

our country continues to work on behalf of everyone.

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. GOMEZ) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 150.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

#### SPOKANE TRIBE OF INDIANS OF THE SPOKANE RESERVATION EQUITABLE COMPENSATION ACT

Ms. HAALAND. Mr. Speaker, I move to suspend the rules and pass the bill (S. 216) to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 216

*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 “Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act”.

##### SEC. 2. FINDINGS.

Congress finds that—

(1) from 1927 to 1931, at the direction of Congress, the Corps of Engineers investigated the Columbia River and its tributaries to determine sites at which power could be produced at low cost;

(2) under section 10(e) of the Federal Power Act (16 U.S.C. 803(e)), when licenses are issued involving tribal land within an Indian reservation, a reasonable annual charge shall be fixed for the use of the land, subject to the approval of the Indian tribe having jurisdiction over the land;

(3) in August 1933, the Columbia Basin Commission, an agency of the State of Washington, received a preliminary permit from the Federal Power Commission for water power development at the Grand Coulee site;

(4) had the Columbia Basin Commission or a private entity developed the site, the Spokane Tribe would have been entitled to a reasonable annual charge for the use of the land of the Spokane Tribe;

(5) in the mid-1930s, the Federal Government, which is not subject to licensing under the Federal Power Act (16 U.S.C. 792 et seq.)—

(A) federalized the Grand Coulee Dam project; and

(B) began construction of the Grand Coulee Dam;

(6) when the Grand Coulee Dam project was federalized, the Federal Government recognized that—

(A) development of the project affected the interests of the Spokane Tribe and the Confederated Tribes of the Colville Reservation; and

(B) it would be appropriate for the Spokane and Colville Tribes to receive a share of revenue from the disposition of power produced at Grand Coulee Dam;

(7) in the Act of June 29, 1940 (16 U.S.C. 835d et seq.), Congress—

(A) granted to the United States—

(i) in aid of the construction, operation, and maintenance of the Columbia Basin Project, all the right, title, and interest of the Spokane Tribe and Colville Tribes in and to the tribal and allotted land within the Spokane and Colville Reservations, as designated by the Secretary of the Interior from time to time; and

(ii) other interests in that land as required and as designated by the Secretary for certain construction activities undertaken in connection with the project; and

(B) provided that compensation for the land and other interests was to be determined by the Secretary in such amounts as the Secretary determined to be just and equitable;

(8) pursuant to that Act, the Secretary paid—

(A) to the Spokane Tribe, \$4,700; and

(B) to the Confederated Tribes of the Colville Reservation, \$63,000;

(9) in 1994, following litigation under the Act of August 13, 1946 (commonly known as the “Indian Claims Commission Act” (60 Stat. 1049, chapter 959; former 25 U.S.C. 70 et seq.)), Congress ratified the Colville Settlement Agreement, which required—

(A) for past use of the land of the Colville Tribes, a payment of \$53,000,000; and

(B) for continued use of the land of the Colville Tribes, annual payments of \$15,250,000, adjusted annually based on revenues from the sale of electric power from the Grand Coulee Dam project and transmission of that power by the Bonneville Power Administration;

(10) the Spokane Tribe, having suffered harm similar to that suffered by the Colville Tribes, did not file a claim within the 5-year statute of limitations under the Indian Claims Commission Act;

(11) neither the Colville Tribes nor the Spokane Tribe filed claims for compensation for use of the land of the respective tribes with the Commission prior to August 13, 1951, but both tribes filed unrelated land claims prior to August 13, 1951;

(12) in 1976, over objections by the United States, the Colville Tribes were successful in amending the 1951 Claims Commission land claims to add the Grand Coulee claim of the Colville Tribes;

(13) the Spokane Tribe had no such claim to amend, having settled the Claims Commission land claims of the Spokane Tribe with the United States in 1967;

(14) the Spokane Tribe has suffered significant harm from the construction and operation of Grand Coulee Dam;

(15) Spokane tribal acreage taken by the United States for the construction of Grand Coulee Dam equaled approximately 39 percent of Colville tribal acreage taken for construction of the dam;

(16) the payments and delegation made pursuant to this Act constitute fair and equitable compensation for the past and continued use of Spokane tribal land for the production of hydropower at Grand Coulee Dam; and

(17) by vote of the Spokane tribal membership, the Spokane Tribe has resolved that the payments and delegation made pursuant to this Act constitute fair and equitable compensation for the past and continued use of Spokane tribal land for the production of hydropower at Grand Coulee Dam.

