

(d) “Cooperative” defined

For purposes of this section, the term “cooperative” means a cooperative formed specifically for the purpose of the installation, expansion, improvement, or operation of water supply or waste disposal facilities or systems.

(e) Authorization of appropriations**(1) In general**

Subject to paragraph (2), there are authorized to be appropriated—

(A) for grants under this section, \$30,000,000 for each fiscal year;

(B) for loans under this section, \$30,000,000 for each fiscal year; and

(C) in addition to grants provided under subparagraph (A), for grants under this section to benefit Indian tribes (as defined in section 5304 of title 25), \$20,000,000 for each fiscal year.

(2) Exception

An entity eligible to receive funding through a grant made under section 1926d of this title shall not be eligible for a grant from funds made available under paragraph (1)(C).

(f) Regulations

Not later than 30 days after October 28, 1992, the Secretary shall issue interim final regulations, with a request for public comments, implementing this section.

(Pub. L. 87-128, title III, §306C, as added Pub. L. 101-624, title XXIII, §2327, Nov. 28, 1990, 104 Stat. 4015; amended Pub. L. 102-237, title VII, §701(b), Dec. 13, 1991, 105 Stat. 1879; Pub. L. 102-552, title V, §516(l), (m), Oct. 28, 1992, 106 Stat. 4139; Pub. L. 102-554, §24, Oct. 28, 1992, 106 Stat. 4161; Pub. L. 107-171, title VI, §6010, May 13, 2002, 116 Stat. 357.)

AMENDMENTS

2002—Subsec. (e). Pub. L. 107-171 added subsec. (e) and struck out heading and text of former subsec. (e). Text read as follows: “There are authorized to be appropriated—

“(1) for grants under this section, \$30,000,000 for each fiscal year; and

“(2) for loans under this section, \$30,000,000 for each fiscal year.”

1992—Subsec. (a)(2). Pub. L. 102-554 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “(2) CERTAIN COUNTIES TARGETED.—Loans and grants under paragraph (1) shall be made only if the loan or grant funds will be used primarily to provide water or waste services, or both, to residents of a county—

“(A) the per capita income of the residents of which is not more than 70 percent of the national average per capita income, as determined by the Department of Commerce; and

“(B) the unemployment rate of the residents of which is not less than 125 percent of the national average unemployment rate, as determined by the Bureau of Labor Statistics.”

Subsec. (b)(1). Pub. L. 102-552, §516(l), substituted “, connecting the systems to the residences of the individuals, or installing plumbing and fixtures within the residences of the individuals to facilitate the use of the water supply and waste disposal systems” for “or connecting such systems to the residences of such individuals”.

Subsec. (f). Pub. L. 102-552, §516(m), added subsec. (f).

1991—Subsec. (a)(2). Pub. L. 102-237 realigned margins of subpars. (A) and (B).

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-237 effective as if included in the provision of the Food, Agriculture, Conservation, and Trade Act of 1990, Pub. L. 101-624, to which the amendment relates, see section 1101(b)(6) of Pub. L. 102-237, set out as a note under section 1421 of this title.

§ 1926d. Water systems for rural and Native villages in Alaska**(a) In general**

The Secretary may make grants to the State of Alaska, a consortium formed pursuant to section 325 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105-83; 111 Stat. 1597), and Native villages (as defined in section 1602 of title 43) for the benefit of rural or Native villages in Alaska to provide for the development and construction of water and wastewater systems to improve the health and sanitation conditions in those villages.

(b) Matching funds

To be eligible to receive a grant under subsection (a), the State of Alaska shall provide 25 percent in matching funds from non-Federal sources for any grant awarded under subsection (a).

(c) Consultation with State of Alaska

The Secretary shall consult with the State of Alaska on a method of prioritizing the allocation of grants under subsection (a) according to the needs of, and relative health and sanitation conditions in, each village.

(d) Authorization of appropriations**(1) In general**

There are authorized to be appropriated to carry out this section \$30,000,000 for each of fiscal years 2008 through 2023.

(2) Training and technical assistance

Not more than 2 percent of the amount made available under paragraph (1) for a fiscal year may be used by the State of Alaska, and not more than 2 percent of the amount made available under paragraph (1) for a fiscal year may be used by a consortium formed pursuant to section 325 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105-83; 111 Stat. 1597), for training and technical assistance programs relating to the operation and management of water and waste disposal services in rural and Native villages.

(3) Availability

Funds appropriated pursuant to the authorization of appropriations in paragraph (1) shall be available until expended.

