plicant the information described in paragraph (1) and the comments submitted to the applicant in accordance with paragraph (1), make a determination as to whether any of the properties affected by the project for which the application is made is eligible for inclusion on the National Register of Historic Places.

(c) Regulations by Advisory Council on Historic Preservation providing for expeditious action

The Advisory Council on Historic Preservation shall prescribe regulations providing for expeditious action by the Council in making its comments under section 106 of the Act [16 U.S.C. 470f] referred to in subsection (a)(1) in the case of properties which are included on, or eligible for inclusion on, the National Register of Historic Places and which are affected by a project for which an application is made under section 5318 of this title.

(Pub. L. 93–383, title I, § 121, as added Pub. L. 96–399, title I, § 110(c), Oct. 8, 1980, 94 Stat. 1620; amended Pub. L. 97–35, title III, § 308(b), Aug. 13, 1981, 95 Stat. 396.)

REFERENCES IN TEXT

''An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes'', approved October 14, 1966, as amended, referred to in subsec. (a)(1), probably means Pub. L. 89–665, Oct. 15, 1966, 80 Stat. 915, as amended, known as the National Historic Preservation Act, which is classified generally to subchapter II (§ 470 et seq.) of chapter 1A of Title 16, Conservation. For complete classification of this Act to the Code see section 470(a) of Title 16 and Tables.

''An Act to provide for the preservation of historical and archaeological data (including relics and specimens) which might otherwise be lost as a result of the construction of a dam'', approved June 27, 1960, as amended, referred to in subsec. (a)(2), is Pub. L. 86–523, June 27, 1960, 74 Stat. 220, as amended, which enacted sections 469 to 469c–1 of Title 16. For complete classification of this Act, see Tables.

AMENDMENTS

1981—Subsec. (b). Pub. L. 97–35 substituted ''subsection (c)(4)(B)'' for ''subsection (c)(7)(B)''.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–35 effective on effective date of regulations implementing such amendments, see section 308(c) of Pub. L. 97–35, set out as a note under section 5318 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5318 of this title.

§ 5321. Suspension of requirements for disaster areas

For funds designated under this chapter by a recipient to address the damage in an area for which the President has declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act [42 U.S.C. 5170 et seq.], the Secretary may suspend all requirements for purposes of assistance under section 5306 of this title for that area, except for those related to public notice of funding availability, nondiscrimination, fair housing, labor standards, environmental standards, and requirements that activities benefit persons of low- and moderate-income.

(Pub. L. 93–383, title I, § 122, as added Pub. L. 103–233, title II, § 234, Apr. 11, 1994, 108 Stat. 369.)

REFERENCES IN TEXT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in text, is Pub. L. 93–288, May 22, 1974, 88 Stat. 143, as amended. Title IV of the Act is classified generally to subchapter IV (§ 5170 et seq.) of chapter 68 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of this title and Tables.

EFFECTIVE DATE

Section applicable with respect to any amounts made available to carry out subchapter II (§ 12721 et seq.) of chapter 130 of this title after Apr. 11, 1994, and any amounts made available to carry out that subchapter before that date that remain uncommitted on that date, with Secretary to issue any regulations necessary to carry out this section not later than end of 45-day period beginning on that date, see section 209 of Pub. L. 103–233, set out as an Effective Date of 1994 Amendment note under section 5301 of this title.

CHAPTER 70—MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS

Sec.
5401. Congressional declaration of purposes.
5402. Definitions.
5403. Construction and safety standards.
(a) Establishment pursuant to orders of Secretary; consultation with Consumer Product Safety Commission; reasonableness; consideration of State and local laws.
(b) Notice and hearing.
(c) Effective date of orders establishing standards.
(d) Supremacy of Federal standards.
(e) Amendment or revocation by Secretary; effective date.
(f) Criteria.
(g) Time for issuance of order establishing initial standards.
(h) Coverage; exclusion.
(i) Manufactured housing construction and safety standards.
(j) New performance standards for hardboard siding.
5404. National Manufactured Home Advisory Council.
(a) Appointment; composition; appointments without regard to civil service laws; publication of names of members and designation of members representing general public.
(b) Consultation by Secretary with Council prior to establishment, etc., of standards.
(c) Compensation; per diem; travel expenses.
5405. Judicial review of orders establishing standards; petition; additional evidence before Secretary; certified copy of transcript.
5406. Submission of cost or other information by manufacturer.
(a) Purpose of submission; detail of information.
(b) Conditions upon availability to public of submitted information.
(c) Establishment, etc., of standards on basis of submitted information; publication of notice in Federal Register by Secretary to allow comment by interested parties.
(d) ''Cost information'' defined.
(e) Power of Secretary to obtain or require submission of information under other provisions unaffected.

