

U.S. Department of Transportation

# **FINAL REPORT & RECOMMENDATIONS**

————— **Advisory Committee on Transportation Equity** —————



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# Letter to the Secretary

June 28, 2024

**The Honorable Pete Buttigieg  
Secretary of Transportation  
United States Department of Transportation (USDOT)  
1200 New Jersey Avenue SE  
Washington, DC 20590**

Dear Secretary Buttigieg:

Thank you for the opportunity to render further service to our country through your appointment of the Advisory Committee on Transportation Equity (ACTE).<sup>1</sup> Since our first meeting in August of 2023, we have worked apace to meet the June 2024 Final Report deadline. We are pleased to issue the Final Report today, which includes the interim recommendations we provided in February (Appendix A) and a set of thirty new recommendations.

The ACTE [charter](#) contains a mandate to provide “independent advice and recommendations to the Secretary of Transportation about comprehensive, interdisciplinary issues related to civil rights and transportation equity in the planning, design, research, policy, and advocacy contexts from a variety of transportation equity practitioners and community leaders.”<sup>2</sup> Pursuant to the charter, we have endeavored to deliver a comprehensive set of proposals that will give our country and its people the best chance of improving trust, project delivery, system performance and general welfare, now and over the long-term. In assembling these recommendations, we have relied not only on the wisdom of Committee members but also of the public at-large through a series of five convenings across America. They included: one at large convening in Durham, North Carolina in November 2023, and four topical subcommittee public engagement convenings –held by the ACTE’s four subcommittees -Expanding Access, Interventions, Power of Community, and Wealth Creation – in March 2024. Additionally, the full Committee met six times and more than thirty subcommittee meetings have been held since September 2023.

At this time, we recognize the phrase “transportation equity” itself conjures many meanings across the political spectrum. We are not blind to the debates happening in America about history, diversity, equity, inclusion, and accessibility, and even deeper questions about the nature of civil rights and appropriate remedies for past injuries. As we approach the 60<sup>th</sup> anniversary of the signing of the Civil Rights Act of 1964, however, we hope that the content of this report can be discussed and even debated with a modicum of the civility and passion with which our Committee has done its work. If so, a good service will have been done for our country. We have attempted, to the degree that time and bandwidth have enabled us, to put this subject matter into its proper context. At many turns, America has seized opportunities to move our people faster, more safely, and through newly available means – from the Steamboat engine to the Transcontinental Railroad, to the automobile and airplane, and even newer such technologies now being introduced. The government

facilitated adoption by constructing facilities, creating operator licensing systems, levying fees and taxes to pay for new and better throughways. These motivations, it should be said, were ambitious, and indeed, noble. But, in too many cases, the underlying culture and the mindset of the decision-makers allowed our systems to be used as tools to further ongoing efforts to divide the American people from each other and to choose winners and losers based on a nonsensical pecking order, sometimes based on class, race, nationality, physical disabilities or some other such characteristic.

There is a way forward. Within this submission, we offer many possible improvements in process, policy, and practice, and share with gratitude the ways that USDOT has begun to implement our initial recommendations. But it must be said that no amount of stagecraft will overcome the intentions of the people involved in decision-making at every level. For that reason, it is imperative that this issue – and many adjacent subjects – rise into an area of national morality and urgency.

To establish context, we have included a Background Section that provides a brief primer on the evolution of the Interstate Highway System. The selection of the highway system is somewhat arbitrary and should not be taken as the sole transportation mode giving rise to the topic of transportation equity. No mode of transportation, in fact, neither aviation, nor maritime, nor transit, nor rail, nor motorcoaches, should be exempt from thorough examination. Simply put, within the time available, highways were the most accessible mode of transportation to research. Additionally, we tried to write the Background Section, in particular, in plain English, given the many diverse audiences who may take an interest in this Report, now and over time.

After the Background Section, we share a series of Cross-Cutting recommendations followed by five sets of recommendations that correspond to the Equity Action Plan pillars established by the Department itself, including Expanding Access, Interventions, Power of Community, Wealth Creation, and finally, Institutionalizing Equity. In all, we present 30 recommendations for consideration, some of which can be implemented administratively, others which require Congressional, state or local action to accomplish.

One final word, we would be remiss in failing to mention the many members of the USDOT staff in the Office of Civil Rights, led by Director Irene Marion, and the Office of Transportation Policy, led by Carlos Monje (previously) and now Acting Undersecretary Christopher Coes. They supported so much of this work. We also extend our thanks to you, Mr. Secretary, particularly for your willingness to relaunch the ACTE, permitting us to make connections to as well as build on the progress that began in 2016.<sup>3</sup> Finally, we offer our thanks to President Joseph Biden for making this subject a focus of your work and for including our voices as part of it.

Sincerely,  
Anthony R. Foxx and Stephanie Gidigbi-Jenkins

# Executive Summary

## I. Background

Using the highway system as an example of the challenges inherent in all modes with respect to transportation equity, the report opens with a section entitled, “Background: The Long and Painful Road to the American Highway” The section traces the early history of the highway system and details how the mid-century goals of many planners and engineers— to relieve traffic congestion and urban blight— resulted in interstate highway system development becoming inextricably intertwined with urban renewal. At the same time, federal housing policy provided the federal government with broader powers of eminent domain, and that, taking place in the post-World War II era where there was a heavy emphasis on reclaiming and repurposing urban tracts and relocating white GIs and their families from urban areas to ring suburbs, created a perfect storm which resulted in a significant number of urban, poor and primarily minority or immigrant neighborhoods being razed or divided as states and cities decided where to locate interstate highways, and local arteries. The section provides several case studies to illuminate key aspects of federal and state actors’ priorities during this time period.

Despite the desire of states and localities to reclaim so-called “blighted” urban areas, no concerted or consistent efforts were put forth to reimburse the disproportionately minority and immigrant communities that were being displaced by such efforts. Ten years elapsed between the passage of the initial federal laws that provided highway funding to states —[The Federal Aid Highway Acts of 1952 and 1954](#) and [The National Interstate and Defense Highways Act of 1956](#) —and the first mention in federal legislation of relocation expenses [Federal Highways Act of 1962](#). Such payments were not required at that point, however, and while some states provided such funding, many southern states refused to do so. During roughly this same time period—1956-1966—federally funded highway construction was causing the demolition of at least 37,000 homes per year. By 1970, each state was required to have a relocation program, but by this juncture, hundreds of thousands had been displaced while receiving little to nothing in displacement assistance, and frequently receiving less than their property was worth. hundreds of thousands had been displaced while receiving little to nothing in displacement assistance, and frequently receiving less than their property was worth.

In the section’s words, “[o]ver the three decades between the 1962 Federal-Aid Highway Act and 1991’s ISTEA [Intermodal Surface Transportation Efficiency Act] while the federal government deliberately created new authorities and policies to address the harm of urban highways, it also structurally reduced its ability to make an impact on these harms through lower federal cost sharing and less involvement in project decision making and implementation.” The section then describes how, harnessing the funding provided by the Bipartisan Infrastructure Law (BIL) and the American Rescue Plan—both enacted in 2021 —

USDOT was able to build on work that began over a decade earlier with initiatives to cap highways that had divided communities. Additionally, USDOT has revised and strengthened its authority under Title VI of the Civil Rights Act, revamped the Disadvantaged Business Enterprise (DBE) Program, and created and issued grants under the Reconnecting Communities and Neighborhoods Grant Program to enable communities and individuals to have a voice in addressing harms and determining the way path forward.

Among the section's several closing observations is that the federal government should commission a comprehensive fact-finding program with investigation powers and resources in order to resolve lingering questions about the magnitude of harm done to communities that were disproportionately minority, immigrant, poor and/or vulnerable—with respect to a lack of resources to fight the labeling of their communities as blighted, the taking of their property by eminent domain, the undervaluing of that property, and the failure to provide relocation expenses.

## II. Recommendations

These sections synthesize the ACTE's work which included an initial set of recommendations directed to USDOT (see Appendix A), a series of public listening sessions, and with this transmission, a more comprehensive set of 30 policy recommendations directed at every level of the transportation ecosystem.

The recommendations portion of the report is divided into six focus areas (note: some subject areas, including highways and buses, are the subject of recommendations in several locations in the report owing to the priorities of the various ACTE subcommittees):

- **Cross-Cutting recommendations:** a series of broad proposals that call for action by Congress, or other federal agencies in addition to USDOT;
- **[Expanding Access:](#)** USDOT equity pillar concerned with increasing social and economic opportunity for disadvantaged and underserved communities by providing affordable multi-modal transportation options. These recommendations focus on how transportation can make federally funded services (e.g. medical appointments) and geographical regions with unique transportation challenges, (e.g. Alaska) more accessible.
- **[Interventions \(Proactive Intervention, Planning, and Capacity Building\)](#) :** USDOT equity pillar concerned with ensuring that historically overburdened and underserved communities in urban and rural areas benefit from access to a generational investment in the nation's infrastructure through direct, hands-on technical support for transportation projects with local impact. Recommendations focus on the use of best practices, performance indicators and mentorship to make the transportation ecosystem more accessible, accountable and responsive.

- **[Power of Community](#)**: USDOT equity pillar concerned with ensuring that individuals and communities have a greater voice in transportation decisions affecting them. Recommendations primarily focus on strengthening timely community engagement, and improving the focus on equity impacts in the evaluation of transportation projects.
- **[Wealth Creation](#)**: USDOT equity pillar concerned with upgrading skills, growing entrepreneurs, increasing incomes, expanding net asset ownership, and fostering social well-being for underserved communities through direct procurement, infrastructure projects, community wealth building, and industry at large.
- **[Institutionalizing Equity](#)** : new USDOT Equity Action Plan pillar which was launched with the 2023 update to the Plan. Focused on continuously providing resources to embed equity, civil rights, and social justice initiatives into the Department’s decision-making processes—including meaningful public involvement—and ensuring that equity is a core part of USDOT’s mission and culture. Recommendations include how to improve transportation equity in the context of procurement, transit data, and workforce development, outreach and education.

### III. Conclusion

The report ends by summarizing the ACTE’s accomplishments, thanking the many individuals and transportation sector partners that contributed to its success, and with parting reflections from both the ACTE Chair, Anthony Foxx, and ACTE Vice Chair, Stephanie Gidigbi-Jenkins.





**U.S. Department  
of Transportation**

## **Background:**

The Long and Painful Road  
to the American Highway<sup>©</sup>



## **Disclaimer:**

Due to the historical focus of this section, some outdated terminology and racial epithets may be listed as used during that time. These terms do not reflect the views of the USDOT or the ACTE Committee.



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## The Long and Painful Road To The American Highway<sup>®</sup>

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# The Long and Painful Road To The American Highway®

Anthony Foxx<sup>4</sup>

Every day, Americans use the Interstate Highway System. We do so without wondering very much about how it got there. It seems, in a way, obvious that it should exist, and its functionality for personal travel and as a pillar of economic growth is unquestioned. Most of us cannot recall a time when the federal government seriously debated its role in investing in infrastructure. But, in fact, there were such times, before highways, before gas taxes and before the automobile became a marvel of 20<sup>th</sup> century America.

What follows here is a brief description of the forces that led the federal government to assume responsibility for funding roads, a task previously reserved for states, counties and cities. We trace the progression from the earliest modest federal investments in rural roads to the ultimate fulfillment of a coast-to-coast highway network imagined by early highway supporters. This desire began, in fact, with good intentions. Some of the early policy choices, however, such as requiring state governments to establish road-building departments and then establishing states as the primary architects who selected project routes, fostered an imperious culture of highway building. The state, and more specifically, the civil engineer knew better than anyone how to build, where to build and what to build. This culture had been established well before the minds of highway builders turned to urban freeways or the possibility that infrastructure could be a tool to reinforce the racial and socioeconomic divisions already present in America.

This writing is a critique of the soft edges of American transportation: the human beings who convinced themselves and others that they had no other agenda than building the open road, who assumed positions of great authority and established the practices and processes to determine how we move, how much access we have, how we relate to one another and how our communities connect (or not). While many proud transportation professionals believed themselves not to be social engineers, they clearly have been since the beginning. From the earliest days of “getting farmers out of the mud” to routing highways through established black, immigrant and poor communities—civil engineers, planners, civil servants, elected officials, non-profit organizations, business associations and American taxpayers have all contributed to the transportation system we know today, for better or worse. Transportation *is* a field of social engineering. With acceptance of this fact, our society has a better chance to decide what kind of American community we want to build. Perhaps we will strike a better balance between the practical considerations of cost, location and materials and the achievement of a unified American community. To that end, our highways have much to teach us.

## I. The “Good Roads Movement”

It may be surprising to learn that the United States government played a limited role in road building until the early 20<sup>th</sup> century. As the automobile grew in popularity, the task of smoothing city and country roads largely fell to local and state governments.<sup>5</sup> Out in the rural areas, for example, farmers might have joined “road gangs” to improve existing roads in



exchange for a corresponding decrease in their local taxes.<sup>6</sup> As late as 1904, committed labor<sup>7</sup> was the single largest contributor to road building in the U.S.<sup>8</sup>

The federal government ran a relatively small Rural Free Delivery (RFD) program to even out country roads utilized by the U.S. Postal Service. The program ran from 1893 until its funding ended in 1899.<sup>9</sup> The task of managing this program fell to a little-known agency at the U.S. Department of Agriculture (USDA) called the Office of Public Road Inquiry (OPRI), a predecessor to the BPR and the Federal Highway Administration (FHWA) of today.<sup>10</sup> As these rural networks grew, and as cities modernized their facilities, interest grew in connecting these areas. But the complications were obvious.

Most critically, no level of government held the responsibility of filling the gap between rural roads and city roads. Cities and counties self-financed road improvements within their borders. But those investments mostly stopped at the city limits. By the early 1900s, many states adopted fees and taxes to pay for road construction.<sup>11</sup> States developed ever greater experience identifying road needs, hiring and managing road construction companies and maintaining these growing networks. And with the steady growth of new roads and access to automobiles, a rising chorus of advocates emerged to promote what they called “good roads.” By 1912, more than 28 states were developing state highway plans.<sup>12</sup>

Governors, state transportation leaders, road contractors, automobile companies, and others began to organize coalitions to promote good roads. Few of them imagined interconnections between the various states, links between rural and urban commerce centers within states, and a vast catalyst for job creation and economic development across the entire country. Early on, the attention focused on rural communities.

Several questions emerged as these early advocates of the Good Roads Movement pursued federal support. First, by what constitutional authority could Congress support highway construction at all? Cities and states had taken the mantle. Some federal elected officials presumed the national government to have no role at all. Even if the federal government possessed authority to finance roads, what national interest would be served in doing so? True enough, the RFD program eased the burden of delivering U.S. mail to rural communities. But that was considered a special case. Were there any other federal interests to be served? Second, even if such a national interest was seriously agreed upon, where would the funding to pay for new roads come from? At the turn of the 20<sup>th</sup> century, there was no federal income tax and no gasoline tax. Third, what, if any, role would the federal government play in designing and building roads?

## **II. Would the Federal Government Help?**

From the early 20th century, most federal government leaders in Congress and in various administrations believed the task of building and paying for roads belonged to the state and local governments, and with good reason: states, counties, and cities were *already doing it*.<sup>13</sup> But they had limited resources with which to accomplish their rising ambitions. Was there a national interest – and a constitutional basis – for maintaining states and localities as the principal road builders with the financial support of the federal government?

In the 19th century, the federal and state governments largely operated as dual sovereigns, each holding specific powers conferred by the Constitution, sometimes overlapping and sometimes not.<sup>14</sup> Even in the 1800s, the federal government conferred financial support for state priorities, but these grants were extended with virtually no conditions or additional requirements attached.<sup>15</sup>

The dawn of the 20th century brought forward a different concept of federal support – the conditional “grant-in-aid.”<sup>16</sup> In return for federal dollars, the national government now made receipt of certain “grant-in-aid” funds contingent upon states taking certain state actions, including matching federal contributions and, in some cases, creating new state agencies to ensure effective execution.<sup>17</sup> This approach was viewed as a new and complementary tool in the progression of the federal-state relationship and a method of “extend[ing] the administrative reach of Congress without violating the [ ] Constitution.”<sup>18</sup> States were not required to accept grants-in-aid. If they did, however, they were also bound to the conditions mandated by the federal government. As Katherine Johnson suggests, this new model marked a transition from the “dual sovereignty” of the 19th century to a new model of “cooperative federalism.”<sup>19</sup>

The initial federal grant-in-aid program had nothing to do with roads, applying first to “a small program of federal grants of fire management.”<sup>20</sup> In the early 1900s, however, there were no grants-in-aid for state roads. But road advocates took note and organized themselves to advocate for applying this new model to improving rural roads. Between 1910 and 1916, two organizations evolved to bring together the growing but loose confederation of road advocates.

To put things into perspective, in 1900, there were an estimated 8,000 automobiles in the United States—and they were expensive, priced between \$3,000 and \$12,000 (an estimated \$112,000 - \$445,000 in 2024).<sup>21</sup> The volume of automobile production and sales grew significantly over the next several decades. Between 1905 and 1907, Ford Model T production jumped from 1,599 units to 14,887 units.<sup>22</sup> With mass production, prices also dropped, and by 1917, a Model T could be purchased for less than \$600 (an estimated \$14,700 in 2024).<sup>23</sup> The automobile, and the personal freedom associated with it, was reaching more and more American families.

With such growth, one would expect that the demand for paved roads to grow, and it did. But the pace of governmental support for those roads did not – at least initially. “[I]n 1905, only 14 states had highway departments[.]”<sup>24</sup> By 1914, only 28 states had such departments. With a growing need for new and better roads taking center stage, two important groups emerged to persuade Congress to act.

The American Association for Highway Improvement (AAHI), established in 1910, grew out of the USDA, which housed the old RFD program and the OPRI.<sup>25</sup> By 1912, AAHI membership included 22 national organizations and 500 local organizations.<sup>26</sup> With this sprawling membership, AAHI could mobilize political support for its agenda throughout the country to improve postal carrier routes (“post roads”) in rural America. With federal support, much more could be done. Among the membership of AAHI were state highway officials who, in

1914, established themselves into a second organization known as the AASHO as Katherine Johnson explains:

At the December 1914 convention of the USDA-sponsored stakeholder group, the [AAHI], officials representing some twenty state highway programs established a new stakeholder group, the [AASHTO], limiting the membership to themselves. Though largely bystanders in the debate thus far, these state-level officials had major concerns with both bills before Congress that year.<sup>27</sup>

Together AAHI, AASHO, and their constituent members, pressed Congress to pass a dedicated roads bill, intensifying their efforts into 1915 and culminating in the first such measure in 1916. AASHO played an important role by providing technical assistance to Congress on various points, including its insistence that states, not cities or counties, be the proper level of government to route federal road funding.<sup>28</sup> AASHO did not want federal involvement in the planning, designing or project delivery phases. The states could design the system. The states could identify the firms to build it. The states could manage the new system, once it was built. What they needed more than anything was capital. They wanted the federal government to serve as a financial partner.

Though the House bill included a provision for a lump-sum grant to the states, it was structured as a federal aid program for the counties, which (many feared) would increase the already significant influence of local governments over their work. The Senate's plan, by contrast, would impose a new layer of Treasury Department officials over their heads, men more attuned to the bond market than the technical complexities of building a road. The primary aim of the new association, accordingly, was to draft a new highway bill making state highway departments the direct recipients of federal aid. Beyond that common interest, however, they remained far apart. Highway officials from the Northeast strongly favored a cross-country plan, which would complement their new focus on widening and strengthen their major 'trunkline' roads. Highway officials from the Midwest strongly favored the post-road plan, which would help with the more daunting project of building a system from scratch. Prospects for accord significantly worsened when state highway officials from the Northeast took their plan directly to the Senate, urging action before the new Sixty-Fourth Congress took its seat, a move that provoked highway officials from the Midwest to organize their own rival association later that year. Two things, however, drew them back to the bargaining table. First was the widely reported failure of Logan Page at the OPR to develop viable procedures for implementing the post road plan. That failure, reported by the joint committee established to oversee the 1912 demonstration grant, was attributed to the administrative difficulty of working with three thousand separate counties as well as the failure of many state legislatures to provide the requisite authorizing legislation and matching grants. The second condition that restarted negotiations was the new hairsplitting politics in Congress over how much federal aid each state would get. The same report included twenty pages of possible apportionment formulas "for those who are interested in the study of the subject." Whereas the first revelation confirmed a new willingness of Congress to consider a state-led plan, the second suggested a way for state highway officials to resolve their own dispute: though all of the apportionment formulas

considered by Congress shortchanged the Northeast states generally (specifically by redistributing tax revenues collected from their residents to other states), as long as the original apportionment factor—population—was included, their highway programs would actually come out ahead simply because these states had a higher proportion of people living in cities, where their formal jurisdiction stopped.<sup>29</sup>

Federal support soon followed, as Congress passed its first Federal Highway Act. The 1916 Act notably vested control of the development of the highway system with the states, not counties, not cities and, most especially, not the federal government—just as AASHO demanded. The bill set the precedent for larger-scale federal funding by establishing states as the primary recipients of federal-aid highway dollars. Further, as a condition of receiving federal funds, the bill required states to establish dedicated transportation departments to manage the new funds.<sup>30</sup> At the time, only one state – California – had an organized transportation department that fully qualified to receive funds under the new legislation.<sup>31</sup> The new bill catalyzed other states to modify, and in some cases, form new transportation departments, and they did.<sup>32</sup> The bill also established AASHO as unparalleled force in shaping federal transportation policy:

In sharp contrast with other peak associations of the time, [AASHO] not only limited membership to the direct recipients of federal aid—state highway departments—but also organized them into a parallel legislature of the states in this policy realm. This enabled state highway departments to advance their policy recommendations as not just the advice of technical experts but the will of the states—a claim with deep resonance in American political history.<sup>33</sup>

The 1916 bill was hailed, above all else, as a victory for farmers, as the federal funds would be used primarily to address rural roads.<sup>34</sup> It is important to note that, at the time, fifty-four percent (54%) of Americans lived in rural communities.<sup>35</sup> States, armed with new federal funds, could move faster to build rural roads than the independent farmers could under the tax abatement program. States also began to imagine constructing connections between rural communities and urban markets.

The Federal Highway Act of 1916 was followed by successive federal acts in 1921 and a new invention, the federal gas tax, included in the 1928 Act. But the goal of a national network of freeways remained a dream, partly due to unfinished work of paving rural roads, the enormous cost, lingering questions about the federal role and competing national priorities.

It is important to note that the primary motivation of the government at every level seems to have been making way for the growth of automobile traffic, improving ease and convenience of roadway users, fostering greater economic connection between American communities, and lifting American automobile manufacturing as a job creator and source of national pride.

### **III. The Growth of Urban Traffic and Great Depression-Era Blight**

Between the 1916 Act and 1929, federal support for the construction of rural roads had gained wide acceptance. Moreover, the post-World War I economy and the still-growing



popularity of the automobile characterized a long period of economic expansion. This period coincided with unprecedented road construction. “During the two decades after 1921, however, a genuine boom in highway construction occurred; the states alone built more than 420,000 miles of roads between 1921 and 1936.”<sup>36</sup>

Increasingly, the open road came to symbolize a newfound level of personal independence. The car, much as the cell phone and personal computer of the late 20<sup>th</sup> century, represented American ingenuity, economic strength and cultural power.

While federal support largely assisted rural road construction, another problem emerged in this period: urban traffic. With the explosive use of automobiles, nothing had prepared cities for the tsunami of automobile traffic:

Between 1925 and 1929, the number of registered motor vehicles in the United States increased from 20.1 million to 26.7 million, a 30% increase in just 4 years. As automobile congestion rose, it became clear that street geometry and surface street traffic management measures alone would not be enough to smoothly circulate the growing numbers of private vehicles in cities. Thus planners and engineers hit upon a new strategy, which at the time was widely regarded as the permanent solution to metropolitan traffic congestion. Adapting the form of recreational parkways, forward-thinking transportation planners like Lloyd Aldrich, Harland Bartholomew, Miller McClintock, and Robert Whitten began to devise plans for a new type of facility that they argued could cope with the increasing number of autos traveling at higher and higher speeds.<sup>37</sup>

Some road advocates had long dreamed of a cross-country system of highways. But were these long-distance routes intended to reach the city limits of large urban areas or to run through them? Either way, mobilizing support to shift the emphasis of highway planning from rural to urban proved challenging, at times splitting the community of highway advocates apart.

There were two primary challenges with expanding federal policy beyond rural roads. First, states had not yet accomplished their primary objective of connecting rural communities.<sup>38</sup> The federal funding was limited and powered state efforts to ensure the economic viability and physical connectivity of these vital parts of the country. Many road advocacy organizations, including AASHO, steadfastly held to the view that this initial building up of rural communities had not yet been completed. A dollar placed into urban areas meant a dollar taken away from pressing rural priorities.

Yet there was an equally strong second problem: city leaders could not afford to pay for new freeways on their own. Among the casualties of the Great Depression of the late 1920s and 1930s were municipal property tax revenues, which were the primary source of city road construction dollars.<sup>39</sup> Urban areas, then as now, relied heavily upon ad valorem (property) taxes to pay for other critical operations, including police departments, fire departments and schools. While the more rural-focused federal-aid highway program’s gasoline tax proved sturdy enough, city road building revenues were declining.<sup>40</sup> With the use of automobiles

increasing, congestion rising and revenues constrained, cities clamored for a share of the gasoline tax-funded highway dollars.<sup>41</sup>

The rural highway advocates and urban officials increasingly demanded funding from the same federal source. City planners wanted congestion relief within the city and for property taxes to recover by encouraging new development. City officials were less concerned with connections between way points outside the municipal limits.<sup>42</sup> State transportation planners believed they had a mission – to fix rural roads. The traffic problems of the wealthier cities, which had built their own road networks, were less concerning to them. Moreover, state transportation officials were unfamiliar with the urban context. But cities, now desperate for help, urged state legislatures and the federal government to include them in state road programs.<sup>43</sup> However, as the primary funding source to tackle urban congestion eventually shifted from property taxes to state and federal gasoline taxes, city planners were no longer in control. The control of urban freeway building eventually shifted to the states and their engineers.<sup>44</sup> “With state money came state control, and priorities were set by state legislatures. State departments of transportation funded and planned urban highway projects oriented toward rural and intercity transportation.... The tail was wagging the dog; freeways were [eventually] routed into city centers to attract enough traffic to justify constructing an intercity system primarily intended to serve rural areas.”<sup>45</sup>

From the late 1930s into the World War II years of the 1940s, conditions in cities worsened.<sup>46</sup> Even after the war, “urban businessmen and residents continued to flee to the suburbs, leaving behind declining property values, falling retail sales, and an unsightly collection of decaying buildings and unrented space in the cities.”<sup>47</sup> Planners, real estate developers and government officials began to imagine a post-World War II urban scene in which large numbers of the white population would occupy a new ring of suburbs and, with the growth of suburbs, an opportunity would emerge to reclaim the urban landscape. At the peak of the Great Depression, families struggled to remain in their homes and purchasing a new home proved “prohibitively expensive”: “Homeownership remained prohibitively expensive for working- and middle-class families: bank mortgages typically required 50 percent down, interest-only payments, and repayment in full after five to seven years, at which point the borrower would have to refinance or find another bank to issue a new mortgage with similar terms.”<sup>48</sup>

To make it possible for families to afford home loans, the Federal Housing Administration (FHA) was created. But its signature program, an FHA-insured mortgage, included appraisal and underwriting terms making it virtually impossible for black applicants to access its benefits.<sup>49</sup> Consequently, white homebuyers had a way out of the decaying city if the housing shortages of the Great Depression Era could be abated by a combination of higher demand and the loosening of restrictions on building materials imposed by World War II. Over time, who would remain in these urban centers? Largely minority and low-income residents, sometimes one-and-the-same, sometimes not.

By the late 1930s, BPR<sup>50</sup> Director, Thomas MacDonald, still envisioning a national network of highways, realized a new approach that held promise to align the competing forces of rural and urban interests to promote a national program:

His main inspiration here was a report produced in 1937 by Roosevelt's central planning agency, the National Resources Committee, on the condition of American cities, which called for the creation of a special "federal credit agency" to purchase, hold, and sell "blighted" areas in and around the downtown business districts while prices remained at historic lows in order to speed the process of redevelopment. The breakthrough insight for MacDonald, of course, was the application to urban freeway development. Clearing corridors in urban areas could not only finance the high cost of the "special service highways" he had observed in Paris and New York but also aid in the rescue and restoration of American cities from the ravages of urban blight. Here was a great new "general benefit" of the public roads, adding significantly to the benefits already achieved in rural areas. The point was emphasized in the 1937 report with pages of maps and grim pictures of the working-class neighborhoods of Baltimore.<sup>51</sup>

Increasingly, it seemed, the future of a networked interstate system was justified as not only a congestion-relieving enterprise but as a tool to end urban blight. Cities had largely turned over to state transportation officials the job of programming federal and state road funds in their communities. If a program could be established to bring blighted properties into public ownership, state and federal roads advocates could achieve the promise of an interconnected system of highways. As MacDonald considered the possibilities of this new approach, he realized that urban housing policy would be "essential" to the strategy.<sup>52</sup>

Over the next decade, in fact, federal housing policy accomplished two objectives that eased the pathway for urban freeways. First, white residents still inhabited the urban core and needed to be dispersed to avoid protracted opposition to freeway building. In the wake of World War II, a national housing shortage prompted the FHA to craft policies to establish suburban communities throughout America.<sup>53</sup> In effect, these policies employed "greenfield" development as a mechanism to both relieve the housing shortage and draw white families from the urban core into less dense outlying communities with new schools and a new way of life. A new federal loan guarantee program that supported the private development of suburban communities was established, with the express requirement that black citizens be prohibited from purchasing such housing.<sup>54</sup> This guarantee program spurred suburban growth and a new wave of exclusionary housing options throughout America. Despite a subsequent U.S. Supreme Court ruling in *Shelley v. Kraemer*, 334 U.S. 1 (1948) finding that, while private parties could enter racially restrictive covenants, state court enforcement of such terms violated the Fourteenth Amendment of the U.S. Constitution, various government and private practices continued to hinder fair access to housing.<sup>55</sup> There was another advantage to promoting the federal suburban housing strategy: these new communities needed efficient thoroughfares to go to work and leisure activities. In effect, the approach enlarged the constituency for urban freeways.

With white flight well underway and central business districts still suffering various mixes of abandoned and dilapidated structures following the Great Depression, the second objective became developing a federal program to reshape the remaining landscape. The urban core now largely consisted of the most marginalized populations, mostly black people of all income levels (who were largely barred from purchasing homes in white areas by law and

common real estate and lending practices), poor and, in some cases, immigrant populations. “As middle-class and working-class white people abandoned the cities for the crabgrass frontier, a simultaneous migration of southern black people began to reshape northern, midwestern and western urban centers.”<sup>56</sup> These populations lived in areas routinely considered “blighted” slums desperately in need of rehabilitation. Now, energy increased to strengthen America’s cities by reclaiming them, led by mayors, real estate developers, city planners and organizations such as the Urban Land Institute.<sup>57</sup> Federal policymakers began discussing how to remove urban eyesores and bring cities back to life with parks, government buildings, office towers, schools and perhaps even highways.

By the middle 1940s, there was no still established program to implement urban development at scale or a massive federal highway program to build intercity freeways throughout America. But state and local officials were already developing concrete plans to do so. Their interests, however, were not entirely aligned. The state highway builders prized throughput, while local government officials and their supporters wanted commerce, new sources of property tax revenue, office buildings, parks and other amenities to reinvigorate central cities. But the city officials had ceded control of any state and federal road investments to the state highway departments.

Thus began a new and narrower urban transportation planning mission, focused on congestion relief, higher vehicle speeds, and funneling traffic into and out of city centers as safely and efficiently as possible. Once city officials surrendered control over metropolitan freeway development in exchange for state and federal highway aid, most aspects of freeway planning, from design and routing to construction and operation, fell to the state highway engineers. Thus, it is not surprising that by the late 1940s and early 1950s they were producing freeway plans that reflected national norms: accommodating high speeds (70 mph), providing high throughput (by building wide facilities with elaborate interchanges), and increasing safety (by moving to uniform geometric design regardless of local conditions [citations omitted]). The change was even felt in plans prepared by visionary planners like Harland Bartholomew. His 1954 plan for Atlanta, prepared for the Georgia Highway Department, contained much of the cautionary language about coordinating transportation and land use that characterized his earlier plans, but the facilities he proposed were rather simple, large, high-speed, utilitarian traffic conduits that resembled countless freeways of the interstate era that was soon to begin. They also reinforced local desires to establish boundaries between black and white neighborhoods.<sup>58</sup>

Indeed, in the early years of President Harry S. Truman’s Administration, BPR Chief Thomas MacDonald joined together with Federal Works Agency head Philip B. Fleming to propose an omnibus legislative proposal linking expansive urban housing and transportation policies together.<sup>59</sup> Truman declined this invitation, choosing to push forward with the Housing Act of 1949 and its fateful urban renewal program.<sup>60</sup>



## IV. The Urban Renewal Era

After World War II, and with the new Servicemen's Readjustment Act of 1944, or G.I. Bill, and the suburban housing programs established, the Truman Administration warmed to the idea of "blight removal", alternatively named "slum clearance." What exactly constituted "slums" is a matter of some question. Clearly, one definition would include substandard housing and business structures. But the definition grew to include perceived social and economic conditions. City leaders wanted job centers and the expansion of their tax bases. Real estate developers wanted to reimagine central cities with new buildings and activity.

Richard Rothstein offers a blunter assessment of what these technical terms "blight removal" and "slum clearance" meant:

By the mid-twentieth century, "slums" and "blight" were widely understood euphemisms for African American neighborhoods. Once government had succeeded in preventing black families from joining their white peers in the suburbs, and in concentrating them within a few urban districts, these communities were indeed blighted. In many cases, slum clearance could have been a good idea. Where low-income African Americans were living in squalor, plans to demolish substandard structures and provide new, decent homes in integrated neighborhoods would have been appropriate. But mostly policy makers contemplated no such relocation. Instead, slum clearance reinforced the spatial segregation of African Americans as well as their impoverishment. This, in turn, led to further segregation because the more impoverished African Americans became, the less welcome they were in middle-class communities. One slum clearance tool was the construction of the federal interstate highway system. In many cases, state and local governments, with federal acquiescence, designed interstate highway routes to destroy urban African American communities. Highway planners did not hide their racial motivations. The story of such highway planning begins in 1938, when the federal government first considered aid for interstate highways. Secretary of Agriculture (and subsequently Vice President) Henry Wallace proposed to President Roosevelt that highways routed through cities could also accomplish "the elimination of unsightly and unsanitary districts." Over the next two decades, the linkage between highway construction and removal of African Americans was a frequent theme of those who stood to profit from a federal road-building program. They found that an effective way to argue a case for highway spending was to stress the capacity of road construction to make business districts and their environs white. Mayors and other urban political leaders joined in, seizing on highway construction as a way to overcome the constitutional prohibition on zoning African Americans away from white neighborhoods near downtowns. In 1943, the American Concrete Institute urged the construction of urban expressways for "the elimination of slums and blighted areas." In 1949, the American Road Builders Association wrote to President Truman that if interstates were properly routed through metropolitan areas, they could "contribute in a substantial manner to the elimination of slum and deteriorated areas." An important influence on national legislation and administration of the highway system was the Urban Land Institute, whose 1957 newsletter recommended that city governments survey the "extent to

which blighted areas may provide suitable highway routes.” By 1962 the Highway Research Board boasted that interstate highways were “eating out slums” and “reclaiming blighted areas.”<sup>61</sup>

The multitude of voices calling for reclamation of urban centers prevailed when President Truman signed the Housing Act of 1949 into law, a measure that increased the government’s ability to clear out urban areas using expansive eminent domain powers and included an enormous outlay of federal funding to support this new condemnation authority. As was the case with the earliest federal highway bill, furious debates emerged concerning the appropriate layer of government to administer the new Urban Renewal program prior to passage. In the end, states and local communities were empowered to apply for funding.

And how was the term “slum” defined? The term was defined so broadly as to include almost any part of the urban core. “Slums” were areas which “foster[ed] delinquency, disease and crime.”<sup>62</sup> The combination of such a broad definition and the delegation of power to states and local governments to administer the program meant that almost any community could be targeted. Local communities now had both the power and resources to raze entire communities, to clear land and to turn that land over to new private uses. And clear land they did.

By the end of 1955, slum clearance activities had reached many American cities. By that time, 340 projects were in the planning or execution stages: 124 in preliminary planning, 106 in final planning, and 110 in execution.<sup>63</sup> The 216 projects in final planning or execution were estimated to displace 82,733 families, including over 50,000 non-white families.<sup>64</sup> In a 1969 report entitled, “Building the American City,” the National Commission on Urban Problems reported several findings about the collective impact of urban renewal. By the middle of 1967, the program resulted in more than 37,000 acres under public control, while only 17,000 of that acreage had been converted to new uses.<sup>65</sup> The urban renewal movement resulted in a massive transition of the urban core of nearly 1000 communities throughout America by 1968, impacting some 400,000 housing units and nearly as many dislocated families.<sup>66</sup>

In 1954, the same year in which the U.S. Supreme Court declared the “separate but equal” doctrine illegal in the landmark decision of *Brown v. Board of Education*, the Court greatly expanded the powers of state and local officials to level communities in its *Berman v. Parker* decision. In this case, the Court held that states no longer needed to make a determination of “blight” to condemn and transfer property rights using eminent domain. Until *Berman*, the standard application of eminent domain had been that parcels determined “blighted” could be seized for redevelopment due to the public benefit that would directly arise from “public health, safety, and welfare improvements” to the property. Now, if the state could prove that some future “public purpose” would come from the redevelopment of any land, even land that was not presently “blighted,” the private property could be seized if “just compensation” was provided.<sup>67</sup> *Berman v. Parker* blew open the door to broad state and local discretion in seizing private property. *Berman* would go on to fuel greater housing and economic inequity by granting additional leeway to state and local governments.

Precisely because the urban renewal program enabled cities and states to “bank” large tracts of land, it laid the foundation for future highway development. It benefited real estate developers and road builders alike – both of whom viewed it as an opportunity to redesign old cities into newer ones and, in doing so, to erase not only structures but also the people who had previously inhabited those center cities.

Precisely what was destroyed, what value was paid and what cost those dislocated paid is a subject of great curiosity and scant public record. To my knowledge, these questions have not been thoroughly answered. It is quite possible that, if substantial efforts were undertaken to compile the evidence, we might conclude that many communities labeled as “slums” or “blighted” in the 1950s and 1960s were not so at all. Further, upon considered review, we may find that many families were dispossessed of their most valuable assets—family dwellings and businesses—at marked-down prices creating economic repercussions that remain present. To conduct such a thorough review, which, to my knowledge, has never been done, would require combing the vast record scattered throughout local and state government archives all over America.

What is clear, however, is that, by the time a national highway interstate program passed the U.S. Congress in 1956, the urban landscape had drastically changed. It was now a blank canvas, and highway advocates were ready to paint it.

## **V. The 1956 Highway Bill**

President Truman rejected the request of Thomas MacDonald to join housing and highway policies together. But neither MacDonald, nor his fellow road advocates, had given up pressing for a watershed highway bill that would complement the new national housing strategy. By the early 1950s, traffic congestion within cities had continued to increase due to suburban sprawl. Seeing this increased need for improved transportation options in urban areas, advocates began placing more concerted efforts into interstate highway construction and once again commenced their campaign for additional federal funding.

Near the turn of the mid-century, these highway advocates had only expanded and, in 1951, this group formed a campaign, which they called Project Adequate Roads (PAR).<sup>68</sup> This cross-sector coalition was led by the trucking, manufacturing, and oil industries, but also featured highway users, manufacturers, public officials, and traffic researchers.<sup>69</sup> All of these organizations stood to benefit from a massive bill to spur interstate highway construction.

In the coming years, several federal highway acts were passed due to the advocacy work of PAR. Notably, their actions helped shape the Federal-Aid Highway Act of 1952. This Act was a bit more generous than past legislation, providing the first national funding allocated specifically towards interstate development. The Act included \$25 million per state on a 50-percent (50%) cost share basis for fiscal years 1954 and 1955.<sup>70</sup>

But the 1952 Act failed to provide the much more substantial funding needed for a transcontinental highway system. After failing to extract funds sufficient to build out an end-to-end system, and realizing the incentives of coalition members did not align, PAR

temporarily disbanded.<sup>71</sup> President Truman departed office, having passed the Housing Act of 1949 as part of his Fair Deal and the relatively modest 1952 Federal-Aid Highway bill. But the disbanded PAR membership gained a powerful ally the following year when Dwight D. Eisenhower entered the White House.

