

108TH CONGRESS
2D SESSION

S. 1530

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2004

Referred to the Committee on Resources

AN ACT

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”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the Pick-Sloan Missouri River Basin Pro-
4 gram (authorized by section 9 of the Act of Decem-
5 ber 22, 1944 (commonly known as the “Flood Con-
6 trol Act of 1944”) (58 Stat. 891)), was approved to
7 promote the general economic development of the
8 United States;

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

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

13 (B) contribute to the national economy;

14 (3) the Fort Randall and Big Bend projects in-
15 undated the fertile bottom land of the Lower Brule
16 and Crow Creek Sioux Tribes, which greatly dam-
17 aged the economy and cultural resources of the
18 Tribes;

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

24 (5) the compensation provided to those Indian
25 tribes has not been consistent;

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

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

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

14 Section 4(b) of the Lower Brule Sioux Tribe Infra-
15 structure Development Trust Fund Act (Public Law 105-
16 132; 111 Stat. 2565) is amended by striking
17 “\$39,300,000” and inserting “\$186,822,140”.

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

19 Section 4(b) of the Crow Creek Sioux Tribe Infra-
20 structure Development Trust Fund Act of 1996 (Public

- 1 Law 104–223; 110 Stat. 3027) is amended by striking
- 2 “\$27,500,000” and inserting “\$105,917,853”.

Passed the Senate November 19, 2004.

Attest:

EMILY J. REYNOLDS,

Secretary.