

paragraphs (1) and (3) of section 2009bb-2(a) of this title.

(Pub. L. 87-128, title III, § 383G, formerly § 383F, as added Pub. L. 107-171, title VI, § 6028, May 13, 2002, 116 Stat. 384; renumbered § 383G and amended Pub. L. 110-234, title VI, § 6026(c)(1)(A), (2)(D), (g), May 22, 2008, 122 Stat. 1178, 1179, 1181, and Pub. L. 110-246, § 4(a), title VI, § 6026(c)(1)(A), (2)(D), (g), June 18, 2008, 122 Stat. 1664, 1940-1942.)

#### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

#### PRIOR PROVISIONS

A prior section 383G of Pub. L. 87-128, title III, was renumbered section 383H and is classified to section 2009bb-6 of this title.

#### AMENDMENTS

2008—Subsec. (b)(1). Pub. L. 110-246, § 6026(g)(1), substituted “50” for “75”.

Pub. L. 110-246, § 6026(c)(2)(D)(i)(I), made technical amendment to reference in original act which appears in text as reference to section 2009bb-12 of this title.

Subsec. (b)(2). Pub. L. 110-246, § 6026(c)(2)(D)(i)(II), made technical amendment to reference in original act which appears in text as reference to section 2009bb-3(b) of this title.

Subsec. (c). Pub. L. 110-246, § 6026(g)(2)-(4), redesignated subsec. (d) as (c), inserted “renewable energy,” after “telecommunication” in heading and “, renewable energy,” after “telecommunication,” in text, and struck out former subsec. (c) which prohibited provision of funds for a project located in a county designated as a nondistressed county.

Subsec. (c)(2)(A). Pub. L. 110-246, § 6026(c)(2)(D)(ii), made technical amendment to reference in original act which appears in text as reference to section 2009bb-4(b) of this title.

Subsec. (d). Pub. L. 110-246, § 6026(g)(3), redesignated subsec. (d) as (c).

Pub. L. 110-246, § 6026(c)(2)(D)(iii), made technical amendments to references in original act which appear in text as references to section 2009bb-12 of this title and section 2009bb-2(a) of this title.

#### EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

### § 2009bb-6. Development planning process

#### (a) State development plan

In accordance with policies established by the Authority, each State member shall submit a development plan for the area of the region represented by the State member.

#### (b) Content of plan

A State development plan submitted under subsection (a) of this section shall reflect the goals, objectives, and priorities identified in the regional development plan developed under section 2009bb-1(d)(2) of this title.

#### (c) Consultation with interested local parties

In carrying out the development planning process (including the selection of programs and projects for assistance), a State may—

- (1) consult with—

- (A) multistate, regional, and local development districts and organizations; and
- (B) local units of government; and

- (2) take into consideration the goals, objectives, priorities, and recommendations of the entities described in paragraph (1).

#### (d) Public participation

##### (1) In general

The Authority and applicable multistate, regional, and local development districts and organizations shall encourage and assist, to the maximum extent practicable, public participation in the development, revision, and implementation of all plans and programs under this subchapter.

##### (2) Regulations

The Authority shall develop guidelines for providing public participation described in paragraph (1), including public hearings.

(Pub. L. 87-128, title III, § 383H, formerly § 383G, as added Pub. L. 107-171, title VI, § 6028, May 13, 2002, 116 Stat. 385; renumbered § 383H and amended Pub. L. 110-234, title VI, § 6026(c)(1)(A), (h), May 22, 2008, 122 Stat. 1178, 1181, and Pub. L. 110-246, § 4(a), title VI, § 6026(c)(1)(A), (h), June 18, 2008, 122 Stat. 1664, 1940, 1943.)

#### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

#### PRIOR PROVISIONS

A prior section 383H of Pub. L. 87-128, title III, was renumbered section 383I and is classified to section 2009bb-7 of this title.

#### AMENDMENTS

2008—Subsec. (c)(1)(A). Pub. L. 110-246, § 6026(h)(1), added subpar. (A) and struck out former subpar. (A) which read as follows: “local development districts; and”.

Subsec. (d)(1). Pub. L. 110-246, § 6026(h)(2), substituted “multistate, regional, and local development districts and organizations” for “State and local development districts”.

#### EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

### § 2009bb-7. Program development criteria

#### (a) In general

In considering programs and projects to be provided assistance under this subchapter, and in establishing a priority ranking of the requests for assistance provided to the Authority, the Authority shall follow procedures that ensure, to the maximum extent practicable, consideration of—

- (1) the relationship of the project or class of projects to overall multistate or regional development;
- (2) the per capita income and poverty and unemployment and outmigration rates in an area;