

119TH CONGRESS
2D SESSION

S. _____

To amend the Infrastructure Investment and Jobs Act to establish subaccounts in the Indian Water Rights Settlement Completion Fund, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. LUJÁN (for himself and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To amend the Infrastructure Investment and Jobs Act to establish subaccounts in the Indian Water Rights Settlement Completion Fund, 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. SHORT TITLE.**

4 This Act may be cited as the “Protecting Indian
5 Water Rights Settlements Act of 2026”.

1 **SEC. 2. INDIAN WATER RIGHTS SETTLEMENT COMPLETION**
2 **FUND SUBACCOUNTS.**

3 (a) IN GENERAL.—Section 70101 of the Infrastruc-
4 ture Investment and Jobs Act (25 U.S.C. 149) is amended
5 by adding at the end the following:

6 “(e) OPERATIONS, MAINTENANCE, REPAIR, AND ON-
7 GOING OBLIGATIONS SUBACCOUNT.—

8 “(1) ESTABLISHMENT.—There is established in
9 the Fund a subaccount, to be known as the ‘Oper-
10 ations, Maintenance, Repair, and Ongoing Oblig-
11 ations Subaccount’ (referred to in this subsection as
12 the ‘Subaccount’).

13 “(2) DEPOSITS.—

14 “(A) IN GENERAL.—On the later of Octo-
15 ber 1, 2026, and the date of enactment of this
16 subsection, and on each October 1 thereafter
17 through October 1, 2035, out of any funds in
18 the Treasury not otherwise appropriated, the
19 Secretary of the Treasury shall deposit in the
20 Subaccount \$45,000,000.

21 “(B) AVAILABILITY.—Amounts deposited
22 in the Subaccount under subparagraph (A)
23 shall be available to the Secretary of the Inte-
24 rior, without further appropriation or fiscal
25 year limitation, for the uses described in para-
26 graph (3).

1 “(3) USES.—Amounts deposited in the Sub-
2 account under paragraph (2)(A) shall be used by the
3 Secretary of the Interior, without further appropria-
4 tion or fiscal year limitation, for transfers to funds
5 or accounts authorized to receive discretionary ap-
6 propriations, including Tribal trust funds established
7 by an Act of Congress, to satisfy the obligations of
8 the United States with respect to certain Indian
9 water rights settlements under the following:

10 “(A) The water delivery and operation,
11 maintenance, repair, and related provisions of
12 Public Law 98–530 (98 Stat. 2698), relating to
13 the water rights of the Ak-Chin Indian Commu-
14 nity.

15 “(B) The water delivery and operations,
16 maintenance, repair, and related provisions of
17 the Colorado Ute Indian Water Rights Settle-
18 ment Act of 1988 (Public Law 100–585; 102
19 Stat. 2973), relating to the Animas-La Plata
20 Project (as defined in section 3 of that Act
21 (102 Stat. 2973)).

22 “(C) Section 10603(g) of the Northwestern
23 New Mexico Rural Water Projects Act (Public
24 Law 111–11; 123 Stat. 1387).

1 “(D) The water acquisition provisions of
2 the Snake River Water Rights Act of 2004
3 (Public Law 108–447; 118 Stat. 3431), includ-
4 ing to carry out the Snake River Flow Compo-
5 nent described in section 5(a) of that Act (118
6 Stat. 3433).

7 “(E) The Hualapai Tribe Water Rights
8 Settlement Act of 2022 (Public Law 117–349;
9 136 Stat. 6225), including the Hualapai Water
10 Trust Fund Account established under section
11 6(a)(1) of that Act (136 Stat. 6234).

12 “(f) NEW AND CONTINUING SETTLEMENTS SUB-
13 ACCOUNT.—

14 “(1) ESTABLISHMENT.—There is established in
15 the Fund a subaccount, to be known as the ‘New
16 and Continuing Settlements Subaccount’ (referred to
17 in this subsection as the ‘Subaccount’).

18 “(2) DEPOSITS.—

19 “(A) IN GENERAL.—On the later of Octo-
20 ber 1, 2026, and the date of enactment of this
21 subsection, and on each October 1 thereafter
22 through October 1, 2035, out of any funds in
23 the Treasury not otherwise appropriated, the
24 Secretary of the Treasury shall deposit in the
25 Subaccount \$250,000,000.

1 “(B) AVAILABILITY.—Amounts deposited
2 in the Subaccount under subparagraph (A)
3 shall be available to the Secretary of the Inte-
4 rior, without further appropriation or fiscal
5 year limitation, for the uses described in para-
6 graph (3).

7 “(3) USES.—Subject to paragraph (4), amounts
8 deposited in the Subaccount under paragraph (2)(A)
9 shall be used by the Secretary of the Interior for
10 transfers to funds or accounts authorized to receive
11 discretionary appropriations, including Tribal trust
12 funds established by an Act of Congress, or to sat-
13 isfy other obligations of the United States identified
14 by the Secretary of the Interior, under any Indian
15 water rights settlement approved and authorized by
16 an Act of Congress.

17 “(4) SCOPE OF TRANSFERS.—

18 “(A) IN GENERAL.—Transfers authorized
19 under paragraph (3) shall be made in such
20 amounts as are determined by the Secretary of
21 the Interior to be appropriate to satisfy the ob-
22 ligations of the United States, including appro-
23 priate indexing, pursuant to the applicable In-
24 dian water rights settlement.

1 “(B) SEQUENCE AND TIMING.—The Sec-
2 retary of the Interior shall have the discretion
3 to determine the sequence and timing of trans-
4 fers from the Subaccount under paragraph (3)
5 to substantially complete the eligible Indian
6 water rights settlements as expeditiously as
7 practicable.”.

8 (b) CONFORMING AMENDMENT.—Section 312(e) of
9 the White Mountain Apache Tribe Water Rights Quan-
10 tification Act of 2010 (Public Law 111–291; 124 Stat.
11 3095; 136 Stat. 6184) is amended by striking paragraph
12 (5) and inserting the following:

13 “(5) PROHIBITION.—Notwithstanding any other
14 provision of law, any amounts made available under
15 paragraph (2)(B) shall not be made available from
16 the Reclamation Water Settlements Fund estab-
17 lished by section 10501(a) of the Omnibus Public
18 Land Management Act of 2009 (43 U.S.C.
19 407(a)).”.

20 **SEC. 3. EXTENSION OF CUSTOMS USER FEES.**

21 Section 13031(j)(3) of the Consolidated Omnibus
22 Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3))
23 is amended—

24 (1) in subparagraph (A), by striking “December
25 31, 2031” and inserting “September 30, 2035”; and

1 (2) in subparagraph (B)(i), by striking “De-
2 cember 31, 2031” and inserting “September 30,
3 2035”.