

108TH CONGRESS  
2D SESSION

# H. R. 4949

To provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Ms. HERSETH introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

To provide compensation to the Lower Brule and Crow Creek  
Sioux Tribes of South Dakota for damage to tribal land  
caused by Pick-Sloan projects along the Missouri River.

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 “Tribal Parity Act”.

5       **SEC. 2. FINDINGS.**

6       Congress finds that—

7               (1) the Pick-Sloan Missouri River Basin Pro-  
8       gram (authorized by section 9 of the Act of Decem-  
9       ber 22, 1944 (commonly known as the “Flood Con-

1 trol Act of 1944”) (58 Stat. 891)), was approved to  
2 promote the general economic development of the  
3 United States;

4 (2) the Fort Randall and Big Bend dam and  
5 reservoir projects in South Dakota—

6 (A) are major components of the Pick-  
7 Sloan Missouri River Basin Program; and

8 (B) contribute to the national economy;

9 (3) the Fort Randall and Big Bend projects in-  
10 undated the fertile bottom land of the Lower Brule  
11 and Crow Creek Sioux Tribes, which greatly dam-  
12 aged the economy and cultural resources of the  
13 Tribes;

14 (4) Congress has provided compensation to sev-  
15 eral Indian tribes, including the Lower Brule and  
16 Crow Creek Sioux Tribes, that border the Missouri  
17 River and suffered injury as a result of 1 or more  
18 Pick-Sloan Projects;

19 (5) the compensation provided to those Indian  
20 tribes has not been consistent;

21 (6) Missouri River Indian tribes that suffered  
22 injury as a result of 1 or more Pick-Sloan Projects  
23 should be adequately compensated for those injuries,  
24 and that compensation should be consistent among  
25 the Tribes; and

1           (7) the Lower Brule Sioux Tribe and the Crow  
2       Creek Sioux Tribe, based on methodology deter-  
3       mined appropriate by the General Accounting Office,  
4       are entitled to receive additional compensation for  
5       injuries described in paragraph (6), so as to provide  
6       parity among compensation received by all Missouri  
7       River Indian tribes.

8   **SEC. 3. LOWER BRULE SIOUX TRIBE.**

9       Section 4(b) of the Lower Brule Sioux Tribe Infra-  
10      structure Development Trust Fund Act (Public Law 105–  
11      132; 111 Stat. 2565) is amended by striking  
12      “\$39,300,000” and inserting “\$186,822,140”.

13   **SEC. 4. CROW CREEK SIOUX TRIBE.**

14      Section 4(b) of the Crow Creek Sioux Tribe Infra-  
15      structure Development Trust Fund Act of 1996 (Public  
16      Law 104–223; 110 Stat. 3027) is amended by striking  
17      “\$27,500,000” and inserting “\$105,917,853”.

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