

117TH CONGRESS  
1ST SESSION

# H. R. 4166

To direct the Secretary of Housing and Urban Development to establish a grant program for planting of qualifying trees in eligible areas, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2021

Mrs. WATSON COLEMAN (for herself, Ms. BARRAGÁN, Mr. BLUMENAUER, Mr. BOWMAN, Ms. BUSH, Mr. CARSON, Ms. CHU, Ms. CLARKE of New York, Mr. CLEAVER, Mr. COHEN, Mr. EVANS, Mrs. HAYES, Mr. HUFFMAN, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. JONES, Ms. KAPTUR, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LOWENTHAL, Ms. MATSUI, Ms. MENG, Ms. NEWMAN, Ms. NORTON, Ms. OCASIO-CORTEZ, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Mr. SIRES, Mr. SOTO, Ms. STRICKLAND, Mr. SUOZZI, Ms. TLAIB, Ms. VELÁZQUEZ, Ms. WILLIAMS of Georgia, Ms. WILSON of Florida, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To direct the Secretary of Housing and Urban Development to establish a grant program for planting of qualifying trees in eligible areas, 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 “Saving Hazardous And  
5 Declining Environments Act” or the “SHADE Act”.

1 **SEC. 2. TREE PLANTING GRANT PROGRAM.**

2 (a) ESTABLISHMENT.—The Secretary of Housing  
3 and Urban Development, in coordination with the Sec-  
4 retary of Agriculture, acting through the Chief of the For-  
5 est Service, shall establish a grant program under which  
6 the Secretary shall award grants to eligible entities to  
7 plant qualifying trees in eligible areas.

8 (b) APPLICATIONS.—

9 (1) IN GENERAL.—An eligible entity that seeks  
10 to receive a grant under subsection (a) shall submit  
11 an application to the Secretary at such time, in such  
12 form, and containing such information as the Sec-  
13 retary may require.

14 (2) CONTENTS.—An application submitted  
15 under paragraph (1) shall include a 5-year timeline  
16 and budget for the planting and maintenance associ-  
17 ated with any qualifying trees awarded.

18 (3) COMMUNITY INVOLVEMENT.—The Secretary  
19 shall require eligible entities to develop a public par-  
20 ticipation plan to ensure that residents of the area  
21 in which a project is to be implemented are involved  
22 in decision-making about the project and such public  
23 participation plan may include—

24 (A) opportunities for local non-profits to be  
25 involved;

26 (B) opportunities for public input; and

1 (C) demonstrated support from the com-  
2 munity.

3 (c) SELECTION.—

4 (1) IN GENERAL.—The Secretary shall deter-  
5 mine which eligible entities shall receive a grant  
6 under this section.

7 (2) PRIORITY.—When awarding grants under  
8 subsection (a), the Secretary shall give priority to el-  
9 igible entities that, as determined by the Secretary,  
10 have or are likely to develop a housing policy plan  
11 designed to avoid the displacement of current resi-  
12 dents, including a plan for new housing development  
13 or a plan for increasing property value in the eligible  
14 area.

15 (d) USE OF AMOUNTS.—An eligible entity that re-  
16 ceives a grant under subsection (a) shall use amounts pro-  
17 vided to cover costs associated with—

18 (1) implementing the tree planting project in an  
19 eligible area, including—

20 (A) planning and designing the planting  
21 activity;

22 (B) purchasing qualifying trees; and

23 (C) preparing the site and conducting  
24 planting, including the labor and cost associated  
25 with the use of machinery;

1           (2) maintaining and monitoring planted trees  
2           for a period of up to 5 years to ensure successful es-  
3           tablishment of the qualifying trees;

4           (3) training activities associated with the  
5           project; and

6           (4) other relevant costs, as determined by the  
7           Secretary.

8           (e) AUTHORIZATION OF APPROPRIATIONS.—There  
9           are authorized to be appropriated to carry out the Pro-  
10          gram \$50,000,000 for each of fiscal years 2022 through  
11          2032.

12          (f) DEFINITIONS.—In this section:

13               (1) ELIGIBLE ENTITY.—The term “eligible enti-  
14               ty” means—

15                       (A) a State, Territory, or Tribal agency;

16                       (B) a local government entity;

17                       (C) an Indian Tribe; and

18                       (D) a nonprofit organization.

19               (2) ELIGIBLE AREAS.—The term “eligible area”  
20               means a redlined area or an overburdened area.

21               (3) LIMITED ENGLISH PROFICIENCY HOUSE-  
22               HOLD.—The term “limited English proficiency  
23               household” means that a household does not have an  
24               adult that speaks English “very well” as determined  
25               by the United States Census Bureau.

1           (4) INDIAN TRIBE.—The term “Indian Tribe”  
2       has the meaning given the term “Indian tribe” in  
3       section 4 of the Indian Self-Determination and Edu-  
4       cation Assistance Act (25 U.S.C. 5304).

5           (5) LOCAL GOVERNMENTAL ENTITY.—The term  
6       “local governmental entity” means any municipal  
7       government or county government with jurisdiction  
8       over local land use decisions.

9           (6) OVERBURDENED AREA.—The term “over-  
10      burdened area” means, as determined by the Sec-  
11     retary, an area where—

12                (A) 35 percent or more of households qual-  
13      ify as low-income households;

14                (B) 40 percent or more of residents iden-  
15      tify as a minority or as members of a State-rec-  
16      ognized tribal community; or

17                (C) 40 percent or more of households are  
18      limited English proficiency households.

19           (7) NONPROFIT ORGANIZATION.—The term  
20      “nonprofit organization” means an organization  
21      that—

22                (A) is described in section 170(h)(3) of the  
23      Internal Revenue Code of 1986; and

1 (B) operates in accordance with one or  
2 more of the purposes described in section  
3 170(h)(4)(A) of that Code.

4 (8) QUALIFYING TREE.—The term qualifying  
5 tree means a tree that—

6 (A) is a species that is not an invasive spe-  
7 cies in the eligible area in which such tree is to  
8 be planted; and

9 (B) is not a species that is, in the eligible  
10 area at the time of planting, being attacked by  
11 an invasive species, unless the eligible entity has  
12 a plan to limit the risk of death of the tree to  
13 be planted.

14 (9) REDLINED AREA.—The term “redlined  
15 area” means, as determined by the Secretary—

16 (A) a census tract graded as “hazardous”  
17 or “definitely declining” in maps drawn by the  
18 Home Owners’ Loan Corporation that are, as of  
19 the date of enactment of this Act, low-income  
20 communities; and

21 (B) a census tract that was designated for  
22 non-White citizens in jurisdictions that histori-  
23 cally had racially segregated zoning codes and  
24 are, as of the date of enactment of this Act,  
25 low-income communities.

1           (10) SECRETARY.—The term “Secretary”  
2       means the Secretary of Housing and Urban Develop-  
3       ment.

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