

Union Calendar No. 202

110TH CONGRESS
1ST SESSION

H. R. 3246

[Report No. 110-321, Part I]

To amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2007

Mr. OBERSTAR (for himself, Ms. NORTON, Mr. COSTELLO, Mr. MCHUGH, Mr. ALLEN, Mr. MICHAUD, Ms. SHEA-PORTER, Mr. HODES, Mr. HAYES, Mr. RODRIGUEZ, Mr. FILNER, Mr. GRIJALVA, Mr. ARCURI, Mr. LOEBSACK, Mr. BOSWELL, Mr. COHEN, Mr. ORTIZ, and Mr. JEFFERSON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER 7, 2007

Additional sponsor: Mr. MCINTYRE

SEPTEMBER 7, 2007

Reported from the Committee on Transportation and Infrastructure with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

SEPTEMBER 7, 2007

Committee on Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Regional Economic and*
5 *Infrastructure Development Act of 2007”.*

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) *FINDINGS.—Congress finds that—*

8 (1) *certain regions of the Nation, including Ap-*
9 *palachia, the Mississippi Delta Region, the Northern*
10 *Great Plains Region, the Southeast Crescent Region,*
11 *the Southwest Border Region, the Northern Border*
12 *Region, and rural Alaska, have suffered from chronic*
13 *distress far above the national average;*

14 (2) *an economically distressed region can suffer*
15 *unemployment and poverty at a rate that is 150 per-*
16 *cent of the national average; and*

1 **“CHAPTER 151—GENERAL PROVISIONS**

“Sec.

“15101. Definitions.

2 **“§ 15101. Definitions**

3 *“In this subtitle, the following definitions apply:*

4 *“(1) COMMISSION.—The term ‘Commission’*
 5 *means a Commission established under section 15301.*

6 *“(2) LOCAL DEVELOPMENT DISTRICT.—The term*
 7 *‘local development district’ means an entity that—*

8 *“(A)(i) is an economic development district*
 9 *that is—*

10 *“(I) in existence on the date of enact-*
 11 *ment of this chapter; and*

12 *“(II) located in the region; or*

13 *“(i) if an entity described in clause (i) does*
 14 *not exist—*

15 *“(I) is organized and operated in a*
 16 *manner that ensures broad-based commu-*
 17 *nity participation and an effective oppor-*
 18 *tunity for local officials, community lead-*
 19 *ers, and the public to contribute to the de-*
 20 *velopment and implementation of programs*
 21 *in the region;*

22 *“(II) is governed by a policy board*
 23 *with at least a simple majority of members*
 24 *consisting of—*

1 “(aa) elected officials; or

2 “(bb) designees or employees of a
3 general purpose unit of local govern-
4 ment that have been appointed to rep-
5 resent the unit of local government;
6 and

7 “(III) is certified by the Governor or
8 appropriate State officer as having a char-
9 ter or authority that includes the economic
10 development of counties, portions of coun-
11 ties, or other political subdivisions within
12 the region; and

13 “(B) has not, as certified by the Federal Co-
14 chairperson—

15 “(i) inappropriately used Federal
16 grant funds from any Federal source; or

17 “(ii) appointed an officer who, during
18 the period in which another entity inappro-
19 priately used Federal grant funds from any
20 Federal source, was an officer of the other
21 entity.

22 “(3) FEDERAL GRANT PROGRAM.—The term
23 ‘Federal grant program’ means a Federal grant pro-
24 gram to provide assistance in carrying out economic
25 and community development activities.

1 “(4) *INDIAN TRIBE*.—*The term ‘Indian tribe’ has*
 2 *the meaning given the term in section 4 of the Indian*
 3 *Self-Determination and Education Assistance Act (25*
 4 *U.S.C. 450b).*

5 “(5) *NONPROFIT ENTITY*.—*The term ‘nonprofit*
 6 *entity’ means any entity with tax-exempt or non-*
 7 *profit status, as defined by the Internal Revenue*
 8 *Service, that has been formed for the purpose of eco-*
 9 *nom ic development.*

10 “(6) *REGION*.—*The term ‘region’ means the area*
 11 *covered by a Commission as described in subchapter*
 12 *II of chapter 157.*

13 **“CHAPTER 153—REGIONAL COMMISSIONS**

“*Sec.*

“15301. *Establishment, membership, and employees.*

“15302. *Decisions.*

“15303. *Functions.*

“15304. *Administrative powers and expenses.*

“15305. *Meetings.*

“15306. *Personal financial interests.*

“15307. *Tribal representation on Northern Great Plains Regional Commission.*

“15308. *Tribal participation.*

“15309. *Annual report.*

14 **“§ 15301. Establishment, membership, and employees**

15 “(a) *ESTABLISHMENT*.—*There are established the fol-*
 16 *lowing regional Commissions:*

17 “(1) *The Delta Regional Commission.*

18 “(2) *The Northern Great Plains Regional Com-*
 19 *mission.*

1 “(3) *The Southeast Crescent Regional Commis-*
2 *sion.*

3 “(4) *The Southwest Border Regional Commis-*
4 *sion.*

5 “(5) *The Northern Border Regional Commission.*

6 “(b) *MEMBERSHIP.—*

7 “(1) *FEDERAL AND STATE MEMBERS.—Each*
8 *Commission shall be composed of the following mem-*
9 *bers:*

10 “(A) *A Federal Cochairperson, to be ap-*
11 *pointed by the President, by and with the advice*
12 *and consent of the Senate.*

13 “(B) *The Governor of each participating*
14 *State in the region of the Commission.*

15 “(2) *ALTERNATE MEMBERS.—*

16 “(A) *ALTERNATE FEDERAL COCHAIR-*
17 *PERSON.—The President shall appoint an alter-*
18 *nate Federal Cochairperson for each Commis-*
19 *sion. The alternate Federal Cochairperson, when*
20 *not actively serving as an alternate for the Fed-*
21 *eral Cochairperson, shall perform such functions*
22 *and duties as are delegated by the Federal Co-*
23 *chairperson.*

24 “(B) *STATE ALTERNATES.—The State mem-*
25 *ber of a participating State may have a single*

1 *alternate, who shall be appointed by the Gov-*
2 *ernor of the State from among the members of*
3 *the Governor’s cabinet or personal staff.*

4 “(C) *VOTING.*—*An alternate member shall*
5 *vote in the case of the absence, death, disability,*
6 *removal, or resignation of the Federal or State*
7 *member for which the alternate member is an al-*
8 *ternate.*

9 “(3) *COCHAIRPERSONS.*—*A Commission shall be*
10 *headed by—*

11 “(A) *the Federal Cochairperson, who shall*
12 *serve as a liaison between the Federal Govern-*
13 *ment and the Commission; and*

14 “(B) *a State Cochairperson, who shall be a*
15 *Governor of a participating State in the region*
16 *and shall be elected by the State members for a*
17 *term of not less than 1 year.*

