

(3) Funding

Of the amounts authorized to be expended from either Fund, \$250,000 shall be made available from either Fund during each of fiscal years 2017 through 2026 to carry out this subsection, to remain available until expended.

(Pub. L. 114-322, title III, §3101, Dec. 16, 2016, 130 Stat. 1740; Pub. L. 115-270, title IV, §4314, Oct. 23, 2018, 132 Stat. 3893.)

REFERENCES IN TEXT

The Indian Dams Safety Act of 1994, referred to in subsecs. (c)(1)(C), (2)(A)(i), (B)(i), (3)(A)(i), (B)(vi) and (d)(2)(A), (B), is Pub. L. 103-302, Aug. 23, 1994, 108 Stat. 1560, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 3801 of this title and Tables.

The Indian Self-Determination and Education Assistance Act, referred to in subsec. (c)(2)(A)(iii)(I)(bb), (B)(ii)(I)(bb), (5)(E), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, which is classified principally to chapter 46 (§5301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5301 of this title and Tables.

CODIFICATION

Section was enacted as part of the Water Resources Development Act of 2016, and not as part of the Indian Dams Safety Act of 1994 which comprises this chapter.

AMENDMENTS

2018—Pub. L. 115-270, §4314(1), substituted “each of fiscal years 2017 through 2030” for “each of fiscal years 2017 through 2023” wherever appearing.

Subsec. (b)(1)(F). Pub. L. 115-270, §4314(2)(A), substituted “September 30, 2030” for “September 30, 2023” in introductory provisions.

Subsec. (b)(2)(F). Pub. L. 115-270, §4314(2)(B), substituted “September 30, 2030” for “September 30, 2023” in introductory provisions.

Subsec. (f)(2). Pub. L. 115-270, §4314(3)(A), substituted “11 years” for “4 years”.

Subsec. (f)(3). Pub. L. 115-270, §4314(3)(B), substituted “each of fiscal years 2017 through 2026” for “each of fiscal years 2017, 2018, and 2019”.

CHAPTER 41—INDIAN LANDS OPEN DUMP CLEANUP

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§ 3901. Findings and purposes**(a) Findings**

The Congress finds that—

(1) there are at least 600 open dumps on Indian and Alaska Native lands;

(2) these dumps threaten the health and safety of residents of Indian and Alaska Native lands and contiguous areas;

(3) many of these dumps were established or are used by Federal agencies such as the Bureau of Indian Affairs and the Indian Health Service;

(4) these dumps threaten the environment;

(5) the United States holds most Indian lands in trust for the benefit of Indian tribes and Indian individuals; and

(6) most Indian tribal governments and Alaska Native entities lack the financial and technical resources necessary to close and maintain these dumps in compliance with applicable Federal laws.

(b) Purposes

The purposes of this chapter are to—

(1) identify the location of open dumps on Indian lands and Alaska Native lands;

(2) assess the relative health and environmental hazards posed by such dumps; and

(3) provide financial and technical assistance to Indian tribal governments and Alaska Native entities, either directly or by contract, to close such dumps in compliance with applicable Federal standards and regulations, or standards promulgated by an Indian tribal government or Alaska Native entity, if such standards are more stringent than the Federal standards.

(Pub. L. 103-399, §2, Oct. 22, 1994, 108 Stat. 4164.)

SHORT TITLE

Pub. L. 103-399, §1, Oct. 22, 1994, 108 Stat. 4164, provided that: “This Act [enacting this chapter] may be cited as the ‘Indian Lands Open Dump Cleanup Act of 1994.’”

§ 3902. Definitions

For the purposes of this chapter, the following definitions shall apply:

(1) Closure or close

The term “closure or close” means the termination of operations at open dumps on Indian land or Alaska Native land and bringing such dumps into compliance with applicable Federal standards and regulations, or standards promulgated by an Indian tribal government or Alaska Native entity, if such standards are more stringent than the Federal standards and regulations.

(2) Director

The term “Director” means the Director of the Indian Health Service.

(3) Indian land

The term “Indian land” means—

(A) land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation;

(B) dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State; and

(C) Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments.

(4) Alaska Native land

The term “Alaska Native land” means (A) land conveyed or to be conveyed pursuant to the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.], including any land reconveyed under section 14(c)(3) of that Act (43