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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R.

To promote economic growth and recovery throughout the Great Lakes region, to restore and to protect America's principal source of fresh water, which holds twenty percent of the world's freshwater, making it the largest system in the world, to foster innovation and to advance world-class workforce, education, training, and adjustment institutions for better jobs in the Great Lakes region, to strengthen and to expand the core U.S. manufacturing and industrial base, and the required energy systems to sustain and to power production, and to work with the federal Government and provinces of Canada on our mutual Great Lakes challenges including the Great Lakes-St. Lawrence Seaway, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. KAPTUR introduced the following bill; which was referred to the
Committee on _____

A BILL

To promote economic growth and recovery throughout the Great Lakes region, to restore and to protect America's principal source of fresh water, which holds twenty percent of the world's freshwater, making it the largest system in the world, to foster innovation and to advance world-class workforce, education, training, and adjustment institutions for better jobs in the Great Lakes region, to strengthen and to expand the core U.S. manu-

facturing and industrial base, and the required energy systems to sustain and to power production, and to work with the federal Government and provinces of Canada on our mutual Great Lakes challenges including the Great Lakes-St. Lawrence Seaway, 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 “Great Lakes Authority
5 Act of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The 8 States that comprise the United
9 States portion of the Great Lakes watershed contain
10 the core of America’s commercial and industrial
11 base.

12 (2) The Department of Homeland Security de-
13 fines these industries as “America’s Critical Manu-
14 facturing Sector”.

15 (3) The total economy for the United States
16 Great Lakes region generated \$3.1 trillion in gross
17 domestic product while employing 25.8 million peo-
18 ple and supporting \$1.3 trillion in wages.

19 (4) Maritime commerce supports more than
20 147,500 jobs in the 8 Great Lakes States and gen-

1 erates annual binational economic benefits of \$35
2 billion in economic activity (\$26 billion in the United
3 States), \$10.5 billion in personal income and local
4 consumption expenditures in the United States), and
5 \$4.6 billion in Federal, state, and local tax revenue
6 in the United States.

7 (5) The Great Lakes region's 5 Great Lakes—
8 Erie, Huron, Michigan, Ontario, and Superior—are
9 the source of 21 percent of the world's surface fresh
10 water and 84 percent of North America's fresh
11 water, making it the largest freshwater system in
12 the world.

13 (6) Since the early 1980s, the inequalities be-
14 tween the few and the many, the coasts and the in-
15 terior, and the developed and underdeveloped regions
16 of the United States have widened.

17 (7) The United States has closed 91,000 fac-
18 tories and lost 5 million manufacturing jobs since
19 NAFTA was enacted in 1993 and since China joined
20 the World Trade Organization in 2000. The 8-state
21 Great Lakes region lost 1.5 million of those jobs –
22 that is, 30 percent.

23 (8) The losses of factories and jobs, in turn,
24 have greatly weakened the fiscal capacity of the
25 Great Lakes region's State and local governments. A

1 measure of this fiscal crisis is found in the high mu-
2 nicipal indebtedness of the region's cities, as well as
3 debt burdens due to Federal government mandates.

4 (9) When workers' jobs are outsourced or elimi-
5 nated by increased foreign competition, entire com-
6 munities feel the impact. Communities throughout
7 the Great Lakes, including communities of color,
8 have struggled to rebuild the economic conditions
9 that once supported thriving working and middle
10 class lives for their residents.

11 (10) The loss of factories and jobs has hollowed
12 out entire communities, leading to the spread of
13 blight, pollution and vacant and abandoned prop-
14 erties that destabilize rural, suburban and urban
15 communities across the Great Lakes region.

16 (11) The Great Lakes States have not kept
17 pace with innovation. Specifically, in 1990, 51,000
18 United States patents were issued and in 2020 the
19 United States Patent and Trademark Office granted
20 188,000—an increase of 265 percent, but not a sin-
21 gle State in the Great Lakes region reached the na-
22 tional average by 2020.

23 (12) The Great Lakes region faces numerous
24 ecological threats, including invasive species, toxic

1 algae, erosion, development, waste plastics, and toxic
2 pollutants, among other sources.

3 (13) Heavy power demands across the region
4 require a dependable baseload energy supply with a
5 highly skilled workforce. Today, the region has 17
6 nuclear reactors at 15 sites in operation. Nuclear
7 power provides 15 percent of the electricity for Ohio
8 and Wisconsin, 23 percent for Minnesota, 29 percent
9 for Michigan, 33 percent for New York, 41 percent
10 for Pennsylvania, and 53 percent for Illinois; how-
11 ever, competitive pressures from massive, new nat-
12 ural gas supplies have created financial pressures
13 that can make nuclear power less competitive and
14 more expensive.

15 (14) Building back better in the Great Lakes
16 region is a challenge that requires an empowered
17 and well-financed Great Lakes Authority.

18 (15) The Great Lakes Authority can support
19 sustained growth and innovation through public and
20 private sector initiatives and collaboration with re-
21 gional stakeholders.

22 **SEC. 3. GREAT LAKES AUTHORITY.**

23 (a) IN GENERAL.—Subtitle VI of title 40, United
24 States Code, is amended by adding at the end the fol-
25 lowing:

1 **“CHAPTER 185—GREAT LAKES AUTHORITY**

“SUBCHAPTER I—GENERAL PROVISIONS

“Sec.

“18501. Purpose.

“18502. Definitions.

