

Calendar No. 581

104TH CONGRESS
2D Session

S. 1264

[Report No. 104-362]

A BILL

To provide for certain benefits of the Missouri
River basin Pick-Sloan project to the Crow Creek
Sioux Tribe, and for other purposes.

SEPTEMBER 9, 1996

Reported with an amendment and an amendment to the
title

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2D SESSION**S. 1264****[Report No. 104-362]**

To provide for certain benefits of the Missouri River basin Pick-Sloan project to the Crow Creek Sioux Tribe, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20 (legislative day, SEPTEMBER 5), 1995

Mr. DASCHLE introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

SEPTEMBER 9, 1996

Reported by Mr. MCCAIN, with an amendment and an amendment to the title
[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide for certain benefits of the Missouri River basin Pick-Sloan project to the Crow Creek Sioux Tribe, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Crow Creek Sioux
3 Tribe Infrastructure Development Trust Fund Act of
4 1995”.

5 **SEC. 2. FINDINGS.**

6 (a) **FINDINGS.**—The Congress finds that—

7 (1) the Congress approved the Missouri River
8 basin Pick-Sloan project by passing the Act of De-
9 cember 22, 1944, commonly known as the “Flood
10 Control Act of 1944” (58 Stat. 887, chapter 665; 33
11 U.S.C. 701–1 et seq.)—

12 (A) to promote the general economic devel-
13 opment of the United States;

14 (B) to provide for irrigation above Sioux
15 City, Iowa;

16 (C) to protect urban and rural areas from
17 devastating floods of the Missouri River; and

18 (D) for other purposes;

19 (2) the Fort Randall and Big Bend projects are
20 major components of the Pick-Sloan project, and
21 contribute to the national economy by generating a
22 substantial amount of hydropower and impounding a
23 substantial quantity of water;

24 (3) the Fort Randall and Big Bend projects
25 overlie the western boundary of the Crow Creek In-
26 dian Reservation, having inundated the fertile, wood-

1 ed bottom lands of the Tribe along the Missouri
2 River that constituted the most productive agricul-
3 tural and pastoral lands of the Tribe and the home-
4 land of the members of the Tribe;

5 (4) Public Law 85—916 (72 Stat. 1766 et seq.)
6 authorized the acquisition of 9,418 acres of Indian
7 land on the Crow Creek Indian Reservation for the
8 Fort Randall project and Public Law 87—735 (76
9 Stat. 704 et seq.) authorized the acquisition of
10 6,179 acres of Indian land on Crow Creek for the
11 Big Bend project;

12 (5) Public Law 87—735 (76 Stat. 704 et seq.)
13 provided for the mitigation of the effects of the Fort
14 Randall and Big Bend projects on the Crow Creek
15 Indian Reservation, by directing the Secretary of the
16 Army to—

17 (A) replace, relocate, or reconstruct—

18 (i) any existing essential governmental
19 and agency facilities on the reservation, in-
20 cluding schools, hospitals, offices of the
21 Public Health Service and the Bureau of
22 Indian Affairs, service buildings, and em-
23 ployee quarters; and

1 (ii) roads, bridges, and incidental mat-
2 ters or facilities in connection with such fa-
3 cilities;

4 (B) provide for a townsite adequate for 50
5 homes, including streets and utilities (including
6 water, sewage, and electricity); taking into ac-
7 count the reasonable future growth of the town-
8 site; and

9 (C) provide for a community center con-
10 taining space and facilities for community gath-
11 erings, tribal offices, tribal council chamber, of-
12 fices of the Bureau of Indian Affairs, offices
13 and quarters of the Public Health Service, and
14 a combination gymnasium and auditorium;

15 (6) the Secretary of the Army and the Sec-
16 retary of the Interior have failed to meet the re-
17 quirements under Public Law 87-735 (76 Stat. 704
18 et seq.) with respect to the mitigation of the effects
19 of the Fort Randall and Big Bend projects on the
20 Crow Creek Indian Reservation;

21 (7) although the national economy has benefited
22 from the Fort Randall and Big Bend projects, the
23 economy on the Crow Creek Indian Reservation re-
24 mains underdeveloped, in part as a consequence of
25 the failure of the Federal Government to fulfill the

1 obligations of the Federal Government under the
2 laws referred to in paragraph (4);

3 ~~(8) the economic and social development and~~
4 ~~cultural preservation of the Crow Creek Sioux Tribe~~
5 ~~will be enhanced by increased tribal participation in~~
6 ~~the benefits of the Fort Randall and Big Bend com-~~
7 ~~ponents of the Pick-Sloan project; and~~

