

shall submit to the Secretary an annual report on the planning process assisted under this subsection.

(Pub. L. 89-136, title II, §203, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3602; amended Pub. L. 108-373, title II, §201, Oct. 27, 2004, 118 Stat. 1759.)

Editorial Notes

PRIOR PROVISIONS

A prior section 3143, Pub. L. 89-136, title II, §203, Aug. 26, 1965, 79 Stat. 558; Pub. L. 94-273, §2(25), Apr. 21, 1976, 90 Stat. 376, directed deposit of funds into Economic Development Revolving Fund, prior to repeal by Pub. L. 105-393, §102(a).

AMENDMENTS

2004—Subsec. (d)(1). Pub. L. 108-373, §201(1), inserted “, to the maximum extent practicable,” after “shall be developed”.

Subsec. (d)(3). Pub. L. 108-373, §201(2), added par. (3) and struck out heading and text of former par. (3). Text read as follows: “On completion of a State plan developed with assistance under this section, the State shall—

“(A) certify to the Secretary that, in the development of the State plan, local and economic development district plans were considered and, to the maximum extent practicable, the State plan is consistent with the local and economic development district plans; and

“(B) identify any inconsistencies between the State plan and the local and economic development district plans and provide a justification for each inconsistency.”

Subsec. (d)(4)(D) to (F). Pub. L. 108-373, §201(3), added subpars. (D) and (E) and redesignated former subpar. (D) as (F).

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.

§3144. Cost sharing

(a) Federal share

Except as provided in subsection (c), the Federal share of the cost of any project carried out under this subchapter shall not exceed—

- (1) 50 percent; plus
- (2) an additional percent that—
 - (A) shall not exceed 30 percent; and
 - (B) is based on the relative needs of the area in which the project will be located, as determined in accordance with regulations promulgated by the Secretary.

(b) Non-Federal share

In determining the amount of the non-Federal share of the cost of a project, the Secretary may provide credit toward the non-Federal share for all contributions both in cash and in-kind, fairly evaluated, including contributions of space, equipment, assumptions of debt, and services.

(c) Increase in Federal share

(1) Indian tribes

In the case of a grant to an Indian tribe for a project under this subchapter, the Secretary may increase the Federal share above the per-

centage specified in subsection (a) up to 100 percent of the cost of the project.

(2) Certain States, political subdivisions, and nonprofit organizations

In the case of a grant to a State, or a political subdivision of a State, that the Secretary determines has exhausted the effective taxing and borrowing capacity of the State or political subdivision, or in the case of a grant to a nonprofit organization that the Secretary determines has exhausted the effective borrowing capacity of the nonprofit organization, the Secretary may increase the Federal share above the percentage specified in subsection (a) up to 100 percent of the cost of the project.

(3) Training, research, and technical assistance

In the case of a grant provided under section 3147 of this title, the Secretary may increase the Federal share above the percentage specified in subsection (a) up to 100 percent of the cost of the project if the Secretary determines that the project funded by the grant merits, and is not feasible without, such an increase.

(Pub. L. 89-136, title II, §204, as added Pub. L. 105-393, title I, §102(a), Nov. 13, 1998, 112 Stat. 3603; amended Pub. L. 108-373, title II, §202, Oct. 27, 2004, 118 Stat. 1759.)

Editorial Notes

PRIOR PROVISIONS

A prior section 3144, Pub. L. 89-136, title II, §204, as added Pub. L. 94-487, title I, §109, Oct. 12, 1976, 90 Stat. 2333; amended Pub. L. 96-470, title I, §201(d), Oct. 19, 1980, 94 Stat. 2241; Pub. L. 96-506, §1(4), Dec. 8, 1980, 94 Stat. 2745; Pub. L. 97-35, title XVIII, §1821(a)(3), Aug. 13, 1981, 95 Stat. 766, authorized interest free loans to carry out approved redevelopment area plans, prior to repeal by Pub. L. 105-393, §102(a).

AMENDMENTS

2004—Subsec. (a). Pub. L. 108-373, §202(a), added subsec. (a) and struck out heading and text of former subsec. (a). Text read as follows: “Subject to section 3145 of this title, the amount of a grant for a project under this subchapter shall not exceed 50 percent of the cost of the project.”

Subsec. (b). Pub. L. 108-373, §202(b), inserted “assumptions of debt,” after “equipment.”

Subsec. (c). Pub. L. 108-373, §202(c), added subsec. (c).

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.

§3145. Supplementary grants

(a) Definition of designated Federal grant program

In this section, the term “designated Federal grant program” means any Federal grant program that—

(1) provides assistance in the construction or equipping of public works, public service, or development facilities;

(2) the Secretary designates as eligible for an allocation of funds under this section; and

(3) assists projects that are—

(A) eligible for assistance under this subchapter; and