To establish a program to improve community connectivity by identifying and removing or mitigating infrastructural barriers that create obstacles to mobility or economic development or expose the community to pollution and other health and safety risks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES
APRIL 26, 2021

Mr. Brown (for himself, Mr. Mfume, Ms. Blunt Rochester, and Mr. Evans) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL
To establish a program to improve community connectivity by identifying and removing or mitigating infrastructural barriers that create obstacles to mobility or economic development or expose the community to pollution and other health and safety risks, 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 “Reconnecting Communities Act”.

5 SEC. 2. CONNECTING COMMUNITIES GRANT PROGRAM.

6 (a) DEFINITIONS.—In this section:
(1) CAPITAL CONSTRUCTION GRANT.—The term “capital construction grant” means a capital construction grant under subsection (f).

(2) COMMUNITY ENGAGEMENT, EDUCATION, AND CAPACITY BUILDING GRANT.—The term “community engagement, education, and capacity building grant” means a community engagement, education, and capacity building grant under subsection (d).

(3) COMMUNITY OF COLOR.—The term “community of color” means, in a State, a census block group for which the aggregate percentage of residents who identify as Black, African-American, American Indian, Alaska Native, Native Hawaiian, Asian, Pacific Islander, Hispanic, Latino, other nonwhite race, or linguistically isolated is—

(A) not less than 50 percent; or

(B) significantly higher than the State average.

(4) INFRASTRUCTURAL BARRIER.—The term “infrastructural barrier” means a highway (including a limited access highway), a railway, a viaduct, a principal arterial facility, or any other transportation facility for which the high speeds, grade sepa-
ration, or other design factors create an obstacle to connectivity, including—

(A) obstacles to walking, biking, and mobility;

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

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

(5) Low-income community.—The term “low-income community” means a census block group in which not less than 30 percent of the population lives below the poverty line (as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902)).

(6) Planning and feasibility study grant.—The term “planning and feasibility study grant” means a planning and feasibility study grant under subsection (e).

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

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

(9) Tribal government.—The term “Tribal government” means the recognized governing body of any Indian or Alaska Native tribe, band, nation,
pueblo, village, community, component band, or compo-
ponent reservation, individually identified (including
parenthetically) in the list published most recently as
of the date of enactment of this Act pursuant to sec-
tion 104 of the Federally Recognized Indian Tribe

(b) Establishment.—

(1) In general.—The Secretary shall establish
a program to help communities—

(A) identify infrastructural barriers within
the community that—

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

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

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

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

(ii) construction of facilities to miti-
gate the obstacle created by the
infrastructural barrier by enhancing
connectivity across the infrastructural barrier;

(C) plan the redevelopment of any land made available by the removal or retrofit of the infrastructural barrier, with a focus on improvements that will benefit the populations impacted by or previously displaced by the infrastructural barrier;

(D) access funding to carry out the activities described in subparagraphs (B) and (C); and

(E) require the equity of any activities carried out under the program, including by garnering community engagement, avoiding displacement, and ensuring local participation in jobs created through those activities.

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

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

(B) Planning and feasibility study grants.

(C) Capital construction grants.

(3) MULTIPLE GRANTS PERMITTED.—An eligible entity may apply for and receive funding from
more than 1 type of grant described in paragraph (2).

(c) Requirement for Project Selection.—To receive a grant under the program, a project shall provide the majority of project benefits to 1 or more communities of color or low-income communities.

(d) Community Engagement, Education, and Capacity Building Grants.—

(1) Eligible Entities.—The Secretary may award a community engagement, education, and capacity building grant to carry out community engagement, education, and capacity building activities described in paragraph (2) to—

(A) a political subdivision of a State or local government;

(B) a Tribal government;

(C) a metropolitan planning organization;

and

(D) a nonprofit organization.

(2) Eligible Activities.—A community engagement and capacity building activity referred to in paragraph (1) includes an activity—

(A) to educate community members about opportunities to affect transportation and eco-
economic development planning and investment decisions;

(B) to build organizational or community capacity to engage in transportation and economic development planning;

(C) to identify community needs and desires for community improvements;

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

(E) to conduct assessments of equity, mobility and access, environmental justice, affordability, economic opportunity, health outcomes, and other local goals;

(F) to form a community advisory board in accordance with subsection (g); and

(G) to engage community members in scenario planning.

(3) Federal share.—The Federal share of the cost of an activity carried out with funds from a community engagement, education, and capacity building grant may be up to 100 percent, at the discretion of the eligible entity.

(e) Planning and Feasibility Study Grants.—

(1) Eligible entities.—
(A) In general.—The Secretary may award a planning and feasibility study grant to carry out planning activities described in paragraph (2) to—

(i) a State;

(ii) a political subdivision of a State or local government;

(iii) a Tribal government;

(iv) a metropolitan planning organization; and

(v) a nonprofit organization.

(B) Partnerships.—In the case of an eligible entity that is not the owner of the infrastructural barrier that is the subject of the planning and feasibility study grant, the eligible entity shall demonstrate the existence of a partnership with the owner of the infrastructural barrier.

