

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4598
OFFERED BY MS. LEGER FERNANDEZ OF NEW
MEXICO**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Technical Corrections
3 to the Northwestern New Mexico Rural Water Projects
4 Act, Taos Pueblo Indian Water Rights Settlement Act,
5 and Aamodt Litigation Settlement Act”.

**6 SEC. 2. AUTHORIZATION OF PAYMENT OF ADJUSTED IN-
7 TEREST ON THE NAVAJO NATION WATER RE-
8 SOURCES DEVELOPMENT TRUST FUND.**

9 The Omnibus Public Land Management Act of 2009
10 (Public Law 111–11) is amended—

11 (1) in section 10701(e)(1)(A)(vii), by striking
12 “10702.” and inserting “10702, except for deposits
13 made pursuant to section 10702(f)(3).”; and

14 (2) in section 10702(f), by adding at the end
15 the following:

16 “(3) ADJUSTED INTEREST PAYMENTS.—For
17 the period of fiscal years 2027 through 2033, an

1 amount not to exceed the amount that would have
2 accrued in interest during the period beginning on
3 the date of enactment of this Act, and ending on Oc-
4 tober 1, 2019, on balances held in the Navajo Na-
5 tion Water Resources Development Trust Fund, and
6 any compound interest that would have accrued, as
7 calculated using the daily government overnight rate
8 which reflects yields on four-week U.S. Treasury
9 bills and results in all interest earned being accrued
10 and compounded daily and which allows for a liquid
11 investment and such investment decisions were in-
12 vested in accordance with—

13 “(A) the Act of June 24, 1938 (25 U.S.C.
14 162a); and

15 “(B) the American Indian Trust Fund
16 Management Reform Act of 1994 (Public Law
17 103–412).

18 “(4) DERIVATION OF FUNDS.—To the extent
19 provided in advance in appropriations Acts, amounts
20 authorized pursuant to paragraph (3) are authorized
21 to be derived from amounts otherwise made available
22 to the Secretary to implement authorized Indian
23 water rights settlements.”.

1 **SEC. 3. AUTHORIZATION OF PAYMENT OF ADJUSTED IN-**
2 **TEREST ON THE TAOS PUEBLO WATER DE-**
3 **VELOPMENT FUND.**

4 Section 509(c)(1) of the Claims Resolution Act of
5 2010 (Public Law 111–291) is amended—

6 (1) in subparagraph (B)—

7 (A) by striking “In addition” and inserting
8 “(i) In addition”; and

9 (B) by striking the period at the end and
10 inserting “; and”; and

11 (C) by adding at the end the following:

12 “(ii) an amount not to exceed the sum
13 of—

14 “(I) the amount that would have
15 accrued between December 8, 2010,
16 and October 7, 2016, on amounts de-
17 posited in the Taos Pueblo Water De-
18 velopment Fund if those amounts
19 were invested in the same manner as
20 the deposits in the Navajo Nation
21 Water Resources Development Trust
22 Fund;

23 “(II) the amount that would have
24 accrued in interest on the amount de-
25 scribed in subclause (I) beginning on
26 the date those funds were returned to

1 the Treasury and ending on July 28,
2 2022; and

3 “(III) any compound interest
4 that would have accrued.”; and

5 (2) by adding at the end the following:

6 “(C) CALCULATION.—The amounts de-
7 scribed in clauses (ii)(II) and (ii)(III) of sub-
8 paragraph (B) shall be calculated using the
9 daily government overnighter rate which reflects
10 yields on four-week U.S. Treasury bills and re-
11 sults in all interest earned being accrued and
12 compounded daily and which allows for a liquid
13 investment and such investment decisions were
14 invested in accordance with—

15 “(i) the Act of June 24, 1938 (25
16 U.S.C. 162a); and

17 “(ii) the American Indian Trust Fund
18 Management Reform Act of 1993 (Public
19 Law 103–412).

20 “(D) DERIVATION OF FUNDS.—To the ex-
21 tent provided in advance in appropriations Acts,
22 amounts authorized pursuant to subparagraph
23 (B)(ii) are authorized to be derived from
24 amounts otherwise made available to the Sec-

1 retary to implement authorized Indian water
2 rights settlements.”.

