

**§ 3338. Definitions**

As used in this subchapter—

(1) “Areawide development” means all projects or programs for the acquisition, use, and development of open-space land; and the planning and construction of hospitals, libraries, airports, water supply and distribution facilities, sewerage facilities and waste treatment works, transportation facilities, highways, water development and land conservation, and other public works facilities.

(2) “Areawide development project” means a project assisted or to be assisted under section 702 of the Housing and Urban Development Act of 1965 [42 U.S.C. 3102]; section 606 of the Public Health Service Act [42 U.S.C. 291f]; section 8<sup>1</sup> of the Federal Water Pollution Control Act [33 U.S.C. 1158]; section 120(a) of title 23; section 12<sup>1</sup> of the Federal Airport Act; section 19<sup>1</sup> of the Airport and Airway Development Act of 1970; section 5309 of title 49; title VII of the Housing Act of 1961 [42 U.S.C. 1500 et seq.]; or section 5(e) of the Land and Water Conservation Fund Act of 1965 [16 U.S.C. 4601–8(e)]; or under section 101(a)(1)<sup>1</sup> of the Public Works and Economic Development Act of 1965 (for a project of a type which the Secretary determines to be eligible for assistance under any of the other provisions listed above).

(3) “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or an agency or instrumentality of any of the foregoing.

(4) “Metropolitan area” means a standard metropolitan statistical area as established by the Office of Management and Budget, subject however to such modifications and extensions as the Secretary may determine to be appropriate for the purposes of this subchapter.

(5) “Comprehensive planning” includes the following, to the extent directly related to area needs or needs of a unit of general local government: (A) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, including transportation facilities; (B) programing of capital improvements based on a determination of relative urgency; (C) long-range fiscal plans for implementing such plans and programs; and (D) proposed regulatory and administrative measures which aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned and intergovernmental coordination of related planned activities among the State and local governmental agencies concerned.

(6) “Hospital” means any public health center or general, tuberculosis, mental, chronic disease, or other type of hospital and related facilities, such as laboratories, outpatient departments, nurses’ home and training facilities, and central service facilities normally operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

(7) “Areawide agency” means an official State, metropolitan, regional, or district agency em-

powered under State or local laws or under an interstate compact or agreement to perform comprehensive planning in an area, an organization of the type referred to in section 701(g)<sup>1</sup> of the Housing Act of 1954; or such other agency or instrumentality as may be designated by the Governor (or, in the case of areas crossing State lines, any one or more of such agencies or instrumentalities as may be designated by the Governors of the States involved) to perform such planning.

(8) “Special purpose unit of local government” means any special district, public-purpose corporation, or other limited-purpose political subdivision of a State, but shall not include a school district.

(9) “Unit of general local government” means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

(10) “Secretary” means the Secretary of Housing and Urban Development.

(Pub. L. 89-754, title II, § 208, Nov. 3, 1966, 80 Stat. 1265; Pub. L. 90-448, title VI, § 602(e), Aug. 1, 1968, 82 Stat. 532; Pub. L. 91-258, title I, § 52(b)(3), May 21, 1970, 84 Stat. 235; 1970 Reorg. Plan No. 2, § 102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085; Pub. L. 102-240, title III, § 3003(b), Dec. 18, 1991, 105 Stat. 2088; Pub. L. 104-208, div. A, title I, § 101(e) [title VII, § 709(a)(6)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.)

## REFERENCES IN TEXT

Section 702 of the Housing and Urban Development Act of 1965 [42 U.S.C. 3102], referred to in par. (2), was omitted from the Code pursuant to section 5316 of this title which terminated the authority to make grants or loans under that section after Jan. 1, 1975.

Section 8 of the Federal Water Pollution Control Act, referred to in par. (2), which related to grants for construction of sewerage treatment works, was formerly classified to section 1158 of Title 33, Navigation and Navigable Waters, prior to the reorganization of that Act by Pub. L. 92-500, Oct. 18, 1972, 86 Stat. 816. See Codification note set out under section 1251 of Title 33. Provisions of the Act relating to grants for construction of treatment works appear in section 1281 et seq. of Title 33.

