

S. 1349. A bill to direct the Secretary of the Interior to conduct special resource studies to determine the national significance of specific sites as well as the suitability and feasibility of their inclusion as units of the National Park System (Rept. No. 106-208).

S. 1569. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes (Rept. No. 106-209).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment.

S. 1599. A bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with Black Hills National Forest (Rept. No. 106-210).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

H.R. 20. A bill to authorize the Secretary of the Interior to construct and operate a visitor center for the Upper Delaware Scenic and Recreational River on land owned by the State of New York (Rept. No. 106-211).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment.

H.R. 592. A bill to redesignate Great Kills Park in the Gateway National Recreation Area as "World War II Veterans Park at Great Kills" (Rept. No. 106-212).

H.R. 1619. A bill to amend Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to expand the boundaries of the Corridor (Rept. No. 106-213).

By Mr. BOND, from the Committee on Small Business, with an amendment in the nature of a substitute:

S. 791. A bill to amend the Small Business Act with respect to the women's business center program (Rept. No. 106-214).

By Mr. HATCH, from the Committee on the Judiciary, without amendment and with a preamble:

H.J. Res. 65. A joint resolution commending the World War II veterans who fought in the Battle of the Bulge, and for other purposes.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment:

S. 1515. A bill to amend the Radiation Exposure Compensation Act, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of a committee were submitted:

By Mr. HATCH, Committee on the Judiciary:

Q. Todd Dickinson, of Pennsylvania, to be Commissioner of Patents and Trademarks.

Anne H. Chasser, of Ohio, to be an Assistant Commissioner of Patents and Trademarks.

Kathryn M. Turman, of Virginia, to be Director of the Office for Victims of Crime.

Melvin W. Kahle, of West Virginia, to be United States Attorney for the Northern District of West Virginia for a term of 4 years.

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. BOXER:

S. 1840. A bill to provide for the transfer of public lands to certain California Indian Tribes; to the Committee on Indian Affairs.

By Mr. COCHRAN:

S. 1841. A bill to provide private chapter 7 panel trustees and chapter 13 standing trustees with remedies for resolving disputes with the United States Trustee Program; to the Committee on the Judiciary.

By Mr. WELLSTONE:

S. 1842. A bill to combat trafficking of persons in the United States and countries around the world through prevention, prosecution and enforcement against traffickers, and protection and assistance to victims of trafficking; to the Committee on Foreign Relations.

By Mr. SESSIONS:

S. 1843. A bill to designate certain Federal land in the Talladega National Forest, Alabama, as the "Dugger Mountain Wilderness"; considered and passed.

By Mr. ROTH (for himself, Mr. MOYNIHAN, Mr. VOINOVICH, Mrs. FEINSTEIN, Mr. ROBERTS, Mrs. BOXER, Mr. ENZI, Mr. THOMAS, Mr. GRAMM, Mr. KERREY, Mrs. HUTCHISON, and Mr. BAYH):

S. 1844. A bill to amend part D of title IV of the Social Security Act to provide for an alternative penalty procedure with respect to compliance with requirements for a State disbursement unit; considered and passed.

By Mrs. BOXER (for herself and Mr. LAUTENBERG):

S. 1845. A bill to amend title 18, United States Code, to prohibit the sale or transfer of a firearm or ammunition to an intoxicated person; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 214. A resolution authorizing the taking of photographs in the Chamber of the United States Senate; considered and agreed to.

By Mr. LOTT:

S. Res. 215. A resolution making changes to Senate committees for the 106th Congress; considered and agreed to.

By Mr. CAMPBELL (for himself, Mr. INOUE, Mr. COCHRAN, Mr. GRASSLEY, Mrs. MURRAY, Mr. BINGAMAN, Mr. DOMENICI, Mr. SMITH of Oregon, Mr. AKAKA, Mr. CONRAD, Mrs. BOXER, Mr. HATCH, Mr. JOHNSON, Mr. KOHL, Mr. INHOFE, Mr. REID, Mr. ENZI, Mr. MCCAIN, Mr. MURKOWSKI, Mr. THOMAS, Mr. BURNS, Mr. GRAMS, Mr. DASCHLE, Mr. BENNETT, Mr. ALLARD, Mr. STEVENS, Mr. CRAPO, Mr. WYDEN, Mr. FRIST, Mr. JEFFORDS, and Mr. KENNEDY):

S. Res. 216. A resolution designating the Month of November 1999 as "National American Indian Heritage Month"; to the Committee on the Judiciary.

By Mr. HUTCHINSON:

S. Res. 217. A resolution relating to the freedom of belief, expression, and association

in the People's Republic of China; to the Committee on Foreign Relations.

