

(Pub. L. 111-281, title X, §1046, Oct. 15, 2010, 124 Stat. 3031.)

#### Editorial Notes

##### REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this subtitle”, meaning subtitle D (§§1041-1048) of title X of Pub. L. 111-281, Oct. 15, 2010, 124 Stat. 3029, which enacted this subchapter and repealed chapter 37 (§2401 et seq.) of this title. For complete classification of subtitle D to the Code, see Tables.

#### § 3857. Remedies not affected

##### (a) In general

Nothing in this chapter limits, denies, amends, modifies, or repeals any other remedy available to the United States.

##### (b) Relationship to State and local law

Nothing in this chapter limits, denies, amends, modifies, or repeals any rights under existing law, of any State, territory, or possession of the United States, or any political subdivision thereof, to regulate any antifouling system. Compliance with the requirements of a State, territory, or possession of the United States, or political subdivision thereof related to antifouling paint or any other antifouling system does not relieve any person of the obligation to comply with this chapter.

(Pub. L. 111-281, title X, §1047, Oct. 15, 2010, 124 Stat. 3031.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title X of Pub. L. 111-281, Oct. 15, 2010, 124 Stat. 3023, which enacted this chapter and repealed chapter 37 (§2401 et seq.) of this title. For complete classification of title X to the Code, see Tables.

### CHAPTER 52—WATER INFRASTRUCTURE FINANCE AND INNOVATION

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#### § 3901. Definitions

In this chapter:

##### (1) Administrator

The term “Administrator” means the Administrator of the Environmental Protection Agency.

##### (2) Community water system

The term “community water system” has the meaning given the term in section 300f of title 42.

#### (3) Federal credit instrument

The term “Federal credit instrument” means a secured loan or loan guarantee authorized to be made available under this chapter with respect to a project.

#### (4) Investment-grade rating

The term “investment-grade rating” means a rating of BBB minus, Baa3, bbb minus, BBB (low), or higher assigned by a rating agency to project obligations.

#### (5) Lender

##### (A) In general

The term “lender” means any non-Federal qualified institutional buyer (as defined in section 230.144A(a) of title 17, Code of Federal Regulations (or a successor regulation), known as Rule 144A(a) of the Securities and Exchange Commission and issued under the Securities Act of 1933 (15 U.S.C. 77a et seq.)).

##### (B) Inclusions

The term “lender” includes—

- (i) a qualified retirement plan (as defined in section 4974(c) of title 26) that is a qualified institutional buyer; and
- (ii) a governmental plan (as defined in section 414(d) of title 26) that is a qualified institutional buyer.

#### (6) Loan guarantee

The term “loan guarantee” means any guarantee or other pledge by the Secretary or the Administrator to pay all or part of the principal of, and interest on, a loan or other debt obligation issued by an obligor and funded by a lender.

#### (7) Obligor

The term “obligor” means an eligible entity that is primarily liable for payment of the principal of, or interest on, a Federal credit instrument.

#### (8) Project obligation

##### (A) In general

The term “project obligation” means any note, bond, debenture, or other debt obligation issued by an obligor in connection with the financing of a project.

##### (B) Exclusion

The term “project obligation” does not include a Federal credit instrument.

#### (9) Rating agency

The term “rating agency” means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 78c(a) of title 15).

#### (10) Secured loan

The term “secured loan” means a direct loan or other debt obligation issued by an obligor and funded by the Secretary or Administrator, as applicable, in connection with the financing of a project under section 3908 of this title.

#### (11) State

The term “State” means—