8 ~~(9) the Crow Creek Sioux Tribe is entitled to~~
9 ~~additional benefits of the Missouri River basin Pick-~~
10 ~~Sloan project, including hydropower revenues and in-~~
11 ~~frastructure development.~~

12 **SEC. 3. DEFINITIONS.**

13 For the purposes of this Act, unless the context im-
14 plies otherwise, the following definitions shall apply:

15 ~~(1) FUND.—The term “Fund” means the Crow~~
16 ~~Creek Sioux Tribe Infrastructure Development~~
17 ~~Trust Fund established under section 4(a).~~

18 ~~(2) PLAN.—The term “plan” means the plan~~
19 ~~for socioeconomic recovery and cultural preservation~~
20 ~~prepared under section 5.~~

21 ~~(3) PROGRAMS.—The term “Programs” means~~
22 ~~the integrated programs of the Eastern Division of~~
23 ~~the Missouri River basin Pick-Sloan program, ad-~~
24 ~~ministered by the Western Area Power Administra-~~
25 ~~tion, as determined by the Secretary.~~

1 (4) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (5) TRIBE.—The term “Tribe” means the Crow
4 Creek Sioux Tribe.

5 **SEC. 4. ESTABLISHMENT OF CROW CREEK SIOUX TRIBE IN-**
6 **FRASTRUCTURE DEVELOPMENT TRUST**
7 **FUND.**

8 (a) CROW CREEK SIOUX TRIBE INFRASTRUCTURE
9 DEVELOPMENT TRUST FUND.—There is established in
10 the Treasury of the United States a fund to be known
11 as the “Crow Creek Sioux Tribe Infrastructure Develop-
12 ment Trust Fund”.

13 (b) FUNDING.—Beginning with fiscal year 1997, and
14 for each fiscal year thereafter, until such time as the ag-
15 gregate of the amounts deposited in the Fund is equal to
16 \$27,500,000, the Secretary of the Treasury shall deposit
17 into the Fund an amount equal to 25 percent of the re-
18 ceipts from the deposits to the Treasury of the United
19 States for the preceding fiscal year from the Programs.

20 (c) INVESTMENTS.—The Secretary of the Treasury
21 shall invest the amounts deposited under subsection (b)
22 only in interest-bearing obligations of the United States
23 or in obligations guaranteed as to both principal and inter-
24 est by the United States.

25 (d) PAYMENT OF INTEREST TO TRIBE.—

1 ~~(1) ESTABLISHMENT OF ACCOUNT AND TRANS-~~
2 ~~FER OF INTEREST.~~—The Secretary of the Treasury
3 shall, in accordance with this subsection, transfer
4 any interest that accrues on amounts deposited
5 under subsection (b) into a separate account estab-
6 lished by the Secretary of the Treasury in the Treas-
7 ury of the United States.

8 ~~(2) PAYMENTS.~~—

9 ~~(A) IN GENERAL.~~—Beginning with the fis-
10 cal year immediately following the fiscal year
11 during which the aggregate of the amounts de-
12 posited in the Fund is equal to the amount
13 specified in subsection (b)(2), and for each fis-
14 cal year thereafter, all amounts transferred
15 under paragraph (1) shall be available, without
16 fiscal year limitation, to the Secretary of the In-
17 terior for use in accordance with subparagraph
18 ~~(C).~~

19 ~~(B) WITHDRAWAL AND TRANSFER OF~~
20 ~~FUNDS.~~—For each fiscal year specified in sub-
21 paragraph (A), the Secretary of the Treasury
22 shall withdraw amounts from the account estab-
23 lished under such paragraph and transfer such
24 amounts to the Secretary of the Interior for use
25 in accordance with subparagraph (C). The Sec-

retary of the Treasury may only withdraw funds from the account for the purpose specified in this paragraph.

~~(C) PAYMENTS TO TRIBE.~~—The Secretary of the Interior shall use the amounts transferred to the Secretary under subparagraph (B) only for the purpose of making payments to the Tribe.

~~(D) USE OF PAYMENTS BY TRIBE.~~—The Tribe shall use the payments made under subparagraph (C) only for carrying out projects and programs pursuant to the plan prepared under section 5.

~~(3) PROHIBITION ON PER CAPITA PAYMENTS.~~—No portion of any payment made under this subsection may be distributed to any member of the Tribe on a per capita basis.