##### SEC. 3. PURPOSE.

The purpose of this Act is to provide fair and equitable compensation to the Spokane Tribe for the use of the land of the Spokane Tribe for the generation of hydropower by the Grand Coulee Dam.

##### SEC. 4. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Bonneville Power Administration or the head of any successor agency, corporation, or entity that markets power produced at Grand Coulee Dam.

(2) COLVILLE SETTLEMENT AGREEMENT.—The term “Colville Settlement Agreement” means the Settlement Agreement entered into between the United States and the Colville Tribes, signed by the United States on April 21, 1994, and by the Colville Tribes on April 16, 1994, to settle the claims of the Colville Tribes in Docket 181-D of the Indian Claims Commission, which docket was transferred to the United States Court of Federal Claims.

(3) COLVILLE TRIBES.—The term “Colville Tribes” means the Confederated Tribes of the Colville Reservation.

(4) COMPUTED ANNUAL PAYMENT.—The term “Computed Annual Payment” means the payment calculated under paragraph 2.b. of the Colville Settlement Agreement, without regard to any increase or decrease in the payment under section 2.d. of the agreement.

(5) CONFEDERATED TRIBES ACT.—The term “Confederated Tribes Act” means the Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act (Public Law 103-436; 108 Stat. 4577).

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

(7) SPOKANE BUSINESS COUNCIL.—The term “Spokane Business Council” means the governing body of the Spokane Tribe under the constitution of the Spokane Tribe.

(8) SPOKANE TRIBE.—The term “Spokane Tribe” means the Spokane Tribe of Indians of the Spokane Reservation, Washington.

##### SEC. 5. PAYMENTS BY ADMINISTRATOR.

(a) INITIAL PAYMENT.—On March 1, 2021, the Administrator shall pay to the Spokane Tribe an amount equal to 25 percent of the Computed Annual Payment for fiscal year 2021.

##### (b) SUBSEQUENT PAYMENTS.—

(1) IN GENERAL.—Not later than March 1, 2023, and March 1 of each year thereafter through March 1, 2029, the Administrator shall pay the Spokane Tribe an amount equal to 25 percent of the Computed Annual Payment for the preceding fiscal year.

(2) MARCH 1, 2030, AND SUBSEQUENT YEARS.—Not later than March 1, 2030, and March 1 of each year thereafter, the Administrator shall pay the Spokane Tribe an amount equal to 32 percent of the Computed Annual Payment for the preceding fiscal year.

##### SEC. 6. TREATMENT AFTER AMOUNTS ARE PAID.

(a) USE OF PAYMENTS.—Payments made to the Spokane Business Council or Spokane Tribe under section 5 may be used or invested by the Spokane Business Council in the same manner and for the same purposes as other Spokane Tribe governmental amounts.

(b) NO TRUST RESPONSIBILITY OF THE SECRETARY.—Neither the Secretary nor the Administrator shall have any trust responsibility for the investment, supervision, administration, or expenditure of any amounts after the date on which the funds are paid to the Spokane Business Council or Spokane Tribe under section 5.

(c) TREATMENT OF FUNDS FOR CERTAIN PURPOSES.—The payments of all amounts to the Spokane Business Council and Spokane Tribe under section 5, and the interest and income generated by those amounts, shall be treated in the same manner as payments under section 6 of the Saginaw Chippewa Indian Tribe of Michigan Distribution of Judgment Funds Act (100 Stat. 677).

(d) TRIBAL AUDIT.—After the date on which amounts are paid to the Spokane Business Council or Spokane Tribe under section 5, the amounts shall—

(1) constitute Spokane Tribe governmental amounts; and

(2) be subject to an annual tribal government audit.

