

**(b) Priority in project selection**

In making an award under section 13572(a)(2) of this title, the Secretary shall give priority to—

- (1) projects whose installation is likely to result in significant air quality improvements in nonattainment air quality areas or substantially reduce the emission level of criteria pollutants and mercury air emissions;
- (2) projects for pollution control that result in the mitigation or collection of more than 1 pollutant; and
- (3) projects designed to allow the use of the waste byproducts or other byproducts of the equipment.

**(c) Authorization of appropriations**

There are authorized to be appropriated to the Secretary to carry out section 13572(a)(2) of this title—

- (1) \$300,000,000 for fiscal year 2007;
- (2) \$100,000,000 for fiscal year 2008;
- (3) \$40,000,000 for fiscal year 2009;
- (4) \$30,000,000 for fiscal year 2010; and
- (5) \$30,000,000 for fiscal year 2011.

**(d) Applicability**

No technology, or level of emission reduction under subsection (a)(2) of this section shall be treated as adequately demonstrated for purpose of Section<sup>1</sup> 7411 of this title, achievable for purposes of section 7479 of this title, or achievable in practice for purposes of section 7501 of this title solely by reason of the use of such technology, or the achievement of such emission reduction, by one or more facilities receiving assistance under section 13572(a)(2) of this title.

(Pub. L. 102-486, title XXXI, § 3104, as added Pub. L. 109-58, title IV, § 421(a), Aug. 8, 2005, 119 Stat. 759.)

## CHAPTER 135—RESIDENCY AND SERVICE REQUIREMENTS IN FEDERALLY ASSISTED HOUSING

### SUBCHAPTER I—STANDARDS AND OBLIGATIONS OF RESIDENCY IN FEDERALLY ASSISTED HOUSING

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<sup>1</sup> So in original. Probably should be “purposes of section”.

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### SUBCHAPTER I—STANDARDS AND OBLIGATIONS OF RESIDENCY IN FEDERALLY ASSISTED HOUSING

#### § 13601. Compliance by owners as condition of Federal assistance

The Secretary of Housing and Urban Development shall require owners of federally assisted housing (as such term is defined in section 13641(2) of this title), as a condition of receiving housing assistance for such housing, to comply with the procedures and requirements established under this subchapter.

(Pub. L. 102-550, title VI, § 641, Oct. 28, 1992, 106 Stat. 3820.)

#### EFFECTIVE DATE

Chapter applicable upon expiration of 6-month period beginning Oct. 28, 1992, except as otherwise provided, see section 13642 of this title.

#### § 13602. Compliance with criteria for occupancy as requirement for tenancy

In selecting tenants for occupancy of units in federally assisted housing, an owner of such housing shall utilize the criteria for occupancy in federally assisted housing established by the Secretary, by regulation, under section 13603 of this title. If an owner determines that an applicant for occupancy in the housing does not meet such criteria, the owner may deny such applicant occupancy.

(Pub. L. 102-550, title VI, § 642, Oct. 28, 1992, 106 Stat. 3821.)

#### § 13603. Establishment of criteria for occupancy

##### (a) Task force

##### (1) Establishment

To assist the Secretary in establishing reasonable criteria for occupancy in federally assisted housing, the Secretary shall establish a task force to review all rules, policy statements, handbooks, technical assistance memoranda, and other relevant documents issued by the Department of Housing and Urban Development on the standards and obligations gov-