

RECORD at the conclusion of my statement.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SMALL BUSINESS ADMINISTRATION,  
Washington, DC, June 29, 2007.

Hon. JOHN F. KERRY,  
Chairman, Committee on Small Business and  
Entrepreneurship, U.S. Senate, Washington,  
DC.

DEAR MR. CHAIRMAN: I am writing to express my thanks for the efforts you and your colleagues have made to work with the U.S. Small Business Administration and to address the Administration's concerns with some of the provisions in S. 163, "The Small Business Disaster Response and Loan Improvements Act of 2007".

At this point, if amended by the Bond Amendment, the Administration has no objections to Senate passage of S. 163. However, the Administration would request a longer extension of the authorization language in Section 3 to avoid the need for concern over unintended expiration of programs and activities. We would also recommend clarifying that the Administrator would have flexibility under Section 205 to designate portions of a declared catastrophic national disaster area as a HUBZone area, without extending this designation to an entire disaster area.

We look forward to working with you when the bill goes into conference discussions with the U.S. House of Representatives. If you have any questions or comments, please contact me directly.

Sincerely yours,

STEVEN C. PRESTON,  
Administrator.

GREATER NEW ORLEANS, INC.,  
New Orleans, LA, July 31, 2007.

Hon. JOHN KERRY,  
Chairman, Senate Committee on Small Business and Entrepreneurship, Russell Senate Office Building, Washington, DC.

Hon. OLYMPIA SNOWE,  
Ranking Member, Senate Committee on Small Business and Entrepreneurship, Russell Senate Office Building, Washington, DC.

DEAR CHAIRMAN KERRY AND RANKING MEMBER SNOWE: Greater New Orleans, Inc., the 10-parish economic development organization for the New Orleans, Louisiana region, would like to express strong support of S. 163, The Small Business Disaster Response and Loan Improvements Act of 2007 reported unanimously by the Senate Small Business Committee in May of this year, after months of thorough committee deliberations.

In our assessment, S. 163 sponsored by Senator Kerry and co-sponsored by five other Senators represents significant legislation to improve SBA's response to future storm events, as part of overall Congressional efforts to improve the federal government's role, learning from the catastrophic hurricanes of 2004 and 2005.

More specifically, the legislation would provide a new level of SBA response for catastrophic disasters, expedited assistance to small businesses, adjustment of the loan guarantee levels and loan caps, a better coordination process with FEMA, increased response resources, improved access and overall accountability of SBA services. These policy changes will go a long way to helping local communities get back on their feet in future federally declared disasters.

Two years after the tragedy of Hurricane Katrina, our region is still struggling to restore our population, housing stock, healthcare services, infrastructure, and basic economy. 18,000 small businesses in our area were directly impacted by the hurricane, ex-

periencing significant physical and economic damages. As these businesses fight to restore operations, hire adequate staff, find affordable insurance, and meet payroll, it seems appropriate to have their trials and tribulations be cause for new federal policies.

By many accounts and measures the SBA capacity, resources, process and policies following Hurricane Katrina were inadequate to meet the needs of the devastated business community. However, rather than complain about the past, it would be more productive to make every effort to improve the SBA disaster program and protocols, changes requiring aggressive congressional action. It appears that S. 163 is a significant step in that direction.

We applaud your leadership of this issue, and that of our Louisiana Senators Landrieu and Vitter, in forwarding this important legislation to step up federal efforts and capacity in future storms to protect our nation's assets and citizens who may be impacted in the coming months and years. As we approach the peak of the 2007 hurricane season, we urge the full Senate to expedite this legislation in order to pass these vital SBA reforms.

Thank you for your consideration.

Sincerely,

MARK C. DRENNEN,  
President & CEO.

The bill (S. 163), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

(The bill will be printed in a future edition of the RECORD.)

#### APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 136, S. 496.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 496) to reauthorize and improve the program authorized by the Appalachian Regional Development Act of 1965.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 496

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Appalachian Regional Development Act Amendments of 2007".

