Long (Fleischmann)
Lowenthal (Beyer)
McClain (Bergman)
Meng (Jeffries)
Mullin (Lucas)
Napolitano (Correa)
Owens (Stewart)
Payne (Pallone)
Ruiz (Aguilar)
Rush (Underwood)
Sewell (DelBene)
Steube (Franklin, C. Scott)
Strickland (DelBene)
Timmons (Gonzalez (OH))
Wilson (FL) (Hayes)
Young (Mast)

The SPEAKER pro tempore (Mrs. HAYES). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DESAULNIER. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 219, nays 190, not voting 21, as follows:

[Roll No. 200]

YEAS—219

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—190

Aderholt
Allen
Amodei
Armstrong
Babin
Bacon
Baird
Balderson
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gonzales, Tony
Gonzalez (OH)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrera Beutler
Hice (GA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Jacobs (NY)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Rogers (AL)
Rogers (KY)
Rosendale
Rouzer
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Webster (FL)
Wenstrup
Westerman
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—21

Arrington
Banks
Carter (GA)
Cloud
Fulcher
Gohmert
Good (VA)
Herrell
Higgins (LA)
Issa
Jackson
Johnson (LA)
Miller (IL)
Norman
Pfluger
Rodgers (WA)
Rose
Roy
Tiffany
Weber (TX)
Williams (TX)

□ 1658

Mr. GARAMENDI and Mrs. LAWRENCE changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Nehls)
Boebert (Gosar)
Cárdenas (Gomez)
Cawthorn (Nehls)
Cohen (Beyer)
Comer (Cammack)
Fallon (Nehls)
Gallego (Gomez)
Garcia (TX) (Jeffries)
Grijalva (Stanton)
Horsford (Jeffries)
Jacobs (NY) (Garbarino)
Johnson (TX) (Jeffries)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Leger Fernandez (Jacobs (CA))
Lieu (Beyer)
Long (Fleischmann)
Lowenthal (Beyer)
McClain (Bergman)
Meng (Jeffries)
Mullin (Lucas)
Napolitano (Correa)
Owens (Stewart)
Payne (Pallone)
Ruiz (Aguilar)
Rush (Underwood)
Sewell (DelBene)
Steube (Franklin, C. Scott)
Strickland (DelBene)
Timmons (Gonzalez (OH))
Wilson (FL) (Hayes)
Young (Mast)

INVESTING IN A NEW VISION FOR THE ENVIRONMENT AND SURFACE TRANSPORTATION IN AMERICA ACT

Mr. DEFAZIO. Mr. Speaker, pursuant to House Resolution 504, I call up the bill (H.R. 3684) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MCGOVERN). Pursuant to House Resolution 504, in lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–8, modified by Rules Committee Print 117–9 and the amendment printed in part B of House Report 117–74, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3684

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Investing in a New Vision for the Environment and Surface Transportation in America Act'' or the ''INVEST in America Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
DIVISION A—FEDERAL SURFACE TRANSPORTATION PROGRAMS FOR FISCAL YEAR 2022
Sec. 101. Definitions.
Sec. 102. Extension of Federal Surface Transportation programs.
Sec. 103. Additional amounts for the Federal-aid highway program and member designated projects.
Sec. 104. Federal Transit Administration.
Sec. 105. National highway traffic safety administration.
Sec. 106. Federal motor carrier safety administration.
Sec. 107. Member designated project authorizations.
DIVISION B—SURFACE TRANSPORTATION
Sec. 1001. Applicability of division.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Program Conditions

Sec. 1101. Authorization of appropriations.
Sec. 1102. Obligation limitation.
Sec. 1103. Definitions and declaration of policy.
Sec. 1104. Apportionment.
Sec. 1105. Additional deposits into Highway Trust Fund.
Sec. 1106. Transparency.
Sec. 1107. Complete and context sensitive street design.
Sec. 1108. Federal share.
Sec. 1109. Transferability of Federal-aid highway funds.
Sec. 1110. Tolling.
Sec. 1111. HOV facilities.
Sec. 1112. Buy America.
Sec. 1113. Federal-aid highway project requirements.
Sec. 1114. State assumption of responsibility for categorical exclusions.
Sec. 1115. Surface transportation project delivery program written agreements.
Sec. 1116. Corrosion prevention for bridges.
Sec. 1117. Sense of Congress.
Sec. 1118. Accommodation of certain facilities in right-of-way.
Sec. 1119. Federal grants for pedestrian and bike safety improvements.

Subtitle B—Programmatic Infrastructure Investment

Sec. 1201. National highway performance program.
Sec. 1202. Increasing the resilience of transportation assets.
Sec. 1203. Emergency relief.
Sec. 1204. Railway crossings.
Sec. 1205. Surface transportation program.
Sec. 1206. Transportation alternatives program.
Sec. 1207. Bridge investment.
Sec. 1208. Construction of ferry boats and ferry terminal facilities.
Sec. 1209. Highway safety improvement program.
Sec. 1210. Congestion mitigation and air quality improvement program.
Sec. 1211. Electric vehicle charging stations.
Sec. 1212. National highway freight program.
Sec. 1213. Carbon pollution reduction.
Sec. 1214. Recreational trails.
Sec. 1215. Safe routes to school program.
Sec. 1216. Bicycle transportation and pedestrian walkways.
Sec. 1217. Noise barriers.
Sec. 1218. Safe streets for all.
Sec. 1219. Youth service and conservation corps.

Subtitle C—Project-Level Investments

Sec. 1301. Projects of national and regional significance.
Sec. 1302. Community transportation investment grant program.
Sec. 1303. Clean corridors program.
Sec. 1304. Community climate innovation grants.
Sec. 1305. Metro performance program.
Sec. 1306. Gridlock reduction grant program.
Sec. 1307. Rebuild rural bridges program.
Sec. 1308. Parking for commercial motor vehicles.
Sec. 1309. Active connected transportation grant program.
Sec. 1310. Wildlife crossings program.
Sec. 1311. Reconnecting neighborhoods program.
Sec. 1312. Apprenticeship utilization.

Subtitle D—Planning, Performance Management, and Asset Management

Sec. 1401. Metropolitan transportation planning.
Sec. 1402. Statewide and nonmetropolitan transportation planning.
Sec. 1403. National goals and performance management measures.
Sec. 1404. Transportation demand data and modeling study.
Sec. 1405. Fiscal constraint on long-range transportation plans.

Subtitle E—Federal Lands, Tribes, and Territories

Sec. 1501. Territorial and Puerto Rico highway program.
Sec. 1502. Tribal transportation program.
Sec. 1503. Tribal High Priority Projects program.
Sec. 1504. Federal lands transportation program.
Sec. 1505. Federal lands and Tribal major projects program.
Sec. 1506. Office of Tribal Government Affairs.
Sec. 1507. Alternative contracting methods.
Sec. 1508. Divestiture of federally owned bridges.
Sec. 1509. Study on Federal funding available to Indian Tribes.
Sec. 1510. GAO study.
Sec. 1511. Federal lands access program.

Subtitle F—Additional Provisions

Sec. 1601. Vision zero.
Sec. 1602. Speed limits.
Sec. 1603. Dig Once for broadband infrastructure deployment.
Sec. 1604. Stormwater best management practices.
Sec. 1605. Pedestrian facilities in the public right-of-way.
Sec. 1606. Highway formula modernization report.
Sec. 1607. Consolidation of programs.
Sec. 1608. Student outreach report to Congress.
Sec. 1609. Task force on developing a 21st century surface transportation workforce.
Sec. 1610. On-the-job training and supportive services.
Sec. 1611. Appalachian development highway system funding flexibility.
Sec. 1612. Transportation education development program.
Sec. 1613. Working group on construction resources.
Sec. 1614. Numbering system of highway interchanges.
Sec. 1615. Toll credits.
Sec. 1616. Transportation construction materials procurement.
Sec. 1617. Nationwide road safety assessment.
Sec. 1618. Climate resilient transportation infrastructure study.
Sec. 1619. Natural gas, electric battery, and zero emission vehicles.
Sec. 1620. Guidance on evacuation routes.
Sec. 1621. High priority corridors on National Highway System.
Sec. 1622. Guidance on inundated and submerged roads.
Sec. 1623. Dry bulk weight tolerance.
Sec. 1624. Highway use tax evasion projects.
Sec. 1625. Labor standards.
Sec. 1626. Climate resiliency report by GAO.
Sec. 1627. Designation of John R. Lewis Voting Rights Highway.
Sec. 1628. GAO study on capital needs of public ferries.
Sec. 1629. Use of modeling and simulation technology.
Sec. 1630. GAO study on per-mile user fee equity.
Sec. 1631. GAO review of equity considerations at State DOTs.
Sec. 1632. Study on effectiveness of suicide prevention nets and barriers for structures other than bridges.
Sec. 1633. Transportation planning activities.
Sec. 1634. Better Utilizing Infrastructure for Lasting Development of Veterans Businesses.
Sec. 1635. Vehicle weight limitations.
Sec. 1636. Roadway worker protection working group.
Sec. 1637. GAO study on nature-based solutions for coastal highway resilience.
Sec. 1638. Repeal of pilot program.
Sec. 1639. Technical corrections.
Sec. 1640. Credit adjustments for paycheck protection program loan forgiveness under highway and public transportation project cost reimbursement contracts.

TITLE II—PUBLIC TRANSPORTATION

Subtitle A—Federal Transit Administration

Sec. 2101. Authorizations.
Sec. 2102. Chapter 53 definitions.
Sec. 2103. General provisions.
Sec. 2104. Miscellaneous provisions.
Sec. 2105. Policies and purposes.
Sec. 2106. Fiscal years 2022 and 2023 formulas.
Sec. 2107. Metropolitan transportation planning.
Sec. 2108. Statewide and nonmetropolitan transportation planning.
Sec. 2109. Obligation limitation.
Sec. 2110. Public transportation emergency relief funds.
Sec. 2111. Certification requirements.
Sec. 2112. Hold harmless.
Sec. 2113. Study on accessibility of public transportation.

Subtitle B—Improving Frequency and Ridership

Sec. 2201. Multi-jurisdictional bus frequency and ridership competitive grants.
Sec. 2202. Incentivizing frequency in the urban formula.
Sec. 2203. Mobility innovation.
Sec. 2204. Formula grants for rural areas.
Sec. 2205. One-stop paratransit program.

Subtitle C—Buy America and Other Procurement Reforms

Sec. 2301. Buy America.
Sec. 2302. Bus procurement streamlining.
Sec. 2303. Bus testing facility.
Sec. 2304. Repayment requirement.
Sec. 2305. Definition of urbanized areas following a major disaster.
Sec. 2306. Special rule for certain rolling stock procurements.
Sec. 2307. Spare ratio waiver.

Subtitle D—Bus Grant Reforms

Sec. 2401. Formula grants for buses.
Sec. 2402. Bus facilities and fleet expansion competitive grants.
Sec. 2403. Zero emission bus grants.
Sec. 2404. Restoration to state of good repair formula subgrant.
Sec. 2405. Workforce development training grants.

Subtitle E—Supporting All Riders

Sec. 2501. Low-income urban formula funds.
Sec. 2502. Rural persistent poverty formula.
Sec. 2503. Demonstration grants to support reduced fare transit.
Sec. 2504. Equity in transit service planning.
Sec. 2505. GAO study on fare-free transit.

Subtitle F—Supporting Frontline Workers and Passenger Safety

Sec. 2601. National transit frontline workforce training center.
Sec. 2602. Public transportation safety program.
Sec. 2603. Innovation workforce standards.
Sec. 2604. Safety performance measures and set asides.
Sec. 2605. U.S. Employment Plan.
Sec. 2606. Technical assistance and workforce development.
Sec. 2607. Resilient public transportation study.

Subtitle G—Transit-Supportive Communities

Sec. 2701. Transit-supportive communities.
Sec. 2702. Property disposition for affordable housing.
Sec. 2703. Affordable housing incentives in capital investment grants.

Subtitle H—Innovation

Sec. 2801. Mobility innovation sandbox program.
Sec. 2802. Transit bus operator compartment redesign program.

Sec. 2803. Federal Transit Administration Every Day Counts initiative.
Sec. 2804. Technical corrections.
Sec. 2805. National advanced technology transit bus development program.
Sec. 2806. Public transportation innovation.
Sec. 2807. Transit vehicle battery recycling and reuse.

Subtitle I—Other Program Reauthorizations

Sec. 2901. Reauthorization for capital and preventive maintenance projects for Washington Metropolitan Area Transit Authority.
Sec. 2902. Other apportionments.

Subtitle J—Streamlining

Sec. 2911. Fixed guideway capital investment grants.
Sec. 2912. Rural and small urban apportionment deadline.
Sec. 2913. Disposition of assets beyond useful life.
Sec. 2914. Innovative coordinated access and mobility.
Sec. 2915. Passenger ferry grants.
Sec. 2916. Evaluation of benefits and Federal investment.
Sec. 2917. Best practices for the application of National Environmental Policy Act of 1969 to federally funded bus shelters.
Sec. 2918. Capital investment grant streamlining.
Sec. 2919. Disposition of rolling stock to improve air quality goals.

TITLE III—HIGHWAY TRAFFIC SAFETY

Sec. 3001. Authorization of appropriations.
Sec. 3002. Highway safety programs.
Sec. 3003. Fair and equitable traffic safety enforcement.
Sec. 3004. Highway safety research and development.
Sec. 3005. Grant program to prohibit racial profiling.
Sec. 3006. National safety campaigns.
Sec. 3007. National priority safety programs.
Sec. 3008. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.
Sec. 3009. National priority safety program grant eligibility.
Sec. 3010. Implicit bias research and training grants.
Sec. 3011. Stop motorcycle checkpoint funding.
Sec. 3012. Electronic driver's license.
Sec. 3013. Motorcyclist Advisory Council.
Sec. 3014. Report on marijuana research.
Sec. 3015. Comptroller General study on national DUI reporting.
Sec. 3016. Report on impaired driving.
Sec. 3017. Impaired driving countermeasure.

TITLE IV—MOTOR CARRIER SAFETY

Subtitle A—Motor Carrier Safety Grants, Operations, and Programs

Sec. 4101. Motor carrier safety grants.
Sec. 4102. Motor carrier safety operations and programs.
Sec. 4103. Immobilization grant program.
Sec. 4104. Operation of small commercial vehicles study.

Subtitle B—Motor Carrier Safety Oversight

Sec. 4201. Motor Carrier Safety Advisory Committee.
Sec. 4202. Compliance, safety, accountability.
Sec. 4203. Terms and conditions for exemptions.
Sec. 4204. Safety fitness of motor carriers of passengers.
Sec. 4205. Providers of recreational activities.
Sec. 4206. Amendments to regulations relating to transportation of household goods in interstate commerce.
Sec. 4207. Broker guidance.
Sec. 4208. Review of labor laws.

Subtitle C—Commercial Motor Vehicle Driver Safety

Sec. 4301. Commercial driver's license for passenger carriers.
Sec. 4302. Alcohol and controlled substances testing.
Sec. 4303. Entry-level driver training.
Sec. 4304. Driver detention time.
Sec. 4305. Truck Leasing Task Force.
Sec. 4306. Hours of service.
Sec. 4307. Driver recruitment.
Sec. 4308. Screening for obstructive sleep apnea.
Sec. 4309. Women of Trucking Advisory Board.
Sec. 4310. Application of commercial motor vehicle safety.
Sec. 4311. Use of data.

Subtitle D—Commercial Motor Vehicle and Schoolbus Safety

Sec. 4401. Schoolbus safety standards.
Sec. 4402. Illegal passing of schoolbuses.
Sec. 4403. State inspection of passenger-carrying commercial motor vehicles.
Sec. 4404. Automatic emergency braking.
Sec. 4405. Underride protection.
Sec. 4406. Transportation of horses.
Sec. 4407. Additional State authority.
Sec. 4408. Updating the required amount of insurance for commercial motor vehicles.
Sec. 4409. Universal electronic identifier.

TITLE V—INNOVATION

Sec. 5001. Authorization of appropriations.

Subtitle A—Research and Development

Sec. 5101. Highway research and development program.
Sec. 5102. Materials to reduce greenhouse gas emissions program.
Sec. 5103. Transportation research and development 5-year strategic plan.
Sec. 5104. University transportation centers program.
Sec. 5105. Unsolicited research initiative.
Sec. 5106. National cooperative multimodal freight transportation research program.
Sec. 5107. Wildlife-vehicle collision reduction and habitat connectivity improvement.
Sec. 5108. Research activities.
Sec. 5109. Transportation equity research program.
Sec. 5110. Surface transportation research, development, and technology.
Sec. 5111. Metropolitan planning research pilot program.
Sec. 5112. Integrated project delivery.
Sec. 5113. Accelerated implementation and deployment of advanced digital construction management systems.
Sec. 5114. Innovative material innovation hubs.
Sec. 5115. Strategic transportation research agenda.
Sec. 5116. Advanced transportation research and innovation program.
Sec. 5117. Interagency innovative materials standards task force.
Sec. 5118. Vehicular data analytics pilot program.

Subtitle B—Technology Deployment

Sec. 5201. Technology and innovation deployment program.
Sec. 5202. Accelerated implementation and deployment of pavement technologies.
Sec. 5203. Federal Highway Administration Every Day Counts initiative.

Subtitle C—Emerging Technologies

Sec. 5301. Mobility through advanced technologies.
Sec. 5302. Intelligent transportation systems program.
Sec. 5303. National highly automated vehicle and mobility innovation clearinghouse.
Sec. 5304. Study on safe interactions between automated vehicles and road users.
Sec. 5305. Surface transportation workforce retraining grant program.
Sec. 5306. Third-party data integration pilot program.
Sec. 5307. Third-party data planning integration pilot program.
Sec. 5308. Automated commercial vehicle reporting.
Sec. 5309. Task Force to Promote American Vehicle Competitiveness.
Sec. 5310. Multimodal transportation demonstration program.
Sec. 5311. Heavy freight automated trucking research corridor.

Subtitle D—Surface Transportation Funding Pilot Programs

Sec. 5401. State surface transportation system funding pilot.

Subtitle E—Miscellaneous

Sec. 5501. Ergonomic seating working group.
Sec. 5502. Repeal of section 6314 of title 49, United States Code.
Sec. 5503. Transportation workforce outreach program.
Sec. 5504. Advisory council on transportation statistics.
Sec. 5505. GAO review of discretionary grant programs.

TITLE VI—MULTIMODAL TRANSPORTATION

Sec. 6001. National multimodal freight policy.
Sec. 6002. National freight strategic plan.
Sec. 6003. National multimodal freight network.
Sec. 6004. State freight advisory committees.
Sec. 6005. State freight plans.
Sec. 6006. Study of freight transportation fee.
Sec. 6007. National Surface Transportation and Innovative Finance Bureau.
Sec. 6008. Transportation equity advisory committee.
Sec. 6009. Sense of Congress.

TITLE VII—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT

Sec. 7001. Transportation Infrastructure Finance and Innovation Act.

DIVISION C—HAZARDOUS MATERIALS TRANSPORTATION

Sec. 8001. Short title.

TITLE I—AUTHORIZATIONS

Sec. 8101. Authorization of appropriations.

TITLE II—HAZARDOUS MATERIALS SAFETY AND IMPROVEMENT

Sec. 8201. Repeal of certain requirements related to lithium cells and batteries.
Sec. 8202. Transportation of liquefied natural gas by rail tank car.
Sec. 8203. Hazardous materials training requirements and grants.
Sec. 8204. Lithium battery approval.

DIVISION D—RAIL

Sec. 9001. Short title.

TITLE I—AUTHORIZATIONS

Sec. 9101. Authorization of appropriations.
Sec. 9102. Passenger rail improvement, modernization, and expansion grants.
Sec. 9103. Consolidated rail infrastructure and safety improvement grants.
Sec. 9104. Railroad rehabilitation and improvement financing.
Sec. 9105. Bridges, stations, and tunnels (BeST) grant program.
Sec. 9106. Buy America.

TITLE II—AMTRAK REFORMS

Sec. 9201. Amtrak findings, mission, and goals.
Sec. 9202. Amtrak status.
Sec. 9203. Board of Directors.
Sec. 9204. Amtrak preference enforcement.
Sec. 9205. Use of facilities and providing services to Amtrak.
Sec. 9206. Prohibition on mandatory arbitration.
Sec. 9207. Amtrak ADA assessment.
Sec. 9208. Prohibition on smoking on Amtrak trains.

Sec. 9209. State-supported routes operated by Amtrak.
Sec. 9210. Amtrak Police Department.
Sec. 9211. Amtrak food and beverage.
Sec. 9212. Clarification on Amtrak contracting out.
Sec. 9213. Amtrak staffing.
Sec. 9214. Special transportation.
Sec. 9215. Disaster and emergency relief program.
Sec. 9216. Access to recreational trails.
Sec. 9217. Amtrak cybersecurity enhancement and resiliency grant program.
Sec. 9218. Amtrak and private cars.
Sec. 9219. Amtrak Office of Community Outreach.
Sec. 9220. Long-distance customer enhancement program.
Sec. 9221. Amtrak carbon-free and renewable energy initiatives.

TITLE III—INTERCITY PASSENGER RAIL POLICY

Sec. 9301. Northeast Corridor Commission.
Sec. 9302. Northeast Corridor planning.
Sec. 9303. Protective arrangements.
Sec. 9304. Interstate rail compacts.
Sec. 9305. High-speed rail updates.
Sec. 9306. State rail planning formula funds.

TITLE IV—COMMUTER RAIL POLICY

Sec. 9401. Sense of Congress regarding commuter rail liability insurance.
Sec. 9402. Surface Transportation Board mediation of trackage use requests.
Sec. 9403. Surface Transportation Board mediation of rights-of-way use requests.

TITLE V—RAIL SAFETY

Subtitle A—Passenger and Freight Safety

Sec. 9501. Study on safety impact of long trains.
Sec. 9502. FRA safety reporting.
Sec. 9503. Waiver notice requirements.
Sec. 9504. Notice of FRA comprehensive safety compliance assessments.
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Sec. 9506. Freight train crew size safety standards.
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Sec. 9514. Crewmember certification and qualification.
Sec. 9515. Safety management team communication.
Sec. 9516. GAO study on reorganization of Office of Railroad Safety.
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Sec. 9519. Safety oversight of nontraditional and emerging rail technologies.
Sec. 9520. FRA safety inspector and specialist review.

Subtitle B—Grade Crossing Safety

Sec. 9551. Highway-rail grade crossing separation grants.
Sec. 9552. Rail safety public awareness grant.
Sec. 9553. Establishment of 10-minute time limit for blocking public highway-rail grade crossings.
Sec. 9554. National blocked crossing database.
Sec. 9555. Railroad point of contact for blocked crossing matters.
Sec. 9556. National highway-rail crossing inventory review.
Sec. 9557. Railroad trespassing enforcement grants.
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Sec. 9560. Report on safety measures required for Quiet Zones.

