

(1) all claims waived and released pursuant to section 9020(a)(2); and

(2) any claim of an allottee against the United States similar in nature to a claim described in section 9020(a)(2) that the allottee asserted or could have asserted.

SEC. 9022. MISCELLANEOUS PROVISIONS.

(a) **WAIVER OF SOVEREIGN IMMUNITY.**—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this title waives the sovereign immunity of the United States.

(b) **OTHER TRIBES NOT ADVERSELY AFFECTED.**—Nothing in this title quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian tribe, band, or community other than the Tribe.

(c) **LIMITATION ON CLAIMS FOR REIMBURSEMENT.**—With respect to any Indian-owned land located within the Reservation—

(1) the United States shall not submit against that land any claim for reimbursement of the cost to the United States of carrying out this title or the Compact; and

(2) no assessment of that land shall be made regarding that cost.

(d) **LIMITATION ON LIABILITY OF UNITED STATES.**—

(1) **IN GENERAL.**—The United States has no obligation—

(A) to monitor, administer, or account for, in any manner, any funds provided to the Tribe by the State; or

(B) to review or approve any expenditure of those funds.

(2) **INDEMNITY.**—The Tribe shall indemnify the United States, and hold the United States harmless, with respect to all claims (including claims for takings or breach of trust) arising from the receipt or expenditure of amounts described in the subsection.

(e) **EFFECT ON CURRENT LAW.**—Nothing in this section affects any provision of law (including regulations) in effect on the day before the date of enactment of this title with respect to preenforcement review of any Federal environmental enforcement action.

(f) **EFFECT ON RECLAMATION LAWS.**—The activities carried out by the Commissioner of Reclamation under this title shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 991).

(g) **IRRIGATION EFFICIENCY IN UPPER BIRCH CREEK DRAINAGE.**—Any activity carried out by the Tribe in the Upper Birch Creek Drainage (as defined in article II.50 of the Compact) using funds made available to carry out this title shall achieve an irrigation efficiency of not less than 50 percent.

(h) **BIRCH CREEK AGREEMENT APPROVAL.**—The Birch Creek Agreement is approved to the extent that the Birch Creek Agreement requires approval under section 2116 of the Revised Statutes (25 U.S.C. 177).

(i) **LIMITATION ON EFFECT.**—Nothing in this title or the Compact—

(1) makes an allocation or apportionment of water between or among States; or

(2) addresses or implies whether, how, or to what extent the Tribal water rights, or any portion of the Tribal water rights, should be accounted for as part of, or otherwise charged against, an allocation or apportionment of water made to a State in an interstate allocation or apportionment.

SEC. 9023. EXPIRATION ON FAILURE TO MEET ENFORCEABILITY DATE.

If the Secretary fails to publish a statement of findings under section 9020(f) by not later than January 21, 2025, or such alter-

native later date as is agreed to by the Tribe and the Secretary, after reasonable notice to the State, as applicable—

(1) this title expires effective on the later of—

(A) January 22, 2025; and

(B) the day after such alternative later date as is agreed to by the Tribe and the Secretary;

(2) any action taken by the Secretary and any contract or agreement entered into pursuant to this title shall be void;

(3) any amounts made available under section 9018, together with any interest on those amounts, that remain unexpended shall immediately revert to the general fund of the Treasury, except for any funds made available under section 9016(e)(2) if the Montana Water Court denies the Tribe's request to reinstate the objections in section 9020(c); and

(4) the United States shall be entitled to offset against any claims asserted by the Tribe against the United States relating to water rights—

(A) any funds expended or withdrawn from the amounts made available pursuant to this title; and

(B) any funds made available to carry out the activities authorized by this title from other authorized sources, except for any funds provided under section 9016(e)(2) if the Montana Water court denies the Tribe's request to reinstate the objections in section 9020(c).

SEC. 9024. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title (including any obligation or activity under the Compact) if—

(1) adequate appropriations are not provided expressly by Congress to carry out the purposes of this title; or

(2) there are not enough monies available to carry out the purposes of this title in the Reclamation Water Settlements Fund established under section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)).

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

Mr. McCONNELL. Madam President, I move to proceed to H.R. 5325.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 516, H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

MORNING BUSINESS

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Oklahoma.

THANKING STAFF

Mr. INHOFE. Madam President, first of all, I will be very brief. What we just passed is a major bill. It took a lot of effort from a lot of people. Many times

the Members get more credit than they should because the real heroes are the ones who are back there doing the work. I want to thank the staff who are responsible for the hours and a lot of late nights.

I want to thank my chief of staff, Adrienne Jackson, as well as Alex Herrgott. They do a lot of late night work on these things, as well as many on the other side. In the case of Alex Herrgott, who was driving this thing, he has been doing this for me for over a dozen years. We have had a lot of successes.

I also wish to recognize Susan Bodine, who is sitting right here. She is a long-time WRDA expert, going back to 2 years ago when we had the WRDA bill, in 2014. She actually worked on WRDA on the House side for 11 years. I thank, as well, Charles Brittingham. These are the two who actually spent the time on my side of the aisle who put in the hardest and the longest hours. He was originally on loan to me from Senator VITTER, but now he is a full member of the EPW Committee. Few, if any, have better expertise on the core operation than Charles.

I want to thank Joe Brown for his long hours, as well as Jennie Wright and Andrew Neely for their work on the Oklahoma priorities on this bill, along with Carter Vella and Amanda Hall.

I want to thank Jason Albritton and Ted Illston on Senator BOXER's staff for their hard work with my team, and I thank Bettina Poirier, as always, for the hard work she did.

I thank the hard-working Aurora Swanson at CBO. We really put the burden on CBO. They had to respond immediately on short notice in order to get this done. Everyone said it was going to be impossible during this work period, but she played a major part in that. I also recognize the scoring and work that was necessary from the Senate legislative counsel Deanna Edwards, Maureen Catreni, and Gary Endicott. Finally, I thank Neil Chatterjee for his work from the leader's office. It was very, very helpful.

Of course, I already mentioned the hard work of my colleague Senator BOXER for making this bill a reality. It was a project that couldn't have been done any other way with any other people, and I am proud to have that behind us now.

With that, I will yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

REMEMBERING ROBERT J. DUNFEY, SR.

Mr. LEAHY. Madam President, for every pivotal moment in history, behind the faces of the political leaders, the negotiators, the protestors and the agreement-seekers, there are stalwart citizens, seeking to find the common ground for the common good. Last month, one such advocate in the march