

106TH CONGRESS  
1ST SESSION

# H. R. 2911

To provide economic development assistance and the planning and coordination needed to assist in development of the lower Mississippi Delta region.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 1999

Mr. BERRY (for himself, Mr. FORD, Mr. GEPHARDT, Mr. TANNER, Mr. SNYDER, Mr. THOMPSON of Mississippi, Mr. JOHN, Mr. COSTELLO, Mr. JEFFERSON, Mr. HUTCHINSON, and Mr. DICKEY) introduced the following bill; which was referred to the Committee on Banking and Financial Services

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## A BILL

To provide economic development assistance and the planning and coordination needed to assist in development of the lower Mississippi Delta region.

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 “Delta Regional Author-  
5       ity Act of 1999”.

### 6   **SEC. 2. FINDINGS AND STATEMENT OF PURPOSE.**

7       (a) FINDINGS.—Congress finds that—

1           (1) the lower Mississippi River Delta region,  
2           though rich in natural and human resources, lags  
3           behind the rest of the country in economic growth  
4           and prosperity;

5           (2) this region suffers from a greater propor-  
6           tion of measurable poverty and unemployment than  
7           any other region of the country, resulting in a drain  
8           on the national economy and diminishing the na-  
9           tional wealth;

10          (3) the greatest hope for economic growth and  
11          revitalization in the Delta region lies in the creation  
12          of jobs, the expansion of existing businesses, and the  
13          development of entrepreneurial local economies;

14          (4) the economic progress of the Delta region  
15          requires an adequate physical infrastructure, a  
16          skilled and trained workforce, enhanced local leader-  
17          ship and civic capacity; and greater opportunities for  
18          enterprise development and entrepreneurship;

19          (5) a concerted and coordinated effort among  
20          Federal, State, and local agencies, as well as with  
21          the private sector, nonprofit groups, and community-  
22          based organizations is needed if the Delta region is  
23          to share in the prosperity of the nation;

24          (6) economic development planning on a re-  
25          gional or multicounty basis offers the best prospect

1 for achieving the maximum benefit from public and  
2 private investments; and

3 (7) improving the economy of the Delta re-  
4 quires a special emphasis on those parts of the Delta  
5 region that are most economically distressed.

6 (b) PURPOSES.—The purposes of this Act are to—

7 (1) promote and encourage the economic devel-  
8 opment of the Mississippi River Delta region so that  
9 the communities and people in the Delta region have  
10 the opportunity to participate more fully in the na-  
11 tion's prosperity and so that the region's economy  
12 will no longer lag behind the rest of the nation on  
13 leading indicators of economic performance;

14 (2) establish a formal framework for joint Fed-  
15 eral-State collaboration in meeting the region's eco-  
16 nomic development needs and for focusing national  
17 attention on those needs;

18 (3) assist the region in obtaining the basic in-  
19 frastructure, skills training, local leadership capac-  
20 ity, and opportunities for enterprise development  
21 that are essential for strong local economies;

22 (4) foster coordination among all levels of gov-  
23 ernment, the private sector, community organiza-  
24 tions, and nonprofit groups in crafting common re-

1 regional strategies that will lead to broader economic  
2 growth;

3 (5) strengthen efforts that emphasize regional  
4 approaches to economic development and planning;

5 (6) encourage the participation of interested  
6 citizens, public officials, groups, agencies, and others  
7 in developing and implementing local and regional  
8 plans for broad-based economic and community de-  
9 velopment; and

10 (7) focus special attention on those areas of the  
11 Delta region that suffer from the greatest economic  
12 distress.

13 (c) CONCENTRATION OF INVESTMENTS.—Public in-  
14 vestments made in the Mississippi River Delta region  
15 under this Act shall be concentrated in areas where there  
16 is significant and concentrated economic distress and  
17 where the expected impact on the region's poorest commu-  
18 nities will be the greatest. While economic development in  
19 the region will require a wide range of investments, the  
20 limited Federal funds available under this Act shall be fo-  
21 cused on the following activities in order to best build the  
22 foundations for long-term, self-sustaining economies and  
23 complement other Federal and State resources in the re-  
24 gion: basic infrastructure in distressed counties; job re-  
25 lated infrastructure; job training or employment-related

1 education; leadership and civic development; and business  
2 development, especially entrepreneurship.

