

Calendar No. 754108TH CONGRESS
2^D SESSION**S. 1134****[Report No. 108-382]**

To reauthorize and improve the program authorized by the Public Works
and Economic Development Act of 1965.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2003

Mr. BOND (for himself and Mr. INHOFE) (by request) introduced the following
bill; which was read twice and referred to the Committee on Environment
and Public Works

OCTOBER 1, 2004

Reported by Mr. INHOFE, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To reauthorize and improve the program authorized by the
Public Works and Economic Development Act of 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 SHORT TITLE.—This Act may be cited as the “Eco-
3 nomic Development Administration Reauthorization Act
4 of 2003”.

5 **SEC. 2. FINDINGS AND DECLARATIONS.**

6 Section 2 of the Public Works and Economic Devel-
7 opment Act of 1965, as amended (“PWEDA”) (42 U.S.C.
8 3121), is revised to read as follows:

9 **“SEC. 2. FINDINGS AND DECLARATIONS.**

10 “(a) FINDINGS.—Congress finds that—

11 “(1) while the fundamentals for growth in the
12 American economy remain strong, there continue to
13 be areas experiencing chronic high unemployment,
14 underemployment, low per capita incomes, and out-
15 migration as well as areas facing sudden and severe
16 economic dislocations due to structural economic
17 changes, changing trade patterns, certain Federal
18 actions (including environmental requirements that
19 result in the removal of economic activities from a
20 locality); and natural disasters;

21 “(2) sustained economic growth in our Nation,
22 States, cities and rural areas is produced by expand-
23 ing free enterprise through trade and enhanced com-
24 petitiveness of regions;

25 “(3) the goal of Federal economic development
26 programs is to raise the standard of living for all

1 citizens and increase the wealth and overall rate of
2 growth of the economy by encouraging local and re-
3 gional communities to develop a more competitive
4 and diversified economic base by:

5 “(A) promoting job creation through in-
6 creased innovation, productivity, and entrepre-
7 neurship; and

8 “(B) empowering local and regional com-
9 munities experiencing chronic high unemploy-
10 ment and low per capita income to attract sub-
11 stantially increased private-sector capital invest-
12 ment;

13 “(4) while economic development is an inher-
14 ently local process, the Federal Government should
15 work in partnership with public and private local, re-
16 gional, tribal and State organizations to maximize
17 the impact of existing resources and enable regions,
18 communities, and citizens to participate more fully
19 in the American dream and national prosperity;

20 “(5) in order to avoid wasteful duplication of
21 effort and achieve meaningful, long-lasting results,
22 Federal, State, tribal and local economic develop-
23 ment activities should have a clear focus, improved
24 coordination, a comprehensive approach, common

1 measures of success, and simplified and consistent
2 requirements; and

3 “(6) Federal economic development efforts will
4 be more effective if they are coordinated with, and
5 build upon, the trade, workforce investment, and
6 technology programs of the United States.

7 “(b) DECLARATIONS.—Congress declares that, in
8 order to promote a strong and growing economy through-
9 out the United States:

10 “(1) assistance under this Act should be made
11 available to both rural and urban distressed commu-
12 nities;

13 “(2) local communities should work in partner-
14 ship with neighboring communities, Indian tribes,
15 the States, and the Federal Government to increase
16 their capacity to develop and implement comprehen-
17 sive economic development strategies to enhance re-
18 gional competitiveness in the global economy and
19 support long-term development of regional econo-
20 mies; and

21 “(3) whether suffering from long-term distress
22 or a sudden dislocation, distressed communities
23 should be encouraged to focus on strengthening en-
24 trepreneurship and competitiveness, and to take ad-
25 vantage of the development opportunities afforded

1 by technological innovation and expanding and newly
2 opened global markets.”.

3 **SEC. 3. DEFINITIONS.**

4 Section 3 of PWEDA (42 U.S.C. 3122) is amended
5 as follows:

6 (1) Subparagraph (4)(A) of this section is
7 amended by striking subparagraph (i) and redesignig-
8 nating successive subparagraphs (ii) through (vii) as
9 (i) through (vi) and revising subparagraph (iv) as
10 re-designated to read as follows:

11 “(iv) a city or other political subdivi-
12 sion of a State; including a special purpose
13 unit of State or local government; or a
14 consortium of political subdivisions;”.

15 (2) Subparagraph 4(B) is amended by adding
16 at the end thereof a new sentence:

17 “The requirement under subparagraph
18 (A)(vi) that the nonprofit organization or asso-
19 ciation is ‘acting in cooperation with officials of
20 a political subdivision of a State’ does not apply
21 in the case of research, training and technical
22 assistance grants under section 207 that are
23 national or regional in scope.”.

1 (3) Paragraphs (8), (9) and (10) are amended
2 by re-designating them as paragraphs (9), (10), and
3 (11) and a new paragraph (8) is added as follows:

4 “(8) REGIONAL COMMISSIONS.—The term ‘Re-
5 gional Commissions’ as used in section 403 of this
6 Act refers to the regional economic development au-
7 thorities: the Delta Regional Authority (Public Law
8 No. 106–554, sec. 1(a)(4) [div. B, title VI], 114
9 Stat. 2763A–268) (7 U.S.C. 2009aa et seq.); the
10 Denali Commission (Public Law No. 105–277, div.
11 C, title III, 112 Stat. 2681–637) (42 U.S.C. 3121
12 note); and the Northern Great Plains Regional Au-
13 thority (Public Law No. 107–171, 116 Stat. 375) (7
14 U.S.C. 2009bb et seq.).”

15 (4) A new paragraph (12) is added at the end
16 to read as follows:

17 “(12) UNIVERSITY CENTER.—The term ‘univer-
18 sity center’ refers to a University Center for Eco-
19 nomic Development established pursuant to the au-
20 thority of section 207(a)(2)(D) of this Act.”

21 **SEC. 4. WORKING WITH NONPROFIT ORGANIZATIONS IN ES-**
22 **TABLISHMENT OF ECONOMIC DEVELOPMENT**
23 **PARTNERSHIPS.**

24 Section 101 of PWEDA (42 U.S.C. 3131) is amend-
25 ed as follows:

1 (1) In subsection (b) strike “and multi-State re-
2 gional organizations” and insert in lieu thereof
3 “multi-State regional organizations, and nonprofit
4 organizations”.

5 (2) In subsection (d), strike “adjoining” each
6 time it occurs.

7 **SEC. 5. SUB-GRANTS IN CONNECTION WITH PUBLIC WORKS**
8 **PROJECTS.**

9 Section 201 of PWEDA (42 U.S.C. 3141) is amend-
10 ed by adding a new subsection (d) as follows:

11 “(d) SUB-GRANTS.—

12 “(1) Subject to paragraph (2), a recipient of a
13 grant under this section may directly expend the
14 grant funds or may redistribute the funds in the
15 form of a sub-grant to other recipients eligible to re-
16 ceive assistance under this section to fund required
17 components of the scope of work approved for the
18 project.

19 “(2) Under paragraph (1), a recipient may not
20 redistribute grant funds to a for-profit entity.”.

21 **SEC. 6. CLARIFICATION OF GRANTS FOR STATE PLANNING.**

22 Section 203 of PWEDA (42 U.S.C. 3143) is amend-
23 ed as follows:

24 (1) Revise paragraph (1) of subsection (d) to
25 read as follows:

1 “(1) DEVELOPMENT.—Any State plan devel-
 2 oped with assistance under this section shall, to the
 3 maximum extent practicable, take into consideration
 4 regional economic development strategies.”;

5 (2) Strike paragraph (3) of subsection (d) in its
 6 entirety and re-designate paragraphs (4) and (5) as
 7 (3) and (4);

8 (3) Revise re-designated paragraph (3) of sub-
 9 section (d) by striking “and” at the end of subpara-
 10 graph (C) and re-designating current subparagraph
 11 (D) as (E) and adding a new subparagraph (D) to
 12 read as follows:

13 “(D) assist in carrying out state’s work-
 14 force investment strategy (as outlined in the
 15 State plan required under section 112 of the
 16 Workforce Investment Act of 1998 (29 U.S.C.
 17 2822)); and”;

18 (4) Add a new subsection (e) at the end thereof
 19 as follows:

20 “(e) SUB-GRANTS.—

21 “(1) Subject to paragraph (2), a recipient of a
 22 grant under this section may directly expend the
 23 grant funds or may redistribute the funds in the
 24 form of a sub-grant to other recipients eligible to re-
 25 ceive assistance under this section to fund required

1 components of the scope of work approved for the
2 project.

3 “(2) Under paragraph (1), a recipient may not
4 redistribute grant funds to a for-profit entity.”

5 **SEC. 7. SIMPLIFICATION OF DETERMINATION OF GRANT**
6 **RATES.**

7 Sections 204 and 205 of PWEDA (42 U.S.C. 3144,
8 3145) are amended to read as follows:

9 **“SEC. 204. COST SHARING.**

10 “(a) **FEDERAL SHARE.**—The Secretary shall issue
11 regulations to establish the applicable grant rates for
12 projects based on the relative needs of the areas in which
13 the projects are located. Except as provided in subsection
14 (e) below, the amount of a grant for a project under this
15 title may not exceed 80 percent of the cost of the project.

16 “(b) **NON-FEDERAL SHARE.**—In determining the
17 amount of the non-Federal share of the cost of a project,
18 the Secretary may provide credit toward the non-Federal
19 share for all contributions both in cash and in-kind, fairly
20 evaluated, including contributions of space, equipment,
21 and services, and assumptions of debt.

