

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

construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices, as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.”.

(c) **FUNDING FOR WMAT COST OVERRUN SUBACCOUNT.**—Section 312(e)(2)(B) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3095) is amended by striking “\$11,000,000” and inserting “\$541,000,000”.

(d) **RETURN TO TREASURY.**—

(1) **IN GENERAL.**—Section 312(e)(4)(B) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3096) is amended, in the matter preceding clause (i), by striking “shall be—” and all that follows through the period at the end of clause (ii) and inserting “shall be returned to the general fund of the Treasury.”.

(2) **CONFORMING AMENDMENT.**—Section 312(b)(2) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3093; 132 Stat. 1626) is amended by striking subparagraph (B) and inserting the following:

“(B) **TRANSFERS TO FUND.**—There is authorized to be appropriated to the Secretary for deposit in the WMAT Settlement Fund \$78,500,000.”.

(e) **CONVEYANCE OF TITLE TO TRIBE.**—Section 307(d)(2)(E) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3082; 132 Stat. 1626) is amended, in the matter preceding clause (i), by striking “water system—” and all that follows through the period at the end of clause (ii)(I) and inserting “water system is substantially complete, as determined by the Secretary in accordance with subsection (k).”.

(f) **REQUIREMENTS FOR DETERMINATION OF SUBSTANTIAL COMPLETION OF THE WMAT RURAL WATER SYSTEM.**—Section 307 of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3080; 132 Stat. 1626) is amended by adding at the end the following:

“(k) **REQUIREMENTS FOR DETERMINATION OF SUBSTANTIAL COMPLETION OF THE WMAT RURAL WATER SYSTEM.**—The WMAT rural water system shall be determined to be substantially complete if—

“(1) the infrastructure constructed is capable of storing, diverting, treating, transmitting, and distributing a supply of water as set forth in the final project design described in subsection (c); or

“(2) the Secretary—

“(A) expended all of the available funding provided to construct the WMAT rural water system; and

“(B) despite diligent efforts, cannot complete construction as described in the final project design described in subsection (c) due solely to the lack of additional authorized funding.”.

(g) **REQUIREMENT.**—Section 310(b) of the White Mountain Apache Tribe Water Rights Quantification Act of 2010 (Public Law 111–291; 124 Stat. 3090) is amended by adding at the end the following:

“(3) **EXPENDITURES.**—If, before the enforceability date, Federal funds are expended to carry out activities described in subparagraph (A) or (C) of paragraph (2) in excess of the amounts provided pursuant to the White Mountain Apache Tribe Rural Water System Loan Authorization Act (Public Law 110–390; 122 Stat. 4191), such expenditures shall be accounted for as White Mountain Apache Tribe Water Rights Settlement Subaccount funds.”.

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

(1) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively; and

(2) by inserting after subparagraph (C) the following:

“(D) such amount, up to the amount made available under section 312(e)(2), as the Secretary determines to be necessary to construct the WMAT rural water system that is capable of storing, diverting, treating, transmitting, and distributing a supply of water as set forth in the final project design described in section 307(c) has been deposited in the WMAT Cost Overrun Subaccount;”.

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

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

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

The amendment (No. 6546) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

The bill (S. 3168), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

## HUALAPAI TRIBE WATER RIGHTS SETTLEMENT ACT OF 2022

Mr. SCHATZ. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 684, S. 4104.

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

The senior assistant legislative clerk read as follows:

A 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.

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 “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.