

porary personnel, after serving continuously for 2 years, to positions in the Economic Development Administration in the same manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions and an individual appointed under this provision shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure”.

[For definition of “coronavirus” as used in provision of title II of div. B of Pub. L. 116-136, set out above, see section 23005 of div. B of Pub. L. 116-136, set out as a note under section 162b of Title 2, The Congress.]

§ 3212. Maintenance of standards

All laborers and mechanics employed by contractors or subcontractors on projects assisted by the Secretary under this chapter shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40. The Secretary shall not extend any financial assistance under this chapter for such a project without first obtaining adequate assurance that these labor standards will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this provision, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 3145 of title 40.

(Pub. L. 89-136, title VI, §602, formerly title VII, §712, Aug. 26, 1965, 79 Stat. 575; Pub. L. 93-567, title III, §302, Dec. 31, 1974, 88 Stat. 1855; renumbered title VI, §602, and amended Pub. L. 105-393, title I, §102(b)(1), (2), Nov. 13, 1998, 112 Stat. 3616; Pub. L. 108-373, title V, §504, Oct. 27, 2004, 118 Stat. 1769.)

Editorial Notes

REFERENCES IN TEXT

Reorganization Plan Numbered 14 of 1950, referred to in text, is set out in the Appendix to Title 5, Government Organization and Employees.

CODIFICATION

Section was formerly classified to section 3222 of this title prior to renumbering by Pub. L. 105-393.

PRIOR PROVISIONS

A prior section 3212, Pub. L. 89-136, title VII, §702, Aug. 26, 1965, 79 Stat. 572, related to prevention of unfair competition, prior to repeal by Pub. L. 105-393, §102(b)(3).

A prior section 602 of Pub. L. 89-136 was classified to section 3202 of this title prior to repeal by Pub. L. 105-393, §102(a).

AMENDMENTS

2004—Pub. L. 108-373 substituted “in accordance with subchapter IV of chapter 31 of title 40” for “in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5)” in first sentence and “section 3145 of title 40” for “section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)” in third sentence.

1998—Pub. L. 105-393, §102(b)(2)(A), substituted section catchline for former section catchline.

Pub. L. 105-393, §102(b)(2)(B), which directed amendment of text by substituting “this chapter” for “sections 3131, 3141, 3142, 3171, 3243, and 3246b of this title” in second sentence, was executed by making the substitution for phrase which began with “section 3131” rather

than “sections 3131”, to reflect the probable intent of Congress.

1974—Pub. L. 93-567 inserted references to sections 3243 and 3236b of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-393 effective Feb. 11, 1999, see section 105 of Pub. L. 105-393, set out as an Effective Date note under section 3121 of this title.

§ 3213. Annual report to Congress

(a) In general

Not later than July 1, 2000, and July 1 of each year thereafter, the Secretary shall submit to Congress a comprehensive and detailed annual report on the activities of the Secretary under this chapter during the most recently completed fiscal year.

(b) Inclusions

Each report required under subsection (a) shall—

(1) include a list of all grant recipients by State, including the projected private sector dollar to Federal dollar investment ratio for each grant recipient;

(2) include a discussion of any private sector leveraging goal with respect to grants awarded to—

(A) rural areas and urban economically distressed areas; and

(B) highly distressed areas;

(3) after the completion of a project, include the realized private sector dollar to Federal dollar investment ratio for the project; and

(4)(A) include a list of all of the grants provided by the Economic Development Administration for projects located in, or that primarily benefit, rural areas;

(B) an explanation of the process used to determine how each project referred to in subparagraph (A) would benefit a rural area; and

(C) a certification that each project referred to in subparagraph (A)—

(i) is located in a rural area; or

(ii) will primarily benefit a rural area.

(c) Additional reporting

As part of the annual report to Congress of the Economic Development Administration, the Secretary shall include a report on project completions and close outs for construction awards that includes the following information on individual construction projects:

(1) The award date of the project.

(2) The completion date of the project.

(3) The close out date of the project.

(4) The total amount of the project, including non-Federal cost share and funding from other sources, including a breakdown by source.

(5) The number of jobs anticipated to be created or retained as a result of the investment.

(d) Public availability

Not later than the date of the submission of the report under subsection (c), the Secretary shall make the report under subsection (c) publicly available.