Upon assuming the Presidency, Eisenhower became the strongest proponent of an interconnected highway system of any previous chief executive. Eisenhower believed in the importance of a national interstate highway system, due in large part to his experience as a US military leader. In fact, in 1919, President Eisenhower participated in the first U.S. Army transcontinental motor convoy, where he traversed the country and began to see the need for more interregional connectivity.<sup>72</sup> Later, during World War II, Eisenhower observed the impressive German autobahn (highway) system and the tactical edge it gave German military officials to move troops and supplies quickly. For Eisenhower, the development of an American variation was driven as much by military necessity as to meet the growing civilian demand for a new and better connected road system. Entering the American presidency as a war hero, Eisenhower had a unique and powerful profile to promote the cause of freeways.

Eisenhower took his advocacy directly to the American people. The idea of linking highways and national defense pervaded much of Eisenhower's rhetoric on the issue and appeared in several of his public calls for an interstate highway system. Such instances included a 1954 speech to the US Governors' Conference. In this talk, he mentioned the need to address safety, congestion, economic, and defense issues through a highway system.<sup>73</sup> His 1955 State of the Union Address reaffirmed these beliefs. In it, he called for "a modern, efficient highway system ... to meet the needs of our growing population, our expanding economy, and our national security."<sup>74</sup>

Following Eisenhower's 1952 election as president, and efforts by the now informal coalition of highway advocates, the Federal-Aid Highway Act of 1954 passed. The 1954 highway bill provided an additional \$700 million in funding to states but more importantly called for a "comprehensive study of all phases of highway financing, including a study of the costs of completing the several systems of highways... and of the progress and feasibility of toll roads..."<sup>75</sup> This study would help lay the groundwork for the most significant single turning point in the development of America's highways, the National Interstate and Defense Highways Act of 1956.

President Eisenhower launched the study by appointing a presidential task force, led by General Lucius Clay.<sup>76</sup> The report, *A 10-Year National Highway Program*, estimated that an Interstate System would require \$27 billion in funding from 1956 to 1965, with the federal government paying approximately 90% of that amount.<sup>77</sup> In early 1955, President Eisenhower sent this report to Congress, which catapulted highway development to one of the nation's top priorities.

While now a high priority, Congress rejected Eisenhower's proposal to fund his massive proposal. The task force recommended a national corporation be established, the Highway Corporation, to



sell thirty-year bonds to finance road construction. The federal government would pay ninety-percent of the construction costs, while the states would share the rest. As in the past, states and the [BPR] would be expected to cooperate on construction. Money received from the federal tax on gasoline and diesel fuel would pay off the bonds. Since the new roads would increase traffic and consequently revenues, Clay figured there would be no need to raise the gas tax.<sup>78</sup>

Congress rejected this financing approach and searched for other tools to finance this interstate highway system. Throughout its deliberations, AASHO remained at every table, providing technical assistance and sharing views on which approaches to financing and implementing Eisenhower's plan would work best for the states. The old PAR coalition, still loosely organized, continued to advocate for a resolution. However, the impasse proved too great for Congress to pass legislation on the issue in 1955.

Financing roads had tied the 1955 Congress in knots. There were simply not enough votes to fund the robust Eisenhower highway plan through debt. As enterprising members of Congress worked to break the impasse, one idea emerged that became the basis of a future compromise: the Highway Trust Fund (HTF). Unlike the Highway Corporation, the HTF would consist of a special account established by Congress to warehouse fuel taxes for the exclusive task of highway construction. This account would be protected from general use by Congress, and fuel taxes could be raised modestly to enable it to function on a "pay-as-you-go" basis. While this creative answer to the Eisenhower funding plan did not carry the day in 1955, it planted a seed for the next year when efforts would be renewed to establish a landmark highway bill.

Between 1955 and the legislative season of 1956, another advocacy tool found its way to every Congressional office on Capitol Hill. Its obsequious name, *General Location of the National System of Interstate Highways*, gave way to a simpler name, the "Yellow Book" – a comprehensive BPR document that outlined highway plans across 100 urban areas.<sup>79</sup> While not binding as an absolute matter, the Yellow Book contained a complete blueprint of the interstate system which allowed Members of Congress to visualize the improvements planned for their states and districts. Developed in conjunction with state and local leaders, the Yellow Book brought the poetry of the great Eisenhower highway ambition down to the prose of a project-by-project list.<sup>80</sup>

The HTF concept, along with a modest fuel tax increase, passed Congress in 1956. With the National Interstate and Defense Highways Act of 1956 now passed by Congress and signed into law by President Eisenhower, the monumental task of building an interconnected interstate system remained. But, for the first time, the resources had been put in place, and the nation's governors and state transportation officials were ready to move. The Act established an HTF, which remains in place today. Under the terms of the 1956 Act, HTF covered 90 percent of all highway construction costs with states paying the remaining 10 percent.<sup>81</sup> In exchange, states would carry the burden of maintaining these new highways with the federal government contributing a smaller proportion of ongoing support.

Notably, the 1956 Act included no funding to compensate residents displaced by highway construction for their relocation expenses. Earlier versions of the 1956 Act did include

relocation expenses as eligible construction costs, but that language was cut from the final 1956 bill.<sup>82</sup> With the US facing inflation and recession concerns, President Eisenhower and several congressional allies thought it non-essential. The exclusion of such language from the original piece of legislation had long-term repercussions, further disadvantaging low-income, often Black and Brown communities. For many families, this omission was consequential. Between 1956 and 1966, the highway program caused the demolition of 37,000 homes per year.<sup>83</sup>

We do not know whether the proponents of the 1956 Act believed that the earlier Housing Act of 1949 had opened enough urban land to facilitate highway construction. While helpful to their ends, the 1949 bill did not fully consider the particular tracts of land needed to build the freeways they imagined. Now, they could harness the expansive powers under the Housing Act – if they could align with the local administrators of Urban Renewal programs – and an independent highway bill, which the states assumed primary responsibility to construct. In effect, the musings of Thomas MacDonald in the 1930s in which he had imagined housing and highways working together to reshape the urban landscape had now become possible, albeit in two steps instead of a single stroke of a pen.

We have now examined the evolution of federal highway policy from a small government agency situated in the USDA to now a force in shaping the direction of all American communities. The language used to describe the impetus for such a major investment in the highway program in 1956 would have captured the imagination of all Americans. The Yellow Book, however, consisted of a compilation of plans dating back to the Great Depression era. City leaders, planners, real estate developers, state transportation officials, Governors, members of Congress and even Presidents wanted a plan for highways but many of them also wanted a plan to reclaim cities. While some Americans may have believed the highway system would evolve somewhat deliberately, the road building community had waited long enough. They were going to build and build quickly before opposition to specific plans could be activated. And their sites were trained on the most vulnerable populations within the urban core. Why? There was general agreement among the most powerful elements within America that cities had deteriorated so much that the federal government afforded state and local governments wide latitude to remove blight. Why? It was also likely that many AASHO members had experienced the painful choices involved in aligning road projects in densely populated areas and believed that federal law should be crafted to force rapid condemnation activity rather than prolonged debates about routing roads and highways. Why? Without doubt, the early years of the interstate highway building also occurred as the Civil Rights Movement was coming into view but had not yet resulted in laws affecting segregation. The government could remove entire communities, bulldozing homes, schools, churches, businesses and memories, and in doing so, could erase any trace of what modicum of community so many undesirables had established. Some combination of these forces worked to ensure that many urban highways destroyed poor and minority communities.

By the late 1950s, federal funding allocations for highway construction began to eclipse federal funding for urban renewal projects. Perceived as interstate infrastructure operated by state-run highway boards, federal highways were less susceptible to partisan divisions in both the Congress and in State legislatures,<sup>84</sup> guaranteeing continued support and robust

funding for the program. Meanwhile, funding for urban renewal development in larger cities grew relatively less popular with the rural-dominated Congress.<sup>85</sup> In 1961,<sup>86</sup> the Housing and Home Finance Agency (HHFA), which managed urban renewal funding, increased the federal support of project development costs from 66 percent (66%) to 75 percent (75%) in cities with populations smaller than 50,000, but it maintained the  $\frac{2}{3}$ - $\frac{1}{3}$  federal-local split in larger urban areas “where the need was, in fact, the greatest.”<sup>87</sup>

To optimize federal funding resources coming into larger cities, state and local governments began to do expressly what the earlier urbanists and highway advocates had hoped – to coordinate urban highway construction financial tools and legal authorities with the complementary tools of the urban renewal program.

By 1960, this coordination was further encouraged at the national level where, after close to a half-decade of informal and fragmented federal agency collaboration, the Secretary of Commerce and the HHFA Administrator announced a formal coordination plan between the federal agencies “whereby the planning funds of both HHFA and the BPR would be coordinated to achieve the optimum use of federal funds.”<sup>88</sup> This declaration launched a Joint Steering Committee and Regional Joint Committees tasked with developing procedures for joint project planning, joint financing, and cost-sharing. Specific focus was also given to coordinated administration of projects, establishing norms of communication and coordination of proposed sites at the local level as well as between the Urban Renewal Administration and the BPR.

These joint development initiatives between BPR and HHFA were touted as “one of the most effective solutions possible for the relocation of persons and businesses,” and it was expected that “cities [will] meet some of their needs for better housing, parks, playgrounds, open space, and other improvements, and for business and commercial redevelopment by combining them with planned highway improvement.”<sup>89</sup>

To ground our discussion further, we look to the example of the Overtown neighborhood in Miami.

## **VI. Overtown: A Case Study**

Overtown has once been described as “a stable middle- and working-class neighborhood” in Miami commonly referenced as the “Harlem of the South.”<sup>90</sup> As the effects of suburbanization took hold in the 1950s and an influx of poor, mostly black migrants from other parts of the American south took place, Overtown experienced a period of economic decline but remained a “center for black life and culture.”<sup>91</sup>

Upon passage of the 1956 Highway Act, the Florida State Highway Board turned its attention to a proposed Interstate-95 (I-) highway expansion through South Florida. Some proposed routes went directly through Overtown, and in fact, one such route was chosen.<sup>92</sup> Aside from clearing significant portions of the Overtown community, no relocation assistance was provided.<sup>93</sup>

In fact, we do not know for sure how many people were affected by highway displacements in Overtown. The only estimates made available were provided by the Miami Slum Clearance Department – not the state highway board.<sup>94</sup> Early on, it was anticipated that 5,700 people would be displaced, but this estimate would later be increased to 10,000.<sup>95</sup> Without any implementation process otherwise required to execute highway construction projects, BPR authorized projects such as I-95 with very little federal oversight.

Overtown is one example of how highway development often targeted low-income and minority communities. But it also sheds light on a separate process that was unfolding concurrently. As highways were being built, many local jurisdictions tried to more formally link interstate development with urban renewal.

## VII. Chattanooga and Queens, New York

In Chattanooga and Queens, New York, we find two examples of deeply coordinated urban renewal and highway projects.

D. Grant Mickle, who became Deputy Federal Highway Administrator in 1961, touted the City of Chattanooga's West Side Urban Renewal Project for its achievement of economies of scale through "interrelated slum clearance with downtown freeway construction."<sup>96</sup> Mickle described the intricate connection between the Chattanooga Housing Authority and Tennessee Highway Authority projects to reclaim the city's central business district:

The freeway transverses the entire length of the urban renewal project and has been located so as to form a buffer between the central business district and the residential areas projected in the urban renewal plan. It provides interchanges with streets serving the downtown section and the urban renewal area and has enhanced the marketability of land in the area.<sup>97</sup>

The city of Chattanooga estimated savings of approximately \$2.25 million through joint development planning,<sup>98</sup> nearly \$25 million today adjusted for inflation. Coordination also accelerated the timeline to complete projects by limiting duplicative bureaucratic processes of land acquisition negotiations, permitting, and approvals.

In spite of these benefits, coordinated implementation of urban renewal development and highway construction initially presented "disturbing signs of interagency frictions" at the local level.<sup>99</sup> In fact, agency tribalism and bureaucratic hurdles in maneuvering and aligning these programs led to "interagency power struggles in New York City and elsewhere."<sup>100</sup> It was in this urban renewal era that "doers" like Robert Moses rose to fame for their ability to bend the system to their will.<sup>101</sup> Moses played a role in executing many of the most famous examples of coordinated highway-urban renewal developments in the country. There is some evidence that Moses played a role in shaping federal highway policy.<sup>102</sup>

To say that minorities and poor people were the only ones affected by the implementation of the federal highway system would be an oversimplification. Disproportionately, yes. But white working-class neighborhoods and immigrant communities also bore the brunt, as demonstrated so well by Robert Caro in his seminal work, *The Power Broker: Robert Moses*

*and the Fall of New York*, where he closely investigated the impact of federal, state, and local action to build the Brooklyn-Queens Expressway (BQE) through the East Tremont section of Queens.<sup>103</sup> In the BQE case, it is shown that a more direct and less costly alternative was available but Moses chose to route the freeway through an established community, including 1,530 apartment units. In at least one case, the condemnation price offered to one household, \$11,000, fell \$7,000 below the market value based on an appraisal commissioned by the impacted family:

[Dominick] Tesone was informed that he could receive only \$11,000 for his three-family frame house because Moses had established that as the price for all the frame buildings along that mile. “They gave \$11,000 for a one-family shack, they gave the same to all the houses along the way,” Tesone says. “Mine was a good house. It wasn’t fair.” The appraisal he commissioned set its value at \$18,000; the city representative said that appraisal might well be fair, but that didn’t matter; \$11,000 was the price.<sup>104</sup>

Moses routed the highway through this working-class neighborhood despite strong community opposition. In a 1954 interview in the *New York Times*, Moses contradicted Acting Mayor Abe Stark, who criticized the state administration regarding challenges in securing funding for a section of the BQE. Moses countered at the ribbon-cutting: “this [project] has been evidence of cooperation on a large scale between the city administration, the state and the Federal government.”<sup>105</sup>

Enabled by enormous federal resources, highway construction and urban renewal were closely linked. These policies proved effective at clearing out neighborhoods and embedding segregation. But they were independently and together ineffective at preparing American communities to become fully integrated societies. The highway planners and urban planners were conscious of their actions, which were fully endorsed by political leaders at every level, business leaders, road advocates and so many others. As Rose and Mohl capture it,

Working within federal traffic engineering guidelines, highway builders at the state and local levels routed new urban expressways in directions of their own choosing. Local agendas often dictated such decisions; the result was to drive the Interstates through mostly black and poor neighborhoods. Urban blacks were heavily concentrated in areas with the oldest and most dilapidated housing, where land acquisition costs were relatively low, and where organized political opposition was weakest. Displaying a “two birds with one stone” mentality, cities and states sought to route Interstate expressways through lower-income or slum neighborhoods, using federal money to reclaim downtown urban real estate. Inner-city slums could be cleared, blacks could be removed to more distant second-ghetto areas, central business districts redeveloped, and transportation woes solved all at the same time—and mostly at federal expense.<sup>106</sup>

The early rationale for American highways was still at work. Flush with federal money and no serious accountability for its fair use, now the steps of implementing the vision were being carried out. For twenty years or more, state and local transportation officials had been planning for the day that had finally arrived. The preliminary plans had been crafted. In fact,



many of those plans had been specified in the Yellow Book. The galvanizing national objective of an end-to-end highway system would now be implemented with urgent speed. And yet, entire communities were not only left behind but also plowed asunder by bulldozers. They saw their homes, their churches, their schools, their businesses and their way of life forever changed by a nation that turned a deaf ear.

Were Overtown, Chattanooga or Queens anomalies? Unfortunately, the answer is no. While some observers may conclude these findings are old news, those among us who survived the ordeal likely differ on the point. Years after passage of the 1956 Highway Bill, one former AASHO official characterized the views of city proponents of urban highways, recalling that “some city officials expressed the view in the mid-1950s that the urban Interstates would give them a good opportunity to get rid of the local ‘niggertown.’”<sup>107</sup>

## VIII. The Toll of Highways

From the 1950s through the end of the 1970s, almost 40,000 miles of interstates were built, connecting major cities and crisscrossing the entire nation.<sup>108</sup> In building these highways, the financial costs to the government were monumental, but the costs to disrupted communities were far greater. Highway construction generated economic, social, and psychological harms, and, according to scholars, highways were directed through black, immigrant and poor communities.<sup>109</sup> Whether one believes these populations were targeted or simply the communities of least resistance is immaterial. They were forced to bear an unequal share of the costs of the highway system’s development, and the added burdens contributed to increased economic hardship and barriers to success that persist in communities today.

This report initially endeavored to assess the range of impacts of the highway system and quantify them. However, several challenges arose in doing so. First, as previously discussed, there was significant overlap between urban renewal and federally funded highway projects, particularly by the late 1950s and 1960s. Operating with similar timing, locations, and procedures, these programs ran on parallel tracks but differed in their administrative bodies, funding, and relocation policies. This poses a complication in clearly separating the effects of the two programs.

The second challenge is the decentralized nature of both programs. Involved parties included transportation, housing, and development departments across federal, state, and local governments.<sup>110</sup> There is no single federal record. Presumably, much of the needed data lies in state and local archives. But these different actors varied in their capacities, processes, and incentives for collecting data (and likely even retaining such data), leading to differences in data availability and granularity.

These issues have been exacerbated by the complex scope of the topic: scholar Anthony Downs lists 22 types of losses faced by households in highway and urban renewal projects, losses that are short- and long-term, monetary and non-monetary, and impacting the displaced and non-displaced.<sup>111</sup> A comprehensive impact study must assess each of these aspects and would require disaggregated data by location, race, and other key factors. Given

these complications, it is unsurprising that most existing studies are either broad overviews of the topic or case studies of a specific city.

It is thus difficult to assess the full record within such limited time and within the limited resources available to us. Understanding these constraints, this report utilizes a combination of source types, including case studies, federal reports, state and local agency reports, legal analyses, and economic analyses, to paint an overall picture of the range of impacts of the federal highway system on communities of color. It remains a vital priority of this report to call upon the federal government to commission a more formalized, comprehensive fact-finding program with greater investigatory powers and resources than those of the ACTE, allowing for a final and fact-based record of this controversial chapter of American transportation history.

## **A. The Displaced**

Impacts of the highway system were harshest for those who were involuntarily displaced from their homes and businesses. In losing their property, they were forced to leave their communities and neighbors and undergo a complex relocation process, often not receiving sufficient compensation while also facing a severely limited supply of affordable housing. Considering these were frequently low-income and minority neighborhoods, the displacement was viewed as “triply unjust”: these families were “least able to pay such costs [of relocating], derived the least benefits from the projects concerned, and are already unfairly compelled by society to bear heavy burdens resulting from racial discrimination and segregation.”<sup>112</sup>

### **1. Magnitude of Displacement**

Construction of the interstate highway system displaced over a million people, including over 475,000 households with most being poor, minority or both.<sup>113</sup> These displacements were spread across the United States, forcing families and businesses to uproot their lives, leave their neighbors and support systems, and start over in new communities.

The magnitude of displacement varied substantially across cities and states, ranging from less than a hundred to thousands per year; the ratio of homeowner to tenant displacement also varied but was approximately evenly split on average during the 18-month period of April 1965 to October 1966.<sup>114</sup> The pace of construction and displacement also shifted over time but included approximately 32,000 residential and 3,200 business displacements per year before 1964.<sup>115</sup> In addition to homes and businesses, the highways razed nonprofits, churches, schools, parks, and historic districts.<sup>116</sup>

Since highway projects were often connected with urban renewal, it is unsurprising that much of the displacement occurred in urban areas: over 80% according to a 1964 study.<sup>117</sup> It is also unsurprising that the majority of destroyed residences were low- to middle-income units. This same 1964 study reported 37% of units valued below \$6,000 or rented for \$60 per month, and 47% valued between \$6,000 and \$15,000 or rented for between \$61 and \$110 per month.<sup>118</sup> In this period, the median home value in the United States was

\$11,900, and the median rent was \$71, though values were often higher in the urban areas affected by highways.<sup>119</sup>

After years of black migration into inner cities, many neighborhoods targeted for highway construction were “overwhelmingly poor and black.”<sup>120</sup> These areas were desirable due to their lower land acquisition costs and the lack of political consequences to targeting these communities, particularly prior to and immediately following 1965.<sup>121</sup> The people who made up these communities were typically not wealthy, politically connected residents. Any effort to mobilize would have pitted their interest in neighborhood preservation against more powerful forces. The mighty force of government action proved no match for them, especially considering the likely alternatives available to the government, which would have meant contending with white property owners who often possessed more time, money, and political and social capital to mobilize effectively.<sup>122</sup> Scholars have long argued the role of racial bias in decision-making, contending that local and state builders routed highways through minority communities to cement segregation and force minorities out of downtown areas.<sup>123</sup> Whether one accepts this proposition or not, the evidence of what actually happened is damning.

In the Twin Cities, for example, I-94 was built through neighborhoods containing over 90% of the black population.<sup>124</sup> It displaced over 6,000 people in St. Paul and razed the historic black community of Rondo. I-94 further displaced over 24,000 people in Minneapolis in the 1960s, 35% of whom were black (despite the city only having a 3% black population share). Historians Mark Rose and Raymond Mohl wrote, “very few Blacks lived in Minnesota, but the road builders found them.”<sup>125</sup>

In the previously mentioned example of Miami, one scholar asserts that “[t]he destruction of Overtown was the realization of a decades-long campaign by white business leaders to remove Black residents and claim that land to expand Miami’s central business district.”<sup>126</sup> Originally home to 40,000 black individuals, only 8,000 remained after highway construction. Approximately 10,000 homes were demolished by the downtown interchange, and no corner “seemed to have escaped the angered wrath of the bulldozers and wrecking cranes that have been busy at work demolishing homes, churches, apartment houses and business places.”<sup>127</sup> Added to these examples are the Clairborne Expressway in New Orleans, I-10 in Los Angeles, I-81 in Syracuse, Highway 16 and I-77 in Charlotte, and so many others.<sup>128</sup>

These were not isolated cases. Putting intent aside, it is evident that the highway system was relentless in its destruction of black communities across the country, in addition to other minority groups, the poor and working-class white communities. Families and businesses were forced to undergo costly and distressing relocation processes, and their lack of political and financial resources limited their capacity to cope with the forced adjustment.<sup>129</sup> The economic, social, and cultural fabric of their neighborhoods was forever altered.

## 2. Was Fair Market Value Achieved in All Cases?

The forced taking of property through eminent domain requires the provision of “just compensation” to the displaced.<sup>130</sup> This is typically interpreted as the market value of the property. Considering the vulnerable economic and social state of many of the displaced, any failure to properly pay for property posed an immense burden.

Based on the scant information readily available, one cannot say conclusively that the dislocated received just compensation in all or even most cases. Some sources note that the displaced were treated fairly in receiving compensation for their property.<sup>131</sup> However, such contemporaneous perspectives often accept as fair the basic compensation framework of the age where one existed.

Other sources take a different view, noting variations depending on context (location and program) and highlighting circumstances that decrease the likelihood of fair compensation, particularly within low-income and underrepresented groups.<sup>132</sup> For example, the point in time at which market value is determined could vary substantially from tract-to-tract, project-to-project and jurisdiction-by-jurisdiction. The highway construction process is extensive, and substantial time can elapse between the announcement of a highway project and the taking of property. At this time, market values often drop significantly. The announcement itself can create uncertainty as well as reduce both investment and maintenance in the area, thus further pushing down property values.<sup>133</sup> As a result, assessing market value before versus after the announcement often yields different results. However, the courts did not establish a clear determination regarding when assessment should occur.<sup>134</sup> Consequently, there were inconsistent procedures between projects, and assessments often occurred after the announcement, leading to an undervaluation of properties and insufficient compensation for the residents.

Another factor likely played a critical role in compensation awards: a forced sale rarely yields market value prices. Fair market value can be defined as the “price that a seller is willing to accept and a buyer is willing to pay on the open market and in an arm’s-length transaction.”<sup>135</sup> With forced sales, however, the market is not competitive, and the sellers are not willing participants. Moreover, information asymmetries arise with the displaced individuals lacking information on their property values, as well as the time to gather it. These families and businesses are undertaking this process at a time of emotional distress, another factor contributing to lesser compensation, and the process itself can cause additional stress.

These factors are likely to be especially harmful to non-white and low-income individuals. Regarding race, one legal analysis points to a “double discount” on fair market value in forced sale acquisitions of minority properties: a discount due to the unfavorable characteristics of a forced sale and a discount due to the non-whiteness of the property owner.<sup>136</sup> Regarding income, the analysis notes that those with less social and financial capital are significantly less likely to receive full market value compensation in eminent domain cases.<sup>137</sup> On the other end of the spectrum are high-income property owners with the time and knowledge to maximize their compensation. This is supported by a study of forced takings in Nassau County, New York, in the 1960s showing that settled cases receive



less compensation than fully litigated cases. But these cases require families and businesses contesting the values offered them to pay appraisers, lawyers and court costs to challenge valuations.<sup>138</sup> Others also support this point, including an economic study of urban renewal projects in Chicago that showed low-valued parcels of land received less than fair market value while high-valued parcels received more than fair market value.<sup>139</sup>

Overall, though few studies analyze whether those displaced by highways received fair market value, the conditions and policies of eminent domain and the relocation process make it unlikely that many residents received market value for their properties. It is further possible, perhaps even likely, that income and racial factors further impacted outcomes.

### 3. Paying for their Own Relocation

In the initial years of the post-1956 highway program, families and businesses were not compensated for their relocation process.<sup>140</sup> Consequently, thousands of displaced families and businesses absorbed the cost of relocating with no help from the government. The magnitude of this problem varied substantially. In addition to the policies changing over time, there were also significant differences by state and between urban renewal and highway construction. This lack of uniformity was cited by many as a key problem for program implementation.

Over time, some changes in federal policy began to cushion the blow of a forced relocation. After seven years of urban renewal under the Housing Act of 1949 with little financial assistance for relocation, the new Housing Act of 1956 authorized federally-funded relocation payments by local public agencies (LPAs) to all displaced residents for any reasonable moving expenses or direct losses of property.<sup>141</sup> Congress set a maximum of \$100 for residents (\$1,450 in present day dollars), which was increased to \$200 in 1959.<sup>142</sup> They also set a maximum of \$2,000 (\$23,000 in present day dollars) for businesses, which was increased to \$2,500 in 1957, \$3,000 in 1959, and then to \$25,000 in 1961.<sup>143</sup> The Housing Act of 1964 later authorized additional payments for low-income residents and businesses. Leaving aside whether these maximum relocation amounts were adequate, only people or businesses dislocated by the urban renewal program qualified.

For those displaced by the highway program, federal payments for relocation expenses did not begin until the Federal-Aid Highway Act of 1962 – seven years after the landmark 1956 highway bill – which set maximum payments of \$200 (\$1,560 in present day dollars) for residents and \$3,000 (\$20,700 in present day dollars) for businesses. However, this act only permitted states to provide these reimbursements using federal funding; such payments were not mandated. Administering such payments added burdens to states eager to advance road projects, so some simply did not offer them. In 1964, there were only 22 states providing reimbursement for moving expenses, and these states also differed in the details of their adopted policies.<sup>144</sup> Nationwide, a study reported that only 22% of displaced residents and 30% of businesses received relocation reimbursements, with average payments of \$119 and \$1,233, respectively.<sup>145</sup>

By 1967, 11 more states offered reimbursements, totaling 33 states altogether. It should be noted that most southern states refused to offer payments, including Arkansas, Florida,

Georgia, Louisiana, Mississippi, and South Carolina. States that did provide payments gave an average of \$110 to residents and \$959 to businesses, but the amounts varied widely from state to state.<sup>146</sup> Between 1965 and 1966, the number of payments by state ranged from 0 to 4,446 for residents at average values between \$0 and \$163; for businesses, the number ranged from 0 to 384 at average values between \$0 and the maximum of \$3,000.<sup>147</sup> Moreover, over a third of expected future displacements of businesses would incur costs over the \$3,000 maximum amount.<sup>148</sup>

To resolve these inconsistencies across programs and states, new legislation was passed in 1968 and again in 1970 that finally mandated each state to establish a relocation payment program. By this time, however, hundreds of thousands of families and businesses had already been displaced and forced to pay for their own relocation, effectively passing along the monetary cost of highways from the builders onto the people they displaced. This additional financial burden was especially harmful to low-income families and businesses who, as already discussed, were already struggling to make ends meet, contributing to further financial and psychological stress.

#### **4. Finding a New Home**

The relocation process was arduous for all those displaced. However, it is evident that non-whites, particularly lower-income individuals, faced the most difficulties in relocating successfully. The process first included searching for a new home, and relocation advisory services were only offered beginning with the Federal-Aid Highway Act of 1962. Before this Act, finding a new home was a burden fully placed on the displaced residents, which required time and information that wealthy white residents were more likely to have. Following this Act, disparities in the utilization of benefits by residents were apparent, particularly between states providing moving expenses and those that had yet to authorize this until 1968. A 1967 study reports that 38.9% of displaced residents requested advisory services in states that reimbursed moving expenses but only 17.5% requested services in states that did not.<sup>149</sup>

The challenges of the housing search were exacerbated by two factors: discriminatory housing practices and the low supply of appropriate housing in the market. Regarding discriminatory housing practices, blacks in this era were still experiencing unfair treatment, including being shown fewer units and only units in segregated neighborhoods.<sup>150</sup> This exclusion from the full housing market made relocation more challenging but also more expensive when they were forced to pay higher rents in segregated communities.<sup>151</sup>

Regarding the housing supply, the high proportion of low- to mid-income displacements necessitated a high number of available low- to mid-cost housing units to replace them. However, a 1967 study estimated that 33% of the displaced lived in housing with costs below \$6,000 total or \$60 per month, and 45% between \$6,000 and \$15,000 total or between \$61 and \$110 per month.<sup>152</sup> However, these types of units, both public and private, were being destroyed faster than they were being built, leaving few options within the original budgets of the displaced. A survey of cities named this shortage as the largest barrier to successful relocation and specifically emphasized challenges in relocating non-white families.<sup>153</sup> A 1970 housing study estimated the need for 26 million new units over

the next ten years across housing programs, yet only a small fraction of these had been authorized and funded.<sup>154</sup> Public housing in particular was not being constructed, especially due to increased construction and operation costs.

This dwindling housing supply coupled with increasing demand resulted in higher prices across the housing market, which impacted even those not displaced by these programs.<sup>155</sup> Ultimately, residents were rarely able to find comparable units at comparable prices. It is clear from the literature that most residents across highway and urban renewal projects paid higher rent in their new housing and thus had higher rent-to-income ratios.<sup>156</sup> Though some only amounted to small increases, others were substantial, especially among the poorest groups. This higher share of income required for housing, coupled with a lack of compensation for moving expenses, posed a significant financial burden, reducing families' capacities to pay for other daily needs and ultimately forcing them to bear an unequal cost share of the highway program.

Camden, New Jersey, offers an example. In Camden, the North-South freeway wiped out 3,000 low-income housing units in the 1960s but only 100 replacement units were built.<sup>157</sup> With 1,300 families displaced by this project, 1,100 of which were minorities, a report concluded that local highway and housing policies increasingly made it untenable for black and Puerto Rican residents to remain:

It is obvious from a glance at the renewal and transit plans that an attempt is being made to eliminate the Negro and Puerto Rican ghetto areas by two different methods. The first is building highways that benefit white suburbanites, facilitating their movement from the suburbs to work and back; the second is by means of urban renewal projects which produce middle- and upper-income housing and civic centers without providing adequate, decent, safe, and sanitary housing, as the law provides, at prices which the relocatee can afford.<sup>158</sup>

The higher housing costs were generally accompanied by better housing quality.<sup>159</sup> However, this was not always the case. There were cases of low-income families moving into substandard housing in financially vulnerable and racially segregated neighborhoods.<sup>160</sup> When examining specific projects, the least satisfactory outcomes occurred in predominantly black neighborhoods.<sup>161</sup> Meanwhile, many white residents sought refuge in suburban areas that were now more accessible due to the newly built highways.<sup>162</sup>

The hard costs of a forced relocation can sometimes obscure the soft costs. Aside from the urgent need to move, residents faced the challenge of finding a new community and establishing a new life there. The disruptive forces multiplied when considering the likelihood that children were forced to change schools, houses of worship were forced to find new locations, and businesses were shuttered or relocated. Such upheavals are difficult to experience when a voluntary choice is made to move. But they presented greater challenges when the government demanded the family home or business for higher and better uses. Residents often tried to remain close to their old communities, but the scale of destruction and the limited available housing options made this difficult.<sup>163</sup> Disruption to

community ties was particularly harmful for poor and minority communities where significant grief and stress were due to changes imposed on them by their government.<sup>164</sup>

Moreover, moving was accompanied by changes in access to jobs, schools, services, and recreation as well as, ironically, transportation options.<sup>165</sup> If the displaced residents remained close to their original neighborhoods, these impacts may have been relatively minor. However, if neighborhood amenities were also subject to condemnation or if displaced residents were forced farther away, these impacts would have been more substantial, requiring residents to invest significant time and resources in establishing new connections to services – yet another burden.

## **B. Bad for Business**

Displaced businesses dealt with many of the same challenges as displaced residents. There was an absence of assistance in their relocation process,<sup>166</sup> which levied additional moving expenses on business owners. Approximately 23% of businesses displaced by highways discontinued their operations, with small businesses more likely to discontinue than larger corporations.<sup>167</sup>

Their lower survival rate is not surprising. Displaced small business owners were often low-income,<sup>168</sup> meaning they had fewer resources and less savings to support the moving process. In addition, these small businesses were more reliant on their local customer base, and this base was likely to be lost due to the destruction of the neighborhood, dispersing of residents, and new location of the business.<sup>169</sup> Businesses that successfully relocated saw mixed impacts on earnings. Small businesses again experienced worse effects than corporations. Approximately half of small businesses showed decreased earnings after displacement, while only a fifth of corporations did.<sup>170</sup>

These closures led to the loss of local jobs, economic activity, and primary income sources for business owners and employees, generating financial and psychological stress and forcing them to search elsewhere for new employment opportunities.<sup>171</sup> Moreover, these closures meant loss of livelihoods and sources of pride, independence, and long-term wealth-building opportunities for owners.

## **C. Those Left Behind**

Though the displaced were the most clearly impacted by the highway system, they were not the only ones harmed. Building a highway through a community does not displace everyone, and—in his list of 22 types of losses imposed by highways—Downs named 10 that directly impacted non-displaced residents.<sup>172</sup> The residents remaining in affected communities would have faced a new reality when their neighbors, community spaces, local businesses, schools, and services disappeared. The highways not only destroyed neighborhoods but also divided and isolated them, leading to diminished access to the remaining amenities in the area. This destruction of, and reduced access to, neighborhood amenities posed a substantial burden on their daily lives and took a particularly high toll on low-income minorities.<sup>173</sup>



## 1. Disruption from Construction

The actual construction of the highway proved highly disruptive to those left in its wake. Construction sometimes lasted for a few months and in other cases, years, causing street closures and forcing nearby residents to adjust their daily patterns. Simple things like commuting to work, going to school, making a stop at the grocery store or pharmacy, or even visiting a neighbor's home could become more complex and time consuming.<sup>174</sup> Moreover, construction's effects on safety, noise, and pollution were an additional nuisance to residents in the area.<sup>175</sup>

Low-income communities were unfavorably positioned to deal with these disruptions: these communities were least able to cope with losses in income or longer commutes, and they were most likely to use public transit and have few alternative options for transit or accessing services.<sup>176</sup> Additionally, though noise, increased congestion, the division of the neighborhood, and decreased access could be seen as temporary inconveniences, the construction process could also generate long-term health and other consequences.<sup>177</sup>

## 2. A Lost Community

The conclusion of the construction process was not the conclusion of troubles for the remaining residents. The building of a highway permanently altered the fabric of the community, and non-displaced community members lost family, friends, and other neighbors who were forced to relocate. The severing of these ties generated significant strain.<sup>178</sup> Residents also lost cultural institutions, historical landmarks, churches, community centers, and outdoor parks and recreation spaces.<sup>179</sup> These places contributed value by creating a sense of place, belonging and insulation from an occasionally hostile society. Where segregation created divisions across American communities, the social and cultural value of these neighborhoods often served as a stabilizing force. They were no longer what they had been.

With the demolition of businesses, schools, and services, residents were forced to find new services farther away or place additional strain on the capacity of the few remaining local services, such as schools and health clinics.<sup>180</sup> For instance, in north Nashville, a kink in I-40 was added by highway builders to claim the central black business district despite significant opposition from the community.<sup>181</sup> In the end, most of the district's 128 black-owned businesses were demolished, 50 streets were dead-ended, six black churches were destroyed, and residents were separated from playgrounds, a hospital, and three institutions of higher education.<sup>182</sup>

## 3. Cementing Segregation

When residents attempted to find new social, cultural, and economic resources, they often ran into a barrier: the highway itself. The newly built highways acted as physical barriers that either cut through communities or cut them off from other neighborhoods.<sup>183</sup> Cutting through meant that residents within a neighborhood were separated from each other. On the other hand, cutting off meant isolation of the neighborhood, generating difficulties for the isolated residents in accessing external neighborhoods and their amenities, as well as

external residents in accessing the isolated neighborhoods. This two-way isolation highlights how highways have sometimes functioned as a tool of segregation.<sup>184</sup>

Segregation increased substantially from the 1940s to the 1970s, aligning with the implementation of the interstate highway system. A 2023 empirical study showed that highway construction did, in fact, increase racial segregation.<sup>185</sup> This study found that where a substantial black population existed near freeways, the black population increased further in those areas as whites abandoned those areas for the suburbs.<sup>186</sup> The author reinforces what we know to be the case from a careful study of history: that white residents who could move did move out of central cities, leaving the noise, pollution, congestion, and other factors to the remaining largely black, minority, poor, immigrant or working-class whites.

Many commentators have documented that the construction of highways to cement racial segregation was not accidental. With policies such as racial zoning becoming unlawful in this era, highways were utilized as a lawful tool to carry out the racist agendas of some highway plans.<sup>187</sup> In Birmingham, Alabama, for example, the route for I-59 replicated the boundary of the city's 1926 racial zoning law, which had been enforced until the 1950s, to maintain segregation.<sup>188</sup> Atlanta was another city with a history of racial zoning, and a report by the Atlanta Bureau of Planning stated that "there was an 'understanding' that the proposed route of [I-20] would be the boundary between the White and Negro communities."<sup>189</sup> As Rose and Mohl summarize the matter, "[t]he consequence of state and local route selection was that urban expressways could be used specifically to carry out local racial, housing, and residential segregation agendas."<sup>190</sup>

#### **D. Transforming the Economic Landscape**

Acting as physical barriers, highways created time and convenience costs for residents in accessing jobs, schools, businesses, services, cultural centers, recreation, and social activities in other areas of the city. These barriers were seen in Seattle, with the Roanoke Expressway and Seattle Freeway dividing the North Broadway community into three parts;<sup>191</sup> Los Angeles, with the freeway hiding "blight" from suburbanites;<sup>192</sup> New York City, with thousands of black residents and immigrants displaced or isolated by highways;<sup>193</sup> and many more cities nationwide.

The accessibility limitations were magnified in multiple ways. First, the development of the highway system was accompanied by a lack of development of public transportation, yet many low-income, minority residents in urban areas relied on public transit.<sup>194</sup> At a time when the streetcar systems in many cities were being dismantled and replaced by unreliable buses, highway funding was prioritized over public transit funding.<sup>195</sup> Consequently, highways improved mobility for those with cars, primarily white suburban families, but reduced mobility and access for those without cars, primarily lower-income minorities remaining in city centers.<sup>196</sup>

Additionally, accessibility was restricted as the economic composition of cities was transformed. Some jobs, businesses, services, and other community components were destroyed by highways, while others moved to neighboring regions or suburbs, away from

city centers.<sup>197</sup> This economic transformation limited options for those remaining in city centers and had lasting impacts for urban neighborhoods.