## 3 **TITLE I—THE DELTA REGIONAL** 4 **AUTHORITY**

### 5 **SEC. 101. MEMBERSHIP AND VOTING.**

6 (a) ESTABLISHMENT.—There is established the Delta  
7 Regional Authority (in this Act referred to as the “Au-  
8 thority”) which shall be composed of 1 Federal member  
9 (in this Act referred to as the “Federal cochairman”) ap-  
10 pointed by the President by and with the advice and con-  
11 sent of the Senate, and 1 member from each participating  
12 State in the Delta region. The Federal cochairman shall  
13 be 1 of the 2 Cochairmen of the Authority. Each State  
14 member shall be the Governor of the State. The State  
15 members of the Authority shall elect a cochairman of the  
16 Authority from among the State members for a term of  
17 not less than 1 year.

18 (b) VOTING RULES.—Except as provided in section  
19 103(c), decisions by the Authority shall require the affirm-  
20 ative vote of the Federal cochairman and of a majority  
21 of the State members (exclusive of members representing  
22 States delinquent under section 103(c)). No decision in-  
23 volving Authority policy, or any modification or revision  
24 thereof, approval of State or regional development plans,  
25 or any allocation of funds among the States may be made

1 without a quorum of State members present. The approval  
2 of project and grant proposals shall be a responsibility of  
3 the Authority and exercised in accordance with section  
4 223 of this Act.

5 (c) ALTERNATES.—Each State member may have a  
6 single alternate, appointed by the Governor of the State  
7 from among the members of the Governor’s cabinet or the  
8 Governor’s personal staff. The President, by and with the  
9 advice and consent of the Senate, shall appoint an alter-  
10 nate Federal cochairman. An alternate shall vote in the  
11 event of the absence, death, disability, removal, or resigna-  
12 tion of the State or Federal representative for which he  
13 or she is an alternate. A State alternate shall not be count-  
14 ed toward the establishment of a quorum of the Authority  
15 in any instance in which a quorum of the State members  
16 is required to be present. No Authority powers or respon-  
17 sibilities specified in the last two sentences of subsection  
18 (b), nor the vote of any Authority member, may be dele-  
19 gated to any person not an Authority member or who is  
20 not entitled to vote in Authority meetings.

21 (d) COMPENSATION.—The Federal cochairman shall  
22 be paid by the Federal Government at the annual rate of  
23 basic pay payable for level III of the Executive Schedule  
24 under section 5314 of title 5, United States Code. The  
25 alternate of the Federal cochairman shall be paid by the

1 Federal Government at the annual rate of basic pay pay-  
2 able for level V of the Executive Schedule under section  
3 5316 of such title 5, and, when not actively serving as  
4 an alternate for the Federal cochairman, shall perform  
5 such functions and duties as are delegated by the Federal  
6 cochairman. Each State member and his or her alternate  
7 shall be paid by the State which they represent at the rate  
8 established by law of such State.

9 **SEC. 102. FUNCTIONS OF THE AUTHORITY.**

10 (a) IN GENERAL.—In carrying out the purposes of  
11 this Act, the Authority shall, in addition to the authorities  
12 and responsibilities elsewhere described in this Act—

13 (1) develop, on a continuing basis, comprehen-  
14 sive and coordinated plans and programs and estab-  
15 lish priorities and approve grants thereunder for the  
16 economic development of the Delta region, giving  
17 due consideration to other Federal, State, and local  
18 planning and development activities in the Delta re-  
19 gion, including establishment, not later than 9  
20 months after the date of enactment of this Act, of  
21 priorities and 5-year regional outcome targets in a  
22 regional development plan;

23 (2) provide for an understanding of the Delta  
24 region's needs and assets through research, dem-  
25 onstration, investigation, assessment and evaluation

1 of the Delta region, in cooperation with Federal,  
2 State, and local agencies, universities and other non-  
3 profit groups where appropriate, which will further  
4 the purposes of this Act;