TITLE VI—MISCELLANEOUS

Sec. 9601. Rail network climate change vulnerability assessment.
Sec. 9602. Advance acquisition.
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Sec. 9604. Workforce diversity and development.
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DIVISION E—SPORT FISH RESTORATION, RECREATIONAL BOATING SAFETY, AND WILDLIFE RESTORATION

Sec. 9701. Short title.
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Sec. 10101. Safety warning for occupants of hot cars.
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Sec. 10103. 21st Century Smart Cars.
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Sec. 10108. Study and report on motor vehicle lamps.

DIVISION G—HIGHWAY TRUST FUND

Sec. 11001. Extension of Highway Trust Fund expenditure authority.
Sec. 11002. Additional transfers to Highway Trust Fund.

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' contained in any division of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—FEDERAL SURFACE TRANSPORTATION PROGRAMS FOR FISCAL YEAR 2022

SEC. 101. DEFINITIONS.

In this division, the following definitions apply:

(1) HIGHWAY ACCOUNT.—The term ''Highway Account'' means the portion of the Highway Trust Fund that is not the Mass Transit Account.

(2) MASS TRANSIT ACCOUNT.—The term ''Mass Transit Account'' means the portion of the Highway Trust Fund established under section 9503(e)(1) of the Internal Revenue Code of 1986.

(3) MEMBER DESIGNATED PROJECT.—The term ''member designated project'' means a project listed in the table in section 107.

(4) MEMBER DESIGNATED PROJECT FUNDS.—The term ''member designated project funds'' means funds reserved under subsections (d)(1)(B)(i), (f)(1)(A), and (g)(1)(A) to carry out member designated projects listed in the table in section 107(c).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(6) STATE.—The term ''State'' means the 50 States and the District of Columbia.

(7) TERRITORY.—The term ''territory'' means any of the following territories of the United States:

(A) American Samoa.

(B) The Commonwealth of the Northern Mariana Islands.

(C) Guam.

(D) The United States Virgin Islands.

SEC. 102. EXTENSION OF FEDERAL SURFACE TRANSPORTATION PROGRAMS.

(a) EXTENSION OF FEDERAL SURFACE TRANSPORTATION PROGRAMS.—

(1) IN GENERAL.—Unless otherwise provided in this division, the requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under the covered laws, which would otherwise expire on or cease to apply after September 30, 2021, are incorporated by reference and shall continue in effect through September 30, 2022.

(2) AUTHORIZATION OF APPROPRIATIONS.—

(A) HIGHWAY TRUST FUND.—

(i) HIGHWAY ACCOUNT.—

(I) IN GENERAL.—Except as provided in subclause (II), there is authorized to be appropriated from the Highway Account for fiscal year 2022, for each program under the covered laws with respect to which amounts are authorized to be appropriated from such account for fiscal year 2021, an amount equal to the amount authorized for appropriation with respect to the program from such account for fiscal year 2021.

(II) ADMINISTRATIVE EXPENSES.—Notwithstanding any other provision of this division, there is authorized to be appropriated from the Highway Account for fiscal year 2022—

(aa) $516,000,000 for administrative expenses of the Federal Highway Administration, as described in section 104(a) of title 23, United States Code; and

(bb) $30,086,000 for grant administrative expenses of the National Highway Traffic Safety Administration, as described in section 4001(a)(6) of the FAST Act (Public Law 114–94).

(ii) MASS TRANSIT ACCOUNT.—

(I) IN GENERAL.—There is authorized to be appropriated from the Mass Transit Account for fiscal year 2022, for each program under the covered laws with respect to which amounts are authorized to be appropriated from such account for fiscal year 2021, an amount equal to the amount authorized for appropriation with respect to the program from such account for fiscal year 2021.

(II) CONDITION FOR APPORTIONMENT.—No funds authorized in this division or any other Act may be used to adjust Mass Transit Account apportionments or withhold funds from Mass Transit Account apportionments pursuant to section 9503(e)(4) of the Internal Revenue Code of 1986 in fiscal year 2022.

(B) GENERAL FUND.—

(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), there is authorized to be appropriated for fiscal year 2022, for each program under covered laws with respect to which amounts are authorized to be appropriated for fiscal year 2021 from an account other than the Highway Account or the Mass Transit Account, an amount not less than the amount authorized for appropriation with respect to the program under the covered laws for fiscal year 2021.

(ii) ADMINISTRATIVE EXPENSES.—Notwithstanding any other provision of this division, there is authorized to be appropriated from the general fund of the Treasury for fiscal year 2022 $131,500,000 for necessary administrative expenses of the Federal Transit Administration.

(iii) CAPITAL INVESTMENT GRANTS.—Notwithstanding any other provision of this division, there is authorized to be appropriated from the general fund of the Treasury for fiscal year 2022 $3,250,000,000 to carry out section 5309 of title 49, United States Code.

(3) USE OF FUNDS.—Except as otherwise provided in this division, amounts authorized to be appropriated for fiscal year 2022 with respect to a program under paragraph (2) shall be distributed, administered, limited, and made available for obligation in the same manner as amounts authorized to be appropriated with respect to

the program for fiscal year 2021 under the covered laws.

(4) OBLIGATION LIMITATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a program for which amounts are authorized to be appropriated under paragraph (2)(A) shall be subject to a limitation on obligations for fiscal year 2022 in the same amount and in the same manner as the limitation applicable with respect to the program for fiscal year 2021 under the title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2021 (Public Law 116–260).

(B) FEDERAL-AID HIGHWAY AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS.—

(i) IN GENERAL.—Notwithstanding any other provision of this section, section 1102 of the FAST Act (Public Law 114–94), section 1101 of title I of division B of the Continuing Appropriations Act, 2021 and Other Extensions Act (Public Law 116–159), or title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2021 (Public Law 116–260), for fiscal year 2022, the obligations for Federal-aid highway and highway safety construction programs shall not exceed $46,400,294,311.

(ii) LIMITATION ON FEDERAL HIGHWAY ADMINISTRATION ADMINISTRATIVE EXPENSES.—Notwithstanding any other provision of this section, of the amount described in clause (i), for fiscal year 2022 an amount not to exceed $492,000,000 together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration or transferred to the Appalachian Regional Commission for administrative activities associated with the Appalachian Development Highway System.

(b) NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.—Section 117(d)(2)(A) of title 23, United States Code, is amended in the matter preceding clause (i)—

(1) by striking ''$600,000,000'' and inserting ''$700,000,000''; and

(2) by striking ''2021'' and inserting ''2022''.

(c) DISADVANTAGED BUSINESS ENTERPRISES.—Section 1101(b) of the FAST Act (Public Law 114–94) (except for the requirements related to gross receipts under paragraph (2)(A)(ii) of such section) shall apply to amounts made available under sections 102, 103, 104 of this division.

(d) DEFINITIONS.—In this section, the term ''covered laws'' means the following:

(1) Section 1101 of title I of division B of the Continuing Appropriations Act, 2021 and Other Extensions Act (Public Law 116–159).

(2) Titles I, III, IV, V, and VI of division A of the FAST Act (Public Law 114–94).

(3) Division A, division B, subtitle A of title I and title II of division C, and division E of MAP–21 (Public Law 112–141).

(4) Titles I, II, and III of the SAFETEA–LU Technical Corrections Act of 2008 (Public Law 110–244).

(5) Titles I, II, III, IV, V, and VI of SAFETEA–LU (Public Law 109–59).

(6) Titles I, II, III, IV, and V of the Transportation Equity Act for the 21st Century (Public Law 105–178).

(7) Titles II, III, and IV of the National Highway System Designation Act of 1995 (Public Law 104–59).

(8) Title I, part A of title II, title III, title IV, title V, and title VI of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240).

(9) Title 23, United States Code.

(10) Sections 116, 117, 330, and 5505 and chapters 53, 139, 303, 311, 313, 701, and 702 of title 49, United States Code.

SEC. 103. ADDITIONAL AMOUNTS FOR THE FEDERAL-AID HIGHWAY PROGRAM AND MEMBER DESIGNATED PROJECTS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—In addition to amounts authorized under section 102, there is authorized to be appropriated from the Highway Account for fiscal year 2022, for activities under this section, $14,742,808,640.

(2) CONTRACT AUTHORITY.—Amounts authorized to be appropriated under paragraph (1) shall be available for obligation as if apportioned under chapter 1 of title 23, United States Code.

(b) OBLIGATION AUTHORITY.—

(1) IN GENERAL.—

(A) AMOUNT.—Notwithstanding any other provision of law, for fiscal year 2022, obligations for activities authorized under subsection (a) shall not exceed $14,742,808,640.

(B) PERIOD OF AVAILABILITY.—

(i) IN GENERAL.—Except as provided in clause (ii), obligation authority made available under this paragraph shall—

(I) remain available until September 30, 2025; and

(II) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for fiscal year 2022 under section 102 or future fiscal years under any other provision of law.

(ii) EXCEPTION.—Except as provided in subsection (i)(2)(E), obligation authority associated with a member designated project shall remain available until expended.

(2) DISTRIBUTION OF OBLIGATION AUTHORITY.—

(A) IN GENERAL.—Of the obligation authority provided under paragraph (1), the Secretary shall make available to States, Tribes, Puerto Rico, the territories, and Federal land management agencies, during the period of fiscal year 2022, amounts of obligation authority equal to the amounts described in paragraphs (1) through (5) of subsection (c), respectively.

(B) FURTHER DISTRIBUTION.—Each State, each Tribe, Puerto Rico, each territory, and each Federal land management agency receiving funds under paragraphs (1) through (5) of subsection (c), respectively, shall receive an amount of obligation authority equal to the funds received under any of such paragraphs.

(c) DISTRIBUTION OF FUNDS.—Amounts authorized to be appropriated for fiscal year 2022 under subsection (a) shall be distributed as follows:

(1) $14,343,545,973 to the States.

(2) $167,481,814 to Tribes.

(3) $52,400,251 to Puerto Rico.

(4) $55,012,918 to the territories.

(5) $124,367,684 to Federal land management agencies.

(d) SUPPLEMENTAL STATE FUNDS.—

(1) DISTRIBUTION.—

(A) AMONG STATES.—Amounts distributed to States under subsection (c)(1) shall be distributed among the States in the same ratio as total State apportionments under section 104(c)(1) of title 23, United States Code, in fiscal year 2022.

(B) WITHIN A STATE.—Of the amount distributed to a State under subparagraph (A)—

(i) the amount specified in section 107 for each member designated project in the State shall be reserved to carry out such project; and

(ii) any remaining amount shall be available to the State under paragraph (2).

(2) TREATMENT.—Funds made available under paragraph (1)(B)(ii) shall be—

(A) available for activities eligible under section 133(b) of title 23, United States Code, subject to subsection (c) of such section; and

(B) administered as if apportioned under chapter 1 of title 23, United States Code.

(e) TRIBAL FUNDS.—Amounts distributed to Tribes under subsection (c)(2) shall be—

(1) available for activities eligible under the tribal transportation program under section 202 of title 23, United States Code; and

(2) administered as if allocated under section 202 of title 23, United States Code, except that the set-aside described in subparagraph (C) of section 202(b)(3) of such title and subsections (a)(6), (c), (d), and (e) of section 202 of such title shall not apply to such funds.

(f) PUERTO RICO FUNDS.—

(1) DISTRIBUTION.—Of the amount distributed to Puerto Rico under subsection (c)(3)—

(A) the amount specified in section 107 for each member designated project in Puerto Rico shall be reserved to carry out such project; and

(B) any remaining amount shall be available to Puerto Rico under paragraph (2).

(2) TREATMENT.—Funds made available under paragraph (1)(B) shall be—

(A) administered as if allocated under section 165(b) of title 23, United States Code;

(B) available for activities described under paragraph (2)(C)(iii) of such section; and

(C) not subsection to subparagraph (A) or (B) of paragraph (2) of such section.

(g) TERRITORIAL FUNDS.—

(1) DISTRIBUTION.—Of the amount distributed to a territory under subsection (c)(4)—

(A) the amount specified in section 107 for each member designated project in the territory shall be reserved to carry out such project;

(B) of amounts remaining after the distribution under subparagraph (A), not more than $1,392,918 shall be made available to American Samoa; and

(C) any remaining amount shall be available to the territories as described under paragraph (2).

(2) TREATMENT.—Funds made available under subparagraphs (B) and (C) of paragraph (1) shall be administered as if allocated under, and available for activities described under, section 165(c) of title 23, United States Code.

(h) FEDERAL LAND MANAGEMENT AGENCY FUNDS.—

(1) DISTRIBUTION.—Amounts distributed under subsection (c)(5) shall be distributed among the Federal land management agencies as follows:

(A) $99,494,147 for the National Park Service.

(B) $9,949,415 for the United States Fish and Wildlife Service.

(C) $6,301,296 for the United States Forest Service.

(D) $8,622,826 to be allocated to the remaining Federal land management agencies described in section 203(b) of title 23, United States Code.

(2) TREATMENT.—Funds made available under paragraph (1) shall be—

(A) available for activities eligible under the Federal lands transportation program under section 203 of title 23, United States Code; and

(B) administered as if allocated under section 203 of title 23, United States Code.

(i) MEMBER DESIGNATED PROJECTS.—

(1) TREATMENT.—

(A) IN GENERAL.—Member designated project funds shall be available until expended, except as specified in paragraph (2)(C)(iv).

(B) REQUIREMENTS.—

(i) IN GENERAL.—Except as specified in paragraph (2)(C)(iv) or clauses (ii) or (iii), member designated project funds shall be administered as if apportioned—

(I) for a project eligible under chapter 1 of title 23, United States Code, under such chapter;

(II) for a project eligible under chapter 2 of title 23, United States Code, under such chapter; or

(III) for a project eligible under chapter 53 of title 49, United States Code, under such chapter.

(ii) FEDERAL SHARE.—Notwithstanding any other provision of law, the Federal share of the cost of a project assisted with member designated project funds shall be determined in accordance with section 120 of title 23, United States Code, or, in the case of a transit capital project, may be determined in accordance with section 5323(i)(1) of title 49, United States Code, if applicable.

(iii) TRANSIT PROJECTS.—

(I) TRANSFERS.—Member designated project funds made available for transit capital and planning projects may be transferred to, and administered by, the Secretary in accordance with section 104(f) of title 23, United States Code.

(II) DESIGNATED RECIPIENTS.—Member designated project authorizations specified in section 107 distributed to a State for transit capital

and planning projects shall be made available for obligation to a designated or direct recipient or subrecipient under chapter 53 of title 49, United States Code, as specified in section 107 or, if no such eligible recipient is identified, to the designated recipient in the location specified in such section.

(2) REPURPOSING OF FUNDS.—

(A) IN GENERAL.—

(i) REQUEST.—Beginning on October 1, 2025, except as described in clause (ii), if less than 10 percent of the amount reserved for a member designated project for a State, Puerto Rico, or territory has been obligated, the State, Puerto Rico, or a territory, respectively, may submit to the Secretary, a request to use, under subparagraph (B)—

(I) the unobligated amount reserved for the member designated project; and

(II) the obligation authority that is associated with such amount.

(ii) COMPLETED PROJECTS.—If the project has been completed and an unobligated amount remains reserved for a member designated project, a State, Puerto Rico, or territory may submit to the Secretary certification that such project has been completed (and the Secretary shall verify such completion). Upon verification, the State, Puerto Rico, or territory, respectively, may use, under subparagraph (B)—

(I) the unobligated amount reserved for the member designated project; and

(II) the obligation authority that is associated with such amount.

(B) CONSIDERATIONS.—In making the determination under subparagraph (A)(i), the Secretary shall—

(i) consider whether the member designated project can be completed with the amount reserved for the member designated project and other committed funds;

(ii) determine whether the public entity serving as the project sponsor listed in the Committee Report, or any subsequent report superceding such Committee Report, accompanying this Act supports the proposed repurposing; and

(iii) ensure that the proposed repurposing would be used for a project with the same eligible project type.

(C) TREATMENT.—Funds for which the Secretary approves a request or verifies a completed project under subparagraph (A)—

(i) may be used and shall be treated—

(I) for a request by a State, as if such amount was made available under subsection (d)(1)(B)(ii);

(II) for a request by Puerto Rico, as if such amount was made available under subsection (f)(1)(B); and

(III) for a request by a territory, as if such amount was made available under subsection (g)(1)(C);

(ii) shall be used within the location described in subparagraph (D)(ii);

(iii) shall be subject to the Federal share specified in section 120 of title 23, United States Code, or, in the case of a transit capital project, may be determined in accordance with section 5323(i)(1) of title 49, United States Code, as applicable; and

(iv) notwithstanding paragraph (1)(A)(ii), shall remain available for obligation for a period of 3 fiscal years after the last day of the fiscal year in which the Secretary approves the request.

(D) LOCATION OF PROJECTS.—Funds for which the Secretary approves a request under subparagraph (A) shall—

(i) for funds specified in section 107 to be used within a metropolitan planning area (as such term is defined in section 134(b) of title 23, United States Code), applied to an activity within or predominantly serving such metropolitan area;

(ii) for funds specified in section 107 to be used within a political subdivision of a State, applied to an activity within or predominantly serving such political subdivision;

(iii) for funds specified in section 107 to be used within Puerto Rico, applied to an activity within Puerto Rico; and

(iv) for funds specified in section 107 to be used within a territory, applied to an activity within such territory.

(E) OBLIGATION AUTHORITY.—Notwithstanding subsection (b)(1)(B)(ii), obligation authority that is repurposed under this paragraph shall remain available for obligation for a period of 3 fiscal years after the last day of the fiscal year in which the Secretary approves the request or verifies the completed project under subparagraph (A).

SEC. 104. FEDERAL TRANSIT ADMINISTRATION.

(a) ALL STATIONS ACCESSIBILITY PROGRAM.—

(1) IN GENERAL.—The Secretary may make grants under this subsection to assist eligible entities in financing capital projects to upgrade accessibility for persons with disabilities by increasing the number of covered stations that meet (including exceeding) the new construction standards of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.).

(2) ELIGIBLE COSTS.—A grant awarded under this section shall be used on a covered system for the purpose described in paragraph (1) only—

(A) for a project to repair, improve, or relocate station infrastructure at a covered station;

(B) to develop or modify a plan for pursuing public transportation accessibility projects; or

(C) to carry out other projects at covered stations that meet (including exceeding) the new construction standards of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.).

(3) ELIGIBLE FACILITIES.—The Secretary—

(A) may not provide a grant awarded under this subsection to upgrade a station that is accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, consistent with current new construction standards under title II the Americans with Disabilities Act of 1990 (42 U.S.C. 1231 et seq.); and

(B) may provide a grant to upgrade a station that is not accessible and usable as described in paragraph (1), even if related services, programs, or activities, when viewed in entirety, are readily accessible and usable as so described.

(4) APPLICATION.—To apply for a grant under this subsection, an applicant shall provide to the Secretary such information as the Secretary may require, including, at a minimum, information on—

(A) the extent to which the proposed project will increase the accessibility of a covered system;

(B) projected improvements in access to jobs, community activities, and essential destinations provided by such project;

(C) the applicant's plans to—

(i) enhance the customer experience and maximize accessibility of rolling stock and stations for individuals with disabilities;

(ii) improve the operations of, provide efficiencies of service to, and enhance the public transportation system for individuals with disabilities; and

(iii) address equity of service to all riders regardless of ability, including for riders of differing abilities that are low-income, seniors, or riders from communities of color; and

(D) coordination between the applicant and disability advocacy entities.

(5) FEDERAL SHARE.—The Federal share of the net project cost of a grant provided under this subsection shall be 90 percent. The recipient may provide additional local matching amounts.

(6) GRANT REQUIREMENTS.—Except as otherwise provided under this subsection, a grant provided under this subsection shall be subject to the requirements of section 5307 of title 49, United States Code.

(7) GRANT SOLICITATION.—The Secretary may provide funds authorized under this subsection through 1 or more notices of funding opportunity.

(8) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the Mass Transit Account $1,000,000,000 for fiscal year 2022 to provide grants under this subsection.

(9) AVAILABILITY OF AMOUNTS.—Amounts made available under this subsection—

(A) shall remain available for 4 fiscal years after the fiscal year for which the amount is made available; and

(B) that remain unobligated at the end of the period described in subparagraph (A) shall be made available to other eligible projects.

(10) DEFINITIONS.—In this section:

(A) COVERED STATION.—The term ''covered station'' means a rail fixed guideway public transportation station for passenger use constructed prior to the date of enactment of this Act.

(B) COVERED SYSTEM.—The term ''covered system'' means a rail fixed guideway public transportation system that was in operation before July 26, 1990.

(C) DISABILITY.—The term ''disability'' has the meaning given such term in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

(D) ELIGIBLE ENTITY.—The term ''eligible entity'' means a State or local governmental authority that operates a rail fixed guideway public transportation system that was in operation before July 26, 1990.

(b) REDUCING TRANSIT DESERTS.—

(1) IN GENERAL.—The Secretary may make grants under this subsection to eligible recipients for eligible projects to establish new bus service or increase the frequency of bus service.

(2) ELIGIBLE PROJECTS.—Eligible projects under this subsection are projects in eligible areas—

(A) to establish or enhance bus service with headways equal to or shorter than 20 minutes for at least 18 hours per day in neighborhoods lacking such service;

(B) to establish or increase express lane transit service that connects communities to jobs and essential destinations, as long as such service will improve mobility or expand affordable transportation options in underserved communities; or

(C) to establish or enhance high-quality bus service to community colleges and Minority Serving Institutions, including Historically Black Colleges and Universities.

(3) ELIGIBLE COSTS.—Eligible costs under this section include—

(A) acquisition of vehicles;

(B) acquisition, installation, and construction of bus stops, stations, and related infrastructure;

(C) construction or expansion of maintenance facilities to support the new or enhanced service;

(D) maintenance activities to support the expanded service; and

(E) operating expenses for up to 2 years beginning on the first day of revenue service.

(4) APPLICATION.—To apply for a grant under this subsection, an applicant shall provide to the Secretary such information as the Secretary may require, including information on the extent to which the project will—

(A) provide reliable and frequent connections to jobs, education and workforce training, and essential destinations;

(B) reduce air pollution and greenhouse gas emissions; and

(C) support unserved and underserved populations and communities.

(5) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of the net project cost of a capital project carried out using a grant under this subsection shall be 80 percent. The recipient may provide additional local matching amounts.

(B) OPERATING COSTS.—The Federal share of net operating costs for a project carried out

using a grant under this subsection shall be not more than 50 percent.

(6) GRANT REQUIREMENTS.—

(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of section 5307 of title 49, United States Code, for eligible recipients, except operating expenses shall be eligible for funding under this subsection for 2 years beginning on the first day of revenue service in urbanized areas with populations greater than 200,000.

(B) NEW OR ENHANCED SERVICE.—The new or enhanced service funded under this subsection shall be operated for a period of at least 5 years.

(7) GRANT SOLICITATION.—The Secretary may provide funds authorized under this subsection through 1 or more notices of funding opportunity.

(8) JUSTICE40 INITIATIVE.—In making competitive grants under this subsection, the Secretary shall, to the extent practicable, have a goal that 40 percent of the overall benefits of the Federal investment flow to disadvantaged communities, consistent with sections 219 and 223 of Executive Order 14008 and related regulations, Executive Orders, and administrative guidance.