18 “(4) *CONSECUTIVE TERMS.*—*A State member*
19 *may not be elected to serve as State Cochairperson for*
20 *more than 2 consecutive terms.*

21 “(c) *COMPENSATION.*—

22 “(1) *FEDERAL COCHAIRPERSONS.*—*Each Federal*
23 *Cochairperson shall be compensated by the Federal*
24 *Government at level III of the Executive Schedule as*
25 *set out in section 5314 of title 5.*

1 “(2) *ALTERNATE FEDERAL COCHAIRPERSONS.*—
2 *Each Federal Cochairperson’s alternate shall be com-*
3 *pensated by the Federal Government at level V of the*
4 *Executive Schedule as set out in section 5316 of title*
5 *5.*

6 “(3) *STATE MEMBERS AND ALTERNATES.*—*Each*
7 *State member and alternate shall be compensated by*
8 *the State that they represent at the rate established by*
9 *the laws of that State.*

10 “(d) *EXECUTIVE DIRECTOR AND STAFF.*—

11 “(1) *IN GENERAL.*—*A Commission shall appoint*
12 *and fix the compensation of an executive director and*
13 *such other personnel as are necessary to enable the*
14 *Commission to carry out its duties. Compensation*
15 *under this paragraph may not exceed the maximum*
16 *rate of basic pay established for the Senior Executive*
17 *Service under section 5382 of title 5, including any*
18 *applicable locality-based comparability payment that*
19 *may be authorized under section 5304(h)(2)(C) of that*
20 *title.*

21 “(2) *EXECUTIVE DIRECTOR.*—*The executive di-*
22 *rector shall be responsible for carrying out the admin-*
23 *istrative duties of the Commission, directing the Com-*
24 *mission staff, and such other duties as the Commis-*
25 *sion may assign.*

1 “(e) *NO FEDERAL EMPLOYEE STATUS.*—No member,
2 *alternate, officer, or employee of a Commission (other than*
3 *the Federal Cochairperson, the alternate Federal Cochair-*
4 *person, staff of the Federal Cochairperson, and any Federal*
5 *employee detailed to the Commission) shall be considered*
6 *to be a Federal employee for any purpose.*

7 **“§ 15302. Decisions**

8 “(a) *REQUIREMENTS FOR APPROVAL.*—Except as pro-
9 *vided in section 15304(c)(3), decisions by the Commission*
10 *shall require the affirmative vote of the Federal Cochair-*
11 *person and a majority of the State members (exclusive of*
12 *members representing States delinquent under section*
13 *15304(c)(3)(C)).*

14 “(b) *CONSULTATION.*—In matters coming before the
15 *Commission, the Federal Cochairperson shall, to the extent*
16 *practicable, consult with the Federal departments and agen-*
17 *cies having an interest in the subject matter.*

18 “(c) *QUORUMS.*—A Commission shall determine what
19 *constitutes a quorum for Commission meetings; except*
20 *that—*

21 “(1) *any quorum shall include the Federal Co-*
22 *chairperson or the alternate Federal Cochairperson;*
23 *and*

24 “(2) *a State alternate member shall not be*
25 *counted toward the establishment of a quorum.*

1 “(d) *PROJECTS AND GRANT PROPOSALS.*—*The ap-*
2 *proval of project and grant proposals shall be a responsi-*
3 *bility of each Commission and shall be carried out in ac-*
4 *cordance with section 15503.*

5 “**§ 15303. Functions**

6 “A Commission shall—

7 “(1) *assess the needs and assets of its region*
8 *based on available research, demonstration projects,*
9 *investigations, assessments, and evaluations of the re-*
10 *gion prepared by Federal, State, and local agencies,*
11 *universities, local development districts, and other*
12 *nonprofit groups;*

13 “(2) *develop, on a continuing basis, comprehen-*
14 *sive and coordinated economic and infrastructure de-*
15 *velopment strategies to establish priorities and ap-*
16 *prove grants for the economic development of its re-*
17 *gion, giving due consideration to other Federal, State,*
18 *and local planning and development activities in the*
19 *region;*

20 “(3) *not later than one year after the date of en-*
21 *actment of this section, and after taking into account*
22 *State plans developed under section 15502, establish*
23 *priorities in an economic and infrastructure develop-*
24 *ment plan for its region, including 5-year regional*
25 *outcome targets;*

1 “(4)(A) *enhance the capacity of, and provide*
2 *support for, local development districts in its region;*
3 *or*

4 “(B) *if no local development district exists in an*
5 *area in a participating State in the region, foster the*
6 *creation of a local development district;*

7 “(5) *encourage private investment in industrial,*
8 *commercial, and other economic development projects*
9 *in its region;*

10 “(6) *cooperate with and assist State governments*
11 *with the preparation of economic and infrastructure*
12 *development plans and programs for participating*
13 *States;*

14 “(7) *formulate and recommend to the Governors*
15 *and legislatures of States that participate in the*
16 *Commission forms of interstate cooperation and,*
17 *where appropriate, international cooperation; and*

18 “(8) *work with State and local agencies in devel-*
19 *oping appropriate model legislation to enhance local*
20 *and regional economic development.*

21 **“§ 15304. Administrative powers and expenses**

22 “(a) *POWERS.—In carrying out its duties under this*
23 *subtitle, a Commission may—*

24 “(1) *hold such hearings, sit and act at such*
25 *times and places, take such testimony, receive such*

1 *evidence, and print or otherwise reproduce and dis-*
2 *tribute a description of the proceedings and reports*
3 *on actions by the Commission as the Commission con-*
4 *siders appropriate;*

5 *“(2) authorize, through the Federal or State Co-*
6 *chairperson or any other member of the Commission*
7 *designated by the Commission, the administration of*
8 *oaths if the Commission determines that testimony*
9 *should be taken or evidence received under oath;*

10 *“(3) request from any Federal, State, or local*
11 *agency such information as may be available to or*
12 *procurable by the agency that may be of use to the*
13 *Commission in carrying out the duties of the Com-*
14 *mission;*

15 *“(4) adopt, amend, and repeal bylaws and rules*
16 *governing the conduct of business and the perform-*
17 *ance of duties by the Commission;*

18 *“(5) request the head of any Federal agency,*
19 *State agency, or local government to detail to the*
20 *Commission such personnel as the Commission re-*
21 *quires to carry out its duties, each such detail to be*
22 *without loss of seniority, pay, or other employee sta-*
23 *tus;*

24 *“(6) provide for coverage of Commission employ-*
25 *ees in a suitable retirement and employee benefit sys-*

1 *tem by making arrangements or entering into con-*
2 *tracts with any participating State government or*
3 *otherwise providing retirement and other employee*
4 *coverage;*

5 *“(7) accept, use, and dispose of gifts or donations*
6 *or services or real, personal, tangible, or intangible*
7 *property;*