With highways being constructed in numerous urban areas across the country, the deterioration of city centers was due to a combination of factors occurring throughout each stage of highway projects. In the beginning, the announcement of a project created substantial uncertainty regarding the future of a community. Consequently, business and property owners were often less willing to maintain and invest in their properties, leading to declines in the area's property values and conditions even before construction began.<sup>198</sup> Next, the demolition stage immediately reduced available economic, social, and cultural resources, and, as already discussed, ongoing construction created noise and pollution, blocked access to businesses and services, and ultimately closed businesses due to lack of customers.<sup>199</sup> When construction was completed, segregation was often entrenched as highways physically isolated neighborhoods. White residents often left for the suburbs, while black residents tended to stay in the inner cities and experienced the disamenities of highways.<sup>200</sup>

These factors brought about a perpetual cycle of deterioration through disinvestment, strain on existing community resources, further declines in property values, and decreased quality of life.<sup>201</sup> While white flight and suburban development took place, poverty was becoming increasingly concentrated in the inner cities. Though not the only factor, it is apparent that highways contributed to this cycle and left black residents and other minorities in "hollowed-out communities" with fewer economic opportunities, inadequate services, segregation and discrimination, and other harms.<sup>202</sup>

## **E. A Lasting Legacy**

The goals of the highway system included promoting increased mobility and economic development. However, in practice, these objectives were not experienced by all.<sup>203</sup> The negative impacts of highways did not end upon completion of a specific project. Public transit suffered. Indeed, the degree of distrust between the communities most impacted by dislocation and their state and local transportation officials has never been repaired. And the hardscape remains a hindrance to the model of a unified, connected America. It would be appropriate to ask where our country might be today if road advocates could have imagined a country free of segregation and built our highways that way.

With property values depressed by government action and with the destruction of their homes and businesses, long-term wealth building for certain groups of Americans was made more difficult.<sup>204</sup> In Atlanta and Washington, DC, one analysis calculated average present value of homes demolished by freeways at \$483,000 and \$596,000, respectively.<sup>205</sup>

Syracuse provides one example of the lasting impacts. In the 1960s, urban renewal and construction of I-81 destroyed the Fifteenth Ward. Of the displaced, 72 percent (72%) were black, despite Syracuse only having a five percent (5%) black population.<sup>206</sup> These dislocated residents were also poor and found themselves stuck in a cycle of generational poverty. Syracuse today is one of the most segregated cities in the United States and exhibits stark racial disparities in poverty rates, home ownership and economic

opportunity.<sup>207</sup> With some even comparing it to the Berlin Wall, I-81 continues to function as a physical divide between races and classes in the city.

Moreover, highways and the concentrated poverty nearby are associated with higher pollution levels and worse health outcomes. Urban areas are known to exhibit lower air quality, but the construction process and the increased concentration of motor vehicles arising from new highways exacerbated this problem.<sup>208</sup> With low-income minority communities located near highways, they are especially harmed.

## **F. A Record That Demands Further Research and Continued System Improvement**

A collection of presently available data, quantitative and qualitative, has been provided here. As has been stated, the resources and time required to delve further exceeds the capabilities of the ACTE. Though it is difficult to quantify every impact of the highway system on communities of color, these communities were forced to bear a disproportionate share of the extreme burdens, which have heretofore been researched on a case-by-case basis. This subject matter deserves much more investigation and study fully supported by the federal government.

Some will likely claim that the matters discussed above should be classified as ancient history or that the process has improved well beyond its starting point. But the highways remain as symbols of both progress and pain. Highways also continue to be built, and with greater awareness, we can embrace the contentious debates about the necessity of certain projects, proposed route alignments and the cumulative burden upon communities targeted in the past. While steps have been taken by policymakers to mitigate future damages, there continue to be complaints about the drive to use federal dollars to impose “top down” results by state and even local transportation officials at the expense of community input.

In many ways, the culture of transportation agencies has never reached beyond the ideal of Progressive era philosophy, prioritizing data above context, putting technical decision-making above meaningful public input and “getting things done” at the expense of “getting things right.” This approach proved to be shortsighted. Transportation professionals at every level of government must embrace the challenge of earning and retaining the confidence of the public they serve. Transportation is a tool of enormous power to improve lives and foster lasting connections between places and people. However, in an era of rapidly emerging technologies, growing political discord, and weakening U.S. Supreme Court protection of civil rights-era remedies, transportation may still be used as a weapon. We must resist this urge at every turn and work for a system that leads to a more connected, cohesive American community.

## **IX. Reform**

Starting in the early 1960s, citizen activism and opposition to highway projects pushed local, state, and federal actors to revisit their role in highway construction and its negative impact on communities. Even today, after decades where urban highways emerged as a fixed part

of many downtowns, federal, state and local officials are rethinking their role in urban transportation.

### **A. Attempts to Smooth the Blunt Instrument of Highway and Urban Renewal Policy**

By 1962, a growing consensus among federal officials emerged: the process of highway construction needed to change. Thus, the Federal-Aid Highway Act of 1962 provided the first major course correction in the highway program. There were two important changes. First, the 1962 Act included a requirement that the BPR, through participating states, offer relocation assistance to displaced families for any future projects. Second, the Act required additional project coordination between state and local governments through what became known as the “comprehensive, continuous, and coordinated (3C) process,”<sup>209</sup> providing a new avenue for resident input in the planning and implementation process. Both requirements aligned the BPR’s process for highway construction with the process HHFA had been following with urban renewal since 1956.

While the full impact of urban highways continued to reveal itself, officials could readily see that new highways had carved out downtowns and neighborhoods, rolled through parks and schools, displaced communities, fomented ever-increasing neighborhood resistance, and generated minimal economic growth.<sup>210</sup> Further, as discussed in previous sections, the combination of federal housing and highway policies had placed a bullseye on neighborhoods with high proportions of lower-income residents or black residents. While many highways had been built with the promise of restoring and revitalizing struggling urban areas, they were frequently falling short of these expectations.

By the time federal officials acknowledged these negative impacts, much of the damage had already been done. The parks and schools, the churches and the neighborhoods, the people and their homes — the ecosystem of whole communities had disappeared. And what replaced them for long stretches of time were empty tracts of land. Federal reformers looked forward, not backwards. They did not consider the potential for grossly wrong and unfair values paid to families for their condemned property or the relocation payments that many families never received or the large tracts of now-publicly owned land that could have been re-purposed to solve the housing deficits created by federal policy. Their task, as they saw it, was to fix the system on a go-forward basis.

A 1967 report from the US House Committee on Public Works offered recommendations to state highway boards for implementation of urban highway construction projects. These recommendations included consideration of affordable housing availability for displaced families and, of all things, “mak[ing] every reasonable effort to acquire real property needed for highway purposes by negotiated purchase” rather than by eminent domain.<sup>211</sup> The memo also recommended that federal agencies require States to create relocation plans for each project. Critically, these suggestions were distributed five years after the Highway Act of 1962 and more than 10 years after the blockbuster 1956 Act. For families that had already been subject to prior practices, these recommendations were meaningless. Even to the extent that the recommendations could be meaningful on a future basis, they were not mandated.



Prior to 1962, the BPR's guidance for highway construction included no local community planning process, a core tenet of HHFA's urban renewal projects. However imperfect the urban renewal program was, it at least nominally included local voices in the process. Following much more restrictive guidance, HHFA required local governments to have a LPA that would implement the urban renewal project, starting with the identification of "blighted areas" through an analysis of census records<sup>212</sup> of housing conditions, public health records, and resident interviews.<sup>213</sup> The LPA would then create a formal urban renewal project plan outlining projected land values, project costs, feasibility studies, and – critically – the estimated number of displaced residents and the predicted relocation housing units required. HHFA required the urban renewal plan to be approved by both the City Council and a locally appointed citizen advisory council, after which resident relocation and clearance could begin and HHFA would release federal funds for the project.<sup>214</sup> Between 1956 and 1965, when HHFA first added the requirement for the inclusion of neighborhood plans in urban renewal project planning, 191 communities implemented "plans of this type."<sup>215</sup> While logical on paper, the voices of communities most targeted by Urban Renewal were often not included in these Citizens Advisory Councils or as elected officials on City Councils.

To state and local governments seeking expeditious use of federal funding, BPR's less-regulated implementation process provided an avenue to access funding for urban highway projects while avoiding HHFA's LPA requirements. In fact, although urban highway construction and HHFA's urban renewal were happening in parallel during this period, BPR's policies were widely perceived as far more indiscriminate in comparison to HHFA: "[HHFA] has not been as indifferent as the highway program, which in the past has demolished several hundred thousand homes without showing until recent years the least tangible interest in what happened to the occupants."<sup>216</sup>

Had BPR been required to engage local input to a greater degree, it may not have made much of a difference. Even the HHFA process had readily apparent weaknesses. The HHFA requirements were delegated to state and local actors who mostly self-regulated their efforts. There were wide variations in HHFA oversight, given the regional nature of its organizational structure. A regional HHFA administrator in one region may turn a blind eye to process failures while another in a different region might have required strict compliance. These problems were amplified further by the enormous stakes. Real estate developers were powerful allies of urban redevelopment, and they often formed the nucleus of LPAs. For the renewal efforts to be successful, regional administrators wanted to prove that the condemned land had turned over into a more constructive use. There was every incentive not to slow things down by complaints. Further, HHFA's relocation assistance provided to communities was often rushed and incomplete, such as in an example from Boston where "the [HHFA] relocation office was established just four weeks prior to the taking of property."<sup>217</sup> Relocation challenges were amplified by racially segregated public and affordable housing that made identifying housing for black residents difficult, even, as some observers have articulated, prohibitive.<sup>218</sup>

BPR's urban highway construction practices gained greater skepticism among its previous advocates such as the nation's mayors who, two decades earlier, helped lead the charge for slum clearance policies and paved the way for the 1956 Act. Mayor Richardson of Philadelphia stated, "[If people are not given adequate] help in relocating from the path of

highways, this obviously augments the housing problems which the renewal program is trying to solve.”<sup>219</sup>

As skeptics and opponents began to line up, their interests converged to force changes by pushing federal, state, and local officials to further revisit these highway development practices. This included community groups and civil rights organizations (who, by the end of the 1960s, led many of the freeway revolts in opposition to new highway construction) concerned about the harm new highways could cause their communities; environmental groups worried about the impacts of highways on air pollution, local wildlife, and wetlands; transportation advocates who wanted to see additional funding for public transit and intra-city connections; and associations such as the US Conference of Mayors who advocated for alternative economic development approaches for their cities.<sup>220</sup> Dissatisfaction among many of these groups grew over the course of the 1960s as trust in the federal government eroded, especially in response to the uprisings in Watts and other urban communities during the summer of 1965 and beyond and ongoing protests against the Vietnam War. While these events were not explicitly about transportation, they heightened existing skepticism among city residents of any policies or initiatives from the federal government.

Despite their shared distrust of the federal government and advocacy against highways, these groups did not always act in unison. In fact, they fought similar battles with separate arsenals, often separated by race. Much of this can be attributed to the legal framework in which they operated. While Congress passed numerous laws protecting parks and environmentally sensitive areas from highway construction, no such protection existed for highways through black or brown residential neighborhoods.<sup>221</sup> Environmentalists had one set of tools, while civil rights advocates had another.

Between the Federal-Aid Highway Act of 1962 and the Federal-Aid Highway Act of 1973 – which provided federal transit funding from the HTF for the first time – Congress responded to these anti-highway concerns with a sweeping set of policies and administrative reforms.<sup>222</sup> While reaffirming support for the Interstate Highway Network, these policies reflected a conscious adjustment to prevent a repeat of the harms caused by previous highway projects, achieved by incorporating additional paths for public involvement, providing new funding to displaced residents, and by tying funding for new projects to their potential impact on the environment.

Critically, while not all policies were aimed directly at mitigating the impacts of highway construction on neighborhoods specifically, by the early 1970s, federal officials figured out how to use these policies to slow down or stop highway projects for which they previously would not have had a legal justification. Along with new delay tactics, these policies played a key role in making a mile of highway three times more expensive in 1980 than in 1960 while adjusting for inflation, further limiting the ease of new highway construction.<sup>223</sup>

## **B. Taming the BPR**

With the appointment of Alan Boyd as Undersecretary of Transportation in 1965, at the time the highest transportation role in the federal bureaucracy, a new reformist era in transportation policy began, marked by the transition from engineers to “politically savvy

technocrats” in charge of federal transportation strategy.<sup>224</sup> Enacting this reform, however, required more than personnel changes: federal officials needed to reign in BPR.

Operating under the Commerce Department, BPR and the state highway officials it worked with pushed through new highways in the heart of American cities across the country.<sup>225</sup> The lack of accountability, either to the residents of those cities or the broader federal government, gave the agency even more power. By the early 1960s, local residents, urban planners, and even federal officials began to question the “single minded-devotion of highway engineers to pouring concrete” with seemingly little regard for the impacts of their projects on communities.<sup>226</sup>

The first stage of this reform began with the Federal-Aid Highway Act of 1962, which established new rules for the distribution of federal highway funding. Under the Act, starting on July 1, 1965, funding for highway projects in urban areas of over 50,000 residents would be contingent upon a “continuing comprehensive transportation planning process carried on cooperatively by States and local communities.”<sup>227</sup> This notion of continuing, comprehensive, and cooperative planning, which soon became known as the 3C process, meant that new highway projects would require coordination with and participation from local officials, providing them with an official seat at the table in determining how highways would shape their communities.<sup>228</sup> Further, the Act required these plans to incorporate the impact of highways on all forms of transportation and consider land use planning, providing a broader context in which to discuss the impacts of new highway projects on residents, transit users, and other constituents who had been left out of these conversations.<sup>229</sup> As one contemporary author put it, after years of dominance from engineers and BPR officials in highway planning, the Act “prescribed the means for involving both technicians and non-technicians in decision-making relevant to major new highway projects.”<sup>230</sup>

The impact of the Act was immediate. In order to meet the July 1965 deadline, state and local officials formed new ad hoc planning committees and brought on consultants to gather data for coordination across entities. While these groups were formed in response to the new law, the notion of regional planning stuck, as many evolved into permanent planning organizations, such as MPOs, in the years to come.<sup>231</sup>

While many state, local, and Congressional representatives sought new ways to make highway planning a more deliberative and collaborative process, BPR sought to undermine the provisions of the 1962 Act.<sup>232</sup> Since the Act would not take effect until 1965, one of the strategies was to speed up highway construction until then. At the annual AASHO meeting in December 1962, two months after the passage of the Federal-Aid Highway Act of 1962, BPR Administrator Rex Whitton challenged state highway officials to complete fifty percent (50%) of the highway system by 1964.<sup>233</sup> (At that time, the Interstate program was funded through 1971 as a 15-year program, which put 1964 as the halfway point.) For Whitton, who was aware of the growing criticisms of the highway program, building highways quickly would serve as an advertisement for their benefits and was “the best means we have to combat the carping critics and mudslingers.”<sup>234</sup>

The desire to build as quickly as possible soon collided with the growing environmental movement. The release of Rachel Carson’s *Silent Spring* in 1962 created a new wave of

concern for many Americans about humanity's impacts on the environment.<sup>235</sup> Concerned about how this would impact perceptions of highway projects, BPR passed a rule in 1963 requiring states to examine the impact of any new project on local fish and wildlife.<sup>236</sup>

Even with this rule, BPR was still pushing to build new highways as quickly as possible in the face of new legislation requiring broader participation and planning and growing public opposition to highway projects. By the mid-1960s, Congress began to use environmental legislation of their own to provide new tools to slow down, or stop, BPR's new projects.

This started in 1966 with Senator Ralph Yarborough of Texas. After hearing about a planned highway through Brackenridge Park in San Antonio, Senator Yarborough "attached an amendment to a highway appropriations bill that prohibited the construction of federally assisted highways through parks and historic sites unless all possible alternatives had been considered."<sup>237</sup> Later that year, the National Historic Preservation Act of 1966 also limited federal projects in endangered sites.<sup>238</sup> Together, these two bills provided anti-highway advocates with the tools to litigate, delay, and even entirely stop new highway construction, which they used regularly throughout the 1960s and into the 1970s with the passage of additional environmental legislation.

### C. The Rise of the USDOT

After years of debate across Congress, various special interest groups, and the administration of President Lyndon B. Johnson, Congress passed the Department of Transportation Act of 1966, which created the USDOT.<sup>239</sup> Launched in January of 1967, the newly minted USDOT consolidated thirty-five federal agencies previously under separate federal departments. This included the BPR, whose highway construction mandate and other authorities were consolidated into a new agency, FHWA and the Urban Mass Transit Administration (UMTA), the latter previously under the U.S. Department of Housing and Urban Development (HUD), along with other agencies related to rail, ports and air travel.<sup>240</sup>

The existence of a new administrative structure, paired with support from President Johnson and continued public pushback against how highways had been built through cities, provided the newly minted USDOT with the authority to radically shift the process and planning of new highway construction. This began with the first USDOT Secretary, Alan Boyd, who had previously served as Undersecretary of Transportation in the Commerce Department, where he led the creation of a cabinet-level DOT. Soon after taking office in 1967, Boyd publicly stated that "the so-called freeway revolts around the country have been a good thing" and claimed that in order to build new highways "we're going to have to find a better way to do it than to say we're going to take the property of poor people and leave everybody else alone."<sup>241</sup> His directive was clear: the process of building highways that disproportionately impacted lower income neighborhoods primarily made up of black and lower-income residents needed to change.

To realize these changes, Boyd ironically picked up where Whitton, the former BPR Administrator, left off. Despite Whitton's call in 1962 to build new highways as quickly as possible, he also recognized the need for highway builders to respond to mounting criticisms of their impact on urban communities. In 1966, Whitton launched the Urban Advisors, an

independent group of eight designers, including architects, landscape architects, urban planners, and structural engineers, tasked with providing new highway design guidelines to “shift the perspective on highway planning from one that privileged high-speed, high-volume attributes to one that also embraced environmental and community values.”<sup>242</sup> Boyd supported this work after taking over as USDOT Secretary and the Urban Advisors released *The Freeway in the City* in 1968, which offered sixteen recommendations for highway planning and design guidelines, including coordinated land use and highway planning, incorporation of environmental and ecological concerns, and the need for highways to enhance existing landscapes, rather than harm them.<sup>243</sup>

Despite their willingness to challenge the status quo of highway construction, the Urban Advisors had only gone so far. While they recommended the development of more environmentally-conscious highway designs similar to the Merritt Parkway in Connecticut, they also suggested the coordination of highway development and urban renewal to create space for new housing and green space.<sup>244</sup> For communities separated by these highways, they recommended pedestrian walkways above them to keep them connected.<sup>245</sup> As authors Alan Altshuler and David Luberoff write in their history of this period, this mindset was typical of the era: a “kinder, gentler version of urban renewal, omitting the slum clearance.”<sup>246</sup>

USDOT supported collaborative, cross-disciplinary highway design discussions at the local level as well. In 1966, in response to a dispute among state and local officials over the location of a proposed highway cutting through Baltimore, Lowell Bridwell, who at the time was running BPR as it transitioned from Commerce to USDOT, agreed to fund 90% of the cost of a new two-year study by “an urban design concept team.”<sup>247</sup> The team consisted of “urban planners, architects, sociologists, historic preservationists, and experts from other disciplines.”<sup>248</sup> Bridwell viewed the study as an opportunity to demonstrate how to achieve the requirements of the 1962 Federal-Aid Highway Act for continuing, comprehensive, and cooperative planning.<sup>249</sup> After this study, USDOT promoted the use of an urban design concept team in other cities as a means to settle disputes over new highways.<sup>250</sup>

Beyond recommendations for highway design and stakeholder collaboration, Boyd and USDOT channeled efforts for reform into the Federal-Aid Highway Act of 1968,<sup>251</sup> which for the first time required states to provide “decent, safe, and sanitary relocation housing prior to property acquisition for highway routes” and made funding available for “moving expenses, housing relocation, and housing and rent supplements.”<sup>252</sup> Notably, these relocation and assistance requirements had already been in place for decades in the federal urban renewal program but had not yet been incorporated into the federal highway program. Also in 1968, FHWA issued new policies and procedures that built on the 3C process established in the 1962 Act. The guidance required two public engagement hearings for every highway project, with one focused on “highway corridor location” and another specifically on “design issues.”<sup>253</sup>

As with many aspects of transportation, these reforms carried forward-going significance. However, even with these policy and design changes, administrators such as Boyd were ultimately focused on getting the interstate system completed, and there were still many projects further down the pipeline or already completed that were not impacted by these efforts.<sup>254</sup>



## D. BTPR: A Case Study

The City of Boston, through the BTPR, demonstrated the type of transportation planning and governance Boyd and USDOT had hoped to produce through these reforms. In the early 1970s, Boston faced a political deadlock around transportation planning that reflected many of the key issues cities around the country faced. While the city's 1969 long-range plan called for a more "comprehensive network of radial and circumferential highways" in and around the city's core, residents and community groups were pushing back against the development of new highways and calling for investments in public transit.<sup>255</sup> To settle this debate, in February 1970, a moratorium on new highway construction was ordered by Massachusetts Governor Francis Sargent who also created the BTPR as an independent entity to provide recommendations for transportation in the Greater Boston region.<sup>256</sup>

The BTPR was more than a working group on regional transportation policy; it was an attempt to remodel the basis of the transportation planning process. Over the course of 18 months, the BTPR's interdisciplinary coalition of experts, community groups, and local officials modeled and debated a series of alternative transportation visions for the city, with a key focus on citizen involvement and participation, elevating the role of public transit to "equal-footing with highway options," and consciously incorporating the social and environmental impacts of new infrastructure into the decision making process.<sup>257</sup> Through comprehensive community engagement and citizen involvement, the BTPR recommended shifting road development from highways to corridor and arterial improvements and a significant improvement in public transit.<sup>258</sup> In response to the BTPR's final recommendations, Governor Sargent formally made the moratorium on new highway development in Boston's core permanent and proposed using the rejected highway funding for a massive transit program.<sup>259</sup>

Following the BTPR's success, the model became a prototype for the reevaluation of major transportation plans and policies, promoting a more citizen-driven and socially and environmentally-conscious process that viewed public transit as an equally valid form of transportation infrastructure as highways.<sup>260</sup> While USDOT was not involved in this process, its reforms over the course of the 1960s encouraged the development of this type of collaborative and citizen-oriented transportation planning process. At the same time, Sargent's request – to use rejected highway dollars for public transit – was at the time not allowed under federal law, and pushed USDOT to go further in determining how, and how much, federal funding could go to transit in addition to highways.<sup>261</sup>

By the end of the 1960s and into the early 1970s, Congress and USDOT had pushed through reforms to make highway planning more collaborative and less disruptive. At the same time, local officials, state officials, and activists in the ongoing push against freeways wanted them to go even further.

## E. The Nixon Administration and Environmental Policy

While USDOT was focusing on new design and engagement strategies, Congress spent the early 1970s passing a suite of environmental legislation led by the administration of

President Richard Nixon. While much of this legislation was not focused on transportation or highways, it had a profound impact on how both citizens and federal bureaucrats could guide the direction of future highway development.

This period began with the passage of the National Environmental Policy Act (NEPA) of 1969, which required agencies to consider the environmental impacts of all projects, documented through environmental assessments and environmental impact statements to be included as part of the 3C planning process outlined in the 1962 Federal-Aid Highway Act.<sup>262</sup> Congress also passed the Clean Air Act in 1970 and the Clean Water Act in 1972, requiring additional considerations for air quality and water quality, along with legislation related to noise abatement, preservation, endangered species, and soil control. Together, these bills required new highway construction to pass a wide range of tests on everything from nearby air quality, to noise levels, and to the impact on wildlife.<sup>263</sup>

Notably, Congress tied citizen participation laws to environmental policy. For example, in both the Clean Water and Clean Air Acts, Congress explicitly stated the right to citizen suits to enforce the provisions of each individual act.<sup>264</sup> Citizen suits were further supported by the Supreme Court in *Citizens to Protect Overton Park v. Volpe*, when the court held that the Department of Transportation was subject to judicial review in a suit brought by a group of residents against USDOT in their fight against a proposed highway through Overton Park in Memphis. The Supreme Court reversed the lower court decision against the group and remanded the case to the U.S. District Court for review, underscoring the ability for citizens to sue administrative agencies and subject their decisions to judicial scrutiny.<sup>265</sup>

Across all three types of legislation, federal officials provided both federal agencies and residents with a brand new set of tools to fight against and, in many cases, cancel proposed highway projects in major urban areas. For example, under Secretary John Volpe in the early 1970s, USDOT canceled 15 highway projects in cities such as Baltimore, Chicago, New Orleans, and Detroit.<sup>266</sup> While the mandates of the 1960s highway legislation and NEPA provided the justification to halt these projects, Secretary Volpe also strategically deployed these tools to halt politically unpopular projects. For example, in response to deep local and political opposition to the Inner Belt highway project in Boston, Secretary Volpe “approved a costly highway study...essentially killing the Inner Belt Expressway.”<sup>267</sup> The existence of a new department focused exclusively on transportation, paired with refined strategies for planning and engagement and legislative authority, provided USDOT with the necessary cover, both legal and political, to transform many aspects of new highway development and limit the damage of new highway construction.

## F. Highway Act of 1973

By the 1970s, highways had become a primary source of long-distance travel and even intracity commuting. Federal transportation officials began to anticipate the need for alternative systems to meet travel demand and create consistent travel times from point-to-point. The new USDOT now held responsibility for public transit policy, which many within the agency viewed as an underfunded and underperforming resource.<sup>268</sup> Some also saw potential for new transit investments to revitalize struggling downtowns and offset reliance on personal vehicles.

At the local level, a coalition of corporate executives, big city mayors, industry groups, organized labor, and environmental advocates began to organize around the need for more transit funding from the federal government.<sup>269</sup> While this coalition began in the mid 1960s, by the end of the decade, without significant changes in public transit funding, they openly discussed refusing federal highway aid if it came without attendant increases in public transit dollars.<sup>270</sup>

Secretary Volpe and James Braman, Assistant USDOT Secretary for Urban Systems and Environment, led the federal charge for more transit funding through a proposed Transit Trust Fund, which would be financed as a trust similar to the HTF.<sup>271</sup> President Nixon and his team of economic advisers declined to send the trust fund to Congress twice, once in 1969 and once in 1970, due to highway lobbying and concerns from the President's team of economic advisers on the impact of an autonomous fund with little presidential control.<sup>272</sup> Transit funding eventually came later that year through the UMTA Act of 1970, which included \$3.1 billion in transit capital grants over five years. This was approximately five times higher than the level of annual funding toward the end of the 1960s.<sup>273</sup>

The Federal-Aid Highway Act of 1973 built on this momentum for transit projects by diverting funding from the HTF toward mass transit projects, a significant departure from precedent.<sup>274</sup> In addition to allowing officials in major cities to use HTFs for transit projects, the bill provided funds for comprehensive transportation planning in urban areas and authorized states to reallocate funds originally for highway projects to transit projects.<sup>275</sup>

Despite the significance of the 1973 Act in opening the HTF to transit and establishing a more multimodal approach to transportation policy, the changes may have been more symbolic than tangible, since few transit dollars were allocated. In the three years after it was passed, the federal government spent \$19 billion on highways and only \$1 billion on transit out of the HTF.<sup>276</sup> While the Act did not create the capacity to transform communities that had been unfairly burdened by auto-oriented planning, it set a new standard for highway bills that continues to be followed today, where transit and highway funding are established together as a single surface transportation coalition.

## **G. Tapering the Federal Role**

By 1973, 80% of the planned interstate network designated in the 1956 Highway Act was complete.<sup>277</sup> All over the country, any new projects, especially those in urban areas, were stalled or had been canceled, and the vast majority of remaining highways were in rural or suburban areas that likely would inspire little pushback.<sup>278</sup> At this point, for many individuals, the freeway revolts had run their course:<sup>279</sup> USDOT had shifted away from top-down, highway-first planning, federal transportation funding now included incorporated transit and, most significantly, new highways posed a much smaller threat than they had even a few years prior.<sup>280</sup>

By this point in the early 1970s, USDOT had reformed many of its processes to limit the damage of new highway projects but had not prepared itself to address the challenges with those that had already been built or were in the latter stages of construction. Over the

course of the next 20 years, as the interstate system worked toward completion, instead of addressing the harms of projects that had been built previously, USDOT slowly reduced its role in infrastructure development by delegating greater powers to state and local officials, exercising the full measure of its authority rarely, if ever. Looking back, the Federal-Aid Highway Act of 1962 signed by President John F. Kennedy began a measured shift of urban highway, transportation, and infrastructure planning and funding away from the exclusive domain of the federal government and state highway boards to local officials.

This transition was not necessarily clear at the time. The Johnson Administration's Great Society program actively promoted investments in urban areas with significant federal involvement. For example, in 1966 President Johnson first proposed the Model Cities program, a multibillion-dollar investment in struggling American communities and offered for the federal government to pay 80% of the cost, while also pushing for ambitious transportation projects such as the Washington, DC Metrorail system.<sup>281</sup> At the same time, Johnson prompted the coordination of federal involvement in local issues through new departments such as USDOT and HUD.

The shift away from deep federal entanglement in urban issues grew more stark under President Nixon. In transportation, this took the form of the Federal-Aid Highway Act of 1973. Building on the 3C process of the 1962 Act, the 1973 bill mandated states to designate agencies to coordinate highways, transit, and even airports around urban areas. Similar to the 1916 Federal-Aid Highway Act, the federal government required the introduction of a new government unit to manage transportation planning and implementation.<sup>282</sup> By 1975, USDOT formally required MPOs to serve as the coordinating agency between state and local officials and provided them with clear guidance on the type of planning they would need to complete each year.<sup>283</sup> MPOs were now the exclusive body in charge of setting and implementing the transportation agenda for their region, a far cry from the federal and state highway planning of two decades prior.

Nixon's push toward decentralization went beyond basic authorities and to the very bureaucracy itself. During his campaign, rumors swirled that he wanted to eliminate USDOT and HUD, the two new departments created under Johnson.<sup>284</sup> While Nixon never made a serious attempt to cut either of these agencies, his first two secretaries for each role, John A. Volpe— who created the John A. Volpe National Transportation Systems Center (Volpe Center) in USDOT —and George Romney at HUD, found themselves caught in a government with conflicting agendas. On the one hand, the Nixon Administration promoted the idea of shrinking government. On the other hand, both USDOT and HUD were, by definition, sprawling in every respect. The voices pressing for a smaller government, however, tipped the balance. Thus, these agencies began to convey to their state and local government partners that the large hand of the federal government was pulling back. Increasingly, responsibilities such as facilitating new transportation plans, strongly enforcing fair housing laws, or offering community development support, which in an earlier era would have been led by USDOT, HUD, or another federal branch would now be left to states or local governments.<sup>285</sup> These agencies had become fodder for those who sought to close them down, believing the primary job of improving cities rested with the cities.

While the federal government was pushing *greater* administrative responsibility to states and local governments, the Nixon administration simultaneously *reduced* funding streams into urban areas. Federal infrastructure investment sharply declined starting in the 1970s while, starting in the late 1960s and throughout the rest of the 20th century, Congress imposed a series of economic measures that left HUD “unable to satisfy even the most modest expectations.”<sup>286</sup> Nixon “decimated” the Model Cities program and rejected ambitious initiatives like the Transit Trust Fund with the potential to transform cities and urban transportation.<sup>287</sup>

From the day the 1956 Federal-Aid Highway Act passed, it was expected that federal capital investment in freeways would continue as the planned wave of freeways were built. As new facilities came online, however, states would take over highway maintenance. As the tapering of the federal role began in earnest, it became even more clear that there would be no abundant resources to correct the harms caused by the initial build-out. After providing 90 percent of funds for highways under the Federal Aid-Highway Act of 1956, the federal government held to its original plan. Even today, with generational investments in U.S. infrastructure, states now spend three times as much on highways as the federal government.<sup>288</sup>

After the Nixon Administration and the Federal-Aid Highway Act of 1973, the tapering of the federal role carried on as federal infrastructure investments decreased over the course of the 1970s and took an even sharper downward turn during the first two years of President Reagan’s Administration.<sup>289</sup> In 1983, highway and transit advocates, serving as a surface transportation coalition, lobbied successfully for a five cent increase to the gas tax, with one cent going to transit funding and four cents going to highways.<sup>290</sup> This created what has since become known as the 80/20 split, where eighty percent (80%) of HTFs go to highways, and the remaining twenty percent (20%) to transit. The tax increase created a windfall for transportation projects, with federal highway spending reaching its highest levels, in real dollars, since the 1960s.<sup>291</sup>

Surface transportation funding grew even more under 1991’s ISTEA. ISTEA marked the end of the interstate highway program and the beginning of a more multimodal, more collaborative, and more environmentally conscious approach to transportation planning.<sup>292</sup> The Act “devolved unprecedented decision making authority for project selection and funding allocation to state and local governments,” through MPOs, which had lost significant funding and capacity due to policy changes under the Reagan Administration.<sup>293</sup> The bill, which forms the federal transportation structure we have today, is a clear evolution of the 1962 Act under President Kennedy through its focus on planning, intergovernmental coordination, and ongoing devolution of federal authority.

Over the three decades between the 1962 Federal-Aid Highway Act and 1991’s ISTEA, while the federal government deliberately created new authorities and policies to address the harm of urban highways, it also structurally reduced federal cost sharing and imposed less involvement in project decision making and implementation. Many changes during this period were well-intentioned efforts that had a positive impact on communities, often by canceling planned highway projects altogether. However, these changes focused primarily on improving future highway projects, not addressing past errors.



The degree to which the USDOT has focused attention and dedicated programs to redressing past harms has waxed and waned from administration to administration, just as state and local efforts have followed the wishes of the prevailing governors and local elected officials. To be clear, states have always had great latitude to engage a wide array of public voices in formulating and implementing highway plans using federal dollars. They have always been given a significant degree of deference over where and how to build freeways. Indeed, there is likely a fundamental apprehension of federal lawmakers to upset the balance encapsulated in the phrase “federally assisted, state administered.”

## **X. New Energy to Solve an Old Problem**

In 2016, USDOT updated its Title VI guidance for the first time since the 1970s. This new guidance strengthened its claim to enforce non-discrimination in the use of federal funding and was used, for example, to reverse several Alabama Department of Motor Vehicles closures in the “black belt” of that state. The Department sponsored a summit for community activists and provided a tool kit to empower their voices as part of public input processes.

### **Every Place Counts Design Challenge**

The Department also piloted a charrette process known as “Every Place Counts” in which federal, state and local transportation officials worked with several communities, including in Philadelphia, Nashville, and Spokane, to reimagine urban freeways.<sup>294</sup> It would lead to the FHWA Every day Counts Connected Communities program, “using performance-based design approaches ...to help agencies develop highway retrofitting, rehabilitation, or removal options for turning aging infrastructure into opportunities for improving community connectivity and cohesion.”<sup>295</sup> And the USDOT included equity considerations in the distribution of discretionary grants. An exhaustive survey of Ladders of Opportunity Initiatives during the Obama Administration can be found [here](#). Further, USDOT worked to incentivize cities to rethink their transportation network through new technologies with competitions such as the Smart City Challenge, a \$50 million technology innovation grant awarded to Columbus, Ohio, with its emphasis on the intersection of new transportation technology and its role in enhancing equity and access to opportunity.<sup>296</sup>

Discretionary grant programs have been essential in reforming the urban landscape, promoting context-sensitivity and better quality of life. Between 2012 and 2021, partly as a result of these grants, communities across the country have removed or capped highways, including such as Rondo in St. Paul, Minnesota, Columbus, Ohio, Pittsburgh, Pennsylvania and Albina Vision Trust in Portland, Oregon, as well as an \$18 million grant to bring a highway in Rochester, New York to grade.<sup>297</sup>

Armed with the Bipartisan Infrastructure Act and the American Rescue legislation, the current USDOT has amassed resources rivaling those of the original 1956 Highway Act, including, for the first time, a program called Reconnecting Communities and Neighborhoods, that focused resources on rebuilding the physical connections broken by

the first wave of urban interstates. By its terms, the program is designed to “to restore community connectivity through the removal, retrofit, mitigation, or replacement of eligible transportation infrastructure facilities.”<sup>298</sup> The program provided grants to 45 communities in its first year and will provide up to \$1 billion over five years. While taking a significant step forward, this program is seeking to mitigate the impacts of trillions of dollars over many decades.

While focused on restoring past harms, USDOT has also focused on preventing new ones by ensuring equity is at the core of transportation decisions. This includes work to incorporate DBEs into major contracts, once again updating Title VI guidance to support Environmental Justice (EJ) communities and launching grant programs that focus on Justice40 communities that have historically been underserved.<sup>299</sup>

Many of these programs, especially the Reconnecting Communities Grant, provide the opportunity to reshape downtown areas that were harmed by highway construction over half a century ago. However, for many communities, this is only the beginning. Every city had a unique community with a unique history that was displaced by a highway. The conversations about what a just removal or cap looks like are complex and difficult and it will take much longer to build these back up than it took to tear them down.

## **XI. Conclusion**

Having observed transportation systems as a citizen, a local elected official, a member of a MPO, a mayor and eventually, as U.S. Secretary of Transportation, I can verify that two or more seemingly conflicting facts can be true. Highways can be among the most miraculous achievements of 20<sup>th</sup> century America, while also entrenching long-term social, economic and racial isolation.<sup>300</sup> Undoubtedly, a robust highway system could have been established without such widescale disruption or long-term negative effects.

Prioritizing fairness in policy, practice and process is merely the beginning. The best legal and regulatory tools for promoting transportation fairness may prove ineffective if the people charged with execution fail to observe them. Holding the transportation system to a higher standard of accountability will determine our future success or failure.

Holding jurisdictions accountable runs against the tide of history in federal transportation policy. As this recounting demonstrates, the implementers became trusted partners of federal officials to shape the highway policy regime. They became trusted partners because, for decades, state transportation officials had become experts in the technical and practical realities of building roads. It is a unique arrangement that treats state highway officials as nearly co-equals to the FHWA, a structure Katherine Johnson describes as “extra-constitutional.” Over decades, state highway officials have largely crafted the very federal policies to which they are subject, maximizing their autonomy and minimizing their accountability.

America has the capacity to recognize the lack of foresight displayed by earlier transportation professionals and implement the necessary changes to ensure that our infrastructure becomes a symbol of national unity. This is, in fact, the reason that the term

“transportation equity” is a matter that requires national attention. Reconnecting Communities grants and other such programs have the power to unite communities harmed by past decisions *with* state and local transportation officials to forge new approaches. By repairing the hardscapes across America, we can also aspire to a new level of trust and partnership between transportation professionals and the communities they serve. These undertakings will be most successful if they lead to improved standard practices in the field, rather than “one-off” efforts. With the same hope of prompting system-wide improvements, the ACTE has deliberated over the recommendations that follow.

It is worth noting that criticism of past government inadequacies applies to both Democratic and Republican administrations. Both parties have contributed to the faults in our transportation infrastructure. We will need both sides to help fix them, not just in Washington but across America. In the work ahead, every place counts.

We create transportation networks to survive us and last for generations well into the future. As a result, it is critical that we never only build for the country we are, but rather for the nation we want to be – “one nation, under God, indivisible with liberty and justice for all.”



**U.S. Department  
of Transportation**

# **Recommendations**

# Summary of Recommendations

## Cross-Cutting Recommendations

**Pg 62**

### #1: Audit Past Federal Infrastructure Programs

**Pg 63**

- The total effect of federal policies to disproportionately displace and undercompensate households and businesses through urban renewal and federal transportation policies has never been adequately studied or addressed.

### #2: Establish a National Infrastructure Planning Board (NPB)

**Pg 64**

- The federal government has funded state and local infrastructure priorities without an overarching national plan. A national planning board, modeled after the federal reserve, would elevate the national discussion about infrastructure priorities.

### #3: Establish a Permanent White House Infrastructure Office

**Pg 65**

- Past federal programs like the interstate highway program and urban renewal conferred sweeping powers upon state and local agencies without adequate guardrails.

### #4: Establish Fair Market Value and Cost/Benefit Analysis for Future Infrastructure Investments

**Pg 66**

- Federal legislators may be unaware of the long-term repercussions their bills have on low income, immigrant or minority communities within the United States.

### #5: Establish Mechanisms to Standardize Data Collection

**Pg 67**

- Federal transportation data collection is not standardized. Without standardized data collection, federal infrastructure dollars may continue to be deployed without adequate visibility into the impacts of these investments.

### #6: Develop Prospective Tools to Assess Infrastructure Impacts on Underserved Communities.

**Pg 68**

- Congress should develop prospective tools to measure the impact of infrastructure policies on underserved communities.

### #7: Mandate State and Local DOT Demographic Data

**Pg 69**

- It is important for the board and staff of State DOTs, which are powerful organizations, to reflect the demographic makeup of the community they are serving.