“SUBCHAPTER II—ORGANIZATION AND ADMINISTRATION

“18510. Establishment; members.

“18511. Meetings; decisions.

“18512. Functions.

“18513. Administrative powers and expenses.

“18514. Information.

“18515. Regional development plan.

“SUBCHAPTER III—FINANCIAL ASSISTANCE

“18520. Authority to provide financial assistance.

“18521. Revolving loan fund.

“SUBCHAPTER IV—NATIONAL ENERGY RECYCLING AND CONSERVATION
LABORATORY

“18530. National Energy Recycling and Conservation Laboratory.

“SUBCHAPTER V—AUTHORIZATION OF APPROPRIATIONS

“18540. Authorization of appropriations.

2 “SUBCHAPTER I—GENERAL PROVISIONS

3 **“§ 18501. Purpose**

4 “The purpose of this chapter shall be to establish the
5 Great Lakes Authority to—

6 “(1) promote economic development and job
7 creation and to create world-class workforce edu-
8 cation, training, and adjustment institutions to spur
9 economic growth, especially in communities that
10 have been disproportionately affected by the out-
11 sourcing of jobs;

12 “(2) restore and to protect the principal source
13 of surface fresh water in North America;

1 “(3) foster innovation to strengthen and expand
2 the core United States manufacturing and industrial
3 base and promote cleaner and more sustainable
4 power production;

5 “(4) establish and administer funding mecha-
6 nisms to finance clean energy, green infrastructure,
7 water infrastructure, wastewater infrastructure, and
8 broadband infrastructure projects in the Great
9 Lakes region;

10 “(5) create a regional development plan;

11 “(6) promote affordable access to energy and
12 broadband services in the Great Lakes region; and

13 “(7) provide technical assistance to entities re-
14 ceiving financial assistance from the Great Lakes
15 Authority.

16 **“§ 18502. Definitions**

17 “In this chapter:

18 “(1) APPRENTICESHIP PROGRAM.—The term
19 ‘apprenticeship program’ means an apprenticeship
20 program registered under the Act of August 16,
21 1937 (commonly known as the ‘National Appren-
22 ticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50
23 et seq.).

24 “(2) BOND.—The term ‘bond’ means any bond
25 issued in accordance with this chapter if—

1 “(A) the proceeds from the sale of the
2 bond are to be used for expenditures incurred
3 after the date of issuance with respect to any
4 eligible project, subject to such rules as the
5 Great Lakes Authority may provide;

6 “(B) the bond is issued in registered form;

7 “(C) the bond has such terms and carries
8 interest in such an amount as determined by
9 the Authority; and

10 “(D) payments of interest and principal
11 with respect to the bond is the obligation of the
12 Authority and is backed by the full faith and
13 credit of the United States.

14 “(3) BROADBAND INFRASTRUCTURE
15 PROJECT.—

16 “(A) IN GENERAL.—The term ‘broadband
17 infrastructure project’ means any project for
18 the planning, design, construction, mainte-
19 nance, or enhancement of any cables, fiber op-
20 tics, wiring, wireless facility (including any pole,
21 tower, base station, or other structure, whether
22 or not such structure has an existing antenna
23 facility, that is used or to be used for the provi-
24 sion of wireless service), or other permanent in-
25 frastructure integral to the provision of ad-

1 vanded telecommunications capability (as such
2 term is defined in section 706(d) of the Tele-
3 communications Act of 1996 (47 U.S.C.
4 1302(d)) and as specified by the Federal Com-
5 munications Commission as part of the annual
6 inquiry conducted under section 706(b) of such
7 Act (47 U.S.C. 1302(b))).

8 “(B) ANNUAL INQUIRY.—For purposes of
9 subparagraph (A), the term ‘annual inquiry’
10 means the most recent inquiry that concluded
11 before the date on which an eligible entity sub-
12 mits an application for assistance under this
13 chapter for a broadband infrastructure project.

14 “(4) CLEAN ENERGY INFRASTRUCTURE
15 PROJECT.—The term ‘clean energy infrastructure
16 project’ means a project that demonstrates 1 or
17 more of the following technologies:

18 “(A) Solar.

19 “(B) Wind.

20 “(C) Geothermal.

21 “(D) Direct air capture.

22 “(E) Diverse clean hydrogen sources.

23 “(F) Clean, low-carbon fuels.

24 “(G) Hydropower.

25 “(H) Wave energy technologies.

1 “(I) Fossil-fueled electricity generation
2 with carbon capture, utilization, and sequestra-
3 tion.

4 “(J) Thermal energy capture systems or
5 other regional energy infrastructure systems.

6 “(K) Energy storage, including pumped
7 storage hydropower and compressed air storage.

8 “(L) Advanced nuclear technologies.

9 “(M) Biomass.

10 “(N) Any technology that supports a tech-
11 nology described in subparagraphs (A) through
12 (M), including micro-grid, electric grid infra-
13 structure, or other regional infrastructure sys-
14 tems.

15 “(O) Any other technology that is similar
16 to, or a successor to, the technologies described
17 in subparagraphs (A) through (N), as deter-
18 mined by the Authority.