8 *“(8) enter into and perform such contracts, coop-*
9 *erative agreements, or other transactions as are nec-*
10 *essary to carry out Commission duties, including any*
11 *contracts or cooperative agreements with a depart-*
12 *ment, agency, or instrumentality of the United States,*
13 *a State (including a political subdivision, agency, or*
14 *instrumentality of the State), or a person, firm, asso-*
15 *ciation, or corporation; and*

16 *“(9) maintain a government relations office in*
17 *the District of Columbia and establish and maintain*
18 *a central office at such location in its region as the*
19 *Commission may select.*

20 *“(b) FEDERAL AGENCY COOPERATION.—A Federal*
21 *agency shall—*

22 *“(1) cooperate with a Commission; and*

23 *“(2) provide, to the extent practicable, on request*
24 *of the Federal Cochairperson, appropriate assistance*

1 *in carrying out this subtitle, in accordance with ap-*
2 *plicable Federal laws (including regulations).*

3 “(c) *ADMINISTRATIVE EXPENSES.*—

4 “(1) *IN GENERAL.*—Subject to paragraph (2), the
5 *administrative expenses of a Commission shall be*
6 *paid—*

7 “(A) *by the Federal Government, in an*
8 *amount equal to 50 percent of the administrative*
9 *expenses of the Commission; and*

10 “(B) *by the States participating in the*
11 *Commission, in an amount equal to 50 percent*
12 *of the administrative expenses.*

13 “(2) *EXPENSES OF THE FEDERAL COCHAIR-*
14 *PERSON.*—All expenses of the Federal Cochairperson,
15 *including expenses of the alternate and staff of the*
16 *Federal Cochairperson, shall be paid by the Federal*
17 *Government.*

18 “(3) *STATE SHARE.*—

19 “(A) *IN GENERAL.*—Subject to subpara-
20 *graph (B), the share of administrative expenses*
21 *of a Commission to be paid by each State of the*
22 *Commission shall be determined by a unanimous*
23 *vote of the State members of the Commission.*

1 “(B) *NO FEDERAL PARTICIPATION.*—*The*
2 *Federal Cochairperson shall not participate or*
3 *vote in any decision under subparagraph (A).*

4 “(C) *DELINQUENT STATES.*—*During any*
5 *period in which a State is more than 1 year de-*
6 *linquent in payment of the State’s share of ad-*
7 *ministrative expenses of the Commission under*
8 *this subsection—*

9 “(i) *no assistance under this subtitle*
10 *shall be provided to the State (including as-*
11 *istance to a political subdivision or a resi-*
12 *dent of the State) for any project not ap-*
13 *proved as of the date of the commencement*
14 *of the delinquency; and*

15 “(ii) *no member of the Commission*
16 *from the State shall participate or vote in*
17 *any action by the Commission.*

18 “(4) *EFFECT ON ASSISTANCE.*—*A State’s share*
19 *of administrative expenses of a Commission under*
20 *this subsection shall not be taken into consideration*
21 *when determining the amount of assistance provided*
22 *to the State under this subtitle.*

1 **“§ 15305. Meetings**

2 “(a) *INITIAL MEETING.*—*Each Commission shall hold*
3 *an initial meeting not later than 180 days after the date*
4 *of enactment of this section.*

5 “(b) *ANNUAL MEETING.*—*Each Commission shall con-*
6 *duct at least 1 meeting each year with the Federal Cochair-*
7 *person and at least a majority of the State members present.*

8 “(c) *ADDITIONAL MEETINGS.*—*Each Commission shall*
9 *conduct additional meetings at such times as it determines*
10 *and may conduct such meetings by electronic means.*

11 **“§ 15306. Personal financial interests**

12 “(a) *CONFLICTS OF INTEREST.*—

13 “(1) *NO ROLE ALLOWED.*—*Except as permitted*
14 *by paragraph (2), an individual who is a State mem-*
15 *ber or alternate, or an officer or employee of a Com-*
16 *mission, shall not participate personally and substan-*
17 *tially as a member, alternate, officer, or employee of*
18 *the Commission, through decision, approval, dis-*
19 *approval, recommendation, request for a ruling, or*
20 *other determination, contract, claim, controversy, or*
21 *other matter in which, to the individual’s knowledge,*
22 *any of the following has a financial interest:*

23 “(A) *The individual.*

24 “(B) *The individual’s spouse, minor child,*
25 *or partner.*

1 “(C) *An organization (except a State or po-*
2 *litical subdivision of a State) in which the indi-*
3 *vidual is serving as an officer, director, trustee,*
4 *partner, or employee.*

5 “(D) *Any person or organization with*
6 *whom the individual is negotiating or has any*
7 *arrangement concerning prospective employment.*

8 “(2) *EXCEPTION.—Paragraph (1) shall not*
9 *apply if the individual, in advance of the proceeding,*
10 *application, request for a ruling or other determina-*
11 *tion, contract, claim controversy, or other particular*
12 *matter presenting a potential conflict of interest—*

13 “(A) *advises the Commission of the nature*
14 *and circumstances of the matter presenting the*
15 *conflict of interest;*

16 “(B) *makes full disclosure of the financial*
17 *interest; and*

18 “(C) *receives a written decision of the Com-*
19 *mission that the interest is not so substantial as*
20 *to be considered likely to affect the integrity of*
21 *the services that the Commission may expect*
22 *from the individual.*

23 “(3) *VIOLATION.—An individual violating this*
24 *subsection shall be fined under title 18, imprisoned*
25 *for not more than 1 year, or both.*

1 “(b) *STATE MEMBER OR ALTERNATE.*—A State mem-
2 ber or alternate member may not receive any salary, or any
3 contribution to, or supplementation of, salary, for services
4 on a Commission from a source other than the State of the
5 member or alternate.

6 “(c) *DETAILED EMPLOYEES.*—

7 “(1) *IN GENERAL.*—No person detailed to serve a
8 Commission shall receive any salary, or any contribu-
9 tion to, or supplementation of, salary, for services
10 provided to the Commission from any source other
11 than the State, local, or intergovernmental depart-
12 ment or agency from which the person was detailed
13 to the Commission.

14 “(2) *VIOLATION.*—Any person that violates this
15 subsection shall be fined under title 18, imprisoned
16 not more than 1 year, or both.

17 “(d) *FEDERAL COCHAIRMAN, ALTERNATE TO FED-*
18 *ERAL COCHAIRMAN, AND FEDERAL OFFICERS AND EMPLOY-*
19 *EES.*—The Federal Cochairman, the alternate to the Fed-
20 eral Cochairman, and any Federal officer or employee de-
21 tailed to duty with the Commission are not subject to this
22 section but remain subject to sections 202 through 209 of
23 title 18.

