

113TH CONGRESS
2D SESSION

S. 2558

To require the Administrator of the Environmental Protection Agency to revise the definition of the term “colonia”, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2014

Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Administrator of the Environmental Protection Agency to revise the definition of the term “colonia”, 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 “Colonias Improvement
5 Act of 2014”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) COVERED PROGRAM.—The term “covered
5 program” means—

6 (A) water and waste facility loans and
7 grants under section 306C of the Consolidated
8 Farm and Rural Development Act (7 U.S.C.
9 1926c);

10 (B) wastewater assistance to colonias
11 under section 307 of the Safe Drinking Water
12 Act Amendments of 1996 (33 U.S.C. 1281
13 note; Public Law 104–182);

14 (C) drinking water assistance to colonias
15 under section 1456 of the Public Health Service
16 Act (42 U.S.C. 300j–16);

17 (D) housing assistance under section
18 509(f) of the Housing Act of 1949 (42 U.S.C.
19 1479(f));

20 (E) community development block grant
21 assistance under section 916 of the Cranston–
22 Gonzalez National Affordable Housing Act (42
23 U.S.C. 5306 note; Public Law 101–625);

1 (F) assistance under section 108 of the
2 Housing and Community Development Act of
3 1974 (42 U.S.C. 5308); and

4 (G) any other program of the Environ-
5 mental Protection Agency, the Department of
6 Housing and Urban Development, or the De-
7 partment of Agriculture that specifically in-
8 cludes assistance for colonias, as determined by
9 the Administrator.

10 **SEC. 3. REVISED DEFINITION.**

11 (a) REVISED DEFINITION REQUIRED.—Not later
12 than 180 days after the date of enactment of this Act,
13 the Administrator, in consultation with the Secretary of
14 Housing and Urban Development and the Secretary of
15 Agriculture, shall issue a proposed rule containing a defi-
16 nition of the term “colonia” that—

17 (1) is the same for each covered program, to
18 the extent consistent with the provisions of law de-
19 scribed in subparagraphs (A) through (F) of section
20 2(2) and the requirements of any program described
21 in subparagraph (G) of such section 2(2);

22 (2) is limited to a community that—

23 (A) is located within 75 miles of the border
24 between the United States and Mexico; or

1 (B) has applied for or received funding
2 under a covered program before the date of en-
3 actment of this Act;

4 (3) reflects and preserves the historic, geo-
5 graphic, and cultural character of the communities
6 served by the covered programs; and

7 (4) may be used to determine whether an appli-
8 cant qualifies for assistance under any covered pro-
9 gram.

10 (b) EXEMPTIONS.—The rule issued under subsection
11 (a) may include a process by which the Administrator may
12 request a limited exemption from the application of the
13 revised definition to a covered program.

14 (c) FINAL RULE.—The Administrator shall ensure
15 that the final rule under subsection (a) takes effect not
16 later than 1 year after the date of enactment of this Act.

17 **SEC. 4. WEBPAGE.**

18 The Administrator, the Secretary of Housing and
19 Urban Development, and the Secretary of Agriculture
20 shall establish and regularly update a webpage that—

21 (1) serves as a clearinghouse for information re-
22 lating to the covered programs; and

23 (2) includes links to information specific to each
24 State in which a covered program operates, includ-
25 ing local contact information.

1 **SEC. 5. WORKING GROUP.**

2 (a) ESTABLISHMENT.—The Administrator shall es-
3 tablish a working group that includes the Secretary of
4 Housing and Urban Development and the Secretary of
5 Agriculture—

6 (1) to review covered programs;

7 (2) to record information relating to each award
8 that is and has been made under a covered program;

9 (3) to hold public hearings relating to covered
10 programs; and

11 (4) to make recommendations to Congress for
12 improvements to covered programs, including im-
13 provements—

14 (A) that address the economic and social
15 development of colonias; and

16 (B) to the application process for covered
17 programs.

18 (b) REPORT.—Not later than 18 months after the
19 date of enactment of this Act, the Administrator shall sub-
20 mit to Congress a report that includes—

21 (1) the results of the review under subsection

22 (a)(1);

23 (2) a summary of the information recorded
24 under subsection (a)(2);

25 (3) the recommendations under subsection

26 (a)(3);

1 (4) a plan to include transportation planning
2 and health considerations in covered programs;

3 (5) a survey of needs that are not met by cov-
4 ered programs;

5 (6) a plan to develop key indicators for living
6 standards in communities served by covered pro-
7 grams, including health, education, and housing con-
8 ditions;

9 (7) proposed metrics for tracking the success of
10 covered programs and identifying areas for the im-
11 provement of covered programs; and

12 (8) any other applicable information, as deter-
13 mined by the Administrator.

14 **SEC. 6. CULTURAL SENSITIVITY.**

15 The Administrator, and any person working with the
16 Administrator to carry out a covered program, shall make
17 every effort—

18 (1) to carry out this Act in a manner that is
19 sensitive to the cultural and regional differences
20 among communities served by covered programs;
21 and

22 (2) to work with local organizations that carry
23 out activities in communities served by covered pro-
24 grams.

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