

## 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

Pub. L. 91-431, § 2, Oct. 6, 1970, 84 Stat. 886, 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.

**CHAPTER 38—PUBLIC WORKS AND ECONOMIC DEVELOPMENT**

Sec.	
3121.	Findings and declarations.
3122.	Definitions.
3123.	Discrimination on basis of sex prohibited in federally assisted programs.

## SUBCHAPTER I—ECONOMIC DEVELOPMENT PARTNERSHIPS COOPERATION AND COORDINATION

3131.	Establishment of economic development partnerships.
3132.	Cooperation of Federal agencies.
3133.	Coordination.

## SUBCHAPTER II—GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT

3141.	Grants for public works and economic development.
3142.	Base closings and realignments.
3143.	Grants for planning and grants for administrative expenses.
3144.	Cost sharing.

- Sec.
- 3145. Supplementary grants.
- 3146. Regulations on relative needs and allocations.
- 3147. Grants for training, research, and technical assistance.
- 3148. Repealed.
- 3149. Grants for economic adjustment.
- 3150. Changed project circumstances.
- 3151. Use of funds in projects constructed under projected cost.
- 3152. Reports by recipients.
- 3153. Prohibition on use of funds for attorney's and consultant's fees.
- 3154. Special impact areas.
- 3154a. Performance awards.
- 3154b. Planning performance awards.
- 3154c. Direct expenditure or redistribution by recipient.
- 3154d. Brightfields demonstration program.
- SUBCHAPTER III—ELIGIBILITY; COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGIES
- 3161. Eligibility of areas.
- 3162. Comprehensive economic development strategies.
- SUBCHAPTER IV—ECONOMIC DEVELOPMENT DISTRICTS
- 3171. Designation of economic development districts.
- 3172. Termination or modification of economic development districts.
- 3173. Repealed.
- 3174. Provision of comprehensive economic development strategies to Regional Commissions.
- 3175. Assistance to parts of economic development districts not in eligible areas.
- SUBCHAPTER V—ADMINISTRATION
- 3191. Assistant Secretary for Economic Development.
- 3192. Economic development information clearinghouse.
- 3193. Consultation with other persons and agencies.
- 3194. Administration, operation, and maintenance.
- 3195. Repealed.
- 3196. Performance evaluations of grant recipients.
- 3197. Notification of reorganization.
- SUBCHAPTER VI—MISCELLANEOUS
- 3211. Powers of Secretary.
- 3212. Maintenance of standards.
- 3213. Annual report to Congress.
- 3214. Delegation of functions and transfer of funds among Federal agencies.
- 3215. Penalties.
- 3216. Employment of expeditors and administrative employees.
- 3217. Maintenance and public inspection of list of approved applications for financial assistance.
- 3218. Records and audits.
- 3219. Relationship to assistance under other law.
- 3220. Acceptance of certifications by applicants.
- 3221. Brownfields redevelopment report.
- 3222. Savings clause.
- SUBCHAPTER VII—FUNDING
- 3231. General authorization of appropriations.
- 3232. Authorization of appropriations for defense conversion activities.
- 3233. Authorization of appropriations for disaster economic recovery activities.
- 3234. Funding for grants for planning and grants for administrative expenses.

**§ 3121. Findings and declarations**

**(a) Findings**

Congress finds that—

(1) there continue to be areas of the United States experiencing chronic high unemployment, underemployment, outmigration, and low per capita incomes, as well as areas facing sudden and severe economic dislocations because of structural economic changes, changing trade patterns, certain Federal actions (including environmental requirements that result in the removal of economic activities from a locality), and natural disasters;

(2) economic growth in the States, cities, and rural areas of the United States is produced by expanding economic opportunities, expanding free enterprise through trade, developing and strengthening public infrastructure, and creating a climate for job creation and business development;

(3) the goal of Federal economic development programs is to raise the standard of living for all citizens and increase the wealth and overall rate of growth of the economy by encouraging communities to develop a more competitive and diversified economic base by—

(A) creating an environment that promotes economic activity by improving and expanding public infrastructure;

(B) promoting job creation through increased innovation, productivity, and entrepreneurship; and

(C) empowering local and regional communities experiencing chronic high unemployment and low per capita income to develop private sector business and attract increased private sector capital investment;

(4) while economic development is an inherently local process, the Federal Government should work in partnership with public and private State, regional, tribal, and local organizations to maximize the impact of existing resources and enable regions, communities, and citizens to participate more fully in the American dream and national prosperity;

(5) in order to avoid duplication of effort and achieve meaningful, long-lasting results, Federal, State, tribal, and local economic development activities should have a clear focus, improved coordination, a comprehensive approach, and simplified and consistent requirements; and

(6) Federal economic development efforts will be more effective if the efforts are coordinated with, and build upon, the trade, workforce investment, transportation, and technology programs of the United States.

**(b) Declarations**

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

(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, Indian tribes, and the Federal Government to increase the capacity of the local communities to develop and implement comprehensive economic development strategies to alleviate economic distress and enhance competitiveness in the global economy;