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(Original Signature of Member)

110TH CONGRESS
1ST SESSION

H. R.

To establish the Gulf Coast Recovery Authority to administer a Gulf Coast Civic Works Project to provide job-training opportunities and increase employment to aid in the recovery of the Gulf Coast region.

IN THE HOUSE OF REPRESENTATIVES

Ms. ZOE LOFGREN of California introduced the following bill; which was referred to the Committee on _____

A BILL

To establish the Gulf Coast Recovery Authority to administer a Gulf Coast Civic Works Project to provide job-training opportunities and increase employment to aid in the recovery of the Gulf Coast region.

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 (a) SHORT TITLE.—This Act may be cited as the
5 “Gulf Coast Civic Works Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Purposes.
- Sec. 3. Definitions.

TITLE I—THE GULF COAST RECOVERY AUTHORITY

- Sec. 101. Establishment of corporation.
- Sec. 102. Board of directors.
- Sec. 103. Capitalization of the corporation.
- Sec. 104. Officers, employees, and other agents of the corporation.
- Sec. 105. Powers of the corporation.

TITLE II—THE GULF COAST CIVIC WORKS PROJECT

- Sec. 201. Purpose statement.
- Sec. 202. Establishment.
- Sec. 203. General Activities.
- Sec. 204. Job training programs.
- Sec. 205. Job creation.
- Sec. 206. Wages.
- Sec. 207. General provisions and guidelines.
- Sec. 208. Gulf Coast Artists grants.
- Sec. 209. Chronicle of Hurricanes Katrina and Rita grants.
- Sec. 210. Funding.

1 **SEC. 2. PURPOSES.**

2 It is the purpose of this Act to—

3 (1) establish a Federal authority to implement
4 the necessary government response to the disaster
5 experienced in the Gulf Coast region;

6 (2) provide a minimum of 100,000 jobs and fi-
7 nancial security to those whose livelihood has been
8 affected by the devastation of the Gulf Coast region;

9 (3) strengthen the workforce by providing job
10 training for thousands of workers that will enable
11 them to rebuild communities and make an inde-
12 pendent living;

1 (4) rebuild homes, public infrastructure and
2 community resources, restoring lives and faith in the
3 Federal government;

4 (5) ensure quality living conditions by providing
5 workers with fair wages;

6 (6) encourage individuals to move from unem-
7 ployment to work, and from homelessness to home-
8 ownership;

9 (7) utilize the recommendations of community
10 organizations and coalitions in order to rebuild and
11 strengthen communities; and

12 (8) strengthen partnerships between the public
13 and private sector that will lead to increased eco-
14 nomic growth in the region.

15 **SEC. 3. DEFINITIONS.**

16 As used in this Act, the term “Gulf Coast region”
17 means the areas of Louisiana, Mississippi, Texas, and Ala-
18 bama that were devastated by Hurricanes Katrina and
19 Rita.

20 **TITLE I—THE GULF COAST**
21 **RECOVERY AUTHORITY**

22 **SEC. 101. ESTABLISHMENT OF CORPORATION.**

23 (a) IN GENERAL.—There is hereby established a
24 body corporate by the name of the “Gulf Coast Recovery
25 Authority” (in this Act referred to as the “Corporation”).

1 (b) STATUS OF CORPORATION.—The Corporation
2 shall be an independent establishment in the executive
3 branch and shall be deemed to be an agency of the United
4 States for purposes of subchapter II of chapter 5 and
5 chapter 7 of title 5, United States Code.

6 (c) BOARD OF DIRECTORS.—The Board of Directors
7 first appointed shall be deemed the incorporators, and the
8 incorporation shall be held to have been effected from the
9 date of the first meeting of the Board.

10 (d) PRINCIPLE OFFICE.—The principal office of the
11 Corporation shall be located in the State of Louisiana, but
12 there may be established agencies or branch offices in the
13 District of Columbia and in any municipality in the Gulf
14 Coast region to the extent provided for in the by-laws of
15 the Corporation.

16 (e) PROPERTY OWNERS' RIGHTS AND PROTEC-
17 TIONS.—

18 (1) NO AUTHORITY TO EXERCISE EMINENT DO-
19 MAIN.—The Corporation shall have no authority to
20 acquire interests in property by eminent domain.

21 (2) LOCAL INVITATION.—Notwithstanding any
22 other provision of this title, the Corporation may
23 take no action in any municipality unless the local
24 government of such municipality has adopted a reso-
25 lution of invitation for the Corporation's assistance.

1 **SEC. 102. BOARD OF DIRECTORS.**

2 (a) BOARD OF DIRECTORS.—

3 (1) IN GENERAL.—The management of the
4 Gulf Coast Recovery Authority shall be vested in a
5 Board of Directors, (referred to in this Act as the
6 “Board”), consisting of 7 individuals appointed by
7 the President, by and with the advice and consent
8 of the Senate, from among individuals who are citi-
9 zens of the United States and residents or evacuees
10 of the Gulf Coast Region, and who, by virtue of their
11 education, training or experience in environmental
12 land reclamation, economic development, housing de-
13 velopment, land use, or urban planning, are espe-
14 cially qualified to serve on the Board.

