

Durbin	Lewis (CA)	Ros-Lehtinen	Bunning	Hunter	Porter	Lehman	Ortiz	Slattery
Edwards (CA)	Lewis (GA)	Rose	Burton	Hutchinson	Portman	Levin	Orton	Slaughter
Edwards (TX)	Lipinski	Rostenkowski	Buyer	Hutto	Pryce (OH)	Lewis (GA)	Owens	Smith (IA)
Emerson	Lloyd	Rowland	Calvert	Hyde	Quillen	Lipinski	Pallone	Spratt
Engel	Long	Roybal-Allard	Camp	Inglis	Quinn	Lloyd	Pastor	Stark
Eshoo	Lowey	Rush	Canady	Inhofe	Ramstad	Long	Payne (NJ)	Stokes
Evans	Maloney	Sabo	Castle	Inslee	Ravenel	Lowey	Payne (VA)	Strickland
Everett	Manton	Sanders	Coble	Istook	Regula	Maloney	Pelosi	Studds
Faleomavaega (AS)	Margolies-Mezvinsky	Sangmeister	Collins (GA)	Johnson (CT)	Roberts	Mann	Peterson (FL)	Stupak
Farr	Markey	Sarpalius	Combest	Johnson, Sam	Rohrabacher	Manton	Pickett	Swett
Fazio	Martinez	Sawyer	Condit	Kasich	Ros-Lehtinen	Markey	Pickle	Swift
Fields (LA)	Matsui	Schroeder	Cox	Kim	Roth	Martinez	Pomeroy	Synar
Filner	Mazzoli	Schumer	Crane	King	Roukema	Matsui	Poshard	Tanner
Fingerhut	McCloskey	Scott	Crapo	Kingston	Royce	Mazzoli	Price (NC)	Tejeda
Foglietta	McDade	Serrano	Cunningham	Klein	Sangmeister	McCloskey	Rahall	Thompson
Ford (MI)	McDermott	Shuster	DeLay	Klug	Santorum	McDade	Rangel	Thornton
Ford (TN)	McHale	Skaggs	Diaz-Balart	Knollenberg	Saxton	McHale	Reed	Torres
Frank (MA)	McHugh	Skeen	Doolittle	Kolbe	Schaefer	McKinney	Reynolds	Torricelli
Furse	McKinney	Skelton	Dornan	Kyl	Schenk	McNulty	Richardson	Traficant
Gejdenson	McNulty	Slattery	Dreier	Lazio	Schiff	Meek	Roemer	Tucker
Gephardt	Meehan	Slaughter	Duncan	Leach	Sensenbrenner	Menendez	Rogers	Unsoeld
Geren	Meek	Smith (IA)	Dunn	Levy	Shaw	Mfume	Romero-Barcelo (PR)	Valentine
Gibbons	Menendez	Snowe	Ehlers	Lewis (CA)	Shays	Miller (CA)	Rose	Velazquez
Gillmor	Miller (CA)	Spratt	Emerson	Lewis (FL)	Shepherd	Mineta	Rose	Vento
Glickman	Mineta	Stark	Ewing	Lightfoot	Shuster	Mink	Rostenkowski	Visclosky
Gonzalez	Mink	Stokes	Fawell	Linder	Skeen	Moakley	Rowland	Volkmer
Gordon	Moakley	Strickland	Fields (TX)	Livingston	Smith (MI)	Molinari	Roybal-Allard	Walsh
Green	Molinar	Stupak	Fowler	Machtley	Smith (NJ)	Mollohan	Rush	Waters
Gutierrez	Mollohan	Sundquist	Franks (CT)	Manzullo	Smith (OR)	Montgomery	Sabo	Watt
Hall (OH)	Montgomery	Swett	Franks (NJ)	Margolies-Mezvinsky	Smith (TX)	Moran	Sanders	Waxman
Hamburg	Moran	Swift	Gallely	McCandless	Snowe	Murphy	Sarpalius	Wheat
Hamilton	Nadler	Synar	Gallo	McCollum	Solomon	Murtha	Sawyer	Wilson
Hastings	Neal (MA)	Tanner	Gekas	McCrery	Spence	Nadler	Schroeder	Wise
Hayes	Neal (NC)	Tejeda	Gilchrest	McCurdy	Stearns	Neal (MA)	Schumer	Woolsey
Hefner	Norton (DC)	Thompson	Gillmor	McHugh	Stenholm	Neal (NC)	Scott	Wyden
Herger	Oberstar	Thornton	Gilman	McInnis	Stump	Norton (DC)	Serrano	Wynn
Hilliard	Obey	Thurman	Gingrich	McKeon	Sundquist	Oberstar	Sisisky	Yates
Hinchey	Olver	Torkildsen	Goodlatte	McMillan	Talent	Obey	Skaggs	
Hochbrueckner	Ortiz	Torres	Goodling	Goss	Tauzin	Olver	Skelton	
Holden	Orton	Torricelli	Goss	Meehan	Taylor (MS)			
Houghton	Owens	Traficant	Grams	Meyers	Taylor (NC)			
Hughes	Packard	Tucker	Greenwood	Mica	Thomas (CA)	Becerra	Hoagland	Towns
Jefferson	Pallone	Unsoeld	Gunderson	Michel	Thomas (WY)	Blackwell	McDermott	Underwood (GU)
Johnson (GA)	Pastor	Valentine	Hall (TX)	Miller (FL)	Thurman	Dingell	Parker	Washington
Johnson (SD)	Payne (NJ)	Velazquez	Hancock	Minge	Torkildsen	Flake	Ridge	Whitten
Johnson, E. B.	Pelosi	Vento	Hansen	Moorhead	Upton	Grandy	Sharp	
Johnston	Peterson (FL)	Visclosky	Harman	Morella	Vucanovich			
Kanjorski	Pickle	Volkmer	Hastert	Myers	Walker			
Kaptur	Pomeroy	Vucanovich	Hefley	Nussle	Weldon			
Kennedy	Poshard	Walsh	Herger	Oxley	Williams			
Kennelly	Price (NC)	Waters	Hobson	Packard	Wolf			
Kildee	Quillen	Watt	Hoekstra	Paxon	Young (AK)			
Klecicka	Quinn	Waxman	Hoke	Penny	Young (FL)			
Klein	Rahall	Wheat	Horn	Peterson (MN)	Zeliff			
Klink	Rangel	Wilson	Houghton	Petri	Zimmer			
Kopetski	Reed	Wise	Huffington	Pombo				
Kreidler	Reynolds	Woolsey						
LaFalce	Richardson	Wyden						
Lancaster	Roemer	Wynn						
Lantos	Rogers	Yates						
LaRocco	Romero-Barcelo (PR)							
Levin								

## NOT VOTING—22

Andrews (TX)	Hoagland	Sharp
Becerra	Hoyer	Towns
Blackwell	McCurdy	Underwood (GU)
DeFazio	Mfume	Washington
Dornan	Murtha	Whitten
Flake	Parker	Williams
Frost	Ridge	
Grandy	Roth	

So the amendment was not agreed to.  
After some further time,

## 48.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BOEHNER:

Strike section 212 and redesignate section 213 as section 212.

Conform the table of contents accordingly.

It was decided in the { Yeas ..... 184  
negative ..... } Nays ..... 239

48.10 [Roll No. 166]  
AYES—184

Allard	Ballenger	Bilirakis
Andrews (NJ)	Barrett (NE)	Bliley
Archer	Barton	Boehert
Armey	Bateman	Boehner
Baker (CA)	Bereuter	Bonilla
Baker (LA)	Bilbray	Brown (OH)

## NOES—239

Abercrombie	Conyers	Gejdenson
Ackerman	Cooper	Gephardt
Andrews (ME)	Coppersmith	Geren
Andrews (TX)	Costello	Gibbons
Applegate	Coyne	Glickman
Bacchus (FL)	Cramer	Gonzalez
Bachus (AL)	Danner	Gordon
Baessler	Darden	Green
Barca	de la Garza	Gutierrez
Barcia	de Lugo (VI)	Hall (OH)
Barlow	Deal	Hamburg
Barrett (WI)	DeFazio	Hamilton
Bartlett	DeLauro	Hastings
Beilenson	Dellums	Hayes
Bentley	Derrick	Hefner
Berman	Deutsch	Hilliard
Bevill	Dickey	Hinchey
Bishop	Dicks	Hochbrueckner
Blute	Dixon	Holden
Bonior	Dooley	Hoyer
Borski	Durbin	Hughes
Boucher	Edwards (CA)	Jacobs
Brewster	Edwards (TX)	Jefferson
Brooks	Engel	Johnson (GA)
Browder	English	Johnson (SD)
Brown (CA)	Eshoo	Johnson, E.B.
Brown (FL)	Evans	Johnston
Bryant	Everett	Kanjorski
Byrne	Faleomavaega (AS)	Kaptur
Callahan	Farr	Kennedy
Cantwell	Fazio	Kennelly
Cardin	Fields (LA)	Kildee
Carr	Filner	Klecicka
Chapman	Fingerhut	Klink
Clay	Fish	Kopetski
Clayton	Foglietta	Kreidler
Clement	Ford (MI)	LaFalce
Clinger	Ford (TN)	Lambert
Clyburn	Frank (MA)	Lancaster
Coleman	Frost	Lantos
Collins (IL)	Furse	LaRocco
Collins (MI)		Laughlin

## NOT VOTING—14

Becerra	Hoagland	Towns
Blackwell	McDermott	Underwood (GU)
Dingell	Parker	Washington
Flake	Ridge	Whitten
Grandy	Sharp	

So the amendment was not agreed to.  
After some further time,

## 48.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WALKER:

After Section 129, add the following new section:

## SEC. 130. REGULATORY RELIEF.

The Administrator shall, upon petition from an entity impacted adversely by federal regulations on matters of economic development as described in this Act, notify the departments and agencies involved with promulgating and administering those regulations and suggest to those departments and agencies that regulations be waived which interfere with economic development. Nothing in this section shall affect the ability of the Administrator to carry out his duties otherwise provided by law.

It was decided in the { Yeas ..... 410  
affirmative ..... } Nays ..... 10

48.12 [Roll No. 167]  
AYES—410

Abercrombie	Barton	Brooks
Ackerman	Bateman	Browder
Allard	Beilenson	Brown (CA)
Andrews (ME)	Bentley	Brown (FL)
Andrews (NJ)	Bereuter	Brown (OH)
Andrews (TX)	Berman	Bryant
Archer	Bevill	Bunning
Armey	Bilbray	Burton
Bacchus (FL)	Bilirakis	Buyer
Bachus (AL)	Bishop	Byrne
Baessler	Bliley	Callahan
Baker (CA)	Blute	Calvert
Baker (LA)	Boehlert	Camp
Ballenger	Boehner	Canady
Barca	Bonilla	Cantwell
Barcia	Bonior	Cardin
Barlow	Borski	Carr
Barrett (NE)	Boucher	Castle
Bartlett	Brewster	Chapman

Clay  
Clayton  
Clement  
Clinger  
Clyburn  
Coble  
Coleman  
Collins (GA)  
Collins (IL)  
Collins (MI)  
Combest  
Condit  
Conyers  
Cooper  
Coppersmith  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crapo  
Danner  
Darden  
de la Garza  
de Lugo (VI)  
Deal  
DeFazio  
DeLauro  
DeLay  
Dellums  
Derrick  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dixon  
Dooley  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Durbin  
Edwards (CA)  
Edwards (TX)  
Ehlers  
Emerson  
English  
Eshoo  
Evans  
Everett  
Ewing  
Faleomavaega  
(AS)  
Farr  
Fawell  
Fazio  
Fields (LA)  
Fields (TX)  
Filner  
Fingerhut  
Fish  
Ford (MI)  
Ford (TN)  
Fowler  
Franks (CT)  
Franks (NJ)  
Frost  
Furse  
Gallegly  
Gallo  
Gejdenson  
Gekas  
Gephardt  
Geren  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Gingrich  
Glickman  
Goodlatte  
Goodling  
Gordon  
Goss  
Grams  
Green  
Greenwood  
Gunderson  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hamburg  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert  
Hastings  
Hayes

Hefley  
Hefner  
Herger  
Hilliard  
Hinchey  
Hobson  
Hochbrueckner  
Hoekstra  
Hoke  
Holden  
Horn  
Houghton  
Hoyer  
Huffington  
Hughes  
Hunter  
Hutchinson  
Hutto  
Hyde  
Inglis  
Inhofe  
Inslee  
Istook  
Jacobs  
Jefferson  
Johnson (CT)  
Johnson (GA)  
Johnson (SD)  
Johnson, E.B.  
Johnson, Sam  
Johnston  
Kanjorski  
Kaptur  
Kasich  
Kennedy  
Kennelly  
Kildee  
Kim  
King  
Kingston  
Klecza  
Klein  
Klink  
Klug  
Knollenberg  
Kolbe  
Kopetski  
Kreidler  
Kyl  
LaFalce  
Lambert  
Lancaster  
Lantos  
LaRocco  
Laughlin  
Lazio  
Leach  
Lehman  
Levin  
Levy  
Lewis (CA)  
Lewis (FL)  
Lewis (GA)  
Lightfoot  
Linder  
Lipinski  
Livingston  
Lloyd  
Long  
Lowe  
Machtley  
Maloney  
Mann  
Manton  
Manzullo  
Margolies-  
Mezvinsky  
Markey  
Martinez  
Matsui  
Mazzoli  
McCandless  
McCloskey  
McCollum  
McCrery  
McCurdy  
McDade  
McHale  
McHugh  
McInnis  
McKeon  
McMillan  
McNulty  
Meehan  
Menendez  
Meyers  
Mfume  
Mica  
Michel  
Miller (CA)

