

109TH CONGRESS
2D SESSION

H. R. 4691

To establish a Gulf Coast Region Redevelopment Commission to coordinate and manage the Federal response to and cooperate with State and local entities in rebuilding that part of the Gulf Coast region damaged by Hurricanes Katrina and Rita.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2006

Ms. KAPTUR (for herself and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish a Gulf Coast Region Redevelopment Commission to coordinate and manage the Federal response to and cooperate with State and local entities in rebuilding that part of the Gulf Coast region damaged by Hurricanes Katrina and Rita.

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 “Gulf Coast Region Re-
5 development Commission Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Due to the destruction of Hurricanes
2 Katrina and Rita, there are a vast number of issues
3 requiring the coordination of Federal, State, and
4 local resources, including the reconstruction of basic
5 infrastructures, the provision of short-term and per-
6 manent affordable housing, an increased need for so-
7 cial services, environmental concerns, the provision
8 of adequate health care, and investment in commer-
9 cial industry.

10 (2) A Federal commission would be beneficial to
11 participate and help coordinate the recovery and re-
12 development of the Gulf Coast region due to the un-
13 precedented scope of these disasters and unmet
14 needs of this region.

15 (3) There is need for a regional plan to ensure
16 that the ensuing development will be the result of a
17 well-thought out, comprehensive, and practical plan.

18 (4) There is vast expertise across the affected
19 region as well as among Federal, State, and local en-
20 tities that should be coordinated to comprehensively
21 address challenges of redevelopment.

22 (5) Residents and local officials should have sig-
23 nificant input as to how their communities are re-
24 built through local hearings, as well as inclusion in
25 the planning process as appropriate in each commu-

1 nity, linking to voluntary organizations and commu-
2 nity development corporations where possible.

3 (6) There is a need for oversight of the protec-
4 tive mechanisms essential to reducing the likelihood
5 of destruction from future natural disasters, includ-
6 ing the reinforcement and rebuilding of levees and
7 building code standards that incorporate the unique
8 features of the Mississippi River and Gulf Coast eco-
9 systems.

10 **SEC. 3. ESTABLISHMENT.**

11 There is established the Gulf Coast Region Redevel-
12 opment Commission, in this Act referred to as the “Com-
13 mission”.

14 **SEC. 4. MEMBERS, MEETINGS, TERMS, AND VOTING.**

15 (a) MEMBERSHIP AND TERMS.—

16 (1) INITIAL APPOINTMENT.—The Commission
17 shall be composed of the following members ap-
18 pointed by the President:

19 (A) One member who shall serve as the
20 Chair for a term of 3 years, who shall be ap-
21 pointed with the advice of the Senate.

22 (B) Upon recommendation of the Gov-
23 ernors of Alabama, Louisiana, Mississippi, and
24 Texas, one member from each of those States

1 to serve as Vice-Chairs, who shall each serve a
2 term of 2 years.

3 (C) Four members, no more than two of
4 whom shall be members of the same political
5 party, to serve for a term of 2 years and to be
6 appointed based on recommendations from the
7 Speaker and the minority leader of the House
8 of Representatives, and the majority leader and
9 minority leader of the Senate, who shall each
10 submit a recommended candidate to the Presi-
11 dent.

12 (D) Three additional members from each
13 of the States of Alabama, Louisiana, Mis-
14 sissippi, and Texas, to each serve a term of 5
15 years. In making appointments under this para-
16 graph, the President shall consult with and con-
17 sider the recommendation of each of the Gov-
18 ernors of such States, and shall give priority to
19 individuals who are State and local leaders, city
20 and regional planning leaders, housing special-
21 ists, homebuilders, and manufactured housing
22 representatives, transportation specialists, and
23 mortgage financing representatives.

24 (2) SUBSEQUENT APPOINTMENTS.—

1 (A) TERMS.—No member of the Commis-
2 sion may serve more than a single term, but
3 may continue to serve until a successor is ap-
4 pointed. All members appointed after expiration
5 of the initial terms shall serve for a term of 5
6 years, with the exception of those members ap-
7 pointed under paragraph (1)(C), whose subse-
8 quent terms shall be for a period of 2 years.

9 (B) VACANCIES.—A vacancy on the Com-
10 mission shall be filled in the manner in which
11 the original appointment was made for the re-
12 mainder of that term. If there is a vacancy in
13 the Chair of the Commission, the Vice-Chair-
14 men may appoint from among the members an
15 interim Chair to serve for the remainder of that
16 term.