**#8: Provide Transit Operating Subsidies, Implement Performance Standards and Abandon 80/20 Highway/Transit Split** **Pg 70**

- Transit agencies across the U.S. are facing dramatic budget shortfalls driven largely by lower post-pandemic ridership. The federal government should provide ongoing transit operating support, while reducing or eliminating the 80/20 highway-transit split in favor of a performance-based approach.

**#9: Develop a Guidance and Pilot Program for Traffic Enforcement** **Pg 72**

- Routine traffic stops all too frequently escalate into sites of lethal violence, perpetrated by a group of individuals sworn to protect us.

**#10: Provide Climate Responsive Bus Shelters/Mobility Hubs** **Pg 74**

- Intercity bus travel remains an accessible form of transportation. However, bus stations are no longer used in all cases, leaving riders roadside without responsible waiting areas necessary for health and safety.

**#11: Create an EJ Roadmap and Revamp the NEPA to Include Alternative Analyses** **Pg 75**

- There is a need for a special purpose committee that would advance EJ, enhance economic opportunities in communities, and develop a social policy agenda and legislative priorities. In addition, there is a need to use a human-centered approach to the National NEPA to develop a guide that incorporates early considerations into NEPA pre-planning activities, project planning and execution.

**Expanding Access Subcommittee Recommendations** **Pg 78**

**#1: Strengthen Flexibility of Federal Funds for Transit and Human Services Transportation** **Pg 79**

- Most federal grant programs are not eligible for crossover or braiding with funds from different federal departments. Funding flexibility and braiding of federal funds increase access to greater transportation options that support addressing the social determinants of health.

**#2: Revise Grant and Funding Administration Requirements to Meet the Specific Needs of Rural, Isolated and Tribal Communities** **Pg 81**

- The FHWA Rural Program has exempted operating costs from grant funding consideration, rendering it unlikely that rural communities access the mobility benefits and enhancements that Congress intended. Grant programs must be revised to meet the specific needs of rural, isolated, and Tribal communities.

**#3: Update the FTA's Guidance and Frequently Asked Questions (FAQs) to Allow Transit Partnerships with Taxis and Transportation Network Companies (TNCs)** **Pg 83**

- Starting in 2016, the FTA put out additional placing significant operational constraints on Transit Agencies when partnering with non-dedicated service providers, including taxis and TNCs. This guidance has limited the opportunity to meet the mobility needs of underserved populations.

**Interventions Subcommittee Recommendations** **Pg 85**

**#1: Benchmark USDOT Equity Action Plan with Key Performance Indicators (KPIs)** **Pg 86**

- Transportation grant programs can unintentionally exclude disadvantaged communities due to several factors, such as complicated and burdensome application processes, lack of awareness, and unfavorable eligibility criteria. KPIs can help set benchmarks for improved processes to decrease this exclusion.

**#2: Streamline Grant Processes and Capacity Building Mentorship Program** **Pg 88**

- Administratively burdensome grant application and grant management processes create barriers for entry for under-resourced potential applicants. Streamlined applications and mentorship can assist under resourced applicants in accessing needed funding.

**#3: Develop Best Practice Resources** **Pg 90**

- Providing additional technical assistance and best practice resources to USDOT funding recipients could help them take advantage of funding opportunities and make greater progress in addressing historical inequities.

**Power of Community Recommendations** **Pg 91**

**#1: Investing in Meaningful Community Relationships** **Pg 92**

- Most public engagement opportunities occur in the context of a specific plan, program or project, leading to sporadic opportunities for public discussion. Investing in building community relationships before programming could lead to greater trust and empowerment.

**#2: Enhance Community Engagement in Isolated and Rural Communities** **Pg 96**

- Despite their significance, rural and isolated communities find it difficult to voice their concerns and preferences in transportation planning initiatives, frequently leading to a lack of customized solutions that address their specific needs.

### **#3: Integrate Equity and Accessibility Parameters into Travel Demand Models (TDMs)** Pg 98

- TDMs serve as critical tools for evaluating the impacts of transportation projects on land use and the road network. However, traditional TDMs often fall short in incorporating equity in housing and accessibility.

### **#4: Develop “Power of Community” Handbook** Pg 100

- Many community members and leaders lack awareness of how to access and effectively engage USDOT, transit providers, and MPOs to advocate for their concerns and ensure equitable outcomes. A comprehensive handbook specifically tailored for community members and community-based organization leaders can empower community members to be heard and hold transportation agencies accountable.

### **#5: Implement Community Engagement Innovations Workshops** Pg 102

- Many of the available training opportunities around community engagement are limited to standardized, “mainstream” engagement techniques and approaches that often do not meet the basic needs of “the public.”

### **#6: Establish a National Community-Based Organizations (CBO) Registry** Pg 104

- The integration of CBOs into transportation decision-making can be hindered by a lack of understanding by transportation agencies of how to identify and reach CBOs and what contributions or skills they can bring.

## **Wealth Creation Recommendations** Pg 106

### **#1: Increase Transportation Research, Development, and Technology Funding and Resources to HBCUs** Pg 107

- On September 18, 2023, President Biden called attention to sixteen (16) State Governors underfunding HBCUs, exposing an alarming disparity gap of \$13 billion over (30) consecutive years. Increasing funding for HBCUs is a concrete step toward decreasing this gap, creating pathways for careers in research, development and technology, generating wealth creation.

### **#2: Implement Restorative Justice and Repair the Impacts of Urban Renewal Through Reinvestment Projects** Pg 112

- Historically, marginalized neighborhoods and communities have been over-under burdened by disinvestment, lack of resources, poor policies, and practices and from government entities, a form of “federal-state-sponsored segregation”. Reinvestment in these communities is a concrete step toward repairing disparate, exclusionary impacts of urban renewal.

### **#3: Monitor and Penalize At-Fault Prime Contractor and Reinvest Penalties** Pg 114

- To participate in lucrative projects, some contractors have engaged in DBE fraud to meet the project's DBE requirements, diverting all the profits to their non-DBE businesses and extracting funds designated to build the capacity of DBEs. Reinvesting the penalties into a fund for DBEs preserves the original intention of resourcing underresourced communities.

### **#4: Establish New National Electric Vehicle Infrastructure (NEVI) Markets for Disadvantaged Businesses** Pg 117

- The BIL provides \$7.5 billion to develop the country's EV-charging infrastructure and highlights a social responsibility for the engagement Certified DBEs. Establishing NEVI markets for DBEs will help diversify those utilizing the new charging infrastructure.

## **Institutionalizing Equity Recommendations** Pg 120

### **#1: Develop a USDOT-Wide Advisory Circular (AC) System** Pg 121

- There is often a lack of clarity on how to incorporate equitable and inclusive procurement and contracting practices for recipients of federally assisted projects. Developing a department-wide AC would help offer much needed guidance.

### **#2: Institute Standardized Transit Equity Metrics** Pg 123

- Existing transit equity measures do not appropriately capture the needs of marginalized populations and need to be reexamined. There is a need for standardization of metrics to measure access and outcomes impacting these populations.

### **#3: Reshape Workforce Development, Education, and Outreach to Strengthen the Transportation Ecosystem** Pg 125

- The work of recruiting and retaining skilled workers is increasingly challenging as the transportation field struggles to not only attract, but keep the skilled workers needed to continue the drive toward innovative and transformational practices the industry needs to move into the future. USDOT will need to diversify the work it does to identify, recruit and train the workforce of the future.

### **#4: Investigate the Urgent Need for Respite Amenities for Intercity Bus Travelers** Pg 130

- The business model for intercity busing has changed as operators no longer want to own bus stations in orders to reduce overhead costs. Intercity bus travelers are left in conditions with no access to food, water, shelter, or restrooms for many hours, often in extreme weather conditions, and with no control over their situation.



**U.S. Department  
of Transportation**

# **Cross-Cutting Recommendations**



# Cross-Cutting Recommendation #1: Audit Past Federal Infrastructure Programs

## Submitted by

- ACTE Chair

## Background

- Many past federal infrastructure programs appear to have had disproportionately large negative impacts on communities of color.<sup>301</sup> As an example, hundreds of thousands of residents were displaced throughout the 20th century due to urban renewal and highway construction.<sup>302</sup> To our knowledge, there has never been a comprehensive assessment of the economic harm caused by federal programs, including urban renewal and the federal highway program. The design of these programs deployed federal funds to local and state partners, leaving many of the records scattered across America. It is time to amass a full and complete record of these programs, the extent of negative economic harm caused, and an assessment of what remedial measures are possible today. We believe the extraordinary investigative powers of the Congress may be necessary to compel the production of relevant records from all corners of America.

## Identified Stakeholder

- Congress

## Authority

- [US Constitution Article I, Section 8](#)

## Recommendation

- Establish a congressional commission to investigate past federal infrastructure programs to establish a comprehensive factual record of the impact on displaced communities, such as number of residents displaced and the extent to which fair market value was properly established and provided. The report should also recommend potential remedial measures.

## Costs to Implement

- Not applicable to this recommendation.

## Cross-Cutting Recommendation #2: Establish a National Infrastructure Planning Board (NPB)

### Submitted by

- ACTE Chair

### Background

- Despite the trillions of dollars poured into the US transportation system by taxpayers over decades,<sup>303</sup> the federal government funds infrastructure without the benefit of a national strategy. There is, in fact, no authoritative voice in the national government focused on planning and alignment of the various inputs to our infrastructure system, assessment of the efficacy of federal funds to meet national objectives or serving as the conscience of our overall infrastructure decision-making.
- It is, therefore, time for America to form a body capable of recommending national infrastructure objectives and assisting policymakers in making intelligent use of limited taxpayer dollars. Planners are not exempt from criticism of past mistakes. But, we believe the field has evolved and may now be well-positioned to chart a path beyond the errors of the past, while also offering greater transparency and professional feedback on various infrastructure initiatives at every level of government.

### Identified Stakeholder

- Congress

### Authority

- Congressional legislation

### Recommendation

- We recommend the creation of a National Planning Board. Modeled after the Federal Reserve, this group will be independent, comprised of professional planners and will serve as an independent resource to each administration, to Congress and the American people. The NPB would identify infrastructure needs of national concern, highlight best practices, propose policy improvements (having non-plenary power), and comment on agency practices.
- The office should be led by a chair appointed by the President for a term of up to 10 years. This independence will insulate the NPB from political cycles, ensuring its decisions and guidance will be supported by its primary mission of enhancing economic health, promoting a unified American community, addressing climate change, and improving public health. The term length will also allow the NPB to focus long-term, providing guidance for communities across the country that can be measured in decades, rather than presidential administrations.

### Costs to Implement

- \$5 million for an initial study on the roles and responsibilities of an Office of National Planning, which would house the National Planning Board.

## Cross-Cutting Recommendation #3: Establish a Permanent White House Infrastructure Office

### Submitted by

- ACTE Chair

### Background

- During the urban renewal era, state and local governments leveraged federal highway construction funding with federal urban renewal dollars.<sup>304</sup> Our evidence suggests that this coordination was contemplated by the state and local advocates who lobbied for both bills and that the “two for one” impact of these policies resulted in a dramatic upheaval of black, minority and immigrant communities.<sup>305</sup> Many federal infrastructure programs still provide significant latitude for states and local governments to deploy resources, manage resources and even evaluate the success of their investments with little federal oversight. We propose here a multi-pronged strategy to enhance accountability in the use of federal dollars.

### Identified Stakeholder

- USDOT and State DOTs; White House Domestic Policy Council (create new Advisory Council for Infrastructure within Domestic Policy Council), AASHTO

### Authority

- Congress
- Executive Branch or new Executive Order (E.O.)

### Recommendation

- State DOTs must establish a mechanism to institutionalize community feedback, through which stakeholders can recommend process improvements and project changes. While providing some flexibility for states to design their own approaches, each community feedback plan must be approved by the USDOT Office of Policy.
  - One approach might be to establish community advisory committees.
- The National Planning Board (referenced in an earlier recommendation) should occupy a voting seat in AASHTO and participate in joint FHWA and AASHTO discussions, as well as discussions with any other modal administration and its stakeholders.
- Launch a White House interagency task force with the responsibility to audit State DOT assessments and oversee other cross-effects between federal infrastructure projects

### Costs to Implement

- Not applicable to this recommendation.

### Resources

- [AASHTO](#)
- [FHWA](#)

# Cross-Cutting Recommendation #4: Establish Fair Market Value and Cost/Benefit Analysis for Future Infrastructure Investments

## Submitted by

- ACTE Chair

## Background

- We should no longer presume that federal infrastructure investments will impact all parts of America evenly. We should employ processes and procedures that enable us to determine the full costs of projects without shortchanging those least able to absorb the unrealized value of property acquired using federal funds. Going forward, policymakers should incorporate such policy analysis in the legislative process.

## Identified Stakeholder

- Congressional Budget Office (CBO)

## Authority

- Congress

## Recommendation

- Require measurement, independent verification, and audit of market price of land for all land-based transactions when using federal funds. Further, federal dollars should only be used to acquire land at full fair market value. Penalties should be assessed on federal agencies, states, local governments and private parties that fail to observe this practice.
- For future purposes, require the CBO to assess the economic, social, and environmental cost/benefits of proposed federal legislation for historically disadvantaged communities. This may include:
  - Distribution of per capita federal spending, by geographic area
  - Total amount of economic losses, by geographic area
  - Total amount of economic benefit, by geographic area

## Costs to Implement

- N/A Congress has adequate resources to implement this recommendation.

# Cross-Cutting Recommendation #5: Establish Mechanisms to Standardize Data Collection

## Submitted by

- ACTE Chair

## Background

- As described in this report's case study of the interstate highway system, there is a lack of standardized and centralized data regarding transportation project displacements, particularly due to the decentralization of project implementation.<sup>306</sup> This lack of accessible data prevents analysis of the full costs and benefits of highway construction, including how these costs and benefits are spread across different racial, income, and other demographic groups. Without embedding standardized data collection mechanisms in projects, understanding of the past impacts and inequities will remain limited, which then limits USDOT's capacity to improve processes to mitigate future inequities.

## Identified Stakeholder

- USDOT

## Authority

- Regulatory authority of agencies.

## Recommendation

- Require standardized data and disaggregated demographic collection and reporting for each new infrastructure project paid for in full or in part by federal funds that displaces residents or businesses. This data should consist of number and type of displacements, relocations, locations, property values, compensation provided, resident or business characteristics, among other relevant variables. The data should also include disaggregation by race, income, gender, age, and other key demographics. This information should be publicly available in electronic form by the project sponsor and archived in publicly available electronic form by the responsible federal agency.

## Costs to Implement

- Agencies should account for administrative, data compilation, analysis, personnel, and enforcement costs.



# Cross-Cutting Recommendation #6: Develop Prospective Tools to Assess Infrastructure Impacts on Underserved Communities

## Submitted By

- ACTE Chair

## Background

- As described in this report's case study of the interstate highway system, the construction of highways in this period had substantial economic, social, and psychological impacts on both displaced and non-displaced residents in the surrounding communities. However, it is challenging to assess the full extent of impacts due to a lack of clear, comprehensive, and centralized data available, with much of the existing data instead spread throughout state and local archives at different levels of granularity.<sup>307</sup> A comprehensive study to bring this information together would detail the impacts of individual infrastructure projects – not just highway projects – and allow for improved planning of future projects to mitigate harms on communities.

## Identified Stakeholder

- Cross Agency (USDOT, HUD, USDA, U.S. Department of Defense, U.S. Department of the Interior (DOI), U.S. Department of Commerce etc.) General Services Administration (GSA)

## Authority

- Agency powers in research, construction, maintenance, regulation, and policy development regarding the US highway system.

## Recommendation

- Conduct a comprehensive impact assessment of past and present federally funded infrastructure projects on impacted communities, consisting of project-specific analysis of displaced and non-displaced residents' financial, social, and psychological costs and benefits. The analysis should also include a breakdown of impacts by various demographics, including race and income, to understand differential impacts across groups.

## Costs to Implement

- Agencies should account for administrative, data compilation and analysis, and personnel costs.

## Resources

- [Title 23 - Code of Federal Regulations \(and Non-regulatory Supplements\), \(23 U.S.C.\)](#)

## Cross-Cutting Recommendation #7: Mandate State and Local DOT Demographic Data

### Submitted by

- ACTE Chair

### Background

- State DOTs have tremendous power in shaping transportation policy within a community, as they are responsible for distributing significant state and federal funding for transportation projects. It is important for the board and staff of such powerful organizations to reflect the demographic makeup of the communities they are serving.

### Identified Stakeholder

- Congress
- USDOT

### Authority

- [US Constitution. Article I, Section 8](#)

### Recommendation

- Mandate that State DOTs report demographic data about their workforce and governing boards to USDOT. This includes race, ethnicity, gender, and disability status. This data will help improve transparency on the composition of all State DOT staff and leadership.

### Costs to Implement

- Not applicable to this recommendation.

# Cross-Cutting Recommendation #8: Provide Transit Operating Subsidies, Implement Performance Standards and Abandon 80/20 Highway/Transit Split

## Submitted by

- ACTE Chair

## Background

- Transit agencies across the United States are facing dramatic budget shortfalls driven largely by lower post-pandemic ridership and increased inflationary pressures. Many agencies, facing no other choice, are increasing fares and/or considering cutting rider services to address this impending gap. Low-income, Black or Hispanic adults are far more likely to use public transit, meaning any fare increases or budget cuts may disproportionately affect residents from these historically marginalized groups.<sup>308</sup>
- Additionally, there are stark differences in the rigor used by FTA and FHWA to assess project costs. FTA adopts a more thorough process than FHWA. For example, no FTA project can obtain funding without establishing a full life cycle cost financial model. The FHWA has no such requirement. FHWA projects should be held to the same standard as FTA projects, including a full life-cycle cost model before funding can be approved.

## Identified Stakeholder

- Congress
- USDOT – FTA, FHWA

## Authority

- [US Constitution. Article I, Section 9, Clause 7 \(Appropriations Clause\)](#)

## Recommendation

- In addition to capital investments, the federal government should provide ongoing operating subsidies for transit agencies that are recognized by the FTA.
- Additionally, given that the General Fund is subsidizing larger and larger shares of Highway Transportation Fund allocations, the Congress should consider abandoning the 80/20 highway/transit split and working towards a new mode-neutral model that allows funds to be equitably distributed across modes. Successful implementation relies on improved performance measures, including ensuring access to transportation, context-sensitivity in developing new surface transportation facilities and other important national priorities.
- To the greatest extent possible, Congress should encourage State DOTs to become more than “highway” departments and to establish a shared vision for transportation planning across all modes. One committee member offered the description, “One DOT” to capture the spirit of this recommendation.

## Costs to Implement

- The costs are to be determined.

## Resources

- [FHWA](#)
- [FTA](#)

# Cross-Cutting Recommendation #9: Develop a Guidance and Pilot Program from Traffic Enforcement

## Submitted by

- ACTE Chair

## Background

- In 2021, [a New York Times study](#) found that, over the course of the previous five years, police officers killed over 400 individuals, both drivers and passengers, at routine traffic stops who were either unarmed or not under pursuit for a violent crime. These killings represent an unspeakably grievous trend in American life, where routine traffic stops all too frequently escalate into sites of lethal violence, perpetrated by a group of individuals sworn to protect us.<sup>309</sup>
- This trend disproportionately harms Black men and women. Black drivers are more likely to be pulled over than white drivers and are more likely to be killed by police officers during those stops. [Between 2015 and 2021, traffic stops made up over 25% of police killings of Black women and Black men.](#) These killings have brought unnecessary tragedy to these families and communities and made household names of countless individuals who deserve to be alive today.<sup>310</sup>
- Many localities believe that [the vast majority of traffic stops do not require a show of force.](#) Citing a driver for having a broken taillight, forgetting to use a turn signal, or even failing to stop at a stop sign, does not require the use of a gun, taser, or similar tool. Considering the violence police have committed at traffic stops, especially on Black and Brown individuals, it is clear alternatives to this approach are necessary to ensure the safety of our streets.<sup>311</sup>

## Identified Stakeholder

- USDOT in coordination with the US Department of Justice (DOJ)
- States and local government charters

## Authority

- Grantmaking authority in USDOT Office of the Secretary (OST)
- State and local government charters

## Recommendation

- Develop guidance and a pilot program to test the use of non-lethal, perhaps non-police traffic enforcement. The federal government should convene a body of transportation and public safety experts to determine recommendations for state and local governments to develop new divisions, housed within state and local DOTs, to manage traffic enforcement. Examination of this idea should include potential drawbacks and advantages.
- Upon the development of any such recommendations, USDOT should launch a program to pilot this initiative, with results of the pilot feeding back into additional, on the ground recommendations for communities pursuing safer and community-driven traffic enforcement strategies.



**Costs to Implement**

- \$20 million for grant and recommendations study.

# Cross-Cutting Recommendation #10: Provide Climate Responsive Bus Shelters/ Mobility Hubs

## Submitted by

- ACTE Chair

## Background

- Bus riders represent the largest group of transit riders in the US, yet their needs are frequently overlooked. For example, across the 122,000 stops served by the country's 16 largest transit agencies, less than 20% have a bus shelter. This means that, at 80% or more of stops in these metro areas, riders must wait in the rain, cold, wind, snow, or heat.<sup>312</sup> This problem is even worse in rural areas, where riders are frequently subjected to longer wait times with an even smaller share of bus shelters. This problem is growing as temperatures rise, exposing riders to potential heat-related illnesses and physical and mental discomfort.<sup>313</sup>
- The health and safety impacts of increasingly hot bus stops are disproportionately distributed to Black, Brown, and lower income communities.<sup>314</sup> These individuals are more likely to take the bus and are more likely to have health issues that increase the potential danger of prolonged exposure to extreme heat. Further, these communities are also more likely to have limited green space and tree canopy, meaning their neighborhoods are already hotter on average than the rest of their cities, and are only getting hotter.<sup>315</sup>
- Some mid-sized cities have struggled to provide shelters that offer basic amenities such as shade and seating.<sup>316</sup> For example, the City of Los Angeles last summer debuted a new shade shelter that was a wide, metal pole placed directly into the ground near a bus stop.<sup>317</sup> This demonstrates the need to further explore cool shelters using smart technology and solar energy such as the self-conditioning cool bus shelter set to debut in Seville, Spain sometime in 2024.<sup>318</sup>

## Identified Stakeholder

- USDOT

## Authority

- Grantmaking authority in USDOT OST

## Recommendation

- Develop a federal grant program for climate sensitive bus shelters in select regions with a high prevalence of hot or cold bus stops.
  - The grant program will focus on the design of new bus shelters, including materials, size, and amenities, along with the proposed impact of new bus shelters on health, comfort, and transit ridership. Grants should focus on providing bus shelters in communities with low rates of public infrastructure investment.

## Costs to Implement

- \$50 million for the first year of the grant, with adjustments to annual funding to follow as appropriate.

# Cross-Cutting Recommendation #11: Create an EJ Roadmap and Revamp the NEPA to include Alternative Analysis

## Submitted by

- Veronica Davis, Subcommittee Co-Chair, Interventions
- Roger Millar, Subcommittee Co-Chair, Interventions
- Andrea Marpillero-Colomina
- Azikiwe Rich
- Oliver Sellers-Garcia
- Tunya Smith

## Background

- Many highway projects only consider moving more people via vehicle. In highly congested areas, for example, new measures should be considered for forms of transportation that take vehicles off the road. There should be consideration of other modes, such as transit, rail, etc. Added capacity projects on federally eligible roadways should include bike, pedestrian, and transit. The overarching goal is to have better projects that can actually improve the transportation experience for overburdened communities.
- There is a need for a special purpose committee that would advance environmental justice, enhance economic opportunities in communities, and develop a social policy agenda, and legislative priorities. While wealth creation is more an indicator of an individual's growth capacity, greater emphasis should be placed on furthering and fostering impact to vulnerable communities.
- Use a human-centered approach to the NEPA to develop a guide that incorporates early considerations into NEPA pre-planning activities, project planning, and execution.

## Identified Stakeholder

- White House Council on Environmental Quality (CEQ)
- USDOT Departmental Office of Civil Rights (DOCR)
- USDOT Office of Public Engagement

## Authority

- CEQ is responsible for updating NEPA processes and DOCR provides a baseline for Equity Development.

## Recommendation<sup>319,320</sup>

- Create an environmental justice roadmap.
  - Establish interagency working groups to support meaningful involvement and due process for overlooked communities.
  - Directly address the legacy of discriminatory government policies that have systematically harmed communities of color.
  - Use the definition of “equity” in [President Biden’s Executive Order 13985](#) to develop the definition of “equitable access” for the federal government and for states to base their own definitions on.

- The E.O. defines “equity” as, “the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino/a/x, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, queer, and others persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.”
  - Add language to explicitly include people of Middle Eastern and African descent (not African Americans, but people who are natives of the continent of Africa), who belong to ethnic categories that are overlooked in the United States and lumped together as “other.”
- Develop implementable strategies to increase community involvement in NEPA decision-making processes:
  - Provide full language access based on community needs, including document translation, as well as in-person real-time interpretation at public meetings and in statements made by USDOT and other relevant policymakers.
    - This includes email announcements, physical public notices posted in community points of interest, websites, social media, and other forms of media.
    - Change the titles of federal documents like “[A Citizen’s Guide to NEPA](#),” to “The People’s Guide to NEPA,” or something similar.
      - The word “citizen” is heavily value-laden for immigrants who have not yet achieved U.S. citizenship. It is not an inclusive term. From the document’s title, immigrants may conclude that participation in NEPA is not intended for them because they are not citizens.
    - Recognize that not every U.S. resident has citizenship; therefore, public forums should not be held in venues that require a state-issued ID to enter, which restricts participation based on age and citizenship.
- Revamp the NEPA process to include alternative analyses that consider all modes.
  - For example, if the project is a highway, there should be consideration of alternatives that include public transit.
- NEPA should be a first step before the grant award process begins; USDOT should ensure matching funds are available before awarding grants.
  - Provide technical assistance around navigating environmental review and permitting processes.

## Costs to Implement

- Costs will include the development and dissemination of guidance materials.

## Resources

- [NEPA](#)
- [E.O. 13985](#)
- [A Citizen's Guide to NEPA](#)





**Recommendations of  
the Subcommittee on  
Expanding Access**

# Expanding Access Recommendation #1: Strengthen Flexibility of Federal Funds for Transit and Human Services Transportation

## Submitted by

- Flora Castillo, Subcommittee Co-Chair, Expanding Access
- Yochai Eisenberg, Subcommittee Co-Chair, Expanding Access
- Clarence Daniel
- Icema Gibbs
- Prashanthi Raman
- Gregory Winfree

## Background

- Although the federal government funds a variety of human services-related transportation programs, they are not well coordinated, which limits user access and reduces the efficiency of federal transportation programs. States have begun exploring and expanding funding flexibility and braiding of federal funds to strengthen access to transportation options to better respond to and improve the social determinants of health.

## Identified Stakeholder

- USDOT and federal agencies funding human services transportation, including HUD, U.S. Department of Veterans Affairs (VA), U.S. Department of Health and Human Services (HHS), etc. (Council on Access and Mobility members).

## Authority

- USDOT and federal agencies that fund human services transportation programs.

## Recommendation

- We recommend that USDOT lead an examination and realignment of human services transportation at all levels to enhance and better coordinate the use of federal funds
  - USDOT should use the federal [Interagency Coordinating Council on Access and Mobility \(CCAM\)](#) structure to shift away from collaboration toward unifying or enhancing flexibility of federal funds allocated for transit and human services transportation programs.
  - As the convener and chair of the CCAM, USDOT should work with the State DOTs and MPOs to encourage strong plans across human services, public transit, non-emergency medical transportation, and private sector providers that reimagine how these systems work.
- USDOT should conduct a scan to understand lessons learned, regulatory hurdles, and opportunities for further innovation for braiding funding and harmonizing of funds, e.g. the [Mobility Ohio](#) program—a pilot program that utilizes Federal Funds braiding, which entails federal funding from one program being used as local match with other federal funding<sup>321</sup> and consumer-focused mobility wallet pilot programs such as Michigan mobility wallet which allows riders or stakeholders to load funds to centralize all forms of payment into one source (comprehensive services),<sup>322</sup>
- Other examples include, Los Angeles, where public transit and Uber Technologies, Inc. work together to close transportation gaps and ensure that the first and last mile

are more accessible,<sup>323</sup> San Francisco and other cities, where Uber Technologies, Inc. has integrated access to public transportation, bike share, and car rentals to its app,<sup>324</sup> and Houston's METRO curb2curb program, where riders can either schedule or go to a designate location and board a vehicle that will take them to their destination or to a METRO location where transfers are available for bus services.<sup>325</sup>

- The scan should also identify what incentives are needed to enable different agencies to coordinate funding, planning, and metrics to measure coordination efforts' performance. There should be consideration for how changes in modalities affect geographic access. For example, when bus routes change, there can be a reduction in the Americans with Disabilities Act (ADA) services.

### **Costs to Implement**

- The costs are to be determined.

### **Resources**

- [CCAM](#)
- [MPOs](#)

# Expanding Access Recommendation #2: Revise Grant and Funding Administration Requirements to Meet the Specific Needs of Rural, Isolated and Tribal Communities

## Submitted by:

- Flora Castillo, Subcommittee Co-Chair, Expanding Access
- Yochai Eisenberg, Subcommittee Co-Chair, Expanding Access
- Clarence Daniel
- Icema Gibbs
- Prashanthi Raman
- Gregory Winfree

## Background

- The FHWA-funded [Rural Surface Transportation Grant Program](#), as currently structured, is not sufficiently responsive to the needs of rural communities. While FTA, in recognition of the daunting expenses faced by rural communities, covers capital costs and operating expenses in most of its rural transit-oriented grants, by contrast, the FHWA Rural Program exempt operating costs from grant funding consideration, rendering it less likely that rural communities will be able to avail themselves of the mobility benefits and enhancements that Congress intended.
- As discussed in cross-cutting recommendation # 8, FHWA projects should be held to the same standard as FTA projects, including a full life-cycle cost model before funding can be approved.
- Obligation limitations on BIL funding have had the unintended consequence of decreasing support to Indian Country.<sup>326</sup> For example, the IIJA was anticipated to expand funding available to tribal transportation programs (TTPs) significantly stood up in Indian Country.<sup>327</sup> In practice, however, funding to tribes may not work out as hoped, as all TTP funding, for example, is subject to annual obligation limitation and may be lower than the amounts authorized.<sup>328</sup>

## Identified Stakeholder

- USDOT – FHWA

## Authority

- Statutory authority conferred by the Infrastructure Investment and Jobs Act (IIJA), also called the BIL – Public Law No: 117-58 (2021).<sup>329</sup>

## Recommendation

- We recommend that USDOT reexamine its interpretation of FHWA Programs, especially the rural program, to ensure adherence to Congressional intent, foster departmental consistency, and facilitate mobility options for rural, isolated (defined here as the roadless regions and additionally no surface connection to the region other than water), territorial, and tribal communities that address limitations in current procedures related to operating costs and obligation limitations.
- Where possible, Congress should encourage State DOTs to use funds in ways that benefit all communities with the goal of non-highway modes being better resourced.

**Costs to Implement**

- Proposed recommendations are for changes to accessing existing funding and so no additional expenditure is anticipated.

**Resources**

- [FHWA](#)
- [FTA](#)
- [Rural Surface Transportation Grant Program](#)



# Expanding Access Recommendation #3: Update FTA's Guidance and FAQs to Allow Transit Partnerships with Taxis or TNCs

## Submitted by:

- Flora Castillo, Subcommittee Co-Chair, Expanding Access
- Yochai Eisenberg, Subcommittee Co-Chair, Expanding Access
- Clarence Daniel
- Icema Gibbs
- Prashanthi Raman
- Gregory Winfree

## Background

- In 2001, the FTA combined its drug and alcohol testing regulations by merging them into a new 49 Code of Federal Regulations (CFR) [49 CFR part 655](#), effective August 1, 2001 ([66 Federal Register 42002](#)). As stated on the FTA website, this final rule incorporated guidance that FTA had issued in the previous several years in letters of interpretation, audit findings, newsletters, training classes, safety seminars, and public speaking engagements. The final commentary on the Taxicab Exemption was specifically outlined in the [Federal Register / Vol. 66, No. 154 / Thursday, August 9, 2001 / Rules and Regulations on p. 41999](#).
- In recent years, FTA put out additional guidance including FTA Frequently Asked Questions (FAQs) intended to provide clarity to the public regarding existing requirements.<sup>330</sup> As a result, the continued operational guidance expanding on the original law has placed significant operational constraints on Transit Agencies when partnering with non-dedicated service providers—such as taxis, or [TNCs](#)—in a time when transit agencies need additional tools at their disposal to meet budget constraints and growing ridership.
- Further, multiple major transit agencies and cities (over 80 around the country) have proven that complementing their transit services with non-dedicated service providers such as taxis and TNCs has led to positive rider outcomes including better access, reliability and on time performance while driving significant program cost savings.<sup>331</sup> Many of these programs were initially funded by FTA Sandbox grants such as the [Dallas Area Rapid Transit's Mobility on Demand SANDBOX Project](#).

## Identified Stakeholder

- FTA

## Authority

- In 2016, FTA created an FAQ that has been updated and amended several times since.<sup>332</sup>

## Recommendation

- We recommend that FTA update their guidance and FAQs on the [Taxicab Exemption](#), based on industry feedback to allow transit agencies to partner with taxis and TNCs and provide public transit service for specific use cases. These complementary use cases offer additional public mobility options to individuals underserved by traditional

transit resources, such as same-day paratransit, late-night service, and transit deserts.

- The spirit of the Taxicab Exemption in the 2001 legislation is clear, which is to create a framework that allows transit agencies to work with non-dedicated partners on voucher programs. The framework was formed based on years of feedback from the industry, based on their experience operating under the first-generation legislation [49 CFR part 653](#) and [49 CFR part 654](#) from 1994.

### **Costs to Implement**

- No cost to implement the change.

### **Resources**

- [FTA](#)
- [49 CFR parts 653](#)
- [49 CFR parts 654](#)
- [49 CFR part 655](#)
- [66 Federal Register 42002](#)
- [Federal Register / Vol. 66, No. 154 / Thursday, August 9, 2001 / Rules and Regulations on p. 41999](#)
- [TNCs/ride-share companies](#)
- [Taxicab Exemption](#)



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## **Recommendations of the Subcommittee on Interventions**

# Interventions Recommendation #1: Benchmark USDOT Equity Action Plan with KPIs

## Submitted by

- Veronica Davis, Subcommittee Co-Chair, Interventions
- Roger Millar, Subcommittee Co-Chair, Interventions
- Andrea Marpillero-Colomina
- Azikiwe Rich
- Oliver Sellers-Garcia
- Tunya Smith

## Background

- Transportation grant programs can unintentionally exclude disadvantaged communities due to several factors, such as complicated and burdensome application processes, lack of awareness, and unfavorable eligibility criteria.
- The proposed KPIs will track progress towards achieving the goals of the USDOT Equity Action Plan and ensure the Plan effectively serves disadvantaged communities.
- One important area of focus is encouraging project proposals that directly address the transportation needs of disadvantaged communities and prioritize community engagement, which will promote equitable project delivery throughout the grant process.
- By measuring application rates, application efficiency, community satisfaction, and long-term project impact, we can identify areas for improvement and adjust the program over time.

## Identified Stakeholder

- OST of Transportation
- Office of the Assistant Secretary for Budget and Programs and Chief Financial Officer

## Authority

- US Secretary of Transportation

## Recommendation

- Because the original “KPIs” highlighted in the Interventions section of [the Equity Action Plan \(January 2022\)](#) were more goals than quantifiable measures of progress, we propose a new set of KPIs as follows:
  - Short term: Percentage increase in the number of grant applications submitted by communities identified as disadvantaged in the previous year compared to the year after implementing the Equity Action Plan.
    - Target (for example): Aim for 20% increase within the first year, with a gradual rise to 30-40% over 3 years.
  - Short term: Average number of business days to complete the grant application process by communities before and after technical assistance and streamlining efforts.

- Target (for example): Reduce the average application completion time by 15% within the first year, striving for a 25% reduction over 3 years.
- Short term: Number of “small cities” focus groups interviewed to measure satisfaction with the application process, project impact, and overall Equity Action Plan effectiveness among disadvantaged communities.
  - Target: Engage with five (5) focus groups from small cities (population of 150K and below) to determine challenges and opportunities with the current process.
- Long term: Conduct post-construction analysis on the impact of transportation investments in areas of persistent poverty (comparing the time periods prior, during, and one to two years post-completion).
  - Economic impact: increase development and amenities.
  - Traffic impact: less traffic congestion; more micromobility options.
  - Safety impact: fewer serious crashes, injuries, and fatalities
  - Community impact: minimize the displacement of current residents; affordability is a major factor in keeping residents in the community.

### **Costs to Implement**

- KPIs should be a low cost/no cost approach. Staff would need to adapt existing data collection methods to capture the specific details outlined in the proposed KPIs.

### **Resources**

- [KPIs](#)
- [USDOT Equity Action Plan](#)



# Interventions Recommendation #2: Streamline Grant Processes and Capacity Building Mentorship Program

## Submitted by:

- Veronica Davis, Subcommittee Co-Chair, Interventions
- Roger Millar, Subcommittee Co-Chair, Interventions
- Andrea Marpillero-Colomina
- Azikiwe Rich
- Oliver Sellers-Garcia
- Tunya Smith

## Background

- BIL has provided unprecedented opportunities to access federal funding through discretionary grants. State and local agencies having experience with federal grant programs are quite successful in securing and managing these funding opportunities. However, administratively burdensome grant application and grant management processes create barriers to entry for under-resourced potential applicants.
- Many of the communities that would benefit most from Federal transportation funding face barriers to access. These entities (e.g., smaller, isolated and rural cities and counties, tribes, territories, community-based organizations, etc.) have difficulty applying for and receiving Federal grants. This may be due to budgetary, staffing, and/or other resource constraints.
- Smaller jurisdictions may have less familiarity with and understanding of federal grant application and management protocols.
- Larger jurisdictions (e.g., cities, counties, state agencies, etc.) have more resources and experience, and technical expertise in applying for and managing federal grants.
- Streamlined grant application and grant management processes, and technical assistance from communities and organizations with a history of success with federal grants would benefit those who are seeking entry into grant programs.

## Identified Stakeholder

- USDOT

## Authority

- USDOT administers the grant-making process.

## Recommendation

- We recommend that USDOT explore opportunities to streamline the processes to make it easier to prepare an application.
  - Create a common application/format for all USDOT grants.
  - Streamline forms and simplify language.
  - Enable applicants to pre-qualify for multiple programs and/or submit for multiple grants at the same time.
  - Facilitate easier points of entry for underserved communities.
  - Provide a robust technical resource center for anyone seeking a USDOT grant, including traditional and non-traditional partners.

- Create dedicated resource centers for immigrants, refugees and asylum seekers.
  - Support language access for applicants who speak languages other than English.
  - Provide public webinars and trainings that are updated every grant cycle to reflect changes and lessons learned.
  - Provide guidance on application components, including cost-benefit analysis, NEPA process, etc.
- Streamline the Federal processes for application review and management of successful applications.
  - Create a policy forum that provides access to information about grant processes, upcoming legislation, networking, and other resources.
  - Review GAO recommendations and procedures used by other federal agencies, i.e. procurement, grant agreements, reporting, etc., for best practices.
  - Scale the federal paperwork to match the size and complexity of the project.
  - Provide guidance for grant administration; create an equity threshold assessment.
  - Create and follow-up on aggressive grant implementation schedules while proactively offering support.
  - Provide assistance to smaller applicants to help offset administrative burden.
- Create and manage a Capacity Building Mentorship Program
  - Work with state and local jurisdictions to create a Capacity Building Mentorship Program.
  - Model the program on successful programs used to mentor DBEs seeking access to government contracts.
  - Create a mentorship program in which government entities with a history of success with federal grants are appropriately paired for mentor-protégé relationships with entities lacking experience and/or resources.
  - USDOT should evaluate and pair mentor and protégé entities, establish minimum technical assistance standards, and monitor success.
  - This could be implemented nationally, regionally, or with willing partner state agencies.

### **Costs to Implement**

- The costs are to be determined.

### **Resources**

- [BIL](#)

# Interventions Recommendation #3: Develop Best Practices Resources

## Submitted by:

- Veronica Davis, Subcommittee Co-Chair, Interventions
- Roger Millar, Subcommittee Co-Chair, Interventions
- Andrea Marpillero-Colomina
- Azikiwe Rich
- Oliver Sellers-Garcia
- Tunya Smith

## Background

- Additional technical assistance is needed by USDOT funding recipients to take full advantage of funding opportunities and make greater progress in addressing historical inequities.
- Many states and local jurisdictions have developed resources, policies, and programs that address two key priorities for transportation equity: training programs for under resourced grant applicants/communities and environmental justice.

