

Comparative Print: Changes in Existing Law for Bill number:

Notice

This document was computer-generated to show how legislative text that may be considered by the House proposes to change existing law. It has not been reviewed for accuracy. This document does not represent an official expression by the House and should not be relied on as an authoritative delineation of the proposed change(s) to existing law.

Omitted text is shown ~~stricken~~, new matter that is proposed is in underlined italics, and existing text in which no change is being proposed is shown in regular roman. Typesetting and stylistic characteristics, particularly in the headings and indentations, may not conform to how the text, if adopted, would be illustrated in subsequent versions of legislation or public law.

Summary

- (1) 30 amendments.
- (2) 2 automated notifications.

Current Law(s) being amended

1. Crow Tribe Water Rights Settlement Act of 2010

Comparative Print: Changes in Existing Law

1. Crow Tribe Water Rights Settlement Act of 2010

[As Amended Through P.L. 117–342, Enacted January 5, 2023]

Sec. 1. SHORT TITLE; TABLE OF CONTENTS.

- (a) **Short Title.**— This Act may be cited as the “**Claims Resolution Act of 2010**”.
- (b) **Table of Contents.**— The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INDIVIDUAL INDIAN MONEY ACCOUNT LITIGATION SETTLEMENT

Sec. 101. Individual Indian Money Account Litigation Settlement.

TITLE II—FINAL SETTLEMENT OF CLAIMS FROM IN RE BLACK FARMERS DISCRIMINATION LITIGATION

Sec. 201. Appropriation of funds for final settlement of claims from In re Black Farmers Discrimination Litigation.

TITLE III—WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION

Sec. 301. Short title.

Sec. 302. Purposes.

Sec. 303. Definitions.

Sec. 304. Approval of Agreement.

Sec. 305. Water rights.

Sec. 306. Contract.

Sec. 307. Authorization of WMAT rural water system.

Sec. 308. Satisfaction of claims.

Sec. 309. Waivers and releases of claims.

Sec. 310. White Mountain Apache Tribe Water Rights Settlement Subaccount.

Sec. 311. Miscellaneous provisions.

Sec. 312. Funding.

Sec. 313. Antideficiency.

Sec. 314. Compliance with environmental laws.

TITLE IV—CROW TRIBE WATER RIGHTS SETTLEMENT

Sec. 401. Short title.

Sec. 402. Purposes.

Sec. 403. Definitions.

Sec. 404. Ratification of Compact.

Sec. 405. Rehabilitation and improvement of Crow Irrigation Project.

~~Sec. 406. Design and construction of MR&I System.~~

~~Sec. 407. Tribal water rights.~~

~~Sec. 408. Storage allocation from Bighorn Lake.~~

~~Sec. 409. Satisfaction of claims.~~

~~Sec. 410. Waivers and releases of claims.~~

~~Sec. 411. Crow Settlement Fund.~~

~~Sec. 412. Yellowtail Dam, Montana.~~

~~Sec. 413. Miscellaneous provisions.~~

~~Sec. 414. Funding.~~

~~Sec. 415. Repeal on failure to meet enforceability date.~~

~~Sec. 416. Antideficiency.~~

Sec. 407. Tribal water rights.

"Sec. 408. Storage allocation from Bighorn Lake.

"Sec. 409. Satisfaction of claims.

"Sec. 410. Waivers and releases of claims.

"Sec. 411. Crow Settlement Fund.

"Sec. 412. Crow CIP Implementation Account.

"Sec. 413. Yellowtail Dam, Montana.

"Sec. 414. Miscellaneous provisions.

"Sec. 415. Funding.

"Sec. 416. Repeal on failure to meet enforceability date.

"Sec. 417. Antideficiency.

TITLE V—TAOS PUEBLO INDIAN WATER RIGHTS

Sec. 501. Short title.

Sec. 502. Purposes.

Sec. 503. Definitions.

Sec. 504. Pueblo rights.

Sec. 505. Taos Pueblo Water Development Fund.

Sec. 506. Marketing.

Sec. 507. Mutual-Benefit Projects.

Sec. 508. San Juan-Chama Project contracts.

Sec. 509. Authorizations, ratifications, confirmations, and conditions precedent.

Sec. 510. Waivers and releases of claims.

Sec. 511. Interpretation and enforcement.

Sec. 512. Disclaimer.
Sec. 513. Antideficiency.

TITLE VI—AAMODT LITIGATION SETTLEMENT

Sec. 601. Short title.
Sec. 602. Definitions.

Subtitle A—Pojoaque Basin Regional Water System

Sec. 611. Authorization of Regional Water System.
Sec. 612. Operating Agreement.
Sec. 613. Acquisition of Pueblo water supply for Regional Water System.
Sec. 614. Delivery and allocation of Regional Water System capacity and water.
Sec. 615. Aamodt Settlement Pueblos' Fund.
Sec. 616. Environmental compliance.
Sec. 617. Funding.

Subtitle B—Pojoaque Basin Indian Water Rights Settlement

Sec. 621. Settlement Agreement and contract approval.
Sec. 622. Environmental compliance.
Sec. 623. Conditions precedent and enforcement date.
Sec. 624. Waivers and releases of claims.
Sec. 625. Effect.
Sec. 626. Antideficiency.

TITLE VII—RECLAMATION WATER SETTLEMENTS FUND

Sec. 701. Mandatory appropriation.

TITLE VIII—GENERAL PROVISIONS

Subtitle A—Unemployment Compensation Program Integrity

Sec. 801. Collection of past-due, legally enforceable State debts.

Sec. 802. Reporting of first day of earnings to directory of new hires.

Subtitle B—TANF

Sec. 811. Extension of the Temporary Assistance for Needy Families program.

Sec. 812. Modifications to TANF data reporting.

Subtitle C—Customs User Fees; Continued Dumping and Subsidy Offset

Sec. 821. Customs user fees.

Sec. 822. Limitation on distributions relating to repeal of continued dumping and subsidy offset.

Subtitle D—Emergency Fund for Indian Safety and Health

Sec. 831. Emergency Fund for Indian Safety and Health.

Subtitle E—Rescission of Funds From WIC Program

Sec. 841. Rescission of funds from WIC program.

Subtitle F—Budgetary Effects

Sec. 851. Budgetary effects.

* * * * *

TITLE IV—CROW TRIBE WATER RIGHTS SETTLEMENT

* * * * *

Sec. 403. DEFINITIONS.

In this title:

(1) **Allottee.**— The term “allottee” means any individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation or the ceded strip; and

(B) held in trust by the United States.

