

1976, 90 Stat. 380, required annual report to Congress on operations under this chapter, prior to repeal by Pub. L. 105-393, § 102(b)(3).

§ 3218. Records and audits

(a) Recordkeeping and disclosure requirements

Each recipient of assistance under this chapter shall keep such records as the Secretary shall require, including records that fully disclose—

- (1) the amount and the disposition by the recipient of the proceeds of the assistance;
- (2) the total cost of the project in connection with which the assistance is given or used;
- (3) the amount and nature of the portion of the cost of the project provided by other sources; and
- (4) such other records as will facilitate an effective audit.

(b) Access to books for examination and audit

The Secretary, the Inspector General of the Department, and the Comptroller General of the United States, or any duly authorized representative, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that relate to assistance received under this chapter.

(Pub. L. 89-136, title VI, § 608, as added Pub. L. 105-393, title I, § 102(a), Nov. 13, 1998, 112 Stat. 3616.)

PRIOR PROVISIONS

A prior section 3218, Pub. L. 89-136, title VII, § 708, Aug. 26, 1965, 79 Stat. 573, authorized delegation of functions and transfer of funds, prior to repeal by Pub. L. 105-393, § 102(b)(3).

§ 3219. Relationship to assistance under other law

Nothing in this chapter authorizes or permits any reduction in the amount of Federal assistance that any State or other entity eligible under this chapter is entitled to receive under any other Act.

(Pub. L. 89-136, title VI, § 609, as added Pub. L. 105-393, title I, § 102(a), Nov. 13, 1998, 112 Stat. 3616; amended Pub. L. 108-373, title VI, § 602, Oct. 27, 2004, 118 Stat. 1769.)

PRIOR PROVISIONS

A prior section 3219, Pub. L. 89-136, title VII, § 709, Aug. 26, 1965, 79 Stat. 574; Pub. L. 97-35, title XVIII, § 1821(a)(9), Aug. 13, 1981, 95 Stat. 766, authorized appropriations for which specific authority was not otherwise provided, prior to repeal by Pub. L. 105-393, § 102(b)(3).

AMENDMENTS

2004—Pub. L. 108-373 designated text of subsec. (b) as entire section and struck out subsec. (b) heading and heading and text of subsec. (a). Prior to amendment, text of subsec. (a) read as follows: “Except as otherwise provided in this chapter, all financial and technical assistance authorized under this chapter shall be in addition to any Federal assistance authorized before the effective date of the Economic Development Administration Reform Act of 1998.”

§ 3220. Acceptance of certifications by applicants

Under terms and conditions determined by the Secretary, the Secretary may accept the certifi-

cations of an applicant for assistance under this chapter that the applicant meets the requirements of this chapter.

(Pub. L. 89-136, title VI, § 610, as added Pub. L. 105-393, title I, § 102(a), Nov. 13, 1998, 112 Stat. 3616.)

PRIOR PROVISIONS

A prior section 3220, Pub. L. 89-136, title VII, § 710, Aug. 26, 1965, 79 Stat. 574, set forth penalties for false statements, securities overvaluation, embezzlement, misapplication of funds, false book entries, schemes to defraud, and speculation, prior to repeal by Pub. L. 105-393, title I, § 102(b)(3), Nov. 13, 1998, 112 Stat. 3617.

§ 3221. Brownfields redevelopment report

(a) Definition of brownfield site

In this section, the term “brownfield site” has the meaning given the term in section 9601(39) of this title.

(b) Report

(1) In general

Not later than 1 year after October 27, 2004, the Comptroller General shall prepare a report that evaluates the grants made by the Economic Development Administration for the economic development of brownfield sites.

(2) Contents

The report shall—

(A) identify each project conducted during the previous 10-year period in which grant funds have been used for brownfield sites redevelopment activities; and

(B) include for each project a description of—

- (i) the type of economic development activities conducted;
- (ii) if remediation activities were conducted—
 - (I) the type of remediation activities; and
 - (II) the amount of grant money used for those activities in dollars and as a percentage of the total grant award;
- (iii) the economic development and environmental standards applied, if applicable;
- (iv) the economic development impact of the project;
- (v) the role of Federal, State, or local environmental agencies, if any; and
- (vi) public participation in the project.

(3) Submission of report

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 copy of the report.

(Pub. L. 89-136, title VI, § 611, as added Pub. L. 108-373, title VI, § 603(a), Oct. 27, 2004, 118 Stat. 1769.)

PRIOR PROVISIONS

A prior section 3221, Pub. L. 89-136, title VII, § 711, Aug. 26, 1965, 79 Stat. 574, related to employment of expeditors and administrative employees, prior to repeal by Pub. L. 105-393, title I, § 102(b)(3), Nov. 13, 1998, 112 Stat. 3617.

§ 3222. Savings clause

To the extent that any portion of grants made under this chapter are used for an economic de-

velopment project that involves remediation, the remediation shall be conducted in compliance with all applicable Federal, State, and local laws and standards.

(Pub. L. 89-136, title VI, §612, as added Pub. L. 108-373, title VI, §604(a), Oct. 27, 2004, 118 Stat. 1770.)

PRIOR PROVISIONS

A prior section 3222, Pub. L. 89-136, title VII, §712, Aug. 26, 1965, 79 Stat. 575; Pub. L. 93-567, title III, §302, Dec. 31, 1974, 88 Stat. 1855, which related to labor standards and rate of wages, was renumbered section 602 of Pub. L. 89-136 by Pub. L. 105-393 and transferred to section 3212 of this title.