5 (3) review and study, in cooperation with the  
6 agency involved, Federal, State, and local public and  
7 private programs and, where appropriate, rec-  
8 ommend modifications or additions which will in-  
9 crease their effectiveness in the Delta region;

10 (4) formulate and recommend, where appro-  
11 priate, interstate compacts and other forms of inter-  
12 state cooperation, and work with State and local  
13 agencies in developing appropriate model legislation;

14 (5) encourage the formation of, build the capac-  
15 ity of, and provide support for, local development  
16 districts;

17 (6) encourage private investment in industrial,  
18 commercial, and other economic development  
19 projects;

20 (7) serve as a focal point and coordinating unit  
21 for Delta programs; and

22 (8) provide a forum for consideration of prob-  
23 lems of the Delta region and proposed solutions and  
24 establish and utilize, as appropriate, citizens and  
25 special advisory councils and public conferences.

1 (b) LIAISON.—The Federal cochairman shall provide  
2 effective and continuing liaison between the Federal Gov-  
3 ernment and the Authority.

4 **SEC. 103. AUTHORITIES OF THE AUTHORITY.**

5 (a) IN GENERAL.—To carry out its duties under this  
6 Act, the Authority is authorized to do the following:

7 (1) Adopt, amend, and repeal bylaws, rules, and  
8 regulations governing the conduct of its business  
9 and the performance of its functions.

10 (2) Appoint and fix the pay of an executive di-  
11 rector and such other personnel as may be necessary  
12 to enable the Authority to carry out its functions,  
13 except that such pay shall not exceed the maximum  
14 rate for the Senior Executive Service under section  
15 5382 of title 5, United States Code, including any  
16 applicable locality-based comparability payment that  
17 may be authorized under section 5304(h)(2)(C) of  
18 such title.

19 (3) Request the head of any Federal depart-  
20 ment or agency (who is so authorized) to detail to  
21 temporary duty with the Authority such personnel  
22 within his administrative jurisdiction as the Author-  
23 ity may need for carrying out its functions. Each  
24 such detail shall be without loss of seniority, pay, or  
25 other employee status.

1           (4) Arrange for the services of personnel from  
2           any State or local government or any subdivision or  
3           agency thereof, or any intergovernmental agency.

4           (5) Make arrangements, including contracts,  
5           with any participating State government for inclu-  
6           sion in a suitable retirement and employee benefit  
7           system of such of its personnel as may not be eligi-  
8           ble for, or continue in, another governmental retire-  
9           ment or employee benefit system, or otherwise pro-  
10          vide for such coverage of its personnel.

11          (6) Accept, use, and dispose of gifts or dona-  
12          tions of services or property, real, personal, or  
13          mixed, tangible or intangible.

14          (7) Enter into and perform such contracts,  
15          leases, cooperative agreements, or other transactions  
16          as may be necessary in carrying out its functions  
17          with any department, agency, or instrumentality of  
18          the United States (which is so authorized to the ex-  
19          tent not otherwise prohibited by law) or with any  
20          State, or any political subdivision, agency, or instru-  
21          mentality thereof, or with any person, firm, associa-  
22          tion, or corporation.

23          (8) Establish and maintain a central office at  
24          such appropriate location as it may select and field

1 offices at such other places as it may deem appro-  
2 priate.

3 (9) Take such other actions and incur such  
4 other expenses as may be necessary or appropriate.

5 (b) COOPERATION OF FEDERAL AGENCIES.—The  
6 Federal agencies shall cooperate with the Authority and  
7 shall provide such assistance in carrying out the purposes  
8 of this Act as the Federal cochairman may request.

9 (c) ADMINISTRATIVE EXPENSES.—

10 (1) IN GENERAL.—Administrative expenses of  
11 the Authority shall be paid by the Federal Govern-  
12 ment for the period ending on September 30, 2000.  
13 Thereafter, such expenses shall be paid 50 percent  
14 by the Federal Government and 50 percent by the  
15 States in the Delta region, except that the expenses  
16 of the Federal cochairman, his or her alternate, and  
17 his or her staff shall be paid solely by the Federal  
18 Government.