~~(c) TRANSFERS AND WITHDRAWALS.~~—

~~(1) AMOUNTS DEPOSITED IN THE FUND.~~—Except as provided in subsection (d)(1), the Secretary of the Treasury may not transfer or withdraw any amount deposited under subsection (b).

~~(2) AMOUNTS TRANSFERRED TO ACCOUNT.~~—Except as provided in subsection (d)(2), the Secretary of the Treasury may not transfer or withdraw

1 any amounts transferred to the account established
 2 under subsection (d)(1).

3 **SEC. 5. PLAN FOR SOCIOECONOMIC RECOVERY AND CUL-**
 4 **TURAL PRESERVATION.**

5 (a) PLAN.—

6 (1) IN GENERAL.—The Secretary of the Inte-
 7 rior, acting through the Bureau of Indian Affairs, in
 8 cooperation with the Secretary of Health and
 9 Human Services, acting through the Indian Health
 10 Service, and the Crow Creek Tribal Council, shall
 11 prepare a plan for the use of payments made to the
 12 Tribe under section 4(d)(2).

13 (2) REQUIREMENTS FOR PLAN COMPONENTS.—
 14 The plan shall, with respect to each component of
 15 the plan—

16 (A) identify the costs and benefits of that
 17 component; and

18 (B) provide plans for that component.

19 (3) APPROVAL OF CROW CREEK TRIBAL COUN-
 20 CIL.—The plan shall be subject to the approval of
 21 the Crow Creek Tribal Council.

22 (4) SUBMITTAL TO CONGRESS.—Not later than
 23 2 years after the date of enactment of this Act, the
 24 Secretary shall submit the plan to Congress.

1 (b) ~~CONTENT OF PLAN.~~—The plan shall include the
2 following programs and components:

3 (1) ~~EDUCATIONAL FACILITY.~~—The plan shall
4 provide for an educational facility to be located on
5 the Crow Creek Indian Reservation.

6 (2) ~~COMPREHENSIVE INPATIENT AND OUT-~~
7 ~~PATIENT HEALTH CARE FACILITY.~~—The plan shall
8 provide for a comprehensive inpatient and outpatient
9 health care facility to provide essential services that
10 the Secretary, in consultation with the individuals
11 and entities referred to in subsection (a)(1), deter-
12 mines to be—

13 (A) needed; and

14 (B) unavailable through existing facilities
15 of the Indian Health Service on the Crow Creek
16 Indian Reservation at the time of the deter-
17 mination.

18 (3) ~~WATER SYSTEM.~~—The plan shall provide
19 for the construction, operation, and maintenance of
20 a municipal, rural, and industrial water system for
21 the Crow Creek Indian Reservation.

22 (4) ~~IRRIGATION FACILITIES.~~—The plan shall
23 provide for irrigation facilities for not less than
24 1,792 acres.

1 (5) ~~RECREATIONAL FACILITIES.~~—The plan
 2 shall provide for recreational facilities suitable for
 3 high-density recreation at Lake Sharpe at Big Bend
 4 Dam in South Dakota.

5 (6) ~~OTHER PROJECTS AND PROGRAMS.~~—The
 6 plan shall provide for such other projects and pro-
 7 grams for the educational, social welfare, economic
 8 development, and cultural preservation of the Tribe
 9 as the Secretary, in consultation with the individuals
 10 and entities referred to in subsection (a)(1), consid-
 11 ers to be appropriate.

12 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated such funds
 14 as may be necessary to carry out this Act, including such
 15 funds as may be necessary to cover the administrative ex-
 16 penses of the Crow Creek Sioux Tribe Infrastructure De-
 17 velopment Trust Fund established under section 4.

18 **SEC. 7. EFFECT OF PAYMENTS TO TRIBE.**

19 (a) ~~IN GENERAL.~~—No payment made to the Tribe
 20 pursuant to this Act shall result in the reduction or denial
 21 of any service or program to which, pursuant Federal
 22 law—

23 (1) the Tribe is otherwise entitled because of
 24 the status of the Tribe as a federally recognized In-
 25 dian tribe; or

1 (2) any individual who is a member of the Tribe
2 is entitled because of the status of the individual as
3 a member of the Tribe.

4 (b) EXEMPTIONS; STATUTORY CONSTRUCTION.—

5 (1) POWER RATES.—No payment made pursu-
6 ant to this Act shall affect Missouri River basin
7 Pick-Sloan power rates.

