

power resources in the Third Congressional District of Colorado and other districts in Colorado, Wyoming, Utah, Arizona, and New Mexico. These rivers are also home to four native fish species at risk of a “jeopardy” finding under the Endangered Species Act. Such a finding would impose on western constituents dramatic losses in water availability and hydropower reduction, resulting in lost jobs and increased power rates at a time when we can least afford it.

The Endangered Fish Recovery Act of 2012 extending the authorization for the Upper Colorado and San Juan Fish Recovery Implementation programs will continue necessary efforts to recover four endangered fish species and provide compliance for Federal, tribal, and non-Federal water projects. These programs are supported by a broad swath of stakeholders, from local towns and counties to environmental groups and private industry, and are excellent examples of local solutions in lieu of onerous Federal management and overregulation.

I’m also pleased to see the cost reforms in this extended authorization. H.R. 6060 limits overhead to 3 percent and prohibits Federal employees from traveling to Washington, D.C., to lobby for their programs—activities well beyond the bounds of their purview. These cost savings and their measures will allow for greater allocation of resources to species recovery.

I’m optimistic that these programs can reach their goals in the coming year, recover the species in jeopardy, and safeguard the economic well-being of our communities, jobs, and everything connected with these efforts.

Mr. GRIJALVA. I yield back the balance of my time.

Mr. BISHOP of Utah. I think some of my staff thought I should be a little bit more expansive in my remarks. So this is a really good bill with a really good sponsor.

Actually, this is one of those things where the nice part is, for this mitigation plan that will allow these projects to go forward, taxpayers are paying no money. It’s paid by the utility ratepayers of this particular area. If this is not reauthorized, it may put that part in jeopardy. And we did put some guidelines in there to protect so that the overhead that can be charged to the utility ratepayers has a potential limit on it.

It’s a good bill. With that, I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 6060.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MESCALERO APACHE TRIBE LEASING AUTHORIZATION ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1461) to authorize the Mescalero Apache Tribe to lease adjudicated water rights, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1461

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 “Mescalero Apache Tribe Leasing Authorization Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **ADJUDICATED WATER RIGHTS.**—The term “adjudicated water rights” means water rights that were adjudicated to the Tribe in *State v. Lewis*, 116 N.M. 194, 861 P. 2d 235 (1993).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(3) **STATE.**—The term “State” means the State of New Mexico.

(4) **TRIBE.**—The term “Tribe” means the Mescalero Apache Tribe.

SEC. 3. AUTHORIZATION TO LEASE ADJUDICATED WATER RIGHTS.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, subject to subsections (b) and (c), the Tribe may lease, enter into a contract with respect to, or otherwise transfer to another party, for another purpose, or to another place of use in the State, all or any portion of the adjudicated water rights.

(b) **STATE LAW.**—In carrying out any action under subsection (a), the Tribe shall comply with all laws (including regulations) of the State with respect to the leasing or transfer of water rights.

(c) **ALIENATION; MAXIMUM TERM.**—

(1) **ALIENATION.**—The Tribe shall not permanently alienate any adjudicated water rights.

(2) **MAXIMUM TERM.**—The term of any water use lease, contract, or other agreement under this section (including a renewal of such an agreement) shall be not more than 99 years.

(d) **LIABILITY.**—The Secretary shall not be liable to the Tribe or any other person for any loss or other detriment resulting from a lease, contract, or other arrangement entered into pursuant to this section.

(e) **PURCHASES OR GRANTS OF LAND FROM INDIANS.**—The authorization provided by this Act for the leasing, contracting, and transfer of the adjudicated water rights shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(f) **PROHIBITION ON FORFEITURE.**—The non-use of all or any portion of the adjudicated water rights by a lessee or contractor shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the adjudicated water rights.

(g) **APPLICABILITY.**—This Act shall not apply to leasing, contracting, or transfer of the adjudicated water rights on the Tribe’s reservation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may

have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield such time as he may consume to the author of this particular bill, who does a great job in representing his constituents—and this is one of those examples—the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. This bill is straightforward and simple. It allows the Mescalero Apache Indian Tribe to permit or lease or transfer their water rights for a term up to 99 years. The courts decided that they would have these rights back in 1993, but we need the legislation that would permit it. This effort is bipartisan. It’s even pursued in both the House and the Senate—Senator BINGAMAN has a bill—so it’s non-controversial. It simply does the right thing. It’s important. It allows the tribe self-determination and it also gives them economic opportunities. The leasing of the water rights will provide them with revenues that they desperately need.

It’s for the best interest of all New Mexicans. During this current drought, water is of scarce supply in New Mexico, and this would allow the tribe to lease water to communities that are desperately needing water at this point. It’s important to the tribes. It’s important to New Mexico.

I recommend that all vote for H.R. 1461, and urge its passage.

Mr. GRIJALVA. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1461, legislation that would authorize the Mescalero Apache Tribe of New Mexico to lease its adjudicated and quantified water rights for up to 99 years, pursuant to State law.

There is a tremendous need for water in south central New Mexico among the Mescalero Apache Tribe’s non-Indian neighbors. The tribe has approximately 2,300 acre-feet of water to meet this need, which it is ready to lease to the surrounding communities. Revenue generated by such leasing would be used to fund basic tribal government services such as a senior care center, infrastructure development, and academic scholarships.

Because the tribe’s water rights were quantified by adjudication, legislation is necessary to authorize the tribe to lease its water. H.R. 1416 provides this simple authorization that would not only make the tribe’s valuable resource available to those in need, but also give the tribe a much-needed source of additional government revenue.