19 “(5) ELIGIBLE ENTITY.—The term ‘eligible en-
20 tity’ means—

21 “(A) a State or a political subdivision
22 thereof;

23 “(B) a public agency or publicly chartered
24 authority established by 1 or more States;

1 “(C) a special purpose district with a
2 transportation, energy, environmental, or eco-
3 nomic development function;

4 “(D) an Indian Tribe (as such term is de-
5 fined in section 4 of the Indian Self-Determina-
6 tion and Education Assistance Act (25 U.S.C.
7 5304), without regard to capitalization), or a
8 consortium of Indian Tribes;

9 “(E) a multistate or multijurisdictional
10 group of entities described subparagraphs (A)
11 through (D);

12 “(F) an institution of higher education (as
13 such term is defined in section 101(a) of the
14 Higher Education Act of 1965 (20 U.S.C.
15 1001(a));

16 “(G) a nonprofit entity; and

17 “(H) an entity described in subparagraphs
18 (A) through (G) jointly with a private entity or
19 group of private entities.

20 “(6) ELIGIBLE PROJECT.—The term ‘eligible
21 project’ means—

22 “(A) a project carried out in the Great
23 Lakes region that is a—

24 “(i) wastewater infrastructure project;

1 “(ii) clean energy infrastructure
2 project;

3 “(iii) port infrastructure project;

4 “(iv) broadband infrastructure
5 project;

6 “(v) green infrastructure project;

7 “(vi) lead abatement project;

8 “(vii) water infrastructure project; or

9 “(viii) weatherization project; and

10 “(B) any of the following activities carried
11 out in the Great Lakes region:

12 “(i) The acquisition or development of
13 land and improvements of such land for
14 use for public works, public service, or de-
15 velopment facilities.

16 “(ii) The acquisition, construction, re-
17 habilitation, alteration, expansion, or im-
18 provement of development facilities, includ-
19 ing related machinery and equipment.

20 “(iii) Preparation for events that may
21 cause economic, social, health, or infra-
22 structure failures or contribute to inequi-
23 ties in the Great Lakes region, including
24 development of mechanisms to respond to
25 such events.

1 “(aa) apprenticeship pro-
2 grams across skilled trades lead-
3 ing to publicly certified inte-
4 grated certificates; and

5 “(bb) community college
6 credit, associate, bachelor, and
7 advanced degrees;

8 “(II) support a major, seamless,
9 nationally relevant workforce training
10 program for vehicle conversion, repair,
11 and innovation for mechanics and en-
12 gineers; and

13 “(III) are funded by State boards
14 and local boards.

15 “(7) GREAT LAKES AUTHORITY; AUTHORITY.—
16 The terms ‘Great Lakes Authority’ and ‘Authority’
17 mean the Great Lakes Authority established under
18 this chapter.

19 “(8) GREAT LAKES REGION.—The term ‘Great
20 Lakes region’ means areas in the watershed of the
21 Great Lakes and the Great Lakes System (as such
22 terms are defined in section 118(a)(3) of the Fed-
23 eral Water Pollution Control Act (33 U.S.C.
24 1268(a)(3))), in each of the following States:

25 “(A) Illinois.

1 “(B) Indiana.

2 “(C) Michigan.

3 “(D) Minnesota.

4 “(E) New York.

5 “(F) Ohio.

6 “(G) Pennsylvania.

7 “(H) Wisconsin.

8 “(9) GREEN INFRASTRUCTURE PROJECT.—The
9 term ‘green infrastructure project’ means any
10 project for the planning, design, construction, main-
11 tenance, or enhancement of green infrastructure (as
12 such term is defined in section 502 of the Federal
13 Water Pollution Control Act (33 U.S.C. 1362)), in-
14 cluding through the use of any technology that the
15 Authority determines to be consistent with the pur-
16 poses of this chapter.

17 “(10) LAND BANK.—The term ‘land bank’
18 means a government entity, agency, or program, or
19 a special purpose nonprofit entity formed by 1 or
20 more units of government in accordance with a State
21 or local land bank enabling law, that has been des-
22 ignated by 1 or more State or local governments to
23 acquire, steward, dispose of, or repurpose vacant,
24 abandoned, or other problem properties in accord-
25 ance with locally-determined priorities and goals.

1 “(11) LOAN GUARANTEE.—The term ‘loan
2 guarantee’ has the meaning given the term in sec-
3 tion 502 of the Federal Credit Reform Act of 1990
4 (2 U.S.C. 661a).

5 “(12) LOCAL BOARD; STATE BOARD.—The
6 terms ‘local board’ and ‘State board’ have the mean-
7 ings given such terms in section 3 of the of the
8 Workforce Innovation and Opportunity Act (29
9 U.S.C. 3102).

10 “(13) LOCAL DEVELOPMENT DISTRICT.—The
11 term ‘local development district’ means any of the
12 following entities for which the Governor of the
13 State in which the entity is located, or the appro-
14 priate State officer, certifies to the Authority that
15 the entity has a charter or authority that includes
16 the economic development of counties or parts of
17 counties or other political subdivisions within the
18 Great Lakes region:

19 “(A) A nonprofit incorporated body orga-
20 nized or chartered under the law of the State
21 in which such nonprofit incorporated body is lo-
22 cated.

23 “(B) A nonprofit agency or instrumentality
24 of a State or local government.

1 “(C) A nonprofit agency or instrumentality
2 created through an interstate compact.

3 “(D) A nonprofit association or combina-
4 tion of entities described in this paragraph.

