

- (A) a State;
- (B) the District of Columbia;
- (C) the Commonwealth of Puerto Rico; and
- (D) any other territory or possession of the United States.

**(12) State infrastructure financing authority**

The term “State infrastructure financing authority” means the State entity established or designated by the Governor of a State to receive a capitalization grant provided by, or otherwise carry out the requirements of, title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) or section 300j-12 of title 42.

**(13) Subsidy amount**

The term “subsidy amount” means the amount of budget authority sufficient to cover the estimated long-term cost to the Federal Government of a Federal credit instrument, as calculated on a net present value basis, excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

**(14) Substantial completion**

The term “substantial completion”, with respect to a project, means the earliest date on which a project is considered to perform the functions for which the project is designed.

**(15) Treatment works**

The term “treatment works” has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

(Pub. L. 113-121, title V, § 5022, June 10, 2014, 128 Stat. 1332.)

**Editorial Notes**

REFERENCES IN TEXT

The Securities Act of 1933, referred to in par. (5)(A), is title I of act May 27, 1933, ch. 38, 48 Stat. 74, which is classified generally to subchapter I (§77a et seq.) of chapter 2A of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see section 77a of Title 15 and Tables.

The Federal Water Pollution Control Act, referred to in par. (12), is act June 30, 1948, ch. 758, as amended generally by Pub. L. 92-500, § 2, Oct. 18, 1972, 86 Stat. 816, which is classified generally to chapter 26 (§1251 et seq.) of this title. Title VI of the Act is classified generally to subchapter VI (§1381 et seq.) of chapter 26 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1251 of this title and Tables.

The Federal Credit Reform Act of 1990, referred to in par. (13), is title V of Pub. L. 93-344, as added by Pub. L. 101-508, title XIII, §13201(a), Nov. 5, 1990, 104 Stat. 1388-609, which is classified generally to subchapter III (§661 et seq.) of chapter 17A of Title 2, The Congress. For complete classification of this Act to the Code, see Short Title note set out under section 621 of Title 2 and Tables.

**Statutory Notes and Related Subsidiaries**

SHORT TITLE

Pub. L. 113-121, title V, §5021, June 10, 2014, 128 Stat. 1332, provided that: “This subtitle [subtitle C

<sup>1</sup> So in original. The period probably should not appear.

(§§ 5021-5035) of title V of Pub. L. 113-121, enacting this chapter] may be cited as the ‘Water Infrastructure Finance and Innovation Act of 2014’.”

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 113-121, set out as a note under section 2201 of this title.

**§ 3902. Authority to provide assistance**

**(a) In general**

The Secretary and the Administrator may provide financial assistance under this chapter to carry out projects, which shall be selected to ensure a diversity of project types and geographical locations.

**(b) Responsibility**

**(1) Secretary**

The Secretary shall provide financial assistance to carry out all projects under this chapter that are eligible projects under section 3905(1) of this title.

**(2) Administrator**

The Administrator shall provide financial assistance to carry out all projects under this chapter that are eligible projects under paragraphs (2), (3), (4), (5), (6), (7), and (9) of section 3905 of this title.

**(3) Other projects**

The Secretary or the Administrator, as applicable, may carry out eligible projects under paragraph (8) or (10) of section 3905 of this title.

(Pub. L. 113-121, title V, § 5023, June 10, 2014, 128 Stat. 1333; Pub. L. 114-322, title IV, § 5008(a), (b)(2)(A), Dec. 16, 2016, 130 Stat. 1896, 1897; Pub. L. 115-270, title IV, § 4201(a)(1), Oct. 23, 2018, 132 Stat. 3877.)

**Editorial Notes**

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-270, § 4201(a)(1)(A), struck out “pilot” before “projects”.

Subsec. (b)(1). Pub. L. 115-270, § 4201(a)(1), substituted “provide financial assistance to carry out all projects” for “carry out all pilot projects”.

Subsec. (b)(2). Pub. L. 115-270, § 4201(a)(1)(A), struck out “pilot” after “all”.

2016—Subsec. (b)(2). Pub. L. 114-322, § 5008(b)(2)(A)(i), substituted “(7), and (9)” for “and (8)”.

Pub. L. 114-322, § 5008(a), substituted “provide financial assistance to carry out” for “carry out”.

Subsec. (b)(3). Pub. L. 114-322, § 5008(b)(2)(A)(ii), substituted “paragraph (8) or (10)” for “paragraph (7) or (9)”.

**Statutory Notes and Related Subsidiaries**

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 113-121, set out as a note under section 2201 of this title.

**§ 3903. Applications**

**(a) In general**

To receive assistance under this chapter, an eligible entity shall submit to the Secretary or the Administrator, as applicable, an application