

**(2) Report**

Not later than 1 year after October 27, 2004, 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 report on the findings of the Comptroller on implementation of this subsection.

(Pub. L. 89-136, title II, §215, as added Pub. L. 108-373, title II, §210(a), Oct. 27, 2004, 118 Stat. 1764.)

**§ 3154b. Planning performance awards****(a) In general**

The Secretary may make a planning performance award in connection with a grant made, on or after October 27, 2004, to an eligible recipient for a project under this subchapter located in an economic development district.

**(b) Eligibility**

The Secretary may make a planning performance award to an eligible recipient under subsection (a) in connection with a grant for a project if the Secretary determines before close-out of the project that—

- (1) the recipient actively participated in the economic development activities of the economic development district in which the project is located;
- (2) the project is consistent with the comprehensive economic development strategy of the district;
- (3) the recipient worked with Federal, State, and local economic development entities throughout the development of the project; and
- (4) the project was completed in accordance with the comprehensive economic development strategy of the district.

**(c) Maximum amount**

The amount of a planning performance award made under subsection (a) in connection with a grant may not exceed 5 percent of the amount of the grant.

**(d) Use of awards**

A recipient of a planning performance award under subsection (a) shall use the award to increase the Federal share of the cost of a project under this subchapter.

**(e) Federal share**

Notwithstanding section 3144 of this title, the funds of a planning performance award may be used to pay up to 100 percent of the cost of a project under this subchapter.

**(f) Funding**

The Secretary shall use any amounts made available for economic development assistance programs to carry out this section.

(Pub. L. 89-136, title II, §216, as added Pub. L. 108-373, title II, §211(a), Oct. 27, 2004, 118 Stat. 1765.)

**§ 3154c. Direct expenditure or redistribution by recipient****(a) In general**

Subject to subsection (b), a recipient of a grant under section 3141, 3143, or 3147 of this

title may directly expend the grant funds or may redistribute the funds in the form of a subgrant to other eligible recipients to fund required components of the scope of work approved for the project.

**(b) Limitation**

A recipient may not redistribute grant funds received under section 3141 or 3143 of this title to a for-profit entity.

**(c) Economic adjustment**

Subject to subsection (d), a recipient of a grant under section 3149 of this title may directly expend the grant funds or may redistribute the funds to public and private entities in the form of a grant, loan, loan guarantee, payment to reduce interest on a loan guarantee, or other appropriate assistance.

**(d) Limitation**

Under subsection (c), a recipient may not provide any grant to a private for-profit entity.

(Pub. L. 89-136, title II, §217, as added Pub. L. 108-373, title II, §212(a), Oct. 27, 2004, 118 Stat. 1766.)

**§ 3154d. Brightfields demonstration program****(a) Definition of brightfield site**

In this section, the term “brightfield site” means a brownfield site that is redeveloped through the incorporation of 1 or more solar energy technologies.

**(b) Demonstration program**

On the application of an eligible recipient, the Secretary may make a grant for a project for the development of a brightfield site if the Secretary determines that the project will—

- (1) use 1 or more solar energy technologies to develop abandoned or contaminated sites for commercial use; and
- (2) improve the commercial and economic opportunities in the area in which the project is located.

**(c) Savings clause**

To the extent that any portion of a grant awarded under subsection (b) involves remediation, the remediation shall be subject to section 3222 of this title.

**(d) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2004 through 2008, to remain available until expended.

(Pub. L. 89-136, title II, §218, as added Pub. L. 108-373, title II, §213(a), Oct. 27, 2004, 118 Stat. 1766.)

### SUBCHAPTER III—ELIGIBILITY; COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGIES

**§ 3161. Eligibility of areas****(a) In general**

For a project to be eligible for assistance under section 3141 or 3149 of this title, the project shall be located in an area that, on the date of submission of the application, meets 1 or more of the following criteria: