

94-487, title I, §105, Oct. 12, 1976, 90 Stat. 2331; Pub. L. 96-506, §1(2), Dec. 8, 1980, 94 Stat. 2745; Pub. L. 97-35, title XVIII, §1821(a)(1), Aug. 13, 1981, 95 Stat. 766, authorized appropriations to carry out this subchapter from fiscal year ending June 30, 1966, to fiscal year ending Sept. 30, 1982.

Section 3136, Pub. L. 89-136, title I, §106, Aug. 26, 1965, 79 Stat. 554; 1966 Reorg. Plan No. 2, §1(h)(3), eff. May 10, 1966, 31 F.R. 6857, 80 Stat. 1608; 1970 Reorg. Plan No. 3, §2(a)(1), eff. Dec. 2, 1970, 35 F.R. 15623, 84 Stat. 2087, conditioned use of financial assistance for sewer or other waste disposal facilities upon certification by Administrator of Environmental Protection Agency.

Section 3137, Pub. L. 89-136, title I, §107, as added Pub. L. 94-487, title I, §106, Oct. 12, 1976, 90 Stat. 2332, authorized increase in amount of grant for construction cost increases after grant had been made.

AMENDMENTS

2025—Subsec. (b). Pub. L. 118-272 added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “To carry out subsection (a), or for any other purpose relating to economic development activities, the Secretary may convene meetings with Federal agencies, State and local governments, economic development districts, Indian tribes, and other appropriate planning and development organizations.”

2004—Pub. L. 108-373 designated existing provisions as subsec. (a), inserted heading, inserted “Indian tribes,” after “districts,”, and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

SUBCHAPTER II—GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT

§ 3141. Grants for public works and economic development

(a) In general

On the application of an eligible recipient, the Secretary may make grants for—

- (1) acquisition or development of land and improvements for use for a public works, public service, or development facility or for the improvement of waste management and recycling systems; and
- (2) acquisition, design and engineering, construction, rehabilitation, alteration, expansion, increasing the resilience¹ or improvement of such a facility, including related machinery and equipment.

(b) Criteria for grant

The Secretary may make a grant under this section only if the Secretary determines that—

- (1) the project for which the grant is applied for will, directly or indirectly—
 - (A) improve the opportunities, in the area where the project is or will be located, for the successful establishment, expansion, or retention,² of industrial or commercial plants or facilities;
 - (B) assist in the creation of additional long-term employment opportunities in the area; or
 - (C) primarily benefit the long-term unemployed and underemployed and members of low-income families;

(2) the project for which the grant is applied for will fulfill a pressing need of the area, or a part of the area, in which the project is or will be located; and

(3) the area for which the project is to be carried out has a comprehensive economic development strategy and the project is consistent with the strategy.

(c) Additional considerations

In awarding grants under subsection (a) and subject to the criteria in subsection (b), the Secretary may also consider the extent to which a project would—

- (1) lead to economic diversification in the area, or a part of the area, in which the project is or will be located;
- (2) address and mitigate economic impacts from extreme weather events, including development of resilient infrastructure, products, and processes;
- (3) benefit highly rural communities without adequate tax revenues to invest in long-term or costly infrastructure;
- (4) increase access to high-speed broadband;
- (5) support outdoor recreation to spur economic development, with a focus on rural communities;
- (6) promote job creation or retention relative to the population of the impacted region with outsized significance;
- (7) promote travel and tourism; or
- (8) promote blue economy activities.

(d) Maximum assistance for each State

Not more than 15 percent of the amounts made available to carry out this section may be expended in any 1 State.

(Pub. L. 89-136, title II, §201, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3601; amended Pub. L. 118-272, div. B, title II, §2213(a), Jan. 4, 2025, 138 Stat. 3179.)

Editorial Notes

PRIOR PROVISIONS

A prior section 3141, Pub. L. 89-136, title II, §201, Aug. 26, 1965, 79 Stat. 554; Pub. L. 91-304, §1(b), July 6, 1970, 84 Stat. 375; Pub. L. 92-65, title I, §104, Aug. 5, 1971, 85 Stat. 167; Pub. L. 93-46, §2, June 18, 1973, 87 Stat. 96; Pub. L. 93-423, §4(a), Sept. 27, 1974, 88 Stat. 1158; Pub. L. 94-487, title I, §107(a), (b), Oct. 12, 1976, 90 Stat. 2332; Pub. L. 96-506, §1(3), Dec. 8, 1980, 94 Stat. 2745; Pub. L. 97-35, title XVIII, §1821(a)(2), Aug. 13, 1981, 95 Stat. 766, authorized public works and development facility loans, prior to repeal by Pub. L. 105-393, §102(a).

