

.....
(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To promote long-term economic recovery and job creation in underserved communities by providing for investment in catalytic local predevelopment projects for resilient climate infrastructure innovation and to provide assistance to support State and local project development, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CARTER of Louisiana introduced the following bill; which was referred to the Committee on _____

A BILL

To promote long-term economic recovery and job creation in underserved communities by providing for investment in catalytic local predevelopment projects for resilient climate infrastructure innovation and to provide assistance to support State and local project development, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Local Infrastructure
3 Funding & Technical Assistance Act” or the “LIFT Act”.

4 **SEC. 2. FINDINGS.**

5 (a) FINDINGS.—Congress finds that—

6 (1) infrastructure systems in the United States
7 are in a period of significant disrepair and are in-
8 creasingly vulnerable due to climate change;

9 (2) aging infrastructure, new technologies, in-
10 creasing complexity, and increasing incidents of se-
11 vere weather due to climate change pose new chal-
12 lenges to the resilience of those infrastructure sys-
13 tems;

14 (3) the climate resilience challenge is most
15 acute in underserved communities in the United
16 States, which face a chronic underinvestment in in-
17 frastructure systems and require restorative invest-
18 ments to rebuild with equity;

19 (4) in purchasing infrastructure, the Federal
20 Government typically accepts a low-cost capital bid
21 without a plan for maintaining an asset that is de-
22 signed to last 30 to 40 years, such that investing in
23 local best practices and capacity for better procure-
24 ment, asset management, design, lifecycle finance,
25 and innovative data and sensor systems will partially

1 address the resilient infrastructure funding crisis in
2 the United States;

3 (5) experts have determined that predevelop-
4 ment funding at the local and project levels is the
5 critical gap in accelerating efforts of the Federal
6 Government—

7 (A) to support climate-resilient infrastruc-
8 ture systems and regional economies; and

9 (B) to create a steady stream of “shovel-
10 worthy” and well-maintained community
11 projects;

12 (6) economic analyses have determined that ex-
13 isting Federal and State predevelopment programs
14 generate as much as \$16 to \$20 in economic activity
15 for every \$1 of public funds expended;

16 (7) studies demonstrate that the development of
17 stronger lifecycle infrastructure methods by State
18 and local project sponsors will likely help local gov-
19 ernments better leverage current and future Federal
20 taxpayer investment in public infrastructure through
21 partnerships with impact investors;

22 (8) well-managed and resilient regional, State,
23 and local infrastructure assets will lower future Fed-
24 eral taxpayer costs for recovery and restoration ef-
25 forts;

1 (9) States and regions have unique infrastruc-
2 ture systems and challenges, such as—

3 (A) wildfires and droughts in the West;

4 (B) failing dams and levees in the Midwest
5 and Mississippi regions;

6 (C) stormwater management issues in the
7 East; and

8 (D) broadband connectivity in the Inter-
9 mountain region;

10 (10) the interconnected nature of energy, water,
11 building stock, transportation, and communication
12 systems demands new investments and innova-
13 tions—

14 (A) to prepare for mitigating risks and
15 cyberattacks; and

16 (B) to carry out integrated deployment
17 strategies;

18 (11) the basic infrastructure needs of many
19 communities are changing during the COVID-19
20 era to emphasize distance learning and public
21 health, while much of the infrastructure stock of the
22 United States created in the 1950s, 1960s, and
23 1970s is aging;

24 (12) $\frac{2}{3}$ of United States infrastructure is fund-
25 ed at the State and local levels;

1 (13) the Federal Government, in the role of a
2 long-term strategic infrastructure partner, should
3 focus on making catalytic investments that—

4 (A) promote local best practices in resilient
5 infrastructure through performance-based in-
6 vestments in States and communities;

7 (B) encourage regional innovation, innova-
8 tive partnerships, and economic resilience strat-
9 egies and outcomes that fund long-term capac-
10 ity building and economic recovery; and

11 (C) provide strategic capacity building re-
12 sources, technical assistance, and flexible
13 predevelopment support for resilient infrastruc-
14 ture project development that allows States and
15 communities to accelerate the most critical
16 State and community infrastructure needs; and

17 (14) grantees and applicants of the Assistance
18 for Coal Communities program of the Economic De-
19 velopment Administration have expressed financial
20 hardship with meeting all project predevelopment
21 costs needed to be eligible for that program and to
22 transition away from fossil fuel infrastructure.