(2) **Ceded strip.**— The term “ceded strip” means the area identified as the ceded strip on the map included in appendix 5 of the Compact.

(3) **CIP OM&R.**— The term “CIP OM&R” means—

(A) any recurring or ongoing activity associated with the day-to-day operation of the Crow Irrigation Project;

(B) any activity relating to scheduled or unscheduled maintenance of the Crow Irrigation Project; and

(C) any activity relating to replacement of a feature of the Crow Irrigation Project.

(4) **Compact.**— The term “Compact” means the water rights compact between the Tribe and the State of Montana contained in section 85-20-901 of the Montana Code Annotated (2009) (including any exhibit, part, or amendment to the Compact).

(5) **Crow irrigation project.**—

(A) **In general.**— The term “Crow Irrigation Project” means the irrigation project—

(i) authorized by section 31 of the Act of March 3, 1891 (26 Stat. 1040);

(ii) managed by the Secretary (acting through the Bureau of Indian Affairs); and

(iii) consisting of the project units of—

(I) Agency;

(II) Bighorn;

(III) Forty Mile;

(IV) Lodge Grass #1;

(V) Lodge Grass #2;

(VI) Pryor;

(VII) Reno;

(VIII) Soap Creek; and

(IX) Upper Little Horn.

(B) **Inclusion.**— The term “Crow Irrigation Project” includes land held in trust by the United States for the Tribe and the allottees in the Bozeman Trail and Two Leggins irrigation districts.

(6) **Enforceability date.**— The term “enforceability date” means the date on which the Secretary publishes in the Federal Register the statement of findings described in section 410(e).

(7) **Final.**— The term “final” with reference to approval of the decree described in section 410(e)(1)(A), means—

(A) completion of any direct appeal to the Montana Supreme Court of a decree by the Montana Water Court pursuant to section 85-2-235 of the Montana Code Annotated (2009), including the expiration of time for filing of any such appeal; or

(B) completion of any appeal to the appropriate United States Court of Appeals, including the expiration of time in which a petition for certiorari may be filed in the United States Supreme Court, denial of such petition, or issuance of a final judgment of the United States Supreme Court, whichever occurs last.

(8) **Fund.**— The term “Fund” means the Crow Settlement Fund established by section 411.

(9) **Indian tribe.**— The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (~~25 U.S.C. 450b~~) (25 U.S.C. 5304).

(10) **Joint stipulation of settlement.**— The term “joint stipulation of settlement” means the joint stipulation of settlement relating to the civil action styled *Crow Tribe of Indians v. Norton*, No. 02-284 (D.D.C. 2006).

(11) MR&I system.—

(A) **In general.**— The term “MR&I System” means the municipal, rural, and industrial water system of the Reservation, generally described in the document entitled “Crow Indian Reservation Municipal, Rural and Industrial Water System Engineering Report” prepared by DOWL HKM, and dated July 2008 and updated in a status report prepared by DOWL HKM dated December 2009.

(B) **Inclusions.**— The term “MR&I System” includes—

(i) the raw water intake, water treatment plant, pipelines, storage tanks, pumping stations, pressure-reducing valves, electrical transmission facilities, and other items (including real property and easements necessary to deliver potable water to the Reservation) appurtenant to the system described in subparagraph (A); and

(ii) in descending order of construction priority—

(I) the Bighorn River Valley Subsystem;

(II) the Little Bighorn River Valley Subsystem; and

(III) Pryor Extension.

(11) MR&I PROJECT.— The term “MR&I Project” means an activity described in clauses (i) through (iii) of section 411(e)(3)(F).

(12) **MR&I System Projects OM&R.**— The term “MR&I System OM&R” means—

(A) any recurring or ongoing activity associated with the day-to-day operation of the MR&I System Projects;

(B) any activity relating to scheduled or unscheduled maintenance of the MR&I System Projects; and

(C) any activity relating to replacement of project features of the MR&I System Projects.

(13) **Reservation.**— The term “Reservation” means the area identified as the Reservation on the map in appendix 4 of the Compact.

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

(15) **Tribal Compact Administration.**— The term “Tribal Compact Administration” means any activity relating to—

(A) the development or enactment by the Tribe of the tribal water code;

(B) establishment by the Tribe of a water resources department; and

(C) the operation by the Tribe of that water resources department (or a successor agency) during the 10-year period beginning on the date of establishment of the department.

(16) **Tribal Water Code.**— The term “tribal water code” means a water code adopted by the Tribe in accordance with section 407(f).

(17) **Tribal water rights.**— The term “tribal water rights” means—

(A) the water rights of the Tribe described in article III of the Compact; and

(B) the water rights provided to the Tribe under section 408.

(18) **Tribe.**— The term “Tribe” means the Crow Tribe of Indians of the State of Montana on behalf of itself and its members (but not its members in their capacities as allottees).

~~Sec. 406. DESIGN AND CONSTRUCTION OF MR&I SYSTEM.~~

~~(a) In general.~~— The Secretary, acting through the Commissioner of Reclamation, shall plan, design, and construct the water diversion and delivery features of the MR&I System, in accordance with 1 or more agreements between the Secretary and the Tribe.

~~(b) Lead Agency.~~— The Bureau of Reclamation shall serve as the lead agency with respect to any activity to design and construct the water diversion and delivery features of the MR&I System.

~~(c) Scope.—~~

~~(1) In general.~~— The scope of the design and construction under this section shall be as generally described in the document entitled “~~Crow Indian Reservation Municipal, Rural and Industrial Water System Engineering Report~~” prepared by DOWL HKM, and dated July 2008 and updated in a status report dated December 2009 by DOWL HKM, on the condition that prior to beginning construction activities, the Secretary shall review the design of the proposed MR&I System and perform value engineering analyses.

~~(2) Negotiation with tribe.~~— On the basis of the review described in paragraph (1), the Secretary shall negotiate with the Tribe appropriate changes to the final design so that the final design meets applicable industry standards, as well as changes, if any, that would improve the cost-effectiveness of the delivery of MR&I System water and take into consideration the equitable distribution of water to allottees.

~~(d) Nonreimbursability of Costs.~~— All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

~~(e) Funding.~~— The total amount of obligations incurred by the Secretary in carrying out this section shall not exceed \$246,381,000, except that the total amount of \$246,381,000 shall be increased or decreased, as appropriate, based on ordinary fluctuations from May 1, 2008, in construction cost indices applicable to the types of construction involved in the design and construction of the MR&I System.

~~(f) Tribal Implementation Agreement.—~~

~~(1) In general.~~— At the request of the Tribe, in accordance with applicable Federal law, the Secretary shall enter into 1 or more agreements with the Tribe to implement the provisions of this section by which the Tribe shall plan, design, and construct any or all of the rehabilitation and improvement required by this section.