24 “(e) *RESCISSION.*—A Commission may declare void
25 any contract, loan, or grant of or by the Commission in

1 *relation to which the Commission determines that there has*
2 *been a violation of any provision under subsection (a)(1),*
3 *(b), or (c), or any of the provisions of sections 202 through*
4 *209 of title 18.*

5 **“§15307. Tribal representation on Northern Great**
6 **Plains Regional Commission**

7 *“(a) TRIBAL COCHAIRPERSON.—*

8 *“(1) APPOINTMENT.—In addition to the members*
9 *specified in section 15301(b)(1), the membership of*
10 *the Northern Great Plains Regional Commission shall*
11 *include a Tribal Cochairperson, to be appointed by*
12 *the President, by and with the advice and consent of*
13 *the Senate. The Tribal Cochairperson shall be a mem-*
14 *ber of an Indian tribe in the Commission’s region.*

15 *“(2) DUTIES.—In addition to the Federal Co-*
16 *chairperson and State Cochairperson, the Commission*
17 *shall be headed by the Tribal Cochairperson, who*
18 *shall serve as a liaison between the governments of In-*
19 *dian tribes in the region and the Commission.*

20 *“(b) ALTERNATE TRIBAL COCHAIRPERSON.—*

21 *“(1) APPOINTMENT.—The President shall ap-*
22 *point an alternate to the Tribal Cochairperson.*

23 *“(2) DUTIES.—The alternate Tribal Cochair-*
24 *person, when not actively serving as an alternate for*
25 *the Tribal Cochairperson, shall perform such func-*

1 *tions and duties as are delegated by the Tribal Co-*
2 *chairperson.*

3 “(3) *VOTING.*—*The alternate Tribal Cochair-*
4 *person shall vote in the case of the absence, death, dis-*
5 *ability, removal, or resignation of the Tribal Cochair-*
6 *person.*

7 “(c) *COMPENSATION.*—

8 “(1) *TRIBAL COCHAIRPERSON.*—*The Tribal Co-*
9 *chairperson shall be compensated by the Federal Gov-*
10 *ernment at level III of the Executive Schedule as set*
11 *out in section 5314 of title 5.*

12 “(2) *ALTERNATE TRIBAL COCHAIRPERSON.*—*The*
13 *Tribal Cochairperson’s alternate shall be compensated*
14 *by the Federal Government at level V of the Executive*
15 *Schedule as set out in section 5316 of title 5.*

16 “(d) *EXPENSES OF TRIBAL COCHAIRPERSON.*—*All ex-*
17 *penses of the Tribal Cochairperson, including expenses of*
18 *the alternate and staff of the Tribal Cochairperson, shall*
19 *be paid by the Federal Government.*

20 “(e) *DUTIES AND PRIVILEGES.*—*Except as provided in*
21 *subsections (c) and (d), the Tribal Cochairperson shall have*
22 *the same duties and privileges as the State Cochairperson.*

23 **“§ 15308. Tribal participation**

24 “*Governments of Indian tribes in the region of the*
25 *Northern Great Plains Regional Commission or the South-*

1 *west Border Regional Commission shall be allowed to par-*
 2 *ticipate in matters before that Commission in the same*
 3 *manner and to the same extent as State agencies and in-*
 4 *strumentalities in the region.*

5 **“§ 15309. Annual report**

6 “(a) *IN GENERAL.*—Not later than 90 days after the
 7 last day of each fiscal year, each Commission shall submit
 8 to the President and Congress a report on the activities car-
 9 ried out by the Commission under this subtitle in the fiscal
 10 year.

11 “(b) *CONTENTS.*—The report shall include—

12 “(1) a description of the criteria used by the
 13 Commission to designate counties under section 15702
 14 and a list of the counties designated in each category;

15 “(2) an evaluation of the progress of the Com-
 16 mission in meeting the goals identified in the Com-
 17 mission’s economic and infrastructure development
 18 plan under section 15303 and State economic and in-
 19 frastructure development plans under section 15502;
 20 and

21 “(3) any policy recommendations approved by
 22 the Commission.

23 **“CHAPTER 155—FINANCIAL ASSISTANCE**

“Sec.

“15501. *Economic and infrastructure development grants.*

“15502. *Comprehensive economic and infrastructure development plans.*

“15503. *Approval of applications for assistance.*

“15504. *Program development criteria.*

“15505. Local development districts and organizations.

“15506. Supplements to Federal grant programs.

1 **“§15501. Economic and infrastructure development**
2 **grants**

3 *“(a) IN GENERAL.—A Commission may make grants*
4 *to States and local governments, Indian tribes, and public*
5 *and nonprofit organizations for projects, approved in ac-*
6 *cordance with section 15503—*

7 *“(1) to develop the transportation infrastructure*
8 *of its region;*

9 *“(2) to develop the basic public infrastructure of*
10 *its region;*

11 *“(3) to develop the telecommunications infra-*
12 *structure of its region;*

13 *“(4) to assist its region in obtaining job skills*
14 *training, skills development and employment-related*
15 *education, entrepreneurship, technology, and business*
16 *development;*

17 *“(5) to provide assistance to severely economi-*
18 *cally distressed and underdeveloped areas of its region*
19 *that lack financial resources for improving basic*
20 *health care and other public services;*

21 *“(6) to promote resource conservation, tourism,*
22 *recreation, and preservation of open space in a man-*
23 *ner consistent with economic development goals;*

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

3 “(8) to otherwise achieve the purposes of this
4 subtitle.

5 “(b) *ALLOCATION OF FUNDS.*—A Commission shall al-
6 locate at least 40 percent of any grant amounts provided
7 by the Commission in a fiscal year for projects described
8 in paragraphs (1) through (3) of subsection (a).

9 “(c) *SOURCES OF GRANTS.*—Grant amounts may be
10 provided entirely from appropriations to carry out this sub-
11 title, in combination with amounts available under other
12 Federal grant programs, or from any other source.

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

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

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

24 “(3) *SPECIAL RULE FOR REGIONAL PROJECTS.*—
25 A Commission may increase to 60 percent under

1 paragraph (1) and 90 percent under paragraph (2)
2 the maximum Commission contribution for a project
3 or activity if—

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

6 “(B) the Commission determines in accord-
7 ance with section 15302(a) that the project or ac-
8 tivity will bring significant interstate or multi-
9 county benefits to a region.

10 “(e) *MAINTENANCE OF EFFORT.*—Funds may be pro-
11 vided by a Commission for a program or project in a State
12 under this section only if the Commission determines that
13 the level of Federal or State financial assistance provided
14 under a law other than this subtitle, for the same type of
15 program or project in the same area of the State within
16 region, will not be reduced as a result of funds made avail-
17 able by this subtitle.

18 “(f) *NO RELOCATION ASSISTANCE.*—Financial assist-
19 ance authorized by this section may not be used to assist
20 a person or entity in relocating from one area to another.

