

**(i) Conflicts of interest****(1) In general**

Except as provided under paragraph (2), no State member, Indian tribe member, State alternate, officer, or employee of the Authority shall participate personally and substantially as a member, alternate, officer, or employee of the Authority, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other matter in which, to knowledge of the member, alternate, officer, or employee—

(A) the member, alternate, officer, or employee;

(B) the spouse, minor child, partner, or organization (other than a State or political subdivision of the State or the Indian tribe) of the member, alternate, officer, or employee, in which the member, alternate, officer, or employee is serving as officer, director, trustee, partner, or employee; or

(C) any person or organization with whom the member, alternate, officer, or employee is negotiating or has any arrangement concerning prospective employment;

has a financial interest.

**(2) Disclosure**

Paragraph (1) shall not apply if the State member, Indian tribe member, alternate, officer, or employee—

(A) immediately advises the Authority of the nature and circumstances of the proceeding, application, request for a ruling or other determination, contract, claim, controversy, or other particular matter presenting a potential conflict of interest;

(B) makes full disclosure of the financial interest; and

(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the Authority that the interest is not so substantial as to be likely to affect the integrity of the services that the Authority may expect from the State member, Indian tribe member, alternate, officer, or employee.

**(3) Violation**

Any person that violates this subsection shall be fined not more than \$10,000, imprisoned not more than 2 years, or both.

**(j) Validity of contracts, loans, and grants**

The Authority may declare void any contract, loan, or grant of or by the Authority in relation to which the Authority determines that there has been a violation of any provision under subsection (h)(4) or subsection (i) of this subtitle<sup>1</sup>, or sections 202 through 209 of title 18.

(Pub. L. 87-128, title III, §383B, as added Pub. L. 107-171, title VI, §6028, May 13, 2002, 116 Stat. 375; amended Pub. L. 110-234, title VI, §6026(b), (c)(2)(A), May 22, 2008, 122 Stat. 1177, 1179; Pub. L. 110-246, §4(a), title VI, §6026(b), (c)(2)(A), June 18, 2008, 122 Stat. 1664, 1939, 1940.)

<sup>1</sup> So in original. Probably should be “section”.

## REFERENCES IN TEXT

The date of enactment of this paragraph, referred to in subsec. (a)(4)(A), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

## 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.

## AMENDMENTS

2008—Subsec. (a)(4). Pub. L. 110-246, §6026(b)(1), added par. (4).

Subsec. (c)(3)(B). Pub. L. 110-246, §6026(c)(2)(A), made technical amendment to reference in original act which appears in text as reference to section 2009bb-8 of this title.

Subsec. (d)(1). Pub. L. 110-246, §6026(b)(2)(A), substituted “programs for multistate cooperation to advance the economic and social well-being of the region and to” for “programs to establish priorities and”.

Subsec. (d)(3). Pub. L. 110-246, §6026(b)(2)(B), substituted “regional and local development districts or organizations, regional boards established under subchapter IX,” for “local development districts.”

Subsec. (d)(4). Pub. L. 110-246, §6026(b)(2)(C), substituted “cooperation for—” for “cooperation;” in introductory provisions and added cls. (i) to (vi).

Subsec. (d)(6). Pub. L. 110-246, §6026(b)(2)(D), added par. (6) and struck out former par. (6) which read as follows:

“(A) enhance the capacity of, and provide support for, local development districts in the region; or

“(B) if no local development district exists in an area in a participating State in the region, foster the creation of a local development district;”

Subsec. (d)(7). Pub. L. 110-246, §6026(b)(2)(E), inserted “renewable energy,” after “commercial.”

Subsec. (f)(2). Pub. L. 110-246, §6026(b)(3), substituted “a cochairperson” for “the Federal cochairperson”.

Subsec. (g)(1). Pub. L. 110-246, §6026(b)(4), added subpars. (A) to (C) and struck out former subpars. (A) to (C) which read as follows:

“(A) for fiscal year 2002, 100 percent;

“(B) for fiscal year 2003, 75 percent; and

“(C) for fiscal year 2004 and each fiscal year thereafter, 50 percent.”

