

117TH CONGRESS
2D SESSION

S. 4077

To reauthorize programs of the Economic Development Administration, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2022

Ms. CORTEZ MASTO (for herself and Mr. KELLY) introduced the following bill;
which was read twice and referred to the Committee on Environment and
Public Works

A BILL

To reauthorize programs of the Economic Development
Administration, 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 “Increasing our Na-
5 tion’s Value through Economic Support and Tourism in
6 Our Communities Act” or the “INVEST in Our Commu-
7 nities Act”.

8 **SEC. 2. ADMINISTRATION.**

9 (a) IN GENERAL.—Section 501 of the Public Works
10 and Economic Development Act of 1965 (42 U.S.C. 3191)

1 is amended by striking “Assistant Secretary” each place
 2 it appears and inserting “Under Secretary”.

3 (b) TRANSITION.—The individual serving as the As-
 4 sistant Secretary of Commerce for Economic Development
 5 on the day before the date of enactment of this Act shall
 6 be deemed to have been confirmed as the Under Secretary
 7 of Commerce for Economic Development.

8 (c) REFERENCES.—Any reference in a law, map, reg-
 9 ulation, document, paper, or other record of the United
 10 States to the Assistant Secretary of Commerce for Eco-
 11 nomic Development shall be deemed to be a reference to
 12 the Under Secretary of Commerce for Economic Develop-
 13 ment.

14 **SEC. 3. DEFINITION OF ELIGIBLE RECIPIENT.**

15 Section 3(4) of the Public Works and Economic De-
 16 velopment Act of 1965 (42 U.S.C. 3122(4)) is amended
 17 by adding at the end the following:

18 “(C) CAPACITY BUILDING GRANTS AND
 19 HOST GRANTS.—In the case of grants under
 20 sections 208 and 219, the term ‘eligible recipi-
 21 ent’ also includes a tribal organization and a
 22 Native Hawaiian organization (as those terms
 23 are defined in section 3 of the NATIVE Act
 24 (25 U.S.C. 4352)).”.

1 **SEC. 4. INCREASE IN FEDERAL SHARE FOR TRIBAL ORGA-**
 2 **NIZATIONS AND NATIVE HAWAIIAN ORGANI-**
 3 **ZATIONS.**

4 Section 204(c)(1) of the Public Works and Economic
 5 Development Act of 1965 (42 U.S.C. 3144(c)(1)) is
 6 amended—

7 (1) in the paragraph heading, by inserting “,
 8 TRIBAL ORGANIZATIONS, OR NATIVE HAWAIIAN OR-
 9 GANIZATIONS” after “TRIBES”; and

10 (2) by inserting “, a tribal organization (as de-
 11 fined in section 3 of the NATIVE Act (25 U.S.C.
 12 4352)), or a Native Hawaiian organization (as de-
 13 fined in that section)” after “Indian tribe”.

14 **SEC. 5. CAPACITY BUILDING GRANT PROGRAM.**

15 (a) IN GENERAL.—Title II of the Public Works and
 16 Economic Development Act of 1965 (42 U.S.C. 3141 et
 17 seq.) is amended by inserting after section 207 the fol-
 18 lowing:

19 **“SEC. 208. CAPACITY BUILDING GRANT PROGRAM.**

20 **“(a) DEFINITION OF PREDEVELOPMENT ACTIV-**
 21 **ITY.—**In this section, the term ‘predevelopment activity’
 22 means an activity carried out before a project can proceed
 23 to the execution stage or the eligible recipient can secure
 24 financing and partners.

1 “(b) ESTABLISHMENT.—The Secretary shall estab-
 2 lish a program to provide to eligible recipients assistance
 3 for predevelopment activities.

4 “(c) USE OF FUNDS.—An eligible recipient may use
 5 funds from a grant under this section—

6 “(1) to carry out certain predevelopment activi-
 7 ties, including—

8 “(A) planning and community asset map-
 9 ping;

10 “(B) training;

11 “(C) technical assistance and organiza-
 12 tional development;

13 “(D) feasibility and market studies;

14 “(E) demonstration projects;

15 “(F) organizational capacity building;

16 “(G) organizing and facilitating
 17 convenings; and

18 “(H) other predevelopment activities, as
 19 determined appropriate by the Secretary; and

20 “(2) to hire and obtain qualified economic de-
 21 velopment professionals and services for a 3-year pe-
 22 riod to develop and carry out a comprehensive eco-
 23 nomic development strategy, an economic develop-
 24 ment strategic plan, or other predevelopment activi-
 25 ties.

1 “(d) APPLICATIONS.—To be eligible for a grant
 2 under this section, an eligible recipient shall submit to the
 3 Secretary an application at such time, in such manner,
 4 and containing such information as the Secretary may re-
 5 quire, including a specific plan—

6 “(1) on how the eligible recipient will carry out
 7 predevelopment activities using grant funds; and

8 “(2) for the continuation of the position created
 9 or services obtained as a result of the grant after the
 10 end of the 3-year term, if applicable.

11 “(e) WAIVER OF ATTORNEY’S AND CONSULTANT’S
 12 FEE PROHIBITION.—In the case of a project under this
 13 section that is carried out using grant funds by 1 or more
 14 eligible recipients with low organizational capacity, in the
 15 determination of the Secretary, the Secretary may waive
 16 the prohibition described in section 213.”.

