

AMENDMENT TO RULES COMMITTEE PRINT 119-

22

OFFERED BY MR. NEGUSE OF COLORADO

At the end of subtitle D of title VI, add the following:

1 **SEC. ____ . TRIBAL ACCESS TO CLEAN WATER.**

2 (a) DEFINITIONS.—In this section:

3 (1) INDIAN TRIBE.—The term “Indian Tribe”
4 has the meaning given the term in section 4 of the
5 Indian Self-Determination and Education Assistance
6 Act (25 U.S.C. 5304).

7 (2) NATIVE HAWAIIAN COMMUNITY.—The term
8 “Native Hawaiian Community” has the meaning
9 given the term “Native Hawaiian community” in
10 section 50.4 of title 43, Code of Federal Regulations
11 (as in effect on the date of enactment of this Act).

12 (3) NATIVE HAWAIIAN ORGANIZATION.—

13 (A) IN GENERAL.—The term “Native Ha-
14 waiian organization” has the meaning given the
15 term in section 6207 of the Native Hawaiian
16 Education Act (20 U.S.C. 7517).

17 (B) INCLUSION.—The term “Native Ha-
18 waiian organization” includes the Department

1 of Hawaiian Home Lands (as defined in section
2 801 of the Native American Housing Assistance
3 and Self-Determination Act of 1996 (25 U.S.C.
4 4221)).

5 (4) TECHNICAL ASSISTANCE.—The term “tech-
6 nical assistance” means any expertise provided,
7 whether through direct service, grant, contract, or
8 cooperative agreement—

9 (A) to facilitate access by Indian Tribes
10 and Native Hawaiian organizations to repair
11 and construction funding for drinking water
12 and sanitation facilities made available
13 through—

14 (i) the Infrastructure Investment and
15 Jobs Act (Public Law 117–58; 135 Stat.
16 429);

17 (ii) the rural development mission
18 area of the Department of Agriculture; or

19 (iii) any other funding source, the
20 purpose of which is to provide funding to
21 repair and construct drinking water and
22 sanitation facilities; and

23 (B) to support Indian Tribes and Native
24 Hawaiian organizations in developing the mana-
25 gerial, financial, and regulatory capacity nec-

1 essary to build, operate, and maintain drinking
2 water and sanitation infrastructure on Tribal
3 land.

4 (5) TRIBAL LAND.—The term “Tribal land”
5 has the meaning given the term in section 905(a) of
6 division N of the Consolidated Appropriations Act,
7 2021 (47 U.S.C. 1705(a)).

8 (b) DEPARTMENT OF AGRICULTURE RURAL DEVELO-
9 OPMENT.—

10 (1) WATER AND WASTE FACILITY LOANS AND
11 GRANTS TO ALLEVIATE HEALTH RISKS.—Section
12 306C(a) of the Consolidated Farm and Rural Devel-
13 opment Act (7 U.S.C. 1926c(a)) is amended—

14 (A) in paragraph (1), in the first sentence
15 of the matter preceding subparagraph (A), by
16 inserting “Native Hawaiian organizations (as
17 defined in section 6207 of the Native Hawaiian
18 Education Act (20 U.S.C. 7517)), including the
19 Department of Hawaiian Home Lands (as de-
20 fined in section 801 of the Native American
21 Housing Assistance and Self-Determination Act
22 of 1996 (25 U.S.C. 4221)),” after “other feder-
23 ally recognized Indian tribes,”; and

24 (B) in paragraph (2), by adding at the end
25 the following:

1 “(C) TRIBAL RESIDENTS.—Notwith-
2 standing subparagraph (A), loans and grants
3 under paragraph (1) may also be made if the
4 loan or grant funds will be used primarily to
5 provide water or waste services, or both, to resi-
6 dents on Tribal land (as defined in section
7 905(a) of division N of the Consolidated Appro-
8 priations Act, 2021 (47 U.S.C. 1705(a))).”.

9 (2) EXTENSION OF AUTHORITY FOR GRANTS
10 AND LOANS.—In addition to the purposes for which
11 grants and loans may be provided under sections
12 306C and 306D of the Consolidated Farm and
13 Rural Development Act (7 U.S.C. 1926c, 1926d),
14 the Secretary may make or insure loans to, make
15 grants to, or enter into cooperative agreements or
16 contracts with, eligible entities described in para-
17 graph (4) of this subsection for technical assistance.

18 (3) AUTHORIZATION OF APPROPRIATIONS.—In
19 addition to amounts otherwise available, there are
20 authorized to be appropriated to the Secretary for
21 each of fiscal years 2027 through 2031—

22 (A) \$100,000,000, to remain available
23 until expended, to make or insure loans and
24 make grants under sections 306C and 306D of
25 the Consolidated Farm and Rural Development

1 Act (7 U.S.C. 1926c, 1926d), and for the addi-
2 tional purposes described in paragraph (2) of
3 this subsection, to eligible entities described in
4 paragraph (4) of this subsection to provide for
5 the development, use, and control of water (in-
6 cluding the extension or improvement of exist-
7 ing water supply systems); and

8 (B) \$30,000,000, to remain available until
9 expended, for eligible entities described in para-
10 graph (4) of this subsection to obtain or con-
11 tract for technical assistance.

12 (4) ELIGIBLE ENTITIES.—An entity eligible to
13 receive a grant or an award of financial or technical
14 assistance using amounts appropriated pursuant to
15 subparagraphs (A) and (B) of paragraph (3) of this
16 subsection or amounts otherwise available under sec-
17 tions 306C and 306D of the Consolidated Farm and
18 Rural Development Act (7 U.S.C. 1926c, 1926d)—

19 (A) is an Indian Tribe or a Native Hawai-
20 ian organization; and

21 (B) in the case of a grant under section
22 306D of that Act (7 U.S.C. 1926d), includes a
23 consortium formed pursuant to section 325 of
24 Public Law 105–83 (111 Stat. 1597).

1 (5) NO MATCHING CONTRIBUTION.—The funds
2 made available under paragraph (3) shall not require
3 any matching contribution otherwise required by any
4 other provision of law (including regulations).

5 (6) EXCEPTIONS.—For purposes of any loan or
6 grant to, or cooperative agreement or contract with,
7 an eligible entity using amounts appropriated pursu-
8 ant to paragraph (3)—

9 (A) the requirements under section
10 306C(a)(2) of the Consolidated Farm and
11 Rural Development Act (7 U.S.C. 1926c(a)(2))
12 shall not apply; and

13 (B) an eligible entity or the members of an
14 eligible entity shall not be required to dem-
15 onstrate an inability to finance the proposed
16 project—

17 (i) from the resources of the eligible
18 entity or members; or

19 (ii) through commercial credit.

20 (7) INTERAGENCY COLLABORATION.—The Sec-
21 retary shall consult with the Director of the Indian
22 Health Service regarding agency collaboration,
23 project prioritization, and staffing needs to ensure
24 the amounts appropriated pursuant to paragraph (3)

- 1 are used in the most effective manner to promote ac-
- 2 cess to water and sanitation.

