

118TH CONGRESS
1ST SESSION

S. 3479

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

IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2023

Mr. HEINRICH (for himself, Mr. LUJÁN, Mr. PADILLA, Ms. BUTLER, Mr. KELLY, and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 40, United States Code, to modify certain requirements for regional commissions, to reauthorize the Southwest 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 “Southwest Border Re-
5 gional Commission Reauthorization Act of 2023”.

6 **SEC. 2. MODIFICATIONS TO REGIONAL COMMISSIONS.**

7 (a) MEMBERSHIP.—Section 15301 of title 40, United
8 States Code, is amended—

1 (1) in subsection (b)(2)(C)—

2 (A) by striking “An alternate member”

3 and inserting the following:

4 “(i) IN GENERAL.—An alternate
5 member”; and

6 (B) by adding at the end the following:

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

15 (2) in subsection (f), by striking “a Federal em-
16 ployee” and inserting “an employee”.

17 (b) DECISIONS.—Section 15302 of title 40, United
18 States Code, is amended—

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

22 (2) by striking subsection (c) and inserting the
23 following:

24 “(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) MEETINGS.—Section 15305(b) of title 40, United
13 States Code, is amended by striking “with the Federal Co-
14 chairperson” and all that follows through the period at
15 the end and inserting the following: “with—

16 “(1) the Federal Cochairperson; and

17 “(2) at least a majority of the State members
18 or alternate State members, including designees,
19 present in-person or via electronic means.”.

20 **SEC. 3. TRANSFER OF FUNDS FROM OTHER FEDERAL**
21 **AGENCIES.**

22 (a) IN GENERAL.—Chapter 153 of subtitle V of title
23 40, United States Code, is amended—

24 (1) by redesignating section 15308 as section
25 15309; and

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

3 **“§ 15308. Transfer of funds from other Federal agen-**
4 **cies**

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

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

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

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

15 “(2) may, to the extent necessary to carry out
16 this subtitle, be transferred to, and merged with, the
17 amounts made available by appropriations Acts for
18 the Commission by the Federal Cochairperson.”.

19 (b) CLERICAL AMENDMENT.—The analysis for chap-
20 ter 153 of subtitle V of title 40, United States Code, is
21 amended by striking the item relating to section 15308
22 and inserting the following:

“15308. Transfer of funds from other Federal agencies.

“15309. Annual reports.”.

1 **SEC. 4. ECONOMIC AND INFRASTRUCTURE DEVELOPMENT**

2 **GRANTS.**

3 Section 15501 of title 40, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) by redesignating paragraphs (4)
7 through (9) as paragraphs (6) through (11), re-
8 spectively; and

9 (B) by inserting after paragraph (3) the
10 following:

11 “(4) to design, build, implement, or upgrade
12 transportation or basic public infrastructure or
13 workforce capacity to support the adaption to and
14 mitigation of climate challenges;

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

18 (2) in subsection (b), by striking “paragraph
19 (1), (2), (3), or (7)” and inserting “paragraph (1),
20 (2), (3), (4), (5), (7), or (9)”.

21 **SEC. 5. FINANCIAL ASSISTANCE.**

22 (a) **IN GENERAL.**—Chapter 155 of subtitle V of title
23 40, United States Code, is amended by adding at the end
24 the following:

1 **“§ 15507. Discretionary grants**

2 “(a) GRANTS TO WHICH PERCENTAGE LIMITATION
3 DOES NOT APPLY.—A discretionary grant made by a
4 Commission to implement significant regional initiatives,
5 to take advantage of special development opportunities, or
6 to respond to emergency economic distress in the region
7 of the Commission may be made without regard to the
8 percentage limitations described in section 15501(d).

9 “(b) LIMITATION ON AGGREGATE AMOUNT.—For
10 each fiscal year, the aggregate amount of discretionary
11 grants provided in accordance with subsection (a) shall not
12 be more than 20 percent of the amount made available
13 to carry out this subtitle for the Commission for the fiscal
14 year.

15 **“§ 15508. Payment of non-Federal share for certain**
16 **Federal grant programs**

17 “Notwithstanding any other provision of law,
18 amounts made available to carry out this subtitle shall be
19 available for the payment of a non-Federal share for a
20 project carried out under a Federal grant program if—

21 “(1) a Commission is not the sole or primary
22 funding source for the project; and

23 “(2) the project is consistent with the purposes
24 of the applicable Commission.”.

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

“15507. Discretionary grants.

