

Mr. SCHATZ. I ask unanimous consent that the bill be read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. SCHATZ. I know of no further debate on this bill.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 478) was passed.

Mr. SCHATZ. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### DURBIN FEELING NATIVE AMERICAN LANGUAGES ACT OF 2021

Mr. SCHATZ. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 175, S. 1402.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1402) to amend the Native American Languages Act to ensure the survival and continuing vitality of Native American languages, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs.

Mr. SCHATZ. I ask unanimous consent that the Schatz substitute amendment at the desk be agreed to.

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

The amendment (No. 6544) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Durbin Feeling Native American Languages Act of 2022".

#### SEC. 2. ENSURING THE SURVIVAL AND CONTINUING VITALITY OF NATIVE AMERICAN LANGUAGES.

(a) IN GENERAL.—Section 106 of the Native American Languages Act (25 U.S.C. 2905) is amended by adding at the end the following:

"(c) EVALUATION; REPORT.—Not later than 1 year after the date of enactment of this subsection, the President shall—

"(1) require the heads of the various Federal departments, agencies, and instrumentalities to carry out an evaluation described in subsection (a)(1); and

"(2) submit to Congress a report that describes—

"(A) the results of the evaluations; and

"(B) the recommendations of the Secretary of the Interior, the Secretary of Health and Human Services, and the Secretary of Education, after consultation with Indian tribes, traditional leaders, and representatives of Native American language communities, for amendments to Federal laws that are needed—

"(i) to bring the Federal laws into compliance with this Act;

"(ii) to improve interagency coordination for purposes of supporting revitalization,

maintenance, and use of Native American languages; and

"(iii) to reduce duplication, inefficiencies, and barriers Native American language communities face in accessing Federal programs to support efforts to revitalize, maintain, or increase the use of Native American languages."

(b) SURVEY ON NATIVE AMERICAN LANGUAGES.—The Native American Languages Act (25 U.S.C. 2901 et seq.) is amended by adding at the end the following:

#### "SEC. 108. SURVEY ON NATIVE AMERICAN LANGUAGES.

"(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, and every 5 years thereafter, the Secretary of Health and Human Services, acting through the Commissioner of the Administration for Native Americans (referred to in this section as the 'Secretary'), shall undertake a survey of the use of all Native American languages in the United States.

"(b) UPDATES.—Prior to conducting each subsequent survey after the initial survey under subsection (a), the Secretary shall update the survey in accordance with this section.

"(c) CONSULTATION REQUIRED.—The Secretary shall design the initial survey under subsection (a) and each updated survey under subsection (b)—

"(1) in consultation with Indian tribes; and

"(2) after considering feedback received from Native American language speakers and experts.

"(d) CONTENTS.—Each survey under subsection (a) shall solicit—

"(1) information on which Native American languages are currently spoken;

"(2) estimates of the number of speakers of each Native American language;

"(3) any language usage statistics or information that the Secretary, in consultation with Indian tribes and Native American language speakers and experts, determines to be relevant and appropriate;

"(4) information on the types of Native American language maintenance and revitalization projects and practices that are currently being carried out;

"(5) information on any unmet Native American language resource needs of Indian tribes and Native American language communities; and

"(6) any other information that the Secretary, in consultation with Indian tribes and Native American language speakers and experts, determines to be necessary.

"(e) COORDINATION.—The Secretary may coordinate, and enter into cooperative agreements with, the Director of the Bureau of the Census for the purposes of carrying out this section.

"(f) OUTREACH AND ENGAGEMENT.—

"(1) IN GENERAL.—The Secretary shall carry out outreach and engagement activities to provide Indian tribes, Native American language communities, and the public information about—

"(A) opportunities to provide input on the development and design of each survey under subsection (a), including information on the consultations required under subsection (c);

"(B) the goals and purpose of the surveys conducted under subsection (a); and

"(C) the benefits and importance of participation in surveys under subsection (a).

"(2) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHORIZED.—The Secretary may carry out the outreach and engagement activities required under paragraph (1)—

"(A) directly;

"(B) in partnership with the Bureau of the Census; or

"(C) through grants to, or contracts or cooperative agreements with—

"(i) Indian tribes;

"(ii) tribal organizations; and

"(iii) nonprofit organizations that work with Indian tribes, Native American language programs, and Native American language communities.

"(g) LIMITATION.—Nothing in this section requires an Indian tribe, Native American language community, or Native American language speaker—

"(1) to participate in a survey under subsection (a); or

"(2) to provide specific or culturally sensitive information in completing such a survey.

