

S 222

Zuni Indian Tribe Water Rights Settlement Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Native Americans

Introduced: Jan 28, 2003

Current Status: Became Public Law No: 108-34.

Latest Action: Became Public Law No: 108-34. (Jun 23, 2003)

Law: 108-34 (Enacted Jun 23, 2003)

Official Text: https://www.congress.gov/bill/108th-congress/senate-bill/222

Sponsor

Name: Sen. Kyl, Jon [R-AZ]

Party: Republican • State: AZ • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. McCain, John [R-AZ]	R · AZ		Jan 28, 2003

Committee Activity

Committee	Chamber	Activity	Date
Indian Affairs Committee	Senate	Reported By	Mar 10, 2003
Natural Resources Committee	House	Referred to	Mar 21, 2003

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

Bill	Relationship	Last Action
108 HRES 258	Related bill	Jun 5, 2003: Motion to reconsider laid on the table Agreed to without objection.
108 HR 495	Identical bill	Apr 3, 2003: Forwarded by Subcommittee to Full Committee by Voice Vote.

(This measure has not been amended since it was introduced. The expanded summary of the Senate reported version is repeated here.)

Zuni Indian Tribe Water Rights Settlement Act of 2003- (Sec. 4) Ratifies the Settlement Agreement concerning Zuni Indian Tribe water rights claims in the Little Colorado River basin, Arizona. Authorizes appropriations for: (1) FY 2004 for acquisition of water rights and associated lands, and other activities by the Zuni Tribe to facilitate enforceability of the Settlement Agreement; and (2) FY 2004 through 2006 for actions necessary to restore, rehabilitate, and maintain the Zuni Heaven Reservation, including the Sacred Lake, wetlands, and riparian areas.

Ratifies specified agreements involving the Salt River Project Agricultural Improvement and Power District, Tucson Electric Power Company, the Arizona State Land Department, the Zuni tribe and the United States.

(Sec. 5) Requires the Secretary of the Interior to take legal title of specified lands in the Gila and Salt River Base and Meridian into trust for the benefit of the Zuni tribe. Declares that these lands shall not have Federal reserved rights to surface water or groundwater. Requires the Zuni Tribe to make payments in lieu of all current State, county, and local ad valorem taxes that would otherwise apply if those lands were not held in trust.

Prohibits the United States, except in certain instances, from removing jurisdiction to Federal courts for disputes over intergovernmental agreements entered into under these trust land agreements.

(Sec. 6) Establishes and authorizes appropriations to the Zuni Indian Tribe Water Rights Development Fund, to be allocated among specified activities, including the acquisition of water rights and restoration of the Zuni Heaven Reservation. Requires deposit in it of any funds paid to the Tribe as required by the Settlement Agreement. Conditions Zuni expenditures from such Fund upon the Secretary's approval of a tribal management plan and an expenditure plan.

Prohibits any per capita distribution from the Fund to members of the Zuni Tribe.

(Sec. 7) Extinguishes all claims for water rights in Zuni lands.

Declares that nothing in this Act recognizes or establishes any right of a member of the Zuni tribe to water on the Reservation.

Authorizes the Zuni tribe to waive and release past, present, and future claims for injuries to water rights against Arizona, the United States, and others.

Authorizes the Zuni tribe to waive its right to request that the United States bring any current or future claims for injuries to water quality.

Waives and releases all past, present, and future common law and natural resource damage claims of the United States against Arizona or others with respect to Settlement land and water.

(Sec. 8) Disallows any claim of sovereign immunity by the United States or specified tribes in specified kinds of litigation relating to the interpretation or enforcement of this Act, the Settlement Agreement, other specified agreements, or a Pumping Protection Agreement. Requires all water rights used on the Zuni Heaven Reservation to be held in trust by the United States. Specifies water use rights and immunities, subject to certain limitations. Continues existing rights-of-way and requires the Secretary to grant additional rights-of-way under specified conditions.

