

cation by the State member that the application for the project—

(1) describes ways in which the project complies with any applicable State development plan;

(2) meets applicable criteria under section 2009aa-7 of this title;

(3) provides adequate assurance that the proposed project will be properly administered, operated, and maintained; and

(4) otherwise meets the requirements of this subchapter.

#### (d) Approval of grant applications

On certification by a State member of the Authority of an application for a grant or other assistance for a specific project under this section, an affirmative vote of the Authority under section 2009aa-1(c) of this title shall be required for approval of the application.

(Pub. L. 87-128, title III, §382I, as added Pub. L. 106-554, §1(a)(4) [div. B, title V, §503], Dec. 21, 2000, 114 Stat. 2763, 2763A-279; amended Pub. L. 107-171, title VI, §6027(f), May 13, 2002, 116 Stat. 374.)

#### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-171, §6027(f)(1), inserted “and approved” after “reviewed”.

Subsec. (d). Pub. L. 107-171, §6027(f)(2), substituted “Approval of grant applications” for “Votes for decisions” in heading.

#### § 2009aa-9. Consent of States

Nothing in this subchapter requires any State to engage in or accept any program under this subchapter without the consent of the State.

(Pub. L. 87-128, title III, §382J, as added Pub. L. 106-554, §1(a)(4) [div. B, title V, §503], Dec. 21, 2000, 114 Stat. 2763, 2763A-280.)

#### § 2009aa-10. Records

##### (a) Records of the Authority

###### (1) In general

The Authority shall maintain accurate and complete records of all transactions and activities of the Authority.

###### (2) Availability

All records of the Authority shall be available for audit and examination by the Comptroller General of the United States and the Inspector General of the Department of Agriculture (including authorized representatives of the Comptroller General and the Inspector General of the Department of Agriculture).

##### (b) Records of recipients of Federal assistance

###### (1) In general

A recipient of Federal funds under this subchapter shall, as required by the Authority, maintain accurate and complete records of transactions and activities financed with Federal funds and report on the transactions and activities to the Authority.

###### (2) Availability

All records required under paragraph (1) shall be available for audit by the Comptroller General of the United States, the Inspector

General of the Department of Agriculture, and the Authority (including authorized representatives of the Comptroller General, the Inspector General of the Department of Agriculture, and the Authority).

(Pub. L. 87-128, title III, §382K, as added Pub. L. 106-554, §1(a)(4) [div. B, title V, §503], Dec. 21, 2000, 114 Stat. 2763, 2763A-280; amended Pub. L. 111-8, div. A, title VII, §733, Mar. 11, 2009, 123 Stat. 558.)

#### AMENDMENTS

2009—Pub. L. 111-8 struck out subsec. (c). Text read as follows: “The Inspector General of the Department of Agriculture shall audit the activities, transactions, and records of the Authority on an annual basis.”

#### § 2009aa-11. Annual report

Not later than 180 days after the end of each fiscal year, the Authority shall submit to the President and to Congress a report describing the activities carried out under this subchapter.

(Pub. L. 87-128, title III, §382L, as added Pub. L. 106-554, §1(a)(4) [div. B, title V, §503], Dec. 21, 2000, 114 Stat. 2763, 2763A-280.)

#### § 2009aa-12. Authorization of appropriations

##### (a) In general

There is authorized to be appropriated to the Authority to carry out this subchapter \$30,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.

##### (b) Administrative expenses

Not more than 5 percent of the amount appropriated under subsection (a) for a fiscal year shall be used for administrative expenses of the Authority.

(Pub. L. 87-128, title III, §382M, as added Pub. L. 106-554, §1(a)(4) [div. B, title V, §503], Dec. 21, 2000, 114 Stat. 2763, 2763A-280; amended Pub. L. 107-171, title VI, §6027(g), May 13, 2002, 116 Stat. 374; Pub. L. 110-234, title VI, §6025(a), May 22, 2008, 122 Stat. 1177; Pub. L. 110-246, §4(a), title VI, §6025(a), June 18, 2008, 122 Stat. 1664, 1938; Pub. L. 113-79, title VI, §6026(a), Feb. 7, 2014, 128 Stat. 850; Pub. L. 115-334, title VI, §6425(a), Dec. 20, 2018, 132 Stat. 4770.)

#### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

#### AMENDMENTS

2018—Subsec. (a). Pub. L. 115-334 substituted “2019 through 2023” for “2008 through 2018”.

2014—Subsec. (a). Pub. L. 113-79 substituted “2018” for “2012”.

2008—Subsec. (a). Pub. L. 110-246, §6025(a), substituted “2008 through 2012” for “2001 through 2007”.

2002—Subsec. (a). Pub. L. 107-171 substituted “2007” for “2002”.

#### EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.