

110TH CONGRESS  
1ST SESSION

# H. R. 4048

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.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2007

Ms. ZOE LOFGREN of California (for herself, Mr. TAYLOR, and Mr. MELANCON) introduced the following bill; which was referred to the Committee on Education and Labor

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## 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;

13 (4) rebuild homes, public infrastructure and  
 14 community resources, restoring lives and faith in the  
 15 Federal government;

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

3           (6) encourage individuals to move from unem-  
4 ployment to work, and from homelessness to home-  
5 ownership;

6           (7) utilize the recommendations of community  
7 organizations and coalitions in order to rebuild and  
8 strengthen communities; and

9           (8) strengthen partnerships between the public  
10 and private sector that will lead to increased eco-  
11 nomic growth in the region.

12 **SEC. 3. DEFINITIONS.**

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

17           **TITLE I—THE GULF COAST**  
18           **RECOVERY AUTHORITY**

19 **SEC. 101. ESTABLISHMENT OF CORPORATION.**

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

23       (b) STATUS OF CORPORATION.—The Corporation  
24 shall be an independent establishment in the executive  
25 branch and shall be deemed to be an agency of the United

1 States for purposes of subchapter II of chapter 5 and  
2 chapter 7 of title 5, United States Code.

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

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

13 (e) PROPERTY OWNERS' RIGHTS AND PROTEC-  
14 TIONS.—

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

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

23 **SEC. 102. BOARD OF DIRECTORS.**

24 (a) BOARD OF DIRECTORS.—

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

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

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

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

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

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

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

21 (b) CHAIRPERSON AND VICE CHAIRPERSON.—

22 (1) CHAIRPERSON.—One of the 4 members of  
23 the Board who were not nominated by the Governor  
24 of Louisiana and the Governor of Mississippi shall  
25 be designated by the President, by and with the ad-

1 vice and consent of the Senate, to serve for a term  
2 of 2 years as Chairperson of the Board and the chief  
3 executive officer of the Corporation.

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

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

16 (c) TERM OF OFFICE.—

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

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

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

24 (B) the 4 members who were nominated by  
25 the Governor of Louisiana and the Governor of

1 Mississippi shall be appointed for a term of 3  
2 years; and

3 (C) 2 shall be appointed for a term of 2  
4 years.

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

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

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

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

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

23 (1) Any member appointed to fill a vacancy in  
24 the Board occurring prior to the expiration of the



1 term for which his predecessor was appointed shall  
2 be appointed for the remainder of such term.

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

9 (e) INELIGIBILITY FOR OTHER OFFICES.—

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

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

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

24 (B) hold stock in any insured depository  
25 institution, depository institution holding com-

1           pany, investment bank, mortgage bank, or any  
2           other entity which enters into any contract with  
3           the Corporation.

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

9           (f) CLARIFICATION OF NONLIABILITY.—

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

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

1 (A) affecting—

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

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

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

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

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

23 (b) CERTIFICATES.—Certificates evidencing shares of  
24 nonvoting capital stock of the Corporation shall be issued  
25 by the Corporation to the President of the United States,

1 or to such other person or persons as the President may  
2 designate from time to time, to the extent of payments  
3 made for the capital stock of the Corporation.

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

9 (d) REPORTS.—

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

24 (2) PUBLIC AVAILABILITY.—Each report sub-  
25 mitted to the Director of the Office of Management

1 and Budget and to the Secretary of the Treasury  
2 under paragraph (1) shall be made available to the  
3 public.

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

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

14 **SEC. 104. OFFICERS, EMPLOYEES, AND OTHER AGENTS OF**  
15 **THE CORPORATION.**

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

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

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

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

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

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

1           (4) insofar as applicable, the workers com-  
2           pensation laws of the United States shall extend to  
3           persons given employment under the provisions of  
4           this Act.

5           (d) POLITICAL TESTS PROHIBITED IN EMPLOY-  
6           MENT.—

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

21          (2) COMPENSATION.—In the selection of em-  
22          ployees for works projects authorized by the Cor-  
23          poration, made by an official, employee, or other au-  
24          thorized agent of the Corporation, and in the deter-  
25          mination of wages or salaries, no political test or

1 qualification shall be permitted or given consider-  
2 ation, but all such selection, hiring, appointments  
3 and promotions shall be given and made on the basis  
4 of merit and efficiency.

