

118TH CONGRESS
2D SESSION

H. R. 8937

To establish subaccounts in the Indian Water Rights Settlement Completion Fund to satisfy the obligations of the United States with respect to certain Indian water rights settlements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2024

Mr. GRIJALVA introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To establish subaccounts in the Indian Water Rights Settlement Completion Fund to satisfy the obligations of the United States with respect to certain Indian water rights settlements, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. INDIAN WATER RIGHTS SETTLEMENT COMPLE-**
4 **TION FUND SUBACCOUNTS.**

5 (a) AMENDMENT.—Section 70101 of the Infrastruc-
6 ture Investment and Jobs Act (Public Law 117–58; 25
7 U.S.C. 149) is amended by inserting after subsection (d)
8 the following new subsections:

1 “(e) OPERATIONS, MAINTENANCE, AND REPAIR SUB-
2 ACCOUNT.—

3 “(1) ESTABLISHMENT.—There is established
4 within the Fund a subaccount to be known as the
5 Operations, Maintenance, and Repair Subaccount
6 (referred to in this subsection as the ‘OMR Sub-
7 account’).

8 “(2) DEPOSITS.—

9 “(A) IN GENERAL.—Not later than De-
10 cember 31 of the year on which this subsection
11 is enacted, and on each October 1 thereafter
12 through October 1, 2033, out of any funds in
13 the Treasury not otherwise appropriated, the
14 Secretary of the Treasury shall deposit in the
15 OMR Subaccount \$34,000,000 for the uses set
16 forth in paragraph (3).

17 “(B) AVAILABILITY.—Amounts deposited
18 in the OMR Subaccount under this paragraph
19 shall be available to the Secretary of the Inte-
20 rior, without further appropriation or fiscal
21 year limitation, for the uses described in para-
22 graph (3).

23 “(3) USES.—Amounts deposited in the OMR
24 Subaccount under paragraph (2) shall be used by
25 the Secretary of the Interior for transfers to funds

1 or accounts authorized to receive appropriations to
2 satisfy obligations of the United States under the
3 following provisions:

4 “(A) The water delivery and operation,
5 maintenance, repair, and related provisions of
6 Public Law 98–530, relating to the water rights
7 of the Ak-Chin Indian Community.

8 “(B) The water delivery and operations,
9 maintenance, repair and related provisions of
10 the Colorado Ute Indian Water Rights Settle-
11 ment Act of 1988 (Public Law 100–585), relat-
12 ing to the Animas-La Plata Project, as defined
13 in section 3(2) of such Act.

14 “(C) The provisions of section 10603(g) of
15 the Omnibus Public Land Management Act of
16 2009 (Public Law 111–11), relating to the
17 Navajo-Gallup Water Supply Project.

18 “(D) The water acquisition provisions of
19 the Snake River Water Rights Act of 2004
20 (title X of division J of Public Law 108–447),
21 relating to Snake River flow augmentation
22 under section 5(a) of such Act.

23 “(f) NEW AND CONTINUING SETTLEMENTS SUB-
24 ACCOUNT.—

1 “(1) ESTABLISHMENT.—There is established
2 within the Fund a subaccount to be known as the
3 New and Continuing Settlements Subaccount (re-
4 ferred to in this subsection as the ‘NCS Sub-
5 account’).

6 “(2) DEPOSITS.—

7 “(A) IN GENERAL.—Not later than De-
8 cember 31 of the year on which this subsection
9 is enacted, and on each October 1 thereafter
10 through October 1, 2033, out of any funds in
11 the Treasury not otherwise appropriated, the
12 Secretary of the Treasury shall deposit in the
13 NCS Subaccount \$250,000,000 for the uses set
14 forth in paragraph (3).

15 “(B) AVAILABILITY.—In addition to
16 amounts otherwise available, amounts deposited
17 in the NCS Subaccount under this paragraph
18 shall be available to the Secretary of the Inte-
19 rior, without further appropriation or fiscal
20 year limitation, for the uses described in para-
21 graph (3).

22 “(3) USES.—Subject to paragraph (4), amounts
23 deposited in the NCS Subaccount under paragraph
24 (2) shall be used by the Secretary of the Interior for
25 transfers to funds or accounts authorized to receive

1 appropriations, or to satisfy other obligations of the
2 United States identified by the Secretary of the In-
3 terior, under any Indian water settlement approved
4 and authorized by an Act of Congress.

5 “(4) SCOPE OF TRANSFERS.—

6 “(A) IN GENERAL.—Transfers authorized
7 under paragraph (3) shall be made in such
8 amounts as are determined by the Secretary of
9 the Interior to be appropriate to satisfy the ob-
10 ligations of the United States, including appro-
11 priate indexing, pursuant to the applicable In-
12 dian water settlement.

13 “(B) SEQUENCE AND TIMING.—The Sec-
14 retary of the Interior shall have the discretion
15 to determine the sequence and timing of trans-
16 fers from the NCS Subaccount under para-
17 graph (3) in order to substantially complete the
18 eligible Indian water settlements as expedi-
19 tiously as practicable.”.

20 (b) CONFORMING AMENDMENTS.—Section 312(e)(5)
21 of the White Mountain Apache Tribe Water Rights Quan-
22 tification Act of 2010 (title III of Public Law 111–291)
23 is amended—

24 (1) by striking “made available from—” and in-
25 serting “made available from the Reclamation Water

1 Settlements Fund established by section 10501(a) of
2 the Omnibus Public Land Management Act of 2009
3 (43 U.S.C. 407(a)).”; and
4 (2) by striking subparagraphs (A) and (B).

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