

5133, which directed Comptroller General, five years after Oct. 24, 1990, to submit an audit of the implementation of amendments made by section 5 of Pub. L. 101-453 (which amended this section and section 6501 of this title) and to submit a report to Congress describing results of that audit, was repealed by Pub. L. 104-316, title I, § 115(i), Oct. 19, 1996, 110 Stat. 3835.

§ 6504. Use of existing State or multimember agency to administer grant programs

Notwithstanding a law of the United States providing that one State agency or multimember agency must be established or designated to carry out or supervise the administration of a grant program, the head of the executive agency carrying out the program may, when requested by the executive or legislative authority of the State responsible for the organizational structure of a State government—

(1) waive the one State agency or multimember agency provision on an adequate showing that the provision prevents the establishment of the most effective and efficient organizational arrangement within the State government; and

(2) approve another State administrative structure or arrangement after deciding that the objectives of the law authorizing the grant program will not be endangered by using another State structure or arrangement.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1007.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
6504	42:4214.	Oct. 16, 1968, Pub. L. 90-577, § 204, 82 Stat. 1101.

In the section, the word “agency” is substituted for “board or commission” for consistency in the revised title. Before clause (1), the words “executive agency” are substituted for “Federal department or agency” because of the definition in sections 102 and 6501(3) of the revised title. The words “appropriate” and “determining or revising” are omitted as surplus. The words “Governor or other” are omitted as covered by “executive . . . authority”. In clause (2), the words “after deciding” are substituted for “Provided. That the head of the Federal department or agency determines” to eliminate unnecessary words.

§ 6505. Authority to provide specialized or technical services

(a) The President may prescribe statistical and other studies and compilations, development projects, technical tests and evaluations, technical information, training activities, surveys, reports, documents, and other similar services that an executive agency is especially competent and authorized by law to provide. The services prescribed must be consistent with and further the policy of the United States Government of relying on the private enterprise system to provide services reasonably and quickly available through ordinary business channels.

(b) The head of an executive agency may provide services prescribed by the President under this section to a State or local government when—

(1) written request is made by the State or local government; and

(2) payment of pay and all other identifiable costs of providing the services is made to the

executive agency by the State or local government making the request.

(c) Payment received by an executive agency for providing services under this section shall be deposited to the credit of the principal appropriation from which the cost of providing the services has been paid or will be charged.

(d) The authority under this section is in addition to authority under another law in effect on October 16, 1968.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1007.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
6505(a)	42:4201(8). 42:4222(proviso, words after proviso).	Oct. 16, 1968, Pub. L. 90-577, §§ 108, 303, 305, 82 Stat. 1100, 1102, 1103. Oct. 16, 1968, Pub. L. 90-577, § 302, 82 Stat. 1102; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, § 102(a), 84 Stat. 2085.
6505(b)	42:4222(words before proviso).	
6505(c)	42:4223.	
6505(d)	42:4225.	

In the section, the words “executive agency” are substituted for “Federal department or agency” and “department or agency of the executive branch of the Federal Government” because of the definition in sections 102 and 6501(3) of the revised title.

In subsection (a), the source provisions are consolidated to eliminate an unnecessary definition. The word “President” is substituted for “Director of the Office of Management and Budget” in 42:4222(proviso, words after proviso) because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The words “rules and regulations” are omitted as unnecessary.

In subsection (b), the word “may” is substituted for “is authorized within his discretion” for clarity and to omit unnecessary words. The words “specialized or technical services” are omitted because of consolidation of the source provisions. The words “direct or indirect” are omitted as surplus.

In subsection (c), the word “Payment” is substituted for “moneys” for consistency in the section. The words “All” and “or any bureau or other administrative division thereof” are omitted as surplus.

In subsection (d), the words “and does not supersede” are omitted as unnecessary. The words “authority under another law in effect on October 16, 1968” are substituted for “authority now possessed” for clarity. The words “by any Federal department or agency with respect to furnishing services, whether on a reimbursable or nonreimbursable basis, to State and local units of government” are omitted as unnecessary.

PERFORMANCE OF SPECIALIZED OR TECHNICAL SERVICES

Pub. L. 106-541, title II, § 211, Dec. 11, 2000, 114 Stat. 2592, as amended by Pub. L. 107-66, title I, § 109, Nov. 12, 2001, 115 Stat. 496, provided that:

“(a) DEFINITION OF STATE.—In this section, the term ‘State’ has the meaning given the term in section 6501 of title 31, United States Code.

