

119TH CONGRESS
1ST SESSION

S. 240

To amend the Crow Tribe Water Rights Settlement Act of 2010 to make improvements to that Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2025

Mr. DAINES (for himself and Mr. SHEEHY) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Crow Tribe Water Rights Settlement Act of 2010 to make improvements to that Act, 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 “Crow Tribe Water
5 Rights Settlement Amendments Act of 2025”.

6 **SEC. 2. CROW TRIBE WATER RIGHTS SETTLEMENT.**

7 (a) DEFINITIONS.—Section 403 of the Crow Tribe
8 Water Rights Settlement Act of 2010 (Public Law 111–
9 291; 124 Stat. 3097) is amended—

1 (1) by striking paragraph (11) and inserting
 2 the following:

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

6 (2) in paragraph (12)—

7 (A) in the paragraph heading, by striking
 8 “SYSTEM” and inserting “PROJECTS”; and

9 (B) in subparagraphs (A) through (C), by
 10 striking “System” each place it appears and in-
 11 serting “Projects”.

12 (b) REPEAL OF MR&I SYSTEM.—

13 (1) IN GENERAL.—Section 406 of the Crow
 14 Tribe Water Rights Settlement Act of 2010 (Public
 15 Law 111–291; 124 Stat. 3102) is repealed.

16 (2) CLERICAL AMENDMENT.—The table of con-
 17 tents for the Claims Resolution Act of 2010 (Public
 18 Law 111–291; 124 Stat. 3064) is amended by strik-
 19 ing the item relating to section 406.

20 (c) CROW SETTLEMENT FUND.—Section 411 of the
 21 Crow Tribe Water Rights Settlement Act of 2010 (Public
 22 Law 111–291; 124 Stat. 3113) is amended—

23 (1) in subsection (a), by striking “to be admin-
 24 istered by the Secretary” and inserting “to be man-
 25 aged, invested, and distributed by the Secretary and

1 to remain available until expended, withdrawn, or re-
 2 verted to the general fund of the Treasury, con-
 3 sisting of amounts deposited in the Fund under sub-
 4 section (b), together with any investment earnings,
 5 including interest, earned on those amounts,”;

6 (2) in subsections (b) and (c), by striking “sec-
 7 tion 414” each place it appears and inserting “sec-
 8 tion 415”;

9 (3) in subsection (c)—

10 (A) in paragraph (3), by striking “Sys-
 11 tem” and inserting “Projects”; and

12 (B) by adding at the end the following:

13 “(5) The MR&I Projects Account, to be estab-
 14 lished as soon as practicable after the date of enact-
 15 ment of the Crow Tribe Water Rights Settlement
 16 Amendments Act of 2025, consisting of—

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

22 “(B) amounts to be deposited pursuant to
 23 section 415(h)(2).”;

24 (4) in subsection (e)—

(A) in paragraph (2), by striking subparagraph (C) and inserting the following:

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

(B) in paragraph (3)—

(i) in subparagraph (A), by striking “through (E)” and inserting “through (F)”;

(ii) in subparagraph (C)(i), by striking “section 412” and inserting “section 413”;

(iii) in subparagraph (E)—

(I) in the subparagraph heading, by striking “SYSTEM” and inserting “PROJECTS”; and

(II) by striking “System” each place it appears and inserting “Projects”; and

(iv) by adding at the end the following:

“(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:

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

4 “(I) to plan, permit, design, engi-
 5 neer, construct, reconstruct, replace,
 6 rehabilitate, operate, or repair water
 7 production, treatment, or delivery in-
 8 frastructure, including for domestic
 9 and municipal use or wastewater in-
 10 frastructure; and

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

14 “(ii) OTHER USE OF FUNDS.—After
 15 providing written notice to the Secretary
 16 that on-Reservation MR&I projects de-
 17 scribed in clause (i) are complete, the
 18 Tribe may use funds remaining in the
 19 MR&I Projects Account to purchase on-
 20 Reservation land with water rights.”;

21 (5) in subsection (f)(2), by striking “section
 22 414” and inserting “section 415”; and

23 (6) by adding at the end the following:

24 “(i) TITLE TO INFRASTRUCTURE.—Title to, control
 25 over, and operation of any project constructed using funds

1 from the MR&I Projects Account shall remain in the
2 Tribe.

3 “(j) OPERATION, MAINTENANCE, AND REPLACE-
4 MENT.—The Federal Government shall have no obligation
5 to pay for the operation, maintenance, or replacement of
6 any MR&I Project.”.