#### SEC. 2. LIMITATION ON AVAILABLE AMOUNTS: MAXIMUM COMMISSION CONTRIBUTION.

(a) GRANTS AND OTHER ASSISTANCE.—Section 14321(a) of title 40, United States Code, is amended—

(1) in paragraph (1)(A), by striking clause (i) and inserting the following:

"(i) the amount of the grant shall not exceed—

"(I) 50 percent of administrative expenses;

"(II) at the discretion of the Commission, if the grant is to a local development district

that has a charter or authority that includes the economic development of a county or a part of a county for which a distressed county designation is in effect under section 14526, 75 percent of administrative expenses; or

"(III) at the discretion of the Commission, if the grant is to a local development district that has a charter or authority that includes the economic development of a county or a part of a county for which an at-risk county designation is in effect under section 14526, 70 percent of administrative expenses;"; and

(2) in paragraph (2), by striking subparagraph (A) and inserting the following:

"(A) IN GENERAL.—Except as provided in subparagraph (B), of the cost of any project eligible for financial assistance under this section, not more than—

"(i) 50 percent may be provided from amounts made available to carry out this subtitle;

"(ii) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this subtitle; or

"(iii) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this subtitle.".

(b) DEMONSTRATION HEALTH PROJECTS.—Section 14502 of title 40, United States Code, is amended—

(1) in subsection (d), by striking paragraph (2) and inserting the following:

"(2) LIMITATION ON AVAILABLE AMOUNTS.—Grants under this section for the operation (including initial operating amounts and operating deficits, which include the cost of attracting, training, and retaining qualified personnel) of a demonstration health project, whether or not constructed with amounts authorized to be appropriated by this section, may be provided for up to—

"(A) 50 percent of the cost of that operation;

"(B) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of the cost of that operation; or

"(C) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent of the cost of that operation.";

and

(2) in subsection (f), by adding at the end the following:

"(3) AT-RISK COUNTIES.—The maximum Commission contribution for a project to be carried out in a county for which an at-risk county designation is in effect under section 14526 may be increased to the lesser of—

"(A) 70 percent; or

"(B) the maximum Federal contribution percentage authorized by this section.".

(c) ASSISTANCE FOR PROPOSED LOW- AND MIDDLE-INCOME HOUSING PROJECTS.—Section 14503 of title 40, United States Code, is amended—

(1) in subsection (d), by striking paragraph (1) and inserting the following:

"(1) LIMITATION ON AVAILABLE AMOUNTS.—A loan under subsection (b) for the cost of planning and obtaining financing (including the cost of preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, application and mortgage commitment fees, legal fees, and construction loan fees and discounts) of a project described in that subsection may be made for up to—

"(A) 50 percent of that cost;

"(B) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of that cost; or

“(C) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent of that cost.”; and

(2) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A grant under this section for expenses incidental to planning and obtaining financing for a project under this section that the Secretary considers to be unrecoverable from the proceeds of a permanent loan made to finance the project shall—

“(A) not be made to an organization established for profit; and

“(B) except as provided in paragraph (2), not exceed—

“(i) 50 percent of those expenses;

“(ii) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of those expenses; or

“(iii) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent of those expenses.”.

(d) TELECOMMUNICATIONS AND TECHNOLOGY INITIATIVE.—Section 14504 of title 40, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any project eligible for a grant under this section, not more than—

“(1) 50 percent may be provided from amounts made available to carry out this section;

“(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this section; or

“(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this section.”.

(e) ENTREPRENEURSHIP INITIATIVE.—Section 14505 of title 40, United States Code, is amended by striking subsection (c) and inserting the following:

“(c) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any project eligible for a grant under this section, not more than—

“(1) 50 percent may be provided from amounts made available to carry out this section;

“(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this section; or

“(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this section.”.

(f) REGIONAL SKILLS PARTNERSHIPS.—Section 14506 of title 40, United States Code, is amended by striking subsection (d) and inserting the following:

“(d) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any project eligible for a grant under this section, not more than—

“(1) 50 percent may be provided from amounts made available to carry out this section;

“(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this section; or

“(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this section.”.

(g) SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.—Section 14507(g) of title 40, United States Code, is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by adding at the end the following:

“(3) AT-RISK COUNTIES.—The maximum Commission contribution for a project to be carried out in a county for which an at-risk county designation is in effect under section 14526 may be increased to 70 percent.”.

**SEC. 3. ECONOMIC AND ENERGY DEVELOPMENT INITIATIVE.**

(a) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

**“§ 14508. Economic and energy development initiative**

(a) PROJECTS TO BE ASSISTED.—The Appalachian Regional Commission may provide technical assistance, provide grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for use in carrying out projects and activities—

“(1) to promote energy efficiency in the Appalachian region to enhance the economic competitiveness of the Appalachian region; and

“(2) to increase the use of renewable energy resources, particularly biomass, in the Appalachian region to produce alternative transportation fuels, electricity, and heat.”.