Section 12 of the Federal Airport Act, referred to in par. (2), is section 12 of act May 13, 1946, ch. 251, 60 Stat. 177, as amended, which was classified to section 1111 of former Title 49, Transportation, prior to repeal by Pub. L. 91-258, title I, § 52(a), May 21, 1970, 84 Stat. 235.

Section 19 of the Airport and Airway Development Act of 1970, referred to in par. (2), is section 19 of Pub. L. 91-258, title I, May 21, 1970, 84 Stat. 230, as amended, which was classified to section 1719 of former Title 49, prior to repeal by Pub. L. 97-248, title V, § 523(a), Sept. 3, 1982, 96 Stat. 695.

The Housing Act of 1961, referred to in par. (2), is Pub. L. 87-70, June 30, 1961, 75 Stat. 149, as amended. Title VII of the Housing Act of 1961 which was classified generally to chapter 8C (§1500 et seq.) of this title, was omitted pursuant to section 5316 of this title which terminated the authority to make grants or loans under such title VII after Jan. 1, 1975. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 12, Banks and Banking, and Tables.

Section 101(a)(1) of the Public Works and Economic Development Act of 1965, referred to in par. (2), is section 101(a)(1) of Pub. L. 89-136, title I, Aug. 26, 1965, 79 Stat. 552, as amended, which was classified to section 3131 of this title prior to repeal by Pub. L. 105-393, title I, § 102(a), Nov. 13, 1998, 112 Stat. 3597.

Section 701 of the Housing Act of 1954, referred to in par. (7), is section 701 of act Aug. 2, 1954, ch. 649, 68 Stat.

<sup>1</sup> See References in Text note below.

640, as amended, which was classified to section 461 of former Title 40, Public Buildings, Property, and Works, and was repealed by Pub. L. 97-35, title III, §313(b), Aug. 13, 1981, 95 Stat. 398.

#### CODIFICATION

In par. (2), “section 5309 of title 49” substituted for “section 3 of the Federal Transit Act [49 App. U.S.C. 1602]” on authority of Pub. L. 103-272, §6(b), July 5, 1994, 108 Stat. 1378, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation.

#### AMENDMENTS

1996—Par. (2). Pub. L. 104-208 struck out “title II of the Library Services and Construction Act;” before “section 606 of the Public Health Service Act”.

1991—Par. (2). Pub. L. 102-240 substituted “Federal Transit Act” for “Urban Mass Transportation Act of 1964”.

1970—Par. (2). Pub. L. 91-258 inserted “section 19 of the Airport and Airway Development Act of 1970;” after “section 12 of the Federal Airport Act;”.

1968—Par. (1). Pub. L. 90-448, §602(e)(1), substituted “Areawide development” for “Metropolitan development.”

Par. (2). Pub. L. 90-448, §602(e)(1), substituted “Areawide development project” for “Metropolitan development project”.

Par. (7). Pub. L. 90-448, §602(e)(2), substituted “official State, metropolitan, regional, or district agency” for “official State or metropolitan or regional agency”, and “in the case of areas” for “in the case of metropolitan areas”.

#### TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President of United States by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970 redesignated Bureau of the Budget as Office of Management and Budget.

### § 3339. Limitation on amount of grant

Grants made under section 3335 of this title for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated pursuant to section 3336(b) of this title.

(Pub. L. 89-754, title II, §209, Nov. 3, 1966, 80 Stat. 1266.)

#### SUBCHAPTER III—URBAN INFORMATION AND TECHNICAL ASSISTANCE SERVICES

### §§ 3351 to 3356. Omitted

#### CODIFICATION

Appropriations for this subchapter have not been authorized for fiscal years commencing after June 30, 1972.

