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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Increasing our Nation’s Value through Economic Support and Tourism in Our Communities Act” or the “INVEST in Our Communities Act”.

SEC. 2. ADMINISTRATION.

(a) IN GENERAL.—Section 501 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3191)
is amended by striking “Assistant Secretary” each place it appears and inserting “Under Secretary”.

(b) TRANSITION.—The individual serving as the Assistant Secretary of Commerce for Economic Development on the day before the date of enactment of this Act shall be deemed to have been confirmed as the Under Secretary of Commerce for Economic Development.

(c) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Assistant Secretary of Commerce for Economic Development shall be deemed to be a reference to the Under Secretary of Commerce for Economic Development.

SEC. 3. DEFINITION OF ELIGIBLE RECIPIENT.

Section 3(4) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3122(4) is amended by adding at the end the following:

“(C) CAPACITY BUILDING GRANTS AND HOST GRANTS.—In the case of grants under sections 208 and 219, the term ‘eligible recipient’ also includes a tribal organization and a Native Hawaiian organization (as those terms are defined in section 3 of the NATIVE Act (25 U.S.C. 4352)).”.
SEC. 4. INCREASE IN FEDERAL SHARE FOR TRIBAL ORGANIZATIONS AND NATIVE HAWAIIAN ORGANIZATIONS.

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

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

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

SEC. 5. CAPACITY BUILDING GRANT PROGRAM.

(a) In General.—Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) is amended by inserting after section 207 the following:

“SEC. 208. CAPACITY BUILDING GRANT PROGRAM.

“(a) Definition of Predevelopment Activity.—In this section, the term ‘predevelopment activity’ means an activity carried out before a project can proceed to the execution stage or the eligible recipient can secure financing and partners.”
“(b) ESTABLISHMENT.—The Secretary shall establish a program to provide to eligible recipients assistance for predevelopment activities.

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

“(1) to carry out certain predevelopment activities, including—

“(A) planning and community asset mapping;

“(B) training;

“(C) technical assistance and organizational development;

“(D) feasibility and market studies;

“(E) demonstration projects;

“(F) organizational capacity building;

“(G) organizing and facilitating convenings; and

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

“(2) to hire and obtain qualified economic development professionals and services for a 3-year period to develop and carry out a comprehensive economic development strategy, an economic development strategic plan, or other predevelopment activities.
“(d) APPLICATIONS.—To be eligible for a grant under this section, an eligible recipient shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a specific plan—

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

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

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

(b) ADDITIONAL ELIGIBILITY.—

(1) GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT.—Section 201(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141(a)) is amended—

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

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and
(C) by adding at the end the following:

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

(2) Grants for Economic Adjustment.—

Section 209(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149(a)) is amended by inserting “predevelopment activities (as defined in section 208(a)),” after “training,”.

(3) Conforming Amendment.—Section 302(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3162(a)) is amended in the matter preceding paragraph (1) by inserting “and predevelopment activities (as defined in section 208(a)) under section 201 or 209” after “section 209”.

(c) Increase in Federal Share.—Section 204(c)(3) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3144(c)(3)) is amended—

(1) in the paragraph heading, by inserting “AND CAPACITY BUILDING” after “TECHNICAL ASSISTANCE”; and

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

(d) Direct Expenditure or Redistribution by Recipient.—Section 217(a) of the Public Works and
Economic Development Act of 1965 (42 U.S.C. 3154c(a)) is amended by striking “or 207” and inserting “207, or 208”.

(e) Powers of the Secretary.—Section 601(a)(12) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211(a)(12)) is amended by striking “section 207” and inserting “sections 207 and 208”.

(f) Clerical Amendment.—The table of contents contained in section 1(b) of the Public Works and Economic Development Act of 1965 (79 Stat. 552; 112 Stat. 3597; 118 Stat. 1761) is amended by inserting after the item relating to section 207 the following:

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

SEC. 6. GRANTS FOR PLANNING AND GRANTS FOR ADMINISTRATIVE EXPENSES.