~~(2) Oversight costs.~~— The Bureau of Reclamation and the Tribe shall negotiate the cost of any oversight activities carried out by the Bureau of Reclamation for each agreement under this section, provided that the total cost for that oversight shall not exceed 4 percent of the total project costs.

~~(g) Acquisition of Land.—~~

~~(1) Tribal easements and rights-of-way.—~~

~~(A) In general.~~— Upon request, and in partial consideration for the funding provided under section 414(b), the Tribe shall consent to the grant of such easements and rights-of-

way over tribal land as may be necessary for the construction of the MR&I System authorized by this section at no cost to the United States.

(B) Jurisdiction.— The Tribe shall retain criminal and civil jurisdiction over any lands that were subject to tribal jurisdiction prior to the granting of an easement or right-of-way in connection with the construction of the MR&I System.

(2) Land acquired by the United States.— Land acquired by the United States in connection with the construction of the MR&I System authorized by this section shall be held in trust by the United States on behalf of the Tribe as part of the Reservation of the Tribe.

(h) Conveyance of Title to MR&I System Facilities.—

(1) In general.— The Secretary shall convey title to each MR&I System facility or section of a MR&I System facility authorized under subsection (a) to the Tribe after completion of construction of a MR&I System facility or a section of a MR&I System facility that is operating and delivering water.

(2) Liability.—

(A) In general.— Effective on the date of the conveyance authorized by this subsection, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the land, buildings, or facilities conveyed under this subsection, other than damages caused by acts of negligence committed by the United States, or by employees or agents of the United States, prior to the date of conveyance.

(B) Tort claims.— Nothing in this section increases the liability of the United States beyond the liability provided in chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”).

(3) Notice of proposed conveyance.— Not later than 45 days before the date of a proposed conveyance of title to any MR&I System facility, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate notice of the conveyance of each such MR&I System facility or section of a MR&I System facility.

(4) MR&I system OM&R obligation of the federal government after conveyance.— The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement costs of the MR&I System beginning on the date on which—

(A) title to any MR&I System facility or section of a MR&I System facility under this subsection is conveyed to the Tribe; and

(B) the amounts required to be deposited in the MR&I System OM&R Account pursuant to section 411 have been deposited in that account.

(i) Authority of Tribe.— Upon transfer of title to the MR&I System or any section of a MR&I System facility to the Tribe in accordance with subsection (h), the Tribe is authorized to collect water use charges from customers of the MR&I System to cover—

(1) MR&I System OM&R costs; and

(2) any other costs relating to the construction and operation of the MR&I System.

(j) Alienation and Taxation.— Conveyance of title to the Tribe pursuant to subsection (h) does not waive or alter any applicable Federal law prohibiting alienation or taxation of the MR&I System or the underlying Reservation land.

(k) Technical Assistance.— The Secretary shall provide technical assistance to prepare the Tribe for operation of the MR&I System, including operation and management training.

~~(f) **Project Management Committee.**— The Secretary shall facilitate the formation of a project management committee composed of representatives from the Bureau of Reclamation, the Bureau of Indian Affairs, and the Tribe—~~

~~(1) to review cost factors and budgets for construction, operation and maintenance activities for the MR&I System;~~

~~(2) to improve management of inherently governmental activities through enhanced communication; and~~

~~(3) to seek additional ways to reduce overall costs for the MR&I System.~~

~~(m) **Non-Federal Contribution.**—~~

~~(1) **In general.**— Prior to completion of the final design of the MR&I System required by subsection (c), the Secretary shall consult with the Tribe, the State of Montana, and other affected non-Federal parties to discuss the possibility of receiving non-Federal contributions to the cost of the MR&I System.~~

~~(2) **Negotiations.**— If, based on the extent to which non-Federal parties are expected to use the MR&I System, a non-Federal contribution to the MR&I System is determined by the parties described in paragraph (1) to be appropriate, the Secretary shall initiate negotiations for an agreement on the means by which such contributions may be provided.~~

Sec. 406. *Repealed.*

Sec. 409. SATISFACTION OF CLAIMS.

(a) In general.—

(1) Satisfaction of tribal claims.— The benefits realized by the Tribe under this title shall be in complete replacement of and substitution for, and full satisfaction of, all claims of the Tribe against the United States under paragraphs (1) and (3) of section 410(a).

(2) Satisfaction of allottee claims.— The benefits realized by the allottees under this title shall be in complete replacement of and substitution for, and full satisfaction of—

(A) all claims waived and released under section 410(a)(2); and

(B) any claims of the allottees against the United States that the allottees have or could have asserted that are similar in nature to those described in section 410(a)(3).

(b) Satisfaction of Claims Relating to Crow Irrigation Project.—

(1) In general.— Subject to paragraph (3), the funds made available under subsections (a) and (f) of section 414 shall be used to satisfy any claim of the Tribe or the allottees with respect to the appropriation of funds for the rehabilitation, expansion, improvement, repair, operation, or maintenance of the Crow Irrigation Project.

(2) Satisfaction of claims.— Upon complete transfer of the funds described in subsections (a) and (f) of section 414 any claim of the Tribe or the allottees with respect to the transfer of funds for the rehabilitation, expansion, improvement, repair, operation, or maintenance of the Crow Irrigation Project shall be deemed to have been satisfied.

(3) Effect.— Except as provided in section 405, nothing in this title affects any applicable law (including regulations) under which the United States collects irrigation assessments from—

(A) non-Indian users of the Crow Irrigation Project; and

(B) the Tribe, tribal entities and instrumentalities, tribal members, allottees, and entities owned by the Tribe, tribal members, or allottees, to the extent that annual irrigation assessments on such tribal water users exceed the amount of funds available under section 411(e)(3)(D) for costs relating to CIP OM&R.

(c) **No Recognition of Water Rights.**— Notwithstanding subsection (a) and except as provided in section 407, nothing in this title recognizes or establishes any right of a member of the Tribe or an allottee to water within the Reservation or the ceded strip.

Sec. 410. WAIVERS AND RELEASES OF CLAIMS.

(a) **In general.**—

(1) **Waiver and release of claims by the tribe and the united states acting in its capacity as trustee for the tribe.**— Subject to the retention of rights set forth in subsection (c), in return for recognition of the tribal water rights and other benefits as set forth in the Compact and this title, the Tribe, on behalf of itself and the members of the Tribe (but not tribal members in their capacities as allottees), and the United States, acting as trustee for the Tribe and the members of the Tribe (but not tribal members in their capacities as allottees), are authorized and directed to execute a waiver and release of all claims for water rights within the State of Montana that the Tribe, or the United States acting as trustee for the Tribe, asserted, or could have asserted, in any proceeding, including the State of Montana stream adjudication, prior to and including the enforceability date, except to the extent that such rights are recognized in the Compact or this title.

