

107TH CONGRESS  
1ST SESSION

# S. 1206

To reauthorize the Appalachian Regional Development Act of 1965, and  
for other purposes.

---

IN THE SENATE OF THE UNITED STATES

JULY 19, 2001

Mr. VOINOVICH (for himself, Mr. INHOFE, Mr. FRIST, and Mr. McCONNELL)  
introduced the following bill; which was read twice and referred to the  
Committee on Environment and Public Works

---

## A BILL

To reauthorize the Appalachian Regional Development Act  
of 1965, and for other purposes.

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 “Appalachian Regional  
5 Development Act Amendments of 2001”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to reauthorize the Appalachian Regional  
9 Development Act of 1965 (40 U.S.C. App.); and

1           (2) to ensure that the people and businesses of  
 2           the Appalachian region have the knowledge, skills,  
 3           and access to telecommunication and technology  
 4           services necessary to compete in the knowledge-  
 5           based economy of the United States.

6 **SEC. 3. FUNCTIONS OF THE COMMISSION.**

7           Section 102(a) of the Appalachian Regional Develop-  
 8           ment Act of 1965 (40 U.S.C. App.) is amended—

9           (1) in paragraph (5), by inserting “, and sup-  
 10          port,” after “formation of”;

11          (2) in paragraph (7), by striking “and” at the  
 12          end;

13          (3) in paragraph (8), by striking the period at  
 14          the end and inserting “; and”; and

15          (4) by adding at the end the following:

16          “(9) seek to coordinate the economic develop-  
 17          ment activities of, and the use of economic develop-  
 18          ment resources by, Federal agencies in the region.”.

19 **SEC. 4. INTERAGENCY COORDINATING COUNCIL ON APPA-**  
 20 **LACHIA.**

21          Section 104 of the Appalachian Regional Develop-  
 22          ment Act of 1965 (40 U.S.C. App.) is amended—

23          (1) by striking “The President” and inserting  
 24          “(a) IN GENERAL.—The President”; and

25          (2) by adding at the end the following:

1       “(b) INTERAGENCY COORDINATING COUNCIL ON AP-  
2 PALACHIA.—

3               “(1) ESTABLISHMENT.—In carrying out sub-  
4 section (a), the President shall establish an inter-  
5 agency council to be known as the ‘Interagency Co-  
6 ordinating Council on Appalachia’.

7               “(2) MEMBERSHIP.—The Council shall be com-  
8 posed of—

9                       “(A) the Federal Cochairman, who shall  
10 serve as Chairperson of the Council; and

11                      “(B) representatives of Federal agencies  
12 that carry out economic development programs  
13 in the region.”.

14 **SEC. 5. TELECOMMUNICATIONS AND TECHNOLOGY INITIA-**  
15 **TIVE.**

16       Title II of the Appalachian Regional Development  
17 Act of 1965 (40 U.S.C. App.) is amended by inserting  
18 after section 202 the following:

19 **“SEC. 203. TELECOMMUNICATIONS AND TECHNOLOGY INI-**  
20 **TIATIVE.**

21       “(a) IN GENERAL.—The Commission may provide  
22 technical assistance, make grants, enter into contracts, or  
23 otherwise provide funds to persons or entities in the region  
24 for projects—

1           “(1) to increase affordable access to advanced  
2 telecommunications, entrepreneurship, and manage-  
3 ment technologies or applications in the region;

4           “(2) to provide education and training in the  
5 use of telecommunications and technology;

6           “(3) to develop programs to increase the readi-  
7 ness of industry groups and businesses in the region  
8 to engage in electronic commerce; or

9           “(4) to support entrepreneurial opportunities  
10 for businesses in the information technology sector.

11       “(b) SOURCE OF FUNDING.—

12           “(1) IN GENERAL.—Assistance under this sec-  
13 tion may be provided—

14           “(A) exclusively from amounts made avail-  
15 able to carry out this section; or

16           “(B) from amounts made available to  
17 carry out this section in combination with  
18 amounts made available under any other Fed-  
19 eral program or from any other source.

20           “(2) FEDERAL SHARE REQUIREMENTS SPECI-  
21 FIED IN OTHER LAWS.—Notwithstanding any provi-  
22 sion of law limiting the Federal share under any  
23 other Federal program, amounts made available to  
24 carry out this section may be used to increase that

1 Federal share, as the Commission determines to be  
2 appropriate.

3 “(c) COST SHARING FOR GRANTS.—Not more than  
4 50 percent (or 80 percent in the case of a project to be  
5 carried out in a county for which a distressed county des-  
6 ignation is in effect under section 226) of the costs of any  
7 activity eligible for a grant under this section may be pro-  
8 vided from funds appropriated to carry out this section.”.