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

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

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

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

18 (2) provide for such other officers and employ-  
19 ees as may be necessary to perform the functions of  
20 the Corporation, define their duties, and require sur-  
21 ety bonds or make other provisions against losses oc-  
22 casioned by acts of such persons;

23 (3) fix the compensation and number of, and  
24 appoint, employees for any position established by  
25 the Corporation, without regard to the provisions of



1 chapter 51 or subchapter III of chapter 53 of title  
2 5;

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

6 (5) with the consent of any executive agency,  
7 department, or independent agency utilize the infor-  
8 mation, services, staff, and facilities of such depart-  
9 ment or agency, on a reimbursable (or other) basis,  
10 in carrying out this section;

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

13 (A) the management and operational struc-  
14 ture of the Corporation, subject to sections 101  
15 (e) and 102;

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

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

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

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

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

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

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

16          (12) request the assistance and advice of any  
17          officer, agent, or employee of any executive depart-  
18          ment or of any independent office of the United  
19          States, to enable the Corporation the better to carry  
20          out its powers successfully, and as far as practicable  
21          shall utilize the services of such officers agents, and  
22          employees an the President shall if in his opinion,  
23          the public interest, service, or economy so require,  
24          direct that such assistance, advice, and service be  
25          rendered to the Corporation, and any individual that

1       may be by the President directed to render such as-  
2       sistance, advice, and service shall be thereafter sub-  
3       ject to the orders, rules, and regulations of the  
4       Board;

5           (13) establish and oversee Regional Operating  
6       Authorities as are necessary to develop and coordi-  
7       nate the Gulf Coast Civic Works Project, and to  
8       carry out other local initiatives and Federal pro-  
9       grams;

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

18          (15) prescribe rules and regulations to—

19           (A) assure that as many of the persons  
20       employed on all work projects as is feasible  
21       shall be persons initially affected by job loss in  
22       the region;

23           (B) utilize and support as many of those  
24       individuals, communities, community organiza-

1           tions and businesses within the region as is fea-  
2           sible;

3           (C) govern the selection of such persons  
4           for employment;

5           (D) govern the selection of such partici-  
6           pating business and organizations on an open-  
7           bid basis;

8           (E) formulate and administer a system of  
9           uniform periodic reports of the employment on  
10          such projects of persons, businesses, organiza-  
11          tions, and communities from the region; and

12          (F) investigate wages and working condi-  
13          tions and to make and submit to Congress such  
14          findings as will aid Congress in prescribing  
15          working conditions, rates of pay, and continu-  
16          ance or development of projects; and

17          (16) recommend and carry out useful projects  
18          designed to assure a maximum of employment and  
19          recovery in affected localities.

20          (b) TERMINATION OF CONTRACT FOR CAUSE.—In  
21          the case of any service contract between the Corporation  
22          and any other person, the Corporation may terminate such  
23          contract for cause, whether by reason of breach of con-  
24          tract, violation of regulations or guidelines of the Corpora-  
25          tion, or otherwise, or bar any such person from entering

1 into any other contract, after notice and an opportunity  
2 for an agency hearing on the record.

3 (c) AGENCY AUTHORITY.—

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

8 (2) FEDERAL COURT JURISDICTION.—

9 (A) IN GENERAL.—All suits of a civil na-  
10 ture at common law or in equity to which the  
11 Corporation, in any capacity, is a party shall be  
12 deemed to arise under the laws of the United  
13 States.

14 (B) REMOVAL.—The Corporation may,  
15 without bond or security, remove any action,  
16 suit, or proceeding from a State court to the  
17 appropriate United States district court before  
18 the end of the 90-day period beginning on the  
19 date the action, suit, or proceeding is filed  
20 against the Corporation or the Corporation is  
21 substituted as a party.

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

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

5           (4) BONDS OR FEES.—The Corporation shall  
6           not be required to post any bond to pursue any ap-  
7           peal and shall not be subject to payments of any fil-  
8           ing fees in United States district courts or courts of  
9           appeal.

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

13               (1) The exclusive use, possession, and control of  
14               necessary real estate, together with all facilities con-  
15               nected therewith, and tools, machinery, equipment,  
16               accessories, and materials belonging thereto, and all  
17               laboratories and plants used as auxiliaries thereto;  
18               and all machinery, lands, and buildings in connec-  
19               tion therewith, and all appurtenances thereof, and  
20               all other property to be acquired by the Corporation  
21               in its own name or in the name of the United States  
22               of America, are hereby entrusted to the Corporation  
23               for the purposes of the Act.

24               (2) The President of the United States is au-  
25               thorized to provide for the transfer to the Corpora-

1 tion of the use, possession, and control of such other  
2 real or personal property of the United States, as he  
3 may from time to time deem necessary and proper  
4 for the purposes of the Corporation as herein stated.