## Identified Stakeholder

- USDOT

## Authority

- The proposed recommendation is a research task within the authority of the Department.

## Recommendation

- We recommend that USDOT develop best practice resources, beginning with conducting national scans of existing practices in states and other jurisdictions.
  - Training Programs: To access innovative technologies and practices throughout all transportation modes, it is recommended that USDOT conduct a scan of training programs for smaller jurisdictions available within all states and transportation modes.
  - Environmental/Climate Justice: Numerous states and local jurisdictions have environmental justice and climate change initiatives that support the development of transportation projects that advance climate and equity co-benefits. It is recommended that USDOT conduct a scan of environmental justice and climate initiatives of all states and transportation modes.

## Costs to Implement

- The costs are to be determined.



## **Recommendations of the Subcommittee on Power of Community**

# Power of Community Recommendation #1: Investing in Meaningful Community Relationships

## Submitted by:

- Charles T. Brown, Subcommittee Co-Chair, Power of Community
- Diana Mendes, Subcommittee Co-Chair, Power of Community
- Dr. Destiny Deguzman
- Priya Sarathy Jones
- Jing Zhang

## Background:

- Most public engagement opportunities occur in the context of a specific plan, program or project, each subject to variable requirements. This results in sporadic opportunities for public discussion and different “rules” of engagement on a per project and per program basis. It also silos community engagement and places the burden on citizens to frame their comments in the context of a specific action. This often leads to their comments and insights being dismissed as “out of scope” for a particular action and left unaddressed. We need to move beyond plan-/program-/project-based transactional interactions to a model that supports sustained relationships, longer-term understanding, and partnership.
- The importance of early and continuous engagement was highlighted during the ACTE public meetings held in early 2024 in several ways.
  - We heard 1) that truly early engagement means engaging the community before a project has already been defined and 2) that the process is equally important to the outcome.
  - The application of early, continuous community discourse prior to programming would promote a deeper, long-term understanding of their aspirations and needs, moving their voices to the center of the process to co-create outcomes for community-building overall. This is critical to enable a much-needed cultural shift in our industry from centering transportation investment in decision-making while sporadically inviting communities to strictly “comment” on how they would be affected. Ultimately this would empower communities to more effectively leverage transportation investments and tailor them to their overall objectives and benefits for the place they call home. moving beyond the current focus of minimizing the long-term harm and mitigating the impacts caused by transportation investments.
- Continuous community engagement would cultivate and sustain greater authenticity and trust, transforming the current industry processes and the models away from sporadic, transactional, single-purpose interactions. This would evolve and broaden advancing meaningful public involvement to investing in and sustaining meaningful community relationships.
- There are restrictions on using federal program funds on public relations activities defined in [2 CFR 200.421\(c\)](#) unless specifically required by the federal award:

- The term “public relations” includes community relations and means those activities dedicated to maintaining the image of the non-Federal entity or maintaining or promoting understanding and favorable relations with the community or public at large or any segment of the public.<sup>333</sup>
- (d) The only allowable public relations costs are:
  - (1) Costs specifically required by the Federal award;
  - (2) Costs of communicating with the public and press pertaining to specific activities or accomplishments which result from performance of the Federal award (these costs are considered necessary as part of the outreach effort for the Federal award); or
  - (3) Costs of conducting general liaison with news media and government public relations officers, to the extent that such activities are limited to communication and liaison necessary to keep the public informed on matters of public concern, such as notices of funding opportunities, financial matters, etc.<sup>334</sup>
- (e) Unallowable advertising and public relations costs include the following:
  - (1) All advertising and public relations costs other than as specified in [paragraphs \(b\) and \(d\)](#) of this section;
  - (2) Costs of meetings, conventions, convocations, or other events related to other activities of the entity (see also [§ 200.432](#)), including:
    - (i) Costs of displays, demonstrations, and exhibits;
    - (ii) Costs of meeting rooms, hospitality suites, and other special facilities used in conjunction with shows and other special events; and
    - (iii) Salaries and wages of employees engaged in setting up and displaying exhibits, making demonstrations, and providing briefings;
  - (3) Costs of promotional items and memorabilia, including models, gifts, and souvenirs;
  - (4) Costs of advertising and public relations designed solely to promote the non-Federal entity.<sup>335</sup>

### Identified Stakeholder

- USDOT authorization and guidance for formula fund and grant recipients to use federal funds to invest in sustaining community relationships.

### Authority

- USDOT mission, responsibilities, transportation law, and congressional authorization.

### Recommendation

- We recommend enabling broader flexibility in the use of federal funds to invest in and support “public relations activities,” including early, sustained, regularly scheduled community engagement activities aimed at building enduring



relationships between communities and State DOTs/ to enhance long-term social cohesion.

- These activities are medium-long term in nature and are not tied specifically with any transportation project and study.
- The activities include the establishment, development, maintenance, and restoration of relationships between local communities and government. Specifically, it includes reparative engagement (healing circles, transformative justice interventions, mediation, and survivor engagement), cultural events (preserving oral histories and cultural assets), and capacity building for community members and community-based organizations.
- Potential Actions include:
  - Creating federal awards focused on investing in meaningful community relationships.
  - Requiring meaningful community relations plans developed and endorsed by community-based organizations as a precursor to, or part of, federal awards.
  - Incorporating activities that require allocating a percentage of formula and discretionary funding to support sustained, regularly scheduled community collaboration forums in-person and virtually.
  - Providing dedicated funding sources for these activities.
  - Including “public relation activities” as an eligible activity under Reconnecting Communities and Neighborhoods Program - Grant Type: Community Planning and Regional Partnerships Challenge.
  - Providing guidelines for transportation professionals on non-traditional outreach activities, such as reparative engagement or engaging survivors of transportation-related trauma, for example. The guidelines can also help them navigate the process to avoid potential misuse or abuse of federal funds.
  - Compile a comprehensive list of programs where federal funds can be used to reimburse agencies for early engagement with underserved communities before technical project initiation. Consider expanding this reimbursement potential to all federal transportation programs, thereby encouraging proactive and inclusive community involvement.
  - Requiring re-engagement of communities through notices of project progression through federally approved statewide transportation improvement programs (TIPs) and more local TIPs and providing guidance on expectations and timing related to community engagement as projects progress toward implementation.
- We also recommend conducting best practices workshops and training for State DOTs/MPOs and community-based organizations on leveraging federal funding on continuous, sustained community engagement activities, including non-traditional activities.

### **Costs to Implement**

- The cost to implement would be dependent on the course of action selected.
  - Implementation could involve strategically redirecting how money allocated to “public involvement” are currently spent, replacing “check the box” exercises with activities that are currently precluded that could achieve more meaningful and sustainable results in the future.

### **Resources**

- [MPOs](#)

# Power of Community Recommendation #2: Enhance Community Engagement in Isolated and Rural Communities

## Submitted by:

- Charles T. Brown, Subcommittee Co-Chair, Power of Community
- Diana Mendes, Subcommittee Co-Chair, Power of Community
- Dr. Destiny Deguzman
- Priya Sarathy Jones
- Jing Zhang

## Background

- Isolated and rural communities often face unique challenges in terms of infrastructure, connectivity, and representation in decision-making processes.
- Despite their significance, rural communities frequently find it difficult to voice their concerns and preferences in transportation planning initiatives, leading to a lack of tailored solutions that address their specific needs.
  - In these areas, there is a heightened need for authorization for and resource allocation for non-standard engagement practices because of geographic layout, lack of proximity, and the digital divide.

## Identified Stakeholder

- Rural and Isolated Communities
  - Residents, local leaders, and organizations representing rural and isolated areas.
- Transportation Authorities
  - USDOT and transit providers at federal, state, and local levels, including MPOs like the Morgantown Monongalia MPO that include rural areas and Regional Transport Planning Organizations in the states.
- Policymakers
  - Government officials responsible for shaping transportation policies.
- Community Advocacy Groups
  - Non-profit organizations advocating for the interests of rural communities.

## Authority

- USDOT
  - USDOT holds the authority to implement policies and initiatives aimed at improving transportation planning nationwide.
  - Through regulatory frameworks, funding mechanisms, and strategic guidance, USDOT can facilitate the integration of rural voices into transportation planning processes effectively.

## Recommendation

- We recommend enhancing community engagement in rural and isolated areas by encouraging MPOs to establish Rural and Isolated Community Transportation Advisory Committees where applicable.
  - For MPOs that cover these areas, it is recommended to create advisory committees comprising representatives from rural and isolated communities.

These committees will provide direct input and feedback on transportation plans developed by the MPOs, ensuring that their perspectives are integrated into decision-making processes.

- In addition, we recommend providing specialized guidance and training on how to address the specific needs of rural and isolated communities and how to apply non-standard engagement practices to overcome geographic and social separation
  - This includes training on removing other barriers such as lack of broadband access, and the digital divide.
  - Directives for this approach should be incorporated as appropriate into [USDOT circulars](#) that address public involvement throughout the entire Department.

### **Costs to Implement**

- The implementation of these recommendations may incur initial costs associated with staffing, outreach activities, and capacity-building initiatives.

### **Resources**

- [USDOT Circulars](#)
- [MPOs](#)

# Power of Community Recommendation #3: Integrate Equity and Accessibility Parameters into TDMs

## Submitted by

- Charles T. Brown, Subcommittee Co-Chair, Power of Community
- Diana Mendes, Subcommittee Co-Chair, Power of Community
- Dr. Destiny Deguzman
- Priya Sarathy Jones
- Jing Zhang

## Background

- TDMs serve as critical tools for evaluating the impacts of transportation projects on land use and the road network.
  - A TDM is a mathematical model expressed through a mapping application to show how many people will need to travel from one place to another and how they'll likely get there.
  - TDM is an essential component in fulfilling requirements set forth in various federal transportation regulations.<sup>336</sup>
- However, traditional TDMs often fall short in considering equity aspects related to housing and accessibility.
  - This oversight can perpetuate disparities in access to transportation resources and opportunities, particularly for marginalized communities.

## Identified Stakeholder

- State DOTs, Transit Providers and
  - Entities responsible for coordinating transportation planning activities in metropolitan regions.
- Transportation Modelers
  - Professionals tasked with developing and maintaining TDMs.
- Policymakers
  - Government officials responsible for shaping transportation policies at the local, state, and federal levels.

## Authority

- The authority to integrate equity and accessibility parameters into TDMs lies within MPOs and the State DOTs responsible for transportation planning activities.
  - By incorporating these parameters into model development processes and sharing them with the public, MPOs can ensure that transportation planning efforts prioritize equity and accessibility considerations effectively.

## Recommendation

- We recommend requiring transportation agencies to: 1) Identify and integrate relevant parameters in TDMs capturing transportation equity and land use accessibility, and 2) Define and incorporate performance measures related to equity and accessibility when evaluating outcomes and impacts of TDMs in transportation decision-making.

- These parameters may include measures of proximity to transit, affordable housing, employment centers, healthcare facilities, other essential services, and indicators of transportation affordability and reliability for different demographic groups.
- Additionally, define clear performance measures for assessing the effectiveness of equity and accessibility parameters in TDMs. These measures may include metrics related to improved access to transportation resources, reduced disparities in transportation outcomes, and increased equitable distribution of transportation investments across communities.

### **Costs to Implement**

- The cost to implement these requirements would entail initial costs associated with developing guidelines, providing training, and supporting grant recipients in enhancing their public engagement practices.

### **Resources**

- [MPOs](#)



# Power of Community Recommendation #4: Develop “Power of Community” Handbook

## Submitted by:

- Charles T. Brown, Subcommittee Co-Chair, Power of Community
- Diana Mendes, Subcommittee Co-Chair, Power of Community
- Dr. Destiny Deguzman
- Priya Sarathy Jones
- Jing Zhang

## Background

- Many community members and leaders lack awareness of how to effectively engage State DOTs, transit providers, and MPOs to advocate for their concerns and ensure equitable outcomes.
- Developing a comprehensive handbook specifically tailored for community members and community-based organization leaders can empower individuals to hold transportation agencies accountable, voice their concerns, and contribute to creating more equitable communities.

## Identified Stakeholder

- Community Members
  - Residents of diverse backgrounds and interests living in various neighborhoods and communities.
- Community Based Organization (CBO) Leaders
  - Individuals leading or actively involved in organizations representing community interests, such as housing advocacy groups, environmental organizations, and grassroots movements.
- Transportation Advocates
  - Individuals and groups passionate about transportation equity, accessibility, and sustainability.
- Local, State, and Federal Officials
  - Representatives and decision-makers at different levels of government responsible for transportation policies and programs.

## Authority

- USDOT mission, responsibilities, and transportation law.

## Recommendation

- We recommend the development of a “Power of Community” handbook to empower community members and CBO leaders in holding transportation agencies accountable and promoting equity in transportation planning.
  - The Power of Community Handbook should include the following components focused on historically underserved or disadvantaged communities:
    - Expectation of USDOT regarding community engagement with historically underserved and disadvantaged communities.

- Description of the obligations of all State DOTs and MPOs to address the specific needs of historically underserved and disadvantaged communities.
  - Advocacy Strategies and Tools
  - Methods for addressing Complaints and Concerns
  - Case Studies and Success Stories
- We also recommend that USDOT conduct a review of all [USDOT Circulars](#) providing guidance related to public involvement and update the circulars as appropriate to incorporate references to the Power of Community Handbook.

### **Costs to Implement**

- The development and dissemination of the “Power of Community” handbook would incur costs associated with content creation, design, printing and distribution.
  - Other costs associated with this recommendation would include staff time for the audit of existing federal circulars and guidance referencing public involvement and editing to incorporate references to the Power of Community Handbook.

### **Resources**

- [MPOs](#)
- [Every Place Counts Leadership Academy Transportation ToolKit](#)
- Multiple [USDOT Circulars](#) which include references, guidance, or requirements related to public involvement.

# Power of Community Recommendation #5: Community Engagement Innovations Workshops

## Submitted by

- Charles T. Brown, Subcommittee Co-Chair, Power of Community
- Diana Mendes, Subcommittee Co-Chair, Power of Community
- Dr. Destiny Deguzman
- Priya Sarathy Jones
- Jing Zhang

## Background

- Many of the available public involvement training courses are limited to addressing “mainstream” standardized engagement techniques and approaches that address the basic needs of “the public.”
  - The content of these trainings frequently unintentionally stigmatize underserved populations instead of celebrating the diversity inherent in the public.
  - An opportunity for uniquely tailored and innovative approaches designed tailored to address specific community interests and needs that might benefit all populations is missed.
  - Enhanced awareness and cultural change are required to shift the transportation industry from viewing public involvement as a “requirement” that slows down delivery and transform industry understanding toward viewing community engagement is an asset that can be leveraged to deliver better outcomes on time and on budget.

## Identified Stakeholder

- USDOT and transportation agencies including State DOTs, MPOs, transit providers, local government officials, and community-based organizations.

## Authority

- USDOT mission, responsibilities, transportation law, and Congressional authorization.

## Recommendation

- We recommend conducting engagement innovations workshops and training for State DOTs/MPOs and CBOs to bring to life the approaches and techniques articulated in the USDOT publication [\*Promising Practices in Meaningful Public Involvement\*](#) to make the business case that innovative approaches that better serve all populations result in reduced project delays and costs.
  - The focus of this training should be on less frequently used, newer approaches and techniques less familiar to the transportation industry including scenario planning, hiring community-based organizations, and giving financial incentives or reimbursements for participation.
  - The workshops should proactively “practice what we preach” and be delivered not solely by transportation public involvement specialists, but by a multi-disciplinary team that includes compensated community representatives and advocates sharing their actual experiences.

- The workshops could be recorded to expand the reach beyond those in physical attendance.
- We recommend also that USDOT conduct a review of all [USDOT Circulars](#) providing guidance related to public involvement and update the circulars as appropriate to incorporate references to engagement innovations workshops.

### **Costs to Implement**

- Implementation would require costs associated with content development and delivery, including filming and editing.

### **Resources**

- [MPOs](#)
- [CBOs](#)
- [Every Place Counts Leadership Academy Transportation ToolKit](#)
- [Promising Practices in Meaningful Public Involvement](#)
- Multiple [USDOT Circulars](#) which include references, guidance or requirements related to public involvement.

# Power of Community Recommendation #6: Establish a National CBOs Registry

## Submitted by:

- Charles T. Brown, Subcommittee Co-Chair, Power of Community
- Diana Mendes, Subcommittee Co-Chair, Power of Community
- Dr. Destiny Deguzman
- Priya Sarathy Jones
- Jing Zhang

## Background

- The integration of CBOs into transportation decision-making can be hindered by a lack of understanding by transportation agencies of how to find CBOs and what contributions or skills they can bring.
- Transportation agencies are concerned about the difficulties of choosing which CBOs to engage, and explaining why one CBO was selected over another, which can lead to a safer choice of no CBOs being included.
- The definition of what qualifies as a CBO is highly variable, resulting in confusion as to who is eligible for engagement.
- There is a history of lack of trust among community-based organizations and various levels of government which requires repair.
- Private sector companies in the transportation industry are not familiar with the resources and expertise provided by CBOs, affecting their use by professional services and consulting firms, contractors and construction companies.

## Identified Stakeholder

- USDOT and transportation agencies including State DOTs, MPOs, Transit providers, local government officials, Community-Based Organizations, and Private Sector Consultants and Contractors.

## Authority

- USDOT mission, responsibilities, transportation law, and Congressional authorization.

## Recommendation

- We recommend creating a searchable national database of registered community-based organizations (CBOs) and providing technical assistance and funding to facilitate their registration.
  - This database will serve as a resource for transportation agencies to promote sustained, ongoing collaboration with CBOs.
  - Not only would the database assist transportation agencies in identifying CBOs, but it would also provide CBOs visibility into the potential to partner with other CBOs, sharing skills and resources.
  - Transportation agencies could use the platform to post notices of potential opportunities for CBOs.
  - In addition, compensation to CBOs could be tracked, providing additional transparency into where federal dollars are being invested in CBOs.

- Beyond the practical and logistical benefits of the registry in making it easier to locate and access CBOs, the registry could encourage better partnerships among CBOs, governmental agencies, and the private sector by raising awareness of the expertise and value of what CBOs have to offer thus elevating the stature of CBOs in the industry.

### **Costs to Implement**

- Database development and maintenance would require the commitment of USDOT staff resources, funding for CBO training, and [“seed money”](#) to enable CBOs to invest in registration.
  - Technology-related implementation costs could be defrayed through “piggybacking” on the use of existing technology platforms such as the recently developed [USDOT Subcontracting Directory](#).

### **Resources**

- [MPOs](#)
- [CBOs](#)
- [“Seed money”](#)
- [USDOT Subcontracting Directory](#)





**Recommendations of  
the Subcommittee on  
Wealth Creation**

# Wealth Creation Recommendation #1: Increase Transportation Research, Development, and Technology Funding and Resources to HBCUs

## Submitted by:

- Phillip Washington, Subcommittee Co-Chair, Wealth Creation
- Camille Williams, Subcommittee Co-Chair, Wealth Creation
- Shoshana Akins
- Vince Malone
- Eboni Wimbush

## Background:

- Key actions emphasize the priority of supporting HBCUs:
  - On September 3, 2021, President Biden signed [E.O. 14041](#) White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity Through HBCUs “to advance equity in economic and educational opportunities for all Americans, including Black Americans, strengthen the capacity of to provide the highest-quality education, increase opportunities for these institutions to participate in and benefit from Federal programs, and ensure that HBCUs can continue to be engines of opportunity.”<sup>337</sup>
  - On September 18, 2023, President Biden called attention to sixteen (16) State Governors underfunding HBCUs. The underfunding exposed an alarming disparity of \$13 billion over thirty (30) consecutive years. The Secretaries of Agriculture and Education sent letters to states that underfunded HBCUs.<sup>338</sup>
  - U.S. Department of Education (DOE) Secretary Miguel Cardona and USDA Secretary Tom Vilsack documented that per student from 1987 to 2020 funding gaps were between \$172 million to \$2.14 billion as compared with predominantly White, higher educational institutions in the same sixteen (16) states that HBCUs are located.<sup>339</sup>
    - “In addition to generating [\\$16 billion in direct economic impact](#), HBCU still produce [80 percent of Black judges](#), [25 percent of Black science professionals](#), [70 percent of Black dentists and physicians](#), and [40 percent of Black members of Congress](#). And as the United Negro College Fund has long noted, HBCUs remain the [primary driver](#) behind moving low-income Black people into the middle class.”<sup>340</sup>
- To better support HBCUs, it is critical to change the perception and redefine who “traditional workers” are.
  - Equity in education, experience, and opportunity are the keys to upward social mobility.
  - Workers who have taken the initiative to educate themselves by learning skilled trades or by higher education should have access to careers that will lead to generational wealth rather than being stigmatized and prevented from fully participating in and being productive members of society.

## Identified Stakeholder

- [Advanced Research Projects Agency for Infrastructure](#) (ARPA-I)
- USDOT Operating Administrations
- State DOTs

- Volpe Center<sup>341</sup>
- Transportation Research Board<sup>342</sup>

### Authority

- BIL
- USDOT
- US DOE
- DOI
- HHS

### Recommendation

- We recommend that HBCUs and community colleges seek out opportunities for transportation industry research, development and technology funding to bridge the funding gaps between institutions of higher education and to create generational wealth.
  - Transportation research areas of focus could include:
    - Planning Professions (culturally responsive and equitable)
      - Land use, environmental and natural resources, historic preservation, urban and community development.
    - Aviation Industry and Non-Aeronautical Land Use Development
    - Science, technology, engineering, and mathematics ([STEM](#)) (or science, technology, engineering, arts, and mathematics ([STEAM](#)))
    - Construction
    - National Roadway Safety
    - Workforce Development
    - [HUBZone Development](#)
    - [Sheltered Market Programs](#)
    - [Certified DBEs](#) Capacity Building
  - Our recommendation is designed to find solutions that will prepare students of color for careers in the transportation industry that will positively impact them and the communities they came from or live in.
    - These careers will create legacy wealth for their families as they get the education and experience from professional development to move into high paying jobs.
    - They can in turn, use this knowledge and experience to improve their communities' economic development and social determinants of health.
  - Underserved and overburdened communities need economic vitality, and access to safe streets, parks, nutritious foods, clean air and water, better schools, and decreased violence.
    - People who live in communities of persistent poverty trust people who come from their communities to make decisions and find solutions that will improve their quality of life and provide opportunities for them that would not otherwise exist.

- These opportunities not only involve community development but extend directly to people who have been underestimated and marginalized in society, such as individuals who have aged out of the foster care system, single mothers, and persons formerly involved in the justice system.
- We also recommend the development of strategic partnerships to enable HBCUs, and other minority serving institutions (MSIs), as well as community colleges to access organizations that have significant funding and that are tasked with the development of innovative technologies.
  - One such organization is the ARPA-I.
    - Authorized by IIJA (Public Law 117-58, Section 25012; November 15, 2021), this new Congressionally designated agency within USDOT tasked with funding high-risk, high-reward, next-generation technologies that have the potential to revolutionize America's transportation infrastructure systems.
    - Congress specified that the goals of ARPA-I shall be —
      - “(A) to advance the transportation infrastructure of the United States by developing innovative science and technology solutions that —
        - (i) lower the long-term costs of infrastructure development, including costs of planning, construction, and maintenance;
        - (ii) reduce the lifecycle impacts of transportation infrastructure on the environment, including through the reduction of greenhouse gas emissions [GHGs];
        - (iii) contribute significantly to improving the safe, secure, and efficient movement of goods and people; and
        - (iv) promote the resilience of infrastructure from physical and cyber threats; and
      - (B) to ensure that the United States is a global leader in developing and deploying advanced transportation infrastructure technologies and materials.”<sup>343</sup>
    - ARPA-I's mission is to catalyze the development of innovative technologies, systems, and capabilities that have the potential to transform America's physical and digital infrastructure. We aim to build a future where our transportation systems are safe, secure, efficient and resilient, while achieving net-zero emissions and increasing equity and access for all.
    - HBCUs and other MSIs, can use research, development, and technology funding to find solutions to create generational wealth and economic growth.
      - According to USDOT's Research, Development, and Technology Strategic Plan (fiscal year 2022-2026), more than \$5 billion funded through BIL, is available for research activities, job creation, deployment of transformative technologies, and investing in University Technology Centers (UTCs) that work on

climate, equity, and innovation—including at HBCUs, other MSIs, and community colleges.<sup>344</sup>

- Partnering with ARPA-I can provide research and development opportunities, paid internships, and careers for all university and community college students, including students from HBCUs and other MSIs.
- Figure 1 below demonstrates how a) Physical and digital infrastructure and b) Enabling and innovative technologies can each lead to c) Next generation of innovative technologies, thus resulting in d) Emerging technologies that can have a pervasive impact.

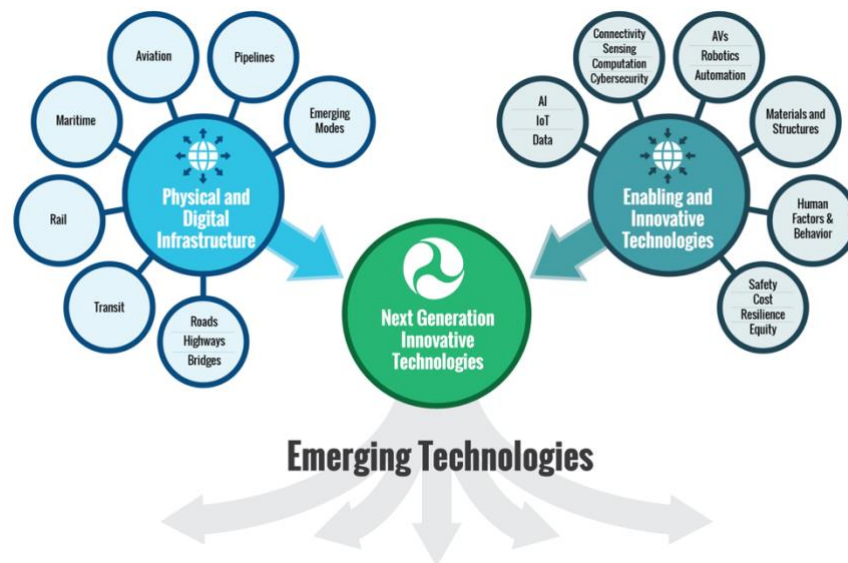


Figure 1: Emerging Technologies<sup>345</sup>

- Lastly, we recommend the development of best practices that can be used by HBCUs, MSIs, and community colleges in the industry for guidance and idea generation.
  - Washington State DOT and North Carolina DOT have several innovative initiatives that support equitable, sustainable, programs responsive to the needs of underserved communities. Some of these initiatives are discussed in other recommendations in this report.

### Costs to Implement

- The cost to implement should be neutral.
  - BIL has budgeted \$5 billion (see above) for research, development, and technology that can be used for this recommendation.

### Resources

- [E.O. 14041](#)
- [IIJA \(Public Law 117-58, Section 25012\)](#)
- [\(49 USC § 119\(c\)\(1\)\)](#)

- [Certified DBEs](#)
- [HUBZone Development](#)
- [Sheltered Market Programs](#)
- [EVs and Charging Infrastructure](#)
- [STEM](#) (or [STEAM](#))
- [ARPA-I](#)
- [MSIs](#)



# Wealth Creation Recommendation #2: Implement Restorative Justice and Repair the Impacts of Urban Renewal Through Reinvestment Projects.

## Submitted by

- Phillip Washington, Subcommittee Co-Chair, Wealth Creation
- Camille Williams, Subcommittee Co-Chair, Wealth Creation
- Shoshana Akins
- Vince Malone
- Eboni Wimbush
- Tunya Smith - Interventions Subcommittee

## Background

- Transportation projects have historically been built in communities that are predominantly low-income and/or [Black, Indigenous, and people of color \(BIPOC\)](#) residents, causing much of the burden to be experienced by these community members. This includes homes, businesses, community connections, health quality, and more.
- Federal funding made available through the BIL has created unprecedented investment levels in infrastructure across the country. Despite these heightened levels of investment, there remains a wealth gap for Black and Latino communities.
- Historically, marginalized neighborhoods and communities have been overburdened by [disinvestment](#), lack of resources, poor policies and practices, and from government entities, a form of “[federal-state-sponsored segregation](#).”
- Our interest is to create economic opportunity and [restorative justice](#) geared to “[Reviving Black & Brown Community Business hubs](#).”

## Identified Stakeholder

- USDOT, State DOTs, and MPOs.

## Authority

- [Title VI of the Civil Rights Act and E.O. 12898](#) - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

## Recommendation

- We recommend multi-pronged restorative justice to repair the impacts of urban renewal through establishment of reinvestment programs, including:
  - Establishing grant funding earmarked for creating economic opportunity and restorative justice geared to creating a targeted approach to the revitalization of Black and Latino communities, thus creating a roadmap for business incubation and development of a long-term turnaround strategy.
    - Programs funded would be aimed towards recalibrating efforts to address social and economic impacts stemming from historical urban renewal projects disinvestment in marginalized communities once considered thriving.
  - Launching a Renewal Economic Authority with the special purpose of renewing and revitalize local community and spurring economic prosperity.
    - The authority could serve as a basecamp for entrepreneurs.

- The authority could also identify existing opportunity zones and tax credits for such renewal activities as repurchasing property, aligning blackbelt and Tribal areas, and instituting a rail project. Developing a Business Incubator Program utilizing an HBCU as host site to create a legacy program and pilot scalable to reach all citizens and areas of the states where HBCUs are located.
- Developing a research partnership and workforce program designed with research demographics and literature review of historical impacts.
- Creating a Minority Economic Development Fund that would serve as a philanthropic initiative and economic strategy to spur resurrection and revitalization of Black business hubs and [Black Wall Streets](#).
  - The Fund will deploy an economic impact strategy utilizing public and private investment to target a broad set of diverse businesses, create community anchor institutions, and mission focused entities.
- Creating a restorative justice and reparations framework in project selection to promote wealth creation.
  - [Justice40](#) could be used to map and identify existing infrastructure project areas that have created and continue to create economic and community burdens upon low-income and/or BIPOC persons to be prioritized in [USDOT's Equity Action Plan](#) implementation and state and MPOs/TIPs to promote wealth creation within these areas.

### **Costs to Implement**

- The costs are to be determined.

### **Resources**

- [BIPOC](#)
- [Disinvestment](#)
- [“Federal-state-sponsored segregation”](#)
- [“Reviving Black & Brown Community Business Hubs”](#)
- [Restorative Justice](#)
- [Black Wall Streets](#)
- [MPOs](#)
- [Justice40](#)
- [USDOT's Equity Action Plan](#)
- [TIPs](#)

# Wealth Creation Recommendation #3: Monitor and Penalize At-Fault Prime Contractor and Reinvest Penalties

## Submitted by:

- Phillip Washington, Subcommittee Co-Chair, Wealth Creation
- Camille Williams, Subcommittee Co-Chair, Wealth Creation
- Shoshana Akins
- Vince Malone
- Eboni Wimbush

## Background

- Federal, state, and local government agencies, including USDOT, award billions of dollars' worth of contracts every year. In some contracting vehicles whether as a subcontractor, teaming partner or mentor-protégé, they often require contractors to share a percentage of the work with [Certified DBEs](#) to qualify for the work.
  - The goal of the program is to remedy the effects of past discrimination against socially and economically disadvantaged businesses, such as women-owned and minority-owned businesses.
  - To participate in these lucrative projects, some contractors have knowingly engaged in [DBE fraud](#) to meet the project's DBE requirements, diverting all of the profits to their non-DBE businesses.
- In the pass-through company scheme, a legitimate DBE acts as an intermediary, passing most of the work on to a non-DBE firm while invoicing the general contractor for the non-DBE's work, plus a small percentage fee (payable to the DBE firm)
  - Example: Two Companies Agree to Pay \$1.2 Million to Resolve DBE Fraud Allegations, USDOT Office of Inspector General, April 5, 2023, Press Release -- USAG, District of Massachusetts.<sup>346</sup>
- To rid the DBE program of business conduct that is mired with fraudulent DBEs, prime contractors, and suppliers, the federal, state, and local agencies must perform commercially useful function reviews on public projects with federal funds as a form of due diligence to ensure fraud and abuse is not rampant.
  - This currently includes reviewing DBE payrolls, site visits on the project during work hours, observing business names on equipment and verifying titles, and analyzing orders and/or business records, to name a few.
  - A much more expansive program is needed to ensure that the money spent is going to the correct underserved recipients and not diverted to the majority prime contractor or supplier.
- In addition, prime contractors that use the names of small or disadvantaged businesses to win large contracts but do not actually use the subcontractors to do any work or perform commercially useful functions should be penalized, and those penalties should be used to support DBEs.
- This [article from the Brookings Institution](#) on business ownership and the importance of closing the wealth gap for historically marginalized communities of color helps solidify the importance of fair business practices in support of small and disadvantaged businesses.<sup>347</sup>
- Undeveloped at this point, there needs to be collaboration within each state, which will require a cooperative approach with the program integrity efforts that tie to the

increase of infrastructure funds to states.

### Identified Stakeholder

- Small Business Administration
- State DOTs, Airport Municipalities, and Transit Agencies
- Federal law enforcement agencies, including the USDOT Office of Inspector General, and the Department of Justice
- Airport Minority Advisory Council (AMAC)<sup>348</sup>
- The Conference of Minority Transportation Officials (COMTO)<sup>349</sup>

### Authority

- Office of the Inspector General
- [49 CFR 23](#)
- [49 CFR 26](#)

### Recommendation

- We recommend the creation of a better system to monitor and penalize prime contractors who use subcontractors as pass-throughs to win contracts, but they never actually do the work.
  - That system will utilize the [Unified Program Integrity Contractors \(UPICs\)](#), much like what is used in the Medicare and Medicaid systems. The UPICs will be carefully vetted, eligible entities that will enter into a contract with the Secretary of USDOT.
  - The UPICs may utilize a variety of techniques to address any potentially fraudulent, wasteful, or abusive DBE practices based on the various leads they receive. The UPICs integrate the program integrity functions for investigations and audits across USDOT recipients and subrecipients to assure that USDOT's national priorities for the BIL are executed and supported at the state level or within the UPICs' regional jurisdictions.
    - The functions of the UPICs can be but are not limited to: (1) proactively identify potential fraud, waste, and abuse by prime contractors that exist within its jurisdiction area and take appropriate action on each case that upset contractual equity; (2) investigate allegations of fraud made by complainants, DBE employees, contractors, suppliers, USDOT, Office of Inspector General (OIG), social media and other sources; (3) jointly operate with other entities through agreements to perform analysis of payment data and use data mining techniques to determine fraud waste and abuse trends; (4) refer and/or recommend appropriate administrative actions to the USDOT based on investigative or audit findings including, but not limited to: overpayments, program suspensions, referrals to law enforcement; (5) refer cases that align with the major case process with the OIG and/or Office of Investigations (OI) for consideration of civil and criminal prosecution and/or application of administrative sanctions, such as corporate integrity agreements, and (6) provide education, training and

program guidance, as the Secretary may establish, for recipients and subrecipients, with respect to payment integrity and contracting equity.

- We also recommend that fines or penalties levied against prime contractors should go into a fund and be reinvested in small and disadvantaged business development.

### **Costs to Implement**

- The projected cost for UPICs for 4 to 6 regional coverage of a five (5) year timeframe is \$500-\$700 million commitment that will show a return on investment of 3 to 1 at the end of five years, in soft dollar savings and returns (through overpayments, penalties and responsible contracting practices).
- Redirecting penalties to a small development fund to support small and disadvantaged businesses should be cost-neutral.

### **Resources**

- [Certified DBEs](#)
- [DBE fraud](#)
- [49 CFR 23](#)
- [49 CFR 26](#)
- [Unified Program Integrity Contractors](#)

# Wealth Creation Recommendation #4: Establish New National Electric Vehicle Infrastructure (NEVI) Markets for Disadvantaged Businesses

## Submitted by

- Phillip Washington, Subcommittee Co-Chair, Wealth Creation
- Camille Williams, Subcommittee Co-Chair, Wealth Creation
- Shoshana Akins
- Vince Malone
- Eboni Wimbush

## Background

- On November 15, 2021, the BIL ([Public Law 117-58](#)) was signed into law. The BIL includes a total of up to \$5 billion in dedicated funding for the [NEVI program](#), and \$2.5 billion for a discretionary [Charging and Fueling Infrastructure grant program](#).
  - The NEVI program and Charging Fueling Infrastructure grant program will advance the deployment of [EV infrastructure](#) throughout the country, enable a convenient, reliable, and equitable charging experience for all users, and set the United States on a path to a nationwide network of 500,000 EV chargers by 2030. For example, some states are expected to receive approximately \$100 million over 5 years under the NEVI program and are eligible to apply for additional funding under the \$2.5 billion discretionary grant program.
- Electricity purchased at a public charger can cost five to ten times more than electricity at a private one. To keep EVs powered up, public charging stations will need to be economical, equitably distributed, appealing to use, and wired to a robust power grid, all of which must be eliminated to achieve the federal target of net-zero emissions by 2050.<sup>350</sup>
  - According to [Fast Facts, U.S. Transportation Sector, GHGs \(1990-2022\)](#), the transportation sector was the largest contributor of greenhouse gas (GHG) emissions in the United States in 2022, accounting for 28% of total emissions of GHG. Although [EV Sales](#) in the United States have climbed by more than 40 percent each year, on average, since 2016, nearly half of US consumers say that battery or charging issues are their top concerns about buying EVs. There is little doubt that the nation's limited network of charging stations probably discourages many prospective buyers. In response, the BIL provides \$7.5 billion to develop the country's EV-charging infrastructure. The goal is to install 500,000 public chargers - publicly accessible charging stations compatible with all vehicles and technologies - nationwide by 2030. However, even the addition of half a million public chargers could be insufficient. In a scenario in which half of all vehicles sold are zero-emission vehicles by 2030, some suggest a need for 1.2 million public EV chargers and 28 million private EV chargers by that year.<sup>351</sup>
  - Additionally, there will need to be a viable business opportunity for the small companies to enter the marketplace. The government will take such considerations into account in its planning efforts. Of the \$7.5 billion the BIL provides to pay for the installation of public EV chargers, \$5 billion is available through the NEVI Formula program, which focuses on adding public charging stations in underserved communities and on highways. States are expected to generally contract with private companies to install, maintain, and operate



public chargers. However, the states must present plans demonstrating how they will meet the federal government's requirements such as promoting equity, serving rural and urban areas, and creating opportunities for small businesses to participate in the market.<sup>352</sup>

- Under the NEVI program, each state is required to submit an [EV Infrastructure Deployment Plan](#) that describes how it intends to use its NEVI program funds.
  - [The FHWA](#) published NEVI program guidance to assist in developing a Deployment Plan that meets the needs and goals of the state.<sup>353</sup> The guidance indicates that states should prioritize the use of NEVI program funding for EV charging infrastructure along AFCs within the interstate highway system.<sup>354</sup>

### Identified Stakeholder

- Resources from federal, state and local governments
- Private sector partners
- Automobile manufacturers
- Department of Energy (and subsidiary stakeholders like TVA)
- Commercial developers
- FTA - Transit Oriented Developments

### Authority

- IIJA ([Public Law 117-58](#))

### Recommendation

- We recommend that USDOT create a workforce development program for the technical aspects and create potential DBE performance capacity in small businesses that can assist in placing these charging stations and maintaining them within their communities.
  - Merely setting up more charging stations and creating a huge market isn't all that matters to the government. The legislation and its implementation highlight a social responsibility for the engagement of [Certified DBEs](#)<sup>355</sup>
  - For EVs to prosper across the market, the charging infrastructure must serve a diverse population, from urban to rural areas, and from all social-economic strata. Inasmuch as the distribution of charging stations are to support wider dispersion than currently exists, those who install, maintain and operate public charging facilities should be engaged in those more diverse service areas. Therefore, DBEs that are prepared and capable of fulfilling the need to provide EV charging infrastructure stand to receive substantial opportunity for growth and success.

### Costs to Implement

- The projected cost to implement the pilot program over the next five (5) years is approximately \$5 million.