Prior sections 3223 to 3226 were repealed by Pub. L. 105-393, title I, §102(b)(3), Nov. 13, 1998, 112 Stat. 3617.

Section 3223, Pub. L. 89-136, title VII, §713, Aug. 26, 1965, 79 Stat. 575, required maintenance of records of approved applications and availability for public inspection.

Section 3224, Pub. L. 89-136, title VII, §714, Aug. 26, 1965, 79 Stat. 575, related to recordkeeping and audits.

Section 3225, Pub. L. 89-136, title VII, §715, Aug. 26, 1965, 79 Stat. 575, extended benefits to redevelopment areas under former section 2504 of this title.

Section 3226, Pub. L. 89-136, title VII, §716, Aug. 26, 1965, 79 Stat. 576, prohibited statutory construction which could cause diminution in other Federal assistance.

SUBCHAPTER VII—FUNDING

§ 3231. General authorization of appropriations

(a) Economic development assistance programs

There are authorized to be appropriated for economic development assistance programs to carry out this chapter, to remain available until expended—

- (1) \$400,000,000 for fiscal year 2004;
- (2) \$425,000,000 for fiscal year 2005;
- (3) \$450,000,000 for fiscal year 2006;
- (4) \$475,000,000 for fiscal year 2007; and
- (5) \$500,000,000 for fiscal year 2008.

(b) Salaries and expenses

There are authorized to be appropriated for salaries and expenses of administering this chapter, to remain available until expended—

- (1) \$33,377,000 for fiscal year 2004; and
- (2) such sums as are necessary for each fiscal year thereafter.

(Pub. L. 89-136, title VII, §701, as added Pub. L. 105-393, title I, §102(b)(3), Nov. 13, 1998, 112 Stat. 3617; amended Pub. L. 108-373, title VII, §701, Oct. 27, 2004, 118 Stat. 1771.)

PRIOR PROVISIONS

A prior section 3231, Pub. L. 89-136, title VIII, §801, as added Pub. L. 93-288, title V, §501, May 22, 1974, 88 Stat. 160; amended Pub. L. 100-707, title I, §109(r)(1), Nov. 23, 1988, 102 Stat. 4710, set forth congressional statement of purpose and defined “major disaster”, prior to repeal by Pub. L. 105-393, §102(c).

A prior section 701 of Pub. L. 89-136 was classified to section 3211 of this title prior to repeal by Pub. L. 105-393, §102(b)(3).

AMENDMENTS

2004—Pub. L. 108-373 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out this chapter \$397,969,000 for fiscal year 1999, \$368,000,000 for fiscal year 2000,

\$335,000,000 for fiscal year 2001, \$335,000,000 for fiscal year 2002, and \$335,000,000 for fiscal year 2003, to remain available until expended.”

§ 3232. Authorization of appropriations for defense conversion activities

(a) In general

In addition to amounts made available under section 3231 of this title, there are authorized to be appropriated such sums as are necessary to carry out section 3149(c)(1) of this title, to remain available until expended.

(b) Pilot projects

Funds made available under subsection (a) of this section may be used for activities including pilot projects for privatization of, and economic development activities for, closed or realigned military or Department of Energy installations.

(Pub. L. 89-136, title VII, §702, as added Pub. L. 105-393, title I, §102(b)(3), Nov. 13, 1998, 112 Stat. 3617.)

PRIOR PROVISIONS

A prior section 3232, Pub. L. 89-136, title VIII, §802, as added Pub. L. 93-288, title V, §501, May 22, 1974, 88 Stat. 160; amended Pub. L. 100-707, title I, §109(r)(2), Nov. 23, 1988, 102 Stat. 4710, related to disaster recovery planning, prior to repeal by Pub. L. 105-393, §102(c).

A prior section 702 of Pub. L. 89-136 was classified to section 3212 of this title prior to repeal by Pub. L. 105-393, §102(b)(3).

§ 3233. Authorization of appropriations for disaster economic recovery activities

(a) In general

In addition to amounts made available under section 3231 of this title, there are authorized to be appropriated such sums as are necessary to carry out section 3149(c)(2) of this title, to remain available until expended.

(b) Federal share

The Federal share of the cost of activities funded with amounts made available under subsection (a) of this section shall be up to 100 percent.

(Pub. L. 89-136, title VII, §703, as added Pub. L. 105-393, title I, §102(b)(3), Nov. 13, 1998, 112 Stat. 3617.)

PRIOR PROVISIONS

A prior section 3233, Pub. L. 89-136, title VIII, §803, as added Pub. L. 93-288, title V, §501, May 22, 1974, 88 Stat. 161, authorized provision of funds for recovery investment plans, prior to repeal by Pub. L. 105-393, title I, §102(c), Nov. 13, 1998, 112 Stat. 3617.

A prior section 703 of Pub. L. 89-136 was classified to section 3213 of this title prior to repeal by Pub. L. 105-393, §102(b)(3).

§ 3234. Funding for grants for planning and grants for administrative expenses

Of the amounts made available under section 3231 of this title for each fiscal year, not less than \$27,000,000 shall be made available for grants provided under section 3143 of this title.

(Pub. L. 89-136, title VII, §704, as added Pub. L. 108-373, title VII, §702(a), Oct. 27, 2004, 118 Stat. 1771.)

PRIOR PROVISIONS

Prior sections 3234 and 3235 were repealed by Pub. L. 105-393, title I, §102(c), Nov. 13, 1998, 112 Stat. 3617.