AMENDMENTS

2000—Pub. L. 106–501 struck out ''or an entity described in section 3058aa(c) of this title'' after ''A State agency'' in introductory provisions.

§ 3058dd. Technical assistance

(a) Other agencies

In carrying out the provisions of this subchapter, the Assistant Secretary may request the technical assistance and cooperation of such Federal entities as may be appropriate.

(b) Assistant Secretary

The Assistant Secretary shall provide technical assistance and training (by contract, grant, or otherwise) to persons and entities that administer programs established under this subchapter.

(Pub. L. 89–73, title VII, § 763, as added Pub. L. 102–375, title VII, § 707, Sept. 30, 1992, 106 Stat. 1291; amended Pub. L. 103–171, § 3(a)(11), (13), Dec. 2, 1993, 107 Stat. 1990.)

AMENDMENTS

1993—Subsec. (a). Pub. L. 103–171, § 3(a)(13), substituted ''Assistant Secretary'' for ''Commissioner''.

Subsec. (b). Pub. L. 103–171, § 13(a)(11), (13), substituted ''Assistant Secretary'' for ''Commissioner'' in heading and text.

§ 3058ee. Audits

(a) Access

The Assistant Secretary, the Comptroller General of the United States, and any duly authorized representative of the Assistant Secretary or the Comptroller shall have access, for the purpose of conducting an audit or examination, to any books, documents, papers, and records that are pertinent to financial assistance received under this subchapter.

(b) Limitation

State agencies and area agencies on aging shall not request information or data from providers that is not pertinent to services furnished under this subchapter or to a payment made for the services.

(Pub. L. 89–73, title VII, § 764, as added Pub. L. 102–375, title VII, § 707, Sept. 30, 1992, 106 Stat. 1291; amended Pub. L. 103–171, § 3(a)(13), Dec. 2, 1993, 107 Stat. 1990; Pub. L. 106–501, title VIII, § 801(e)(6), Nov. 13, 2000, 114 Stat. 2293.)

AMENDMENTS

2000—Subsec. (b). Pub. L. 106–501 substituted ''and area agencies on aging'' for '', area agencies on aging, and entities described in section 3058aa(c) of this title''.

1993—Subsec. (a). Pub. L. 103–171 substituted ''Assistant Secretary'' for ''Commissioner'' in two places.

§ 3058ff. Rule of construction

Nothing in this subchapter shall be construed to interfere with or abridge the right of an older individual to practice the individual's religion through reliance on prayer alone for healing, in a case in which a decision to so practice the religion—

(1) is contemporaneously expressed by the older individual—

(A) either orally or in writing;

(B) with respect to a specific illness or injury that the older individual has at the time of the decision; and

(C) when the older individual is competent to make the decision;

(2) is set forth prior to the occurrence of the illness or injury in a living will, health care proxy, or other advance directive document that is validly executed and applied under State law; or

(3) may be unambiguously deduced from the older individual's life history.

(Pub. L. 89–73, title VII, § 765, as added Pub. L. 109–365, title VII, § 705, Oct. 17, 2006, 120 Stat. 2594.)

CHAPTER 35A—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

§§ 3061 to 3067. Repealed. Pub. L. 94–135, title I, § 113(b), Nov. 28, 1975, 89 Stat. 725

Section 3061, Pub. L. 93–29, title IX, § 902, May 3, 1973, 87 Stat. 60, related to establishment of Older American Community Service Employment Program authority of Secretary, execution of agreements with terms and conditions for furthering purposes and goals of program, and regulations for execution of chapter provisions and costs and non-Federal share.

Section 3062, Pub. L. 93–29, title IX, § 903, May 3, 1973, 87 Stat. 62, related to administration of community service projects: consideration of needs of localities, employment situation and skills of eligible participants, and potential projects and number and percentage of eligible individuals in local population; agency cooperation, community service projects as part of general manpower programs, expenditure of project appropriations for manpower programs prohibited; use of services, equipment, personnel, facilities of Federal and other agencies, and cooperation with other public and private agencies in such use; community service projects: criteria for equitable participation in administration of such projects; payments, advances, reimbursement, and installments; and prohibition of delegation of functions and duties.

