

Statutory Notes and Related Subsidiaries**WAGE RATE REQUIREMENTS**

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117–58, including authority of Secretary of Labor, see section 18851 of Title 42, The Public Health and Welfare.

§ 3204. Critical maintenance and repair**(a) Critical failure at a reserved or transferred work****(1) In general**

A reserved or transferred work shall only be eligible for funding under section 3201(2)(A) of this title if—

(A) construction of the reserved or transferred work began on or before January 1, 1915; and

(B) a unit of the reserved or transferred work suffered a critical failure in Bureau of Reclamation infrastructure during the 2-year period ending on November 15, 2021, that resulted in the failure to deliver water to project beneficiaries.

(2) Use of funds

Rehabilitation, repair, and replacement activities for a transferred or reserved work using amounts made available under section 3201(2)(A) of this title may be used for the entire transferred or reserved work, regardless of whether the critical failure was limited to a single project of the overall work.

(3) Nonreimbursable funds

Notwithstanding section 510b(b) of this title, amounts made available to a reserved or transferred work under section 3201(2)(A) of this title shall be nonreimbursable to the United States.

(b) Carey Act projects

The Secretary shall use amounts made available under section 3201(2)(B) of this title to fund the rehabilitation, reconstruction, or replacement of a dam—

(1) the construction of which began on or after January 1, 1905;

(2) that was developed pursuant to section 4 of the Act of August 18, 1894 (commonly known as the “Carey Act”) (43 U.S.C. 641; 28 Stat. 422, chapter 301);

(3) that the Governor of the State in which the dam is located has—

(A) determined the dam has reached its useful life;

(B) determined the dam poses significant health and safety concerns; and

(C) requested Federal support; and

(4) for which the estimated rehabilitation, reconstruction, or replacement, engineering, and permitting costs would exceed \$50,000,000.

(Pub. L. 117–58, div. D, title IX, § 40904, Nov. 15, 2021, 135 Stat. 1121.)

Editorial Notes**REFERENCES IN TEXT**

The Carey Act, referred to in subsec. (b)(2), is Aug. 18, 1894, ch. 301, § 4, 28 Stat. 422, which is classified to sec-

tion 641 of this title. For complete classification of this Act to the Code, see Tables.

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§ 3205. Competitive grant program for large-scale water recycling and reuse program**(a) Definitions**

In this section:

(1) Eligible entity

The term “eligible entity” means—

(A) a State, Indian Tribe, municipality, irrigation district, water district, wastewater district, or other organization with water or power delivery authority;

(B) a State, regional, or local authority, the members of which include 1 or more organizations with water or power delivery authority; or

(C) an agency established under State law for the joint exercise of powers or a combination of entities described in subparagraphs (A) and (B).

(2) Eligible project

The term “eligible project” means a project described in subsection (c).

(3) Program

The term “program” means the grant program established under subsection (b).

(4) Reclamation State

The term “Reclamation State” means a State or territory described in the first section of the Act of June 17, 1902 (43 U.S.C. 391; 32 Stat. 388, chapter 1093).

(b) Establishment

The Secretary shall establish a program to provide grants to eligible entities on a competitive basis for the planning, design, and construction of large-scale water recycling and reuse projects that provide substantial water supply and other benefits to the Reclamation States in accordance with this section.

(c) Eligible project

A project shall be eligible for a grant under this section if the project—

(1) reclaims and reuses—

(A) municipal, industrial, domestic, or agricultural wastewater; or

(B) impaired groundwater or surface water;

(2) has a total estimated cost of \$500,000,000 or more;

(3) is located in a Reclamation State;

(4) is constructed, operated, and maintained by an eligible entity; and

(5) provides a Federal benefit in accordance with the reclamation laws.

(d) Project evaluation

The Secretary may provide a grant to an eligible project under the program if—