117TH CONGRESS  
1ST SESSION  

H. R.   

To establish a Federal agenda to transform, heal, and renew the United States by investing in a vibrant economy, to provide funds to certain Federal investment programs that meet related labor, equity, and environmental standards, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. Dingell introduced the following bill; which was referred to the Committee on  

A BILL

To establish a Federal agenda to transform, heal, and renew the United States by investing in a vibrant economy, to provide funds to certain Federal investment programs that meet related labor, equity, and environmental standards, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Transform, Heal, and Renew by Investing in a Vibrant Economy Act” or the “THRIVE Act”.

SEC. 2. PURPOSE; POLICY GOALS; AGENDA.

(a) PURPOSE.—The purpose of this Act is to mobilize Federal efforts to respond, in a manner that is bold and holistic, to the urgent concurrent crises of racial injustice, the undermining of Tribal sovereignty, mass unemployment and economic inequality, the Coronavirus Disease 2019 pandemic, and climate change by establishing a national agenda to transform, heal, and renew the United States to create a society that enables and supports—

(1) greater racial, Indigenous, gender, environmental, and economic justice;
(2) dignified work opportunities;
(3) healthy communities;
(4) a stable climate; and
(5) healthy ecosystems.

(b) POLICY GOALS.—It is the policy of the United States—

(1) to create and sustain millions of good, safe, family-sustaining jobs with appropriate access to labor organizations;
(2) to increase the power of workers to fight inequality in the workplace;
(3) to invest in historically underserved and impacted communities, including Black, Tribal, Indigenous, Latinx, Arab, Asian, and Pacific Islander communities, to increase the capacity of those communities,
nities to counteract racial, ethnic, gender, and other social and economic injustices;

(4) to strengthen and heal the nation-to-nation relationship between the United States and sovereign Indian Tribes;

(5) to combat environmental injustice and ensure healthy lives for all people;

(6) to avert further climate and environmental catastrophe;

(7) to ensure fairness for workers and communities affected by economic transitions; and

(8) to reinvest in public sector institutions that enable workers and communities to thrive.

(c) AGENDA.—

(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the President, in consultation with the Board, shall establish a 10-year plan, to be known as the “Agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy”, in accordance with which the purpose and policy goals described in subsections (a) and (b), respectively, shall be achieved.

(2) SUBMISSION.—The agenda established under paragraph (1) shall be submitted to—

(A) the National Economic Council; and
(B) the Office of Management and Budget for inclusion in each annual budget request submitted to Congress under section 1105 of title 31, United States Code, during the 10-year period covered by the agenda.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTERING AGENCY.—The term “administering agency” means a Federal department or agency with administrative jurisdiction over a qualified investment program.

(2) BOARD.—The term “Board” means the Transform, Heal, and Renew by Investing in a Vibrant Economy Recovery Board established under section 4(a).

(3) CARE WORKER.—The term “care worker” means any individual who provides paid or unpaid child care or dependent adult care, including—

(A) a domestic worker;

(B) a health care worker;

(C) a home health aide; and

(D) a nanny.

(4) ENVIRONMENTAL JUSTICE COMMUNITY.—

(A) IN GENERAL.—The term “environmental justice community” means a low-income
or low-wealth community facing environmental injustice.

(B) INCLUSIONS.—The term “environmental justice community” includes any community that, as determined by the Board, in consultation with the White House Environmental Justice Advisory Council and the National Environmental Justice Advisory Council—

(i) is located nearest to an existing area of grave environmental pollution and degradation;

(ii) bears a burden of negative public health effects of pollution;

(iii) includes 1 or more sites of—

(I) a facility that is a part of a polluting industry;

(II) a waste dump; or

(III) a facility for resource extraction;

(iv) experiences a high incidence of climate change impacts and extreme weather disasters;
(v) has been excluded or harmed by racist or discriminatory policies that have resulted in economic or health disparities;

(vi) has a land-based or food subsistence culture that is experiencing ecosystem disruption and devastation;

(vii) faces relocation and resettlement resulting from—

(I) climate change;

(II) impacts to the environment and ecosystems; or

(III) impacts associated with economic inequities; or

(viii) is an Indigenous community.

(5) EQUITY ASSESSMENT.—The term “equity assessment”, with respect to an investment, program, plan, regulation, or operational decision, mean an assessment (which may include the assignment of an equity score)—

(A) to evaluate the social, economic, and environmental impacts of the investment, program, plan, regulation, or decision on—

(i) impacted communities; and

(ii) environmental justice communities; and
(B) the goals of which are—

(i) to address historic inequality;

(ii) to ensure an equitable outcome;

(iii) to prevent further concentration of pollution in areas experiencing an already high concentration of a pollutant or other toxic substance; and

(iv) to minimize inadvertent disproportionate social, economic, and environmental effects of the investment, program, plan, regulation, or decision.

(6) FAMILY-SUSTAINING JOB.—The term “family-sustaining job” means an employment opportunity that provides an individual with a wage that is sufficient to cover necessary expenses for the family of the individual, such as food, medical care, child care, housing, and transportation, without requiring reliance by the family on financial assistance from any other source.

(7) FEDERAL SPENDING PROGRAM.—The term “Federal spending program” means any program, project, or other activity—

(A) carried out by, or pursuant to a contract with, a Federal department or agency; and
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(B) for which Federal funds are made available.

(8) HIGH-ROAD LABOR, EQUITY, OR ENVIRONMENTAL CONDITION.—The term “high-road labor, equity, or environmental condition” means any condition on the provision of Federal funding for a qualified investment program, as established by the President, based on advice of the Board, under section 5(d)(3)(A).

