

that is critical to restoring the Federal Government as a good neighbor to the communities it impacts.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

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

At the markup of H.R. 3777, we voiced our concerns that the conveyance authorized by this bill does not include any standard requirements such as, if it is sold, fair market value; if it is conveyed, a reversionary clause. Unfortunately, the majority rejected our amendment to include a reversionary clause.

We recognize that this property was identified as suitable for administrative disposal, but that designation doesn't mean that it is worthless. We are not being greedy or unreasonable, just mindful of history and precedent.

With that said, we recognize how important this conveyance is to the county, and we will save this particular fight for another day.

Mr. Speaker, I yield back the balance of my time.

Mr. McCLINTOCK. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Mr. Speaker, I am pleased that this bill is being considered today. This bill is both timely and extremely important to my constituents.

This summer, tens of thousands of acres have burned throughout Utah. Unfortunately, many regions in the State remain at high risk due to prolonged drought. One of these regions is Juab County, which sits within my district.

Juab County consists of more than 2 million acres of land, much of which is covered with dry, flammable vegetation. The county is also experiencing a years-long drought. In fact, last year, the USDA designated the county as a disaster area due to the damages caused by the drought.

More than 70 percent of Juab is controlled by the Federal Government. While significant Federal ownership and control of land in Utah is often a source of contention, Juab County has developed a cooperative and constructive relationship with their local Federal partners.

The Forest Service currently owns a small property, just over 2 acres, within the town of Nephi, the county seat of Juab County. It has been vacant and unused for years and was identified as available for disposal several years ago. This property is known as the Nephi Work Center.

My bill, the Juab County Conveyance Act, would simply convey this property to the county. Juab intends to use this property to house their wildlands fire team, which is part of their special service fire district. This would enable the county to more effectively mitigate fire risks and protect Juab County

residents and both Forest Service and BLM land within the county.

As a former mayor who has dealt with fires in and around my community, including on public lands, I want to do all I can to help my constituents. This bill will benefit both the county and Federal agencies that own and manage lands within the county.

We are talking about a city of about 1,000 people fighting fires on millions of acres. We just want to do everything we can to make sure we get to the fires as soon as possible and help not just protect costs, but the homes and the livelihoods of the families that live there.

I urge all of my colleagues to vote in support of this bill.

Mr. McCLINTOCK. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 3777, 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.

#### GILA RIVER INDIAN COMMUNITY FEDERAL RIGHTS-OF-WAY, EASEMENTS AND BOUNDARY CLARIFICATION ACT

Mr. McCLINTOCK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4032) to confirm undocumented Federal rights-of-way or easements on the Gila River Indian Reservation, clarify the northern boundary of the Gila River Indian Community's Reservation, to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4032

*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 "Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act".*

#### SEC. 2. PURPOSES.

*The purposes of this Act are to—*

(1) establish, ratify, document, and confirm the Federal electrical, irrigation, and road rights-of-way and easements that exist within the exterior boundaries of the Reservation as of the date of the enactment of this Act;

(2) establish a fixed location of the northern boundary of the Reservation and to provide for the Secretary of the Interior to ensure that the northern boundary is resurveyed and marked in conformance with the public system of surveys;

(3) authorize and direct the Secretary to place certain lands into trust for the benefit of the Community;

(4) substitute the benefits provided under this Act to the Community, its members and allottees for any claims that the Community, its members

and allottees may have had in connection with alleged failures relating to the northern boundary of the Reservation and the documentation and management of Federal rights-of-way on the Reservation; and

(5) authorize the funds necessary for the United States to meet the obligations under this Act.

#### SEC. 3. DEFINITIONS.

*In this Act:*

(1) ALLOTTEE.—The term "allottee" means a person who holds a beneficial real property interest in an Indian allotment that is—

(A) located within the exterior boundaries of the Reservation; and

(B) held in trust by the United States.

(2) COMMUNITY.—The term "Community" means the Gila River Indian Community, a government composed of members of the Pima Tribe and the Maricopa Tribe and organized under section 16 of the Act of June 18, 1934 (25 U.S.C. 5123).

(3) DISPUTED AREA.—The term "Disputed Area" means the land north of the Harrington Survey line and south of the middle of the Salt River (as it currently flows).