"(h) AVAILABILITY OF SURVEY MATERIALS AND FINDINGS.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and prior to conducting each survey under subsection (a), the Secretary shall submit to the Committee on Indian Affairs of the Senate and the Committees on Education and Labor and Natural Resources of the House of Representatives, and make publicly available, a description of—

"(A) the feedback received under subsection (c) on the design of the survey;

"(B) the form and content of the survey;

"(C) the plan for deploying the survey to ensure a robust response; and

"(D) how the Secretary will ensure any survey enumeration efforts are culturally informed and appropriate.

"(2) RESULTS.—Not later than 90 days after the date on which analysis of each survey under subsection (a) is completed, the Secretary shall submit to the Committee on Indian Affairs of the Senate and the Committees on Education and Labor and Natural Resources of the House of Representatives, and make publicly available, the results of the survey.

"(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$1,500,000 for each fiscal year—

"(1) preceding a fiscal year during which a survey under subsection (a) is conducted; and

"(2) during which a survey under that subsection is conducted."

Mr. SCHATZ. I ask unanimous consent that the bill, as amended, be considered read a third time.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. SCHATZ. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1402), as amended, was passed.

Mr. SCHATZ. I ask that the motion to reconsider be considered made and laid upon the table.

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

#### NATIVE AMERICAN LANGUAGE RESOURCE CENTER ACT OF 2021

Mr. SCHATZ. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 176, S. 989.

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

The senior assistant legislative clerk read as follows:

A bill (S. 989) to establish a Native American language resource center in furtherance of the policy set forth in the Native American Languages Act.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Indian Affairs with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Native American Language Resource Center Act of 2021”.

**SEC. 2. NATIVE AMERICAN LANGUAGE RESOURCE CENTERS.**

(a) **PURPOSE.**—The purpose of this Act is to further align the resources provided by the Department of Education with the policies set forth in the Native American Languages Act (25 U.S.C. 2901 et seq.) through establishment of a program within the Department of Education to support 1 or more Native American language resource centers.

(b) **IN GENERAL.**—The Secretary of Education is authorized to make a grant to, or enter into a contract with, an eligible entity for the purpose of—

(1) establishing, strengthening, and operating a Native American language resource center; and

(2) staffing the center with individuals with relevant expertise and experience, including staff who speak American Indian and Alaska Native languages and the Native Hawaiian language and have worked in language education in the American Indian and Alaska Native languages and the Native Hawaiian language in a preschool, elementary school, secondary school, adult education, or higher education program.

(c) **AUTHORIZED ACTIVITIES.**—The Native American language resource center established under subsection (b) shall carry out activities to—

(1) improve the capacity to teach and learn Native American languages;

(2) further Native American language use and acquisition;

(3) preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages in furtherance of—

(A) the policies set forth in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

(B) the United States trust responsibility to Native American communities;

(4) address the effects of past discrimination and ongoing inequities experienced by Native American language speakers;

(5) support the revitalization and reclamation of Native American languages; and

(6) support the use of Native American languages as a medium of instruction for a wide variety of age levels, academic content areas, and types of schools, including Native American language medium education.

(d) **ADDITIONAL AUTHORIZED ACTIVITIES.**—The Native American language resource center established under subsection (b) may also carry out activities—

(1) to encourage and support the use of Native American languages within educational systems in the same manner as other world languages, including by encouraging State educational agencies, local educational agencies, and institutions of higher education to offer Native American language courses the same full academic credit as courses in other world languages;

(2) to support the development, adoption, and use of educational outcome metrics aligned with the Native American language of instruction, including assessments, qualifications, and processes based on promising practices in Native American language medium education;

(3) to provide assistance to Native American language programs seeking Federal resources;

(4) to encourage and support teacher preparation programs that prepare teachers to teach Native American languages and to use Native American languages as a medium of instruction, including by disseminating promising practices and developing pedagogical programming and through appropriate alternative pathways to teacher certification;

(5) to provide information and resources—

(A) on promising practices in the use and revitalization of Native American languages in Native American communities, including use in educational institutions; and

(B) for the use of technology in school and community-based Native American language programs to support the retention, use, and teaching of Native American languages;

(6) to support the use of distance learning technologies and training for parents, students, teachers, and learning support staff associated with Native American language programs, including—

(A) the compilation and curation of digital libraries and other online resources for Native American languages, except that any materials collected by the center shall only be materials provided by a Native American language program or Native American community;

(B) the development of distance learning curricula appropriate for preschool, elementary school, secondary school, adult education, and postsecondary education;