By Mr. TORRICELLI:

S. Con. Res. 65. A concurrent resolution expressing the sense of Congress regarding the preservation of full and open competition for contracts for the transportation of United States military cargo between the United States and the Republic of Iceland; to the Committee on Commerce, Science, and Transportation.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Con. Res. 66. A concurrent resolution to authorize the printing of "Capitol Builder: The Shorthand Journals of Captain Montgomery C. Meigs, 1853-1861"; considered and agreed to.

S. Con. Res. 67. A concurrent resolution to authorize the printing of "The United States Capitol" A Chronicle, Design, and Politics"; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER:

S. 1840. A bill to provide for the transfer of public lands to certain California Indian tribes; to the Committee on Indian affairs.

CALIFORNIA INDIAN LAND TRANSFER ACT

Mrs. BOXER. Mr. President, today I am introducing the California Indian Land Transfer Act, which would transfer to eight California tribes approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing, resource protection, and non-gaming economic development.

The eight tribes are the Pit River Tribe (Modoc County), the Fort Bidwell Indian Community (Modoc County), the Pala Band of Mission Indians (San Diego County), the Cuyapaipe Band of Mission Indians (San Diego County), the Manzanita Band of Mission Indians (San Diego County), the Barona Band of Mission Indians (San Diego County), and the Morongo Band of Mission Indians (Riverside County).

All of the parcels of BLM land are contiguous to existing reservation trust lands and have been formally classified as suitable for disposal through the BLM land use planning process.

Many California Indian tribes now lack reservations of sufficient size to provide housing or an economic base adequate to meet the needs of their members and their families. Other California Indian reservations have such poor quality lands that the tribal options for economic development are extremely limited. This situation derives from the complex history of federal-tribal relations in California. Instead of the approximately 8.5 million acres of land promised in the treaties, the California tribes now reside on a little more than 400,000 acres. Approximately one-third of California's 107 federally recognized tribes have a land base of less than 50 acres; approximately two-thirds have a land base of

less than 500 acres, leaving little opportunity for these tribes to develop viable communities and economies where their members can live and work.

The counties in which these lands are located support the tribes' efforts to acquire these lands and have participated in the federal land planning process through which these parcels were identified and made available for transfer to the tribes. This legislation also has the support of the Administration. A similar bill, H.R. 2742, passed the House of Representatives last Congress and was placed on the Senate's consent calendar but was never brought to a vote before adjournment. An earlier version of the bill suffered the same fate in the 104th Congress and I am informed that the negotiations between the Department of the Interior and the Tribes for transfer of these lands date back to 1994.

This legislation is the result of a multiyear cooperative effort by the tribes, the Secretary, the BLM and the Bureau of Indian Affairs, in consultation with local country governments. This effort allows me to present a model legislative blueprint for inter-agency transfer of federal lands as a means of enhancing the extremely limited land and resources base of California's small tribes. The bill also stands as an excellent example of federal, tribal, and local governmental consultation and collaboration within the planning process for disposition of federal lands that have been formally classified as suitable for disposal. It is time for Congress to do its part and conclude this successful intergovernmental collaboration.

I ask unanimous consent that the text of the bill and letters of support from the eight tribes and four counties affected by this legislation be included in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1840

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "California Indian Land Transfer Act".

SEC. 2. LANDS HELD IN TRUST FOR VARIOUS TRIBES OF CALIFORNIA INDIANS.

(a) IN GENERAL.—Subject to valid existing rights, all right, title, and interest of the United States in and to the lands, including improvements and appurtenances, described in a paragraph of subsection (b) in connection with the respective tribe, band, or group of Indians named in such paragraph are hereby declared to be held in trust by the United States for the benefit of such tribe, band, or group. Real property taken into trust pursuant to this subsection shall not be considered to have been taken into trust for gaming (as that term is used in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)).

(b) LANDS DESCRIBED.—The lands described in this subsection, comprising approximately 3525.8 acres, and the respective tribe, band, or group, are as follows:

(1) PIT RIVER TRIBE.—Lands to be held in trust for the Pit River Tribe are comprised of approximately 561.69 acres described as follows:

Mount Diablo Base and Meridian
Township 42 North, Range 13 East

Section 3:
S½ NW¼, NW¼ NW¼, 120 acres.

Township 43 North, Range 13 East

Section 1:
N½ NE¼, 80 acres,
Section 22:
SE¼ SE¼, 40 acres,
Section 25:
SE¼ NW¼, 40 acres,
Section 26:
SW¼ SE¼, 40 acres,
Section 27:
SE¼ NW¼, 40 acres,
Section 28:
NE¼ SW¼, 40 acres,
Section 32:
SE¼ SE¼, 40 acres,
Section 34:
SE¼ NW¼, 40 acres,

Township 44 North, Range 14 East,

Section 31:
S½ SW¼, 80 acres.