AMENDMENTS

2025—Subsec. (a)(1). Pub. L. 118-272, §2213(a)(1)(A), inserted “or for the improvement of waste management and recycling systems” after “development facility”.
 Subsec. (a)(2). Pub. L. 118-272, §2213(a)(1)(B), inserted “increasing the resilience” after “expansion”.
 Subsec. (b)(1)(A). Pub. L. 118-272, §2213(a)(2)(A), substituted “successful establishment, expansion, or retention,” for “successful establishment or expansion”.
 Subsec. (b)(1)(C). Pub. L. 118-272, §2213(a)(2)(B), inserted “and underemployed” after “unemployed”.
 Subsecs. (c), (d). Pub. L. 118-272, §2213(a)(3), (4), added subsec. (c) and redesignated former subsec. (c) as (d).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

¹ So in original. Probably should be followed by a comma.

² So in original. The comma probably should not appear.

§ 3142. Base closings and realignments

Notwithstanding any other provision of law, the Secretary may provide to an eligible recipient any assistance available under this subchapter for a project to be carried out on a military or Department of Energy installation that is closed or scheduled for closure or realignment without requiring that the eligible recipient have title to the property or a leasehold interest in the property for any specified term.

(Pub. L. 89-136, title II, §202, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3602.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 3142, Pub. L. 89-136, title II, §202, Aug. 26, 1965, 79 Stat. 556; Pub. L. 93-423, §4(b), Sept. 27, 1974, 88 Stat. 1158; Pub. L. 94-487, title I, §§107(c), (d), 108, Oct. 12, 1976, 90 Stat. 2332, authorized business loans and loan guarantees, prior to repeal by Pub. L. 105-393, §102(a).

A prior section 3142-1, Pub. L. 91-596, §28(d), Dec. 29, 1970, 84 Stat. 1618; Pub. L. 93-237, §2(c), Jan. 2, 1974, 87 Stat. 1024, which authorized loans for small business compliance with occupational safety and health standards, was omitted from the Code in view of the repeal of subchapter II of this chapter by Pub. L. 105-393.

A prior section 3142a, Pub. L. 89-298, title II, §217, Oct. 27, 1965, 79 Stat. 1088, which authorized purchase of indebtedness and loans for waterways projects, was transferred to section 2220 of Title 33, Navigation and Navigable Waters.

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE**

Section effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as a note under section 3121 of this title.

§ 3143. Grants for planning and grants for administrative expenses**(a) In general**

On the application of an eligible recipient, the Secretary may make grants to pay the costs of economic development planning and the administrative expenses of organizations that carry out the planning.

(b) Planning process

Planning assisted under this subchapter shall be a continuous process involving public officials and private citizens in—

- (1) analyzing local economies;
- (2) defining economic development goals;
- (3) determining project opportunities; and
- (4) formulating and implementing an economic development program that includes systematic efforts to reduce unemployment and increase incomes.

(c) Use of planning assistance

Planning assistance under this subchapter shall be used in conjunction with any other available Federal planning assistance to ensure adequate and effective planning and economical use of funds.

(d) Administrative expenses

Administrative expenses that may be paid with a grant under this section include—

(1) expenses related to carrying out the planning process described in subsection (b);

(2) expenses related to project predevelopment;

(3) expenses related to updating economic development plans to align with other applicable State, regional, or local planning efforts; and

(4) expenses related to hiring professional staff to assist communities in—

(A) project predevelopment and implementing projects and priorities included in—

(i) a comprehensive economic development strategy; or

(ii) an economic development planning grant;

(B) identifying and using other Federal, State, and Tribal economic development programs;

(C) leveraging private and philanthropic investment;

(D) preparing economic recovery plans in response to disasters; and

(E) carrying out economic development and predevelopment activities in accordance with professional economic development best practices.

(e) State plans**(1) Development**

Any State plan developed with assistance under this section shall be developed, to the maximum extent practicable, cooperatively by the State, political subdivisions of the State, and the economic development districts located wholly or partially in the State.

(2) Comprehensive economic development strategy

As a condition of receipt of assistance for a State plan under this subsection, the State shall have or develop a comprehensive economic development strategy.

(3) Coordination

Before providing assistance for a State plan under this section, the Secretary shall consider the extent to which the State will consider local and economic development district plans.

(4) Comprehensive planning process

Any overall State economic development planning assisted under this section shall be a part of a comprehensive planning process that shall consider the provision of public works to—

(A) promote economic development and opportunity;

(B) foster effective transportation access;

(C) enhance and protect the environment;

(D) assist in carrying out the workforce investment strategy of a State;

(E) promote the use of technology in economic development, including access to high-speed telecommunications (including broadband);

(F) address and mitigate economic impacts of extreme weather; and

(G) balance resources through the sound management of physical development.

(5) Report to Secretary

Each State that receives assistance for the development of a plan under this subsection