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

4 **SEC. 6. SOUTHWEST BORDER REGIONAL COMMISSION.**

5 (a) IN GENERAL.—Section 15732 of title 40, United
 6 States Code, is amended—

7 (1) in paragraph (3)—

8 (A) by inserting “Bernalillo,” before
 9 “Catron,”;

10 (B) by inserting “Cibola, Curry, De Baca,”
 11 after “Chaves,”;

12 (C) by inserting “Guadalupe,” after
 13 “Grant,”;

14 (D) by inserting “Lea,” after “Hidalgo,”;

15 (E) by inserting “Roosevelt,” after
 16 “Otero,”; and

17 (F) by striking “and Socorro” and insert-
 18 ing “Socorro, Torrance, and Valencia”; and

19 (2) in paragraph (4), by inserting “Guadalupe,”
 20 after “Glasscock,”.

21 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
 22 15751 of title 40, United States Code, is amended by
 23 striking subsection (a) and inserting the following:

1 “(a) IN GENERAL.—There are authorized to be ap-
2 propriated to each Commission to carry out this subtitle—

3 “(1) \$100,000,000 for each of fiscal years 2024
4 through 2028; and

5 “(2) \$200,000,000 for each of fiscal years 2029
6 through 2033.”.

7 **SEC. 7. CAPACITY BUILDING PROGRAMS.**

8 (a) IN GENERAL.—Subtitle V of title 40, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

11 **“CHAPTER 159—SOUTHWEST BORDER**
12 **REGION CAPACITY BUILDING PROGRAMS**

“Sec.

“15901. Definition.

“15902. State capacity building grant program.

“15903. Demonstration health projects.

“15904. Water and wastewater infrastructure projects.

13 **“§ 15901. Definition**

14 “‘In this chapter, the term ‘SBRC’ means the South-
15 west Border Regional Commission established by section
16 15301(a)(2).

17 **“§ 15902. State capacity building grant program**

18 “(a) DEFINITIONS.—In this section:

19 “(1) COMMISSION STATE.—The term ‘Commis-
20 sion State’ means each of the States of Arizona,
21 California, New Mexico, and Texas.

22 “(2) ELIGIBLE COUNTY.—The term ‘eligible
23 county’ means a county described in section 15732.

1 “(3) PROGRAM.—The term ‘program’ means
2 the State capacity building grant program estab-
3 lished under subsection (b).

4 “(b) ESTABLISHMENT.—The SBRC shall establish a
5 State capacity building grant program to provide grants
6 to Commission States for the purposes described in sub-
7 section (c).

8 “(c) PURPOSES.—The purposes of the program are
9 to support the efforts of the SBRC—

10 “(1) to better support business retention and
11 expansion in eligible counties;

12 “(2) to create programs to encourage job cre-
13 ation and workforce development in eligible counties;

14 “(3) to prepare economic and infrastructure
15 plans for eligible counties;

16 “(4) to expand access to high-speed broadband
17 in eligible counties;

18 “(5) to provide technical assistance that results
19 in SBRC investments in transportation, water,
20 wastewater, and other critical infrastructure;

21 “(6) to create initiatives to increase the effec-
22 tiveness of local development districts in eligible
23 counties;

24 “(7) to implement new or innovative economic
25 development practices that will better position the el-

1 eligible counties of Commission States to compete in
2 the global economy; and

3 “(8) to create new capacity building centers
4 within universities in distressed counties (as des-
5 ignated under section 15702(a)(1)) in order to
6 strengthen the capacity to train underrepresented
7 students in professional fields for which there is a
8 shortage of workers and to increase local capacity
9 for project management and execution, financial
10 management, and to leverage funding sources.

11 “(d) USE OF FUNDS.—

12 “(1) IN GENERAL.—Funds from a grant under
13 the program may be used to support a project, pro-
14 gram, or related expense of the Commission State in
15 an eligible county.

16 “(2) LIMITATION.—Funds from a grant under
17 the program shall not be used for—

18 “(A) the purchase of furniture, fixtures, or
19 equipment;

20 “(B) the compensation of—

21 “(i) any State member of the Com-
22 mission (as described in section
23 15301(b)(1)(B)); or

1 “(ii) any State alternate member of
2 the Commission (as described in section
3 15301(b)(2)(B)); or

4 “(C) the cost of supplanting existing State
5 programs.