(2) FORT INDEPENDENCE COMMUNITY OF PAIUTE INDIANS.—Lands to be held in trust for the Fort Independence Community of Paiute Indians are comprised of approximately 200.06 acres described as follows:

Mount Diablo Base and Meridian
Township 13 South, Range 34 East

Section 1:
W½ of Lot 5 in the NE¼, Lot 3, E½ of Lot 4, and E½ of Lot 5 in the NW¼.

(3) BARONA GROUP OF CAPITAN GRANDE BAND OF MISSION INDIANS.—Lands to be held in trust for the Barona Group of Capitan Grande Band of Mission Indians are comprised of approximately 5.03 acres described as follows:

San Bernardino Base and Meridian
Township 14 South, Range 2 East

Section 7, Lot 15.

(4) CUYAIPAPE BAND OF MISSION INDIANS.—Lands to be held in trust for the Cuyapaipe Band of Mission Indians are comprised of approximately 1,360 acres described as follows:

San Bernardino Base and Meridian
Township 15 South, Range 6 East

Section 21:
All of this section.

Section 31:
NE¼, N½SE¼, SE¼SE¼.

Section 32:
W½SW¼, NE¼SW¼, NW¼SE¼.

Section 33:
SE¼, SW¼SW¼, E½SW¼.

(5) MANZANITA BAND OF MISSION INDIANS.—Lands to be held in trust for the Manzanita Band of Mission Indians are comprised of approximately 1,000.78 acres described as follows:

San Bernardino Base and Meridian
Township 16 South, Range 6 East

Section 21:
Lots 1, 2, 3, and 4, S½.

Section 25:
Lots 2 and 5.

Section 28:
Lots, 1, 2, 3, and 4, N½SE¼.

(6) MORONGO BAND OF MISSION INDIANS.—Lands to be held in trust for the Morongo Band of Mission Indians are comprised of approximately 40 acres described as follows:

San Bernardino Base and Meridian
Township 3 South, Range 2 East

Section 20:

NW¼ of NE¼.

(7) PALA BAND OF MISSION INDIANS.—Lands to be held in trust for the Pala Band of Mission Indians are comprised of approximately 59.20 acres described as follows:

San Bernardino Base and Meridian
Township 9 South, Range 2 West

Section 13, Lot 1, and Section 14, Lots 1, 2, 3.

(8) FORT BIDWELL COMMUNITY OF PAIUTE INDIANS.—Lands to be held in trust for the Fort Bidwell Community of Paiute Indians are comprised of approximately 299.04 acres described as follows:

Mount Diablo Base and Meridian
Township 46 North, Range 16 East

Section 8:

SW¼SW¼.

Section 19:

Lots 5, 6, 7.

S½NE¼, SE¼NW¼, NE¼SE¼.

Section 20:

Lot 1.

SEC. 3. MISCELLANEOUS PROVISIONS.

(a) PROCEEDS FROM RENTS AND ROYALTIES TRANSFERRED TO INDIANS.—Amounts which accrue to the United States after the date of the enactment of this Act from sales, bonuses, royalties, and rentals relating to any land described in section 2 shall be available for use or obligation, in such manner and for such purposes as the Secretary may approve, by the tribe, band, or group of Indians for whose benefit such land is taken into trust.

(b) NOTICE OF CANCELLATION OF GRAZING PREFERENCES.—Grazing preferences on lands described in section 2 shall terminate 2 years after the date of the enactment of this Act.

(c) LAWS GOVERNING LANDS TO BE HELD IN TRUST.—

(1) IN GENERAL.—Any lands which are to be held in trust for the benefit of any tribe, band, or group of Indians pursuant to this Act shall be added to the existing reservation of the tribe, band, or group, and the official boundaries of the reservation shall be modified accordingly.

(2) APPLICABILITY OF LAWS OF THE UNITED STATES.—The lands referred to in paragraph (1) shall be subject to the laws of the United States relating to Indian land in the same manner and to the same extent as other lands held in trust for such tribe, band, or group on the day before the date of enactment of this Act.

DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT,
CALIFORNIA STATE OFFICE,

Sacramento, CA, October 8, 1999.

Senator BARBARA BOXER,
112 Hart Senate Office Building,
Washington, DC.