9 **SEC. 6. PROGRAM DEVELOPMENT CRITERIA.**

10 (a) ELIMINATION OF GROWTH CENTER CRITERIA.—  
11 Section 224(a)(1) of the Appalachian Regional Develop-  
12 ment Act of 1965 (40 U.S.C. App.) is amended by striking  
13 “in an area determined by the State have a significant  
14 potential for growth or”.

15 (b) ASSISTANCE TO DISTRESSED COUNTIES AND  
16 AREAS.—Section 224 of the Appalachian Regional Devel-  
17 opment Act of 1965 (40 U.S.C. App.) is amended by add-  
18 ing at the end the following:

19 “(d) ASSISTANCE TO DISTRESSED COUNTIES AND  
20 AREAS.—For each fiscal year, not less than 50 percent  
21 of the amount of grant expenditures approved by the Com-  
22 mission shall support activities or projects that benefit se-  
23 verely and persistently distressed counties and areas.”.

1 **SEC. 7. GRANTS FOR ADMINISTRATIVE EXPENSES OF**  
 2 **LOCAL DEVELOPMENT DISTRICTS.**

3 Section 302(a)(1)(A)(i) of the Appalachian Regional  
 4 Development Act of 1965 (40 U.S.C. App.) is amended  
 5 by inserting “(or, at the discretion of the Commission, 75  
 6 percent of such expenses in the case of a local development  
 7 district that has a charter or authority that includes the  
 8 economic development of a county or part of a county for  
 9 which a distressed county designation is in effect under  
 10 section 226)” after “such expenses”.

11 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 401 of the Appalachian Regional Develop-  
 13 ment Act of 1965 (40 U.S.C. App.) is amended to read  
 14 as follows:

15 **“SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

16 “(a) IN GENERAL.—In addition to amounts author-  
 17 ized by section 201 and other amounts made available for  
 18 the Appalachian development highway system program,  
 19 there are authorized to be appropriated to the Commission  
 20 to carry out this Act—

21 “(1) \$83,000,000 for fiscal year 2002;

22 “(2) \$86,000,000 for fiscal year 2003;

23 “(3) \$89,000,000 for fiscal year 2004;

24 “(4) \$92,000,000 for fiscal year 2005; and

25 “(5) \$95,000,000 for fiscal year 2006.

1           “(b) TELECOMMUNICATIONS AND TECHNOLOGY INI-  
2 TLIATIVE.—Of the amounts made available under sub-  
3 section (a), \$10,000,000 for each fiscal year shall be made  
4 available to carry out section 203.

5           “(c) AVAILABILITY.—Sums made available under  
6 subsection (a) shall remain available until expended.”.

7 **SEC. 9. TERMINATION.**

8           Section 405 of the Appalachian Regional Develop-  
9 ment Act of 1965 (40 U.S.C. App.) is amended by striking  
10 “2001” and inserting “2006”.

11 **SEC. 10. TECHNICAL AND CONFORMING AMENDMENTS.**

12           (a) Section 101(b) of the Appalachian Regional De-  
13 velopment Act of 1965 (40 U.S.C. App.) is amended in  
14 the third sentence by striking “implementing investment  
15 program” and inserting “strategy statement”.

16           (b) Section 106(7) of the Appalachian Regional De-  
17 velopment Act of 1965 (40 U.S.C. App.) is amended by  
18 striking “expiring no later than September 30, 2001”.

19           (c) Sections 202, 214, and 302(a)(1)(C) of the Appa-  
20 lachian Regional Development Act of 1965 (40 U.S.C.  
21 App.) are amended by striking “grant-in-aid programs”  
22 each place it appears and inserting “grant programs”.

23           (d) Section 202(a) of the Appalachian Regional De-  
24 velopment Act of 1965 (40 U.S.C. App.) is amended in  
25 the second sentence by striking “title VI of the Public

1 Health Service Act (42 U.S.C. 291–291o), the Mental Re-  
2 tardation Facilities and Community Mental Health Cen-  
3 ters Construction Act of 1963 (77 Stat. 282),” and insert-  
4 ing “title VI of the Public Health Service Act (42 U.S.C.  
5 291 et seq.), the Developmental Disabilities Assistance  
6 and Bill of Rights Act of 2000 (42 U.S.C. 15001 et  
7 seq.),”.

8 (e) Section 207(a) of the Appalachian Regional De-  
9 velopment Act of 1965 (40 U.S.C. App.) is amended by  
10 striking “section 221 of the National Housing Act, section  
11 8 of the United States Housing Act of 1937, section 515  
12 of the Housing Act of 1949,” and inserting “section 221  
13 of the National Housing Act (12 U.S.C. 1715*l*), section  
14 8 of the United States Housing Act of 1937 (42 U.S.C.  
15 1437f), section 515 of the Housing Act of 1949 (42  
16 U.S.C. 1485),”.

