

Heitkamp #7

AEG18357

S.L.C.

Heidi Heitkamp

AMENDMENT NO. _____ Calendar No. _____

Purpose: To authorize the Secretary of Agriculture to designate Tribal Promise Zones.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

S. _____

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 At the end of subtitle E of title XII, insert the following:
2

3 **SEC. 12512. PROMISE ZONES.**

4 (a) IN GENERAL.—In this section, the term “Tribal
5 Promise Zone” means an area that—

6 (1) is nominated by 1 or more Indian tribes (as
7 defined in section 4(13) of the Native American
8 Housing Assistance and Self-Determination Act of
9 1996 (25 U.S.C. 4103(13))) for designation as a
10 Tribal Promise Zone (in this section referred to as
11 a “nominated zone”);

1 (2) has a continuous boundary; and

2 (3) the Secretary of Agriculture designates as a
3 Tribal Promise Zone, after consultation with the
4 Secretary of Commerce, the Secretary of Education,
5 the Attorney General, the Secretary of the Interior,
6 the Secretary of Housing and Urban Development,
7 the Secretary of Health and Human Services, the
8 Secretary of Labor, the Secretary of the Treasury,
9 the Secretary of Transportation, and other agencies
10 as appropriate.

11 (b) AUTHORIZATION AND NUMBER OF DESIGNA-
12 TIONS.—Not later than 1 year after the date of enactment
13 of this Act, the Secretary of Agriculture shall nominate
14 a minimum number of nominated zones, as determined by
15 the Secretary of Agriculture in consultation with Indian
16 tribes, to be designated as Tribal Promise Zones.

17 (c) PERIOD OF DESIGNATIONS.—

18 (1) IN GENERAL.—The Secretary of Agriculture
19 shall designate nominated zones as Tribal Promise
20 Zones before January 1, 2020.

21 (2) EFFECTIVE DATES OF DESIGNATIONS.—
22 The designation of any Tribal Promise Zone shall
23 take effect—

24 (A) for purposes of priority consideration
25 in Federal grant programs and initiatives

1 (other than this section), upon execution of the
2 Tribal Promise Zone agreement with the Sec-
3 retary of Agriculture; and

4 (B) for purposes of this section, on Janu-
5 ary 1 of the first calendar year beginning after
6 the date of the execution of the Tribal Promise
7 Zone agreement.

8 (3) TERMINATION OF DESIGNATIONS.—The
9 designation of any Tribal Promise Zone shall end on
10 the earlier of—

11 (A)(i) with respect to a Tribal Promise
12 Zone not described in paragraph (4), the end of
13 the 10-year period beginning on the date that
14 such designation takes effect; or

15 (ii) with respect to a Tribal Promise Zone
16 described in paragraph (4), the end of the 10-
17 year period beginning on the date the area was
18 designated as a Tribal Promise Zone before the
19 date of the enactment of this Act; or

20 (B) the date of the revocation of such des-
21 ignation.

22 (4) APPLICATION TO CERTAIN ZONES ALREADY
23 DESIGNATED.—In the case of any area designated as
24 a Tribal Promise Zone by the Secretary of Agri-
25 culture before the date of the enactment of this Act,

1 such area shall be deemed a Tribal Promise Zone
2 designated under this section (notwithstanding
3 whether any such designation has been revoked be-
4 fore the date of the enactment of this Act) and shall
5 reduce the number of Tribal Promise Zones remain-
6 ing to be designated under paragraph (1).

7 (d) LIMITATIONS ON DESIGNATIONS.—No area may
8 be designated under this section unless—

9 (1) the entities nominating the area have the
10 authority to nominate the area of designation under
11 this section;

12 (2) such entities provide written assurances sat-
13 isfactory to the Secretary of Agriculture that the
14 competitiveness plan described in the application
15 under subsection (e) for such area will be imple-
16 mented and that such entities will provide the Sec-
17 retary of Agriculture with such data regarding the
18 economic conditions of the area (before, during, and
19 after the area's period of designation as a Tribal
20 Promise Zone) as such Secretary may require; and

21 (3) the Secretary of Agriculture determines that
22 any information furnished is reasonably accurate.

23 (e) APPLICATION.—No area may be designated under
24 this section unless the application for such designation—

1 (1) demonstrates that the nominated zone satis-
2 fies the eligibility criteria described in subsection (a);
3 and

4 (2) includes a competitiveness plan that—

5 (A) addresses the need of the nominated
6 zone to attract investment and jobs and im-
7 prove educational opportunities;

8 (B) leverages the nominated zone's eco-
9 nomic strengths and outlines targeted invest-
10 ments to develop competitive advantages;

11 (C) demonstrates collaboration across a
12 wide range of stakeholders;

13 (D) outlines a strategy that connects the
14 nominated zone to drivers of regional economic
15 growth; and

16 (E) proposes a strategy for focusing on in-
17 creased access to high quality affordable hous-
18 ing and improved public safety.

19 (f) SELECTION CRITERIA.—

20 (1) IN GENERAL.—From among the nominated
21 zones eligible for designation under this section, the
22 Secretary of Agriculture shall designate Tribal
23 Promise Zones on the basis of—

1 (A) the effectiveness of the competitiveness
2 plan submitted under subsection (e) and the as-
3 surances made under subsection (d);

4 (B) unemployment rates, poverty rates, va-
5 cancy rates, crime rates, and such other factors
6 as the Secretary of Agriculture may identify, in-
7 cluding household income, labor force participa-
8 tion, and educational attainment; and

9 (C) other criteria as determined by the
10 Secretary of Agriculture.

11 (2) MINIMAL STANDARDS.—The Secretary of
12 Agriculture may set minimal standards for the levels
13 of unemployment and poverty that must be satisfied
14 for designation as a Tribal Promise Zone.

15 (g) COMPETITIVE ENHANCEMENT IN FEDERAL
16 AWARDS TO TRIBAL PROMISE ZONES.—Notwithstanding
17 any other provision of law, each Federal grant program,
18 technical assistance, and capacity-building competitive
19 funding application opportunity, made available under any
20 appropriations law in effect for a year in which the des-
21 ignation of a Tribal Promise Zones is in effect, shall pro-
22 vide preference points or priority special consideration to
23 each application which advances the specific objectives of
24 a Tribal Promise Zones competitiveness plan described in
25 subsection (e) if the project or activity to be funded in-

- 1 cludes specific and definable services or benefits that will
- 2 be delivered to residents of a Tribal Economic Opportunity
- 3 Area.