19 (2) STATE SHARES.—The share to be paid by  
20 each State shall be determined by the Authority.  
21 The Federal cochairman shall not participate or vote  
22 in such determination.

23 (3) LIMITATION ON ASSISTANCE TO STATES.—  
24 No assistance authorized by this Act shall be fur-  
25 nished to any State or to any political subdivision or

1       any resident of any State, nor shall a State member  
2       of the Authority participate or vote in any deter-  
3       mination by the Authority, while such State is delin-  
4       quent in payment of its share of the administrative  
5       expenses of the Authority.

6       (d) EXECUTIVE DIRECTOR.—The Authority shall  
7       have an executive director who shall be responsible for car-  
8       rying out the administrative functions of the Authority,  
9       for direction of the Authority staff, and for such other  
10      duties as the Authority may assign.

11      (e) TREATMENT OF CERTAIN EMPLOYEES.—No  
12      member, alternate, officer, or employee of the Authority,  
13      other than the Federal cochairman of the Authority, his  
14      or her staff, and his or her alternate and Federal employ-  
15      ees detailed to the Authority under subsection (a)(3) shall  
16      be treated as a Federal employee for any purpose.

17      **SEC. 104. INFORMATION.**

18      In order to obtain information needed to carry out  
19      its duties, the Authority shall—

20           (1) hold such hearings, sit and act at such  
21      times and places, take such testimony, receive such  
22      evidence, and print or otherwise reproduce and dis-  
23      tribute so much of its proceedings and reports there-  
24      on as it may deem advisable, and a cochairman of  
25      the Authority, or any member of the Authority des-

1       ignated by the Authority for the purpose, is author-  
 2       ized to administer oaths when it is determined by  
 3       the Authority that testimony shall be taken or evi-  
 4       dence received under oath; and

5           (2) arrange for the head of any Federal, State,  
 6       or local department or agency (who is so authorized  
 7       to the extent not otherwise prohibited by law) to fur-  
 8       nish to the Authority such information as may be  
 9       available to or procurable by such department or  
 10      agency.

11 **SEC. 105. PERSONAL FINANCIAL INTERESTS.**

12       (a) FINANCIAL INTEREST RULE.—

13           (1) IN GENERAL.—Except as permitted by  
 14       paragraph (2), no State member or alternate and no  
 15       officer or employee of the Authority shall participate  
 16       personally and substantially as member, alternate,  
 17       officer, or employee, through decision, approval, dis-  
 18       approval, recommendation, the rendering of advice,  
 19       investigation, or otherwise, in any proceeding, appli-  
 20       cation, request for a ruling or other determination,  
 21       contract, claim, controversy, or other particular mat-  
 22       ter in which, to his or her knowledge, he or she, his  
 23       or her spouse, minor child, partner, organization  
 24       (other than a State or political subdivision thereof)  
 25       in which he or she is serving as officer, director,

1 trustee, partner, or employee, or any person or orga-  
2 nization with whom he or she is serving as officer,  
3 director, trustee, partner, or employee, or any person  
4 or organization with whom he is or she is negoti-  
5 ating or has any arrangement concerning prospective  
6 employment, has a financial interest. Any person  
7 who shall violate the provisions of this paragraph  
8 shall be fined not more than \$10,000, or imprisoned  
9 not more than 2 years, or both.

10 (2) LIMITATION.—Paragraph (1) shall not  
11 apply if the State member, alternate, officer, or em-  
12 ployee first advises the Authority of the nature and  
13 circumstances of the proceeding, application, request  
14 for a ruling or other determination, contract, claim,  
15 controversy, or other particular matter and makes  
16 full disclosure of the financial interest and receives  
17 in advance a written determination made by the Au-  
18 thority that the interest is not so substantial as to  
19 be deemed likely to affect the integrity of the serv-  
20 ices which the Authority may expect from such State  
21 member, alternate, officer, or employee.

22 (b) STATE SALARY RULE.—No State member or al-  
23 ternate shall receive any salary, or any contribution to or  
24 supplementation of salary for his or her services on the  
25 Authority from any source other than his or her State.