17 (f) Section 214 of the Appalachian Regional Develop-  
18 ment Act of 1965 (40 U.S.C. App.) is amended—

19 (1) in the section heading, by striking “GRANT-  
20 IN-AID” and inserting “GRANT”;

21 (2) in subsection (a)—

22 (A) by striking “grant-in-aid Act” each  
23 place it appears and inserting “Act”;

24 (B) in the first sentence, by striking  
25 “grant-in-aid Acts” and inserting “Acts”;



1 (C) by striking “grant-in-aid program”  
2 each place it appears and inserting “grant pro-  
3 gram”; and

4 (D) by striking the third sentence;

5 (3) by striking subsection (c) and inserting the  
6 following:

7 “(c) DEFINITION OF FEDERAL GRANT PROGRAM.—

8 “(1) IN GENERAL.—In this section, the term  
9 ‘Federal grant program’ means any Federal grant  
10 program authorized by this Act or any other Act  
11 that provides assistance for—

12 “(A) the acquisition or development of  
13 land;

14 “(B) the construction or equipment of fa-  
15 cilities; or

16 “(C) any other community or economic de-  
17 velopment or economic adjustment activity.

18 “(2) INCLUSIONS.—In this section, the term  
19 ‘Federal grant program’ includes a Federal grant  
20 program such as a Federal grant program author-  
21 ized by—

22 “(A) the Consolidated Farm and Rural  
23 Development Act (7 U.S.C. 1921 et seq.);

24 “(B) the Land and Water Conservation  
25 Fund Act of 1965 (16 U.S.C. 460l–4 et seq.);

1           “(C) the Watershed Protection and Flood  
2 Prevention Act (16 U.S.C. 1001 et seq.);

3           “(D) the Carl D. Perkins Vocational and  
4 Technical Education Act of 1998 (20 U.S.C.  
5 2301 et seq.);

6           “(E) the Federal Water Pollution Control  
7 Act (33 U.S.C. 1251 et seq.);

8           “(F) title VI of the Public Health Service  
9 Act (42 U.S.C. 291 et seq.);

10           “(G) sections 201 and 209 of the Public  
11 Works and Economic Development Act of 1965  
12 (42 U.S.C. 3141, 3149);

13           “(H) title I of the Housing and Commu-  
14 nity Development Act of 1974 (42 U.S.C. 5301  
15 et seq.); or

16           “(I) part IV of title III of the Communica-  
17 tions Act of 1934 (47 U.S.C. 390 et seq.).

18           “(3) EXCLUSIONS.—In this section, the term  
19 ‘Federal grant program’ does not include—

20           “(A) the program for construction of the  
21 Appalachian development highway system au-  
22 thorized by section 201;

23           “(B) any program relating to highway or  
24 road construction authorized by title 23, United  
25 States Code; or

1           “(C) any other program under this Act or  
2           any other Act to the extent that a form of fi-  
3           nancial assistance other than a grant is author-  
4           ized.”; and

5           (4) by striking subsection (d).

6           (g) Section 224(a)(2) of the Appalachian Regional  
7           Development Act of 1965 (40 U.S.C. App.) is amended  
8           by striking “relative per capita income” and inserting “per  
9           capita market income”.

10          (h) Section 225 of the Appalachian Regional Develop-  
11          ment Act of 1965 (40 U.S.C. App.)—

12           (1) in subsection (a)(3), by striking “develop-  
13           ment program” and inserting “development strate-  
14           gies”; and

15           (2) in subsection (c)(2), by striking “develop-  
16           ment programs” and inserting “development strate-  
17           gies”.

18          (i) Section 303 of the Appalachian Regional Develop-  
19          ment Act of 1965 (40 U.S.C. App.) is amended—

20           (1) in the section heading, by striking “INVEST-  
21           MENT PROGRAMS” and inserting “STRATEGY STATE-  
22           MENTS”;

23           (2) in the first sentence, by striking “imple-  
24           menting investments programs” and inserting  
25           “strategy statements”; and

1           (3) by striking “implementing investment pro-  
2           gram” each place it appears and inserting “strategy  
3           statement”.

4           (j) Section 403 of the Appalachian Regional Develop-  
5           ment Act of 1965 (40 U.S.C. App.) is amended—

6           (1) in the next-to-last undesignated paragraph,  
7           by striking “Committee on Public Works and Trans-  
8           portation” and inserting “Committee on Transpor-  
9           tation and Infrastructure”; and

10          (2) by striking the last undesignated paragraph.

○