DEAR SENATOR BOXER: Thank you for your inquiry regarding your planned introduction of the California Indian Land Transfer Act. As you know, the Administration has twice forwarded proposed legislation to Congress (in the 104th and the 105th) to effect these land transfers which must be done legislatively. The Bureau of Land Management (BLM) has worked cooperatively for many years with the eight Tribes and the local governments involved to see these transfers are completed.

The tribes, acreages, and counties involved are as follows:

Barona, 5 acres, San Diego County;
Cuyapaipe, 1,360 acres, San Diego County;
Fort Bidwell, 300 acres, Modoc County;
Fort Independence, 200 acres, Inyo County;
Morongo, 40 acres, San Diego County;
Manzanita, 1,000 acres, San Diego County;

Pala, 60 acres, San Diego County; and XL Ranch/Pit River, 562 acres, Modoc County.

In each of these cases the lands are surrounded by or directly adjacent to the Tribes' existing reservations. The tracts identified represent scattered, unmanageable tracts of public lands that have been identified in our land use plans for disposal. The Tribes have indicated these lands will add to economic viability of their reservations and we are pleased to assist them in this important endeavor.

We look forward to introduction of your legislation in the 106th Congress on this important public issue. Please let us know if we can assist you in any way.

Sincerely,

ELAINE MARQUIS-BRONG

(For Al Wright, Acting State Director).

RESOLUTION No. 99-34

Be it hereby *Resolved*, That the Board of Supervisors affirms its earlier support (in Resolutions 95-29 and 96-39) of the introduction of the California Indian Land Transfer Act (copy attached), which would transfer approximately 860 acres of public lands under the jurisdiction of the Bureau of Land Management to the United States of America in trust for the Pit River Tribe (560 acres) and the Fort Bidwell Community of Paiute Indians (300 acres) to be added to the tribal trust lands of their respective reservations.

BOARD OF SUPERVISORS,

COUNTY OF RIVERSIDE,

Riverside, CA, August 31, 1999.

Senator BARBARA BOXER,
Suite 112, Senate Hart Office Bldg.,
Washington, DC.

DEAR SENATOR BOXER: We are writing to convey our support for the California Indian Land Transfer Act (CILTA) and to urge your support of this legislation. CILTA would transfer to eight California Indian tribes a total of approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing, resource protection, and non-gaming economic development.

In our district this would mean the transfer of approximately 40 acres, presently under the jurisdiction of the Bureau of Land Management to the United States of America in trust for the Morongo Land of Mission Indians to be added to the tribal trust lands of the Morongo Indian Reservation.

The current version of the CILTA passed the House of Representative last year as H.R. 2742 and was placed on the Senate's consent calendar, but was never brought to a vote before adjournment. Last session was the second time that the bill has passed the House without timely action in the Senate.

California county governments have been supportive of the tribes' past efforts to obtain additional lands for such uses as housing, grazing, resource protection, and non-gaming economic development. Moreover, county governments have had varying degrees of involvement with the federal and planning process through which these parcels were identified and made available for transfer to the tribes.

CILTA has the unqualified support of the Administration, which has invested considerable time and effort in urging its enactment. The Secretary of the Interior personally transmitted the bill to the Congress last year with his strong recommendation that it be enacted at the earliest possible date. The Secretary remains similarly committed to supporting the bill's passage during the current session of Congress.

CILTA is the result of a multi-year, cooperative effort by the tribes, the Secretary, the BLM and the Bureau of Indian Affairs, in consultation with local county governments. It presents a model legislative blueprint for inter-agency transfer of federal lands as a means of enhancing the extremely limited land and resource base of California's small tribes. It also illustrates how federal, tribal and local governmental consultation can successfully occur within the framework of an existing federal planning process.

We hope this letter conveys our support for this important legislation and urge you to support its passage.

Sincerely,

JIM VENABLE,

Supervisor, Third District.

RESOLUTION No. 99-170

Now, be it *resolved* by the Board of Supervisors of the County of San Diego, supports the introduction of the California Indian Land Transfer Act, which would transfer a total of approximately 2,525 acres of public lands under the jurisdiction of the Bureau of Land Management to the United States of America in trust for the Barona (5.03 acres), Cuyapaipe (1,360 acres), Manzanita (1,000.78 acres), and Pala (59.20) acres) Bands of Mission Indians to be added to the tribal trust lands of their respective reservations.