23 (b) PURPOSE.—Recognizing that pressing climate in-
24 frastructure needs differ by State and region, and that
25 Federal program support for project predevelopment is

1 limited or inflexible due to programmatic silos, the pur-
2 pose of this Act is to establish new, flexible funding
3 streams and expedited processes—

4 (1) to accelerate timely, resilient infrastructure
5 deployment, specifically in underserved communities;

6 (2) to reduce taxpayer costs in response to dis-
7 asters involving infrastructure; and

8 (3) to preserve existing jobs and to create new
9 jobs.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) **CAPACITY BUILDING.**—The term “capacity
13 building” includes all activities associated with early
14 stage community-based project formation and
15 conceptualization, prior to project predevelopment
16 activity, including stipends to local community orga-
17 nizations for planning participation, community out-
18 reach and engagement activities, grant writing, re-
19 search, and mentorship support to move projects
20 from formation and conceptualization to project
21 predevelopment.

22 (2) **ELIGIBLE RECIPIENT.**—The term “eligible
23 recipient” means—

1 (A) an eligible recipient (as defined in sec-
2 tion 3 of the Public Works and Economic De-
3 velopment Act of 1965 (42 U.S.C. 3122)); and

4 (B) a private individual, a nonprofit orga-
5 nization, or a for-profit organization.

6 (3) INSTITUTION OF HIGHER EDUCATION.—The
7 term “institution of higher education” has the
8 meaning given the term in section 101 of the Higher
9 Education Act of 1965 (20 U.S.C. 1001).

10 (4) LEAD APPLICANT.—The term “lead appli-
11 cant” means the eligible recipient that is primarily
12 responsible for the preparation, conduct, and admin-
13 istration of the project for which a grant is provided
14 under section 4(b)(2).

15 (5) MINORITY OR WOMAN-LED ENTITY.—The
16 term “minority or woman-led entity” means an or-
17 ganization, as determined by the Secretary—

18 (A) for which a majority of the governing
19 board of directors and executive leadership of
20 the organization are women or minority per-
21 sons;

22 (B) that is not dependent on or influenced
23 by another non-eligible person or organization;
24 and

1 (C) that has not been established for the
2 purpose of this Act.

3 (6) PROJECT PREDEVELOPMENT.—The term
4 “project predevelopment” means a measure required
5 to be completed before construction of a project may
6 occur, such as—

7 (A) architectural or engineering work;

8 (B) a market assessment;

9 (C) community outreach and engagement;

10 (D) an economic feasibility study;

11 (E) the acquisition of a site or lease;

12 (F) preparation of a business plan;

13 (G) any activity relating to permitting;

14 (H) any activity relating to the writing of
15 grant applications;

16 (I) capacity building in local governments,
17 community institutions, and nonprofit organiza-
18 tions; and

19 (J) training for unionized labor to execute
20 on such activities.

21 (7) SECRETARY.—The term “Secretary” means
22 the Secretary of Commerce.

23 (8) UNDERSERVED COMMUNITY.—The term
24 “underserved community” means—

25 (A) a community—

1 (i) with significant representation of
2 communities of color, low-income commu-
3 nities, or indigenous communities; and

4 (ii) that experiences, or is at risk of
5 experiencing, higher or more adverse
6 human health or environmental effects, as
7 compared to other communities;

8 (B) Tribal communities;

9 (C) a community facing economic transi-
10 tion, deindustrialization, and historic under-in-
11 vestment; or

12 (D) a community with a high rate of pov-
13 erty or unemployment.

14 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) IN GENERAL.—In addition to amounts otherwise
16 available, there is authorized to be appropriated for fiscal
17 year 2022 \$15,000,000,000 to remain available until Sep-
18 tember 30, 2027, to the Secretary of Commerce for eco-
19 nomic adjustment assistance under section 209 of the
20 Public Works and Economic Development Act of 1965 (42
21 U.S.C. 3149) to provide grants for project predevelopment
22 and technical assistance.