8 (2) STATUTORY CONSTRUCTION.—Nothing in
9 this Act may be construed as diminishing or affect-
10 ing—

11 (A) any right of the Tribe that is not oth-
12 erwise addressed in this Act; or

13 (B) any treaty obligation of the United
14 States.

15 **SECTION 1. SHORT TITLE.**

16 *This Act may be cited as the “Crow Creek Sioux Tribe*
17 *Infrastructure Development Trust Fund Act of 1996”.*

18 **SEC. 2. FINDINGS.**

19 (a) *FINDINGS.—The Congress finds that—*

20 (1) *the Congress approved the Pick-Sloan Mis-*
21 *souri River basin program by passing the Act of De-*
22 *cember 22, 1944, commonly known as the “Flood*
23 *Control Act of 1944” (58 Stat. 887, chapter 665; 33*
24 *U.S.C. 701–1 et seq.)—*

1 (A) to promote the general economic devel-
2 opment of the United States;

3 (B) to provide for irrigation above Sioux
4 City, Iowa;

5 (C) to protect urban and rural areas from
6 devastating floods of the Missouri River; and

7 (D) for other purposes;

8 (2) the Fort Randall and Big Bend projects are
9 major components of the Pick-Sloan program, and
10 contribute to the national economy by generating a
11 substantial amount of hydropower and impounding a
12 substantial quantity of water;

13 (3) the Fort Randall and Big Bend projects over-
14 lie the western boundary of the Crow Creek Indian
15 Reservation, having inundated the fertile, wooded bot-
16 tom lands of the Tribe along the Missouri River that
17 constituted the most productive agricultural and pas-
18 toral lands of the Crow Creek Sioux Tribe and the
19 homeland of the members of the Tribe;

20 (4) Public Law 85-916 (72 Stat. 1766 et seq.)
21 authorized the acquisition of 9,418 acres of Indian
22 land on the Crow Creek Indian Reservation for the
23 Fort Randall project and Public Law 87-735 (76
24 Stat. 704 et seq.) authorized the acquisition of 6,179

1 *acres of Indian land on Crow Creek for the Big Bend*
 2 *project;*

3 *(5) Public Law 87–735 (76 Stat. 704 et seq.)*
 4 *provided for the mitigation of the effects of the Fort*
 5 *Randall and Big Bend projects on the Crow Creek In-*
 6 *dian Reservation, by directing the Secretary of the*
 7 *Army to—*

8 *(A) replace, relocate, or reconstruct—*

9 *(i) any existing essential governmental*
 10 *and agency facilities on the reservation, in-*
 11 *cluding schools, hospitals, offices of the Pub-*
 12 *lic Health Service and the Bureau of In-*
 13 *dian Affairs, service buildings, and em-*
 14 *ployee quarters; and*

15 *(ii) roads, bridges, and incidental mat-*
 16 *ters or facilities in connection with such fa-*
 17 *cilities;*

18 *(B) provide for a townsite adequate for 50*
 19 *homes, including streets and utilities (including*
 20 *water, sewage, and electricity), taking into ac-*
 21 *count the reasonable future growth of the town-*
 22 *site; and*

23 *(C) provide for a community center con-*
 24 *taining space and facilities for community gath-*
 25 *erings, tribal offices, tribal council chamber, of-*

1 *ices of the Bureau of Indian Affairs, offices and*
2 *quarters of the Public Health Service, and a*
3 *combination gymnasium and auditorium;*

4 *(6) the requirements under Public Law 87-735*
5 *(76 Stat. 704 et seq.) with respect to the mitigation*
6 *of the effects of the Fort Randall and Big Bend*
7 *projects on the Crow Creek Indian Reservation have*
8 *not been fulfilled;*

9 *(7) although the national economy has benefited*
10 *from the Fort Randall and Big Bend projects, the*
11 *economy on the Crow Creek Indian Reservation re-*
12 *mains underdeveloped, in part as a consequence of the*
13 *failure of the Federal Government to fulfill the obliga-*
14 *tions of the Federal Government under the laws re-*
15 *ferred to in paragraph (4);*

16 *(8) the economic and social development and cul-*
17 *tural preservation of the Crow Creek Sioux Tribe will*
18 *be enhanced by increased tribal participation in the*
19 *benefits of the Fort Randall and Big Bend compo-*
20 *nents of the Pick-Sloan program; and*

21 *(9) the Crow Creek Sioux Tribe is entitled to ad-*
22 *ditional benefits of the Pick-Sloan Missouri River*
23 *basin program.*