17 (b) ADDITIONAL ELIGIBILITY.—

18 (1) GRANTS FOR PUBLIC WORKS AND ECO-
 19 NOMIC DEVELOPMENT.—Section 201(a) of the Pub-
 20 lic Works and Economic Development Act of 1965
 21 (42 U.S.C. 3141(a)) is amended—

22 (A) in paragraph (1), by striking “and” at
 23 the end;

24 (B) in paragraph (2), by striking the pe-
 25 riod at the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(3) predevelopment activities (as defined in
3 section 208(a)).”.

4 (2) GRANTS FOR ECONOMIC ADJUSTMENT.—
5 Section 209(a) of the Public Works and Economic
6 Development Act of 1965 (42 U.S.C. 3149(a)) is
7 amended by inserting “predevelopment activities (as
8 defined in section 208(a)),” after “training,”.

9 (3) CONFORMING AMENDMENT.—Section
10 302(a) of the Public Works and Economic Develop-
11 ment Act of 1965 (42 U.S.C. 3162(a)) is amended
12 in the matter preceding paragraph (1) by inserting
13 “and predevelopment activities (as defined in section
14 208(a)) under section 201 or 209” after “section
15 209”.

16 (c) INCREASE IN FEDERAL SHARE.—Section
17 204(c)(3) of the Public Works and Economic Development
18 Act of 1965 (42 U.S.C. 3144(c)(3)) is amended—

19 (1) in the paragraph heading, by inserting
20 “AND CAPACITY BUILDING” after “TECHNICAL AS-
21 SISTANCE”; and

22 (2) by striking “section 207” and inserting
23 “sections 207 and 208”.

24 (d) DIRECT EXPENDITURE OR REDISTRIBUTION BY
25 RECIPIENT.—Section 217(a) of the Public Works and

1 Economic Development Act of 1965 (42 U.S.C. 3154c(a))
 2 is amended by striking “or 207” and inserting “207, or
 3 208”.

4 (e) POWERS OF THE SECRETARY.—Section
 5 601(a)(12) of the Public Works and Economic Develop-
 6 ment Act of 1965 (42 U.S.C. 3211(a)(12)) is amended
 7 by striking “section 207” and inserting “sections 207 and
 8 208”.

9 (f) CLERICAL AMENDMENT.—The table of contents
 10 contained in section 1(b) of the Public Works and Eco-
 11 nomic Development Act of 1965 (79 Stat. 552; 112 Stat.
 12 3597; 118 Stat. 1761) is amended by inserting after the
 13 item relating to section 207 the following:

“Sec. 208. Capacity building grant program.”.

14 **SEC. 6. GRANTS FOR PLANNING AND GRANTS FOR ADMIN-**
 15 **ISTRATIVE EXPENSES.**

16 (a) ADMINISTRATIVE EXPENSES.—Section 203 of the
 17 Public Works and Economic Development Act of 1965 (42
 18 U.S.C. 3143) is amended by adding at the end the fol-
 19 lowing:

20 “(e) ADMINISTRATIVE EXPENSES.—Administrative
 21 expenses described in subsection (a) shall include expenses
 22 relating to—

23 “(1) carrying out the planning process de-
 24 scribed in subsection (b); and

1 “(2) hiring professional staff to assist commu-
2 nities or organizations in—

3 “(A) implementing projects and priorities
4 included in—

5 “(i) a comprehensive economic devel-
6 opment strategy; or

7 “(ii) an economic development plan-
8 ning grant;

9 “(B) identifying and using other Federal,
10 State, and Tribal economic development pro-
11 grams;

12 “(C) leveraging private and philanthropic
13 investment;

14 “(D) preparing disaster coordination and
15 preparation plans;

16 “(E) collaborating with trade adjustment
17 assistance centers, Hollings Manufacturing Ex-
18 tension Partnership Centers of the National In-
19 stitute of Standards and Technology, Business
20 Centers and Rural Business Centers of the Mi-
21 nority Business Development Agency, and other
22 relevant Federal economic development tech-
23 nical assistance and service providers to pro-
24 mote domestic manufacturing; and

1 “(F) carrying out economic development
2 activities in accordance with professional eco-
3 nomic development best practices.”.

4 (b) INCREASE IN FEDERAL SHARE.—Section 204(c)
5 of the Public Works and Economic Development Act of
6 1965 (42 U.S.C. 3144(c)) is amended by adding at the
7 end the following:

8 “(4) GRANTS FOR PLANNING AND GRANTS FOR
9 ADMINISTRATIVE EXPENSES.—In the case of a grant
10 provided under section 203, the Secretary may in-
11 crease the Federal share above the percentage speci-
12 fied in subsection (a) up to 80 percent of the cost
13 of the project.”.

14 **SEC. 7. HOSPITALITY AND OUTDOOR-RECREATION SUP-**
15 **PORTING TOURISM (HOST) GRANTS.**

16 (a) IN GENERAL.—Title II of the Public Works and
17 Economic Development Act of 1965 (42 U.S.C. 3141 et
18 seq.) is amended by adding at the end the following:

19 **“SEC. 219. HOSPITALITY AND OUTDOOR-RECREATION SUP-**
20 **PORTING TOURISM (HOST) GRANTS.**

21 “(a) DEFINITIONS.—In this section:

22 “(1) OUTDOOR RECREATION.—The term ‘out-
23 door recreation’ means all recreational activities, and
24 the economic drivers of those activities, such as busi-

1 nesses and local economic efforts, undertaken for
2 pleasure that—

3 “(A) generally involve some level of inten-
4 tional physical exertion; and

5 “(B) occur in nature-based environments
6 outdoors.

