

Calendar No. 260

119TH CONGRESS
1ST SESSION**S. 240****[Report No. 119–93]**

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

NOVEMBER 4, 2025

Reported by Ms. MURKOWSKI, without amendment

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”.

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

2 (a) DEFINITIONS.—Section 403 of the Crow Tribe
3 Water Rights Settlement Act of 2010 (Public Law 111–
4 291; 124 Stat. 3097) is amended—

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

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

10 (2) in paragraph (12)—

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

13 (B) in subparagraphs (A) through (C), by
14 striking “System” each place it appears and in-
15 serting “Projects”.

16 (b) REPEAL OF MR&I SYSTEM.—

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19 Law 111–291; 124 Stat. 3102) is repealed.

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

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

1 (1) in subsection (a), by striking “to be admin-
 2 istered by the Secretary” and inserting “to be man-
 3 aged, invested, and distributed by the Secretary and
 4 to remain available until expended, withdrawn, or re-
 5 verted to the general fund of the Treasury, con-
 6 sisting of amounts deposited in the Fund under sub-
 7 section (b), together with any investment earnings,
 8 including interest, earned on those amounts,”;

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

12 (3) in subsection (c)—

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

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

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

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

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

3 (4) in subsection (e)—

4 (A) in paragraph (2), by striking subpara-
5 graph (C) and inserting the following:

6 “(C) the American Indian Trust Fund
7 Management Reform Act of 1994 (25 U.S.C.
8 4001 et seq.).”; and

9 (B) in paragraph (3)—

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

13 (ii) in subparagraph (C)(i), by strik-
14 ing “section 412” and inserting “section
15 413”;

16 (iii) in subparagraph (E)—

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

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

23 (iv) by adding at the end the fol-
24 lowing:

“(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:

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

“(I) to plan, permit, design, engineer, construct, reconstruct, replace, rehabilitate, operate, or repair water production, treatment, or delivery infrastructure, including for domestic and municipal use or wastewater infrastructure; and

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

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

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

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

4 “(i) TITLE TO INFRASTRUCTURE.—Title to, control
5 over, and operation of any project constructed using funds
6 from the MR&I Projects Account shall remain in the
7 Tribe.

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

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

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

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

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

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

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

1 “(1) amounts made available pursuant to para-
 2 graphs (1) and (2) of section 415(a) that are appro-
 3 priated after the date of enactment of the Crow
 4 Tribe Water Rights Settlement Amendments Act of
 5 2025; and

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

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

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

16 (e) YELLOWTAIL DAM, MONTANA.—Subsection
 17 (b)(1) of section 413 of the Crow Tribe Water Rights Set-
 18 tlement Act of 2010 (Public Law 111–291; 124 Stat.
 19 3116) (as redesignated by subsection (d)(1)) is amended
 20 by striking “15 years” and inserting “20 years”.

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

25 (1) in subsection (e)—

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

3 (B) by striking “System” and inserting
 4 “Projects”;

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

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

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

19 “(2) MR&I PROJECTS ACCOUNT.—In the spe-
 20 cial joint signature account named ‘MR&I Account’
 21 established pursuant to the agreement with the
 22 Tribe dated September 13, 2012, for the purpose of
 23 transferring and depositing those funds in the MR&I
 24 Projects Account established pursuant to section
 25 411(c)(5).”; and

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

2 “(j) MR&I PROJECTS ACCOUNT FLUCTUATIONS IN
3 COSTS.—

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

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

17 (g) TECHNICAL AND CONFORMING AMENDMENTS.—

18 (1) Section 403(9) of the Crow Tribe Water
19 Rights Settlement Act of 2010 (Public Law 111–
20 291; 124 Stat. 3098) is amended by striking “(25
21 U.S.C. 450b)” and inserting “(25 U.S.C. 5304)”.

22 (2) Section 409(b) of the Crow Tribe Water
23 Rights Settlement Act of 2010 (Public Law 111–
24 291; 124 Stat. 3108) is amended, in each of para-

1 graphs (1) and (2), by striking “section 414” and
 2 inserting “section 415”.

3 (3) Section 410(e)(1) of the Crow Tribe Water
 4 Rights Settlement Act of 2010 (Public Law 111–
 5 291; 124 Stat. 3112) is amended—

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

8 (B) in subparagraph (C), by striking
 9 “agreements with the Tribe required by sections
 10 405(a) and 406(a)” and inserting “agreement
 11 with the Tribe required by section 405(a)”.

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

18 (h) CLERICAL AMENDMENT.—The table of contents
 19 for the Claims Resolution Act of 2010 (Public Law 111–
 20 291; 124 Stat. 3064) is amended by striking the items
 21 relating to sections 407 through 416 and inserting the fol-
 22 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.”.

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