21 **“§ 15502. Comprehensive economic and infrastructure**
22 **development plans**

23 “(a) *STATE PLANS.*—In accordance with policies es-
24 tablished by a Commission, each State member of the Com-
25 mission shall submit a comprehensive economic and infra-

1 *structure development plan for the area of the region rep-*
2 *resented by the State member.*

3 “(b) *CONTENT OF PLAN.*—*A State economic and infra-*
4 *structure development plan shall reflect the goals, objectives,*
5 *and priorities identified in any applicable economic and*
6 *infrastructure development plan developed by a Commis-*
7 *sion under section 15303.*

8 “(c) *CONSULTATION WITH INTERESTED LOCAL PAR-*
9 *TIES.*—*In carrying out the development planning process*
10 *(including the selection of programs and projects for assist-*
11 *ance), a State shall—*

12 “(1) *consult with local development districts,*
13 *local units of government, and local colleges and uni-*
14 *versities; and*

15 “(2) *take into consideration the goals, objectives,*
16 *priorities, and recommendations of the entities de-*
17 *scribed in paragraph (1).*

18 “(d) *PUBLIC PARTICIPATION.*—

19 “(1) *IN GENERAL.*—*A Commission and applica-*
20 *ble State and local development districts shall encour-*
21 *age and assist, to the maximum extent practicable,*
22 *public participation in the development, revision, and*
23 *implementation of all plans and programs under this*
24 *subtitle.*

1 “(2) *GUIDELINES.*—A Commission shall develop
2 *guidelines for providing public participation, includ-*
3 *ing public hearings.*

4 **“§ 15503. Approval of applications for assistance**

5 “(a) *EVALUATION BY STATE MEMBER.*—An applica-
6 *tion to a Commission for a grant or any other assistance*
7 *for a project under this subtitle shall be made through, and*
8 *evaluated for approval by, the State member of the Commis-*
9 *sion representing the applicant.*

10 “(b) *CERTIFICATION.*—An application to a Commis-
11 *sion for a grant or other assistance for a project under this*
12 *subtitle shall be eligible for assistance only on certification*
13 *by the State member of the Commission representing the*
14 *applicant that the application for the project—*

15 “(1) *describes ways in which the project complies*
16 *with any applicable State economic and infrastruc-*
17 *ture development plan;*

18 “(2) *meets applicable criteria under section*
19 *15504;*

20 “(3) *adequately ensures that the project will be*
21 *properly administered, operated, and maintained;*
22 *and*

23 “(4) *otherwise meets the requirements for assist-*
24 *ance under this subtitle.*

1 “(c) *VOTES FOR DECISIONS.*—*On certification by a*
2 *State member of a Commission of an application for a*
3 *grant or other assistance for a specific project under this*
4 *section, an affirmative vote of the Commission under section*
5 *15302 shall be required for approval of the application.*

6 “**§ 15504. Program development criteria**

7 “(a) *IN GENERAL.*—*In considering programs and*
8 *projects to be provided assistance by a Commission under*
9 *this subtitle, and in establishing a priority ranking of the*
10 *requests for assistance provided to the Commission, the*
11 *Commission shall follow procedures that ensure, to the max-*
12 *imum extent practicable, consideration of—*

13 “(1) *the relationship of the project or class of*
14 *projects to overall regional development;*

15 “(2) *the per capita income and poverty and un-*
16 *employment and outmigration rates in an area;*

17 “(3) *the financial resources available to the ap-*
18 *plicants for assistance seeking to carry out the*
19 *project, with emphasis on ensuring that projects are*
20 *adequately financed to maximize the probability of*
21 *successful economic development;*

22 “(4) *the importance of the project or class of*
23 *projects in relation to the other projects or classes of*
24 *projects that may be in competition for the same*
25 *funds;*

1 “(5) the prospects that the project for which as-
 2 sistance is sought will improve, on a continuing rath-
 3 er than a temporary basis, the opportunities for em-
 4 ployment, the average level of income, or the economic
 5 development of the area to be served by the project;
 6 and

7 “(6) the extent to which the project design pro-
 8 vides for detailed outcome measurements by which
 9 grant expenditures and the results of the expenditures
 10 may be evaluated.

11 **“§ 15505. Local development districts and organiza-**
 12 **tions**

13 “(a) *GRANTS TO LOCAL DEVELOPMENT DISTRICTS.*—
 14 Subject to the requirements of this section, a Commission
 15 may make grants to a local development district to assist
 16 in the payment of development planning and administra-
 17 tive expenses.

18 “(b) *CONDITIONS FOR GRANTS.*—

19 “(1) *MAXIMUM AMOUNT.*—The amount of a
 20 grant awarded under this section may not exceed 80
 21 percent of the administrative and planning expenses
 22 of the local development district receiving the grant.

23 “(2) *MAXIMUM PERIOD FOR STATE AGENCIES.*—
 24 In the case of a State agency certified as a local de-

1 *velopment district, a grant may not be awarded to the*
2 *agency under this section for more than 3 fiscal years.*

3 *“(3) LOCAL SHARE.—The contributions of a*
4 *local development district for administrative expenses*
5 *may be in cash or in kind, fairly evaluated, including*
6 *space, equipment, and services.*

7 *“(c) DUTIES OF LOCAL DEVELOPMENT DISTRICTS.—*
8 *A local development district shall—*

9 *“(1) operate as a lead organization serving*
10 *multicounty areas in the region at the local level;*

11 *“(2) assist the Commission in carrying out out-*
12 *reach activities for local governments, community de-*
13 *velopment groups, the business community, and the*
14 *public;*

15 *“(3) serve as a liaison between State and local*
16 *governments, nonprofit organizations (including com-*
17 *munity-based groups and educational institutions),*
18 *the business community, and citizens; and*

19 *“(4) assist the individuals and entities described*
20 *in paragraph (3) in identifying, assessing, and facili-*
21 *tating projects and programs to promote the economic*
22 *development of the region.*

23 **“§ 15506. Supplements to Federal grant programs**

24 *“(a) FINDING.—Congress finds that certain States and*
25 *local communities of the region, including local develop-*

1 *ment districts, may be unable to take maximum advantage*
2 *of Federal grant programs for which the States and commu-*
3 *nities are eligible because—*

4 “(1) *they lack the economic resources to provide*
5 *the required matching share; or*

6 “(2) *there are insufficient funds available under*
7 *the applicable Federal law with respect to a project*
8 *to be carried out in the region.*

9 “(b) *FEDERAL GRANT PROGRAM FUNDING.—A Com-*
10 *mission, with the approval of the Federal Cochairperson,*
11 *may use amounts made available to carry out this sub-*
12 *title—*

13 “(1) *for any part of the basic Federal contribu-*
14 *tion to projects or activities under the Federal grant*
15 *programs authorized by Federal laws; and*

16 “(2) *to increase the Federal contribution to*
17 *projects and activities under the programs above the*
18 *fixed maximum part of the cost of the projects or ac-*
19 *tivities otherwise authorized by the applicable law.*

20 “(c) *CERTIFICATION REQUIRED.—For a program,*
21 *project, or activity for which any part of the basic Federal*
22 *contribution to the project or activity under a Federal grant*
23 *program is proposed to be made under subsection (b), the*
24 *Federal contribution shall not be made until the responsible*
25 *Federal official administering the Federal law authorizing*

