I appreciate the work of my colleague from Colorado, Mr. CAMPBELL, and of my colleague from Hawaii, Mr. INOUYE on H.R. 5528, the Omnibus Indian Advancement Act. I am pleased that this measure includes several provisions that will benefit Wisconsin tribes.

However, I have concerns regarding title XV of this measure, which reinstates applications for particular parcels of land that are now part of the Chugach National Forest to be conveyed to the Chugach Alaska Corporation, CAC, the Alaska Native Corporation for the Chugach Region. The provisions included in title XV of H.R. 5528 differ from those included in title II of H.R. 2547 and its companion bill in this body S. 1686. These bills are in the jurisdiction of the Senate Energy Committee. Would the Senator be willing to allow me to engage in discussion with the Senator from Alaska, Mr. MURKOWSKI to clarify a few important points about this legislation?

Mr. CAMPBELL. Mr. President, I am pleased to allow the Senator to clarify aspects of this legislation.

Mr. FEINGOLD. As I understand the legislation, it directs the Secretary of the Interior to reinstate applications for the conveyance of seven parcels of land, now in federal ownership as part of the Chugach National Forest, for a determination of eligibility for conveyance to the CAC as historical places or cemetery sites under section 14(h) of the Alaska Native Claims Settlement Act, ANCSA. Is that correct?

Mr. MURKOWSKI. My colleague from Wisconsin is correct.

Mr. FEINGOLD. Am I also correct in my understanding that five of these parcels covered by these applications are currently within the Nellie Juan-College Fjord Wilderness Study Area, WSA, designated by Congress in section 704 of Public Law 96–487, the Alaska National Interest Lands Conservation Act, ANILCA?

Mr. MURKOWSKI. My colleague from Wisconsin is correct, and I am sure my colleague shares my concern that the Secretary of Agriculture has not met

the requirement of section 704 of ANILCA that he report to the President and Congress within three years his recommendation as to the suitability and nonsuitability of such lands for wilderness designation. I would also note that the submission of these applications by the CAC pre-dated enactment of ANILCA.

Mr. FEINGOLD. Am I further correct in my understanding that one of these parcels, Coghill Point, is near an area which was determined to be eligible for designation as a wild and scenic river as part of the Chugach National Forest planning process?

Mr. MURKOWSKI. Again, my colleague from Wisconsin is correct, however, the land containing such parcel is not designated as such in the draft forest plan identified by the Forest Service as the preferred alternative.

Mr. FEINGOLD. As the Senator knows, 43 C.F.R. §2653.5 requires that regional corporations that are conveyed cemetery sites or historical places pursuant to section 14(h) of ANCSA agree to accept a covenant in the conveyance that these cemetery sites or historical places will be maintained and preserved solely as cemetery sites or historical places by the regional corporation, in accordance with the provisions for conveyance reservations in 43 C.F.R. §2653.11. Is it the case that, if the Secretary of the Interior chooses to act favorably on these conveyance applications, nothing in this act is intended to prevent the Secretary from complying with the covenant requirements of these regulations in conveying these seven parcels of land to the CAC?

Mr. MURKOWSKI. The Senator from Wisconsin is correct. This legislation is not intended to eliminate any covenant requirements.

Mr. FEINGOLD. As my colleague further knows, the conveyance reservations contained in 43 C.F.R. §2653.11 prohibit the grantee from authorizing any mining or mineral activity of any type, or ''any use which is incompatible with or is in derogation of the values of the area as a cemetery or historic place'' as defined further by 36 C.F.R. §800.9. Is it the case that nothing in this act is intended to prevent the United States from seeking enforcement of such prohibitions, as authorized under C.F.R. 2653.11?

Mr. MURKOWSKI. The Senator from Wisconsin is correct. This legislation is not intended to prevent enforcement of such prohibitions.

Mr. FEINGOLD. I thank the Senator from Alaska for helping me to clarify these issues.

THE TORRES-MARTINEZ DESERT CAHUILLA INDIANS CLAIMS SETTLEMENT ACT OF 2000

Mr. REID. Mr. President, I ask that the distinguished chairman of the Committee on Indian Affairs, Senator CAMPBELL, engage in a brief colloquy regarding the Torres-Martinez Desert Cahuilla Indians Settlement Act of 2000. The purpose of this legislation is to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians of California.

In June 1996, after decades of neglect and months of difficult negotiations, representatives of the United States, the Torres-Martinez Tribe, the Imperial Irrigation District, and the Coachella Valley Water District signed a settlement agreement that resolves their conflicting claims and provides for dismissal of litigation. Legislation necessary to ratify this settlement agreement and to authorize the Federal actions and appropriations necessary for its implementation was introduced in 1996. However, because provisions in the legislation dealing with the taking of after-acquired land into trust for purposes of gaming proved very controversial, the legislation never passed the Senate. It has taken this long to get to the point where the bill is again being considered by the Senate, and the bill is still controversial.

