

2008—Pub. L. 110-343 amended section generally. Prior to amendment, section read as follows: “Necessary amounts may be appropriated to the Secretary of the Interior to carry out this chapter. Amounts are available only as provided in appropriation laws.”

Statutory Notes and Related Subsidiaries

APPLICATION OF SECTION

Pub. L. 117-328, div. G, title I, §114, Dec. 29, 2022, 136 Stat. 4787, provided that: “Section 6906 of title 31, United States Code, shall be applied by substituting ‘fiscal year 2023’ for ‘fiscal year 2019’.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 117-103, div. G, title I, §114, Mar. 15, 2022, 136 Stat. 376.

Pub. L. 116-260, div. G, title I, §115, Dec. 27, 2020, 134 Stat. 1506.

Pub. L. 116-94, div. D, title I, §115, Dec. 20, 2019, 133 Stat. 2714.

§ 6907. State legislation requiring reallocation or redistribution of payments to smaller units of general purpose government

(a) Notwithstanding any other provision of this chapter, a State may enact legislation which requires that any payments which would be made to units of general local government pursuant to this chapter be reallocated and redistributed in whole or part to other smaller units of general purpose government which (1) are located within the boundaries of the larger unit of general local government, (2) provide general governmental services and (3) contain entitlement lands within their boundaries. Such reallocation or redistribution shall generally reflect the level of services provided by, and the number of entitlement acres within, the smaller unit of general local government.

(b) Upon enactment of legislation by a State, described in subsection (a), the Secretary shall make one payment to such State equaling the aggregate amount of payments which he otherwise would have made to units of general local government within such State pursuant to this chapter. It shall be the responsibility of such State to make any further distribution of the payment pursuant to subsection (a). Such redistribution shall be made within 30 days after receipt of such payment. No payment, or portion thereof, made by the Secretary shall be used by any State for the administration of this subsection or subsection (a).

(c) Appropriations made for payments in lieu of taxes for a fiscal year may be used to correct underpayments in the previous fiscal year to achieve equity among all qualified recipients.

(Added Pub. L. 98-63, title I, July 30, 1983, 97 Stat. 324; amended Pub. L. 103-272, §4(f)(1)(U)(ii), July 5, 1994, 108 Stat. 1362.)

Editorial Notes

AMENDMENTS

1994—Pub. L. 103-272 inserted section catchline.

CHAPTER 71—JOINT FUNDING SIMPLIFICATION

Sec.	
7101.	Purposes.
7102.	Definitions.

Sec.	
7103.	Authority of the President and heads of executive agencies.
7104.	Processing project requests to be financed by at least 2 assistance programs.
7105.	Prescribing uniform technical and administrative provisions.
7106.	Delegation of supervision of assistance.
7107.	Joint management funds.
7108.	Limitation on authority under sections 7105-7107.
7109.	Appropriations available for joint financing.
7110.	Use of joint financing provisions for Federal-State assisted projects.
7111.	Report to Congress.
7112.	Expiration date.

§ 7101. Purposes

The purposes of this chapter are to—

(1) enable States, local governments, and private nonprofit organizations to use assistance of the United States Government more effectively and efficiently;

(2) adapt the assistance more readily to particular needs through wider use of projects that are supported by more than one executive agency, assistance program, or appropriation of the United States Government; and

(3) encourage Federal-State arrangements under which local governments and private nonprofit organizations may more effectively and efficiently combine Federal and State resources to support projects of common interest to those local governments and those organizations.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1035.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
7101	42:4251.	Dec. 5, 1974, Pub. L. 93-510, §2, 88 Stat. 1604.

In the chapter, the words “executive agency” are substituted for “Federal agency” because of the definition in section 102 of the revised title. The words “assistance program” are substituted for “Federal assistance programs” because of the definition in section 7102 of the revised title.

In the section, the words “resources available from” and “It is the further purpose of this chapter” are omitted as unnecessary because of the restatement.

§ 7102. Definitions

In this chapter—

(1) “applicant” means a State, local government, or private nonprofit organization applying for assistance for one project.

(2) “assistance program” means a program of the United States Government providing assistance through a grant or contract but does not include revenue sharing, a loan, a loan guarantee, or insurance.

(3) “local government” means a county, city, political subdivision of a county or city, or other general purpose political subdivision of a State, a school district, a council of governments, or other instrumentality of a local government.

(4) “project” means an undertaking that includes components that contribute materially to carrying out one purpose or closely related purposes and are proposed or approved for assistance under—

(A) more than one United States Government program; or

(B) at least one Government program and at least one State program.