1 **SEC. 3. DEFINITIONS.**

2 *For the purposes of this Act, the following definitions*
 3 *shall apply:*

4 (1) *FUND.*—*The term “Fund” means the Crow*
 5 *Creek Sioux Tribe Infrastructure Development Trust*
 6 *Fund established under section 4(a).*

7 (2) *PLAN.*—*The term “plan” means the plan for*
 8 *socioeconomic recovery and cultural preservation pre-*
 9 *pared under section 5.*

10 (3) *PROGRAM.*—*The term “Program” means the*
 11 *power program of the Pick-Sloan Missouri River*
 12 *basin program, administered by the Western Area*
 13 *Power Administration.*

14 (4) *SECRETARY.*—*The term “Secretary” means*
 15 *the Secretary of the Interior.*

16 (5) *TRIBE.*—*The term “Tribe” means the Crow*
 17 *Creek Sioux Tribe of Indians, a band of the Great*
 18 *Sioux Nation recognized by the United States of*
 19 *America.*

20 **SEC. 4. ESTABLISHMENT OF CROW CREEK SIOUX TRIBE IN-**
 21 **FRAStructure DEVELOPMENT TRUST FUND.**

22 (a) *CROW CREEK SIOUX TRIBE INFRASTRUCTURE DE-*
 23 *VELOPMENT TRUST FUND.*—*There is established in the*
 24 *Treasury of the United States a fund to be known as the*
 25 *“Crow Creek Sioux Tribe Infrastructure Development Trust*
 26 *Fund”.*

1 (b) *FUNDING.*—Beginning with fiscal year 1997, and
 2 for each fiscal year thereafter, until such time as the aggre-
 3 gate of the amounts deposited in the Fund is equal to
 4 \$27,500,000, the Secretary of the Treasury shall deposit
 5 into the Fund an amount equal to 25 percent of the receipts
 6 from the deposits to the Treasury of the United States for
 7 the preceding fiscal year from the Program.

8 (c) *INVESTMENTS.*—The Secretary of the Treasury
 9 shall invest the amounts deposited under subsection (b) only
 10 in interest-bearing obligations of the United States or in
 11 obligations guaranteed as to both principal and interest by
 12 the United States.

13 (d) *PAYMENT OF INTEREST TO TRIBE.*—

14 (1) *ESTABLISHMENT OF ACCOUNT AND TRANS-*
 15 *FER OF INTEREST.*—The Secretary of the Treasury
 16 shall, in accordance with this subsection, transfer any
 17 interest that accrues on amounts deposited under sub-
 18 section (b) into a separate account established by the
 19 Secretary of the Treasury in the Treasury of the
 20 United States.

21 (2) *PAYMENTS.*—

22 (A) *IN GENERAL.*—Beginning with the fis-
 23 cal year immediately following the fiscal year
 24 during which the aggregate of the amounts de-
 25 posited in the Fund is equal to the amount speci-

1 *fied in subsection (b), and for each fiscal year*
 2 *thereafter, all amounts transferred under para-*
 3 *graph (1) shall be available, without fiscal year*
 4 *limitation, to the Secretary of the Interior for*
 5 *use in accordance with subparagraph (C).*

6 *(B) WITHDRAWAL AND TRANSFER OF*
 7 *FUNDS.—For each fiscal year specified in sub-*
 8 *paragraph (A), the Secretary of the Treasury*
 9 *shall withdraw amounts from the account estab-*
 10 *lished under such paragraph and transfer such*
 11 *amounts to the Secretary of the Interior for use*
 12 *in accordance with subparagraph (C). The Sec-*
 13 *retary of the Treasury may only withdraw funds*
 14 *from the account for the purpose specified in this*
 15 *paragraph.*

16 *(C) PAYMENTS TO TRIBE.—The Secretary of*
 17 *the Interior shall use the amounts transferred*
 18 *under subparagraph (B) only for the purpose of*
 19 *making payments to the Tribe.*

20 *(D) USE OF PAYMENTS BY TRIBE.—The*
 21 *Tribe shall use the payments made under sub-*
 22 *paragraph (C) only for carrying out projects and*
 23 *programs pursuant to the plan prepared under*
 24 *section 5.*

1 (3) *PROHIBITION ON PER CAPITA PAYMENTS.*—

2 *No portion of any payment made under this sub-*
 3 *section may be distributed to any member of the Tribe*
 4 *on a per capita basis.*

5 (e) *TRANSFERS AND WITHDRAWALS.*—*Except as pro-*
 6 *vided in subsection (d)(1), the Secretary of the Treasury*
 7 *may not transfer or withdraw any amount deposited under*
 8 *subsection (b).*

9 **SEC. 5. PLAN FOR SOCIOECONOMIC RECOVERY AND CUL-**
 10 **TURAL PRESERVATION.**

11 (a) *PLAN.*—

12 (1) *IN GENERAL.*—*The Tribe shall, not later*
 13 *than 2 years after the date of enactment of this Act,*
 14 *prepare a plan for the use of the payments made to*
 15 *the Tribe under section 4(d)(2). In developing the*
 16 *plan, the Tribe shall consult with the Secretary of the*
 17 *Interior and the Secretary of Health and Human*
 18 *Services.*

19 (2) *REQUIREMENTS FOR PLAN COMPONENTS.*—
 20 *The plan shall, with respect to each component of the*
 21 *plan—*

22 (A) *identify the costs and benefits of that*
 23 *component; and*

24 (B) *provide plans for that component.*

1 (b) *CONTENT OF PLAN.*—*The plan shall include the*
 2 *following programs and components:*

3 (1) *EDUCATIONAL FACILITY.*—*The plan shall*
 4 *provide for an educational facility to be located on*
 5 *the Crow Creek Indian Reservation.*

6 (2) *COMPREHENSIVE INPATIENT AND OUT-*
 7 *PATIENT HEALTH CARE FACILITY.*—*The plan shall*
 8 *provide for a comprehensive inpatient and outpatient*
 9 *health care facility to provide essential services that*
 10 *the Secretary of Health and Human Services, in con-*
 11 *sultation with the individuals and entities referred to*
 12 *in subsection (a)(1), determines to be—*

13 (A) *needed; and*

14 (B) *unavailable through existing facilities of*
 15 *the Indian Health Service on the Crow Creek In-*
 16 *dian Reservation at the time of the determina-*
 17 *tion.*

18 (3) *WATER SYSTEM.*—*The plan shall provide for*
 19 *the construction, operation, and maintenance of a*
 20 *municipal, rural, and industrial water system for the*
 21 *Crow Creek Indian Reservation.*

22 (4) *RECREATIONAL FACILITIES.*—*The plan shall*
 23 *provide for recreational facilities suitable for high-*
 24 *density recreation at Lake Sharpe at Big Bend Dam*

1 *and at other locations on the Crow Creek Indian Res-*
 2 *ervation in South Dakota.*

3 (5) *OTHER PROJECTS AND PROGRAMS.—The*
 4 *plan shall provide for such other projects and pro-*
 5 *grams for the educational, social welfare, economic*
 6 *development, and cultural preservation of the Tribe as*
 7 *the Tribe considers to be appropriate.*

8 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

9 *There are authorized to be appropriated such funds as*
 10 *may be necessary to carry out this Act, including such*
 11 *funds as may be necessary to cover the administrative ex-*
 12 *penses of the Crow Creek Sioux Tribe Infrastructure Devel-*
 13 *opment Trust Fund established under section 4.*

14 **SEC. 7. EFFECT OF PAYMENTS TO TRIBE.**

15 (a) *IN GENERAL.—No payment made to the Tribe pur-*
 16 *suant to this Act shall result in the reduction or denial of*
 17 *any service or program to which, pursuant to Federal*
 18 *law—*

19 (1) *the Tribe is otherwise entitled because of the*
 20 *status of the Tribe as a federally recognized Indian*
 21 *tribe; or*

22 (2) *any individual who is a member of the Tribe*
 23 *is entitled because of the status of the individual as*
 24 *a member of the Tribe.*

25 (b) *EXEMPTIONS; STATUTORY CONSTRUCTION.—*

1 (1) *POWER RATES.*—*No payment made pursuant*
 2 *to this Act shall affect Pick-Sloan Missouri River*
 3 *basin power rates.*

4 (2) *STATUTORY CONSTRUCTION.*—*Nothing in this*
 5 *Act may be construed as diminishing or affecting—*

6 *(A) any right of the Tribe that is not other-*
 7 *wise addressed in this Act; or*

8 *(B) any treaty obligation of the United*
 9 *States.*

Amend the title so as to read: “A bill to provide for certain benefits of the Pick-Sloan Missouri River basin program to the Crow Creek Sioux Tribe, and for other purposes.”.