

117TH CONGRESS
1ST SESSION

H. R. 2859

To establish the Restoring Neighborhoods and Strengthening Communities Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2021

Ms. WILLIAMS of Georgia introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish the Restoring Neighborhoods and Strengthening Communities Program, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restoring Neighbor-
5 hoods and Strengthening Communities Act”.

6 **SEC. 2. RESTORING NEIGHBORHOODS AND STRENGTH-**
7 **ENING COMMUNITIES PROGRAM.**

8 (a) DEFINITIONS.—In this section:

1 (1) CAPITAL CONSTRUCTION GRANT.—The term
2 “capital construction grant” means a capital con-
3 struction grant under subsection (e).

4 (2) COMMUNITY ENGAGEMENT, EDUCATION,
5 AND CAPACITY BUILDING GRANT.—The term “com-
6 munity engagement, education, and capacity build-
7 ing grant” means a community engagement, edu-
8 cation, and capacity building grant under subsection
9 (e).

10 (3) COMMUNITY LAND TRUST.—The term
11 “community land trust” means a nonprofit organiza-
12 tion established or with the responsibility, as appli-
13 cable—

14 (A) to develop the real estate created by
15 the removal or capping of an infrastructural
16 barrier; and

17 (B) to carry out anti-displacement or com-
18 munity development strategies, including—

19 (i) affordable housing preservation
20 and development;

21 (ii) homeownership and property im-
22 provement programs;

23 (iii) the development or rehabilitation
24 of park space or recreation facilities; and

1 (iv) community revitalization and eco-
2 nomic development projects.

3 (4) ENVIRONMENTAL JUSTICE COMMUNITY.—

4 The term “environmental justice community” means
5 a community with significant representation of com-
6 munities of color, low-income communities, or Tribal
7 and indigenous populations that experiences, or is at
8 risk of experiencing, higher or more adverse human
9 health or environmental effects, as compared to
10 other communities.

11 (5) INFRASTRUCTURAL BARRIER.—The term
12 “infrastructural barrier” means a highway (includ-
13 ing a limited access highway), a railway, a viaduct,
14 a principal arterial facility, or any other transpor-
15 tation facility for which the high speeds, grade sepa-
16 ration, or other design factors contribute to negative
17 health impacts on adjacent communities or create an
18 obstacle to connectivity, including—

19 (A) obstacles to walking, biking, and mo-
20 bility;

21 (B) diminished access to destinations
22 across the infrastructural barrier; or

23 (C) barriers to the economic development
24 of the surrounding neighborhood.

1 (6) PLANNING AND FEASIBILITY STUDY
2 GRANT.—The term “planning and feasibility study
3 grant” means a planning and feasibility study grant
4 under subsection (e).

5 (7) PROGRAM.—The term “program” means
6 the program established under subsection (b).

7 (8) SECRETARY.—The term “Secretary” means
8 the Secretary of Transportation.

9 (9) TRIBAL GOVERNMENT.—The term “Tribal
10 government” means the recognized governing body
11 of any Indian or Alaska Native tribe, band, nation,
12 pueblo, village, community, component band, or com-
13 ponent reservation, individually identified (including
14 parenthetically) in the list published most recently as
15 of the date of enactment of this Act pursuant to sec-
16 tion 104 of the Federally Recognized Indian Tribe
17 List Act of 1994 (25 U.S.C. 5131).

18 (b) ESTABLISHMENT.—

19 (1) IN GENERAL.—The Secretary shall establish
20 a program to help communities—

21 (A) identify infrastructural barriers within
22 the community that—

23 (i) create obstacles to mobility or eco-
24 nomic development; or

1 (ii) expose the community to high lev-
2 els of particulate matter, noise pollution,
3 and other public health and safety risks;

4 (B) study the feasibility of improving, and
5 develop plans to improve, community
6 connectivity, including through—

7 (i) removal or retrofit of an
8 infrastructural barrier; or

9 (ii) construction or adaptive reuse of
10 facilities to mitigate the obstacle created
11 by the infrastructural barrier by enhancing
12 connectivity across the infrastructural bar-
13 rier;