(a) Administrative Expenses.—Section 203 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3143) is amended by adding at the end the following:

“(e) Administrative Expenses.—Administrative expenses described in subsection (a) shall include expenses relating to—

“(1) carrying out the planning process described in subsection (b); and

“(2) carrying out the planning process described in subsection (c); and

“(3) carrying out the planning process described in subsection (d); and

“(4) carrying out the planning process described in subsection (e); and

“(5) carrying out the planning process described in subsection (f).
“(2) hiring professional staff to assist communities or organizations in—

“(A) implementing projects and priorities included in—

“(i) a comprehensive economic development strategy; or

“(ii) an economic development planning grant;

“(B) identifying and using other Federal, State, and Tribal economic development programs;

“(C) leveraging private and philanthropic investment;

“(D) preparing disaster coordination and preparation plans;

“(E) collaborating with trade adjustment assistance centers, Hollings Manufacturing Extension Partnership Centers of the National Institute of Standards and Technology, Business Centers and Rural Business Centers of the Minority Business Development Agency, and other relevant Federal economic development technical assistance and service providers to promote domestic manufacturing; and
“(F) carrying out economic development activities in accordance with professional economic development best practices.”.

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

“(4) GRANTS FOR PLANNING AND GRANTS FOR ADMINISTRATIVE EXPENSES.—In the case of a grant provided under section 203, the Secretary may increase the Federal share above the percentage specified in subsection (a) up to 80 percent of the cost of the project.”.

SEC. 7. HOSPITALITY AND OUTDOOR-RECREATION SUPPORTING TOURISM (HOST) GRANTS.

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

“SEC. 219. HOSPITALITY AND OUTDOOR-RECREATION SUPPORTING TOURISM (HOST) GRANTS.

“(a) DEFINITIONS.—In this section:

“(1) OUTDOOR RECREATION.—The term ‘outdoor recreation’ means all recreational activities, and the economic drivers of those activities, such as busi-
nesses and local economic efforts, undertaken for pleasure that—

“(A) generally involve some level of intentional physical exertion; and

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

“(2) Tourism, hospitality, or special event activity.—The term ‘tourism, hospitality, or special event activity’ means any economic activity that primarily serves to encourage recreational or business travel within the United States or from abroad, including tourist attractions, business and recreational conventions, large entertainment events and venues, and promotion or organization of any such activity.

“(b) Establishment.—The Secretary shall establish a program to provide grants to eligible recipients to support outdoor recreation, travel, and tourism, hospitality, or special event activities to spur economic development.

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

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

“(A) leading to long-term increases in tourist activity in a region, including in commu-
nities adjacent to National Park System units, State parks, national marine sanctuaries, Na-
tional Heritage Areas, Tribal parks, or other natural destinations; and

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

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

“(d) ELIGIBLE USES.—

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

“(A) to pay costs associated with obtaining State, Tribal, county, city, community, or re-
gional tourism marketing and promotion cam-
paigns, including through nonprofit or quasi-
governmental Destination Marketing Organiza-
tions (DMOs);
“(B) to carry out workforce training, recruitment, and research programs that support the outdoor recreation, travel, tourism, hospitality, and special event industries to improve the skills of, and job opportunities for, workers in those industries, including through a program registered under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 29 U.S.C. 50 et seq.), and other work and learn models;

“(C) for short-term and long-term economic development planning and coordination for the purpose of responding to the effects of the COVID–19 pandemic on the regional outdoor recreation, travel, tourism, hospitality, and special event industries;

“(D) to carry out technical assistance projects, including for small business concerns, entrepreneurs, and small and rural communities, to assist regional economies in—

“(i) the recovery from, and response to, damage to the outdoor recreation, travel, tourism, hospitality, and special event industries as a result of the COVID–19 pandemic; and
“(ii) future development of the outdoor recreation, travel, tourism, hospitality, and special event industries;

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

“(i) for development;

“(ii) to recover from the impacts of a major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or a public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

“(iii) for expansion;

“(F) to carry out construction activities at facilities or property owned by, or held in trust by a Federal or State government entity for, the eligible recipient that support outdoor recreation, travel, tourism, hospitality, or special events, including activities involving—

