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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To provide direct funding to local, Tribal, and territorial governments to establish Green New Deal programs and initiatives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. BUSH introduced the following bill; which was referred to the Committee
on _____

A BILL

To provide direct funding to local, Tribal, and territorial governments to establish Green New Deal programs and initiatives, 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. DEFINITIONS.**

4 In this Act:

5 (1) CLIMATE MITIGATION.—The term “climate
6 mitigation” means policies and activities intended to
7 reduce the greenhouse gas forcing of the climate sys-
8 tem.

1 (2) FPIC.—The term “FPIC” means free,
2 prior, and informed consent.

3 (3) FRONTLINE COMMUNITY.—The term
4 “frontline community” means a community with sig-
5 nificant representation of communities of color, low-
6 income communities, deindustrialized communities,
7 fossil fuel communities, or Tribal and indigenous
8 communities, that experiences, or is at risk of expe-
9 riencing, higher or more adverse climate change,
10 human health, or environmental effects, as compared
11 to other communities.

12 (4) LOCAL GOVERNMENT.—The term “local
13 government” means a territory or any unit of local
14 government within a State or territory, including a
15 county, borough, municipality, city, town, township,
16 parish, local public authority, transit agency (includ-
17 ing multistate transit agencies), special district,
18 school district, intrastate district, council of govern-
19 ments, any other instrumentality of local govern-
20 ment.

21 (5) LOCAL GREEN NEW DEAL PROGRAM PRO-
22 POSAL.—The term “local Green New Deal program
23 proposal” means a proposal of a local government or
24 a Native American Nation that commits—

1 (A) to achieve zero greenhouse gas emis-
2 sions, by 2030, through a fair and just transi-
3 tion for all communities and workers;

4 (B) to create hundreds of good, high-wage
5 jobs and ensure prosperity and economic secu-
6 rity for all people of the local government or
7 Native American Nation;

8 (C) to invest in the infrastructure and in-
9 dustry of the local government to sustainably
10 meet the challenges of the 21st century;

11 (D) to secure for all people of the United
12 States for generations to come—

13 (i) clean air and water;

14 (ii) climate and community resiliency;

15 (iii) healthy and sustainably produced
16 food;

17 (iv) access to nature; and

18 (v) a sustainable environment; and

19 (E) to promote justice and equity by stop-
20 ping current, preventing future, and repairing
21 historic oppression of indigenous peoples, com-
22 munities of color, migrant communities,
23 deindustrialized communities, depopulated rural
24 communities, the poor, low-income workers,
25 women, the elderly, the unhoused, people with

1 disabilities, incarcerated communities, and com-
2 munities experiencing police violence and youth.

3 (6) NATIVE AMERICAN NATION.—The term
4 “Native American Nation” means—

5 (A) the governing body of any individually
6 identified and federally recognized Indian or
7 Alaska Native Tribe, band, nation, pueblo, vil-
8 lage, community, affiliated tribal group, or com-
9 ponent reservation in the list published pursu-
10 ant to section 104(a) of the Federally Recog-
11 nized Indian Tribe List Act of 1994 (25 U.S.C.
12 5131(a));

13 (B) the governing body of any individually
14 identified Indian or Alaska Native Tribe, band,
15 nation, pueblo, village, community, affiliated
16 tribal group, or component reservation, exclud-
17 ing tribal corporations; and

18 (C) a State recognized Tribe.

19 **TITLE I—GREEN NEW DEAL FOR**
20 **CITIES, COUNTIES, STATES,**
21 **TRIBES, AND TERRITORIES**

22 **SEC. 101. SHORT TITLE.**

23 This Act may be cited as the “Green New Deals for
24 Cities Act of 2021”.

1 **SEC. 102. GREEN NEW DEAL FOR CITIES, TOWNS, AND NA-**
2 **TIVE AMERICAN NATIONS.**

3 (a) IN GENERAL.—From amounts appropriated to
4 carry out this title, the Secretary of Housing and Urban
5 Development, in coordination with the Secretary of En-
6 ergy, the Secretary of Labor, and the Office of Domestic
7 Climate Policy, shall be allocated directly to eligible local
8 or State entities in the same manner as amounts appro-
9 priated under sections 602 and 603 of title VI of the So-
10 cial Security Act (42 U.S.C. 801 et seq.), as applicable,
11 to carry out eligible Green New Deal projects.

