

§ 3216. Employment of expeditors and administrative employees

Assistance shall not be provided by the Secretary under this chapter to any business unless the owners, partners, or officers of the business—

(1) certify to the Secretary the names of any attorneys, agents, and other persons engaged by or on behalf of the business for the purpose of expediting applications made to the Secretary for assistance of any kind, under this chapter, and the fees paid or to be paid to the person for expediting the applications; and

(2) execute an agreement binding the business, for the 2-year period beginning on the date on which the assistance is provided by the Secretary to the business, to refrain from employing, offering any office or employment to, or retaining for professional services, any person who, on the date on which the assistance or any part of the assistance was provided, or within the 1-year period ending on that date—

(A) served as an officer, attorney, agent, or employee of the Department; and

(B) occupied a position or engaged in activities that the Secretary determines involved discretion with respect to the granting of assistance under this chapter.

(Pub. L. 89-136, title VI, §606, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3615.)

PRIOR PROVISIONS

A prior section 3216, Pub. L. 89-136, title VII, §706, Aug. 26, 1965, 79 Stat. 573, defined terms as used in this chapter, prior to repeal by Pub. L. 105-393, §102(b)(3).

EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

§ 3217. Maintenance and public inspection of list of approved applications for financial assistance

(a) In general

The Secretary shall—

(1) maintain as a permanent part of the records of the Department a list of applications approved for financial assistance under this chapter; and

(2) make the list available for public inspection during the regular business hours of the Department.

(b) Additions to list

The following information shall be added to the list maintained under subsection (a) as soon as an application described in subsection (a)(1) is approved:

(1) The name of the applicant and, in the case of a corporate application, the name of each officer and director of the corporation.

(2) The amount and duration of the financial assistance for which application is made.

(3) The purposes for which the proceeds of the financial assistance are to be used.

(Pub. L. 89-136, title VI, §607, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3615.)

PRIOR PROVISIONS

A prior section 3217, Pub. L. 89-136, title VII, §707, Aug. 26, 1965, 79 Stat. 573; Pub. L. 94-273, §26, Apr. 21, 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).

EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

§ 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).

EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

§ 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