22 “(c) **INCREASE IN FEDERAL SHARE.**—

23 “(1) **INDIAN TRIBES.**—In the case of a grant to
24 an Indian tribe, the Secretary may increase the Fed-
25 eral share above the percentage specified in sub-

1 section (a) up to 100 percent of the cost of the
2 project.

3 “(2) CERTAIN STATES, POLITICAL SUBDIVI-
4 SIONS, AND NONPROFIT ORGANIZATIONS.—In the
5 case of a grant to a State (or a political subdivision
6 of a State), that the Secretary determines has ex-
7 hausted its effective taxing and borrowing capacity,
8 or in the case of a grant to a nonprofit organization
9 that the Secretary determines has exhausted its ef-
10 fective borrowing capacity, the Secretary may in-
11 crease the Federal share above the percentage speci-
12 fied in subsection (a) up to 100 percent of the cost
13 of the project.

14 **“SEC. 205. GRANTS SUPPLEMENTING OTHER AGENCY**
15 **GRANTS (42 U.S.C. 3145).**

16 “(a) DEFINITION OF DESIGNATED FEDERAL GRANT
17 PROGRAM.—In this section, the term ‘designated Federal
18 grant program’ means any Federal grant program that—

19 “(1) provides assistance in the construction or
20 equipping of public works, public service, or develop-
21 ment facilities;

22 “(2) is designated as eligible for an allocation
23 of funds under this section by the Secretary; and

24 “(3) assists projects that are—

1 “(A) eligible for assistance under this title;

2 and

3 “(B) consistent with a comprehensive eco-

4 nomic development strategy.

5 “(b) SUPPLEMENTARY GRANTS.—Subject to sub-
6 section (c) below, in order to assist eligible recipients to
7 take advantage of designated Federal grant programs, on
8 the application of an eligible recipient, the Secretary may
9 make a supplementary grant for a project for which the
10 eligible recipient is eligible but, because of the recipient’s
11 economic situation, for which the eligible recipient cannot
12 provide the required non-Federal share.

13 “(c) REQUIREMENTS APPLICABLE TO SUPPLE-
14 MENTARY GRANTS.—

15 “(1) AMOUNT OF SUPPLEMENTARY GRANTS.—

16 The share of the project cost supported by a supple-
17 mentary grant under this section may not exceed the
18 applicable grant rate under section 204.

19 “(2) FORM OF SUPPLEMENTARY GRANTS.—The
20 Secretary shall make supplementary grants by—

21 “(A) the payment of funds made available
22 under this Act to the heads of the Federal
23 agencies responsible for carrying out the appli-
24 cable Federal programs; or

1 ~~“(B) the award of funds under this Act~~
 2 ~~which will be combined with funds transferred~~
 3 ~~from other Federal agencies in projects admin-~~
 4 ~~istered by the Secretary.~~

5 ~~“(3) FEDERAL SHARE LIMITATIONS SPECIFIED~~
 6 ~~IN OTHER LAWS.—Notwithstanding any requirement~~
 7 ~~as to the amount or source of non-Federal funds~~
 8 ~~that may be applicable to a Federal program, funds~~
 9 ~~provided under this section may be used to increase~~
 10 ~~the Federal share for specific projects under the pro-~~
 11 ~~gram that are carried out in areas described in sec-~~
 12 ~~tion 301(a) above the Federal share of the cost of~~
 13 ~~the project authorized by the law governing the pro-~~
 14 ~~gram.”.~~

15 **SEC. 8. REGULATIONS ON ALLOCATIONS TO ENSURE JOB**
 16 **CREATION POTENTIAL.**

17 Subsection 206 of PWEDA (42 U.S.C. 3146) is
 18 amended by striking “and” at the end of subparagraph
 19 (1)(C), inserting “and” at the end of paragraph (2), and
 20 adding a new paragraph (3) at the end thereof to read
 21 as follows:

22 ~~“(3) allocations of assistance under this title~~
 23 ~~promote job creation through increased innovation,~~
 24 ~~productivity, and entrepreneurship, and financial as-~~
 25 ~~sistance extended pursuant to such allocations will~~

1 have a high probability of meeting or exceeding ap-
 2 plicable performance requirements established in
 3 connection with extension of the assistance.”.

4 **SEC. 9. INCREASED FLEXIBILITY IN GRANTS FOR TRAIN-**
 5 **ING, RESEARCH, AND TECHNICAL ASSIST-**
 6 **ANCE.**

7 (a) Section 207 of PWEDA (42 U.S.C. 3147) is
 8 amended by striking “and” at the end of subparagraph
 9 (2)(F) of subsection (a), re-designating current subpara-
 10 graph (G) as (H), and adding a new subparagraph (G)
 11 to read as follows:

12 “(G) studies that evaluate the effectiveness
 13 of collaborations between projects funded under
 14 this Act with projects funded under the Work-
 15 force Investment Act of 1998 (29 U.S.C. 2801
 16 et seq.); and”.

17 (b) Section 207 is further amended by adding a new
 18 subsection (e) to read as follows:

19 “(e) **SUB-GRANTS.**—A recipient of a grant under this
 20 section may directly expend the grant funds or may redis-
 21 tribute the funds in the form of a sub-grant to other re-
 22 cipients eligible to receive assistance under this section to
 23 fund required components of the scope of work approved
 24 for the project.”.

1 **SEC. 10. REMOVAL OF SECTION.**

2 Section 208 of PWEDA (42 U.S.C. 3148) is stricken
3 in its entirety and insert in lieu thereof:

4 **“SEC. 208. [REPEALED].”.**

5 **SEC. 11. IMPROVEMENTS IN ADMINISTRATION GRANTS FOR**
6 **ECONOMIC ADJUSTMENT INVOLVING RE-**
7 **VOLVING LOAN FUND PROJECTS.**

8 (a) Subsection (d) of section 209 of PWEDA (42
9 U.S.C. 3149) is amended by striking “an eligible” in each
10 case it occurs in paragraphs (1) and (2) and inserting in
11 lieu thereof “a recipient”.

12 (b) Section 209 of PWEDA (42 U.S.C. 3149) is
13 amended by adding a new subsection (e) at the end thereof
14 as follows:

15 **“(e) SPECIAL PROVISIONS RELATING TO REVOLVING**
16 **LOAN FUND GRANTS.—**The Secretary shall promulgate
17 regulations to ensure the proper operation and financial
18 integrity of revolving loan funds established by recipients
19 with assistance under this section.

20 **“(1) EFFICIENT ADMINISTRATION.—**In order to
21 improve the ability to manage and administer the
22 Federal interest in revolving loan funds and in ac-
23 cordance with regulations issued for such purposes,
24 the Secretary may amend and consolidate grant
25 agreements governing revolving loan funds to pro-
26 vide flexibility with respect to lending areas and bor-

1 power criteria. In addition, the Secretary may assign
2 or transfer assets of a revolving loan fund to a third
3 party for the purpose of liquidation and a third
4 party may retain assets of the fund to defray costs
5 related to liquidation. The Secretary may also take
6 such other actions with respect to management and
7 administration as the Secretary determines to be ap-
8 propriate to carry out the purposes of this Act, in-
9 cluding actions to enable revolving loan funds opera-
10 tors to sell or securitize loans to the secondary mar-
11 ket (except that such actions may not include
12 issuance of a Federal guaranty by the Secretary).

13 “(2) ~~RELEASE OF FEDERAL INTERESTS.~~—The
14 Secretary may release, in whole or in part, any prop-
15 erty interest in connection with a revolving loan fund
16 grant after the date that is 20 years after the date
17 on which the grant was awarded; provided that the
18 recipient—

19 “(A) is in compliance with the terms of its
20 grant and operating the fund at an acceptable
21 level of performance as determined by the Sec-
22 retary; and

23 “(B) reimburses the government prior to
24 the release for the amount of the Secretary’s in-
25 vestment in the fund or the pro-rata share of

1 the fund at the time of the release, whichever
2 is less.

3 ~~Any action taken by the Secretary pursuant to this sub-~~
4 ~~section with respect to a revolving loan fund shall not con-~~
5 ~~stitute a new obligation provided that all grant funds asso-~~
6 ~~ciated with the original grant award have been disbursed~~
7 ~~to the recipient.”.~~

8 **SEC. 12. USE OF FUNDS IN PROJECTS CONSTRUCTED**
9 **UNDER PROJECTED COST.**

10 Section 211 of PWEDA (42 U.S.C. 3151) is amend-
11 ed to read as follows:

12 **“SEC. 211. USE OF FUNDS IN PROJECTS CONSTRUCTED**
13 **UNDER PROJECTED COST.**

14 “~~In any case in which the Secretary has made a grant~~
15 ~~for a construction project under sections 201 or 209 of~~
16 ~~this title, and before closeout of the project, the Secretary~~
17 ~~determines that the cost of the project based on the de-~~
18 ~~signs and specifications that were the basis of the grant~~
19 ~~has decreased because of decreases in costs—~~

20 ~~“(1) without further appropriations action, the~~
21 ~~Secretary may approve the use of the excess funds~~
22 ~~or a portion of the funds to improve the project; and~~

23 ~~“(2) any amount of excess funds remaining~~
24 ~~after application of paragraph (1) may be used for~~

1 other investments authorized for support under this
2 Act.

3 In addition to paragraphs (1) and (2) of this section, in
4 the event of construction underruns in projects utilizing
5 funds transferred from other Federal agencies pursuant
6 to section 604 of this Act, the Secretary may utilize these
7 funds in conjunction with paragraphs (1) or (2) with the
8 approval of the originating agency or will return the funds
9 to the originating agency.”.