(2) **Waiver and release of claims by the united states acting in its capacity as trustee for allottees.**— Subject to the retention of rights set forth in subsection (c), in return for recognition of the water rights of the Tribe and other benefits as set forth in the Compact and this title, the United States, acting as trustee for allottees, is authorized and directed to execute a waiver and release of all claims for water rights within the Reservation and the ceded strip that the United States, acting as trustee for the allottees, asserted, or could have asserted, in any proceeding, including the State of Montana stream adjudication, prior to and including the enforceability date, except to the extent that such rights are recognized in the Compact or this title.

(3) **Waiver and release of claims by the tribe against the united states.**— Subject to the retention of rights set forth in subsection (c), the Tribe, on behalf of itself and the members of the Tribe (but not Tribal members in their capacities as allottees), is authorized to execute a waiver and release of—

(A) all claims against the United States, including the agencies and employees of the United States, relating to claims for water rights within the State of Montana that the United States, acting as trustee for the Tribe, asserted, or could have asserted, in any proceeding, including the State of Montana stream adjudication, except to the extent that such rights are recognized as tribal water rights in this title, including all claims relating in any manner to the claims reserved against the United States or agencies or employees of the United States in section 4(e) of the joint stipulation of settlement;

(B) all claims against the United States, including the agencies and employees of the United States, relating to damages, losses, or injuries to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion or taking of water, or claims relating to failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State of Montana that first accrued at any time prior to and including the enforceability

date, including all claims relating to the failure to establish or provide a municipal rural or industrial water delivery system on the Reservation and all claims relating to the failure to provide for, operate, or maintain the Crow Irrigation Project, or any other irrigation system or irrigation project on the Reservation;

(C) all claims against the United States, including the agencies and employees of the United States, relating to the pending litigation of claims relating to the water rights of the Tribe in the State of Montana;

(D) all claims against the United States, including the agencies and employees of the United States, relating to the negotiation, execution, or the adoption of the Compact (including exhibits) or this title;

(E) subject to the retention of rights set forth in subsection (c), all claims for monetary damages against the United States that first accrued at any time prior to and including the enforceability date with respect to—

(i) the failure to recognize or enforce the claim of the Tribe of title to land created by the movement of the Bighorn River; and

(ii) the failure to make productive use of that land created by the movement of the Bighorn River to which the Tribe has claimed title;

(F) all claims against the United States that first accrued at any time prior to and including the enforceability date arising from the taking or acquisition of the land of the Tribe or resources for the construction of the Yellowtail Dam;

(G) all claims against the United States that first accrued at any time prior to and including the enforceability date relating to the construction and operation of Yellowtail Dam and the management of Bighorn Lake; and

(H) all claims that first accrued at any time prior to and including the enforceability date relating to the generation, or the lack thereof, of power from Yellowtail Dam.

(b) **Effectiveness of Waivers and Releases.**— The waivers under subsection (a) shall take effect on the enforceability date.

(c) **Reservation of Rights and Retention of Claims.**— Notwithstanding the waivers and releases authorized in this title, the Tribe on behalf of itself and the members of the Tribe and the United States, acting as trustee for the Tribe and allottees, retain—

(1) all claims for enforcement of the Compact, any final decree, or this title;

(2) all rights to use and protect water rights acquired after the date of enactment of this Act;

(3) all claims relating to activities affecting the quality of water, including any claims the Tribe may have under—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), including for damages to natural resources;

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(4) all claims relating to damages, losses, or injuries to land or natural resources not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights);

(5) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this title or article VII(E) of the Compact;

(6) all claims against any person or entity other than the United States, including claims for monetary damages, with respect to—

(A) the claim of the Tribe of title to land created by the movement of the Bighorn River; and

(B) the productive use of that land created by the movement of the Bighorn River to which the Tribe has claimed title; and

(7) all claims that first accrued after the enforceability date with respect to claims otherwise waived in accordance with subparagraphs (B) and (E) through (H) of subsection (a)(3).

(d) Effect of Compact and Title.— Nothing in the Compact or this title—

(1) affects the ability of the United States, acting as sovereign, to take actions authorized by law, including any laws relating to health, safety, or the environment, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(2) affects the ability of the United States to take actions acting as trustee for any other Indian tribe or allottee of any other Indian tribe;

(3) confers jurisdiction on any State court—

(A) to interpret Federal law regarding health, safety, or the environment;

(B) to determine the duties of the United States or other parties pursuant to Federal law regarding health, safety, or the environment; or

(C) to conduct judicial review of Federal agency action;

(4) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe; or

(5) revives any claims waived by the Tribe in the joint stipulation of settlement.

(e) Enforceability Date.—

(1) **In general.**— The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(A) (i) the Montana Water Court has issued a final judgment and decree approving the Compact; or

(ii) if the Montana Water Court is found to lack jurisdiction, the district court of jurisdiction has approved the Compact as a consent decree and such approval is final;

(B) all of the funds made available under subsections (c) through (f) of ~~section 414~~ section 415 have been deposited in the Fund;

(C) the Secretary has executed the ~~agreements with the Tribe required by sections 405(a) and 406(a)~~ agreement with the Tribe required by section 405(a);

(D) the State of Montana has appropriated and paid into an interest-bearing escrow account any payments due as of the date of enactment of this Act to the Tribe under the Compact;

(E) (i) the Tribe has ratified the Compact by submitting this title and the Compact to a vote by the tribal membership for approval or disapproval; and

(ii) the tribal membership has voted to approve this title and the Compact by a majority of votes cast on the day of the vote, as certified by the Secretary and the Tribe;

(F) the Secretary has fulfilled the requirements of section 408(a); and

(G) the waivers and releases authorized and set forth in subsection (a) have been executed by the Tribe and the Secretary.

(f) Tolling of Claims.—

(1) **In general.**— Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the date on which the amounts made available to carry out this title are transferred to the Secretary.

(2) **Effect of subsection.**— Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(g) **Expiration and Tolling.**— In the event that all appropriations authorized by this Act have not been made available to the Secretary by June 30, 2030—

(1) the waivers authorized in this section shall expire and be of no further force or effect; and

(2) all statutes of limitations applicable to any claim otherwise waived shall be tolled until June 30, 2030.