Section 3351, Pub. L. 89-754, title IX, §901, Nov. 3, 1966, 80 Stat. 1282, set out the declaration of purpose for this subchapter.

Section 3352, Pub. L. 89-754, title IX, §902, Nov. 3, 1966, 80 Stat. 1283, related to grant authority, scope of assistance, and terms and conditions of programs under this subchapter.

Section 3353, Pub. L. 89-754, title IX, §903, Nov. 3, 1966, 80 Stat. 1283, related to amounts and restrictions on grants under this subchapter.

Section 3354, Pub. L. 89-754, title IX, §904, Nov. 3, 1966, 80 Stat. 1283, related to cooperation of Federal departments and agencies with States, and coordination by Secretary of urban information and technical assistance programs under this subchapter.

Section 3355, Pub. L. 89-754, title IX, §905, Nov. 3, 1966, 80 Stat. 1283, defined “State”, “Secretary”, and “small communities”.

Section 3356, Pub. L. 89-754, title IX, §906, Nov. 3, 1966, 80 Stat. 1284; Pub. L. 90-448, title XVII, §1703, Aug. 1, 1968, 82 Stat. 603; Pub. L. 91-152, title III, §308, Dec. 24, 1969, 83 Stat. 394; Pub. L. 91-609, title III, §305, Dec. 31, 1970, 84 Stat. 1781, authorized appropriations.

#### SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

### § 3371. Assistance for housing in Alaska

#### (a) Loans and grants; authorization; purposes

The Secretary of Housing and Urban Development (hereinafter referred to as the “Secretary”) may make loans and grants on the basis of need to the regional native housing authorities duly constituted under the laws of the State of Alaska for the purpose of providing planning assistance, housing rehabilitation, and maintaining an adequate administrative structure in conjunction with the provision of housing and related facilities for Alaska residents.

#### (b) Amount of grants

Grants under this section shall not exceed 75 per centum of the aggregate cost of the housing and related facilities to be constructed under an approved program, except that the Secretary may make a grant in excess of such limitation in any case, after consultation with State officials.

#### (c) Authorization of appropriations

There is authorized to be appropriated not to exceed \$10,000,000 to carry out the purposes of this section.

(Pub. L. 89-754, title X, §1004, Nov. 3, 1966, 80 Stat. 1284; Pub. L. 91-152, title II, §220, Dec. 24, 1969, 83 Stat. 390; Pub. L. 95-557, title IX, §904, Oct. 31, 1978, 92 Stat. 2125.)

#### AMENDMENTS

1978—Subsec. (a). Pub. L. 95-557, §904(a), revised subsec. (a) generally to require that the Department of Housing and Urban Development make loans and grants, on the basis of need, to regional Alaska Native housing authorities for certain planning, administrative, and other expenses in conjunction with the provision of housing and related facilities for Alaska residents.

Subsec. (b). Pub. L. 95-557, §904(b), inserted “except that the Secretary may make a grant in excess of such limitation in any case, after consultation with State officials”.

1969—Subsec. (a). Pub. L. 91-152 substituted “\$10,875” for “\$7,500”.

### §§ 3372, 3373. Repealed. Pub. L. 91-609, title V, § 503(6), Dec. 31, 1970, 84 Stat. 1786

Section 3372, Pub. L. 89-754, title X, §1010, Nov. 3, 1966, 80 Stat. 1286; Pub. L. 90-448, title XVII, §1704, Aug. 1, 1968, 82 Stat. 603; Pub. L. 91-152, title IV, §§402, 417, Dec. 24, 1969, 83 Stat. 395, 401, related to application of advances in technology to housing and urban development and provided for: statement of purpose and duties of Secretary; objectives of research and studies; execution of research and studies directly or by contract; acquisition of property, and limitation on contracts; authorization of appropriations and availability of funds for expenditures; and limitation of authority under other provisions of law. See sections 1701z-1 to 1701z-4 of Title 12, Banks and Banking.