“(3) to support the development of conventional energy resources, particularly advanced clean coal, in the Appalachian region to produce alternative transportation fuels, electricity, and heat.”.

(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any project eligible to be funded by a grant under this section, not more than—

“(1) 50 percent may be provided from amounts made available to carry out this section;

“(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this section; and

“(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this section.”.

(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), grants provided under this section may be provided—

“(1) entirely from amounts made available to carry out this section; or

“(2) from amounts made available to carry out this section, in combination with amounts made available under other Federal programs or from any other source.

(d) FEDERAL SHARE.—Notwithstanding any other provision of law limiting a Federal share of the cost of a project under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Commission determines to be appropriate.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14507 the following:

**“14508. Economic and energy development initiative.”.**

**SEC. 4. DISTRESSED, AT-RISK, AND ECONOMICALLY STRONG COUNTIES.**

(a) DESIGNATION OF AT-RISK COUNTIES.—Section 14526 of title 40, United States Code, is amended—

(1) in the section heading, by inserting “at-risk,” after “Distressed”; and

(2) in subsection (a)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) in subparagraph (A), by striking “and” at the end; and

(C) by inserting after subparagraph (A) the following:

“(B) designate as ‘at-risk counties’ those counties in the Appalachian region that are most at risk of becoming economically distressed; and”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by striking the item relating to section 14526 and inserting the following:

“14526. Distressed, at-risk, and economically strong counties.”.

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—Section 14703 of title 40, United States Code, is amended to read as follows:

**“§ 14703. Authorization of appropriations**

(a) IN GENERAL.—In addition to the amounts made available under section 14501, there are authorized to be appropriated to the Appalachian Regional Commission to carry out this subtitle—

“(1) \$95,200,000 for fiscal year 2007;

“(2) \$98,600,000 for fiscal year 2008;

“(3) \$102,000,000 for fiscal year 2009;

“(4) \$105,700,000 for fiscal year 2010; and

“(5) \$109,400,000 for fiscal year 2011.”.

(b) TELECOMMUNICATIONS AND TECHNOLOGY INITIATIVE.—Of the amounts made available under subsection (a), the following amounts may be used to carry out section 14504:

“(1) \$10,000,000 for fiscal year 2007.

“(2) \$8,000,000 for fiscal year 2008.

“(3) \$5,000,000 for each of fiscal years 2009 through 2011.”.

(c) ECONOMIC AND ENERGY INITIATIVE.—Of the amounts made available under subsection (a), the following amounts may be used to carry out section 14508:

“(1) \$12,000,000 for fiscal year 2007.

“(2) \$12,400,000 for fiscal year 2008.

“(3) \$12,900,000 for fiscal year 2009.

“(4) \$13,300,000 for fiscal year 2010.

“(5) \$13,800,000 for fiscal year 2011.”.

(d) AVAILABILITY.—Amounts made available under subsection (a) shall remain available until expended.

(e) ALLOCATION OF FUNDS.—Funds approved by the Appalachian Regional Commission for a project in an Appalachian State pursuant to a congressional directive shall be derived from the total amount allocated to the State by the Appalachian Regional Commission from amounts made available to carry out this subtitle.”.

**SEC. 6. TERMINATION.**

Section 14704 of title 40, United States Code, is amended by striking “[2006] 2007” and inserting “2011”.

**SEC. 7. EFFECTIVE DATE.**

The amendments made by this Act take effect on October 1, 2006.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported amendments be considered and agreed to; that the bill, as amended, be read a third time, passed, and the motion to reconsider laid upon the table; and that any statements relating to the bill be printed in the RECORD, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The bill (S. 496), as amended, was ordered to be engrossed for a third read, was read the third time, and passed.

S. 496

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Appalachian Regional Development Act Amendments of 2007".