RESOLUTION No. 99-41

Whereas, on July 6, 1999, the Fort Independence Indian Community asked the County to reiterate its support for the California Indian Land Transfer Act, and explained the Tribe's need for the additional land, the history of the land proposed for transfer, and the Tribe's plans for development and use of the lands; and

Whereas, this Board desires to both promote economic development and enhance the quality of life within the County and believes that the Tribe's proposed development could play a vital role in these goals by improving the economic, social and cultural health of both the Tribe and the County; and

Whereas, this Board desires to provide for the County adequate housing, jobs, economic development, and recreational and cultural amenities through a reasonable land development plan that ensures the provision of necessary public services and facilities and eliminates or mitigates any potential negative impacts of such development; and

Whereas, the Tribe has notified the Board that it shares these same concerns about their shared community; and

Whereas, the Board recognizes the Tribe's sovereignty; and

Whereas, the Tribe has expressed its desire to the Board to work with the County in a government-to-government relationship to ensure that Tribal development of the parcel proposed for transfer will provide the community with necessary housing and economic development without compromising the environmental, health, safety or welfare concerns of the region; now therefore, be it

Resolved by the Board of Supervisors of the County of Inyo, State of California, that it supports the California Indian Land Transfer Act, and the included transfer to the Fort Independence Indian Community of the 200-acre parcel of Bureau of Land Management land which is contiguous to the existing reservation, provided that the Fort Independence Indian Community agrees with a Memorandum of Understanding, which provides for a mutually agreeable method of dispute resolution, to bring its proposed development plan back to the County in order to discuss,

on a government-to-government basis, how applicable federal and tribal laws will address the following issues/concerns, and, in those situations where the County is of the opinion that federal and tribal laws do not adequately address its concerns, to discuss what standards and/or approaches the Tribe might incorporate into its development plan or laws, looking to state and local laws for guidance, so to address, to a reasonable extent, the County's concerns:

- (1) Building design and construction;
- (2) Land use, planning and zoning;
- (3) Health;
- (4) Environmental health;
- (5) Animal control;
- (6) Streets, highways and roads;
- (7) Environmental quality;
- (8) Police protection;
- (9) Fire protection;
- (10) Water supply;
- (11) Sewage disposal;
- (12) School facilities;
- (13) Funding for county-provided services; and
- (14) Gaming.

Be it further *Resolved*, That the Clerk of the Board is directed to distribute this Resolution to the Fort Independence Indian Tribal Council, the Secretary of the Interior, United States Senators Boxer and Feinstein, the Governor of the State of California, representatives of Inyo County in the United States House of Representatives and the California Legislature; the Bureau of Indian Affairs and the Bureau of Land Management.

HOUSE OF REPRESENTATIVES,

Washington, DC, June 11, 1999.

SAN DIEGO COUNTY BOARD OF SUPERVISORS,
1600 Pacific Hwy, Room 335,
San Diego, CA.

DEAR SUPERVISORS: I am writing to you regarding the transfer of surplus Bureau of Land Management land parcels to the Barona, Cuyapaipe and Manzanita Bands of Mission Indians in San Diego County. It is my understanding that the Board of Supervisors will be considering a resolution to support the introduction of the California Indian Land Transfer Act (CILTA) in Congress to authorize this transfer and I wanted to make you aware of my continued support for this effort.

I firmly believe that this transfer will promote tribal sovereignty while, at the same time, provide numerous benefits to our San Diego county communities. As you may know, I voted in favor of the CILTA when it passed the House of Representatives on two separate occasions. Despite this support, however, this legislation has failed to receive adequate consideration in the Senate.

It is for this reason that I was pleased to learn that Senator Barbara Boxer has expressed interest in reintroducing the CILTA in the 106th Congress. Taking into consideration the numerous endorsements this effort has received in the past, coupled with the fact that these land parcels will be used for "non-gaming" economic and community development, it is my full intention to once again support this legislation when it is considered by the House.

Thank you for your time and allowing me to express my thoughts on this important issue. If you have any questions regarding this matter, please do not hesitate to contact me directly, or Michael Harrison in my office at (202) 255-5672.

With best wishes,

Sincerely,

DUNCAN HUNTER,
Member of Congress.

FORT INDEPENDENCE
INDIAN RESERVATION,
Independence, CA, October 13, 1999.

Re California Indian Land Transfer Act.

Hon. BARBARA BOXER,
*U.S. Senate,
Washington, DC.*

DEAR SENATOR BOXER: On behalf of the Fort Independence Community of Paiute Indians, I want to express our thanks for your agreement to introduce the California Indian Land Transfer Act, a bill that would transfer to eight California Indian Tribes a total of approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing resource protection and nongaming economic development. Under the bill's provisions, our tribe will acquire approximately 200 acres of BLM land. These lands would be added to the tribal trust lands of the Fort Independence Indian Reservation. We expect to use the land for non-gaming economic development.

We sincerely appreciate your support for this important legislation.