(9) IMPACTED COMMUNITY.—

(A) IN GENERAL.—The term “impacted community” means a community that is harmed by environmental, economic, or socio-economic injustice.

(B) INCLUSIONS.—The term “impacted community” includes—

(i) an environmental justice community; and

(ii) a community that, as determined by the Board, in consultation with the White House Environmental Justice Advisory Council and the National Environmental Justice Advisory Council—

(I) has a high concentration of low-income and low-wealth house-
holds, including households comprised
primarily of members of groups that
have historically experienced discrimi-
nation on the basis of race, gender,
national origin, or ethnicity (including
Black, Indigenous, Latinx, Arab,
Asian, and Pacific Islander commu-
nities); or

(II) faces economic transition,
deindustrialization, historic under-
investment, and poverty.

(10) IMPLEMENTING ENTITY.—The term “im-
plementing entity” means any public or private enti-
ty (including any Federal, Tribal, State, or local
agency and any firm, supplier, or subcontractor
throughout the supply chain) that carries out a
qualified investment program using public support.

(11) INDIAN TRIBE.—The term “Indian Tribe”
means an Indian or Alaska Native tribe, band, na-
ton, pueblo, village, or community that the Sec-
retary of the Interior acknowledges to exist as an In-
dian Tribe pursuant to the Federally Recognized In-
seq.).
(12) **INDIGENOUS COMMUNITY.**—The term “Indigenous community” means—

(A) an Indian Tribe;

(B) a Native Hawaiian organization;

(C) a State-recognized Indian tribe;

(D) any reservation-based, urban Indigenous, or intertribal community, group, organization, or coalition; and

(E) an Alaska Native village.

(13) **PUBLIC SUPPORT.**—

(A) IN GENERAL. —The term “public support” means any financial or in-kind contribution provided by the President under section 5 for the administration, development, or implementation of a qualified investment program carried out under this Act.

(B) INCLUSIONS. —The term “public support” includes—

(i) technical support;

(ii) grants;

(iii) loans;

(iv) investments; and

(v) equity stakes.

(14) **QUALIFIED INVESTMENT PROGRAM.**—The term “qualified investment program” means any
Federal spending program certified by the President pursuant to section 5(c).

(15) STATE.—The term “State” means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

SEC. 4. THRIVE RECOVERY BOARD.

(a) Establishment.—Not later than 60 days after the date of enactment of this Act, the President shall establish an advisory board, to be known as the “Transform, Heal, and Renew by Investing in a Vibrant Economy Recovery Board”, to advise the President and the heads of appropriate Federal departments and agencies regarding the implementation of this Act.

(b) Membership.—

(1) Composition.—The Board shall be composed of 20 members who, as determined by the President—

(A) provide diverse and fair representation from—

(i) impacted communities;
(ii) allies identified by impacted communities;

(iii) Indigenous communities; and

(iv) labor organizations; and

(B) are qualified, through education, training, and experience, to evaluate information relating to matters referred to the Board.

(2) APPOINTMENT.—

(A) IN GENERAL.—The members of the Board shall be appointed by the President from among individuals recommended by interested individuals and entities.

(B) PROHIBITION.—A member of the Board may not be an employee or former employee of the Federal Government.

(3) TERM; VACANCIES.—

(A) TERM.—A member of the Board—

(i) shall be appointed to serve the Board for an initial term of 3 years; and

(ii) may be reappointed to serve not more than 1 additional term of not longer than 3 years.

(B) VACANCIES.—A vacancy on the Board—
(i) shall not affect the powers of the Board; and
(ii) shall be filled in the same manner as the original appointment was made.

(4) **Chairperson.**—The Board shall select a chairperson from among the members of the Board.

(5) **Initial Meeting.**—Not later than 14 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

(6) **Meetings.**—The Board shall meet at the call of the chairperson.

(7) **Quorum.**—A majority of members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

(8) **Treatment and Compensation.**—A member of the Board shall be—

(A) a full-time employee of the Board; and
(B) compensated at such rate as the President may establish, not to exceed the maximum amount of compensation payable to a member of the Senior Executive Service under section 5382(b) of title 5, United States Code.

(c) **Duties.**—

(1) **Proposed criteria.**—
(A) Precertification and Investment Requirements.—Not later than 120 days after the date of enactment of this Act, the Board shall develop and submit to the President proposed criteria for—

(i) precertification of existing Federal spending programs under section 5(c)(1)(A); and

(ii) certification of existing and new Federal spending programs as qualified investment programs with respect to required investments, in accordance with section 5(d)(2).

(B) High-Road Labor, Equity, and Environmental Conditions.—

(i) In General.—Not later than 180 days after the date of enactment of this Act, the Board shall develop and submit to the President proposed criteria for certification of existing and new Federal spending programs as qualified investment programs with respect to high-road labor, equity, and environmental conditions, in accordance with section 5(d)(3)(A).
(ii) **Public Participation.**—In developing the proposed criteria relating to high-road labor, equity, and environmental conditions under clause (i), the Board shall—

(I) make the proposed criteria available for public comment; and

(II) host public hearings and other direct engagement opportunities for impacted communities and Indigenous communities.

(iii) **Publication.**—Not later than 190 days after the date of enactment of this Act, the President shall publish in the Federal Register the proposed criteria developed by the Board under clause (i).

(2) **Study.**—

(A) **In General.**—Not less frequently than annually, the Board shall conduct a study of all matters relating to qualified investment programs.