(C) pedagogical training for Native American language teachers; and

(D) other efforts necessary to continue Native American language acquisition through distance learning;

(7) to provide technical assistance for Native American communities and school systems to develop Native American language medium education programs in preschool, elementary school, secondary school, or adult education programs conducted through the medium of Native American languages;

(8) to support Native American language programs and Native American communities in—

(A) accessing international best practices, resources, and research in indigenous language revitalization; and

(B) gathering and sharing technical assistance, promising practices, and experiences;

(9) for the operation of intensive programs, including summer institutes, to train Native American language speakers, to provide professional development, and to improve Native American language instruction through preservice and in-service language training for teachers; and

(10) that otherwise support the Native American language resource center established under subsection (b) to carry out the activities required in subsection (c).

(e) **DEFINITIONS.**—In this section:

(1) **ESEA DEFINITIONS.**—The terms “elementary school”, “local educational agency”, “secondary school”, and “State educational agency” have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) an institution of higher education;

(B) an entity within an institution of higher education with dedicated expertise in Native American language and culture education; or

(C) a consortium that includes 1 or more institutions of higher education or 1 or more entities described in subparagraph (B).

(3) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(4) **NATIVE AMERICAN; NATIVE AMERICAN LANGUAGE.**—The terms “Native American” and “Native American language” have the meanings given those terms in section 103 of the Native American Languages Act (25 U.S.C. 2902).

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section, \$3,000,000 for each fiscal year.

Mr. SCHATZ. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Schatz substitute amendment at the desk be agreed to; and that the bill, as amended, be considered read a third time.

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

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 6545) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Native American Language Resource Center Act of 2022”.

**SEC. 2. NATIVE AMERICAN LANGUAGE RESOURCE CENTERS.**

(a) **PURPOSE.**—The purpose of this Act is to further align the resources provided by the Department of Education with the policies set forth in the Native American Languages Act (25 U.S.C. 2901 et seq.) through establishment of a program within the Department of Education to support 1 or more Native American language resource centers.

(b) **IN GENERAL.**—The Secretary of Education is authorized to make a grant to, or enter into a contract with, an eligible entity for the purpose of—

(1) establishing, strengthening, and operating a Native American language resource center; and

(2) staffing the center with individuals with relevant expertise and experience, including staff who speak American Indian and Alaska Native languages and the Native Hawaiian language and have worked in language education in the American Indian and Alaska Native languages and the Native Hawaiian language in a preschool, elementary school, secondary school, adult education, or higher education program.

(c) **AUTHORIZED ACTIVITIES.**—The Native American language resource center established under subsection (b) shall carry out activities to—

(1) improve the capacity to teach and learn Native American languages;

(2) further Native American language use and acquisition;

(3) preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages in furtherance of—

(A) the policies set forth in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

(B) the United States trust responsibility to Native American communities;

(4) address the effects of past discrimination and ongoing inequities experienced by Native American language speakers;

(5) support the revitalization and reclamation of Native American languages; and

(6) support the use of Native American languages as a medium of instruction for a wide variety of age levels, academic content areas, and types of schools, including Native American language medium education.

(d) **ADDITIONAL AUTHORIZED ACTIVITIES.**—The Native American language resource center established under subsection (b) may also carry out activities—

(1) to encourage and support the use of Native American languages within educational systems in the same manner as other world languages, including by encouraging State educational agencies, local educational agencies, and institutions of higher education to

offer Native American language courses the same full academic credit as courses in other world languages;

(2) to support the development, adoption, and use of educational outcome metrics aligned with the Native American language of instruction, including assessments, qualifications, and processes based on promising practices in Native American language medium education;

(3) to provide assistance to Native American language programs seeking Federal resources;

(4) to encourage and support teacher preparation programs that prepare teachers to teach Native American languages and to use Native American languages as a medium of instruction, including by disseminating promising practices and developing pedagogical programming and through appropriate alternative pathways to teacher certification;

(5) to provide information and resources—  
(A) on promising practices in the use and revitalization of Native American languages in Native American communities, including use in educational institutions; and

(B) for the use of technology in school and community-based Native American language programs to support the retention, use, and teaching of Native American languages;

(6) to support the use of distance learning technologies and training for parents, students, teachers, and learning support staff associated with Native American language programs, including—

(A) the compilation and curation of digital libraries and other online resources for Native American languages, except that any materials collected by the center shall only be materials provided by a Native American language program or Native American community;

(B) the development of optional distance learning curricula appropriate for preschool, elementary school, secondary school, adult education, and postsecondary education;