(4) EXECUTIVE ORDER.—The term "Executive Order" means the Executive order executed by President R.B. Hayes on June 14, 1879.

(5) FEDERAL AND TRIBAL FACILITIES.—The term "Federal and Tribal Facilities" means any and all structures, improvements, and appurtenances associated with roadways, canals, power lines, and other projects constructed for the benefit of the Community and its members. Thus, "Federal and Tribal Facilities" refers to—

(A) Indian Reservation Road (IRR) transportation facilities, including public roads, bridges, drainage structures, culverts, ferry routes, marine terminals, transit facilities, boardwalks, pedestrian paths, trails, and their appurtenances, and other transportation facilities, as designated by the Community and the Secretary and defined in section 170.5 of title 25, Code of Federal Regulations;

(B) Federal irrigation facilities included in the San Carlos Irrigation Project, the irrigation project authorized under the Act of June 7, 1924 (43 Stat. 475), including all structures and appurtenant works within the San Carlos Irrigation Project for the delivery, diversion, and storage of irrigation water, as defined in section 171.100 of title 25, Code of Federal Regulations; and

(C) Federal electric distribution facilities included in the San Carlos Irrigation Project—Electric Services, including all structures and appurtenant works for the delivery of electric power on the Reservation that are part of that project.

(6) LOWER SONORAN LANDS.—The term "Lower Sonoran Lands" means the approximately 3,400 acres of land—

(A) owned by the United States and administered by the Secretary through the Bureau of Land Management that have been identified and designated for disposal by the Bureau of Land Management under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) in the Lower Sonoran Resource Management Plan (September 2012);

(B) located in Sections 1, 2, 3, 11, and 12, Township 2 South, Range 1 West, contiguous to the northwest boundary of the Community's existing Reservation; and portions of Sections 16 and 17, Township 5 South, Range 5 East, contiguous to the southern boundary of the Community's existing Reservation; and

(C) that the Community shall acquire pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(7) HARRINGTON SURVEY.—The term "Harrington Survey" means the Dependent Resurvey of a Portion of Township 1 North, Range 1 East, Gila and Salt River Meridian, Arizona, Gila River Indian Reservation, conducted by Guy P.

Harrington, as shown on the plat and described in the field notes at Book 3384, approved September 2, 1920, and officially filed on November 3, 1920, on file with the Bureau of Land Management.

(8) **RESERVATION.**—The term “Reservation” means the land located within the exterior boundaries of the reservation created under sections 3 and 4 of the Act of February 28, 1859 (11 Stat. 401, chapter LXVI), and Executive orders of August 31, 1876, June 14, 1879, May 5, 1882, November 15, 1883, July 31, 1911, June 2, 1913, August 27, 1914, and July 19, 1915, and any other lands placed in trust for the benefit of the Community.

(9) **ROW, EASEMENTS, AND FEDERAL AND TRIBAL FACILITIES MAP.**—The term “ROW, Easements, and Federal and Tribal Facilities Map” means the map depicting the Federal rights-of-way, easements, and Federal and Tribal facilities that exist within the exterior boundaries of the Reservation on the date of enactment of this Act, which map is submitted to Congress as part of the Congressional record accompanying this Act.

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

#### **SEC. 4. LAND INTO TRUST FOR BENEFIT OF THE COMMUNITY.**

(a) **IN GENERAL.**—The Secretary shall take the Lower Sonoran Lands into trust for the benefit of the Community, after the Community—

(1) conveys to the Secretary all right, title, and interest of the Community in and to the Lower Sonoran Lands;

(2) submits to the Secretary a request to take the Lower Sonoran Lands into trust for the benefit of the Community;

(3) conducts a survey (to the satisfaction of the Secretary) to determine the exact acreage and legal description of the Lower Sonoran Lands, if the Secretary determines a survey is necessary; and

(4) pays all costs of any survey conducted under paragraph (3).

(b) **AVAILABILITY OF LOWER SONORAN LANDS MAP.**—Not later than 180 days after the Lower Sonoran Lands are taken into trust under subsection (a), the map shall be on file and available for public inspection in the appropriate offices of the Secretary.

(c) **LANDS TAKEN INTO TRUST AS PART OF RESERVATION.**—After the date on which the Lower Sonoran Lands are taken into trust under subsection (a), those lands shall be treated as part of the Reservation.