Actions Timeline

- **Jun 23, 2003:** Signed by President.
- **Jun 23, 2003:** Signed by President.
- **Jun 23, 2003:** Became Public Law No: 108-34.
- **Jun 23, 2003:** Became Public Law No: 108-34.
- **Jun 11, 2003:** Presented to President.
- **Jun 11, 2003:** Presented to President.
- **Jun 5, 2003:** Considered under the provisions of rule H. Res. 258. (consideration: CR H5023-5028)
- **Jun 5, 2003:** Rule provides for consideration of S. 222 and S. 273. S. 222 shall be debatable 40 minutes equally divided between the chairman and ranking minority member of the Committee on Resources. Waives all points of order against consideration of S.222. Provides one motion to recommit, with or without instructions, for S. 222. The rule further provides that S. 273 shall be debatable for 40 minutes equally divided between the chairman and ranking minority member of the Committee on Resources. Waives all points of order against consideration of S. 273. Finally, the rule provides one motion to recommit,
- **Jun 5, 2003:** DEBATE - The House proceeded with forty minutes of debate on S. 222.
- **Jun 5, 2003:** The previous question was ordered pursuant to the rule.
- **Jun 5, 2003:** POSTPONED ROLL CALL VOTE - At the conclusion of debate on S. 222, the Chair put the question on passage of the bill and by voice vote, announced that the ayes had prevailed. Mr. Udall of New Mexico demanded the Yeas and Nays and the Chair postponed further proceedings on the question of passage until later in the legislative day.
- **Jun 5, 2003:** Considered as unfinished business. (consideration: CR H5029-5030)
- **Jun 5, 2003:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 389 - 3 (Roll no. 247).(text: CR H5023-5027)
- **Jun 5, 2003:** On passage Passed by the Yeas and Nays: 389 - 3 (Roll no. 247). (text: CR H5023-5027)
- **Jun 5, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 4, 2003:** Rules Committee Resolution H. Res. 258 Reported to House. Rule provides for consideration of S. 222 and S. 273. S. 222 shall be debatable 40 minutes equally divided between the chairman and ranking minority member of the Committee on Resources. Waives all points of order against consideration of S.222. Provides one motion to recommit, with or without instructions, for S. 222. The rule further provides that S. 273 shall be debatable for 40 minutes equally divided between the chairman and ranking minority member of the Committee on Resources. Waives all points of order against consideration of S. 273. Finally, the rule provides one motion to recommit,
- **Jun 3, 2003:** Mr. Renzi moved to suspend the rules and pass the bill.
- **Jun 3, 2003:** Considered under suspension of the rules. (consideration: CR H4797-4804)
- **Jun 3, 2003:** DEBATE - The House proceeded with forty minutes of debate on S. 222.
- **Jun 3, 2003:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jun 3, 2003:** Considered as unfinished business. (consideration: CR H4809-4810)
- **Jun 3, 2003:** Failed of passage/not agreed to in House: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 224 - 188 (Roll no. 230).(text: CR H4797-4802)
- **Jun 3, 2003:** On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 224 - 188 (Roll no. 230). (text: CR H4797-4802)
- **Mar 21, 2003:** Referred to the Subcommittee on Water and Power.
- **Mar 21, 2003:** Executive Comment Requested from Interior.
- **Mar 17, 2003:** Message on Senate action sent to the House.
- **Mar 17, 2003:** Received in the House.
- **Mar 17, 2003:** Referred to the House Committee on Resources.
- **Mar 13, 2003:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR S3755-3759; text of measure as passed Senate: CR S3755-3759)
- **Mar 13, 2003:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S3755-3759; text of measure as passed Senate: CR S3755-3759)
- **Mar 10, 2003:** Committee on Indian Affairs. Reported by Senator Campbell without amendment. With written report No. 108-18.
- **Mar 10, 2003:** Committee on Indian Affairs. Reported by Senator Campbell without amendment. With written report No.

108-18.

- **Mar 10, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 31.
- **Feb 26, 2003:** Committee on Indian Affairs. Ordered to be reported without amendment favorably.
- **Jan 28, 2003:** Introduced in Senate
- **Jan 28, 2003:** Sponsor introductory remarks on measure. (CR S1675)
- **Jan 28, 2003:** Read twice and referred to the Committee on Indian Affairs.