**SEC. 7. REPAYMENT CREDIT.**

(a) IN GENERAL.—The Administrator shall deduct from the interest payable to the Secretary of the Treasury from net proceeds (as defined in section 13 of the Federal Columbia River Transmission System Act (16 U.S.C. 838k))—

(1) in fiscal year 2030, \$2,700,000; and

(2) in each subsequent fiscal year in which the Administrator makes a payment under section 5, \$2,700,000.

(b) CREDITING.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), each deduction made under this section for the fiscal year shall be—

(A) a credit to the interest payments otherwise payable by the Administrator to the Secretary of the Treasury during the fiscal year in which the deduction is made; and

(B) allocated pro rata to all interest payments on debt associated with the generation function of the Federal Columbia River Power System that are due during the fiscal year.

(2) DEDUCTION GREATER THAN AMOUNT OF INTEREST.—If, in an applicable fiscal year under paragraph (1), the deduction is greater than the amount of interest due on debt associated with the generation function for the fiscal year, the amount of the deduction that exceeds the interest due on debt associated with the generation function shall be allocated pro rata to all other interest payments due during the fiscal year.

(3) CREDIT.—To the extent that a deduction exceeds the total amount of interest described in paragraphs (1) and (2), the deduction shall be applied as a credit against any other payments that the Administrator makes to the Secretary of the Treasury.

**SEC. 8. EXTINGUISHMENT OF CLAIMS.**

On the date that payment under section 5(a) is made to the Spokane Tribe, all monetary claims that the Spokane Tribe has or may have against the United States to a fair share of the annual hydropower revenues generated by the Grand Coulee Dam project for the past and continued use of land of the Spokane Tribe for the production of hydropower at Grand Coulee Dam shall be extinguished.

**SEC. 9. ADMINISTRATION.**

Nothing in this Act establishes any precedent or is binding on the Southwestern Power Administration, Western Area Power Administration, or Southeastern Power Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

**GENERAL LEAVE**

Ms. HAALAND. 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 New Mexico?

There was no objection.

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

Mr. Speaker, S. 216, the Spokane Tribe of Indians of the Spokane Res-

ervation Equitable Compensation Act, will finally compensate the Spokane Tribe of Indians for the flooding of their Tribal lands that occurred with the construction of the Grand Coulee Dam more than 75 years ago.

Located in Washington State, the Grand Coulee Dam was built in the 1930s and 1940s. The reservoir it created flooded approximately 2,500 acres of the Spokane Indian Reservation. These lands held great economic, cultural, and spiritual significance for the Spokane Tribal people and included the Tribe's historic salmon fishing sites.

Around the time of the dam's completion, the Indian Claims Commission Act of 1946 was enacted, which gave Tribal nations 5 years to file all relevant land claims against the Federal Government. Although the Spokane Tribe filed a claim before this deadline, which was settled in 1967, for around \$4,700, lands related to the dam were not included.

The end result is that, more than 75 years later, the Spokane Tribe has still not received just compensation for the seizure and destruction of their lands. This has severely impacted the ability of the Tribal government to provide for their people.

This is also an issue of fairness and equity. The only other Tribe impacted by the construction of the Grand Coulee Dam, the Confederated Tribes of the Colville Reservation, successfully secured a settlement with the United States in 1994 and have been receiving compensation ever since.

S. 216 will require the Bonneville Power Administration to make annual payments to the Tribe starting in 2022 to match the company's electricity sales, much in the same way the Colville Tribes are compensated.

The legislation has the support of the surrounding counties and local entities.

Additionally, BPA stated, at a recent subcommittee hearing on the bill, that the annual payments to the Tribe "will not result in perceptible rate impacts to its utility customers."

The Grand Coulee Dam and the energy it produces has been a financial boon to the United States and the citizens of the Northwest. It is now time to make whole the Spokane Tribe for their sacrifice.