14 (C) plan the redevelopment of any land
15 made available by the removal or retrofit of the
16 infrastructural barrier, with a focus on improve-
17 ments that will benefit the populations im-
18 pacted by or previously displaced by the
19 infrastructural barrier;

20 (D) access funding to carry out the activi-
21 ties described in subparagraphs (B) and (C);
22 and

23 (E) require the equity of any activities car-
24 ried out under the program, including by gar-
25 nering community engagement, avoiding dis-

1 placement, and ensuring local participation in
2 jobs created through those activities.

3 (2) TYPES OF GRANTS.—Under the program,
4 the Secretary shall award the following types of
5 grants:

6 (A) Community engagement, education,
7 and capacity building grants.

8 (B) Planning and feasibility study grants.

9 (C) Capital construction grants.

10 (3) MULTIPLE GRANTS PERMITTED.—An eligi-
11 ble entity may apply for and receive funding from
12 more than 1 type of grant described in paragraph
13 (2).

14 (c) COMMUNITY ENGAGEMENT, EDUCATION, AND
15 CAPACITY BUILDING GRANTS.—

16 (1) ELIGIBLE ENTITIES.—The Secretary may
17 award a community engagement, education, and ca-
18 pacity building grant to carry out community en-
19 gagement, education, and capacity building activities
20 described in paragraph (2) to—

21 (A) a unit of local government, a metro-
22 politan planning organization, or a group of
23 local governments;

24 (B) a Tribal government or a consortium
25 of Tribal governments;

1 (C) a political subdivision of a State or
2 local government;

3 (D) a special purpose district or a public
4 authority with a transportation function; and

5 (E) a nonprofit organization.

6 (2) ELIGIBLE ACTIVITIES.—A community en-
7 gagement and capacity building activity referred to
8 in paragraph (1) includes an activity—

9 (A) to educate community members about
10 opportunities to affect transportation and eco-
11 nomic development planning and investment de-
12 cisions;

13 (B) to build organizational or community
14 capacity to engage in transportation and eco-
15 nomic development planning;

16 (C) to identify community needs and de-
17 sires for community improvements;

18 (D) to develop community-driven solutions
19 to local challenges;

20 (E) to conduct assessments of equity, mo-
21 bility and access, environmental justice, afford-
22 ability, economic opportunity, health outcomes,
23 and other local goals;

24 (F) to form a Community Advisory Board
25 in accordance with subsection (f); and

1 (G) to engage community members in sce-
2 nario planning.

3 (3) FEDERAL SHARE.—The Federal share of
4 the cost of an activity carried out with funds from
5 a community engagement, education, and capacity
6 building grant may be up to 100 percent, at the dis-
7 cretion of the eligible entity.

8 (4) LIMITATION.—Of the amounts made avail-
9 able to carry out this section each fiscal year, the
10 Secretary may use not more than 20 percent to
11 award community engagement, education, and ca-
12 pacity building grants.

13 (d) PLANNING AND FEASIBILITY STUDY GRANTS.—

14 (1) ELIGIBLE ENTITIES.—

15 (A) IN GENERAL.—The Secretary may
16 award a planning and feasibility study grant to
17 carry out planning activities described in para-
18 graph (2) to—

19 (i) a State or group of States;

20 (ii) a unit of local government, a met-
21 ropolitan planning organization, or a group
22 of local governments;

23 (iii) a Tribal government or a Consor-
24 tium of Tribal governments;

1 (iv) a political subdivision of a State
2 or local government;

3 (v) a special purpose district or a pub-
4 lic authority with a transportation func-
5 tion;

6 (vi) a multi-State or multijuris-
7 dictional group of public entities; and

8 (vii) a nonprofit organization.

9 (B) PARTNERSHIPS.—In the case of an eli-
10 gible entity that is not the owner of the
11 infrastructural barrier that is the subject of the
12 planning and feasibility study grant, the eligible
13 entity shall demonstrate the existence of a part-
14 nership with the owner of the infrastructural
15 barrier.