5 (e) FINANCIAL STATEMENTS AND REPORTS.—

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

12 (2) The Board shall file with the President and  
13 with the Congress, in December of each year, a fi-  
14 nancial statement and a complete report as to the  
15 business of the Corporation covering the preceding  
16 governmental fiscal year. This report shall include a  
17 statement of all costs associated with the Corpora-  
18 tion and its associated projects, including an  
19 itemized statement of the cost of administration, the  
20 cost of employee salaries and wages, the cost of ma-  
21 terials, and the total number of employees and the  
22 names, salaries, and duties of those receiving com-  
23 pensation at the rate of more than \$35/hour or  
24 \$45,000 a year.

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

15          (f) RESERVATION OF RIGHTS AND REMEDIES.—The  
16          government of the United States hereby reserved the  
17          right, in case of war or national emergency declared by  
18          Congress, to take possession of all or any part of the prop-  
19          erty described or referred to in this Act for the purpose  
20          of national security, defense, or for any other purposes;  
21          but, if this right is exercised by the Government, it shall  
22          pay the reasonable and fair damages that may be suffered  
23          by any party whose contract is hereby violated, after the  
24          amount of the damages has been fixed by the United  
25          States Courts of Claims in proceedings instituted and con-



1 ducted for that purpose under rules prescribed by the  
2 court.

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

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

12 (2) The improvement of levees and other flood  
13 control systems.

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

16 (4) The creation of jobs and job training pro-  
17 grams.

18 (5) The economic development of the Gulf  
19 Coast region.

20 (h) APPROPRIATIONS AND AUTHORIZATION.—

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

23 (2) For the purpose of carrying out the provi-  
24 sions of this Act the Gulf Coast Civic Works Project  
25 is authorized to enter into such contracts or agree-

1       ments with States as may be necessary, including  
2       provisions for utilization of existing State adminis-  
3       trative agencies, and the Gulf Coast Civic Works  
4       Project, or the head of any department of agency  
5       authorized by him to construct any project or to  
6       carry on any such public works, shall be authorized  
7       to acquire real property by purchase, donation, con-  
8       demnation, or otherwise.

9       (i) LOCAL DEVELOPMENT PLANS.—

10           (1) ESTABLISHMENT OF LOCAL ADVISORY  
11       COUNCILS.—

12           (A) IN GENERAL.—

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

21           (ii) OTHER MUNICIPALITIES.—For  
22       any municipality that does not designate  
23       an advisory entity under clause (i), the  
24       Corporation shall provide for the establish-  
25       ment of a local advisory council in each

1           municipality of over 25,000 people in the  
2           Gulf Coast Region in which the Corpora-  
3           tion operates.

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

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

22          (2) LOCAL DEVELOPMENT PLANS.—In exe-  
23          cuting the redevelopment mandate under this title,  
24          the Corporation—

1 (A) shall take into account and comply  
2 with any redevelopment plan established by  
3 State and local government officials; and

4 (B) may only solicit bids for such redevel-  
5 opment that are based on and comply with a  
6 plan developed by local governments, if such a  
7 plan exists.

## 8 **TITLE II—THE GULF COAST** 9 **CIVIC WORKS PROJECT**

### 10 **SEC. 201. PURPOSE STATEMENT.**

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

### 17 **SEC. 202. ESTABLISHMENT.**

18 The Corporation established under title I shall estab-  
19 lish and administer a Gulf Coast Civic Works Project to  
20 implement, manage, and coordinate numerous useful pub-  
21 lic works projects for the purpose of rebuilding, sus-  
22 taining, and developing the Gulf Coast region.

### 23 **SEC. 203. GENERAL ACTIVITIES.**

24 The Corporation shall conduct the following activi-  
25 ties:

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

4           (2) Cooperate with the local Gulf Coast commu-  
5           nity once a request has been received and approved  
6           by the Corporation, to ensure that Gulf Coast resi-  
7           dents and evacuees will be hired by local employers  
8           or directly by the Corporation to complete the work.

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

15          (4) Work in conjunction with other Federal,  
16          State and local agencies, the private sector and  
17          membership based community groups to actively re-  
18          cruit Gulf Coast residents and evacuees to rebuild  
19          the Gulf Coast region through the identified  
20          projects.

21          (5) Identify projects for which there is a short-  
22          age of qualified workers who are Gulf Coast resi-  
23          dents or evacuees and facilitate job training pro-  
24          grams.

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

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

10 **SEC. 204. JOB TRAINING PROGRAMS.**

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

22           (b) WAGES.—

23           (1) IN GENERAL.—Job training or apprentice-  
24           ship programs established or funded under this Act  
25           shall ensure that trainees are paid in an amount of

1 not less than \$10 per hour, and that apprentices are  
2 paid not less than \$15.