10 **SEC. 13. SPECIAL IMPACT AREAS.**

11 Title II of PWEDA is further amended by adding a
12 new section 214 as follows:

13 **“SEC. 214. SPECIAL IMPACT AREAS.**

14 **“SPECIAL IMPACT AREAS.—**The Secretary is author-
15 ized to make grants, enter into contracts and provide tech-
16 nical assistance for projects and programs that the Sec-
17 retary finds will fulfill a pressing need of the area and
18 be useful in alleviating or preventing conditions of exces-
19 sive unemployment or underemployment or assist in pro-
20 viding useful employment opportunities for the unem-
21 ployed or underemployed residents in the area. In extend-
22 ing assistance under this section, the Secretary may waive,
23 in whole or in part, as appropriate, the provisions of sec-
24 tion 302 of this Act provided that the Secretary deter-

1 mines that such assistance will carry out the purposes of
2 the Act.”.

3 **SEC. 14. PERFORMANCE INCENTIVES.**

4 Title II of PWEDA is further amended by adding a
5 new section 215 as follows:

6 **“SEC. 215. PERFORMANCE INCENTIVES.**

7 “(a) In accordance with regulations issued for such
8 purposes, the Secretary may award transferable perform-
9 ance credits in an amount that does not exceed 10 percent
10 of the grant amount awarded under sections 201 or 209
11 of this Act on or after the effective date of this amend-
12 ment. The Secretary shall base such performance incen-
13 tives on the extent to which a recipient meets or exceeds
14 performance requirements established in connection with
15 extension of the assistance.

16 “(b) A recipient awarded a transferable performance
17 credit under this section may redeem the credit to increase
18 the Federal share of a subsequent grant funded under sec-
19 tions 201 and 209 of this Act above the maximum Federal
20 share allowable under section 204 up to 80 percent of the
21 project cost. A performance credit must be redeemed with-
22 in 5 years of its issue date.

23 “(c) An original recipient may also sell or transfer
24 the credit in its entirety to another eligible recipient for
25 use in connection with a grant approved by the Secretary

1 under this Act without reimbursement to the Secretary for
2 redemption in accordance with subsection (b) above.

3 “(d) The Secretary shall attach such terms and con-
4 ditions or limitations as the Secretary deems appropriate
5 in issuing a performance credit. Performance credits shall
6 be paid out of appropriations for economic development
7 assistance programs made available in the year of redemp-
8 tion to the extent of availability.

9 “(e) The Secretary shall include information regard-
10 ing issuance of performance credits in the annual report
11 under section 603 of this Act.”.

12 **SEC. 15. COMPREHENSIVE ECONOMIC DEVELOPMENT**
13 **STRATEGIES.**

14 Subparagraph (a)(3)(A) of section 302 of PWEDA
15 (42 U.S.C. 3162) is amended by adding “maximizes effec-
16 tive development and use of the workforce (consistent with
17 any applicable state and local workforce investment strat-
18 egy under the Workforce Investment Act of 1998 (29
19 U.S.C. 2801 et seq.),” between “access,” and “enhances”.

20 **SEC. 16. DESIGNATION OF ECONOMIC DEVELOPMENT DIS-**
21 **TRICTS.**

22 Subparagraph (a)(3)(B) of section 401 of PWEDA
23 (42 U.S.C. 3171) is amended by striking “by each affected
24 State and”.

1 **SEC. 17. DISTRICT INCENTIVES.**

2 Section 403 of PWEDA (42 U.S.C. 3173) is amend-
 3 ed by striking it in its entirety and redesignating sections
 4 404 and 405 as sections 403 and 404. Section 403 as re-
 5 designated is amended by adding at the end the following
 6 new sentence: “If any part of an economic development
 7 district is in a region covered by one or more other Re-
 8 gional Commissions as defined in section 3(8) of this Act,
 9 the economic development district shall ensure that a copy
 10 of the comprehensive economic development strategy of
 11 the district is provided to the affected regional commis-
 12 sion.”.

13 **SEC. 18. ECONOMIC DEVELOPMENT INFORMATION CLEAR-**
 14 **INGHOUSE.**

15 Section 502 of PWEDA (42 U.S.C. 3192) is amend-
 16 ed to read as follows:

17 **“SEC 502. ECONOMIC DEVELOPMENT INFORMATION**
 18 **CLEARINGHOUSE**

19 “In carrying out this Act, the Secretary shall—

20 “(1) maintain a central information clearing-
 21 house on the Internet with information on economic
 22 development, economic adjustment, disaster recov-
 23 ery, defense conversion, and trade adjustment pro-
 24 grams and activities of the Federal Government,
 25 links to State economic development organizations,

1 and links to other appropriate economic development
2 resources;

3 “(2) assist potential and actual applicants for
4 economic development, economic adjustment, dis-
5 aster recovery, defense conversion, and trade adjust-
6 ment assistance under Federal and State laws in lo-
7 eating and applying for the assistance;

8 “(3) assist areas described in section 301(a)
9 and other areas by providing to interested persons,
10 communities, industries, and businesses in the areas
11 any technical information, market research, or other
12 forms of assistance, information, or advice that
13 would be useful in alleviating or preventing condi-
14 tions of excessive unemployment or underemploy-
15 ment in the areas; and

16 “(4) obtain appropriate information from other
17 Federal agencies needed to carry out the duties
18 under this Act.”.

19 **SEC. 19. REMOVAL OF UNUSED AUTHORITY.**

20 Section 505 of PWEDA (42 U.S.C. 3195) is amend-
21 ed by striking it in its entirety and sections 506 and 507
22 are re-designated as sections 505 and 506.

1 **SEC. 20. PERFORMANCE EVALUATIONS OF GRANT RECIPI-**
 2 **ENTS.**

3 Section 505 of PWEDA (42 U.S.C. 3196) as re-des-
 4 ignated is amended as follows:

5 (1) In subsection (e), strike “after the effective
 6 date of the Economic Development Administration
 7 Reform Act of 1998”.

8 (2) In paragraph (d)(2), strike “and” before
 9 “disseminating results” and insert “, and measuring
 10 the outcome-based results of the university centers’
 11 activities” before the period at the end thereof.

12 (3) In paragraph (d)(3) of section 506, insert
 13 before the period at the end thereof “as evidenced
 14 by outcome-based results, including the number of
 15 jobs created or retained, and amount of private-sec-
 16 tor funds leveraged”.

17 (4) In subsection (e) of section 506, strike
 18 “university center or” each occasion it occurs.

19 **SEC. 21. CITATION CORRECTIONS.**

20 Section 602 PWEDA (42 U.S.C. 3212) is amended
 21 by striking the citations to “40 U.S.C. 276A—276A-5”
 22 and “section 276e” and inserting in lieu thereof, “40
 23 U.S.C. 3141 et seq.” and “section 3154”, respectively.

1 **SEC. 22. DELETION OF UNNECESSARY PROVISION.**

2 Section 609 of PWEDA (42 U.S.C. 3219) is amend-
3 ed by striking subsection (a) in its entirety and striking
4 the subsection designation “(b)”.

5 **SEC. 23. GENERAL AUTHORIZATION OF APPROPRIATIONS.**

6 Section 701 of PWEDA (42 U.S.C. 3231) is amend-
7 ed to read as follows:

8 **“SEC. 701. GENERAL AUTHORIZATION OF APPROPRIA-**
9 **TIONS.**

10 **“(a) ECONOMIC DEVELOPMENT ASSISTANCE PRO-**
11 **GRAMS.—**There are authorized to be appropriated for eco-
12 nomic development assistance programs to carry out this
13 Act \$331,027,000 for fiscal year 2004, and such sums as
14 may be necessary for fiscal years 2005, 2006, 2007, and
15 2008, to remain available until expended.

16 **“(b) SALARIES AND EXPENSES.—**There are author-
17 ized to be appropriated for salaries and expenses of admin-
18 istering this Act \$33,377,000 for fiscal year 2004, and
19 such sums as may be necessary for each of the fiscal years
20 from 2005 through 2008, to remain available until ex-
21 pended.”.

22 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

23 (a) *SHORT TITLE.—This Act may be cited as the*
24 *“Economic Development Administration Reauthorization*
25 *Act of 2004”.*

1 (b) *TABLE OF CONTENTS.—The table of contents for*
 2 *this Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—GENERAL PROVISIONS

Sec. 101. Findings and declarations.

Sec. 102. Definitions.

Sec. 103. Establishment of Economic Development partnerships.

Sec. 104. Coordination.

*TITLE II—GRANTS FOR PUBLIC WORKS AND ECONOMIC
DEVELOPMENT*

Sec. 201. Grants for planning.

Sec. 202. Cost sharing.

Sec. 203. Supplementary grants.

Sec. 204. Regulations on relative needs and allocations.

Sec. 205. Grants for training, research, and technical assistance.

Sec. 206. Prevention of unfair competition.

Sec. 207. Grants for economic adjustment.

Sec. 208. Use of funds in projects constructed under projected cost.

Sec. 209. Special impact areas.

Sec. 210. Performance awards.

Sec. 211. Planning performance awards.

Sec. 212. Direct expenditure or redistribution by recipient.

Sec. 213. Brownfields redevelopment.

*TITLE III—COMPREHENSIVE ECONOMIC DEVELOPMENT
STRATEGIES*

Sec. 301. Eligibility of areas.

Sec. 302. Comprehensive Economic Development strategies.

TITLE IV—ECONOMIC DEVELOPMENT DISTRICTS

Sec. 401. Incentives.

*Sec. 402. Provision of comprehensive Economic Development strategies to Regional
Commissions.*

TITLE V—ADMINISTRATION

Sec. 501. Economic Development information clearinghouse.

Sec. 502. Businesses desiring Federal contracts.