Sincerely,

WENDY L. STINE,
Chairperson.

BARONA BAND OF MISSION INDIANS,
Lakeside, CA, March 9, 1999.

Re Proposed Southern California Indian Land Transfer Act.

DEAR SENATOR BOXER: By now you should have received the letter of today's date from Stephen V. Quesenberry of California Indian Legal Services, voicing the support of his six tribal clients of the above proposed bill. The Barona Band of Mission Indians is the seventh Californian tribe that would benefit from this bill. We are writing to you separately to add our support for the bill, which was passed in the House in the last session, only to die from inaction in the Senate. Because Congressman Young does not want to introduce it in the House, where we expect little or no opposition at all.

As for the fear that the Barona Band might use the land to be acquired under this bill for gaming purposes, we have two simple responses. First, the 5.03 acres that we would obtain is far too small and far too remote to be used for this purpose. Instead, we would use it for watershed, cattle grazing, and wildlife habitat. This small parcel is over a mile from the nearest paved road, across fairly rough country. Second, the Barona Band already has a very successful gaming enterprise on its primary reservation adjacent to a country road, and therefore does not need any further gaming locations. In addition, the bill itself specifies that this land is not being transferred for gaming purposes in any event.

Instead of lengthening this letter by repeating the statements presented by Mr. Quesenberry on behalf of his tribal clients, we will just adopt them as our own, and urge you to introduce and vigorously support this non-controversial bill on behalf of the Barona Band and other California tribes which would benefit from it.

Sincerely yours,

CLIFFORD M. LACHAPPA,
Chairman.

BARONA BAND OF MISSION INDIANS,
Lakeside, CA, June 29, 1999.

Hon. BARBARA BOXER,
*U.S. Senate,
Washington, DC.*

DEAR SENATOR BOXER: During the 105th Congress, Congressman Don Young introduced the California Indian Land Transfer

Act, H.R. 2742, a bill that would transfer approximately 3,500 acres of Bureau of Land Management (BLM) land to a number of Indian tribes located in California, including 5.03 acres for the Barona Band of Mission Indians. Attached, please find a resolution recently adopted by the Barona Band of Mission Indians Tribal Council urging you to sponsor similar legislation in the United States Senate this year.

As you know, since the early 1930's, the Barona Band has been located on approximately 5,500 acres in rural eastern San Diego County and is home to approximately 300 people. We came to this land after the City of San Diego bought our reservation as a reservoir site and forced us to move. Therefore, the passage of this bill is very important to our history and our future.

As drafted, H.R. 2742 would place a number of restrictions on the use of the new lands. Perhaps most noteworthy is the provision barring the use of any such lands for gaming purposes. Although as a sovereign government we object to any restriction being placed on the use of our lands, we understand that the political nature of this bill demands such a restriction.

Finally, we are encouraged by the action taken by the San Diego County Board when they too adopted a resolution in support of the proposed legislation. We are hopeful that this demonstration of government unity will give you the encouragement necessary to carry this bill forward.

Sincerely,

CLIFFORD M. LACHAPPA,
Chairman.

RESOLUTION NO. 06-2299

Whereas: The Barona Band of Mission Indians is among the 104 Federally recognized Indian Tribes located in the State of California; and,

Whereas: Indian Tribes located in California retain rights to fewer than 500,000 acres of land, seventy-five percent of which is held in Trust by the United States Government on behalf of 14 tribes; and,

Whereas: The Federal Bureau of Land Management (BLM) is considering large scale transfers of trust lands to local governments in California, and to the State of California; and,

Whereas: The Federal Bureau of Land Management (BLM) is considering large scale transfers of trust lands to local governments in California, and to the State of California; and,

Whereas: California Indian Legal Services has been working diligently over the past three years to secure passage of Federal Legislation to transfer approximately 3,600 acres of BLM trust land to 10 specific tribes; and,

Whereas: The Elected leaders of California have a unique responsibility to help California tribes address the issue of securing additional lands so that tribes may develop stronger economies; and,

Whereas: On June 15th, the San Diego county Board of Supervisors unanimously voted to support this transfer of land; and, be it therefore

Resolved: That the Barona Band of Mission Indians urges Senator Barbara Boxer and Senator Dianne Feinstein to sponsor legislation to transfer such lands as identified by the California Indian Legal Services from the BLM to benefit California tribes and work for the passage of such legislation.

BARONA BAND OF MISSION INDIANS,
Lakeside, CA, October 14, 1999.

Re California Indian Land Transfer Act.