15 (2) NOMINATIONS BY GOVERNOR OF LOU-
16 ISIANA.—Two members of the Board shall be ap-
17 pointed under paragraph (1) from among individuals
18 who are nominated for appointment by the Governor
19 of Louisiana in consultation with community based
20 Gulf Coast Region coalitions, at least one of whom
21 shall be from a non-profit organization and one of
22 whom shall be a leader in the private sector.

23 (3) NOMINATIONS BY GOVERNOR OF MIS-
24 SISSIPPI.—Two members of the Board shall be ap-
25 pointed under paragraph (1) from among individuals
26 who are nominated for appointment by the Governor

1 of Mississippi in consultation with community based
2 Gulf Coast Region coalitions, of whom 1 shall be
3 from a non-profit community based organization and
4 1 shall be a leader in the private sector.

5 (4) NOMINATIONS BY GOVERNOR OF ALA-
6 BAMA.—One member of the Board shall be ap-
7 pointed under paragraph (1) from among individuals
8 who are nominated for appointment by the Governor
9 of Alabama in consultation with community based
10 Gulf Coast Region coalitions, whom shall be from a
11 non-profit community based organization.

12 (5) NOMINATIONS BY GOVERNOR OF TEXAS.—
13 One member of the Board shall be appointed under
14 paragraph (1) from among individuals who are nom-
15 inated for appointment by the Governor of Texas in
16 consultation with community based Gulf Coast Re-
17 gion coalitions, whom shall be from a non-profit
18 community based organization.

19 (6) POLITICAL PARTY AFFILIATION.—Not more
20 than 4 members of the Board may be affiliated with
21 any 1 political party.

22 (b) CHAIRPERSON AND VICE CHAIRPERSON.—

23 (1) CHAIRPERSON.—One of the 4 members of
24 the Board who were not nominated by the Governor
25 of Louisiana and the Governor of Mississippi shall

1 be designated by the President, by and with the ad-
2 vice and consent of the Senate, to serve for a term
3 of 2 years as Chairperson of the Board and the chief
4 executive officer of the Corporation.

5 (2) VICE CHAIRPERSON.—One of the 4 mem-
6 bers of the Board who were not nominated by the
7 Governor of Louisiana and the Governor of Mis-
8 sissippi shall be designated by the President, by and
9 with the advice and consent of the Senate, to serve
10 for a term of 2 years as Vice Chairperson of the
11 Board.

12 (3) ACTING CHAIRPERSON.—In the event of a
13 vacancy in the position of Chairperson of the Board
14 or during the absence or disability of the Chair-
15 person, the Vice Chairperson shall act as Chair-
16 person.

17 (c) TERM OF OFFICE.—

18 (1) IN GENERAL.—Each member of the Board
19 shall be appointed to a term of 5 years.

20 (2) STAGGERED TERMS.—Of the members first
21 appointed to the Board after the date of the enact-
22 ment of this Act—

23 (A) 2 shall be appointed for a term of 5
24 years;

1 (B) the 4 members who were nominated by
2 the Governor of Louisiana and the Governor of
3 Mississippi shall be appointed for a term of 3
4 years; and

5 (C) 2 shall be appointed for a term of 2
6 years.

7 (3) INTERIM APPOINTMENTS.—Any member ap-
8 pointed to fill a vacancy occurring before the expira-
9 tion of the term for which such member's prede-
10 cessor was appointed shall be appointed only for the
11 remainder of such term.

12 (4) CONTINUATION OF SERVICE.—The Chair-
13 person, Vice Chairperson, and each appointed mem-
14 ber may continue to serve after the expiration of the
15 term of office to which such member was appointed
16 until a successor has been appointed and qualified.

17 (5) REMOVAL FOR CAUSE.—The Chairperson,
18 Vice Chairperson, and any appointed member may
19 be removed by the President for cause.

20 (6) FULL-TIME SERVICE.—The members of the
21 Board shall serve on a full-time basis.

22 (d) VACANCY.—Any vacancy on the Board shall be
23 filled in the manner in which the original appointment was
24 made, provided:

1 (1) Any member appointed to fill a vacancy in
2 the Board occurring prior to the expiration of the
3 term for which his predecessor was appointed shall
4 be appointed for the remainder of such term.

5 (2) Vacancies in the Board so long as there
6 shall be three members in office shall not impair the
7 powers of the Board to execute the functions of the
8 Corporation, and three of the members in office
9 shall constitute a quorum for the transaction of the
10 business of the Board.

11 (e) INELIGIBILITY FOR OTHER OFFICES.—

12 (1) OTHER GOVERNMENT POSITIONS.—No per-
13 son may serve as a member of the Board while hold-
14 ing any position as an officer or employee of the
15 Federal Government, any State government, or any
16 political subdivision of any State.

17 (2) RESTRICTION DURING SERVICE.—No mem-
18 ber of the Board may—

19 (A) be an officer or director of any insured
20 depository institution, insured credit union, de-
21 pository institution holding company, Federal
22 reserve bank, Federal home loan bank, invest-
23 ment bank, mortgage bank, or any other entity
24 which enters into any contract with the Cor-
25 poration; or

1 (B) hold stock in any insured depository
2 institution, depository institution holding com-
3 pany, investment bank, mortgage bank, or any
4 other entity which enters into any contract with
5 the Corporation.