I thank Senator CANTWELL for her tireless work on this issue on behalf of the Spokane Tribal people, and I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

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

During debate on this legislation in committee, a number of our Members expressed concerns on the merits of the settlement achieved under S. 216. Ultimately, this bill authorizes a settlement to the Spokane Tribe for damages as a result of the construction of the Grand Coulee Dam.

As stated in the findings section of the legislation, after construction of the dam, the Federal Government recognized that the Colville and Spokane Tribes should be compensated for their losses. Negotiations commenced, and settlements were reached between the Federal Government and both Tribes independently. No further claims were brought forward by the Spokane Tribe, and, as a result, the Tribe's claims were deemed fully settled.

Now, nearly 50 years later, Congress is granting a settlement to the Tribe that will entitle them to a share of revenues from hydropower sales by the Bonneville Power Administration in perpetuity.

The main concern raised by our Members was the potential of this bill as precedence to resettle claims between an entity and the Federal Government that have already been deemed settled.

In addition, concerns have been raised that this legislation leaves the door open to off-reservation gambling.

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During the last 18 years, most House-passed bills addressing Tribal land use issues have contained express restrictions on off-reservation gambling. S. 216 seems to be one of the few that does not.

Mr. Speaker, I reserve the balance of my time.

Ms. HAALAND. Mr. Speaker, I have no further requests for time and would inquire whether my colleague has any remaining speakers on his side.

Mr. WESTERMAN. Mr. Speaker, I do have one more.

Ms. HAALAND. Mr. Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is an important bill, but there is something even much more important this week in Congress.

In 2012, President Obama was caught on camera giving Russia's then-President Medvedev a secret message to be given to his soon-to-be successor, Vladimir Putin. President Obama said: "On all these issues, but particularly missile defense, this can be solved, but it is important for him to give me space. This is my last election. After my election, I have more flexibility."

In other words, President Obama's secret promise to reward Russia with flexibility on missile defense and other issues, to the detriment of U.S. national security, was if the Russians did not stir up trouble during his Presidential campaign.

This exchange between President Obama and Russian President Medvedev is an actual quid pro quo. President Obama's offer was accepted and was acted upon by the Russians. Both sides exchanged something of value.

President Obama's quid pro quo led to specific actions by his administration. He was weak against Russia in

many respects, he broke missile defense agreements with our beleaguered Eastern European allies, he tried to stop or delay nuclear parity with Russia, and he repeatedly blocked attempts by Republicans to provide lethal aid to Ukraine.

By the way, under President Trump, we are finally strong against Russia. We are now building a more robust NATO, enhancing our missile defense agreements and troop presence in Eastern Europe, and finally sending the lethal aid to Ukraine that President Obama had refused to send.

But President Obama engaged in an actual quid pro quo with Russia to give him political advantage. It came at the expense of Ukraine, an ally. It sounds a lot like what the Democrats are accusing President Trump of. Why were the Democrats silent back then?

These two scenarios, that and the present-day impeachment proceedings, sound similar, but there is at least one big difference: the alleged quid pro quo between Presidents Trump and Zelensky never translated into even an understanding by the Ukrainians that they had to do something. In fact, they never did anything, such as announce a corruption investigation of the Bidens, which I believe was a situation crying out for an investigation.

When you come right down to it, the real abuse of power was by President Obama. Was it a horrible judgment call to trade favors with the Russians? Yes. Was it impeachable? Republicans who were in control of the House then did not think so.

That is the difference between Democrats and Republicans. Republicans may not always like what a President of the other party does, but we don't elevate policy differences into a nuclear war involving impeachment, a constitutional remedy that should be reserved for things like criminal acts and treason.

This week's impeachment proceedings are nothing more than a political vendetta by the Democrats masquerading as a constitutional remedy. Let's stop this charade now and kill this impeachment.

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

Ms. HAALAND. Mr. Speaker, I would just like to remind the House that this is an important bill that would bring equity to the Spokane Tribe of Indians, and I urge my colleagues to support the legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. HAALAND) that the House suspend the rules and pass the bill, S. 216.

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.

