

(III) any remaining engineering or environmental compliance that is required before the eligible project commences;

(IV) any recommendations the Secretary may have concerning the plan or design of the project; and

(V) any conditions the Secretary may require for construction of the project;

(ii) an analysis of—

(I) the repayment period proposed in the application; and

(II) if the Secretary recommends a minimum necessary repayment period that is different than the repayment period proposed in the application, the minimum necessary repayment period recommended by the Secretary; and

(iii) an analysis of alternative non-Federal funding options;

(D) describes the allocation of funds from deposits into the Account under paragraph (3)(B); and

(E) describes the balance of funds in the Account as of the date of the report.

(6) Alternative allocation

(A) In general

Appropriations Acts may provide for alternate allocation of amounts reported pursuant to paragraph (5)(D) that are made available under this subsection.

(B) Allocation by Secretary

(i) No alternate allocations

If Congress has not enacted legislation establishing alternate allocations by the date on which the Act making full-year appropriations for energy and water development and related agencies for the applicable fiscal year is enacted into law, amounts made available under paragraph (1) shall be allocated by the Secretary.

(ii) Insufficient alternate allocations

If Congress enacts legislation establishing alternate allocations for amounts made available under paragraph (1) that are less than the full amount appropriated under that paragraph, the difference between the amount appropriated and the alternate allocation shall be allocated by the Secretary.

(7) Effect of subsection

Nothing in this subsection affects—

(A) any funding provided, or contracts entered into, under subsection (a) before December 27, 2020; or

(B) the use of funds otherwise made available to the Secretary to carry out subsection (a).

(Pub. L. 111–11, title IX, §9603, Mar. 30, 2009, 123 Stat. 1348; Pub. L. 116–260, div. FF, title XI, §1101, Dec. 27, 2020, 134 Stat. 3221.)

Editorial Notes

AMENDMENTS

2020—Subsec. (d). Pub. L. 116–260 added subsec. (d).

§510c. Relationship to Twenty-First Century Water Works Act

Nothing in this subchapter shall preclude a transferred works operating entity from applying and receiving a loan-guarantee pursuant to the Twenty-First Century Water Works Act [43 U.S.C. 2421 et seq].

(Pub. L. 111–11, title IX, §9604, Mar. 30, 2009, 123 Stat. 1349.)

Editorial Notes

REFERENCES IN TEXT

The Twenty-First Century Water Works Act, referred to in text, is title II of Pub. L. 109–451, Dec. 22, 2006, 120 Stat. 3356, which is classified generally to subchapter II (§2421 et seq.) of chapter 42 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2401 of this title and Tables.

§510d. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this subchapter.

(Pub. L. 111–11, title IX, §9605, Mar. 30, 2009, 123 Stat. 1349.)

SUBCHAPTER XII—CONTRACTS WITH STATE IRRIGATION DISTRICTS FOR PAYMENT OF CHARGES

§511. Authority to contract with irrigation district

In carrying out the purposes of the Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof and supplementary thereto and known as the reclamation law, the Secretary of the Interior may enter into contract with any legally organized irrigation district whereby such irrigation district shall agree to pay the moneys required to be paid to the United States, and in such event water-right applications on the part of landowners and entrymen, in the discretion of the Secretary of the Interior, may be dispensed with. In the event of such contract being made with an irrigation district, the Secretary of the Interior, in his discretion, may contract that the payments, both for the construction of irrigation works and for operation and maintenance, on the part of the district shall be made upon such dates as will best conform to the district and taxation laws of the respective States under which such irrigation districts shall be formed, and if he deem it advisable he may contract for such penalties or interest charges in case of delinquency in payments as he may deem proper and consistent with such State laws, notwithstanding the provisions of sections 471, 472, 475, 478 to 481, 492, 493, 494 to 497 and 499 of this title. The Secretary of the Interior may accept a partial payment of the amount due from any district to the United States, providing such acceptance shall not constitute a waiver of the balance remaining due nor the interest or penalties, if any, accruing upon said balance: *Provided*, That no contract with an irrigation district under this section and sections 512 and 513 of this title shall be binding on the United States until the proceedings on the part of the district for the authorization of the execution of