

109TH CONGRESS
2D SESSION

H. R. 5082

To amend the Consolidated Farm and Rural Development Act to provide for comprehensive community and economic development in the distressed Southern Black Belt and Mississippi Delta region while leveraging existing efforts, entities, and resources.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2006

Mr. DAVIS of Alabama introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Transportation and Infrastructure and 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

A BILL

To amend the Consolidated Farm and Rural Development Act to provide for comprehensive community and economic development in the distressed Southern Black Belt and Mississippi Delta region while leveraging existing efforts, entities, and resources.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Southern Empower-
3 ment and Economic Development Act to authorize the
4 Delta Black Belt Regional Authority”.

5 **SEC. 2. FINDINGS.**

6 The Congress finds the following:

7 (1) A University of Georgia study, entitled
8 “Dismantling Persistent Poverty in the Southeastern
9 United States”, finds that counties in the Delta
10 Black Belt region sustained persistent poverty over
11 3 census periods and comprise the poorest of all re-
12 gions in the country.

13 (2) A study conducted by the Southern Food
14 Systems Education Consortium and led by Tuskegee
15 University, entitled “Persistent Poverty in the
16 South”, finds that these counties lack a coordinating
17 body, supporting organization, or any central capac-
18 ity building agency to link and enhance the work of
19 service providers to address the issue of persistent
20 poverty.

21 (3) These studies find that the economic peril
22 facing the region results from, and in turn contrib-
23 utes to, the widespread and persistent nature of the
24 region’s poverty.

25 (4) These studies find that this region would
26 benefit from a sustained, coordinated strategy tar-

1 geted at the most distressed communities by a re-
2 gional initiative.

3 (5) There is a Federal-State partnership that is
4 targeted at poverty in the Delta region but overlays
5 with the historic Southern Black Belt's region of
6 persistent poverty.

7 (6) The Delta Regional Authority has shown
8 early promise in addressing causes of persistent pov-
9 erty as a regional initiative.

10 (7) There is value in establishing a collaborative
11 partnership with community-based and faith-based
12 organizations in the distressed region as well as in-
13 stitutions of higher learning in the region as a com-
14 ponent of any regional initiative.

15 **SEC. 3. DELTA REGIONAL AUTHORITY EXPANSION.**

16 (a) **AUTHORITY.**—Section 382A(1) of the Consoli-
17 dated Farm and Rural Development Act (7 U.S.C.
18 2009aa(1)) is amended to read as follows:

19 “(1) The term ‘Authority’ means the Delta/
20 Black Belt Regional Authority.”.

21 (b) **SCOPE OF AUTHORITY.**—Section 382B(a)(1) of
22 such Act (7 U.S.C. 2009aa–1(a)(1)) is amended to read
23 as follows:

24 “(1) **IN GENERAL.**—There is established the
25 Delta/Black Belt Regional Authority.”.

1 (c) CONSTITUENCY REPRESENTATION BOARD.—Sec-
2 tion 382B of such Act (7 U.S.C. 2009aa-1) is amended
3 by adding at the end the following:

4 “(k) CONSTITUENCY REPRESENTATION BOARD.—

5 “(1) IN GENERAL.—The Authority shall estab-
6 lish a Constituency Representation Board (in this
7 subsection referred to as the ‘Board’).

8 “(2) MEMBERSHIP.—

9 “(A) APPOINTED MEMBERS.—

10 “(i) IN GENERAL.—With respect to
11 each congressional district that includes
12 part or all of a county or parish that is in
13 the region, the Governor of the State in
14 which the district lies may appoint to the
15 Board 1 individual who has (or, if more
16 than half of the population of the district
17 resides in 1 or more counties or parishes
18 in the region, 2 individuals who have) the
19 following qualifications:

20 “(I) The individual is a legal
21 resident of the district;

22 “(II) The individual resides in a
23 county or parish in the region.

24 “(III) The individual is a com-
25 munity leader or economic develop-

1 ment and community development
2 practitioner who—

3 “(aa) represents a commu-
4 nity-based or faith-based organi-
5 zation or institution of higher
6 learning in the region; and

7 “(bb) has direct contact with
8 the persistently poverty stricken
9 population of the region.

10 “(ii) MANNER OF APPOINTMENT.—A
11 Governor shall make an appointment to
12 the Board by submitting the appointment
13 in writing to the Authority, which shall
14 maintain records of the membership and
15 activities of the Board.