6 (3) CERTIFICATION.—Upon taking office, each
7 member of the Board shall certify under oath that
8 such member has complied with this subsection and
9 such certification shall be filed with the secretary of
10 the Board.

11 (f) CLARIFICATION OF NONLIABILITY.—

12 (1) IN GENERAL.—A director, member, officer,
13 or employee of the Corporation has no liability under
14 the Securities Act of 1933 with respect to any claim
15 arising out of or resulting from any act or omission
16 by such person within the scope of such person's em-
17 ployment in connection with any transaction involv-
18 ing the disposition of assets (or any interests in any
19 assets or any obligations backed by any assets) by
20 the Corporation. This subsection shall not be con-
21 strued to limit personal liability for criminal acts or
22 omissions, willful or malicious misconduct, acts or
23 omissions for private gain, or any other acts or
24 omissions outside the scope of such person's employ-
25 ment.

1 (2) EFFECT ON OTHER LAW.—This subsection
2 shall not be construed as—

3 (A) affecting—

4 (i) any other immunities and protec-
5 tions that may be available to person to
6 whom paragraph (1) applies under applica-
7 ble law with respect to such transactions,
8 or

9 (ii) any other right or remedy against
10 the Corporation, against the United States
11 under applicable law, or against any per-
12 son other than a person described in para-
13 graph (1) participating in such trans-
14 actions; or

15 (B) limiting or altering in any way the im-
16 munities that are available under applicable law
17 for Federal officials and employees not de-
18 scribed in this subsection.

19 **SEC. 103. CAPITALIZATION OF THE CORPORATION.**

20 (a) IN GENERAL.—The Corporation shall have cap-
21 ital stock subscribed to by the United States Government
22 in such amount as the President may determine to be ap-
23 propriate, to the extent provided in advance in an appro-
24 priation Act for any fiscal year.

1 (b) CERTIFICATES.—Certificates evidencing shares of
2 nonvoting capital stock of the Corporation shall be issued
3 by the Corporation to the President of the United States,
4 or to such other person or persons as the President may
5 designate from time to time, to the extent of payments
6 made for the capital stock of the Corporation.

7 (c) PUBLIC DEBT TRANSACTION.—For the purpose
8 of purchasing shares of capital stock of the Corporation,
9 the Secretary of the Treasury may use as a public-debt
10 transaction the proceeds of any securities issued under
11 chapter 31 of title 31, United States Code.

12 (d) REPORTS.—

13 (1) IN GENERAL.—The Board shall submit to
14 the Director of the Office of Management and Budget
15 and to the Secretary of the Treasury quarterly re-
16 ports and an annual report on the expenses of the
17 Corporation during the period covered by the report,
18 the financial condition of the Corporation as of the
19 end of such period, the results of the Corporation's
20 operations during such period, and the progress
21 made during such period in fulfilling the mission
22 and purposes of the Corporation, together with a
23 copy of the Corporation's financial operating plans
24 and forecasts for the annual or quarterly period (as

1 the case may be) succeeding the period covered by
2 the report.

3 (2) PUBLIC AVAILABILITY.—Each report sub-
4 mitted to the Director of the Office of Management
5 and Budget and to the Secretary of the Treasury
6 under paragraph (1) shall be made available to the
7 public.

8 (e) TERMINATION OF AUTHORITY TO ISSUE
9 STOCK.—No shares of capital stock of the Corporation
10 may be issued after the end of the 10-year period begin-
11 ning on the date of the enactment of this Act.

12 (f) REVENUE USED TO RETIRE STOCK.—Any net
13 revenue of the Corporation in excess of amounts required
14 to meet on-going expenses and investments shall be paid
15 to the Secretary of the Treasury to redeem the capital
16 stock of the Corporation and shall be deposited in the gen-
17 eral fund of the Treasury.

18 **SEC. 104. OFFICERS, EMPLOYEES, AND OTHER AGENTS OF**

19 **THE CORPORATION.**

20 (a) IN GENERAL.—The Board shall appoint such
21 managers, assistant managers, officers, employees, attor-
22 neys, and agents, as are necessary for the transaction of
23 its business, fix their compensation, provide benefits in-
24 cluding pension and health care, define their duties, re-
25 quire bonds of such of them as the Board may designate,

1 and provide a system of organization to fix responsibility
2 and promote efficiency.

3 (b) REMOVAL.—Any appointee of the Board may be
4 removed in the discretion of the Board.

5 (c) CONTRACTS, SALARIES, AND WAGES.—No reg-
6 ular officer or employee of the Corporation shall receive
7 a salary in excess of that received by the members of the
8 Board, and—

9 (1) all contracts to which the Corporation is a
10 party and which require the employment of laborers
11 and mechanics in the construction, alteration, main-
12 tenance, or repair of buildings, levees, or other
13 projects shall contain a provision that not less than
14 the prevailing rate of wages for work of a similar na-
15 ture prevailing in the vicinity shall be paid to such
16 laborers or mechanics;

17 (2) in the event any dispute arises as to what
18 are the prevailing rates of wages, the question shall
19 be referred to the Secretary of Labor for determina-
20 tion, and his decision shall be final. In the deter-
21 mination of such prevailing rate or rates, due regard
22 shall be given to those rates which have been secured
23 through collective agreement by representatives of
24 employers and employees;

1 (3) where such work as is described in the two
2 preceding paragraphs is done directly by the Cor-
3 poration the prevailing rate of wages shall be paid
4 in the same manner as though such work had been
5 let by contract; and

6 (4) insofar as applicable, the workers com-
7 pensation laws of the United States shall extend to
8 persons given employment under the provisions of
9 this Act.

