

involving open dumps on Indian land or Alaska Native land. It shall be the purpose of such projects to determine if there are unique cost factors involved in the cleanup and maintenance of open dumps on such land, and the extent to which advanced closure planning is necessary. Under the program, the Director is authorized to select no less than three Indian tribal governments or Alaska Native entities to participate in such demonstration projects.

(b) Criteria

Criteria established by the Director for the selection and participation of an Indian tribal government or Alaska Native entity in the demonstration project shall provide that in order to be eligible to participate, an Indian tribal government or Alaska Native entity must—

- (1) have one or more existing open dumps on Indian lands or Alaska Native lands which are under its authority;
- (2) have developed a comprehensive solid waste management plan for such lands; and
- (3) have developed a closure and postclosure maintenance plan for each dump located on such lands.

(c) Duration of funding for project

No demonstration project shall be funded for more than three fiscal years.

(Pub. L. 103-399, § 7, Oct. 22, 1994, 108 Stat. 4167.)

§ 3907. Authorization of appropriations

(a) General authorization

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

(b) Coordination

The activities required to be performed by the Director under this chapter shall be coordinated with activities related to solid waste and sanitation facilities funded pursuant to other authorizations.

(Pub. L. 103-399, § 8, Oct. 22, 1994, 108 Stat. 4168.)

§ 3908. Disclaimers

(a) Authority of Director

Nothing in this chapter shall be construed to alter, diminish, repeal, or supersede any authority conferred on the Director pursuant to section 1632 of this title, and section 2004a of title 42.

(b) Exempted lands and facilities

This chapter shall not apply to open dump sites on Indian lands or Alaska Native lands—

- (1) that comprise an area of one-half acre or less and that are used by individual families on lands to which they hold legal or beneficial title;
- (2) of any size that have been or are being operated for a profit; or
- (3) where solid waste from an industrial process is being or has been routinely disposed of at a privately owned facility in compliance with applicable Federal laws.

(c) Rules of construction

(1) Nothing in this chapter shall be construed to amend or modify the authority or responsi-

bility of the Administrator of the Environmental Protection Agency under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(2) Nothing in this chapter is intended to amend, repeal, or supersede any provision of the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.). (Pub. L. 103-399, § 9, Oct. 22, 1994, 108 Stat. 4168.)

Editorial Notes

REFERENCES IN TEXT

The Solid Waste Disposal Act, referred to in subsec. (c), is title II of Pub. L. 89-272, Oct. 20, 1965, 79 Stat. 997, as amended generally by Pub. L. 94-580, § 2, Oct. 21, 1976, 90 Stat. 2795, which is classified generally to chapter 82 (§ 6901 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 6901 of Title 42 and Tables.

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§ 4001. Definitions

For the purposes of this chapter:

(1) The term “Special Trustee” means the Special Trustee for American Indians appointed under section 4042 of this title.

(2) The term “Indian tribe” means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688) [43 U.S.C. 1601 et seq.], which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.