12 (b) USE OF FUNDS.—An eligible local or State entity
13 receiving an allocation under this section—

14 (1) may use such funds to carry out an eligible
15 Green New Deal project;

16 (2) shall allocate not less than 50 percent of
17 such allocation for projects related to climate mitiga-
18 tion;

19 (3) with respect to an eligible local or State en-
20 tity that includes at least 1 frontline community,
21 shall ensure not less than 50 percent of such alloca-
22 tion is invested in frontline communities; and

23 (4) may not use such funds for—

24 (A) fossil fuel procurement, development,
25 infrastructure repair that would in anyway ex-

1 tend lifespan or production capacity, or any re-
2 lated subsidy;

3 (B) carbon capture and storage (CCS) or
4 carbon capture, utilisation, and storage
5 (CCUS);

6 (C) direct air capture;

7 (D) the procurement of nuclear power;

8 (E) research and development;

9 (F) the establishment or advancement of
10 carbon markets, including cap and trade;

11 (G) geoengineering;

12 (H) highway expansion;

13 (I) road improvements or automobile infra-
14 structure, other than electric vehicle charging
15 stations;

16 (J) industrial scale bioenergy, including
17 biofuels, biomass, and biogas, development or
18 any related subsidy; or

19 (K) any investments or projects supporting
20 law enforcement, immigration detention centers,
21 and prisons, including buildings and vehicles
22 under the control of law enforcement or a pris-
23 on.

24 (c) REQUIREMENT.—As a condition of accepting an
25 allocation provided under this section, an eligible local or

1 State entity shall agree to take steps, in consultation with
2 community groups and tenant advocates, to secure exist-
3 ing housing in neighborhoods receiving benefits from an
4 allocation under this section, including through the use of
5 rent control, rent stabilization, and other methods to pre-
6 vent gentrification and stabilize property values.

7 (d) CONSULTATION.—In carrying out the program
8 established under subsection (a), the Secretary shall con-
9 sult with Administration of the Environmental Protection
10 Agency, the Assistant Secretary of the Bureau of Indian
11 Affairs, and the Council on Environmental Quality.

12 (e) NATIVE AMERICAN FPIC.—Prior to the author-
13 ization of any project on land that may affect a Native
14 American Nation, the Secretary shall ensure that such
15 Nation has given FPIC.

16 (f) MATERIAL REQUIREMENT.—In carrying out any
17 eligible Green New Deal project that uses renewable en-
18 ergy materials, an eligible local or State entity shall use
19 only renewable energy materials from Initiative for Re-
20 sponsible Mining Assurance (IRMA) certified mines.

21 (g) COMMUNITY INVOLVEMENT.—In carrying out
22 any eligible Green New Deal project, an eligible local or
23 State entity shall develop a public participation plan to
24 establish steps for ensuring decision-making inclusion of

1 frontline communities for such eligible Green New Deal
2 project.

3 (h) DEFINITIONS.—In this section:

4 (1) ELIGIBLE LOCAL OR STATE ENTITY.—The
5 term “eligible local or State entity” means a State,
6 local government, or Native American Nation that
7 has a local Green New Deal program proposal.

8 (2) ELIGIBLE GREEN NEW DEAL PROJECT.—
9 The term “eligible Green New Deal project” includes
10 a project and associated labor—

11 (A) for solar power procurement, installa-
12 tion, maintenance, and operations;

13 (B) for wind power procurement, installa-
14 tion, maintenance, coating, and operations;

15 (C) to carry out an American Society of
16 Heating, Refrigerating, and Air Conditioning
17 Engineers (ASHRAE) level II audit for com-
18 mercial buildings;

19 (D) to procure dialysis machines or other
20 equipment known to save lives of the most vul-
21 nerable populations in extreme weather events
22 that may cause power outages;

23 (E) to provide grants for acquisition of pri-
24 vate lands by Native American Land Trusts,
25 nations, and Tribes;

1 (F) to build electrification for heating, hot
2 water, and cooking;

3 (G) for public electric vehicle procurement;

4 (H) to build capacity for communities to
5 endure extreme weather events, such as invest-
6 ments to cooling and heating centers and dis-
7 aster preparedness;

8 (I) for community farming initiatives that
9 promote and foster food sovereignty;

10 (J) to procure, install, and operate geo-
11 thermal power;

12 (K) for phasing out existing fossil fuel in-
13 frastructure;

14 (L) for testing of soils and waters in
15 parks, playgrounds, and other sites for haz-
16 ardous and radioactive wastes as well as dan-
17 gerous chemicals, including PFAS;

18 (M) for the establishment of local Worker
19 and Community Protection Funds (WCPF) to
20 support fossil fuel workers, families of such
21 workers, and impacted communities in the en-
22 ergy transition;

23 (N) to repair gas pipeline leaks and cover
24 orphan wells, so long as such pipelines and
25 wells in no way expand fossil fuel production;