7 “(2) TOURISM, HOSPITALITY, OR SPECIAL
8 EVENT ACTIVITY.—The term ‘tourism, hospitality, or
9 special event activity’ means any economic activity
10 that primarily serves to encourage recreational or
11 business travel within the United States or from
12 abroad, including tourist attractions, business and
13 recreational conventions, large entertainment events
14 and venues, and promotion or organization of any
15 such activity.

16 “(b) ESTABLISHMENT.—The Secretary shall estab-
17 lish a program to provide grants to eligible recipients to
18 support outdoor recreation, travel, and tourism, hospi-
19 tality, or special event activities to spur economic develop-
20 ment.

21 “(c) GOALS.—A project carried out with a grant
22 under this section shall be carried out for the goal of—

23 “(1) in the case of an infrastructure project—

24 “(A) leading to long-term increases in
25 tourist activity in a region, including in commu-

1 nities adjacent to National Park System units,
 2 State parks, national marine sanctuaries, Na-
 3 tional Heritage Areas, Tribal parks, or other
 4 natural destinations; and

5 “(B) using nature-based infrastructure
 6 projects and other projects intended to enhance
 7 public access to outdoor recreation opportuni-
 8 ties; and

9 “(2) in the case of other projects as determined
 10 appropriate by the Secretary, supporting the outdoor
 11 recreation, travel, tourism, hospitality, and special
 12 event industries, in a manner consistent with the
 13 National Travel and Tourism Strategy or as rec-
 14 ommended by the United States Travel and Tourism
 15 Advisory Board, if any.

16 “(d) ELIGIBLE USES.—

17 “(1) IN GENERAL.—A grant under this section
 18 may be used—

19 “(A) to pay costs associated with obtaining
 20 State, Tribal, county, city, community, or re-
 21 gional tourism marketing and promotion cam-
 22 paigns, including through nonprofit or quasi-
 23 governmental Destination Marketing Organiza-
 24 tions (DMOs);

1 “(B) to carry out workforce training, re-
2 cruitment, and research programs that support
3 the outdoor recreation, travel, tourism, hospi-
4 tality, and special event industries to improve
5 the skills of, and job opportunities for, workers
6 in those industries, including through a pro-
7 gram registered under the Act of August 16,
8 1937 (commonly known as the ‘National Ap-
9 prenticeship Act’; 29 U.S.C. 50 et seq.), and
10 other work and learn models;

11 “(C) for short-term and long-term eco-
12 nomic development planning and coordination
13 for the purpose of responding to the effects of
14 the COVID–19 pandemic on the regional out-
15 door recreation, travel, tourism, hospitality, and
16 special event industries;

17 “(D) to carry out technical assistance
18 projects, including for small business concerns,
19 entrepreneurs, and small and rural commu-
20 nities, to assist regional economies in—

21 “(i) the recovery from, and response
22 to, damage to the outdoor recreation, trav-
23 el, tourism, hospitality, and special event
24 industries as a result of the COVID–19
25 pandemic; and

1 “(ii) future development of the out-
 2 door recreation, travel, tourism, hospi-
 3 tality, and special event industries;

4 “(E) to establish local programs to provide
 5 assistance to small business concerns in the
 6 outdoor recreation, travel, tourism, hospitality,
 7 or special events industries—

8 “(i) for development;

9 “(ii) to recover from the impacts of a
 10 major disaster or emergency declared
 11 under the Robert T. Stafford Disaster Re-
 12 lief and Emergency Assistance Act (42
 13 U.S.C. 5121 et seq.) or a public health
 14 emergency declared under section 319 of
 15 the Public Health Service Act (42 U.S.C.
 16 247d); or

17 “(iii) for expansion;

18 “(F) to carry out construction activities at
 19 facilities or property owned by, or held in trust
 20 by a Federal or State government entity for,
 21 the eligible recipient that support outdoor recre-
 22 ation, travel, tourism, hospitality, or special
 23 events, including activities involving—

24 “(i) construction of new, or improve-
 25 ments to existing, outdoor recreation and

1 trail infrastructure, including public access
2 enhancements to that infrastructure;

3 “(ii) nature-based infrastructure
4 projects to improve access to outdoor
5 recreation;

6 “(iii) improvement of cultural, arts,
7 convention, special event, outdoor recre-
8 ation, and tourism facilities, such as visitor
9 or tourist information centers, including
10 through—

11 “(I) general accessibility up-
12 grades, such as increasing disability
13 access;

14 “(II) improving ventilation, heat-
15 ing, and cooling systems;

16 “(III) increasing energy effi-
17 ciency; and

18 “(IV) incorporating additional re-
19 newable energy generation associated
20 with that infrastructure, including
21 zero-emission vehicle fleets and charg-
22 ing infrastructure;

23 “(iv) construction of workforce train-
24 ing facilities in order to carry out capacity
25 building programs;

1 “(v) water or wastewater and
2 stormwater improvements;

3 “(vi) pier construction and improve-
4 ments; and

5 “(vii) accessibility enhancements;

6 “(G) to pay costs associated with upgrades
7 and retrofits to existing outdoor recreation,
8 travel, tourism, hospitality, and special event in-
9 frastructure, such as convention centers, to in-
10 crease travel and tourism activity or to make
11 the infrastructure more functional under social
12 distancing conditions due to a public health
13 emergency declaration under section 319 of the
14 Public Health Service Act (42 U.S.C. 247d);

15 “(H) to pay costs associated with pro-
16 viding information to visitors about the health
17 and safety protections, guidance, or require-
18 ments of Federal, State, Tribal, or local govern-
19 ments and businesses to reduce the spread of
20 COVID-19;

21 “(I) to pay the increased costs of filtration
22 and sanitation, including physical modifications
23 to facilities such as convention centers, large
24 event spaces, campsites, or community attrac-
25 tions associated with precautions to provide for

1 safe worker, traveler, or event environments;
 2 and

3 “(J) to pay the costs of salaries and ex-
 4 penses associated with the operations of the eli-
 5 gible recipient, other than salaries and expenses
 6 of the executives of the eligible recipient, if the
 7 applicant—

8 “(i) demonstrates the capacity to
 9 maintain the positions for which the funds
 10 are used; or

11 “(ii) demonstrates that the positions
 12 for which the funds are used are tem-
 13 porary or seasonal.