(B) **Inclusions.**—The study conducted by the Board under subparagraph (A) shall include an evaluation of—
(i) any legislative or administrative actions (including with respect to investment requirements and other criteria under section 5(d)) carried out under this Act during the period covered by the study;

(ii) the degree to which qualified investment programs have contributed to achieving the policy goals described in section 2(b);

(iii) the effectiveness of the criteria relating to investment requirements established under section 5(d)(2) in achieving those policy goals; and

(iv) practicable modifications to those requirements to better achieve those goals.

(3) RECOMMENDATIONS.—The Board shall develop recommendations regarding—

(A) the method by which the President can effectuate the Agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy established under section 2(c)(1) pursuant to the annual budget request submitted to Congress under section 1105 of title 31, United States Code;
(B) the means by which Federal spending programs may be certified under section 5(d) as qualified investment programs to receive public support under this Act;

(C) legislative and administrative actions (including with respect to investment requirements and other criteria) to best achieve the purpose and policy goals described in section 2;

(D) the effectiveness of the criteria relating to investment requirements established under section 5(d)(2) in achieving those policy goals; and

(E) modifications to those criteria, if any.

(4) REPORTS.—

(A) STUDY AND RECOMMENDATIONS.—

(i) IN GENERAL.—Not less frequently than annually, the Board shall submit to the President and Congress a report that contains—

(I) a detailed statement of the findings and conclusions of the Board under paragraph (2); and

(II) the recommendations of the Board under paragraph (3).
(ii) PUBLICATION.—The President shall publish each report submitted by the Board under clause (i) in the Federal Register.

(B) HIGH-ROAD LABOR, EQUITY, AND ENVIRONMENTAL CONDITIONS.—

(i) IN GENERAL.—Not less frequently than once every 2 years, the Board shall submit to the President and Congress a report assessing—

(I) the degree of compliance by implementing entities with applicable high-road labor, equity, and environmental conditions; and

(II) the relative efficacy of enforcement by administering agencies of those high-road labor, equity, and environmental conditions.

(ii) COMMUNITY IMPACT ASSESSMENTS.—The Board shall conduct regular regional community impact assessments to gather information for each report submitted under clause (i).

(d) POWERS.—
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(1) HEARINGS.—The Board may hold such
hearings, meet and act at such times and places,
take such testimony, and receive such evidence as
the Board considers to be advisable to carry out this
Act.

(2) INFORMATION FROM AGENCIES.—

(A) IN GENERAL.—The Board may secure
directly from a Federal department or agency
such information as the Board considers to be
necessary to carry out this Act.

(B) PROVISION OF INFORMATION.—On re-
quest of the chairperson of the Board, the head
of a Federal department or agency shall provide
any requested information to the Board.

(3) POSTAL SERVICES.—The Board may use
the United States mails in the same manner and
under the same conditions as other Federal depart-
ments and agencies.

(4) GIFTS.—The Board may accept, use, and
dispose of gifts or donations of services or property.

(e) INAPPLICABILITY OF FACA.—The Federal Advi-
sory Committee Act (5 U.S.C. App.) shall not apply to
the Board.
SEC. 5. TRANSFORM, HEAL, AND RENEW BY INVESTING IN
A VIBRANT ECONOMY (THRIVE) QUALIFIED
INVESTMENT PROGRAMS.

(a) Establishment.—

(1) In general.—The President shall establish
and carry out a program under which the President
shall provide public support in accordance with this
Act to implementing entities to carry out 1 or more
qualified investment programs certified by the Presi-
dent, in consultation with the Board, under sub-
section (d).

(2) Condition of receipt.—As a condition of
receiving public support under this section, an imple-
menting entity shall agree to carry out each applica-
ble qualified investment program—

(A) pursuant to a contract or agreement
with the administering agency; and

(B) subject to oversight by—

(i) the administering agency; and

(ii) the President, in consultation with
the Board.

(3) Authorization of appropriations.—
There are authorized to be appropriated to the
President to carry out the program under this sec-
section such sums as are necessary, but not less than
$1,000,000,000,000, for each of fiscal years 2022 through 2032.

(b) TARGETS.—In selecting implementing entities to receive public support under this section, the President shall ensure that, in the aggregate, the qualified investment programs funded under this section will enable—

(1) the creation and support of not fewer than 15,500,000 family-sustaining jobs;

(2) the achievement of—

(A) full employment; and

(B) economic security for all individuals;

(3) the meaningful and measurable counteraction of racial, ethnic, Indigenous, gender, and other social, economic, and environmental injustices;

(4) by not later than December 31, 2025, 100 percent of all newly constructed buildings in the United States (including territories) to be zero-emission buildings;

(5) a rapid transition to ensure—

(A) 100 percent of all new vehicles purchased in the United States (including territories) are zero-emission vehicles; and

(B) the deployment of a nationwide network of zero-emission vehicle infrastructure;
(6) by not later than December 31, 2030, the majority of the population of the United States (including territories) to reside within walking distance of frequent, high-quality, affordable, clean energy-powered or zero-emission public transit and bikeable and walkable transportation infrastructure to reduce emissions from the transportation sector;

(7) by not later than December 31, 2035, the achievement of 100-percent clean energy generation throughout the United States (including territories), with priority given to deployment of renewable energy; and

(8) by not later than December 31, 2035, the conversion of all school buses in operation in the United States as of that date (including diesel school buses) to zero-emission school buses.