Hon. BARBARA BOXER,
*U.S. Senate,
Washington, DC.*

DEAR SENATOR BOXER: On behalf of the Barona Group of the Capitan Grande Band of Mission Indians, I want to express our thanks for your agreement to introduce the California Indian Land Transfer Act, a bill that would transfer to eight California Indian tribes a total of approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing, resource protection, and non-gaming economic development. Under the bill's provisions, our tribe will acquire approximately 5.03 acres of BLM land. These lands would be added to the tribal trust lands of the Barona Indian Reservation. We expect to use the land for wild land addition to the reservation.

We sincerely appreciate your support for this important legislation.

Sincerely,

CLIFFORD M. LACHAPPA,
Chairman.

MANZANITA BAND OF MISSION INDIANS,
Boulevard, CA, October 1, 1999.

Re California Indian Land Transfer Act.

Hon. BARBARA BOXER,
*U.S. Senate,
Washington, DC.*

DEAR SENATOR BOXER: On behalf of the Manzanita Band of Mission Indians, I want to express our thanks for your agreement to introduce the California Indian Land Transfer Act, a bill that would transfer to eight California Indian Tribes a total of approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing, resource protection, and non-gaming economic development. Under the bill's provisions, our tribe will acquire approximately 1,000 acres of BLM land. These lands would be added to the tribal trust lands of the Manzanita Indian Reservation. We expect to use the land for non-gaming economic development.

We sincerely appreciate your support for this important legislation.

Sincerely,

LERoy J. ELLIOTT,
Chairman.

PALA BAND OF MISSION INDIANS,
Pala, CA, October 1, 1999.

Re California Indian Land Transfer Act.

Hon. BARBARA BOXER,
*U.S. Senate,
Washington, DC.*

DEAR SENATOR BOXER: On behalf of the Pala Band of Mission Indians, I want to express our thanks for your agreement to introduce the California Indian Land Transfer Act, a bill that would transfer to eight California Indian tribes a total of approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing, resource protection, and non-gaming economic development. Under the bill's provisions, our tribe will acquire approximately 60 acres of BLM land. These lands would be added to the tribal trust lands of the Pala Indian Reservation. We expect to use the land for wildland addition to the reservation.

We sincerely appreciate your support for this important legislation.

Sincerely,

ROBERT H. SMITH,
Tribal Chairman.

EWIAAPAAYP TRIBAL OFFICE,
Alpine, CA, October 4, 1999.
Re California Indian Land Transfer Act.

Hon. BARBARA BOXER,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOXER: On behalf of the Cuyapaipe Band of Mission Indians, I want to express our thanks for your agreement to introduce the California Indian Land Transfer Act, a bill that would transfer to eight California Indian tribes a total of approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing, resource protection, and non-gaming economic development. Under the bill's provisions, our tribe will acquire approximately 1,360 acres of BLM land. These lands would be added to the tribal trust lands of the Cuyapaipe Indian Reservation. We expect to use the land for housing and non-gaming economic development.

We sincerely appreciate your support for this important legislation.

Sincerely,

TONY PINTO,
Tribal Chairman.

PIT RIVER TRIBE,
Burney, CA, October 6, 1999.
Re California Indian Land Transfer Act.

Hon. BARBARA BOXER,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOXER: On behalf of the Pit River Tribe, I want to express our thanks for your agreement to introduce the California Indian Land Transfer Act, a bill that would transfer eight California Indian tribes a total of approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing, resource protection, and non-gaming economic development. Under the bill's provisions, our tribe will acquire approximately 560 acres of BLM land. These lands would be added to the tribal trust lands of the XL Ranch Indian Reservation. We expect to use the land for housing, grazing and other agricultural development.

We sincerely appreciate your support for this important legislation.

Sincerely,

LAWRENCE CANTRELL,
Chairman.

PIT RIVER TRIBE,
Burney, CA, October 6, 1999.
Re California Indian Land Transfer Act.

Hon. BARBARA BOXER,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOXER: On behalf of the Pit River Tribe, I want to express our thanks for your agreement to introduce the California Indian Land Transfer Act, a bill that would transfer eight California Indian tribes a total of approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing, resource protection, and non-gaming economic development. Under the bill's provisions, our tribe will acquire approximately 560 acres of BLM land. These lands would be added to the tribal trust lands of the XL Ranch Indian Reservation. We expect to use the land for housing, grazing and other agricultural development.

We sincerely appreciate your support for this important legislation.

Sincerely,

ARNOLD WILKES,
Vice-Chairman.

FORT BIDWELL INDIAN
COMMUNITY COUNCIL,
Fort Bidwell, CA, October 6, 1999.

Re California Indian Land Transfer Act.