14 “(2) PROHIBITION.—Amounts provided under
 15 this section may not be used for recruitment efforts
 16 to bring in or host particular events, such as sport-
 17 ing competitions or other activities.

18 “(e) PRIORITY.—The Secretary shall give priority to
 19 eligible recipients that seek to carry out an activity that—

20 “(1) is based on long-term, regionally oriented,
 21 coordinated, and collaborative economic development
 22 or redevelopment strategies that foster economic
 23 growth and resilience;

24 “(2) will promote workforce development;

1 “(3) will involve a minority-owned, rural, Native
 2 American, or otherwise underserved small business
 3 concern; or

4 “(4) implements strong labor standards, includ-
 5 ing project labor agreements and community benefit
 6 agreements that include local hire provisions to pro-
 7 mote effective and efficient delivery of high-quality
 8 infrastructure projects.

9 “(f) REGIONAL DISTRIBUTION.—

10 “(1) IN GENERAL.—In providing grants under
 11 this section, the Secretary shall distribute the funds
 12 to eligible recipients in each region served by the
 13 Economic Development Administration in accord-
 14 ance with the formula described in paragraph
 15 (2)(A).

16 “(2) FORMULA.—

17 “(A) IN GENERAL.—The formula referred
 18 to in paragraph (1) shall include consideration
 19 of each of the following:

20 “(i) Using the most recent data from
 21 the Quarterly Census of Employment and
 22 Wages and the Current Employment Sta-
 23 tistics, employment in the leisure and hos-
 24 pitality sectors (other than food service
 25 businesses) as a percentage of total em-

1 employment in States in the region, using a
2 5-year average.

3 “(ii) Using the most recent data from
4 the Arts and Cultural Production and Out-
5 door Recreation Satellite Account, employ-
6 ment in arts and cultural production and
7 outdoor recreation as a percentage of total
8 employment in States in the region, using
9 a 5-year average.

10 “(iii) The number of international and
11 domestic visitors in States in the region,
12 using data from the Department or an-
13 other source as the Secretary determines
14 to be appropriate.

15 “(iv) The impacts of the COVID–19
16 pandemic, and other natural or economic
17 disasters, on the outdoor recreation, travel,
18 tourism, hospitality, or special event indus-
19 tries in States in the region.

20 “(v) Any other data that the Sec-
21 retary determines reliably measures the
22 impact of outdoor recreation, travel, tour-
23 ism, hospitality, or special events to the
24 economy of a State.

1 “(B) OUT OF DATE, DISCONTINUED, OR
2 INACCURATE DATA SOURCES.—If the Secretary
3 determines that a data source described in
4 clause (i) or (ii) of subparagraph (A) is out of
5 date, discontinued, or otherwise inaccurate, the
6 Secretary may substitute other data sources to
7 obtain the employment statistics described in
8 those clauses, subject to the condition that the
9 Secretary provides to Congress a report describ-
10 ing the new data source used by the Secretary.

11 “(g) RURAL SET-ASIDE.—

12 “(1) IN GENERAL.—Of the amounts made
13 available for each fiscal year to carry out this sec-
14 tion, the Secretary shall ensure that not less than 20
15 percent is used to provide assistance to eligible re-
16 cipients located in, or that serve, a rural area (as de-
17 fined in section 343(a) of the Consolidated Farm
18 and Rural Development Act (7 U.S.C. 1991(a))),
19 with a particular focus on rural areas that are lo-
20 cated in distressed or underserved communities.

21 “(2) WAIVER.—If there are not sufficient quali-
22 fied eligible recipients located in, or that serve, a
23 rural area (as so defined), to carry out paragraph
24 (1), the Secretary may waive the requirement under
25 that paragraph.

1 “(h) NATIVE AMERICAN SET-ASIDE.—

2 “(1) IN GENERAL.—Of the amounts made
3 available for each fiscal year to carry out this sec-
4 tion, the Secretary shall ensure that not less than 5
5 percent is used to provide assistance to eligible re-
6 cipients that are Indian tribes, tribal organizations
7 (as defined in section 3 of the NATIVE Act (25
8 U.S.C. 4352)), and Native Hawaiian organizations
9 (as defined in that section).

10 “(2) WAIVER.—If there are not sufficient quali-
11 fied eligible recipients that are Indian tribes, tribal
12 organizations (as so defined), or Native Hawaiian
13 organizations (as so defined) to carry out paragraph
14 (1), the Secretary may waive the requirement under
15 that paragraph.”.

16 (b) CLERICAL AMENDMENT.—The table of contents
17 contained in section 1(b) of the Public Works and Eco-
18 nomic Development Act of 1965 (79 Stat. 552; 112 Stat.
19 3597; 118 Stat. 1767) is amended by inserting after the
20 item relating to section 218 the following:

“Sec. 219. Hospitality and Outdoor-Recreation Supporting Tourism (HOST)
grants.”.

