

(B) has been in existence for at least 2 years prior to the date of the grant application;

(C) has a record of service to low- and moderate-income people in the community in which the project is located;

(D) is organized at the neighborhood, city, county or multi-county level; and

(E) in the case of a corporation acquiring eligible housing under subchapter I of this chapter, agrees to form a purchaser entity that conforms to the definition of a community-based nonprofit organization under such subchapter and agrees to use its best efforts to secure majority tenant consent to the acquisition of the project for which grant assistance is requested; and

(2) the terms “eligible low-income housing”, “nonprofit organization”, “owner”, and “resident council” have the meanings given such terms in section 4119 of this title.

(Pub. L. 100-242, title II, §256, as added Pub. L. 102-550, title III, §312, Oct. 28, 1992, 106 Stat. 3769.)

§ 4147. Funding

The Secretary shall use not more than \$25,000,000 of the amounts made available under section 4124(a) of this title for fiscal year 1993, and not more than \$25,000,000 of the amounts made available under section 4124(a) of this title for fiscal year 1994, to carry out this subchapter. Of any amounts made available to carry out this subchapter in any appropriation Act, 90 percent shall be set aside for use in accordance with section 4143 of this title and 10 percent shall be set aside for use in accordance with subsection¹ 4144 of this title.

(Pub. L. 100-242, title II, §257, as added Pub. L. 102-550, title III, §312, Oct. 28, 1992, 106 Stat. 3769.)

CHAPTER 43—ACTIONS AGAINST PERSONS COMMITTING BANK FRAUD CRIMES

SUBCHAPTER I—DECLARATIONS PROVIDING NEW CLAIMS TO UNITED STATES

- Sec. 4201. Filing of confidential declarations by private persons.
- 4202. Contents of declarations.
- 4203. Confidentiality of declarations.
- 4204. Ineligibility to file valid declarations.
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- 4206. Rights of declarants; notifications; Government accountability.
- 4207. Unreviewed declarations; petition to pursue action as private contractor.
- 4208. Nonreviewability of action by Attorney General.
- 4209. Repealed.
- 4210. Sources of payments to declarants.
- 4211. Repealed.
- 4212. Protection for declarants.
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SUBCHAPTER II—DECLARATIONS PROVIDING UNITED STATES WITH NEW INFORMATION CONCERNING RECOVERY OF ASSETS

- 4221. Filing of confidential declarations by private persons identifying specific assets.

- Sec. 4222. Contents of declarations.
- 4223. Confidentiality of declarations.
- 4224. Ineligibility to file valid declarations.
- 4225. Rights of declarants; participation in actions, awards.
- 4226. Rights of declarants; notifications; Government accountability.
- 4227. Unreviewed declarations; petition to pursue action as private contractor.
- 4228. Nonreviewability of action by Attorney General.
- 4229. Protection for declarants.
- 4230. Promulgation of regulations.

SUBCHAPTER III—USE OF PRIVATE LEGAL RESOURCES

- 4241. Authority to enter into contracts for private counsel.
- 4242. Contract decisions nonreviewable.
- 4243. Representation.
- 4244. Contract provisions.
- 4245. Counterclaims.
- 4246. Awards of costs and fees to prevailing plaintiff.
- 4247. Promulgation of regulations.

SUBCHAPTER I—DECLARATIONS PROVIDING NEW CLAIMS TO UNITED STATES

§ 4201. Filing of confidential declarations by private persons

(a) In general

Any person may file a declaration of a violation giving rise to an action for civil penalties under section 1833a of this title affecting a depository institution insured by the Federal Deposit Insurance Corporation or any other agency or entity of the United States.

(b) Place of filing

A declaration under subsection (a) of this section shall be filed with the Attorney General of the United States or with an agent designated by the Attorney General for receiving declarations under this section.

(Pub. L. 101-647, title XXV, §2561, Nov. 29, 1990, 104 Stat. 4894.)

SHORT TITLE

Pub. L. 101-647, title XXV, §2560, Nov. 29, 1990, 104 Stat. 4893, provided that: “This subtitle [subtitle H (§§2560-2594) of title XXV of Pub. L. 101-647, enacting this chapter and section 3059A of Title 18, Crimes and Criminal Procedure, and amending section 1831k of this title] may be cited as the ‘Financial Institutions Anti-Fraud Enforcement Act of 1990.’”

§ 4202. Contents of declarations

A declaration filed pursuant to section 4201 of this title shall—

(1) set forth the name and address of the declarant and the basis for the declarant’s knowledge of the facts alleged;

(2) allege under oath or affirmation specific facts, relating to a particular transaction or transactions, which constitute a prima facie case of a violation giving rise to an action for civil penalties under section 1833a of this title affecting a depository institution insured by the Federal Deposit Insurance Corporation or any other agency or entity of the United States;

(3) contain at least 1 new factual element necessary to establish a prima facie case that

¹ So in original. Probably should be “section”.