Hon. BARBARA BOXER,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOXER: On behalf of the Fort Bidwell Indian Community, I want to express our thanks for your agreement to introduce the California Indian Land Transfer Act, a bill that would transfer eight California Indian tribes a total of approximately 3,500 acres of Bureau of Land Management (BLM) land to be used for housing construction, grazing, resource protection, and non-gaming economic development. Under the bill's provisions, our tribe will acquire approximately 300 acres of BLM land. These lands will be added to the tribal trust lands of the Fort Bidwell Indian Reservation. We expect to use the land for housing and grazing.

We sincerely appreciate your support for this important legislation.

Sincerely,

DENISE POLLARD,
Acting Chairperson.

MORONGO BAND OF MISSION INDIANS,
Banning, CA, October 25, 1999.

Hon. BARBARA BOXER,
U.S. Senate,
Washington, DC.

DEAR SENATOR BOXER: The purpose of this letter is to request that you sponsor and introduce legislation to transfer certain parcels of land from the Bureau of Land Management to various California Indian Tribes. It is our understanding that your staff has been working on this matter with Tribes and their representatives.

As you are aware, this proposed legislation is similar to legislation that was previously enacted transferring other Bureau of Land Management land to California Indian Tribes.

We appreciate your efforts in this area, as well as your support of the Tribes in California on the range of legislative issues and challenges that native Americans face.

Sincerely yours,

MARY ANN MARTIN ANDREAS,
Chairperson.

By Mrs. BOXER (for herself and
Mr. LAUTENBERG):

S. 1845. A bill to amend title 18, United States Code, to prohibit the sale or transfer of a firearm or ammunition to an intoxicated person; and the Committee on the Judiciary.

GUN SALES TO INTOXICATED PERSONS

• Mrs. BOXER. Mr. President, last July, when the Senate considered the Commerce-Justice-State appropriations bill, I offered an amendment to prohibit the sale of guns to people who were intoxicated.

State and local laws prohibit intoxicated people from operating a car, a boat, a snowmobile, a plane, an all-terrain vehicle, or a bicycle. There is even one state law that prohibits an intoxicated person from getting a tattoo. In addition, federal law prohibits an intoxicated person from enlisting in the military. And, federal gun laws prohibit the sale of a gun to a drug user.

My amendment simply built on this record. All it said is that if you are in-

toxicated, you cannot buy a gun or ammunition. To me, it just makes common sense that someone who is drunk should not be able to buy a gun. And, the Senate agreed because my amendment was passed unanimously.

Unfortunately, Mr. President, the conference committee dropped this provision from the bill. I am extremely disappointed that such a common-sense proposal would be abandoned by the Senate leadership.

So, today, I am introducing—along with my colleague, Senator LAUTENBERG—this very reasonable proposal as a free-standing bill.

Mr. President, guns and alcohol do not mix. A 1997 study in the Journal of American Medical Association found that "alcohol and illicit drug use appear to be associated with an increased risk of violent death." And as the two stories I want to share today illustrate, alcohol is also associated with an increased risk of serious injury.

The first story is about a woman by the name of Deborah Kitchen. She is a quadriplegic, and she got that way because her ex-boyfriend shot her.

On the day of the shooting, Deborah's boyfriend, Thomas Knapp, consumed—by his own estimate—a fifth of whiskey and a case of beer. He went to K-Mart in Florida to buy a .22-caliber rifle and a box of bullets. Mr. Knapp was so intoxicated that the clerk had to help him fill out the federal form required to purchase the gun. But he was still able to buy the rifle.

Mr. Knapp then took that rifle, shot his ex-girlfriend Deborah Kitchen, and left her a quadriplegic.

The second story is from Michigan. It involves an 18-year-old named Walter McKay, who had engaged in a day-long drinking spree and then went and bought ammunition for his shotgun. He was so intoxicated that he could not remember whether it was a man or woman who sold him the ammunition and could not identify what he purchased.

He took those shotgun shells, loaded his gun, and intended to shoot out the back window of an acquaintance's truck. He was intoxicated. The shot missed, ricocheted off the wheel of the truck, and hit Anthony Buczkowski. Mr. Buczkowski had to have a finger amputated and his left wrist surgically fused.

Mr. Knapp and Mr. McKay could buy a gun and ammunition because it is not—I repeat, not—against the law to sell a gun or ammunition to someone who is intoxicated.

Mr. President, as I mentioned earlier, states and localities have all sorts of laws prohibiting people who are intoxicated from doing certain things. But, I am unaware of a single state law that prohibits someone who is drunk from buying a gun or ammunition.

It would be nice if states would act. But, gun sales are largely regulated at