

(Added Pub. L. 110-234, title XIV, §14217(a)(2), May 22, 2008, 122 Stat. 1474, and Pub. L. 110-246, §4(a), title XIV, §14217(a)(2), June 18, 2008, 122 Stat. 1664, 2236.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first fiscal year beginning after June 18, 2008, see section 14217(d) of Pub. L. 110-246, set out as a note under section 15101 of this title.

§ 15308. Transfer of funds among Federal agencies

(a) IN GENERAL.—Subject to subsection (c), for purposes of this subtitle, each Commission may transfer funds to and accept transfers of funds from other Federal agencies.

(b) TRANSFER OF FUNDS TO OTHER FEDERAL AGENCIES.—Funds made available to a Commission may be transferred to other Federal agencies if the funds are used consistently with the purposes for which the funds were specifically authorized and appropriated.

(c) TRANSFER OF FUNDS FROM OTHER FEDERAL AGENCIES.—Funds may be transferred to any Commission under this section if—

- (1) the statutory authority for the funds provided by the Federal agency does not expressly prohibit use of funds for authorities being carried out by a Commission; and
- (2) the Federal agency that provides the funds determines that the activities for which the funds are to be used are otherwise eligible for funding under such a statutory authority.

(Added Pub. L. 118-272, div. B, title II, §2243(a)(2), Jan. 4, 2025, 138 Stat. 3203.)

Editorial Notes

PRIOR PROVISIONS

A prior section 15308 was renumbered section 15309 of this title.

§ 15309. Annual report

(a) IN GENERAL.—Not later than 180 days after the last day of each fiscal year, each Commission shall submit to the President and Congress a report on the activities carried out by the Commission under this subtitle in the fiscal year.

(b) CONTENTS.—The report shall include—

- (1) a description of the criteria used by the Commission to designate counties under section 15702 and a list of the counties designated in each category;
- (2) an evaluation of the progress of the Commission in meeting the goals identified in the Commission's economic and infrastructure development plan under section 15303 and State economic and infrastructure development plans under section 15502; and
- (3) any policy recommendations approved by the Commission.

(Added Pub. L. 110-234, title XIV, §14217(a)(2), May 22, 2008, 122 Stat. 1474, and Pub. L. 110-246, §4(a), title XIV, §14217(a)(2), June 18, 2008, 122 Stat. 1664, 2236, §15308; renumbered §15309 and amended Pub. L. 118-272, div. B, title II, §§2242(e), 2243(a)(1), Jan. 4, 2025, 138 Stat. 3203.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2025—Pub. L. 118-272, §2243(a)(1), renumbered section 15308 of this title as this section.

Subsec. (a). Pub. L. 118-272, §2242(e), substituted “180” for “90”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first fiscal year beginning after June 18, 2008, see section 14217(d) of Pub. L. 110-246, set out as a note under section 15101 of this title.

CHAPTER 155—FINANCIAL ASSISTANCE

Sec.

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| 15501. | Economic and infrastructure development grants. |
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Editorial Notes

AMENDMENTS

2025—Pub. L. 118-272, div. B, title II, §2244(b), Jan. 4, 2025, 138 Stat. 3204, added item 15507.

2018—Pub. L. 115-334, title VI, §6304(g), Dec. 20, 2018, 132 Stat. 4752, renumbered chapter 3 of subtitle V of this title as chapter 155 of this title.

§ 15501. Economic and infrastructure development grants

(a) IN GENERAL.—A Commission may make grants to States and local governments, Indian tribes, and public and nonprofit organizations for projects, approved in accordance with section 15503—

- (1) to develop the transportation infrastructure of its region;
- (2) to develop the basic public infrastructure of its region;
- (3) to develop the telecommunications infrastructure of its region;
- (4) to assist its region in obtaining job skills training, skills development and employment-related education, entrepreneurship, technology, and business development;
- (5) to provide assistance to severely economically distressed and underdeveloped areas of its region that lack financial resources for improving basic health care and other public services;

(6) to promote resource conservation, tourism, recreation, and preservation of open space in a manner consistent with economic development goals;

(7) to promote the development of renewable and alternative energy sources;

(8) to grow the capacity for successful community economic development in its region; and

(9) to otherwise achieve the purposes of this subtitle.

(b) **ALLOCATION OF FUNDS.**—A Commission shall allocate at least 40 percent of any grant amounts provided by the Commission in a fiscal year for projects described in paragraph (1), (2), (3), or (7) of subsection (a).