(c) Certification of Federal Spending Programs as Qualified Investment Programs.—

(1) Process.—

(A) Regular certification.—

(i) In general.—The President shall establish a process under which the President, in consultation with the Board, may certify, in accordance with this section, an existing or new Federal spending program
that is the subject of a nomination under paragraph (2) as a qualified investment program.

(ii) Precertification.—The process under clause (i) shall include a process for precertification by the President of existing Federal spending programs as qualified investment programs, if the President determines that the existing Federal spending programs are consistent with the policy goals described in section 2(b).

(B) Expedited Process for Interim Certification.—

(i) In general.—Not later than 60 days after the date of enactment of this Act, the President, in coordination with the Director of the Office of Management and Budget, the Chairperson of the Council on Environmental Quality, and the White House Domestic Climate Advisor, shall establish an expedited process to provide interim certification of appropriate existing Federal spending programs as qualified investment programs for receipt of public support under this section to enable
the rapid disbursal of funds urgently needed for economic recovery.

(ii) INCLUSION.—The expedited process established under clause (i) shall include an expedited process for nomination by interested Federal departments and agencies, Indian Tribes, stakeholders, and members of the public of existing Federal spending programs for interim certification under this subparagraph.

(iii) USE OF CRITERIA.—The criteria described in subsection (d) shall apply to the expedited process established under clause (i).

(2) NOMINATIONS.—

(A) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, any interested Federal department or agency, Indian Tribe, stakeholder, or member of the public may submit to the President and the Board a nomination of an existing or new Federal spending program for certification as a qualified investment program under this subsection.
(B) **Effect.**—The President may not certify a Federal spending program as a qualified investment program under this subsection unless the Federal spending program is the subject of a nomination submitted under subparagraph (A).

(3) **Certification.**—

(A) **In General.**—Not later than 300 days after the date of enactment of this Act, for each Federal spending program nominated under paragraph (2), the President, in consultation with the Board, shall—

(i) determine whether the Federal spending program—

(I) achieves compliance with the applicable criteria described in subsection (d); and

(II) includes or establishes an environmental justice screening in accordance with subparagraph (B), for the purpose of preventing projects from concentrating pollution and disproportionate health and economic burdens on impacted communities; and
(ii) on making a positive determination under each of subclauses (I) and (II) of clause (i)—

(I) approve the nomination of the Federal spending program under paragraph (2); and

(II) certify the Federal spending program as a qualified investment program for purposes of this Act.

(B) **ENVIRONMENTAL JUSTICE SCREENING.**—An environmental justice screening under subparagraph (A)(i)(II) shall include an evaluation, over the lifecycle of the applicable Federal spending program, of—

(i) lifecycle greenhouse gas emissions under the Federal spending program, including direct, indirect, and supply chain emissions, taking into consideration materials and operations;

(ii) the cumulative toxic pollution emitted under the Federal spending program;

(iii) resource depletion caused by the Federal spending program;
(iv) the biodiversity and climate change impacts of the Federal spending program; and

(v) the lifecycle social and cultural impacts of the Federal spending program.

(C) PUBLICATION.—Each determination of the President under subparagraph (A) relating to a Federal spending program shall be published in the Federal Register, together with the rationale of the President and the Board for approving or disapproving the nomination of the Federal spending program.

(4) DISTRIBUTION OF FUNDING.—The President shall distribute to implementing entities the amounts made available to carry out this section, on an equitable basis pursuant to paragraph (5)—

(A) as soon as practicable for each qualified investment program for which an interim certification is provided under the expedited process under paragraph (1)(B); and

(B) by not later than 1 year after the date of enactment of this Act for each qualified investment program certified under paragraph (3).
(5) Equitable Allocation of Funds.—In distributing amounts under paragraph (4), the President, in consultation with the Board, shall collaborate with the head of each administering agency to ensure that—

(A) of the total amount of public support provided under this Act for qualified investment programs under the jurisdiction of the administering agency, not less than 50 percent shall be invested in impacted communities in a meaningful and measurable manner, subject to the condition that the public support shall be distributed—

(i) proportionately, and with priority given to communities that have been disenfranchised from generational wealth—

(I) to repair past harm; and

(II) to advance equity; and

(ii) based on a mandatory equity assessment—

(I) to identify potential disproportionate impacts; and

(II) to support more equitable outcomes of—

(aa) investments; and
(bb) programs, plans, regulations, and operational decisions;

(B) the public support provided to the administering agency under this Act shall be equitably distributed across all States, based on population size and poverty level, subject to the condition that the shares of funding for each of the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and any other territory or possession of the United States shall be—

(i) not less than proportional to the population of that jurisdiction; and

(ii) responsive to the unique and specific challenges faced by the residents of those jurisdictions; and

(C) Tribal, State, and local units of government shall be adequately funded to develop, administer, service, support, and monitor qualified investment programs, as applicable, to ensure that no unfunded mandate is imposed on those governments.

(d) CRITERIA.—

(1) ESTABLISHMENT.—The President shall establish such criteria as the President determines to
be appropriate, in accordance with paragraphs (2) through (4) and taking into consideration the proposed criteria developed by the Board under section 4(c)(1), for—

(A) the precertification of existing Federal spending programs under subsection (c)(1)(A)(ii); and

(B) the certification of new Federal spending programs and existing Federal spending programs that receive precertification under subsection (c)(1)(A)(ii) as qualified investment programs under subsection (c)(3), if the Federal spending programs—

(i) are consistent with the policy goals described in section 2(b); and

(ii) achieve compliance with, as applicable—

(I) the investment requirements described in paragraph (2);

(II) the high-road labor, equity, and environmental conditions described in paragraph (3); and

(III) the prohibitions described in paragraph (4).
(2) INVESTMENT REQUIREMENTS.—To be eligible for certification as a qualified investment program under subsection (c), a Federal spending program shall invest in 1 or more of the following:

(A) INFRASTRUCTURE.—Upgrades to inadequate infrastructure and infrastructure operations to expand access to—

(i) pollution-free, renewable, and affordable energy, including wind and solar energy;

(ii) transportation;

(iii) high-speed broadband internet; or

(iv) drinking water and wastewater, particularly for public systems.