21 **SEC. 8. TOURISM MARKETING.**

22 (a) DECLARATION.—Section 2(b) of the Public
23 Works and Economic Development Act of 1965 (42
24 U.S.C. 3121(b)) is amended—

1 (1) in paragraph (3), by striking “and” at the
2 end;

3 (2) in paragraph (4), by striking the period at
4 the end and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(5) tourism marketing is an economic develop-
7 ment tool used by communities for economic devel-
8 opment and should be considered an eligible use of
9 economic development funding awarded by the Fed-
10 eral Government through the Economic Development
11 Administration.”.

12 (b) GRANTS FOR ECONOMIC ADJUSTMENT.—Section
13 209(a) of the Public Works and Economic Development
14 Act of 1965 (42 U.S.C. 3149(a)) (as amended by section
15 3(b)(2)) is amended by inserting “travel promotion (in-
16 cluding funding for tourism marketing, marketing re-
17 search, purchasing advertisements, and attracting busi-
18 ness meetings or convention travel),” after “208(a)),”.

19 **SEC. 9. ECONOMIC DISTRESS FORMULA.**

20 Not later than 180 days after the date of enactment
21 of this Act, the Secretary of Commerce shall review the
22 economic distress formula under section 301 of the Public
23 Works and Economic Development Act of 1965 (42
24 U.S.C. 3161) and submit to Congress a report that in-
25 cludes—

1 (1) recommendations for modifications to the
2 formula to ensure that all areas, including distressed
3 areas, are eligible to receive a higher percentage of
4 Federal funding than those areas currently are eligi-
5 ble to receive;

6 (2) a recommendation on whether to reduce the
7 non-Federal share for projects carried out with
8 grants under that Act (42 U.S.C. 3121 et seq.); and

9 (3) an analysis of the financial limitations of el-
10 igible recipients located within high-density public
11 land counties (as defined in section 7(a)) in access-
12 ing Economic Development Administration funding
13 opportunities.

14 **SEC. 10. HIGH-DENSITY PUBLIC LAND COUNTIES.**

15 (a) **DEFINITION OF HIGH-DENSITY PUBLIC LAND**
16 **COUNTY.**—In this section, the term “high-density public
17 land county” means a county (or equivalent jurisdiction)
18 of a State, Indian Tribe, or territory of the United
19 States—

20 (1) that has a population of not more than
21 100,000 people, according to the most recent annual
22 estimates of population by the Bureau of the Cen-
23 sus; and

24 (2) in which more than 50 percent of the land
25 is owned or managed by the Federal Government

1 (including land held in trust by the United States
2 for the benefit of an Indian Tribe).

3 (b) REQUIREMENT.—For purposes of providing as-
4 sistance under the Public Works and Economic Develop-
5 ment Act of 1965 (42 U.S.C. 3121 et seq.) (including sec-
6 tions 209 and 301 of that Act (42 U.S.C. 3149, 3161))
7 and other programs of the Economic Development Admin-
8 istration, a high-density public land county shall be consid-
9 ered to be—

10 (1) an area with a special need arising from ac-
11 tual or threatened severe unemployment or economic
12 adjustment problems resulting from severe changes
13 in economic conditions;

14 (2) a distressed area; and

15 (3) an underserved area.

16 **SEC. 11. OFFICE OF RURAL AND NATIVE AMERICAN ECO-**
17 **NOMIC DEVELOPMENT.**

18 (a) IN GENERAL.—Title V of the Public Works and
19 Economic Development Act of 1965 (42 U.S.C. 3191 et
20 seq.) is amended by adding at the end the following:

21 **“SEC. 508. OFFICE OF RURAL AND NATIVE AMERICAN ECO-**
22 **NOMIC DEVELOPMENT.**

23 “(a) ESTABLISHMENT.—There is established within
24 the Economic Development Administration an Office of

1 Rural and Native American Economic Development (re-
 2 ferred to in this section as the ‘Office’).

3 “(b) UNDER SECRETARIES.—

4 “(1) IN GENERAL.—The Office shall be jointly
 5 headed by—

6 “(A) a Deputy Under Secretary for Rural
 7 Economic Development; and

8 “(B) a Deputy Under Secretary for Native
 9 American Economic Development.

10 “(2) DEDICATED STAFFS.—

11 “(A) IN GENERAL.—

12 “(i) DEPUTY UNDER SECRETARY FOR
 13 RURAL ECONOMIC DEVELOPMENT.—The
 14 Secretary shall ensure that the Deputy
 15 Under Secretary for Rural Economic De-
 16 velopment has a dedicated staff to carry
 17 out the purposes of the Office with respect
 18 to rural communities.

19 “(ii) DEPUTY UNDER SECRETARY FOR
 20 NATIVE AMERICAN ECONOMIC DEVELOP-
 21 MENT.—The Secretary shall ensure that
 22 the Deputy Under Secretary for Native
 23 American Economic Development has a
 24 dedicated staff to carry out the purposes of

1 the Office with respect to tribal commu-
2 nities.

3 “(B) EXISTING STAFF AND PERSONNEL.—

4 “(i) IN GENERAL.—For purposes of
5 carrying out clauses (i) and (ii) of sub-
6 paragraph (A), the Secretary may reorga-
7 nize and redesignate existing positions or
8 staffing within the Economic Development
9 Administration.

10 “(ii) WEBSITE.—Any existing per-
11 sonnel reorganized or redesignated under
12 clause (i) shall be recognized on the
13 website of the Economic Development Ad-
14 ministration.