16 “(B) FEDERAL COCHAIRPERSON.—The
17 Federal cochairperson shall be a member of the
18 Board.

19 “(3) TERM OF OFFICE.—

20 “(A) IN GENERAL.—Each Board member
21 shall be appointed for a 2-year term that ex-
22 pires on January 31 of the next odd-numbered
23 calendar year.

24 “(B) CONTINUATION OF SERVICE.—

1 “(i) IN GENERAL.—A Board member
2 may continue to serve as such after the ex-
3 piration of the term for which appointed,
4 until the earlier of such time as a suc-
5 cessor for the member is appointed or the
6 date that is 120 days after the end of the
7 term.

8 “(ii) EXCEPTION.—If a congressional
9 district is eliminated as a result of re-
10 apportionment then the preceding sentence
11 shall not apply with respect to the Board
12 member representing the district.

13 “(C) TERM LIMITS.—

14 “(i) IN GENERAL.—Except as pro-
15 vided in subparagraph (B) and clause (ii)
16 of this subparagraph, an individual may
17 not serve more than a single 2-year term
18 on the Board.

19 “(ii) EXCEPTION.—An original Board
20 member may be reappointed to the Board
21 once.

22 “(4) CHAIR AND VICE CHAIR.—

23 “(A) IN GENERAL.—The Board members
24 shall elect a Chair and Vice Chair from among
25 the members.

1 “(B) TREATMENT AS GOVERNOR AND AL-
2 TERNATE.—The Chair and Vice Chair shall be
3 treated as if they were a Governor and Alter-
4 nate, respectively, of a State participating in
5 the Authority for governance, voting, and all
6 other purposes under section 382B.

7 “(C) TERM OF OFFICE.—The Chair and
8 Vice Chair shall be elected for a 2-year term
9 that expires on January 31 of the next odd-
10 numbered year.

11 “(D) OTHER DUTIES.—The Chair and
12 Vice Chair shall invite the Executive Director of
13 the Authority to each Board meeting and keep
14 the Executive Director apprised of the activities
15 of the Board.

16 “(5) REGIONAL SUBCOMMITTEES.—

17 “(A) MEMBERSHIP.—The Board shall have
18 4 regional subcommittees, as follows:

19 “(i) A regional subcommittee com-
20 posed of the Board members from Vir-
21 ginia, North Carolina, and South Carolina.

22 “(ii) A regional subcommittee com-
23 posed of the Board members from Georgia,
24 Florida, and Alabama.

1 “(iii) A regional subcommittee com-
2 posed of the Board members from Texas,
3 Arkansas, and Louisiana.

4 “(iv) A regional subcommittee com-
5 posed of the Board members from Ken-
6 tucky, Missouri, Tennessee, Mississippi,
7 and Illinois.

8 “(B) DUTIES.—Each regional sub-
9 committee shall review projects proposed to be
10 carried out in the region covered by the sub-
11 committee, and determine which projects should
12 be submitted to the Executive Committee for
13 final approval.

14 “(6) EXECUTIVE COMMITTEE.—

15 “(A) MEMBERSHIP.—The Board shall have
16 an Executive Committee consisting of the fol-
17 lowing:

18 “(i) The Chair and Vice Chair of the
19 Board.

20 “(ii) 2 members of each regional sub-
21 committee, each of whom shall be elected
22 by a majority of the members of the re-
23 gional subcommittee involved.

24 “(iii) The Federal cochairperson.

1 “(B) FUNCTIONS.—The Executive Com-
2 mittee shall perform the administrative func-
3 tions of the Board, including review and ap-
4 proval of projects submitted by the regional
5 subcommittees and disbursement of funds.

6 “(7) COMMUNITY STRATEGIC PLANNING.—The
7 members of the Board shall ascertain and commu-
8 nicate to the Authority the strategic planning prior-
9 ities of communities in their respective States and
10 congressional districts. The members of the Board
11 shall consult with other community leaders and eco-
12 nomic development and community development
13 practitioners that represent community-based and
14 faith-based organizations from their respective
15 States and congressional districts in performing
16 their duties under this paragraph. The members of
17 the Board shall collaborate with their respective
18 Governors, Alternates, and Members of the United
19 States House of Representatives in the performance
20 of their duties under this paragraph.