The basic settlement provisions involve land and cash in return for dismissal of all claims with regard to the Torres-Martinez Tribe. By far the most controversial of the provisions in the bill are those authorizing the Secretary of the Interior to take lands into trust for the explicit purpose of gaming. These lands are isolated from the principal lands to be taken into trust for the tribe, and have only one purpose—to provide a place to build a casino. It is clear that these lands have been chosen, not because of their cultural or historical relationship to the tribal members, but because of their proximity to an area of high density traffic. While Indian Gaming Regulatory Act, IGRA, authorizes the Secretary to take lands into trust as part of a land settlement, it was never the intent of IGRA to allow the Federal land claims settlement process to be manipulated in this manner.

Personally, I feel that the language in H.R. 4643 is poorly drafted, particularly when it comes to authorizing the taking of land into trust for purposes of gaming. I think we should draft a new bill that more clearly respects the intent of IGRA. However, I understand the hardship that further delay would cause the Torres-Martinez Tribe; and so I am prepared to allow H.R. 5528 to proceed as drafted. I do believe, and I want to make my views clear, that the practice of settling Indian land claims with off-reservation land-into-trust acquisitions for purposes of gaming is something that should not become common practice in settling these claims.

Does the chairman agree that H.R. 5528 represents a unique situation, and the Department of Justice and the Secretary of Interior should work to ensure that when they are negotiating Indian land claims they should try and hammer out fair settlements that fully compensate tribes for legitimate losses they have suffered and that land-into-trust acquisitions for gaming purposes as a component of such settlements should be avoided?

Mr. CAMPBELL. Mr. President, first I would like to thank my colleague from Nevada for expressing his thoughts and concerns with H.R. 5528, and I want to express my thoughts on this matter as we pass this legislation.

I think that H.R. 5528 does present a unique situation in that the Torres-Martinez Tribe's lands have been inundated by the waters of the Colorado River since the beginning of the 1900s and one that I hope is not in other settlement agreements negotiated by the Department of Justice and presented to Congress for its consideration.

I understand your concerns about the precedent that would be set if as part of land settlements, land-into-trust acquisitions for gaming purposes were routinely proposed in exchange for the settlement of land claims. Though IGRA clearly calls for that situation in section 2719 of the Act, I agree that if a wholesale policy of off-reservation acquisitions as part of a settlement were adopted by the Department of Justice or this Congress, that a great many Senators would call for amendments to the act.

While I appreciate these concerns and would not favor inclusion of off-reservation land-into-trust acquisitions for purposes of land settlement in all cases, the IGRA is clear in providing the authority to do just that if warranted by the facts of the case in question.

Although this legislation is not the most desirable option and does not provide all parties with what they want out of a legislated settlement, it does provide justice to the Torres-Martinez Tribe and I think we are right in approving the bill.

Mr. REID. I thank the chairman and agree with him that this is a matter for which we do not want to set precedent with the bill before us.

COUSHATTA TRIBE OF LOUISIANA

Mr. REID. Mr. President, I ask that Senator BREAUX engage in a brief colloquy regarding S. 2792. The purpose of the legislation sponsored by the distinguished senior Senator from Louisiana is to provide that land owned by the Coushatta Tribe of Louisiana but which is not held in trust by the United States for the Tribe may be leased or transferred by the tribe without further approval by the United States.

I am concerned because the language in this bill does not clearly provide that, if there is going to be gaming on this land, it is to be regulated gaming. That is, any land included in this bill is subject to regulation either by the Indian Gaming Regulatory Act, IGRA, if Indians purchase the land, or subject to state and local regulation.

I stand for a conservative interpretation of the IGRA. As such, with all land bills involving Indian land, we must follow IGRA—in statute and intent. Congressional intent for Indian gaming under IGRA was to provide economic flexibility regarding the use of land

which has a cultural or historical relationship to the tribal members. Congress did not provide in IGRA a mechanism for tribes to use to acquire and sell land which is only valuable because of its proximity to a commercially attractive area of high density traffic.

Is it the intent of the Senator from Louisiana that S. 2792 fully comply with the statute and intent of IGRA and that if any gaming takes place on the land covered by this bill, such gaming continues to be subject to the applicable IGRA or state or local regulation?

Mr. BREAUX. Mr. President, first I thank my colleague from Nevada for expressing his thoughts and concerns with S. 2792, and I want to express my thoughts on this matter as we pass this legislation.

I agree that it was never the intent of S. 2792 to circumvent regulation of gaming. This bill simply provides for the Coushatta Tribe to lease or transfer land without further approval. This bill in no way provides for any gaming regulatory loopholes.

Mr. REID. I thank the senior Senator from Louisiana.

THE GRATON RANCHERIA RESTORATION ACT

Mrs. BOXER. Mr. President, I thank the Chairman of the Indian Affairs Committee, Senator CAMPBELL, and the distinguished ranking Democrat, Senator INOUYE, for moving this important bill to the Senate floor. This bill will restore Federal recognition and associated rights, privileges, and eligibility for Federal services and benefits to the Federated Indians of the Graton Rancheria of California, formerly known as the Coastal Miwok tribe.

