

ment, both it and the unit of general local government having jurisdiction over the location of the project must meet the requirements of this subsection.

(d) Secretary's consideration of comments of State bodies

In making the determinations required under this section, the Secretary shall obtain, and give full consideration to, the comments of the body or bodies (State or local) responsible for comprehensive planning and programing for the area.

(e) Restriction on grants to certain areawide development projects

No grant shall be made under this section with respect to an areawide development project for which a Federal grant has been made, or a contract of assistance has been entered into, under the legislation referred to in paragraph (2) of section 3338 of this title, prior to February 21, 1966, or more than one year prior to the date on which the Secretary has made the determinations required under this section with respect to the applicant and to the area in which the project is located: *Provided*, That in the case of a project for which a contract of assistance under the legislation referred to in paragraph (2) of section 3338 of this title has been entered into after June 30, 1967, no grant shall be made under this section unless an application for such grant has been made on or before the date of such contract.

(f) Racial balance or imbalance within school districts

Nothing in this section shall authorize the Secretary to require (or condition the availability or amount of financial assistance authorized to be provided under this subchapter upon) the adoption by any community of a program to achieve a racial balance or to eliminate racial imbalance within school districts.

(Pub. L. 89-754, title II, § 205, Nov. 3, 1966, 80 Stat. 1263; Pub. L. 90-448, title VI, § 602(d), Aug. 1, 1968, 82 Stat. 532.)

Editorial Notes

AMENDMENTS

1968—Subsec. (a). Pub. L. 90-448, § 602(d)(1), substituted "areawide development" for "metropolitan development".

Subsec. (b). Pub. L. 90-448, § 602(d)(1)-(3), substituted "areawide development projects in areas" for "metropolitan development projects in metropolitan areas", "areawide comprehensive planning" for "metropolitanwide comprehensive planning" in three places, "public areawide" for "public metropolitanwide", and "adequate areawide" for "adequate metropolitanwide".

Subsec. (c). Pub. L. 90-448, § 602(d)(3)-(5), substituted "public areawide" for "public metropolitanwide", and "areawide planning" for "metropolitan planning" in two places, and inserted "where appropriate," after "(B)".

Subsec. (d). Pub. L. 90-448, § 602(d)(2), substituted "programing for the area" for "programing for the metropolitan area".

Subsec. (e). Pub. L. 90-448, § 602(d)(1), substituted "areawide development project" for "metropolitan development project".

Subsec. (f). Pub. L. 90-448, § 602(d)(6), struck out "within the metropolitanwide area" after "school districts".

§ 3336. Amount of grant

(a) Limitation; Federal and non-Federal contributions; projects or activities eligible for assistance

A grant under section 3335 of this title shall not exceed (1) 20 per centum of the cost of the project for which the grant is made; nor (2) the Federal grant made with respect to the project under the legislation referred to in paragraph (2) of section 3338 of this title. In no case shall the total Federal contributions to the cost of such project be more than 80 per centum. Notwithstanding any other provision of law, including requirements with respect to non-Federal contributions, grants under section 3335 of this title shall be eligible for inclusion (directly or through refunds or credits) as part of the financing for such projects: *Provided*, That projects or activities on the basis of which assistance is provided under section 3305(c) of this title shall not be eligible for assistance under section 3335 of this title.

(b) Authorization of appropriations; availability of funds for expenditures

There are authorized to be appropriated for grants under section 3335 of this title not to exceed \$25,000,000 for the fiscal year ending June 30, 1967, and not to exceed \$50,000,000 for the fiscal year ending June 30, 1968. Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year under this section but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1970.

(Pub. L. 89-754, title II, § 206, Nov. 3, 1966, 80 Stat. 1264; Pub. L. 90-448, title VI, § 602(f), Aug. 1, 1968, 82 Stat. 532.)

Editorial Notes

REFERENCES IN TEXT

Section 3305 of this title, referred to in subsec. (a), was omitted from the Code pursuant to section 5316 of this title, which terminated the authority to make grants and loans under subchapter I of this chapter after Jan. 1, 1975.

AMENDMENTS

1968—Subsec. (b). Pub. L. 90-448 permitted any amounts authorized for any fiscal year but not appropriated to be appropriated for any succeeding fiscal year commencing prior to July 1, 1970.

§ 3337. Consultations and certifications

In carrying out his authority under section 3335 of this title, including the issuance of regulations, the Secretary shall consult with the Department of the Interior; the Department of Health and Human Services; the Department of Commerce; and the Federal Aviation Agency with respect to metropolitan development projects assisted by those departments and agencies; and he shall, for the purpose of section 3336 of this title, accept their respective certifications as to the cost of those projects and the amount of the non-Federal contribution paid or to be paid to that cost.

(Pub. L. 89-754, title II, § 207, Nov. 3, 1966, 80 Stat. 1264; Pub. L. 98-479, title II, § 201(f), Oct. 17, 1984, 98 Stat. 2228.)