15 “(c) PURPOSE.—The purpose of the Office shall be—

16 “(1) to coordinate all rural and Native Amer-
17 ican economic development activities carried out by
18 the Secretary;

19 “(2) to provide resources to help rural and Na-
20 tive American communities access economic develop-
21 ment assistance programs, including the grants pro-
22 vided by this Act;

23 “(3)(A) to develop rural and tribal economic de-
24 velopment strategies and efforts, including the strat-

1 egies for rural and Native American economic devel-
 2 opment described in subsection (d); and

3 “(B) to coordinate those strategies and efforts
 4 with other Federal agencies, including the Office of
 5 Rural Development of the Department of Agri-
 6 culture and the Bureau of Indian Affairs; and

7 “(4) to be a participant in any negotiated
 8 rulemakings, or consultations relating to, or having
 9 an impact on, projects, programs, or funding that
 10 benefit rural or Native American communities.

11 “(d) STRATEGIES FOR RURAL AND NATIVE AMER-
 12 ICAN ECONOMIC DEVELOPMENT.—

13 “(1) IN GENERAL.—The Office shall, in con-
 14 sultation with rural communities, develop a strategy
 15 for rural economic development and, in consultation
 16 with Native American communities, develop a strat-
 17 egy for Native American economic development,
 18 which shall each, as applicable—

19 “(A) identify the most pressing priorities
 20 and challenges of the United States in pro-
 21 moting rural and Native American prosperity
 22 during the 10-year period beginning on the date
 23 of enactment of the INVEST in Our Commu-
 24 nities Act;

1 “(B) describe the policy actions that will
2 be taken by the Economic Development Admin-
3 istration, and any other Federal agency imple-
4 menting rural and Native American economic
5 development programs, if applicable, to accel-
6 erate and support social and economic pros-
7 perity in rural and tribal areas; and

8 “(C) identify opportunities to partner with
9 other Federal agencies or across Federal agen-
10 cies and programs to address the priorities and
11 challenges identified under subparagraph (A).

12 “(2) SUBMISSION TO CONGRESS.—The Office
13 shall submit to the Committees on Agriculture, Nu-
14 trition, and Forestry, Environment and Public
15 Works, and Indian Affairs of the Senate and the
16 Committees on Agriculture, Transportation and In-
17 frastructure, and Natural Resources of the House of
18 Representatives the strategies for rural economic de-
19 velopment and Native American economic develop-
20 ment developed under paragraph (1).

21 “(e) OUTREACH.—

22 “(1) IN GENERAL.—The Under Secretaries
23 shall establish within the Office a public gateway to
24 help provide a comprehensive, single source of infor-
25 mation for civic leaders, economic development pro-

1 professionals, businesses, and individuals in rural and
2 Native American communities to better understand
3 and access programs that support economic develop-
4 ment in those communities, including the economic
5 development programs administered by Federal
6 agencies or departments other than the Department.

7 “(2) INCLUSIONS.—In carrying out this sub-
8 section, the Under Secretaries shall include the fol-
9 lowing activities:

10 “(A) HOTLINE.—The Office shall establish
11 a telephone hotline to offer information and an-
12 swer questions about Federal programs to as-
13 sist rural and Native American communities,
14 including the grants provided under this Act
15 and programs offered by other Federal agen-
16 cies.

17 “(B) WEBSITE AND ELECTRONIC MAIL.—
18 The Office shall establish a website and elec-
19 tronic mail portal through which to offer infor-
20 mation and answer questions about Federal
21 programs to assist rural and tribal commu-
22 nities, including the grants provided under this
23 Act and programs offered by other Federal
24 agencies, to civic leaders, economic development

professionals, businesses, and individuals in rural and tribal communities.

“(C) OUTREACH AND SUPPORT MATERIALS.—The Office shall develop printed and electronic outreach and support materials that offer information and answer questions about Federal programs to assist rural and Native American communities, including the grants provided under this Act and programs offered by other Federal agencies, to civic leaders, economic development professionals, businesses, and individuals in rural and Native American communities.

“(D) OTHER OUTREACH ACTIVITIES.—The Office may carry out additional activities that offer information and answer questions about Federal programs to assist rural and Native American communities.

“(3) EXISTING EFFORTS.—The outreach efforts and activities described in paragraphs (1) and (2) shall be in coordination with existing efforts and activities of the rural development mission area Department of Agriculture and the Bureau of Indian Affairs.

1 “(f) DEDICATED STAFF.—The Secretary shall ensure
 2 that the Office has sufficient staff where appropriate, in-
 3 cluding in each regional office of the Economic Develop-
 4 ment Administration, to carry out all outreach activities
 5 under subsection (e) in rural and Native American com-
 6 munities.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
 8 contained in section 1(b) of the Public Works and Eco-
 9 nomic Development Act of 1965 (79 Stat. 552; 112 Stat.
 10 3597) is amended by inserting after the item relating to
 11 section 507 the following:

“Sec. 508. Office of Rural and Native American Economic Development.”.

