§ 3316. Certain authority not affected

This chapter does not limit or repeal the authority conferred by law on the United States Postal Service.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1167, § 3315; renumbered § 3316, Pub. L. 110–140, title III, § 323(c)(1)(A), Dec. 19, 2007, 121 Stat. 1590.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3315	40:615.	Pub. L. 86–249, § 16, Sept. 9, 1959, 73 Stat. 483; Pub. L. 91–375, § 6(m)(3), Aug. 12, 1970, 84 Stat. 782.

The text of 40:615(1) is omitted as obsolete.

AMENDMENTS

2007—Pub. L. 110–140 renumbered section 3315 of this title as this section.

EFFECTIVE DATE OF 2007 AMENDMENT

Amendment by Pub. L. 110–140 effective on the date that is 1 day after Dec. 19, 2007, see section 1601 of Pub. L. 110–140, set out as an Effective Date note under section 1824 of Title 2, The Congress.

CHAPTER 35—NON-FEDERAL PUBLIC WORKS

Sec.
3501. Definitions.
3502. Planned public works.
3503. Revolving fund.
3504. Surveys of public works planning.
3505. Forgiveness of outstanding advances.

§ 3501. Definitions

In this chapter, the following definitions apply:

(1) PUBLIC AGENCY.—The term ''public agency'' means a State or a public agency or political subdivision of a State.

(2) PUBLIC WORKS.—The term ''public works'' includes any public works other than housing.

(3) STATE.—The term ''State'' means a State of the United States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, Palau, and any territory or possession of the United States.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1167.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3501	40:460.	Aug. 2, 1954, ch. 649, title VII, § 703, 68 Stat. 641; Pub. L. 90–19, § 10(d), May 25, 1967, 81 Stat. 22; Pub. L. 93–383, title IV, § 401(c), Aug. 22, 1974, 88 Stat. 691.

In this section, the text of 40:460(2) is omitted as unnecessary because the complete name of the Secretary of Housing and Urban Development is used the first time the term appears in a section.

In clause (1), the words ''or 'public agencies' '' are omitted as unnecessary because of 1:1.

In clause (3), the words ''Guam, the Virgin Islands'' are added to clarify that the provisions of the source law apply to those jurisdictions. The words ''the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, Palau'' are substituted for ''the Trust Territory of the Pacific Islands'' because of the termination of the Trust Territory of the Pacific Islands. See 48:1681 note prec.

§ 3502. Planned public works

(a) ADVANCES TO ENSURE PLANNING.—Notwithstanding section 3324(a) and (b) of title 31, the Secretary of Housing and Urban Development may make advances to public agencies and Indian tribes—

(1) to encourage public agencies and Indian tribes to maintain at all times a current and adequate reserve of planned public works the construction of which can rapidly be commenced, particularly when the national or local economic situation makes that action desirable; and

(2) to help attain maximum economy and efficiency in the planning and construction of public works.

(b) USES OF ADVANCES.—A public agency or Indian tribe shall use an advance under subsection (a) to aid in financing the cost of feasibility studies, engineering and architectural surveys, designs, plans, working drawings, specifications, or other action preliminary to and in preparation for the construction of public works, and for construction in connection with the development of a medical center, a general plan for the development of the center.

(c) NO FUTURE COMMITMENT.—An advance under subsection (a) does not commit the Congress to appropriate amounts to assist in financing the construction of any public works planned with the aid of that advance. Outstanding advances to public agencies and Indian tribes in a State shall not exceed 12.5 percent of the aggregate then authorized to be appropriated to the revolving fund established under section 3503 of this title.

(d) REQUIREMENTS FOR ADVANCES.—An advance shall not be made under subsection (a) for an individual project (including a regional, metropolitan, or other areawide project) unless—

(1) the project is planned to be constructed within or over a reasonable period of time considering the nature of the project;

(2) the project conforms to an overall state, local, or regional plan approved by a competent state, local, or regional authority; and

(3) the public agency or Indian tribe formally contracts with the Federal Government to complete the plan preparation promptly and to repay part or all of the advance when due.

(e) REGULATIONS.—The Secretary may prescribe regulations to carry out this chapter.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1167.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3502	40:462(a), (b), (d).	Aug. 2, 1954, ch. 649, title VII, § 702(a), (b), (d), 68 Stat. 641; Aug. 11, 1955, ch. 783, title I, § 112, 69 Stat. 641; Pub. L. 87–70, title V, § 502(1), (2), June 30, 1961, 75 Stat. 175; Pub. L. 88–560, title VI, § 602(a)–(c), (e), (f), Sept. 2, 1964, 78 Stat. 799; Pub. L. 90–19, § 10(a) (related to 40:462), May 25, 1967, 81 Stat. 22; Pub. L. 90–448, title VI, § 607, Aug. 1, 1968, 82 Stat. 534; Pub. L. 100–242, title V, § 524(1), Feb. 5, 1988, 101 Stat. 1939.