21 “(8) REGIONAL AND STATE PLANNING.—The
22 Board shall participate in the development and ap-
23 proval of regional plans and priorities developed by
24 the Authority under section 382B(d)(1). Members of

1 the Board may participate in the development of
2 their respective State development plans.

3 “(9) PROGRAMS AND DEMONSTRATION
4 PROJECTS.—

5 “(A) CONSIDERATION AND FUNDING.—

6 The Board shall receive applications for, iden-
7 tify, evaluate, develop, and fund programs and
8 demonstration projects to be organized and op-
9 erated by community-based or faith-based orga-
10 nizations in the region or the institutions of
11 higher learning in the region, consistent with
12 the purposes of the Authority.

13 “(B) ELIGIBILITY FOR FUNDING.—

14 “(i) IN GENERAL.—A program or
15 demonstration project shall not be funded
16 under subparagraph (A) unless the Board
17 determines that the program or project will
18 benefit a county or identifiable community
19 that experiences significant economic dis-
20 tress.

21 “(ii) DEFINITION OF COUNTY OR
22 IDENTIFIABLE COMMUNITY THAT EXPERI-
23 ENCES SIGNIFICANT ECONOMIC DIS-
24 TRESS.—For purposes of clause (i), a

1 county or identifiable community is experi-
2 encing significant economic distress if—

3 “(I)(aa) the 3-year average un-
4 employment rate for the county or
5 identifiable community is at least 150
6 percent of the national average unem-
7 ployment rate;

8 “(bb) the per capita income of
9 the county or identifiable community
10 is not more than 67 percent of the na-
11 tional average per capita income; and

12 “(cc) the poverty rate of the
13 county or identifiable community is at
14 least 150 percent of the national aver-
15 age poverty rate; or

16 “(II)(aa) the county or identifi-
17 able community meets the condition
18 described in item (aa) or (bb) of sub-
19 clause (I); and

20 “(bb) the poverty rate of the
21 county or identifiable community is at
22 least 200 percent of the national aver-
23 age poverty rate.

24 “(iii) DETERMINATIONS.—In deter-
25 mining whether a county or identifiable

1 community is experiencing significant eco-
2 nomic distress in accordance with clause
3 (ii), the Board may use such information
4 as the Board deems reliable.

5 “(10) SOURCE OF FUNDS.—

6 “(A) IN GENERAL.—Not less than 20 per-
7 cent of the amount appropriated under section
8 382M(a) for a fiscal year shall be available for
9 programs and demonstration projects approved
10 for funding under paragraph (9) of this sub-
11 section.

12 “(B) SPECIAL RULE REGARDING ADMINIS-
13 TRATIVE EXPENSES.—Administrative costs and
14 expenses associated with the activities of the
15 Board shall not be considered administrative
16 expenses for purposes of section 382M(b).

17 “(11) OTHER FUNCTIONS.—

18 “(A) HEARINGS.—The Board shall hold no
19 less than 4 public hearings annually, no less
20 than 1 in each region covered by each regional
21 subcommittee, on how the Board and the Au-
22 thority are serving the community-based and
23 faith-based organizations in the region that
24 interface directly with the persistently poverty
25 stricken population of the region. The Board

1 shall include the information obtained in the
2 hearings in the annual reports required by
3 paragraph (12).

4 “(B) ASSESSMENT OF RELEVANT MAT-
5 TERS.—The Board may assess any matter in-
6 volving the region or the Authority, including
7 the criteria for distress, programs of the Au-
8 thority, or allocation formulas, and shall and
9 communicate the findings of the Board to the
10 Federal cochairperson.

11 “(12) ANNUAL REPORTS.—The Board shall
12 prepare and submit to the Congress an annual re-
13 port on—

14 “(A) the activities and plans of the Board
15 for supporting community-based and faith-
16 based organizations in the region;

17 “(B) the state of the community-based and
18 faith-based organizations in the region that
19 interface directly with the persistently poverty
20 stricken population of the region;

21 “(C) the programs and demonstration
22 projects funded under paragraph (9) of this
23 subsection; and

24 “(D) such other matters relating to the ac-
25 tivities described in section 382C(a) as the

1 Board wishes to bring to the attention of the
2 Congress.”.

3 (d) PROGRAM AREAS.—Section 382C(a) of such Act
4 (7 U.S.C. 2009aa–2(a)) is amended—

5 (1) by striking “and” at the end of paragraph
6 (4);

7 (2) by redesignating paragraph (5) as para-
8 graph (8); and

9 (3) by inserting after paragraph (4) the fol-
10 lowing:

11 “(5) to provide assistance to severely distressed
12 and underdeveloped areas that lack resources for im-
13 proving educational opportunities including adult
14 and remedial education;

15 “(6) to provide assistance to severely distressed
16 and underdeveloped areas that lack resources for im-
17 proving access to affordable, quality health care in
18 rural areas;

19 “(7) to provide assistance to severely distressed
20 and underdeveloped areas that lack resources for
21 eliminating sub-standard housing facilities; and”.