1 *the Federal contribution certifies that the program, project,*
 2 *or activity meets the applicable requirements of the Federal*
 3 *law and could be approved for Federal contribution under*
 4 *that law if amounts were available under the law for the*
 5 *program, project, or activity.*

6 “(d) *LIMITATIONS IN OTHER LAWS INAPPLICABLE.—*
 7 *Amounts provided pursuant to this subtitle are available*
 8 *without regard to any limitations on areas eligible for as-*
 9 *sistance or authorizations for appropriation in any other*
 10 *law.*

11 “(e) *FEDERAL SHARE.—The Federal share of the cost*
 12 *of a project or activity receiving assistance under this sec-*
 13 *tion shall not exceed 80 percent.*

14 “(f) *MAXIMUM COMMISSION CONTRIBUTION.—Section*
 15 *15501(d), relating to limitations on Commission contribu-*
 16 *tions, shall apply to a program, project, or activity receiv-*
 17 *ing assistance under this section.*

18 **“CHAPTER 157—ADMINISTRATIVE**
 19 **PROVISIONS**

“SUBCHAPTER I—GENERAL PROVISIONS

“Sec.

“15701. *Consent of States.*

“15702. *Distressed counties and areas.*

“15703. *Counties eligible for assistance in more than one region.*

“15704. *Inspector General; records.*

“15705. *Biannual meetings of representatives of all Commissions.*

“15706. *Relationship to other laws.*

“SUBCHAPTER II—DESIGNATION OF REGIONS

“15731. *Delta Regional Commission.*

“15732. *Northern Great Plains Regional Commission.*

“15733. Southeast Crescent Regional Commission.

“15734. Southwest Border Regional Commission.

“15735. Northern Border Regional Commission.

“SUBCHAPTER III—AUTHORIZATION OF APPROPRIATIONS

“15751. Authorization of appropriations.

1 *“SUBCHAPTER I—GENERAL PROVISIONS*

2 ***“§ 15701. Consent of States***

3 *“This subtitle does not require a State to engage in*
4 *or accept a program under this subtitle without its consent.*

5 ***“§ 15702. Distressed counties and areas***

6 *“(a) DESIGNATIONS.—Not later than 90 days after the*
7 *date of enactment of this section, and annually thereafter,*
8 *each Commission shall make the following designations:*

9 *“(1) DISTRESSED COUNTIES.—The Commission*
10 *shall designate as distressed counties those counties in*
11 *its region that are the most severely and persistently*
12 *economically distressed and underdeveloped and have*
13 *high rates of poverty, unemployment, or outmigra-*
14 *tion.*

15 *“(2) TRANSITIONAL COUNTIES.—The Commis-*
16 *sion shall designate as transitional counties those*
17 *counties in its region that are economically distressed*
18 *and underdeveloped or have recently suffered high*
19 *rates of poverty, unemployment, or outmigration.*

20 *“(3) ATTAINMENT COUNTIES.—The Commission*
21 *shall designate as attainment counties, those counties*

1 *in its region that are not designated as distressed or*
2 *transitional counties under this subsection.*

3 “(4) *ISOLATED AREAS OF DISTRESS.*—*The Com-*
4 *mission shall designate as isolated areas of distress,*
5 *areas located in counties designated as attainment*
6 *counties under paragraph (3) that have high rates of*
7 *poverty, unemployment, or outmigration.*

8 “(b) *ALLOCATION.*—*A Commission shall allocate at*
9 *least 50 percent of the appropriations made available to*
10 *the Commission to carry out this subtitle for programs and*
11 *projects designed to serve the needs of distressed counties*
12 *and isolated areas of distress in the region.*

13 “(c) *ATTAINMENT COUNTIES.*—

14 “(1) *IN GENERAL.*—*Except as provided in para-*
15 *graph (2), funds may not be provided under this sub-*
16 *title for a project located in a county designated as*
17 *an attainment county under subsection (a).*

18 “(2) *EXCEPTIONS.*—

19 “(A) *ADMINISTRATIVE EXPENSES OF LOCAL*
20 *DEVELOPMENT DISTRICTS.*—*The funding prohi-*
21 *bition under paragraph (1) shall not apply to*
22 *grants to fund the administrative expenses of*
23 *local development districts under section 15505.*

24 “(B) *MULTICOUNTY AND OTHER*
25 *PROJECTS.*—*A Commission may waive the ap-*

1 *plication of the funding prohibition under para-*
2 *graph (1) with respect to—*

3 “(i) *a multicounty project that in-*
4 *cludes participation by an attainment*
5 *county; and*

6 “(ii) *any other type of project, if a*
7 *Commission determines that the project*
8 *could bring significant benefits to areas of*
9 *the region outside an attainment county.*

10 “(3) *ISOLATED AREAS OF DISTRESS.—For a des-*
11 *ignation of an isolated area of distress to be effective,*
12 *the designation shall be supported—*

13 “(A) *by the most recent Federal data avail-*
14 *able; or*

15 “(B) *if no recent Federal data are available,*
16 *by the most recent data available through the*
17 *government of the State in which the isolated*
18 *area of distress is located.*

19 **“§ 15703. Counties eligible for assistance in more than**
20 **one region**

21 “(a) *LIMITATION.—A political subdivision of a State*
22 *may not receive assistance under this subtitle in a fiscal*
23 *year from more than one Commission.*

24 “(b) *SELECTION OF COMMISSION.—A political sub-*
25 *division included in the region of more than one Commis-*

1 sion shall select the Commission with which it will partici-
 2 pate by notifying, in writing, the Federal Cochairperson
 3 and the appropriate State member of that Commission.

4 “(c) *CHANGES IN SELECTIONS.*—The selection of a
 5 Commission by a political subdivision shall apply in the
 6 fiscal year in which the selection is made, and shall apply
 7 in each subsequent fiscal year unless the political subdivi-
 8 sion, at least 90 days before the first day of the fiscal year,
 9 notifies the Cochairpersons of another Commission in writ-
 10 ing that the political subdivision will participate in that
 11 Commission and also transmits a copy of such notification
 12 to the Cochairpersons of the Commission in which the polit-
 13 ical subdivision is currently participating.

14 “(d) *INCLUSION OF APPALACHIAN REGIONAL COMMIS-*
 15 *SION.*—In this section, the term ‘Commission’ includes the
 16 Appalachian Regional Commission established under chap-
 17 ter 143.

18 **“§ 15704. Inspector General; records**

19 “(a) *APPOINTMENT OF INSPECTOR GENERAL.*—There
 20 shall be an Inspector General for the Commissions ap-
 21 pointed in accordance with section 3(a) of the Inspector
 22 General Act of 1978 (5 U.S.C. App.). All of the Commis-
 23 sions shall be subject to a single Inspector General.