1 No person detailed to serve the Authority under authority  
2 of subsection 103(a)(4) shall receive any salary or any  
3 contribution to or supplementation of salary for his or her  
4 services on the Authority from any source other than the  
5 State, local, or intergovernmental department or agency  
6 from which he was detailed or from the Authority. Any  
7 person who shall violate the provisions of this subsection  
8 shall be fined not more than \$5,000, or imprisoned not  
9 more than 1 year, or both.

10 (c) APPLICABILITY OF TITLE 18.—Notwithstanding  
11 any other subsection of this section, the Federal cochair-  
12 man and his or her alternate on the Authority and any  
13 Federal officers or employees detailed to the Authority  
14 pursuant to section 103(a)(3) shall not be subject to such  
15 subsection but shall remain subject to sections 202  
16 through 209 of title 18, United States Code.

17 (d) VOIDING OF CONTRACTS.—The Authority may  
18 declare void and rescind any contract, loan, or grant of  
19 or by the Authority in relation to which the Authority  
20 finds that there has been a violation of subsection (a) or  
21 (b) of this section, or any of the provisions of sections 202  
22 through 209 of title 18, United States Code.

## **TITLE II—DELTA PROGRAMS**

### **PART A—PROGRAMS**

#### **SEC. 201. ECONOMIC AND COMMUNITY DEVELOPMENT GRANTS.**

(a) IN GENERAL.—The Authority is authorized to approve grants to States and public and nonprofit entities for projects, approved in accordance with section 223 of this Act, which will—

(1) assist the Delta region in obtaining the job training or employment-related education, leadership and civic development, and business development, especially entrepreneurship, that are essential for building strong local economies;

(2) provide special assistance to severely distressed and underdeveloped counties that lack financial resources for improving basic services;

(3) fund research, demonstrations, evaluations and assessments of the Delta region, technical assistance, training programs, and construction of necessary facilities incident to such activities; or

(4) otherwise serve the purposes of this Act.

(b) FUNDING.—Grant funds may be provided entirely from appropriations to carry out this section or in combination with funds available under other Federal or Federal grant-in-aid programs or from any other source. Not-

1 withstanding any provision of law limiting the Federal  
2 share in any such other program, funds appropriated to  
3 carry out this section may be used to increase such Fed-  
4 eral share, as the Authority determines appropriate.

5 **SEC. 202. SUPPLEMENTS TO FEDERAL GRANT-IN-AID PRO-**  
6 **GRAMS.**

7 (a) IN GENERAL.—In order to enable the people,  
8 States, and local communities of the Delta region, includ-  
9 ing local development districts, to take maximum advan-  
10 tage of Federal grant-in-aid programs for which they are  
11 eligible but for which, because of their economic situation,  
12 they cannot supply the required matching share, or for  
13 which there are insufficient funds available under the Fed-  
14 eral grant-in-aid law authorizing such programs to meet  
15 pressing needs of the Delta region, the Federal cochair-  
16 man may use amounts made available to carry out this  
17 Act for all or any portion of the basic Federal contribution  
18 to projects or activities (in this section referred to as  
19 “projects”) under such Federal grant-in-aid programs au-  
20 thorized by Federal grant-in-aid laws, and for the purpose  
21 of increasing the Federal contribution to projects under  
22 such programs above the fixed maximum portion of the  
23 cost of such projects otherwise authorized by the applica-  
24 ble law. Funds provided pursuant to this Act shall be  
25 available without regard to any limitations on areas eligi-

1 ble for assistance or authorizations for appropriation in  
2 any other Act.

3 (b) CONTRIBUTION.—In the case of any program or  
4 project for which all or any portion of the basic Federal  
5 contribution to the project under a Federal grant-in-aid  
6 program is proposed to be made under this section, no  
7 such Federal contribution shall be made until the respon-  
8 sible Federal official administering the Federal grant-in-  
9 aid law authorizing such contribution certifies that such  
10 program or project meets the applicable requirements of  
11 such Federal grant-in-aid law and could be approved for  
12 Federal contribution under such law if funds were avail-  
13 able under such law for such program or project. The cer-  
14 tifications and determinations required to be made by the  
15 Authority for approval of projects under this Act in ac-  
16 cordance with section 223 shall be controlling and shall  
17 be accepted by the Federal agencies. Any findings, report,  
18 certification, or documentation required to be submitted  
19 to the head of the department, agency, or instrumentality  
20 of the Federal Government responsible for the administra-  
21 tion of any Federal grant-in-aid program shall be accepted  
22 by the Federal cochairman with respect to a supplemental  
23 grant for any project under such program.