Section 3063, Pub. L. 93–29, title IX, § 904, May 3, 1973, 87 Stat. 63, related to participants without status of Federal employees; contractual requirement of workmen's compensation coverage and severance benefits.

Section 3064, Pub. L. 93–29, title IX, § 905, May 3, 1973, 87 Stat. 63, related to interagency cooperation.

Section 3065, Pub. L. 93–29, title IX, § 906, May 3, 1973, 87 Stat. 63, related to allotment for projects: allotment formula, reallotments, and equitable distribution of assistance.

Section 3066, Pub. L. 93–29, title IX, § 907, May 3, 1973, 87 Stat. 64, related to definitions.

Section 3067, Pub. L. 93–29, title IX, § 908, May 8, 1973, 87 Stat. 64; Pub. L. 93–113, title VI, § 604(b), Oct. 1, 1973, 87 Stat. 417, related to authorization of appropriations.

Subject matter is covered by section 3056 et seq. of this title.

CHAPTER 36—COMPENSATION OF CONDEMNEES IN DEVELOPMENT PROGRAMS

§§ 3071 to 3074. Repealed. Pub. L. 91–646, title II, § 220(a)(8), title III, § 306, Jan. 2, 1971, 84 Stat. 1903, 1907

Section 3071, Pub. L. 89–117, title IV, § 401, Aug. 10, 1965, 79 Stat. 485; Pub. L. 90–19, § 22(f), May 25, 1967, 81 Stat. 27, related to definitions.

Section 3072, Pub. L. 89–117, title IV, § 402, Aug. 10, 1965, 79 Stat. 485; Pub. L. 90–19, § 22(a), May 25, 1967, 81 Stat. 26, related to acquisition of realty by eminent domain.

Section 3073, Pub. L. 89–117, title IV, § 403, Aug. 10, 1965, 79 Stat. 485, related to financing of payments in eminent domain where amount is in dispute.

Section 3074, Pub. L. 89–117, title IV, § 404(a), Aug. 10, 1965, 79 Stat. 485; Pub. L. 90–19, § 22(a), May 25, 1967, 81 Stat. 26, related to relocation payments under federally assisted development programs.

Subject matter is covered by section 4601 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Repeal not applicable to any State so long as sections 4630 and 4655 of this title are not applicable in such State; but such sections completely applicable to all States after July 1, 1972, but until such date applicable to a State to extent the State is able under its laws to comply with such sections, see section 221 of Pub. L. 91–646, set out as an Effective Date note under section 4601 of this title.

SAVINGS PROVISION

Any rights or liabilities existing under sections 3071 to 3074 as not affected by such repeal, see sections 220(b) and 306 of Pub. L. 91–646, set out as Savings Provision notes under sections 4621 and 4651 of this title.

CHAPTER 37—COMMUNITY FACILITIES AND ADVANCE LAND ACQUISITION

Sec.
3101. Congressional declaration of purpose.
3102, 3103. Omitted.
3104. Advance acquisition of land for public purposes.
3105. Powers and duties of Secretary.
3106. Definitions.
3107. Labor standards.
3108. Authorization of appropriations.

§ 3101. Congressional declaration of purpose

The purpose of this chapter is to assist and encourage the communities of the Nation fully to meet the needs of their citizens by making it possible, with Federal grant assistance, for their governmental bodies (1) to construct adequate basic water and sewer facilities needed to promote the efficient and orderly growth and development of our communities, (2) to construct neighborhood facilities needed to enable them to carry on programs of necessary social services, and (3) to acquire, in a planned and orderly fashion, land to be utilized in the future for public purposes.