5 “(14) PORT INFRASTRUCTURE PROJECT.—The
6 term ‘port infrastructure project’ means construc-
7 tion, reconstruction, environmental rehabilitation of
8 a port facility, or the acquisition of land, property,
9 or equipment—

10 “(A) that is—

11 “(i) within the boundary of a port;

12 “(ii) outside the boundary of a port,
13 but directly related to port operations; or

14 “(iii) an intermodal connection to a
15 port; and

16 “(B) will be used to improve the safety, ef-
17 ficiency or reliability of the loading or unloading
18 of goods or passengers at a port.

19 “(15) RESILIENCE.—The term ‘resilience’
20 means, with respect to a facility, the ability to—

21 “(A) anticipate, prepare for, or adapt to
22 conditions;

23 “(B) withstand, respond to, or recover rap-
24 idly from disruptions;

1 “(C) resist hazards or withstand impacts
2 from disruptions;

3 “(D) reduce the magnitude, duration, or
4 impact of a disruption; or

5 “(E) have the absorptive capacity, adaptive
6 capacity, and recoverability to decrease vulner-
7 ability to a disruption.

8 “(16) SEVERELY AND PERSISTENTLY DIS-
9 TRESSED AREA.—The term ‘severely and persistently
10 distressed area’ means an area—

11 “(A) with a high proportion of residential
12 and commercial properties that are vacant due
13 to foreclosure, eviction, abandonment, or other
14 causes;

15 “(B) with racial disparities in homeowner-
16 ship rates;

17 “(C) with population loss;

18 “(D) where economic inequities have grown
19 substantially due to job dislocation and out-
20 sourcing; and

21 “(E) in the case of a census tract located
22 within a metropolitan area, where the median
23 family income for such census tract does not ex-
24 ceed 80 percent of the greater of statewide me-

1 dian family income or the metropolitan area
2 median family income.

3 “(17) WATER INFRASTRUCTURE PROJECT.—
4 The term ‘water infrastructure project’ means a
5 project or activity described in section 603(c) of the
6 Federal Water Pollution Control Act (33 U.S.C.
7 1383(e)).

8 “(18) WASTEWATER INFRASTRUCTURE
9 PROJECT.—The term ‘wastewater infrastructure
10 project’ means a project for the planning, design,
11 construction, maintenance, or enhancement of a
12 treatment works (as such term is defined in section
13 212 of the Federal Water Pollution Control Act (33
14 U.S.C. 1292) to intercept, transport, control, treat,
15 or reuse municipal combined sewer overflows, sani-
16 tary sewer overflows, or stormwater.

17 “(19) WEATHERIZATION PROJECT.—The term
18 ‘weatherization project’ means a project that,
19 through the use of weatherization materials (as such
20 term is defined in section 412 of the Energy Con-
21 servation and Production Act (42 U.S.C. 6862)),
22 weatherizes dwelling units that are energy ineffi-
23 cient.

1 “(B) The individual shall have manage-
2 ment expertise relative to a large for profit or
3 nonprofit corporate, government, or academic
4 institution in the field of study or industries re-
5 lated to—

6 “(i) clean energy;

7 “(ii) green infrastructure;

8 “(iii) water infrastructure;

9 “(iv) wastewater infrastructure; or

10 “(v) broadband infrastructure.

11 “(C) The individual may not be an em-
12 ployee of the Great Lakes Authority.

13 “(D) The individual shall affirm that such
14 individual does not have any financial interest
15 in the industries described in subparagraph (B).

16 “(E) The individual may not be employed
17 by, hold any official relation to, or be financially
18 interested in any company or other entity en-
19 gaged in the manufacture, business, control, or
20 sale of technologies related to the industries de-
21 scribed in subparagraph (B).

22 “(F) The individual shall affirm support
23 for the purposes of the Great Lakes Authority,
24 including being a national leader in the indus-
25 tries described in subparagraph (B).

1 “(3) PARTY AFFILIATION.—Including the
2 Chairperson, there may not be more than 5 mem-
3 bers from the same political party.

4 “(c) CHAIRPERSON.—

5 “(1) INITIAL APPOINTMENT.—Not later than
6 60 days after the date of enactment of this chapter,
7 the President shall appoint the Chairperson.

8 “(2) RESPONSIBILITIES.—The Chairperson
9 shall be responsible for the executive and adminis-
10 trative operation of the Great Lakes Authority, in-
11 cluding chairing meetings and functions of the Great
12 Lakes Authority, with respect to the supervision of
13 personnel employed by, or assigned to, the Author-
14 ity.

15 “(d) VICE CHAIRPERSON.—

16 “(1) IN GENERAL.—The members of the Au-
17 thority shall select a Vice Chairperson from the
18 State members described in subsection (b)(1)(B) by
19 a majority vote.

20 “(2) CHAIRPERSON VACANCY.—The Vice Chair-
21 person shall serve as acting Chairperson when the
22 position of the Chairperson is vacant.

23 “(3) QUALIFICATIONS.—The Vice Chairperson
24 selected under paragraph (1) may not be a resident
25 of the same State as the Chairperson.

1 “(4) TERM.—The Vice Chairperson selected
2 under paragraph (1) shall serve a term of not more
3 than 2 years.

4 “(e) TERM AND VACANCIES.—

5 “(1) IN GENERAL.—Each member of the Great
6 Lakes Authority shall be appointed for a term of 5
7 years, except as provided in paragraph (2), and such
8 term shall begin upon appointment of such member.

9 “(2) VACANCIES.—

10 “(A) IN GENERAL.—Any member ap-
11 pointed to fill a vacancy occurring before the
12 expiration of the term for which the member’s
13 predecessor was appointed shall be appointed
14 only for the remainder of such term.