10 (d) POLITICAL TESTS PROHIBITED IN EMPLOY-
11 MENT.—

12 (1) APPOINTMENT.—In the appointment of offi-
13 cials and the selection of employees for the Corpora-
14 tion, and in the promotion of any such employees or
15 officials, no political test or qualification shall be
16 permitted or given consideration, but all such ap-
17 pointments and promotions shall be given and made
18 on the basis of merit and efficiency. Any member of
19 the Board who is found by the President of the
20 United States to be guilty of a violation of this sec-
21 tion shall be removed from office by the President
22 of the United States, and any appointee of the
23 Board who is found by the Board to be guilty of a
24 violation of this section shall be removed from office
25 by the Board.

1 (2) COMPENSATION.—In the selection of em-
2 ployees for works projects authorized by the Cor-
3 poration, made by an official, employee, or other au-
4 thorized agent of the Corporation, and in the deter-
5 mination of wages or salaries, no political test or
6 qualification shall be permitted or given consider-
7 ation, but all such selection, hiring, appointments
8 and promotions shall be given and made on the basis
9 of merit and efficiency.

10 (3) CONTRACTS.—In the authorization of con-
11 tracts or agreements made or entered into by an of-
12 ficial, employee, or other authorized agent of the
13 Corporation, and in the determination or rates or
14 terms of payment for such contracts and agree-
15 ments, no political test or qualification shall be per-
16 mitted or given consideration, but all such contracts
17 and agreements shall be given and made on the
18 basis of merit, efficiency, and fiscal responsibility.

19 **SEC. 105. POWERS OF THE CORPORATION.**

20 (a) POWERS.—The Corporation shall be a body cor-
21 porate that shall have the power to—

22 (1) adopt, alter, and use a corporate seal;

23 (2) provide for such other officers and employ-
24 ees as may be necessary to perform the functions of
25 the Corporation, define their duties, and require sur-

1 ety bonds or make other provisions against losses oc-
2 casioned by acts of such persons;

3 (3) fix the compensation and number of, and
4 appoint, employees for any position established by
5 the Corporation, without regard to the provisions of
6 chapter 51 or subchapter III of chapter 53 of title
7 5;

8 (4) sue and be sued, and complain and defend,
9 by and through its own attorneys, in any court of
10 law or equity, State or Federal;

11 (5) with the consent of any executive agency,
12 department, or independent agency utilize the infor-
13 mation, services, staff, and facilities of such depart-
14 ment or agency, on a reimbursable (or other) basis,
15 in carrying out this section;

16 (6) prescribe, by the Board, bylaws that are
17 consistent with law to provide for—

18 (A) the management and operational struc-
19 ture of the Corporation, subject to sections 101
20 (e) and 102;

21 (B) the manner in which general oper-
22 ations are to be conducted; and

23 (C) such other matters as the Board deter-
24 mines to be appropriate;

1 (7) enter into contracts and modify or consent
2 to the modification of any contract or agreement;

3 (8) purchase or lease and hold such real and
4 personal property as it deems necessary or conven-
5 ient in the transaction of its business, and may dis-
6 pose of any such personal property held by it;

7 (9) contract with commercial producers for the
8 production of such materials as may be needed in
9 the Government's program of recovery and develop-
10 ment. Such contracts may provide either for outright
11 purchase of materials by the Board or only for the
12 payment of carrying charges on special materials
13 manufactures at the Board's request for its pro-
14 gram;

15 (10) make alterations, modifications, or im-
16 provements in existing structures and facilities, and
17 to construct new structures and facilities as nec-
18 essary for the recovery of the Gulf Coast region;

19 (11) coordinate national, State, district, county
20 or municipal programs for the recovery and develop-
21 ment of the Gulf Coast region;

22 (12) request the assistance and advice of any
23 officer, agent, or employee of any executive depart-
24 ment or of any independent office of the United
25 States, to enable the Corporation the better to carry

1 out its powers successfully, and as far as practicable
2 shall utilize the services of such officers agents, and
3 employees an the President shall if in his opinion,
4 the public interest, service, or economy so require,
5 direct that such assistance, advice, and service be
6 rendered to the Corporation, and any individual that
7 may be by the President directed to render such as-
8 sistance, advice, and service shall be thereafter sub-
9 ject to the orders, rules, and regulations of the
10 Board;

11 (13) establish and oversee Regional Operating
12 Authorities as are necessary to develop and coordi-
13 nate the Gulf Coast Civic Works Project, and to
14 carry out other local initiatives and Federal pro-
15 grams;

16 (14) formulate and periodically require reports
17 of progress on all projects; and, where avoidable
18 delay or malfeasance appears, to recommend appro-
19 priate measures for eliminating such problems, and,
20 similarly, to recommend the termination of projects
21 where it develops that they are not affording the
22 amount of employment warranting their continu-
23 ance;

24 (15) prescribe rules and regulations to—

1 (A) assure that as many of the persons
2 employed on all work projects as is feasible
3 shall be persons initially affected by job loss in
4 the region;