24 (c) FEDERAL SHARE.—Except as provided in section  
25 204(b), the Federal share of the cost of a project for which

1 assistance is provided under this title shall not exceed 80  
2 percent.

3 (d) DEFINITION.—In this section, the term “Federal  
4 grant-in-aid programs” means those Federal grant-in-aid  
5 programs authorized for the acquisition or development of  
6 land, the construction or equipping of facilities, or other  
7 community or economic development or economic adjust-  
8 ment activities.

9 **SEC. 203. LOCAL DEVELOPMENT DISTRICTS; CERTIFI-**  
10 **CATION AND ADMINISTRATIVE EXPENSES.**

11 (a) DEFINITION.—In this Act, a “local development  
12 district” means an entity certified to the Authority either  
13 by the Governor of the State, or the Governors of the  
14 States, in which such entity is located, or by the State  
15 officer designated by the appropriate State law to make  
16 such certification, as having a charter or authority that  
17 includes the economic development of counties or parts of  
18 counties or other political subdivisions within the Delta re-  
19 gion. No entity shall be certified as a local development  
20 district for the purposes of this Act unless it is—

21 (1)(A) a nonprofit incorporated body organized  
22 or chartered under the law of the State in which it  
23 is located;

24 (B) a nonprofit agency or instrumentality of a  
25 State or local government;

1           (C) a nonprofit agency or instrumentality cre-  
2       ated through an interstate compact; or

3           (D) a nonprofit association or combination of  
4       such bodies, agencies, and instrumentalities; and

5           (2) organized and operated in a manner that  
6       assures broad-based community participation and an  
7       effective opportunity for other nonprofit and citizen  
8       groups to contribute to the development and imple-  
9       mentation of programs in the Delta region.

10       (b) AS LEAD ORGANIZATIONS.—Local development  
11       districts shall be the lead organizations serving multi-  
12       county regions at the local level and shall provide the link-  
13       age between State and local governments, nonprofit orga-  
14       nizations, including community-based groups and edu-  
15       cational institutions, the business community, and citi-  
16       zens. Activities of these organizations shall include but not  
17       be limited to multijurisdictional planning, technical assist-  
18       ance to local jurisdictions and potential grantees, and  
19       leadership and civic development assistance.

20       (c) GRANTS.—The Authority is authorized to make  
21       grants for administrative expenses of local development  
22       districts, but (1) the amount of any such grant shall not  
23       exceed 80 percent of such expenses, (2) no grants for ad-  
24       ministrative expenses shall be made for a State agency  
25       certified as a local development district for a period in ex-

cess of 3 years beginning on the date the initial grant is made for such development district, and (3) the local development district contributions for administrative expenses may be in cash or in-kind, fairly evaluated, including space, equipment, and services.

**SEC. 204. DISTRESSED COUNTIES AND ECONOMICALLY STRONG COUNTIES.**

(a) DESIGNATIONS.—Not later than 90 days after the date enactment of this Act, and annually thereafter, the Authority, in accordance with such criteria as the Authority may establish, shall—

(1) designate as “distressed counties” those counties in the Delta region that are the most severely and persistently distressed and underdeveloped; and

(2) designate as “economically strong counties” those counties in the Delta region that are approaching or have reached economic parity with the rest of the Nation.

(b) DISTRESSED COUNTIES.—The Authority shall allocate at least 50 percent of the appropriations made available under section 301 of this Act for programs and projects designed to serve the needs of distressed counties. The funding limitations contained in section 202(c) of this Act shall not apply to projects providing basic services to

1 residents in 1 or more of the Delta region’s distressed  
2 counties.