(c) **SOURCES OF GRANTS.**—Grant amounts may be provided entirely from appropriations to carry out this subtitle, in combination with amounts available under other Federal grant programs, or from any other source.

(d) **MAXIMUM COMMISSION CONTRIBUTIONS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), the Commission may contribute not more than 50 percent of a project or activity cost eligible for financial assistance under this section from amounts appropriated to carry out this subtitle.

(2) **DISTRESSED COUNTIES.**—The maximum Commission contribution for a project or activity to be carried out in a county for which a distressed county designation is in effect under section 15702 may be increased to 80 percent.

(3) **SPECIAL RULE FOR REGIONAL PROJECTS.**—A Commission may increase to 60 percent under paragraph (1) and 90 percent under paragraph (2) the maximum Commission contribution for a project or activity if—

(A) the project or activity involves 3 or more counties or more than one State; and

(B) the Commission determines in accordance with section 15302(a) that the project or activity will bring significant interstate or multicounty benefits to a region.

(e) **MAINTENANCE OF EFFORT.**—Funds may be provided by a Commission for a program or project in a State under this section only if the Commission determines that the level of Federal or State financial assistance provided under a law other than this subtitle, for the same type of program or project in the same area of the State within region, will not be reduced as a result of funds made available by this subtitle.

(f) **NO RELOCATION ASSISTANCE.**—Financial assistance authorized by this section may not be used to assist a person or entity in relocating from one area to another, except that financial assistance may be used as otherwise authorized by this subtitle to attract businesses to the region from outside the United States.

(Added Pub. L. 110-234, title XIV, §14217(a)(2), May 22, 2008, 122 Stat. 1474, and Pub. L. 110-246, §4(a), title XIV, §14217(a)(2), June 18, 2008, 122 Stat. 1664, 2236; amended Pub. L. 115-334, title VI, §6304(b), Dec. 20, 2018, 132 Stat. 4749.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2018—Subsec. (a)(8), (9). Pub. L. 115-334, §6304(b)(1), added par. (8) and redesignated former par. (8) as (9).

Subsec. (b). Pub. L. 115-334, §6304(b)(2), substituted “paragraph (1), (2), (3), or (7)” for “paragraphs (1) through (3)”.

Subsec. (f). Pub. L. 115-334, §6304(b)(3), substituted “, except that financial assistance may be used as otherwise authorized by this subtitle to attract businesses to the region from outside the United States.” for period at end.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first fiscal year beginning after June 18, 2008, see section 14217(d) of Pub. L. 110-246, set out as a note under section 15101 of this title.

WAIVER OF REQUIREMENTS RELATING TO NON-FEDERAL COST-SHARE GRANTS AND COOPERATIVE AGREEMENTS FOR THE NORTHERN BORDER REGIONAL COMMISSION

Pub. L. 116-260, div. D, title V, §505(b), Dec. 27, 2020, 134 Stat. 1379, provided that: “Requirements relating to non-Federal cost-share grants and cooperative agreements for the Northern Border Regional Commission under section 15501(d) of title 40, United States Code, are waived for grants awarded in fiscal year 2020 and in subsequent years in response to economic distress directly related to the impacts of the Coronavirus Disease (COVID-19).”

STATE CAPACITY BUILDING GRANT PROGRAM

Pub. L. 115-334, title VI, §6304(c), Dec. 20, 2018, 132 Stat. 4750, which authorized the Commission to establish a State capacity building grant program to provide grants to Commission States, was repealed by Pub. L. 118-272, div. B, title II, §2248(b), Jan. 4, 2025, 138 Stat. 3209.

§ 15502. Comprehensive economic and infrastructure development plans

(a) **STATE PLANS.**—In accordance with policies established by a Commission, each State member of the Commission shall submit a comprehensive economic and infrastructure development plan for the area of the region represented by the State member.

(b) **CONTENT OF PLAN.**—A State economic and infrastructure development plan shall reflect the goals, objectives, and priorities identified in any applicable economic and infrastructure development plan developed by a Commission under section 15303.

(c) **CONSULTATION WITH INTERESTED LOCAL PARTIES.**—In carrying out the development planning process (including the selection of programs and projects for assistance), a State shall—

(1) consult with local development districts, local units of government, and local colleges and universities; and

(2) take into consideration the goals, objectives, priorities, and recommendations of the entities described in paragraph (1).

(d) **PUBLIC PARTICIPATION.**—