(h) **Voiding of Waivers.**— If the waivers pursuant to this section are void under subsection (g)

(1) the United States' approval of the Compact under section 404 shall no longer be effective;

(2) any unexpended Federal funds appropriated or made available to carry out the activities authorized in this Act, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized in this Act shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(3) except for Federal funds used to acquire or develop property that is returned to the Federal Government under paragraph (2), the United States shall be entitled to set off any Federal funds appropriated or made available to carry out the activities authorized in this Act that were expended or withdrawn, together with any interest accrued, against any claims against the United States relating to water rights in the State of Montana asserted by the Tribe or in any future settlement of the water rights of the Crow Tribe.

Sec. 411. CROW SETTLEMENT FUND.

(a) **Establishment.**— There is established in the Treasury of the United States a fund to be known as “the Crow Settlement Fund”, ~~to be administered by the Secretary~~ to be managed, invested,

and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of amounts deposited in the Fund under subsection (b), together with any investment earnings, including interest, earned on those amounts, for the purpose of carrying out this title.

(b) Transfers to fund.— The Fund shall consist of such amounts as are deposited in the Fund under subsections (c) through (h) of ~~section 414~~ section 415.

(c) Accounts of Crow Settlement Fund.— The Secretary shall establish in the Fund the following accounts:

(1) The Tribal Compact Administration account, consisting of amounts made available pursuant to ~~section 414~~ section 415(c).

(2) The Energy Development Projects account, consisting of amounts made available pursuant to ~~section 414~~ section 415(d).

(3) The ~~MR&I-System~~ Projects OM&R Account, consisting of amounts made available pursuant to ~~section 414~~ section 415(e).

(4) The CIP OM&R Account, consisting of amounts made available pursuant to ~~section 414~~ section 415(f).

(5) The MR&I Projects Account, to be established as soon as practicable after the date of enactment of the Crow Tribe Water Rights Settlement Amendments Act of 2025, consisting of—

(A) amounts made available pursuant to paragraphs (1) and (2) of section 415(b) that are appropriated after the date of enactment of the Crow Tribe Water Rights Settlement Amendments Act of 2025; and

(B) amounts to be deposited pursuant to section 415(h)(2).

(d) Deposits to Crow Settlement Fund.—

(1) **In general.**— The Secretary of the Treasury shall promptly deposit in the Fund any amounts appropriated for that purpose.

(2) **Priority of deposits to accounts.**— Of the amounts appropriated for deposit in the Fund, the Secretary of the Treasury shall deposit amounts in the accounts listed in subsection (c)

(A) in full; and

(B) in the order listed in subsection (c).

(e) Management.—

(1) **In general.**— The Secretary shall manage the Fund, make investments from the Fund, and make amounts available from the Fund for distribution to the Tribe consistent with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(2) **Investment of crow settlement fund.**— Beginning on the enforceability date, the Secretary shall invest amounts in the Fund in accordance with—

(A) the Act of April 1, 1880 (25 U.S.C. 161);

(B) the first section of the Act of June 24, 1938 (25 U.S.C. 162a); and

~~(C) the obligations of Federal corporations and Federal Government-sponsored entities, the charter documents of which provide that the obligations of the entities are lawful investments for federally managed funds, including—~~

~~(i) the obligations of the United States Postal Service described in section 2005 of title 39, United States Code;~~

~~(ii) bonds and other obligations of the Tennessee Valley Authority described in section 15d of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831n-4);~~

~~(iii) mortgages, obligations, and other securities of the Federal Home Loan Mortgage Corporation described in section 303 of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1452); and~~

~~(iv) bonds, notes, and debentures of the Commodity Credit Corporation described in section 4 of the Act of March 8, 1938 (15 U.S.C. 713a-4).~~

(C) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(3) Distributions from crow settlement fund.—

(A) In general.— Amounts from the Fund shall be used for each purpose described in subparagraphs (B) ~~through (E)~~ through (F).

(B) Tribal compact administration account.— The Tribal Compact Administration account shall be used for expenditures by the Tribe for Tribal Compact Administration.

(C) Energy development projects account.— The Energy Development Projects account shall be used for expenditures by the Tribe for the following types of energy development on the Reservation, the ceded strip, and land owned by the Tribe:

(i) Development and marketing of power generation on the Yellowtail Afterbay Dam authorized in ~~section 412~~ section 413(b).

(ii) Development of clean coal conversion projects.

(iii) Renewable energy projects other than the project described in clause (i).

(D) CIP om&r account.—

(i) In general.— Amounts in the CIP OM&R Account shall be used for CIP OM&R costs.

(ii) Reduction of costs to tribal water users.—

(I) In general.— Subject to subclause (II), the funds described in clause (i) shall be used to reduce the CIP OM&R costs to all tribal water users on a proportional basis for a given year.

(II) Limitation on use of funds.— Funds in the CIP OM&R Account shall be used to pay irrigation assessments only for the Tribe, tribal entities and instrumentalities, tribal members, allottees, and entities owned by the Tribe, tribal members, or allottees.

(E) MR&I-system Projects om&r account.— Funds from the MR&I-System Projects OM&R Account shall be used to assist the Tribe in paying MR&I-System Projects OM&R costs.

(F) MR&I PROJECTS ACCOUNT.— Funds from the MR&I Projects Account shall be used for expenditures by the Tribe in accordance with the following:

(i) PRIORITY USE OF FUNDS.— The Tribe shall use funds from the MR&I Projects Account—

(I) to plan, permit, design, engineer, construct, reconstruct, replace, rehabilitate, operate, or repair water production, treatment, or delivery

infrastructure, including for domestic and municipal use or wastewater infrastructure; and

(II) to comply with applicable environmental laws for the activities described in subclause (I).

(ii) OTHER USE OF FUNDS.— After providing written notice to the Secretary that on-Reservation MR&I projects described in clause (i) are complete, the Tribe may use funds remaining in the MR&I Projects Account to purchase on-Reservation land with water rights.

(4) Withdrawals by tribe.—

(A) In general.— The Tribe may withdraw any portion of amounts in the Fund on approval by the Secretary of a tribal management plan in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) Requirements.—

(i) In general.— In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the tribal management plan of the Tribe under subparagraph (A) shall require that the Tribe spend any amounts withdrawn from the Fund in accordance with this title.

(ii) Enforcement.— The Secretary may carry out such judicial or administrative actions as the Secretary determines to be necessary to enforce a tribal management plan to ensure that amounts withdrawn by the Tribe from the Fund under this paragraph are used in accordance with this title.

(C) Liability.— The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of amounts withdrawn from the Fund by the Tribe under this paragraph.

(D) Expenditure plan.—

(i) In general.— For each fiscal year, the Tribe shall submit to the Secretary for approval an expenditure plan for any portion of the amounts described in subparagraph (A) that the Tribe elects not to withdraw under this paragraph during the fiscal year.

(ii) Inclusion.— An expenditure plan under clause (i) shall include a description of the manner in which, and the purposes for which, amounts of the Tribe remaining in the Fund will be used during subsequent fiscal years.

(iii) Approval.— On receipt of an expenditure plan under clause (i), the Secretary shall approve the plan if the Secretary determines that the plan is—

(I) reasonable; and

(II) consistent with this title.

(5) Annual reports.— The Tribe shall submit to the Secretary annual reports describing each expenditure by the Tribe of amounts in the Fund during the preceding calendar year.

(6) Certain per capita distributions prohibited.— No amount in the Fund shall be distributed to any member of the Tribe on a per capita basis.

(f) Availability.—

(1) In general.— Except as provided in paragraph (2), the amounts in the Fund shall be available for use by the Secretary and withdrawal by the Tribe beginning on the enforceability date.

(2) **Exception.**— The amounts made available under ~~section 414~~ **section 415**(c) shall be available for use by the Secretary and withdrawal by the Tribe beginning on the date on which the Tribe ratifies the Compact as provided in section 410(e)(1)(E).

(g) **State Contribution.**— The State of Montana contribution to the Fund shall be provided in accordance with article VI(A) of the Compact.

(h) **Separate Appropriations Account.**— Section 1105(a) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (35) and (36) as paragraphs (36) and (37), respectively;

(2) by redesignating the second paragraph (33) (relating to obligational authority and outlays requested for homeland security) as paragraph (35); and

(3) by adding at the end the following:

“(38) a separate statement for the Crow Settlement Fund established under section 411 of the Crow Tribe Water Rights Settlement Act of 2010, which shall include the estimated amount of deposits into the Fund, obligations, and outlays from the Fund.

•

(i) TITLE TO INFRASTRUCTURE.— Title to, control over, and operation of any project constructed using funds from the MR&I Projects Account shall remain in the Tribe.

(j) OPERATION, MAINTENANCE, AND REPLACEMENT.— The Federal Government shall have no obligation to pay for the operation, maintenance, or replacement of any MR&I Project.

SEC. 412. CROW CIP IMPLEMENTATION ACCOUNT.

(a) ESTABLISHMENT.— The Secretary shall establish a nontrust, interest-bearing account, to be known as the ‘Crow CIP Implementation Account’, to be managed and distributed by the Secretary.

(b) DEPOSITS.— The Secretary shall deposit in the Crow CIP Implementation Account—

(1) amounts made available pursuant to paragraphs (1) and (2) of section 415(a) that are appropriated after the date of enactment of the Crow Tribe Water Rights Settlement Amendments Act of 2025; and

(2) amounts to be deposited pursuant to section 415(h)(1).

(c) USES.— Amounts in the Crow CIP Implementation Account shall be used to carry out section 405.

(d) INTEREST.— In addition to the deposits made into the Crow CIP Implementation Account pursuant to subsection (b), any investment earnings, including interest credited to amounts unexpended in the Crow CIP Implementation Account, shall be available for use in accordance with subsection (c).

Sec. ~~412~~ **413. YELLOWTAIL DAM, MONTANA.**

(a) Streamflow and Lake Level Management Plan.—

(1) **In general.**— Nothing in this title, the Compact, or the Streamflow and Lake Level Management Plan referred to in article III(A)(7) of the Compact—

(A) limits the discretion of the Secretary under the section 4F of that plan; or

(B) requires the Secretary to give priority to any factor described in section 4F of that plan over any other factor described in that section.

(2) **Bighorn lake management.**— Bighorn Lake water management, including the Streamflow and Lake Level Management Plan, is a Federal activity, and the review and enforcement of any water management decisions relating to Bighorn Lake shall be as provided by Federal law.

(3) **Applicability of paragraphs (1) and (2).**— The Streamflow and Lake Level Management Plan referred to in and part of the Compact shall be interpreted to clearly reflect paragraphs (1) and (2).

(4) **Applicability of instream flow requirements in plan.**— Notwithstanding any term (including any defined term) or provision in the Streamflow and Lake Level Management Plan, for purposes of this title, the Compact, and the Streamflow and Lake Level Management Plan, any requirement in the Streamflow and Lake Level Management Plan that the Tribe dedicate a specified percentage, portion, or number of acre-feet of water per year of the tribal water rights to instream flow means (and is limited in meaning and effect to) an obligation on the part of the Tribe to withhold from development or otherwise refrain from diverting or removing from the Bighorn River the specified quantity of water for the duration, at the locations, and under the conditions set forth in the applicable requirement.

(b) Power Generation.—

(1) **In general.**— Notwithstanding any other provision of law, the Tribe shall have the exclusive right to develop and market power generation on the Yellowtail Afterbay Dam, provided that this exclusive right shall expire ~~15 years~~ **20 years** after the date of enactment of this Act if construction has not been substantially completed on the power generation project of the Tribe.

(2) **Bureau of reclamation cooperation.**— The Bureau of Reclamation shall cooperate with the Tribe on the development of any power generation project under this subsection.

(3) **Agreement.**— Before construction of a power generation project under this subsection, the Tribe shall enter into an agreement with the Bureau of Reclamation that contains provisions that—

(A) allocate the responsibilities for the design, construction, and operations of the project;

(B) assure the compatibility of the power generation project with the operations of the Yellowtail Unit and the Yellowtail Afterbay Dam, which shall include entering into agreements—

(i) regarding operating criteria and emergency procedures, as they relate to dam safety; and

(ii) under which, should the Tribe propose any modifications to facilities owned by the Bureau of Reclamation, the proposed modifications shall be subject to review and approval by the Secretary, acting through the Bureau of Reclamation;

(C) beginning 10 years after the date on which the Tribe begins marketing power generated from the Yellowtail Afterbay Dam, the Tribe shall make annual payments for operation, maintenance, and replacement costs in amounts determined in accordance with the guidelines and methods of the Bureau of Reclamation for assessing operation, maintenance, and replacement charges, provided that such annual payments shall not exceed 3 percent of gross annual revenue produced by the sale of electricity generated by such project; and

(D) the Secretary—

(i) shall review the charges established in the agreement on the date that is 5 years after the date on which the Tribe makes the first payment described in subparagraph (C) to the Secretary under the agreement and at 5 year intervals thereafter; and

(ii) may increase or decrease the charges in proportion to the amount of any increase or decrease in the costs of operation, maintenance, and replacement for the Yellowtail Afterbay Dam, provided that any increase in operation, maintenance, and replacement costs assessed to the Tribe may not exceed—

(I) 5 percent in any 5 year period; and

(II) 3 percent of the gross annual revenue produced by the sale of electricity generated by such project.