(B) SOCIAL INFRASTRUCTURE.—Support of care workers and social infrastructure, by—

(i) rebuilding vital public services;

(ii) strengthening social infrastructure to address, mitigate, and adapt to crises; or

(iii) expanding the low-carbon public health care infrastructure of the United States, including through investment in—

(I) hospitals;

(II) public or Tribal schools;
(III) child care;
(IV) home care or elder care;
(V) mental health care;
(VI) care workers;
(VII) expanding access to quality, secure, affordable health care and homes; or
(VIII) increasing jobs, employment protection, wages, and benefits for historically underpaid, unpaid, and undervalued care workers.

(C) HOUSING.—Expanded access to housing, without displacing existing residents or community-serving entities, by—

(i) investing in housing by modernizing and retrofitting homes, schools, offices, industrial buildings, and apartment buildings, including tenant-owned and community-owned properties—

(I) to decrease pollution; and

(II) to maintain affordability by decreasing costs to low-income communities and Indigenous communities;
(ii) ensuring an increase in accessible units for individuals with disabilities and chronic illnesses; or

(iii) mitigating and adapting to extreme weather impacts.

(D) ECOSYSTEMS.—Supporting ecosystems, by—

(i) protecting and restoring biodiversity or natural habitat, including wetlands, forests, prairies, deserts, aquifers, groundwater, public land, and Indian land;

(ii) remediating pollution in impacted communities, including—

(I) Superfund sites on the National Priorities List developed by the President in accordance with section 105(a)(8)(B) of that Act (42 U.S.C. 9605(a)(8)(B));

(II) brownfield sites (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)); and

(III) abandoned fossil fuel infrastructure; or
(iii) ensuring sustainable resource use.

(E) AGRICULTURE.—Supporting agriculture, by—

(i) creating opportunities for family, Indigenous, and Black farmers and ranchers, rural communities, and urban agriculture, including by disentangling the hyperconsolidated food supply chain;

(ii) supporting agroecology;

(iii) supporting regenerative agriculture; or

(iv) investing in local and regional food systems that support farmers, agricultural workers, healthy soil, and climate resilience.

(F) INDUSTRY.—Developing and transforming the industrial base of the United States, while creating high-skill, high-wage manufacturing jobs and nonextractive, nature-based jobs and opportunities for locally and Tribally owned businesses throughout the United States, including by—

(i) expanding manufacturing of clean technologies;

(ii) reducing industrial pollution; and
(iii) prioritizing domestic production
for an investment described in clause (i) or (ii).

(3) HIGH-ROAD LABOR, EQUITY, AND ENVIRONMENTAL CONDITIONS.—

(A) CONDITIONS.—To be eligible for certification as a qualified investment program under subsection (c), a Federal spending program shall achieve compliance with, as applicable, the following high-road labor, equity, and environmental conditions:

(i) EMPOWERING WORKERS AGAINST INEQUALITY.—Increase the power of workers to oppose inequality by—

(I) ensuring that no investment made under the Federal spending program degrades the quality of jobs or obstructs the right of workers—

(aa) to form or join a labor organization;

(bb) to bargain collectively over terms and conditions of employment; or
(cc) to engage in other concerted activities for mutual aid or protection;

(II) creating quality jobs that provide—

(aa) family-sustaining job benefits and wages equal to not less than the greater of—

(AA) $15 per hour; and

(BB) the prevailing wage for jobs of a similar nature;

(bb) the right of workers to form or join a labor organization and engage in collective bargaining, free of harassment and intimidation;

(cc) child care support;

(dd) not fewer than 84 days per calendar year of paid family leave;

(ee) not fewer than 14 days per calendar year of paid sick leave;
(ff) not fewer than 14 days per calendar year of paid vacation;

(gg) robust worker safety standards; and

(hh) the right of workers to not be disciplined or discharged except for just cause;

(III) including all affected care workers and agricultural workers in worker protections and investments under the Federal spending program;

(IV) advancing principles and policies that ensure or support—

(aa) more effective and timely remedies in cases in which employers interfere with the rights of workers;

(bb) expanded freedom for workers to organize without employer interference;

(cc) requiring employers to submit to interest arbitration for purposes of establishing an initial collective bargaining agreement
following the initial certification or recognition of a collective bargaining representative in any case in which, after a reasonable period, collective bargaining fails to produce an initial collective bargaining agreement;

(dd) allowing collective bargaining agreements covering private-sector workers to include agency shop agreements, subject to the condition that those agreements shall be valid and enforceable, notwithstanding—

(AA) section 14(b) of the National Labor Relations Act (29 U.S.C. 164(b)); or

(BB) any applicable State or territorial law;

(ee) protecting strikes and other concerted worker activities, including by prohibiting permanent replacement of striking workers; and
(ff) expansion of organizing and bargaining rights for workers;

(V) with respect to the engagement of employers by the Federal spending program—

(aa) avoiding the use of any employer that—

(AA) misclassifies employees as independent contractors; or

(BB) seeks to use a corporate structure to hinder collective bargaining on a companywide, regional, or national basis; and