Sec.
5407. Research, testing, development, and training by Secretary; scope; contracts and grants with States, interstate agencies, and independent institutions.
5408. Cooperation by Secretary with public and private agencies.
5409. Prohibited acts; exemptions.
5410. Civil and criminal penalties.
5411. Injunctive relief.
(a) Jurisdiction; petition of United States attorney or Attorney General; notice by Secretary to affected persons to present views.
(b) Criminal contempt proceedings; conduct of trial.
(c) Venue.
(d) Subpenas.
(e) Designation by manufacturer of agent for service of administrative and judicial processes, etc.; filing and amendment of designation; failure to make designation.
5412. Noncompliance with standards or defective nature of manufactured home; administrative or judicial determination; repurchase by manufacturer or repair by distributor or dealer; reimbursement of expenses, etc., by manufacturer; injunctive relief against manufacturer for failure to comply; jurisdiction and venue; damages; period of limitation.
5413. Inspections and investigations for promulgation or enforcement of standards or execution of other duties.
(a) Authority of Secretary; results furnished to Attorney General and Secretary of the Treasury for appropriate action.
(b) Designation by Secretary of persons to enter and inspect factories, etc.; presentation of credentials; reasonableness and scope of inspection.
(c) Powers of Secretary.
(d) Refusal to obey subpena or order of Secretary; order of compliance by district court; failure to obey order of compliance punishable as contempt.
(e) Submission by manufacturer of building plans for manufactured homes; certification by manufacturer of conformity of building plans to standards.
(f) Records, reports and information from manufacturers, distributors and dealers of manufactured homes; inspection and examination of relevant books, papers, records and documents by designated person.
(g) Performance and technical data from manufacturer; persons required to receive notification of data.
(h) Disclosure of confidential information and trade secrets.
5414. Notification and correction of defects by manufacturer.
(a) Notice to purchaser within reasonable time after discovery of defect.
(b) Notification by mail.
(c) Form and requisites of notification.
(d) Copy to Secretary of all notices, bulletins, and communications sent by manufacturer to dealers and purchasers concerning defects; disclosure to public by Secretary.
(e) Notice by Secretary to manufacturers of noncompliance with standards or defective nature of manufactured home; contents of notice; presentation by manufacturer of views; notice to purchasers of defects.
(f) Maintenance by manufacturers of record of names and addresses of first purchasers of manufactured homes; procedures for ascertaining names and addresses of subsequent purchasers; establishment and reasonableness of procedures for maintaining records.
(g) Correction of defects by manufacturer; conditions; procedures; contract or legal rights of purchasers or other persons unaffected.
(h) Submission to Secretary by manufacturer of plan for notifying owners of defects and repair of defects; approval of manufacturer's remedy plan; effectuation and implementation of remedy plan.
(i) Defective or inadequately repaired manufactured homes; replacement with new or equivalent home or refund of purchase price.
5415. Certification by manufacturer of conformity of manufactured home with standards; form and placement of certification.
5416. Consumer's manual; contents.
5417. Effect upon antitrust laws.
5418 Use of services, research and testing facilities of public agencies and independent laboratories.
5419. Inspection fees.
5420. Failure to report violations; penalties.
5421. Prohibition on waiver of rights.
5422. State enforcement.
(a) Jurisdiction of State agency or court under State law.
(b) Assumption of responsibility for enforcement of Federal standards; submission of enforcement plan to Secretary.
(c) Criteria for approval of State plan by Secretary.
(d) Notice and hearing prior to rejection by Secretary of State plan.
(e) Discretionary enforcement by Secretary of standards in State having approved plan.
(f) Annual evaluation by Secretary of execution of State plan; basis of evaluation; submission of evaluation and data to Congress; determination by Secretary of improper administration, etc., of State plan; procedure; effect of determination.
5423. Grants to States.
(a) Purposes.
(b) Designation by Governor of State agency for receipt of grant.
(c) Submission of application by State agency to Secretary; review by Secretary.
(d) Amount of Federal share; equality of distribution of funds.
5424. Rules and regulations.
5425. Reports to Congress.
(a) Contents of annual report.
(b) Recommendations of annual report.
(c) Study and report of State inspection requirements and procedures for used manufactured homes; time for submission; contents and recommendations of report.
5426. Authorization of appropriations.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 1472 of this title; title 12 section 1703.