(d) **GAMING.**—Class II and class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) shall not be allowed at any time on the land taken into trust under subsection (a).

(e) **DESCRIPTION.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall cause the full metes-and-bounds description of the Lower Sonoran Lands to be published in the Federal Register. The description shall, on publication, constitute the official description of the Lower Sonoran Lands.

#### **SEC. 5. ESTABLISHMENT OF FIXED NORTHERN BOUNDARY.**

(a) **IN GENERAL.**—The Northern boundary of the Reservation created by the Executive Order is hereby modified in accordance with this section and shall be fixed, permanent, and not ambulatory.

(b) **MODIFICATION OF NORTH BOUNDARY.**—That portion of the Reservation boundary created by the Executive Order as along the middle of the Salt River shall be modified to be a fixed and permanent boundary as established by the Harrington Survey of the north boundary of the Reservation, as shown on the plat and described in the field notes.

(c) **RESURVEY AND MARKING.**—Subject to available appropriations, the Secretary shall ensure that the modified Reservation boundary as described in subsection (b) is surveyed and

clearly marked in conformance with the public system of surveys.

(d) **EFFECT.**—The Reservation boundary as modified and resurveyed by subsections (b) and (c) shall become the north boundary of the Reservation in all respects and upon all the same terms as if such lands had been included in the Executive Order. No other portion of the Reservation boundary shall be affected by this Act except as specifically set forth in this Act.

(e) **PUBLICATION.**—The Secretary shall publish in the Federal Register this modification and the resurvey of the Community's reservation boundary, as set forth in subsections (b) and (c), which shall constitute the fixed northern boundary of the Reservation.

#### **SEC. 6. SATISFACTION AND SUBSTITUTION OF CLAIMS.**

(a) **INTENT OF CONGRESS.**—It is the intent of Congress to provide to the Community, its members, and allottees benefits that are equivalent to or exceed the claims the Community, its members, and allottees may possess as of the date of the enactment of this Act, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation;

(2) the cultural and historic significance of the Lower Sonoran Lands to the Community, its members, and allottees;

(3) the benefit to the Community, its members, and allottees associated with having a fixed northern boundary of the Reservation;

(4) the benefits that will accrue to the Community, its members, and allottees resulting from the legal confirmation of Federal electrical, irrigation, and road rights-of-way as provided under this Act; and

(5) the availability of appropriations under this Act.

(b) **IN GENERAL.**—The benefits realized by the Community, its members, and allottees under this Act shall be in complete replacement of and substitution for, and full satisfaction of all claims that the Community, its members, and allottees may have had against the United States—

(1) relating to the United States alleged failure to legally establish and document Federal rights-of-way on the Reservation through the date of enactment of this Act; and

(2) for the United States alleged failure to establish, maintain and defend the Community's northern boundary of the Reservation through the date of the enactment of this Act.

(c) **EFFECTIVE DATE.**—This section shall become effective on the later of the date on which the Secretary—

(1) publishes in the Federal Register the notice required under section 4(e);

(2) publishes in the Federal Register the notice required under section 5(e); and

(3) completes the surveys for the Federal rights-of-way required under this Act.

#### **SEC. 7. FEDERAL RIGHTS-OF-WAY.**

(a) **ESTABLISHED, RATIFIED, AND CONFIRMED.**—All of the rights-of-way depicted in the ROW, Easements, and Federal and Tribal Facilities Map accompanying this Act are hereby established, ratified, and confirmed. The specific position and dimensions of such rights-of-way are to be determined following a survey conducted in accordance with section 8.

(b) **RECORDATION.**—All of the rights-of-way established, ratified, and confirmed in subsection (a) shall be recorded with the Land Titles and Records Office following each survey conducted in accordance with section 8.

(c) **GRANTEE OR APPLICANT.**—The Federal Government shall be considered the grantee or applicant for any and all rights-of-way established pursuant to this Act.

(d) **CANCELLATION.**—Any rights-of-way established by this Act may be cancelled pursuant to sections 404–409 of title 25, Federal Code of Regulations, or upon written request by the Community to the Secretary to remove the rights-of-

way from the ROW, Easements, and Federal and Tribal Facilities Map subject to otherwise applicable law regarding rights-of-way on the Reservation. Any request for cancellation action by the Community shall be formally documented by tribal resolution.