Sec. 503. Performance evaluations of grant recipients.

Sec. 504. Conforming amendments.

TITLE VI—MISCELLANEOUS

Sec. 601. Annual report to Congress.

Sec. 602. Relationship to assistance under other law.

Sec. 603. Sense of Congress regarding Economic Development Representatives.

TITLE VII—FUNDING

Sec. 701. Authorization of appropriations.

Sec. 702. Funding for grants for planning and grants for administrative expenses.

1 **TITLE I—GENERAL PROVISIONS**

2 **SEC. 101. FINDINGS AND DECLARATIONS.**

3 *Section 2 of the Public Works and Economic Develop-*
4 *ment Act of 1965 (42 U.S.C. 3121) is amended to read as*
5 *follows:*

6 **“SEC. 2. FINDINGS AND DECLARATIONS.**

7 *“(a) FINDINGS.—Congress finds that—*

8 *“(1) there continue to be areas of the United*
9 *States experiencing chronic high unemployment,*
10 *underemployment, outmigration, and low per capita*
11 *incomes, as well as areas facing sudden and severe*
12 *economic dislocations because of structural economic*
13 *changes, changing trade patterns, certain Federal ac-*
14 *tions (including environmental requirements that re-*
15 *sult in the removal of economic activities from a lo-*
16 *cality), and natural disasters;*

17 *“(2) economic growth in the States, cities, and*
18 *rural areas of the United States is produced by ex-*
19 *anding economic opportunities, expanding free en-*
20 *terprise through trade, developing and strengthening*
21 *public infrastructure, and creating a climate for job*
22 *creation and business development;*

1 “(3) the goal of Federal economic development
2 programs is to raise the standard of living for all
3 citizens and increase the wealth and overall rate of
4 growth of the economy by encouraging communities to
5 develop a more competitive and diversified economic
6 base by—

7 “(A) creating an environment that promotes
8 economic activity by improving and expanding
9 public infrastructure;

10 “(B) promoting job creation through in-
11 creased innovation, productivity, and entrepre-
12 neurship; and

13 “(C) empowering local and regional com-
14 munities experiencing chronic high unemployment
15 and low per capita income to develop pri-
16 vate sector business and attract increased private
17 sector capital investment;

18 “(4) while economic development is an inher-
19 ently local process, the Federal Government should
20 work in partnership with public and private State,
21 regional, tribal, and local organizations to maximize
22 the impact of existing resources and enable regions,
23 communities, and citizens to participate more fully
24 in the American dream and national prosperity;

1 “(5) in order to avoid duplication of effort and
2 achieve meaningful, long-lasting results, Federal,
3 State, tribal, and local economic development activi-
4 ties should have a clear focus, improved coordination,
5 a comprehensive approach, and simplified and con-
6 sistent requirements; and

7 “(6) Federal economic development efforts will be
8 more effective if the efforts are coordinated with, and
9 build upon, the trade, workforce investment, transpor-
10 tation, and technology programs of the United States.

11 “(b) *DECLARATIONS.*—In order to promote a strong
12 and growing economy throughout the United States, Con-
13 gress declares that—

14 “(1) assistance under this Act should be made
15 available to both rural- and urban-distressed commu-
16 nities;

17 “(2) local communities should work in partner-
18 ship with neighboring communities, the States, In-
19 dian tribes, and the Federal Government to increase
20 the capacity of the local communities to develop and
21 implement comprehensive economic development strat-
22 egies to alleviate economic distress and enhance com-
23 petitiveness in the global economy; and

24 “(3) whether suffering from long-term distress or
25 a sudden dislocation, distressed communities should

1 *be encouraged to support entrepreneurship to take ad-*
2 *vantage of the development opportunities afforded by*
3 *technological innovation and expanding newly opened*
4 *global markets.”.*

5 **SEC. 102. DEFINITIONS.**

6 (a) *ELIGIBLE RECIPIENT.*—Section 3(4)(A) of the
7 *Public Works and Economic Development Act of 1965 (42*
8 *U.S.C. 3122(4)(A)) is amended—*

9 (1) *by striking clause (i) and redesignating*
10 *clauses (ii) through (vii) as clauses (i) through (vi),*
11 *respectively; and*

12 (2) *in clause (iv) (as redesignated by paragraph*
13 (1)) *by inserting “, including a special purpose unit*
14 *of a State or local government engaged in economic*
15 *or infrastructure development activities,” after*
16 *“State”.*

17 (b) *REGIONAL COMMISSIONS; UNIVERSITY CENTER.*—
18 *Section 3 of the Public Works and Economic Development*
19 *Act of 1965 (42 U.S.C. 3122) is amended—*

20 (1) *by redesignating paragraphs (8), (9), and*
21 (10) *as paragraphs (9), (10), and (11), respectively;*

22 (2) *by inserting after paragraph (7) the fol-*
23 *lowing:*

24 “(8) *REGIONAL COMMISSIONS.*—*The term ‘Re-*
25 *gional Commissions’ means—*

1 “(A) the Appalachian Regional Commission
2 established under chapter 143 of title 40, United
3 States Code;

4 “(B) the Delta Regional Authority estab-
5 lished under subtitle F of the Consolidated Farm
6 and Rural Development Act (7 U.S.C. 2009aa et
7 seq.);

8 “(C) the Denali Commission established
9 under the Denali Commission Act of 1998 (42
10 U.S.C. 3121 note; 112 Stat. 2681–637 et seq.);
11 and

12 “(D) the Northern Great Plains Regional
13 Authority established under subtitle G of the
14 Consolidated Farm and Rural Development Act
15 (7 U.S.C. 2009bb et seq.).”; and

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

17 “(12) UNIVERSITY CENTER.—The term ‘univer-
18 sity center’ means an institution of higher education
19 or a consortium of institutions of higher education es-
20 tablished as a University Center for Economic Devel-
21 opment under section 207(a)(2)(D).”.

22 **SEC. 103. ESTABLISHMENT OF ECONOMIC DEVELOPMENT**
23 **PARTNERSHIPS.**

24 Section 101 of the Public Works and Economic Devel-
25 opment Act of 1965 (42 U.S.C. 3131) is amended—

1 (1) *in subsection (b), by striking “and multi-*
2 *State regional organizations” and inserting “multi-*
3 *State regional organizations, and nonprofit organiza-*
4 *tions”;* and

5 (2) *in subsection (d)(1), by striking “adjoining”*
6 *each place it appears.*

7 **SEC. 104. COORDINATION.**

8 *Section 103 of the Public Works and Economic Devel-*
9 *opment Act of 1965 (42 U.S.C. 3132) is amended—*

10 (1) *by inserting “(a) IN GENERAL.—” before*
11 *“The Secretary”;*

12 (2) *in subsection (a) (as designated by para-*
13 *graph (1)), by inserting “Indian tribes,” after “dis-*
14 *tricts,”; and*

15 (3) *by adding at the end the following:*

16 *“(b) MEETINGS.—To carry out subsection (a), or for*
17 *any other purpose relating to economic development activi-*
18 *ties, the Secretary may convene meetings with Federal*
19 *agencies, State and local governments, economic develop-*
20 *ment districts, Indian tribes, and other appropriate plan-*
21 *ning and development organizations.”.*

1 **TITLE II—GRANTS FOR PUBLIC**
2 **WORKS AND ECONOMIC DE-**
3 **VELOPMENT**

4 **SEC. 201. GRANTS FOR PLANNING.**

5 *Section 203(d) of the Public Works and Economic De-*
6 *velopment Act of 1965 (42 U.S.C. 3143(d)) is amended—*

7 *(1) in paragraph (1), by inserting “, to the max-*
8 *imum extent practicable,” after “developed” the sec-*
9 *ond place it appears;*

10 *(2) by striking paragraph (3) and inserting the*
11 *following:*

12 *“(3) COORDINATION.—Before providing assist-*
13 *ance for a State plan under this section, the Secretary*
14 *shall consider the extent to which the State will con-*
15 *sider local and economic development district plans.”;*
16 *and*

17 *(3) in paragraph (4)—*

18 *(A) by striking “and” at the end of sub-*
19 *paragraph (C);*

20 *(B) by redesignating subparagraph (D) as*
21 *subparagraph (F); and*

22 *(C) by adding after subparagraph (C) the*
23 *following:*

24 *“(D) assist in carrying out the workforce*
25 *investment strategy of a State;*

1 “(E) promote the use of technology in eco-
2 nomic development, including access to high-
3 speed telecommunications; and”.

4 **SEC. 202. COST SHARING.**

5 (a) *FEDERAL SHARE.*—Section 204 of the Public
6 Works and Economic Development Act of 1965 (42 U.S.C.
7 3144) is amended by striking subsection (a) and inserting
8 the following:

9 “(a) *FEDERAL SHARE.*—Except as provided in sub-
10 section (c), the Federal share of the cost of any project car-
11 ried out under this title shall not exceed—

12 “(1) 50 percent; plus

13 “(2) an additional percent that—

14 “(A) shall not exceed 30 percent; and

15 “(B) is based on the relative needs of the
16 area in which the project will be located, as de-
17 termined in accordance with regulations promul-
18 gated by the Secretary.”.

19 (b) *NON-FEDERAL SHARE.*—Section 204(b) of the Pub-
20 lic Works and Economic Development Act of 1965 (42
21 U.S.C. 3144(b)) is amended by inserting “assumptions of
22 debt,” after “equipment,”.