15 “(B) INTERIM SERVICE.—A member may
16 serve after the expiration of such member’s
17 term until a successor has taken office, and if
18 the Chairperson has taken the oath of office,
19 may not continue to serve after the expiration
20 of the session of Congress that begins after the
21 expiration of the fixed term of office of the suc-
22 cessor.

23 “(C) EFFECT OF VACANCY.—No vacancy
24 shall impair the right of the remaining mem-

1 bers to exercise all the powers of the Great
2 Lakes Authority.

3 “(f) REMOVAL.—Members of the Authority may be
4 removed by the President only for inefficiency, neglect of
5 duty, or malfeasance in office.

6 “(g) OPERATIONS.—The Authority shall begin oper-
7 ations upon the appointment of the Chairperson and at
8 least 2 State members described in subsection (b)(1)(B).

9 “(h) EXECUTIVE DIRECTOR.—

10 “(1) APPOINTMENT.—The Chairperson shall
11 appoint an Executive Director of the Great Lakes
12 Authority, who shall meet the qualifications de-
13 scribed in subsection (b)(2).

14 “(2) DUTIES.—The Executive Director shall be
15 responsible for—

16 “(A) carrying out the administrative duties
17 of the Great Lakes Authority;

18 “(B) directing the staff of the Authority;

19 and

20 “(C) any other duties as the members of
21 the Authority may assign.

22 “(3) TENURE.—The Executive Director shall
23 serve at the pleasure of the Chairperson.

24 “(i) PERSONNEL; COMPENSATION.—

1 “(1) PERSONNEL.—The Chairperson and each
2 State member of the Great Lakes Authority may se-
3 lect and supervise personnel as personal staff for
4 such Chairperson or member.

5 “(2) COMPENSATION.—The Great Lakes Au-
6 thority may appoint and fix the compensation of the
7 Executive Director and other personnel as necessary
8 to enable the Authority to carry out its functions,
9 except that the compensation shall not exceed the
10 maximum rate of basic pay for the Senior Executive
11 Service under section 5382 of title 5, including any
12 applicable locality-based comparability payment that
13 may be authorized under section 5304(h)(2)(C) of
14 title 5.

15 “(j) OFFICES.—The Great Lakes Authority—

16 “(1) shall establish a permanent office and
17 headquarters located in close proximity to the center
18 of the Great Lakes region, near the mouth of the
19 largest watershed of any of the rivers feeding the
20 Great Lakes System;

21 “(2) may maintain an office in the District of
22 Columbia; and

23 “(3) may establish field offices at other loca-
24 tions throughout the Great Lakes region, as the Au-
25 thority determines appropriate.

1 **“§ 18511. Meetings; decisions**

2 “(a) MEETINGS.—

3 “(1) INITIAL MEETING.—The Authority shall
4 conduct an initial meeting not later than 30 days
5 after the Authority begins operations under section
6 18510(g).

7 “(2) SUBSEQUENT MEETINGS.—The Authority
8 shall conduct at least 1 meeting every 6 months, and
9 may conduct meetings by electronic means as the
10 Authority considers advisable, including meetings to
11 decide matters requiring an affirmative vote.

12 “(b) DECISIONS.—

13 “(1) REQUIREMENTS FOR APPROVAL.—Policy
14 decisions by the Great Lakes Authority require the
15 affirmative, majority vote of the members of the Au-
16 thority.

17 “(2) CONSULTATION.—The Great Lakes Au-
18 thority, to the extent practicable, may consult with
19 the Federal and State agencies having an interest in
20 a particular matter, including transportation plan-
21 ning entities in the Great Lakes region.

22 “(c) QUORUM.—

23 “(1) IN GENERAL.—Except as provided in para-
24 graph (2), a quorum of at least 5 members of the
25 Authority shall be required to be present for the Au-

1 thority to make, modify, or revise any policy deci-
2 sion.

3 “(2) EFFECT OF QUORUM REQUIREMENT.—The
4 quorum requirement under paragraph (1) shall not
5 apply until at least 5 members of the Authority have
6 been appointed.

7 “(d) POLICY DECISION DEFINED.—In this section,
8 the term ‘policy decision’ means a decision regarding—

9 “(1) the approval of an annual budget for the
10 Authority;

11 “(2) the approval of the regional development
12 plan established under section 18515;

13 “(3) any conflict of interest policy that is appli-
14 cable to members of the Board and employees of the
15 Authority and is submitted to Congress;

16 “(4) the approval of compensation for personnel
17 of the Authority; and

18 “(5) the creation of committees of members of
19 the Authority.

20 **“§ 18512. Functions**

21 “(a) IN GENERAL.—In carrying out the purposes of
22 this chapter, the Great Lakes Authority shall—

23 “(1) develop, on a continuing basis, comprehen-
24 sive and coordinated economic and workforce devel-
25 opment programs through State boards and local

1 boards and establish priorities under such programs,
2 giving consideration to other Federal, State, Tribal,
3 and local planning in the Great Lakes region;

4 “(2) review and study, in cooperation with the
5 appropriate agencies and economic and workforce
6 development programs, including State boards and
7 local boards, in the Great Lakes region and, when
8 appropriate, recommend modifications or additions
9 to such programs to increase the effectiveness of
10 such programs in the Great Lakes region;

11 “(3) seek to coordinate the economic develop-
12 ment activities of, and the use of economic develop-
13 ment resources by, Federal agencies in the Great
14 Lakes region, including—