5 (B) utilize and support as many of those
6 individuals, communities, community organiza-
7 tions and businesses within the region as is fea-
8 sible;

9 (C) govern the selection of such persons
10 for employment;

11 (D) govern the selection of such partici-
12 pating business and organizations on an open-
13 bid basis;

14 (E) formulate and administer a system of
15 uniform periodic reports of the employment on
16 such projects of persons, businesses, organiza-
17 tions, and communities from the region; and

18 (F) investigate wages and working condi-
19 tions and to make and submit to Congress such
20 findings as will aid Congress in prescribing
21 working conditions, rates of pay, and continu-
22 ance or development of projects; and

23 (16) recommend and carry out useful projects
24 designed to assure a maximum of employment and
25 recovery in affected localities.

1 (b) TERMINATION OF CONTRACT FOR CAUSE.—In
2 the case of any service contract between the Corporation
3 and any other person, the Corporation may terminate such
4 contract for cause, whether by reason of breach of con-
5 tract, violation of regulations or guidelines of the Corpora-
6 tion, or otherwise, or bar any such person from entering
7 into any other contract, after notice and an opportunity
8 for an agency hearing on the record.

9 (c) AGENCY AUTHORITY.—

10 (1) STATUS.—The Corporation, in any capacity,
11 shall be an agency of the United States for purposes
12 of section 1345 of title 28 without regard to whether
13 the Corporation commenced the action.

14 (2) FEDERAL COURT JURISDICTION.—

15 (A) IN GENERAL.—All suits of a civil na-
16 ture at common law or in equity to which the
17 Corporation, in any capacity, is a party shall be
18 deemed to arise under the laws of the United
19 States.

20 (B) REMOVAL.—The Corporation may,
21 without bond or security, remove any action,
22 suit, or proceeding from a State court to the
23 appropriate United States district court before
24 the end of the 90-day period beginning on the
25 date the action, suit, or proceeding is filed

1 against the Corporation or the Corporation is
2 substituted as a party.

3 (C) APPEAL OF REMAND.—The Corpora-
4 tion may appeal any order of remand entered
5 by any United States district court.

6 (3) SERVICE OF PROCESS.—The Board shall
7 designate agents upon whom service of process may
8 be made in states comprising the Gulf Coast region
9 and the District of Columbia.

10 (4) BONDS OR FEES.—The Corporation shall
11 not be required to post any bond to pursue any ap-
12 peal and shall not be subject to payments of any fil-
13 ing fees in United States district courts or courts of
14 appeal.

15 (d) REAL ESTATE AND OTHER PROPERTY.—In order
16 to enable the Corporation to exercise the powers and du-
17 ties vested in it by this Act:

18 (1) The exclusive use, possession, and control of
19 necessary real estate, together with all facilities con-
20 nected therewith, and tools, machinery, equipment,
21 accessories, and materials belonging thereto, and all
22 laboratories and plants used as auxiliaries thereto;
23 and all machinery, lands, and buildings in connec-
24 tion therewith, and all appurtenances thereof, and
25 all other property to be acquired by the Corporation

1 in its own name or in the name of the United States
2 of America, are hereby entrusted to the Corporation
3 for the purposes of the Act.

4 (2) The President of the United States is au-
5 thORIZED to provide for the transfer to the Corpora-
6 tion of the use, possession, and control of such other
7 real or personal property of the United States, as he
8 may from time to time deem necessary and proper
9 for the purposes of the Corporation as herein stated.

10 (e) FINANCIAL STATEMENTS AND REPORTS.—

11 (1) The Corporation shall at all times maintain
12 complete and accurate accounting of all costs and
13 expenses associated with the holding and manage-
14 ment of any asset or liability acquired by the Cor-
15 poration and in carrying out the activities of the
16 Corporation under this Act.

17 (2) The Board shall file with the President and
18 with the Congress, in December of each year, a fi-
19 nancial statement and a complete report as to the
20 business of the Corporation covering the preceding
21 governmental fiscal year. This report shall include a
22 statement of all costs associated with the Corpora-
23 tion and its associated projects, including an
24 itemized statement of the cost of administration, the
25 cost of employee salaries and wages, the cost of ma-

1 materials, and the total number or employees and the
2 names, salaries, and duties of those receiving com-
3 pensation at the rate of more than \$35/hour or
4 \$45,000 a year.

5 (3) The rules of the Office of the Inspector
6 General and the Comptroller General of the United
7 States shall apply to the activities and accounts of
8 the Corporation, including the regular oversight and
9 audits of the Corporation. In such connection, the
10 Offices of the Inspector General and the Comptroller
11 General, and their authorized agents, shall have free
12 and open access to all papers, books, record, files,
13 accounts, plants, warehouses, offices, and all other
14 things, property and places belonging to or under
15 the control of or used or employed by the Corpora-
16 tion, and shall be afforded full facilities for counting
17 all cash and verifying transactions with and balances
18 in depositories.

19 (f) RESERVATION OF RIGHTS AND REMEDIES.—The
20 government of the United States hereby reserved the
21 right, in case of war or national emergency declared by
22 Congress, to take possession of all or any part of the prop-
23 erty described or referred to in this Act for the purpose
24 of national security, defense, or for any other purposes;
25 but, if this right is exercised by the Government, it shall

1 pay the reasonable and fair damages that may be suffered
2 by any party whose contract is hereby violated, after the
3 amount of the damages has been fixed by the United
4 States Courts of Claims in proceedings instituted and con-
5 ducted for that purpose under rules prescribed by the
6 court.