7 (d) CROW CIP IMPLEMENTATION ACCOUNT.—The
8 Crow Tribe Water Rights Settlement Act of 2010 (31
9 U.S.C. 1101 note; Public Law 111–291) is amended—

10 (1) by redesignating sections 412 through 416
11 as sections 413 through 417, respectively; and

12 (2) by inserting after section 411 the following:

13 **“SEC. 412. CROW CIP IMPLEMENTATION ACCOUNT.**

14 “(a) ESTABLISHMENT.—The Secretary shall estab-
15 lish a nontrust, interest-bearing account, to be known as
16 the ‘Crow CIP Implementation Account’, to be managed
17 and distributed by the Secretary.

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

20 “(1) amounts made available pursuant to para-
21 graphs (1) and (2) of section 415(a) that are appro-
22 priated after the date of enactment of the Crow
23 Tribe Water Rights Settlement Amendments Act of
24 2025; and

1 “(2) amounts to be deposited pursuant to sec-
2 tion 415(h)(1).

3 “(c) USES.—Amounts in the Crow CIP Implementa-
4 tion Account shall be used to carry out section 405.

5 “(d) INTEREST.—In addition to the deposits made
6 into the Crow CIP Implementation Account pursuant to
7 subsection (b), any investment earnings, including interest
8 credited to amounts unexpended in the Crow CIP Imple-
9 mentation Account, shall be available for use in accord-
10 ance with subsection (c).”.

11 (e) YELLOWTAIL DAM, MONTANA.—Subsection
12 (b)(1) of section 413 of the Crow Tribe Water Rights Set-
13 tlement Act of 2010 (Public Law 111–291; 124 Stat.
14 3116) (as redesignated by subsection (d)(1)) is amended
15 by striking “15 years” and inserting “20 years”.

16 (f) FUNDING.—Section 415 of the Crow Tribe Water
17 Rights Settlement Act of 2010 (Public Law 111–291; 124
18 Stat. 3120) (as redesignated by subsection (d)(1)) is
19 amended—

20 (1) in subsection (e)—

21 (A) in the subsection heading, by striking
22 “SYSTEM” and inserting “PROJECTS”; and

23 (B) by striking “System” and inserting
24 “Projects”;

1 (2) by striking subsection (h) and inserting the
2 following:

3 “(h) JOINT SIGNATURE ACCOUNTS.—The Secretary
4 shall take all actions necessary to authorize the withdrawal
5 of funds, including principal and interest, held and main-
6 tained in joint signature accounts in accordance with the
7 following:

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

15 “(2) MR&I PROJECTS ACCOUNT.—In the spe-
16 cial joint signature account named ‘MR&I Account’
17 established pursuant to the agreement with the
18 Tribe dated September 13, 2012, for the purpose of
19 transferring and depositing those funds in the MR&I
20 Projects Account established pursuant to section
21 411(c)(5).”; and

22 (3) by adding at the end the following:

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

1 “(1) INDEXING ADJUSTMENT.—Amounts depos-
 2 ited in the MR&I Projects Account pursuant to sec-
 3 tion 411(c)(5)(A) shall be increased or decreased, as
 4 appropriate, by such amounts as may be justified by
 5 reason of ordinary fluctuations in costs occurring
 6 after May 1, 2008, as indicated by the Bureau of
 7 Reclamation Construction Cost Index—Composite
 8 Trend.

9 “(2) PERIOD OF INDEXING.—The period of in-
 10 dexing adjustment under paragraph (1), for any in-
 11 crement of funding, shall end on the date on which
 12 the amounts are deposited in the MR&I Projects Ac-
 13 count.”.

14 (g) TECHNICAL AND CONFORMING AMENDMENTS.—

15 (1) Section 403(9) of the Crow Tribe Water
 16 Rights Settlement Act of 2010 (Public Law 111–
 17 291; 124 Stat. 3098) is amended by striking “(25
 18 U.S.C. 450b)” and inserting “(25 U.S.C. 5304)”.

19 (2) Section 409(b) of the Crow Tribe Water
 20 Rights Settlement Act of 2010 (Public Law 111–
 21 291; 124 Stat. 3108) is amended, in each of para-
 22 graphs (1) and (2), by striking “section 414” and
 23 inserting “section 415”.

1 (3) Section 410(e)(1) of the Crow Tribe Water
 2 Rights Settlement Act of 2010 (Public Law 111–
 3 291; 124 Stat. 3112) is amended—

4 (A) in subparagraph (B), by striking “sec-
 5 tion 414” and inserting “section 415”; and

6 (B) in subparagraph (C), by striking
 7 “agreements with the Tribe required by sections
 8 405(a) and 406(a)” and inserting “agreement
 9 with the Tribe required by section 405(a)”.

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

16 (h) CLERICAL AMENDMENT.—The table of contents
 17 for the Claims Resolution Act of 2010 (Public Law 111–
 18 291; 124 Stat. 3064) is amended by striking the items
 19 relating to sections 407 through 416 and inserting the fol-
 20 lowing:

“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.”.