23 (b) ADMINISTRATIVE COSTS.—In addition to
24 amounts otherwise available, there is authorized to be ap-
25 propriated for fiscal year 2022 \$300,000,000 to remain

1 available until September 30, 2027, to the Secretary of
2 Commerce for the administrative costs of carrying out this
3 section, including the costs of utilizing temporary Federal
4 personnel as may be necessary.

5 (c) TYPE OF GRANTS.—Of the amounts made avail-
6 able under subsection (a)—

7 (1) \$5,000,000,000 shall be for technical assist-
8 ance and grants to eligible recipients to perform ca-
9 pacity building; and

10 (2) \$10,000,000,000 shall be for grants to eligi-
11 ble recipients to perform project predevelopment ac-
12 tivities to assist States and communities that need
13 support with climate infrastructure investments,
14 subject to the requirements of section 5.

15 (d) UNDERSERVED COMMUNITIES.—Of the amounts
16 made available under subsection (a), not less than 50 per-
17 cent shall be used for activities described in subsection (c)
18 that are carried out in underserved communities.

19 **SEC. 5. LOCAL INFRASTRUCTURE FUNDING & TECHNICAL**
20 **ASSISTANCE GRANT REQUIREMENTS.**

21 (a) LIMITATIONS.—In making grants with amounts
22 made available under section 4(c)(2), the Secretary may
23 not—

1 (1) provide to an eligible recipient more than 1
2 grant for which the eligible recipient is the lead ap-
3 plicant; or

4 (2) make a grant in an amount of more than
5 \$500,000.

6 (b) PARTNERSHIPS.—An eligible recipient seeking to
7 receive a grant under section 4(c)(2) may partner with
8 1 or more—

9 (1) eligible recipient; or

10 (2) any other entity, as determined by the Sec-
11 retary.

12 (c) USE OF GRANT.—An eligible recipient may use
13 a grant under section 4(c)(2) for project predevelopment
14 including—

15 (1) project planning, community outreach and
16 engagement, and feasibility studies;

17 (2) demonstrations of innovative activities or
18 strategic economic development investments;

19 (3) management and operational assistance;

20 (4) establishment of university centers;

21 (5) establishment of business outreach centers;

22 (6) studies evaluating the needs of, and devel-
23 opment potential for, economic growth of areas that
24 the Secretary determines have substantial need for
25 the assistance;

1 (7) studies that evaluate the effectiveness of co-
2 ordinating projects funded under the Public Works
3 and Economic Development Act of 1965 (42 U.S.C.
4 3121 et seq.) with projects funded under other Acts;

5 (8) assessment, marketing, and establishment
6 of business clusters;

7 (9) other activities determined by the Secretary
8 to be appropriate; and

9 (10) making a grant to an organization to carry
10 out any of the activities described in paragraphs (1)
11 through (9).

12 (d) SELECTION.—

13 (1) IN GENERAL.—The Secretary may award a
14 grant under section 4(c)(2) only after an evaluation
15 of—

16 (A) the merits of the application;

17 (B) the likely low- to no-carbon opportuni-
18 ties described in the application that align with
19 any Federal climate and resiliency goals;

20 (C) the extent to which the proposed ac-
21 tivities would create efficiency of operations
22 across services; and

23 (D) the extent to which the proposed ac-
24 tivities would promote resources to invest in
25 community infrastructure.

1 (2) PRIORITY.—In awarding grants under this
2 section, the Secretary shall give priority to eligible
3 recipients that—

4 (A) are minority or women-led entities;

5 (B) are partnerships between an institu-
6 tion of higher education and a labor organiza-
7 tion;

8 (C) are located in an underserved commu-
9 nity;

10 (D) propose to carry out activities that
11 would—

12 (i) result in predicted large green-
13 house gas reductions; or

14 (ii) reduce air pollution;

15 (E) propose to carry out activities that
16 would result in large improvements to public
17 health;

18 (F) propose to carry out activities that
19 would improve community adaptation and resil-
20 iency; or

21 (G) propose to carry out activities that
22 would modernize communities and community
23 connectivity.