7 (g) RECOMMENDATIONS AND FURTHER LEGISLA-
8 TION.—The President shall, from time to time, as the
9 work provided for in the preceding section progresses, rec-
10 ommend to Congress such legislation as he deems proper
11 to carry out the general purposes stated in such section,
12 and for the special purpose of bring about in the Gulf
13 Coast region in conformity with the general purposes:

14 (1) The physical reconstruction and improve-
15 ment of the devastated Gulf Coast region.

16 (2) The improvement of levees and other flood
17 control systems.

18 (3) The economic and social well-being of the
19 people living in the Gulf Coast Region.

20 (4) The creation of jobs and job training pro-
21 grams.

22 (5) The economic development of the Gulf
23 Coast region.

24 (h) APPROPRIATIONS AND AUTHORIZATION.—

1 (1) All appropriations necessary to carry out
2 the provisions of this Act are hereby authorized.

3 (2) For the purpose of carrying out the provi-
4 sions of this Act the Gulf Coast Civic Works Project
5 is authorized to enter into such contracts or agree-
6 ments with States as may be necessary, including
7 provisions for utilization of existing State adminis-
8 trative agencies, and the Gulf Coast Civic Works
9 Project, or the head of any department of agency
10 authorized by him to construct any project or to
11 carry on any such public works, shall be authorized
12 to acquire real property by purchase, donation, con-
13 demnation, or otherwise.

14 (i) LOCAL DEVELOPMENT PLANS.—

15 (1) ESTABLISHMENT OF LOCAL ADVISORY
16 COUNCILS.—

17 (A) IN GENERAL.—

18 (i) DESIGNATION BY MUNICIPALI-
19 TIES.—Not later than 30 days after the
20 date of the adoption of a resolution of invi-
21 tation described in section 101(e)(2), any
22 municipality of over 25,000 people in the
23 affected area may designate an entity to
24 serve in an advisory capacity to the Cor-
25 poration.

1 (ii) OTHER MUNICIPALITIES.—For
2 any municipality that does not designate
3 an advisory entity under clause (i), the
4 Corporation shall provide for the establish-
5 ment of a local advisory council in each
6 municipality of over 25,000 people in the
7 Gulf Coast Region in which the Corpora-
8 tion operates.

9 (B) MEMBERSHIP.—Each local advisory
10 council shall consist of such local elected offi-
11 cials (including municipal officials), community
12 groups (such as homeowners and community
13 associations), and other interested, qualified,
14 groups as the Corporation may determine to be
15 appropriate.

16 (C) CONSULTATION.—Local advisory coun-
17 cil will consult with the Corporation to deter-
18 mine works projects of the Corporation in their
19 municipality. The Corporation shall also ensure
20 that its consultations involve a broad range of
21 local officials and community groups, including
22 those that are not part of the formal advisory
23 council. The Corporation shall hold public meet-
24 ings, periodically and in advance of major deci-

1 sions, in the affected municipality to receive
2 input from the affected communities.

3 (2) LOCAL DEVELOPMENT PLANS.—In exe-
4 cuting the redevelopment mandate under this title,
5 the Corporation—

6 (A) shall take into account and comply
7 with any redevelopment plan established by
8 State and local government officials; and

9 (B) may only solicit bids for such redevel-
10 opment that are based on and comply with a
11 plan developed by local governments, if such a
12 plan exists.

13 **TITLE II—THE GULF COAST** 14 **CIVIC WORKS PROJECT**

15 **SEC. 201. PURPOSE STATEMENT.**

16 The purpose of this title shall be to create a minimum
17 of 100,000 jobs for Gulf Coast residents and evacuees and
18 increase employment in the Gulf Coast region, and to
19 build a skilled workforce for the rebuilding and developing
20 the lands, communities, and infrastructure impacted by
21 hurricanes and flooding in the Gulf Coast region.

22 **SEC. 202. ESTABLISHMENT.**

23 The Corporation established under title I shall estab-
24 lish and administer a Gulf Coast Civic Works Project to
25 implement, manage, and coordinate numerous useful pub-

1 lie works projects for the purpose of rebuilding, sus-
2 taining, and developing the Gulf Coast region.

3 **SEC. 203. GENERAL ACTIVITIES.**

4 The Corporation shall conduct the following activi-
5 ties:

6 (1) Identify areas of the Gulf Coast region that
7 are in need of recovery, rebuilding, and development
8 projects.

9 (2) Cooperate with the local Gulf Coast commu-
10 nity once a request has been received and approved
11 by the Corporation, to ensure that Gulf Coast resi-
12 dents and evacuees will be hired by local employers
13 or directly by the Corporation to complete the work.

14 (3) Work in conjunction with local employers on
15 recovery, rebuilding, and development projects to
16 identify where a shortage of workers who are Gulf
17 Coast residents and evacuees exists, and the type of
18 workers necessary for such projects to be more effec-
19 tive and efficient.