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

11 **SEC. 205. JOB CREATION.**

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

22 (b) PROJECT CREATION.—After identifying areas of  
23 the Gulf Coast region that are in need of recovery, rebuild-  
24 ing, and development projects where no such projects  
25 exist, the Corporation may, subject to available funds, es-

1 tablish and fund such projects. In establishing any project  
2 under this subsection, the Corporation shall hire all nec-  
3 essary developers, contractors, and employees to carry out  
4 such projects.

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

11 (d) FIRST SOURCE HIRING.—

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

23 (2) Any contractor receiving Federal funds  
24 under this Act shall comply with requirements for  
25 providing timely, appropriate notification of available



1 positions to the Corporation so that the Corporation  
2 may train and refer an adequate pool of residents  
3 from the disaster area to participating employers.

4 (e) OUTREACH PARTNERSHIPS.—The Corporation  
5 shall work with Federal agencies, especially the Federal  
6 Emergency Management Agency, as well as State and  
7 local employment offices to make available positions  
8 known.

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

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

21 (h) EXCEPTIONS.—Upon application by employer,  
22 the Corporation may grant an exception to any of all of  
23 the requirements in any situation where it concludes that  
24 compliance with this section would not be possible in the  
25 timeframe provided.

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

6 **SEC. 206. WAGES.**

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

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

17 In conducting works projects under this title, the  
18 Corporation shall adhere to the following rules and guide-  
19 lines:

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

24 (2) The Gulf Coast Civic Works Project shall  
25 employ a minimum of 100,000 Gulf Coast region

1 residents and evacuees for all works programs and  
2 other related job opportunities.

3 (3) The Gulf Coast Civic Works Project shall  
4 make job opportunities, job training programs, and  
5 other beneficial projects known to the Gulf Coast  
6 communities through advertising and partnerships  
7 with regional agencies and employment organiza-  
8 tions, and partnerships with community based orga-  
9 nizations.

10 (4) Whenever possible, the Gulf Coast Civic  
11 Works Project shall purchase materials, equipment,  
12 supplies, and services from local business and pro-  
13 ducers.

14 (5) The Gulf Coast Civic Works Project shall  
15 maintain non-discriminatory practices and shall not  
16 discriminate in hiring or employment decisions on  
17 the basis of race, gender, nationality, ethnicity, reli-  
18 gion, or sexual orientation.

19 (6) No employee or trainee of the Gulf Coast  
20 Civic Works Project shall have financial interest in  
21 any public corporation engaged in business with the  
22 Gulf Coast Civic Works Project, nor in any corpora-  
23 tion engaged in the manufacture, selling, or distribu-  
24 tion of goods or materials used in construction  
25 projects authorized by the corporation, nor shall any

1 employee or trainee have any interest in a any busi-  
2 ness that may be adversely affected by the success  
3 of the Corporation.

4 (7) Employees and trainees of the Gulf Coast  
5 Civic Works Project shall not be considered Federal  
6 employees for any purpose under the laws of the  
7 United States.

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

9 (a) AUTHORIZATION.—The Corporation is authorized  
10 to provide not more than 15 grants per year to eligible  
11 recipients for artistic and cultural projects which reflect  
12 the history and culture of the Gulf Coast region. Grants  
13 shall be provided on the basis of the demonstrated merit  
14 of the applicant as determined by the Corporation.

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

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

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

20 (c) AMOUNT OF GRANT.—The amount of the grants  
21 provided under this section shall be determined by the  
22 Corporation.

23 (d) APPLICATION.—To receive a grant under this sec-  
24 tion, an eligible recipient shall submit an application to

1 the Corporation in such form and manner as the Corpora-  
2 tion shall determine.

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

5 (1) showcases the history or culture of the Gulf  
6 Coast region; or

7 (2) has as its subject the effects of Hurricanes  
8 Katrina or Rita.

9 **SEC. 209. CHRONICLE OF HURRICANES KATRINA AND RITA**  
10 **GRANTS.**

11 (a) AUTHORIZATION.—The Corporation is authorized  
12 to provide not more than 5 grants to eligible recipients  
13 for projects that chronicle the story of Hurricanes Katrina  
14 and Rita. Grants shall be provided on the basis of the  
15 demonstrated merit of the applicant as determined by the  
16 Corporation.

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

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

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

22 (c) AMOUNT OF GRANT.—The amount of the grants  
23 provided under this section shall be determined by the  
24 Corporation.

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

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

10 **SEC. 210. FUNDING.**

11       (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
12 authorized to be appropriated to the Corporation such  
13 sums as may be necessary for fiscal years 2008 through  
14 2012 to carry out this title, provided that  $\frac{3}{4}$  of 1 percent  
15 of authorized funding be allocated for job training and  
16 workforce development.

17       (b) PARTNERSHIPS.—The Corporation shall make  
18 every effort to partner with State and local governments  
19 and private industry in the funding and administration of  
20 projects under this title.

○