“(i) construction of new, or improvements to existing, outdoor recreation and
trail infrastructure, including public access enhancements to that infrastructure;

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

“(iii) improvement of cultural, arts, convention, special event, outdoor recreation, and tourism facilities, such as visitor or tourist information centers, including through—

“(I) general accessibility upgrades, such as increasing disability access;

“(II) improving ventilation, heating, and cooling systems;

“(III) increasing energy efficiency; and

“(IV) incorporating additional renewable energy generation associated with that infrastructure, including zero-emission vehicle fleets and charging infrastructure;

“(iv) construction of workforce training facilities in order to carry out capacity building programs;
“(v) water or wastewater and stormwater improvements;
“(vi) pier construction and improvements; and
“(vii) accessibility enhancements;
“(G) to pay costs associated with upgrades and retrofits to existing outdoor recreation, travel, tourism, hospitality, and special event infrastructure, such as convention centers, to increase travel and tourism activity or to make the infrastructure more functional under social distancing conditions due to a public health emergency declaration under section 319 of the Public Health Service Act (42 U.S.C. 247d);
“(H) to pay costs associated with providing information to visitors about the health and safety protections, guidance, or requirements of Federal, State, Tribal, or local governments and businesses to reduce the spread of COVID–19;
“(I) to pay the increased costs of filtration and sanitation, including physical modifications to facilities such as convention centers, large event spaces, campsites, or community attractions associated with precautions to provide for
safe worker, traveler, or event environments; and

“(J) to pay the costs of salaries and expenses associated with the operations of the eligible recipient, other than salaries and expenses of the executives of the eligible recipient, if the applicant—

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

“(ii) demonstrates that the positions for which the funds are used are temporary or seasonal.

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

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

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

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

“(4) implements strong labor standards, including project labor agreements and community benefit agreements that include local hire provisions to promote effective and efficient delivery of high-quality infrastructure projects.

“(f) REGIONAL DISTRIBUTION.—

“(1) IN GENERAL.—In providing grants under this section, the Secretary shall distribute the funds to eligible recipients in each region served by the Economic Development Administration in accordance with the formula described in paragraph (2)(A).

“(2) FORMULA.—

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

“(i) Using the most recent data from the Quarterly Census of Employment and Wages and the Current Employment Statistics, employment in the leisure and hospitality sectors (other than food service businesses) as a percentage of total em-
ployment in States in the region, using a 5-year average.

“(ii) Using the most recent data from the Arts and Cultural Production and Outdoor Recreation Satellite Account, employment in arts and cultural production and outdoor recreation as a percentage of total employment in States in the region, using a 5-year average.

“(iii) The number of international and domestic visitors in States in the region, using data from the Department or another source as the Secretary determines to be appropriate.

“(iv) The impacts of the COVID–19 pandemic, and other natural or economic disasters, on the outdoor recreation, travel, tourism, hospitality, or special event industries in States in the region.

“(v) Any other data that the Secretary determines reliably measures the impact of outdoor recreation, travel, tourism, hospitality, or special events to the economy of a State.
“(B) OUT OF DATE, DISCONTINUED, OR INACCURATE DATA SOURCES.—If the Secretary determines that a data source described in clause (i) or (ii) of subparagraph (A) is out of date, discontinued, or otherwise inaccurate, the Secretary may substitute other data sources to obtain the employment statistics described in those clauses, subject to the condition that the Secretary provides to Congress a report describing the new data source used by the Secretary.

“(g) RURAL SET-ASIDE.—

“(1) IN GENERAL.—Of the amounts made available for each fiscal year to carry out this section, the Secretary shall ensure that not less than 20 percent is used to provide assistance to eligible recipients located in, or that serve, a rural area (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))), with a particular focus on rural areas that are located in distressed or underserved communities.

“(2) WAIVER.—If there are not sufficient qualified eligible recipients located in, or that serve, a rural area (as so defined), to carry out paragraph (1), the Secretary may waive the requirement under that paragraph.
“(h) NATIVE AMERICAN SET-ASIDE.—

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

“(2) WAIVER.—If there are not sufficient qualified eligible recipients that are Indian tribes, tribal organizations (as so defined), or Native Hawaiian organizations (as so defined) to carry out paragraph (1), the Secretary may waive the requirement under that paragraph.”.