3 **SEC. 4. AUTHORIZATION OF PAYMENT OF ADJUSTED IN-**
4 **TEREST ON THE AAMODT SETTLEMENT**
5 **PUEBLOS’ FUND.**

6 Section 617(c)(1) of the Claims Resolution Act of
7 2010 (Public Law 111–291) is amended—

8 (1) by striking subparagraph (B) and inserting
9 the following:

10 “(B) AUTHORIZATION OF APPROPRIA-
11 TIONS.—In addition to the amount made avail-
12 able under clauses (i) and (ii) of subparagraph
13 (A), respectively, there are authorized to be ap-
14 propriated to the Secretary—

15 “(i) for the period of fiscal years 2011
16 through 2024, \$37,500,000 to assist the
17 Pueblos in paying the Pueblos’ share of the
18 cost of operating, maintaining, and replac-
19 ing the Pueblo Water Facilities and the
20 Regional Water System; and

21 “(ii) for the period of fiscal years
22 2027 through 2033 an amount not to ex-
23 ceed the sum of—

24 “(I) the amount that would have
25 accrued between December 8, 2010,

1 and September 15, 2017, on amounts
2 deposited in the Aamodt Settlement
3 Pueblos' Fund if those amounts were
4 invested in the same manner as the
5 deposits in the Navajo Nation Water
6 Resources Development Trust Fund;

7 “(II) the amount that would have
8 accrued in interest on the amount de-
9 scribed in subclause (I) beginning on
10 the date those funds were returned to
11 the Treasury and ending on July 28,
12 2022; and

13 “(III) any compound interest
14 that would have accrued.”; and

15 (2) by adding at the end the following:

16 “(C) CALCULATION.—The amounts de-
17 scribed in clauses (ii)(II) and (ii)(III) of sub-
18 paragraph (B) shall be calculated using the
19 daily government overnighter rate which reflects
20 yields on four-week U.S. Treasury bills and re-
21 sults in all interest earned being accrued and
22 compounded daily and which allows for a liquid
23 investment and such investment decisions were
24 invested in accordance with—

1 “(i) the Act of June 24, 1938 (25
2 U.S.C. 162a); and

3 “(ii) the American Indian Trust Fund
4 Management Reform Act of 1994 (Public
5 Law 103–412).

6 “(D) WAIVER OF PAYMENT.—To the ex-
7 tent monies are due or payable to the United
8 States attributable to interest earned on
9 amounts made available under subparagraph
10 (A) prior to September 15, 2017, the Secretary
11 of the Treasury shall waive payment of such
12 monies.

13 “(E) DERIVATION OF FUNDS.—To the ex-
14 tent provided in advance in appropriations Acts,
15 amounts authorized pursuant to subparagraph
16 (B)(ii) are authorized to be derived from
17 amounts otherwise made available to the Sec-
18 retary to implement authorized Indian water
19 rights settlements.”.

20 **SEC. 5. DISCLAIMER.**

21 (a) SECTION 509 OF CLAIMS RESOLUTION ACT OF
22 2010.—Nothing in this Act shall be construed to affect
23 the previous satisfaction of the conditions precedent in
24 section 509(f)(2) of the Claims Resolution Act of 2010
25 (Public Law 111–291) or to affect the validity of the Sec-

1 retarial finding published in the Federal Register on Octo-
2 ber 7, 2016, pursuant to section 509(f)(1) of the Claims
3 Resolution Act of 2010 (Public Law 111–291) that such
4 conditions precedent were fully satisfied.

5 (b) SECTION 623 OF CLAIMS RESOLUTION ACT OF
6 2010.—Nothing in this Act shall be construed to affect
7 the previous satisfaction of the conditions precedent in
8 section 623(a)(2) of the Claims Resolution Act of 2010
9 (Public Law 111–291) or to affect the validity of the Sec-
10 retarial finding published in the Federal Register on Sep-
11 tember 15, 2017, pursuant to section 623(a)(1) of the
12 Claims Resolution Act of 2010 (Public Law 111–291) that
13 such conditions precedent were fully satisfied.

14 **SEC. 6. INVESTMENT EARNINGS.**

15 In addition to the deposits authorized under this Act,
16 any investment earnings, including interest, credited to
17 amounts held in the trust funds as provided for in this
18 Act are authorized to be appropriated.