6 “(e) ANNUAL WORK PLAN.—

7 “(1) IN GENERAL.—For each fiscal year, before
8 providing a grant under the program, each Commis-
9 sion State shall provide to the SBRC an annual
10 work plan that includes the proposed use of the
11 grant.

12 “(2) APPROVAL.—No grant under the program
13 shall be provided to a Commission State unless the
14 SBRC has approved the annual work plan of the
15 State.

16 “(f) AMOUNT OF GRANT.—

17 “(1) IN GENERAL.—The amount of a grant
18 provided to a Commission State under the program
19 for a fiscal year shall be based on the proportion
20 that—

21 “(A) the amount paid by the Commission
22 State (including any amounts paid on behalf of
23 the Commission State by a nonprofit organiza-
24 tion) for administrative expenses for the appli-

1 cable fiscal year (as determined under section
2 15304(c)); bears to

3 “(B) the amount paid by all Commission
4 States (including any amounts paid on behalf of
5 a Commission State by a nonprofit organiza-
6 tion) for administrative expenses for that fiscal
7 year (as determined under that section).

8 “(2) REQUIREMENT.—To be eligible to receive
9 a grant under the program for a fiscal year, a Com-
10 mission State (or a nonprofit organization on behalf
11 of the Commission State) shall pay the amount of
12 administrative expenses of the Commission State for
13 the applicable fiscal year (as determined under sec-
14 tion 15304(c)).

15 “(3) APPROVAL.—For each fiscal year, a grant
16 provided under the program shall be approved and
17 made available as part of the approval of the annual
18 budget of the SBRC.

19 “(g) GRANT AVAILABILITY.—Funds from a grant
20 under the program shall be available only during the fiscal
21 year for which the grant is provided.

22 “(h) REPORT.—Each fiscal year, each Commission
23 State shall submit to the SBRC and make publicly avail-
24 able a report that describes the use of the grant funds
25 and the impact of the program in the Commission State.

1 “(i) FUNDING.—

2 “(1) IN GENERAL.—There is authorized to be
3 appropriated to carry out this section \$10,000,000
4 for each of fiscal years 2024 through 2033.

5 “(2) SUPPLEMENT, NOT SUPPLANT.—Funds
6 made available to carry out this section shall supple-
7 ment and not supplant funds made available for the
8 SBRC and other activities of the SBRC.

9 **“§ 15903. Demonstration health projects**

10 “(a) PURPOSE.—To demonstrate the value of ade-
11 quate health facilities and services to the economic devel-
12 opment of the region, the SBRC may make grants for the
13 planning, construction, equipment, and operation of dem-
14 onstration health, nutrition, and child care projects (re-
15 ferred to in this section as a ‘demonstration health
16 project’), including hospitals, regional health diagnostic
17 and treatment centers, and other facilities and services
18 necessary for the purposes of this section.

19 “(b) ELIGIBLE ENTITIES.—An entity eligible to re-
20 ceive a grant under this section is—

21 “(1) an entity described in section 15501(a);

22 “(2) an institution of higher education (as de-
23 fined in section 101(a) of the Higher Education Act
24 of 1965 (20 U.S.C. 1001(a)));

1 “(3) a hospital (as defined in section 1861 of
2 the Social Security Act (42 U.S.C. 1395x)); and

3 “(4) a critical access hospital (as defined in
4 that section) that is located not more than 50 miles
5 from an international land border.

6 “(c) PLANNING GRANTS.—

7 “(1) IN GENERAL.—The SBRC may make
8 grants for planning expenses necessary for the devel-
9 opment and operation of demonstration health
10 projects for the SBRC region.

11 “(2) MAXIMUM SBRC CONTRIBUTION.—The
12 maximum SBRC contribution for a demonstration
13 health project that receives a grant under paragraph
14 (1) shall be made in accordance with section
15 15501(d).

16 “(3) SOURCES OF ASSISTANCE.—A grant under
17 paragraph (1) may be provided entirely from
18 amounts made available to carry out this section or
19 in combination with amounts provided under other
20 Federal grant programs.

21 “(4) FEDERAL SHARE FOR GRANTS UNDER
22 OTHER FEDERAL GRANT PROGRAMS.—Notwith-
23 standing any provision of law limiting the Federal
24 share in other Federal grant programs, amounts
25 made available to carry out this subsection may be

1 used to increase the Federal share of another Fed-
2 eral grant up to the maximum contribution de-
3 scribed in paragraph (2).