## 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-1a. Interstate cooperation for economic opportunity and efficiency****(a) In general**

The Authority shall provide assistance to States in developing regional plans to address multistate economic issues, including plans—

(1) to develop a regional transmission system for movement of renewable energy to markets outside the region;

(2) to address regional transportation concerns, including the establishment of a Northern Great Plains Regional Transportation Working Group;

(3) to encourage and support interstate collaboration on federally-funded research that is in the national interest; and

(4) to establish a Regional Working Group on Agriculture Development and Transportation.

**(b) Economic issues**

The multistate economic issues referred to in subsection (a) shall include—

- (1) renewable energy development and transmission;
- (2) transportation planning and economic development;
- (3) information technology;
- (4) movement of freight and individuals within the region;
- (5) federally-funded research at institutions of higher education; and
- (6) conservation land management.

(Pub. L. 87-128, title III, §383C, as added Pub. L. 110-234, title VI, §6026(c)(1)(B), May 22, 2008, 122 Stat. 1178, and Pub. L. 110-246, §4(a), title VI, §6026(c)(1)(B), June 18, 2008, 122 Stat. 1664, 1940.)

#### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

#### PRIOR PROVISIONS

A prior section 383C of Pub. L. 87-128, title III, was renumbered section 383D and is classified to section 2009bb-2 of this title.

#### EFFECTIVE DATE

Enactment 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 a note under section 8701 of this title.

### § 2009bb-2. Economic and community development grants

#### (a) In general

The Authority may approve grants to States, Indian tribes, local governments, and public and nonprofit organizations for projects, approved in accordance with section 2009bb-8 of this title—

- (1) to assist the region in obtaining the job training, employment-related education, and business development (with an emphasis on entrepreneurship) that are needed to build and maintain strong local economies;
- (2) to develop the transportation, renewable energy transmission, and telecommunication infrastructure of the region for the purpose of facilitating economic development in the region (except that grants for this purpose may be made only to States, Indian tribes, local governments, and nonprofit organizations);
- (3) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for improving basic public services;
- (4) to provide assistance to severely distressed and underdeveloped areas that lack financial resources for equipping industrial parks and related facilities; and
- (5) to otherwise achieve the purposes of this subchapter.

#### (b) Funding

##### (1) In general

Funds for grants under subsection (a) of this section may be provided—

- (A) entirely from appropriations to carry out this section;
- (B) in combination with funds available under another Federal grant program; or
- (C) from any other source.

#### (2) Priority of funding

To best build the foundations for long-term economic development and to complement other Federal, State, and tribal resources in the region, Federal funds available under this subchapter shall be focused on the following activities:

- (A) Basic public infrastructure in distressed counties and isolated areas of distress.
- (B) Transportation and telecommunication infrastructure for the purpose of facilitating economic development in the region.
- (C) Business development, with emphasis on entrepreneurship.
- (D) Job training or employment-related education, with emphasis on use of existing public educational institutions located in the region.

(Pub. L. 87-128, title III, §383D, formerly §383C, as added Pub. L. 107-171, title VI, §6028, May 13, 2002, 116 Stat. 380; renumbered §383D and amended Pub. L. 110-234, title VI, §6026(c)(1)(A), (2)(B), (d), May 22, 2008, 122 Stat. 1178, 1179, and Pub. L. 110-246, §4(a), title VI, §6026(c)(1)(A), (2)(B), (d), June 18, 2008, 122 Stat. 1664, 1940, 1941.)

#### 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 383D of Pub. L. 87-128, title III, was renumbered section 383E and is classified to section 2009bb-3 of this title.

#### AMENDMENTS

2008—Subsec. (a). Pub. L. 110-246, §6026(c)(2)(B), made technical amendment to reference in original act which appears in introductory provisions as reference to section 2009bb-8 of this title.

Subsec. (a)(1), (2). Pub. L. 110-246, §6026(d)(1), redesignated pars. (2) and (1) as (1) and (2), respectively, and, in par. (2), substituted “transportation, renewable energy transmission, and telecommunication” for “transportation and telecommunication”.

Subsec. (b)(2). Pub. L. 110-246, §6026(d)(2), substituted “the following activities” for “the activities in the following order or priority” in introductory provisions.

#### 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-3. Supplements to Federal grant programs

#### (a) Finding

Congress finds that certain States and local communities of the region may be unable to take maximum advantage of Federal grant programs for which the States and communities are eligible because—

- (1) they lack the economic resources to provide the required matching share; or
- (2) there are insufficient funds available under the applicable Federal law authorizing the Federal grant program to meet pressing needs of the region.