

110TH CONGRESS
2D SESSION

H. R. 6754

To direct the Secretary of the Interior to provide a loan to the White Mountain Apache Tribe for use in planning, engineering, and designing a certain water system project.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2008

Mr. PASTOR introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To direct the Secretary of the Interior to provide a loan to the White Mountain Apache Tribe for use in planning, engineering, and designing a certain water system project.

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 “White Mountain
5 Apache Tribe Rural Water System Loan Authorization
6 Act”.

1 **SEC. 2. DEFINITIONS.**

2 (a) **MINER FLAT PROJECT.**—The term “Miner Flat
3 Project” means the White Mountain Apache Rural Water
4 System, comprised of the Miner Flat Dam and associated
5 domestic water supply components, as described in the
6 project extension report dated February 2007.

7 (b) **SECRETARY.**—The term “Secretary” means the
8 Secretary of the Interior, acting through the Commis-
9 sioner of Reclamation (or any other designee of the Sec-
10 retary).

11 (c) **TRIBE.**—The term “Tribe” means the White
12 Mountain Apache Tribe, a federally recognized Indian
13 tribe organized pursuant to section 16 of the Indian Reor-
14 ganization Act of 1934 (25 U.S.C. 476 et seq.).

15 **SEC. 3. MINER FLAT PROJECT LOAN.**

16 (a) **LOAN.**—Subject to the condition that the Tribe
17 and the Secretary have executed a cooperative agreement
18 under section 4(a), not later than 90 days after the date
19 of enactment of this Act, the Secretary shall provide to
20 the Tribe a loan in an amount equal to \$9,800,000, ad-
21 justed, as appropriate, based on ordinary fluctuations in
22 engineering cost indices applicable to the Miner Flat
23 Project during the period beginning on October 1, 2007,
24 and ending on the date on which the loan is provided, as
25 determined by the Secretary, to carry out planning, engi-

1 neering, and design of the Miner Flat Project in accord-
2 ance with section 4.

3 (b) TERMS AND CONDITIONS OF LOAN.—

4 (1) INTEREST; TERM.—The loan provided
5 under subsection (a) shall—

6 (A) be at a rate of interest of 0 percent;

7 and

8 (B) be repaid over a term of 10 years, be-
9 ginning on January 1, 2013.

10 (2) FUNDS FOR REPAYMENT.—

11 (A) IN GENERAL.—For each of fiscal years
12 2013 and 2014, in lieu of direct repayment by
13 the Tribe of the loan provided under subsection
14 (a), the amount described in subparagraph (B)
15 shall be credited toward repayment of the loan.

16 (B) DESCRIPTION OF AMOUNT.—The
17 amount referred to in subparagraph (A) is a
18 portion of the funds in the Lower Colorado
19 River Development Fund pursuant to section
20 403(f)(2)(D)(vi) of the Colorado River Basin
21 Project Act (43 U.S.C. 1543(f)(2)(D)(vi)) equal
22 to—

23 (i) for fiscal year 2013, 50 percent of
24 the outstanding balance of the loan under
25 subsection (a) as of October 1, 2012; and

1 (ii) for fiscal year 2014, the remain-
2 ing balance of the loan as of October 1,
3 2013.

4 (c) ADMINISTRATION.—Subject to section 4, the Sec-
5 retary shall administer the planning, engineering, and de-
6 sign of the Miner Flat Project.

7 **SEC. 4. PLANNING, ENGINEERING, AND DESIGN.**

8 (a) COOPERATIVE AGREEMENT.—

9 (1) IN GENERAL.—Not later than 90 days after
10 the date of enactment of this Act, the Secretary
11 shall offer to enter into a cooperative agreement
12 with the Tribe for the planning, engineering, and de-
13 sign of the Miner Flat Project in accordance with
14 this Act.

15 (2) MANDATORY PROVISIONS.—A cooperative
16 agreement under paragraph (1) shall—

17 (A) specify, in a manner that is acceptable
18 to the Secretary and the Tribe, the rights, re-
19 sponsibilities, and liabilities of each party to the
20 agreement; and

21 (B) require that the planning, engineering,
22 design, and construction of the Miner Flat
23 Project be in accordance with all Federal envi-
24 ronmental laws.

1 (b) APPLICABILITY OF INDIAN SELF-DETERMINA-
2 TION AND EDUCATION ASSISTANCE ACT.—Each activity
3 for the planning, engineering, or design, of the Miner Flat
4 Project shall be subject to the requirements of the Indian
5 Self-Determination and Education Assistance Act (25
6 U.S.C. 450 et seq.).

7 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated such sums
9 as are necessary to carry out this Act.

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