4 “(d) CONSTRUCTION AND EQUIPMENT GRANTS.—

5 “(1) IN GENERAL.—A grant under this section
6 for construction or equipment of a demonstration
7 health project may be used for—

8 “(A) costs of construction;

9 “(B) the acquisition of privately owned fa-
10 cilities—

11 “(i) not operated for profit; or

12 “(ii) previously operated for profit if
13 the SBRC finds that health services would
14 not otherwise be provided in the area
15 served by the facility if the acquisition is
16 not made; and

17 “(C) the acquisition of initial equipment.

18 “(2) STANDARDS FOR MAKING GRANTS.—A
19 grant under paragraph (1)—

20 “(A) shall be approved in accordance with
21 section 15503; and

22 “(B) shall not be incompatible with the ap-
23 plicable provisions of title VI of the Public
24 Health Service Act (42 U.S.C. 291 et seq.), the
25 Developmental Disabilities Assistance and Bill

1 of Rights Act of 2000 (42 U.S.C. 15001 et
2 seq.), and other laws authorizing grants for the
3 construction of health-related facilities, without
4 regard to any provisions in those laws relating
5 to appropriation authorization ceilings or to al-
6 lotments among the States.

7 “(3) MAXIMUM SBRC CONTRIBUTION.—The
8 maximum SBRC contribution for a demonstration
9 health project that receives a grant under paragraph
10 (1) shall be made in accordance with section
11 15501(d).

12 “(4) SOURCES OF ASSISTANCE.—A grant under
13 paragraph (1) may be provided entirely from
14 amounts made available to carry out this section or
15 in combination with amounts provided under other
16 Federal grant programs.

17 “(5) CONTRIBUTION TO INCREASED FEDERAL
18 SHARE FOR OTHER FEDERAL GRANTS.—Notwith-
19 standing any provision of law limiting the Federal
20 share in another Federal grant program for the con-
21 struction or equipment of a demonstration health
22 project, amounts made available to carry out this
23 subsection may be used to increase Federal grants
24 for component facilities of a demonstration health

1 project to a maximum of 90 percent of the cost of
2 the facilities.

3 “(e) OPERATION GRANTS.—

4 “(1) IN GENERAL.—A grant under this section
5 for the operation of a demonstration health project
6 may be used for—

7 “(A) the costs of operation of the facility;
8 and

9 “(B) initial operating costs, including the
10 costs of attracting, training, and retaining
11 qualified personnel.

12 “(2) STANDARDS FOR MAKING GRANTS.—A
13 grant for the operation of a demonstration health
14 project shall not be made unless the facility funded
15 by the grant is—

16 “(A) publicly owned;

17 “(B) owned by a public or private non-
18 profit organization;

19 “(C) a private hospital described in section
20 501(c)(3) of the Internal Revenue Code of 1986
21 and exempt from taxation under section 501(a)
22 of that Code; or

23 “(D) a private hospital that provides a cer-
24 tain amount of uncompensated care, as deter-
25 mined by the SBRC, and applies for the grant

1 in partnership with a State, local government,
2 or Indian Tribe.

3 “(3) MAXIMUM SBRC CONTRIBUTION.—The
4 maximum SBRC contribution for a demonstration
5 health project that receives a grant under paragraph
6 (1) shall be made in accordance with section
7 15501(d).

8 “(4) SOURCES OF ASSISTANCE.—A grant under
9 paragraph (1) may be provided entirely from
10 amounts made available to carry out this section or
11 in combination with amounts provided under other
12 Federal grant programs for the operation of health-
13 related facilities or the provision of health and child
14 development services, including parts A and B of
15 title IV and title XX of the Social Security Act (42
16 U.S.C. 601 et seq., 621 et seq., 1397 et seq.).

17 “(5) FEDERAL SHARE.—Notwithstanding any
18 provision of law limiting the Federal share in the
19 other Federal programs described in paragraph (4),
20 amounts made available to carry out this subsection
21 may be used to increase the Federal share of a grant
22 under those programs up to the maximum contribu-
23 tion described in paragraph (3).