12 **SEC. 12. FLEXIBLE HIRING AND DISASTER AUTHORITIES.**

13 (a) IN GENERAL.—Title V of the Public Works and
 14 Economic Development Act of 1965 (42 U.S.C. 3191 et
 15 seq.) (as amended by section 11(a)) is amended by adding
 16 at the end the following:

17 **“SEC. 509. FLEXIBLE HIRING AND DISASTER AUTHORITIES.**

18 “(a) APPOINTMENT AND COMPENSATION AUTHORI-
 19 TIES.—

20 “(1) IN GENERAL.—The Secretary may appoint
 21 and fix the compensation of such temporary per-
 22 sonnel as may be necessary to carry out this Act and
 23 to implement post-disaster economic recovery re-
 24 sponsibilities, without regard to the provisions of
 25 subchapter I of chapter 33 of title 5, United States

1 Code, governing appointments in competitive service
 2 and compensation of personnel.

3 “(2) APPOINTMENT TO POSITION WITHIN
 4 EDA.—Notwithstanding chapter 33 of title 5, United
 5 States Code, or any other provision of law relating
 6 to the examination, certification, and appointment of
 7 individuals in the competitive service, the Secretary
 8 may convert a temporary employee appointed under
 9 paragraph (1) to a permanent appointment in the
 10 competitive service in the Economic Development
 11 Administration under merit promotion procedures
 12 if—

13 “(A) the employee has served continuously
 14 in that appointment for not less than 2 years;
 15 and

16 “(B) the performance of the employee has
 17 been at an acceptable level of performance
 18 throughout the period or periods referred to in
 19 subparagraph (A).

20 “(b) DISASTER TEAM.—

21 “(1) ESTABLISHMENT.—As soon as practicable
 22 after the date of enactment of the INVEST in Our
 23 Communities Act, the Secretary shall establish a dis-
 24 aster team for the deployment of individuals to carry
 25 out post-disaster economic recovery efforts after a

1 major disaster or emergency has been declared
2 under the Robert T. Stafford Disaster Relief and
3 Emergency Assistance Act (42 U.S.C. 5121 et seq.)
4 and an agency has been activated by the Federal
5 Emergency Management Agency.

6 “(2) MEMBERSHIP.—

7 “(A) DESIGNATION OF STAFF.—As soon
8 as practicable after the date of enactment of
9 the INVEST in Our Communities Act, the Sec-
10 retary shall designate to serve on the disaster
11 team, in conjunction with staff of the Depart-
12 ment—

13 “(i) employees of the Department who
14 are not employees of the agency; and

15 “(ii) in consultation with the heads of
16 other Federal agencies, employees of those
17 agencies, as appropriate.

18 “(B) CAPABILITIES.—In designating indi-
19 viduals under subparagraph (A), the Secretary
20 shall ensure that the disaster team includes a
21 sufficient number of—

22 “(i) individuals who are capable of de-
23 ploying rapidly and efficiently to respond
24 to major disasters and emergencies; and

1 “(ii) in conjunction with permanent
2 agency staff, highly trained individuals em-
3 ployed full-time to lead and manage the
4 disaster team.

5 “(3) TRAINING.—The Secretary shall ensure
6 that appropriate and ongoing training is provided to
7 members of the disaster team designed under para-
8 graph (2) to ensure that the members are ade-
9 quately trained with respect to the programs and
10 policies of the agency relating to post-disaster eco-
11 nomic recovery efforts.

12 “(4) EXPENSES.—In carrying out this sub-
13 section, the Secretary may—

14 “(A) use, with or without reimbursement,
15 any service, equipment, personnel, or facility of
16 any Federal agency with the explicit support of
17 that agency, to the extent such use does not im-
18 pair or conflict with the authority of the Presi-
19 dent or the Administrator of the Federal Emer-
20 gency Management Agency under the Robert T.
21 Stafford Disaster Relief and Emergency Assist-
22 ance Act (42 U.S.C. 5121 et seq.) to direct
23 Federal agencies in any major disaster or emer-
24 gency declared under that Act; and

1 “(B) provide members of the disaster team
 2 with travel expenses, including per diem in lieu
 3 of subsistence, at rates authorized for employ-
 4 ees of agencies under subchapter I of chapter
 5 57 of title 5, United States Code, relating to
 6 service as a member of the disaster team.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
 8 contained in section 1(b) of the Public Works and Eco-
 9 nomic Development Act of 1965 (79 Stat. 552; 112 Stat.
 10 3597) (as amended by section 11(b)) is amended by in-
 11 serting after the item relating to section 508 the following:
 “Sec. 509. Flexible hiring and disaster authorities.”.

12 **SEC. 13. COVID-ERA FUNDING AVAILABILITY.**

13 Notwithstanding any other provision of law, any
 14 amounts made available to carry out the Public Works and
 15 Economic Development Act of 1965 (42 U.S.C. 3121 et
 16 seq.) during the period during which the public health
 17 emergency declared by the Secretary of Health and
 18 Human Services under section 319 of the Public Health
 19 Service Act (42 U.S.C. 247d) on January 31, 2020, with
 20 respect to COVID–19 is in effect shall be available for
 21 obligation until September 30, 2030.

22 **SEC. 14. FUNDING FOR HOST GRANTS.**

23 (a) IN GENERAL.—Title VII of the Public Works and
 24 Economic Development Act of 1965 (42 U.S.C. 3231 et
 25 seq.) is amended by adding at the end the following:

1 **“SEC. 705. FUNDING FOR HOST GRANTS.**

2 “Of the amounts made available under section 701(a)
3 for each of fiscal years 2023 through 2027, \$100,000,000
4 shall be used to carry out section 219, of which 3 percent
5 shall be used for the administrative costs of carrying out
6 that section, including for maintaining the formula de-
7 scribed in subsection (f)(2) of that section.”.

8 (b) CLERICAL AMENDMENT.—The table of contents
9 contained in section 1(b) of the Public Works and Eco-
10 nomic Development Act of 1965 (79 Stat. 552; 112 Stat.
11 3597; 118 Stat. 1772) is amended by inserting after the
12 item relating to section 704 the following:

“Sec. 705. Funding for HOST grants.”.