(4) **Use of power by tribe.**— Any hydroelectric power generated in accordance with this subsection shall be used or marketed by the Tribe.

(5) **Revenues.**— The Tribe shall retain any revenues from the sale of hydroelectric power generated by a project under this subsection.

(6) **Liability of united states.**— The United States shall have no trust obligation to monitor, administer, or account for—

(A) the revenues received by the Tribe under this subsection; or

(B) the expenditure of the revenues received by the Tribe under this subsection.

(c) **Consultation With Tribe.**— The Bureau of Reclamation shall consult with the Tribe on at least a quarterly basis on all issues relating to the management of Yellowtail Dam by the Bureau of Reclamation.

(d) **Amendments to Compact and Plan.**— The provisions of subsection (a) apply to any amendment to—

(1) the Compact; or

(2) the Streamflow and Lake Level Management Plan.

Sec. ~~413~~ 414. MISCELLANEOUS PROVISIONS.

(a) **Waiver of Sovereign Immunity by the United States.**— 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 Indian land within the Reservation or the ceded strip—

(1) the United States shall not submit against any Indian-owned land located within the Reservation or the ceded strip any claim for reimbursement of the cost to the United States of carrying out this title and the Compact; and

(2) no assessment of any Indian-owned land located within the Reservation or the ceded strip shall be made regarding that cost.

(d) **Limitation on Liability of United States.**—

(1) **In general.**— The United States has no trust or other obligation—

(A) to monitor, administer, or account for, in any manner, any funds provided to the Tribe by any party to the Compact other than the United States; or

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

(2) **Indemnification.**— 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 paragraph (1)(A).

(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 Act with respect to preenforcement review of any Federal environmental enforcement action.

(f) **Limitations on Effect.**—

(1) **In general.**— Nothing in this title, the Compact, or the Streamflow and Lake Level Management Plan referred to in article III(A)(7) of the Compact—

(A) limits, expands, alters, or otherwise affects—

(i) the meaning, interpretation, implementation, application, or effect of any article, provision, or term of the Yellowstone River Compact;

(ii) any right, requirement, or obligation under the Yellowstone River Compact;

(iii) any allocation (or manner of determining any allocation) of water under the Yellowstone River Compact; or

(iv) any present or future claim, defense, or other position asserted in any legal, administrative, or other proceeding arising under or relating to the Yellowstone River Compact (including the original proceeding between the State of Montana and the State of Wyoming pending as of the date of enactment of this Act before the United States Supreme Court);

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

(C) addresses or implies whether, how, or to what extent (if any)—

(i) the tribal water rights, or any portion of the tribal water rights, should be accounted for as part of or otherwise charged against any allocation of water made to a State under the provisions of the Yellowstone River Compact; or

(ii) the Yellowstone River Compact includes the tribal water rights or the water right of any Indian tribe as part of any allocation or other disposition of water under that compact; or

(D) waives the sovereign immunity from suit of any State under the Eleventh Amendment to the Constitution of the United States, except as expressly authorized in Article IV(F)(8) of the Compact.

(2) **Effect of certain provisions in compact.**— The provisions in paragraphs (1) and (2) of article III (A)(6)(a), paragraphs (1) and (2) of article III(B)(6)(a), paragraphs (1) and (2) of article III(E)(6)(a), and paragraphs (1) and (2) of article III (F)(6)(a) of the Compact that provide protections to certain water rights recognized under the laws of the State of Montana do not affect in any way, either directly or indirectly, existing or future water rights (including the exercise of any such rights) outside of the State of Montana.

(g) **Effect on Reclamation Law.**— The activities carried out by the Bureau of Reclamation under this title shall not establish a precedent or impact the authority provided under any other provision of Federal reclamation law, including—

- (1) the Rural Supply Act of 2006 (Public Law 109-451; 120 Stat. 3345); and
- (2) the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 991).

Sec. ~~414~~ 415. FUNDING.

(a) Rehabilitation and Improvement of Crow Irrigation Project.—

(1) **Mandatory appropriation.**— Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary \$73,843,000, adjusted to reflect changes since May 1, 2008, in construction cost indices applicable to the types of construction involved in the rehabilitation and improvement of the Crow Irrigation Project, for the rehabilitation and improvement of the Crow Irrigation Project.

(2) **Authorization of appropriations.**— In addition to the amount made available under paragraph (1), there is authorized to be appropriated to the Secretary for the rehabilitation and improvement of the Crow Irrigation Project \$58,000,000, adjusted to reflect changes since May 1, 2008, in construction cost indices applicable to the types of construction involved in the rehabilitation and improvement of the Crow Irrigation Project.

(b) Design and Construction of MR&I System.—

(1) **Mandatory appropriation.**— Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary \$146,000,000, adjusted to reflect changes since May 1, 2008, in construction cost indices applicable to the types of construction involved in the design and construction of the MR&I System, for the design and construction of the MR&I System.

(2) **Authorization of appropriations.**— In addition to the amount made available under paragraph (1), there is authorized to be appropriated to the Secretary for the design and construction of the MR&I System \$100,381,000, adjusted to reflect changes since May 1, 2008, in construction cost indices applicable to the types of construction involved in the design and construction of the MR&I System.

(c) **Tribal compact administration.**— Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary \$4,776,000, adjusted to reflect changes in appropriate cost indices during the period beginning on the date of enactment of this Act and ending on the date of the transfer, for Tribal Compact Administration.

(d) **Energy Development Projects.**— Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary \$20,000,000, adjusted to reflect changes in appropriate cost indices during the period beginning on the date of enactment of this Act and ending on the date of the transfer, for Energy Development Projects as set forth in section 411(e)(3)(C).

(e) **MR&I-system Projects om&r.**— Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary \$47,000,000, adjusted to reflect changes in appropriate cost indices during the period beginning on the date of enactment of this Act and ending on the date of the transfer, for MR&I-System Projects OM&R.

(f) **CIP om&r.**— Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary \$10,000,000, adjusted to reflect changes in appropriate cost indices during the period beginning on the date of enactment of this Act and ending on the date of the transfer, for CIP OM&R.

(g) **Use.**— In addition to the uses authorized under subsections (a) and (b), such amounts as may be necessary of the amounts made available under those subsections may be used to carry out related activities necessary to comply with Federal environmental and cultural resource laws.