23 (c) *INCREASE IN FEDERAL SHARE.*—Section 204 of
24 the Public Works and Economic Development Act of 1965

1 *(42 U.S.C. 3144) is amended by adding at the end the fol-*
2 *lowing:*

3 “(c) *INCREASE IN FEDERAL SHARE.—*

4 “(1) *INDIAN TRIBES.—In the case of a grant to*
5 *an Indian tribe for a project under this title, the Sec-*
6 *retary may increase the Federal share above the per-*
7 *centage specified in subsection (a) up to 100 percent*
8 *of the cost of the project.*

9 “(2) *CERTAIN STATES, POLITICAL SUBDIVISIONS,*
10 *AND NONPROFIT ORGANIZATIONS.—In the case of a*
11 *grant to a State, or a political subdivision of a State,*
12 *that the Secretary determines has exhausted the effec-*
13 *tive taxing and borrowing capacity of the State or*
14 *political subdivision, or in the case of a grant to a*
15 *nonprofit organization that the Secretary determines*
16 *has exhausted the effective borrowing capacity of the*
17 *nonprofit organization, the Secretary may increase*
18 *the Federal share above the percentage specified in*
19 *subsection (a) up to 100 percent of the cost of the*
20 *project.*

21 “(3) *TRAINING, RESEARCH, AND TECHNICAL AS-*
22 *SISTANCE.—In the case of a grant provided under sec-*
23 *tion 207, the Secretary may increase the Federal*
24 *share above the percentage specified in subsection (a)*
25 *up to 100 percent of the cost of the project if the Sec-*

1 *retary determines that the project funded by the grant*
 2 *merits, and is not feasible without, such an in-*
 3 *crease.”.*

4 **SEC. 203. SUPPLEMENTARY GRANTS.**

5 *(a) IN GENERAL.—Section 205 of the Public Works*
 6 *and Economic Development Act of 1965 (42 U.S.C. 3145)*
 7 *is amended by striking subsection (b) and inserting the fol-*
 8 *lowing:*

9 *“(b) SUPPLEMENTARY GRANTS.—Subject to subsection*
 10 *(c), in order to assist eligible recipients in taking advantage*
 11 *of designated Federal grant programs, on the application*
 12 *of an eligible recipient, the Secretary may make a supple-*
 13 *mentary grant for a project for which the recipient is eligi-*
 14 *ble but for which the recipient cannot provide the required*
 15 *non-Federal share because of the economic situation of the*
 16 *recipient.”.*

17 *(b) REQUIREMENTS APPLICABLE TO SUPPLEMENTARY*
 18 *GRANTS.—Section 205(c) of the Public Works and Eco-*
 19 *nomie Development Act of 1965 (42 U.S.C. 3145(c)) is*
 20 *amended—*

21 *(1) by striking paragraphs (1) and (2) and in-*
 22 *serting the following:*

23 *“(1) AMOUNT OF SUPPLEMENTARY GRANTS.—*
 24 *The share of the project cost supported by a supple-*

1 (3) *by inserting after subparagraph (F) the fol-*
 2 *lowing:*

3 “(G) *studies that evaluate the effectiveness*
 4 *of coordinating projects funded under this Act*
 5 *with projects funded under other Acts;*

6 “(H) *assessment, marketing, and establish-*
 7 *ment of business clusters; and”.*

8 (b) *COOPERATION REQUIREMENT.—Section 207(a) of*
 9 *the Public Works and Economic Development Act of 1965*
 10 *(42 U.S.C. 3147(a)) is amended by striking paragraph (3)*
 11 *and inserting the following:*

12 “(3) *COOPERATION REQUIREMENT.—In the case*
 13 *of a project assisted under this section that is na-*
 14 *tional or regional in scope, the Secretary may waive*
 15 *the provision in section 3(4)(A)(vi) requiring a non-*
 16 *profit organization or association to act in coopera-*
 17 *tion with officials of a political subdivision of a*
 18 *State.”.*

19 **SEC. 206. PREVENTION OF UNFAIR COMPETITION.**

20 (a) *IN GENERAL.—Section 208 of the Public Works*
 21 *and Economic Development Act of 1965 (42 U.S.C. 3148)*
 22 *is repealed.*

23 (b) *CONFORMING AMENDMENT.—The table of contents*
 24 *in section 1(b) of the Public Works and Economic Develop-*

1 *ment Act of 1965 (42 U.S.C. 3121 note) is amended by*
 2 *striking the item relating to section 208.*

3 **SEC. 207. GRANTS FOR ECONOMIC ADJUSTMENT.**

4 (a) *ASSISTANCE TO MANUFACTURING COMMU-*
 5 *NITIES.*—*Section 209(c) of the Public Works and Economic*
 6 *Development Act of 1965 (42 U.S.C. 3149(c)) is amended—*

7 (1) *in paragraph (3), by striking “or”;*

8 (2) *in paragraph (4), by striking the period at*
 9 *the end and inserting “; or”;* and

10 (3) *by adding at the end the following:*

11 “(5) *the loss of manufacturing jobs, for rein-*
 12 *vesting in and diversifying the economies of the com-*
 13 *munities.”.*

14 (b) *DIRECT EXPENDITURE OR REDISTRIBUTION BY*
 15 *RECIPIENT; SPECIAL PROVISIONS RELATING TO REVOLVING*
 16 *LOAN FUND GRANTS.*—*Section 209 of the Public Works and*
 17 *Economic Development Act of 1965 (42 U.S.C. 3149) is*
 18 *amended by striking subsection (d) and inserting the fol-*
 19 *lowing:*

20 “(d) *SPECIAL PROVISIONS RELATING TO REVOLVING*
 21 *LOAN FUND GRANTS.*—

22 “(1) *IN GENERAL.*—*The Secretary shall promul-*
 23 *gate regulations to maintain the proper operation*
 24 *and financial integrity of revolving loan funds estab-*
 25 *lished by recipients with assistance under this section.*

1 “(2) *EFFICIENT ADMINISTRATION.*—*The Sec-*
2 *retary may—*

3 “(A) *at the request of a grantee, amend and*
4 *consolidate grant agreements governing revolving*
5 *loan funds to provide flexibility with respect to*
6 *lending areas and borrower criteria;*

7 “(B) *assign or transfer assets of a revolving*
8 *loan fund to third party for the purpose of liq-*
9 *uidation, and the third party may retain assets*
10 *of the fund to defray costs related to liquidation;*
11 *and*

12 “(C) *take such actions as are appropriate to*
13 *enable revolving loan fund operators to sell or*
14 *securitize loans (except that the actions may not*
15 *include issuance of a Federal guaranty by the*
16 *Secretary).*

17 “(3) *TREATMENT OF ACTIONS.*—*An action taken*
18 *by the Secretary under this subsection with respect to*
19 *a revolving loan fund shall not constitute a new obli-*
20 *gation if all grant funds associated with the original*
21 *grant award have been disbursed to the recipient.*

22 “(4) *PRESERVATION OF SECURITIES LAWS.*—

23 “(A) *NOT TREATED AS EXEMPTED SECURI-*
24 *TIES.*—*No securities issued pursuant to para-*
25 *graph (2)(C) shall be treated as exempted securi-*

1 *ties for purposes of the Securities Act of 1933 (15*
 2 *U.S.C. 77a et seq.) or the Securities Exchange*
 3 *Act of 1934 (15 U.S.C. 78a et seq.), unless ex-*
 4 *empted by rule or regulation of the Securities*
 5 *and Exchange Commission.*

6 “(B) *PRESERVATION.*—*Except as provided*
 7 *in subparagraph (A), no provision of this sub-*
 8 *section or any regulation promulgated by the*
 9 *Secretary under this subsection supersedes or*
 10 *otherwise affects the application of the securities*
 11 *laws (as the term is defined in section 3(a) of the*
 12 *Securities Exchange Act of 1934 (15 U.S.C.*
 13 *78c(a))) or the rules, regulations, or orders of the*
 14 *Securities and Exchange Commission or a self-*
 15 *regulatory organization under that Commis-*
 16 *sion.”.*

17 **SEC. 208. USE OF FUNDS IN PROJECTS CONSTRUCTED**
 18 **UNDER PROJECTED COST.**

19 *Section 211 of the Public Works and Economic Devel-*
 20 *opment Act of 1965 (42 U.S.C. 3151) is amended to read*
 21 *as follows:*

22 **“SEC. 211. USE OF FUNDS IN PROJECTS CONSTRUCTED**
 23 **UNDER PROJECTED COST.**

24 “(a) *IN GENERAL.*—*In the case of a grant to a recipi-*
 25 *ent for a construction project under section 201 or 209, if*

1 *the Secretary determines, before closeout of the project, that*
2 *the cost of the project, based on the designs and specifica-*
3 *tions that were the basis of the grant, has decreased because*
4 *of decreases in costs, the Secretary may approve, without*
5 *further appropriation, the use of the excess funds (or a por-*
6 *tion of the excess funds) by the recipient—*

7 “(1) *to increase the Federal share of the cost of*
8 *a project under this title to the maximum percentage*
9 *allowable under section 204; or*

10 “(2) *to improve the project.*

11 “(b) *OTHER USES OF EXCESS FUNDS.—Any amount*
12 *of excess funds remaining after application of subsection (a)*
13 *may be used by the Secretary for providing assistance under*
14 *this Act.*

15 “(c) *TRANSFERRED FUNDS.—In the case of excess*
16 *funds described in subsection (a) in projects using funds*
17 *transferred from other Federal agencies pursuant to section*
18 *604, the Secretary shall—*

19 “(1) *use the funds in accordance with subsection*
20 *(a), with the approval of the originating agency; or*

21 “(2) *return the funds to the originating agency.*

22 “(d) *REVIEW BY COMPTROLLER GENERAL.—*

23 “(1) *REVIEW.—The Comptroller General of the*
24 *United States shall review the implementation of this*
25 *section for each fiscal year.*

1 “(2) *ANNUAL REPORT.*—Not later than 1 year
 2 after the date of enactment of this section, and annu-
 3 ally thereafter, the Comptroller General shall submit
 4 to the Committee on Environment and Public Works
 5 of the Senate and the Committee on Transportation
 6 and Infrastructure of the House of Representatives a
 7 report on the findings of the Comptroller General
 8 under this subsection.”.