**SEC. 2. LIMITATION ON AVAILABLE AMOUNTS; MAXIMUM COMMISSION CONTRIBUTION.**

(a) **GRANTS AND OTHER ASSISTANCE.**—Section 14321(a) of title 40, United States Code, is amended—

(1) in paragraph (1)(A), by striking clause (i) and inserting the following:

“(i) the amount of the grant shall not exceed—

“(I) 50 percent of administrative expenses;

“(II) at the discretion of the Commission, if the grant is to a local development district that has a charter or authority that includes the economic development of a county or a part of a county for which a distressed county designation is in effect under section 14526, 75 percent of administrative expenses; or

“(III) at the discretion of the Commission, if the grant is to a local development district that has a charter or authority that includes the economic development of a county or a part of a county for which an at-risk county designation is in effect under section 14526, 70 percent of administrative expenses.”; and

(2) in paragraph (2), by striking subparagraph (A) and inserting the following:

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), of the cost of any project eligible for financial assistance under this section, not more than—

“(i) 50 percent may be provided from amounts made available to carry out this subtitle;

“(ii) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this subtitle; or

“(iii) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this subtitle.”.

(b) **DEMONSTRATION HEALTH PROJECTS.**—Section 14502 of title 40, United States Code, is amended—

(1) in subsection (d), by striking paragraph (2) and inserting the following:

“(2) **LIMITATION ON AVAILABLE AMOUNTS.**—Grants under this section for the operation (including initial operating amounts and operating deficits, which include the cost of attracting, training, and retaining qualified personnel) of a demonstration health project, whether or not constructed with amounts authorized to be appropriated by this section, may be provided for up to—

“(A) 50 percent of the cost of that operation;

“(B) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of the cost of that operation; or

“(C) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent of the cost of that operation.”; and

(2) in subsection (f), by adding at the end the following:

“(3) **AT-RISK COUNTIES.**—The maximum Commission contribution for a project to be carried out in a county for which an at-risk county designation is in effect under section 14526 may be increased to the lesser of—

“(A) 70 percent; or

“(B) the maximum Federal contribution percentage authorized by this section.”.

(c) **ASSISTANCE FOR PROPOSED LOW- AND MIDDLE-INCOME HOUSING PROJECTS.**—Section 14503 of title 40, United States Code, is amended—

(1) in subsection (d), by striking paragraph (1) and inserting the following:

“(1) **LIMITATION ON AVAILABLE AMOUNTS.**—A loan under subsection (b) for the cost of planning and obtaining financing (including the cost of preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site options, application and mortgage commitment fees, legal fees, and construction loan fees and discounts) of a project described in that subsection may be made for up to—

“(A) 50 percent of that cost;

“(B) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of that cost; or

“(C) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent of that cost.”; and

(2) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) **IN GENERAL.**—A grant under this section for expenses incidental to planning and obtaining financing for a project under this section that the Secretary considers to be unrecoverable from the proceeds of a permanent loan made to finance the project shall—

“(A) not be made to an organization established for profit; and

“(B) except as provided in paragraph (2), not exceed—

“(i) 50 percent of those expenses;

“(ii) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent of those expenses; or

“(iii) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent of those expenses.”.

(d) **TELECOMMUNICATIONS AND TECHNOLOGY INITIATIVE.**—Section 14504 of title 40, United States Code, is amended by striking subsection (b) and inserting the following:

“(b) **LIMITATION ON AVAILABLE AMOUNTS.**—Of the cost of any project eligible for a grant under this section, not more than—

“(1) 50 percent may be provided from amounts made available to carry out this section;

“(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this section; or

“(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this section.”.

(e) **ENTREPRENEURSHIP INITIATIVE.**—Section 14505 of title 40, United States Code, is amended by striking subsection (c) and inserting the following:

“(c) **LIMITATION ON AVAILABLE AMOUNTS.**—Of the cost of any project eligible for a grant under this section, not more than—

“(1) 50 percent may be provided from amounts made available to carry out this section;

“(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this section; or

“(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this section.”.

(f) **REGIONAL SKILLS PARTNERSHIPS.**—Section 14506 of title 40, United States Code, is amended by striking subsection (d) and inserting the following:

“(d) **LIMITATION ON AVAILABLE AMOUNTS.**—Of the cost of any project eligible for a grant under this section, not more than—

“(1) 50 percent may be provided from amounts made available to carry out this section;

“(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this section; or

“(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this section.”.

(g) **SUPPLEMENTS TO FEDERAL GRANT PROGRAMS.**—Section 14507(g) of title 40, United States Code, is amended—

(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”;

(2) by adding at the end the following:

“(3) **AT-RISK COUNTIES.**—The maximum Commission contribution for a project to be carried out in a county for which an at-risk county designation is in effect under section 14526 may be increased to 70 percent.”.