~~(h) Account Transfers.—~~

~~(1) In general.—~~ The Secretary may transfer from the amounts made available under subsection (a) such amounts as the Secretary, with the concurrence of the Tribe, determines to be necessary to supplement the amounts made available under subsection (b), on a determination of the Secretary, in consultation with the Tribe, that such a transfer is in the best interest of the Tribe.

~~(2) Other approved transfers.—~~ The Secretary may transfer from the amounts made available under subsection (b) such amounts as the Secretary, with the concurrence of the Tribe, determines to be necessary to supplement the amounts made available under subsection (a), on a determination of the Secretary, in consultation with the Tribe, that such a transfer is in the best interest of the Tribe.

(h) JOINT SIGNATURE ACCOUNTS.— The Secretary shall take all actions necessary to authorize the withdrawal of funds, including principal and interest, held and maintained in joint signature accounts in accordance with the following:

(1) CROW CIP IMPLEMENTATION ACCOUNT.— In the special joint signature account named ‘CIP Account’ established pursuant to the agreement with the Tribe dated October 19, 2011, for the purpose of transferring and depositing those funds in the Crow CIP Implementation Account established under section 412(a).

(2) MR&I PROJECTS ACCOUNT.— In the special joint signature account named ‘MR&I Account’ established pursuant to the agreement with the Tribe dated September 13, 2012, for the purpose of transferring and depositing those funds in the MR&I Projects Account established pursuant to section 411(c)(5).

(i) Receipt and acceptance.— The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subsections (a) through (f), without further appropriation.

(j) MR&I PROJECTS ACCOUNT FLUCTUATIONS IN COSTS.—

(1) INDEXING ADJUSTMENT.— Amounts deposited in the MR&I Projects Account pursuant to section 411(c)(5)(A) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after May 1, 2008, as indicated by the Bureau of Reclamation Construction Cost Index–Composite Trend.

(2) PERIOD OF INDEXING.— The period of indexing adjustment under paragraph (1), for any increment of funding, shall end on the date on which the amounts are deposited in the MR&I Projects Account.

Sec. ~~415~~ 416. REPEAL ON FAILURE TO MEET ENFORCEABILITY DATE.

If the Secretary does not publish a statement of findings under section 410(e) not later than March 31, 2016, or the extended date agreed to by the Tribe and the Secretary, after reasonable notice to the State of Montana, as applicable—

(1) this title is repealed effective April 1, 2016, or the day after the extended date agreed to by the Tribe and the Secretary after reasonable notice to the State of Montana, whichever is later;

(2) any action taken by the Secretary and any contract or agreement pursuant to the authority provided under any provision of this title shall be void;

(3) any amounts made available under section 414, together with any interest on those amounts, shall immediately revert to the general fund of the Treasury;

(4) any amounts made available under section 414 that remain unexpended shall immediately revert to the general fund of the Treasury; and

(5) the United States shall be entitled to set off 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 in this title from other authorized sources.

Sec. ~~416~~ 417. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this title (including any such obligation or activity under the Settlement Agreement) if adequate appropriations are not provided expressly by Congress to carry out the purposes of this title in the Reclamation Water Settlements Fund established under section 10501 of Public Law 111-11 or the “Emergency Fund for Indian Safety and Health” established by section 601(a) of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (25 U.S.C. 443c(a)).

Summary

- (1) 30 amendments.
- (2) [2 automated notifications.](#)

2 Automated Notifications

Automated notifications with target identifiers: 2, of which 2 are from Compilation, 0 from USC, and 0 from Public Law targets.

Automated notifications without target identifiers: 0.

Automated Notification: This amendment could not be executed.

Details:

- Amendment number 26
- Amendment target identifier: /us/named/aamodt_litigation_settlement_act/tIV/s409/b/1,/us/named/claims_resolution_act_of_2010/tIV/s409/b/1,/us/named/crow_tribe_water_rights_settlement_act_of_2010/tIV/s409/b/1,/us/named/taos_pueblo_indian_water_rights_settlement_act/tIV/s409/b/1,/us/named/white_mountain_apache_tribe_water_rights_quantification_act_of_2010/tIV/s409/b/1
- Amendment target category: Compilation
- Strike at 2 locations when expecting 1.
- Law amended: /us/named/aamodt_litigation_settlement_act/tIV/s409/b/1,/us/named/claims_resolution_act_of_2010/tIV/s409/b/1,/us/named/crow_tribe_water_rights_settlement_act_of_2010/tIV/s409/b/1,/us/named/taos_pueblo_indian_water_rights_settlement_act/tIV/s409/b/1,/us/named/white_mountain_apache_tribe_water_rights_quantification_act_of_2010/tIV/s409/b/1 which has no content.

AMENDMENT:

SEC. 2. CROW TRIBE WATER RIGHTS SETTLEMENT.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—

(2) Section 409(b) of the Crow Tribe Water Rights Settlement Act of 2010 (Public Law 111–291; 124 Stat. 3108) is amended, in each of paragraphs (1) and (2), by striking “section 414” and inserting “section 415”.

Automated Notification: This amendment could not be executed.

Details:

- Amendment number 29
- Amendment target identifier: /us/named/aamodt_litigation_settlement_act/tIV/s416/3,/us/named/claims_resolution_act_of_2010/tIV/s416/3,/us/named/crow_tribe_water_rights_settlement_act_of_2010/tIV/s416/3,/us/named/taos_pueblo_indian_water_rights_settlement_act/tIV/s416/3,/us/named/white_mountain_apache_tribe_water_rights_quantification_act_of_2010/tIV/s416/3
- Amendment target category: Compilation
- Strike at 2 locations when expecting 1.
- Law amended: /us/named/aamodt_litigation_settlement_act/tIV/s416/3,/us/named/claims_resolution_act_of_2010/tIV/s416/3,/us/named/crow_tribe_water_rights_settlement_act_of_2010/tIV/s416/3,/us/named/taos_pueblo_indian_water_rights_settlement_act/tIV/s416/3,/us/named/

white_mountain_apache_tribe_water_rights_quantification_act_of_2010/tIV/s416/3 which has no content.

AMENDMENT:

SEC. 2. CROW TRIBE WATER RIGHTS SETTLEMENT.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—

(4) Section 416 of the Crow Tribe Water Rights Settlement Act of 2010 (31 U.S.C. 1105 note; Public Law 111–291) (as redesignated by subsection (d)(1)) is amended, in each of paragraphs (3) and (4), by striking “section 414” and inserting “section 415”.

About this report

U.S. Code release point 119-100, dated 06/26/2026

XML Database version: 0.6.32

CSS version: 2.0.2

Version of the system: Bill to Law Report Generator 2.0.3; AMPL 2.2.13