9 **SEC. 209. SPECIAL IMPACT AREAS.**

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

13 **“SEC. 214. SPECIAL IMPACT AREAS.**

14 “(a) *IN GENERAL.*—On the application of an eligible
 15 recipient that is determined by the Secretary to be unable
 16 to comply with the requirements of section 302, the Sec-
 17 retary may waive, in whole or in part, the requirements
 18 of section 302 and designate the area represented by the
 19 recipient as a special impact area.

20 “(b) *CONDITIONS.*—The Secretary may make a des-
 21 ignation under subsection (a) only after determining that—

22 “(1) the project will fulfill a pressing need of the
 23 area; and

24 “(2) the project will—

1 “(A) be useful in alleviating or preventing
2 conditions of excessive unemployment or under-
3 employment; or

4 “(B) assist in providing useful employment
5 opportunities for the unemployed or under-
6 employed residents in the area.

7 “(c) NOTIFICATION.—At the time of the designation
8 under subsection (a), the Secretary shall submit to the Com-
9 mittee on Environment and Public Works of the Senate and
10 the Committee on Transportation and Infrastructure of the
11 House of Representatives a written notice of the designa-
12 tion, including a justification for the designation.”.

13 (b) CONFORMING AMENDMENT.—The table of contents
14 contained in section 1(b) of the Public Works and Economic
15 Development Act of 1965 (42 U.S.C. 3121 note) is amended
16 by inserting after the item relating to section 213 the fol-
17 lowing:

 “Sec. 214. Special impact areas.”.

18 **SEC. 210. PERFORMANCE AWARDS.**

19 (a) IN GENERAL.—Title II of the Public Works and
20 Economic Development Act of 1965 (42 U.S.C. 3141 et seq.)
21 (as amended by section 209) is amended by adding at the
22 end the following:

23 **“SEC. 215. PERFORMANCE AWARDS.**

24 “(a) IN GENERAL.—The Secretary may make a per-
25 formance award in connection with a grant made, on or

1 *after the date of enactment of this section, to an eligible*
2 *recipient for a project under section 201 or 209.*

3 “(b) *PERFORMANCE MEASURES.*—

4 “(1) *REGULATIONS.*—*The Secretary shall pro-*
5 *mulgate regulations to establish performance measures*
6 *for making performance awards under subsection (a).*

7 “(2) *CONSIDERATIONS.*—*In promulgating regu-*
8 *lations under paragraph (1), the Secretary shall con-*
9 *sider the inclusion of performance measures that as-*
10 *sess—*

11 “(A) *whether the recipient meets or exceeds*
12 *scheduling goals;*

13 “(B) *whether the recipient meets or exceeds*
14 *job creation goals;*

15 “(C) *amounts of private sector capital in-*
16 *vestments leveraged; and*

17 “(D) *such other factors as the Secretary de-*
18 *termines to be appropriate.*

19 “(c) *AMOUNT OF AWARDS.*—

20 “(1) *IN GENERAL.*—*The Secretary shall base the*
21 *amount of a performance award made under sub-*
22 *section (a) in connection with a grant on the extent*
23 *to which a recipient meets or exceeds performance*
24 *measures established in connection with the grant.*

1 “(2) *MAXIMUM AMOUNT.*—*The amount of a per-*
2 *formance award may not exceed 10 percent of the*
3 *amount of the grant.*

4 “(d) *USE OF AWARDS.*—*A recipient of a performance*
5 *award under subsection (a) may use the award for any eli-*
6 *gible purpose under this Act, in accordance with section 602*
7 *and such regulations as the Secretary may promulgate.*

8 “(e) *FEDERAL SHARE.*—*Notwithstanding section 204,*
9 *the funds of a performance award may be used to pay up*
10 *to 100 percent of the cost of an eligible project or activity.*

11 “(f) *TREATMENT IN MEETING NON-FEDERAL SHARE*
12 *REQUIREMENTS.*—*For the purposes of meeting the non-Fed-*
13 *eral share requirements under this, or any other, Act the*
14 *funds of a performance award shall be treated as funds from*
15 *a non-Federal source.*

16 “(g) *TERMS AND CONDITIONS.*—*In making perform-*
17 *ance awards under subsection (a), the Secretary shall estab-*
18 *lish such terms and conditions as the Secretary considers*
19 *to be appropriate.*

20 “(h) *FUNDING.*—*The Secretary shall use any amounts*
21 *made available for economic development assistance pro-*
22 *grams to carry out this section.*

23 “(i) *REPORTING REQUIREMENT.*—*The Secretary shall*
24 *include information regarding performance awards made*

1 *under this section in the annual report required under sec-*
 2 *tion 603.*

3 “(j) *REVIEW BY COMPTROLLER GENERAL.*—

4 “(1) *REVIEW.*—*The Comptroller General shall*
 5 *review the implementation of this section for each fis-*
 6 *cal year.*

7 “(2) *ANNUAL REPORT.*—*Not later than 1 year*
 8 *after the date of enactment of this section, and annu-*
 9 *ally thereafter, the Comptroller General shall submit*
 10 *to the Committee on Environment and Public Works*
 11 *of the Senate and the Committee on Transportation*
 12 *and Infrastructure of the House of Representatives a*
 13 *report on the findings of the Comptroller under this*
 14 *subsection.”.*

15 (b) *CONFORMING AMENDMENT.*—*The table of contents*
 16 *contained in section 1(b) of the Public Works and Economic*
 17 *Development Act of 1965 (42 U.S.C. 3121 note) is amended*
 18 *by inserting after the item relating to section 214 the fol-*
 19 *lowing:*

“*Sec. 215. Performance awards.*”.

20 **SEC. 211. PLANNING PERFORMANCE AWARDS.**

21 (a) *IN GENERAL.*—*Title II of the Public Works and*
 22 *Economic Development Act of 1965 (42 U.S.C. 3141 et seq.)*
 23 *(as amended by section 210) is amended by adding at the*
 24 *end the following:*

1 **“SEC. 216. PLANNING PERFORMANCE AWARDS.**

2 “(a) *IN GENERAL.*—*The Secretary may make a plan-*
3 *ning performance award in connection with a grant made,*
4 *on or after the date of enactment of this section, to an eligi-*
5 *ble recipient for a project under this title located in an eco-*
6 *nomie development district.*

7 “(b) *ELIGIBILITY.*—*The Secretary may make a plan-*
8 *ning performance award to an eligible recipient under sub-*
9 *section (a) in connection with a grant for a project if the*
10 *Secretary determines before closeout of the project that—*

11 “(1) *the recipient actively participated in the*
12 *economic development activities of the economic devel-*
13 *opment district in which the project is located;*

14 “(2) *the project is consistent with the comprehen-*
15 *sive economic development strategy of the district;*

16 “(3) *the recipient worked with Federal, State,*
17 *and local economic development entities throughout*
18 *the development of the project; and*

19 “(4) *the project was completed in accordance*
20 *with the comprehensive economic development strat-*
21 *egy of the district.*

22 “(c) *MAXIMUM AMOUNT.*—*The amount of a planning*
23 *performance award made under subsection (a) in connec-*
24 *tion with a grant may not exceed 5 percent of the amount*
25 *of the grant.*

1 “(d) *USE OF AWARDS.*—A recipient of a planning per-
 2 *formance award under subsection (a) shall use the award*
 3 *to increase the Federal share of the cost of a project under*
 4 *this title.*

5 “(e) *FEDERAL SHARE.*—Notwithstanding section 204,
 6 *the funds of a planning performance award may be used*
 7 *to pay up to 100 percent of the cost of a project under this*
 8 *title.*

9 “(f) *FUNDING.*—The Secretary shall use any amounts
 10 *made available for economic development assistance pro-*
 11 *grams to carry out this section.”.*

12 (b) *CONFORMING AMENDMENT.*—The table of contents
 13 *contained in section 1(b) of the Public Works and Economic*
 14 *Development Act of 1965 (42 U.S.C. 3121 note) is amended*
 15 *by inserting after the item relating to section 215 the fol-*
 16 *lowing:*

“Sec. 216. *Planning performance awards.*”.

17 **SEC. 212. DIRECT EXPENDITURE OR REDISTRIBUTION BY**
 18 **RECIPIENT.**

19 (a) *IN GENERAL.*—Title II of the Public Works and
 20 *Economic Development Act of 1965 (42 U.S.C. 3141 et seq.)*
 21 *(as amended by section 211) is amended by adding at the*
 22 *end the following:*

1 **“SEC. 217. DIRECT EXPENDITURE OR REDISTRIBUTION BY**
 2 **RECIPIENT.**

3 “(a) *IN GENERAL.*—Subject to subsection (b), a recipi-
 4 ent of a grant under section 201, 203, or 207 may directly
 5 expend the grant funds or may redistribute the funds in
 6 the form of a subgrant to other eligible recipients to fund
 7 required components of the scope of work approved for the
 8 project.

9 “(b) *LIMITATION.*—A recipient may not redistribute
 10 grant funds received under section 201 or 203 to a for-profit
 11 entity.

12 “(c) *ECONOMIC ADJUSTMENT.*—Subject to subsection
 13 (d), a recipient of a grant under section 209 may directly
 14 expend the grant funds or may redistribute the funds to
 15 public and private entities in the form of a grant, loan,
 16 loan guarantee, payment to reduce interest on a loan guar-
 17 antee, or other appropriate assistance.