24 “(f) EMPHASIS ON PROGRAMS TO ADDRESS HEALTH
25 PROFESSIONAL SHORTAGES.—To provide for the further

1 development of the human resources of the SBRC region,
 2 grants under this section shall give special emphasis to
 3 projects and activities to address health professional short-
 4 ages in the SBRC region, including projects and activi-
 5 ties—

6 “(1) to increase access to and disseminate in-
 7 formation on the availability of treatment programs;

8 “(2) to strengthen the health professional work-
 9 force operating in the SBRC region, including pro-
 10 grams to attract and retain relevant health care
 11 services, businesses, and staff;

12 “(3) to facilitate the sharing of best practices
 13 among States, counties, and other experts in the
 14 SBRC region with respect to sustaining and
 15 incentivizing healthcare workforce;

16 “(4) to enhance health care access and quality
 17 of care for residents in the SBRC area, and develop
 18 and disseminate models of care that enhance health
 19 equity; and

20 “(5) to develop relevant infrastructure, includ-
 21 ing broadband infrastructure that supports the use
 22 of telemedicine.

23 **“§ 15904. Water and wastewater infrastructure**
 24 **projects**

25 “(a) PURPOSE.—The SBRC may make grants for—

1 “(1) the planning, design, construction, and
2 equipment of public water systems (as defined in
3 section 1401 of the Safe Drinking Water Act (42
4 U.S.C. 300f)) and wastewater infrastructure (includ-
5 ing treatment works (as defined in section 212 of
6 the Federal Water Pollution Control Act (33 U.S.C.
7 1292))) that provides substantial water supply and
8 other benefits for the SBRC region for—

9 “(A) projects and activities described in
10 section 1452(a)(2)(B) of the Safe Drinking
11 Water Act (42 U.S.C. 300j–12(a)(2)(B)); and

12 “(B) projects and activities described in
13 paragraphs (1) and (4) of section 603(c) of the
14 Federal Water Pollution Control Act (33 U.S.C.
15 1383(c)), without regard to whether the treat-
16 ment works is a publicly owned treatment
17 works; and

18 “(2) activities described in section 4304(c)(1) of
19 the America’s Water Infrastructure Act of 2018 (42
20 U.S.C. 300j–19e(c)(1)).

21 “(b) ELIGIBLE ENTITIES.—An entity eligible to re-
22 ceive a grant under this section is an entity described in
23 section 15501(a).

24 “(c) PLANNING GRANTS.—

1 “(1) IN GENERAL.—The SBRC may make
2 grants for planning expenses necessary for the devel-
3 opment and operation of water and wastewater in-
4 frastructure projects for the SBRC region.

5 “(2) MAXIMUM SBRC CONTRIBUTION.—The
6 maximum SBRC contribution for a project that re-
7 ceives a grant under paragraph (1) shall be deter-
8 mined in accordance with section 15501(d).

9 “(3) SOURCES OF ASSISTANCE.—A grant under
10 paragraph (1) may be combined with amounts pro-
11 vided under other Federal grant programs.

12 “(4) FEDERAL SHARE FOR GRANTS UNDER
13 OTHER FEDERAL GRANT PROGRAMS.—Notwith-
14 standing any provision of law limiting the Federal
15 share in another Federal grant program, amounts
16 made available to carry out this subsection may be
17 used to increase the Federal share of another Fed-
18 eral grant up to the maximum contribution de-
19 scribed in paragraph (2).

20 “(d) CONSTRUCTION AND EQUIPMENT GRANTS.—

21 “(1) IN GENERAL.—A grant under this section
22 for construction or equipment of a water or waste-
23 water infrastructure project may be used for—

24 “(A) costs of construction;

1 “(B) the acquisition of privately owned fa-
2 cilities—

3 “(i) not operated for profit; or

4 “(ii) previously operated for profit if
5 the SBRC finds that the acquisition would
6 be necessary for the provision of drinking
7 water or clean water in the area served by
8 the facility; and

9 “(C) the acquisition of initial equipment.

10 “(2) STANDARDS FOR MAKING GRANTS.—A
11 grant under paragraph (1)—

12 “(A) shall be approved in accordance with
13 section 15503; and

14 “(B) shall not be incompatible with other
15 Federal laws (including regulations), without
16 regard to any provisions in those laws relating
17 to appropriation authorization ceilings or to al-
18 lotments among the States.

19 “(3) MAXIMUM SBRC CONTRIBUTION.—The
20 maximum SBRC contribution for a project that re-
21 ceives a grant under paragraph (1) shall be deter-
22 mined in accordance with section 15501(d).

23 “(4) SOURCES OF ASSISTANCE.—A grant under
24 paragraph (1) may be combined with amounts pro-
25 vided under other Federal grant programs.