16 (2) ELIGIBLE ACTIVITIES.—A planning activity
17 referred to in paragraph (1)(A) includes—

18 (A) development of designs and artistic
19 renderings to facilitate community engagement;

20 (B) traffic studies, nonmotorized accessi-
21 bility analyses, equity needs analyses, and col-
22 lection of other relevant data;

23 (C) planning studies to evaluate the feasi-
24 bility of removing or retrofitting an
25 infrastructural barrier, or the construction or

1 constructive reuse of facilities to mitigate the
2 obstacle created by the infrastructural barrier
3 by enhancing connectivity across the
4 infrastructural barrier;

5 (D) public engagement activities to provide
6 opportunities for public input into a plan to re-
7 move, convert, or mitigate an infrastructural
8 barrier;

9 (E) environmental review, consultation, or
10 other action required under any Federal envi-
11 ronmental law relating to the review or ap-
12 proval of a project to remove, retrofit, or miti-
13 gate an existing infrastructural barrier;

14 (F) establishment of a community land
15 trust; and

16 (G) other transportation planning activities
17 required in advance of a project to remove, ret-
18 rofit or mitigate an existing infrastructural bar-
19 rier, as determined by the Secretary.

20 (3) PRIORITY.—In selecting eligible entities to
21 receive a planning and feasibility study grant, the
22 Secretary shall give priority to eligible entities that
23 seek to carry out a traffic study that includes con-
24 sideration of—

25 (A) safety;

1 (B) health impacts;

2 (C) levels of single-occupancy vehicular
3 travel;

4 (D) access to jobs and services; and

5 (E) levels of traffic stress.

6 (4) FEDERAL SHARE.—

7 (A) IN GENERAL.—Subject to subpara-
8 graph (B), the Federal share of the cost of an
9 activity carried out with funds from a planning
10 and feasibility study grant shall be not more
11 than 80 percent.

12 (B) WAIVER.—The Secretary may waive
13 the non-Federal share requirement under sub-
14 paragraph (A) if the Secretary determines that
15 the recipient of a grant cannot meet the re-
16 quirement due to financial hardship.

17 (e) CAPITAL CONSTRUCTION GRANTS.—

18 (1) ELIGIBLE ENTITIES.—The Secretary may
19 award a capital construction grant to the owner of
20 an infrastructural barrier to carry out a project de-
21 scribed in paragraph (3) for which all necessary fea-
22 sibility studies and other planning activities have
23 been completed.

24 (2) PARTNERSHIPS.—For the purpose of sub-
25 mitting an application for a capital construction

1 grant, an owner of an infrastructural barrier may, if
2 applicable, partner with—

3 (A) a State or group of States;

4 (B) a unit of local government, a metro-
5 politan planning organization, or a group of
6 local governments;

7 (C) a Tribal government or a consortium
8 of Tribal governments;

9 (D) a political subdivision of a State or
10 local government;

11 (E) a special purpose district or a public
12 authority with a transportation function;

13 (F) a multi-State or multijurisdictional
14 group of public entities; or

15 (G) a nonprofit organization.

16 (3) ELIGIBLE PROJECTS.—

17 (A) IN GENERAL.—A project eligible to be
18 carried out with a capital construction grant in-
19 cludes—

20 (i) the removal of an infrastructural
21 barrier;

22 (ii) the retrofit of an infrastructural
23 barrier in a way that enhances community
24 connectivity and is sensitive to the context
25 of the surrounding community, including

1 retrofits to a highway to cap the facility or
2 replace the facility with an at-grade arte-
3 rial roadway;

4 (iii) the construction or adaptive reuse
5 of facilities that improve connectivity
6 across the infrastructural barrier;

7 (iv) the replacement of an
8 infrastructural barrier with a new use or
9 facility that has been identified by mem-
10 bers of the community; and

11 (v) the construction of other transpor-
12 tation improvements that address the mo-
13 bility needs of the community.