18 “(d) *LIMITATION.*—Under subsection (c), a recipient
 19 may not provide any grant to a private for-profit entity.”.

20 (b) *CONFORMING AMENDMENT.*—The table of contents
 21 contained in section 1(b) of the Public Works and Economic
 22 Development Act of 1965 (42 U.S.C. 3121 note) is amended
 23 by inserting after the item relating to section 216 the fol-
 24 lowing:

“Sec. 217. Direct expenditure or redistribution by recipient.”.

1 **SEC. 213. BROWNFIELDS REDEVELOPMENT.**

2 (a) *IN GENERAL.*—*Title II of the Public Works and*
3 *Economic Development Act of 1965 (42 U.S.C. 3141 et seq.)*
4 *(as amended by section 212) is amended by adding at the*
5 *end the following:*

6 **“SEC. 218. BROWNFIELDS REDEVELOPMENT.**

7 “(a) *DEFINITION OF BROWNFIELD SITE.*—*In this sec-*
8 *tion, the term ‘brownfield site’ has the meaning given the*
9 *term in section 101(39) of the Comprehensive Environ-*
10 *mental Response, Compensation, and Liability Act of 1980*
11 *(42 U.S.C. 9601(39)).*

12 “(b) *GRANTS.*—*On the application of eligible recipi-*
13 *ents, the Secretary may make grants for projects on*
14 *brownfield sites to alleviate or prevent conditions of inad-*
15 *equately private capital investment, unemployment, under-*
16 *employment, blight, underutilized or abandoned land, out-*
17 *migration or population loss, or infrastructure deteriora-*
18 *tion, including projects consisting of—*

19 “(1) *acquisition, development, or reuse of land*
20 *and infrastructure improvements for a public works,*
21 *service, or facility;*

22 “(2) *development of public facilities, including*
23 *design and engineering, construction, rehabilitation,*
24 *alteration, expansion, or improvement, and related*
25 *machinery and equipment;*

1 “(3) *business development (including funding of*
2 *a revolving loan fund)*;

3 “(4) *planning*;

4 “(5) *technical assistance; and*

5 “(6) *any other assistance determined by the Sec-*
6 *retary to alleviate the economic impacts of brownfield*
7 *sites consistent with the objectives of this title.*

8 “(c) *PROHIBITION ON REMEDIATION.—*

9 “(1) *DEFINITIONS.—In this subsection:*

10 “(A) *HAZARDOUS SUBSTANCE.—The term*
11 *‘hazardous substance’ has the meaning given the*
12 *term in section 101(14) of the Comprehensive*
13 *Environmental Response, Compensation, and Li-*
14 *ability Act of 1980 (42 U.S.C. 9601(14)).*

15 “(B) *RELEASE.—The term ‘release’ has the*
16 *meaning given the term in section 101(22) of the*
17 *Comprehensive Environmental Response, Com-*
18 *ensation, and Liability Act of 1980 (42 U.S.C.*
19 *9601(22)).*

20 “(C) *REMEDIATION.—The term ‘remedi-*
21 *ation’ does not include response activities de-*
22 *scribed in section 104(a)(3) of the Comprehensive*
23 *Environmental Response, Compensation, and Li-*
24 *ability Act of 1980 (42 U.S.C. 9604(a)(3)).*

1 “(2) *PROHIBITION.*—*Except as provided in*
2 *paragraph (3), a grant made under this section shall*
3 *not be used for remediation to prevent or minimize*
4 *the release of hazardous substances.*

5 “(3) *EXCEPTION FOR INCIDENTAL REMEDI-*
6 *ATION.*—

7 “(A) *IN GENERAL.*—*Paragraph (2) does not*
8 *apply to remediation that is incidental to the*
9 *economic redevelopment project.*

10 “(B) *LIMITATION.*—*Except as provided in*
11 *subparagraph (C), incidental remediation shall*
12 *not exceed \$50,000 at any individual project.*

13 “(C) *EXCEPTIONAL CIRCUMSTANCES.*—

14 “(i) *IN GENERAL.*—*Subject to clause*
15 *(ii), the Secretary may waive subparagraph*
16 *(B) in exceptional circumstances that fur-*
17 *ther the mission of the Economic Develop-*
18 *ment Administration.*

19 “(ii) *LIMITATION.*—*If the Secretary*
20 *waives subparagraph (B) for a project, the*
21 *cost of the incidental remediation at the*
22 *project shall not exceed \$200,000.*

23 “(D) *STANDARDS.*—*A recipient of a grant*
24 *under this section that is used for incidental re-*
25 *mediation shall—*

1 “(i) obtain written approval or clear-
2 ance from the appropriate Federal and
3 State regulatory authority for the hazardous
4 waste remediation; and

5 “(ii) comply with all applicable Fed-
6 eral and State laws.

7 “(4) EFFECT ON FEDERAL AND STATE LAWS.—
8 Nothing in this section affects any liability, obliga-
9 tion, or response authority under Federal or State
10 law.

11 “(d) ADDITIONAL LIMITATIONS.—

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (2), a grant made under this section shall be
14 subject to section 104(k)(4)(B) of the Comprehensive
15 Environmental Response, Compensation, and Liabil-
16 ity Act of 1980 (42 U.S.C. 9604(k)(4)(B)).

17 “(2) EXCEPTIONS.—

18 “(A) ADMINISTRATIVE COSTS.—A recipient
19 of a grant made under this section may use
20 grant funds for the administrative costs of eco-
21 nomic development activities.

22 “(B) COMPLIANCE COSTS.—A recipient of a
23 grant made under this section may use grant
24 funds for the compliance costs of economic devel-
25 opment activities.

1 “(C) *BONA FIDE PROSPECTIVE PUR-*
2 *CHASER.—For purposes of the Comprehensive*
3 *Environmental Response, Compensation, and Li-*
4 *ability Act of 1980 (42 U.S.C. 9601 et seq.), a*
5 *recipient of a grant under this section that other-*
6 *wise satisfies the definition of ‘bona fide prospec-*
7 *tive purchaser’ under section 101(40) of the*
8 *Comprehensive Environmental Response, Com-*
9 *ensation, and Liability Act of 1980 (42 U.S.C.*
10 *9601(40)) shall be considered to be within that*
11 *definition regardless of the date on which the*
12 *grant recipient acquires ownership of a facility.*

13 “(e) *ASSISTANCE AT OTHER SITES.—Nothing in this*
14 *section affects the authority of the Secretary to provide as-*
15 *sistance to eligible recipients under this Act for economic*
16 *development projects at a site other than a brownfield site.”.*

17 “(b) *CONFORMING AMENDMENT.—The table of contents*
18 *contained in section 1(b) of the Public Works and Economic*
19 *Development Act of 1965 (42 U.S.C. 3121 note) is amended*
20 *by inserting after the item relating to section 217 the fol-*
21 *lowing:*

 “Sec. 218. *Brownfields redevelopment.”.*

1 **TITLE III—COMPREHENSIVE**
 2 **ECONOMIC DEVELOPMENT**
 3 **STRATEGIES**

4 **SEC. 301. ELIGIBILITY OF AREAS.**

5 *Section 301(c)(1) of the Public Works and Economic*
 6 *Development Act of 1965 (42 U.S.C. 3161(c)(1)) is amended*
 7 *by inserting after “most recent Federal data available” the*
 8 *following: “(including data available from the Bureau of*
 9 *Economic Analysis, the Bureau of Labor Statistics, the*
 10 *Census Bureau, the Bureau of Indian Affairs, or any other*
 11 *Federal source determined by the Secretary to be appro-*
 12 *priate)”.*

13 **SEC. 302. COMPREHENSIVE ECONOMIC DEVELOPMENT**
 14 **STRATEGIES.**

15 *(a) IN GENERAL.—Section 302(a)(3)(A) of the Public*
 16 *Works and Economic Development Act of 1965 (42 U.S.C.*
 17 *3162(a)(3)(A)) is amended by inserting “maximizes effec-*
 18 *tive development and use of the workforce consistent with*
 19 *any applicable State or local workforce investment strategy,*
 20 *promotes the use of technology in economic development (in-*
 21 *cluding access to high-speed telecommunications),” after*
 22 *“access,”.*

23 *(b) APPROVAL OF OTHER PLAN.—Section 302(c) of the*
 24 *Public Works and Economic Development Act of 1965 (42*
 25 *U.S.C. 3162(c)) is amended—*

1 (1) by striking “The Secretary” and inserting
2 the following:

3 “(1) *IN GENERAL.—The Secretary*”; and

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

5 “(2) *EXISTING STRATEGY.—To the maximum ex-*
6 *tent practicable, a plan submitted under this para-*
7 *graph shall be consistent and coordinated with any*
8 *existing comprehensive economic development strategy*
9 *for the area.”.*

10 **TITLE IV—ECONOMIC**
11 **DEVELOPMENT DISTRICTS**

12 **SEC. 401. INCENTIVES.**

13 (a) *IN GENERAL.—Section 403 of the Public Works*
14 *and Economic Development Act of 1965 (42 U.S.C. 3173)*
15 *is repealed.*

16 (b) *CONFORMING AMENDMENT.—The table of contents*
17 *in section 1(b) of the Public Works and Economic Develop-*
18 *ment Act of 1965 (42 U.S.C. 3121 note) is amended by*
19 *striking the item relating to section 403.*

20 **SEC. 402. PROVISION OF COMPREHENSIVE ECONOMIC DE-**
21 **VELOPMENT STRATEGIES TO REGIONAL COM-**
22 **MISSIONS.**

23 (a) *IN GENERAL.—Section 404 of the Public Works*
24 *and Economic Development Act of 1965 (42 U.S.C. 3174)*
25 *is amended to read as follows:*

1 **“SEC. 404. PROVISION OF COMPREHENSIVE ECONOMIC DE-**
 2 **VELOPMENT STRATEGIES TO REGIONAL COM-**
 3 **MISSIONS.**

4 *“If any part of an economic development district is*
 5 *in a region covered by 1 or more of the Regional Commis-*
 6 *sions, the economic development district shall ensure that*
 7 *a copy of the comprehensive economic development strategy*
 8 *of the district is provided to the affected Regional Commis-*
 9 *sion.”.*

10 (b) *CONFORMING AMENDMENT.—The table of contents*
 11 *contained in section 1(b) of the Public Works and Economic*
 12 *Development Act of 1965 (42 U.S.C. 3121 note) is amended*
 13 *by striking the item relating to section 404 and inserting*
 14 *the following:*

“Sec. 404. Provision of comprehensive economic development strategies to Re-
gional Commissions.”.