20 (4) Work in conjunction with other Federal,
21 State and local agencies, the private sector and
22 membership based community groups to actively re-
23 cruit Gulf Coast residents and evacuees to rebuild
24 the Gulf Coast region through the identified
25 projects.

1 (5) Identify projects for which there is a short-
2 age of qualified workers who are Gulf Coast resi-
3 dents or evacuees and facilitate job training pro-
4 grams.

5 (6) Where such a shortage exists, participate in
6 existing job training programs, and, in conjunction
7 with State and local workforce investment boards,
8 establish additional job training programs where
9 necessary, including areas where there is a con-
10 centration of Gulf Coast evacuees.

11 (7) Assist Gulf Coast residents and evacuees
12 employed or trained through the Corporation to gain
13 access and information to housing programs.

14 **SEC. 204. JOB TRAINING PROGRAMS.**

15 (a) COOPERATION.—The Corporation shall, in con-
16 junction with State and local workforce investment boards,
17 establish job training programs and apprenticeships where
18 necessary in order to recruit and train qualified workers
19 for specific vacancies in recovery, rebuilding, and develop-
20 ment projects. The Corporation shall have as a priority
21 the recruitment of individuals who reside in the locality
22 where the projects exist. The Corporation shall work with
23 community based organizations to set up first source hir-
24 ing halls through which Gulf Coast residents shall have
25 priority in getting into job training programs.

1 (b) WAGES.—

2 (1) IN GENERAL.—Job training or apprentice-
3 ship programs established or funded under this Act
4 shall ensure that trainees are paid in an amount of
5 not less than \$10 per hour, and that apprentices are
6 paid not less than \$15.

7 (2) ADJUSTMENT FOR INFLATION.—Beginning
8 one year after the date of enactment of this Act and
9 each year thereafter, the minimum wages specified
10 in paragraph (1) shall be adjusted by the percentage
11 increase during the 12-month period ending the pre-
12 ceding June in the Consumer Price Index for All
13 Urban Consumers published by the Bureau of Labor
14 Statistics of the Department of Labor.

15 **SEC. 205. JOB CREATION.**

16 (a) EMPLOYMENT.—After identifying recovery, re-
17 building, and development projects and employment in
18 other areas in the Gulf Coast region the Corporation shall
19 work in conjunction with local employers and other Fed-
20 eral agencies on such projects to recruit and hire addi-
21 tional workers from the Gulf Coast region. In the event
22 that employers have a need for but do not have sufficient
23 funding for additional workers, the Corporation shall be
24 permitted to hire and pay the wages of additional workers
25 to work on such projects.

1 (b) PROJECT CREATION.—After identifying areas of
2 the Gulf Coast region that are in need of recovery, rebuild-
3 ing, and development projects where no such projects
4 exist, the Corporation may, subject to available funds, es-
5 tablish and fund such projects. In establishing any project
6 under this subsection, the Corporation shall hire all nec-
7 essary developers, contractors, and employees to carry out
8 such projects.

9 (c) CONSERVATION CORPS.—In addition to the other
10 activities described in this title, the Corporation shall es-
11 tablish a conservation corps composed of individuals be-
12 tween the age of 17 and 24, who have received a high
13 school diploma or the equivalent, to focus on wetland res-
14 toration, forestation, and urban greenery.

15 (d) FIRST SOURCE HIRING.—

16 (1) Any contractor receiving Federal funds
17 under this Act shall comply with first source hiring
18 agreements for interviewing, recruitment, and hiring
19 in order to initially provide displaced residents and
20 residents from the disaster area with consideration
21 for employment. The duration of the first source
22 interviewing requirement shall be 25 days, unless
23 business necessity requires a shorter period of time.
24 A contractor may establish its good faith efforts by

1 filling its first available positions with job applicants
2 obtained through the first source hiring procedures.

3 (2) Any contractor receiving Federal funds
4 under this Act shall comply with requirements for
5 providing timely, appropriate notification of available
6 positions to the Corporation so that the Corporation
7 may train and refer an adequate pool of residents
8 from the disaster area to participating employers.

9 (e) OUTREACH PARTNERSHIPS.—The Corporation
10 shall work with Federal agencies, especially the Federal
11 Emergency Management Agency, as well as State and
12 local employment offices to make available positions
13 known.

14 (f) LOCAL HIRING HALLS.—The Corporation shall
15 contract with community groups, faith groups, and non-
16 profit organizations with with connections to local commu-
17 nities to recruit displaced families to conduct outreach to
18 workers displaced from the Gulf Coast, and work with con-
19 tractors to identify interested candidates outside of the re-
20 gion who wish to return to work and if necessary enter
21 training programs.

22 (g) HIRING DECISIONS.—Any contractor receiving
23 Federal funds under this Act shall make the final deter-
24 mination of whether a resident from the disaster area is
25 qualified for the position.

1 (h) EXCEPTIONS.—Upon application by employer,
2 the Corporation may grant an exception to any of all of
3 the requirements in any situation where it concludes that
4 compliance with this section would not be possible in the
5 timeframe provided.

6 (i) SUBCONTRACTS.—Any subcontract entered into
7 by any contractor receiving Federal funds under this Act
8 shall require the subcontractor to comply with the require-
9 ments of and shall contain contractual obligations sub-
10 stantially the same as those set forth in this section.