15 “(A) the Department of Energy;

16 “(B) the Department of the Interior;

17 “(C) the Department of Transportation;

18 “(D) the Department of Commerce;

19 “(E) the Environmental Protection Agen-
20 cy;

21 “(F) the National Oceanic and Atmos-
22 pheric Administration;

23 “(G) the National Aeronautics and Space
24 Administration;

25 “(H) the Corps of Engineers;

1 “(I) the Coast Guard;

2 “(J) the Department of Health and
3 Human Services;

4 “(K) the Federal Communications Com-
5 mission;

6 “(L) the Department of Agriculture;

7 “(M) the Department of Education;

8 “(N) the Department of Labor; and

9 “(O) any other Federal agency the Author-
10 ity determines appropriate;

11 “(4) promote coordination with the government
12 of Canada, including its provinces and local govern-
13 mental entities located near the Great Lakes region;

14 “(5) formulate and recommend, where appro-
15 priate, interstate compacts and other forms of inter-
16 state cooperation to work with State and local agen-
17 cies in developing appropriate model legislation;

18 “(6) support Tribal and local governments in
19 the Great Lakes region that have incurred signifi-
20 cant municipal debt;

21 “(7) encourage the formation and support of
22 local development districts;

23 “(8) conduct and sponsor investigations, re-
24 search, and studies, including an inventory and anal-
25 ysis of the economic resources of the Great Lakes

1 region, and, in cooperation with Federal, State,
2 Tribal, and local agencies, sponsor demonstration
3 projects designed to foster regional productivity and
4 growth;

5 “(9) encourage private investment in industrial,
6 commercial, and recreational projects in the Great
7 Lakes region;

8 “(10) encourage the use of eco-industrial devel-
9 opment technologies and approaches;

10 “(11) support broadband access and adoption
11 in the Great Lakes region;

12 “(12) serve as a focal point and coordinating
13 unit for programs and regional planning organiza-
14 tions in the Great Lakes region; and

15 “(13) provide a forum for consideration of eco-
16 nomic and environmental problems of the Great
17 Lakes region and proposed solutions to such prob-
18 lems, including promoting conservation and estab-
19 lishing and using, as appropriate, special advisory
20 councils and public conferences.

21 “(b) NEEDS AND GOALS OF SUBREGIONAL AREAS.—

22 In carrying out its functions under this section, the Great
23 Lakes Authority shall identify the characteristics of, and
24 may distinguish between the economic needs and goals of,
25 appropriate subregional areas in the Great Lakes region,

1 including the respective watersheds of each of the Great
2 Lakes.

3 “(c) RECOMMENDATIONS.—The Great Lakes Author-
4 ity may make recommendations to the President, Gov-
5 ernors, and appropriate Tribal and local officials of States
6 in the Great Lakes region with respect to—

7 “(1) the expenditure of amounts by Federal,
8 State, and local agencies in the Great Lakes region
9 in the fields of natural resources, agriculture, edu-
10 cation, technology, advanced manufacturing, train-
11 ing, health and welfare, and other fields related to
12 the purposes of this chapter; and

13 “(2) additional Federal, State, and local legisla-
14 tion or administrative actions as the Great Lakes
15 Authority considers necessary to further the pur-
16 poses of this chapter.

17 **“§ 18513. Administrative powers and expenses**

18 “(a) POWERS.—To carry out its duties under this
19 subtitle, the Authority may—

20 “(1) adopt, amend, and repeal bylaws and regu-
21 lations governing the conduct of its business and the
22 performance of its functions;

23 “(2) request the head of any Federal agency to
24 detail to temporary duty with the Great Lakes Au-
25 thority personnel within the administrative jurisdic-

1 tion of the head of the agency that the Authority
2 may need for carrying out its functions, each detail
3 to be without loss of seniority, pay, or other em-
4 ployee status;

5 “(3) arrange for the services of personnel from
6 any State or local government, subdivision or agency
7 of a state or local government, or intergovernmental
8 agency;

9 “(4) make arrangements, including contracts,
10 with any participating State government for inclu-
11 sion in a suitable retirement and employee benefit
12 system of Great Lakes Authority personnel who may
13 not be eligible for, or continue in, another govern-
14 mental retirement or employee benefit system; or
15 otherwise provide for coverage of such personnel;

16 “(5) accept, use, and dispose of gifts or dona-
17 tions of services or any property;

18 “(6) enter into and perform contracts, leases
19 (including the lease of office space for any term), co-
20 operative agreements, or other transactions, nec-
21 essary in carrying out its functions, on terms as it
22 may consider appropriate, with any person, depart-
23 ment, agency, or instrumentality of the Federal Gov-
24 ernment, or State or political subdivision, agency, or
25 instrumentality of such State;

1 “(7) provide technical assistance to entities re-
2 ceiving financing from the Great Lakes Authority;

3 “(8) serve as a liaison between Congress, the
4 executive branch, and State and local governments,
5 and to represent the interests of the Great Lakes
6 Authority; and

7 “(9) take other actions and incur other ex-
8 penses as may be necessary or appropriate.

9 “(b) EXPENSES.—

10 “(1) CHAIRPERSON STAFF EXPENSES.—The ex-
11 penses of the Chairperson and the staff of the
12 Chairperson of the Authority shall be paid solely by
13 the Federal government.