Miller (FL)  
Mineta  
Minge  
Mink  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moorhead  
Moran  
Morella  
Murphy  
Murtha  
Myers  
Neal (MA)  
Neal (NC)  
Norton (DC)  
Nussle  
Obey  
Olver  
Ortiz  
Orton  
Owens  
Oxley  
Packard  
Pallone  
Pastor  
Paxon  
Payne (NJ)  
Payne (VA)  
Pelosi  
Penny  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pickle  
Pombo  
Pomeroy  
Portman  
Poshard  
Price (NC)  
Pryce (OH)  
Quillen  
Quinn  
Rahall  
Ramstad  
Rangel  
Ravenel  
Reed  
Regula  
Reynolds  
Richardson  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Romero-Barcelo  
(PR)  
Ros-Lehtinen  
Rose  
Rostenkowski  
Roth  
Roukema  
Rowland  
Roybal-Allard  
Royce  
Rush  
Sanders  
Sangmeister  
Santorum  
Sarpaluis  
Sawyer  
Saxton  
Schaefer  
Schenk  
Schiff  
Schroeder  
Schumer  
Scott  
Sensenbrenner  
Serrano  
Shaw  
Shays  
Shepherd  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slattery  
Slaughter  
Smith (IA)  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Snowe  
Solomon  
Spence

Spratt  
Stearns  
Stenholm  
Stokes  
Strickland  
Studds  
Stump  
Stupak  
Sundquist  
Swett  
Swift  
Synar  
Talent  
Tanner  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas (CA)

Thomas (WY)  
Thompson  
Thornton  
Thurman  
Torkildsen  
Torres  
Torrice  
Towns  
Traficant  
Tucker  
Unsoeld  
Upton  
Valentine  
Velazquez  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Walker

Walsh  
Waters  
Watt  
Waxman  
Weldon  
Wheat  
Williams  
Wilson  
Wise  
Wolf  
Woolsey  
Wyden  
Wynn  
Yates  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

## NOES—10

Applegate  
Engel  
Foglietta  
Frank (MA)

Gonzalez  
McKinney  
Nadler  
Oberstar

Sabo  
Stark

## NOT VOTING—17

Barrett (WI)  
Becerra  
Blackwell  
Cunningham  
Dingell  
Flake

Grandy  
Hoagland  
McDermott  
Meek  
Parker  
Porter

Ridge  
Sharp  
Underwood (GU)  
Washington  
Whitten

So the amendment was agreed to.  
After some further time,  
The SPEAKER pro tempore, Mr.  
BONIOR, assumed the Chair.

When Mr. TORRES, Chairman, pursuant to House Resolution 420, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the "Economic Development Reauthorization Act of 1994".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

**TITLE I—ECONOMIC DEVELOPMENT PROGRAMS**

Sec. 101. Grants for public works and development facilities.

Sec. 102. Projects constructed under projected cost.

Sec. 103. Changed project circumstances.

Sec. 104. Other financial assistance.

Sec. 105. Technical assistance, research, and information.

Sec. 106. Business outreach center demonstration project.

Sec. 107. Office of Strategic Economic Development Planning and Policy.

Sec. 108. Office of Economic Development Information.

Sec. 109. Area eligibility.

Sec. 110. Investment strategy.

Sec. 111. Economic development districts.

Sec. 112. Administration.

Sec. 113. Expedited processing of applications.

Sec. 114. Uniform application form.

Sec. 115. Study of grant selection criteria.

Sec. 116. Performance evaluations of grant recipients.

Sec. 117. Study of guaranteed loan program.

Sec. 118. Miscellaneous.

Sec. 119. Acceptance of applicants' certifications.

Sec. 120. Supervision of regional counsels.

Sec. 121. Economic recovery for disaster areas.

Sec. 122. Special economic development and adjustment assistance.

Sec. 123. Treatment of revolving loan funds.

Sec. 124. Outreach to communities adversely affected by defense base closures.

Sec. 125. Sale of financial instruments in revolving loan funds.

Sec. 126. Economic development challenge grants demonstration project.

Sec. 127. Authorization of appropriations.

Sec. 128. References to the Secretary.

Sec. 129. Compliance with Buy American Act.

Sec. 130. Regulatory relief.

**TITLE II—APPALACHIAN REGIONAL DEVELOPMENT**

Sec. 201. Findings and purposes.

Sec. 202. Meetings.

Sec. 203. Authorizations for administrative expenses.

Sec. 204. Extension of lease terms.

Sec. 205. Highway system.

Sec. 206. Supplements to Federal grant-in-aid programs.

Sec. 207. Program development criteria.

Sec. 208. Grants for administrative expenses and demonstration projects.

Sec. 209. Authorization of appropriations for general program.

Sec. 210. Definition of Appalachian region.

Sec. 211. Extension of termination date.

Sec. 212. Regional development task force.

Sec. 213. Compliance with Buy American Act.

**TITLE III—BUSINESS DEVELOPMENT ASSISTANCE**

Sec. 301. Short title.

Sec. 302. Findings, purposes, and definitions.

Sec. 303. Consolidation of information on technologies.

Sec. 304. Business Development and Technology Commercialization Corporation.

Sec. 305. Assistance to Businesses in securing financing.

Sec. 306. Savings provision.

Sec. 307. Rule of construction.

**TITLE I—ECONOMIC DEVELOPMENT PROGRAMS****SEC. 101. GRANTS FOR PUBLIC WORKS AND DEVELOPMENT FACILITIES.**

(a) DIRECT AND SUPPLEMENTARY GRANTS.—

(1) ELIGIBLE APPLICANTS.—Section 101(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131(a)) is amended in the matter preceding paragraph (1) by striking "representing any redevelopment area or part thereof" and inserting "acting in cooperation with officials of local governments".

(2) DIRECT GRANTS.—Section 101(a)(1) of such Act (42 U.S.C. 3131(a)(1)) is amended—

(A) in the matter preceding subparagraph (A) by inserting "design and engineering," after "acquisition,"; and

(B) in subparagraph (A) by striking "or otherwise substantially further the objectives of the Economic Opportunity Act of 1964".

(b) AMOUNT OF SUPPLEMENTAL GRANTS.—The last sentence of section 101(c) of such Act (42 U.S.C. 3131(c)) is amended—

(1) by striking "area," and inserting "area and"; and

(2) by striking "and the amount of" and all that follows before the period.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 105 of such Act (42 U.S.C. 3135) is amended to read as follows:

**"SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

"(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$160,000,000 for fiscal year 1994 and \$175,000,000 per fiscal year for each of fiscal years 1995 and 1996. Such sums shall remain available until expended.

"(b) LIMITATION ON EXPENDITURES IN CERTAIN AREAS.—Not more than 35 percent of the amounts appropriated pursuant to subsection (a) in a fiscal year may be expended for projects located in areas described in section 401(a)(4).

"(c) LIMITATION ON EXPENDITURES FOR DESIGN AND ENGINEERING.—Not more than 20 percent of the amounts appropriated pursuant to section (a) in a fiscal year may be expended for design and engineering."

(d) SEWER FACILITIES.—Title I of such Act (42 U.S.C. 3131-3137) is amended by striking section 106 and redesignating section 107 as section 106.

(e) CONSTRUCTION COST INCREASES.—Section 106 of such Act, as redesignated by subsection (d) of this section, is amended by inserting a period after "such costs" and striking all that follows.

**SEC. 102. PROJECTS CONSTRUCTED UNDER PROJECTED COST.**

Title I of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131-3137) is amended by adding at the end the following:

**"SEC. 107. USE OF FUNDS IN PROJECTS CONSTRUCTED UNDER PROJECTED COST.**

"In any case where a grant (including a supplemental grant) has been made under this title for a project, and after such grant has been made but before completion of the project the cost of such project based upon the designs and specifications which were the basis of the grant has decreased because of decreases in costs, such underrun funds may be used to improve the project either directly or indirectly as determined by the Secretary."

**SEC. 103. CHANGED PROJECT CIRCUMSTANCES.**

Title I of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3131-3137) is further amended by adding at the end the following:

**"SEC. 108. CHANGED PROJECT CIRCUMSTANCES.**

"In any case where a grant (including a supplemental grant) has been made under this title for a project, and after such grant has been made but before completion of the project the purpose or scope of such project based upon the designs and specifications which were the basis of the grant has changed, the Secretary may approve the use of grant funds on such changed project if the Secretary determines that such changed project meets the requirements of this title and that such changes are necessary to enhance economic development in the area."

**SEC. 104. OTHER FINANCIAL ASSISTANCE.**

(a) PUBLIC WORKS AND DEVELOPMENT FACILITY LOANS.—

(1) ELIGIBLE APPLICANTS.—Section 201(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141(a)) is amended in the matter preceding paragraph (1) by striking "representing any redevelopment area or part thereof" and inserting "acting in cooperation with officials of local governments".

(2) CRITERIA.—Section 201(a)(1)(C) of such Act (42 U.S.C. 3141(a)(1)(C)) is amended by striking "or otherwise substantially further the objectives of the Economic Opportunity Act of 1964".

(b) TERMS AND CONDITIONS.—Section 202(b) of such Act (42 U.S.C. 3142(b)) is amended—

(1) in paragraph (6) by striking "it is determined" and inserting "the Secretary determines"; and

(2) in paragraph (7) by striking "hereunder for a period" and all that follows through "the foregoing restrictions on maturities" and inserting "under this section for a term of maturity of more than 25 years and no evidences of indebtedness which matures more than 25 years after the date of purchase may be purchased under this section; except that this paragraph".

(c) REDEVELOPMENT AREA LOAN PROGRAM.—Title II of such Act (42 U.S.C. 3141-3144) is amended by striking section 204.

**SEC. 105. TECHNICAL ASSISTANCE, RESEARCH, AND INFORMATION.**

(a) TECHNICAL ASSISTANCE.—

(1) URBAN AREAS WITH POPULATIONS OF 400,000 OR LESS.—Section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151(a)) is amended by adding at the end the following: "In providing assistance under this subsection, the Secretary shall take into consideration the unique development needs of urban areas with populations of 400,000 or less."

(2) GRANTS FOR ADMINISTRATIVE EXPENSES.—The last sentence of section 301(b) of such Act (42 U.S.C. 3151(b)) is amended by striking "urban planning grants, authorized under the Housing Act of 1954, as amended," and inserting "planning activities described in section 105(a)(13) of the Housing and Community Development Act of 1974".

(3) REPEALS.—Section 301 of such Act (42 U.S.C. 3151) is amended by striking subsections (c), (e), and (f) and redesignating subsection (d) as subsection (c).

(b) ECONOMIC DEVELOPMENT PLANNING.—

(1) DIRECT GRANTS.—The 7th sentence of section 302(a) of such Act (42 U.S.C. 3151a(a)) is amended by striking "and shall be available" and all that follows before the period at the end.

(2) TECHNICAL ASSISTANCE.—Section 302 of such Act (42 U.S.C. 3151a) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

(3) USE OF OTHER PLANNING ASSISTANCE.—Section 302(b) of such Act, as redesignated by paragraph (2) of this subsection, is amended by striking "shall be used in accordance with the review procedure required pursuant to title IV of the Intergovernmental Cooperation Act of 1968 and".

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 303 of such Act (42 U.S.C. 3152) is amended to read as follows:

**"SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

"There is authorized to be appropriated to carry out this title \$37,100,000 for fiscal year 1994 and \$50,000,000 per fiscal year for each of fiscal years 1995 and 1996. Such sums shall remain available until expended."

(d) SUPPLEMENTAL AND BASIC GRANTS.—Title III of such Act (42 U.S.C. 3151-3153) is amended by striking section 304.

**SEC. 106. BUSINESS OUTREACH CENTER DEMONSTRATION PROJECT.**

Title III of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151-3153) is amended by adding at the end the following:

**"SEC. 304. BUSINESS OUTREACH CENTER DEMONSTRATION PROJECT.**

"(a) IN GENERAL.—The Secretary shall conduct a project in each of fiscal years 1994 through 1996 with funds made available under this title for the purpose of demonstrating methods of assisting isolated small businesses to access small business services provided by Federal, State, and local governments.

"(b) ESTABLISHMENT OF CENTERS.—In conducting the demonstration project under this section, the Secretary shall establish 3 business outreach centers. At least 1 of the centers shall be located in a rural area.