13 **SEC. 15. SET ASIDES.**

14 (a) IN GENERAL.—Title VII of the Public Works and
15 Economic Development Act of 1965 (42 U.S.C. 3231 et
16 seq.) (as amended by section 11(a)) is amended by adding
17 at the end the following:

18 **“SEC. 706. REQUIREMENTS FOR THE USE OF FUNDS.**

19 “(a) PLANNING ASSISTANCE.—

20 “(1) IN GENERAL.—Of the amounts made
21 available for each fiscal year under section 701(a),
22 the Secretary shall set aside an amount equal to 5
23 percent to provide assistance to eligible recipients for
24 the development of a comprehensive economic devel-
25 opment strategy.

1 “(2) FEDERAL SHARE.—The Federal share of
2 the cost of an activity carried out with assistance
3 under paragraph (1) shall be not less than 80 per-
4 cent.

5 “(b) TECHNICAL AND OPERATIONAL ASSISTANCE.—
6 Of the amounts made available for each fiscal year under
7 section 701(a), the Secretary shall set aside an amount
8 equal to 5 percent to provide to eligible recipients technical
9 and operational capacity assistance to prepare those eligi-
10 ble recipients to better access Federal funding from the
11 Economic Development Administration and other sources.

12 “(c) RURAL SET-ASIDE.—

13 “(1) IN GENERAL.—Of the amounts made
14 available for each fiscal year under section 701(a),
15 the Secretary shall ensure that not less than 15 per-
16 cent is used to provide assistance to eligible recipi-
17 ents located in, or that serve, a rural area (as de-
18 fined in section 343(a) of the Consolidated Farm
19 and Rural Development Act (7 U.S.C. 1991(a))).

20 “(2) WAIVER.—If there are not sufficient quali-
21 fied eligible recipients located in, or that serve, a
22 rural area (as so defined) to carry out paragraph
23 (1), the Secretary may waive the requirement under
24 that paragraph.

1 “(d) MAXIMUM GRANT AMOUNTS.—The Secretary
2 shall consider increasing maximum grant amounts set by
3 the Secretary and increasing the average amount of funds
4 distributed per grant provided under this Act to increase
5 the impact of those investments.

6 “(e) NATIVE AMERICAN SET-ASIDE.—

7 “(1) IN GENERAL.—Of the amounts made
8 available for each fiscal year under section 701(a),
9 the Secretary shall ensure that not less than 5 per-
10 cent is used to provide assistance to eligible recipi-
11 ents that are Indian tribes, tribal organizations (as
12 defined in section 3 of the NATIVE Act (25 U.S.C.
13 4352)), and Native Hawaiian organizations (as de-
14 fined in that section).

15 “(2) WAIVER.—If there are not sufficient quali-
16 fied eligible recipients that are Indian tribes, tribal
17 organizations (as so defined), or Native Hawaiian
18 organizations (as so defined) to carry out paragraph
19 (1), the Secretary may waive the requirement under
20 that paragraph.”.

21 “(b) CLERICAL AMENDMENT.—The table of contents
22 contained in section 1(b) of the Public Works and Eco-
23 nomic Development Act of 1965 (79 Stat. 552; 112 Stat.
24 3597; 118 Stat. 1772) (as amended by section 11(b)) is

1 amended by inserting after the item relating to section
 2 705 the following:

“Sec. 706. Requirements for the use of funds.”.

3 **SEC. 16. COST SHARING.**

4 Section 204 of the Public Works and Economic De-
 5 velopment Act of 1965 (42 U.S.C. 3144) is amended—

6 (1) in subsection (a)—

7 (A) in the matter preceding paragraph (1),
 8 by striking “subsection (c)” and inserting “this
 9 section”; and

10 (B) in paragraph (2)(A), by striking “30
 11 percent” and inserting “40 percent”; and

12 (2) by adding at the end the following:

13 “(d) HIGH-DENSITY PUBLIC LAND COUNTIES.—In
 14 the case of a grant under this Act to an eligible recipient
 15 that is located in or that serves a high-density public land
 16 county (as defined in section 7(a) of the INVEST in Our
 17 Communities Act), the Secretary shall—

18 “(1) reduce the non-Federal share of the cost
 19 of the project carried out with the grant by 50 per-
 20 cent;

21 “(2) provide to the eligible recipient direct and
 22 expanded technical assistance to improve applica-
 23 tions from high-density public land counties (as so
 24 defined); and

1 “(3) allow the eligible recipient to provide any
2 required non-Federal share in the form of in-kind
3 contributions.

4 “(e) COMMUNITIES AFFECTED BY DISASTERS.—In
5 the case of a grant under section 209(c)(2), the Federal
6 share of the cost of a project carried out with the grant
7 shall be 100 percent.

8 “(f) COVID-ERA FUNDING.—

9 “(1) IN GENERAL.—In the case of a project
10 carried out with a grant under this Act made on or
11 after the date of enactment of the INVEST in Our
12 Communities Act from amounts made available dur-
13 ing the period during which the public health emer-
14 gency declared by the Secretary of Health and
15 Human Services under section 319 of the Public
16 Health Service Act (42 U.S.C. 247d) on January
17 31, 2020, with respect to COVID–19 is in effect, the
18 Federal share of the cost of the project shall be not
19 less than 90 percent.

20 “(2) CERTAIN AREAS.—The Secretary shall
21 consider increasing the Federal share set by the Sec-
22 retary under paragraph (1) to be 100 percent of the
23 cost of the project if the project is to be carried out
24 in an area that is experiencing, in the determination

- 1 of the Secretary, lasting economic impacts as a re-
- 2 sult of the COVID–19 pandemic.”.

○