14 “(2) ADMINISTRATIVE EXPENSES.—

15 “(A) IN GENERAL.—Except as provided
16 under paragraph (1), 50 percent of the admin-
17 istrative expenses of the Great Lakes Authority
18 shall be paid by the States participating in the
19 Great Lakes Authority.

20 “(B) STATE SHARES.—

21 “(i) IN GENERAL.—The share of ad-
22 ministrative expenses of the Great Lakes
23 Authority to be paid by the States shall be
24 divided equally among the States partici-
25 pating in the Great Lakes Authority.

1 “(ii) DELINQUENT STATES.—In the
2 case of a State that is delinquent in paying
3 the share of administrative expenses for
4 such State under this paragraph—

5 “(I) no assistance under this
6 chapter may be provided to the gov-
7 ernment of such State; and

8 “(II) the member representing
9 such State may not participate in the
10 Great Lakes Authority or vote in any
11 proposed action to be taken by the
12 Authority.

13 “(iii) ASSISTANCE TO ELIGIBLE RE-
14 CIPIENTS LOCATED IN DELINQUENT
15 STATE.—An eligible entity located in, or
16 carrying out an eligible project in, a State
17 described in clause (ii), that is not the gov-
18 ernment of such State, or a political sub-
19 division thereof, may receive financial as-
20 sistance from the Great Lakes Authority.

21 **“§ 18514. Information**

22 “(a) IN GENERAL.—To obtain information needed to
23 carry out its duties, the Great Lakes Authority shall—

24 “(1) hold hearings, sit and act at times and
25 places, take testimony, receive evidence, and print or

1 otherwise reproduce and distribute so much of its
2 proceedings and reports on the proceedings as the
3 Authority may deem advisable;

4 “(2) arrange for the head of any Federal,
5 State, or local agency to furnish to the Great Lakes
6 Authority information as may be available to, or pro-
7 curable by, such agency; and

8 “(3) keep accurate and complete records of its
9 doings and transactions which shall be made avail-
10 able for public inspection and audit and examination
11 by the Comptroller General of the United States.

12 “(b) AUTHORIZATIONS.—

13 “(1) ADMINISTER OATHS.—The Chairperson of
14 the Authority may administer oaths when the Au-
15 thority decides that testimony shall be taken or evi-
16 dence received under oath.

17 “(2) FURNISH INFORMATION.—The head of any
18 Federal, State, or local agency, to the extent not
19 otherwise prohibited by law, may carry out sub-
20 section (a)(2).

21 “(c) PUBLIC PARTICIPATION.—

22 “(1) IN GENERAL.—The Great Lakes Authority
23 shall provide for public participation in the develop-
24 ment, revision, and implementation of all plans and
25 programs under this chapter.

1 “(2) REGULATIONS REQUIRED.— The Great
2 Lakes Authority shall develop and publish regula-
3 tions specifying minimum guidelines for public par-
4 ticipation, including regular public hearings held
5 throughout the Great Lakes region, which shall in-
6 clude Tribal communities.

7 “(3) CONSIDERATION OF PUBLIC PARTICIPA-
8 TION.— In establishing any plans or programs
9 under this chapter, the Great Lakes Authority shall
10 identify how public comments were considered in the
11 development and implementation of such plans or
12 programs.

13 **“§ 18515. Regional development plan**

14 “(a) IN GENERAL.—Not later than 180 days after
15 the date on which the Great Lakes Authority begins oper-
16 ations under section 18510(g), the Authority shall develop
17 a regional development plan (in this section referred to
18 as the ‘plan’) that—

19 “(1) identifies priorities, major development ob-
20 jectives, and strategic guidelines for eligible projects
21 in the Great Lakes region;

22 “(2) establishes budgetary guidelines for the
23 full life funding of such projects, including the plan-
24 ning, construction, repair, rehabilitation, and re-
25 placement of such projects; and

1 “(3) identifies responsibilities between the
2 Great Lakes Authority, the Federal government, and
3 State and local governments for the development of
4 infrastructure in the Great Lakes region.

5 “(b) SUBMISSION.—

6 “(1) INITIAL SUBMISSION.—Upon developing
7 the plan under subsection (a), the Authority shall
8 submit the plan to the Committees on Appropria-
9 tions and Transportation and Infrastructure of the
10 House of Representatives and the Committees on
11 Appropriations and Environment and Public Works
12 of the Senate.

13 “(2) BIENNIAL UPDATES.—Not later than 2
14 years after the date on which the plan is submitted
15 under paragraph (1), and every 2 years thereafter,
16 the Authority shall review, update, and submit such
17 plan to the committees described in paragraph (1).

18 “(c) CONSULTATION REQUIRED.—In developing and
19 updating the plan under this section, the Authority shall—

20 “(1) consult with—

21 “(A) the Assistant Secretary of Commerce
22 for Economic Development;

23 “(B) the Chief of Engineers;

24 “(C) the Secretaries of Transportation and
25 Interior;

1 “(D) the Governors of each of the States
2 in the Great Lakes region;

3 “(E) regional planning organizations; and

4 “(F) any other stakeholders that the Au-
5 thority considers appropriate, including Tribes;
6 and

7 “(2) consider the Great Lakes coastal resiliency
8 study carried out by the Secretary of the Army
9 under section 729 of the Water Resources Develop-
10 ment Act of 1986 (33 U.S.C. 2267a), as required by
11 section 1219 of the America’s Water Infrastructure
12 Act of 2018 (132 Stat. 3811).