This bill provides much needed recognition for the tribe. The Graton Rancheria have been waiting decades for the Government to undo a past wrong. In 1958, the Federal Government stripped the Graton Rancheria of Federal recognition. Recently, it was found that the tribe holds a small parcel of land in Graton, CA that had been set aside as reservation for them in the 1920s.

As passed in the House of Representatives, this bill included language that waived the tribe's gaming rights. I supported that language, as did the Graton Rancheria and the local community. However, it was clear that the Senate Committee on Indian Affairs and the Bureau of Indian Affairs would not support the language. The chairman and ranking member of the Senate Committee on Indian Affairs have offered an amendment that removes the no-gaming clause. In his statement accompanying the amendment, Senator INOUYE asserts that the no-gaming clause is unnecessary because the Graton Rancheria have no intention of conducting gaming.

I hope with the Senate passage of this bill that the House, the Senate Committee on Indian Affairs, and the administration can work to resolve the differences over the no-gaming clause and come to an agreement on either bill or report language.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 5528) was considered read the third time and passed.

CORRECTING THE ENROLLMENT OF H.R. 5528

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 161, submitted earlier today by Senator CAMPBELL.

The ACTING PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 161) to correct the enrollment of H.R. 5528.

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

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 161) was agreed to, as follows:

S. CON. RES. 161

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 5528) to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes, shall make the following correction:

(1) Strike title XII and insert the following:

TITLE XII—NAVAJO NATION TRUST LAND LEASING

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Navajo Nation Trust Land Leasing Act of 2000''.

SEC. 1202. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.

(a) FINDINGS.—Recognizing the special relationship between the United States and the Navajo Nation and its members, and the Federal responsibility to the Navajo people, Congress finds that—

(1) the third clause of section 8, Article I of the United States Constitution provides that ''The Congress shall have Power . . . to regulate Commerce...with Indian tribes'', and, through this and other constitutional authority, Congress has plenary power over Indian affairs;

(2) Congress, through statutes, treaties, and the general course of dealing with Indian tribes, has assumed the responsibility for the protection and preservation of Indian tribes and their resources;

(3) the United States has a trust obligation to guard and preserve the sovereignty of Indian tribes in order to foster strong tribal governments, Indian self-determination, and economic self-sufficiency;

(4) pursuant to the first section of the Act of August 9, 1955 (25 U.S.C. 415), Congress conferred upon the Secretary of the Interior the power to promulgate regulations governing tribal leases and to approve tribal leases for tribes according to regulations promulgated by the Secretary;

(5) the Secretary of the Interior has promulgated the regulations described in paragraph (4) at part 162 of title 25, Code of Federal Regulations;

(6) the requirement that the Secretary approve leases for the development of Navajo trust lands has added a level of review and regulation that does not apply to the development of non-Indian land; and

(7) in the global economy of the 21st Century, it is crucial that individual leases of Navajo trust lands not be subject to Secretarial approval and that the Navajo Nation be able to make immediate decisions over the use of Navajo trust lands.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To establish a streamlined process for the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior for individual leases, except leases for exploration, development, or extraction of any mineral resources.

(2) To authorize the Navajo Nation, pursuant to tribal regulations, which must be approved by the Secretary, to lease Navajo trust lands without the approval of the Secretary of the Interior for the individual leases, except leases for exploration, development, or extraction of any mineral resources.

(3) To revitalize the distressed Navajo Reservation by promoting political self-determination, and encouraging economic self-sufficiency, including economic development that increases productivity and the standard of living for members of the Navajo Nation.

(4) To maintain, strengthen, and protect the Navajo Nation's leasing power over Navajo trust lands.

(5) To ensure that the United States is faithfully executing its trust obligation to the Navajo Nation by maintaining federal supervision through oversight of and record keeping related to leases of Navajo Nation tribal trust lands.

SEC. 1203. LEASE OF RESTRICTED LANDS FOR THE NAVAJO NATION.

The first section of the Act of August 9, 1955 (25 U.S.C. 415) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(3) the term 'individually owned Navajo Indian allotted land' means a single parcel of land that—

''(A) is located within the jurisdiction of the Navajo Nation;

''(B) is held in trust or restricted status by the United States for the benefit of Navajo Indians or members of another Indian tribe; and

''(C) was—

''(i) allotted to a Navajo Indian; or

''(ii) taken into trust or restricted status by the United States for an individual Indian;

''(4) the term 'interested party' means an Indian or non-Indian individual or corporation, or tribal or non-tribal government whose interests could be adversely affected by a tribal trust land leasing decision made by the Navajo Nation;

''(5) the term 'Navajo Nation' means the Navajo Nation government that is in existence on the date of enactment of this Act or its successor;