(9) AVAILABILITY OF AMOUNTS.—Any amounts made available under this subsection—

(A) shall remain available for 2 fiscal years after the fiscal year for which the amount is made available; and

(B) that remain unobligated at the end of the period described in subparagraph (A) shall be made available to other eligible projects.

(10) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Mass Transit Account $1,000,000,000 for fiscal year 2022 to provide grants under this subsection.

(11) DEFINITIONS.—In this subsection:

(A) ELIGIBLE AREA.—The term ''eligible area'' means a neighborhood or service area, as defined by the Secretary, within an urbanized area that has a population of more than 100,000 where fewer than 45,000 annual fixed route bus vehicle revenue miles per square mile are operated.

(B) ELIGIBLE RECIPIENT.—The term ''eligible recipient'' means—

(i) designated recipients that allocate funds to fixed route bus operators or express lane transit operators; or

(ii) State or local governmental entities that operate or propose to operate fixed route bus service or express lane transit.

(C) EXPRESS LANE TRANSIT.—The term ''express lane transit'' means an integrated combination of bus rapid transit and tolled managed lanes that allows for limited access entry of toll paying vehicles to restricted lanes, while prioritizing transit's need and use of available capacity in order to improve transit performance.

(c) FEDERAL SHARE ADJUSTMENTS.—

(1) IN GENERAL.—In addition to amounts made available under section 5338(b) of title 49, United States Code, and section 102(a)(2)(B)(iii) of this division, there are authorized to be appropriated for fiscal year 2022 such sums as may be necessary to increase the Federal share, at the request of the project sponsor, of a new fixed guideway, a core capacity improvement, or a small starts project that is not open to revenue service and that has received an allocation of funding in fiscal years 2019, 2020, or 2021.

(2) CRITERIA.—In making allocations under subparagraph (1), the Secretary shall take into consideration the extent to which the project sponsor demonstrates a need for a higher Federal share, including the extent to which—

(A) a project sponsor made a local financial commitment that exceeded 20 percent of the cost of the project; and

(B) a project sponsor has experienced, as a result of the coronavirus public health emergency.

(3) ADJUSTMENT.—Notwithstanding any other provision of law, if a project meets 1 or both of the criteria in paragraph (2), the Secretary shall increase the Federal share of a project under this section by up to 30 percent, up to a maximum of an 80 percent Federal share.

(4) AMOUNT.—Amounts distributed under this subsection shall be provided notwithstanding the limitation of any calculation of the maximum amount of Federal financial assistance for the project for a new fixed guideway, a core capacity improvement, or a small start project.

SEC. 105. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION.

(a) SPECIAL FUNDING FOR FISCAL YEAR 2022.—

(1) IN GENERAL.—

(A) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized under section 102, there is authorized to be appropriated from the Highway Account for fiscal year 2022, for activities under this subsection, $244,514,000.

(B) CONTRACT AUTHORITY.—Amounts authorized under subparagraph (A) shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(C) OBLIGATION LIMITATION.—Notwithstanding any other provision of law, for fiscal year 2022, obligations for activities authorized under this paragraph and obligations for activities authorized under section 102(a)(2)(A)(i)(II)(bb) that exceed amounts authorized under section 4001(a)(6) of the FAST Act (Public Law 114–94) shall not exceed $247,783,000.

(2) DISTRIBUTION OF FUNDS.—Amounts authorized to be appropriated for fiscal year 2022 under paragraph (1) shall be distributed as follows:

(A) $105,000,000 for carrying out section 402 of title 23, United States Code.

(B) $15,312,000 for carrying out section 403 of title 23, United States Code.

(C) $19,202,000 for carrying out section 404 of title 23, United States Code.

(D) $105,000,000 for carrying out section 405 of title 23, United States Code.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Notwithstanding the apportionment formula set forth in section 402(c)(2) of title 23, United States Code, and section 403(f)(1) of title 23, United States Code, $2,500,000 of the total amount available for apportionment to the States for highway safety programs under section 402(c)(2) of title 23, United States Code, fiscal year 2022, shall be available for expenditure by the Secretary, acting through the Administrator of the National Highway Traffic Safety Administration, for a cooperative research and evaluation program to research and evaluate priority highway safety countermeasures.

SEC. 106. FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION.

(a) SPECIAL FUNDING FOR FISCAL YEAR 2022.—

(1) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—In addition to amounts authorized under section 102, there is authorized to be appropriated from the Highway Account for fiscal year 2022, for activities under this subsection, $209,900,000.

(B) OBLIGATION LIMITATION.—Notwithstanding any other provision of law, for fiscal year 2022, obligations for activities authorized under this paragraph shall not exceed $209,900,000.

(2) DISTRIBUTION OF FUNDS.—Amounts authorized to be appropriated for fiscal year 2022 under paragraph (1) shall be distributed as follows:

(A) Subject to section 31104(c) of title 49, United States Code—

(i) $80,512,000 for carrying out section 31102 (except subsection (l)) of title 49, United States Code);

(ii) $14,208,000 for carrying out section 31102(l) of title 49, United States Code; and

(iii) $23,680,000 for carrying out section 31313 of title 49, United States Code.

(B) $91,500,000 for carrying out section 31110 of title 49, United States Code.

(3) TREATMENT OF FUNDS.—Amounts made available under this section shall be made available for obligation and administered as if made available under chapter 311 of title 49, United States Code.

(b) ADMINISTRATIVE EXPENSES.—The Administrator of the Federal Motor Carrier Safety Administration shall ensure that funds made available under subsection (a)(2)(B) are used, to the maximum extent practicable, to support—

(1) the acceleration of planned investments to modernize the Administration's information technology and information management systems;

(2) the completion of outstanding statutory mandates required by MAP–21 (112–141) and the FAST Act (114–94); and

(3) a Large Truck Crash Causal Factors Study of the Administration.

SEC. 107. MEMBER DESIGNATED PROJECT AUTHORIZATIONS.

(a) MEMBER DESIGNATED PROJECTS.—The amount listed for each member designated project in the table in subsection (c) shall be available (from amounts made available by paragraphs (1), (3), and (4) of section 103(c)) for fiscal year 2022 to carry out each such project.

(b) SAVINGS CLAUSE.—

(1) ADDITIONAL INFORMATION.—In administering member designated projects, the Secretary shall consider the additional information provided in the Committee Report, or any subsequent report superceding such Committee Report, accompanying this Act.

(2) SUBSEQUENT PHASES.—

(A) IN GENERAL.—Subject to subparagraph (B), nothing in the table in subsection (c), or in the Committee Report, or any subsequent report superceding such Committee Report, accompanying this Act, shall prevent the Secretary, at the discretion of the Secretary, from allowing a subsequent phase of a member designated project to be carried out with funds reserved for such project under subsection (c).

(B) PROJECT SPONSOR CONCURRENCE.—The Secretary shall only allow under this paragraph a subsequent phase of a member designated project to be carried out with funds reserved for such project under subsection (c) with the concurrence of the project sponsor for such project listed in the Committee Report, or any subsequent report superseding such Committee Report, accompanying this Act.

(3) REPURPOSING.—Nothing in the table in subsection (c), or the Committee Report, or any subsequent report superceding such Committee Report, accompanying this Act, shall prevent funds reserved for a member designated project from being repurposed as described in section 103(i)(2), provided that all requirements in such section are satisfied.

(c) PROJECT DESIGNATIONS.—The table in this subsection is as follows:

No.	Project Name	City	State/Territory	Amount
1	Cowles Street Reconstruction	Fairbanks	AK	7,955,000
2	Replace Bridge 114.3	Anchorage	AK	6,421,200
3	Seldon Road Extension, Phase 2	Wasilla	AK	5,623,800

No.	Project Name	City	State/Territory	Amount
4	Alabama State Highway 77 Northbound Bridge Replacement Project	Southside	AL	2,396,200
5	Lighting and Landscaping on I–85 at Exit 57	Auburn	AL	1,840,000
6	Realignment of SR–22 to US–431	Roanoke	AL	8,005,000
7	Red Bay Interchange Lighting at SR–24 (Corr V) and SR–19	Red Bay	AL	860,000
8	Widening of Hwy 411	Moody	AL	509,000
9	Bridge Replacement on CR–39	Montgomery	AL	2,339,717
10	Bridge Replacement over Sipsey River	Greene and Pickens Counties	AL	3,296,963
11	Dallas County—Bridge Replacement on SR–14	Dallas County	AL	6,239,939
12	Resurfacing on US–43	Marengo County	AL	1,616,000
13	Resurfacing on US–84	Choctaw County	AL	1,616,000
14	Streetscape—Civil Rights District Freedom Trail	Birmingham	AL	2,000,000
15	Streetscape—Richard Arrington Blvd Safety Improvements	Birmingham	AL	1,969,664
16	Future I–57	Clay County	AR	20,000,000
17	56th Street Roadway Mobility and Safety Improvements	Phoenix	AZ	5,000,000
18	5th/6th Street Complete Streets Project	Tucson	AZ	7,000,000
				3,500,000
				3,500,000
19	77th Street Access Improvements	Scottsdale	AZ	1,102,748
20	Chino Road Extension Phase II	Douglas	AZ	2,910,000
21	Cool Pavement Program	Phoenix	AZ	3,200,000
22	Davis Road Mileposts 5 & 13	Tombstone and McNeal	AZ	4,000,000
23	Downtown Electric Vehicle Charging Stations	Phoenix	AZ	2,400,000
24	Drexel Road Extension and Bridge Project	Tucson	AZ	5,000,000
25	Electric Bus Infrastructure	Flagstaff	AZ	1,485,000
26	Flashing Yellow Arrow (FYA) Phase III	Glendale	AZ	800,000
27	Grand Canalscape Improvements Phase IV: 47th Avenue to Interstate 17	Phoenix	AZ	5,000,000
28	Highline Canal Recreational Path Lighting Replacement	Guadalupe	AZ	501,824
29	I–10, Loop 202 to SR 387	Phoenix	AZ	5,000,000
30	Intersection Safety Improvements at Six High-Crash Locations in Phoenix	Phoenix	AZ	5,760,000
31	Kyrene Branch Canal Shared Use Path	Chandler	AZ	1,758,000
32	Lone Tree Corridor	Flagstaff	AZ	8,000,000
33	Pathway Project, Baffert Dr to Nogales High School	Nogales	AZ	1,220,169
34	Peters Road Widening	Casa Grande	AZ	5,000,000
35	San Xavier Road Pedestrian Pathway Project	Tucson	AZ	814,000
36	Sonoran Corridor Tier II EIS	Tucson	AZ	5,000,000
37	South Campbell Avenue Complete Streets Project	Tucson	AZ	6,209,831
38	Tempe/Mesa Streetcar Rio Salado East Extension	Tempe and Mesa	AZ	4,000,000
39	Tucson Regional North-South Bus Rapid Transit (BRT) Corridor	Tucson	AZ	6,512,000
				3,256,000
				3,256,000
40	US89/ Lake Powell Blvd Roundabout	Page	AZ	5,000,000
				2,500,000
				2,500,000
41	California State Route 57/60 Confluence Chokepoint Relief Program	Diamond Bar	CA	18,000,000
42	Cohasset Road Widening and Fire Safety Project	Cohasset	CA	900,000
43	Commerce Center Drive Bridge, Los Angeles County	Unincorporated Los Angeles County	CA	3,666,666
44	Creating the Next-Generation Santa Ana Regional Transportation Center	Santa Ana	CA	1,280,000
45	First Avenue Bridges Replacement over Mojave River and Overflows	Barstow	CA	7,000,000
46	First Street Pedestrian Improvements	Santa Ana	CA	4,000,000
47	Fix 5 Cascade Gateway	Redding	CA	15,000,000
48	Harbor Boulevard Street Improvements	Garden Grove	CA	6,248,303
49	Intersection Safety Improvements Projects	Anaheim	CA	750,000
50	Interstate 10/Wildwood Canyon Road Interchange Project	Yucaipa	CA	1,000,000
51	Interstate 15 (I–15)/State Route 78 (SR–78) Managed Lanes Project	Escondido	CA	20,000,000
52	Interstate 15 Corridor Operations Project	Corona	CA	3,000,000
53	National Trail Highway Widening	Victorville	CA	5,000,000
54	Plant 42 Access and Safety Enhancements	Palmdale	CA	8,666,666
55	Quick Fix Circulation Improvement Project	Santa Clarita	CA	3,666,666
56	Roe Road Extension Project—Phase 1	Paradise	CA	1,800,000
57	Scott Road/Bundy Canyon Road Widening Project	Menifee	CA	12,000,000
58	Sequoia Avenue Railroad Grade Crossing Upgrade	Simi Valley	CA	4,000,000
59	Southgate Interchange (EIR Only)	Chico	CA	1,800,000
60	SR–210 5th Street Interchange	Highland	CA	3,000,000
61	State Route 41 Excelsior Corridor Project	Fresno County	CA	20,000,000
62	Temescal Canyon Road Widening Project (El Cerrito Segment)	Corona	CA	5,000,000
63	The Anaheim Way: Night Owl Transit Service	Anaheim	CA	650,000
64	Transit Security & Operations Center	Anaheim	CA	5,000,000
65	US395 Olancha-Cartago 4 Lane Project	Olancha, Cartago	CA	2,000,000
66	''I'' Street Operating Maintenance Facility Rehabilitation Project	San Bernardino	CA	2,000,000
67	Street Resurfacing Project	Daly City	CA	1,000,000
68	5 and 134 Freeway Electric Vehicle DC Fast Charging Network	Burbank	CA	1,000,000

No.	Project Name	City	State/Territory	Amount
				500,000
				500,000
69	7th Street Bridge	Modesto	CA	6,500,000
70	ADA Curb-Ramp and Sidewalk Improvements	Long Beach	CA	1,450,000
71	Additional Mini Highs at Caltrain Stations	San Francisco, Burlingame, San Mateo, Belmont, Palo Alto, Mountain View, Sunnyvale, San Jose, Morgan Hill, San Martin, and Gilroy	CA	856,000
				306,000
				550,000
72	Agnew Siding Track Infrastructure Project	Santa Clara	CA	6,610,000
73	Alder Avenue Improvements at SR–210	Rialto	CA	2,380,000
74	Altadena Community Safe Routes to School Plan	Altadena	CA	480,000
75	Amar Road Complete Streets from Baldwin Park Boulevard to Unruh Avenue, Unincorporated West Puente Valley, CA	La Puente	CA	2,250,000
76	Anaheim Street Corridor Improvements	Long Beach	CA	12,000,000
77	Antioch Bicycle Garden	Antioch	CA	2,000,000
78	Appian Way Pedestrian Crossing Enhancements	El Sobrante	CA	2,000,000
79	Arcade-Cripple Creek Trail (formerly Electric Greenway Trail)	Citrus Heights and Orangevale	CA	1,100,000
80	Arrow Highway Median Island Installation Project from Azusa Avenue to Citrus Avenue	Azusa	CA	3,000,000
81	Arrow Highway Rehabilitation Project from East City Limit to West City Limit	San Dimas	CA	1,600,000
82	Artesia Great Boulevard	Long Beach	CA	8,000,000
83	At-grade Caltrain Crossing Safety Project—E. Bellevue Avenue and Villa Terrace	San Mateo	CA	3,000,000
84	Atlantic Avenue Improvements	Los Angeles	CA	5,200,000
85	Atwater-Merced Expressway (AME) Phase 1B Right of Way acquisition	Merced	CA	2,000,000
86	Azusa Avenue Pedestrian Handicap Accessibility & Signal Synchronization Improvements Project	West Covina	CA	3,000,000
87	Bay Bridge Forward – I–80/Powell Street Transit Access and I–80 Westbound Bus Lane Extension	Emeryville and Oakland	CA	3,000,000
88	Bay Trail at Shoreline Park	San Leandro	CA	3,000,000
89	Bay Trail Connectivity—Vista Point Bay Trail	Sausalito	CA	1,300,000
90	Belmont Alameda de las Pulgas Corridor Project	Belmont	CA	2,400,000
91	Beverly and Robertson Boulevards Complete Street Improvements	West Hollywood	CA	3,000,000
92	Boulder Creek Complete Streets Improvements Project	Boulder Creek	CA	1,500,000
93	Broadway Rehabilitation Project	Glendale	CA	2,008,000
94	Build a non-motorized multi-use path along State Route 1, connecting the communities of Morro Bay and Cayucos in San Luis Obispo County	Cayucos	CA	4,000,000
95	Bus/Rail Support Facilities and Equipment (Trolley Yard Expansion Project)	San Diego	CA	2,000,000
96	Cabrillo Mole Phase II	Avalon	CA	6,700,000
97	Caltrain Crossing Optimization Project	San Jose	CA	315,000
98	Camino Pablo Pathway Rehabilitation Project	Orinda	CA	528,000
99	Capital SouthEast Connector—Segment D3 Class 1 Multi-Use Path and Broadband	Folsom	CA	2,000,000
100	Central Avenue Safety Improvement Project – Additional Roundabout	Alameda	CA	1,800,000
101	Central Mobility Hub Pre-Construction Project	San Diego	CA	25,000,000
				12,500,000
				12,500,000
102	Chandler Blvd Bike Path Gap Closure	Los Angeles	CA	400,000
103	Chapman Avenue/Lamplighter Street Traffic Signal	Garden Grove	CA	400,000
104	Chip Seal Program	Lakeport	CA	2,288,000
105	City of Ojai Electric Trolley	Ojai	CA	440,000
106	City of San Fernando Fixed Trolley Service – Electric Buses	City of San Fernando	CA	1,340,000
107	City of San Fernando Sidewalk Repair Project	City of San Fernando	CA	844,800
108	City of Vista Sidewalk Improvement Project on Nevada Avenue and Lemon Avenue	Vista	CA	820,368
109	Community Beautification Project	Glendale	CA	2,400,000
110	Cool Neighborhood Projects	Los Angeles	CA	1,000,000
111	Covina Grade Crossing Safety Projects throughout Metrolink Corridor	Covina	CA	3,000,000
112	Cudahy Citywide Complete Streets Improvement Project	Cudahy	CA	1,700,000
113	CUFC—Washington Street Widening Project	Stockton	CA	1,200,000
114	Culver CityBus Fleet Electrification Facility Infrastructure	Culver City	CA	3,500,000
115	Del Amo Boulevard Bridge Replacement and Signal Enhancements Project	Cerritos	CA	18,000,000
116	Destination Crenshaw Streetscape Improvement Project	Los Angeles	CA	7,600,000
117	Downtown Mobility Phase 3A	San Diego	CA	5,600,000
118	Duarte—Donald & Bernice Watson Multi-Use Pathway Improvement Project	Duarte	CA	1,225,000
119	East Bayshore Road Safety Improvements	East Palo Alto	CA	1,000,000
120	East Los Angeles Community Mobility	Los Angeles	CA	800,000
121	East Oakland Hydrogen Fueling Upgrade	Oakland	CA	2,000,000

No.	Project Name	City	State/Territory	Amount
122	East San Fernando Valley Traffic Signals on the High Injury Network	Van Nuys and North Hollywood	CA	1,797,312
123	East San Fernando Valley Transit Corridor (ESFVTC) Transit-Oriented Community (TOC) Plan	Van Nuys, Arleta, Pacoima	CA	1,236,000
124	East San Fernando Valley Transit Corridor Project	City of San Fernando to Van Nuys	CA	10,000,000
125	East San Jose Corridor Safety Improvement Project	San Jose	CA	4,700,000
126	El Camino Real to Via De LaValle	San Diego	CA	2,500,000
127	El Cerrito del Norte Area TOD Complete Streets Improvements Project	El Cerrito	CA	2,244,000
128	Electric Vehicle Car Share Program	San Pedro	CA	120,650
129	Elm Avenue Road Diet Reconstruction and Class IV-Ventura/California to North Avenue	Fresno	CA	3,750,000
130	Embarcadero Station Platform Elevator Capacity and Redundancy Project	San Francisco	CA	6,250,000
131	Emerald Necklace Quarry Clasp Peck Park Trail	Arcadia	CA	1,548,800
132	Evelyn Avenue Multi-Use Trail	Sunnyvale	CA	3,800,000
133	Flint Canyon Trail Repair/Restoration	La Cañada Flintridge	CA	4,800,000
134	Florence A Line FLM Improvements	Los Angeles	CA	4,000,000
135	Francisquito Avenue Metrolink At-Grade Safety Improvements	Baldwin Park	CA	2,300,000
136	Gardena GTrans Zero-Emission Bus Project	Gardena	CA	4,400,000
137	Garfield Avenue Complete Streets	San Pedro	CA	1,500,000
138	Glendora People Movement	Glendora	CA	5,000,000
139	Gold Line Light Rail Low Floor Station Conversion	Folsom and Rancho Cordova	CA	1,913,788
140	Golden Gate Bridge Physical Suicide Deterrent System (SDS) Project	San Francisco	CA	6,550,000
141	Hale Avenue/Santa Teresa Expressway Extension Phase 2A	Morgan Hill	CA	800,000
142	Harbor Drive 2.0	San Diego and National City	CA	800,000 400,000 400,000
143	Hawthorne—120th Street Improvement Project	Hawthorne	CA	950,000
144	High Voltage Conversion Fed Program Unit 2	City of Los Angeles	CA	347,200
145	Highland Avenue and Wabash Avenue Intersection Improvement Project	Redlands	CA	400,000
146	Highway 1 North Bicycle/Pedestrian Improvements Project	Half Moon Bay	CA	1,000,000
147	Highway 116/West Cotati Intersection Safety Improvement Project	Cotati	CA	2,000,000
148	Highway 24 LaMorinda Smart Signal System project	Orinda and Lafayette	CA	2,000,000
149	Highway 9 Safety Improvement Project	Monte Sereno	CA	520,000
150	Highways to Boulevards	Los Angeles	CA	480,000
151	I Street Bridge Replacement Project	Sacramento and West Sacramento	CA	15,000,000
152	I–405 Sepulveda Pass (Phase 1) ExpressLanes	Los Angeles	CA	5,000,000
153	I–505 Vaca Valley Parkway Corridor Multimodal Improvements Project	Vacaville	CA	4,000,000
154	Inglewood Transit Connector (ITC)	Inglewood	CA	9,200,000
155	Interstate 15 Northern Extension (I–15 NEXT)	Jurupa Valley and Eastvale	CA	20,000,000
156	Jepson Parkway Vanden Road Complete Streets Project to Travis Air Force Base	Fairfield	CA	7,460,000
157	LA Streetcar Power Utility Relocations	Los Angeles	CA	2,000,000
158	Lawndale—Redondo Beach Blvd Project	Lawndale	CA	1,000,000
159	Leesdale Passing Siding Extension and Upgrade, Ventura County, CA	Camarillo	CA	6,000,000
160	Leucadia Streetscape Phase 2 (Shown in the TransNet as North Coast Highway 101 Beautification)	Encinitas	CA	4,000,000
161	Liberty Canyon (Crossing)	Agoura Hills	CA	5,000,000
162	Link Union Station	Los Angeles	CA	5,000,000
163	Los Nietos Sunshine Shuttle Electric Bus Replacement	Unincorporated Los Nietos	CA	480,000
164	LOSSAN Corridor Improvements	Del Mar	CA	12,500,000
165	Malaga Bridge Project	Fontana	CA	15,000,000
166	Market Avenue Complete Street	N. Richmond	CA	2,170,000
167	Melrose Avenue Complete Street Improvements	West Hollywood	CA	4,944,149
168	Metro Purple Line Beverly/Wilshire North Portal Project	City Beverly Hills	CA	5,000,000
169	Middle Avenue Pedestrian/Bicycle Rail Crossing Project	Menlo Park	CA	6,500,000
170	Mission Bl/ Pine St Safety Improvement Project	Fremont	CA	2,000,000
171	Mobility for All Project	N. Richmond and Bay Point	CA	2,000,000
172	Mobility Wallet Demonstration and Research Study	Los Angeles County	CA	4,000,000
173	Monroe Street Interchange Project	Indio	CA	20,000,000
174	Napa Valley Vine Trail—Yountville to St. Helena	St. Helena	CA	3,000,000
175	New Traffic Signal at Morrison and Sepulveda	Los Angeles	CA	710,000
176	New Traffic Signal at Plummer and White Oak Avenue	Los Angeles	CA	710,400
177	New Traffic Signal at Scott Creek Rd/ Zinfandel St	Fremont	CA	950,000
178	New Transit Maintenance Facility	Commerce	CA	2,000,000
179	North San Jose Bike Plan Implementation	San Jose	CA	3,838,348
180	Oakland 7th St Bike/Ped Improvements	Oakland	CA	2,500,000
181	Oakland Alameda Access Project	Oakland and Alameda	CA	2,996,000
182	Ojai Avenue Pedestrian Crossing Safety Lighting Improvements	Ojai	CA	440,000
183	Old I Street Bridge Deck Conversion for Active Transportation Project	West Sacramento	CA	4,150,000
184	Old Town Streetscape Phase 2	Elk Grove	CA	2,000,000
185	Olive/Magnolia Bridge Safety Barrier Rail Project	Burbank	CA	2,000,000