## MIRACLE MOUNTAIN DESIGNATION ACT

Ms. HAALAND. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 722) to designate a mountain in the State of Utah as "Miracle Mountain".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 722

*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 "Miracle Mountain Designation Act".

### SEC. 2. FINDINGS.

Congress finds as follows:

(1) On September 13, 2018, the Bald Mountain Fire burned nearly 20,000 acres of land in Utah.

(2) Elk Ridge City, located in Utah County, was nearly the victim of this fire.

(3) Suddenly, the fire halted its progression and, instead of burning into Elk Ridge City, stayed behind the mountain and spared the city.

(4) Congress, in acknowledgment of this event, believes this mountain holds special significance to the residents of Elk Ridge City and surrounding communities.

(5) The presently unnamed peak has been referred to as "Miracle Mountain" by many residents since the fire that nearly went into Elk Ridge City.

### SEC. 3. MIRACLE MOUNTAIN.

(a) DESIGNATION.—The mountain in the State of Utah, located at 39° 59' 02N, 111° 40' 12W, shall be known and designated as "Miracle Mountain".

(b) REFERENCES.—Any reference in a law, map, regulation, document, record, or other paper of the United States to the mountain described in subsection (a) shall be considered to be a reference to "Miracle Mountain".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. HAALAND) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

### GENERAL LEAVE

Ms. HAALAND. 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 New Mexico?

There was no objection.

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

Mr. Speaker, H.R. 722, introduced by Representative CURTIS, would designate an unnamed peak near Elk Ridge City, Utah, as Miracle Mountain.

On August 24, 2018, lightning sparked the 20,000-acre Bald Mountain fire, which expanded rapidly and eventually merged with the Pole Creek fire, threatening the cities of Elk Ridge and Woodland Hills.

Fortunately, on September 13, the fire suddenly halted behind the mountain, saving the communities of Elk Ridge and Woodland Hills.

To commemorate the peak that saved their community, many residents of Elk Ridge City have adopted the name Miracle Mountain.

H.R. 722 would simply designate this peak as Miracle Mountain to serve as a lasting tribute to the mountain and the brave firefighters that protected Elk Ridge City and Woodland Hills from the ravaging Bald Mountain fire.

Mr. Speaker, I want to thank my colleague, Representative CURTIS, for championing this legislation and urge my colleagues to support H.R. 722.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise today in support of H.R. 722, the Miracle Mountain Designation Act. This bill would designate a mountain near Elk Ridge, Utah, as Miracle Mountain to recognize the providential events that took place in early September 2018 during the Pole Creek and Bald Mountain fires.

These massive wildfires burned roughly 120,000 acres in Utah. The fires and their smoke were visible to the majority of Utah's residents in the greater Salt Lake City area.

Two northern Utah cities located in Congressman CURTIS' district, Elk Ridge and Woodland Hills, narrowly escaped these fires barreling towards their communities. Evacuations were ordered for these communities, and families were forced to abandon their homes and pray for the best. Swift winds and severe drought conditions fueled the fire which was on a direct path towards these small towns.

On September 13, a miracle happened. As the fire reached the base of a lone mountain standing between the fire and Elk Ridge, the winds inexplicably shifted, and the fires were thrown off their deadly path. These communities were miraculously spared.

Since the fire, the unnamed peak has been referred to as Miracle Mountain by many Utahns.

Two weeks ago, Elk Ridge Mayor Ty Ellis testified before the Natural Resources Committee about the miracle he had witnessed. At the hearing, Mayor Ellis stated: "As I drove towards that mountain, I said to myself, it truly is a miracle that that mountain remains green, and behind it is nothing but ash."

Mayor Ellis reached out to Congressman CURTIS soon after the fire had been contained to see if the peak could be named 'Miracle Mountain.'

We are all grateful to the courageous Federal, State, and local firefighters who worked tirelessly to battle the blaze.

Naming the peak Miracle Mountain is a fitting acknowledgement of divine intervention and a gesture of gratitude to all those who came together to save these towns and help those who were forced to evacuate.

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