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

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

SEC. 8. TOURISM MARKETING.

(a) DECLARATION.—Section 2(b) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121(b)) is amended—
(1) in paragraph (3), by striking “and” at the end;

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

(3) by adding at the end the following:

“(5) tourism marketing is an economic development tool used by communities for economic development and should be considered an eligible use of economic development funding awarded by the Federal Government through the Economic Development Administration.”.

(b) GRANTS FOR ECONOMIC ADJUSTMENT.—Section 209(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149(a)) (as amended by section 3(b)(2)) is amended by inserting “travel promotion (including funding for tourism marketing, marketing research, purchasing advertisements, and attracting business meetings or convention travel),” after “208(a)),”.

SEC. 9. ECONOMIC DISTRESS FORMULA.

Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce shall review the economic distress formula under section 301 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161) and submit to Congress a report that includes—
(1) recommendations for modifications to the formula to ensure that all areas, including distressed areas, are eligible to receive a higher percentage of Federal funding than those areas currently are eligible to receive;

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

(3) an analysis of the financial limitations of eligible recipients located within high-density public land counties (as defined in section 7(a)) in accessing Economic Development Administration funding opportunities.

SEC. 10. HIGH-DENSITY PUBLIC LAND COUNTIES.

(a) Definition of High-Density Public Land County.—In this section, the term “high-density public land county” means a county (or equivalent jurisdiction) of a State, Indian Tribe, or territory of the United States—

(1) that has a population of not more than 100,000 people, according to the most recent annual estimates of population by the Bureau of the Census; and

(2) in which more than 50 percent of the land is owned or managed by the Federal Government
(including land held in trust by the United States for the benefit of an Indian Tribe).

(b) REQUIREMENT.—For purposes of providing assistance under the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) (including sections 209 and 301 of that Act (42 U.S.C. 3149, 3161)) and other programs of the Economic Development Administration, a high-density public land county shall be considered to be—

(1) an area with a special need arising from actual or threatened severe unemployment or economic adjustment problems resulting from severe changes in economic conditions;

(2) a distressed area; and

(3) an underserved area.

SEC. 11. OFFICE OF RURAL AND NATIVE AMERICAN ECONOMIC DEVELOPMENT.

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

“SEC. 508. OFFICE OF RURAL AND NATIVE AMERICAN ECONOMIC DEVELOPMENT.

“(a) Establishment.—There is established within the Economic Development Administration an Office of
Rural and Native American Economic Development (referred to in this section as the ‘Office’).

“(b) UNDER SECRETARIES.—

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

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

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

“(2) DEDICATED STAFFS.—

“(A) IN GENERAL.—

“(i) DEPUTY UNDER SECRETARY FOR RURAL ECONOMIC DEVELOPMENT.—The Secretary shall ensure that the Deputy Under Secretary for Rural Economic Development has a dedicated staff to carry out the purposes of the Office with respect to rural communities.

“(ii) DEPUTY UNDER SECRETARY FOR NATIVE AMERICAN ECONOMIC DEVELOPMENT.—The Secretary shall ensure that the Deputy Under Secretary for Native American Economic Development has a dedicated staff to carry out the purposes of
the Office with respect to tribal communities.

“(B) EXISTING STAFF AND PERSONNEL.—

“(i) IN GENERAL.—For purposes of carrying out clauses (i) and (ii) of subparagraph (A), the Secretary may reorganize and redesignate existing positions or staffing within the Economic Development Administration.

“(ii) WEBSITE.—Any existing personnel reorganized or redesignated under clause (i) shall be recognized on the website of the Economic Development Administration.