1 (O) to build, expand, and maintain public
2 parks, trails, forests, and recreation sites;

3 (P) for installation of weatherization and
4 efficiency measures, including reflecting coat-
5 ings;

6 (Q) for adaptation measures;

7 (R) to procure and install electric vehicle
8 charging stations;

9 (S) to remediate lead paint, mold, and as-
10 bestos;

11 (T) to support reparations programs for
12 Black and Indigenous people and communities;

13 (U) for investment in new or improved
14 public green space, parks, playgrounds, or com-
15 munity gardens;

16 (V) for the zero energy construction or im-
17 provement of public or rent-secured housing or
18 community land trusts;

19 (W) to provide, electrify, improve, expand,
20 maintain, or operate public transit and public
21 school buses;

22 (X) for remediation of a brownfield;

23 (Y) for air quality monitoring;

24 (Z) for pollution cleanup;

1 (AA) to procure, install, and maintain
2 clean drinking water infrastructure piping and
3 transmission lines, including replacing lead
4 pipelines;

5 (BB) for public utility procurement, mod-
6 ernization, and decarbonization;

7 (CC) for wetland, forest, and public land
8 revitalization and other climate adaptation
9 measures;

10 (DD) for public sanitation, broadband, and
11 utility expansion for frontline communities;

12 (EE) for community solar power;

13 (FF) to construct and improve bike and
14 pedestrian infrastructure, including bus stops
15 and any improvements to transit infrastructure
16 to comply with the Americans With Disabilities
17 Act of 1990 (42 U.S.C. 12101 et seq.);

18 (GG) for restoring public lands, water-
19 sheds, coastal areas, wildlife corridors, and
20 other critical ecosystems, including investment
21 in county and city parks and Tribal manage-
22 ment of public lands;

23 (HH) for temporary housing for low-in-
24 come families receiving housing improvements;

25 or

1 (II) for conservation projects on family
2 farms, including water conservation projects,
3 shelterbelts, and ecosystem restoration efforts.

4 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS.**

5 For purposes of carrying out this title, there is au-
6 thorized to be appropriated out of the general fund of the
7 Treasury—

8 (1) \$400,000,000,000 for fiscal year 2022;

9 (2) \$300,000,000,000 for fiscal year 2023;

10 (3) \$200,000,000,000 for fiscal year 2024; and

11 (4) \$100,000,000,000 for fiscal year 2025.

12 **TITLE II—LABOR STANDARDS**

13 **SEC. 201. LABOR STANDARDS REQUIREMENTS.**

14 (a) IN GENERAL.—The Secretary of Labor shall re-
15 quire an eligible local or State entity under section 102,
16 as a condition of receiving a grant under such section, to
17 satisfy each of the following requirements:

18 (1) The entity shall ensure that all laborers and
19 mechanics employed by contractors and subcontractors
20 in the performance of any applicable project
21 shall be paid wages at rates not less than those pre-
22 vailing on projects of a similar character in the lo-
23 cality as determined by the Secretary of Labor in ac-
24 cordance with subchapter IV of chapter 31 of title

1 40, United States Code (commonly known as the
2 “Davis-Bacon Act”).

3 (2) The entity shall give preference to local and
4 equitable hiring and contracting that creates oppor-
5 tunities for—

6 (A) people of color;

7 (B) immigrants, regardless of immigration
8 status;

9 (C) formerly incarcerated individuals;

10 (D) women;

11 (E) LGBTQIAP+ individuals;

12 (F) disabled and chronically ill individuals;

13 (G) marginalized communities; and

14 (H) BIPOC employee-owned businesses
15 and co-ops.

16 (3) The entity shall be a party to, or require
17 contractors and subcontractors in the performance
18 of any applicable project to consent to, a covered
19 project labor agreement, as long as the entity dem-
20 onstrates that such agreement protects or furthers
21 its proprietary interest in the project.

22 (4) The entity, and all contractors and sub-
23 contractors in performance of any applicable project,
24 shall abide by prevailing wage standards, prioritize

1 Project Labor Agreements, and prioritize local hir-
2 ing and targeted hiring provisions.

3 (5) The entity, and all contractors and sub-
4 contractors in the performance of any applicable
5 project, shall not require mandatory arbitration for
6 any dispute involving a worker engaged in a service
7 for the entity.

8 (6) The entity, and all contractors and sub-
9 contractors in the performance of any applicable
10 project, shall consider an individual performing any
11 service in such performance as an employee (and not
12 an independent contractor) of the entity, contractor,
13 or subcontractor, respectively, unless—

14 (A) the individual is free from control and
15 direction in connection with the performance of
16 the service, both under the contract for the per-
17 formance of the service and in fact;

18 (B) the service is performed outside the
19 usual course of the business of the entity, con-
20 tractor, or subcontractor, respectively; and

21 (C) the individual is customarily engaged
22 in an independently established trade, occupa-
23 tion, profession, or business of the same nature
24 as that involved in such service.

