

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2464

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 2006

Referred to the Committee on Resources

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## AN ACT

To revise a provision relating to a repayment obligation of the Fort McDowell Yavapai Nation under the Fort McDowell Indian Community Water Rights Settlement Act of 1990, 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 “Fort McDowell Indian  
5       Community Water Rights Settlement Revision Act of  
6       2006”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) FORT MCDOWELL WATER RIGHTS SETTLE-  
4 MENT ACT.—The term “Fort McDowell Water  
5 Rights Settlement Act” means the Fort McDowell  
6 Indian Community Water Rights Settlement Act of  
7 1990 (Public Law 101–628; 104 Stat. 4480).

8 (2) NATION.—The term “Nation” means the  
9 Fort McDowell Yavapai Nation, formerly known as  
10 the “Fort McDowell Indian Community”.

11 (3) SECRETARY.—The term “Secretary” means  
12 the Secretary of the Interior.

13 **SEC. 3. CANCELLATION OF REPAYMENT OBLIGATION.**

14 (a) CANCELLATION OF OBLIGATION.—The obligation  
15 of the Nation to repay the loan made under section 408(e)  
16 of the Fort McDowell Water Rights Settlement Act (104  
17 Stat. 4489) is cancelled.

18 (b) EFFECT OF ACT.—

19 (1) RIGHTS OF NATION UNDER FORT  
20 MCDOWELL WATER RIGHTS SETTLEMENT ACT.—

21 (A) IN GENERAL.—Except as provided in  
22 subparagraph (B), nothing in this Act alters or  
23 affects any right of the Nation under the Fort  
24 McDowell Water Rights Settlement Act.

1 (B) EXCEPTION.—The cancellation of the  
2 repayment obligation under subsection (a) shall  
3 be considered—

4 (i) to fulfill all conditions required to  
5 achieve the full and final implementation  
6 of the Fort McDowell Water Rights Settle-  
7 ment Act; and

8 (ii) to relieve the Secretary of any re-  
9 sponsibility or obligation to obtain mitiga-  
10 tion property or develop additional farm  
11 acreage under section 410 the Fort  
12 McDowell Water Rights Settlement Act  
13 (104 Stat. 4490).

14 (2) ELIGIBILITY FOR SERVICES AND BENE-  
15 FITS.—Nothing in this Act alters or affects the eligi-  
16 bility of the Nation or any member of the Nation for  
17 any service or benefit provided by the Federal Gov-  
18 ernment to federally recognized Indian tribes or  
19 members of such Indian tribes.

Passed the Senate September 13, 2006.

Attest: EMILY J. REYNOLDS,  
*Secretary.*