(C) pedagogical training for Native American language teachers; and

(D) other efforts necessary to continue Native American language acquisition through distance learning;

(7) to provide technical assistance for Native American communities and school systems to develop Native American language medium education programs in preschool, elementary school, secondary school, or adult education programs conducted through the medium of Native American languages;

(8) to support Native American language programs and Native American communities in—

(A) accessing international best practices, resources, and research in indigenous language revitalization; and

(B) gathering and sharing technical assistance, promising practices, and experiences;

(9) for the operation of intensive programs, including summer institutes, to train Native American language speakers, to provide professional development, and to improve Native American language instruction through preservice and in-service language training for teachers; and

(10) that otherwise support the Native American language resource center established under subsection (b) to carry out the activities required in subsection (c).

(e) **DEFINITIONS.**—In this section:

(1) **ESEA DEFINITIONS.**—The terms “elementary school”, “local educational agency”, “secondary school”, and “State educational agency” have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) an institution of higher education;

(B) an entity within an institution of higher education with dedicated expertise in Native American language and culture education; or

(C) a consortium that includes 1 or more institutions of higher education or 1 or more entities described in subparagraph (B).

(3) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(4) **NATIVE AMERICAN; NATIVE AMERICAN LANGUAGE.**—The terms “Native American” and “Native American language” have the meanings given those terms in section 103 of the Native American Languages Act (25 U.S.C. 2902).

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section, \$3,000,000 for each fiscal year.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. SCHATZ. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 989), as amended, was passed.

Mr. SCHATZ. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### OLD PASCUA COMMUNITY LAND ACQUISITION ACT

Mr. SCHATZ. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 432, H.R. 4881.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 4881) to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs.

Mr. SCHATZ. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 4881) was ordered to a third reading, was read the third time, and passed.

#### AMENDING THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION ACT OF 2010

Mr. SCHATZ. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 683, S. 3168.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3168) to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to modify the enforceability date for certain provisions, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. WHITE MOUNTAIN APACHE TRIBE RURAL WATER SYSTEM.

(a) **EXTENSION OF ENFORCEABILITY DATE.**—

(1) **IN GENERAL.**—Section 309(d)(2) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3088; 133 Stat. 2669) is amended—

(A) in the matter preceding subparagraph (A), by striking “April 30, 2023” and inserting “December 30, 2027”; and

(B) in subparagraph (A), by striking “May 1, 2023” and inserting “December 31, 2027”.

(2) **CONFORMING AMENDMENT.**—Section 3(b)(2) of the White Mountain Apache Tribe Rural Water System Loan Authorization Act (Public Law 110–390; 122 Stat. 4191; 124 Stat. 3092) is amended by striking “beginning on” and all that follows through the period at the end and inserting “beginning on December 31, 2027.”

(b) **COST INDEXING.**—Section 312(c) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3095) is amended by striking “All amounts made available under” and all that follows through the period at the end and inserting the following:

“(1) **WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS SETTLEMENT SUBACCOUNT.**—All amounts made available under subsection (a) shall be adjusted as necessary to reflect the changes since October 1, 2007, in the construction cost indices applicable to the types of construction involved in the construction of the WMAT rural water system and the maintenance of the WMAT rural water system.

“(2) **WMAT SETTLEMENT FUND.**—All amounts made available under subsection (b)(2) shall be adjusted annually to reflect the changes since October 1, 2007, in the construction cost indices applicable to the types of construction involved in the construction of the WMAT rural water system and the maintenance of the WMAT rural water system.

“(3) **WMAT MAINTENANCE FUND.**—All amounts made available under subsection (b)(3) shall be adjusted on deposit to reflect changes since October 1, 2007, in the Consumer Price Index for All Urban Consumers West Urban 50,000 to 1,500,000 published by the Bureau of Labor Statistics.

“(4) **WMAT COST OVERRUN SUBACCOUNT.**—Of the amounts made available under subsection (e)(2)—

“(A) \$35,000,000 shall be adjusted as necessary to reflect the changes since October 1, 2007, in the construction cost indices applicable to the types of construction involved in the construction of the WMAT rural water system and the maintenance of the WMAT rural water system; and

“(B) additional funds, in excess of the amount referred to in subparagraph (A), shall be adjusted as necessary to reflect the changes since April 1, 2021, in the construction cost indices applicable to the types of construction involved in the construction of the WMAT rural water system and the maintenance of the WMAT rural water system.

“(5) **CONSTRUCTION COSTS ADJUSTMENT.**—The amounts made available under subsections (a), (b)(2), and (e)(2) shall be adjusted to address