3 (c) **ECONOMICALLY STRONG COUNTIES: FUNDING**  
4 **PROHIBITIONS.**—Except as provided in this subsection, no  
5 funds may be provided under this Act for a project located  
6 in a county for which a designation as an “economically  
7 strong county” is in effect under this section; except that  
8 the Authority may designate 1 or more areas in an eco-  
9 nomically strong county with respect to which financial as-  
10 sistance under this Act may be provided. This prohibition  
11 shall not apply to local development district administrative  
12 projects authorized by section 203(c) of this Act. The Au-  
13 thority may approve further exceptions to this prohibition  
14 for multi-county projects that include an economically  
15 strong county and for other projects upon a showing of  
16 significant potential benefits in areas of the Delta region  
17 outside the designated economically strong county.

## 18 **PART B—GENERAL PROVISIONS**

### 19 **SEC. 221. DEVELOPMENT PLANNING PROCESS.**

20 (a) **STATE DEVELOPMENT PLANS.**—

21 (1) **SCHEDULE.**—Pursuant to policies estab-  
22 lished by the Authority, each State member shall  
23 submit on such schedule as the Authority shall pre-  
24 scribe a development plan for the area of the State  
25 within the Delta region.

1           (2) GENERAL REQUIREMENTS.—The State de-  
2       velopment plan shall reflect the goals, objectives, and  
3       priorities identified in the regional development plan  
4       developed under section 102(a)(1) of this Act. The  
5       State development plan shall—

6           (A) describe the State organization and  
7       continuous process for development planning,  
8       including the procedures established by the  
9       State for the participation of local development  
10      districts in such process, the means by which  
11      such process is related to overall statewide plan-  
12      ning and budgeting processes, and the method  
13      of coordinating planning and projects in the  
14      Delta region under this Act, and other Federal,  
15      State, and local programs;

16          (B) set forth the goals, objectives, prior-  
17      ities, and expected outcomes of the State for  
18      the Delta region, as determined by the Gov-  
19      ernor of the State, and identify the needs on  
20      which such goals, objectives, and priorities are  
21      based;

22          (C) describe the development strategy for  
23      achieving such goals, objectives, priorities, and  
24      expected outcomes; and

1 (D) describe how its proposed strategies  
2 will advance the Authority's goals and outcome  
3 targets.

4 (3) CONSULTATION.—In carrying out the devel-  
5 opment planning process, including the selection of  
6 programs and projects for assistance, States shall  
7 consult with local development districts, local units  
8 of government, and citizen groups and take into con-  
9 sideration the goals, objectives, priorities, and rec-  
10 ommendations of such bodies.

11 (b) PUBLIC PARTICIPATION.—The Authority shall  
12 take such action as may be necessary to ensure public par-  
13 ticipation in the development, revision, and implementa-  
14 tion of all plans and programs under this Act by the Au-  
15 thority, any State, or any local development district. The  
16 Authority shall develop and publish regulations specifying  
17 minimum guidelines for such public participation, includ-  
18 ing public hearings.

19 **SEC. 222. PROGRAM DEVELOPMENT CRITERIA.**

20 (a) IN GENERAL.—In considering programs and  
21 projects to be given assistance under this Act and in estab-  
22 lishing a priority ranking of the requests for assistance  
23 presented to the Authority, the Authority shall follow pro-  
24 cedures that will ensure consideration of the following fac-  
25 tors:

1           (1) The relationship of the program or project  
2           or class of programs or projects to overall regional  
3           development.

4           (2) The relative per capita income, poverty, and  
5           unemployment rates in the area to be served by the  
6           program or project.

7           (3) The relative financial resources available to  
8           the applicants for assistance seeking to undertake  
9           the program or project.

10          (4) The importance of the program or project  
11          or class of programs or projects in relation to other  
12          projects or classes of programs or projects which  
13          may be in competition for the same funds.

14          (5) The prospects that the program or project  
15          for which assistance is sought will improve, on a  
16          continuing rather than a temporary basis, the oppor-  
17          tunities for employment, the average level of income,  
18          or the economic and social development of the area  
19          served by the program or project.

20          (6) The extent to which the program or project  
21          design provides for detailed outcome measurements  
22          by which grant expenditures may be evaluated.

23          (b) NO RELOCATIONS.—No financial assistance shall  
24          be authorized under this Act to be used to assist establish-  
25          ments relocating from 1 area to another.

1       (c) LIMITATION.—Funds may be provided for pro-  
2 grams and projects in a State under this Act only if the  
3 Authority determines that the level of Federal and State  
4 financial assistance under laws other than this Act for the  
5 same type of programs or projects in that portion of the  
6 State within the Delta region will not be diminished in  
7 order to substitute funds authorized by this Act.

8       **SEC. 223. APPROVAL OF DEVELOPMENT PLANS AND**  
9                               **PROJECTS.**

10       (a) IN GENERAL.—Subject to section 101(b) of this  
11 Act, a State or regional development plan or any  
12 multistate subregional plan which is developed under this  
13 title shall be reviewed by the Authority for approval under  
14 this section. An application for a grant or any other assist-  
15 ance for a project under this title shall be made through  
16 and evaluated for approval by the State member of the  
17 Authority representing the applicant.

18       (b) CERTIFICATION.—An application for a grant or  
19 other assistance for a project shall be approved only on  
20 certification by the State member and the Federal cochair-  
21 man that the application—

22               (1) reflects an intent that the project comply  
23       with any applicable State development plan;

24               (2) meets applicable criteria under section 222;

1           (3) provides adequate assurance that the pro-  
 2       posed project will be properly administered, oper-  
 3       ated, and maintained; and

4           (4) otherwise meets the requirements of this  
 5       title.

6       (c) VOTES FOR DECISIONS.—The certification by a  
 7       State member of an application for a grant or other assist-  
 8       ance for a project under this title shall, when joined by  
 9       an affirmative vote of the Federal cochairman for the ap-  
 10      plication, be considered to satisfy the requirements for af-  
 11      firmative votes for decisions under section 101(b).

12   **SEC. 224. CONSENT OF STATES.**

13       Nothing contained in this Act shall be interpreted as  
 14      requiring any State to engage in or accept any program  
 15      under this Act without its consent.

16   **TITLE           III—AUTHORIZATIONS**  
 17       **AND MISCELLANEOUS PROVI-**  
 18       **SIONS**

19   **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

20       There is authorized to be appropriated to the Author-  
 21      ity to carry out this Act and for necessary expenses for  
 22      the Federal cochairman of the Authority, his or her alter-  
 23      nate, and his or her staff, and for payment of the Federal  
 24      share of the administrative expenses of the Authority to

1 be available until expended, \$30,000,000 for each of fiscal  
2 years 2001 through 2005.

3 **SEC. 302. DEFINITION OF DELTA REGION.**

4 In this Act, the term “Delta region” means those  
5 areas within the States of Arkansas, Illinois, Kentucky,  
6 Louisiana, Mississippi, Missouri, and Tennessee as de-  
7 fined in section 4 of the Lower Mississippi Delta Develop-  
8 ment Act (Public Law 100–460).

9 **SEC. 303. RECORDS.**

10 (a) **AUTHORITY.**—The Authority shall maintain accu-  
11 rate and complete records of its doings and transactions  
12 and of all transactions and activities financed with Federal  
13 funds. The records of the Authority shall be available for  
14 audit and examinations by the Comptroller General or the  
15 duly authorized representative of the Comptroller General.

16 (b) **RECIPIENTS OF FEDERAL ASSISTANCE.**—Recipi-  
17 ents of Federal assistance under this Act shall, as required  
18 by the Authority, maintain accurate and complete records  
19 of transactions and activities financed with Federal funds  
20 and report thereon to the Authority. Such records shall  
21 be available for audit by the Comptroller General and the  
22 Authority or their duly authorized representatives.

23 **SEC. 304. ANNUAL REPORT.**

24 Not later than 6 months after the last day of each  
25 fiscal year, the Authority shall prepare and submit to the

- 1 President, for transmittal to Congress, a report on the ac-
- 2 tivities carried out under this Act during such year.