17 (b) MEETINGS.—The Commission shall conduct at
18 least 2 meetings each year with the Chair and at least
19 a majority of the members present. The Commission may
20 conduct such additional meetings by electronic means as
21 the Commission considers advisable, including meetings to
22 decide matters requiring an affirmative vote.

23 (c) VOTING.—Decisions by the Commission shall re-
24 quire the affirmative vote of the Chair and of a majority
25 of the members. In matters coming before the Commis-

1 sion, the Commission shall, to the extent practicable, con-
2 sult with the Federal departments and agencies having an
3 interest in the subject matter. A decision involving Com-
4 mission policy, approval of any State, regional, or sub-
5 regional development plan or strategy statement, any allo-
6 cation of funds among the States, shall not be made with-
7 out a quorum of the members.

8 (d) COMPENSATION AND CONFLICTS OF INTER-
9 EST.—

10 (1) EXECUTIVE SCHEDULE.—Each member of
11 the Commission shall be compensated at the annual
12 rate of basic pay prescribed for level IV of the Exec-
13 utive Schedule under section 5315 of title 5, United
14 States Code.

15 (2) CONFLICTS OF INTEREST.—

16 (A) GENERAL RULE.—Except as permitted
17 by subparagraph (B), no person who is a mem-
18 ber, officer, or employee of the Commission
19 shall participate personally and substantially in
20 any decision, recommendation, rendering of ad-
21 vice, or in any proceeding regarding an applica-
22 tion, request for a ruling or other determina-
23 tion, contract, claim, controversy, or other par-
24 ticular matter before the Commission in which,
25 to such person's knowledge, such person, or the

1 spouse, child, partner, of such person, or an or-
2 ganization (other than a State or political sub-
3 division thereof) in which such person serves as
4 officer, director, trustee, partner, or employee,
5 or any person or organization with whom such
6 person is negotiating or has any arrangement
7 concerning prospective employment, has a fi-
8 nancial interest.

9 (B) EXCEPTION GRANTED BY COMMIS-
10 SION.—Subparagraph (A) shall not apply if the
11 member, officer, or employee first advises the
12 Commission of the nature and circumstances of
13 the issue before the Commission and makes full
14 disclosure of the financial interest and receives
15 in advance a written determination made by the
16 Commission that the interest is not so substan-
17 tial as to be deemed likely to affect the integrity
18 of the services which the Commission may ex-
19 pect from such member, officer, or employee.

20 (C) RESCISSION.—The Commission may,
21 in its discretion, declare void and rescind any
22 contract, loan, or grant of or by the Commis-
23 sion in relation to which it finds that there has
24 been a violation of this paragraph.

1 **SEC. 5. FUNCTIONS OF THE COMMISSION.**

2 The Commission shall—

3 (1) coordinate the Federal response to Hurri-
4 canes Katrina and Rita by developing comprehensive
5 and coordinated plans and programs for the region,
6 and establishing priorities among the activities iden-
7 tified within such plans and programs;

8 (2) develop inventory of the region's major re-
9 development needs;

10 (3) conduct research and analysis of the re-
11 gion's resources with the cooperation of Federal,
12 State, and local agencies;

13 (4) provide a forum for the discussion of and
14 proposed resolution of needs confronting the region;

15 (5) identify applicable government programs
16 suitable for application with the cooperation of af-
17 fected Federal, State and local governments and
18 public and private entities, and recommend modifica-
19 tions and additions aimed at enhancing program ef-
20 fectiveness;

21 (6) recommend and aid in interstate coopera-
22 tion;

23 (7) encourage and aid in the rebuilding or cre-
24 ation of community development corporations, where
25 appropriate;

1 (8) provide investment in commercial industrial
2 and recreational projects; and

3 (9) manage and oversee the federally-funded
4 consolidated budget for the region's redevelopment.

5 **SEC. 6. RECOMMENDATIONS.**

6 The Commission may, from time to time, make rec-
7 ommendations to the President and appropriate Federal,
8 State, and local officials with respect to—

9 (1) the expenditure of funds by Federal, State,
10 and local departments and agencies in the region in
11 the fields of natural resources, agriculture, edu-
12 cation, training, health and welfare, and other fields
13 related to the purposes of this Act; and

14 (2) such additional Federal, State, and local
15 legislation or administrative actions as the Commis-
16 sion deems necessary to further the purposes of this
17 Act.

18 **SEC. 7. FEDERAL GOVERNMENT LIAISON AND ADVISORS.**

19 (a) LIAISON.—The President shall provide effective
20 and continuing liaison between the Federal Government
21 and the Commission and a coordinated review within the
22 Federal Government of the plans and recommendations
23 submitted by the Commission pursuant to sections 5 and
24 6.