(bb) giving preference to the use of any employer that recognizes, and agrees to collectively bargain with, any labor organization that obtains written authorization from a majority of employees in any appropriate bargaining unit stating that the em-
ployees wish to be represented by the labor organization;

(VI) using project labor agreements or community workforce agreements, where appropriate;

(VII) supporting domestic job creation by applying and fortifying domestic content standards, such as the standards under chapter 83 of title 41, United States Code (formerly known as the “Buy American Act”), including among contractors and subcontractors of a primary employer;

(VIII) creating pathways of opportunity, particularly for priority groups described in subparagraph (B), including by supporting—

(aa) community benefits agreements;

(bb) local hire standards;

(icc) high-road training partnerships; and

(dd) access to registered apprenticeship and preapprenticeship programs in
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communities of all sizes across
the United States; and

(IX) where appropriate, using the
rescission of a contract under the
Federal spending program as an en-
forcement mechanism in any case in
which an employer engaged by the
Federal spending program has vio-
lated—

(aa) a provision of an appli-
cable contract; or

(bb) a Federal labor or em-
ployment law (including regula-
tions).

(ii) **Historically Underserved

And Impacted Communities.**—Invest in
historically underserved communities and
impacted communities, to increase the
power of those communities and counteract
racial, ethnic, gender, and other social and
economic injustices by—

(I) ensuring no investment made
under the Federal spending pro-
gram—
(aa) damages such a community; or

(bb) reduces the ability of residents, businesses, and institutions of the community to live and operate with equity and dignity;

(II) ensuring that those communities have—

(aa) the ability to democratically plan, implement, and administer projects under the Federal spending program, where applicable, including through partnership with, and oversight by, community residents, scholars, and community-based organizations; and

(bb) meaningful involvement in the implementation and governance of proposed activities under the Federal spending program;

(III) including a mandatory equity assessment to identify potential
disproportionate impacts and support more-equitable outcomes of investments, programs, plans, regulations, and operational decisions;

(IV) addressing historic discriminatory practices in hiring, investment, and procurement by prioritizing local and equitable hiring and contracting that creates opportunities for priority groups described in subparagraph (B), including a requirement to hire and contract with members of those priority groups at a rate that is not less than twice the average rate reflected in the industry standard of that hiring;

(V) including specific fair hire provisions, including those similar to “Ban the Box” provisions, that support traditionally marginalized workers;

(VI) increasing equitable public education opportunities by including career and technical education pathways that prepare youth (especially
youth who are members of historically marginalized communities or impacted communities) for high-quality jobs, including access to quality workforce training and registered apprenticeships;

(VII)(aa) ensuring that any investment made under the Federal spending program to upgrade a building does not displace any existing resident or community-serving entity occupying the building; and

(bb) investing in the creation of new low- or zero-emission public housing and affordable housing, including through community land trusts;

(VIII) centering and uplifting historically underserved communities, impacted communities, and workers located in rural areas, including by developing provisions—

(aa) to improve the status of impacted agricultural producers and workers; and
(bb) for Federal spending programs carried out by the Department of Agriculture, to end the systematic mistreatment of those producers and workers by the Department;

(IX) directing funds to support, create, and provide debt relief, where appropriate, to community-owned and operated organizations, including—

(aa) electric cooperatives;

(bb) worker-owned cooperatives engaging in sustainability initiatives;

(cc) community land trusts;

and

(dd) publicly owned or community-owned entities, including—

(AA) not-for-profit public power utilities;

(BB) not-for-profit public water utilities; and

(CC) tribally owned or operated utilities; and

(X) directing funds to support and diversify local economies and create opportunities for entrepreneurship.

(iii) **INDIAN TRIBES AND INDIGENOUS COMMUNITIES.**—Heal and reinforce the nation-to-nation relationship between the United States and Indian Tribes by—

(I) carrying out the responsibilities of the administering agency described in section 6(b);

(II) preserving and protecting sacred and cultural sites of significance to Indian Tribes and Indigenous communities in carrying out the Federal spending program;

(III) providing significantly expanded funding to Indian Tribes and Indigenous communities for recovery and relief with respect to establishing sustainable economies and jobs based on the principle known as “Indigenous Just Transition”;
(IV) prioritizing investments in Tribal and local community-based projects that contribute to—

(aa) improved infrastructure, health care, clean water, and sanitation;

(bb) food sovereignty and agroecological farming;

(ce) housing, with significantly expanded investments in local and community-based housing; and

(dd) renewable energy;

(V) providing equitable funding for environmental and ecosystems management, clean-up, and remediation of contaminated and hazardous sites on and near Indian land, including Federal and State land located near Indian land or Indigenous communities;

(VI) addressing Tribal housing needs by—

(aa) significantly expanding funding to meet housing and
community development needs on Indian land, including needs relating to health, water, and sanitation;

(bb) advancing the goals of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(cc) allowing for innovative and alternative community-based housing programs based on traditional Indigenous design, the use of local natural materials, and localized training and employment;

and

(VII) adequately and equitably addressing violence against Indigenous women, Indigenous trans women and femmes, and Indigenous children, in a manner that is inclusive of the inherent authority of Indian Tribes with respect to that violence.
(iv) **ENVIRONMENTAL JUSTICE.**—

Combat environmental injustice and ensure healthy lives for all individuals by—

(I) promoting and including meaningful involvement by impacted communities, particularly the most vulnerable environmental justice communities, in the implementation and governance of proposed programs and expenditures in a manner that aligns and is consistent with the principles entitled “Jemez Principles for Democratic Organizing” and dated December 1996;