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

“(1) to coordinate all rural and Native American economic development activities carried out by the Secretary;

“(2) to provide resources to help rural and Native American communities access economic development assistance programs, including the grants provided by this Act;

“(3)(A) to develop rural and tribal economic development strategies and efforts, including the strat-
egies for rural and Native American economic development described in subsection (d); and

“(B) to coordinate those strategies and efforts with other Federal agencies, including the Office of Rural Development of the Department of Agriculture and the Bureau of Indian Affairs; and

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

“(d) STRATEGIES FOR RURAL AND NATIVE AMERICAN ECONOMIC DEVELOPMENT.—

“(1) IN GENERAL.—The Office shall, in consultation with rural communities, develop a strategy for rural economic development and, in consultation with Native American communities, develop a strategy for Native American economic development, which shall each, as applicable—

“(A) identify the most pressing priorities and challenges of the United States in promoting rural and Native American prosperity during the 10-year period beginning on the date of enactment of the INVEST in Our Communities Act;
“(B) describe the policy actions that will be taken by the Economic Development Administra-
tion, and any other Federal agency implement-
ing rural and Native American economic development programs, if applicable, to accelerate and support social and economic prosperity in rural and tribal areas; and

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

“(2) SUBMISSION TO CONGRESS.—The Office shall submit to the Committees on Agriculture, Nutrition, and Forestry, Environment and Public Works, and Indian Affairs of the Senate and the Committees on Agriculture, Transportation and In-
frastucture, and Natural Resources of the House of Representatives the strategies for rural economic de-
development and Native American economic develop-
ment developed under paragraph (1).

“(e) OUTREACH.—

“(1) IN GENERAL.—The Under Secretaries shall establish within the Office a public gateway to help provide a comprehensive, single source of infor-
mation for civic leaders, economic development pro-
fessionals, businesses, and individuals in rural and
Native American communities to better understand
and access programs that support economic develop-
ment in those communities, including the economic
development programs administered by Federal
agencies or departments other than the Department.

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

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

“(B) WEBSITE AND ELECTRONIC MAIL.—
The Office shall establish a website and elec-
tronic mail portal through which to offer infor-
mation and answer questions about Federal
programs to assist rural and tribal commu-
nities, 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 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.
“(f) DEDICATED STAFF.—The Secretary shall ensure that the Office has sufficient staff where appropriate, including in each regional office of the Economic Development Administration, to carry out all outreach activities under subsection (e) in rural and Native American communities.”.

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

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

SEC. 12. FLEXIBLE HIRING AND DISASTER AUTHORITIES.

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

“SEC. 509. FLEXIBLE HIRING AND DISASTER AUTHORITIES.

“(a) APPOINTMENT AND COMPENSATION AUTHORITIES.—

“(1) IN GENERAL.—The Secretary may appoint and fix the compensation of such temporary personnel as may be necessary to carry out this Act and to implement post-disaster economic recovery responsibilities, without regard to the provisions of subchapter I of chapter 33 of title 5, United States
Code, governing appointments in competitive service and compensation of personnel.

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

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

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

“(b) DISASTER TEAM.—

“(1) ESTABLISHMENT.—As soon as practicable after the date of enactment of the INVEST in Our Communities Act, the Secretary shall establish a disaster team for the deployment of individuals to carry out post-disaster economic recovery efforts after a
major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and an agency has been activated by the Federal Emergency Management Agency.

“(2) MEMBERSHIP.—

“(A) DESIGNATION OF STAFF.—As soon as practicable after the date of enactment of the INVEST in Our Communities Act, the Secretary shall designate to serve on the disaster team, in conjunction with staff of the Department—

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

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

“(B) CAPABILITIES.—In designating individuals under subparagraph (A), the Secretary shall ensure that the disaster team includes a sufficient number of—

“(i) individuals who are capable of deploying rapidly and efficiently to respond to major disasters and emergencies; and
“(ii) in conjunction with permanent agency staff, highly trained individuals employed full-time to lead and manage the disaster team.

“(3) TRAINING.—The Secretary shall ensure that appropriate and ongoing training is provided to members of the disaster team designed under paragraph (2) to ensure that the members are adequately trained with respect to the programs and policies of the agency relating to post-disaster economic recovery efforts.

“(4) EXPENSES.—In carrying out this subsection, the Secretary may—

“(A) use, with or without reimbursement, any service, equipment, personnel, or facility of any Federal agency with the explicit support of that agency, to the extent such use does not impair or conflict with the authority of the President or the Administrator of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to direct Federal agencies in any major disaster or emergency declared under that Act; and
“(B) provide members of the disaster team with travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, relating to service as a member of the disaster team.”.