“(b) AUTHORITY.—The Corps of Engineers may provide specialized or technical services to a Federal agency (other than an agency of the Department of Defense) or a State or local government under section 6505 of title 31, United States Code, only if the chief executive of the requesting entity submits to the Secretary [of the Army]—

“(1) a written request describing the scope of the services to be performed and agreeing to reimburse the Corps for all costs associated with the performance of the services; and

“(2) a certification that includes adequate facts to establish that the services requested are not reasonably and quickly available through ordinary business channels.

“(c) CORPS AGREEMENT TO PERFORM SERVICES.—The Secretary, after receiving a request described in subsection (b) to provide specialized or technical services, shall, before entering into an agreement to perform the services—

“(1) ensure that the requirements of subsection (b) are met with regard to the request for services; and

“(2) execute a certification that includes adequate facts to establish that the Corps is uniquely equipped to perform such services.

“(d) ANNUAL REPORT TO CONGRESS.—

“(1) IN GENERAL.—Not later than the last day of each calendar year, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report identifying any request submitted by a Federal agency (other than an agency of the Department of Defense) or a State or local government to the Corps to provide specialized or technical services.

“(2) CONTENTS OF REPORT.—The report shall include, with respect to each request described in paragraph (1)—

“(A) a description of the scope of services requested;

“(B) the certifications required under subsection (b) and (c);

“(C) the status of the request;

“(D) the estimated and final cost of the services;

“(E) the status of reimbursement;

“(F) a description of the scope of services performed; and

“(G) copies of all certifications in support of the request.

“(e) ENGINEERING RESEARCH AND DEVELOPMENT CENTER.—The Engineering Research and Development Center is exempt from the requirements of this section.”

TRANSPORTATION OF STATE PRISONERS

Pub. L. 105-119, title I, Nov. 26, 1997, 111 Stat. 2444, provided in part: “That, for fiscal year 1998 and thereafter, the service of maintaining and transporting State, local, or territorial prisoners shall be considered a specialized or technical service for purposes of 31 U.S.C. 6505, and any prisoners so transported shall be considered persons (transported for other than commercial purposes) whose presence is associated with the performance of a governmental function for purposes of 49 U.S.C. 40102.”

Similar provisions were contained in the following prior appropriation act:

Pub. L. 104-208, div. A, title I, §101(a) [title I], Sept. 30, 1996, 110 Stat. 3009, 3009-5.

§ 6506. Development assistance

(a) The economic and social development of the United States and the achievement of satisfactory levels of living depend on the sound and orderly development of urban and rural areas. When urbanization proceeds rapidly, the sound and orderly development of urban communities depends to a large degree on the social and economic health and the sound development of smaller communities and rural areas.

(b) The President shall prescribe regulations governing the formulation, evaluation, and review of United States Government programs and projects having a significant impact on area and community development (including programs and projects providing assistance to States and localities) to serve most effectively the basic objectives of subsection (a) of this section. The regulations shall provide for the consideration

of concurrently achieving the following specific objectives and, to the extent authorized by law, reasoned choices shall be made between the objectives when they conflict:

(1) appropriate land uses for housing, commercial, industrial, governmental, institutional, and other purposes.

(2) wise development and conservation of all natural resources.

(3) balanced transportation systems, including highway, air, water, pedestrian, mass transit, and other means to move people and goods.

(4) adequate outdoor recreation and open space.

(5) protection of areas of unique natural beauty and historic and scientific interest.

(6) properly planned community facilities (including utilities for supplying power, water, and communications) for safely disposing of wastes, and for other purposes.

(7) concern for high standards of design.

(c) To the extent possible, all national, regional, State, and local viewpoints shall be considered in planning development programs and projects of the United States Government or assisted by the Government. State and local government objectives and the objectives of regional organizations shall be considered within a framework of national public objectives expressed in laws of the United States. Available projections of future conditions in the United States and needs of regions, States, and localities shall be considered in plan formulation, evaluation, and review.

(d) To the maximum extent possible and consistent with national objectives, assistance for development purposes shall be consistent with and further the objectives of State, regional, and local comprehensive planning. Consideration shall be given to all developmental aspects of our total national community, including housing, transportation, economic development, natural and human resources development, community facilities, and the general improvement of living environments.

(e) To the maximum extent practicable, each executive agency carrying out a development assistance program shall consult with and seek advice from all other significantly affected executive agencies in an effort to ensure completely coordinated programs. To the extent possible, systematic planning required by individual United States Government programs (such as highway construction, urban renewal, and open space) shall be coordinated with and, to the extent authorized by law, made part of comprehensive local and areawide development planning.

(f) When a law of the United States provides that both a special-purpose unit of local government and a unit of general local government are eligible to receive a loan or grant, the head of an executive agency shall make the loan or grant to the unit of general local government instead of the special-purpose unit of local government in the absence of substantial reasons to the contrary.

(g) The President may designate an executive agency to prescribe regulations to carry out this section.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1008.)