22 (e) EXPANSION OF FUNDING PRIORITIES.—Section
23 382C(b)(2) of such Act (7 U.S.C. 2009aa–2(b)(2)) is
24 amended by adding at the end the following:

1 “(E) Educational improvement including
2 adult and remedial education.

3 “(F) Access to affordable, quality rural
4 health care.

5 “(G) The elimination of sub-standard
6 housing facilities.”.

7 (f) FUNDING ALLOCATIONS.—Section 382F(d) of
8 such Act (7 U.S.C. 2009aa–5(d)) is amended to read as
9 follows:

10 “(d) TRANSPORTATION AND BASIC PUBLIC INFRA-
11 STRUCTURE.—During a fiscal year, the Authority shall al-
12 locate for transportation and basic public infrastructure
13 projects authorized under paragraphs (1) and (3) of sec-
14 tion 382C(a) not more than 25 percent of any funds made
15 available under section 382M for the fiscal year.”.

16 (g) LIMITATIONS ON AUTHORIZATION OF APPRO-
17 PRIATIONS.—Section 382M(a) of such Act (7 U.S.C.
18 2009aa–12(a)) is amended to read as follows:

19 “(a) IN GENERAL.—There are authorized to be ap-
20 propriated to the Authority to carry out this subtitle
21 \$500,000,000 for each of fiscal years 2007 through 2037,
22 which amounts are authorized to remain available until
23 expended.”.

1 (h) TERMINATION OF AUTHORITY.—Section 382N of
2 such Act (7 U.S.C. 2009aa–13) is amended to read as
3 follows:

4 **“SEC. 382N. TERMINATION OF AUTHORITY.**

5 “This subtitle and the authority provided under this
6 subtitle expire on October 1, 2037.”.

7 **SEC. 4. SCOPE OF THE REGION.**

8 (a) EXPANSION.—Section 4(2) of the Delta Develop-
9 ment Act (42 U.S.C. 3121 note; Public Law 100–460) is
10 amended in the matter that precedes subparagraph (A)
11 by striking “those areas” and all that follows through “but
12 not limited to”.

13 (b) ARKANSAS.—Section 4(2)(A) of such Act (42
14 U.S.C. 3121 note; Public Law 100–460) is amended by
15 inserting “Carroll, Clark, Columbia, Conway, Crawford,
16 Franklin, Garland, Hempstead, Hot Spring, Howard,
17 Johnson, Lafayette, Little River, Logan, Madison, Miller,
18 Montgomery, Nevada, Newton, Perry, Pike, Polk, Pope,
19 Scott, Sevier, Yell,” after “Van Buren,”.

20 (c) LOUISIANA.—Section 4(2)(D) of such Act (42
21 U.S.C. 3121 note; Public Law 100–460) is amended by
22 inserting “Beauregard, Bienville, Calcasieu, Claiborne, De
23 Soto, Jefferson Davis, Red River, Sabine, Vermilion,
24 Vernon, Webster,” after “St. James,”.

1 (d) MISSISSIPPI.—Section 4(2)(E) of such Act (42
2 U.S.C. 3121 note; Public Law 100–460) is amended by
3 inserting “Clarke, Forrest, George, Greene, Hancock, Jas-
4 per, Jones, Lamar, Lauderdale, Leake, Neshoba, Newton,
5 Pearl River, Perry, Scott, Smith, Stone, Wayne,” after
6 “Lawrence,”.

7 (e) OTHER.—Section 4(2)(H) of such Act (42 U.S.C.
8 3121 note; Public Law 100–460) is amended by striking
9 “and” at the end.