13 “SUBCHAPTER III—FINANCIAL ASSISTANCE

14 “§ 18520. Authority to provide financial assistance

15 “In carrying out the purposes of this chapter, the
16 Great Lakes Authority may—

17 “(1) make loans on such terms as the Authority
18 may determine to be appropriate to assist eligible
19 entities in the financing, development, or operation
20 of an eligible project;

21 “(2) make loan guarantees on such terms as
22 the Authority may determine to be appropriate to
23 assist eligible entities in the financing or refinancing
24 of an eligible project; and

1 “(3) issue bonds and provide financing to eligi-
2 ble entities to carry out eligible projects from
3 amounts made available from the issuance of such
4 bonds;

5 “(4) make grants, cooperative agreements, and
6 contracts with eligible entities to carry out eligible
7 projects; and

8 “(5) provide technical assistance to entities re-
9 ceiving financing from the Great Lakes Authority.

10 **“§ 18521. Revolving loan fund**

11 “(a) ESTABLISHMENT.—There is established a Great
12 Lakes Fund (in this section referred to as the ‘Fund’).

13 “(b) SOURCE OF AMOUNTS IN FUND.—Amounts
14 made available to the Great Lakes Authority to carry out
15 this section shall be deposited in the Fund.

16 “(c) USE OF AMOUNTS IN FUND.—The Great Lakes
17 Authority shall use the Fund as a revolving fund to make
18 grants and loans from the Fund, under terms and condi-
19 tions the Great Lakes Authority may prescribe, to eligible
20 entities to carry out eligible projects.

21 “(d) UNUSED AMOUNTS.—

22 “(1) IN GENERAL.—Amounts in the Fund not
23 needed for operation of the revolving fund estab-
24 lished under this section may be invested in bonds

1 or other obligations the Federal Government guaran-
2 tees as to principal and interest.

3 “(2) ADMINISTRATIVE EXPENSES.— General
4 expenses of administration of this section may be
5 charged to the Fund.

6 “(e) CONSIDERATIONS.—In awarding funds under
7 this section, the Great Lakes Authority shall consider the
8 following with respect to a project proposed to be carried
9 out with such funds:

10 “(1) The relationship of the project to overall
11 regional development and poverty alleviation, includ-
12 ing consideration of whether a project will be carried
13 out in a severely and persistently distressed area.

14 “(2) The population and area to be served by
15 the project, including the per capita market income
16 and the unemployment rates in such area.

17 “(3) The relative financial resources available
18 to an eligible entity that seeks to undertake the
19 project.

20 “(4) The relevance of the project in relation to
21 other projects proposed to be carried out with a
22 grant under this section.

23 “(5) The amount of potential revenue the
24 project may generate.

1 “(6) The potential for the project to improve,
2 on a continuing basis, opportunities for employment,
3 including opportunities for individuals in populations
4 with the highest unemployment rates, the average
5 level of income, or the economic and social develop-
6 ment of the area served by the project, including
7 areas where the median income has decreased due to
8 significant job losses.

9 “(7) The extent to which the project design
10 provides for detailed outcome measurements by
11 which the project may be evaluated.

12 “(8) Whether the project is identified as a pri-
13 ority in the regional development plan under section
14 18515.

15 “(9) Whether the project is also funded by a re-
16 gional commission established under this title or a
17 Federal agency and the possibility of partnering and
18 sharing costs with such commission or agency to
19 carry out the project.

1 “SUBCHAPTER IV—NATIONAL ENERGY
2 RECYCLING AND CONSERVATION LABORATORY
3 **“§ 18530. National Energy Recycling and Conserva-
4 tion Laboratory**

5 “(a) IN GENERAL.—There is established a National
6 Energy Recycling and Conservation Laboratory (in this
7 section referred to as the ‘Laboratory’) to perform—

8 “(1) advanced research projects related to en-
9 ergy recycling technologies, including hydrogen, ther-
10 mal heat extraction, biomass and waste conversion,
11 geothermal, water recycling, and methane capture;
12 and

13 “(2) any research, development, and related
14 functions as the Great Lakes Authority may deter-
15 mine to be necessary or appropriate to carry out the
16 purposes of the Great Lakes Authority.

17 “(b) PARTNERSHIPS; COORDINATION.—In carrying
18 out the research, development, or other related functions
19 under this section, the Laboratory may coordinate with
20 the Department of Energy or enter into partnerships with
21 any nuclear power plant in the United States.

22 “(c) LOCATION.—The Great Lakes Authority shall
23 select a location for the Laboratory that is—

24 “(1) in close proximity to the center of the
25 Great Lakes region, near the mouth of the largest

1 watershed of any of the rivers feeding the Great
2 Lakes region;

3 “(2) in close proximity to a nuclear power
4 plant;

5 “(3) in an area with heavy industry and manu-
6 facturing;

7 “(4) in an area with a high proportion of resi-
8 dential and commercial properties that are vacant
9 due to foreclosure, eviction, abandonment, or other
10 causes;

11 “(5) in an area with racial disparities in home-
12 ownership rates;

13 “(6) in an area with population loss;

14 “(7) in an area where economic inequities have
15 grown substantially due to job dislocation and out-
16 sourcing; and

17 “(8) in the case of a census tract located within
18 a metropolitan area, where the median family in-
19 come for such census tract does not exceed 80 per-
20 cent of the greater of statewide median family in-
21 come or the metropolitan area median family in-
22 come.

