

107TH CONGRESS
2^D SESSION

H. R. 5654

To enhance the capacity of organizations working in the United States-Mexico border region to develop affordable housing and infrastructure and to foster economic opportunity in the colonias.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2002

Mr. BONILLA (for himself, Mr. PASTOR, and Mr. ORTIZ) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure, 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

A BILL

To enhance the capacity of organizations working in the United States-Mexico border region to develop affordable housing and infrastructure and to foster economic opportunity in the colonias.

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 “Colonias Gateway Ini-
5 tiative Act”.

1 **SEC. 2. COLONIAS GATEWAY INITIATIVE.**

2 (a) IN GENERAL.—To the extent amounts are made
3 available to carry out this section, the Secretary may make
4 grants under this section to one or more regional organiza-
5 tions to enhance the availability of affordable housing, eco-
6 nomic opportunity, and infrastructure in the colonias.

7 (b) GRANTS.—Grants under this section may be
8 made only to regional organizations selected pursuant to
9 subsection (c). After an organization has been selected
10 pursuant to subsection (c) to receive a grant under this
11 section, the Secretary may provide grants to such organi-
12 zation in subsequent fiscal years, subject to subsection (e).

13 (c) SELECTION OF REGIONAL ORGANIZATIONS.—The
14 Secretary shall select one or more regional organizations
15 that submit applications for grants under this section to
16 receive such grants. The selection shall be made pursuant
17 to a competition, which shall consider the applicant's pro-
18 posed work plan under subsection (e) and shall be based
19 upon criteria that reflect the purposes of this section. Such
20 criteria shall include a demonstration of the extent to
21 which the applicant organization has the capacity to—

22 (1) enhance the availability of affordable hous-
23 ing, economic opportunity, and infrastructure in the
24 colonias by carrying out the eligible activities set
25 forth in subsection (f);

1 (2) provide assistance in each State in which
2 colonias are located;

3 (3) form partnerships with the public and pri-
4 vate sectors and local and regional housing and eco-
5 nomic development intermediaries to leverage and
6 coordinate additional resources to achieve the pur-
7 poses of this section;

8 (4) ensure accountability to the residents of the
9 colonias through active and ongoing outreach to, and
10 consultation with, residents and local governments;
11 and

12 (5) meet such other criteria as the Secretary
13 may specify.

14 (d) ADVISORY BOARD.—

15 (1) MEMBERSHIP.—The Secretary shall appoint
16 an Advisory Board that shall consist of nine mem-
17 bers, who shall include—

18 (A) one individual from each State in
19 which colonias are located;

20 (B) four individuals who are members of
21 non-profit or private sector organizations hav-
22 ing substantial investments in the colonias, at
23 least one of whom is a member of such a pri-
24 vate sector organization; and

1 (C) one individual who is a resident of a
2 colonia.

3 (2) CHAIRPERSON.—The Secretary shall des-
4 ignate a member of the Advisory Board as Chair-
5 person.

6 (3) TERM.—Advisory Board members shall be
7 appointed for two year terms that shall be renewable
8 at the discretion of the Secretary.

9 (4) COMPENSATION.—Advisory Board members
10 shall serve without compensation, but the Secretary
11 may provide members with travel expenses, including
12 per diem in lieu of subsistence, in accordance with
13 section 5702 and 5703 of title 5, United States
14 Code.

15 (5) FUNCTIONS.—The Advisory Board shall—
16 (A) assist any regional organization that
17 receives a grant under this section in the devel-
18 opment and implementation of its final work
19 plan under subsection (e);

20 (B) review and approve all final work
21 plans;

22 (C) assist the Secretary in monitoring and
23 evaluating the performance of any regional or-
24 ganization in implementing its final work plan;
25 and

1 (D) provide such other assistance as the
2 Secretary may request.

3 (e) WORK PLANS.—

4 (1) APPLICATION.—Each regional organization
5 applying for a grant under this section shall include
6 in its application a proposed work plan.

7 (2) ANNUAL SUBMISSION.—To be eligible to
8 continue receive annual grants under this section
9 after selection pursuant to subsection (c), a regional
10 organization shall, on an annual basis after such se-
11 lection and subject to the Secretary's determination
12 to continue to provide grant amounts to such re-
13 gional organization, submit a proposed work plan to
14 the Advisory Board and the Secretary for review and
15 approval.

16 (3) FINAL WORK PLAN.—In any fiscal year, in-
17 cluding the fiscal year in which any regional organi-
18 zation is selected pursuant to subsection (c), prior to
19 final determination and allocation of specific grant
20 amounts, each selected regional organization shall,
21 with the assistance of the Advisory Board, develop
22 a final work plan that thoroughly describes how the
23 regional organization will use specific grant amounts
24 to carry out its functions under this section, which
25 shall include the following:

1 (A) A description of outcome measures and
2 other baseline information to be used to mon-
3 itor success in promoting affordable housing,
4 economic opportunity, and infrastructure in the
5 colonias.