During the subcommittee hearing on the bill the administration expressed concern that H.R. 1461 did not limit tribal authority for leasing water to off-reservation locations and that such a clarification was needed to prevent

possible application of State law to on-reservation water leases. Committee staff worked together to amend H.R. 1461 to clarify that the tribe's authorities are limited to off-reservation water leases. The tribe can now be assured that State law will never apply to on-reservation water leases, pursuant to H.R. 1461.

Mr. Speaker, we support H.R. 1461, and I reserve the balance of my time.

□ 1420

Mr. BISHOP of Utah. Could I inquire if my colleague has any other speakers?

Mr. GRIJALVA. No, I don't, Mr. Chairman.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, this is one of those bills where the minority and the majority have worked with the tribe to clarify. This applies to off-reservation water, their leasing authority. If the tribe still stays in place, it's intact. It's a technical amendment that has been cleared by all interested parties and moves us forward.

I urge its adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 1461, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ALLOWING PASCUA YAQUI TRIBE TO DETERMINE REQUIREMENTS FOR MEMBERSHIP

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3319) to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3319

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

SECTION 1. REQUIREMENTS FOR MEMBERSHIP DETERMINED BY TRIBE.

Section 3 of Public Law 95-375 (25 U.S.C. 1300f-2) is amended to read as follows:

"SEC. 3. For the purposes of section 1 of this Act, membership of the Pascua Yaqui Tribe shall consist of any United States citizen of Pascua Yaqui blood enrolled by the tribe."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise

and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, since I doubt very seriously if I can get through any kind of statement and say "Pascua Yaqui" Tribe accurately, it would be my intent, if I could, to yield 10 minutes to the gentleman from Arizona to explain his bill. It's a good bill, we support it, and he can say it properly.

I reserve the balance of my time.

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

I appreciate Chairman BISHOP's indulgence at this point.

Mr. Speaker, I rise in support of H.R. 3319, a bill that would authorize the Pascua Yaqui Tribe to set its own membership criteria by replacing congressionally mandated criteria that artificially limited enrollment to certain Yaqui people based on application deadlines and other requirements that do not reflect tribal input.

H.R. 3319 reflects the modern congressional policy of allowing federally recognized tribes to set their own membership criteria. The bill eliminates current membership requirements imposed by statute and replaces them with a requirement that members possess any degree of Indian blood as determined by the tribe. The Pascua Yaqui Tribe, like all federally recognized tribes, has the inherent right to determine its own membership without restrictions imposed by the Federal Government.

Mr. Speaker, I ask my colleagues to support the passage of H.R. 3319, and I yield back the remainder of my time.

Mr. BISHOP of Utah. Mr. Speaker, the House actually passed a bill similar to this on tribal membership that recognized a tribe in Texas last year, so there is precedent for this event. I would therefore have no objection to the passing of this resolution today and urge Members' support of it.

With that, I yield back all the remainder of the time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 3319, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HONORING THE FOUR UNITED STATES PUBLIC SERVANTS WHO DIED IN LIBYA

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 786) honoring the four United States public servants who died in Libya and condemning the

attacks on United States diplomatic facilities in Libya, Egypt, and Yemen.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 786

Whereas, on September 11, 2012, terrorists attacked the United States consulate in Benghazi, Libya, killing four United States citizens, including the United States Ambassador to Libya, John Christopher Stevens, Foreign Service Information Management Officer Sean Smith, and security officers Tyrone S. Woods and Glen A. Doherty, and injured other United States citizens;

Whereas, on September 11, 2012, violent protesters stormed the United States embassy in Cairo, Egypt, committing acts of vandalism and violence and endangering the welfare of United States diplomats;

Whereas, on September 13, 2012, violent protesters were repelled from an attempt to storm the United States embassy in Sana'a, Yemen;

Whereas Ambassador Stevens was a champion of the Libyan people's efforts to remove Muammar Qaddafi from power, and served as Special Envoy to the Libyan Transitional National Council in Benghazi during the 2011 Libyan revolution;

Whereas, on a daily basis, United States diplomats, military personnel, foreign service nationals and locally employed staff, and other public servants make professional and personal sacrifices to faithfully serve the United States and its people to advance the ideals of freedom, democracy, and human dignity around the globe;

Whereas many United States diplomatic facilities remain threatened by terrorist attacks or violent protests in the wake of these attacks; and

Whereas Article 22 of the Vienna Convention on Diplomatic Relations obligates host governments to "take all appropriate steps to protect the premises of the [diplomatic] mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity." Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the selfless commitment to United States national security and to Libya's hard-won, transitional democracy by the brave United States citizens who lost their lives in the unjustified attack on the United States consulate in Benghazi, Libya;

(2) expresses its deepest condolences to the families and loved ones of those United States public servants killed in Benghazi, Libya;

(3) condemns in the strongest possible terms the terrorists who planned and conducted the attack on the United States consulate in Benghazi, Libya, and those who vandalized the United States embassies in Cairo, Egypt, and Sana'a, Yemen;

(4) expresses profound concern about the security situation in Libya, Egypt, and Yemen, and with the continuing threat posed to the region and United States interests by extremists and terrorists;

(5) appreciates the actions of those who sought to protect the United States diplomats and diplomatic facilities;

(6) reaffirms that nothing can justify terrorism or attacks on innocent civilians and diplomatic personnel;

(7) calls upon all governments to continue to work closely with the United States Department of State to ensure security of diplomatic facilities throughout their countries, to secure their borders, and to aggressively combat terrorists and extremists who operate within their sovereign territory;