(Pub. L. 87-128, title III, §306D, as added Pub. L. 104-127, title VII, §757, Apr. 4, 1996, 110 Stat. 1131; amended Pub. L. 105-277, div. A, §101(a) [title VII, §745], Oct. 21, 1998, 112 Stat. 2681, 2681-32; Pub. L. 106-224, title II, §256, June 20, 2000, 114 Stat. 424; Pub. L. 107-171, title VI, §6011, May 13, 2002, 116 Stat. 357; Pub. L. 110-234, title VI, §6009(a), May 22, 2008, 122 Stat. 1163; Pub. L. 110-246, §4(a), title VI, §6009(a), June 18, 2008, 122 Stat. 1664, 1924; Pub. L. 113-79, title VI, §6008,

Feb. 7, 2014, 128 Stat. 843; Pub. L. 115-334, title VI, § 6408, Dec. 20, 2018, 132 Stat. 4761.)

REFERENCES IN TEXT

Section 325 of the Department of the Interior and Related Agencies Appropriations Act, 1998, referred to in subsecs. (a) and (d)(2), is section 325 of Pub. L. 105-83, title III, Nov. 14, 1997, 111 Stat. 1597, which is not classified to the Code.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334, § 6408(1), substituted “Alaska, a consortium formed pursuant to section 325 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105-83; 111 Stat. 1597), and Native villages (as defined in section 1602 of title 43) for” for “Alaska for”.

Subsec. (b). Pub. L. 115-334, § 6408(2), inserted “for any grant awarded under subsection (a)” before period at end.

Subsec. (d)(1). Pub. L. 115-334, § 6408(3)(A), substituted “2023” for “2018”.

Subsec. (d)(2). Pub. L. 115-334, § 6408(3)(B), substituted “Alaska, and not more than 2 percent of the amount made available under paragraph (1) for a fiscal year may be used by a consortium formed pursuant to section 325 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105-83; 111 Stat. 1597),” for “Alaska”.

2014—Subsec. (d)(1). Pub. L. 113-79 substituted “2018” for “2012”.

2008—Subsec. (d)(1). Pub. L. 110-246, § 6009(a), substituted “2008 through 2012” for “2001 through 2007”.

2002—Subsec. (d)(1). Pub. L. 107-171 substituted “through 2007” for “and 2002”.

2000—Subsec. (d). Pub. L. 106-224 added subsec. (d) and struck out heading and text of former subsec. (d). Text read as follows: “There are authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 1996 through 2002.”

1998—Subsec. (b). Pub. L. 105-277 substituted “25 percent in matching” for “equal matching”.

Subsec. (d). Pub. L. 105-277 substituted “\$20,000,000” for “\$15,000,000”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

§ 1926e. Rural decentralized water systems

(a) Definition of eligible individual

In this section, the term “eligible individual” means an individual who is a member of a household the members of which have a combined income (for the most recent 12-month period for which the information is available) that is not more than 60 percent of the median non-metropolitan household income for the State or territory in which the individual resides, according to the most recent decennial census of the United States.

(b) Grants

(1) In general

The Secretary may make grants to private nonprofit organizations for the purpose of providing loans and subgrants to eligible individ-

uals for the construction, refurbishing, and servicing of individual household water well systems and individually owned household decentralized wastewater systems in rural areas that are or will be owned by the eligible individuals.

(2) Terms and amounts

(A) Terms of loans

A loan made with grant funds under this section—

(i) shall have an interest rate of 1 percent; and

(ii) shall have a term not to exceed 20 years.

(B) Amounts

A loan or subgrant made with grant funds under this section shall not exceed \$15,000 for each water well system or decentralized wastewater system described in paragraph (1).

(3) Administrative expenses

A recipient of a grant made under this section may use grant funds to pay administrative expenses associated with providing the assistance described in paragraph (1), as determined by the Secretary.

(4) Ground well water contamination

In the event of ground well water contamination, the Secretary shall allow a loan or subgrant to be made with grant funds under this section for the installation of water treatment where needed beyond the point of entry, with or without the installation of a new water well system.

(c) Priority in awarding grants

In awarding grants under this section, the Secretary shall give priority to an applicant that has substantial expertise and experience in promoting the safe and effective use of individually owned household water well systems, individually owned household decentralized wastewater systems, and ground water.

(d) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 87-128, title III, § 306E, as added Pub. L. 107-171, title VI, § 6012(a), May 13, 2002, 116 Stat. 357; amended Pub. L. 110-234, title VI, § 6010, May 22, 2008, 122 Stat. 1163; Pub. L. 110-246, § 4(a), title VI, § 6010, June 18, 2008, 122 Stat. 1664, 1925; Pub. L. 113-79, title VI, § 6009, Feb. 7, 2014, 128 Stat. 843; Pub. L. 115-334, title VI, § 6409, Dec. 20, 2018, 132 Stat. 4761.)

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2018—Pub. L. 115-334, § 6409(1), substituted “Rural decentralized water systems” for “Grants to nonprofit organizations to finance the construction, refurbishing, and servicing of individually-owned household water well systems in rural areas for individuals with low or moderate incomes” in section catchline.