(5) “State” means a State of the United States, the District of Columbia, a territory or possession of the United States, an agency or instrumentality of a State, and a tribe as defined in section 3(c) of the Indian Financing Act of 1974 (25 U.S.C. 1452(c)).

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1035; Pub. L. 103-272, § 4(f)(1)(V), July 5, 1994, 108 Stat. 1363.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7102(1)	42:4261(2), (4).	Dec. 5, 1974, Pub. L. 93-510, § 12, 88 Stat. 1608.
7102(2)	42:4261(1).	
7102(3)	42:4261(6).	
7102(4)	42:4261(3).	
7102(5)	42:4261(5).	

In clause (1), the words “applying for” are substituted for “seeking” for clarity. The words “acting separately or together” are omitted as unnecessary. The text of 42:4261(4) is omitted as unnecessary because of section 102 of the revised title.

In clause (2), the words “of the United States Government” are added for clarity. The words “assistance in the form of” are omitted as unnecessary.

In clause (3), the words “a county, city, political subdivision of a county or city, or other general purpose political subdivision of a State” are substituted for “a local unit of government including a city, county, parish, town, township, village,” for consistency in the revised title and because of 1:2. The word “agency” is omitted because it is included in “instrumentality”.

In clause (4), the words “that contribute” are substituted for “if each of those components” to eliminate unnecessary words. The words “whether of a temporary or continuing nature” are omitted as unnecessary.

In clause (5), the words “any of the several” are omitted as unnecessary. The words “the Commonwealth of Puerto Rico” are omitted as being included in “territory or possession of the United States” and as unnecessary because of 48:734.

Editorial Notes

AMENDMENTS

1994—Par. (3). Pub. L. 103-272 substituted “political” for “political” after “other general purpose”.

§ 7103. Authority of the President and heads of executive agencies

(a) The President shall prescribe necessary regulations to carry out section 7101 of this title and to ensure that this chapter is applied by all executive agencies consistently. The regulations may require executive agencies to adopt or prescribe procedures requiring applicants for assistance for a project to be jointly financed under this chapter to take steps to—

(1) get the views and recommendations of States and local governments that may be significantly affected by the project; and

(2) resolve questions of common interest to those States and local governments before making application.

(b) Subject to regulations prescribed under subsection (a) of this section and other law, the head of an executive agency may do the following by an order of the agency head or by agreement with another executive agency:

(1) identify related programs likely to be particularly suitable in providing joint financing for specific kinds of projects.

(2) to assist in planning and developing a project financed from different programs, develop and prescribe—

(A) guidelines;

(B) model or illustrative projects;

(C) joint or common application forms; and

(D) other materials or guidance.

(3) review administrative program requirements to identify requirements that may impede joint financing of a project and modify the requirements when appropriate.

(4) establish common technical or administrative regulations for related programs to assist in providing joint financing to support a specific project or class of projects.

(5) establish joint or common application processing and project supervision procedures, including procedures for designating—

(A) a lead agency responsible for processing applications; and

(B) a managing agency responsible for project supervision.

(c) The head of an executive agency shall—

(1) take maximum action to carry out section 7101 of this title in conducting an assistance program of the agency; and

(2) consult and cooperate with the heads of other executive agencies to carry out section 7101 of this title in conducting assistance programs of different executive agencies that may be used jointly to finance projects undertaken by States, local governments, or private nonprofit organizations.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 1036.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7103(a)	42:4252(a).	Dec. 5, 1974, Pub. L. 93-510, § 3, 88 Stat. 1604.
7103(b)	42:4252(b).	
7103(c)	42:4252(c).	

In subsection (a), before clause (1), the words “as may be necessary or appropriate” are omitted as unnecessary. The words “to carry out section 7101 of this title” are substituted for “in accordance with its purposes” as being more precise. The word “requiring” is substituted for “that will assure that” to eliminate unnecessary words. The words “to be jointly financed under this chapter” are substituted for “funded pursuant to the provisions of this chapter” for clarity and consistency. In clause (1), the words “States and local governments” are substituted for “non-Federal agencies” for clarity and because of the definition in section 7102.

In subsection (b), before clause (1), the words “under subsection (a) of this section” are substituted for “as the President may prescribe” because of the restatement. The words “applicable” and “take the following actions” are omitted as unnecessary. In clauses (1), (3), and (4), the words “joint financing” are substituted for “joint support” and “joint use of funds” for consistency in the revised chapter. In clause (1), the words “or appropriate” and “thereunder” are omitted as unnecessary. In clause (3), the words “to identify” are substituted for “in order to determine”, and the word “modify” is substituted for “the extent to which such requirements may be modified” and “making such modifications”, to eliminate unnecessary words. In clause (5), the words “or mechanisms” and “for designation” are omitted as unnecessary.