

ance with sections 3141-3144, 3146, and 3147 of title 40. No such project shall be approved without first obtaining adequate assurance that these labor standards will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 3145 of title 40.

(Pub. L. 89-117, title VII, §707, Aug. 10, 1965, 79 Stat. 492.)

REFERENCES IN TEXT

Sections 3102 and 3103 of this title, referred to in text, were omitted from the Code pursuant to section 5316 of this title which terminated the authority to make grants or loans under those sections after Jan. 1, 1975.

Reorganization Plan Numbered 14 of 1950, referred to in text, is set out in the Appendix to Title 5, Government Organization and Employees.

CODIFICATION

In text, "sections 3141-3144, 3146, and 3147 of title 40" substituted for "the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5)" and "section 3145 of title 40" substituted "section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c)", on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

§ 3108. Authorization of appropriations

(a) There are authorized to be appropriated for each fiscal year commencing after June 30, 1965, and ending prior to July 1, 1969, not to exceed (1) \$200,000,000 (or \$350,000,000 in the case of the fiscal year commencing July 1, 1968) for grants under section 3102 of this title, (2) \$50,000,000 for grants under section 3103 of this title, and (3) \$25,000,000 for grants under section 3104 of this title. In addition, there is authorized to be appropriated for grants under section 3102 of this title not to exceed \$115,000,000 for the fiscal year commencing July 1, 1969, and not to exceed \$100,000,000 for the fiscal year commencing July 1, 1970. In addition, upon the enactment of the Emergency Community Facilities Act of 1970, there is authorized to be appropriated for grants under section 3102 of this title not to exceed \$1,000,000,000 for the fiscal year commencing July 1, 1970. In addition, there is authorized to be appropriated for the fiscal year commencing July 1, 1971, not to exceed \$50,000,000 for grants under section 3103 of this title. In addition, there are authorized to be appropriated for the fiscal year commencing July 1, 1973, not to exceed \$40,000,000 for grants under section 3103 of this title.

(b) Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1974.

(Pub. L. 89-117, title VII, §708, Aug. 10, 1965, 79 Stat. 493; Pub. L. 90-448, title VI, §605, Aug. 1, 1968, 82 Stat. 534; Pub. L. 91-152, title III, §305(b), (c), Dec. 24, 1969, 83 Stat. 391; Pub. L. 91-431, §3(a), (b), Oct. 6, 1970, 84 Stat. 886; Pub. L. 91-609, title III, §304, Dec. 31, 1970, 84 Stat. 1780; Pub. L.

92-335, §3, July 1, 1972, 86 Stat. 405; Pub. L. 93-117, §8, Oct. 2, 1973, 87 Stat. 422.)

REFERENCES IN TEXT

Sections 3102 and 3103 of this title, referred to in subsec. (a), were omitted from the Code pursuant to section 5316 of this title which terminated the authority to make grants or loans under those sections after Jan. 1, 1975.

The Emergency Community Facilities Act of 1970, referred to in subsec. (a), is Pub. L. 91-431, Oct. 6, 1970, 84 Stat. 886, which amended sections 3102 and 3108 of this title, and enacted a provision set out as a note under this section. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of this title and Tables.

AMENDMENTS

1973—Subsec. (a). Pub. L. 93-117, §8(a), provided for neighborhood facility grant authorization of \$40,000,000 for fiscal year commencing July 1, 1973.

Subsec. (b). Pub. L. 93-117, §8(b), substituted "July 1, 1974" for "September 30, 1972".

1972—Subsec. (b). Pub. L. 92-335 substituted "September 30, 1972" for "July 1, 1972".

1970—Subsec. (a). Pub. L. 91-609, §304(a), authorized appropriation of \$50,000,000 for fiscal year commencing July 1, 1971, for grants under section 3103 of this title.

Pub. L. 91-431, §3(a), authorized appropriations for grants under section 3102 of this title of not to exceed \$1,000,000,000 for fiscal year commencing July 1, 1970.

Subsec. (b). Pub. L. 91-609, §304(b), substituted "July 1, 1972" for "July 1, 1971".

Pub. L. 91-431, §3(b), substituted "July 1, 1972" for "July 1, 1971".

1969—Subsec. (a). Pub. L. 91-152, §305(c), authorized appropriations of not more than \$100,000,000 for fiscal year commencing July 1, 1970.

Subsec. (b). Pub. L. 91-152, §305(b), substituted "July 1, 1971" for "July 1, 1970".

1968—Subsec. (a). Pub. L. 90-448, §605(b), authorized appropriations of not more than \$350,000,000 for fiscal year commencing July 1, 1968, and not more than \$115,000,000 for fiscal year commencing July 1, 1969.

Subsec. (b). Pub. L. 90-448, §605(a), substituted "July 1, 1970" for "July 1, 1969".

CONGRESSIONAL STATEMENT OF FINDINGS

Section 2 of Pub. L. 91-431 provided that:

"(a) The Congress finds that a large number of municipalities and other entities of local government throughout the Nation are unable to finance construction of vital and urgently needed public facilities because of the shortage of funds for long-term borrowing.

"(b) The Congress further finds that there is an immediate need for such facilities in order to provide basic safeguards for the health and well-being of the people of the United States, to check widespread pollution of irreplaceable water sources, and to provide an effective and practical method of combating rising unemployment."

ADMINISTRATIVE PRIORITY FOR APPLICATIONS RELATING TO ACTIVITIES IN AREAS AFFECTED BY BASE CLOSINGS

State or unit of local government or agency thereof affected by reduction in level of expenditure or employment at Department of Defense installation located in or near such State or unit of local government, priority in processing applications for assistance under this section, see section 1453a of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1453a of this title.

CHAPTER 38—PUBLIC WORKS AND ECONOMIC DEVELOPMENT

Sec.