15 **TITLE V—ADMINISTRATION**

16 **SEC. 501. ECONOMIC DEVELOPMENT INFORMATION CLEAR-**
 17 **INGHOUSE.**

18 *Section 502 of the Public Works and Economic Devel-*
 19 *opment Act of 1965 (42 U.S.C. 3192) is amended—*

20 (1) *by striking paragraph (1) and inserting the*
 21 *following:*

22 *“(1) maintain a central information clearing-*
 23 *house on the Internet with—*

1 “(A) information on economic development,
2 economic adjustment, disaster recovery, defense
3 conversion, and trade adjustment programs and
4 activities of the Federal Government;

5 “(B) links to State economic development
6 organizations; and

7 “(C) links to other appropriate economic de-
8 velopment resources;”;

9 (2) by striking paragraph (2) and inserting the
10 following:

11 “(2) assist potential and actual applicants for
12 economic development, economic adjustment, disaster
13 recovery, defense conversion, and trade adjustment as-
14 sistance under Federal and State laws in locating
15 and applying for the assistance;”;

16 (3) by striking the period at the end of para-
17 graph (3) and inserting “; and”; and

18 (4) by adding at the end the following:

19 “(4) obtain appropriate information from other
20 Federal agencies needed to carry out the duties under
21 this Act.”.

22 **SEC. 502. BUSINESSES DESIRING FEDERAL CONTRACTS.**

23 (a) *IN GENERAL.*—Section 505 of the Public Works
24 and Economic Development Act of 1965 (42 U.S.C. 3195)
25 is repealed.

1 (b) *CONFORMING AMENDMENT.*—*The table of contents*
 2 *in section 1(b) of the Public Works and Economic Develop-*
 3 *ment Act of 1965 (42 U.S.C. 3121 note) is amended by*
 4 *striking the item relating to section 505.*

5 **SEC. 503. PERFORMANCE EVALUATIONS OF GRANT RECIPI-**
 6 **ENTS.**

7 (a) *IN GENERAL.*—*Section 506(c) of the Public Works*
 8 *and Economic Development Act of 1965 (42 U.S.C. 3196(c))*
 9 *is amended by striking “after the effective date of the Eco-*
 10 *nomics Development Administration Reform Act of 1998”.*

11 (b) *EVALUATION CRITERIA.*—*Section 506(d)(2) of the*
 12 *Public Works and Economic Development Act of 1965 (42*
 13 *U.S.C. 3196(d)(2)) is amended by inserting “program per-*
 14 *formance,” after “applied research.”.*

15 **SEC. 504. CONFORMING AMENDMENTS.**

16 *Section 602 of the Public Works and Economic Devel-*
 17 *opment Act of 1965 (42 U.S.C. 3212) is amended—*

18 (1) *in the first sentence, by striking “in accord-*
 19 *ance with” and all that follows before the period at*
 20 *the end and inserting “in accordance with subchapter*
 21 *IV of chapter 31 of title 40, United States Code”; and*

22 (2) *in the third sentence, by striking “section 2*
 23 *of the Act of June 13, 1934, as amended (40 U.S.C.*
 24 *276c)” and inserting “section 3145 of title 40, United*
 25 *States Code”.*

1 **TITLE VI—MISCELLANEOUS**

2 **SEC. 601. ANNUAL REPORT TO CONGRESS.**

3 *Section 603 of the Public Works and Economic Devel-*
4 *opment Act of 1965 (42 U.S.C. 3213) is amended—*

5 *(1) by striking “Not later” and inserting the fol-*
6 *lowing:*

7 *“(a) IN GENERAL.—Not later”; and*

8 *(2) by adding at the end the following:*

9 *“(b) INCLUSIONS.—Each report required under sub-*
10 *section (a) shall—*

11 *“(1) include a list of the waivers issued under*
12 *section 218(c)(3)(C);*

13 *“(2) include a list of all grant recipients by*
14 *State, including the projected private sector dollar to*
15 *Federal dollar investment ratio for each grant recipi-*
16 *ent;*

17 *“(3) include a discussion of any private sector*
18 *leveraging goal with respect to grants awarded to—*

19 *“(A) rural and urban economically dis-*
20 *tressed areas; and*

21 *“(B) highly distressed areas; and*

22 *“(4) after the completion of a project, include the*
23 *realized private sector dollar to Federal dollar invest-*
24 *ment ratio for the project.”.*

1 **SEC. 602. RELATIONSHIP TO ASSISTANCE UNDER OTHER**
2 **LAW.**

3 *Section 609 of the Public Works and Economic Devel-*
4 *opment Act of 1965 (42 U.S.C. 3219) is amended—*

5 *(1) by striking subsection (a); and*

6 *(2) by striking “(b) ASSISTANCE UNDER*
7 *OTHER ACTS.—”.*

8 **SEC. 603. SENSE OF CONGRESS REGARDING ECONOMIC DE-**
9 **VELOPMENT REPRESENTATIVES.**

10 *(a) FINDINGS.—Congress finds that—*

11 *(1) planning and coordination among Federal*
12 *agencies, State and local governments, Indian tribes,*
13 *and economic development districts is vital to the suc-*
14 *cess of an economic development program;*

15 *(2) economic development representatives of the*
16 *Economic Development Administration provide dis-*
17 *tressed communities with the technical assistance nec-*
18 *essary to foster this planning and coordination; and*

19 *(3) in the 5 years preceding the date of enact-*
20 *ment of this Act, the number of economic development*
21 *representatives has declined by almost 25 percent.*

22 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
23 *that the Secretary should maintain a sufficient number of*
24 *economic development representatives to ensure that the*
25 *Economic Development Administration is able to provide*

1 *effective assistance to distressed communities and foster eco-*
 2 *nomie growth and development among the States.*

3 **TITLE VII—FUNDING**

4 **SEC. 701. AUTHORIZATION OF APPROPRIATIONS.**

5 *Section 701 of the Public Works and Economic Devel-*
 6 *opment Act of 1965 (42 U.S.C. 3231) is amended to read*
 7 *as follows:*

8 **“SEC. 701. GENERAL AUTHORIZATION OF APPROPRIATIONS.**

9 **“(a) ECONOMIC DEVELOPMENT ASSISTANCE PRO-**
 10 **GRAMS.—***There are authorized to be appropriated for eco-*
 11 *nomie development assistance programs to carry out this*
 12 *Act, to remain available until expended—*

13 *“(1) \$400,000,000 for fiscal year 2004;*

14 *“(2) \$425,000,000 for fiscal year 2005;*

15 *“(3) \$450,000,000 for fiscal year 2006;*

16 *“(4) \$475,000,000 for fiscal year 2007; and*

17 *“(5) \$500,000,000 for fiscal year 2008.”*

18 **“(b) SALARIES AND EXPENSES.—***There are authorized*
 19 *to be appropriated for salaries and expenses of admin-*
 20 *istering this Act, to remain available until expended—*

21 *“(1) \$33,377,000 for fiscal year 2004; and*

22 *“(2) such sums as are necessary for each fiscal*
 23 *year thereafter.”*

1 **SEC. 702. FUNDING FOR GRANTS FOR PLANNING AND**
 2 **GRANTS FOR ADMINISTRATIVE EXPENSES.**

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

6 **“SEC. 704. FUNDING FOR GRANTS FOR PLANNING AND**
 7 **GRANTS FOR ADMINISTRATIVE EXPENSES.**

8 “(a) *IN GENERAL.*—*Of the amounts made available*
 9 *under section 701 for each fiscal year, not less than*
 10 *\$27,000,000 shall be made available for grants provided*
 11 *under section 203.*

12 “(b) *WAIVER.*—*Subsection (a) shall not apply in any*
 13 *case in which the total amount made available for a fiscal*
 14 *year for all programs under this Act (excluding programs*
 15 *described in paragraphs (1) and (2) of section 209(c)) is*
 16 *less than \$255,000,000.”*

17 (b) *CONFORMING AMENDMENT.*—*The table of contents*
 18 *contained in section 1(b) of the Public Works and Economic*
 19 *Development Act of 1965 (42 U.S.C. 3121 note) is amended*
 20 *by inserting after the item relating to section 703 the fol-*
 21 *lowing:*

“Sec. 704. Funding for grants for planning and grants for administrative expenses.”

Calendar No. 754

108TH CONGRESS
2^D SESSION

S. 1134

[Report No. 108-382]

A BILL

To reauthorize and improve the program authorized
by the Public Works and Economic Development
Act of 1965.

OCTOBER 1, 2004

Reported with an amendment