(2) Eligible activities.—A planning activity referred to in paragraph (1)(A) includes—

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

(B) traffic studies, nonmotorized accessibility analyses, equity needs analyses, and collection of other relevant data;
(C) planning studies to evaluate the feasibility of removing or retrofitting an infrastructural barrier, or the construction of facilities to mitigate the obstacle created by the infrastructural barrier by enhancing connectivity across the infrastructural barrier;

(D) public engagement activities to provide opportunities for public input into a plan to remove, convert, or mitigate an infrastructural barrier;

(E) environmental review, consultation, or other action required under any Federal environmental law relating to the review or approval of a project to remove, retrofit, or mitigate an existing infrastructural barrier;

(F) establishment of a community land trust for the development and use of real estate created by the removal or capping of an infrastructural barrier; and

(G) other transportation planning activities required in advance of a project to remove, retrofit or mitigate an existing infrastructural barrier, as determined by the Secretary.

(3) TECHNICAL ASSISTANCE.—
(A) IN GENERAL.—The Secretary may provide to an eligible entity technical assistance in building organizational or community capacity—

(i) to engage in transportation planning; and

(ii) to identify innovative solutions to infrastructure challenges, including reconnecting communities that—

(I) are bifurcated by eligible facilities; or

(II) lack safe, reliable, and affordable transportation choices.

(B) PRIORITIES.—In selecting recipients of technical assistance under subparagraph (A), the Secretary shall give priority to an application from a community that is economically disadvantaged.

(4) FEDERAL SHARE.—The Federal share of the cost of an activity carried out with funds from a planning and feasibility study grant shall be not more than 80 percent.

(f) CAPITAL CONSTRUCTION GRANTS.—

(1) ELIGIBLE ENTITIES.—The Secretary may award a capital construction grant to the owner of
an infrastructural barrier to carry out a project described in paragraph (3) for which all necessary feasibility studies and other planning activities have been completed.

(2) PARTNERSHIPS.—For the purpose of submitting an application for a capital construction grant, an owner of an infrastructural barrier may, if applicable, partner with—

(A) a State;

(B) a unit of local government;

(C) a Tribal government;

(D) a metropolitan planning organization;

or

(E) a nonprofit organization.

(3) ELIGIBLE PROJECTS.—

(A) IN GENERAL.—A project eligible to be carried out with a capital construction grant includes—

(i) the removal of an infrastructural barrier;

(ii) the retrofit of an infrastructural barrier in a way that enhances community connectivity and is sensitive to the context of the surrounding community, including retrofits to a highway to cap the facility or
replace the facility with an at-grade arterial roadway;

(iii) the construction of facilities that improve connectivity across the infrastructural barrier;

(iv) the replacement of an infrastructural barrier with a new use or facility that has been identified by members of the community; and

(v) the construction of other transportation improvements that address the mobility needs of the community.

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

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

(A) has entered into a community benefits agreement with representatives of the community;
(B) serves a community in which an anti-
displacement policy or a community land trust
is in effect;

(C) has formed a community advisory
board under subsection (g); or

(D) has demonstrated a plan for—

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

(ii) contracting and subcontracting
with disadvantaged business enterprises.

(5) REQUIREMENT.—In order to receive a cap-
ital construction grant, the owner of the
infrastructural barrier shall demonstrate that the
project is supported by the community in the imme-
diate vicinity of the project.

(6) FEDERAL SHARE.—

(A) IN GENERAL.—Except as provided in
paragraph (B), the Federal share of the cost
of a project carried out with a capital construc-
tion grant may be not more than 80 percent.

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

(g) **COMMUNITY ADVISORY BOARD.—**

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

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

(B) track progress with respect to commitments of the eligible entity to inclusive employment, contracting, and economic development under the activity or project.

(2) **MEMBERSHIP.**—If an eligible entity forms a community advisory board under paragraph (1), the community advisory board shall be composed of representatives of—

(A) the community;

(B) owners of businesses that serve the community;

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

(D) State and local government.
(h) Administrative Costs.—For each fiscal year, the Secretary may use not more than 2 percent of the amounts made available for the program for the costs of administering the program.

(i) Report.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

1. assesses the impacts and benefits of highway removals on congestion, mobility, and safety in the project vicinity, and the extent to which those impacts differ from projected impacts;

2. includes recommendations for how traffic forecasting should—

   A. consider nonmotorized travel demand; and

   B. track and be updated in response to observed travel behavior responses to changes in transportation capacity and land use; and

3. includes recommendations for how environmental reviews for projects funded under the Federal-aid highway program should consider, identify, and quantify, during project development, any di-
minished access, including nonmotorized access, that
will result from the project.

(j) Authorization of Appropriations.—There is
authorized to be appropriated out of the Highway Trust
Fund (other than the Mass Transit Account) to carry out
this section $3,000,000,000 for each of fiscal years 2022
through 2026.