1 (b) ADVISORY AGENCIES.—The following individuals
2 or their delegates shall have an active advisory role to the
3 Commission:

4 (1) The Secretaries of Agriculture, Commerce,
5 Defense, Education, Energy, Health and Human
6 Services, Housing and Urban Development, Interior,
7 Transportation, and Veterans Affairs; and

8 (2) the directors of the Federal Emergency
9 Management Agency and the Environmental Protec-
10 tion Agency, the Administrator of the Small Busi-
11 ness Administration, the Chairmen of Freddie Mac,
12 Ginnie Mae, and Fannie Mae, the Federal Housing
13 Commissioner, and the Chief of Engineers of the
14 Army Corps of Engineers.

15 **SEC. 8. ADMINISTRATIVE POWERS OF COMMISSION.**

16 The Commission may appoint and fix the compensa-
17 tion of an executive director and such other personnel as
18 may be necessary to enable the Commission to carry out
19 its functions, except that such compensation shall not ex-
20 ceed the maximum rate of basic pay for the Senior Execu-
21 tive Service under section 5382 of title 5, United States
22 Code, including any applicable locality-based com-
23 parability payment that may be authorized under section
24 5304(h)(2)(C) of that title. The executive director shall
25 be responsible for carrying out the administrative func-

1 tions of the Commission, for direction of the Commission
2 staff, and for such other duties as the Commission may
3 assign. In addition, to carry out its duties under this Act,
4 the Commission is authorized to—

5 (1) adopt, amend, and repeal bylaws, rules, and
6 regulations governing the conduct of its business
7 and the performance of its functions;

8 (2) request the head of any Federal department
9 or agency (who is hereby so authorized) to detail to
10 temporary duty with the Commission such personnel
11 as the Commission may need for carrying out its
12 functions, each such detail to be without loss of se-
13 niority, pay, or other employee status;

14 (3) arrange for the services of personnel from
15 any State or local government or any subdivision or
16 agency thereof, or any intergovernmental agency;

17 (4) enter into and perform such contracts,
18 leases (including, notwithstanding any other provi-
19 sion of law, the lease of office space for any term),
20 cooperative agreements, or other transactions as
21 may be necessary in carrying out its functions and
22 on such terms as it may consider appropriate, with
23 any department, agency, or instrumentality of the
24 United States (which is hereby so authorized to the
25 extent not otherwise prohibited by law) or with any

1 State, or any political subdivision, agency, or instru-
2 mentality thereof, or with any person, firm, associa-
3 tion, or corporation;

4 (5) maintain a temporary office in the District
5 of Columbia and establish a permanent office at
6 such a central and appropriate location as it may se-
7 lect and field offices at such other places as it may
8 deem appropriate; and

9 (6) take such other actions and incur such ex-
10 penses as may be necessary or appropriate.

11 **SEC. 9. INFORMATION.**

12 (a) IN GENERAL.—In order to obtain information
13 needed to carry out its duties, the Commission shall—

14 (1) hold such hearings, sit and act at such
15 times and places, take such testimony, receive such
16 evidence, and print or otherwise reproduce and dis-
17 tribute so much of its proceedings and reports there-
18 on as it may deem advisable;

19 (2) arrange for the head of any Federal, State,
20 or local department or agency (who is hereby so au-
21 thorized to the extent not otherwise prohibited by
22 law) to furnish to the Commission such information
23 as may be available to or procurable by such depart-
24 ment or agency; and

1 (3) keep accurate and complete records of its
2 doings and transactions which shall be made avail-
3 able for public inspection, and for the purpose of
4 audit and examination by the Comptroller General
5 or his duly authorized representatives.

6 (b) PUBLIC PARTICIPATION.—Public participation in
7 the development, revision, and implementation of all plans
8 and programs under this Act by the Commission shall be
9 provided for, encouraged, and assisted. The Commission
10 shall develop and publish regulations specifying minimum
11 guidelines for such public participation, including public
12 hearings.

13 **SEC. 10. REPORTING.**

14 Not later than 6 months after the close of each fiscal
15 year, the Commission shall prepare and submit to Con-
16 gress and to the Governors of Alabama, Louisiana, Mis-
17 sissippi, and Texas, a report on the activities carried out
18 under this Act during such year.

19 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

20 There is authorized to be appropriated to the Com-
21 mission such sums as may be necessary for each of fiscal
22 years 2006 through 2016 to carry out this Act.

1 **SEC. 12. TERMINATION.**

2 The Commission shall terminate on the date that is
3 10 years after the date on which all initial members shall
4 have been appointed.