(e) **OTHER INTERESTS IN LAND.**—Notwithstanding any law, the granting of any rights-of-way or easement other than those depicted in the ROW, Easements, and Federal and Tribal Facilities Map accompanying this Act, or any future additions, expansions or modifications of any of the rights-of-way or easement established, ratified, and confirmed in subsection (a), may only be done in accordance with all applicable laws and regulations. All other rights-of-ways or easements on the Reservation shall be valid only to the extent that they have been established in accordance with applicable Federal statute and regulation specifically governing rights-of-ways or easements on Indian lands.

#### **SEC. 8. SURVEY.**

(a) **COMPLETION AND PUBLICATION.**—Not later than 6 years after the date of the enactment of this Act, the Bureau of Indian Affairs shall undertake and complete a survey of each of the Federal rights-of-way established under this Act. A retroactive grant of easement shall be required upon completion of each survey of each of the Federal rights-of-way established under this Act. The Bureau of Indian Affairs shall cause the surveys undertaken pursuant to this Act to be published in the Federal Register.

(b) **CONTRACT.**—The Bureau of Indian Affairs is authorized, subject to appropriations, to contract for the survey of all Federal rights-of-way established pursuant to this Act to the Community or a third party.

(c) **DELETIONS.**—Upon completion of the surveys authorized and undertaken pursuant to subsection (a), the Community and the Bureau of Indian Affairs may determine that anomalies exist with respect to certain Federal rights-of-way such that deletion of such Federal right-of-way from the ROW, Easements, and Federal and Tribal Facilities Map is appropriate and such Federal right-of-way may be removed from the ROW, Easements, and Federal Tribal Facilities Map.

#### **SEC. 9. HUNT HIGHWAY.**

Nothing in this Act shall establish, terminate, or otherwise impact any right-of-way or easement associated with Hunt Highway in Pinal County, Arizona, including the portion of Hunt Highway that traverses the Reservation.

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

The Chair recognizes the gentleman from California.

#### **GENERAL LEAVE**

Mr. MCCLINTOCK. 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 materials on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I urge adoption of H.R. 4032, the Gila River Indian Community Federal-Rights-of-Way, Easements and Boundary Clarification Act, introduced by Congressman O'HALLERAN of Arizona.

The Gila River Indian Reservation was established in 1859 and later expanded by a series of executive orders

in Maricopa and Pinal Counties, Arizona. In 2006, the Tribe sued the Federal Government, alleging a breach of the United States' fiduciary duty for its failure to accurately survey the reservation's northwesterly boundary, resulting in the patenting of land along the Salt River to non-Indians.

The Tribe also asserted a failed duty to document rights-of-way across the reservation, collect rent, and account for the Tribe's and allottees' trust assets. Rather than litigate the case, the Obama administration settled with the Tribe in 2016.

The settlement provided that the United States would survey all the Federal rights-of-way on the reservation. It would also take approximately 3,400 acres of Bureau of Land Management land into trust for the Tribe, after the Tribe purchases the land for fair market value.

Finally, the settlement provided monetary damages of about \$12.5 million from the judgment fund, an issue not addressed by this bill.

This legislation is needed to facilitate portions of the settlement by clarifying the northwestern boundary of the reservation, documenting the existing Federal rights-of-way on the reservation, and placing the 3,400 acres into trust after the Tribe buys the land from the Federal Government.

The bill is cosponsored by the entire Arizona delegation, and I commend their work to resolve this issue.

Mr. Speaker, I urge adoption of the measure, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. O'HALLERAN), the sponsor of the legislation.

Mr. O'HALLERAN. Mr. Speaker, I rise today in strong support and urge passage of my legislation, H.R. 4032, the Gila River Indian Community Federal Rights-of-Way, Easements and Boundary Clarification Act.

I was proud to introduce this bipartisan legislation along with colleagues Congressmen Biggs, Gallego, and Gosar.

Mr. Speaker, as we all know, Tribal Nations were here prior to the formation of the United States. However, throughout history, many Federal laws were enacted that diminished land holdings and, as a result, reservation boundaries were often incorrectly adjusted.

