

(B) assist in providing useful employment opportunities for the unemployed or underemployed residents in the area.

(c) Notification

At the time of the designation under subsection (a), the Secretary 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 written notice of the designation, including a justification for the designation.

(Pub. L. 89-136, title II, §214, as added Pub. L. 108-373, title II, §209(a), Oct. 27, 2004, 118 Stat. 1763.)

§ 3154a. Performance awards

(a) In general

The Secretary may make a performance award in connection with a grant made, on or after October 27, 2004, to an eligible recipient for a project under section 3141 or 3149 of this title.

(b) Performance measures

(1) Regulations

The Secretary shall promulgate regulations to establish performance measures for making performance awards under subsection (a).

(2) Considerations

In promulgating regulations under paragraph (1), the Secretary shall consider the inclusion of performance measures that assess—

- (A) whether the recipient meets or exceeds scheduling goals;
- (B) whether the recipient meets or exceeds job creation goals;
- (C) amounts of private sector capital investments leveraged; and
- (D) such other factors as the Secretary determines to be appropriate.

(c) Amount of awards

(1) In general

The Secretary shall base the amount of a performance award made under subsection (a) in connection with a grant on the extent to which a recipient meets or exceeds performance measures established in connection with the grant.

(2) Maximum amount

The amount of a performance award may not exceed 10 percent of the amount of the grant.

(d) Use of awards

A recipient of a performance award under subsection (a) may use the award for any eligible purpose under this chapter, in accordance with section 3212 of this title and such regulations as the Secretary may promulgate.

(e) Federal share

Notwithstanding section 3144 of this title, the funds of a performance award may be used to pay up to 100 percent of the cost of an eligible project or activity.

(f) Treatment in meeting non-Federal share requirements

For the purposes of meeting the non-Federal share requirements under this, or any other, Act

the funds of a performance award shall be treated as funds from a non-Federal source.

(g) Terms and conditions

In making performance awards under subsection (a), the Secretary shall establish such terms and conditions as the Secretary considers to be appropriate.

(h) Funding

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

(i) Reporting requirement

The Secretary shall include information regarding performance awards made under this section in the annual report required under section 3213 of this title.

(j) Review by Comptroller General

(1) Review

The Comptroller General shall regularly review the implementation of this section.

(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. Renewable energy program**(a) Definition of renewable energy site**

In this section, the term “renewable energy site” means a brownfield site that is redeveloped through the incorporation of 1 or more renewable energy technologies, including solar, wind, geothermal, ocean, and emerging, but proven, renewable energy technologies.

(b) Establishment

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

- (1) use 1 or more renewable energy technologies described in subsection (a), 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.

(Pub. L. 89-136, title II, §218, as added Pub. L. 108-373, title II, §213(a), Oct. 27, 2004, 118 Stat. 1766; amended Pub. L. 118-272, div. B, title II, §2220, Jan. 4, 2025, 138 Stat. 3185.)

Editorial Notes

AMENDMENTS

2025—Pub. L. 118-272, §2220(1), substituted “Renewable energy” for “Brightfields demonstration” in section catchline.

Subsec. (a). Pub. L. 118-272, §2220(2), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “In this section, the term ‘brightfield site’ means a brownfield site that is redeveloped through the incorporation of 1 or more solar energy technologies.”

Subsec. (b). Pub. L. 118-272, §2220(3)(A), (B), substituted “Establishment” for “Demonstration program” in heading and “renewable energy” for “brightfield” in introductory provisions.

Subsec. (b)(1). Pub. L. 118-272, §2220(3)(C), substituted “renewable energy technologies described in subsection (a),” for “solar energy technologies”.

Subsec. (d). Pub. L. 118-272, §2220(4), struck out subsec. (d). Text read as follows: “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.”

§ 3154e. Workforce training grants**(a) In general**

On the application of an eligible recipient, the Secretary may make grants to support the development and expansion of innovative workforce training programs through sectoral partnerships leading to quality jobs and the acquisition of equipment or construction of facilities to support workforce development activities.

(b) Eligible uses

Funds from a grant under this section may be used for—

- (1) acquisition or development of land and improvements to house workforce training activities;
- (2) acquisition, design and engineering, construction, rehabilitation, alteration, expansion, or improvement of such a facility, including related equipment and machinery;
- (3) acquisition of machinery or equipment to support workforce training activities;
- (4) planning, technical assistance, and training;
- (5) sector partnerships development, program design, and program implementation; and
- (6) in the case of an eligible recipient that is a State, subject to subsection (c), a State program to support individual trainees for employment in critical industries with high demand and vacancies necessary for further economic development of the applicable State that—