In subsection (a), the words ''section 3324(a) and (b) of title 31'' are substituted for ''section 3648 of the Revised Statutes, as amended'' in section 702(a) of the Housing Act of 1954 (ch. 649, 68 Stat. 641) because of section 4(b) of the Act of September 13, 1982 (Public Law 97–258, 96 Stat. 1067), the first section of which enacted Title 31, United States Code. The words ''municipalities and other'' are omitted as being included in ''public agencies''.

In subsection (c), the words ''in any way'' are omitted as unnecessary.

In subsection (e), the word ''rules'' is omitted as being included in ''regulations''.

§ 3503. Revolving fund

(a) ESTABLISHMENT.—There is a revolving fund established by the Secretary of Housing and Urban Development to provide amounts for advances under this chapter. The fund comprises amounts appropriated under this chapter and all repayments and other receipts received in connection with advances made under this chapter.

(b) AUTHORIZATIONS.—Not more than $70,000,000 may be appropriated to the revolving fund as necessary to carry out the purposes of this chapter.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1168.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3503	40:462(e).	Aug. 2, 1954, ch. 649, title VII, § 702(e), 68 Stat. 641; Aug. 11, 1955, ch. 783, title I, § 112, 69 Stat. 641; Pub. L. 87–70, title V, § 502(3), (4), June 30, 1961, 75 Stat. 175; Pub. L. 88–560, title VI, § 602(a), Sept. 2, 1964, 78 Stat. 799; Pub. L. 89–117, title XI, § 1104, Aug. 10, 1965, 79 Stat. 503; Pub. L. 90–19, § 10(a) (related to 40:462), May 25, 1967, 81 Stat. 22.

In subsection (a), the words ''heretofore or hereafter'' are omitted as unnecessary. The text of 40:462(e)(2) is omitted as obsolete. Title V of the War Mobilization and Reconversion Act of 1944 (50 App.:1671) terminated on June 30, 1947. The Act of October 13, 1949 (40:451 et seq.) authorized the Housing and Home Finance Administrator to make certain loans and advances for the 2-year period immediately following October 13, 1951.

In subsection (b), the words ''in addition to amounts authorized to be appropriated for the purposes of this section before September 2, 1964'' are omitted as executed.

§ 3504. Surveys of public works planning

The Secretary of Housing and Urban Development may use during a fiscal year not more than $100,000 of the amount in the revolving fund established under section 3503 of this title to conduct surveys of the status and current volume of state and local public works planning and surveys of estimated requirements for state and local public works. In conducting a survey, the Secretary, may use or act through any department or agency of the Federal Government, with the consent of the department or agency.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1168.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3504	40:462(f).	Aug. 2, 1954, ch. 649, title VII, § 702(f), as added Pub. L. 86–372, title VIII, § 801, Sept. 23, 1959, 73 Stat. 686; Pub. L. 88–560, title VI, § 602(d), Sept. 2, 1964, 78 Stat. 799; Pub. L. 90–19, § 10(a) (related to 40:462), May 25, 1967, 81 Stat. 22.

§ 3505. Forgiveness of outstanding advances

In accordance with accounting and other procedures the Secretary of Housing and Urban Development prescribes, each advance made by the Secretary under this chapter that had any principal amount outstanding on February 5, 1988, was forgiven. The terms and conditions of any contract, or any amendment to a contract, for that advance with respect to any promise to repay the advance were canceled.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1168.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3505	40:462(g).	Aug. 2, 1954, ch. 649, title VII, § 702(g), as added Pub. L. 87–658, § 6, Sept. 14, 1962, 76 Stat. 544; Pub. L. 100–242, title V, § 524(2), Feb. 5, 1988, 101 Stat. 1939.

CHAPTER 37—CONTRACT WORK HOURS AND SAFETY STANDARDS

Sec.
3701. Definition and application.
3702. Work hours.
3703. Report of violations and withholding of amounts for unpaid wages and liquidated damages.
3704. Health and safety standards in building trades and construction industry.
3705. Safety programs.
3706. Limitations, variations, tolerances, and exemptions.
3707. Contractor certification or contract clause in acquisition of commercial items not required.
3708. Criminal penalties.

§ 3701. Definition and application

(a) DEFINITION.—In this chapter, the term ''Federal Government'' has the same meaning that the term ''United States'' had in the Contract Work Hours and Safety Standards Act (Public Law 87–581, 76 Stat. 357).

(b) APPLICATION.—

(1) CONTRACTS.—This chapter applies to—

(A) any contract that may require or involve the employment of laborers or me-