14 (B) EXCLUSION.—Funds from a capital
15 construction grant shall not be used on a
16 project that increases net capacity for vehicular
17 travel.

18 (4) PRIORITY FOR CAPITAL CONSTRUCTION
19 GRANTS.—In selecting eligible entities to receive a
20 capital construction grant, the Secretary shall give
21 priority to eligible entities that—

22 (A) provide the majority of project benefits
23 to 1 or more environmental justice commu-
24 nities;

1 (B) have entered into a community bene-
2 fits agreement with representatives of the com-
3 munity;

4 (C) have formed a Community Advisory
5 Board under subsection (f);

6 (D) have demonstrated a plan for improv-
7 ing transit services, mobility for pedestrians
8 and bicyclists, or enhancing safety features for
9 nonmotorists (as that term is used in the Fatal-
10 ity Analysis Reporting System of the National
11 Highway Traffic Safety Administration);

12 (E) have demonstrated a plan for reducing
13 greenhouse gas emissions or improving air qual-
14 ity; or

15 (F) have demonstrated a plan for—

16 (i) employing residents in the area im-
17 pacted by the activity or project through
18 targeted hiring programs; and

19 (ii) contracting and subcontracting
20 with disadvantaged business enterprises.

21 (5) REQUIREMENTS.—

22 (A) COMMUNITY SUPPORT.—In order to
23 receive a capital construction grant, the owner
24 of the applicable infrastructural barrier shall
25 demonstrate that the project is supported by

1 the community in the immediate vicinity of the
2 project.

3 (B) ANTI-DISPLACEMENT POLICY OR COM-
4 MUNITY LAND TRUST REQUIRED.—In order to
5 receive a capital construction grant, the owner
6 of the applicable infrastructural barrier shall
7 demonstrate that the project serves a commu-
8 nity in which an anti-displacement policy or a
9 community land trust is in effect.

10 (C) BUY AMERICA.—A capital construction
11 grant may not be used to carry out an eligible
12 project unless the project complies with section
13 313 of title 23, United States Code.

14 (6) FEDERAL SHARE.—

15 (A) IN GENERAL.—Except as provided in
16 subparagraphs (B) and (C), the Federal share
17 of the cost of a project carried out with a cap-
18 ital construction grant may be not more than
19 80 percent.

20 (B) WAIVER.—The Secretary may waive
21 the non-Federal share requirement under sub-
22 paragraph (A) if the Secretary determines that
23 the recipient of a grant cannot meet the re-
24 quirement due to financial hardship.

1 (C) MAXIMUM FEDERAL INVOLVEMENT.—
2 Federal assistance other than a capital con-
3 struction grant may be used to satisfy the non-
4 Federal share of the cost of a project for which
5 the grant is awarded.

6 (f) COMMUNITY ADVISORY BOARD.—

7 (1) IN GENERAL.—To help achieve inclusive
8 economic development benefits, an eligible entity
9 may form a community advisory board, which
10 shall—

11 (A) facilitate community engagement with
12 respect to the activity or project proposed to be
13 carried out; and

14 (B) track progress with respect to commit-
15 ments of the eligible entity to inclusive employ-
16 ment, contracting, and economic development
17 under the activity or project.

18 (2) MEMBERSHIP.—If an eligible entity forms a
19 community advisory board under paragraph (1), the
20 community advisory board shall be composed of rep-
21 resentatives of—

22 (A) residents in the immediate vicinity of
23 the project;

24 (B) owners of businesses that serve the
25 community;

1 (C) labor organizations that represent
2 workers that serve the community; and

3 (D) State and local government.

4 (3) COLLECTION OF DEMOGRAPHIC INFORMA-
5 TION.—

6 (A) COLLECTION.—The Secretary shall
7 provide for the collection of demographic infor-
8 mation of the membership of community advi-
9 sory boards formed under paragraph (1).

10 (B) ACCESS TO INFORMATION.—The Sec-
11 retary shall establish appropriate procedures—

12 (i) to protect the personally identi-
13 fying information submitted under sub-
14 paragraph (A); and

15 (ii) to ensure that any information
16 collected under this paragraph is not in-
17 cluded when an application for a grant
18 under this section is examined.

