

remedies available under applicable Tribal law.

(d) **RELIEF UNDER THE INDIAN GENERAL ALLOTMENT ACT.**—Following an exhaustion of remedies available under applicable Tribal law, an allottee may seek relief under the Act or any other applicable law.

(e) **RELIEF FROM THE SECRETARY.**—Following exhaustion of remedies available under the Act, or any other applicable law, an allottee may petition the Secretary for relief.

#### SEC. 13. CONSIDERATION PAID TO THE CRIT.

The CRIT, and not the United States in any capacity, shall be entitled to all consideration due to the CRIT under any lease or exchange agreement, storage agreement, or agreement for conserved water.

#### SEC. 14. LIABILITY OF THE UNITED STATES.

(a) **LIMITATION OF LIABILITY.**—The United States shall not be liable to the CRIT or to any party to a lease or exchange agreement, a storage agreement, or an agreement for conserved water in any claim relating to the negotiation, execution, or approval of any lease or exchange agreement, storage agreement, or agreement for conserved water, including any claim relating to the terms included in such an agreement, except for claims relating to the requirements of section 8(a).

(b) **OBLIGATIONS.**—The United States shall have no trust obligation or other obligation to monitor, administer, or account for—

(1) any funds received by the CRIT as consideration under any lease or exchange agreement, storage agreement, or agreement for conserved water; or

(2) the expenditure of such funds.

#### SEC. 15. APPLICATION.

(a) **IN GENERAL.**—This Act shall only apply to the portion of the decreed allocation that is available for use in the State.

(b) **REQUIREMENT.**—The portion of the decreed allocation that is available for use in the State shall not be used, directly or indirectly outside the Lower Basin in the State or in the counties of Navajo, Apache, or Cochise in the State.

#### SEC. 16. RULE OF CONSTRUCTION.

Nothing in this Act establishes, or shall be considered to establish, a precedent in any litigation involving, or alters, affects, or quantifies, any water right with respect to—

(1) the United States;

(2) any other Indian Tribe, band, or community;

(3) any State or political subdivision or district of a State; or

(4) any person.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Alaska (Mrs. PELTOLA) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Alaska.

#### GENERAL LEAVE

Mrs. PELTOLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Alaska?

There was no objection.

Mrs. PELTOLA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 3308, the Colorado River Indian Tribes

Water Resiliency Act introduced by Senator MARK KELLY of Arizona.

This bill authorizes the Colorado River Indian Tribes, or CRIT, to lease a portion of its Colorado River allocation to assist Arizona communities and to help slow unprecedented water level declines behind Hoover Dam, which supplies water to tens of millions of people.

This authority will enable the CRIT to enter agreements to lease or conserve water to support Tribal economic development and to help address water shortages in the Colorado River Basin, which is currently in its 23rd year of a historic drought.

I want to commend the Natural Resources Committee Chair GRIJALVA for his work to develop this important legislation, along with Senator KELLY's efforts to advance this bill in the Senate.

I urge my colleagues to vote "yes" on this bill, and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise again in qualified support of the Colorado River Indian Tribes Water Resiliency Act. This bill would authorize the Colorado River Indian Tribes, or CRIT, to enter into agreements with non-Indian water users to lease, exchange, or store a portion of its decreed water rights in Arizona.

At a time when Arizona and the West are facing historic drought and water supply cutbacks, this bill could actually provide some near-term relief to those in desperate need of water.

In Arizona, for example, agricultural and other water deliveries from the Colorado River have been reduced. The farmers who feed America are staring at a bleak water future as a result.

This bill is not a cure-all, but it could help facilitate water transactions between the Colorado River Indian Tribes and Indian and non-Indian communities in Arizona increasing availability of water at no cost to the Federal Government.

Again, it is unfortunate that despite the legislation's potential benefits, it has not gone through regular order. In fact, this bill was never introduced in the House of Representatives, and the Natural Resources Committee did not have an opportunity to discuss the merits of this legislation or offer amendments at markup. Congress can do better than this, and the House fully intends to do so in the next Congress under a Republican watch.