The Federal Government often lacked the mechanisms to effectively keep track of the various rights-of-way that existed on Tribal lands. These challenges remain today and can be serious barriers to Tribal land use efforts for housing, economic development, and cultural purposes.

That is why I introduced my bill, which simply finalizes the settlement of longstanding issues related to the Federal Government's management of Tribal trust assets on the Gila River Indian Community.

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The legislation provides for surveys of all the Federal rights-of-way on the reservation and establishes a map of those rights-of-way to aid the community in planning land use, including building homes, rebuilding schools, locating businesses, and ensuring access to cultural sites.

H.R. 4032 also clarifies the northwest boundary of the reservation, which will avoid a title dispute with the city of Phoenix. In exchange for giving up lands that are currently within the reservation boundary, the community will be able to purchase 3,400 acres of culturally relevant lands from the Bureau of Land Management and have those lands taken into trust.

H.R. 4032 is important to the Gila River Indian community, to local landowners, and nearby communities.

I would like to thank my colleagues across the aisle for supporting this legislation, as well as the chairman and ranking member. I look forward to working with my colleagues in Congress and the administration to ensure this settlement is fully implemented.

On behalf of our Arizona communities, I urge my colleagues to support this commonsense, necessary legislation.

Mr. McCLINTOCK. Mr. Speaker, I urge adoption of the measure, and I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I just want to take a moment to acknowledge the Gila River Indian community, their leadership, which has worked tirelessly and in very good faith with the Federal Government in addressing the issues that led to these claims against the United States.

I would like to congratulate them on this hard work and their persistence, and I am happy that the passage of this bill will finally implement a final part of their settlement.

I also want to take time to thank my colleague and friend from Arizona (Mr. O'HALLERAN) for his leadership on this issue.

Mr. Speaker, I urge support of the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McCLINTOCK) that the House suspend the rules and pass the bill, H.R. 4032, 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.

#### REPORT ON CONCURRENT RESOLUTION PROVIDING FOR CONSIDERATION OF H. CON. RES. 119, EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX WOULD BE DETRIMENTAL TO THE UNITED STATES ECONOMY

Mr. NEWHOUSE, from the Committee on Rules, submitted a privi-

leged report (Rept. No. 115-834) on the resolution (H. Res. 1001) providing for consideration of the concurrent resolution (H. Con. Res. 119) expressing the sense of Congress that a carbon tax would be detrimental to the United States economy, which was referred to the House Calendar and ordered to be printed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 488, by the yeas and nays;

H.R. 3030, by the yeas and nays;

H.R. 4989, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### JOBS AND INVESTOR CONFIDENCE ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 488) to increase the threshold for disclosures required by the Securities and Exchange Commission relating to compensatory benefit plans, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HENSARLING) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 406, nays 4, not voting 18, as follows:

[Roll No. 333]

YEAS—406

Abraham	Brooks (AL)	Collins (NY)
Adams	Brooks (IN)	Comer
Aderholt	Brown (MD)	Comstock
Aguilar	Brownley (CA)	Conaway
Allen	Buchanan	Connolly
Amodel	Buck	Cook
Arrington	Bucshon	Cooper
Babin	Budd	Correa
Bacon	Burgess	Costa
Banks (IN)	Bustos	Courtney
Barletta	Byrne	Cramer
Barr	Calvert	Crawford
Barragán	Capuano	Crist
Barton	Carbajal	Crowley
Bass	Carson (IN)	Cuellar
Beatty	Carter (GA)	Culberson
Bera	Carter (TX)	Cummings
Bergman	Cartwright	Curbelo (FL)
Beyer	Castor (FL)	Curtis
Biggs	Castro (TX)	Davidson
Bilirakis	Chabot	Davis (CA)
Bishop (MI)	Cheney	Davis, Danny
Bishop (UT)	Chu, Judy	Davis, Rodney
Black	Cicilline	DeFazio
Blackburn	Clark (MA)	DeGette
Blum	Clarke (NY)	Delaney
Blunt Rochester	Clay	DeLauro
Bonamici	Cleaver	DelBene
Bost	Cloud	Demings
Boyle, Brendan	Clyburn	Denham
F.	Coffman	DeSantis
Brady (PA)	Cohen	DeSaulnier
Brady (TX)	Cole	DesJarlais
Brat	Collins (GA)	Deutch