10 (f) ALABAMA.—Section 4(2)(I) of such Act (42
11 U.S.C. 3121 note; Public Law 100–460) is amended by
12 inserting “Coffee, Covington, Crenshaw, Dale, Geneva,
13 Henry, Houston, Lee, Pike,” after “Monroe,”.

14 (g) FLORIDA, GEORGIA, NORTH CAROLINA, SOUTH
15 CAROLINA, TEXAS, VIRGINIA.—Section 4(2) of such Act
16 (42 U.S.C. 3121 note; Public Law 100–460) is amended
17 by inserting after subparagraph (I) the following:

18 “(J) the Florida counties of Alachua,
19 Baker, Bay, Bradford, Calhoun, Columbia,
20 Dixie, Franklin, Gadsden, Gilchrist, Gulf, Ham-
21 ilton, Holmes, Jackson, Jefferson, Lafayette,
22 Leon, Levy, Liberty, Madison, Putnam, Suwan-
23 nee, Taylor, Union, Walton, and Washington;

24 “(K) the Georgia counties of Appling, At-
25 kinson, Bacon, Baker, Baldwin, Ben Hill,

1 Berrien, Bleckley, Brantley, Brooks, Bulloch,
2 Burke, Calhoun, Candler, Charlton, Clarke,
3 Clay, Clinch, Coffee, Colquit, Cook, Crawford,
4 Crisp, Decatur, Dodge, Dooly, Dougherty,
5 Early, Echols, Emanuel, Evans, Glascock,
6 Glynn, Grady, Greene, Hancock, Irwin, Jasper,
7 Jeff Davis, Jefferson, Jenkins, Johnson, La-
8 nier, Laurens, Liberty, Lincoln, Long,
9 Lowndes, Macon, Marion, McDuffie, McIntosh,
10 Meriwether, Miller, Mitchell, Montgomery,
11 Oglethorpe, Peach, Pierce, Pulaski, Putnam,
12 Quitman, Randolph, Schley, Screven, Seminole,
13 Stewart, Sumter, Talbot, Taliaferro, Tattnall,
14 Taylor, Telfair, Terrell, Thomas, Tift, Toombs,
15 Treutlen, Troup, Turner, Twiggs, Ware, War-
16 ren, Washington, Wayne, Webster, Wheeler,
17 Wilcox, Wilkes, Wilkinson, and Worth;

18 “(L) the North Carolina counties of
19 Anson, Beaufort, Bertie, Bladen, Caswell, Cho-
20 wan, Columbus, Craven, Duplin, Edgecombe,
21 Gates, Greene, Halifax, Harnett, Hertford,
22 Hoke, Hyde, Jones, Lenoir, Martin, Mont-
23 gomery, Nash, New Hanover, Northampton,
24 Pamlico, Pasquotank, Pender, Perquimans,
25 Pitt, Richmond, Robeson, Sampson, Scotland,

1 Tyrrell, Vance, Warren, Washington, Wayne,
2 and Wilson;

3 “(M) the South Carolina counties of Abbe-
4 ville, Allendale, Bamberg, Barnwell, Calhoun,
5 Chester, Chesterfield, Clarendon, Colleton, Dar-
6 lington, Dillon, Edgefield, Fairfield, Florence,
7 Georgetown, Greenwood, Hampton, Jasper,
8 Lee, Marion, Marlboro, McCormick, Newberry,
9 Orangeburg, Saluda, Sumter, Union, and Wil-
10 liamsburg;

11 “(N) the Texas counties of Anderson,
12 Angelina, Bowie, Brazos, Burleson, Camp,
13 Cass, Cherokee, Delta, Falls, Fannin, Franklin,
14 Freestone, Gregg, Grimes, Harrison, Hill, Hop-
15 kins, Houston, Jasper, Lamar, Leon, Lime-
16 stone, McLennan, Madison, Marion, Milam,
17 Morris, Nacogdoches, Navarro, Newton, Or-
18 ange, Panola, Polk, Rains, Red River, Robert-
19 son, Rusk, Sabine, San Augustine, San Jacinto,
20 Shelby, Smith, Titus, Trinity, Tyler, Upshur,
21 Van Zandt, Walker, and Wood; and

22 “(O) the Virginia counties of Brunswick,
23 Buckingham, Charlotte, Cumberland, Danville,
24 Emporia, Greenville, Halifax, Lunenburg,

- 1 Mecklenburg, Nottoway, Prince Edward, South-
- 2 ampton, and Sussex;”.