(Pub. L. 89–117, title VII, § 701, Aug. 10, 1965, 79 Stat. 489; Pub. L. 90–448, title VI, § 603(a), Aug. 1, 1968, 82 Stat. 533.)

AMENDMENTS

1968—Pub. L. 90–448 substituted ''in the future for public purposes'' for ''in connection with the future construction of public works and facilities'' in cl. (3).

SHORT TITLE OF 1970 AMENDMENT

Pub. L. 91–431, § 1, Oct. 6, 1970, 84 Stat. 886, provided: ''That this Act [amending sections 3102 and 3108 of this title and enacting provisions set out as a note under section 3108 of this title] may be cited as the 'Emergency Community Facilities Act of 1970'.''

§§ 3102, 3103. Omitted

CODIFICATION

Section 3102, Pub. L. 89–117, title VII, § 702, Aug. 10, 1965, 79 Stat. 490; 1966 Reorg. Plan No. 2, eff. May 10, 1966, 31 F.R. 6857, 80 Stat. 1608; Pub. L. 90–19, § 22(b), (g), May 25, 1967, 81 Stat. 26, 27; Pub. L. 90–448, title VI, § 604, Aug. 1, 1968, 82 Stat. 534; Pub. L. 91–152, title III, § 305(a), Dec. 24, 1969, 83 Stat. 391; Pub. L. 91–431, § 3(c), Oct. 6, 1970, 84 Stat. 886; 1970 Reorg. Plan No. 3, § 2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087; Pub. L. 92–213, § 6, Dec. 22, 1971, 85 Stat. 776; Pub. L. 92–335, § 7, July 1, 1972, 86 Stat. 405; Pub. L. 93–117, § 9, Oct. 2, 1973, 87 Stat. 423, which authorized grants for basic water and sewer facilities, was omitted pursuant to section 5316 of this title which terminated the authority to make grants or loans under this section after Jan. 1, 1975.

Section 3103, Pub. L. 89–117, title VII, § 703, Aug. 10, 1965, 79 Stat. 491; Pub. L. 90–19, § 22(b), May 25, 1967, 81 Stat. 26; Pub. L. 98–181, title I, § 126(b)(2), Nov. 30, 1983, 97 Stat. 1175, which authorized grants for neighborhood facilities, was omitted pursuant to section 5316 of this title which terminated the authority to make grants or loans under this section after Jan. 1, 1975.

§ 3104. Advance acquisition of land for public purposes

(a) Authority to make grants

In order to encourage and assist the timely acquisition of land planned to be utilized in the future for public purposes, the Secretary is authorized to make grants to States and local public bodies and agencies to assist in financing the acquisition of a fee simple estate or other interest in such land.

(b) Maximum amount of grants

The amount of any grant made under this section shall not exceed the aggregate amount of reasonable interest charges on the loans or other financial obligations incurred to finance the acquisition of such land for a period not in excess of the lesser of (1) five years from the date of acquisition of such land or (2) the period of time between the date on which the land was acquired and the date its use began for the purpose for which it was acquired: *Provided*, That where all or any portion of the cost of such land is not financed through borrowings, the amount of the grant shall be computed on the basis of the aggregate amount of reasonable interest charges that the Secretary determines would have been required.

(c) Utilization of land for public purpose within reasonable period of time

No grant shall be made under this section unless the Secretary determines that the land will be utilized for a public purpose within a reasonable period of time and that such utilization will contribute to economy, efficiency, and the comprehensively planned development of the area. The Secretary shall in all cases require that land acquired with the assistance of a grant under this section be utilized for a public purpose within five years after the date on which a contract to make such grant is entered into, unless the Secretary determines that due to unusual circumstances a longer period of time is necessary and in the public interest.

(d) Diversion of land; repayment; interim use

No land acquired with assistance under this section shall, without approval of the Secretary, be diverted from the purpose originally approved. The Secretary shall approve no such diversion unless he finds that the diversion is in accord with the then applicable comprehensive plan for the area. In cases of a diversion of land to other than a public purpose, the Secretary