No.	Project Name	City	State/Territory	Amount
186	Otay Mesa Truck Route Phase 4	San Diego	CA	1,300,000
187	Overlook and Viewpoint Improvements to end of Mouth of Smith River Road	Smith River	CA	500,000
188	Pacific Coast Highway at Crenshaw Boulevard Intersection Capacity Enhancements	City of Torrance	CA	652,800
189	Parkway Drive and Merced Street Bicycle and Pedestrian Improvements	El Monte	CA	2,600,000
190	Pedestrian, ADA, Traffic Signal and Pavement Improvements along Bus Routes	Temple City	CA	6,200,000
191	Pine Avenue Extension	Chino	CA	5,000,000
192	Port of Hueneme Intermodal Improvement Project to Modernize the Port Wharf and Pier and Cargo Facilities	Oxnard	CA	3,000,000
193	Port of Oakland Solar, Battery Storage and Electric Vehicle Truck Charger Deployment	Oakland	CA	1,000,000
194	Puddingstone Drive Bicycle and Pedestrian Project	La Verne	CA	998,000
195	Purchase of eleven Battery-Electric Buses—SLORTA	San Luis Obispo	CA	5,000,000
196	Quint-Jerrold Connector Road	San Francisco	CA	7,200,000
197	Rail to Rail/River Active Transportation Corridor Project	Los Angeles	CA	5,000,000
198	Reche Canyon Road Alignment	Colton	CA	4,452,000
199	Replacement of 2nd Street Bridge over Warm Creek	San Bernardino	CA	2,000,000
200	Resilient State Route 37 Corridor Enhancement Program	Sonoma	CA	7,000,000
201	Richmond Parkway Transit Center and Freeway Access Improvements	Richmond	CA	1,000,000
202	San Fernando Road Bike Path Phase III	Sun Valley and North Hollywoood	CA	594,027
203	San Francisco Bay Area Rapid Transit (BART) Station Restroom and Lighting Enhancements	Oakland, San Leandro, Berkeley	CA	3,000,000
204	San Francisco Bay Area regional advance mitigation program	Alameda, Contra Costa, and Santa Clara counties	CA	5,000,000
205	San Pablo Avenue Rehabilitation, City Limits to Pinole Shores	Pinole	CA	742,000
206	San Rafael Channel Crossing Swing Bridge	San Rafael	CA	2,000,000
207	Santa Cruz METRO Bus Replacements	Santa Cruz	CA	1,840,000
208	Santa Cruz Paratransit Vans Replacement Project	Santa Cruz	CA	505,750
209	Saratoga Pedestrian Walkway Project	Saratoga	CA	1,200,000
210	Scotts Creek Coastal Resiliency Project	Unincorporated Santa Cruz County north of Davenport	CA	3,500,000
211	Sepulveda Transit Corridor	City of Los Angeles	CA	10,000,000 5,000,000 5,000,000
212	Serramonte Boulevard and Serramonte Center Driveway Traffic Signal	Colma	CA	400,000
213	Sharp Park Priority Development Area (PDA) Access Resurfacing Project	Pacifica	CA	960,000
214	Slauson Avenue Congestion	Huntington Park	CA	1,000,000
215	SMART Russian River Rail Bridge Rehabilitation	Healdsburg	CA	13,606,840
216	Solar Energy Project (Phase 2)	Stockton	CA	5,300,000
217	SR 86 Improvement Project	Imperial	CA	3,000,000
218	SR128/I–505 Overcrossing (Br. 22–0110)/Russell Blvd Bicycle and Pedestrian Improvements	Winters	CA	8,540,000
219	State Route 11/Otay Mesa East Port of Entry	San Diego	CA	12,500,000
220	State Route 132 West Project	Modesto	CA	12,000,000
221	State Route 25 Expressway Conversion and State Route 25/156 Interchange Project	Hollister	CA	10,000,000
222	State Route 37 and Fairgrounds Drive Interchange Improvements	Vallejo	CA	4,000,000
223	State Route 99 Madera South—Operational Improvement Project	Madera	CA	10,000,000
224	Stockton Rail Maintenance Facility Expansion	Stockton	CA	6,715,000
225	Sustainable Mobility Expansion Project	Redlands	CA	1,756,630
226	Tarzana Crossing Great Streets Project	Tarzana—Los Angeles	CA	500,000
227	The Highway 101 Multimodal Corridor Project from Santa Barbara to Montecito with improvements on Highway 101 (SB–101–PM 9.1/12.3) and Adjacent Local Streets including the Cabrillo Boulevard Bicycle and Pedestrian Improvement Project	Santa Barbara	CA	11,000,000
228	Thornton Avenue Pavement Rehabilitation	Newark	CA	2,000,000
229	Torrance to Florence Bus Service	Torrance	CA	4,432,924
230	Track Rehabilitation of the San Bernardino Line	City of Rancho Cucamonga, California spanning to the City of Montclair, California including the cities of Rancho Cucamonga, Upland, and Montclair	CA	2,000,000
231	Traffic Signal System Upgrades on I–680 Project	Danville, Walnut Creek, Concord, Pleasant Hill	CA	6,000,000
232	Tri MyRide Fleet Expansion Project	Antioch	CA	1,760,000 880,000 880,000
233	TRI-CONNECT, SoCal Freight Initiative	Los Angeles	CA	3,357,895
234	U.S. 101 and Del Norte Boulevard Interchange	Oxnard	CA	3,000,000
235	Union Street Protected Bike Lanes	Pasadena	CA	1,600,000
236	US 101 / Woodside Interchange Improvement	Redwood City	CA	2,500,000

No.	Project Name	City	State/Territory	Amount
237	US 101 Safety Improvements—South of Salinas	Salinas and Chualar (Monterey County)	CA	2,000,000
238	US 101/SR 25 Interchange Phase 2—Santa Teresa Boulevard Extension	Gilroy	CA	5,000,000
239	US–101 Managed Lane Project North of I–380	San Mateo	CA	10,000,000
240	Valley Link—Implementation of Sustainability Blueprint	Livermore	CA	20,000,000
241	Vasco Road Safety Improvements Phase II	Byron	CA	3,905,000
242	Vermont Transit Corridor Improvements	Los Angeles	CA	10,000,000 3,900,000 6,100,000
243	Walnut Park Bus Stop Improvements	Walnut Park	CA	1,200,000
244	Walnut Park Pedestrian Plan Implementation	Walnut Park	CA	1,200,000
245	Warm Springs Grade Crossing Improvements	San Jose	CA	7,703,100
246	West Berkeley Bicycle and Pedestrian Improvements	Berkeley	CA	704,000
247	West San Jose Priority Bikeways Implementation Project	San Jose	CA	3,285,680
248	West Santa Ana Branch Transit Corridor	Los Angeles	CA	5,000,000
249	West Valley Connector Bus Rapid Transit—Phase 1, and Zero-Emission Bus Initiative	San Bernardino	CA	5,000,000
250	White Rock Road—0.5 Miles East of Rancho Cordova Parkway to the Easterly City Limits	Rancho Cordova	CA	12,307,000
251	Widen Central Ave to add new Class II Bike Lanes near U.S. 101 to the northwest city limits	Camarillo	CA	4,000,000
252	Wilmington Waterfront-Avalon Pedestrian Bridge	Wilmington	CA	1,000,000
253	Woodman Ave. Pedestrian Improvement Project	Panorama City	CA	3,256,591
254	Ygnacio Valley Road Project	Walnut Creek	CA	1,000,000
255	Yosemite Area Regional Transportation System	Merced	CA	2,250,000
256	Zero Emission Bus Replacements, Charging Infrastructure and Zero Emissions Job Training	Oxnard	CA	1,675,000
257	Zero Emission Buses and Charging Infrastructure	Wilmington	CA	5,000,000
258	Zero Emissions Bus Purchase—Pasadena, CA	Pasadena	CA	2,100,000
259	16th St Mall Reconstruction Program	Denver	CO	6,530,000
260	Aurora Bicycle and Pedestrian Master Plan Update	Aurora	CO	800,000
261	Big Barnes Ditch Trail Improvements	Loveland	CO	500,000
262	Cameron Peak Post-Fire Emergency Funding	Larimer County	CO	2,000,000
263	Central Corridor Rail Replacement	Denver	CO	7,930,000
264	CO 9 Widening from Iron Springs to Frisco	Summit County	CO	1,000,000
265	Easter/Havana Intersection Improvements	Centennial	CO	6,000,000
266	Eisenhower Johnson Memorial Tunnel (EJMT) Repairs and Upgrades	Dillon	CO	4,000,000
267	Expansion of Gun Club Road	Aurora	CO	1,500,000
268	Federal Parkway Multimodal Transportation Improvements	Westminster	CO	4,107,114
269	Frisco Transit Center	Frisco	CO	6,650,000
270	I–25 Valley Highway: Phases 3 and 4 ROW Acquisition	Denver	CO	5,530,000
271	I–25/Belleview Avenue Interchange Improvements	Greenwood Village	CO	10,000,000
272	I–70 and 32nd Ave. Bridge Replacement	Wheat Ridge	CO	2,000,000
273	SH–72 (Indiana St) Widening at UPRR	Arvada	CO	1,095,872
274	State Highway 119 and State Highway 52 Multimodal Intersection Improvements	Boulder County	CO	5,000,000
275	US 36 and Community Drive Roundabout	Estes Park	CO	850,000
276	Wadsworth Widening: 35th Avenue to I–70	Wheat Ridge	CO	10,000,000
277	West Colfax Pedestrian Safety and Infrastructure Project	Lakewood	CO	1,750,000
278	Branchville Transit Oriented Development Pedestrian/Bicycle Improvement	Ridgefield	CT	1,853,120
279	Comstock Brook Bridge (No. 04975) Replacement	Wilton	CT	2,400,000
280	Coventry Main Street Sidewalk Project Final Extension	Coventry	CT	1,200,000
281	CT–195 (Storrs Road) Pedestrian Safety Improvements	Mansfield	CT	2,240,000
282	East Haddam/Haddam Swing Bridge Rehabilitation Project	East Haddam	CT	5,000,000
283	Essex River Road Bridge and Sidewalk Project	Essex	CT	2,400,000
284	Five Mile River Bridge (No. 04152) Replacement	Norwalk	CT	2,860,000
285	Greater Hartford Mobility Study – Planning and Preliminary Engineering	Hartford and East Hartford	CT	16,000,000
286	Greenwich Creek Bridge (No. 01872) Replacement	Greenwich	CT	2,530,000
287	Harbor Brook Bridge (No. 04185) Replacement Project	Meriden	CT	2,800,000
288	Intersection Improvements on Route 39 at Beckerle Street and East Gate Road	Danbury	CT	3,332,000
289	Mill River Bridge (No. 04953) Replacement	Fairfield	CT	2,700,000
290	New Haven Downtown Crossing Phase 4 – Temple Street Crossing	New Haven	CT	20,000,000
291	New London Pedestrian Bridge and Public Access Project	New London	CT	4,860,000
292	Park Avenue Traffic Signals	Bridgeport	CT	2,686,000
293	Quinebaug River Trail – Plainfield Section	Plainfield	CT	2,179,953
294	Route 10 Hop Brook Bridge (No. 00653) Replacement Project	Simsbury	CT	2,400,000
295	Route 109 Bridge (No. 05417) Replacement Project	Morris	CT	1,520,000
296	Route 202 Intersection Improvement Project	Brookfield	CT	7,400,000
297	Route 25 Bridge (No. 06750) Rehabilitation	Trumbull	CT	1,464,000
298	Stamford Transportation Center Improvement	Stamford	CT	3,500,000
299	20 x 22 Protected Bike Lanes	Washington	DC	3,000,000
300	Arboretum Bridge and Trail	Washington	DC	4,000,000
301	Bus Priority Program	Washington	DC	4,000,000

No.	Project Name	City	State/Territory	Amount
302	H Street Bridge	Washington	DC	3,000,000
303	Metropolitan Branch Trail—Fort Totten to Takoma	Washington	DC	3,000,000
304	Pavement Restoration, National Highway Performance Program	Washington	DC	3,000,000
305	US 113/SR 20 Grade Separated Intersection	Millsboro	DE	10,000,000
306	West Camden Bypass	Camden	DE	10,000,000
307	Approach Road at Cecil Air and Space Port	Jacksonville	FL	600,000
308	Card Sound Bridge Replacement Planning and Design Project	Key Largo	FL	4,200,000
309	City of South Miami Pedestrian Bridge	South Miami	FL	4,330,000
310	Commodore Trail Missing Link	Miami / Coral Gables	FL	999,205
311	Dunedin Causeway Bridge Project	Dunedin	FL	8,000,000 5,000,000 3,000,000
312	Harborview Road from Melbourne Street to I–75	Port Charlotte	FL	20,000,000
313	Marlin Road Roadway Improvements Project	Cutler Bay	FL	8,800,000
314	Miami River Greenway—Curtis Park East	Miami	FL	2,392,000
315	Midway Road Multimodal/Freight Improvements and Florida's Turnpike Connection	Port St. Lucie	FL	15,000,000
316	North Bay Village 79th Street Complete Streets Project	North Bay Village	FL	1,000,000
317	Port St. Lucie Boulevard South—Segment 2.2 (Alcantarra Boulevard to Paar Drive)	Port St. Lucie	FL	5,000,000
318	PortMiami Shore Power Pilot Program	Miami	FL	2,000,000
319	Reconstruction of State Road 33/Interstate 4 Interchange (Exit 38)	Lakeland	FL	20,000,000
320	Ridge Road Extension Phase 2B	Unincorporated Pasco County	FL	15,000,000
321	Alleyways Drainage Improvement Project	Miami Gardens	FL	240,000
322	Breakers Avenue Streetscape Project	City of Fort Lauderdale	FL	5,200,000
323	Cass Street Bridge Rehabilitation	Tampa	FL	5,116,000
324	Central Florida Regional Transportation Electronic Contactless Payment System	Orlando	FL	1,032,500
325	City of West Palm Beach Grand View Heights Street Pedestrian Safety Improvements Phase 2	West Palm Beach	FL	1,200,000
326	Corrine Drive Complete Streets Project	Orlando	FL	6,900,000
327	County Line Road Improvement Project	West Park	FL	944,000
328	Crystal Lake Drive Project	City of Deerfield Beach	FL	389,088
329	E.E. Williamson Road Trail Connect	Longwood	FL	4,346,000
330	Econlockhatchee Trail Multimodal Corridor Improvements	Orlando	FL	8,193,500
331	Flavor Pict Road from Lyons Road to Hagen Ranch Road	Delray Beach	FL	4,780,000
332	Gulf to Bay (SR60) Duke Energy Trail Overpass	Clearwater	FL	6,000,000
333	HART Bus Shelter Revitalization and Expansion	Tampa	FL	6,990,100
334	Hinson Avenue Widening Project	Haines City	FL	1,375,000
335	International Drive and Sand Lake Road (SR 482) Pedestrian Bridge	Orlando	FL	7,000,000
336	InVision Tampa Streetcar	Tampa	FL	7,700,000
337	Johnson Street Bridge Replacement Project	Hollywood	FL	2,904,000
338	JTA's Sustainability and Renewable Energy Transit Facility (Project ID 425454–2)	Jacksonville	FL	2,315,840
339	Lake Monroe Loop Trail	Sanford	FL	3,313,181
340	Lowson Boulevard from Dover Road to Federal Highway	Delray Beach	FL	1,106,296
341	Loxahatchee Rd. from Arthur Marshall Loxahatchee Refuge to SR–7/US–441	City of Parkland	FL	5,000,000
342	Lyons Road Pedestrian Mobility Lighting and Safety Project	City of Coconut Creek	FL	2,700,000
343	Magnolia Drive Trail – Phase 1, 2, & 4 (Project ID: 4098037)	Tallahassee	FL	5,000,000
344	Marigold Ave from San Lorenzo Rd to Peabody Rd (4 Roundabouts)	Poinciana	FL	4,731,586
345	Neptune Road Widening and Improvement Project	Kissimmee	FL	5,000,000
346	NW 183rd to 191st Street and NW 27th to 42nd Avenue Road and Sidewalk Project	Miami Gardens	FL	1,200,000
347	NW 187th Street to NW 199th Street, from NW Sunshine State Parkway East to NW 12th Avenue Area-Road Resurfacing, Sidewalks, and Drainage Improvement Project	Miami Gardens	FL	960,000
348	NW 191st to 199th Street and NW 2nd to 7th Avenue Roadway and Sidewalk Project	Miami Gardens	FL	600,000
349	NW 199th to 202nd Street between NW 3rd and 15th Avenue-Road Resurfacing and Sidewalks Improvement Project	Miami Gardens	FL	960,000
350	NW/NE 87th Street Corridor	Village of El Portal	FL	1,320,551
351	Opa-locka Railroad Crossing Repair	Opa-Locka	FL	2,400,000
352	Orange Blossom Trail Sidewalks Phase 2A	Orlando	FL	3,012,472
353	Palm Beach County Bus Shelter Infrastructure	Palm Beach County	FL	8,300,000 300,000 8,000,000
354	Palm Springs, FL, Park Connector Pathway System	Palm Springs	FL	854,550
355	Pine Hills Trail Phase 2 from Silver Star Road (SR 438) to Clarcona-Ocoee Road	Orlando	FL	557,000
356	President Barack Obama Parkway, Phase 2, Orlando, Florida	Orlando	FL	8,360,000

No.	Project Name	City	State/Territory	Amount
357	Rolling Stock	Hallandale Beach, Hollywood, Dania Beach, Fort Lauderdale, Wilton Manors, Oakland Park, Pompano Beach, Deerfield Beach and Palm Beach County	FL	9,000,000
				5,000,000
				4,000,000
358	SMART Plan Beach Express (BERT) North Capital Bus Purchase	Miami	FL	9,100,000
359	Solar-Powered Zero-Emission Bus and Facility Charging Infrastructure	St. Petersburg	FL	6,000,000
360	South City Transit Capital Project StarMetro Modernization	Tallahassee	FL	2,400,000
361	Southcot Drive Sidewalk	Casselberry	FL	189,357
362	SR 50 (Colonial) from Thornton Ave to Mills Ave	Orlando	FL	917,933
363	SR 63 (US 27) Monroe Street from John Knox Road to Lakeshore Drive (Project ID 4450531)	Tallahassee	FL	2,400,000
364	SR-5/US-1/Federal Hwy from Johnson St. to SR-822/Sheridan St.	Hollywood	FL	1,899,308
365	SR–820/Pines Blvd from W of SW 136th Ave to E of NW 118th Ave	Pembroke Pines	FL	5,000,000
366	SR-A1A from Hallandale Beach Boulevard to Dania Beach Boulevard Drainage Improvement Project	Hallandale Beach, Hollywood, and Dania Beach	FL	1,075,350
367	StarMetro Bus Replacement	Tallahassee	FL	1,800,000
368	SW 36th Street Complete Street Improvements Project	West Park	FL	1,600,000
369	SW 52nd Avenue Complete Street Improvements Project	West Park	FL	602,400
370	Treasure Island Causeway Bridge Project	Treasure Island	FL	4,480,000
371	University Boulevard at Dean Road Intersection Improvement	Orlando	FL	1,000,000
372	University Drive from NW 40th St. to Sawgrass Expressway	City of Coral Springs	FL	5,000,000
373	West Warren Avenue Complete Street	Longwood	FL	400,000
374	Atlanta Beltline	Atlanta	GA	5,000,000
375	Big Creek Greenway Phase 2 Renovation-Replacement	Cumming	GA	3,000,000
376	Brennan Road Improvements	Columbus	GA	7,360,000
377	Buford Highway Pedestrian Improvements	Doraville	GA	1,373,859
378	Bus/Paratransit Vehicle Acquisition for Local Route 70	Snellville/Northern Dekalb	GA	6,000,000
379	Cascade Multimodal Corridor	Atlanta	GA	1,000,000
380	Cherokee Area Transportation System Headquarters	Canton	GA	2,400,000
381	City of Forest Park Pedestrian Bridge	Forest Park	GA	2,000,000
382	City of Sugar Hill's Highway 20 Pedestrian Bridge	Sugar Hill	GA	5,000,000
383	Clayton Justice Center Transit Hub – Phase II	Jonesboro	GA	4,960,000
384	Cobb Parkway at McCollum Parkway Road Realignment	Kennesaw	GA	3,500,000
385	Cumberland Core Loop	Atlanta	GA	1,700,000
386	East West Connector Corridor Improvement, Cobb County GA	Smyrna	GA	4,500,000
387	Emory-CDC Intersection Project	Atlanta	GA	550,000
388	GDOT Project No. 0013752	Americus	GA	1,216,958
389	GDOT Project No. 0015563	Cuthbert	GA	2,405,280
390	GDOT Project No. 0015638	Reynolds	GA	1,608,000
391	GDOT Project No. 0015651	Arabi	GA	568,000
392	GDOT Project No. 0015652	Talbotton	GA	984,000
393	Global Gateway Connector	College Park	GA	3,542,355
394	Gwinnett Place Transit Center/Mall of Georgia local bus service	Gwinnett County	GA	5,000,000
395	I–20 Diverging Diamond Interchange at Chapel Hill Road	Douglasville	GA	5,000,000
396	Lawrenceville Area Park and Ride Lot	Lawrenceville	GA	4,800,000
397	Macon Transit Authority Electric Transit and Paratransit Vehicle Purchases	Macon	GA	2,600,000
398	MARTA Route 115—Covington Highway	Decatur	GA	2,000,000
399	McDaniel Farm Park Connector multi-use path	Gwinnett County	GA	2,000,000
400	Metropolitan Parkway Arterial Rapid Transit (ART)	Atlanta	GA	3,000,000
401	New Bus Rapid Transit Service along US 78	Snellville/Stone Mountain	GA	5,000,000
402	North Avondale Road Complete Streets Project	Avondale Estates	GA	1,975,560
403	Peachtree Creek Greenway	Brookhaven	GA	3,382,000
404	Project DeRenne	Savannah	GA	20,000,000
405	Safety Improvements—Intersection of N Westover Blvd at Nottingham Way	Albany	GA	368,791
406	South Barrett Parkway Reliever	Kennesaw	GA	2,000,000
407	South Cobb Drive Corridor	Smyrna	GA	250,000
408	SR 120 (Abbotts Bridge Road) Operational and Safety Improvements	Johns Creek	GA	13,800,000
409	SR234 and Westover Blvd—Add Westbound Right Turn and Southbound Left	Albany	GA	349,295
410	Stonecrest Transit Hub	Stonecrest	GA	5,000,000
411	Widen and Realign Intersection of Sands Drive and Radium Springs	Albany	GA	2,509,319
412	Windy Hill Boulevard	Smyrna	GA	500,000
413	Guam Public Transit Modernization—Bus Shelters	Hagatna	GU	20,000,000
414	Bus and Handi Van Acquisition Program (Battery Electric Buses; Electrification of Route 40)	Honolulu	HI	7,398,400
				3,699,200
				3,699,200