11 **SEC. 206. WAGES.**

12 The Corporations shall ensure that all laborers and
13 mechanics employed by the Corporation or by contractors
14 or subcontractors in the performance of construction or
15 recovery projects will be paid wages at rates not less than
16 those prevailing on similar work in the locality as deter-
17 mined by the Secretary of Labor in accordance with sub-
18 chapter IV of chapter 31 of part A of subtitle II of title
19 40, United States Code (commonly referred to as the
20 Davis-Bacon Act).

21 **SEC. 207. GENERAL PROVISIONS AND GUIDELINES.**

22 In conducting works projects under this title, the
23 Corporation shall adhere to the following rules and guide-
24 lines:

1 (1) All public works projects shall be conducted
2 in, and be for the benefit of, the lands of the Gulf
3 Coast region, and the individuals, families, commu-
4 nities, and businesses of the Gulf Coast region.

5 (2) The Gulf Coast Civic Works Project shall
6 employ a minimum of 100,000 Gulf Coast region
7 residents and evacuees for all works programs and
8 other related job opportunities.

9 (3) The Gulf Coast Civic Works Project shall
10 make job opportunities, job training programs, and
11 other beneficial projects known to the Gulf Coast
12 communities through advertising and partnerships
13 with regional agencies and employment organiza-
14 tions, and partnerships with community based orga-
15 nizations.

16 (4) Whenever possible, the Gulf Coast Civic
17 Works Project shall purchase materials, equipment,
18 supplies, and services from local business and pro-
19 ducers.

20 (5) The Gulf Coast Civic Works Project shall
21 maintain non-discriminatory practices and shall not
22 discriminate in hiring or employment decisions on
23 the basis of race, gender, nationality, ethnicity, reli-
24 gion, or sexual orientation.

1 (6) No employee or trainee of the Gulf Coast
2 Civic Works Project shall have financial interest in
3 any public corporation engaged in business with the
4 Gulf Coast Civic Works Project, nor in any corpora-
5 tion engaged in the manufacture, selling, or distribu-
6 tion of goods or materials used in construction
7 projects authorized by the corporation, nor shall any
8 employee or trainee have any interest in a any busi-
9 ness that may be adversely affected by the success
10 of the Corporation.

11 (7) Employees and trainees of the Gulf Coast
12 Civic Works Project shall not be considered Federal
13 employees for any purpose under the laws of the
14 United States.

15 **SEC. 208. GULF COAST ARTISTS GRANTS.**

16 (a) AUTHORIZATION.—The Corporation is authorized
17 to provide not more than 15 grants per year to eligible
18 recipients for artistic and cultural projects which reflect
19 the history and culture of the Gulf Coast region. Grants
20 shall be provided on the basis of the demonstrated merit
21 of the applicant as determined by the Corporation.

22 (b) ELIGIBLE RECIPIENTS.—To be eligible to receive
23 a grant under subsection (a), an individual shall—

24 (1) be a resident of the Gulf Coast region; and

1 (2) have demonstrated skill or talent in music,
2 theater, writing, or the visual arts.

3 (c) AMOUNT OF GRANT.—The amount of the grants
4 provided under this section shall be determined by the
5 Corporation.

6 (d) APPLICATION.—To receive a grant under this sec-
7 tion, an eligible recipient shall submit an application to
8 the Corporation in such form and manner as the Corpora-
9 tion shall determine.

10 (e) USE OF GRANT FUNDS.—A grant provided under
11 this section shall be used on an artistic project that—

12 (1) showcases the history or culture of the Gulf
13 Coast region; or

14 (2) has as its subject the effects of Hurricanes
15 Katrina or Rita.

16 **SEC. 209. CHRONICLE OF HURRICANES KATRINA AND RITA**
17 **GRANTS.**

18 (a) AUTHORIZATION.—The Corporation is authorized
19 to provide not more than 5 grants to eligible recipients
20 for projects that chronicle the story of Hurricanes Katrina
21 and Rita. Grants shall be provided on the basis of the
22 demonstrated merit of the applicant as determined by the
23 Corporation.

24 (b) ELIGIBLE RECIPIENTS.—To be eligible to receive
25 a grant under subsection (a), an individual shall—

1 (1) be a resident of the Gulf Coast region; and

2 (2) have demonstrated skill or talent as a writer
3 or filmmaker.

4 (c) AMOUNT OF GRANT.—The amount of the grants
5 provided under this section shall be determined by the
6 Corporation.

7 (d) APPLICATION.—To receive a grant under this sec-
8 tion, an eligible recipient shall submit an application to
9 the Corporation in such form and manner as the Corpora-
10 tion shall determine.

11 (e) USE OF GRANT FUNDS.—A grant provided under
12 this section shall be used on a project that chronicles,
13 through the written word or through film, the story of
14 Hurricanes Katrina and Rita from the perspective of sur-
15 vivors and evacuees.

16 **SEC. 210. FUNDING.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated to the Corporation such
19 sums as may be necessary for fiscal years 2008 through
20 2012 to carry out this title, provided that $\frac{3}{4}$ of 1 percent
21 of authorized funding be allocated for job training and
22 workforce development.

23 (b) PARTNERSHIPS.—The Corporation shall make
24 every effort to partner with State and local governments

1 and private industry in the funding and administration of
2 projects under this title.