(b) Clerical Amendment.—The table of contents contained in section 1(b) of the Public Works and Economic Development Act of 1965 (79 Stat. 552; 112 Stat. 3597) (as amended by section 11(b)) is amended by inserting after the item relating to section 508 the following:

“Sec. 509. Flexible hiring and disaster authorities.”.

SEC. 13. COVID-ERA FUNDING AVAILABILITY.

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

SEC. 14. FUNDING FOR HOST GRANTS.

(a) In General.—Title VII of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3231 et seq.) is amended by adding at the end the following:
“SEC. 705. FUNDING FOR HOST GRANTS.

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

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

“Sec. 705. Funding for HOST grants.”.

SEC. 15. SET ASIDES.

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

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

“(a) PLANNING ASSISTANCE.—

“(1) IN GENERAL.—Of the amounts made available for each fiscal year under section 701(a), the Secretary shall set aside an amount equal to 5 percent to provide assistance to eligible recipients for the development of a comprehensive economic development strategy.
“(2) Federal share.—The Federal share of the cost of an activity carried out with assistance under paragraph (1) shall be not less than 80 percent.

“(b) Technical and Operational Assistance.—Of the amounts made available for each fiscal year under section 701(a), the Secretary shall set aside an amount equal to 5 percent to provide to eligible recipients technical and operational capacity assistance to prepare those eligible recipients to better access Federal funding from the Economic Development Administration and other sources.

“(c) Rural Set-Aside.—

“(1) In general.—Of the amounts made available for each fiscal year under section 701(a), the Secretary shall ensure that not less than 15 percent is used to provide assistance to eligible recipients located in, or that serve, a rural area (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))).

“(2) Waiver.—If there are not sufficient qualified eligible recipients located in, or that serve, a rural area (as so defined) to carry out paragraph (1), the Secretary may waive the requirement under that paragraph.
“(d) Maximum Grant Amounts.—The Secretary shall consider increasing maximum grant amounts set by the Secretary and increasing the average amount of funds distributed per grant provided under this Act to increase the impact of those investments.

“(e) Native American Set-Aside.—

“(1) In General.—Of the amounts made available for each fiscal year under section 701(a), the Secretary shall ensure that not less than 5 percent is used to provide assistance to eligible recipients that are Indian tribes, tribal organizations (as defined in section 3 of the NATIVE Act (25 U.S.C. 4352)), and Native Hawaiian organizations (as defined in that section).

“(2) Waiver.—If there are not sufficient qualified eligible recipients that are Indian tribes, tribal organizations (as so defined), or Native Hawaiian organizations (as so defined) to carry out paragraph (1), the Secretary may waive the requirement under that paragraph.”.

(b) Clerical Amendment.—The table of contents contained in section 1(b) of the Public Works and Economic Development Act of 1965 (79 Stat. 552; 112 Stat. 3597; 118 Stat. 1772) (as amended by section 11(b)) is
amended by inserting after the item relating to section 705 the following:

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

SEC. 16. COST SHARING.

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1),

by striking “subsection (c)” and inserting “this section”; and

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

(2) by adding at the end the following:

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

“(1) reduce the non-Federal share of the cost of the project carried out with the grant by 50 percent;

“(2) provide to the eligible recipient direct and expanded technical assistance to improve applications from high-density public land counties (as so defined); and
“(3) allow the eligible recipient to provide any required non-Federal share in the form of in-kind contributions.

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

“(f) COVID-Era Funding.—

“(1) In general.—In the case of a project carried out with a grant under this Act made on or after the date of enactment of the INVEST in Our Communities Act from amounts made available during the period during which the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19 is in effect, the Federal share of the cost of the project shall be not less than 90 percent.

“(2) Certain areas.—The Secretary shall consider increasing the Federal share set by the Secretary under paragraph (1) to be 100 percent of the cost of the project if the project is to be carried out in an area that is experiencing, in the determination
of the Secretary, lasting economic impacts as a result of the COVID–19 pandemic.”.