No.	Project Name	City	State/Territory	Amount
415	Hanapepe Road Resurfacing	Hanapepe	HI	3,680,000
416	Hawaii Recreational Trails Program (Hawaii Integrated Trail System)	Multiple Cities	HI	4,000,000
417	Interstate Route H–1 Improvements, Eastbound, Ola Lane Overpass to Vineyard Boulevard	Honolulu	HI	6,150,000
418	Leeward Bikeway, Philippine Sea Road to Waipahu Depot Street	Honolulu	HI	6,150,000
419	Papalaua Street (RTS 3020, MP 0.13–MP0.17) Traffic Signal Upgrade at Wainee Street (Route 3015, MP 0.3–MP0.34)	Maui	HI	1,154,000
420	Waianuenue Avenue Rehabilitation	Hilo	HI	7,277,499
421	Waimea to Kekaha Shared Use Path	Hanapepe	HI	2,000,000
422	Wakea Avenue (Route 3920, MP 0.70-MP 0.71) and Kamehameha Avenue (Route 3940, MP 0.91–MP0.92) Intersection Improvements	Maui	HI	2,186,000
423	HIRTA Regional Transit Facility	Waukee	IA	2,321,000
424	In the City of Iowa City, on Dodge Street, from Burlington Street north to Governor Street.	Iowa City	IA	9,943,600
425	Iowa 136 bridge replacement over Elwood Creek 3.1 miles west of US 61 in Clinton County	Clinton County	IA	1,144,800
426	Marion County—County Road G28 corridor	Marion County	IA	2,000,000
427	Red Rock Prarie Trail (Iowa 117 to Co Rd S27)	Prairie City	IA	900,000
428	Bus Replacements Across the District	Des Moinse	IA	5,000,000
429	Mills Civic Parkway Improvements	West Des Moines	IA	2,000,000
430	Red Oak Bridge Replacement	Red Oak	IA	700,000
431	Southeast Connector	Des Moines	IA	7,000,000
432	Traffic Incident Management Center at Camp Dodge—Phase I	Johnston	IA	4,880,000
433	1st Street Reconstruction	Ammon	ID	5,375,700
434	Center Street Railroad Bridge Underpass	Pocatello	ID	4,277,000
435	Fort Hall Connect- Upgrade of Ross Fork Road	Fort Hall	ID	3,500,000
436	I–15B (US–30) McCammon IC TO Old US–91	McCammon	ID	1,716,660
437	State Street Premium Corridor, Part 2, Boise Area, Valley Regional Transit	Boise and Garden City	ID	2,000,000
438	Alton Avenue Reconstruction	Madison	IL	624,000
439	Alton Road Reconstruction Phase I & II	Carlinville	IL	616,000
440	Brush College Road and Faries Parkway Grade Separation	Decatur	IL	2,000,000
441	Calhoun Street Bridge Replacement	City of Morris	IL	1,200,000
442	Candy Lane	Macomb	IL	3,500,000
443	Centennial Park Shared Use Path	Heyworth	IL	963,540
444	Cloverleaf and East Madison Subdivisions Improvements	Madison	IL	296,000
445	Curtis Road Grade Separation & Complete Streets Project	Savoy	IL	3,293,700
446	Dix Irvington Road Safety Project	Centralia	IL	600,000
447	Dupo Interchange	Dupo	IL	1,700,000
448	Edwardsville Road Resurfacing Project	Wood River	IL	668,000
449	Frank Scott Parkway East Extension	Shiloh	IL	12,512,000
450	Hamilton Road East-West Connection Project	Bloomington	IL	7,000,000 3,500,000 3,500,000
451	Hilltop Road Multi-Use Trail Extension Project	Springfield	IL	440,000
452	Lincoln Prairie Trail Bridge Replacement Project	Taylorville	IL	487,161
453	Madison Avenue from 23rd Street to 27th Street Resurfacing	Granite City	IL	759,420
454	Main Street Reconstruction Project	Roscoe	IL	3,880,000
455	Marissa—Main St. Resurfacing	Marissa	IL	476,000
456	Pioneer Parkway Reconstruction	Peoria	IL	5,000,000
457	Prospect Road Revitalization	Peoria Heights	IL	6,000,000
458	Reas Bridges Replacement Project over Lake Decatur	Decatur	IL	3,500,000
459	Reconstruction of Main Street from Elm Street to Madison Street	Staunton	IL	1,569,456
460	Resurfacing of County Highway 16 in Williamson County	Williamson County	IL	352,000
461	Resurfacing of Main Street, Bainbridge Trail, and Penecost Streets	Marion	IL	572,000
462	Riverside Boulevard Reconstruction and Widening (Phase II and III)	Loves Park and Rockford	IL	14,920,000
463	Royal Lakes Road Rehabilitation Project	Royal Lakes	IL	23,408
464	Spotsylvania Street Improvements	New Athens	IL	452,000
465	Stanford Avenue Reconstruction from 11th Street to Fox Bridge Road	Springfield	IL	1,279,035
466	Structure Replacement Over Piles Fork Creek	Carbondale	IL	504,000
467	US 67 Widening from Delhi Bypass Project to Crystal Lake Rd.	Jerseyville	IL	1,200,000
468	West Main Cross Street Improvements from Webster Street to Shumway Street	Taylorville	IL	1,127,700
469	Western Road—Marshall County	Henry	IL	2,000,000
470	118 N Clark Pedway Extension	Chicago	IL	2,700,000
471	143rd St Expansion—West Ave to SW Highway	Orland Park	IL	9,247,702
472	143rd St from IL 59 to IL 126	Plainfield	IL	6,200,000 3,700,000 2,500,000
473	34th Street Road Modernization and Stormwater Management Improvements Phase I Design	Berwyn	IL	5,022,323

No.	Project Name	City	State/Territory	Amount
474	606 Extension – Ashland Ave to Elston Ave	Chicago	IL	1,440,000
475	75th Street from Milbrook Drive to Greene Road	Naperville	IL	648,560
476	80th Ave from 191st to 183rd St Lane Improvements	Tinley Park	IL	1,500,000
477	9th Street Two-Way Conversion (Whitman Interchange)	Rockford	IL	4,050,000
478	Algonquin Road (Various Intersections) and Wilmot Road at Main Street Intersection Improvements	Spring Grove	IL	2,400,000
479	All Stations Accessibility Program—Blue Line Irving Park	Chicago	IL	4,330,000
480	Arterial Resurfacing	Chicago	IL	9,357,677
481	Berkeley Industrial Pedestrian Connector	Chicago	IL	424,500
482	Bike Path along Quentin Road	Hawthorn Woods/Lake Zurich	IL	1,000,000
483	Bliss Rd/Fabyan from Fabyan to Bliss Rd	Geneva	IL	7,000,000
484	Butler Drive	Chicago	IL	4,500,000
485	Central Road: Barringon Rd to Huntington Blvd	Hoffman Estates	IL	2,000,000
486	City of Berwyn, 16th Street Rehabilitation Project	Chicago	IL	1,967,468
487	City of Peoria Adams/Jefferson 2–Way Conversion	Peoria	IL	5,000,000
488	Columbia Bridge	Chicago	IL	2,000,000
489	CTA—ASAP (Belmont Station)	Chicago	IL	3,370,000
490	CTA Red Line—Loyola Station Improvements	Chicago	IL	3,600,000
491	DeKalb Traffic Signal Upgrades	DeKalb	IL	570,000
492	Division Street Resurfacing	Oak Park	IL	2,000,000
493	Dundee Ave Reconstruction	Elgin	IL	5,900,000
494	East Branch DuPage River Trail	Lombard	IL	1,200,000
495	East New York Street from North Farnsworth Ave to Welsh Drive	Aurora	IL	1,138,300
496	Fullerton Avenue between N Schmale Rd and Bloomingdale Rd	Glendale Heights	IL	696,500
497	Gougar Road from Laraway Road to Francis Road	Joliet and New Lenox	IL	2,700,000
498	Greater Downtown Master Plan Phase 4A	East Moline	IL	4,946,000
499	Hobson Rd 63rd St from Woodridge Dr to Janes Ave	Woodridge	IL	490,000
500	Homan Corridor Improvements	Chicago	IL	500,000
501	I–294 103rd Street Interchange	Chicago Ridge	IL	5,000,000
502	I–294 Crestwood/Robbins Interchange	Crestwood and Robbins	IL	4,800,000
503	I–57 Interchange near Mile Marker 332 (Between Harlem Avenue and Pauling Road)	Unincorporated Will County	IL	4,500,000
504	IL 171 (State Street) Pedestrian Safety Improvements	Lockport	IL	1,400,000
505	IL 38/Roosevelt Road at Naperville Road	Wheaton	IL	4,800,000
506	IL 50 from S of Brookmont Blvd to N of US 45/52 & Indiana Ave to Fair St in Kankakee	Kankakee	IL	5,000,000
507	IL–21 Milwaukee Ave Improvements (Glenview)	Glenview	IL	2,000,000
508	IL–62 Algonquin Rd at New Wilke Rd Intersection Improvements	Rolling Meadows	IL	226,935
509	Jackson Blvd Resurfacing (Desplaines to Harlem Ave)	Chicago	IL	800,000
510	Kedzie and Lake improvements	Chicago	IL	500,000
511	Lake Cook Road (IL–53 to Raupp Blvd)	Mount Prospect and Desplains	IL	3,000,000
512	Lombard Rd Resurfacing and Improvements	Addison	IL	900,000
513	Madison Street Resurfacing	Bellwood	IL	1,107,200
514	Main Street Reconstruction from Randall Road to Van Nortwick Avenue	Batavia	IL	600,000
515	McConnell Road Intersection and Roadway Improvements	Freeport	IL	2,528,200
516	Metra Zero Emission Vehicle Pilot	Chicago Region	IL	12,000,000 1,000,000 5,000,000 6,000,000
517	Midway Bus Terminal Electrification Concept Design	Chicago	IL	550,000
518	N Lake Shore Drive Improvements	Chicago	IL	2,000,000
519	North Chicago Pace Route Access	North Chicago	IL	508,080
520	Oak Park Avenue—111th St to 107th St	Worth	IL	520,000
521	Pace Cermak Road Transit Signal Priority	Westchester, Oak Brook and Oakbrook Terrace	IL	390,000
522	Pace Pulse Line—Harlem Avenue Traffic Signal Improvements	Morton Grove	IL	400,000
523	Pace Pulse South Halsted Line	Chicago, Riverdale, and Harvey	IL	900,000
524	PACE Transit Signal Priority	Chicago	IL	900,000
525	Park Blvd Resurfacing	Streamwood	IL	220,783
526	Patriot Path	Lake County	IL	9,794,640
527	Proposed Midwest Medical Center Entrance and Highway Improvements	Galena	IL	2,000,000
528	Pulaski Corridor Improvements	Chicago	IL	500,000
529	Pulaski Road: 127th St to 159th St	Alsip, Crestwood, Midlothian, Markham, and Robbins	IL	2,500,000
530	Rand US–12 / Kensington / IL–83 Intersection Improvements	Mount Prospect	IL	4,500,000
531	Rand/Central/Mt Prospect Road Intersection Improvements	Mount Prospect and Desplains	IL	371,000
532	Randall and Hopps Road Intersection	Elgin	IL	5,000,000
533	Randall Road from Alexandra Blvd to Polaris Dr/Acorn Ln	Lake in the Hills	IL	2,000,000
534	Rehabilitative Resurfacing of Belmont Avenue—25th Ave to W of Elm St, Fran	Franklin Park	IL	588,000
535	Rehabilitative Resurfacing of Ill 64 North Ave—I–294 to Harlem Ave & N Frontage Rd - 7th Ave to 5th Ave	Elmwood Park, Melrose Park, Northlake, River Forest, River Grove	IL	7,920,000

No.	Project Name	City	State/Territory	Amount
536	Rodenburg Road Corridor Improvement Project	Roselle	IL	928,000
537	Schick Road Resurfacing	Hanover Park	IL	257,045
538	Skokie Valley Trail Path Improvements	Skokie	IL	3,526,800
539	Spring Street Resurfacing	South Elgin	IL	171,264
540	Study of S. Chicago/79th St/Stony Island Intersection	Chicago	IL	800,000
541	Tonne Road Reconstruction—Northern Section	Elk Grove Village	IL	4,300,000
542	Traffic Signal Modernization—City of Chicago	Chicago	IL	1,350,000
543	US Route 20 and Reinking Road Roundabout	Elgin	IL	1,200,000
544	US Route 30 at Illinois Route 50	Matteson	IL	4,000,000
545	Washington Boulevard Improvements – 21st Avenue to 9th Avenue	Maywood	IL	1,424,000
546	Weber Road from 135th Street to Airport Road	Romeoville	IL	2,100,000 1,000,000 1,100,000
547	West Branch DuPage River Trail Connection from West DuPage Woods Forest Preserve to Blackwell Forest Preserve	West Chicago	IL	500,000
548	Western Avenue Grade Separations	Blue Island, Posen, and Dixmoor	IL	4,500,000
549	Wolfs Crossing Road from US 34 Chicago Road to Eola Road – Douglas Road Intersection	Oswego	IL	4,822,000 3,616,500 1,205,500
550	Woodstock Railyard Relocation & Expansion	Woodstock	IL	4,000,000
551	Zero Emission Locomotive Commuter Rail Pilot	Blue Island, Chicago, Joliet, Midlothian, Mokena, New Lenox, Oak Forest, Robbins, Tinley Park	IL	7,000,000 2,000,000 5,000,000
552	Zion 27th Street Resurfacing	Zion	IL	920,320
553	Added Travel Lanes at 45th Avenue	Unincorporated Lake County	IN	1,500,000
554	Central Avenue Road Reconstruction	Portage	IN	2,000,000
555	IndyGo EV Charging Stations	Indianapolis	IN	774,000
556	Kennedy Avenue Bridge Replacement	Highland and Hammond	IN	8,100,000
557	Monument Circle/Market Street Reconstruction	Indianapolis	IN	12,864,000
558	Willowcreek Road Extension	Unincorporated Porter County	IN	7,411,200
559	Bridge Replacement on 151st Street West over the Ninnescah River (B485)	Sedgwick County	KS	3,600,000
560	Centennial Bridge Replacement	Leavenworth	KS	1,000,000
561	K–7 Bourbon County	Fort Scott	KS	2,000,000
562	K–7 Crawford County	Girard	KS	2,000,000
563	Reconstruction of 151st St West between 53rd St North and Highway K–96 (R356)	Sedgwick County	KS	3,200,000
564	Reconstruction of the South Half Mile of 135th Street West between 53rd and 61st Streets North (R348)	Sedgwick County	KS	880,000
565	Route 458 Improvements	Lawrence	KS	750,000
566	SW Topeka Boulevard (21st to 29th) Street Resurfacing	Topeka	KS	1,480,000
567	Topeka Metropolitan Bus Replacement	Topeka	KS	3,000,000
568	US–169 Neosho County	Thayer	KS	3,000,000
569	US–400 Cherokee County	Cherokee	KS	2,000,000
570	US–400 Greenwood County (KDOT Project Number 400-037 KA–5790-01)	Greenwood County	KS	5,000,000
571	US–56 Douglas County	Baldwin City	KS	3,000,000
572	Wakarusa Drive Reconstruction	Lawrence	KS	1,000,000
573	Washington Creek Bridge Replacement	Lawrence	KS	400,000
574	West Kellogg/US–54/400 Expansion	Wichita	KS	1,800,000
575	U.S. 69/167th St. Interchange Improvement Project	Overland Park	KS	15,000,000
576	Congestion reduction and traffic improvement project on KY–17/Scott Boulevard/Greenup Street	Covington	KY	2,000,000
577	Extend KY 3155 from the southern Intersection at KY 259 westerly to KY 54	Leitchfield, Grayson County	KY	3,200,000
578	I–65 SB Ramp to Brook St	Louisville	KY	9,600,000
579	Improve KY 54 from west of the US 60 Bypass to CR 1021	Owensboro, Daviess County	KY	4,600,000
580	Improve KY 461 from US 150 to US 25	Mount Vernon, Rockcastle County	KY	18,200,000
581	Improve US 421 near the Virginia State Line	Cranks, Harlan County	KY	960,000
582	Improve westbound lanes of US 60 from KY 1957 to KY 6106	Lewisport, Hancock County	KY	3,200,000
583	KY 335 improvements from US 31W south of KY 218 to I–65	Horse Cave, Hart County	KY	3,200,000
584	KYCT project 6–80101, KY –18 / Superstreet construction	Boone County	KY	5,200,000
585	KYTC Project 6–162.40, KY–536 from Williamswood Rd. to Calvery Dr. to KY–17	Kenton County	KY	12,064,000
586	Newtown Pike Extension Project—Phase III Scott Street Connector	Lexington	KY	20,000,000
587	Reconstruction of KY 44 from US 31E to KY 1319	Mount Washington, Bullit County	KY	4,800,000
588	Reimagine 9th Street	Louisvile	KY	5,000,000
589	Smart Signal Network	Louisville	KY	2,900,000
590	Traffic Calming Measures for Shelby Park and Smoketown Neighborhoods	Louisville	KY	2,400,000
591	Audubon Ave OVLY:LA 1 to Terrebonne P/L	Thibodaux	LA	468,510
592	I–10 (Calcasieu River Bridge / Approach)	Lake Charles	LA	10,000,000
593	I–49 Lafayette Connector	Lafayette	LA	10,000,000

No.	Project Name	City	State/Territory	Amount
594	LA 3127	St. James Parish	LA	10,000,000
595	LA 428, General Meyer Blvd	New Orleans	LA	8,560,000
596	MRB South GBR: LA 1 to LA 30 Connector- Environmental Evaluation	Baton Rouge	LA	1,600,000
597	MRB South GBR: LA 1 to LA 30 Connector (Pre-Engineering Design)	Baton Rouge	LA	8,000,000
598	Amherst Town Common Transportation and Mobility Improvements	Amherst	MA	1,344,000
599	Barker Road Bridge Project	Pittsfield	MA	1,000,000
600	Beacon Street Bridle Path	Brookline	MA	2,000,000
601	Belmont Community Path	Belmont	MA	3,500,000
602	Blackstone Valley Multi-Use Path Phase 1, Segment – 2	Blackstone	MA	8,130,842
603	Blue Line Signal Program	Revere, Boston	MA	6,000,000
604	Bourne Rail Trail	Bourne	MA	14,728,680
605	Brockton Area Transit—Buy Replacement 35' Bus (6)	Brockton	MA	2,920,000
606	Brockton Area Transit—Buy Replacement 35' Electric Bus (5)	Brockton	MA	3,160,000
607	Brockton Area Transit—Purchase Misc. Electric Power Equipment	Brockton	MA	480,000
608	Christina Street Rail Bridge	Newton	MA	1,600,000
609	Columbian Square Intersection Improvements	Weymouth	MA	3,000,000
610	Court and Cherry Street Intersection Improvement	Plymouth	MA	2,000,000
611	Davis Square Transit Signal Priority Project	Somerville	MA	100,000
612	Division Street Bridge Project	Great Barrington	MA	2,000,000
613	Double-Tracking on Haverhill Line in Massachusetts	Andover and Wilmington	MA	5,800,000 2,900,000 2,900,000
614	Drift Road at Kirby Brooke Replacement Project	Westport	MA	600,000
615	Fiske Street and Andover Street Sidewalk and Street Improvements	Tewksbury	MA	456,000
616	Glendale Street Bridge Project	Easthampton	MA	1,000,000
617	Intersection Improvements at Central Street, Foster St, Hook St, Hamilton St	Southbridge	MA	1,000,000
618	Intersection improvements at Greenville Road (Rte 31) and Turnpike Road	Ashby	MA	1,000,000
619	Intersection Improvements at Massachusetts Avenue (Route 111) and Main Street (Route 27) (Kelley's Corner)	Acton	MA	1,100,000
620	Intersection improvements at Riverside Drive and Burnham Road	Methuen	MA	1,000,000
621	Intersection Improvements at Route 140/Route 62	Sterling	MA	320,000
622	Intersection Improvements on Route 2A at Willow Road and Bruce Street	Ayer and Littleton	MA	1,000,000
623	Intersection reconstruction on Rte 108 (Newton Road) at Rte 110 (Kenoza Ave. and Amesbury Road)	Haverhill	MA	1,000,000
624	James Street Project	Chicopee	MA	2,000,000
625	Lake Cochituate Path	Natick	MA	3,078,722
626	Leyden Road Sidewalk Construction	Greenfield	MA	1,840,000
627	Lynn Commuter Rail Station Rehabilitation	Lynn	MA	10,000,000
628	McGrath Highway Road Diet / Protected Bike Lane Project	Somerville	MA	500,000
629	Merrymount Bridge Reconstruction Project	Quincy	MA	6,000,000
630	MetroWest Regional Transit Authority Blandin Back Entrance (MWRTA BEB Project)	Framingham	MA	1,600,000
631	New vans for elderly and those with disabilities	Haverhill	MA	375,000
632	North Adams Adventure Trail	North Adams	MA	2,000,000
633	Peabody Canal Riverwalk Construction	Peabody	MA	6,642,980
634	Planning and Design for protecting critical transportation infrastructure and improving pedestrian access to the Northern Avenue Bridge and along the Fort Point Channel	Boston	MA	2,500,000
635	Reconstruction and Related Work Along Revere Street Corridor	Winthrop	MA	5,058,493
636	Reconstruction and related work on VFW Highway	Lowell	MA	3,000,000
637	Reconstruction of Foster Street	Littleton	MA	2,000,000
638	Regional Bike and Walking Trail (North Attleborough Branch)	North Attleborough	MA	1,500,000
639	Rehab Fitchburg Intermodal Center	Fitchburg	MA	400,000
640	Rehabilitation & Box Widening on Route 20, from Route 9 to South Street	Shrewsbury	MA	8,000,000
641	Rehabilitation of Boston Road	Westford	MA	2,000,000
642	Replace diesel bus with hybrid bus	Lowell	MA	624,800
643	Replace fueling station at 100 Hale Street	Lowell	MA	775,200
644	Riverbank stabilization construction at MVRTA bus garage and administration building	Haverhill	MA	725,000
645	Roadway rehabilitation on route 101 south (Ashburnham)	Ashburnham	MA	1,000,000
646	Route 131 Bridge Project	Dudley	MA	1,000,000
647	Route 28 / Route 38 Intersection Safety Improvements Project	Somerville	MA	3,000,000
648	Ruggles Station State of Good Repair Improvements	Roxbury	MA	3,000,000
649	Stoughton Intersection Improvements at Canton St. (Route 27), School St., and Summer St.	Stoughton	MA	1,840,000
650	Sturbridge Roundabout Construction	Sturbridge	MA	1,000,000
651	Sudbury-Concord Bike Path Construction (Bruce Freeman Trail)	Concord	MA	1,000,000

