

WRDA 2020 SEC 160 DEFINITION OF ECONOMICALLY DISADVANTAGED COMMUNITIES IMPLEMENTATION GUIDANCE OVERVIEW



US Army Corps
of Engineers®



WRDA 2020 SECTION 160



Section 160 Definition of Economically Disadvantaged Community

(a) IN GENERAL. Not later than 180 days after the date of enactment of this Act, the Secretary shall issue guidance defining the term “economically disadvantaged community” for the purposes of this Act and the amendments made by this Act.

(b) CONSIDERATIONS. In defining the term “economically disadvantaged community” under subsection (a), the Secretary shall, to the maximum extent practicable, utilize the criteria under paragraph (1) or (2) of section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161), to the extent that such criteria are applicable in relation to the development of water resources development projects.

(c) PUBLIC COMMENT. In developing the guidance under subsection (a), the Secretary shall provide notice and an opportunity for public comment.



42 USC 3161: ELIGIBILITY OF AREAS



42-THE PUBLIC HEALTH AND WELFARE

CHAPTER 38-PUBLIC WORKS AND ECONOMIC DEVELOPMENT

SUBCHAPTER III-ELIGIBILITY; COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGIES

§ 3161. Eligibility of areas

(a) In general

For a project to be eligible for assistance under [section 3141](#) or [3149](#) of this title, the project shall be located in an area that, on the date of submission of the application, meets 1 or more of the following criteria:

(1) Low per capita income

The area has a per capita income of 80 percent or less of the national average.

(2) Unemployment rate above national average

The area has an unemployment rate that is, for the most recent 24-month period for which data are available, at least 1 percent greater than the national average unemployment rate.



WRDA 2020 LANGUAGE



An economically disadvantaged community is defined as meeting one or more of the following:

- a. Low per capita income - The area has a per capita income of 80 percent or less of the national average;**
- b. Unemployment rate above national average - The area has an unemployment rate that is, for the most recent 24-month period for which data are available, at least 1 percent greater than the national average unemployment rate;**
- c. Indian country as defined in 18 U.S.C. 1151 or in the proximity of an Alaska Native Village;**
- d. U.S. Territories; or**
- e. Communities identified as disadvantaged by the Council on Environmental Quality's Climate and Economic Justice Screening Tool (<https://screeningtool.geoplatform.gov>).**



ELIGIBILITY MATRIX



Criteria	Section 160 Definition	PAS/FPMS EJ40	Section 117	SEC 118(b) Pilot Program	SEC 118(c) Pilot Program	CAP 165a
						see IG for more details
Low Income - per capita income of 80% or less of National Average	must meet one of these requirements		must meet one of these requirements	must meet one of these requirements	must meet one of these requirements	must meet one of these requirements
Unemployment rate above national average - The area has an unemployment rate that is, for the most recent 24-month period for which data are available, at least 1 percent greater than the national average unemployment rate						
Indian country as defined in 18 U.S.C. 1151 or in the proximity of an Alaska Native Village						
U.S. Territories						
Communities identified as disadvantaged by the Council on Environmental Quality's Climate and Economic Justice Screening Tool		(only water and wastewater and climate modules)				



WRDA 2020 PROGRAMS



- **Section 117 Federal Interest Determination. Amended by WRDA 2022**
- **Section 118(b)&(c): Pilot programs on the formulation of Corps of Engineers projects in rural communities and economically disadvantaged communities.**
- **Section 165(a): Continuing Authorities Program.**



WRDA 2022 PROGRAMS



- **Section 8103 Shoreline and riverbank protection and restoration mission**
- **Section 8115 Tribal and Economically Disadvantaged Communities Advisory Committee**
- **Section 8116 Workforce Planning**
- **Section 8117 Pilot programs on the formulation of Corps of Engineers projects in rural communities and economically disadvantaged communities.**
- **Section 8118 Pilot Programs for certain communities**
- **Section 8119 Technical assistance**
- **Section 8152 Rehabilitation of pump stations**
- **Section 8102 (82) and (86) projects**
- **Section 8311 Acequias irrigation systems**
- **Section 8115 Storm Damage prevention and reduction, coastal erosion and ice and glacial damage, Alaska**
- **Section 8387 National levee safety program**



Questions?