24 “(b) *RECORDS OF A COMMISSION.*—

1 “(1) *IN GENERAL.*—*A Commission shall main-*
2 *tain accurate and complete records of all its trans-*
3 *actions and activities.*

4 “(2) *AVAILABILITY.*—*All records of a Commis-*
5 *sion shall be available for audit and examination by*
6 *the Inspector General (including authorized represent-*
7 *atives of the Inspector General).*

8 “(c) *RECORDS OF RECIPIENTS OF COMMISSION AS-*
9 *SISTANCE.*—

10 “(1) *IN GENERAL.*—*A recipient of funds from a*
11 *Commission under this subtitle shall maintain accu-*
12 *rate and complete records of transactions and activi-*
13 *ties financed with the funds and report to the Com-*
14 *mission on the transactions and activities.*

15 “(2) *AVAILABILITY.*—*All records required under*
16 *paragraph (1) shall be available for audit by the*
17 *Commission and the Inspector General (including au-*
18 *thorized representatives of the Commission and the*
19 *Inspector General).*

20 “(d) *ANNUAL AUDIT.*—*The Inspector General shall*
21 *audit the activities, transactions, and records of each Com-*
22 *mission on an annual basis.*

1 **“§ 15705. Biannual meetings of representatives of all**
 2 **Commissions**

3 “(a) *IN GENERAL.*—*Representatives of each Commis-*
 4 *sion, the Appalachian Regional Commission, and the*
 5 *Denali Commission shall meet biannually to discuss issues*
 6 *confronting regions suffering from chronic and contiguous*
 7 *distress and successful strategies for promoting regional de-*
 8 *velopment.*

9 “(b) *CHAIR OF MEETINGS.*—*The chair of each meeting*
 10 *shall rotate among the Commissions, with the Appalachian*
 11 *Regional Commission to host the first meeting.*

12 **“§ 15706. Relationship to other laws**

13 “*Projects receiving assistance under this subtitle shall*
 14 *be treated in the manner provided in section 602 of the Pub-*
 15 *lic Works and Economic Development Act of 1965 (42*
 16 *U.S.C. 3212).*

17 **“SUBCHAPTER II—DESIGNATION OF REGIONS**

18 **“§ 15731. Delta Regional Commission**

19 “*The region of the Delta Regional Commission shall*
 20 *consist of the following political subdivisions:*

21 “(1) *ALABAMA.*—*The counties of Barbour, Bul-*
 22 *lock, Butler, Choctaw, Clarke, Conecuh, Dallas,*
 23 *Escambia, Greene, Hale, Lowndes, Macon, Marengo,*
 24 *Monroe, Perry, Pickens, Russell, Sumter, Washington,*
 25 *and Wilcox in the State of Alabama.*

1 “(2) *ARKANSAS.*—*The counties of Arkansas, Ash-*
2 *ley, Baxter, Bradley, Calhoun, Chicot, Clay, Cleve-*
3 *land, Craighead, Crittenden, Cross, Dallas, Desha,*
4 *Drew, Fulton, Grant, Greene, Independence, Izard,*
5 *Jackson, Jefferson, Lawrence, Lee, Lincoln, Lonoke,*
6 *Marion, Mississippi, Monroe, Ouachita, Phillips,*
7 *Poinsett, Prairie, Pulaski, Randolph, St. Francis,*
8 *Searcy, Sharp, Stone, Union, Van Buren, White, and*
9 *Woodruff in the State of Arkansas.*

10 “(3) *ILLINOIS.*—*The counties of Alexander,*
11 *Franklin, Gallatin, Hamilton, Hardin, Jackson,*
12 *Johnson, Massac, Perry, Pope, Pulaski, Randolph,*
13 *Saline, Union, White, and Williamson in the State of*
14 *Illinois.*

15 “(4) *KENTUCKY.*—*The counties of Ballard,*
16 *Caldwell, Calloway, Carlisle, Christian, Crittenden,*
17 *Fulton, Graves, Henderson, Hickman, Hopkins, Liv-*
18 *ingston, Lyon, Marshall, McCracken, McLean, Muh-*
19 *lenberg, Todd, Trigg, Union, and Webster in the State*
20 *of Kentucky.*

21 “(5) *LOUISIANA.*—*The parishes of Acadia, Allen,*
22 *Ascension, Assumption, Avoyelles, Caldwell,*
23 *Catahoula, Concordia, E. Baton Rouge, E. Carroll, E.*
24 *Feliciano, Evangeline, Franklin, Grant, Iberia,*
25 *Iberville, Jackson, Jefferson, Lafourche, LaSalle, Lin-*

1 *coln, Livingston, Madison, Morehouse, Natchitoches,*
2 *Orleans, Ouachita, Plaquemines, Pointe Coupee,*
3 *Rapides, Richland, St. Bernard, St. Charles, St. Hel-*
4 *ena, St. James, St. John the Baptist, St. Landry, St.*
5 *Martin, Tangipahoa, Tensas, Union, Washington, W.*
6 *Baton Rouge, W. Carroll, W. Feliciana, and Winn in*
7 *the State of Louisiana.*

8 “(6) *MISSISSIPPI.—The counties of Adams,*
9 *Amite, Attala, Benton, Bolivar, Carroll, Claiborne,*
10 *Coahoma, Copiah, Covington, DeSoto, Franklin, Gre-*
11 *nada, Hinds, Holmes, Humphreys, Issaquena, Jeffer-*
12 *son, Jefferson Davis, Lafayette, Lawrence, Leflore,*
13 *Lincoln, Madison, Marion, Marshall, Montgomery,*
14 *Panola, Pike, Quitman, Rankin, Sharkey, Simpson,*
15 *Sunflower, Tallahatchie, Tate, Tippah, Tunica,*
16 *Union, Walthall, Warren, Washington, Wilkinson,*
17 *Yalobusha, and Yazoo in the State of Mississippi.*

18 “(7) *MISSOURI.—The counties Bollinger, Butler,*
19 *Cape Girardeau, Carter, Crawford, Dent, Douglas,*
20 *Dunklin, Howell, Iron, Madison, Mississippi, New*
21 *Madrid, Oregon, Ozark, Pemiscott, Perry, Phelps,*
22 *Reynolds, Ripley, Ste. Genevieve, St. Francois, Scott,*
23 *Shannon, Stoddard, Texas, Washington, Wayne, and*
24 *Wright in the State of Missouri.*

1 “(8) *TENNESSEE.*—*The counties of Benton, Car-*
2 *roll, Chester, Crockett, Decatur, Dyer, Fayette, Gib-*
3 *son, Hardeman, Hardin, Haywood, Henderson,*
4 *Henry, Lake, Lauderdale, McNairy, Madison, Obion,*
5 *Shelby, Tipton, and Weakley in the State of Ten-*
6 *nessee.*

7 “**§ 15732. Northern Great Plains Regional Commission**

8 “*The region of the Northern Great Plains Regional*
9 *Commission shall consist of the following:*