6 (B) An account of how the regional organi-
7 zation will strengthen the coordination of exist-
8 ing resources used to assist residents of the
9 colonias, and how the regional organization will
10 leverage additional public and private resources
11 to complement such existing resources.

12 (C) An explanation, in part, of the effects
13 that implementation of the work plan will have
14 on areas in and around colonias.

15 (D) Such assurances as the Secretary may
16 require that grant amounts will be used in a
17 manner that results in assistance and invest-
18 ments for colonias in each State containing
19 colonias, in accordance with requirements that
20 the Advisory and the Secretary may establish
21 that provide for a minimum level of such invest-
22 ment and assistance as a condition of the ap-
23 proval of the work plans.

24 (4) APPROVAL.—No grant amounts under this
25 section for a fiscal year may be provided to a re-

1 regional organization until the Secretary approves the
2 final work plan of the organization, including a spe-
3 cific grant amount for the organization. In deter-
4 mining whether to approve a final work plan, the
5 Secretary shall consider whether the Advisory Board
6 approved the plan. To the extent that the Advisory
7 Board or the Secretary does not approve a work
8 plan, the Advisory Board or the Secretary shall, to
9 the maximum extent practicable, assist the selected
10 regional organization that submitted the plan to de-
11 velop an approvable plan.

12 (f) ELIGIBLE ACTIVITIES.—Grant amounts under
13 this section may be used only to carry out the following
14 eligible activities to benefit the colonias:

15 (1) Coordination of public, private, and commu-
16 nity-based resources and the use of grant amounts
17 to leverage such resources.

18 (2) Technical assistance and capacity building,
19 including training, business planning and investment
20 advice, and the development of marketing and stra-
21 tegic investment plans.

22 (3) Initial and early-stage investments in activi-
23 ties to provide—

24 (A) housing, infrastructure, and economic
25 development;

1 (B) housing counseling and financial edu-
2 cation, including counseling and education
3 about avoiding predatory lending; and

4 (C) access to financial services for resi-
5 dents of colonias.

6 (4) Development of comprehensive, regional, so-
7 cioeconomic, and other data, and the establishment
8 of a centralized information resource, to facilitate
9 strategic planning and investments.

10 (5) Administrative and planning costs of any
11 regional organization in carrying out this section, ex-
12 cept that the Secretary may limit the amount of
13 grant funds used for such costs.

14 (6) Such other activities as the Secretary deems
15 appropriate to carry out this section.

16 (g) GRANT AGREEMENTS.—A grant under this sec-
17 tion shall be made only pursuant to a grant agreement
18 between the Secretary and a regional organization selected
19 under this section.

20 (h) TERMINATION AND RECAPTURE.—If the Sec-
21 retary determines that a regional organization awarded a
22 grant under this section has not substantially fulfilled its
23 obligations under its final work plan or grant agreement,
24 the Secretary shall terminate the regional organization's

1 participation under this section, and shall recapture any
2 unexpended grant amounts.

3 (i) DETAILS FROM OTHER AGENCIES.—Upon re-
4 quest of any selected regional organization that has an ap-
5 proved work plan, the head of any Federal agency may
6 detail, on a reimbursable basis, any of the personnel of
7 such agency to that regional organization to assist it in
8 carrying out its duties under this section.

9 (j) ENVIRONMENTAL REVIEW.—For purposes of en-
10 vironmental review, projects assisted by grant amounts
11 under this section shall be treated as special projects that
12 are subject to section 305(c) of the Multifamily Housing
13 Property Disposition Reform Act of 1994 (42 U.S.C.
14 3547), and shall be subject to regulations issued by the
15 Secretary to implement such section.

16 (k) DEFINITIONS.—For the purposes of this section:

17 (1) The term “colonia” means any identifiable
18 community that—

19 (A) is located in the State of Arizona, Cali-
20 fornia, New Mexico, or Texas;

21 (B) is located in the United States-Mexico
22 border region;

23 (C) is determined to be a colonia on the
24 basis of objective criteria, including lack of po-
25 table water supply, lack of adequate sewage sys-

1 tems, and lack of decent, safe, and sanitary
2 housing; and

3 (D) was in existence and generally recog-
4 nized as a colonia before the date of the enact-
5 ment of this Act.

6 (2) The term “regional organization” means a
7 nonprofit organization or a consortium of nonprofit
8 organizations with the capacity to serve colonias.

9 (3) The term “Secretary” means the Secretary
10 of Housing and Urban Development.

11 (4) The term “United States-Mexico border re-
12 gion” means the area of the United States within
13 150 miles of the border between the United States
14 and Mexico, except that such term does not include
15 any standard metropolitan statistical area that has
16 a population exceeding 1,000,000.

17 (l) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 \$16,000,000 for fiscal year 2003 and such sums as may
20 be necessary for each of fiscal years 2004 through 2009.

21 (m) SUNSET.—No new grants may be provided under
22 this section after September 30, 2009.

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