

**(f) Treatment in meeting non-Federal share requirements**

For the purposes of meeting the non-Federal share requirements under this, or any other, Act the funds of a performance award shall be treated as funds from a non-Federal source.

**(g) Terms and conditions**

In making performance awards under subsection (a) of this section, the Secretary shall establish such terms and conditions as the Secretary considers to be appropriate.

**(h) Funding**

The Secretary shall use any amounts made available for economic development assistance programs to carry out this section.

**(i) Reporting requirement**

The Secretary shall include information regarding performance awards made under this section in the annual report required under section 3213 of this title.

**(j) Review by Comptroller General****(1) Review**

The Comptroller General shall regularly review the implementation of this section.

**(2) Report**

Not later than 1 year after October 27, 2004, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the Comptroller on implementation of this subsection.

(Pub. L. 89-136, title II, §215, as added Pub. L. 108-373, title II, §210(a), Oct. 27, 2004, 118 Stat. 1764.)

**§ 3154b. Planning performance awards****(a) In general**

The Secretary may make a planning performance award in connection with a grant made, on or after October 27, 2004, to an eligible recipient for a project under this subchapter located in an economic development district.

**(b) Eligibility**

The Secretary may make a planning performance award to an eligible recipient under subsection (a) of this section in connection with a grant for a project if the Secretary determines before closeout of the project that—

- (1) the recipient actively participated in the economic development activities of the economic development district in which the project is located;
- (2) the project is consistent with the comprehensive economic development strategy of the district;
- (3) the recipient worked with Federal, State, and local economic development entities throughout the development of the project; and
- (4) the project was completed in accordance with the comprehensive economic development strategy of the district.

**(c) Maximum amount**

The amount of a planning performance award made under subsection (a) of this section in con-

nection with a grant may not exceed 5 percent of the amount of the grant.

**(d) Use of awards**

A recipient of a planning performance award under subsection (a) of this section shall use the award to increase the Federal share of the cost of a project under this subchapter.

**(e) Federal share**

Notwithstanding section 3144 of this title, the funds of a planning performance award may be used to pay up to 100 percent of the cost of a project under this subchapter.

**(f) Funding**

The Secretary shall use any amounts made available for economic development assistance programs to carry out this section.

(Pub. L. 89-136, title II, §216, as added Pub. L. 108-373, title II, §211(a), Oct. 27, 2004, 118 Stat. 1765.)

**§ 3154c. Direct expenditure or redistribution by recipient****(a) In general**

Subject to subsection (b) of this section, a recipient of a grant under section 3141, 3143, or 3147 of this title may directly expend the grant funds or may redistribute the funds in the form of a subgrant to other eligible recipients to fund required components of the scope of work approved for the project.

**(b) Limitation**

A recipient may not redistribute grant funds received under section 3141 or 3143 of this title to a for-profit entity.

**(c) Economic adjustment**

Subject to subsection (d) of this section, a recipient of a grant under section 3149 of this title may directly expend the grant funds or may redistribute the funds to public and private entities in the form of a grant, loan, loan guarantee, payment to reduce interest on a loan guarantee, or other appropriate assistance.

**(d) Limitation**

Under subsection (c) of this section, a recipient may not provide any grant to a private for-profit entity.

(Pub. L. 89-136, title II, §217, as added Pub. L. 108-373, title II, §212(a), Oct. 27, 2004, 118 Stat. 1766.)

**§ 3154d. Brightfields demonstration program****(a) Definition of brightfield site**

In this section, the term “brightfield site” means a brownfield site that is redeveloped through the incorporation of 1 or more solar energy technologies.

**(b) Demonstration program**

On the application of an eligible recipient, the Secretary may make a grant for a project for the development of a brightfield site if the Secretary determines that the project will—

- (1) use 1 or more solar energy technologies to develop abandoned or contaminated sites for commercial use; and