(II) holding polluting corporations accountable by establishing penalties and liabilities for historic, persistent, and concentrated pollution in environmental justice communities in a manner that ensures that the costs of those penalties and liabilities are not passed through to ratepayers, consumers, or workers;

(III) prioritizing investment in remediation of polluted sites located
in environmental justice communities, including—

(aa) Superfund sites on the National Priorities List developed by the President in accordance with section 105(a)(8)(B) of that Act (42 U.S.C. 9605(a)(8)(B));

(bb) brownfield sites (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601));

(cc) abandoned mines and factories; and

(dd) retired fossil fuel, defense, and nuclear energy sites;

(IV) reducing toxic pollution at the source and fortifying the regulation and accounting of the cumulative health impacts of toxic pollution;

(V) developing provisions to increase equitable access to public health resources in historically underserved communities (including rural
communities) and impacted communities; and

(VI) recognizing the disproportionate burden of health impacts in historically underserved communities (including rural communities) and impacted communities and the historic disinvestment in public health resources, including public hospitals, mental health services, care worker services, and other facilities and services in those communities.

(v) Climate and Environment.—

Avert additional climate and environmental catastrophe by—

(I) ensuring that the Federal spending program supports the emissions reductions necessary—

(aa) to maintain an increase in global temperature due to global warming of less than 1.5 degrees Celsius; and

(bb) to achieve the targets described in subsection (b);
(II) ensuring that the Federal spending program will not expand—

(aa) the extraction, processing, or use of fossil fuels or uranium at any level of the supply chain;

(bb) the use of emissions offsets;

(cc) geoengineering; or

(dd) the use of any other energy source that would not pass the environmental justice screening described in subsection (c)(3)(B);

(III) investing in—

(aa) the protection of ecosystems and biodiversity; and

(bb) the sustainable use of natural resources;

(IV) requiring the use of climate-resilient designs for infrastructure and low-emissions operations, as applicable;

(V) requiring that materials shall be produced with high standards for
environmental sustainability, including—

(aa) technologically feasible limits on embodied greenhouse gas emissions;

(bb) restrictions on toxic pollution; and

(cc) requirements for sustainable resource use and the protection of ecosystems and biodiversity;

(VI) requiring that materials and appliances meet high environmental performance standards, including standards relating to energy efficiency and climate resilience;

(VII) ensuring that environmental standards apply across the international supply chain; and

(VIII) supporting public and community-based services and actions for increased mitigation of, and adaptation to, the impacts of climate change, particularly in communities vulnerable to climate impacts, includ-
ing flooding, storms, fires, sea-level rise, extreme heat or cold, and other impacts.

(vi) FAIRNESS DURING ECONOMIC TRANSITION.—Ensure fairness for workers and communities affected by economic transitions by directing funding and support—

(I) to displaced workers, including by providing—

(aa) wage and benefit replacement for a period of not less than 5 years;

(bb) housing assistance;

(cc) fully funded pensions;

(dd) support for crisis, trauma, and early retirement;

(ee) skills training;

(ff) education; and

(gg) equitable job placement;

(II) to cover local budget shortfalls due to the closure of facilities or a decline in economic activity;

(III) to economic development and diversification in communities af-
affected by economic transitions, including to address historic injustices, as determined by community- and worker-led planning processes;

(IV) to ensure adequate physical and social infrastructure and services in economically transitioning communities, including—

(aa) public health services;

(bb) social services;

(cc) child care and dependent adult care; and

(dd) broadband internet investment; and

(V) to the reorganization, conversion, reclamation, and remediation of closed and abandoned facilities and sites.

(vii) PUBLIC INSTITUTIONS.—Reinvest in public institutions that enable all communities and workers to thrive by—

(I) preventing privatization of—

(aa) any public land, water, or natural resource; or
(bb) existing public sector jobs;

(II) prioritizing public educational institutions as centers of innovation and pathways to green collar jobs through investments in vocational and technical education in public schools, trade schools, and community colleges that connect to labor organization apprenticeship and other high-road jobs;

(III) directing funding to support and expand public health care systems, public education, and other public services at the State and local levels to address the health, environmental, and socioeconomic impacts of climate crises, especially in impacted communities, including by supporting—

(aa) climate mitigation efforts and resilience; and

(bb) access to nature; and

(IV) directing funding to institutional reforms that reorganize the
process of Federal decisionmaking regarding the allocation of funds to make government investments more coordinated, effective, accountable to impacted communities, and appropriate to respond to the full scale of the major challenges expected to occur during the period of calendar years 2022 through 2032.

(viii) THRIVE resolution.—Compliance with, as applicable—

(I) the labor, equity, and environmental provisions described in Senate Resolution 43, 117th Congress, introduced on February 8, 2021; and

(II) such additional, specific labor, equity, and environmental conditions as are required to make the resolution described in subclause (I) operable, as determined by the President, based on the advice of the Board under section 4(c)(1)(B).