No.	Project Name	City	State/Territory	Amount
652	Taunton River Trail	Taunton	MA	4,800,000
653	Union Station Regreening & Lighting Project	Springfield	MA	6,000,000
654	Walnut Street Signalization Project	Foxborough	MA	2,000,000
655	Warren Street / Blue Hill Avenue Multi-modal Corridor Phase I	Boston	MA	12,000,000
656	West Rodney French Improvement Project	New Bedford	MA	2,373,680
657	West Street/Route 27 Intersection Reconstruction	Medfield	MA	1,440,000
658	Baltimore Greenway Trails Network: Critical Corridor Advancements	Baltimore City	MD	13,200,000
				4,400,000
				4,400,000
				4,400,000
659	Bicycle-Pedestrian Priority Area Improvements—Purple Line (TIP 3642 Pedestrian Safety Program)	Montgomery County	MD	6,500,000
660	Dobbin Road Pathway	Columbia	MD	3,200,000
661	Dual Locomotives for Commuter Rail Service in the Future B&P Tunnel	Baltimore City	MD	2,000,000
				1,000,000
				1,000,000
662	East-West Priority Corridor	Baltimore	MD	15,000,000
				5,000,000
				5,000,000
				5,000,000
663	Electric Bus Grants	Rockville, Silver Spring	MD	4,992,000
				1,937,000
				1,780,000
				1,275,000
664	Fayette Street Bridge Replacement	Cumberland	MD	4,800,000
665	Frederick and Pennsylvania Railroad Trail	City of Frederick and Walkersville	MD	2,560,000
666	Howard County Flash Extension	Columbia	MD	3,200,000
667	I–81 Phase 2 Reconstruction	Hagerstown	MD	4,620,000
668	Interstate 95/Greenbelt METRO/MARC Station Access and Redevelopment Project	Greenbelt	MD	20,000,000
669	MicroTransit & Demand Response Electric Transit Vehicles and Infrastructure	Owings Mills	MD	2,019,012
670	New Carrollton Metro/MARC/Amtrak/Purple Line Multimodal Transit District Right-of-Way Improvements	Landover	MD	18,480,000
671	Northwest Expressway (I–795) at Dolfield Boulevard Interchange Redesign	Owings Mills	MD	800,000
672	Parole Transportation Center	Annapolis	MD	2,000,000
673	US 1 Safety Projects	North Laurel, Savage, Jessup, Elkridge	MD	3,200,000
674	US 15 Frederick Freeway Reconstruction	Frederick	MD	8,800,000
675	US 29 Rapid Transit Improvements—Phase 2 Design	Silver Spring	MD	4,000,000
676	Veirs Mill /Randolph Bicycle & Pedestrian Priority Improvements	Rockville	MD	6,000,000
677	Woodley Road Extension to MD 715	Aberdeen	MD	5,000,000
678	Berwick Route 9—Intersection Improvements	Berwick	ME	800,000
679	Casco Bay Lines Replacement Ferry	Portland	ME	7,500,000
680	Maine State Ferry Vessel Replacement	Rockland	ME	7,500,000
681	Milo, Sebec River Bridge Replacements and Village Improvements	Milo	ME	8,000,000
682	New Transit Hub	Bangor	ME	327,600
683	Sanford SRTS Multi-Use Trail	Sanford	ME	400,000
684	Sanford US Route 202/State Route 4A	Sanford	ME	3,600,000
685	U.S. Route 1 Improvements	Van Buren	ME	10,700,000
686	10 Mile Signal Modernization	Center Line	MI	550,068
687	14 Mile Rd Rehabilitation, Lahser to Evergreen	Beverly Hills	MI	1,208,080
688	14 Mile Road	Roseville	MI	3,100,000
689	21 Mile Road Bridge Replacement over the Gloede Drain	Macomb Township	MI	1,616,800
690	Airport Road Rehabilitation Project	Blackman Township, Jackson County	MI	4,930,000
691	Beck Road Business Corridor Railroad Grade Crossing Safety Project	Wixom	MI	18,612,000
692	Bridge and Pedestrian Facility Upgrades on the Detroit Riverwalk	Detroit	MI	1,838,812
693	Bristol Road and Van Slyke Road Concrete Pavement Reconstruction Project	Flint Township	MI	700,000
694	Bristol Road: Mill and Resurface	Burton	MI	1,248,000
695	Burcham Dr.	East Lansing	MI	1,017,838
696	Center Road Reconstruction Project	Genesee Township	MI	600,000
697	Coolidge Rd (Road Rehabilitation and Bike Lanes)	East Lansing	MI	883,359
698	Division Avenue Project	Grand Rapids	MI	4,200,000
699	E Michigan Avenue	Lansing	MI	2,589,121
700	Feher Drive Reconstruction & Pedestrian Improvement Project	Montrose	MI	680,000
701	Fenton Road Bridge over the Thread Creek	Flint	MI	400,000
702	Flint Mass Transportation Authority (MTA) Rides to Wellness Facility Expansion/Renovation	Flint	MI	1,062,387
703	Genesee Street Bridge over Farmers Creek	Lapeer	MI	1,896,750
704	Grandville Avenue Project	Grand Rapids	MI	4,000,000
705	Haist Road over Pigeon River Preventive Maintenance	Winsor Township	MI	194,000
706	Hubbard Street Rehabilitation	Mount Clemens	MI	942,400

No.	Project Name	City	State/Territory	Amount
707	Inkster Road Bridge Over the Lower Rouge River—Capital Preventative Maintenance	Inkster	MI	329,600
708	Intelligent Transportation Systems Capital Investments in Traffic Signals on M–59	Pontiac	MI	2,240,000
709	Iron Belle Trail	Burton	MI	1,200,000
710	Joe Louis Greenway Hamtramck Drive Shared Use Path	City of Hamtramck	MI	3,920,000
711	Kalamazoo US–131/US–131BR	Kalamazoo	MI	14,745,600
712	Kelly Road	Fraser	MI	3,500,000
713	King Road Bridge Replacement over the Belle River	China Township	MI	2,299,800
714	Kuhl Road over Shebeon Drain Bridge Replacement	Fairhaven Township	MI	1,282,400
715	Lake Shore Drive, Houghton County, Michigan	Calumet and Hancock Township	MI	1,040,000
716	M–143W	Lansing	MI	597,767
717	M–46 and M–19 Reconstruction	Elmer Township	MI	10,073,042
718	Marlette Road Bridge over South Branch of the Cass River	Marlette	MI	1,406,000
719	Miller Road and Rotunda Drive Bridges	Dearborn	MI	20,000,000
720	Mound Road Industrial Corridor Technology and Innovation Project	Macomb County, Warren	MI	11,000,000 1,000,000 10,000,000
721	Mt. Vernon Street Reconstruction	Southfield	MI	4,400,000
722	N Cedar St	Mason	MI	2,543,083
723	N Putnam St	Williamston	MI	375,000
724	N. Leroy Streetscape and Resurfacing Project	Fenton	MI	1,600,000
725	North Beech Daily Road Rehabilitation Project	Dearborn Heights	MI	1,417,226
726	Oakland Avenue Road Rehabilitation Project	Highland Park	MI	1,212,169
727	Oakville Waltz Road	London Township	MI	3,728,000
728	Orchard Lake Road from 13 Mile to 14 Mile	Farmington Hills	MI	1,076,085
729	Orchard Lake Road from Middlebelt to Pontiac City Limits	City of Sylvan Lake, West Bloomfield and Bloomfield Township in Oakland County	MI	2,000,000
730	Ottawa Avenue Project	Grand Rapids	MI	845,000
731	Joe Louis Greenway Phase One (Conrail 1 / May Creek)	Detroit	MI	2,000,000
732	Pennsylvania Road Grade Separation	On border of City of Romulus and Huron Township	MI	15,000,000
733	Pierson Road Reconstruction Project	Mt. Morris Township	MI	2,400,000
734	Plank Road over US–23	Milan	MI	4,335,618
735	Reid Road Downtown Streetscape and Rehabilitation Spur Community Project	Grand Blanc	MI	700,000
736	Resurfacing of 12 Mile Road in Southfield from Northwester Hwy to Telegraph Road	Southfield	MI	750,000
737	S Pennsylvania Ave	Lansing	MI	1,472,000
738	Saginaw Street Road Reconstruction Project	Flint	MI	1,600,000
739	Saginaw Transit Authority Regional Services (STARS) Bus Replacement	Saginaw	MI	2,388,456
740	Saginaw Transit Authority Regional Services (STARS) Potter Street Station Study	Saginaw	MI	200,000
741	Silver Lake Road Connector Trail	Fenton and Linden	MI	868,682
742	Skanee Road Improvements (from Jentoft Road to Town Road)	L'Anse and Arvon Townships	MI	7,530,000
743	Skanee Road Improvements (from Town Road to Portice Road)	Arvon Township	MI	4,000,000
744	Snyder Rd.	East Lansing	MI	263,500
745	St. Ignace Road Reconstruction	Marquette Township	MI	800,000
746	State Park Drive Reconstruction	Charter Township of Bangor and Bay City	MI	2,000,000
747	US–12 over the Coldwater River Reconstruction	Coldwater	MI	645,360
748	US–127 and US–223 Resurfacing	Addison	MI	4,800,000
749	W Grand River Rd	Howell	MI	296,826
750	W Silver Bell Rd	Auburn Hills and Orion Township	MI	4,200,000
751	Waverly Rd	Lansing	MI	744,762
752	Wealthy Street- Fuller Ave to East City Limits	Grand Rapids	MI	7,250,000
753	Wenona Avenue Reconstruction	Bay City	MI	2,325,000
754	Apple Valley Transit Station Modernization	Apple Valley	MN	800,000
755	Bottineau LRT Project	Minneapolis to Brooklyn Park	MN	20,000,000 10,000,000 10,000,000
756	Burnsville Bus Garage Modernization	Burnsville	MN	2,400,000
757	City of Wabasha Highway 60 Realignment	Wabasha	MN	3,975,000
758	E-Line Bus Rapid Transit (BRT)	Minneapolis to Edina	MN	5,000,000 2,500,000 2,500,000
759	F-Line Bus Rapid Transit (BRT)	Columbia Heights	MN	4,500,000
760	Goodhue County CSAH 2 Bridge Replacement	Red Wing	MN	640,000
761	I–35/CSAH 50 Interchange Preliminary Engineering	Lakeville	MN	700,000
762	I–94 Expansion	St. Paul	MN	20,000,000
763	Kellogg-Third Street Bridge	St. Paul	MN	7,500,000
764	Pedestrian Bridge Over I–94	Minneapolis	MN	3,000,000
765	Reconnect Rondo Land Bridge	Saint Paul	MN	5,200,000
766	Rice Street Revitalization Project	Saint Paul	MN	6,864,000
767	University of Minnesota Arboretum Access and Egress Improvements	Chaska	MN	5,840,000

No.	Project Name	City	State/Territory	Amount
768	US 169/TH 282/ CH 9 Interchange Project	Jordan	MN	2,300,000
769	US Highway 8 Reconstruction	Chisago City, Wyoming, Forest Lake	MN	20,000,000
770	Veterans Memorial Greenway	Eagan	MN	5,000,000
771	Adding signing and striping for wrong way countermeasures at various ramp locations throughout the St. Louis District	St. Louis	MO	708,800
772	Bridge improvement and widening over Elkhorn Creek 1.6 miles south of Rte. CC near Buell	Montgomery County	MO	720,000
773	Bridge Rehab at Pitman Ave, I–70, and I–64 in Wentzville	Wentzville	MO	3,088,000
774	Bridge Rehabilitation and Pavement Repairs	St. Louis	MO	2,576,000
775	Chadwick Flyer Central Greenway Trail	Springfield	MO	4,000,000
776	Cliffs Drive State Scenic Byway Improvements	Kansas City	MO	2,160,000
777	Downtown Odessa Infrastructure Improvements	Odessa	MO	900,000
778	Expand I–44 to 6 lanes in the Springfield area	Springfield	MO	1,800,000
779	Grand Street Pedestrian Underpass and Streetscape Improvements	Springfield	MO	3,000,000
780	Hydraulic Study for causeway north of Washington	Washington	MO	240,000
781	I–44: Bridge rehabilitation over Gasconade overflow. Project involves bridge L0753	Laclede County	MO	331,200
782	I–70: Bridge improvements over Chouteau Creek. Project involves bridge A5118 and A5119	Cooper County	MO	246,400
783	Improve bridge conditions at Rt. C in Audrain County	Audrain County	MO	548,800
784	Improve pavement condition Rt. BB Randolph County	Randolph County	MO	600,800
785	Improve pavement condition Rt. K Randolph County	Randolph County	MO	763,200
786	Interstate 35 and 19th Street Interchange	Kearney	MO	5,500,000
787	Jazz District Pedestrian Plaza at 18th & Vine	Kansas City	MO	6,000,000
788	Kansas City Regional Zero Emission Electric Bus Program	Kansas City	MO	10,500,000
				6,000,000
				4,500,000
789	Little Blue Trace—Rock Island Trail Connector	Kansas City	MO	500,000
790	MM Highway Expansion from I–44 to US 60	Republic	MO	3,200,000
791	MO 100: Bridge improvements over Cedar Creek Project involves A1848	Osage County	MO	917,600
792	MO 100: Upgrade pedestrian facilities to comply with ADA Transition Plan and pavement resurfacing from Rte. 61 to Big Bend Blvd, bridge replacement over Black Creek, signal replacement	St. Louis	MO	2,500,000
793	MO 127: Bridge rehabilitation over Basin Fork Creek 0.6 mile south of Dove Road and 0.7 mile north of Chaney Road. Project involves bridge X0439	Pettis County	MO	786,400
794	MO 13: Add turn lanes at the intersection of Rte. E	Johnson County	MO	425,600
795	MO 13: Pavement improvements on the southbound lanes from SE 1100 Road to NE 201 Road	St. Clair County	MO	748,800
796	MO 19: I–70 to Hermann add shoulders	Montgomery County	MO	880,000
797	MO 23: Add turn lanes at the intersection of Rte. D	Johnson County	MO	395,200
798	MO 254: Pavement improvements from Route 64 to Route 54 in Hermitage.	Hermitage	MO	440,000
799	MO 38: Pavement resurfacing from Rte. J to west of Rte. CC.	Webster County	MO	676,800
800	MO 47: Engineering for pavement improvements from H to A.	Troy and Hawk Point	MO	925,600
801	MO 7: Bridge Rehabilitation over Truman Lake. Project involves bridge A3465	Benton County	MO	96,000
802	MO 89: Pavement improvements from Rte. 50 to Rte. E	Rte. 50 to Rte. E in Osage County	MO	2,833,600
803	MO94 Bridge over Treloar Creek Bridge	Warren County	MO	640,800
804	North Baltimore (Business 63) Improvements	Kirksville	MO	955,294
805	OR 70: Bridge replacement over Little Cedar Creek. Project involves bridge N0974	Boone County	MO	852,800
806	Pavement improvements and add rumblestripes from I–44 outer road to end of state maintenance, Rte. W from Rte. 7 to end of state maintenance, and Rte. O from Rte. 28 to end of state maintenance.	Pulaski County	MO	2,656,000
807	Payment to St. Robert to add sidewalks and upgrade signalized intersection at St. Robert Boulevard in St. Robert	St. Robert	MO	547,200
808	Raum Road Bridge Replacement	Lawson	MO	3,128,000
809	Riverway Boulevard Reconstruction	Riverside	MO	3,200,000
810	RT 18: Pavement improvements from Rte. Y to I–49 in Adrian and on Loop 49 from Passaic to Rte. 52 in Butler.	Adrian	MO	1,586,400
811	RT A: Bridge replacement over Enon Creek. Project involves bridge K0851	Moniteau County	MO	1,091,200
812	RT A: Bridge replacement over Moreau Creek. Project involves R0235	Cole County	MO	545,600
813	RT J: Bridge rehabilitation over Young Branch, 0.1 mile south of 217th Street and 0.4 mile northeast of Branic Drive in Peculiar. Project involves bridge A2331	Peculiar	MO	555,200
814	RT J: Bridge removal over the Niangua River. Project involves bridge S0391	Camden County	MO	204,800
815	RT K: Pavement improvements from I–49 to County Road 1800 near Nevada.	Nevada	MO	448,000

No.	Project Name	City	State/Territory	Amount
816	RT PP: Pavement improvements from Route C in Roseland to Route 7 in Tightwad	Roseland	MO	453,600
817	RT T: Pavement improvements and add rumblestripes from Rte. 52 to Rte. 135 and from Rte. 135 to the end of state maintenance	Morgan County	MO	3,020,000
818	RT. K bridge replacement over Dry Fork Creek Bridge	Montgomery County	MO	965,600
819	Study to determine base stability and flood resiliency near McKitrick	McKittrick	MO	80,000
820	Updated study for RR overpass near High Hill	High Hill	MO	1,600,000
821	Upgrade pedestrian facilities to comply with the ADA Transition Plan on Rte. 2 from Chisman Street to Rte. 52 in Windsor and on Rte. Y from Rte. 52 to Wall Street in Windsor	Windsor	MO	140,800
822	US 160: Pavement improvements from I–49 in Lamar Heights to County Road 30th Lane east of Lamar.	Lamar	MO	609,600
823	US 50: Reconstruct concrete pavement from Rte. EE to Independence Rd.	Rte. EE to Independence Road in Franklin County	MO	2,800,000
824	US 50: Reconstruct pavement from Rte. Y to Rte. C	Rte. Y to Rte. C in Franklin County	MO	2,640,000
825	US 54: Study for updated scope & estimate for shared 4–lane from Mexico to Louisiana	Louisiana	MO	800,000
				400,000
				400,000
826	US60 and Route 125 Interchange	Rogersville	MO	5,250,000
827	US65: Pavement improvements from the Osage River in Warsaw to 0.4 mile south of Rte. MM.	Warsaw	MO	1,049,600
828	West Florissant Avenue Great Streets	Ferguson, Dellwood, and Jennings	MO	10,000,000
829	A/E Design for the Fixed Route Bus Stops	Saipan	MP	300,000
830	Construction of Bus Transfer Stations at the Northern Marianas College, Paseo De Marianas and Kagman	Saipan	MP	900,000
831	Construction of the Commonwealth Office of Transit Authority Covered Bus Parking Facility	Saipan	MP	3,000,000
832	Design and Construction of the Rota Transit Maintenance Facility	Rota	MP	520,000
833	Design and Construction of Tinian Transit Maintenance Facility	Tinian	MP	520,000
834	Procurement of Four (4) Rolling Stocks for Rota and Tinian Demand Responsive Services	Rota and Tinian	MP	480,000
835	Route 10 Drainage Improvements and Road Overlay	Rota	MP	2,000,000
836	Route 205 Road and Drainage Improvements	Tinian	MP	2,000,000
837	Route 30 (Chalan Pale Arnold) Safety Improvements	Saipan	MP	2,000,000
838	Route 302 (Naftan Road) Improvements	Saipan	MP	2,000,000
839	Supply and Installation of 187 Bus Stop Shelters	Saipan	MP	4,500,000
840	Supply of Maintenance Equipment & Tools for the COTA Maintenance Facility	Saipan	MP	400,000
841	Bulldog Way Extended Improvements	Starkville	MS	3,360,000
842	Jackson Point Road Bridge	Wilkinson County	MS	4,000,000
843	Mississippi Band of Choctaw Indians Multi-Road Overlay Project	Choctaw	MS	2,653,195
844	Morgantown Road Safety Improvements	Natchez	MS	2,400,000
845	Bozeman Segment One—Reunion Access Network	Madison	MS	4,000,000
846	Airport Boulevard Sidewalk	Morrisville	NC	208,000
847	Atlantic & Yadkin Greenway, Phase 2	Greensboro	NC	6,400,000
848	Avent Ferry Road Realignment	Holly Springs	NC	1,000,000
849	B–5871 Replace Bridge no. 628 Over Lake Lure 5250. Dam and Broad River	Lake Lure	NC	8,000,000
850	Black Creek Greenway	Cary	NC	4,984,800
851	Bryant Bridge North/Goose Creek West Trail	Durham	NC	2,320,000
852	Bus Replacement Funding for Triangle Transit Systems	Chapel Hill	NC	8,000,000
853	CATS Battery Electric Bus Fleet Transition	Charlotte	NC	8,000,000
854	Downtown Pedestrian Bridge	Rocky Mount	NC	4,000,000
855	Duke Beltline Trail	Durham	NC	7,726,000
856	EB–5753 Baldwin Avenue Sidewalk Project	Marion	NC	349,600
857	Electric buses and charging infrastructure, City of Greensboro	Greensboro	NC	2,759,000
858	Festival Street	Cornelius	NC	2,200,000
859	Fuquay-Varina Townwide ITS/Signal System	Fuquay-Varina	NC	2,560,000
860	GoRaleigh/GoWake Coordinated ADA Paratransit Facility	Raleigh	NC	9,000,000
861	Greenville Bridge Repair and Replacement	Greenville	NC	2,851,200
862	Hanging Dog Bridge	Murphy	NC	1,676,000
863	High Point Heritage Greenway—Phase 1	High Point	NC	4,000,000
864	Jonathan Creek Safety Project	Maggie Valley	NC	160,000
865	Military Cutoff Road (US 17)/Eastwood Road (US 74) Interchange (Drysdale Drive Extension)	Wilmington	NC	3,840,000
866	N. Fork Coweeta Creek Bridge Replacement	Otta	NC	452,000
867	Pender Street Pedestrian Improvement, Infrastructure Repair, and Resurfacing	Wilson	NC	8,400,000
868	RIDE- Rural Microtransit	Wilson	NC	2,000,000
869	Silas Creek Parkway Sidewalk	Winston-Salem	NC	4,533,600
870	South Tar River Greenway	Greenville	NC	1,775,000
871	Streetlighting on High Injury Network	Charlotte	NC	8,000,000
872	Transit Bus Stop Improvements	Chapel Hill	NC	900,000
873	US 19/129 Road Improvements	Murphy	NC	3,851,000