**SEC. 3. ECONOMIC AND ENERGY DEVELOPMENT INITIATIVE.**

(a) **IN GENERAL.**—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

**“§14508. Economic and energy development initiative**

“(a) **PROJECTS TO BE ASSISTED.**—The Appalachian Regional Commission may provide technical assistance, provide grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for use in carrying out projects and activities—

“(1) to promote energy efficiency in the Appalachian region to enhance the economic competitiveness of the Appalachian region; and

“(2) to increase the use of renewable energy resources, particularly biomass, in the Appalachian region to produce alternative transportation fuels, electricity, and heat.

“(b) **LIMITATION ON AVAILABLE AMOUNTS.**—Of the cost of any project eligible to be funded by a grant under this section, not more than—

“(1) 50 percent may be provided from amounts made available to carry out this section;

“(2) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, 80 percent may be provided from amounts made available to carry out this section; and

“(3) in the case of a project to be carried out in a county for which an at-risk county designation is in effect under section 14526, 70 percent may be provided from amounts made available to carry out this section.

“(c) **SOURCES OF ASSISTANCE.**—Subject to subsection (b), grants provided under this section may be provided—

“(1) entirely from amounts made available to carry out this section; or

“(2) from amounts made available to carry out this section, in combination with amounts made available under other Federal programs or from any other source.

“(d) **FEDERAL SHARE.**—Notwithstanding any other provision of law limiting a Federal share of the cost of a project under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Commission determines to be appropriate.”.

(b) **CONFORMING AMENDMENT.**—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14507 the following:

“14508. Economic and energy development initiative.”.

**SEC. 4. DISTRESSED, AT-RISK, AND ECONOMICALLY STRONG COUNTIES.**

(a) DESIGNATION OF AT-RISK COUNTIES.—Section 14526 of title 40, United States Code, is amended—

(1) in the section heading, by inserting “, at-risk,” after “Distressed”; and

(2) in subsection (a)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) in subparagraph (A), by striking “and” at the end; and

(C) by inserting after subparagraph (A) the following:

“(B) designate as ‘at-risk counties’ those counties in the Appalachian region that are most at risk of becoming economically distressed; and”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by striking the item relating to section 14526 and inserting the following:

“14526. Distressed, at-risk, and economically strong counties.”.

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—Section 14703 of title 40, United States Code, is amended to read as follows:

**“§ 14703. Authorization of appropriations**

“(a) IN GENERAL.—In addition to the amounts made available under section 14501, there are authorized to be appropriated to the Appalachian Regional Commission to carry out this subtitle—

“(1) \$95,200,000 for fiscal year 2007;

“(2) \$98,600,000 for fiscal year 2008;

“(3) \$102,000,000 for fiscal year 2009;

“(4) \$105,700,000 for fiscal year 2010; and

“(5) \$109,400,000 for fiscal year 2011.

“(b) TELECOMMUNICATIONS AND TECHNOLOGY INITIATIVE.—Of the amounts made available under subsection (a), the following amounts may be used to carry out section 14504:

“(1) \$10,000,000 for fiscal year 2007.

“(2) \$8,000,000 for fiscal year 2008.

“(3) \$5,000,000 for each of fiscal years 2009 through 2011.

“(c) ECONOMIC AND ENERGY INITIATIVE.—Of the amounts made available under subsection (a), the following amounts may be used to carry out section 14508:

“(1) \$12,000,000 for fiscal year 2007.

“(2) \$12,400,000 for fiscal year 2008.

“(3) \$12,900,000 for fiscal year 2009.

“(4) \$13,300,000 for fiscal year 2010.

“(5) \$13,800,000 for fiscal year 2011.

“(d) AVAILABILITY.—Amounts made available under subsection (a) shall remain available until expended.

“(e) ALLOCATION OF FUNDS.—Funds approved by the Appalachian Regional Commission for a project in an Appalachian State pursuant to a congressional directive shall be derived from the total amount allocated to the State by the Appalachian Regional Commission from amounts made available to carry out this subtitle.”.

**SEC. 6. TERMINATION.**

Section 14704 of title 40, United States Code, is amended by striking “2007” and inserting “2011”.

**SEC. 7. EFFECTIVE DATE.**

The amendments made by this Act take effect on October 1, 2006.