"(c) PURPOSE OF CENTERS.—It shall be the purpose of each business outreach center established under this section—

"(1) to provide a one-stop clearinghouse to assist isolated small businesses in accessing small business services provided by Federal, State, and local governments; and

"(2) to improve efficiency in the delivery of such services.

"(d) SERVICES TO BE PROVIDED.—Each business outreach center established under this section shall provide the following services:

"(1) Outreach to isolated small businesses.

"(2) Assessment of the need of isolated small businesses for assistance services.

"(3) Referral of isolated small businesses to small business assistance agencies.

"(4) Preparation of materials required by isolated small businesses for participation in small business assistance programs.

"(5) Case management to assure follow-up and quality control of business services.

"(6) Coordination of networking among isolated small businesses.

"(7) Quality control of small business assistance services.

"(e) ISOLATED SMALL BUSINESS DEFINED.—For the purposes of this section, the term 'isolated small business' means a small business that is unable to effectively access small business services provided by Federal, State, and local governments due to linguistic, cultural, or geographic barriers."

**SEC. 107. OFFICE OF STRATEGIC ECONOMIC DEVELOPMENT PLANNING AND POLICY.**

Title III of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151-3153) is further amended by adding at the end the following:

**"SEC. 305. OFFICE OF STRATEGIC ECONOMIC DEVELOPMENT PLANNING AND POLICY.**

"(a) ESTABLISHMENT.—The Secretary shall establish an Office of Strategic Economic Development Planning and Policy (hereafter in this section referred to as 'the Office').

"(b) DUTIES.—The duties of the head of the Office are as follows:

"(1) RESEARCH, EVALUATION, AND DEMONSTRATION.—To support research, evaluation, and demonstration projects to study and assess best practices in economic development and to examine trends and changes in economic conditions that affect regional development.

"(2) POLICY DEVELOPMENT.—To develop recommendations on both short- and long-term policies regarding economic development issues and programs, to help foster the diffusion of innovative, best practices in economic development throughout the Department of Commerce.

"(3) COORDINATION.—To take a leading role in developing and promoting means for greater coordination among States, regions, and local communities in the design and implementation of economic development strategies, and to work in conjunction with Federal agencies on developing and implementing means for reducing fragmentation and increase coordination among Federal programs that provide economic development assistance.

"(c) RESEARCH IN CAUSES OF LONG-TERM ECONOMIC DETERIORATION.—

"(1) IN GENERAL.—To assist in the long-range accomplishment of the purposes of this Act, the Secretary, in cooperation with other agencies having similar functions, shall establish and conduct a continuing program of study, training, and research—

"(A) to assist in determining the causes of unemployment, underemployment, underdevelopment, and chronic depression in the various areas and regions of the Nation;

"(B) to assist in the formulation and implementation of national, State, and local programs which will raise income levels and otherwise produce solutions to the problems resulting from these conditions; and

"(C) to assist in providing the personnel needed to conduct such programs.

"(2) MANNER OF PROVIDING STUDY, ASSISTANCE.—The program of study, training, and research may be conducted by the Secretary through—

"(A) members of the Secretary's staff;

"(B) the payment of funds authorized for this section to other departments or agencies of the Federal Government;

“(C) the employment of private individuals, partnerships, firms, corporations, or suitable institutions;

“(D) contracts entered into for such purposes;

“(E) grants to such individuals, organizations, or institutions as the Secretary determines to be appropriate; or

“(F) conferences and similar meetings organized for such purposes.

“(3) AVAILABILITY OF RESULTS OF RESEARCH.—The Secretary shall make available to interested individuals and organizations the results of such research.

“(4) ANNUAL REPORT OF SECRETARY.—The Secretary shall include in the annual report under section 705 a detailed statement concerning the study and research conducted under this section, together with the Secretary's findings and conclusions and such recommendations for legislative and other action as the Secretary may consider appropriate.

“(d) GEOGRAPHIC ANALYSIS TOOL.—

“(1) IN GENERAL.—The Secretary shall, in cooperation with other appropriate Federal agencies develop a computerized geographic analysis tool that all Federal departments and agencies and grant recipients may use to evaluate the success of these programs.

“(2) REPORT.—Not later than 6 months after the date of the enactment of the Economic Development Reauthorization Act of 1994, the Secretary shall transmit to Congress a report on use of the computerized geographic analysis tool developed pursuant to paragraph (1) by Federal departments and agencies.

“(e) INDEPENDENT ADVISORY COMMITTEE.—The Secretary shall establish an advisory committee made up of representatives from major State, local, and nonprofit economic development organizations as well as nationally recognized experts on innovative approaches to economic development to advise and make recommendations to the Office.

“(f) FEDERAL COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT.—

“(1) IN GENERAL.—The Secretary shall establish a Federal Coordinating Council for Economic Development (hereafter in this section referred to as the ‘Council’).

“(2) COMPOSITION OF COUNCIL.—The Council shall be composed of representatives from Federal agencies involved in matters that affect regional economic development.

“(3) DUTIES.—The Council shall assist in providing a unifying framework for economic and regional development efforts and develop a governmentwide strategic plan for economic development.

“(g) GRANTS AND CONTRACTS FOR DEMONSTRATION PROJECTS; PURPOSES.—The Secretary may make grants, enter into contracts, or otherwise provide funds for any demonstration project in an eligible area which the Secretary determines is designed to foster regional productivity and growth, prevent outmigration, and otherwise carry out the purposes of this Act.”.

#### **SEC. 108. OFFICE OF ECONOMIC DEVELOPMENT INFORMATION.**

Title III of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3151-3153) is further amended by adding at the end the following:

#### **“SEC. 306. OFFICE OF ECONOMIC DEVELOPMENT INFORMATION.**

“(a) ESTABLISHMENT.—The Secretary shall establish the Office of Economic Development Information (hereafter in this section referred to as the ‘Office’) within the Office of Strategic Economic Development Planning and Policy.

“(b) DUTIES.—The duties of the head of the Office shall be—

“(1) to serve as a central information clearinghouse on matters relating to eco-

nomics development, economic adjustment, industrial retention, disaster recovery, and defense conversion programs and activities of the Federal and State governments, including political subdivisions of the States; and

“(2) to help potential and actual applicants for economic development, economic adjustment, disaster recovery, industrial retention, and defense conversion assistance under Federal, State, and local laws in locating and applying for such assistance, including financial and technical assistance.

“(c) INFORMATION DATA BASES.—

“(1) USES.—The Office shall develop information data bases for use by Federal departments and agencies, State and local governmental agencies, public and private entities, and individuals to assist such agencies, entities, and individuals in the process of identifying and applying for assistance and resources under economic development, economic adjustment, disaster recovery, industrial retention, and defense conversion programs and activities of the Federal, State, and local governments.

“(2) SPECIFIC KINDS OF INFORMATION REQUIRED TO BE INCLUDED.—The data bases shall include the following kinds of information:

“(A) A comprehensive compilation of all relevant information concerning available economic development, economic adjustment, disaster recovery, industrial retention, and defense conversion programs of the Federal Government including key contact people, descriptions of the application process, eligibility requirements and criteria, selection and followup procedures, and other such relevant information.

“(B) A compilation of major State and local governmental economic development, economic adjustment, disaster relief, industrial retention, and defense conversion assistance programs, including lists of appropriate offices, officers, and contact personnel connected with, or involved in, such programs.

“(C) A compilation of relevant and available economic data and trends, including information about the national, regional, and local impacts of trade agreements, defense spending and downsizing, technological change, and other sources of substantial economic dislocation.

“(D) A compilation of case studies and ‘best practices’ in economic development, adjustment, and conversion.

“(E) A compilation of technology utilization programs, assistance, and resources.

“(F) A compilation of published works (books, reports, articles, videos, and tapes), and selected texts of such works, related to all facets of economic development, economic adjustment and defense conversion.

“(G) A compilation of information on case studies on early warning and intervention efforts.

“(3) POINTS OF PUBLIC ACCESS.—

“(A) IN GENERAL.—The Office shall establish several mechanisms to assure easy access by the public and others to such data bases, and to assure that the data bases be as accessible, user-friendly, culturally neutral, and affordable as possible.

“(B) MEANS OF ACCESS.—Access to the Office's data services shall include the following means:

“(i) A toll-free nationwide telephone number to provide direct phone access to the public.

“(ii) On-line electronic access through existing computer network services and publicly available computer data base access facilities, such as at repository libraries and by direct call-in via modem.

“(iii) Printed manuals and orientation materials.

“(iv) Periodic orientation workshops available to the public.

“(v) On-call information specialists to address special problems requiring person-to-person assistance.

“(d) INTERAGENCY COORDINATION.—The Secretary shall enter into such agreements and understandings as may be necessary with other Federal departments and agencies to coordinate the accomplishment of the objectives of this section.”.

#### **SEC. 109. AREA ELIGIBILITY.**

(a) IN GENERAL.—Title IV of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161-3173) is amended by striking the heading to such title and all that follows through section 401 and inserting the following:

#### **“TITLE IV—ELIGIBILITY AND INVESTMENT STRATEGIES**

##### **“PART A—ELIGIBILITY**

#### **“SEC. 401. AREA ELIGIBILITY.**

“(a) CERTIFICATION.—In order to be eligible for assistance under title I or II, an applicant seeking assistance to undertake a project in an area shall certify, as part of an application for such assistance, that the area on the date of submission of such application meets 1 or more of the following criteria:

“(1) The area has a per capita income of 80 percent or less of the national average.

“(2) The area has an unemployment rate 1 percent above the national average percentage for the most recent 24-month period for which statistics are available.

“(3) The area has experienced or is about to experience a sudden economic dislocation resulting in job loss that is significant both in terms of the number of jobs eliminated and the effect upon the employment rate of the area.

“(4) The area is a community or neighborhood (defined without regard to political or other subdivisions or boundaries) which the Secretary determines has 1 or more of the following conditions:

“(A) A large concentration of low-income persons.

“(B) Rural areas having substantial outmigration or substantial economic deterioration and unemployment.

“(C) Substantial unemployment.

“(b) DOCUMENTATION.—A certification made under subsection (a) shall be supported by Federal data, when available, and in other cases by data available through the State government. Such documentation shall be accepted by the Secretary unless it is determined to be inaccurate. The most recent statistics available shall be used.

“(c) SPECIAL RULE.—An area which the Secretary determines has 1 or more of the conditions described in subsection (4)—

“(1) shall not be subject to the requirements of subparagraphs (A) and (C) of section 101(a)(1); and

“(2) shall not be eligible to meet the requirements of section 403(a)(1)(B).

“(d) PRIOR DESIGNATIONS.—Any designation of a redevelopment area under this title made before the date of the enactment of the Economic Development Reauthorization Act of 1994 shall not be effective after such date of enactment.

“(e) DEFINITION.—For purposes of this Act, the term ‘large concentration of low-income persons’ means an area with a median family income of not more than 80 percent of the national median family income.”.

(b) CONFORMING AMENDMENTS.—

(1) TITLE I.—Title I of such Act (42 U.S.C. 3131-3137) is amended—

(A) in section 101(a)(1) in the matter preceding subparagraph (A) by striking “within a redevelopment area” and inserting “within an area described in section 401(a)”; and

(B) in section 101(a)(1)(D) by striking “a redevelopment area so designated under sec-

tion 401(a)(6)" and inserting "an area described in section 401(a)(4)";

(C) in section 101(a)(2) by striking "within redevelopment areas" and inserting "within areas described in section 401(a)";

(D) in each of the 2d and 3d sentences of section 101(c) by striking "a redevelopment area designated as such under section 401(a)(6) of this Act" and inserting "an area described in section 401(a)(4)"; and

(E) in the 5th sentence of section 101(c) by striking "redevelopment areas" and inserting "areas described in section 401(a)".

(2) TITLE II.—Title II of such Act (42 U.S.C. 3141-3144) is amended—

(A) in section 201(a) in the matter preceding paragraph (1) by striking "within a redevelopment area" and inserting "within an area described in section 401(a)";

(B) in each of paragraphs (1) and (3) of section 202(a) by striking "within a redevelopment area" and inserting "within an area described in section 401(a)"; and

(C) in section 202(b)(3) by striking "redevelopment".

(3) TITLE III.—Title III of such Act (42 U.S.C. 3151-3153) is amended—

(A) in section 301(a) by striking "(1) to areas which he has designated as redevelopment areas under this Act, and (2) to other areas which he finds" and inserting "(1) to areas which the Secretary determines are areas described in section 401(a), and (2) to other areas which the Secretary finds";

(B) in section 301(c), as redesignated by section 105(a) of this Act, by striking "redevelopment areas" both places it appears and inserting "areas described in section 401(a)";

(C) in the 1st sentence of section 302(a) by striking "a redevelopment area" and inserting "an area described in section 401(a)"; and

(D) in the 2d sentence of section 302(a) by striking "redevelopment areas" and inserting "areas described in section 401(a)".

(4) TITLE IV.—Title IV of such Act (42 U.S.C. 3161-3173) is amended—

(A) in each of subparagraphs (A) and (B) of section 403(a)(1) by striking "redevelopment area" and inserting "area described in section 401(a)";

(B) in section 403(a)(1)(C) by striking "redevelopment areas" and inserting "areas described in section 401(a)";

(C) in section 403(a)(4) in the matter preceding subparagraph (A) by striking "redevelopment areas (designated under section 401)" and inserting "areas described in section 401(a)";

(D) in section 403(a)(4)(A) by striking "redevelopment area" and inserting "area described in section 401(a)"; and

(E) in section 403(h), as redesignated by section 111(c) of this Act, by striking "a redevelopment area" each place it appears and inserting "an area described in section 401(a)".

(5) TITLE IX.—Section 902 of such Act (42 U.S.C. 3242) is amended by striking "a redevelopment area or economic development district established under title IV of this Act" and inserting "an area described in section 401(a) or an economic development district designated under section 403".

#### SEC. 110 INVESTMENT STRATEGY.

(a) IN GENERAL.—Section 402 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3162) is amended to read as follows:

#### "SEC. 402. INVESTMENT STRATEGY.

"The Secretary may provide assistance under title I or II to an applicant for a project to be undertaken in an area described in section 401(a) only if the applicant submits to the Secretary, as part of an application for such assistance, and the Secretary approves an investment strategy which—

"(1) identifies the economic development problems to be addressed using such assistance;

"(2) identifies past, present, and projected future economic development investments in such area and public and private participants and sources of funding for such investments;

"(3) sets forth a strategy for addressing the economic problems identified pursuant to paragraph (1) and describes how the strategy will solve such problems;

"(4) provides a description of the project necessary to implement the strategy, estimates of costs, and timetables; and

"(5) provides a summary of public and private resources expected to be available for the project."

(b) ELIMINATION OF OVERALL ECONOMIC DEVELOPMENT PROGRAM.—Section 202(b) of such Act (42 U.S.C. 3142(b)) is amended by striking paragraph (10).

(c) CONFORMING AMENDMENTS.—

(1) TITLE I.—Subparagraph (C) of section 101(a)(1) of such Act (42 U.S.C. 3131(a)(1)) is amended to read as follows:

"(C) the area for which the project is to be undertaken has an approved investment strategy as provided by section 402 and such project is consistent with such strategy; and"

(2) TITLE II.—Paragraph (5) of section 201(a) of such Act (42 U.S.C. 3141(a)) is amended to read as follows:

"(5) such area has an approved investment strategy as provided by section 402 and the project for which financial assistance is sought is consistent with such strategy."

(3) TITLE III.—Section 302(a) of such Act (42 U.S.C. 3151a(a)) is amended—

(A) in the 4th sentence by striking "overall State economic development plan" and inserting "State investment strategy";

(B) in the 5th sentence—

(i) by striking "plan" each place it appears and inserting "strategy"; and

(ii) by striking "plans" each place it appears and inserting "strategies"; and

(C) in the 6th sentence by striking "Any overall State economic development planning" and inserting "Development of any State investment strategy".

(4) TITLE IV.—Section 403 of such Act (42 U.S.C. 3171) is amended—

(A) in each of subsections (a)(1)(C), (a)(1)(D), (a)(2)(A), (a)(3)(A), (a)(4)(B), and (e) by striking "overall economic development program" and inserting "investment strategy";

(B) in subsection (a)(1)(D) by striking "program" the second place it appears and inserting "strategy"; and

(C) in each of subsections (b) and (b)(2)(B) by striking "overall economic development programs" and inserting "investment strategies".

#### SEC. 111. ECONOMIC DEVELOPMENT DISTRICTS.

(a) ECONOMIC DEVELOPMENT DISTRICT DEFINED.—Section 403(d) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3171(d)) is amended by adding at the end the following: "Such term includes any economic development district designated by the Secretary under this section before the date of the enactment of the Economic Development Reauthorization Act of 1994."

(b) FUNDING.—Section 403(g) of such Act (42 U.S.C. 3171(g)) is amended to read as follows:

"(g) FUNDING.—Amounts authorized to be appropriated under other sections of this Act shall be available for purposes of carrying out subsections (a)(3) and (a)(4)."

(c) REPEAL.—Section 403 of such Act (42 U.S.C. 3162) is amended by striking subsections (h) and (i) and redesignating subsection (j) as subsection (h).

(d) UNEMPLOYMENT RATE DETERMINATIONS.—Title IV of such Act (42 U.S.C. 3161-3173) is amended by striking part D.

#### SEC. 112. ADMINISTRATION.

(a) IN GENERAL.—Section 601 of the Public Works and Economic Development Act of

1965 (42 U.S.C. 3201) is amended to read as follows:

#### "SEC. 601. APPOINTMENT OF ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT; COMPENSATION.

"(a) ADMINISTRATION OF ACT.—The Secretary shall, with the assistance of an Assistant Secretary of Commerce, administer this Act.

"(b) APPOINTMENT OF ASSISTANT SECRETARY.—

"(1) IN GENERAL.—The Assistant Secretary whose position is established under subsection (a) shall be appointed by the President, by and with the advice and consent of the Senate.

"(2) DUTIES.—The Assistant Secretary appointed under paragraph (1) shall perform such functions as the Secretary may prescribe."

(b) ADVISORY COMMITTEE ON REGIONAL ECONOMIC DEVELOPMENT.—Title VI of such Act (33 U.S.C. 3201-3204) is amended by striking section 602 and redesignating sections 603 and 604 as sections 602 and 603, respectively.

#### SEC. 113. EXPEDITED PROCESSING OF APPLICATIONS.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3201-3204) is amended by adding at the end the following:

#### "SEC. 604. EXPEDITED PROCESSING OF APPLICATIONS.

"(a) GUIDELINES.—Not later than 60 days after the date of the enactment of this section, the Assistant Secretary for Economic Development shall—

"(1) publish guidelines to expedite the processing of applications for assistance under this Act; and

"(2) transmit to Congress a report containing such guidelines.

"(b) CONTENTS.—Guidelines to be published under subsection (a) shall, at a minimum, provide for the following:

"(1) Increased reliance on self-certification by applicants to establish compliance with other Federal laws.

"(2) Greater use of uniform application forms and procedures.

"(3) Delegation of decisionmaking authority to regional offices.

"(4) Reduction in the time and number of reviews conducted by other offices of the Department of Commerce."

#### SEC. 114. UNIFORM APPLICATION FORM.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3201-3204) is further amended by adding at the end the following:

#### "SEC. 605. UNIFORM APPLICATION FORM.

"(a) DEVELOPMENT.—The Secretary shall, in cooperation with the heads of appropriate Federal departments and agencies, develop a general, simplified application form for grant assistance under this Act which may be used by all Federal departments and agencies which provide grant assistance.

"(b) REPORT.—Not later than 6 months after the date of the enactment of this section, the Secretary shall transmit to Congress a report on use of the form developed pursuant to subsection (a) by Federal departments and agencies."

#### SEC. 115. STUDY OF GRANT SELECTION CRITERIA.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3201-3204) is further amended by adding at the end the following:

#### "SEC. 606. STUDY OF GRANT SELECTION CRITERIA.

"(a) DEVELOPMENT OF METHOD.—The Secretary shall develop recommendations for prioritizing applications and awarding funding for projects under this Act based on the relative needs of eligible areas and the ca-

capacity of an applicant to carry out a project, including the ability of the applicant to leverage or attract funding from the private sector and to coordinate or create partnerships with other eligible recipients.

"(b) CONSIDERATION.—In developing a method under subsection (a), the Secretary shall consider the different objectives of each title of this Act.

"(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this section, the Secretary shall transmit to Congress a report containing recommendations developed under subsection (a)."

#### SEC. 116. PERFORMANCE EVALUATIONS OF GRANT RECIPIENTS.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3201-3204) is further amended by adding at the end the following:

#### "SEC. 607. PERFORMANCE EVALUATIONS OF GRANT RECIPIENTS.

"(a) IN GENERAL.—At least once every 2 years, the Secretary shall conduct an evaluation of each university center and economic development district receiving grant assistance under this Act to assess the recipient's performance and contribution toward job creation.

"(b) CRITERIA.—

"(1) ESTABLISHMENT.—The Secretary shall establish criteria for use in conducting evaluations under subsection (a).

"(2) CRITERIA FOR UNIVERSITY CENTERS.—The criteria for evaluation of a university center shall, at a minimum, provide for an assessment of the center's contribution to providing technical assistance, conducting applied research, and disseminating results of the center's activities.

"(3) CRITERIA FOR ECONOMIC DEVELOPMENT DISTRICTS.—The criteria for evaluation of an economic development district shall, at a minimum, provide for an assessment of management standards, financial accountability, and program performance.

"(c) PEER REVIEW.—In conducting an evaluation of a university center under subsection (a), the Secretary shall provide for the participation of at least one other university center on a cost-reimbursement basis."

#### SEC. 117. STUDY OF GUARANTEED LOAN PROGRAM.

Title VI of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245) is further amended by adding at the end the following:

#### "SEC. 608. STUDY OF INNOVATIVE ECONOMIC DEVELOPMENT FINANCING TOOLS.

"(a) STUDY.—The Secretary shall conduct a study of innovative economic development financing tools, including a guaranteed loan program and an equity financing program.

"(b) CONDUCT.—In conducting the study under subsection (a), the Secretary shall identify the credit gap which would be addressed by the programs referred to in subsection (a), methods to avoid the mistakes of previous guaranteed loan programs carried out by the Economic Development Administration, and an expected subsidy rate to be implemented under such programs.

"(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this section, the Secretary shall transmit to Congress a report on the results of the study conducted under this section, together with recommendations on whether the programs referred to in subsection (a) should be authorized as part of this Act."

#### SEC. 118. MISCELLANEOUS.

(a) POWERS OF THE SECRETARY.—Section 701 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211) is amended—

(1) in paragraph (4)—

(A) by striking "loans" the first place it appears and inserting "grants or loans"; and

(B) by striking "loans" the second place it appears and inserting "grants, loans,";

(2) in paragraph (6) by striking "loans" and inserting "grants or loans";

(3) in paragraph (7) by striking "loans" each place it appears and inserting "grants or loans"; and

(4) in paragraph (10)—

(A) by striking "section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a)." and inserting "section 3109 of title 5, United States Code,"; and

(B) by striking "section 5 of such Act (5 U.S.C. 73b-2)" and inserting "section 5703 of title 5, United States Code,".

(b) UNFAIR COMPETITION; SAVINGS PROVISIONS.—Title VII of such Act (42 U.S.C. 3211-3225) is amended by striking sections 702 and 703 and redesignating sections 704 through 714 as sections 702 through 712, respectively.

(c) TRANSFER OF FUNCTIONS.—Section 702 of such Act, as redesignated by subsection (b) of this section, is amended—

(1) in the heading to such section by striking "effective date, and limitations on assistance" and inserting "of area redevelopment administration";

(2) by striking "(a) The" and inserting "The"; and

(3) by striking subsections (b) through (e).

(d) USE OF OTHER FACILITIES.—Section 706 of such Act, as redesignated by subsection (b) of this section, is amended by adding at the end the following new subsection:

"(d) FUNDS TRANSFERRED FROM OTHER DEPARTMENTS AND AGENCIES.—In order to carry out the objectives of this Act, the Secretary may accept transfers of funds from other departments and agencies of the Federal Government if the funds are used for the purposes for which (and in accordance with the terms under which) the funds are specifically authorized and appropriated. Such transferred funds shall remain available until expended and may be transferred to and merged with the appropriations under the heading 'salaries and expenses' by the Secretary to the extent necessary to administer the program."

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 707 of such Act, as redesignated by subsection (b) of this section, is amended by striking "\$25,000,000 for the fiscal year ending September 30, 1992" and inserting "\$36,000,000 for the fiscal year ending September 30, 1995".

(g) PENALTIES.—Section 708 of such Act, as redesignated by subsection (b) of this section, is amended—

(1) in subsection (a)—

(A) by striking "himself" and inserting "such person"; and

(B) by striking "shall be punished by" and all that follows before the period and inserting "shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both"; and

(2) in subsection (b)—

(A) by striking "him" both places it appears and inserting "such person"; and

(B) by striking "shall be punished by" and all that follows before the period and inserting "shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both".

(h) RATE OF WAGES.—Section 710 of such Act, as redesignated by subsection (b) of this section, is amended—

(1) in the 1st sentence by striking "the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5)" and inserting "the Act of March 3, 1931, known as the Davis-Bacon Act"; and

(2) in the 3d sentence by striking "Reorganization Plan" and all that follows before the period and inserting "Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934 (Chapter 482; 48 Stat. 948)".

(i) AREA REDEVELOPMENT ACT.—Title VII of such Act (42 U.S.C. 3211-3225) is amended by striking section 715 and redesignating section 716 as section 713.

#### SEC. 119. ACCEPTANCE OF APPLICANTS' CERTIFICATIONS.

Title VII of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211-3226) is further amended by adding at the end the following:

#### "SEC. 714. ACCEPTANCE OF APPLICANTS' CERTIFICATIONS.

"The Secretary may accept, when deemed appropriate, the applicants' certifications to meet the requirements of this Act."

#### SEC. 120. SUPERVISION OF REGIONAL COUNSELS.

Title VII of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211-3226) is further amended by adding at the end the following:

#### "SEC. 715. SUPERVISION OF REGIONAL COUNSELS.

"The Secretary shall take such actions as may be necessary to ensure that individuals serving as Regional Counsels of the Economic Development Administration report directly to their respective Regional Director."

#### SEC. 121. ECONOMIC RECOVERY FOR DISASTER AREAS.

Title VIII of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3231-3236) is repealed.

#### SEC. 122. SPECIAL ECONOMIC DEVELOPMENT AND ADJUSTMENT ASSISTANCE.

(a) ELIGIBLE RECIPIENT DEFINED.—Section 902 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3242) is amended—

(1) by striking "or" and inserting "or"; and

(2) by inserting before the period at the end the following: "or at the discretion of the Secretary a public or private nonprofit organization or association".

(b) GRANT AUTHORITY.—Section 903(a)(1) of such Act (42 U.S.C. 3243(a)(1)) is amended by striking "unemployment compensation (in accordance with subsection (d) of this section), rent supplements, mortgage payment assistance, research, technical assistance," and inserting "administrative expenses, industrial retention,".

(c) GRANTS FOR UNEMPLOYMENT COMPENSATION.—Section 903(a)(2) of such Act (42 U.S.C. 3243(a)(2)) is amended—

(1) by striking "(2)(A) Such grants" and inserting "(2) Such grants"; and

(2) by striking subparagraph (B).

(d) COORDINATION OF ACTIVITIES.—Section 903(c) of such Act (42 U.S.C. 3243(c)) is amended by striking "regional commissions" and inserting "other Federal programs".

(e) TRANSFER OF FUNDS TO SECRETARY OF LABOR.—Section 903 of such Act (42 U.S.C. 3243) is amended by striking subsection (d).

(f) BASE CLOSINGS AND REALIGNMENTS.—Section 903 of such Act (42 U.S.C. 3243) is amended by adding at the end the following new subsection:

"(d) BASE CLOSINGS AND REALIGNMENTS.—

"(1) LOCATION OF PROJECTS.—In any case in which the Secretary determines a need for assistance under subsection (a) due to the closure or realignment of a military installation, the Secretary may make such assistance available for projects to be carried out on the military installation and for projects to be carried out in communities adversely affected by the closure or realignment.

"(2) INTEREST IN PROPERTY.—Notwithstanding any other provision of law, the Secretary may provide to an eligible recipient any assistance available under this Act for a project to be carried out on a military installation that is closed or scheduled for closure or realignment without requiring that the eligible recipient have title to the prop-

erty or a leasehold interest in the property for any specified term."

**SEC. 123. TREATMENT OF REVOLVING LOAN FUNDS.**

Title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245) is amended—

(1) by redesignating section 905 as section 909; and

(2) by inserting after section 904 the following:

**"SEC. 905. TREATMENT OF REVOLVING LOAN FUNDS.**

"(a) IN GENERAL.—Amounts from grants under this title which are used by an eligible recipient to establish a revolving loan fund shall not be treated, except as provided by subsection (b), as amounts derived from Federal funds for the purposes of any Federal law after such amounts are loaned from the fund to a borrower and repaid to the fund.

"(b) EXCEPTIONS.—Amounts described in subsection (a) which are loaned from a revolving loan fund to a borrower and repaid to the fund—

"(1) may only be used for projects which are consistent with the purposes of this title; and

"(2) shall be subject to the financial management, accounting, reporting, and auditing standards which were originally applicable to such amounts.

"(c) REGULATIONS.—Not later than 30 days after the date of the enactment of this section, the Secretary shall issue regulations to carry out subsection (a).

"(d) PUBLIC REVIEW AND COMMENT.—Before issuing any final guidelines or administrative manuals governing the operation of revolving loan funds established using amounts from grants under this title, the Secretary shall provide reasonable opportunity for public review of and comment on such guidelines and administrative manuals."

**SEC. 124. OUTREACH TO COMMUNITIES ADVERSELY AFFECTED BY DEFENSE BASE CLOSURES.**

Title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245) is further amended by adding at the end the following:

**"SEC. 906. OUTREACH TO COMMUNITIES ADVERSELY AFFECTED BY DEFENSE BASE CLOSURES.**

"(a) DESIGNATION OF AGENCY REPRESENTATIVES.—The Assistant Secretary for Economic Development shall designate for each State in which communities are adversely affected by defense base closures an individual to serve as a representative of the Economic Development Administration. Such individual may be the State Economic Development Agency Representative or another qualified individual.

"(b) RESPONSIBILITIES.—Individuals appointed as agency representatives under subsection (a) shall provide outreach and technical assistance to communities adversely affected by defense base closures on obtaining assistance from the Economic Development Administration."

**SEC. 125. SALE OF FINANCIAL INSTRUMENTS IN REVOLVING LOAN FUNDS.**

Title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245) is further amended by adding at the end the following:

**"SEC. 907. SALE OF FINANCIAL INSTRUMENTS IN REVOLVING LOAN FUNDS.**

"Any loan, loan guarantee, equity, or other financial instrument in the portfolio of a Revolving Loan Fund may be sold, at the discretion of the grantee of the Fund, to a third party provided that the proceeds of the sale—

"(1) shall be deposited in the Fund and only used for projects which are consistent with the purposes of this title, and

"(2) shall be subject to the financial management, accounting, reporting, and auditing standards which were originally applicable to the financial instrument."

**SEC. 126. ECONOMIC DEVELOPMENT CHALLENGE GRANTS DEMONSTRATION PROJECT.**

Title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241-3245) is further amended by adding at the end the following:

**"SEC. 908. ECONOMIC DEVELOPMENT CHALLENGE GRANTS DEMONSTRATION PROJECT.**

"(a) IN GENERAL.—In order to study the feasibility and desirability of using challenge grants to generate new pools of investment capital in areas suffering from long-term economic deterioration, the Secretary shall establish a 2-year demonstration project under which the Secretary shall provide grants to selected recipients, to be matched by the recipients 1 dollar for every 2 Federal dollars, for the purpose of establishing substantially leveraged financing for business development and other innovative economic development efforts.

"(b) FEDERAL AND COMMUNITY CONTRIBUTIONS.—

"(1) IN GENERAL.—The Secretary shall grant 2 dollars for every 1 dollar raised by each selected recipient, up to \$10,000,000 per year per selected recipient.

"(2) USE OF OTHER FEDERAL FUNDS IN CONJUNCTION WITH CHALLENGE GRANT.—Funds from other Federal programs may be used in conjunction or merged with the challenge grant and matching funds to form a larger investment fund.

"(c) ESTABLISHMENT AND USE OF FUNDS.—

"(1) ESTABLISHMENT.—For purposes of this Act, an investment fund established by a selected recipient consists of—

"(A) the economic development challenge grant received by the selected recipient;

"(B) the matching funds required under subsection (b); and

"(C) any such other funds that may be derived from other sources, including other Federal funds.

"(2) USE.—An investment fund shall be used by the selected recipients for the purposes of generating long-term sustainable economic development and job growth in areas identified by the selected recipients, pursuant to the requirements and limitations of eligibility and performance in subsections (d), (e), (f), (g) and (h).

"(d) ELIGIBLE RECIPIENTS.—The Secretary shall make grants to any eligible recipients for use in an area which must meet 1 or more of the following criteria:

"(1) The area has a per capita income of 80 percent or less of the national average.

"(2) The area has an unemployment rate 1 percent above the national average percentage for the more recent 24-month period for which statistics are available.

"(3) The area has been determined by the Secretary to have at least 1 of the following conditions:

"(A) A large concentration of low-income persons (as defined in section 401(e)).

"(B) Areas having substantial outmigration.

"(C) Substantial underemployment or unemployment.

An eligible recipient may include any local government or group of local governments, economic development district, Indian tribe, public or private nonprofit organization or association, community-based organization, business or worker organization, or any consortium of such entities, that is able to demonstrate to the satisfaction of the Secretary that they can carry out the objectives of this program pursuant to the criteria and requirements established in this section.

"(e) SELECTION OF DEMONSTRATION PROJECTS.—

"(1) IN GENERAL.—The Secretary shall make grants to selected recipients from 3 areas suffering from long-term economic distress.

"(2) DISTRIBUTION.—One selected recipient shall be from a rural area which has been subjected to long-term economic distress as a result of a major decline in the region's key industries, 1 from an area that is a combination of rural, small metropolitan, and suburban communities, and 1 from an urban area with excessive unemployment, concentrated poverty, and high crime.

"(3) INDUSTRIAL RETENTION STRATEGY REQUIREMENT.—Of the 3 recipients described in paragraph (2), at least 1 of the projects selected shall include an industrial retention strategy. The selected recipient from a rural area shall not be required to have an industrial retention strategy.

"(f) GRANT SELECTION PROCESS.—

"(1) NATIONAL COMPETITION.—The Secretary shall select recipients of the challenge grants through a nationally competitive process.

"(2) ELIGIBILITY REQUIREMENT.—Each selected recipient must submit a comprehensive strategy for generating sustained, long-term economic growth and for both preserving and creating high-quality jobs.

"(3) PREFERENCE FOR CERTAIN PROJECTS.—The Secretary shall give preference to eligible recipients which—

"(A) utilize the Federal grant plus matching funds to further leverage private and public capital to create an even larger economic development investment fund;

"(B) represent consortia or partnerships comprised of at least 2 or more of the groups identified in subsection (d); or

"(C) intend to use their investment funds to finance or leverage financing for new business development and startups, industrial services, industrial modernization of local-based firms or industrial retention (including employee stock ownership plans and worker or management buyouts), or other economic development strategies that illustrate 'best practices' in economic development.

"(4) BROAD-BASED PARTICIPATION TO BE ENCOURAGED.—The Secretary shall strongly encourage broad-based participation of public and private entities within an area in the development and implementation of the challenge grant proposals submitted by eligible recipients.

"(g) LIMITATIONS.—The investment funds established by the selected recipients shall—

"(1) not be used to permit units of State and local government to offer tax inducements to attract businesses to locate in the area; and

"(2) be subject to the same conditions described in section 202(b)(1).

No area may receive an economic development challenge grant if it has been designated an empowerment or enterprise community under section 13301 of the Omnibus Budget Reconciliation Act of 1993.

"(h) PERFORMANCE EVALUATIONS; REPORT TO CONGRESS.—

"(1) EVALUATION OF EFFECTIVENESS.—The Secretary shall conduct performance evaluations of the demonstration challenge grant project to assess the effectiveness of this kind of program in generating sustained economic growth and job creation in areas of the Nation experiencing long-term economic distress.

"(2) REPORT.—Based on the evaluations conducted pursuant to paragraph (1), the Secretary shall submit an annual report to Congress with recommendations for expansion, modification or termination of the program.

"(i) AUTHORIZATION OF APPROPRIATIONS.—Of the funds authorized to be appropriated under section 909, there are authorized to be



appropriated \$25,000,000 per fiscal year for fiscal years 1995 and 1996 to carry out this section. Such sums shall remain available until expended."

**SEC. 127. AUTHORIZATION OF APPROPRIATIONS.**

Section 909 of the Public Works and Economic Development Act of 1965, as redesignated by section 122 of this Act, is amended to read as follows:

**"SEC. 909. AUTHORIZATION OF APPROPRIATIONS.**

"(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$115,542,000 for fiscal year 1994 and \$81,000,000 per fiscal year for each of fiscal years 1995 and 1996. Such sums shall remain available until expended.

"(b) SET-ASIDE FOR DEFENSE CONVERSION ACTIVITIES.—Of amounts appropriated pursuant to subsection (a) for fiscal year 1994, not less than \$80,000,000 shall be available for purposes of assisting eligible recipients in activities related to defense conversion.

"(c) ADDITIONAL AMOUNTS.—In addition to the appropriations authorized by subsection (a), there are authorized to be appropriated to carry out this title such sums as may be necessary to provide assistance for defense conversion activities and to provide assistance in the case of a natural disaster. Such sums shall remain available until expended."

**SEC. 128. REFERENCES TO THE SECRETARY.**

(a) REFERENCES TO "HE".—The Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) is amended by striking "he" and inserting "the Secretary" in each of the following:

- (1) Section 101(a)(1).
- (2) The 4th sentence of section 101(c).
- (3) Section 201(a).
- (4) Section 202(b)(5).
- (5) Section 202(b)(9)(B).
- (6) The 1st sentence of section 301(b).
- (7) Section 602(b), as redesignated by section 112(b) of this Act.
- (8) Section 701(2).
- (9) Section 701(4).
- (10) Section 701(12).
- (11) Section 706, as redesignated by section 117(b) of this Act.

(b) REFERENCES TO "HIS".—Such Act is further amended by striking "his" and inserting "the Secretary's" in each of the following:

- (1) The 3d and 4th sentences of section 301(a).
- (2) Section 701(4).
- (3) Section 705, as redesignated by section 117(b) of this Act.
- (4) Section 903(c).

(c) REFERENCES TO "HIM".—Such Act is further amended by striking "him" and inserting "the Secretary" in each of the following:

- (1) Section 602(b), as redesignated by section 112(b) of this Act.
- (2) Section 701(4) each place it appears.
- (3) Section 701(6).
- (4) Section 701(7) both places it appears.
- (5) Section 701(9) both places it appears.

(d) OTHER REFERENCES.—Such Act is further amended—

- (1) in section 701 in the matter preceding paragraph (1) by striking "his duties" and inserting "the duties of the Secretary";
- (2) in section 701(4) by striking "he shall determine" and inserting "the Secretary determines";
- (3) in section 701(6) by striking "he shall determine" and inserting "the Secretary shall determine"; and
- (4) in section 701(11) by striking "his property" and all that follows before the semicolon and inserting "the Secretary's property".

**SEC. 129. COMPLIANCE WITH BUY AMERICAN ACT.**

None of the funds made available under this title, or any amendment made by this

title, may be expended in violation of sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act"), which are applicable to those funds. The Secretary of Commerce shall provide to each recipient of such funds notice of the requirements specified in this section and information on methods to comply with such requirements.

**SEC. 130. REGULATORY RELIEF.**

The Administrator shall, upon petition from an entity impacted adversely by Federal regulations on matters of economic development as described in this Act, notify the departments and agencies involved with promulgating and administering those regulations and suggest to those departments and agencies that regulations be waived which interfere with economic development. Nothing in this section shall affect the ability of the Administrator to carry out his duties otherwise provided by law.

**TITLE II—APPALACHIAN REGIONAL DEVELOPMENT**

**SEC. 201. FINDINGS AND PURPOSES.**

Section 2 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 2) is amended—

- (1) in subsection (a) by striking the period at the end of the 6th sentence and inserting "and in severely distressed and underdeveloped counties and areas lacking resources for basic services."; and
- (2) by adding at the end the following new subsection:

"(c) The Congress further finds and declares that, while substantial progress has been made in fulfilling many of the objectives of this Act, rapidly changing national and global economics over the past decade have created new problems and challenges for rural areas throughout the Nation and especially for the Appalachian region. Thus, the problems of the region are not only to provide the infrastructure necessary to economic and human resource development, to develop its industry, and to generate a diversified regional economy, but to make the region's industrial and commercial resources more competitive in national and world markets. It is, therefore, also the purpose of this Act to provide a framework for coordinating Federal, State, and local initiatives to respond to the economic competitive challenge through improving the skills of the region's manpower, adapting and applying new technologies for the region's businesses, and improving the access of the region's businesses to the technical and financial resources necessary to their development while continuing to address the need to provide basic services for the more disadvantaged areas of the region so as to provide a fairer opportunity for the people of the region to share the quality of life generally enjoyed by citizens across this Nation."

**SEC. 202. MEETINGS.**

Section 101 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 101) is amended—

- (1) in subsection (a) by adding at the end the following: "The Commission shall conduct at least one meeting each year with the presence of the Federal Cochairman and at least a majority of the State members. The Commission may conduct such additional meetings by electronic means as the Commission considers advisable.";
- (2) at the end of the third sentence of subsection (b) by striking "present"; and
- (3) at the end of the fourth sentence of subsection (c) by striking "to be present".

**SEC. 203. AUTHORIZATIONS FOR ADMINISTRATIVE EXPENSES.**

Section 105(b) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 105(b)) is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$3,400,000 for fiscal year 1994 and \$3,600,000 per fiscal year for each of fiscal years 1995 and 1996. Such sums shall remain available until expended.

"(2) EXPENSES OF FEDERAL COCHAIRMAN.—Of amounts appropriated pursuant to paragraph (1), not to exceed \$1,102,000 for fiscal year 1994 and not to exceed \$1,500,000 per fiscal year for each of fiscal years 1995 and 1996 shall be available for expenses of the Federal Cochairman, the Federal Cochairman's alternate, and the Federal Cochairman's staff."

**SEC. 204. EXTENSION OF LEASE TERMS.**

Section 106(7) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 106(7)) is amended by striking "1982" and inserting "1996".

**SEC. 205. HIGHWAY SYSTEM.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 201(g) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 201(g)) is amended to read as follows:

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$160,000,000 for fiscal year 1994, \$100,000,000 for each of fiscal years 1995 and 1996, and such additional sums as may be necessary for each of fiscal years 1995 and 1996. Such sums shall remain available until expended."

(b) FEDERAL SHARE.—

(1) GENERAL RULE.—Section 201(h)(1) of such Act (40 U.S.C. App. 201(h)(1)) is amended by striking "70 per centum" and inserting "80 percent".

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply to projects approved after March 31, 1979.

**SEC. 206. SUPPLEMENTS TO FEDERAL GRANT-IN-AID PROGRAMS.**

(a) AVAILABILITY OF AMOUNTS.—The first sentence of section 214(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 214(a)) is amended by striking "the President is authorized to provide funds to the Federal Cochairman to be used" and inserting "the Federal Cochairman may use amounts made available under this section".

(b) FEDERAL GRANT-IN-AID PROGRAMS DEFINED.—The first sentence of section 214(c) of such Act (40 U.S.C. App. 214(c)) is amended by striking "on or before December 31, 1980,".

(c) LIMITATION ON COVERED ROAD PROJECTS.—The second sentence of section 214(c) of such Act is amended by inserting "authorized by title 23, United States Code" after "road construction".

**SEC. 207. PROGRAM DEVELOPMENT CRITERIA.**

(a) CONSIDERATIONS.—Section 224(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 224(a)) is amended by inserting before the semicolon at the end of paragraph (1) the following: "or in a severely distressed and underdeveloped county or area lacking resources for basic services".

(b) REMOVAL OF LIMITATIONS.—Section 224(b) of such Act (40 U.S.C. App. 224(b)) is amended to read as follows:

"(b) LIMITATION.—No financial assistance shall be authorized under this Act to be used to assist establishments relocating from one area to another."

**SEC. 208. GRANTS FOR ADMINISTRATIVE EXPENSES AND DEMONSTRATION PROJECTS.**

(a) AVAILABILITY OF AMOUNTS.—Section 302(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 302(a)) is amended—

- (1) by striking "The President" and inserting "The Commission"; and
- (2) in paragraphs (1), (2), and (3) by striking "to the Commission" each place it appears.



(b) RESEARCH AND DEMONSTRATION PROJECTS.—Section 302(a)(3) of such Act (40 U.S.C. App. 302(a)(3)) is amended—

(1) by inserting after “technical assistance” the following: “(including technical assistance for business development and stabilization and application of technologies (including telecommunication technologies) and productivity improvement)”;

(2) by inserting after “training programs” the following: “(including on-site employee training and programs to upgrade employability of the region’s people)”;

(3) by inserting after “demonstrations” the following: “(including demonstrations of service consolidations and other methods of increasing efficiency of local governments, the establishment and operation by States, public agencies, or nonprofit development organizations of revolving funds for business assistance loans, the establishment and operation of business incubators and the provision of industrial facilities and equipment by public agencies and nonprofit organizations on such terms (including terms of reasonable recovery of grant funds upon resale) as are approved by the Commission, and the acquisition and development of land)”.

(c) SOLID WASTE DISPOSAL DEMONSTRATION PROJECTS.—Section 302(b) of such Act (40 U.S.C. App. 302(b)) is amended by adding at the end the following new paragraph:

“(5) The Commission shall carry out projects at not less than 2 sites in the Appalachian region for the purpose of demonstrating solid waste disposal techniques in rural areas.”.

(d) REPEAL OF PROVISION ON USE OF INFORMATION FROM RESEARCH AND DEVELOPMENT ACTIVITIES.—Section 302(e) of such Act (40 U.S.C. 302(e)) is repealed.

#### SEC. 209. AUTHORIZATION OF APPROPRIATIONS FOR GENERAL PROGRAM.

Section 401 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 401) is amended to read as follows:

#### “SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

“In addition to the appropriations authorized in section 105 for administrative expenses and in section 201(g) for the Appalachian development highway system and local access roads, there is authorized to be appropriated to the Commission to carry out this Act \$83,400,000 per fiscal year for each of fiscal years 1994, 1995, and 1996. Such sums shall remain available until expended.”.

#### SEC. 210. DEFINITION OF APPALACHIAN REGION.

Section 403 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 403) is amended—

(1) in the 1st undesignated paragraph (relating to Alabama) by inserting “Hale,” after “Franklin,”; and

(2) in the 12th undesignated paragraph (relating to Virginia)—

(A) by inserting “Montgomery,” after “Lee,”; and

(B) by inserting “Roanoke, Rockbridge,” after “Pulaski,”.

#### SEC. 211. EXTENSION OF TERMINATION DATE.

Section 405 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 405) is amended by striking “1982” and inserting “1996”.

#### SEC. 212. REGIONAL DEVELOPMENT TASK FORCE.

(a) ESTABLISHMENT.—There is established a Regional Development Task Force (hereinafter in this section referred to as the “Task Force”).

(b) DUTIES.—It shall be the duty of the Task Force to conduct a study on—

(1) the extent to which the unique characteristics of the Appalachian Regional Commission (including the Commission’s Federal-State partnership, program flexibility, and regional approach) have contributed to the achievement of the Commission’s goals; and

(2) whether or not such characteristics may be used to address needs which may exist in other rural areas suffering from economic distress, including the Lower Mississippi delta, Mexican border, and Ozark areas.

(c) MEMBERSHIP.—

(1) VOTING MEMBERS.—The Task Force shall be composed of 9 voting members appointed, not later than 90 days after the date of the enactment of this Act, as follows:

(A) Three members appointed by the President.

(B) Three members appointed by the President pro tempore of the Senate.

(C) Three members appointed by the Speaker of the House of Representatives.

(2) EX OFFICIO MEMBERS.—The Federal and State Cochairmen of the Appalachian Regional Commission shall serve as ex officio, nonvoting members of the Task Force.

(d) FACILITIES, SUPPLIES, AND PERSONNEL.—Upon the request of the Task Force, the Appalachian Regional Commission shall provide to the Task Force any facilities, supplies, and personnel necessary for the Task Force to carry out its responsibilities under this Act; except that the total cost of such facilities, supplies, and personnel shall not exceed \$500,000.

(e) USE OF OTHER STUDIES.—In conducting the study under subsection (b), the Commission shall incorporate the results of other studies on the needs of rural areas described in subsection (b) and shall not duplicate such studies.

(f) REPORT.—Not later than 9 months after the date of the first meeting of the Task Force, the Task Force shall transmit to Congress a report on the results of the study conducted under subsection (b).

(g) TERMINATION.—The Task Force shall terminate on the date of transmittal of the report under subsection (f).

#### SEC. 213. COMPLIANCE WITH BUY AMERICAN ACT.

None of the funds made available under this title, or any amendment made by this title, may be expended in violation of sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the “Buy American Act”), which are applicable to those funds. The Appalachian Regional Commission shall provide to each recipient of such funds notice of the requirements specified in this section and information on methods to comply with such requirements.

### TITLE III—BUSINESS DEVELOPMENT ASSISTANCE

#### SEC. 301. SHORT TITLE.

This title may be cited as the “Economic Growth and Technology Commercialization Act of 1994”.

#### SEC. 302. FINDINGS, PURPOSES, AND DEFINITIONS.

(a) FINDINGS.—The Congress hereby finds the following:

(1) Through its support and funding of research and development in this Nation’s Federal agencies, laboratories, and educational institutions, the Federal Government has fostered the creation of thousands of technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government.

(2) If commercialized, these technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government hold the potential to be a significant tool to foster economic growth and to create significant numbers of new jobs at good wages for American workers.

(3) Throughout the Federal Government, there is no single inventory or source of information on technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government.

(4) Information on technologies, processes, and other proprietary rights owned, or held

in whole or part, by the Federal Government is not standardized in form or content, is separately maintained by numerous Federal agencies and departments, and is not easily accessible by the public.

(5) Businesses and entrepreneurs in areas in need of economic growth and revitalization are largely unaware of the existence of these technologies, processes, and other proprietary rights and largely unaware of the possibilities for obtaining the rights to these technologies, processes, and other proprietary rights for the purpose of commercialization.

(6) It is in the economic interest of the United States to facilitate the private sector commercialization of technologies, processes, and other proprietary rights by United States businesses located in areas in need of economic growth and revitalization.

(7) Greater effectiveness may be achieved through the utilization of the private sector corporate structure and profit incentives in facilitating the commercialization of technologies, processes, and other proprietary rights than can reasonably be expected by the Federal Government performing this function.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To provide assistance to private-sector United States businesses, located in areas in need of economic stabilization and revitalization, to commercialize technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government.

(2) To create new employment opportunities by facilitating the commercialization of technologies, processes, and other proprietary rights by United States businesses and entrepreneurs in areas in need of economic growth and revitalization.

(3) To develop a single, comprehensive data base of information on technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government, which is standardized and easily accessible.

(4) To heighten the awareness of United States businesses and entrepreneurs of the availability for commercialization of technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government.

(c) DEFINITIONS.—For purposes of this title, the following definitions shall apply:

(1) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

(2) CORPORATION.—The term “Corporation” means the Business Development and Technology Commercialization Corporation established under this title.

(3) BOARD.—The term “Board” means the Board of Directors of the Business Development and Technology Commercialization Corporation.

(4) QUALIFIED CONCERN.—The term “qualified concern” means a United States-based consortium, a private United States business, or an educational institution participating in a joint project with 1 or more private United States businesses, for the development and commercialization of technologies, processes, and other proprietary rights—

(A) owned or held in whole or part by Federal departments, agencies, or government-controlled corporations;

(B) developed in Federal laboratories;

(C) arising in the course of federally funded research at educational institutions, other units of government, or with private concerns; or

(D) which are made available to the Federal Government by private concerns.

**SEC. 303. CONSOLIDATION OF INFORMATION ON TECHNOLOGIES.**

(a) **ESTABLISHMENT OF DATA.**—The Secretary shall establish and maintain an integrated, comprehensive data base describing all technologies, processes, and other proprietary rights owned, or held in whole or part, by the Federal Government, or which originated in the course of federally funded research in which the Federal Government has an interest.

(b) **STANDARDIZATION AND ACCESSIBILITY OF INFORMATION.**—The Secretary shall take such steps as are necessary to ensure that the information contained in the data base established under subsection (a) is in a standardized form, is accessible and usable in a manner as simple and easy to use as possible, recognizing the needs of small- and medium-sized businesses.

(c) **RESPONSIBILITIES.**—In carrying out this section, the Secretary shall—

(1) consult with and, to the extent practicable, utilize the capabilities of other executive agencies, as appropriate, to ensure the efficient and effective implementation of this section; and

(2) explore, with other executive agencies, ways to avoid duplication of effort by consolidating the administration of the program established by this section with any other similar Federal program, and as part of such consolidation may delegate administrative functions, as necessary and appropriate, to another executive agency.

(d) **OTHER FEDERAL AGENCIES.**—Other executive agencies shall provide such information, and in such form, as determined by the Secretary and shall cooperate with the Secretary in carrying out this section.

(e) **ACCESS TO THE DATA BASE.**—

(1) **ACCESS TO THE DATA BASE BY THE CORPORATION.**—Except as provided in paragraph (3), the Secretary shall provide unlimited access to the data base established under this section to the Business Development and Technology Commercialization Corporation established under this part, without fee, to assist the Corporation in meeting its responsibilities under this part.

(2) **ACCESS TO THE DATA BASE BY THE PUBLIC.**—Except as provided in paragraph (3), the Secretary shall, by regulation, develop and implement procedures providing for access to the data base established under this section to members of the general public.

(3) **RESTRICTIONS.**—If, in consultation with the heads of other executive agencies, the Secretary determines that access by the Corporation or any other person to information contained in the data base established under this section would—

(A) threaten national security;

(B) violate the proprietary rights of any private interest; or

(C) be otherwise inappropriate, the Secretary shall take such steps as the Secretary may determine to be appropriate to limit access to the information in the data base described in subparagraph (A), (B), or (C) to the Corporation or any other person.

(f) **GAO REVIEW OF CURRENT FEDERAL TECHNOLOGY UTILIZATION AND COMMERCIALIZATION EFFORTS.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a review of all technology utilization and commercialization activities within all Federal departments, agencies, and laboratories, or which are otherwise supported by Federal funds. This review shall identify those activities which may overlap or duplicate the technology utilization and commercialization activities provided for under this title.

(2) **REPORTS.**—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Comptroller General

shall issue a report to the Congress describing in detail—

(A) the findings of the review directed under paragraph (1),

(B) the funding levels of each existing Federal technology utilization and commercialization activities, and

(C) recommendations for the modification or elimination of any existing Federal technology utilization and commercialization activities which the Comptroller General finds to be duplicative of the activities provided for under this title.

**SEC. 304. BUSINESS DEVELOPMENT AND TECHNOLOGY COMMERCIALIZATION CORPORATION.**

(a) **ASSESSMENT OF TECHNOLOGY UTILIZATION AND COMMERCIALIZATION PROGRAMS OF THE FEDERAL GOVERNMENT.**—

(1) **IN GENERAL.**—The Director of the Office of Science and Technology Policy in the Executive Office of the President shall—

(A) assess the performance of technology utilization and commercialization programs of the Federal Government as of the date of the enactment of this Act;

(B) evaluate the advantages and disadvantages of a centralized as opposed to a decentralized approach to technology utilization and commercialization; and

(C) develop recommendations on ways to improve the technology utilization and commercialization efforts of the Federal Government.

(2) **REPORT.**—The Director of the Office of Science and Technology Policy shall submit a report containing the findings, conclusions, and recommendations of the Director pursuant to paragraph (1) to the President, the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(3) **CONSULTATION.**—In carrying out the duties of the Director under paragraph (1), the Director shall consult with interested agencies and department of the Federal Government.

(b) **IMPROVED INTEGRATION OF TECHNOLOGY COMMERCIALIZATION PROGRAMS AND FEDERAL PROGRAMS TO ASSIST ECONOMICALLY DISTRESSED COMMUNITIES.**—

(1) **IN GENERAL.**—The Secretary shall identify ways to promote more effective integration of Federal policies and programs relating to technology utilization and commercialization with Federal policies and programs for assisting economically distressed communities establish stable and diversified local economies.

(2) **REPORT.**—The Secretary shall submit a report containing any findings, conclusions, and recommendations of the Secretary pursuant to paragraph (1) to the President, the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(c) **ESTABLISHMENT OF CORPORATION.**—

(1) **IN GENERAL.**—Not later than the earlier of—

(A) the end of the 12-month period beginning on the date of the enactment of this Act; or

(B) the end of the 30-day period beginning on the date the report of the Director of the Office of Science and Technology Policy is submitted to the President pursuant to subsection (a)(2),

the President shall provide for the establishment of a corporation to be known as the "Business Development and Technology Commercialization Corporation" (hereafter in this title referred to as the "Corporation"), unless the President, after consider-

ation of such report, makes a finding that the establishment of the Corporation would impair the operation of the Federal policies and programs relating to technology utilization and commercialization.

(2) **REPORT TO CONGRESS.**—If the President makes a finding described in paragraph (1) with respect to the establishment of the Corporation, the President shall transmit a report describing the basis for the finding to the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(3) **PURPOSE.**—The Corporation shall be operated for the purpose of fostering economic growth, assisting in the creation of new employment opportunities, and strengthening the industrial base of the United States by facilitating the utilization and commercialization of technologies, processes, and other proprietary rights—

(A) owned or held in whole or part by Federal departments, agencies, or government-controlled corporations;

(B) developed in Federal laboratories;

(C) arising in the course of federally funded research at educational institutions, other units of government, or with private concerns; and

(D) which are made available by private concerns.

(4) **CORPORATION NOT AN ESTABLISHMENT OF THE UNITED STATES.**—The Corporation shall not be an agency or establishment of the United States.

(d) **PROCESS OF ORGANIZATION.**—

(1) **INCORPORATION.**—

(A) **IN GENERAL.**—The Secretary, the Secretary of Labor, and the Administrator of the Small Business Administration shall—

(i) provide for the establishment of the Corporation under the business corporation laws of such State as the President determines to be appropriate; and

(ii) serve as the incorporators of the Corporation and as the initial members of the board of directors of the Corporation until their successors are elected and qualified.

(B) **NECESSARY ACTION AUTHORIZED.**—The incorporators referred to in subparagraph (A) shall take such other actions as may be necessary to establish the Corporation.

(C) **REVIEW OF PROPOSED ORGANIZATION OF CORPORATION.**—The President shall request the National Academy of Public Administration to—

(i) review the proposed organization of the Corporation to ensure that the organization plan conforms with sound principles of administration; and

(ii) submit a report to the President in a timely manner with the Academy's such findings, conclusions, and recommendations the Academy may determine to be appropriate.

(2) **PRIVATIZATION OF THE CORPORATION.**—

(A) **IN GENERAL.**—Following the establishment of the Corporation, the Corporation shall be converted to private ownership and management in such form and manner as the President determines to be appropriate, after consulting with the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(B) **SOLICITATION OF PROPOSALS FOR CONVERSION.**—The President shall solicit proposals for the conversion of the Corporation to private ownership and management.

(3) **SELECTION CRITERIA AND PROCEDURES.**—

(A) **IN GENERAL.**—The President, in consultation with the Secretary, shall make the final selection of a proposal for the conver-

sion of the Corporation to private ownership and management.

(B) CRITERIA FOR SELECTING A PROPOSAL TO RECOMMEND TO THE PRESIDENT.—In selecting a proposal to recommend to the President for the conversion of the Corporation, as described in subparagraph (A), the Secretary shall take into consideration the following factors—

(i) the quality of the operational plan;

(ii) the soundness of the financing of the organization and of the operational plan;

(iii) the qualifications of, and the diversity of talents and skills represented by, the submitters of the proposal, including the extent to which a combination of organizations is submitting a joint proposal;

(iv) whether a State government, or unit of a State government, is participating financially with the organization submitting a proposal;

(v) the intentions of the submitters of the proposal to locate the headquarters of the Corporation in an area which is not located in the 50 largest Metropolitan Statistical Areas, based on the 1990 Census; and

(vi) such other factors as the incorporators determine to be appropriate in meeting the purposes of this title.

(C) PROCEDURES FOR SELECTING A PROPOSAL TO RECOMMEND TO THE PRESIDENT.—In selecting a proposal to recommend to the President for the conversion of the Corporation, as described in subparagraph (A), the Secretary shall ensure that in the selection process—

(i) not less than 3 proposals are identified as proposals to receive further consideration, as provided in clauses (ii) and (iii), except that, if fewer than 3 proposals are received, each of them shall receive further consideration;

(ii) a review procedure is implemented under which the sponsors of the proposals identified in clause (i) are provided an opportunity to make personal presentations of their proposals to the Secretary or the Secretary's designee; and

(iii) individual negotiations for the revision of proposals identified in clause (i) may be entered into.

(4) WARRANTS FOR PARTICIPATION IN GAINS.—The President may, in connection with any contract or agreement for converting the Corporation to private ownership and contingent on the financial success of the Corporation, retain the right to participate in the financial gains of the Corporation in such amounts as the President may determine to be appropriate, after consulting with the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

(e) PROHIBITION ON CONFLICTS OF INTEREST.—

(1) IN GENERAL.—An officer or employee of the Corporation may not participate in a matter regarding an application, claim, or other matter pending before the Corporation if, to such person's knowledge, the person, the person's spouse, minor child, parent, sibling, or partner, or an organization, other than the Corporation, in which the person is serving as an officer, director, trustee, partner, or employee, or any person with whom the person is negotiating or has any arrangement concerning perspective employment, has a financial interest in the matter.

(2) CONSEQUENCE OF VIOLATION.—An officer or employee who violates this subsection shall be subject to termination, but such a violation shall not impair, nullify, or otherwise affect the validity of any otherwise lawful action by the Corporation in which such officer or employee participated.

(f) GENERAL POWERS.—In addition to the usual powers conferred upon a corporation under the business corporation laws of the State in which the Corporation is incorporated, the Corporation shall have such other incidental powers not inconsistent with this section that are necessary or appropriate to carry out the purposes and functions of the Corporation.

(g) PROMOTION OF TECHNOLOGIES.—

(1) MARKETING OF TECHNOLOGIES.—The Corporation shall undertake an aggressive, multifaceted outreach program to increase awareness of the availability of technologies, processes, and other proprietary rights to qualified concerns under this title. This program shall emphasize the use of new information technologies, including the utilization of cable television and the modern electronic media, and the data base established under this title.

(2) UTILIZATION OF CABLE TELEVISION.—

(A) IN GENERAL.—In implementing the outreach program provided under paragraph (1), the Corporation shall enter into negotiations for the utilization of cable television for marketing efforts for the commercialization of technologies, processes, and other proprietary rights—

(i) owned or held in whole or part by Federal departments, agencies, or government controlled corporations;

(ii) develop in Federal laboratories;

(iii) arising in the course of federally funded research at educational institutions, other units of government or with private concerns; and

(iv) which are otherwise made available to the government by private concerns.

(B) PROMOTIONAL FEES.—Under terms negotiated between the Secretary and the Corporation, the Secretary is authorized to make payments to the Corporation for promotional fees for the production of segments for broadcast over cable television, or other appropriate media, which identify—

(i) the technologies described in paragraph (A);

(ii) their potential commercial applications; and

(iii) methods available for obtaining additional information on the technologies.

(3) TECHNICAL ASSISTANCE.—The Corporation shall, upon request, provide technical assistance and services, as appropriate and needed, to qualified concerns under this title.

(4) OUTREACH TO SPECIFIC AREAS AND SMALL BUSINESSES.—The Corporation shall seek to ensure that qualified concerns and small businesses located in areas determined by the Secretary to have a depressed economy or chronically high unemployment are notified of the availability of assistance through the program established under this section and, to the extent practicable, to encourage and facilitate the participation of such qualified concerns and small businesses in such program.

(h) AUTHORITY TO REPRESENT THE GOVERNMENT.—

(1) IN GENERAL.—In accordance with regulations prescribed by the Secretary, the Corporation shall act as an agent, and represent the interests, of the Federal Government in facilitating the utilization of technologies, processes, and other proprietary rights by qualified concerns under this title.

(2) RIGHTS OF QUALIFIED CONCERNS.—In accordance with regulations promulgated by the Secretary, the Corporation may convey, to qualified concerns, under terms and conditions to be negotiated between the Corporations and qualified concerns, such rights which may be necessary and appropriate to facilitate the utilization and commercialization of technologies, processes, and other proprietary rights as provided under this title.

(3) MINIMUM RIGHTS OF THE FEDERAL GOVERNMENT.—In the conveyance of rights to qualified concerns as provided for under paragraph (2), the Corporation shall ensure the following:

(A) The conveyance agreement contains language providing for the rights of the Corporation to revoke the rights provided under paragraph (2) if—

(i) the qualified concern does not demonstrate that it is undertaking a good faith effort to achieve the utilization and commercialization of the technology, process, or other proprietary right; or

(ii) the Secretary certifies that the interests of national security or the general welfare of the American people necessitates the revocation of such rights.

(B) The Federal Government retains a license to such technologies, processes, and other proprietary rights for the Government's own use.

(C) The Federal Government receives in compensation for the conveyance of such rights—

(i) royalties;

(ii) the right to share in the earnings of the qualified entity proportionate to the value of the rights so conveyed; or

(iii) a sum of money or other compensation that the Corporation determines to be appropriate.

(4) AGENT'S FEES.—Under such terms as the Secretary and the Corporation may negotiate, after consulting with the Committee on Banking, Finance and Urban Affairs and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate, the Corporation may retain a percentage of any royalties or other compensation accruing to the Federal Government in connection with any licensing agreement entered into by the Corporation on behalf of the Federal Government.

(i) CONSULTATION WITH FEDERAL AGENCIES, AND WITH PRIVATE PARTIES.—

(1) CONSULTATION WITH FEDERAL AGENCIES.—In carrying out this title, the Board and the Corporation shall consult frequently with the Secretary, and such Federal agencies and departments as is appropriate, to ensure coordination and the maximum utilization of all related Federal resources to promote technology utilization and commercialization.

(2) CONSULTATION WITH PRIVATE PARTIES.—In carrying out this title, the Board and the Corporation shall solicit comments from private parties, including representatives of finance, industry, and organized labor on the role of the Corporation and the needs of private parties.

(j) AUDIT BY COMPTROLLER GENERAL.—The Comptroller General of the United States may audit the financial transactions of the Corporation. For the purposes of carrying out such an audit, the Comptroller General shall have access to all books, records, and property belonging to, or in the possession of, the Corporation. In the case of a person or entity which has entered into a financial relationship with the Corporation, the Comptroller General shall have access only to those books, records, and property belonging to, or the possession of, the person or entity which pertain to the Corporation and which are necessary to carry out the audit. The Comptroller General shall make a report of each audit to the Congress and the President.

(k) INFORMATION AND OTHER ASSISTANCE FROM FEDERAL AGENCIES.—Upon the request of the Corporation, the head of a Federal department or agency is authorized to—

(1) furnish to the Corporation such information which is available to the agency as

the Board deems necessary for carrying out its functions; and

(2) detail for temporary duty, on a reimbursable basis, such personnel as the Corporation determines to be necessary to carry out its functions.

#### (1) MISCELLANEOUS PROVISIONS.—

##### (I) JURISDICTION.—

(A) IN GENERAL.—Whenever the Corporation is a party to any civil action under this title, such action shall be deemed to arise under the laws of the United States. No attachment or execution may be issued against the Corporation, or any property thereof, prior to entry of final judgment.

(B) CITIZENSHIP OF CORPORATION.—The Corporation shall be deemed to be a citizen of the District of Columbia for the purpose of determining the original jurisdiction of the district courts of the United States in civil actions to which the Corporation is a party.

(2) BUSINESS ACTIVITY AND QUALIFICATION.—The Corporation shall be deemed to be qualified to do business in each State in which it performs any activity authorized under this title.

(m) UTILIZATION OF CORPORATION.—It is the sense of the Congress that all Federal departments, agencies, institutions of higher education, and laboratories, and all institutions of higher education and laboratories which are otherwise supported by Federal funds, should use the services of the Corporation to the maximum extent possible.

#### SEC. 305. ASSISTANCE TO BUSINESSES IN SECURING FINANCING.

(a) INFORMATION CLEARINGHOUSE.—The Corporation established under this title shall act as a one-stop clearinghouse for information to assist qualified concerns identify sources of business development and technology commercialization financing available through the Federal Government as well as through applicable State and local government programs and through private sources.

(b) AGENT OF THE FEDERAL GOVERNMENT.—The Corporation may act as an agent of the Federal Government for purposes of accepting applications for financial assistance and their submission to the appropriate Federal agency on behalf of a qualified concern.

(c) TECHNICAL ASSISTANCE FOR LENDERS AND BORROWERS.—The Corporation shall, upon request, provide technical assistance and services, as appropriate and needed, to lenders and borrowers under this title, and shall ensure that such lenders and borrowers have ready access to appropriate assistance in order to aid such lenders and borrowers in achieving the purposes of this title.

#### SEC. 306. SAVINGS PROVISION.

It is the intent of the Congress that this title shall be construed as complementing any other provision of Federal law relating to the licensing, utilization, or commercialization of the use of technology and shall not be construed as superseding any such provision, except as otherwise provided in this title.

#### SEC. 307. RULE OF CONSTRUCTION.

Nothing in this Act or this title shall be construed by the President, the Secretary of Commerce, the Corporation, any Federal agency or department, or any court to affect, alter, amend, modify, or change, or apply to, any program or activity (or any technology developed, derived, or provided through or under such program or activity by any means of any kind) of the Department of Energy, the Department of Transportation, the Department of Health and Human Services, or the Environmental Protection Agency or any office, bureau, commission, laboratory or facility of such agencies or departments.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BONIOR, announced that the yeas had it.

Mr. WISE demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 328  
affirmative ..... Nays ..... 89

48.13

[Roll No. 168]

AYES—328

Abercrombie  
Ackerman  
Andrews (ME)  
Andrews (TX)  
Applegate  
Bacchus (FL)  
Bachus (AL)  
Baesler  
Baker (CA)  
Barca  
Barcia  
Barlow  
Barrett (WI)  
Bartlett  
Bateman  
Beilenson  
Bentley  
Berman  
Bevill  
Bilbray  
Bishop  
Blute  
Boehlert  
Bonior  
Borski  
Boucher  
Brewster  
Brooks  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Bunning  
Buyer  
Byrne  
Callahan  
Calvert  
Camp  
Canady  
Cantwell  
Cardin  
Carr  
Chapman  
Clay  
Clayton  
Clement  
Clinger  
Clyburn  
Coleman  
Collins (GA)  
Collins (IL)  
Collins (MI)  
Condit  
Conyers  
Cooper  
Coppersmith  
Costello  
Coyne  
Cramer  
Cunningham  
Danner  
Darden  
de la Garza  
Deal  
DeFazio  
DeLauro  
Dellums  
Derrick  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Dooley  
Dunn  
Durbin

Edwards (CA)  
Edwards (TX)  
Emerson  
Engel  
English  
Eshoo  
Evans  
Everett  
Ewing  
Farr  
Fazio  
Fields (LA)  
Filner  
Fingerhut  
Fish  
Foglietta  
Ford (MI)  
Ford (TN)  
Fowler  
Frank (MA)  
Franks (CT)  
Franks (NJ)  
Frost  
Furse  
Gallegly  
Gallo  
Gejdenson  
Gephardt  
Geren  
Gibbons  
Gillmor  
Gilman  
Glickman  
Gonzalez  
Goodlatte  
Goodling  
Gordon  
Green  
Greenwood  
Gunderson  
Hall (OH)  
Hamburg  
Hamilton  
Harman  
Hastings  
Hayes  
Hefner  
Herger  
Hilliard  
Hinchey  
Hochbrueckner  
Hoekstra  
Holden  
Horn  
Houghton  
Hoyer  
Huffington  
Hughes  
Hutchinson  
Hutto  
Hyde  
Ingليس  
Inslee  
Jacobs  
Jefferson  
Johnson (CT)  
Johnson (GA)  
Johnson (SD)  
Johnston  
Kanjorski  
Kaptur  
Kennedy  
Kennelly  
Kildee  
Kingston  
Klecza  
Klein  
Klink

Kopetski  
Kreidler  
LaFalce  
Lambert  
Lancaster  
Lantos  
LaRocco  
Laughlin  
Lazio  
Leach  
Lehman  
Levin  
Lightfoot  
Linder  
Lipinski  
Livingston  
Lloyd  
Long  
Lowey  
Machtley  
Maloney  
Manton  
Margolies-Mezvinsky  
Markey  
Martinez  
Matsui  
Mazzoli  
McCloskey  
McCrery  
McCurdy  
McDade  
McDermott  
McHale  
McHugh  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Meyers  
Mfume  
Mica  
Miller (CA)  
Mineta  
Minge  
Mink  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moran  
Morella  
Murphy  
Murtha  
Nadler  
Neal (MA)  
Neal (NC)  
Oberstar  
Obey  
Olver  
Ortiz  
Orton  
Owens  
Packard  
Pallone  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Pickett  
Pickle  
Pomboy  
Poshard  
Price (NC)  
Quillen

Quinn  
Rahall  
Rangel  
Ravenel  
Reed  
Regula  
Reynolds  
Richardson  
Roemer  
Rogers  
Ros-Lehtinen  
Rose  
Rostenkowski  
Roth  
Roukema  
Rowland  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sangmeister  
Santorum  
Sarpalius  
Sawyer  
Saxton  
Schenk  
Schiff  
Schroeder  
Schumer  
Scott  
Serrano  
Shaw

Shays  
Shepherd  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slattery  
Slaughter  
Smith (IA)  
Smith (NJ)  
Smith (OR)  
Snowe  
Spence  
Spratt  
Stark  
Stokes  
Strickland  
Studds  
Stupak  
Sundquist  
Swett  
Swift  
Synar  
Tanner  
Tausin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas (CA)  
Thompson  
Thornton

Thurman  
Torkildsen  
Torres  
Torricelli  
Towns  
Traficant  
Tucker  
Unsoeld  
Upton  
Valentine  
Velazquez  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Walsh  
Washington  
Waters  
Watt  
Waxman  
Weldon  
Wheat  
Williams  
Wilson  
Wise  
Wolf  
Woolsey  
Wyden  
Wynn  
Yates  
Young (AK)

NOES—89

Allard  
Andrews (NJ)  
Archer  
Armey  
Baker (LA)  
Ballenger  
Barrett (NE)  
Barton  
Bereuter  
Billakis  
Bliley  
Boehner  
Bonilla  
Burton  
Castle  
Coble  
Combest  
Cox  
Crane  
Crapo  
DeLay  
Doolittle  
Dornan  
Dreier  
Duncan  
Ehlers  
Fawell  
Fields (TX)  
Gekas  
Gilchrist

Gingrich  
Goss  
Grams  
Hall (TX)  
Hancock  
Hastert  
Hefley  
Hobson  
Hoke  
Hunter  
Inhofe  
Istook  
Johnson, Sam  
Kasich  
Kim  
King  
Klug  
Knollenberg  
Kolbe  
Kyl  
Levy  
Lewis (CA)  
Lewis (FL)  
Mann  
Manzullo  
McCandless  
McCollum  
McInnis  
McKeon  
McMillan

Michel  
Miller (FL)  
Moorhead  
Myers  
Nussle  
Oxley  
Paxon  
Penny  
Petri  
Portman  
Pryce (OH)  
Ramstad  
Roberts  
Rohrabacher  
Royce  
Schaefer  
Sensenbrenner  
Smith (MI)  
Smith (TX)  
Solomon  
Stearns  
Stenholm  
Stump  
Talent  
Thomas (WY)  
Walker  
Young (FL)  
Zimmer

NOT VOTING—15

Becerra  
Blackwell  
Flake  
Grandy  
Gutierrez

Hansen  
Hoagland  
Johnson, E. B.  
Lewis (GA)  
Parker

Pastor  
Porter  
Ridge  
Sharp  
Whitten

So the bill was passed.

By unanimous consent, the title was amended so as to read: "An Act to reauthorize economic development programs under the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965 for fiscal years 1994 through 1996, and for other purposes."

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

#### 48.14 BANK HOLDING COMPANY

On motion of Mr. GONZALEZ, by unanimous consent, the bill (H.R. 3841) to amend the Bank Holding Company Act of 1956, the Revised Statutes of the United States, and the Federal Deposit Insurance Act to provide for interstate