No.	Project Name	City	State/Territory	Amount
874	US 74/NC 108 Interchange	Columbus	NC	1,000,000
875	Heartland Expressway Phase III	Minatare	NE	10,000,000
876	Signal System Master Plan Accelerated Implementation	Omaha	NE	20,000,000
877	US–275 Norfolk to Wisner	Norfolk to Wisner	NE	20,000,000
878	Ashuelot-Trail Cheshire Trail (42511)	Swanzey	NH	1,200,000
879	Bedford 40664—U.S. 3 Widening from Hawthorne Drive North to Manchester Airport Access Road	Bedford	NH	4,980,000
880	Claremont Intersection Improvements (13428)	Claremont	NH	1,000,000
881	Conway Phase II Pathway	Conway	NH	1,656,000
882	Derry Rail Trail (Folsom Rd to Londonderry town line)	Derry	NH	792,000
883	George Street Bridge (40653)	Keene	NH	729,191
884	Gorham Sidewalk (Route 2 (Lancaster Rd))	Gorham	NH	898,196
885	Heritage Rail Trail East	Nashua	NH	1,200,000
886	Littleton Sidewalk Project (41362)	Littleton	NH	710,159
887	Loudon Intersection Improvements (40632)	Loudon	NH	2,347,256
888	Malboro Street Cheshire Rail Trail (42515)	Keene	NH	681,123
889	Maplewood Avenue Complete Streets	Portsmouth	NH	2,804,300
890	Merrimack River Greenway	Concord	NH	1,584,800
891	Multi-use Path Connecting Warner Village to Exit 9 Business Area	Warner	NH	920,000
892	NH 128 and Sherburne Road and Mammoth and 111A	Pelham	NH	1,240,000
893	Pedestrian Bridge Crossing Granite Street	Manchester	NH	3,360,000
894	Plymouth Sidewalk Project	Plymouth	NH	414,000
895	Reconstruct Mechanic St / High St / Mascoma St Intersection (4094)	Lebanon	NH	2,400,000
896	Rt 11 Safety and Capacity Improvements	Rochester	NH	5,664,000
897	Spruce Street Connector	Nashua	NH	1,000,000
898	Trestle Bridge—Mill City Park Trail	Franklin	NH	1,200,000
899	Waterville Valley Pedestrian Improvements	Waterville Valley	NH	948,110
900	Whitefield Sidewalk Project	Whitefield	NH	396,704
901	Berkshire Valley Road Truck Circulation Project	Kenvil (Roxbury Township)	NJ	2,000,000
902	Bloomfield Avenue Roadway Improvements & Traffic Signal Modernization	West Caldwell, Caldwell, North Caldwell, Verona, Montclair, Glen Ridge, Bloomfield, and Newark	NJ	10,000,000
				5,000,000
				5,000,000
903	Bloomfield Station Rehabilitation Project	Bloomfield	NJ	2,000,000
904	Carteret Ferry Terminal Project	Carteret	NJ	5,625,000
905	City of Passaic Pedestrian Greenway Project	Passaic	NJ	883,432
906	Construction of Pedestrian Bridge on Columbia Trail (Relocation of Openaki Bridge Truss)	Long Valley (Washington Township)	NJ	1,000,000
907	Cranford Station Rehabilitation Project	Cranford	NJ	1,120,000
908	Dennisville Petersburg Road (CR 610) Resurfacing Improvements	Dennis Township	NJ	1,640,000
909	Dunellen Bikeway and Pedestrian Safety Improvements	Dunellen	NJ	475,723
910	East Orange Train Station	East Orange	NJ	800,000
911	Enhanced Laydown Area for Offshore Wind Industry, Paulsboro Marine Terminal	Paulsboro	NJ	4,750,000
912	Freehold's Parking Improvement project	Freehold Borough	NJ	557,716
913	Great Falls Gateway Phase II	Paterson	NJ	972,000
914	Hackettstown Mobility Improvement	Hackettstown	NJ	4,712,000
915	Hamilton Street Plaza Project	Bound Brook	NJ	1,760,000
916	Hand Avenue (CR–658) Bridge Over Skeeter Island Creek	Middle Township	NJ	1,310,000
917	Highlands Rail Trail Phase II	Wanaque	NJ	800,000
918	Hudson County's County Avenue Reconstruction	Secaucus	NJ	1,400,000
919	Irvington Avenue Sidewalks and Streetscape Improvements	South Orange	NJ	2,750,000
920	Jackson Avenue/Riverside Avenue Improvements Project	Rutherford	NJ	250,000
921	Kingsland Avenue Bridge Replacement Project	Lyndhurst and Nutley	NJ	5,000,000
922	Koleda Park Improvement Project	Middletown	NJ	800,000
923	Lackawanna Cut-off Culvert Relocation	Byram	NJ	1,600,000
924	Lincoln Avenue Drainage Improvements Project	Elizabeth	NJ	2,080,000
925	Long Branch Intermodal Station Project	Long Branch	NJ	13,000,000
926	McBride Avenue Roundabout Project	Woodland Park	NJ	960,000
927	Mercer County Bus Purchase	West Trenton	NJ	732,000
928	Mercer County Electric Vehicles and Electric Vehicle Charging Stations	Trenton	NJ	454,500
929	Mercer County Roadway Safety Improvements	Mercer County	NJ	640,000
930	Newark Broad Street Signal Optimization	Newark	NJ	1,650,000
931	North Broad Street Redevelopment Project	Newark	NJ	1,200,000
932	Ocean Drive (CR621) Upgrades and Bridge Improvements	Lower Township	NJ	7,000,000
933	Parkside Neighborhood School and Pedestrian Traffic Safety	Camden	NJ	6,000,000
934	Passaic Bus Terminal Canopy	Passaic	NJ	1,600,000
935	Patriots Way Bridge Superstructure Replacement	Oakland	NJ	4,184,830
936	Pedestrian Bridge at the Great Falls National Historical Park	Paterson	NJ	1,000,000
937	Pedestrian Improvement for Metro Park	Township of Woodbridge	NJ	1,250,000
938	Permanent Ferry Terminal Peninsula Project	Bayonne	NJ	4,321,600
939	Pleasant Avenue & Park Avenue / Pedestrian & Vehicular Safety Improvements & Restoration Project	Weehawken	NJ	7,520,000
940	Point Pleasant Beach Channel Drive ADA Compliance Upgrade and Surface Revitalization project	Point Pleasant Beach Borough	NJ	1,399,785

No.	Project Name	City	State/Territory	Amount
941	Pompton River Rail Bridge (Pequannock Valley Pedestrian Trail) Substructure Repair	Township of Pequannock, Morris County, and Township of Wayne, Passaic County	NJ	1,500,000
942	Reconstruction of Pedestrian Bridges over Cole Drive (Bridgewater Train Station)	Bridgewater	NJ	1,280,000
943	Replacement of Morris County Bridge 1400–433 on Bloomfield Avenue over a Tributary to Passaic River in the Township of Montville, Morris County	Montville/Pine Brooke	NJ	2,000,000
944	Replacement of Morris County Bridge 1400–935 on Lenape Island Road over Indian Lake in the Township of Denville, Morris County	Denville	NJ	1,000,000
945	River Road Overpass	West New York	NJ	5,200,000
946	River Road Subsurface Soil Stabilization	Edgewater	NJ	1,760,000
947	Roadway Rehabilitation East Atlantic Avenue CR727	Somerdale, Hi-Nella, Stratford	NJ	1,500,000
948	Roadway Rehabilitation Evesham Road, CR 544	Lawnside, Magnolia, Somerdale, Cherry Hill, Voorhees	NJ	2,500,000
949	Roadway Rehabilitation Haddon Ave. CR561	Haddon Township, Collingswood	NJ	3,000,000
950	Roadway Rehabilitation Red Bank Avenue CR644	Woodbury	NJ	1,765,000
951	Route 202, First Avenue Intersection Improvements – Right of Way Acquisitions	Raritan	NJ	3,340,685
952	Route 29 Tunnel Ventilation System	Trenton	NJ	2,400,000
953	Route 33 Bridge Over Millstone River	Millstone Township	NJ	3,640,000
954	Route 35 Bridge Over the North Branch of Wreck Pond	Wall	NJ	3,736,000
955	Route 55/Route 47 Interchange	Millville	NJ	9,250,000
956	Seaside Heights Boardwalk Replacement	Seaside Heights	NJ	400,000
957	Shaler Boulevard Streetscape Project	Ridgefield	NJ	250,000
958	Skyline Drive Bicycle and Pedestrian Bridge	Ringwood	NJ	800,000
959	South Orange Avenue Streetscape Improvement Project	Newark	NJ	4,000,000
960	Study & Engineering Design for the Rehabilitation or Replacement of Sussex County Bridge K-03 in the Borough of Hopatcong	Hopatcong	NJ	2,360,000
961	Sussex County Guide Rail Upgrade Program	Frankford and Wantage	NJ	1,000,000
962	Sussex County Skylands Ride Capital Project	Hamburg	NJ	400,000
963	Teaneck Pedestrian Overpass Replacement	Teaneck	NJ	4,000,000
964	Tenafly Roadway Resurface & Improvements	Borough of Tenafly	NJ	1,545,000
965	The County Road 539 Overpass Project	Plumstead	NJ	8,000,000 7,000,000 1,000,000
966	Traffic Signal Optimization/Adaptive Signals Along McCarter Highway (Route 21)	Newark	NJ	1,600,000
967	U.S. Route 130/Delaware Avenue/Florence Columbus Road Intersection Improvements	Florence Township	NJ	17,320,000
968	Union County Structurally Deficient Bridge Initiative – Allen Ave. Bridge, Township of Union	Union Township	NJ	400,000
969	Union County Structurally Deficient Bridge Initiative – Faitoute Ave. Bridge, Kenilworth	Kenilworth	NJ	600,000
970	Union County Structurally Deficient Bridge Initiative—High Street Bridge	Summit	NJ	600,000
971	Union County Structurally Deficient Bridge Initiative – Oakland Place Bridge	Summit	NJ	760,000
972	Union County Structurally Deficient Bridge Initiative – Pine Grove Avenue Bridge	Summit	NJ	800,000
973	Union County Structurally Deficient Bridge Initiative – Shunpike Road Bridge	Summit	NJ	600,000
974	Union County Structurally Deficient Bridge Initiative—Spring Garden Bridge, Cranford	Cranford	NJ	800,000
975	West County Drive (CR 646) Extension	Township of Branchburg	NJ	6,493,600
976	West Milford Bikeway Connector Project	West Milford	NJ	536,000
977	Willingboro EV Charging Stations	Willingboro	NJ	800,000
978	Woodbine Bikeway and Trailhead Improvements	Borough of Woodbine	NJ	800,000
979	Arroyo De Los Chamisos Crossing	Santa Fe	NM	4,900,000
980	Coal Avenue Commons ''Event Street''	Gallup	NM	3,500,000
981	County Road 43—Superman Canyon Bridges	McKinley County—Churchrock Chapter	NM	4,500,000
982	Foothills Drive Enhancement Phase III	Farmington	NM	1,324,800
983	Kilgore Street Improvements	Portales	NM	2,079,000
984	Rio Lucero Road Improvement Project	Taos Pueblo	NM	3,048,910
985	Wild Rose Road (Route #670) and Pedestrian Improvement Project	Santa Clara Pueblo	NM	618,000
986	Arlington Avenue Bridges Project	Reno	NV	6,000,000
987	Charleston Boulevard Underpass	Las Vegas	NV	7,000,000
988	Charleston Park Avenue Reconstruction Project	Pahrump	NV	1,552,079
989	Coleman Road Expansion	Fallon	NV	5,000,000
990	Hydrogen Fuel Cell Bus and Fuel Site Project	Reno	NV	5,240,000
991	I–15 South Package 2—Sloan to Blue Diamond	Las Vegas	NV	5,000,000
992	Maryland Parkway Bus Rapid Transit Zero Emission Fleet	Las Vegas	NV	5,000,000
993	North Las Vegas Street Light Conversion	North Las Vegas	NV	12,000,000
994	Rancho Drive Complete Streets Improvements	Las Vegas	NV	3,000,000
995	SR28 Central Corridor Sand Harbor to Spooner—Secret Harbor to Skunk Harbor Trail, Parking and Safety Improvements	Carson City	NV	1,760,000
996	William Street Complete Streets Project	Carson City	NV	2,000,000

No.	Project Name	City	State/Territory	Amount
997	ADA: Classon Ave / Crosstown Line (G Train)	Brooklyn	NY	5,000,000
998	ADA: Forest Hills Platform Extensions & Elevators	Queens	NY	16,910,000
999	ADA: Parkchester-E.177 St / Pelham Line (6 Train)	Bronx	NY	15,000,000
1000	Asharoken Avenue	Northport	NY	800,000
1001	Bannister Creek Bridge Rehabilitation	Lawrence	NY	4,940,000
1002	Basher Pedestrian Bridge Rehabilitation	Tarrytown	NY	494,400
1003	Bayville Bridge	Bayville	NY	14,489,446
1004	Bridge Repair/Safety Assurance, Westchester County	Tarrytown	NY	1,096,395
1005	Bridge Replacement of CR46 (William Floyd Parkway) over Narrow Bay	Brookhaven	NY	7,200,000
1006	Broadway Junction Improvements Phase 1, Brooklyn, NY, 8th Congressional District	Brooklyn	NY	8,000,000
1007	City of Poughkeepsie Market Street Connectivity Project	Poughkeepsie	NY	2,400,000
1008	Concrete Pavement Rehabilitation I–495	Brookhaven	NY	7,998,048
1009	County Route 7&8—RTE 299 Roadway Repaving	Towns of New Paltz and Gardiner	NY	3,600,000
1010	Craig Street Corridor Project	Schenectady	NY	2,700,000
1011	Del Valle Square/Crames Square Traffic, Safety, and Plaza Improvements	Bronx	NY	4,870,000
1012	DL&W Station	Buffalo	NY	5,000,000
1013	Electric Bus Charging Facility	Rochester	NY	800,000
1014	Elmwood Avenue Multiuse Corridor Improvement	Rochester	NY	8,596,000
1015	Griswold Road over Murder Creek Bridge Replacement	Darien	NY	1,203,200
1016	Half Moon Bay Bridge Reconstruction Project	Croton-on-Hudson	NY	1,500,000
1017	Heritage Trail Extension: Hartley Road to Downtown Middletown (Segment 2)	Town of Goshen	NY	500,000
1018	High Line Connections—Hudson River Park / Javits Center Connection	New York	NY	5,000,000
1019	Highland Avenue over Wallace Street	Otisville	NY	1,250,000
1020	Highway and Pedestrian Safety Infrastructure Improvements	Kiryas Joel	NY	1,380,000
1021	Highway Improvements to the Interval Avenue Area, Farmingdale	Oyster Bay	NY	1,000,000
1022	Hudson Highlands Fjord Trail	Beacon	NY	4,350,000
1023	Hudson Line Tunnels	Peekskill	NY	4,550,000
1024	I–84/Route 9D Connectivity (Beacon-Fishkill)	Beacon and Town of Fishkill	NY	400,000
1025	Improvements to East Lincoln Avenue, Riverdale Avnenue and Pirates Cove, Massapequa	Oyster Bay	NY	1,000,000
1026	Inner Loop North Transformation Project	Rochester	NY	4,000,000
1027	Lake St. Bridge Project	Newburgh	NY	1,750,000
1028	Lake to Lake Road Bridge Replacement	Town of Gorham	NY	1,464,000
1029	Level 2 EV Charging Network in NYCDOT Municipal Parking Facilities	Queens	NY	734,400
1030	Little Bay Park Promenade	Bayside	NY	1,000,000
1031	Long Beach Road Improvements, South Hempstead, NY	Rockville Centre	NY	4,780,000
1032	Multi-Modal Phase I/Pedestrian Connector Project	Amsterdam	NY	4,500,000
1033	Newburgh Ferry Landing Pier	Newburgh	NY	4,000,000
1034	Northport Flooding on Main St.	Northport	NY	1,392,000
1035	Northwest Bronx School Safety Improvement Project	Bronx	NY	2,331,000
1036	NY 146 and NY146A Bicycle & Pedestrian Access Improvements	Clifton Park	NY	1,055,000
1037	NYS Route 133 Bike Lane	Ossining	NY	1,500,000
1038	Onondaga Lake Canalways Trail—Salina Extension Project	Syracuse	NY	8,000,000
1039	Orange-Dutchess Transportation Access and Mobility Study	Goshen	NY	400,000
1040	Outer Harbor Multi-Use Trails	Buffalo	NY	2,000,000
1041	Park Ave—Ingersoll Houses Safety Improvements	Brooklyn	NY	1,942,000
1042	Perry Road (CR 64) Highway Rehabilitation	Mt. Morris	NY	1,440,000
1043	Phase 1 of the New York State Route 38 – State Street Pavement Preservation Project	Auburn	NY	2,778,400
1044	Preventative Maintenance Pavement from Route 67/ Route 10 Ephratah to Johnstown City Line	Town of Johnstown & Ephratah	NY	3,394,752
1045	Purchase of Eight Electric Buses for Use in Emerging Markets – Montgomery County	Albany	NY	6,000,000
1046	Putnam County's Donald B. Smith Transit Hub	Carmel	NY	1,500,000
1047	Rapids Road Highway Improvements	Lockport	NY	4,000,000
1048	Reconstruction of Osborne Street	Auburn	NY	4,407,200
1049	Reconstruction of the Intersection of Rt 7, Rt 23 and Maple St in Oneonta into Roundabout Configuration	Oneonta	NY	3,200,000
1050	Replacement of the Bridge Street Bridge over Schoharie Creek	Schoharie	NY	6,254,400
1051	Restoration of Van Cortlandt Manor Entrance Road Project	Croton-on-Hudson	NY	600,000
1052	Riverside Drive Pedestrian Mall	New York	NY	2,400,000
1053	Rose Road over Bowen Creek Bridge Replacement	Batavia	NY	1,033,600
1054	Route 104 Intersection Improvement Project	Ontario	NY	1,254,400
1055	Route 2 Multi-Modal Connectivity Project	Troy	NY	5,700,000
1056	Route 28/South Inlet Lake	Town of Arietta	NY	6,621,248
1057	Route 31 Improvement Project	Wayne County	NY	2,970,400
1058	RT 12E/ Chaumont River	Village of Chaumont	NY	9,984,000
1059	Safe and Accessible Midtown Kingston	Kingston	NY	6,053,818
1060	Safe Passage for CRCS Students	Cuba	NY	1,472,000
1061	Safe Routes to School-Bronx (HWCSCH4D)	Bronx	NY	1,682,000

No.	Project Name	City	State/Territory	Amount
1062	Safe Routes to School—Manhattan (HWCSCHMN)	New York	NY	3,643,000
1063	Safe Routes to Transit 86th Street	Brooklyn	NY	2,516,000
1064	Sands Point Preserve Bridge	Village of Sands Point	NY	1,784,000
1065	Sharp Road (CR 181) over Spring Brook Bridge Replacement	Concord	NY	1,400,000
1066	Shoreline Trail	Lackawanna and Hamburg	NY	2,000,000
1067	Southeast Queens Flooding Relief	Queens	NY	3,859,000
1068	Street Restoration in Brooklyn—Hancock St, Bushwick Ave, Hill St, E 80th St	Brooklyn	NY	4,884,000
1069	The Maiden Lane Rehabilitation Project	Greece	NY	6,604,000
1070	The New Rochelle LINC Project	New Rochelle	NY	13,000,000
1071	The Riverline	Buffalo	NY	10,500,000
1072	Twin Cities Highway Complete Streets	Tonawanda and North Tonawanda	NY	500,000
1073	Ulster County Electric Bus Charging Infrastructure	Kingston	NY	800,000
1074	Union Turnpike Center Median Replacement	Queens	NY	2,355,200
1075	Van Wyck Expressway Access Improvement to John F. Kennedy Airport	Queens	NY	16,141,000
1076	Victor Traffic Mitigation Project	Victor	NY	9,920,000
1077	Village of Ossining Route 9 Road Diet Project	Ossining	NY	1,000,000
1078	Water Street Rejuvenation Project	Elmira	NY	1,289,400
1079	West Broadway Rehabilitation	Woodmere to Cedarhurst	NY	9,670,000
1080	West Lake Road (CR 3) Preventative Maintenance	Perry	NY	931,478
1081	Williams Bridge Station Renewal	Bronx	NY	14,675,000
1082	Yonkers Greenway	Yonkers	NY	1,791,600
1083	11th Street Reconstruction Project	Canton	OH	1,500,000
1084	Arlington Road Corridor	Green	OH	5,578,551
1085	Bagley Road Reconstruction	North Ridgeville	OH	1,500,000
1086	BRO–32–4.16	Mt. Orab	OH	10,000,000
1087	Cherry Rd Bridges Rehabilitation	Massillon	OH	1,480,000
1088	CLE CR 3 – Aicholtz Road Roundabouts	Cincinnati	OH	2,000,000
1089	CLE SR32–2.33 – CLE CR55 Overpass	Batavia	OH	1,500,000
1090	Cleveland Avenue Multimodal Facility Project	Westerville	OH	800,000
1091	Columbia Road—I–90 Interchange	Westlake	OH	1,900,000
1092	E. Main Street (SR153) & Nickel Plate Intersection Improvement	Louisville	OH	1,200,000
1093	East Dayton Rails-to-Trails (Flight Line)	Dayton	OH	2,000,000
1094	Easton Street/GlenOak HS Intersection Improvements	Canton	OH	575,000
1095	Electric Trolley Power Distribution System	Dayton	OH	3,600,000
1096	French Creek Greenway Phase 1	Avon	OH	595,637
1097	Gaysport Bridge Replacement Project	Philo	OH	3,000,000
1098	HAM–75–1.95	Cincinnati	OH	8,640,000 4,320,000 4,320,000
1099	Hydrogen Infrastructure Tank Increase	Canton	OH	1,000,000
1100	Interchange Construction Project on I–71 at Sunbury Parkway	Sunbury	OH	3,000,000
1101	Kungle Road Culvert Replacement	Norton	OH	308,000
1102	LUC IR 475 @ US 20A Interchange	Lucas County	OH	10,000,000
1103	Main Street Corridor Improvement Plan	Mansfield	OH	2,000,000
1104	Miller Road—I77 Interchange	Brecksville	OH	12,000,000
1105	Olmsted Falls Columbia Rd.	Olmsted Falls	OH	1,900,000
1106	Pearl Road Brunswick	Brunswick	OH	2,718,700
1107	Pearl Road Improvements	Brunswick	OH	1,500,000
1108	River Styx Road/SR 162 Intersection Roundabout	Montville Township	OH	3,200,000
1109	Sprague Road Widening Parma	Parma	OH	800,000
1110	SR283 Capacity Improvements	Mentor	OH	3,148,000
1111	Stark County CR–224	North Canton	OH	350,000
1112	State Route 13 Relocation	Mount Vernon	OH	1,900,405
1113	State Route 254 & State Route 83 Intersection Improvement	Avon	OH	1,500,000
1114	Study and Design of ATB 531	Ashtabula	OH	2,400,000
1115	The Point Intersection—US 36/SR 37	Delaware	OH	4,000,000
1116	Thornwood Crossing Project	Newark	OH	5,000,000
1117	U.S. Route 30—East Canton Expansion	East Canton	OH	1,500,000
1118	US–422 Harper Road Interchange	Solon	OH	2,414,288
1119	W. Tuscarawas Street Safety Corridor Project	Canton	OH	1,000,000
1120	Wadsworth Streetscape	Wadsworth	OH	2,500,000
1121	Wayne CR–30 Resurfacing project	Wooster	OH	1,219,962
1122	West Creek Greenway	Parma	OH	2,720,000
1123	Western Hills Viaduct Replacement Project	Cincinnati	OH	15,000,000
1124	Bobcat Way: Transformation of Fairview Avenue	Grandview Heights	OH	1,000,000
1125	Broad Street and James Road Intersection	Columbus	OH	1,000,000
1126	Cherry Bottom Road Emergency Stabilization	Gahanna	OH	860,000
1127	City of Akron—North Main Street Complete Streets Project	Akron	OH	4,000,000
1128	Cleveland Hopkins Airport Master Plan Interstate Access Improvement Project	Cleveland	OH	2,000,000
1129	Cuyahoga Falls—Gorge Terrace Street Transformation Project	City of Cuyahoga Falls	OH	7,200,000
1130	Eastgate—State Route 46 and Warren-Sharon Road Intersection Safety Improvements	Howland Township	OH	4,000,000
1131	Ferris Road Corridor	Columbus	OH	2,000,000
1132	Hiawatha Park Drive Urban Greenway	Columbus	OH	1,000,000
1133	Hudson Street and Greenway Trail	Columbus	OH	1,000,000