**CONGRATULATING THE 15TH POET LAUREATE**

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to S. Res. 304.

The PRESIDING OFFICER. The clerk will report the title of the resolution.

The legislative clerk read as follows:

A resolution (S. Res. 304) congratulating Charles Simic on being named the 15th Poet Laureate of the United States of America by the Library of Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 304) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 304**

Whereas Charles Simic was born in Yugoslavia on May 9, 1938, and lived through the events of World War II;

Whereas, in 1954, at age 16 Charles Simic immigrated to the United States, and moved to Oak Park, Illinois;

Whereas Charles Simic served in the United States Army from 1961 to 1963;

Whereas Charles Simic received a bachelor's degree from New York University in 1966;

Whereas Charles Simic has been a United States citizen for 36 years and currently resides in Strafford, New Hampshire;

Whereas Charles Simic has authored 18 books of poetry;

Whereas Charles Simic is a professor emeritus of creative writing and literature at the University of New Hampshire, where he taught for 34 years before retiring;

Whereas Charles Simic is the 5th person to be named Poet Laureate with ties to New Hampshire, including Robert Frost, Maxine Kumin, Richard Eberhart, and Donald Hall;

Whereas Charles Simic won the Pulitzer Prize for Poetry in 1990 for his work “The World Doesn't End”;

Whereas Charles Simic wrote “Walking the Black Cat” in 1996, which was a finalist for the National Book Award for Poetry;

Whereas Charles Simic won the Griffin Prize in 2005 for “Selected Poems: 1963-2003”;

Whereas Charles Simic held a MacArthur Fellowship from 1984 to 1989 and has held fellowships from the Guggenheim Foundation and the National Endowment for the Arts;

Whereas Charles Simic earned the Edgar Allan Poe Award, the PEN Translation Prize, and awards from the American Academy of Arts and Letters and the National Institute of Arts and Letters;

Whereas Charles Simic served as Chancellor of the Academy of American Poets;

Whereas Charles Simic received the 2007 Wallace Stevens Award from the American Academy of Poets; and

Whereas on August 2, 2007, Librarian of Congress James H. Billington announced the appointment of Charles Simic to be the Library's 15th Poet Laureate Consultant in Poetry; Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates Charles Simic for being named the 15th Poet Laureate of the United States of America by the Library of Congress; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to Charles Simic.

**OPEN GOVERNMENT ACT OF 2007**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed

to the immediate consideration of Calendar No. 127, S. 849.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 849) to promote accessibility, accountability, and openness in Government by strengthening section 552 of title V, United States Code (commonly referred to as the Freedom of Information Act), and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased that the Senate has passed the Leahy-Cornyn Openness Promotes Effectiveness in our National Government Act” (the “OPEN Government Act”), S. 849, before adjourning for the August recess. This important Freedom of Information Act legislation will strengthen and reinvigorate FOIA for all Americans.

For more than four decades, FOIA has translated the great American values of openness and accountability into practice by guaranteeing access to government information. The OPEN Government Act will help ensure that these important values remain a cornerstone of our American democracy.

I commend the bill's chief Republican cosponsor, Senator JOHN CORNYN, for his commitment and dedication to passing FOIA reform legislation this year. Since he joined the Senate 5 years ago, Senator CORNYN and I have worked closely together on the Judiciary Committee to ensure that FOIA and other open government laws are preserved for future generations. The passage of the OPEN Government Act is a fitting tribute to our bipartisan partnership and to openness, transparency and accountability in our government.

I also thank the many cosponsors of this legislation for their dedication to open government and I thank the Majority Leader for his strong support of this legislation. I am also appreciative of the efforts of Senator KYL and Senator BENNETT in helping us to reach a compromise on this legislation, so that the Senate could consider and pass meaningful FOIA reform this legislation before the August recess.

But, most importantly, I especially want to thank the many concerned citizens who, knowing the importance of this measure to the American people's right to know, have demanded action on this bill. This bill is endorsed by more than 115 business, public interest, and news organizations from across the political and ideological spectrum, including the American Library Association, the U.S. Chamber of Commerce, OpenTheGovernment.org, Public Citizen, the Republican Liberty Caucus, the Sunshine in Government Initiative and the Vermont Press Association. The invaluable support of these and many other organizations is what led the opponents of this bill to come around and support this legislation.