(e) Additional reporting requirement

To ensure that projects are meeting expected timelines, not later than 1 year after January 4,

2025, 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 report that, at a minimum—

(1) includes an analysis of Economic Development Administration construction project timeline estimates and actual project durations; and

(2) describes the frequency with which project timelines are delayed and the sources of those delays, including cases in which a project scope or schedule requires an award amendment.

(Pub. L. 89-136, title VI, § 603, as added Pub. L. 105-393, title I, § 102(a), Nov. 13, 1998, 112 Stat. 3614; amended Pub. L. 108-373, title VI, § 601, Oct. 27, 2004, 118 Stat. 1769; Pub. L. 118-272, div. B, title II, § 2230, Jan. 4, 2025, 138 Stat. 3196.)

Editorial Notes

PRIOR PROVISIONS

A prior section 3213, Pub. L. 89-136, title VII, § 703, Aug. 26, 1965, 79 Stat. 572, set forth savings provisions, prior to repeal by Pub. L. 105-393, § 102(b)(3).

A prior section 603 of Pub. L. 89-136 was classified to section 3203 of this title prior to repeal by Pub. L. 105-393, § 102(a).

AMENDMENTS

2025—Subsec. (b)(2)(A). Pub. L. 118-272, § 2230(1)(A)(i), inserted “areas” after “rural”.

Subsec. (b)(4). Pub. L. 118-272, § 2230(1)(A)(ii)-(C), added par. (4).

Subsecs. (c) to (e). Pub. L. 118-272, § 2230(2), added subsecs. (c) to (e).

2004—Pub. L. 108-373 designated existing provisions as subsec. (a), inserted heading, 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.

§ 3214. Delegation of functions and transfer of funds among Federal agencies

(a) Delegation of functions to other Federal agencies

The Secretary may—

(1) delegate to the heads of other Federal agencies such functions, powers, and duties of the Secretary under this chapter as the Secretary determines to be appropriate; and

(2) authorize the redelegation of the functions, powers, and duties by the heads of the agencies.

(b) Transfer of funds to other Federal agencies

Funds authorized to be appropriated to carry out this chapter may be transferred between Federal agencies, if the funds are used for the purposes for which the funds are specifically authorized and appropriated.

(c) Transfer of funds from other Federal agencies

(1) In general

Subject to paragraph (2), for the purposes of this chapter, the Secretary may accept trans-

fers of funds from other Federal agencies if the funds are used for the purposes for which (and in accordance with the terms under which) the funds are specifically authorized and appropriated.

(2) Use of funds

The transferred funds—

(A) shall remain available until expended; and

(B) may, to the extent necessary to carry out this chapter, be transferred to and merged by the Secretary with the appropriations for salaries and expenses.

(Pub. L. 89-136, title VI, § 604, as added Pub. L. 105-393, title I, § 102(a), Nov. 13, 1998, 112 Stat. 3614.)

Editorial Notes

PRIOR PROVISIONS

A prior section 3214, Pub. L. 89-136, title VII, § 704, Aug. 26, 1965, 79 Stat. 572; Pub. L. 94-487, title I, § 120, Oct. 12, 1976, 90 Stat. 2336, related to transfer of functions of Area Redevelopment Administration, prior to repeal by Pub. L. 105-393, § 102(b)(3).

A prior section 604 of Pub. L. 89-136 was classified to section 3204 of this title prior to repeal by Pub. L. 105-393, § 102(a).

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.

§ 3215. Penalties

(a) False statements; security overvaluation

A person that makes any statement that the person knows to be false, or willfully overvalues any security, for the purpose of—

(1) obtaining for the person or for any applicant any financial assistance under this chapter or any extension of the assistance by renewal, deferment, or action, or by any other means, or the acceptance, release, or substitution of security for the assistance;

(2) influencing in any manner the action of the Secretary; or

(3) obtaining money, property, or any thing of value, under this chapter;

shall be fined under title 18, imprisoned not more than 5 years, or both.

(b) Embezzlement and fraud-related crimes

A person that is connected in any capacity with the Secretary in the administration of this chapter and that—

(1) embezzles, abstracts, purloins, or willfully misapplies any funds, securities, or other thing of value, that is pledged or otherwise entrusted to the person;

(2) with intent to defraud the Secretary or any other person or entity, or to deceive any officer, auditor, or examiner—

(A) makes any false entry in any book, report, or statement of or to the Secretary; or

(B) without being duly authorized, draws any order or issue, puts forth, or assigns any note, debenture, bond, or other obligation,