### Resources

- Bipartisan IIJA (IIJA) ([Public Law 117-58](#))

- [GHGs](#)
- [Electrical vehicle \(EV\) sales](#)
- [Fast Facts, U.S. Transportation Sector, GHGs 1990 –2022](#)
- [Charging and Fueling Infrastructure Grant Program](#)
- [Electrical Vehicle Infrastructure \(EV\)](#)
- [EV Infrastructure Deployment Plan \(Deployment Plan\)](#)
- [FHWA](#)
- [Certified DBEs](#)



# **Institutionalizing Equity**

# Institutionalizing Equity Recommendation #1: Develop a USDOT-Wide Advisory Circular (AC) System

## Submitted by:

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- Camille Williams, Subcommittee Co-Chair, Wealth Creation
- Shoshana Akins
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## Background

- A critical component of any economic and growth strategy is inclusion. The historic investment in the country's infrastructure through the BIL and [Inflation Reduction Act](#) (IRA) provides an opportunity to promote equitable and inclusive procurement and contracting policies ensuring distributive benefits of the investment and to accelerate the repair of the country's transportation system.
- However, recipients of federal funding assistance often lack clarity on how to incorporate equitable and inclusive procurement and contracting practices.
- A proven method of sharing acceptable guidance, examples, and best practices for building equitable considerations into procurement and contracting to USDOT customers, the industry, and the public could be greatly impactful.

## Identified Stakeholder:

- Federal Aviation Administration (FAA): Office of Policy & Administration
- Additional identified stakeholders include the following people in each Operating Administration:
  - Manager of the Office Issuing [USDOT AC](#)
  - Directives Management Staff in offices that originate the AC
  - Authors of the AC
  - Office of the Chief Counsel

## Authority:

- USDOT sub-regulatory authority
- For example, the FAA AC system became effective in 1962. It provides a single, uniform, agency-wide system that the FAA uses to deliver advisory material to FAA customers, industry, the aviation community, and the public.
- According to [Order 1320.46D](#) (AC System, USDOT FAA), you may need to write an AC to:
  - Provide an acceptable, clearly understood method for complying with a regulation;
  - Standardize implementation of a regulation or harmonize implementation for the international aviation community;
  - Resolve a general misunderstanding of a regulation.

## Recommendation

- We recommend that USDOT build on the current AC process and system to develop a department-wide AC system for equitable and inclusive procurement and contracting practices to meet the spirit of [E.O. 13985](#), and [E.O. 14091](#), and [Justice 40](#).
- Like the FAA AC, the department-wide AC system for equitable and inclusive procurement and contracting practices will deliver advisory material (non-regulatory) to USDOT customers, industry, community and the public.

## Costs to Implement

- In the example of FAA's AC, there is responsibility for overseeing and maintaining the searchable electronic database of ACs. Drawing inferences from that model, the cost to implement may include:
  - Expanding the current database system used by the FAA;
  - Staff time for managing the system

## Resources

- [BIL](#)
- [IRA](#)
- [Order 1320.46D](#) (AC System)
- [E.O. 13985](#)
- [Justice 40](#)
- [E.O. 14091](#)

# Institutionalizing Equity Recommendation #2: Institute Standardized Transit Equity Metrics

## Submitted by

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- Yochai Eisenberg, Subcommittee Co-Chair, Expanding Access
- Clarence Daniel
- Icema Gibbs
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## Background

- The number of U.S. households experiencing financial hardship continues to be undercounted in official measures. Measured by the [Federal Poverty Line](#), 11% of households (37.9 million) were in poverty in 2022. Yet, [United for ALICE](#) data shows that another 29% (36 million households) were Asset Limited, Income Constrained, Employed (ALICE). ALICE households earn above the Federal Poverty Line, but not enough to afford the basics in the communities where they live.
- Because of this disjunction in poverty data analysis, existing transit equity measures do not appropriately capture the needs of marginalized populations and need to be reexamined. There is a need for standardization of some important measures, such as injury reporting that varies by state.
- The ACTE also heard from public comment that USDOT could develop better metrics for measuring outcomes and access, including, for example, the number of jobs, schools, and healthcare facilities that a transportation project will make accessible, especially for low-income residents.
- In addition, the Subcommittee noted that USDOT, specifically FTA, could issue guidance on how local planning efforts could better incorporate indicators related to equity and access.

## Identified Stakeholder

- USDOT
- FTA
- FHWA
- Bureau of Transportation Statistics (BTS)
- Private industry (i.e. VIA shared this in public meeting)
- ALICE

## Authority:

- BTS' authority for official, standardized data

## Recommendation

- We recommend that USDOT reexamine the quality, reliability, and applicability of the data used for 1) determining eligibility for transportation related programming; 2)

determinations of disadvantaged areas; 3) defining populations with financial hardships (i.e. transit cost burden).

- USDOT should deputize the BTS to develop a standardized set of objective data and actionable information – standardized equity metrics – that can be deployed for the support of travelers across the US.
- BTS should evaluate additional datasets, such as the ALICE economic viability data.<sup>356</sup> For example, using ALICE maps to explore financial hardship by location – down to the ZIP Code or town-level – can help identify historically underserved and overburdened communities.<sup>357</sup>
- BTS with guidance from USDOT should determine how ALICE data and tools could refine existing measures of transportation cost-burden, transportation access, and disadvantaged communities.
- BTS should prioritize the finding of equitable solutions to data standardization for varying geographies so that the standardized data does not have unintended consequences for smaller communities, tribes, and isolated and rural areas.

### **Costs to Implement**

- BTS staff time to further evaluate and refine transit cost burden measures and standardize data.

### **Resources**

- [United for ALICE](#)
- [Federal Poverty Line](#)
- [ALICE in the Crosscurrents: COVID and Financial Hardship in the United States, 2023 Report, UnitedforALICE.org.](#)



# Institutionalizing Equity Recommendation #3: Reshape Workforce Development, Education and Outreach to Strengthen the Transportation Ecosystem

## Submitted by:

- Roger Millar, Co-Chair, Interventions Subcommittee
  - Camille Williams, Co-Chair, Wealth Creation Subcommittee
  - Vince Malone, Wealth Creation Subcommittee
  - Azikiwe K. Rich, Interventions Subcommittee
  - Tunya Smith, Interventions Subcommittee
  - Lisalyn Jacobs, Senior ACTE Program Analyst
  - Elizabeth Skidmore, Union Carpenter and Business Agent-Public Participant\*
- \*non-ACTE member

## Background

- As a [multimodal](#), evolving and future-oriented entity, the transportation ecosystem requires the same of its workforce. However, the work of recruiting and retaining skilled workers is increasingly challenging as the transportation field struggles to not only attract, but keep the skilled workers needed to continue the drive toward innovative and transformational practices the industry needs to move it into the future.
- As a global leader in transportation, USDOT will need to diversify the work it does to identify, recruit and train the workforce of the future; increasingly, workers lack affordable housing, childcare and transportation, and planning for these realities will be essential to USDOT's success in securing a workforce that is reflective of the communities it serves. To identify, recruit, equip, and retain a skilled workforce is critical to the goals of supporting transportation infrastructure investments, and spurring economic opportunity in vulnerable communities.
- USDOT and State DOTs at all levels must prioritize and revolutionize the transportation workforce to meet the pace of progress, demand and supply, and maintain existing infrastructure – from bridges to rail lines to ports. And they must do so with, and on behalf of a frontline workforce that labors long hours, often in unsafe conditions, and dangerous work zones.

## Identified Stakeholder

- Congress and state legislatures
- USDOT and State DOTs

## Authority

- Appropriations powers; Executive Branch authority

## Recommendations

### 1. Workforce Development

- We recommend that USDOT request appropriations and authority for states to use formula and discretionary funds for multi-modal workforce development, education initiatives, improving compliance with hiring goals, and outreach that enhance and build capacity for the future of transportation.

- USDOT should allow greater flexibility of funding, address reimbursement challenges, and offer guidance to adding components to [project management plans](#) and percentage of funds to be charged to projects.
- USDOT should create a clear “whole of government” fact sheet highlighting where State DOTs can find funding to support workforce development and improved workforce hiring compliance by contractors on their jobsites. This fact sheet will be useful to both State DOTs and community groups seeking to encourage their local DOTs to do more equity work.
- This flexibility will also support local agreements and collaborative engagement with transportation sector partners.
- USDOT should create or enhance corrective action programs for states that are below the [federal goal](#) of 6.9% hours worked by women and the local goal for people of color.
  - This can include USDOT offering technical assistance to states in meeting federal goals, and considering the use of Access and Opportunity Committees;
  - USDOT should also create a subsidized employment program to initially provide 80% of the salary for a workforce staff person for the states in need of corrective action (with the federal contribution declining to zero over a 5-year period while the corresponding state payment increases to ultimately cover the full cost of the state workforce employee).
- USDOT should also work to ensure that its federal partners, including US Environmental Protection Agency, HUD, and the Departments of Commerce and Education are pursuing similar supply, demand, and corrective action-related strategies. Access and Opportunity Committees have been key in this work.
  - The best retention strategy is employment - the more State DOTs can do to ensure the construction contractors they work with are following the law and engaging in robust hiring of a diverse workforce on USDOT projects, the more likely retention numbers are to rise.<sup>358</sup>
  - USDOT should publicize the effectiveness of and financially incentivize the inclusion of [Access and Opportunity Committees](#) in Project Labor Agreements.
    - For construction of USDOT funded and assisted projects, Project Labor Agreements have been a useful tool for increased compliance with workforce hiring goals when they include language establishing an Access and Opportunity Committee to oversee and assist with meeting women-owned and minority-owned business enterprises and workforce hiring goals. AOCs are led by the funding agency and include the project contractors, community groups, labor unions if applicable, pre-apprenticeships, apprenticeships, and other interested stakeholders. They meet monthly to review workforce and women-owned and minority-owned business enterprises hiring numbers and problem-solve to meet goals.

### **Case Study**

- In Massachusetts, where a project labor agreement (PLA) including creation of an Access and Opportunity Committee, is in place, projects

are regularly achieving over double and sometimes triple the national average of women in the construction workforce. Over half of those women have been women of color, and participation rates of men of color have also risen. The best practices in that PLA have been expanded to over \$7 billion worth of construction which has averaged 7.3% women and resulted in over \$37 million in wages and benefits going to women above what would have happened if those projects met the federal average of 4.4% women. [Access and Opportunity Committees.](#)

## 2. Education+ Training, Outreach Strategies

- We recommend that USDOT develop a special purpose Technical Resource Center to support and address workforce and education challenges and create a consortium for practitioners using a whole-of- government and multi-disciplinary approach. The centers will coordinate with USDOT-funded centers and grant recipients to include UTC, Volpe Center, HBCUs, Department of Labor, Department of Commerce, trades, and labor unions.
  - Focus areas:
    - Using an [Equity 360 model™](#), develop a collaborative approach to expanding access and opportunity to vulnerable communities and residents by building comprehensive pipelines, effective hiring strategies, and scalable models nationally and across sectors, e.g. [Regional 4 University Transportation Center.](#)
    - Create a learning lab focused on gathering and developing the structure, methodology, and platform for innovative approaches to learning.
    - Develop and fund [Reconnecting Community Pilot Programs](#) to define transportation training needs and to augment training shortfalls.
    - Develop and fund Pilot Program to create an affordable housing subsidy program for local workers. Provide strategy, guidance, and funding streams for states and partners to create a pre-apprenticeship program to bring women and people of color into union construction.
    - **Case study:** Boston Housing Authority-US Department of Labor partnership
      - Funding affordable housing was an important aspect of the PLA because it brought Boston Housing Authority into the outreach efforts for [Building Pathways](#), and it created anchor funding to get what is now Massachusetts' premier pre-apprenticeship program onto solid footing.
    - Develop an initiative to enhance the diversity of [MPOs](#) staff. Historically, black and brown folks are underrepresented in the MPO ranks. Holding MPOs accountable to the local communities they serve is vital. Consider targeted recruitment, internships, and training programs focused on the local demographic population.
    - Place special emphasis on physical and digital infrastructure centered on new, disruptive, and emerging [STEM](#) technologies and programs. Developing a training plan for Intelligent Mobility, Connected and Autonomous Vehicles, Unmanned Aircraft Systems/Drones, [EV charging stations](#), digital and cyber

infrastructure- geographic information system mapping, Cloud computing, cybersecurity, Broadband and 5G communications, and Climate and Clean Transportation deployments. mapping, Cloud computing, cybersecurity, Broadband and 5G communications, and Climate and Clean Transportation deployments.

- Also include business and consultant services and support programs such as accounting, policy, legal and project management.
  - Develop an integrated supply and demand strategy, including recruitment, retention, and effective hiring models. State DOTs should fund supply work (pre-apprenticeships, supportive services, retention services, etc.) and do demand work (ensure their projects are following the law and meeting workforce goals for their construction workers).
  - Developing an innovation and technology transfer, equipment, and surplus plan to support and address barriers faced by academia and vocational schools.
  - Support states and transportation partners develop a lease back and/or pay for service program for [HUBZone](#), local municipalities, and multi-modal partners to utilize State DOTs' fixed assets including equipment such as drone leasing and fleet surplus transfers.
  - Developing sectoral partnerships, residential programs, pre- and post-apprenticeships, and skill-based training programs for youth, women, veterans, justice-involved people, people of color, people with disabilities, etc. Expand pay for training and stipend programs, including internal and external workforce programs that lead to credentialing and target high demand low diversity areas of job categories and classifications.
  - Support [Readiness Training](#) by developing a National Training Certification and Digital Badge program. Create a robust learning curriculum to expand, supplement, and fill gaps in vocational learning. This federal program can be used to establish a drone training program and support the [Society of Automobile Engineers International standards](#) in EV charging stations.
- 3. Public, Transparent Data Collection and Sharing**
- We recommend that USDOT develop a Navigator Program- Data and Reporting Repository of employment and demographic data sources for analysis. This will require reporting to capture employment data by sector, prime contractor and geographic location, and expand the reporting obligations of [FHWA 1392 report](#) and make data available for public use. Use predictive modeling and analytics to gain insights in employment and hiring trends.
  - Incentivize the creation of public searchable databases of compliance history by State DOTs.

#### Case Study

- The City of Boston established a public searchable database of compliance on projects covered by the [Boston Residents Jobs Policy](#) that is used regularly by industry stakeholders. [Analyze Boston](#).

#### **Costs to Implement**

- The costs are to be determined

## Resources

- [Multimodal](#)
- [Project management plans](#)
- [Federal Contract Compliance Manual: 3C00 E.O. Goals](#)
- [Access and Opportunity Committees](#)
- [Center for Regional and Rural Connected Communities \(CR2C2\)](#)
- [Equity 360 model](#)
- [Reconnecting Community Pilot Programs](#)
- [MPOs](#)
- [STEM](#)
- [EV charging stations](#)
- [Readiness Training](#)
- [Society of Automobile Engineers International standards](#)
- [Building Pathways](#)
- [Federal Highway Association \(FHWA\) 1392 report](#)
- [Boston Residents Jobs Policy](#)
- [Analyze Boston](#)

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### Background

- The business model for intercity busing has changed as operators no longer want to own real estate (bus stations) to reduce overhead costs. However, this shift results in dangerous conditions for intercity bus travelers who represent<sup>359</sup>
- Case Study - [One locality in Texas bought a Greyhound station and turned it into a mobility hub](#), and this can serve as an important model - Mobility hubs can connect all passengers to numerous modes of travel, including bicycles, taxis, shared rides, etc.
- While the intercity bus system is predominantly privately owned, there are many similarities to the airline industry and the systems that are set up for airlines to lease space from airports that are owned by local governments.

### Identified Stakeholder

- USDOT
- Federal Motor Carrier Safety Administration

### Authority

- Authority to administer business licenses for intercity bus operators and set regulations for operations.

### Recommendation

- We recommend that USDOT investigate the urgent need for access to respite amenities (i.e., shelter, food, water, restrooms) for intercity bus travelers, especially for stations with connections, by doing the following:
  1. Study the feasibility of establishing a new funding program or modifying an existing program that could support local governments to revitalize existing intercity bus stations (e.g. to serve as municipally owned stations that lease space to intercity bus-operators, similar to how airports lease space for gates to airlines). Funding could be used for previously used intercity stations or for new properties; higher scoring could be given to municipalities that establish mobility hubs that could more easily link intercity bus travelers with local public transit, taxis, rideshare, micro-transit, etc.
    - This funding could encourage more coordination between modes of transportation and public-private partnerships. Incentives could strengthen partnerships.

- Amenities should appropriately fit the size of the need for intercity bus operations, so they are able to accommodate delayed buses, and so that travelers have sufficient space.
- 2. Convene intercity bus companies and transportation experts to discuss the need for designated stops at stations that have respite amenities (i.e., shelter, food, water, restrooms) and the impact on underserved groups generally, and specifically those with language barriers and disabilities.
- 3. Require data reporting from intercity bus operators on delays and customer service issues to appropriately monitor the situation.

### **Costs to Implement**

- Costs should be determined at the conclusion of the USDOT investigation recommended by the ACTE.





**U.S. Department  
of Transportation**

## **Conclusion**



# Conclusion

Over the course of a remarkably brief yet productive 10 months, the ACTE and its four subcommittees were privileged to hear from a broad range of stakeholders, including more than 150 members of the public, state, local and non-profit entities, and to proffer two sets of recommendations for Secretary Buttigieg and transportation stakeholders to consider. The Committee was able to take onboard a tremendous volume of information about USDOT's remarkable progress on equity –powered by USDOT's Equity Council, several E.O.s, and the USDOT Equity Action Plan, which added the institutionalizing equity focus area earlier this year – because of the invaluable support of DOCR Director, Irene Marion and her team, Acting Under Secretary, Christopher Coes, Assistant Secretary for Tribal Affairs, Arlando Teller, Deputy Assistant Secretary for Research and Technology, Dr. Robert Hampshire and Ariel Gold, former Transportation Policy Analyst, in the Office of Transportation Policy. The Committee was also grateful to receive a broader set of Biden Administration equity updates from Amber Greene, Special Assistant to the President for Racial and Economic Justice, White House Domestic Policy Council, as well as updates from Bradley Mims, Former Dir. of the Office of Small and Disadvantaged Business Utilization (OSDBU) at the first in a series of public hearings held by all four ACTE subcommittees beginning with the Wealth Creation Subcommittee in March of this year. Additionally, it was of tremendous value that our Interventions Subcommittee received feedback on key recommendations from several significant transportation sector partners, including the AASHTO, the American Public Transportation Association, the National Association of City Transportation Officials, and the Conference of Minority Transportation Officials.

The wealth of expertise provided by individuals and entities both inside and outside the ACTE and USDOT, combined with enthusiastic engagement, particularly from the public, has yielded a set of 30 compelling final recommendations across the following six categories: Cross-Cutting, Expanding Access, Interventions, Power of Community, Wealth Creation, and Institutionalizing Equity. These wide-ranging recommendations encompass a broad range of sectors and partners that the Committee hopes are poised to work alongside USDOT in its bid to move forward while deploying a more equitable lens, benchmarking its progress, and working together with tribes, communities, cities, states, and localities to implement these recommendations and to support projects that deliver for all, but that center and prioritize those that have not always had a seat at the planning table.

In closing this phase of the Committee's work, the ACTE's leadership shared their hopes for the recommendations and the future of transportation equity at the final ACTE meeting on May 3, 2024:

*These recommendations may strike some people as very technical, but they are incredibly impactful. And, they also represent a spirit of constructive feedback to the transportation system. I want to say this publicly– because I think it's important to be said –that no matter what we do to change different processes, practices, and procedures, the people who are behind those decisions are still super important. And what we're trying to do here is trying to create a climate in which the trust level can go*

*up in the transportation system, and things can move forward in a way that is fair, and that people have confidence in in the future.*

*I do hope that as you all look at the recommendations that you also step into the fullness of your positional power to have the conversations with your elected officials about what this means and why the level of funding [in the Bi-partisan Infrastructure Law] is something that does not have to be a generational moment, but one that we offer as the standard, and that the key consideration[] around equity is that this can be the way in which we do our work.*

——Vice-Chair Stephanie Gidigbi-Jenkins



# Acknowledgements

The ACTE would like to acknowledge the contributions of all those individuals, organizations, and communities who shaped the direction and findings of this report through their feedback, recommendations, and public comment.

We are deeply grateful to ACTE Chairman Anthony Foxx and the Harvard Kennedy School Research Team for their dedication, leadership and commitment to understanding how we move forward toward more equitable systems of transportation.

Furthermore, we are thankful for the support of the USDOT DOCR for their commitment to facilitating this process.

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## **ACTE would like to acknowledge the following individuals for their insights and feedback:**

Sam Fullwood III  
Christopher Coes, Acting Under Secretary of Transp. for Policy  
Dr. Robert Hampshire, Deputy Assistant Secretary for Research and Technology  
Winta Yohannes, Executive Director, Albina Vision Trust



# Bibliography

<sup>1</sup> The ACTE was chartered on X date, pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 2 and E.O. 13985 (86 Federal Register 7009 (2021)).

<sup>2</sup> ACTE Charter (2022). US Dept. of Transportation. Viewed at <https://www.transportation.gov/sites/dot.gov/files/2022-05/2022%20ACTE%20Charter.pdf> (May 11, 2024).

<sup>3</sup> Additional background re: the 2016 ACTE can be found at 2024, May 3. Advisory Comm. On Transportation Equity: Full Comm. Meeting. U.S. Dept. of Transportation Virtual. <https://usdot.zoomgov.com/rec/play/bORm4dS5nv1aJXNblhJIFCRssHvTQ-CZOE53GwqF0dsBPi1QiOdqNRZ0lc57hLjfH00v6amgxcdmAMNV.Ju7oPhhY-pPbaaCj> (Last viewed May 11, 2024).

<sup>4</sup> I wish to thank and acknowledge the dedicated work of my four research assistants who helped shape this document: Danno Lemu, Mary Treacy, Aruni Ranaweera and Rob Benner.

<sup>5</sup> John Chynoweth Burnham, “The Gasoline Tax and the Automobile Revolution,” *The Mississippi Valley Historical Review* 48, no. 3 (1961): 435–59, <https://doi.org/10.2307/1891987>.

<sup>6</sup> Katherine M. Johnson, *The American Road: Highways and American Political Development, 1891-1956* (Lawrence: University Press of Kansas, 2021), 14, <https://muse.jhu.edu/pub/266/monograph/book/85305>.

<sup>7</sup> Brian D. Taylor, Eric A. Morris, and Jeffrey R. Brown, *The Drive for Dollars: How Fiscal Politics Shaped Urban Freeways and Transformed American Cities* (Oxford University Press, 2023), 60, <https://doi.org/10.1093/oso/9780197601518.001.0001> (“In 1904, 25 states still had work requirements, and the labor of conscripted citizens was valued at about one-fourth of total road expenditures; as late as 1914, 18 states still relied heavily on corvée labor for roadwork. In the early twentieth century, much of the South shifted from mostly White corvée labor to mostly Black convict labor organized in chain gangs. Ingram argues that this allowed White Southerners to haltingly embrace the Good Roads Movement while maintaining the White supremacy central to Jim Crow.”) (footnote omitted).

<sup>8</sup> Burnham, “The Gasoline Tax and the Automobile Revolution,” 436.

<sup>9</sup> Johnson, *The American Road*, 14–15.

<sup>10</sup> Johnson, 14.

<sup>11</sup> Johnson, 2.

<sup>12</sup> Johnson, 15.

<sup>13</sup> Taylor, Morris, and Brown, *The Drive for Dollars: How Fiscal Politics Shaped Urban Freeways and Transformed American Cities*, 13.

<sup>14</sup> Johnson, *The American Road*, 25-26.

<sup>15</sup> For an in-depth discussion of the evolution of federal authority in the field of transportation, see Sean Seyer, *Sovereign Skies: The Origins of American Civil Aviation Policy* (Baltimore, MD: Johns Hopkins University Press, 2021), chap. 1, 9-36.

<sup>16</sup> Johnson, *The American Road*, 16 (“Though assigned a specific purpose, all federal grants to the states in the nineteenth century were otherwise free, respecting the prevailing constitutional ideal of dual sovereignty. This changed in 1911 when Congress created a small program for the suppression of forest fires, which conditioned grants to the states on two things: [1] a dollar-for-dollar matching grant, and [2] the creation of a special agency to

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administer the funds, staffed by professionals with the requisite training and expertise for the job. This new approach to federal fiscal relations—the ‘grant-in-aid’—was widely celebrated as advancing a new constitutional ideal of ‘cooperative federalism,’ replacing the strict ‘dual federalism’ of the nineteenth century. For many historians, it was also a critical precedent for the welfare state that emerged in the New Deal.”).

<sup>17</sup> Johnson, 15.

<sup>18</sup> Johnson, 15.

<sup>19</sup> Johnson, 23-24.

<sup>20</sup> Johnson, 15 and 23 (“...Congress created a small program for the suppression of forest fires [in 1911], which conditioned grants to the states on two things: (1) a dollar-for-dollar matching grant, and (2) the creation of a special agency to administer the funds, staff by professionals with the requisite training and expertise for the job.”).

<sup>21</sup> US Federal Highway Administration, *America’s Highways, 1776-1976: A History of the Federal-Aid Program* (Washington, DC: US Government Printing Office, 1976), 54.

<sup>22</sup> US Federal Highway Administration, *America’s Highways, 1776-1976: A History of the Federal-Aid Program*, 55.

<sup>23</sup> US Federal Highway Administration, *America’s Highways, 1776-1976: A History of the Federal-Aid Program*, 55.

<sup>24</sup> US Federal Highway Administration, *America’s Highways, 1776-1976: A History of the Federal-Aid Program*, 65.

<sup>25</sup> By 1905, OPRI had transitioned into the Office of Public Roads (OPR) and, for the first time, became a permanent agency within the Department of Agriculture. Since the end of the RFD program, the OPR had been confined to its “object lesson” demonstration program in which mostly part-time hires traveled by rail across America to build stretches of paved roads to demonstrate the industry best practices. The OPR also shared updated research on road building materials with state and local road builders. This rather limited mission prevailed through the first decade of the 20<sup>th</sup> century. See, US Federal Highway Administration, *America’s Highways, 1776-1976: A History of the Federal-Aid Program* (Washington, DC: US Government Printing Office, 1976), 45-46.

<sup>26</sup> Johnson, *The American Road*, 16.

<sup>27</sup> Johnson, 24-25.

<sup>28</sup> Johnson, 18 (“The primary aim of the new association [AASHO], accordingly, was to draft a new highway bill making state highway departments the direct recipient of federal aid.”) (parenthesis added).

<sup>29</sup> Johnson, 18-19.

<sup>30</sup> Johnson, 19.

<sup>31</sup> Bruce E. Seely, *Building the American Highway System: Engineers as Policy Makers* (Philadelphia: Temple University Press, 1987), 48-49, <https://hdl.handle.net/2027/heh99041.0001.001> (“First, the states had to form strong highway departments that met with OPR approval. These commissions thus had to have the financial resources, legal authority, and engineering skill to initiate federal-aid construction and maintain the completed highways. [ ] This move, however, forced wholesale alterations in state highway laws, since only those of California conformed to all OPR guidelines in 1916. Eight states had to form highway departments, with three needing constitutional amendments to do so, while nine existing departments benefited from major legal

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overhauls. Another eighteen states strengthened or reorganized their highway commissions. The office furnished model laws and expert testimony in twenty-three states, and OPR engineers helped organize highway departments in Texas, Missouri, Indiana, and South Carolina.).

<sup>32</sup> Seely, 48–49.

<sup>33</sup> Johnson, *The American Road*, 17.

<sup>34</sup> Taylor, Morris, and Brown, *The Drive for Dollars: How Fiscal Politics Shaped Urban Freeways and Transformed American Cities*

<sup>35</sup> Michael Ratcliffe et al., “Defining Rural at the U.S. Census Bureau,” *ACSGEO-1* (Washington, DC: U.S. Census Bureau, 2016), 1.

<sup>36</sup> Seely, *Building the American Highway System*, 67–69.

<sup>37</sup> Jeffrey R. Brown, Eric A. Morris, and Brian D. Taylor, “Planning for Cars in Cities: Planners, Engineers, and Freeways in the 20th Century,” *Journal of the American Planning Association* 75, no. 2 (2009): 166, <https://doi.org/10.1080/01944360802640016>.

<sup>38</sup> Taylor, Morris, and Brown, *The Drive for Dollars: How Fiscal Politics Shaped Urban Freeways and Transformed American Cities*, 87–88.

<sup>39</sup> Brown, Morris, and Taylor, “Planning for Cars in Cities,” 168.

<sup>40</sup> Brown, Morris, and Taylor, 169.

<sup>41</sup> Brown, Morris, and Taylor, 170.

<sup>42</sup> Mark Rose and Raymond Mohl, *Interstate: Highway Politics and Policy Since 1939*, 3rd ed. (Knoxville: University of Tennessee Press, 2012), 56.

<sup>43</sup> Brown, Morris, and Taylor, “Planning for Cars in Cities,” 170.

<sup>44</sup> Brown, Morris, and Taylor, 170.

<sup>45</sup> Brown, Morris, and Taylor, 170.

<sup>46</sup> Rose and Mohl, *Interstate: Highway Politics and Policy Since 1939*, 55.

<sup>47</sup> Rose and Mohl, 55.

<sup>48</sup> Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America*, 1st ed. (New York: Liveright Publishing Corporation, 2017), 63.

<sup>49</sup> Rothstein, 63 (“To guide their work, the FHA provided [ ] an Underwriting Manual. The first, issued in 1935, gave this instruction: “If a neighborhood is to retain stability it is necessary that properties shall continue to be occupied by the same social and racial classes. A change in social or racial occupancy generally leads to instability and a reduction in values.” Appraisers were told to give higher ratings where “[p]rotection against some adverse influences is obtained,” and that “[i]mportant among adverse influences . . . are infiltration of inharmonious racial or nationality groups.” The manual concluded that “[a]ll mortgages on properties protected against [such] unfavorable influences, to the extent such protection is possible, will obtain a high rating.” The FHA discouraged banks from making any loans at all in urban neighborhoods rather than newly built suburbs; according to the Underwriting Manual, “older properties . . . have a tendency to accelerate the rate of transition to lower class occupancy.” The FHA favored mortgages in areas where boulevards or highways served to separate African American families from whites, stating that “[n]atural or artificially established barriers will prove effective in protecting a neighborhood and the locations within it from adverse influences, . . . includ[ing] prevention of the infiltration of . . . lower class occupancy, and inharmonious racial groups.”).



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- <sup>50</sup> The Office of Public Roads became the Bureau of Public Roads (BPR) in 1915. The BPR underwent subsequent name changes. For simplicity, I will refer to it as the BPR for the period between 1915 and the establishment of FHWA.
- <sup>51</sup> Johnson, *The American Road*, 78–79.
- <sup>52</sup> Raymond Mohl, “The Interstates and the Cities: Highways, Housing, and the Freeway Revolt” (Poverty & Race Research Action Council, 2002), 6, <https://www.prrac.org/pdf/mohl.pdf>.
- <sup>53</sup> Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America*, 69.
- <sup>54</sup> Rothstein, 69.
- <sup>55</sup> Rothstein, 84–89.
- <sup>56</sup> Rose and Mohl, *Interstate: Highway Politics and Policy Since 1939*, 95.
- <sup>57</sup> Rose and Mohl, 95 and 97.
- <sup>58</sup> Brown, Morris, and Taylor, “Planning for Cars in Cities,” 171.
- <sup>59</sup> Rose and Mohl, *Interstate: Highway Politics and Policy Since 1939*, 61–62.
- <sup>60</sup> Rose and Mohl, 62.
- <sup>61</sup> Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America*, 128.
- <sup>62</sup> US House Committee on Banking and Currency, “Housing Act of 1949, Report to Accompany HR 4009,” HR 590, 81st Congress, 1st Session (Washington, DC: Government Printing Office, 1949), sec. 5.
- <sup>63</sup> Housing and HHFA, “Urban Renewal Project Characteristics, December 31, 1955” (Washington, DC: Urban Renewal Administration, 1956), tbl. 1.
- <sup>64</sup> Housing and HHFA, tbl. 3.
- <sup>65</sup> US National Commission on Urban Problems, “Building the American City: Report of the National Commission on Urban Problems to the Congress and to the President of the United States” (Washington, DC, 1969), 161, <https://hdl.handle.net/2027/uiug.30112064723965?urlappend=%3Bseq=9>.
- <sup>66</sup> US National Commission on Urban Problems, 160–63 (“By 1968, HUD and its predecessors had approved 1,946 urban renewal projects in 912 communities.”).
- <sup>67</sup> Daniel Liston, “Summary of Berman v. Parker” (Connecticut General Assembly, 2013), OLR Research Report, <https://www.cga.ct.gov/2013/rpt/2013-r-0211.htm>.
- <sup>68</sup> Morris, Taylor and Brown, *The Drive for Dollars: How Fiscal Politics Shaped Urban Freeways and Transformed American Cities*, 177.
- <sup>69</sup> Morris, Taylor and Brown, *The Drive for Dollars: How Fiscal Politics Shaped Urban Freeways and Transformed American Cities*, 177–78; see also, US Federal Highway Administration, “Promoting Highway Improvement: Project Adequate Roads & GM’s Better Highway Award,” Highway History, 2017, <https://highways.dot.gov/highway-history/interstate-system/promoting-highway-improvement-project-adequate-roads-gms-better>.
- <sup>70</sup> US Federal Highway Administration, “Interstate System: Dwight D. Eisenhower National System of Interstate and Defense Highways,” accessed April 18, 2024, <https://www.fhwa.dot.gov/programadmin/interstate.cfm>.
- <sup>71</sup> Morris, Taylor and Brown, *The Drive for Dollars: How Fiscal Politics Shaped Urban Freeways and Transformed American Cities*, 178.

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<sup>72</sup> “Interstate Highway System,” Eisenhower Presidential Library, accessed March 17, 2024, <https://www.eisenhowerlibrary.gov/research/online-documents/interstate-highway-system>.

<sup>73</sup> Richard F. Weingroff, “Original Intent: Purpose of the Interstate System 1954-1956,” accessed April 18, 2024, <https://highways.dot.gov/highway-history/interstate-system/original-intent-purpose-interstate-system-1954-1956>.

<sup>74</sup> Dwight D. Eisenhower, “Annual Message to the Congress on the State of the Union,” January 6, 1955, <https://www.presidency.ucsb.edu/documents/annual-message-the-congress-the-state-the-union-12>.

<sup>75</sup> “Federal-Aid Highway Act of 1954,” Pub. L. No. 83–350, 68 Stat. 70 (1954), <https://www.govinfo.gov/app/details/STATUTE-68/STATUTE-68-PgB37>.

<sup>76</sup> An extensive discussion of the membership of the task force and machinations of the Eisenhower administration to pass the 1956 Highway Act, see Tom Lewis, *Divided Highways: Building the Interstate Highways, Transforming American Life* (Ithaca: Cornell University Press, 2013), 95-124.

<sup>77</sup> US Federal Highway Administration, *America’s Highways, 1776-1976: A History of the Federal-Aid Program*, 254.

<sup>78</sup> Tom Lewis, *Divided Highways: Building the Interstate Highways, Transforming American Life* (Ithaca: Cornell University Press, 2013), 111.

<sup>79</sup> US Bureau of Public Roads, *General Location of National System of Interstate Highways* (Washington, DC: US Government Printing Office, 1955), <http://archive.org/details/generallocationo00unitrich>.

<sup>80</sup> Lewis, *Divided Highways: Building the Interstate Highways, Transforming American Life*, 121.

<sup>81</sup> Richard Weingroff, “Federal-Aid Highway Act of 1956: Creating the Interstate System,” *Public Roads*, 1996, <https://highways.dot.gov/public-roads/summer-1996/federal-aid-highway-act-1956-creating-interstate-system>.

<sup>82</sup> Mohl, “The Interstates and the Cities: Highways, Housing, and the Freeway Revolt,” 12

<sup>83</sup> Eric Avila, *The Folklore of the Freeway: Race and Revolt in the Modernist City* (Minneapolis: University of Minnesota Press, 2014), 19–20, <https://muse.jhu.edu/pub/23/monograph/book/31116>.

<sup>84</sup> John Joseph Wallis and Barry R. Weingast, “Dysfunction or Optimal Institutions? State Debt Limitations, the Structure of State and Local Governments, and the Finance of American Infrastructure,” in *Fiscal Challenges: An Interdisciplinary Approach to Budget Policy*. (Cambridge University Press, 2008), 338–40.

<sup>85</sup> Ashley A. Foard and Hilbert Fefferman, “Federal Urban Renewal Legislation,” *Law and Contemporary Problems* 25, no. 4 (1960): 674, <https://doi.org/10.2307/1190625>.

<sup>86</sup> Robert Moore Fisher, “Public Costs of Urban Renewal,” *The Journal of Finance* 17, no. 2 (1962): n. 4, <https://doi.org/10.1111/j.1540-6261.1962.tb04290.x>.

<sup>87</sup> US National Commission on Urban Problems, “Building the American City,” 156.

<sup>88</sup> Eugene J Morris, “The Role of Administrative Agencies in Urban Renewal,” *Fordham Law Review* 29, no. 4 (1961): 719.

<sup>89</sup> US House Committee on Public Works, “Highway Relocation Assistance Study” (Washington, DC, 1967), 7, <https://heinonline.org/HOL/P?h=hein.comprint/cmptaaafu0001&i=1>.

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<sup>90</sup> Milan Dluhy, Keith Revell, and Sidney Wong, “Creating a Positive Future for a Minority Community: Transportation and Urban Renewal Politics in Miami,” *Journal of Urban Affairs* 24, no. 1 (2002): 76, <https://doi.org/10.1111/1467-9906.00115>.

<sup>91</sup> Dluhy, Revell, and Wong, 76.

<sup>92</sup> Dluhy, Revell, and Wong, 83 (assigning possible factors contributing to the choice of route alignment that bifurcated Overtown, including: (1) reduced political power in the black community due to disenfranchisement, (2) lower rates of homeownership, resulting in fewer negotiations required to purchase land parcels, and (3) lower property values as a result of relative economic decline in the community due to the flight of wealthier families to the suburbs).

<sup>93</sup> Deborah Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” *Vanderbilt Law Review* 73, no. 5 (2020): 1280 (“Greater Miami Urban League raised concerns about housing for displaced Blacks and urged the government and state road department to plan for the dislocation and resulting social consequences of expanding I-95 through Miami. No such relocation program ever materialized. Very few housing units were built to replace demolished homes, and the displaced received little relocation assistance.”).

<sup>94</sup> The degree of trust and collaboration between Congress and state officials was so profound that federal dollars were afforded to the state highway programs with limited oversight. To the extent reports were required, the states prepared them, and in doing so, met the federal requirements. This approach very much remains the practice in areas such as minority contracting and disadvantaged business utilization. In far too many instances, states are, in effect, allowed to “grade their own tests.”

<sup>95</sup> Archer, 1280.

<sup>96</sup> D. Grant Mickle, “Coordination of the Urban Renewal and Highway Improvement Program,” in *Proceedings of the 48th Annual Road School, Engineering Extension Series* (Lafayette, Indiana: Purdue University, 1962), 79, <https://docs.lib.purdue.edu/cgi/viewcontent.cgi?article=2774&context=roadschool>.

<sup>97</sup> Mickle, 79.

<sup>98</sup> Mickle, 80.

<sup>99</sup> Quintin Johnstone, “The Federal Urban Renewal Program,” *The University of Chicago Law Review* 25, no. 2 (1958): 310, <https://doi.org/10.2307/1598136>.

<sup>100</sup> Johnstone, 316.

<sup>101</sup> Robert Caro, *The Power Broker: Robert Moses and the Fall of New York*, (New York: Alfred A. Knopf, 1974), chaps. 37-38.

<sup>102</sup> Caro, 706 (“Based on interviews with Bureau of Public Roads Director Bertram Tallamy infers that Moses may have been more than a consumer of BPR largesse; he may have offered the blueprint for the assertion of overwhelming use of force that characterized the BPR approach to highway-building: Du Pont’s successor, de facto head of the Interstate Highway System, was Bertram D. Tallamy, ... the same Bertram D. Tallamy who in 1926 had come down from Niagara to sit at Moses’ feet for private lectures on the art of Getting Things Done—and who told the author that the Interstate Highway System was built by principles he had learned at those lectures.”) (*italics added*); see also, Rose and Mohl, *Interstate: Highway Politics and Policy Since 1939*, 102.

<sup>103</sup> Caro, chaps. 37–38.

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<sup>104</sup> Caro, 883.

<sup>105</sup> “3-Level Road Link in Brooklyn Is Open,” New York Times, June 23, 1954, L 27, <https://www.nytimes.com/1954/06/23/archives/3level-road-link-in-brooklyn-open-downtown-congestion-eased-by.html>.