Nevertheless, this no-Federal-cost legislation aims to give the Colorado River Indian Tribes parity with the authorities granted to Tribes under various other Indian water rights settlements in Arizona.

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Mr. Speaker, despite my reservations over the lack of process on this measure, I join with my Republican and

Democrat colleagues from Arizona, I urge adoption of this bill, and I yield back the balance of my time.

Mrs. PELTOLA. Mr. Speaker, in closing, I have no further requests for time, I urge my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Alaska (Mrs. PELTOLA) that the House suspend the rules and pass the bill, S. 3308.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROSENDALE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION LEASING AUTHORITY

Mrs. PELTOLA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3773) to authorize leases of up to 99 years for land held in trust for the Confederated Tribes of the Chehalis Reservation.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3773

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

#### SECTION 1. CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION LEASING AUTHORITY.

Subsection (a) of the first section of the Act of August 9, 1955 (69 Stat. 539, chapter 615; 25 U.S.C. 415(a)), is amended, in the second sentence, by inserting "land held in trust for the Confederated Tribes of the Chehalis Reservation" after "Crow Tribe of Montana".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Alaska (Mrs. PELTOLA) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Alaska.

#### GENERAL LEAVE

Mrs. PELTOLA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Alaska?

There was no objection.

Mrs. PELTOLA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Chehalis Tribe's Reservation in Washington was created in 1864 and sits at the confluence of the Chehalis and Black Rivers.

To develop supply chain infrastructure, the Tribe is seeking to finance improvements on an existing facility

located on Tribal trust land to secure a lease of the facility with an outside entity. The financing required for the project requires a lease agreement term of at least 86 years, which is currently not an option for the Tribe under the terms of the Long-Term Leasing Act.

Instead, the act limits lease agreement terms to no more than 25 years with an option to renew for an additional 25 years.

Since the passage of the Long-Term Leasing Act, Congress has allowed for longer leases by adding the names of certain Tribes to the Long-Term Leasing Act. Historically, such bills have been noncontroversial.

Since 1955, Congress has added 59 Tribes to the Long-Term Leasing Act. S. 3773 will serve as a Long-Term Leasing Act fix for the Chehalis Tribe to pursue its planned economic development activities.

Mr. Speaker, I urge my colleagues to vote "yes" on the bill, and I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 3773 would amend current law to authorize the Confederated Tribes of the Chehalis Reservation to lease their land held in trust for a term of up to 99 years.

Since 1834, land transactions with Native Americans have been prohibited unless specifically authorized by Congress. This has continued to apply to lands held in trust by the United States for the benefit of individual Indians or Tribes.

In 1955, Congress authorized that any Indian lands held in trust or land subject to a restriction against alienation could be leased by the Indian owner, subject to the approval of the Secretary of the Interior for terms of 10 or 25 years.

Today the 10- or 25-year lease length can be a challenge, especially when Tribes want to engage in economic endeavors requiring longer lease periods.

To date, Congress has authorized specific Indian land or Indian Tribes to lease land, subject to approval of the Secretary, for a term of up to 99 years more than 50 times. This bill would provide the same authority for the Confederated Tribes of the Chehalis Reservation, authorizing the Tribe to lease its trust land for terms up to 99 years.

Granting this authority will allow the Tribe to develop multiple warehouse facilities on the trust lands to support American supply chain infrastructure and generate economic opportunity for the Tribal community.

While I fully support the policy contained in S. 3773, I must, again, voice my frustration with the way in which the majority is considering these bills here today just days before Christmas.

This is not how we should be conducting our business in the House. Though I am frustrated with the process by which this bill came before us

today, I am glad that it hasn't been buried in the omnibus with no discussions. I can say that about all these authorization bills that we are considering today. If there is a silver lining, it is that these haven't been buried into an omnibus—a 4,000-page-plus omnibus.

Mr. Speaker, I am supportive of the underlying legislation before us, I urge its adoption, and I yield back the balance of my time.

Mrs. PELTOLA. Mr. Speaker, in closing, I have no further requests for time, I urge my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Alaska (Mrs. PELTOLA) that the House suspend the rules and pass the bill, S. 3773.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROSENDALE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### HUALAPAI TRIBE WATER RIGHTS SETTLEMENT ACT OF 2022

Mrs. PELTOLA. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4104) to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 4104

*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 "Hualapai Tribe Water Rights Settlement Act of 2022".

#### SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to resolve, fully and finally, all claims to rights to water in the State, including the Verde River, the Bill Williams River, and the Colorado River, of—

(A) the Hualapai Tribe, on behalf of the Hualapai Tribe and the members of the Hualapai Tribe; and

(B) the United States, acting as trustee for the Hualapai Tribe, the members of the Hualapai Tribe, and the allottees;

(2) to authorize, ratify, and confirm the Hualapai Tribe water rights settlement agreement, to the extent that agreement is consistent with this Act;

(3) to authorize and direct the Secretary to execute and perform the duties and obligations of the Secretary under the Hualapai Tribe water rights settlement agreement and this Act; and

(4) to authorize the appropriation of funds necessary to carry out the Hualapai Tribe water rights settlement agreement and this Act.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) 1947 JUDGMENT.—The term "1947 Judgment" means the Judgment and the Stipulation and Agreement, including exhibits to the Judgment and the Stipulation and Agreement, entered on March 13, 1947, in *United States v. Santa Fe Pac. R.R. Co.*, No. E-190 (D. Ariz.) and attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.1.

(2) AFY.—The term "AFY" means acre-feet per year.

(3) ALLOTMENT.—The term "allotment" means any of the 4 off-reservation parcels that are—

(A) held in trust by the United States for individual Indians in the Big Sandy River basin in Mohave County, Arizona, under the patents numbered 1039995, 1039996, 1039997, and 1019494; and

(B) identified as Parcels 1A, 1B, 1C, and 2 on the map attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.6.

(4) ALLOTTEE.—The term "allottee" means any Indian owner of an allotment.

(5) AVAILABLE CAP SUPPLY.—The term "available CAP supply" means, for any year—

(A) all fourth priority water available for delivery through the Central Arizona Project;

(B) water available from Central Arizona Project dams and reservoirs other than the Modified Roosevelt Dam; and

(C) return flows captured by the Secretary for Central Arizona Project use.

(6) BILL WILLIAMS ACT.—The term "Bill Williams Act" means the Bill Williams River Water Rights Settlement Act of 2014 (Public Law 113-223; 128 Stat. 2096).

(7) BILL WILLIAMS AGREEMENTS.—The term "Bill Williams agreements" means the Amended and Restated Big Sandy River-Planet Ranch Water Rights Settlement Agreement and the Amended and Restated Hualapai Tribe Bill Williams River Water Rights Settlement Agreement, including all exhibits to each agreement, copies of which (excluding exhibits) are attached to the Hualapai Tribe water rights settlement agreement as Exhibit 3.1.11.

(8) BILL WILLIAMS RIVER PHASE 2 ENFORCEABILITY DATE.—The term "Bill Williams River Phase 2 Enforceability Date" means the date described in section 14(d).

(9) BILL WILLIAMS RIVER PHASE 2 WATER RIGHTS SETTLEMENT AGREEMENT.—The term "Bill Williams River phase 2 water rights settlement agreement" means the agreement of that name that is attached to, and incorporated in, the Hualapai Tribe water rights settlement agreement as Exhibit 4.3.3.

(10) CAP CONTRACT.—The term "CAP contract" means a long-term contract (as defined in the CAP repayment stipulation) with the United States for delivery of CAP water through the CAP system.

(11) CAP CONTRACTOR.—

(A) IN GENERAL.—The term "CAP contractor" means a person that has entered into a CAP contract.

(B) INCLUSION.—The term "CAP contractor" includes the Hualapai Tribe.

(12) CAP FIXED OM&R CHARGE.—The term "CAP fixed OM&R charge" has the meaning given the term "Fixed OM&R Charge" in the CAP repayment stipulation.

(13) CAP M&I PRIORITY WATER.—The term "CAP M&I priority water" means water within the available CAP supply having a municipal and industrial delivery priority.

(14) CAP NIA PRIORITY WATER.—The term "CAP NIA priority water" means water within the available CAP supply having a non-Indian agricultural delivery priority.