1 (7) The entity shall prohibit the employees of
2 all contractors and subcontractors in the perform-
3 ance of any applicable project from hiring employees
4 through a temporary staffing agency unless the rel-
5 evant State workforce agency certifies that tem-
6 porary employees are necessary to address an acute,
7 short-term labor demand. The entity may not pro-
8 hibit the use of certified union hiring halls.

9 (8) The entity shall require all contractors, sub-
10 contractors, successors in interest of the entity, and
11 other entities that may acquire the entity, in the
12 performance or acquisition of any applicable project,
13 to have—

14 (A) an explicit policy of neutrality with re-
15 gard to—

16 (i) labor organizing for the employees
17 of the contractor or subcontractor em-
18 ployed in the performance of the eligible
19 project; and

20 (ii) such employees' choice to form
21 and join labor organizations; and

22 (B) policies that require—

23 (i) the posting and maintenance of no-
24 tices in the workplace to such employees of

1 their rights under the National Labor Re-
2 lations Act (29 U.S.C. 151 et seq.); and

3 (ii) that such employees are, at the
4 beginning of their employment in the per-
5 formance of the eligible project, provided
6 notice and information regarding the em-
7 ployees' rights under such Act.

8 (9) The entity shall, for each skilled craft em-
9 ployed on any applicable project, demonstrate an
10 ability to use and commit to use individuals enrolled
11 in a Department of Labor registered apprenticeship
12 program under subpart A of part 29 of title 29,
13 Code of Federal Regulations, which such individuals
14 shall, to the greatest extent practicable, constitute
15 not less than 20 percent of the individuals working
16 on such project.

17 (10) The entity shall fund and utilize, and,
18 where appropriate, establish, a robust pre-appren-
19 ticeship and workforce development program, to
20 serve BIPOC communities, in consultation with ap-
21 propriate labor organizations.

22 (11) The entity, and all contractors and sub-
23 contractors in the performance of any applicable
24 project, shall not request or otherwise consider the
25 criminal history of an applicant for employment be-

1 fore extending a conditional offer to the applicant,
2 unless—

3 (A) a background check is otherwise re-
4 quired by law; or

5 (B) the Secretary, in consultation with the
6 Secretary of Energy, certifies that precluding
7 criminal history prior to the conditional offer
8 would pose a threat to national security.

9 (12) The entity shall exclude companies that
10 have been found guilty of wage theft or Occupational
11 Safety and Health Act of 1970 (29 U.S.C. 651 et
12 seq.) safety violations.

13 (b) DAVIS-BACON ACT.—The Secretary of Labor
14 shall have, with respect to the labor standards described
15 in subparagraph (A)(i), the authority and functions set
16 forth in Reorganization Plan Numbered 14 of 1950 (64
17 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40,
18 United States Code.

19 **SEC. 202. BUY AMERICA REQUIREMENTS.**

20 (a) IN GENERAL.—For all goods and materials an
21 entity purchases in whole or in part with funds provided
22 by this Act, the entity shall be required to comply with,
23 and ensure compliance by all contractors, subcontractors,
24 and suppliers of contractors of, the domestic content pro-
25 visions of the section 5323(j) of title 49, United States

1 Code, and all applicable Federal labor and employment
2 laws.

3 (b) INCLUSIVE PROCUREMENT POLICIES.—Notwith-
4 standing any federal laws or regulations to the contrary,
5 the entity may adhere to an inclusive procurement policy
6 for all goods and materials that are part of any project
7 funded in whole or in part by this Act that includes any
8 of the following:

9 (1) Greater domestic content than is required
10 by Federal law.

11 (2) A disclosure and evaluation of the embed-
12 ded carbon emissions of all industrial products.

13 (3) Requirements for disclosure by the contrac-
14 tors, subcontractors, and suppliers of contractors
15 of—

16 (A) wages and benefits of employees of the
17 contractor, subcontractor, and suppliers;

18 (B) training program commitments for em-
19 ployees and potential employees; and

20 (C) targeted hiring commitments for mem-
21 bers of disadvantaged communities, including
22 veterans, women, low-income populations, and
23 formerly incarcerated individuals.

24 (4) Job quality evaluation and incentives.

1 (5) Job quality commitment enforcement, in-
2 cluding contract enforcement provisions for adher-
3 ence to job quality commitments.

4 (6) Transparency to the public of job quality
5 commitments and adherence to such commitments.