19 (C) REPORT TO CONGRESS.—The Sec-
20 retary shall, on a biennial basis, submit to Con-
21 gress a report that—

22 (i) evaluates the information collected
23 under this paragraph; and

24 (ii) includes recommendations—

1 (I) to improve the diversity of
2 community advisory boards formed
3 under paragraph (1); and

4 (II) to improve data collection
5 under this paragraph.

6 (g) STUDY ON INFRASTRUCTURAL BARRIERS.—

7 (1) IN GENERAL.—The Secretary shall conduct
8 a study—

9 (A) to identify communities across the
10 United States that have infrastructural bar-
11 riers; and

12 (B) to measure the environmental, public
13 health, and economic harm done to the commu-
14 nities identified under subparagraph (A) as a
15 result of those infrastructural barriers.

16 (2) CONSULTATION.—In conducting the study
17 under paragraph (1), the Secretary shall consult
18 with—

19 (A) State departments of transportation;

20 (B) units of local government, Tribal gov-
21 ernments, and metropolitan planning organiza-
22 tions that represent jurisdictions impacted by
23 infrastructural barriers; and

24 (C) special purpose districts and public au-
25 thorities with a transportation function.

1 (3) REPORT.—Not later than 2 years after the
2 date of enactment of this Act, the Secretary shall
3 submit to Congress and make publicly available a re-
4 port describing the results of the study conducted
5 under paragraph (1).

6 (4) MAP.—Not later than 2 years after the date
7 of enactment of this Act, the Secretary shall estab-
8 lish an online tool to map infrastructural barriers
9 identified in the study conducted under paragraph
10 (1).

11 (h) DAVIS-BACON.—

12 (1) IN GENERAL.—Notwithstanding any other
13 provision of law, all laborers and mechanics em-
14 ployed by contractors or subcontractors on projects
15 carried out in whole or in part using a grant under
16 the program shall be paid wages at rates not less
17 than those prevailing on projects of a similar char-
18 acter in the locality as determined by the Secretary
19 of Labor in accordance with subchapter IV of chap-
20 ter 31 of title 40, United States Code (commonly
21 known as the “Davis-Bacon Act”).

22 (2) AUTHORITY.—With respect to the labor
23 standards specified in paragraph (1), the Secretary
24 of Labor shall have the authority and functions set
25 forth in Reorganization Plan Numbered 14 of 1950

1 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of
2 title 40, United States Code.

3 (i) ADMINISTRATIVE COSTS.—For each fiscal year,
4 the Secretary may use not more than 2 percent of the
5 amounts made available for the program for the costs of
6 administering the program.

7 (j) REPORT.—Not later than 2 years after the date
8 of enactment of this Act, the Secretary shall submit to
9 the Committee on Environment and Public Works of the
10 Senate and the Committee on Transportation and Infra-
11 structure of the House of Representatives a report that—

12 (1) assesses the impacts and benefits of high-
13 way removals on congestion, mobility, and safety in
14 the project vicinity, and the extent to which those
15 impacts differ from projected impacts;

16 (2) includes recommendations for how traffic
17 forecasting should—

18 (A) consider nonmotorized travel demand;

19 and

20 (B) track and be updated in response to
21 observed travel behavior responses to changes in
22 transportation capacity and land use; and

23 (3) includes recommendations for how environ-
24 mental reviews for projects funded under the Fed-
25 eral-aid highway program should consider, identify,

1 and quantify, during project development, any di-
2 minished access, including nonmotorized access, that
3 will result from the project.

4 (k) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—There is authorized to be
6 appropriated to carry out the program
7 \$3,000,000,000 for each of fiscal years 2022
8 through 2026.

9 (2) ENVIRONMENTAL JUSTICE COMMUNITIES.—

10 Of the amounts made available under paragraph (1)
11 for each fiscal year, not less than 40 percent shall
12 be directed towards environmental justice commu-
13 nities.

○