1 “(5) CONTRIBUTION TO INCREASED FEDERAL
2 SHARE FOR OTHER FEDERAL GRANTS.—Notwith-
3 standing any provision of law limiting the Federal
4 share in another Federal grant program for the con-
5 struction or equipment of a water or wastewater in-
6 frastructure project, amounts made available to
7 carry out this subsection may be used to increase
8 the Federal share of another Federal grant for com-
9 ponent facilities of a water or wastewater infrastruc-
10 ture project to a maximum of 90 percent of the cost
11 of the facilities.

12 “(e) EMPHASIS ON PROGRAMS TO ADDRESS WATER
13 SECTOR WORKFORCE SHORTAGES.—To provide for the
14 further development of the human resources of the SBRC
15 region, grants under this section shall give special empha-
16 sis to projects and activities to address water sector pro-
17 fessional shortages in the SBRC region, including projects
18 and activities—

19 “(1) to strengthen the water sector workforce
20 operating in the SBRC region, including programs
21 to attract and retain relevant staff; and

22 “(2) to facilitate the sharing of best practices
23 among States, counties, and other experts in the
24 SBRC region with respect to sustaining and
25 incentivizing the water sector workforce.”.

1 (b) CLERICAL AMENDMENT.—The table of chapters
 2 for subtitle V of title 40, United States Code, is amended
 3 by inserting after the item relating to chapter 157 the fol-
 4 lowing:

“159. Southwest Border Region Capacity Building Programs 15901”.

5 (c) WAIVER OF MATCHING REQUIREMENT.—Chapter
 6 155 of subtitle V of title 40, United States Code (as
 7 amended by section 5(a)) is amended by adding at the
 8 end the following:

9 **“§ 15509. Waiver of matching requirement for**
 10 **colonias and Indian tribes**

11 “(a) DEFINITION OF COLONIA.—

12 “(1) IN GENERAL.—In this section, the term
 13 ‘colonia’—

14 “(A) during the period beginning on the
 15 date of enactment of this section and ending on
 16 the date that is 2 years after the date of enact-
 17 ment of this section, means—

18 “(i) a colonia (as defined by the Sec-
 19 retary of Agriculture);

20 “(ii) a colonia (as defined by the Sec-
 21 retary of Housing and Urban Develop-
 22 ment); and

23 “(iii) a colonia (as defined by the ap-
 24 plicable State agency); and

1 “(B) during the period beginning 2 years
2 after the date of enactment of this section, has
3 the meaning given the term by the Southwest
4 Border Regional Commission pursuant to para-
5 graph (2).

6 “(2) UNIFIED DEFINITION.—Not later than 2
7 years after the date of enactment of this section, the
8 Southwest Border Regional Commission, in consulta-
9 tion with the Secretary of Agriculture, the Secretary
10 of Housing and Urban Development, and applicable
11 State agencies, shall develop a definition of the term
12 ‘colonia’.

13 “(b) WAIVER.—Notwithstanding any other provision
14 of law, in the case of assistance provided to an entity de-
15 scribed in subsection (c) under this subtitle by the South-
16 west Border Regional Commission—

17 “(1) the Federal share of the cost of the project
18 carried out with that assistance shall be 100 per-
19 cent; and

20 “(2) the entity shall not be required to provide
21 matching funds for the project.

22 “(c) ENTITIES DESCRIBED.—An entity referred to in
23 subsection (b) is any of the following:

24 “(1) A colonia.

25 “(2) An Indian tribe.”.

1 (d) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 155 of subtitle V of title 40, United States Code (as
3 amended by section 5(b)), is amended by inserting after
4 the item relating to section 15508 the following:

“15509. Waiver of matching requirement for colonias and Indian tribes.”.

5 **SEC. 8. ADMINISTRATIVE POWERS AND EXPENSES.**

6 Section 15304(a) of title 40, United States Code, is
7 amended—

8 (1) in paragraph (5), by inserting “, without a
9 requirement for the Commission to reimburse the
10 agency or local government” after “status”;

11 (2) in paragraph (8), by striking “and” at the
12 end;

13 (3) by redesignating paragraph (9) as para-
14 graph (10); and

15 (4) by inserting after paragraph (8) the fol-
16 lowing:

17 “(9) in the case of the Southwest Border Re-
18 gional Commission, enter into and perform such
19 leases (including the lease of office space for any
20 term) as are necessary to carry out Commission du-
21 ties, including any leases with a department, agency,
22 or instrumentality of the United States, a State (in-
23 cluding a political subdivision, agency, or instrumen-

1 tality of the State), or a person, firm, association, or
2 corporation; and”.

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