3121. Findings and declarations.

<p>Sec.</p> <p>(a) Findings. (b) Declarations.</p> <p>3122. Definitions.</p> <p>3123. Discrimination on basis of sex prohibited in federally assisted programs.</p> <p>SUBCHAPTER I—ECONOMIC DEVELOPMENT PARTNERSHIPS COOPERATION AND COORDINATION</p> <p>3131. Establishment of economic development partnerships. (a) In general. (b) Technical assistance. (c) Intergovernmental review. (d) Cooperation agreements.</p> <p>3132. Cooperation of Federal agencies.</p> <p>3133. Coordination.</p> <p>SUBCHAPTER II—GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT</p> <p>3141. Grants for public works and economic development. (a) In general. (b) Criteria for grant. (c) Maximum assistance for each State.</p> <p>3142. Base closings and realignments.</p> <p>3143. Grants for planning and grants for administrative expenses. (a) In general. (b) Planning process. (c) Use of planning assistance. (d) State plans.</p> <p>3144. Cost sharing. (a) Federal share. (b) Non-Federal share.</p> <p>3145. Supplementary grants. (a) Definition of designated Federal grant program. (b) Supplementary grants. (c) Requirements applicable to supplementary grants.</p> <p>3146. Regulations on relative needs and allocations.</p> <p>3147. Grants for training, research, and technical assistance. (a) In general. (b) Methods of provision of assistance.</p> <p>3148. Prevention of unfair competition.</p> <p>3149. Grants for economic adjustment. (a) In general. (b) Criteria for assistance. (c) Particular community assistance. (d) Direct expenditure or redistribution by recipient.</p> <p>3150. Changed project circumstances.</p> <p>3151. Use of funds in projects constructed under projected cost.</p> <p>3152. Reports by recipients. (a) In general. (b) Contents.</p> <p>3153. Prohibition on use of funds for attorney's and consultant's fees.</p> <p>SUBCHAPTER III—ELIGIBILITY; COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGIES</p> <p>3161. Eligibility of areas. (a) In general. (b) Political boundaries of areas. (c) Documentation. (d) Prior designations.</p> <p>3162. Comprehensive economic development strategies. (a) In general. (b) Approval of comprehensive economic development strategy. (c) Approval of other plan.</p> <p>SUBCHAPTER IV—ECONOMIC DEVELOPMENT DISTRICTS</p> <p>3171. Designation of economic development districts.</p>	<p>Sec.</p> <p>(a) In general. (b) Authorities.</p> <p>3172. Termination or modification of economic development districts.</p> <p>3173. Incentives. (a) In general. (b) Review of incentive system.</p> <p>3174. Provision of comprehensive economic development strategies to Appalachian Regional Commission.</p> <p>3175. Assistance to parts of economic development districts not in eligible areas.</p> <p>SUBCHAPTER V—ADMINISTRATION</p> <p>3191. Assistant Secretary for Economic Development. (a) In general. (b) Compensation. (c) Duties.</p> <p>3192. Economic development information clearinghouse.</p> <p>3193. Consultation with other persons and agencies. (a) Consultation on problems relating to employment. (b) Consultation on administration of chapter.</p> <p>3194. Administration, operation, and maintenance.</p> <p>3195. Businesses desiring Federal contracts.</p> <p>3196. Performance evaluations of grant recipients. (a) In general. (b) Purpose of evaluations of university centers. (c) Timing of evaluations. (d) Evaluation criteria. (e) Peer review.</p> <p>3197. Notification of reorganization.</p> <p>SUBCHAPTER VI—MISCELLANEOUS</p> <p>3211. Powers of Secretary. (a) In general. (b) Deficiency judgments. (c) Inapplicability of certain other requirements. (d) Property interests. (e) Powers of conveyance and execution.</p> <p>3212. Maintenance of standards.</p> <p>3213. Annual report to Congress.</p> <p>3214. Delegation of functions and transfer of funds among Federal agencies. (a) Delegation of functions to other Federal agencies. (b) Transfer of funds to other Federal agencies. (c) Transfer of funds from other Federal agencies.</p> <p>3215. Penalties. (a) False statements; security overvaluation. (b) Embezzlement and fraud-related crimes.</p> <p>3216. Employment of expeditors and administrative employees.</p> <p>3217. Maintenance and public inspection of list of approved applications for financial assistance. (a) In general. (b) Additions to list.</p> <p>3218. Records and audits. (a) Recordkeeping and disclosure requirements. (b) Access to books for examination and audit.</p> <p>3219. Relationship to assistance under other law. (a) Previously authorized assistance. (b) Assistance under other laws.</p> <p>3220. Acceptance of certifications by applicants.</p> <p>SUBCHAPTER VII—FUNDING</p> <p>3231. General authorization of appropriations.</p>
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Sec.	
3232.	Authorization of appropriations for defense conversion activities. (a) In general. (b) Pilot projects.
3233.	Authorization of appropriations for disaster economic recovery activities. (a) In general. (b) Federal share.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 3123, 5153 of this title; title 15 section 636; title 16 section 3345; title 33 section 2220; title 40 sections 14321, 14525; title 43 section 1601.

§ 3121. Findings and declarations**(a) Findings**

Congress finds that—

(1) while the economy of the United States is undergoing a sustained period of economic growth resulting in low unemployment and increasing incomes, there continue to be areas suffering economic distress in the form of high unemployment, low incomes, underemployment, and outmigration as well as areas facing sudden economic dislocations due to industrial restructuring and relocation, defense base closures and procurement cutbacks, certain Federal actions (including environmental requirements that result in the removal of economic activities from a locality), and natural disasters;

(2) as the economy of the United States continues to grow, those distressed areas contain significant human and infrastructure resources that are underused;

(3) expanding international trade and the increasing pace of technological innovation offer both a challenge and an opportunity to the distressed communities of the United States;