(B) PRIORITY GROUPS.—A priority group referred to in subparagraph (A) is any group comprised of low-income and low-wealth individ-
uals, subject to the condition that highest priority shall be given to a group comprised of low-income and low-wealth individuals who have been excluded from economic opportunities, including individuals who are—

(i) members of impacted communities;

(ii) members of any other groups that have historically experienced discrimination on the basis of race, gender, national origin, or ethnicity (including Black, Indigenous, Latinx, Arab, Asian, and Pacific Islander communities);

(iii) immigrants to the United States (regardless of immigration status);

(iv) formerly incarcerated individuals;

(v) women;

(vi) LGBTQIAP+ individuals;

(vii) individuals with disabilities or chronic illness;

(viii) young or elderly;

(ix) young adults exiting the foster care system; and

(x) unhoused individuals.
(4) Prohibitions.—To be eligible for certification as a qualified investment program under subsection (c), a Federal spending program shall not—

(A) exacerbate any racial, Indigenous, gender, or income disparity;

(B) privatize any public infrastructure, service, land, water, or natural resource;

(C) violate human rights;

(D) destroy any ecosystem;

(E) decrease labor organization density or membership;

(F) in any investment made under the Federal spending program to upgrade a building, displace any resident or community-serving entity occupying the building; or

(G) invest or participate in the use of emissions offset or geoengineering programs.

(e) Monitoring.—

(1) In general.—The President, in consultation with the Board, shall monitor qualified investment programs that receive public support under this section to ensure that each qualified investment program—

(A) contributes to the policy goals described in section 2(b); and
(B) continues to achieve compliance with all applicable high-road labor, equity, and environmental conditions under subsection (d)(3).

(2) REVOCATION.—The President shall revoke any public support provided under this section for a qualified investment program if the President determines that the qualified investment program—

(A) fails to achieve compliance with subparagraph (A) or (B) of paragraph (1); or

(B) displaces workers or depresses wages or benefits due to increased costs associated with participating in the public support program under this section.

SECTION 6. TRIBAL SOVEREIGNTY.

(a) RECOGNITION.—Congress recognizes that—

(1) the authority, obligations, and fiduciary trust responsibilities of United States to provide programs and services to Indians Tribes and individual Indians have been established in—

(A) Acts of Congress;

(B) treaties; and

(C) jurisprudence; and

(2) the United States and Indian Tribes have a unique legal and political relationship.
(b) Responsibilities of Administering Agencies.—The head of each administering agency shall, in any relevant agency actions—

(1) establish, by regulation, a special initiative that reflects and supports the relationship between the United States and Indian Tribes described in subsection (a)(2);

(2) confirm that each Indian Tribe may exercise full and inherent civil regulatory and adjudicatory authority over all land and resources within the exterior boundaries of the reservation or other land subject to the jurisdiction of the Indian Tribe;

(3) establish, by regulation, standards and procedural requirements—

(A) to secure free, prior, and informed consent of Indian Tribes—

(i) to agency actions that affect Indian land, water, livelihoods, and culture (including off-reservation treaty-reserved rights to hunting, fishing, gathering, and protection of, and access to, sacred sites); and

(ii) on an ongoing basis, to any measure or other action carried out by the administering agency under this Act; and
(B) to include consideration of the tangible and intangible cultural heritage, intellectual property, and traditional Indigenous knowledge of Indian Tribes and Indigenous communities in agency actions and programs;

(4) take into consideration the provisions and standards contained in the United Nations Declaration on the Rights of Indigenous Peoples, dated September 13, 2007, without qualification;

(5)(A) strengthen and support Tribal sovereignty by ensuring that all treaties and agreements with Indian Tribes and members of Indian Tribes and Indigenous communities are observed and respected in their entirety; and

(B) protect and enforce that sovereignty by taking effective measures to extend the fiduciary trust responsibilities of the United States to Indian Tribes to—

(i) environmental, socioeconomic, health, education, and agricultural issues; and

(ii) trade issues between and among Indigenous communities, the United States, Canada, and Mexico; and

(6) ensure that the standards, processes, and criteria for qualified investment programs of the ad-
ministering agency, and the allocation of funds under those qualified investment programs, shall incur obligations relating to a mandatory set-aside of investments and funding for Indian Tribes and Indigenous communities.

SEC. 7. AGENCY ENFORCEMENT; GAO REPORT.

(a) AGENCY ENFORCEMENT.—Not later than 2 years after the date on which public support is initially provided to an administering agency under this Act, the head of the administering agency shall promulgate regulations, in consultation with the Board, to ensure that each qualified investment program of the administering agency achieves compliance with applicable high-road labor, equity, and environmental conditions, in accordance with existing authorities, by—

(1) including in any contract with an implementing entity those high-road labor, equity, and environmental conditions;

(2) ensuring that public implementing entities receive funding to adequately ensure compliance with applicable implementation, monitoring, compliance, and enforcement requirements in a manner that avoids establishing any unfunded mandate for a Tribal, State, or local government agency;
(3) certifying, on an annual basis, that all implementing entities throughout the supply chain that benefit from support under the qualified investment program achieve compliance with all applicable high-road labor, equity, and environmental conditions;

(4) issuing a warning and directives for corrective action relating to instances of noncompliance with applicable high-road labor, equity, and environmental conditions;

(5) establishing a process for implementing entities to appeal the classification of an action as noncompliant with an applicable high-road labor, equity, or environmental condition; and

(6) revoking public support from any implementing entity that fails to rectify an instance of noncompliance with a high-road labor, equity, or environmental condition, as applicable—

(A) for a major instance of noncompliance, by the date that is 60 days after the date of receipt of a warning relating to that instance under paragraph (4); or

(B) for a minor instance of noncompliance, by such deadline as the head of the administering agency, in consultation with the Board, may establish.
(b) GAO REPORT.—Not less frequently than once every 3 years, the Comptroller General of the United States shall prepare and publish a report assessing—

(1) the degree of compliance by implementing entities with high-road labor, equity, and environmental conditions; and

(2) the relative efficacy of enforcement by administering agencies of those high-road labor, equity, and environmental conditions.