<sup>106</sup> Rose and Mohr, *Interstate: Highway Politics and Policy Since 1939*, 103.

<sup>107</sup> Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America*, 128.

<sup>108</sup> Federal Highway Administration, “Interstate Status and Progress,” *The Dwight D. Eisenhower System of Interstate and Defense Highways*, 1998, <https://highways.dot.gov/highway-history/interstate-system/dwight-d-eisenhower-system-interstate-and-defense-highways/part-1#b>.

<sup>109</sup> Mohl, “The Interstates and the Cities: Highways, Housing, and the Freeway Revolt,” 21–27.

<sup>110</sup> US Select Subcommittee on Real Property Acquisition, “Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs” (Washington, DC: US House Committee on Public Works, 1964), <https://babel.hathitrust.org/cgi/pt?id=ien.35556021298500&seq=3>.

<sup>111</sup> Anthony Downs, “Uncompensated Nonconstruction Costs Which Urban Highways and Urban Renewal Impose Upon Residential Households,” in *The Analysis of Public Output* (NBER, 1970), 69–113, <https://www.nber.org/books-and-chapters/analysis-public-output/uncompensated-nonconstruction-costs-which-urban-highways-and-urban-renewal-impose-upon-residential>.

<sup>112</sup> Downs, 100.

<sup>113</sup> US Department of Transportation, “Beyond Traffic 2045,” 2017, 95, <https://www.transportation.gov/policy-initiatives/beyond-traffic-2045-final-report>.

<sup>114</sup> US House Committee on Public Works, “Highway Relocation Assistance Study,” 3, 38–42.

<sup>115</sup> US Select Subcommittee on Real Property Acquisition, “Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs,” 24, 27.

<sup>116</sup> Mohl, “The Interstates and the Cities: Highways, Housing, and the Freeway Revolt,” 20.

<sup>117</sup> US Select Subcommittee on Real Property Acquisition, “Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs,” 23.

<sup>118</sup> US Select Subcommittee on Real Property Acquisition, 22.

<sup>119</sup> US Census Bureau, “1960 Census of Housing” (Washington, DC: US Department of Commerce, 1963), tbl. V (Summary of Findings), <https://www.census.gov/library/publications/1963/dec/housing-volume-01.html>.

<sup>120</sup> Rose and Mohl, *Interstate: Highway Politics and Policy Since 1939*, 97.

<sup>121</sup> Rose and Mohl, 111.

<sup>122</sup> Rose and Mohl, 113.

<sup>123</sup> David Karas, “Highway to Inequity: The Disparate Impact of the Interstate Highway System on Poor and Minority Communities in American Cities,” *New Visions for Public Affairs* 7 (2015), 15. <https://www.ce.washington.edu/files/pdfs/about/Highway-to-inequity.pdf>.

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- <sup>124</sup> Adam Paul Susaneck, “Segregation by Design,” accessed October 31, 2023, <https://www.segregationbydesign.com/minneapolis/freeways-urban-renewal>.
- <sup>125</sup> Rose and Mohl, *Interstate: Highway Politics and Policy Since 1939*, 108–9.
- <sup>126</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1279.
- <sup>127</sup> Raymond Mohl, “Race and Space in the Modern City: Interstate-95 and the Black Community in Miami,” in *Urban Policy In 20th Century* (Ithaca, NY: Rutgers University Press, 1992), 134, <https://doi.org/10.36019/9780813560120-006>.
- <sup>128</sup> For more documented examples, see Rose and Mohr, *Interstate: Highway Politics and Policy Since 1939*, 104–111.
- <sup>129</sup> Chester Hartman, “Relocation: Illusory Promises and No Relief,” *Virginia Law Review* 57, no. 5 (1971): 745–817, <https://doi.org/10.2307/1072173>.
- <sup>130</sup> Thomas Mitchell, Stephen Malpezzi, and Richard Green, “Forced Sale Risk: Class, Race, and the ‘Double Discount,’” *Florida State University Law Review* 37, no. 3 (Spring 2010): 631, <https://ir.law.fsu.edu/cgi/viewcontent.cgi?article=1067&context=lr>.
- <sup>131</sup> US Federal Highway Administration, “Economic and Social Effects of Highways: Summary and Analysis” (US Department of Transportation, 1972), 25, <https://hdl.handle.net/2027/uiug.30112003365472?urlappend=%3Bseq=3>; see also, US Select Subcommittee on Real Property Acquisition.
- <sup>132</sup> See, for example, Mitchell, Malpezzi, and Green, “Forced Sale Risk: Class, Race, and the ‘Double Discount,’” 645.
- <sup>133</sup> Highway Research Board, “Relocation: Social and Economic Aspects,” Special Report, Conference on Relocation (Washington, DC, 1970), 25, <https://trid.trb.org/View/133947>.
- <sup>134</sup> US Select Subcommittee on Real Property Acquisition, “Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs,” 64–67.
- <sup>135</sup> Mitchell, Malpezzi, and Green, “Forced Sale Risk: Class, Race, and the ‘Double Discount,’” 596.
- <sup>136</sup> Mitchell, Malpezzi, and Green, 589.
- <sup>137</sup> Mitchell, Malpezzi, and Green, 634.
- <sup>138</sup> Mitchell, Malpezzi, and Green, 634.
- <sup>139</sup> Patricia Munch, “An Economic Analysis of Eminent Domain,” *Journal of Political Economy* 84, no. 3 (1976): 473–97.
- <sup>140</sup> US Select Subcommittee on Real Property Acquisition, “Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs,” 54.
- <sup>141</sup> US Advisory Commission of Intergovernmental Relations, “Relocation: Unequal Treatment of People and Businesses Displaced by Governments” (Washington, DC, 1965), 18–19, <https://hdl.handle.net/2027/umn.31951d031100244?urlappend=%3Bseq=3>.
- <sup>142</sup> US Advisory Commission of Intergovernmental Relations, 18–19.
- <sup>143</sup> US Advisory Commission of Intergovernmental Relations, 18–19.
- <sup>144</sup> US Advisory Commission of Intergovernmental Relations, 69–72.
- <sup>145</sup> US Select Subcommittee on Real Property Acquisition, “Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs,” 37.



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- <sup>146</sup> US House Committee on Public Works, “Highway Relocation Assistance Study,” 34.
- <sup>147</sup> US House Committee on Public Works, tbl. 2.
- <sup>148</sup> US House Committee on Public Works, 43.
- <sup>149</sup> US House Committee on Public Works, 40.
- <sup>150</sup> Mitchell, Malpezzi, and Green, “Forced Sale Risk: Class, Race, and the ‘Double Discount,’” 651.
- <sup>151</sup> Chester Hartman, “The Housing of Relocated Families,” *Journal of the American Institute of Planners* 30, no. 4 (1964): 271–74, <https://doi.org/10.1080/01944366408978135>.
- <sup>152</sup> US House Committee on Public Works, “Highway Relocation Assistance Study,” 6, 82.
- <sup>153</sup> US Advisory Commission of Intergovernmental Relations, “Relocation: Unequal Treatment of People and Businesses Displaced by Governments,” 104.
- <sup>154</sup> Highway Research Board, “Relocation: Social and Economic Aspects,” 1–2.
- <sup>155</sup> Highway Research Board, 26.
- <sup>156</sup> Hartman, “The Housing of Relocated Families,” 271–72.
- <sup>157</sup> Mohl, “The Interstates and the Cities: Highways, Housing, and the Freeway Revolt,” 24.
- <sup>158</sup> Mohl, 24–25.
- <sup>159</sup> Highway Research Board, “Relocation: Social and Economic Aspects,” 20.
- <sup>160</sup> Hartman, “The Housing of Relocated Families,” 266.
- <sup>161</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1288–1294.
- <sup>162</sup> Archer, 1288.
- <sup>163</sup> Highway Research Board, “Relocation: Social and Economic Aspects,” 8.
- <sup>164</sup> Highway Research Board, 32.
- <sup>165</sup> US House Committee on Public Works, “Highway Relocation Assistance Study,” 29.
- <sup>166</sup> US Select Subcommittee on Real Property Acquisition, “Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs,” 28.
- <sup>167</sup> US Select Subcommittee on Real Property Acquisition, 29–31.
- <sup>168</sup> US Select Subcommittee on Real Property Acquisition, 32.
- <sup>169</sup> US Advisory Commission of Intergovernmental Relations, “Relocation: Unequal Treatment of People and Businesses Displaced by Governments,” 108–9.
- <sup>170</sup> US Select Subcommittee on Real Property Acquisition, “Study of Compensation and Assistance for Persons Affected by Real Property Acquisition in Federal and Federally Assisted Programs,” 31.
- <sup>171</sup> Downs, “Uncompensated Nonconstruction Costs Which Urban Highways and Urban Renewal Impose Upon Residential Households,” 82–83.
- <sup>172</sup> Downs, “Uncompensated Nonconstruction Costs Which Urban Highways and Urban Renewal Impose Upon Residential Households.”
- <sup>173</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1286.
- <sup>174</sup> Downs, “Uncompensated Nonconstruction Costs Which Urban Highways and Urban Renewal Impose Upon Residential Households,” 88.
- <sup>175</sup> Robley Winfrey and Carl Zellner, “Summary and Evaluation of Economic Consequences of Highway Improvements,” National Cooperative Highway Research Program Report

(Washington, DC: Highway Research Board, 1971), 120–21,  
[https://onlinepubs.trb.org/Onlinepubs/nchrp/nchrp\\_rpt\\_122.pdf](https://onlinepubs.trb.org/Onlinepubs/nchrp/nchrp_rpt_122.pdf) and app. B.

<sup>176</sup> Naomi Ledé, “Social, Environmental, and Attitudinal Factors Associated with Highway Planning, Relocation Assistance, and Public Involvement” (Houston, Texas: Urban Resources Center, Texas Southern University, 1975), 12,  
<https://hdl.handle.net/2027/uiug.30112004236623?urlappend=%3Bseq=7>.

<sup>177</sup> Highway Research Board, “Relocation: Social and Economic Aspects,” 26.

<sup>178</sup> Highway Research Board, 32.

<sup>179</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1295.

<sup>180</sup> Downs, “Uncompensated Nonconstruction Costs Which Urban Highways and Urban Renewal Impose Upon Residential Households,” 87.

<sup>181</sup> Mohl, “The Interstates and the Cities: Highways, Housing, and the Freeway Revolt,” 22.

<sup>182</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1295.

<sup>183</sup> Mohl, “The Interstates and the Cities: Highways, Housing, and the Freeway Revolt,” 25.

<sup>184</sup> Rose and Mohl, *Interstate: Highway Politics and Policy Since 1939*, 97 (“Official housing and highway policies, taken together, helped to produce the much more intensely concentrated and racially segregated landscapes of contemporary urban America.”).

<sup>185</sup> Avichal Mahajan, “Highways and Segregation,” *Journal of Urban Economics*, 2023,  
<https://doi.org/10.1016/j.jue.2023.103574>.

<sup>186</sup> Avichal Mahajan, “Highways and Segregation,” 1.

<sup>187</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1281.

<sup>188</sup> Charles Connerly, “From Racial Zoning to Community Empowerment: The Interstate Highway System and the African American Community in Birmingham, Alabama,” *Journal of Planning Education and Research* 22, no. 2 (2002): 99–114,  
<https://doi.org/10.1177/0739456X02238441>.

<sup>189</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1285 (quoting Ronald H. Bayor, *Race and Shaping of Twentieth Century Atlanta* (Chapel Hill, NC and London: University of North Carolina Press, 1996) 61).

<sup>190</sup> Rose and Mohl, *Interstate: Highway Politics and Policy Since 1939*, 97.

<sup>191</sup> US Federal Highway Administration, “Economic and Social Effects of Highways: Summary and Analysis,” 25.

<sup>192</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1266–67.

<sup>193</sup> Adam Paul Susaneck, “Segregation by Design,”  
<https://www.segregationbydesign.com/the-bronx/freeways> and  
<https://www.segregationbydesign.com/brooklyn>.

<sup>194</sup> Ledé, “Social, Environmental, and Attitudinal Factors Associated with Highway Planning, Relocation Assistance, and Public Involvement,” 12.

<sup>195</sup> Mohl, “The Interstates and the Cities: Highways, Housing, and the Freeway Revolt,” 44; see also, Susaneck’s “Segregation by Design,” <http://www.segregationbydesign.com>.



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- <sup>196</sup> Ledé, “Social, Environmental, and Attitudinal Factors Associated with Highway Planning, Relocation Assistance, and Public Involvement,” 11.
- <sup>197</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1289.
- <sup>198</sup> Highway Research Board, “Relocation: Social and Economic Aspects,” 25.
- <sup>199</sup> Downs, “Uncompensated Nonconstruction Costs Which Urban Highways and Urban Renewal Impose Upon Residential Households,” 81–88.
- <sup>200</sup> Mahajan, “Highways and Segregation,” 2.
- <sup>201</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1286.
- <sup>202</sup> Archer, 1274.
- <sup>203</sup> Archer, 1278–94.
- <sup>204</sup> Daniel R. Carroll and Ross Cohen-Kristiansen, “Evaluating Homeownership as the Solution to Wealth Inequality,” Federal Reserve Bank of Cleveland, Economic Commentary, no. 2021–22 (2021), <https://doi.org/10.26509/frbc-ec-202122>.
- <sup>205</sup> Smart Growth America and Transportation for America, “Divided by Design,” July 2023, <https://smartgrowthamerica.org/wp-content/uploads/2023/07/Divided-by-Design-2023.pdf>, 14–15.
- <sup>206</sup> Adam Paul Susaneck, “Segregation by Design,” <https://www.segregationbydesign.com/syracuse/freeways>.
- <sup>207</sup> Archer, “‘White Men’s Roads through Black Men’s Homes’: Advancing Racial Equity through Highway Reconstruction,” 1292–94.
- <sup>208</sup> US House Committee on Public Works, “Highway Relocation Assistance Study,” 11.
- <sup>209</sup> Edward G. Wetzel, “The Three C’s of Urban Transportation Planning,” 1965, 66.
- <sup>210</sup> Roger Biles, *The Fate of Cities: Urban America and the Federal Government, 1945–2000* (Lawrence, KS: University Press of Kansas, 2011), 194, <https://archive.org/details/fateofcitiesurba0000bile/page/72/mode/2up?view=theater&q=transit>.
- <sup>211</sup> US House Committee on Public Works, “Highway Relocation Assistance Study,” 18.
- <sup>212</sup> Quintin Johnstone, “The Federal Urban Renewal Program,” *The University of Chicago Law Review* 25, no. 2 (1958): 304, <https://doi.org/10.2307/1598136>.
- <sup>213</sup> William L Slayton, “The Operation and Achievements of the Urban Renewal Program,” in *Urban Renewal: The Record and the Controversy* (M.I.T. Press, 1967), 195.
- <sup>214</sup> William J. Collins and Shester L. Katharine, “Slum Clearance and Urban Renewal in the United States,” vol. Working Paper 17458 (National Bureau of Economic Research, 2011), 4.
- <sup>215</sup> Slayton, “The Operation and Achievements of the Urban Renewal Program,” 199.
- <sup>216</sup> US National Commission on Urban Problems, “Building the American City,” 167.
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<sup>298</sup> USDOT, “Reconnecting Communities and Neighborhoods Grant Program,” accessed May 16, 2024, <https://www.transportation.gov/grants/rcnprogram/about-rcp>.

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<sup>299</sup> The Title VI guidance updated by the USDOT in 2016 was later rescinded in the next Administration. The current Administration updated the Title VI guidance yet again in 2021. These fluctuations in administrative posture make it challenging for policies to gain traction.

<sup>300</sup> Although I have not focused on this point, it is important to acknowledge how earlier federal policies, such as the discriminatory FHA policies of the 1940s and manner by which the interstate highway program was implemented, may have exacerbated many of the political divisions widely discussed today. Clayton Nall explores some of these themes in his book, *The Road to Inequality: How the Federal Highway Program Polarized America and Undermined Cities* (Cambridge, UK: Cambridge University Press, 2018).

<sup>301</sup> National Commission on Urban Problems, “Building the American City,” (U.S. Government Printing Office, Washington, DC) (1969) 160-163 (“By 1968, HUD and its predecessors had approved 1,946 urban renewal projects in 912 communities.”).

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<sup>315</sup> Busch, Larenz. ” Study: Lack of Shade at Most L.A. Bus Stops Is a Health Hazard for Riders.” Los Angeles Magazine, February 21, 2023. <https://lamag.com/news/study-lack-of-shade-at-most-l-a-bus-stops-is-a-health-hazard-for-riders>

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<sup>356</sup> UNITED FOR ALICE (2024). "Alice Economic Viability Dashboard."

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<https://www.unitedforalice.org/wage-tool> The ALICE Economic Viability Dashboard highlights the importance of connecting jobs with housing and provides key data to identify the

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strengths and needs of ALICE workers and families. The ALICE Household Survival Budget could be a useful component of a transportation cost burden measure.

<sup>358</sup> There are lots of stakeholders in the ecosystem doing supply work - pre-apprenticeships, apprenticeships, unions, career and technical education schools, community organizations - but no one has the power the end user has to ensure hiring goals are met. As the one who writes the check, State DOTs (and other end users) are uniquely positioned to insist that hiring goals are met as this demand work is an undeveloped muscle in most places.

<sup>359</sup> The following stories are examples of passengers being negatively affected by privatized bussing:

[One locality in Texas bought a Greyhound station and turned it into a mobility hub](#)

“Greyhound Leaves Dozens Stranded in St. Louis, Mo.,” 1/4/24 by Callie Stone, Channel 6. First rider left outside for 4 hours, then stranded in St. Louis on the way back, 10 hours, Spanish riders not helped since they did not speak English. [https://www.wpsdlocal6.com/newsletter\\_stories/greyhound-leaves-dozens-stranded-in-st-louis-mo/article\\_1cd31b68-aaf1-11ee-90ee-bb83b0a0878d.html](https://www.wpsdlocal6.com/newsletter_stories/greyhound-leaves-dozens-stranded-in-st-louis-mo/article_1cd31b68-aaf1-11ee-90ee-bb83b0a0878d.html)

“Greyhound bus passengers stranded at Cincinnati Stopover.” Passengers say they have been abandoned in the parking lot since 4 a.m. with no travel updates. By Richard Chiles, 10/16/23 Riders complained that it was at least 10 hours, no food etc. a -month-old baby and a pregnant woman were part of the riders left with little information.

<https://www.wlwt.com/amp/article/cincinnati-ohio-greyhound-bus-passengers-stranded-stopover/45540856>

“Greyhound Abandoned her by the side of the highway. Then it refused to refund her ticket,” by Sean P. Murphy, October 8, 2023. 45 riders were left stranded 150 miles from their destination, NYC, and told by the driver they were on their own. The bus had broken down and, after waiting 2 hours, was told no one was coming to pick them up. When they found their own way to NYC, they were told no refund because they had bought a non-refundable ticket.

<https://www.bostonglobe.com/2023/10/08/business/greyhound-abandoned-ticket-refund/>

“Greyhound Bus Passengers left stranded in Winston-Salem for more than 15 hours” by Devonte McKenith & Joshua Davis, May 16, 2023. New driver never showed up, no facilities, riders were forced to sleep on the bus overnight. Confusing customer service, sometimes not answering at all.

<https://www.wxii12.com/article/north-carolina-tennessee-greyhound-bus-passengers-stranded-winston-salem/43916617#>

Fox KS news “Greyhound leaves Kansas City woman stranded while traveling for transplant” by Linda Wagar, May 1, 2023. On Feb 4, 2023, Tearia Meeks missed her transplant opportunity when stuck in St. Louis for 12 hours while traveling from Kansas City to Mayo in Rochester, MN. Could not afford a hotel so returned to KS. No help and no refund from Greyhound since the bus eventually came.

<https://fox4kc.com/news/problem-solvers/greyhound-leaves-kansas-city-woman-stranded-while-traveling-for-transplant/>

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“It’s despicable, Trotwood mayor chief of police speak out after Greyhound Riders Stranded Cold” by WHIO staff 12/28/23. 12 left outside on Christmas Day 2022) A bus was canceled in Trotwood, OH leaving 12 individuals outside in the bitter cold on Christmas Day. Greyhound would not open the station and had to be taken to the police station for cover. <https://www.whio.com/news/local/its-despicable-trotwood-mayor-police-chief-speak-out-after-greyhound-riders-stranded-cold/04YJRBHGGVG6BGE3GJLH2BUD2E/>

“Concerns voiced over Trotwood Greyhound Bus Station”, 8/25/21 by WHIO staff. Greyhound delays cause riders to have to wait outside, no shelter, no bathroom, no service. <https://www.whio.com/news/local/concerns-voiced-over-trotwood-greyhound-bus-station/DK4J2IESBJFV7CC7KLKG3VDB24/>

“Dozens of Greyhound Passengers Stranded at Chicago Bus Station Without Explanation,” by Andrew Ramos, March 20, 2023, News 2, CBS. Chicago Riders were stranded for days in West Loop terminal without any explanation until they contacted CBS Channel 2. No notice or email given that buses were cancelled/no drivers available. With CBS news involved, only the 2 that contacted the news were helped with options, the rest left to eat from the vending machines and sleep on the floor. <https://www.cbsnews.com/chicago/news/stranded-greyhound-passengers-no-drivers/>

“Stranded, Cold, hungry: Greyhound passengers often wait for buses that never come,” By Ivey DeJesus, 2/28/23, Pennlive News.

<https://www.pennlive.com/news/2023/02/stranded-in-the-cold-hungry-and-alone-greyhound-passengers-often-wait-for-buses-that-never-come.html>

Roanoke Rambler, 4/4/23, “Spotty Greyhound Bus Service Leaves Riders Stranded in Roanoke Overnight,” by Henri Gendreau. The Roanoke Rambler paper reported that around 15 passengers were left stranded without a bus station or even a place to use the restrooms. Finally, they did put the passengers up in a hotel. <https://www.roanokerambler.com/spotty-greyhound-bus-service-leaves-riders-stranded-in-roanoke/>

“Roanoke Built a Standalone Station for Greyhound. The Bus Company Won’t Occupy It”, by Henry Gendreau, March 28, 2023.

<https://www.roanokerambler.com/roanoke-built-a-multimillion-station-for-greyhound-the-bus-company-wont-occupy-it/>

WRAL NEWS online, “Stranded in Raleigh, Greyhound Passengers Distraught Over 12-plus Hour Waits,” 3/22/23. Tammy Madore missed visiting with her father before he died from bus delays. Tanya Green was forced to travel past her Fayetteville stop and then had to wait 15 hours to travel back down to Fayetteville. <https://www.wral.com/story/stranded-in-raleigh-greyhound-passengers-distraught-over-12-plus-hour-waits/20775672/>

CBS17, May 29, 2023, “Greyhound customers frustrated after multi-hour delays and cancellations in Raleigh,” by Mariah Ellis. Riders Szczygiel and Kinch say that a short stop in Raleigh to pick up passengers turned into a 20-hour delay with dozens sleeping on the concrete. <https://www.cbs17.com/news/local-news/wake-county-news/greyhound-customers-frustrated-after-multi-hour-delays-and-cancellations-in-raleigh/amp/>

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WBRC – “Birmingham Mother Shares Story of Being Stranded at Greyhound Bus Stop in Opelika,” by Olivianna Calmes, 5/4/23. A mother wanted to travel to visit relatives from Opelika, AL to Birmingham, AL. Leaving Opelika, the bus was 8 hours late. Then, when she tried to return on Sunday, while at the station, it was continuously delayed, first 2 hours, then 4 more until it was finally canceled. She had to hitchhike home. <https://www.wbrc.com/2023/05/04/birmingham-woman-shares-story-being-stranded-greyhound-bus-stop-opelika/?outputType=amp>

“Albany Transit looking at later hours for bus station to accommodate Greyhound passengers,” by Alan Mauldin, May 23, 2023. Bus station manned by the city that opened in March but does not cover hours after 5:00 pm and after 2:00 pm on the weekends, leaving riders in the cold/heat and with no facilities. Greyhound does not provide staff so when the buses are late, the city staff are gone. The city is looking to add late hour staff to try to cover the stranded Greyhound passengers. [https://www.albanyherald.com/news/albany-transit-looking-at-later-hours-for-bus-station-to-accommodate-greyhound-passengers/article\\_80ea532c-ff17-11ed-a847-cb0a2b7942cb.html](https://www.albanyherald.com/news/albany-transit-looking-at-later-hours-for-bus-station-to-accommodate-greyhound-passengers/article_80ea532c-ff17-11ed-a847-cb0a2b7942cb.html)

“Greyhound Bus passengers stranded in Sacramento some for days in the cold,” by Orco Manna, February 28, 2023. Dozens were stranded in the bus station with limited access to food and water, some for days due to weather and driver shortages. The local volunteer groups provided food, blankets, etc. <https://www.kcra.com/amp/article/sacramento-greyhound-bus-passengers-stuck-in-cold/43134660>

“Have you been stranded on the side of Route 17 by Greyhound? You’re not alone,” by Colleen Wilson, January 25, 2023. While the State DOT fusses over airline delays, riders are left out in the cold. A rider waiting in Richwood to go to Montreal was left standing in the dark at 9 at night while the bus passed them by and did not stop. No other bus was coming to pick them up. Riders were denied refunds. It had happened in July as well. There is little or no enforcement of good service by the State DOT.

<https://www.northjersey.com/story/news/2023/01/25/nj-bus-riders-stranded-on-route-17-by-greyhound/69799914007/>

“Greyhound passengers were stuck in the heat hoping for a bus to arrive,” by Madison Brickley July 28, 2023. Passengers had no luck getting any help from Greyhound while there were left stranded including a disabled passenger for over 12 hours. Topeka Rescue Mission were contacted by the news group to help passengers. No response from Greyhound.

<https://www.wibw.com/2023/07/28/greyhound-passengers-were-stuck-heat-hoping-bus-arrive/>

“Dozens waiting days for Greyhound bus in Boise,” by Andrew Baertlein, August 6, 2023. 30 riders left at Flying J Truck stop for three days including elderly, some ran out of money. <https://www.ktvb.com/article/news/local/local-dozens-waiting-days-for-greyhound-bus-in-boise/277-8fe16a3f-d959-44d5-b3a4-57fb1595071b>



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“Leave the driving to us’: Travelers stranded and waiting for Greyhound bus in Boise, again,” by Tracy Bringhurst and Jude Binkley. 16 riders left again for at least two nights Greyhound paid for one hotel night, then dropped them off at the truck station for the 2<sup>nd</sup> night where they slept outside.

<https://www.ktvb.com/amp/article/news/local/local-leave-the-driving-to-us-travelers-stranded-and-waiting-for-greyhound-bus-in-boise-again/277-9598e270-3575-4658-b455-86ec871b85d1>

“Greyhound passengers say they were stranded without food or water for more than ten hours in northeast Abilene,” by Annabelle Tuggle, June 15, 2023.

<https://www.bigcountryhomepage.com/news/greyhound-passengers-say-they-were-stranded-without-food-or-water-for-more-than-ten-hours-in-northeast-abilene/amp/>

“Survivors of Tremonton Bus Crash Feel Stranded neglected by Greyhound after more than a day,” by Jenna Bree, Dec 13, 2022. After a bus crash, riders were abandoned without food for more than a day by Greyhound.

<https://www.fox13now.com/news/local-news/survivors-of-tremonton-bus-crash-feel-stranded-neglected-by-greyhound-after-more-than-a-day>

“Dallas Greyhound Terminal Closure to leave low-income travelers in limbo,” by Amber Goulet, Dallas Daily News, January 26, 2024. Greyhound plans to not renew the lease of the main Dallas downtown station in the Fall.

<https://www.dallasnews.com/news/transportation/2024/01/26/dallas-greyhound-terminal-closure-to-leave-low-income-travelers-in-limbo/?outputType=amp>

“Houston City Leaders Left in the Dark as Greyhound Set to Move Downtown Hub in Fewer than 24 hours,” by Lileana Pearson, 11/30/23. Greyhound is moving to a small location with a drastic decline in metro connections and a lot less space. The city was never advised.

<https://abc13.com/amp/greyhound-houston-magnolia-park-closing-in-city-leaders/14119553/>

“Crime Increases at East End Greyhound, Terminal After Hub Transfer, City Data Shows,” By Lileana Pearson, 1/5/24. ABC Channel 5. After one month at a new location, some crime increases, community meeting is set to discuss concerns Greyhound will not be there.

<https://abc13.com/amp/greyhound-houston-transfer-magnolia-park-crime-increase-safety/14282030/>

“Greyhound’s move from crime-plagued Midtown location has Magnolia Park residents on edge,” March 11, 2024, by Matt Sledge. Houston residence still not happy with the move.

<https://houstonlanding.org/greyhounds-move-from-crime-plagued-midtown-location-has-magnolia-park-residents-on-edge/>

“Cleveland Greyhound in talks to relocate to Puritas Rapid Station,” by Sam Allard, November 13, 2023. Talks are underway to move the downtown station to the Puritas Rapid Station which is 45 minutes from downtown. Allied Global Capital bought 32 stations earlier this year and is slowly closing all the bus stations. If it happens, the new station would have limited indoor seating and only port-a-potties for bathrooms.

<https://www.axios.com/local/cleveland/2023/11/13/greyhound-station-bus-stop-puritas-rapid-downtown>



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“Greyhound stations are leaving downtowns after sale to notorious investment firm,” by Sam Allard, November 18, 2023. Article recaps the recent closure in several cities. <https://www.axios.com/2023/11/18/greyhound-alden-bus-stations-close>

“Greyhound eliminates bus services in Paducah without warning,” by July Bryson, 10/17/23. After 92 years in business there, Greyhound closed this stop without any warning of any kind, leaving all sorts of groups that have grown to depend on it without an option or any notice of the change.

[https://www.wpsdlocal6.com/news/greyhound-eliminates-bus-services-in-paducah-without-warning/article\\_54c5357e-6cfd-11ee-bd2a-875a8751bd14.html](https://www.wpsdlocal6.com/news/greyhound-eliminates-bus-services-in-paducah-without-warning/article_54c5357e-6cfd-11ee-bd2a-875a8751bd14.html)

“New Philly Bus Stop Bathrooms, ‘amazing,’ but a little tough to find,” 1/8/24, by Meir Rinde. There is a bathroom trailer open 9:00 am to 9:00 pm open, cobble road makes it difficult for disabled, still no shelter.

<https://billypenn.com/2024/01/08/philly-bus-terminal-bathrooms-reactions/>

“New Center City Greyhound station will begin operations next week,” by Nick Vadala, June 23, 2023. There is a new center opening up, but it is not clear if it will be staffed.

<https://www.inquirer.com/transportation/greyhound-philadelphia-bus-location-market-filbert-street-20230622.html#:~:text=Greyhound%20will%20officially%20start%20operating,Greyhound%20said%20in%20a%20statement>

“Sixers Arena Plan Move Greyhound Terminal to a new location in Center City,” by Jasmin Payout and Madeliene Wright, June 28, 2023. “No Seating, No Bathrooms.” Riders are told to wait outside, and they must stand up.

<https://www.cbsnews.com/amp/philadelphia/news/sixers-arena-greyhound-bus-station-philadelphia-center-city/>

“Greyhound riders not pleased with Philadelphia Terminal relocation to market street,” by Mike DeNardo, July 2, 2023. The new facility is small with no bathroom, no seating, limited service and riders are asked to wait outside with no place to sit down.

“Philly’s Greyhound bus ‘station’ is a humanitarian disaster,” by Ingrid Saffron, July 11, 2023. Must wait outside, no parking, no place to sit, no bathroom, no food no service. <https://www.inquirer.com/columnists/greyhound-bus-station-market-street-20230711.html>

“Intercity bus station relocating to new Philadelphia location won’t fix current problem riders say,” by Marcella Baeitto, November 13, 2023. Greyhound is moving to a new location that relieves congestion but still leaves riders without any shelter, bathrooms or service on a street corner.

<https://www.cbsnews.com/philadelphia/news/philadelphia-bus-stations-relocating-greyhound/>

“Philadelphia bus station officially moves to new temporary location in Northern Liberties by 6abc digital staff,” November 16, 2023. Shows a map to the new location no other update. <https://6abc.com/philly-bus-stop-northern-liberties-grayhound-megabus/14071347/>

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“Greyhound Bus Passengers have bathrooms finally at the Spring Garden Street Stop, Philadelphia Inquirer,” 1/20/24. The Philadelphia new station is still completely outside but there is a portable set up for ticketed passengers to use the bathroom with an attendant.

<https://www.inquirer.com/transportation/greyhound-bus-station-philadelphia-bathrooms-spring-garden-20240110.html>

“Greyhound riders endure hazardous conditions at outdoor Knoxville stop,” by Angela Dennis, January 19, 2024. Riders are left out in the freezing cold waiting for their bus. A rider told Knox News (Knox News is withholding her name for her protection), “I don’t know this area or the city, and it always leaves me uncomfortable when they drop people off in remote locations like this area, like my previous stop, you have to walk miles before you can get to something. I don’t even know where to use the bathroom. That’s the least they could provide.”

<https://www.knoxnews.com/story/news/local/2024/01/19/greyhound-riders-endure-hazardous-conditions-at-outdoor-knoxville-stop/72274256007/>

“New Knoxville Greyhound Stop prompts chaos, outrage,” by Knoxville News Sentinel, Angela Dennis, November 25, 2023. Riders are still left without shelter, food, or facilities at the new site. Legally blind left waiting for over five hours. Buses have been late or never arrived at all. The city council is involved in trying to remedy this.

<https://www.knoxnews.com/story/news/local/2022/11/23/new-knoxville-greyhound-stop-prompts-chaos-outrage/69674569007/>

“Greyhound passengers wait at newest Knoxville bus stop,” June 7, 2023, Saul Young, News Sentinel. Photos show just a regular city bus stop no facilities and long delays.

<https://www.knoxnews.com/picture-gallery/news/local/2022/11/23/greyhound-passengers-wait-newest-knoxville-bus-stop/10761637002/>

“Greyhound searching for permanent stop in Knoxville, but improves Kirkwood location,” Angela Dennis June 8<sup>th</sup>, 2023. The bus terminal is basically without any cover or facilities at all, but Greyhound has agreed to add a security guard at night and a staff member and trash receptacles.

<https://flipboard.com/topic/easttennessee/greyhound-searching-for-permanent-stop-in-knoxville-but-improves-kirkwood-locat/f-f3f130a54d%2Fknoxnews.com>

WDRB, “Greyhound customers shocked with closing, relocation of downtown Louisville bus station,” by Molly Jett, May 3, 2023, Louisville, KY. Closed the station with no notice and moved it to a strip mall parking lot, no facilities, no notice.

[https://www.wdrb.com/news/business/greyhound-customers-shocked-with-closing-relocation-of-downtown-louisville-bus-station/article\\_ddc1ccc2-e920-11ed-9db9-ab3f8afb7515.html](https://www.wdrb.com/news/business/greyhound-customers-shocked-with-closing-relocation-of-downtown-louisville-bus-station/article_ddc1ccc2-e920-11ed-9db9-ab3f8afb7515.html)

“West side Neighbors want the bus station gone,” by Sefenech Henok, July 3, 2023. <https://abc6onyourside.com/news/local/neighbors-want-new-greyhound-terminal-gone-columbus-north-wilson-road>

“New Columbus Greyhound Terminal Fuels Anger and Concern from Neighbors Riders.” <https://www.dispatch.com/story/news/local/2023/07/09/columbus-neighbors-and-passengers-assail-new-greyhound-terminal/70384362007/>

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“City of Columbus warns Greyhound bus terminal to fix code violations,” by Anna Hoffman, 7/28/23. The city has issued a warning to Greyhound to fix issues regarding the station and 20 days to complete it or close it down.

<https://www.nbc4i.com/news/local-news/columbus/city-of-columbus-warns-greyhound-bus-terminal-to-fix-code-violations/amp/>

“Why don’t Columbus leaders shut down the Greyhound bus terminal?” by Isabelle Hanson, October 9<sup>th</sup>, 2023. Sunday night, a rider was shot and killed in the terminal that stays open even though the community wants it closed. No bathroom, water, or places to sit, was only to have 12 people there and no more than two buses and that is just not the case.

<https://myfox28columbus.com/amp/news/local/on-your-side-why-dont-columbus-leaders-shut-down-the-greyhound-bus-terminal>

“Greyhound bus riders continue to raise concerns over new pickup and drop-off location,” by Jada Williams, February 17, 2023. It’s a parking lot at an underpass. Ticket center at a hot dog stand a block away.

<https://www.abcactionnews.com/news/region-hillsborough/greyhound-bus-riders-continue-to-raise-concerns-over-new-pickup-and-drop-off-location>

“Tampa Greyhound bus station relocates to parking lot, concerning bus riders, ABC action news,” Geneta Williams.

[https://www.youtube.com/watch?app=desktop&v=4IzLC-FzW\\_c](https://www.youtube.com/watch?app=desktop&v=4IzLC-FzW_c)

“Greyhound has designated Meijer in Davidson Township as a bus stop, July 10<sup>th</sup>, 2023, by Gary Gould. Moved stop outside the city to a grocery store parking lot possibly without permission to do so.

<https://davisonindex.mihomepaper.com/articles/greyhound-has-designated-meijer-in-davison-township-as-stop/>

“Meijer no longer a Greyhound bus stop in Davison Township,” July 13, 2023, by Gary Gould. Very angry neighbors mandated it be moved from Meijers, and it was, but the new location was not specified.

<https://davisonindex.mihomepaper.com/articles/meijer-no-longer-a-greyhound-bus-stop-in-davison-township-2/>

“Issues abound at Greyhound Bus Stop Installed without Warning at a Little Rock Homeless Shelter Address,” by Andrew Mobley, July 20, 2023, Channel 7. The Greyhound bus stop is on a street corner (no shelter, no bathroom) in front of a homeless center. Greyhound is using the homeless shelter address as the bus address. <https://katv.com/news/local/issues-abound-at-greyhound-bus-stop-installed-without-warning-at-little-rock-homeless-shelters-address-william-holloway-compassion-center-west-roosevelt-rock-region-metro-melissa-caulder-chris-porter-district-manager-al-rodriguez-dallas-arkansas-route>

“Greyhound resuming service in Huntsville at ‘new’ station’,” by Carson Burns and Maggie Matteson, August 18, 2023. The station is at a gas station with no seating or parking as of this date. <https://whnt.com/news/huntsville/new-greyhound-transfer-station-opens-in-huntsville-services-to-resume/>

“Richmond Greyhound bus station could relocation from Scott’s Addition,” by Sam Allard, Kari Peifer, 11/19/23. Bus station up for sale. Bus services are not likely to stay after the sale.

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<https://www.axios.com/local/richmond/2023/11/20/richmond-greyhound-scotts-addition>

“Greyhound moves Chattanooga bus station to Wildwood,” by Nick Hill, 11/17/23. Riders are now left outside at the back of a gas station, with no seating, only a kiosk inside the station for self-serve tickets.

<https://www.wdef.com/greyhound-moves-chattanooga-station-to-wildwood/>

“Greyhound redevelopment plans hit another roadblock,” by Dane Kelly and Rod Meloni, 1/11/24. Plans to move it to a parking lot near Amtrak are on hold.

<https://www.clickondetroit.com/news/local/2024/01/11/greyhound-station-redevelopment-plans-in-detroit-hit-another-roadblock/>

“Greyhound announces return of service in Jackson. See where bus line will go,” by Pam Dankins, Dec. 6, 2022, Mississippi Clarion Ledger. Jackson, MS will have service again from Jackson Union Stations. Greyhound could not be reached for details about the two routes. Just order online.

Street blog, “Intercity Bus Riders Prepare for big changes on Greyhound and other Bus Lines,” by Joe Schwieterman, 2/21/23. Station closures leave riders waiting outside in various cities and might include Chicago.

<https://chi.streetsblog.org/2023/02/21/intercity-bus-riders-prepare-for-big-changes-on-greyhound-and-other-bus-lines/>

Metro Magazine, “Intercity Bus Lines Make Big Moves, Heightening Competition and Customer Choice,” by Joseph Schwieterman, July 31, 2023. The article highlights the success of the intercity bus companies, mentions closures of stations and possible future closures but only briefly mentions the meaning of this to riders left outside. The first phase of station closing included Cincinnati, OH, Knoxville, TN, Los Angeles, CA, and North Little Rock, AR. More recently, stations in Louisville, KY Philadelphia, PA, and Tampa, FL closed. Now, there are concerns that Chicago, IL, Cleveland, OH, Houston, TX, Kansas City, KS, Orlando, FL and Richmond, VA., could be next. When stations are shuttered, bus lines often relocate to curbside spots, parking lots, or modular stations.