10 “(1) *All counties of the States of Iowa, Min-*
11 *nesota, Nebraska, North Dakota, and South Dakota.*

12 “(2) *The counties of Andrew, Atchison, Bu-*
13 *chanan, Caldwell, Carroll, Chariton, Clay, Clinton,*
14 *Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison,*
15 *Holt, Howard, Jackson, Linn, Livingston, Mercer,*
16 *Nodaway, Platte, Putnam, Schuyler, Sullivan, and*
17 *Worth in the State of Missouri.*

18 “**§ 15733. Southeast Crescent Regional Commission**

19 “*The region of the Southeast Crescent Regional Com-*
20 *mission shall consist of all counties of the States of Vir-*
21 *ginia, North Carolina, South Carolina, Georgia, Alabama,*
22 *Mississippi, and Florida not already served by the Appa-*
23 *lachian Regional Commission or the Delta Regional Com-*
24 *mission.*

1 **“§ 15734. Southwest Border Regional Commission**

2 *“The region of the Southwest Border Regional Com-*
3 *mission shall consist of the following political subdivisions:*

4 *“(1) ARIZONA.—The counties of Cochise, Gila,*
5 *Graham, Greenlee, La Paz, Maricopa, Pima, Pinal,*
6 *Santa Cruz, and Yuma in the State of Arizona.*

7 *“(2) CALIFORNIA.—The counties of Imperial, Los*
8 *Angeles, Orange, Riverside, San Bernardino, San*
9 *Diego, and Ventura in the State of California.*

10 *“(3) NEW MEXICO.—The counties of Catron,*
11 *Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lincoln,*
12 *Luna, Otero, Sierra, and Socorro in the State of New*
13 *Mexico.*

14 *“(4) TEXAS.—The counties of Atascosa, Bandera,*
15 *Bee, Bexar, Brewster, Brooks, Cameron, Coke, Concho,*
16 *Crane, Crockett, Culberson, Dimmit, Duval, Ector,*
17 *Edwards, El Paso, Frio, Gillespie, Glasscock, Hi-*
18 *dalgo, Hudspeth, Irion, Jeff Davis, Jim Hogg, Jim*
19 *Wells, Karnes, Kendall, Kenedy, Kerr, Kimble,*
20 *Kinney, Kleberg, La Salle, Live Oak, Loving, Mason,*
21 *Maverick, McMullen, Medina, Menard, Midland,*
22 *Nueces, Pecos, Presidio, Reagan, Real, Reeves, San*
23 *Patricio, Shleicher, Sutton, Starr, Sterling, Terrell,*
24 *Tom Green Upton, Uvalde, Val Verde, Ward, Webb,*
25 *Willacy, Wilson, Winkler, Zapata, and Zavala in the*
26 *State of Texas.*

1 **“§ 15735. Northern Border Regional Commission**

2 *“The region of the Northern Border Regional Commis-*
 3 *sion shall include the following counties:*

4 *“(1) MAINE.—The counties of Androscoggin,*
 5 *Aroostook, Franklin, Hancock, Kennebec, Knox, Ox-*
 6 *ford, Penobscot, Piscataquis, Somerset, Waldo, and*
 7 *Washington in the State of Maine.*

8 *“(2) NEW HAMPSHIRE.—The counties of Carroll,*
 9 *Coos, Grafton, and Sullivan in the State of New*
 10 *Hampshire.*

11 *“(3) NEW YORK.—The counties of Cayuga, Clin-*
 12 *ton, Essex, Franklin, Fulton, Hamilton, Herkimer,*
 13 *Jefferson, Lewis, Madison, Oneida, Oswego, Seneca,*
 14 *and St. Lawrence in the State of New York.*

15 *“(4) VERMONT.—The counties of Caledonia,*
 16 *Essex, Franklin, Grand Isle, Lamoille, and Orleans*
 17 *in the State of Vermont.*

18 **“SUBCHAPTER III—AUTHORIZATION OF**
 19 **APPROPRIATIONS**

20 **“§ 15751. Authorization of appropriations**

21 *“(a) IN GENERAL.—There is authorized to be appro-*
 22 *priated to each Commission to carry out this subtitle—*

23 *“(1) \$40,000,000 for fiscal year 2008;*

24 *“(2) \$45,000,000 for fiscal year 2009;*

25 *“(3) \$50,000,000 for fiscal year 2010;*

26 *“(4) \$55,000,000 for fiscal year 2011; and*

1 **SEC. 5. TRANSFERS OF AUTHORITY AND SAVINGS PROVI-**
2 **SIONS.**

3 (a) *TRANSFERS OF AUTHORITY.*—Subject to the re-
4 quirements of this Act (including the amendments made by
5 this Act)—

6 (1) *all of the functions of the Delta Regional Au-*
7 *thority are transferred to the Delta Regional Commis-*
8 *sion; and*

9 (2) *all of the functions of the Northern Great*
10 *Plains Regional Authority are transferred to the*
11 *Northern Great Plains Regional Commission.*

12 (b) *LEGAL DOCUMENTS.*—All orders, determinations,
13 rules, regulations, grants, loans, contracts, and agree-
14 ments—

15 (1) *that have been issued, made, granted, or al-*
16 *lowed to become effective by the Delta Regional Au-*
17 *thority or the Northern Great Plains Regional Au-*
18 *thority in the performance of any function that is*
19 *transferred by this section, and*

20 (2) *that are in effect on the effective date of such*
21 *transfer (or become effective after such date pursuant*
22 *to their terms as in effect on such effective date),*
23 *shall continue in effect according to their terms until modi-*
24 *fied, terminated, superseded, set aside, or revoked in accord-*
25 *ance with law by an authorized official, a court of com-*
26 *petent jurisdiction, or operation of law.*

1 (c) *TRANSFER OF ASSETS AND PERSONNEL.*—

2 (1) *DELTA REGIONAL COMMISSION.*—*There shall*
3 *be transferred to the Delta Regional Commission such*
4 *assets, funds, personnel, records, and other property of*
5 *the Delta Regional Authority relating to the functions*
6 *of the Authority as the Commission determines appro-*
7 *priate.*

8 (2) *NORTHERN GREAT PLAINS REGIONAL COM-*
9 *MISSION.*—*There shall be transferred to the Northern*
10 *Great Plains Regional Commission such assets, funds,*
11 *personnel, records, and other property of the Northern*
12 *Great Plains Regional Authority as the Commission*
13 *determines appropriate.*

14 **SEC. 6. EFFECTIVE DATE.**

15 *This Act, and the amendments made by this Act, shall*
16 *take effect on the first day of the first fiscal year beginning*
17 *after the date of enactment of this Act.*

Union Calendar No. 202

110TH CONGRESS
1ST Session

H. R. 3246

[Report No. 110-321, Part I]

A BILL

To amend title 40, United States Code, to provide a comprehensive regional approach to economic and infrastructure development in the most severely economically distressed regions in the Nation.

SEPTEMBER 7, 2007

Committee on Financial Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed