

118TH CONGRESS
1ST SESSION

H. R. 4188

To amend title 40, United States Code, to modify certain requirements for Regional Commissions, to reauthorize the Northern Border Regional Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2023

Ms. STEFANIK (for herself, Ms. KUSTER, Ms. TENNEY, Ms. PINGREE, Mr. GOLDEN of Maine, Mr. PAPPAS, Ms. BALINT, and Mr. MOLINARO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 40, United States Code, to modify certain requirements for Regional Commissions, to reauthorize the Northern Border Regional Commission, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Northern Border Re-
5 gional Commission Reauthorization Act of 2023”.

1 **SEC. 2. REGIONAL COMMISSIONS MODIFICATIONS.**

2 (a) MEMBERSHIP OF COMMISSIONS.—Section
3 15301(b)(2)(C) of title 40, United States Code, is amend-
4 ed—

5 (1) by striking “An alternate member” and in-
6 serting the following:

7 “(i) IN GENERAL.—An alternate
8 member”; and

9 (2) by adding at the end the following:

10 “(ii) STATE ALTERNATES.—If the al-
11 ternate State member is unable to vote in
12 accordance with clause (i), the alternate
13 State member may delegate voting author-
14 ity to a designee, subject to the condition
15 that the executive director shall be notified,
16 in writing, of the designation not less than
17 1 week before the applicable vote is to take
18 place.”.

19 (b) DECISIONS OF COMMISSIONS.—Section 15302 of
20 title 40, United States Code, is amended—

21 (1) in subsection (a), by inserting “or State al-
22 ternate members, including designees” after “State
23 members”; and

24 (2) by striking subsection (c) and inserting the
25 following:

26 “(c) QUORUMS.—

1 “(1) IN GENERAL.—Subject to paragraph (2), a
2 Commission shall determine what constitutes a
3 quorum for meetings of the Commission.

4 “(2) REQUIREMENTS.—Any quorum for meet-
5 ings of a Commission shall include—

6 “(A) the Federal Cochairperson or the al-
7 ternate Federal Cochairperson; and

8 “(B) a majority of State members or alter-
9 nate State members, including designees (exclu-
10 sive of members representing States delinquent
11 under section 15304(c)(3)(C)).”.

12 (c) ADMINISTRATIVE POWERS AND EXPENSES OF
13 COMMISSIONS.—Section 15304(a)(9) of title 40, United
14 States Code, is amended by striking “maintain a govern-
15 ment relations office in the District of Columbia and”.

16 (d) MEETINGS OF COMMISSIONS.—Section 15305(b)
17 of title 40, United States Code, is amended by striking
18 “with the Federal Cochairperson” and all that follows
19 through the period at the end and inserting the following:
20 “with—

21 “(1) the Federal Cochairperson; and

22 “(2) at least a majority of the State members
23 or alternate State members (including designees)
24 present in-person or via electronic means.”.

1 **SEC. 3. TRANSFER OF FUNDS FROM OTHER FEDERAL**
2 **AGENCIES.**

3 (a) IN GENERAL.—Chapter 153 of subtitle V of title
4 40, United States Code, is amended—

5 (1) by redesignating section 15308 as section
6 15309; and

7 (2) by inserting after section 15307 the fol-
8 lowing:

9 **“§ 15308. Transfer of funds from other Federal agen-**
10 **cies**

11 “(a) IN GENERAL.—Subject to subsection (c), for
12 purposes of this subtitle, each Commission may accept
13 transfers of funds from other Federal agencies.

14 “(b) TRANSFERS.—Any Federal agency authorized to
15 carry out an activity that is within the authority of a Com-
16 mission may transfer to the Commission any appropriated
17 funds for the activity.

18 “(c) TREATMENT.—Any funds transferred to a Com-
19 mission under this section—

20 “(1) shall remain available until expended; and

21 “(2) may, to the extent necessary to carry out
22 this subtitle, be transferred to, and merged with, the
23 amounts made available by appropriations Acts for
24 the Commission by the Federal Cochairperson.”.

25 (b) CLERICAL AMENDMENT.—The analysis for chap-
26 ter 153 of subtitle V of title 40, United States Code, is

1 amended by striking the item relating to section 15308
2 and inserting the following:

“15308. Transfer of funds from other Federal agencies
“15309. Annual reports”.

3 **SEC. 4. ECONOMIC AND INFRASTRUCTURE DEVELOPMENT**
4 **GRANTS.**

5 Section 15501 of title 40, United States Code, is
6 amended—

7 (1) in subsection (a)—

8 (A) by redesignating paragraphs (7)
9 through (9) as paragraphs (8) through (10), re-
10 spectively;

11 (B) by redesignating paragraphs (4)
12 through (6) as paragraphs (5) through (7), re-
13 spectively;

14 (C) by inserting after paragraph (3) the
15 following:

16 “(4) to promote the production of housing to
17 meet economic development and workforce needs;”;

18 and

19 (D) in paragraph (6) (as redesignated by
20 subparagraph (A)) by inserting before the semi-
21 colon the following: “, including to plan, con-
22 struct, acquire equipment, and operate health,
23 nutrition, and child care projects, including hos-
24 pitals, regional health diagnostic and treatment

1 centers, and other facilities and services, includ-
2 ing—

3 “(A) the acquisition of privately owned fa-
4 cilities by an eligible entity—

5 “(i) not operated for profit; or

6 “(ii) previously operated for profit if
7 the Commission finds that health services
8 would not otherwise be provided in the
9 area served by the facility if the acquisition
10 is not made; and

11 “(B) initial equipment;”;

12 (2) in subsection (b), by striking “paragraph
13 (1), (2), (3), or (7)” and inserting “paragraph (1),
14 (2), (3), (4), (5), or (8)”.

15 **SEC. 5. FINANCIAL ASSISTANCE.**

16 (a) IN GENERAL.—Chapter 155 of subtitle V of title
17 40, United States Code, is amended by adding at the end
18 the following:

19 **“§ 15507. Discretionary grants**

20 “(a) GRANTS TO WHICH PERCENTAGE LIMITATION
21 DOESN’T APPLY.—Discretionary grants made by a Com-
22 mission to implement significant regional initiatives, to
23 take advantage of special development opportunities, or to
24 respond to emergency economic distress in the region of

1 the Commission may be made without regard to the per-
 2 centage limitations described in section 15501(d).

3 “(b) LIMITATION ON AGGREGATE AMOUNT.—For
 4 each fiscal year, the aggregate amount of discretionary
 5 grants referred to in subsection (a) shall not be more than
 6 10 percent of the amount made available to carry out this
 7 subtitle for the fiscal year.

8 **“§ 15508. Payment of non-Federal share for certain**
 9 **Federal grant programs**

10 “Notwithstanding any other provision of law relating
 11 to payment of a non-Federal share of a project carried
 12 out under a Federal grant program, amounts made avail-
 13 able to carry out this subtitle shall be available for the
 14 payment of such a non-Federal share for any project for
 15 which a Commission is not the sole or primary funding
 16 source, subject to the condition that the project is con-
 17 sistent with the purposes of the Commission.”.

18 (b) CLERICAL AMENDMENT.—The analysis for chap-
 19 ter 155 of subtitle V of title 40, United States Code, is
 20 amended by adding at the end the following:

“15507. Discretionary grants

“15508. Payment of non-Federal share for certain Federal grant programs”.

21 **SEC. 6. NORTHERN BORDER REGIONAL COMMISSION.**

22 (a) COUNTIES IN MAINE, NEW HAMPSHIRE AND
 23 NEW YORK.—Section 15733 of title 40, United States
 24 Code, is amended—

1 (1) in paragraph (1), by inserting “Lincoln,”
2 after “Knox,”;

3 (2) in paragraph (2), by inserting
4 “Merrimack,” after “Grafton,”; and

5 (3) in paragraph (3)—

6 (A) by inserting “Schoharie” after “Sche-
7 nectady,”; and

8 (B) by inserting “Wyoming” after
9 “Wayne,”.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
11 15751 of title 40, United States Code, is amended by
12 striking subsection (a) and inserting the following:

13 “(a) IN GENERAL.—There are authorized to be ap-
14 propriated to each Commission to carry out this subtitle
15 \$40,000,000 for each of fiscal years 2023 through 2027
16 and \$45,000,000 for each of fiscal years 2028 through
17 2032.”.

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