<https://www.metro-magazine.com/10202559/intercity-bus-lines-make-big-moves-heightening-competition-and-customer-choice>

“Traveling by bus is no longer a Plan B for Many Americans, more people try buses – from budget to high-end – as a cheaper way of reaching destinations on time,” by Ethan M Steinberg, July 17, 2023. This article highlights the use of buses instead of air travel and even mentions the delays with Greyhound. Philadelphia to Charlotte to 12 hours and they had to get off the bus every 3 hours. <https://www.wsj.com/articles/bus-travel-tickets-airline-prices-a5916ee7>

“Bus Stations Across America are Closing by David Harrison,” December 27, 2023. Focused more closely on riders and about property ownership but not much about standards of care needed. <https://www.wsj.com/us-news/bus-stations-across-america-are-closing-cd2c217f>

“Greyhound Bus Stops Valuable Assets - Who’s Going to Cash In on them,” Nathaneil Meyerson, December 18, 2023. Focus on Alden Global Capital who bought properties when Flixbus didn’t in 2021. Greyhound responsibility not really

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highlighted. <https://www.cnn.com/2023/12/17/business/greyhound-buses-transportation-cities/index.html>

“Greyhound stations were once a big part of America. Now, many of them are being shut,” by Scott Horsely, January 28, 2024. Discussion of the need for an intercity bus system.

<https://www.npr.org/2024/01/28/1226053659/greyhound-bus-stations-alten-global-capital-transportation-flibus>



**U.S. Department  
of Transportation**

# **Appendix**



# Appendix A: Rolling Recommendations Letter

The Honorable Pete Buttigieg  
U.S. Secretary of Transportation  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
Via email

Dear Secretary Buttigieg,

We write to provide a status update on the work of the Advisory Committee on Transportation Equity (ACTE), established under the authority of the U.S. Department of Transportation (DOT), in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2. As work continues towards a robust set of recommendations and final report for June 2024, we have developed the following interim recommendations for your consideration. These recommendations reflect the views of subcommittees of the ACTE and public input received to date.

These recommendations build upon existing departmental priorities, including the DOT Equity Action Plan and the DOT Strategic Plan, to improve transparency, accountability, and best practices throughout the nation's transportation system. They also reflect our committee's consensus and a specific focus on those actions currently within the authority of the DOT. Given the urgent importance of this work, we submit these potential actions now, recognizing that a more extensive set of recommendations will follow in the June 2024 final report.

## Interim Recommendations

### Establish a Virtual Transportation Equity Resource Center

The committee recommends an online searchable, integrated portal of resources that integrates community-oriented resources, highlights best practices, and provides training to grantees and staff. **The Department should establish a permanent virtual resource library of guidance, guides, tools, definitions of terms, and other resources** related to transportation equity and related topics. The website should be regularly updated and linked to other modal resource pages. We welcome the opportunity to provide thought leadership regarding the various resources that should be made available to the public.

### Transparency and Accountability

The Bipartisan Infrastructure Law presents a historic opportunity to deliver more equitable outcomes and redress past harm. Since most federal funding is allocated through formula funds directly to states and other local entities, **the committee recommends expanding the current Bipartisan Infrastructure Law (BIL) dashboard to include discretionary and formula funding by state and program allocation to increase greater transparency and accountability of federal funding.**

We commend the Department for the robust number of Justice40-covered programs across five modes in Bipartisan Infrastructure Law to address gaps in transportation infrastructure by working toward the goal that at least 40% of the benefits from these grant programs flow to disadvantaged communities in advancing Executive Order 14008 and will ultimately be evaluated by whether residents are able to retain the defined benefits of DOT-funded projects over the short and long term. Whether in rural, suburban, or urban areas, these communities often lack the familiarity and technical expertise to compete for federal transportation grants. Consequently, well-deserving communities may not apply or may be deemed non-competitive. These communities may require a higher level of technical assistance. Therefore, the committee encourages the department to provide additional resources and project delivery support to non-traditional grantees and project sponsors advancing projects that benefit disadvantaged communities. This includes prioritizing their grant agreements, disaggregating baseline demographic data, providing additional oversight, and providing compliance support to ensure the defined benefits improve communities.

**The Committee also recommends that all upcoming notices of funding opportunities (NOFO) for Justice40 covered programs include, “USDOT commits to expand prime contractor opportunities for minority businesses in Underserved Communities to create generational wealth with funding from these funding opportunities, in accordance with Executive Order 13985 (Advancing Racial Equity) and its Justice 40 provision.”**

### **Leveling the Playing Field for Small Businesses**

The Bipartisan Infrastructure Law represents a major catalytic opportunity for wealth creation by small firms owned by socially and economically disadvantaged individuals to secure government contracts and improve their community by supporting the implementation of projects and programs at the federal, state, and local levels. We urge the Department to support small businesses in navigating the procurement process as prime contractors and “level the playing field” for historically underrepresented groups, particularly minority women, in the coming years with a focus on the \$37 billion set aside for small business contractors.

**The committee welcomes an update on the progress of the memorandums of understanding (MOAs) between the U.S. Department of Transportation's Office of Small and Disadvantaged Business Utilization (OSDBU), Small Business Administration (SBA), and the Minority Business Development Agency (MBDA) to increase the bonding capacity of small transportation businesses and facilitate access to private capital from the Office of Investment and Innovation, in addition to other efforts within the department.**

The committee recommends the USDOT implement a Go Green Electrification Equity Pilot for HBCUs and HUBZone that aligns with President Biden’s Executive Order 14041 for the White House HBCUs Initiative and Executive Order 13985 (Advancing Racial Equity) that would further advance wealth creation for small businesses in underserved communities.

**For all new BIL programs without a Disadvantage Business Enterprise (DBE) requirement, we encourage the department to collect the disaggregated demographic data from all**

**grantees and make such procurement data publicly available.**

In addition, we strongly urge the Federal Rail Administration to establish a minimum threshold for the High-Speed Rail program (Federal State Partnership for Intercity Passenger Rail Program). Finally, we understand that the National Electric Vehicle Infrastructure (NEVI) Formula Program does not have a required DBE set aside; however, we encourage the department and the FHWA to provide clarifying guidance to states to disaggregate the funding for state EV Projects to ensure that small and disadvantaged communities can benefit from the federal investment.

### **Greater Public Involvement**

The committee plans to submit future recommendations that focus on long-term opportunities to foster greater public involvement; in the interim, **we'd like to elevate the following rules and guidance to emphasize various equity considerations with the hope that the department will standardize equity guidance around expanding access to all relevant DOT federally administered programs.**

**We encourage the Department and the Federal Highways Administration (FHWA) to prioritize finalizing the transportation planning rule,** emphasizing fairness and proportionality when designating public officials or community representatives to boards and commissions, meaningful public involvement, broadening the list of key stakeholders required to provide a reasonable opportunity to comment on plans in addition to housing organizations, including environmental justice, tribal, and historically excluded groups that have been disproportionately impacted by transportation investment as well as other local, quasi-government entities, and mobility managers across sectors, including public health centers, social services entities, schools, and workforce centers. In addition to housing coordination updates to planning rules required by BIL, we also encourage greater alignment and integration of transportation investment decisions that limit displacement, promote greater public involvement, and notification to impact neighborhoods and areas throughout the transportation planning process.

**We urge the Federal Transit Administration to finalize the Capital Investment Grants Program Policy Guidance** and consider updating the calculation of relocation compensation, incorporating anti-displacement strategies, environmental benefits, housing/land use consideration to all New Starts, Small Starts, Core Capacity, and Bundles of CIG projects, in addition to the project eligibility in the Bipartisan Infrastructure Law.

We applaud the finalized Greenhouse Gas performance measure **and encourage the Department to work with State Departments of Transportation (State DOTs) and Metropolitan Planning Organizations (MPOs) on best practices that also advance President's Bidens Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All working with equity and environmental justice stakeholders** to set ambitious reduction goals and incorporate inclusive land use strategies.

## Safer Streets & Roads for All Users

The U.S. Department of Transportation (DOT) plays a crucial role in ensuring that transportation systems are safe, equitable, and effectively managed. Some commentators and members of the public have coined our roads as “dangerous by design,” disproportionately affecting Black and Indigenous people in the U.S., older adults, and residents of low-income neighborhoods. **The committee encourages the Federal Highway Administration (FHWA) to focus more on addressing the inequities of roadway fatalities, finalizing the updated Manual on Uniform Traffic Control Devices (MUTCD) with a greater emphasis on pedestrian safety, and finalizing the grant agreements for the Safe Streets and Roads for All User Grants program.** While safer roadway design for all users remains the “gold standard” for addressing traffic safety challenges and compliance, we know Automated Traffic Enforcement (ATE) has become an increasingly popular tool for managing traffic violations. However, complaints are rising about its fairness and community impact. Issues such as financial burdens from fines, disproportionate impacts on low-income communities, and the potential for ATE to prioritize revenue generation over public safety are significant. Moreover, a lack of community involvement in the planning and execution of ATE programs can lead to mistrust and reduced effectiveness. The Department is uniquely positioned to develop guidelines that improve traffic safety and minimize the disparate impacts of financial and social penalties.

**The committee recommends a national study of this issue and comprehensive ATE guidelines by the U.S. Department of Transportation (DOT) in partnership with key stakeholders and the National Highway Traffic Safety Administration (NHTSA) responsive to the concerns raised and equitable implementation guidelines developed.** These guidelines should align ATE with legal frameworks and practical enforcement realities while ensuring equitable enforcement practices. Emphasis should be placed on community engagement to address concerns and build trust, training for law enforcement personnel, and research and data analysis to assess ATE's impact on road safety. Additionally, the development of federal policies, public awareness campaigns, and the establishment of standardized best practices will further ensure that ATE is implemented effectively and more uniformly across the nation, thus aligning with DOT's mission of ensuring safe and equitable transportation systems.

**The committee also recommends that the Department take decisive action to ensure the accessibility of pedestrian infrastructure for all individuals, especially those with disabilities. This can be achieved by implementing and enforcing first and last-mile access requirements, thus facilitating mobility for non-drivers, holding state and local Departments of Transportation accountable for compliance with the Public Rights of Way Accessibility Guidelines (PROWAG) and ADA planning, ensuring that pedestrian networks across the nation are accessible to everyone, in line with the newly adopted PROWAG and ADA Transition plans; actively supporting local governments in their ADA Transition Planning, emphasizing the need for proactive and inclusive infrastructure development. By prioritizing these actions, the Department can play a pivotal role in removing existing barriers and fostering an inclusive and accessible pedestrian environment nationwide.**

## Bill of Rights for Passenger Rail & Freight Rail Communities

We encourage the Federal Rail Administration (FRA) to develop a Bill of Rights for Passenger Rail Users and Freight Rail Communities that outlines the responsibility of all passenger and freight rail operators. FRA must use its oversight role to regulate the industry and establish defined levels of financial compensation to passengers for canceled trains and trains that are delayed over a certain length of time. Additionally, in urban intersections, small and rural towns across the U.S. near a railroad crossing, freight rail train stops can block a neighborhood's sole point of entry and exit for hours. Over the past decade, these delays have led to tragic loss of life and everyday safety threats, with long trains blocking first responders from getting to emergencies and limiting access for residents on the "wrong side of the tracks." FRA should host a roundtable this spring with key stakeholders, regulate blocked railroad crossings, and develop a transparent and effective complaint system to receive feedback from passengers and freight communities so carriers respond promptly.

## The Future of Transportation

President Biden issued Executive Order 13960, "Promoting the Use of Trustworthy Artificial Intelligence (AI) in the Federal Government." We recognize that "responsible AI" has the potential for transformational impact and that technology innovations can create unintended bias, discrimination, and harm, particularly for people of color. We understand the department is adopting policy and deploying AI-based tools into internal operations, research, and learning-based predictive analytics. **We welcome an update on the Department's efforts to advance E.O. 13960 and encourage the department to consider guidance to ensure the equitable integration of AI into the transportation system, particularly related to research, data, and funding opportunities.** We also encourage the department to host a roundtable with Equity leaders and establish AI principles with equity considerations.

As the Department seeks to accelerate innovations in America's transportation infrastructure through the Advanced Research Projects Agency – Infrastructure (ARPA-I) authorized by the Bipartisan Infrastructure Law, we encourage the ARPA-I team to meet with ACTE Committee Members to provide an update on its research agenda, prioritize meeting with equity stakeholders to identify opportunities and challenges in bringing innovative new technologies into the infrastructure sector, and ensure that external innovative advanced research and development (R&D) funds that develop new technologies, systems, and capabilities do not have a disproportionately negative impact on minority and vulnerable communities.

**We believe these recommendations complement and extend the focus areas of the DOT's Equity Action Plan by addressing specific community needs, enhancing accessibility and funding flexibility, elevating key areas for prioritization for the agency, and ensuring greater transparency and more robust oversight.**

Sincerely,

Anthony Foxx, Chair of the Advisory Committee for Transportation Equity (ACTE)



# Appendix B: Resource List

## List of Authorities

US Constitution Article I, Section 8

- <https://constitution.congress.gov/browse/article-1/section-8/>

## List of Key White House Executive Orders

Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government:

- <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>

Executive Order 13988: Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation:

- <https://www.federalregister.gov/documents/2021/01/25/2021-01761/preventing-and-combating-discrimination-on-the-basis-of-gender-identity-or-sexual-orientation>

Executive Order 14008: Tackling the Climate Crisis at Home and Abroad:

- <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>

Executive Order 14020: Establishment of the White House Gender Policy Council:

- <https://www.federalregister.gov/documents/2021/03/11/2021-05183/establishment-of-the-white-house-gender-policy-council>

Executive Order 14091: Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government:

- <https://www.federalregister.gov/documents/2023/02/22/2023-03779/further-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal>

## List of Key Legislation, Rules, and Guidance:

### Current Legislation and Rules:

#### Legislation:

- Bipartisan Infrastructure Law (BIL):
  - <https://www.whitehouse.gov/build/guidebook/#:~:text=The%20Bipartisan%20Infrastructure%20Law%20makes,the%20nation's%20lead%20service%20in es.>
  - Infrastructure Investment and Jobs Act (IIJA, or the Bipartisan Infrastructure Law (BIL) – Public Law No: 117-58 (2021):
    - <https://www.phmsa.dot.gov/legislative-mandates/bipartisan-infrastructure-law-bil-infrastructure-investment-and-jobs-act-iija>
- Inflation Reduction Act 2022 (IRA):
  - <https://www.whitehouse.gov/cleanenergy/inflation-reduction-act-guidebook/>
- ISTEA (Intermodal Surface Transportation Efficiency Act) 1991:
  - <https://highways.dot.gov/public-roads/novemberdecember-2001/legacy-landmark-istea-after-10-years>



- National Environmental Policy Act (NEPA) National Environmental Policy Act (NEPA) 1970:
  - <https://ceq.doe.gov/>
  - A Citizen's Guide to NEPA:
    - <https://ceq.doe.gov/docs/get-involved/citizens-guide-to-nepa-2021.pdf>

#### Rules:

- Code of Register Title 2/Subtitle A/ Chapter II/Part 200/Subpart E/General provisions for Selected Items of Cost/(200.421(c):
  - <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-E/subject-group-ECFRed1f39f9b3d4e72/section-200.421>
- Code of Federal Register/Title 2/Subtitle A/Chapter II/Part 200/Subpart E/General Provisions for Selected Items of Cost (§ 200.432):
  - <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-E/subject-group-ECFRed1f39f9b3d4e72/section-200.432>
- New Airport Concessions Disadvantaged Business Enterprise (ACDBE) Rule: April 9, 2024:
  - <https://www.transportation.gov/briefing-room/usdot-significantly-modernizes-disadvantaged-business-enterprise-program-and-airport>
- New Disadvantaged Business Enterprise (DBE) Rule: April 9, 2024:
  - <https://www.transportation.gov/briefing-room/usdot-significantly-modernizes-disadvantaged-business-enterprise-program-and-airport>
- Participation of Disadvantaged Business Enterprise in Airport Concessions, 49 CFR 23:
  - <https://www.ecfr.gov/current/title-49/subtitle-A/part-23>
- Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs, 49 CFR 26:
  - <https://www.ecfr.gov/current/title-49/subtitle-A/part-26?toc=1>
- Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations:
  - 49 CFR parts 653
    - <https://www.govinfo.gov/content/pkg/FR-1994-02-15/html/94-2041.htm>
  - 49 CFR parts 654
    - [https://archives.federalregister.gov/issue\\_slice/1994/4/15/17938-17975.pdf#page=35](https://archives.federalregister.gov/issue_slice/1994/4/15/17938-17975.pdf#page=35)
  - 49 CFR part 655
    - <https://www.ecfr.gov/current/title-49/part-655>
  - 66 FR 42002
    - <https://www.federalregister.gov/citation/66-FR-42002>
- Title 23 - Code of Federal Regulations (and Non-regulatory Supplements), (23 U.S.C.)
  - <https://www.ecfr.gov/current/title-23>

#### Guidance:

- USDOT Circulars:

- <https://www.transit.dot.gov/regulations-and-programs/fta-circulars/circulars>
- USDOT Equity and Access Policy Statement:
  - <https://www.fhwa.dot.gov/civilrights/programs/docs/2022-ea-policy-statement.pdf>

#### Previous Legislation:

- Federal Aid Highway Acts of 1952:
  - <https://highways.dot.gov/public-roads/summer-1996/federal-aid-highway-act-1956-creating-interstate-system#:~:text=Fallon%20introduced%20a%20revised%20bill,90%20percent%20or%202424.8%20billion.>
- Federal Highways Act of 1954:
  - <https://highways.dot.gov/public-roads/summer-1996/federal-aid-highway-act-1956-creating-interstate-system#:~:text=Heavily%20populated%20states%20and%20urban,a%2060%2D40%20matching%20ratio.>
- The National Interstate and Defense Highways Act of 1956:
  - <https://www.archives.gov/milestone-documents/national-interstate-and-defense-highways-act>
- Federal Highways Act of 1962:
  - <https://highways.dot.gov/public-roads/mayjun-2006/battle-its-life>

#### List of Key USDOT Departments (Federal)

- Advanced Research Projects Agency - Infrastructure (ARPA-I):
  - <https://www.transportation.gov/arpa-i/about>
- Department of Civil Rights (DOCR):
  - <https://www.transportation.gov/civil-rights>
- Federal Aviation Administration (FAA):
  - <https://www.faa.gov/>
- Federal Highway Administration (FHWA):
  - <https://highways.dot.gov/>
- Federal Motor Carrier Safety Administration (FMCSA):
  - <https://www.fmcsa.dot.gov/>
- Federal Railroad Administration (FRA):
  - <https://railroads.dot.gov/>
- Federal Transit Administration (FTA):
  - <https://www.transit.dot.gov/>
- Great Lakes St. Lawrence Seaway Development Corporation (GLS):
  - <https://www.seaway.dot.gov/>
- Maritime Administration (MARAD):
  - <https://www.maritime.dot.gov/>
- National Highway Traffic Safety Administration (NHTSA):
  - <https://www.nhtsa.gov/>

- Office of Inspector General (OIG):
  - <https://www.oig.dot.gov/>
- Office of Tribal Transportation, (FHWA):
  - <https://highways.dot.gov/federal-lands/tribal>
- Pipeline and Hazardous Materials Safety Administration (PHMSA):
  - <https://www.phmsa.dot.gov/>
- U.S. Department of Transportation Office of the Secretary (OST):
  - <https://www.transportation.gov/office-of-secretary>

#### List of Key Funding Programs:

- Automated Driving System Demonstration Grants:
  - <https://www.transportation.gov/av/grants>
- Build America Bureau for Innovative Project Financing:
  - <https://www.transportation.gov/buildamerica/>
- Charging and Fueling Infrastructure Grant Program:
  - <https://www.fhwa.dot.gov/environment/cfi/>
- Federal Aviation Administration Grant Programs:
  - [https://www.faa.gov/airports/aip/2022\\_aip\\_grants](https://www.faa.gov/airports/aip/2022_aip_grants)
- Federal Road Administration (FRA) Grants and Loans:
  - <https://railroads.dot.gov/grants>
- Federal Transit Administration (FTA) Grant Programs:
  - <https://www.transit.dot.gov/grants>
- Maritime Administration Port Infrastructure Development Program:
  - <https://www.maritime.dot.gov/ports/port-infrastructure-development-program>
- Hazardous Materials Grants Program:
  - <https://www.phmsa.dot.gov/about-phmsa/working-phmsa/grants/hazmat/hazardous-materials-grants-program>
- Neighborhood Access Equity:
  - <https://www.transportation.gov/grants/rcnprogram/about-neighborhood-access-and-equity-grant-program>
- National Electric Vehicle Infrastructure (NEVI):
  - [https://www.fhwa.dot.gov/bipartisan-infrastructure-law/nevi\\_formula\\_program.cfm](https://www.fhwa.dot.gov/bipartisan-infrastructure-law/nevi_formula_program.cfm)
- Pipeline and Hazardous Materials Safety Administration Grant Program:
  - <https://www.phmsa.dot.gov/grants/pipeline/ops-grants-overview>
- Rebuilding American Infrastructure with Sustainability and Equity (RAISE):
  - <https://www.transportation.gov/RAISEgrants>
- Reconnecting Communities:
  - <https://www.transportation.gov/grants/rcnprogram>
- Rural Opportunities to Use Transportation for Economic Success (ROUTES):
  - <https://www.transportation.gov/rural>
- Rural Surface Transportation Grant Program (FHWA Rural Program):

- <https://www.transportation.gov/rural/grant-toolkit/rural-surface-transportation-grant-program-rural#:~:text=The%20Rural%20Surface%20Transportation%20Grant,movement%20of%20people%20and%20freight%2C>
- SMART Grants Program: Strengthening Mobility and Revolutionizing Transportation (SMART):
  - <https://www.transportation.gov/grants/SMART>
- Tribal Transportation Program (TTP):
  - <https://highways.dot.gov/media/46811>
- University Transportation Centers:
  - <https://www.transportation.gov/content/university-transportation-centers>

### USDOT Equity Priorities:

- Equity Action Plan:
  - <https://www.transportation.gov/priorities/equity/equity-action-plan>
- Justice40:
  - <https://www.transportation.gov/equity-Justice40>
- Tribal Consultation Plan:
  - <https://www.transportation.gov/tribal>
- Reconnecting Communities Pilot Program:
  - <https://www.transportation.gov/grants/rcnprogram/about-rcp>
- Rural Opportunities to Use Transportation for Economic Success (ROUTES):
  - <https://www.transportation.gov/rural>
- Disability Policy Priorities:
  - <https://www.transportation.gov/accessibility>
- Thriving Communities Program:
  - <https://www.transportation.gov/grants/thriving-communities>
- Diversity, Equity, Inclusion, and Accessibility Strategic Plan:
  - <https://www.transportation.gov/careers/dot-deia-strategic-plan>
- Asian American, Native Hawaiian, and Pacific Islander Action Plan:
  - <https://www.transportation.gov/priorities/equity/aanhpi-action-plan>

### USDOT Equity Council:

- USDOT Equity Council:
  - <https://www.transportation.gov/priorities/equity/equity-council>

### Advisory Committee on Transportation Equity (ACTE) (<https://www.transportation.gov/civil-rights/acte>):

- ACTE Membership (<https://www.transportation.gov/civil-rights/dots-advisory-committee-transportation-equity-membership>):
- ACTE Subcommittee Subject Areas:

- **Expanding Access** (<https://www.transportation.gov/priorities/equity/equity-action-plan/expanding-access>): USDOT equity pillar concerned with increasing social and economic opportunity for disadvantaged and underserved communities by providing affordable multi-modal transportation options. These recommendations focus on how transportation can make federally funded services (e.g. medical appointments) and geographical regions with unique transportation challenges, e.g. Alaska, more accessible.
- **Interventions (Proactive Intervention, Planning, and Capacity Building)** (<https://www.transportation.gov/priorities/equity/equity-action-plan/interventions>): USDOT equity pillar concerned with ensuring that historically overburdened and underserved communities in urban and rural areas benefit from access to a generational investment in the nation's infrastructure through direct, hands-on technical support for transportation projects with local impact. Recommendations focus on the use of best practices, performance indicators and mentorship to make the transportation ecosystem more accessible, accountable and responsive.
- **Institutionalizing Equity** (<https://www.transportation.gov/priorities/equity/institutionalizing-equity>): New USDOT Equity Action Plan pillar which was launched with the 2023 update to the Plan. Focused on continuously providing resources to embed equity, civil rights, and social justice initiatives into the Department's decision-making processes—including meaningful public involvement—and ensuring that equity is a core part of USDOT's mission and culture. Recommendations include how to improve transportation equity in the context of procurement, transit data, and workforce development, outreach and education.
- **Power of Community** (<https://www.transportation.gov/priorities/equity/equity-action-plan/power-community>): USDOT equity pillar concerned with ensuring that individuals and communities have a greater voice in transportation decisions affecting them. Recommendations primarily focus on strengthening timely community engagement, and strengthening the focus on equity impacts in the evaluation of transportation projects.
- **Wealth Creation** (<https://www.transportation.gov/priorities/equity/equity-action-plan/wealth-creation>): USDOT equity pillar concerned with upgrading skills, growing entrepreneurs, increasing incomes, expanding net asset ownership, and fostering social well-being for underserved communities through direct procurement, infrastructure projects, community wealth building, and industry at large.

**List of USDOT Resources and Technical Assistance Offerings:**

- Interagency Coordinating Council on Access and Mobility (CCAM):
  - <https://www.transit.dot.gov/coordinating-council-access-and-mobility>
- Language Access Plan:

- <https://www.transportation.gov/mission/civil-rights/civil-rights-awareness-enforcement/language-access-plan>
- Small Business Transportation Resource Centers:
  - <https://www.transportation.gov/osdbu/SBTRCs>
- FMCSA Women of Trucking Advisory Board (WOTAB):
  - <https://www.fmcsa.dot.gov/wotab>
- USDOT Connect to Capital Platform:
  - <https://www.dotcmp.com/event/dotconnecttocapital>
- USDOT OSDBU: Connections Marketplace:
  - <https://dotcmp.com/>
- USDOT Procurement Opportunity Forecast:
  - <https://www.transportation.gov/osdbu/procurement-assistance/summary-forecast>

#### List of Other Potential Resources/Ideas Discussed for Inclusion:

- **Best Practices**
  - Access and Opportunity Committees (AOCs): Best Practices for Project Workforce Diversity: Starting a New AOC, The Policy Group on Tradeswomen's Issues (PGTI).
    - <https://policygroupontradeswomen.org/wp-content/uploads/2020/07/Access-and-Opportunity-Committees.pdf>
  - Federal Contract Compliance Manual: 3C00 Executive Order Goals:
    - <https://www.dol.gov/agencies/ofccp/manual/fccm/3c-general-principles-applicable-construction-industry/3c00-executive>
  - Federal Highway Administration (FHWA) 1392 report:
    - <https://azdot.gov/sites/default/files/media/2022/09/Administrator%20FHWA%20Reporting%20Guide%20Ver.%202.2%2011.4.2021%20%281%29.pdf>
  - Investing in America:
    - [https://www.transportation.gov/sites/dot.gov/files/2024-02/Best%20Practices%20to%20Expand%20Access%20to%20Jobs%20and%20Economic%20Opportunity%20final\\_.pdf](https://www.transportation.gov/sites/dot.gov/files/2024-02/Best%20Practices%20to%20Expand%20Access%20to%20Jobs%20and%20Economic%20Opportunity%20final_.pdf)
  - Promising Practices in Meaningful Public Involvement in Transportation Decision-Making:
    - <https://www.transportation.gov/sites/dot.gov/files/2022-10/Promising%20Practices%20for%20Meaningful%20Public%20Involvement%20in%20Transportation%20Decision-making.pdf>
  - Society of Automobile Engineers (SAE) International standards:
    - <https://www.sae.org/standards>
- **Toolkits**
  - Every Place Counts Leadership Academy Transportation ToolKit - (USDOT, 2017):



- <https://www.transportation.gov/sites/dot.gov/files/docs/ToolkitFinal2017.pdf>

### List of Key Transportation Organizations (Non-Federal)

- The American Association of State Highway and Transportation Officials (AASHTO):
  - <https://transportation.org/>
- Analyze Boston:
  - <https://data.boston.gov/dataset/boston-jobs-policy-compliance-reports>
- Building Pathways/Boston Housing Authority/Pre-Apprenticeship:
  - <https://www.bostonhousing.org/en/Public-Housing/Resident-Services/Training-Education.aspx#:~:text=Building%20Pathways%20is%20a%20seven,low%20and%20very%2Dlow%20income.>
- Center for Regional and Rural Connected Communities (CR2C2):
  - <https://www.cr2c2.com/home>
- Equity 360 model:
  - <https://www.cr2c2.com/equity-360>
- Green Latinos:
  - <https://www.lcjf.greenlatinos.org/>
- United for ALICE:
  - <https://www.unitedforalice.org/>
- Conference of Minority Transportation Officials (COMTO):
  - <https://comto.org/>
- Womens Transportation Seminar International (WTS):
  - <https://www.wtsinternational.org/>
- National Association of City Transportation Officials (NACTO):
  - <https://nacto.org/>
- American Public Transportation Association (APTA):
  - <https://www.apta.com/>

### List of Key Terms:

- Black, Indigenous, and people of color (BIPOC):
  - Is a U.S. term intended to center the experiences of Black and Indigenous people and demonstrate solidarity between communities of color
  - <https://www.nih.gov/nih-style-guide/race-national-origin>
- Black Wall Streets:
  - “Black Wall Street,” or Greenwood, was an affluent commercial and residential neighborhood founded in Tulsa, Oklahoma, by Black Americans who went west after the Civil War. During a 1921 Race Massacre, 300 Black residents were killed, and the neighborhood was. There are several other “Black Wall Streets” across the country.
  - <https://time.com/6050811/tulsa-black-wall-street/>

- Certified Disadvantaged Business Enterprises (DBEs):
  - DBEs are for-profit small business concerns where socially and economically disadvantaged individuals own at least 51% interest and control management and daily business operations. To participate in the DBE program, a small business owned and controlled by socially and economically disadvantaged individuals must receive DBE certification, generally through the state Unified Certification Program (UCP).
  - <https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise>
- Community Based Organizations (CBOs):
  - CBOs are public or private nonprofit organizations of demonstrated effectiveness that represent communities and provide services to those communities.
  - [https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def\\_id=20-USC-1991540508-1493090985&term\\_occur=2&term\\_src=title:20:chapter:70:subchapter:I:section:6303b](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=20-USC-1991540508-1493090985&term_occur=2&term_src=title:20:chapter:70:subchapter:I:section:6303b)
- DBE fraud:
  - A contractor misrepresents who performed the contract work in order to increase job profit while appearing to be in compliance with contract goals for involvement of minority- or women-owned businesses.
  - [https://www.oig.dot.gov/sites/default/files/2023-11/OIG\\_DBE%20card.pdf](https://www.oig.dot.gov/sites/default/files/2023-11/OIG_DBE%20card.pdf)
- Disinvestment:
  - Disinvestment is where some USDOT decisions, particularly in highway development, displaced and divided primarily Black and Latino communities, with the bulk of investment going into development and away from the communities they were built in, leaving them with higher traffic crashes and fatalities, air and noise pollution and health issues, and lack of economic access.
  - <https://highways.dot.gov/public-roads/spring-2023/06>
- Electric Vehicles and Charging Infrastructure:
  - Electric Vehicles and Charging Infrastructure is a plan to install 500,000 new electric vehicle (EV) chargers by 2030, building confidence that EV car owners can do intercity, regional, and national travel without problem, with the hope that more people will buy EVs.
  - <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/evs.cfm>
- EV Infrastructure Deployment Plan (Deployment Plan):
  - Each State is required to develop and submit a State EV Infrastructure Deployment Plan describing how they will use its apportioned NEVI Formula Program funds in accordance with program guidance.
  - [https://www.fhwa.dot.gov/environment/nevi/ev\\_deployment\\_plans/](https://www.fhwa.dot.gov/environment/nevi/ev_deployment_plans/)
- Electrical vehicle (EV) sales:

- EV vehicle sales are to increase to ensure a mass shift from cars and trucks with internal combustion engines (ICEs) to zero-emission vehicles (ZEVs) by 2030. The goal is by 2030, half of new passenger cars and light trucks sold will be ZEVs.
- <https://www.mckinsey.com/industries/public-sector/our-insights/building-the-electric-vehicle-charging-infrastructure-america-needs>
- Equity 360 model:
  - The Center for Regional and Rural Connected Communities (CR2C2) will ensure that all its programs are implemented through Equity 360 - a holistic, multilayer approach to promote, integrate, measure, and monitor equity throughout all Center activities.
  - <https://www.cr2c2.com/equity-360>
- Federal Poverty Line:
  - The federal poverty level (FPL) is an annual income number that the Department of Health and Human Services (HHS) uses to determine eligibility for certain federal programs and benefits and is used across federal programs.
  - <https://www.healthcare.gov/glossary/federal-poverty-level-fpl/>
- “Federal-state-sponsored segregation”:
  - [Federal-state-sponsored segregation refers to “Separate but equal,” the decision by the U.S. Supreme Court in Plessy v. Ferguson \(1896\) that allowed the use of segregation laws by states and local governments.](#)
  - [https://www.law.cornell.edu/wex/separate\\_but\\_equal](https://www.law.cornell.edu/wex/separate_but_equal)
- Greenhouse gas emissions (GHGs):
  - GHGs refer to gases that trap heat in the atmosphere, or greenhouse gases, and the emission or release of these gases into the atmosphere.
  - [https://www.planning.dot.gov/planning/topic\\_GHG.aspx](https://www.planning.dot.gov/planning/topic_GHG.aspx)
- High Occupancy Vehicle lanes (HOV):
  - High-occupancy vehicle (HOV) lanes are one or more lanes of a roadway that have restrictions on use to encourage ridesharing and can reduce vehicle miles traveled (VMT).
  - <https://www.transportation.gov/mission/health/High-Occupancy-Vehicle-Lanes>
- Historically Black Colleges and Universities (HBCUs):
  - Historically Black colleges and universities (HBCUs) are institutions that were established prior to 1964 with the principal mission of educating Black Americans.
  - <https://nces.ed.gov/fastfacts/display.asp?id=667#:~:text=Question:,and%20the%20U.S.%20Virgin%20Islands.>
- HUBZone Development:
  - HUBZone Development refers to the widespread development of HUBZones in historically underutilized business zones. The HUBZone Program has a goal of

awarding at least 3% of federal contract dollars to HUBZone-certified companies each year.

- <https://www.sba.gov/federal-contracting/contracting-assistance-programs/hubzone-program>
- Key Performance Indicators (KPIs):
  - KPIs are the critical (key) quantifiable indicators of progress toward an intended result.
  - <https://www.kpi.org/kpi-basics/>
- Metropolitan Planning Organization (MPOs):
  - A Metropolitan Planning Organization (MPO) is the policy board of an organization created and designated to carry out the metropolitan transportation planning process.
  - <https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/metropolitan-planning-organization-mpo>
- Minority Serving Institutions (MSIs):
  - MSIs are institutions of higher education that serve minority populations.
  - <https://www.doi.gov/pmb/eeo/doi-minority-serving-institutions-program>
- Multimodal:
  - Multimodal access to public transportation considers and accommodates the many ways public transportation users get to and from a public transportation stop or center to access a public transportation service. Those methods include walking, bicycling, riding feeder public transportation systems (e.g., taking the bus to connect to commuter rail at a station), and driving.
  - <https://www.transportation.gov/mission/health/Multimodal-Access-to-Public-Transportation>
- Project management plans (PMPs):
  - The Project Management Plan (PMP) provides guidance on the implementation of a project, clearly designating assumptions and decisions regarding management processes, approvals, dispute resolutions and overall project control.
  - <https://www.fhwa.dot.gov/majorprojects/pmp/>
- Readiness Training:
  - Readiness refers to how ready a grant applicant is to deliver a project. Readiness training is provided to programs to increase their readiness to successfully implement a grant project.
  - [https://www.transportation.gov/sites/dot.gov/files/2024-01/Project%20Readiness%20Checklist\\_January2024.pdf](https://www.transportation.gov/sites/dot.gov/files/2024-01/Project%20Readiness%20Checklist_January2024.pdf)
- Reconnecting Communities Pilot Programs:
  - The BIL establishes the Reconnecting Communities Pilot (RCP) Program to provide grants, on a competitive basis, to restore community connectivity by removing, retrofitting, or mitigating highways or other transportation facilities that create barriers to community connectivity, including barriers to mobility, access, or economic development.

- [https://www.fhwa.dot.gov/bipartisan-infrastructure-law/rcp\\_fact\\_sheet.cfm](https://www.fhwa.dot.gov/bipartisan-infrastructure-law/rcp_fact_sheet.cfm)
- Restorative Justice:
  - Restorative justice in transportation refers to undoing or mitigating the damage caused by the building of transportation infrastructure in underserved communities, particularly Black and Latino communities.
  - <https://t4america.org/2022/08/02/reconnecting-communities/>
- “Reviving Black & Brown Community Business Hubs”:
  - Reviving Black & Brown Community Business Hubs is the repositioning of commercial buildings and placing them into community hubs to generate financial value while also revitalizing communities, with many of these businesses being DBEs.
  - <https://www.forbes.com/sites/forbesbusinesscouncil/2023/02/02/developing-community-hubs-to-drive-purpose-and-profit/?sh=380136386a9a>
- Seed money:
  - Seed money provides technology-focused entrepreneurs, startups, and small businesses with funding to develop their ideas and a pathway to commercialization.
  - <https://beta.www.sbir.gov/>
- Sheltered Market Programs:
  - The goal of the Sheltered Market Program (SMP) is to advance equity in procurement.
  - <https://www.boston.gov/departments/economic-opportunity-and-inclusion/sheltered-market-pilot-program>
- STEM (or STEAM):
  - STEM is science, technology, engineering, and math.
    - <https://highways.dot.gov/public-roads/winter-2024/08>
  - STEAM includes art to include both soft and hard skills.
    - <https://www.ucf.edu/online/engineering/news/comparing-stem-vs-steam-why-the-arts-make-a-difference/#:~:text=STEM%20focuses%20explicitly%20on%20the,to%20understand%20a%20STEM%20concept.>
- Taxicab Exemption:
  - Taxicab exemption refers to when a public transit passenger randomly chooses from several taxicab companies providing service, the testing (drug and alcohol) regulations do not apply because, for example, a guaranteed ride home program may draw from several taxi companies to pick up riders.
  - <https://www.transit.dot.gov/what-taxicab-exception-and-when-does-it-apply>
- Transportation Improvement Programs:
  - Each metropolitan planning organization (MPO) is required, under 49 U.S.C. 5303(j) (<https://uscode.house.gov/view.xhtml?req=granuleid:USC-2007-title49-section5303&num=0&edition=2007>), to develop a Transportation Improvement Program (TIP)—a list of upcoming transportation projects—covering a period of at least four years.

- <https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/transportation-improvement-program-tip>
- Transport Network Companies (TNCs/ride-share companies):
  - A TNC uses a digital network to connect riders to drivers for on-demand transportation using the driver's own vehicle.
  - <https://www.transit.dot.gov/regulations-and-programs/access/ccam/about/shared-mobility-services-national-transit-database-ntd>
- Travel Demand Models (TDMs):
  - Travel Demand Models (TDM) are used to forecast traffic flows on the transportation system. Although the transportation system may include other modes of travel such as walking, bikes, or trains, the models are typically used for evaluating roadway improvements or improvements to bus service. These models are used only for long range forecasts: 20 to 30 years.
  - <https://www.transportation.ohio.gov/programs/statewide-planning-research/04-modeling-forecasting/travel-demand-modeling>
- Unified Program Integrity Contractors (UPICs):
  - The Unified Program Integrity Contractors (UPICs) are the only benefit integrity contractors that safeguard both the Medicare and Medicaid programs from fraud, waste, and abuse.
  - <https://oig.hhs.gov/reports-and-publications/workplan/summary/wp-summary-0000485.asp>
- USDOT Subcontracting Directory:
  - The USDOT Subcontracting Directory is published as a marketing aid for small businesses, to participate in DOT procurements as subcontractors. In this directory, you will find listings of major DOT prime contractors with approved subcontracting plans.
  - <https://www.transportation.gov/osdbu/procurement-assistance/dot-subcontracting-directory>