(4) while economic development is an inherently local process, the Federal Government should work in partnership with public and private local, regional, and State organizations to ensure that existing resources are not wasted and all Americans have an opportunity to participate in the economic growth of the United States;

(5) in order to avoid wasteful duplication of effort and to limit the burden on distressed communities, Federal, State, and local economic development activities should be better planned and coordinated and Federal program requirements should be simplified and made more consistent;

(6) the goal of Federal economic development activities should be to work in partnership with local, regional, and State public and private organizations to support the development of private sector businesses and jobs in distressed communities;

(7) Federal economic development efforts will be more effective if they are coordinated with, and build upon, the trade and technology programs of the United States; and

(8) under this chapter, new employment opportunities should be created by developing and expanding new and existing public works and other facilities and resources rather than by merely transferring jobs from one area of the United States to another.

(b) Declarations

Congress declares that, in order to promote a strong and growing economy throughout the United States—

(1) assistance under this chapter should be made available to both rural and urban distressed communities;

(2) local communities should work in partnership with neighboring communities, the States, and the Federal Government to increase their capacity to develop and implement comprehensive economic development strategies to address existing, or deter impending, economic distress; and

(3) whether suffering from long-term distress or a sudden dislocation, distressed communities should be encouraged to take advantage of the development opportunities afforded by technological innovation and expanding and newly opened global markets.

(Pub. L. 89-136, §2, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3598.)

PRIOR PROVISIONS

A prior section 3121, Pub. L. 89-136, §2, Aug. 26, 1965, 79 Stat. 552; Pub. L. 94-487, title I, §102, Oct. 12, 1976, 90 Stat. 2331, set forth congressional findings and statement of purpose of chapter, prior to repeal by Pub. L. 105-393, §102(a).

EFFECTIVE DATE

Pub. L. 105-393, title I, §105, Nov. 13, 1998, 112 Stat. 3618, provided that: "This title [see Short Title of 1998 Amendment note set out below] and the amendments made by this title shall take effect on a date determined by the Secretary of Commerce, but not later than 90 days after the date of enactment of this Act [Nov. 13, 1998]." [Effective Feb. 11, 1999, see 64 F.R. 9222.]

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-393, §1(a), Nov. 13, 1998, 112 Stat. 3596, provided that: "This Act [see Tables for classification] may be cited as the 'Economic Development Administration and Appalachian Regional Development Reform Act of 1998'."

Pub. L. 105-393, title I, §101, Nov. 13, 1998, 112 Stat. 3597, provided that: "This title [enacting subchapters I to VII of this chapter, transferring section 3222 of this title to section 3212 of this title, amending section 5316 of Title 5, Government Organization and Employees, repealing former subchapters I to X of this chapter, enacting provisions set out as notes under this section, and repealing provisions set out as a note under this section] may be cited as the 'Economic Development Administration Reform Act of 1998'."

SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-487, §101, Oct. 12, 1976, 90 Stat. 2331, provided that: "This Act [enacting sections 3137, 3144, 3173, and 3246h of this title, amending this section and sections 3131, 3132, 3135, 3141, 3142, 3151a, 3152, 3153, 3161, 3171, 3172, 3188a, 3214, 3241, 3243, 3245, 3246a to 3246c, and 3246e to 3246g of this title, repealing section 3246d of this title, enacting provisions set out as notes under this section, and amending provisions set out as a note under section 3162 of this title] may be cited as the 'Public Works and Economic Development Act Amendments of 1976'."

SHORT TITLE OF 1975 AMENDMENTS

Pub. L. 94-188, §1, Dec. 31, 1975, 89 Stat. 1079, provided: "That this Act [enacting sections 3194 to 3196 of this title and sections 225 and 303 of the Appendix to former Title 40, Public Buildings, Property, and Works, amending sections 3181, 3182, 3188a and 3192 of this title, and