No.	Project Name	City	State/Territory	Amount
1134	Jackson Street/ Civic Center Mall Corridor-Lucas County	Toledo	OH	4,000,000
1135	Life and Safety Facility Upgrades, TARTA M&O Facility	Toledo	OH	4,000,000
1136	Lorain County Lakefront Connectivity Project	Lorain Ohio	OH	4,000,000
1137	Mahoning Avenue Industrial Corridor Upgrade	Jackson Township	OH	4,000,000
1138	Multimodal Lakefront Access, Cuyahoga County, Ohio	City of Cleveland Boundary, including Bay Village, Rocky River, and Lakewood	OH	2,000,000
1139	Operation Safewalks – Refugee Road	Columbus	OH	2,000,000
1140	Reynoldsburg East Main Phase II	Reynoldsburg	OH	1,585,000
1141	Reynoldsburg Park & Ride	Reynoldsburg	OH	500,000
1142	Rickenbacker Area Access—Northbound Bridge Project	Columbus	OH	5,000,000
1143	Rickenbacker Area Mobility Center (RAMC)	Columbus	OH	3,000,000
1144	Sandusky Bay Pathway	Sandusky	OH	4,000,000
1145	Bridges on Interstate 35 at Interchanges between Memorial and 2nd Street	Edmond	OK	10,000,000
1146	I–35 Widening in Love County	Love County	OK	17,120,000
1147	I35/I240 Interchange	Oklahoma City	OK	10,000,000
1148	I–40 and Exit 65 in Clinton	Clinton	OK	3,250,000
1149	S.E. 29th Street Bridge Replacement & Repair Project	Midwest City	OK	2,880,000
1150	SH30 from SH33 N. 2 miles in Roger Mills Co	Durham	OK	2,000,000
1151	SH–33 from Blaine County line east to SH–74	Kingfisher	OK	3,250,000
1152	US–270 between Watonga and Seiling	Watonga	OK	3,250,000
1153	US–287 from Boise City north to Colorado (Ports-to-Plains Corridor)	Boise City	OK	3,250,000
1154	181st Safety Improvements	Gresham	OR	4,000,000
1155	82nd Avenue Safety Projects	Portland	OR	5,000,000
1156	Albany Transit Operations Facility	Albany	OR	1,563,978
1157	Beaverton Downtown Loop: Phase 1 Improvements	Beaverton	OR	4,000,000
1158	Benton Area Transit Vehicle Replacement	Corvallis	OR	528,000
1159	Corvallis Area Pedestrian Crossing Improvements	Corvallis	OR	880,000
1160	Georgia Pacific Mill Site Rail-Served Marine Terminal	Coos Bay	OR	4,500,000
1161	I–5: Aurora-Donald Interchange Improvement Project	Aurora	OR	20,000,000
1162	Libby Lane Repaving	Coos Bay	OR	486,400
1163	LTD Electric Bus Replacement	Eugene	OR	1,844,322
1164	Main Avenue/OR 104 Pedestrian Route	Warrenton	OR	1,360,000
1165	NW Circle Boulevard Reconstruction/Rehabilitation	Corvallis	OR	2,800,000
1166	OR18: Newberg-Dundee Bypass Phase 2 (OR219 Section)	Newberg	OR	8,000,000
1167	River Road—Santa Clara Bicycle and Pedestrian Bridge	Eugene	OR	1,500,000
1168	Rose Lane / High Crash Corridor – Smart Tech and Safety Improvements – 122nd	Portland	OR	5,000,000
1169	Safety and Smart Technology Investments: Central City, Broadway	Portland	OR	4,000,000
				2,000,000
				2,000,000
1170	Siuslaw River Bridge Pedestrian and Bicycle Improvement Project	Florence	OR	897,300
1171	Territorial Highway Reconstruction Phase 3	Lane County	OR	5,000,000
1172	TriMet Zero Emission Bus Infrastructure	Portland	OR	4,000,000
1173	Tualatin Valley Highway Safety Improvements	Cornelius, Hillsboro, unincorporated Washington County	OR	4,000,000
1174	Amtran Bus Replacement	Altoona	PA	900,000
1175	Asset Management Phase 1	Washington/North Branch/ Forkston Townships	PA	2,800,000
1176	Bradford Bypass	Bradford	PA	5,680,000
1177	Bristol Station Improvements	Bristol	PA	5,000,000
1178	Cambria County Transit Authority (CamTran) Bus Replacements	Johnstown	PA	6,160,000
1179	Crawford Avenue Bridge Rehabilitation	Connellsville	PA	5,682,180
1180	East Washington Road (PennDOT ID 91768)	New Castle	PA	3,116,000
1181	East Washington Street Bridge (PennDOT ID 100743)	New Castle	PA	1,400,000
1182	Johnstown Mainstreet Greenway & Urban Connectivity Improvements	Johnstown	PA	1,500,000
1183	Laurel Valley Transportation Improvement Project SR 130 to Arnold Palmer Airport	Mt Pleasant and Unity Townships	PA	5,000,000
1184	Lower State Road Grade Crossing Safety Improvements	Philadelphia	PA	1,200,000
1185	Marsh Creek Greenway	Wellsboro	PA	5,000,000
1186	PA Route 26 Jacksonville Road Betterment	Bellefonte	PA	5,000,000
1187	PA Turnpike / I–95 Interchange Project, Section C	Bensalem	PA	5,000,000
1188	PA Turnpike / I–95 Interchange Project, Section D30	Bensalem	PA	5,000,000
1189	Purchase of 8 Microtransit Vans	State College	PA	416,000
1190	Route 61 Revitalization	Schuykill County	PA	15,200,000
1191	Sassafras Street Extension Pedestrian Bridge	Erie	PA	4,400,000
1192	SR 1001 Farrandsville Road Improvements	Woodward Township and Lock Haven	PA	1,200,000
1193	SR 104 over Mahantango Creek	Chapman Township	PA	1,000,000
1194	SR2027 Speers Bridge Replacement over I–70	Speers Borough	PA	5,672,564
1195	SR87 ov Kettle Creek	Hillsgrove Township	PA	1,040,000
1196	State Route 68 Corridor Improvements	Butler	PA	6,630,000
1197	US 422 Bypass Phase 2	Butler, Connoquenessing, and Franklin Townships	PA	2,454,000
1198	US 6: Reynolds St – Baldwin St Ext (Route 6 Highway Reconstruction)	Meadville	PA	2,000,000
1199	US Business Route 322 (State Route 3014) Atherton Street Section 153 Drainage/Repaving Project	State College	PA	5,550,000

No.	Project Name	City	State/Territory	Amount
1200	Warrensville Road Slide Rehabilitation	Williamsport	PA	3,360,000
1201	Waynesburg Betterment	Waynesburg Borough & Franking Township	PA	8,000,000
1202	69th Street Transportation Center Master Plan	Upper Darby	PA	1,600,000
1203	Blakely Borough Main Street Corridor Improvement Project	Blakely Borough, Lackwanna County	PA	1,497,417
1204	Bridge Replacement 209 & 33 NB over Appenzell Creek	Hamilton Township	PA	2,000,000
1205	Bushkill Creek Bridge Replacements (2) Carrying State Route 33	Easton	PA	4,000,000
1206	Carnegie Station Improvement and Park and Ride Expansion	Carnegie	PA	9,699,200
1207	Castor Ave Complete Street	Philadelphia	PA	3,000,000
1208	Cementon Bridge Replacement carrying State Route 329 over the Lehigh River	Whitehall, Northampton	PA	10,000,000
1209	Chestnut Street Pedestrian Safety Islands	Philadelphia	PA	3,000,000
1210	Cobbs Creek Parkway Multimodal Safety Improvements: Larchwood Avenue to 67th St.	Philadelphia	PA	2,000,000
				1,200,000
				800,000
1211	County of Lackawanna Transit System Transit Facility Renovation	Scranton	PA	5,000,000
1212	Crestwood Drive Resurfacing Project	Wright Township, Luzerne County	PA	1,200,000
1213	Critical Pedestrian Connections – Public Steps Reconstruction	Pittsburgh	PA	5,000,000
1214	Cross County Trail – Germantown Pike Crossing and Extension	Plymouth Township	PA	4,840,000
1215	Erie Station (Broad Street Line) Accessibility Improvements	Philadelphia	PA	7,200,000
				3,600,000
				3,600,000
1216	Exton Station Intermodal Connectivity	Exton	PA	4,800,000
1217	Frankford Creek Greenway: Adams Avenue to Bristol Street	Philadelphia	PA	2,000,000
1218	Franklin Square Pedestrian and Bicycle Improvement—7th and Race Specific	Philadelphia	PA	240,000
1219	Hazleton Buses and Bus Infrastructure	Hazleton	PA	1,500,000
1220	Hill District Corridor Enhancements	Pittsburgh	PA	6,000,000
1221	Improvements to Boulevard of the Allies	Pittsburgh	PA	5,000,000
1222	Kittanning Pike Flood Control	O'Hara Township	PA	2,200,000
1223	Lower Demunds Road Resurfacing Project	Dallas Township, Luzerne County	PA	1,200,000
1224	Main Street Grade Crossing in Darby Borough	Darby Borough	PA	1,000,000
1225	Mantua Neighborhood Traffic Safety Project (34th St.)	Philadelphia	PA	4,000,000
1226	Marcus Hook Regional Rail Station Accessibility Improvements	Marcus Hook	PA	11,250,000
1227	Market Place District Improvements Project	Moon Township	PA	3,100,800
1228	McKees Rocks Bridge	McKees Rocks	PA	5,000,000
1229	McKeesport—Duquesne Bridge Preservation	McKeesport	PA	4,000,000
1230	PA 12 West Resurface- 422	Wyomissing Borough	PA	4,000,000
1231	Parkside Avenue – Safe Access to Parks	Philadelphia	PA	4,000,000
1232	Penn Center Transit Gateway	Philadelphia	PA	3,975,000
1233	PHL Airport Bike Lanes	Philadelphia	PA	3,000,000
1234	Replacement of SR 590 Bridge over Branch of Ariel Creek	Salem Township, Wayne County	PA	560,000
1235	Replacement of SR 590 Bridge over Inlet to Finn Swamp	Paupack Township, Wayne County	PA	432,000
1236	Roosevelt Boulevard Intersection Improvements	Philadelphia	PA	1,960,000
1237	Schuylkill Avenue Bridge	Reading	PA	4,904,036
1238	Second Street Signal Optimization (Lehigh Ave to Callowhill St)	Philadelphia	PA	2,400,000
1239	SEPTA Platform Rehabilitation Project at PHL	Philadelphia	PA	1,205,000
1240	Sleepy Hollow Road Bridge Replacement	Butler Township, Luzerne County	PA	1,200,000
1241	South Henderson Road Widening	Upper Merion	PA	5,000,000
1242	SR 29 & SR 113 Intersection Improvements	Perkiomen Township	PA	3,676,512
1243	SR 4004—Park Ave, Eagleville Road, Crawford Road Intersection Realignment Project	Audubon	PA	4,745,604
1244	State Route 115 Corridor Improvements Effort	Chestnuthill Township, Monroe County	PA	4,000,000
1245	State Route 590 Paving Project	Lackawaxen Township, Pike County	PA	2,400,000
1246	State Route 652 Resurfacing Project	Berlin Township, Wayne County	PA	1,008,000
1247	Tilghman Street and State Route 309 Interchange Reconstruction	South Whitehall Township	PA	4,000,000
1248	Upper Darby Walnut Street Multimodal Connectivity Project	Upper Darby	PA	745,000
1249	US 222 Hard Shoulder	Wyomissing Borough	PA	5,000,000
1250	PRHTA-01 Lajas to San German	Lajas	PR	5,000,000
1251	PRHTA-02 Gurabo	Gurabo	PR	4,800,000
1252	PRHTA-03 Bayamon	Bayamon	PR	7,884,000
1253	East Main Road – Union Avenue to Sandy Point Avenue Safe Shared-Use Path	Portsmouth	RI	240,000
1254	Hope and Main Street Sidewalks	Bristol and Warren	RI	8,000,000

No.	Project Name	City	State/Territory	Amount
1255	Pawtucket Avenue Veteran's Memorial Parkway to Waterman Avenue	East Providence	RI	5,600,000
1256	Post Road and Old Post Road Improvements	Westerly, Charlestown	RI	10,400,000
1257	Route 2, Bald Hill Road, and New London Avenue Improvements	Warwick/Cranston	RI	4,000,000
1258	RT–114, Wampanoag Trail (East Shore Expressway to Federal Road)	Barrington and East Providence	RI	5,920,000
1259	Trestle Trail—West Section	Coventry	RI	4,400,000
1260	I 26/ 526 Interchange	North Charleston	SC	20,000,000
1261	SC–126 Belvedere Clearwater Road Widening	Clearwater	SC	13,069,695
1262	Corridor Improvement at Old State Road (US 21/176) from Savany Hunt Creek Road (S–86) to Old Sandy Run Road (S–31)	Calhoun County	SC	1,100,000
1263	Intersection Improvement at Old State Road (US 21/176) and Savany Hunt Creek Road (S–86)	Gaston	SC	1,100,000
1264	Santee Wateree Regional Transportation #2022	Sumter	SC	2,000,000
1265	Sumter Manning Avenue Bridge Multimodal Enhancements	Sumter	SC	4,000,000
1266	US 21/178 Bypass (Joe S. Jeffords Highway) Corridor Improvement	Orangeburg	SC	7,800,000
1267	Walk Bike Columbia	Columbia	SC	4,000,000
1268	Blount County Greenway	Blount County	TN	3,420,800
1269	Elvis Presley Boulevard	Memphis	TN	7,000,000
1270	Knob Creek Road	Johnson City	TN	2,630,000
1271	Magnolia Avenue Corridor	Knoxville	TN	10,000,000
1272	MATA Electric Bus Program	Memphis	TN	7,000,000
1273	Memphis 3.0 (Kimball at Pendleton)	Memphis	TN	3,000,000
1274	Mississippi Boulevard Signalized Pedestrian Crossing	Memphis	TN	1,141,440
1275	Overton Park Cooper Street Entrance	Memphis	TN	1,739,432
1276	SR–126	Kingsport	TN	5,662,000
1277	SR–34	Morristown	TN	2,394,000
1278	SR–35	Greenville	TN	2,018,000
1279	SR–36	Spurgeon	TN	5,445,000
1280	SR–499 EXT	Sevierville	TN	832,000
1281	SR–93 Horse Creek	Kingsport	TN	777,000
1282	SR–93 Miscellaneous Safety Improvements	Fall Branch	TN	242,000
1283	Third/Fourth Street Corridor Project, Chattanooga, TN	Chattanooga	TN	2,500,000
1284	US–127 (SR–28)	Fentress County / Cumberland County	TN	20,000,000
1285	54 Scott Street BOOST Corridor project	Houston	TX	20,000,000
1286	Austin Bergstrom Spur Urban Trail	Austin	TX	10,000,000
1287	Austin Ross Road Substandard Street	Austin	TX	10,000,000
1288	Bear Creek Road Improvement Project	Glenn Heights	TX	3,329,417
1289	City of South Houston--Concrete Sidewalks	South Houston	TX	1,264,530
1290	Clay Road Bridge Reconstruction Project	Houston	TX	9,929,577
1291	Dallas East Grand Avenue (SH–78) Corridor Study & Infrastructure Improvements	Dallas	TX	1,300,000
1292	Dallas Vision Zero Implementation	Dallas	TX	10,000,000
1293	DART LED Light Replacement Project	Dallas	TX	2,080,000
1294	DART Mobile Data Terminals System Upgrade Project	Dallas	TX	1,760,000
1295	East Dallas Bus and Maintenance Facility Renovation Project	Dallas	TX	891,992
1296	FM 3349/US 79 Railroad Grade Separation Project	Hutto & Taylor	TX	10,000,000
1297	FM 60 from 2 miles east of SH 36 to .8 miles west of FM 2039	Caldwell	TX	4,000,000
1298	Foley Street & Navigation Realignment & Infrastructure Re-Use Construction Phase	Houston	TX	10,000,000
1299	Fondren Road Reconstruction with Transit and Pedestrian Enhancements	Houston	TX	11,000,000
1300	Greater Downtown Dallas Master Plan	Dallas	TX	1,600,000
1301	Grove Street Intermodal Campus Rehabilitation	Fort Wort	TX	3,250,000
1302	High Line Project	Pharr	TX	940,160
1303	IBTC	Donna and Alamo	TX	3,500,000
1304	IH 45 from 1.5 miles south of S 84 to US 84	Fairfield	TX	1,000,000
1305	IH 69E	Lyford and Sebastian	TX	3,500,000
1306	Intersection at SH 191 and Yukon Rd.	Midland	TX	6,520,000
1307	John Hayes Extension	El Paso	TX	12,000,000
1308	Meadowglen West Complete Street Project	Houston	TX	4,000,000
1309	Memorial Park Connector South	Houston	TX	4,000,000
1310	Missouri City/BW 8 Transit Facility	Missouri City	TX	5,000,000
1311	New Construction Overpass at Loop 338 and South US 385	Odessa	TX	2,000,000
1312	Pharr International Bridge Dock Expansion 1	Pharr	TX	2,863,918
1313	Pharr International Bridge-Commercial Vehicle Staging Area	Pharr	TX	3,880,000
1314	Phase 3A—SL 88 from Memphis to CR 2240 (Ave. U) (TxDOT Project Id: 1502–01–029)	Lubbock	TX	11,820,000
1315	Phase 3B—SL 88 from SL 88 from Chicago Avenue to Memphis Avenue (TxDOT Project Id: 1502–01–030)	Lubbock	TX	8,180,000
1316	Reconstruction of US385 in Odessa	Odessa	TX	1,000,000
1317	Re-establish Northwest Drive Direct Access to IH 635	Mesquite	TX	10,000,000
1318	RM 2243 Resiliency Project	Leander	TX	10,000,000
1319	Safe Access to Transit Improvements	Houston	TX	1,200,000
1320	SH 550	Brownsville	TX	3,791,529
1321	SH 6 from BS 6–R to SH 40	College Station	TX	4,000,000

No.	Project Name	City	State/Territory	Amount
1322	South Parallel Corridor Phase III	San Benito	TX	6,500,000
1323	South Park and Ride Project/Electric Bus Project Expansion	McAllen	TX	4,700,000
1324	Speegleville Road: Bridge at Middle Bosque River	Waco	TX	8,379,000
1325	Stanton Street Bridge ''Good Neighbor International Bridge'' Intelligent Transportation System	El Paso	TX	7,200,000
1326	The I–35 Innovative Corridor Project	Dallas	TX	7,500,000
1327	Traffic Signal Improvements Loop 338 at W Yukon Rd	Odessa	TX	2,480,000
1328	Trinity Lakes Station—Fort Worth Transportation Authority	Fort Worth	TX	11,962,800
1329	TX SH 36 Expansion	Fort Bend County	TX	20,000,000
1330	Vallecillo Road Project	Laredo	TX	14,000,000
1331	Westheimer BOOST	Houston	TX	16,000,000
1332	Widen US–77	Victoria	TX	20,000,000
1333	Widening of US–83 South of Zapata Townsite Project	Zapata	TX	5,780,148
1334	Zarzamora/Frio City Road RR Overpass	San Antonio	TX	15,600,000
1335	1300 East/Richmond Street Reconstruction	Salt Lake City	UT	2,000,000
1336	1500 West and 1300 North Roundabout	Clinton City	UT	1,200,000
1337	4700 South Project WVC	West Valley City	UT	3,000,000
1338	700 West Project	South Salt Lake City	UT	3,000,000
1339	BRT from Kimball Junction to Park City (S.R. 224)	Park City	UT	6,500,000
1340	Colorado River Pathway Phase IV	Moab/Grand County	UT	1,000,000
1341	Fort Street Reconstruct	Draper	UT	915,294
1342	Frontage Road Bypass	Herriman	UT	4,800,000
1343	FrontRunner Forward	Provo to Ogden	UT	3,300,000
1344	Legacy Highway Frontage Road Project	Centerville	UT	1,500,000
1345	Midvalley Connector	Murray, West Valley, Salt Lake City	UT	5,500,000
1346	Neffs Canyon Trailhead Redesign	Salt Lake City	UT	800,000 400,000 400,000
1347	North Sugar Factory Road	Gunnison	UT	1,727,200
1348	Ogden 25th Street Rebuild Project	Ogden	UT	5,500,000
1349	Ogden Canyon Shared Use Pathway Project	Ogden	UT	4,000,000
1350	Park City Arts and Culture District Roadway and Connectivity Project	Park City	UT	1,200,000
1351	Provo Intermodal Center Pedestrian Bridge Project	Provo	UT	1,000,000
1352	Safe Route to School Sidewalk Project	Salt Lake County	UT	73,345
1353	Sharp/Tintic Railroad Connection	Springville and Spanish Fork	UT	1,700,000
1354	SR-7 Exit 5 Interchange, Southern Hills Bridge and Roadway	St. George	UT	5,000,000
1355	Young Street Bridge and Connector Road Project	Morgan City	UT	1,547,401
1356	Arlington Ridge Road Bridge	Arlington/Alexandria	VA	9,000,000
1357	Berkley Avenue Bridge	Norfolk	VA	5,000,000
1358	Chesapeake All-Electric Mobile Command Vehicle Demonstration Project	Chesapeake	VA	1,600,000
1359	Coalfields Expressway—RTE 121 West Virginia State Line to Grundy, VA	Grundy	VA	4,097,500
1360	Commerce Road Improvements Project	Richmond	VA	1,600,000
1361	Craney Island Access Road	Portsmouth	VA	3,111,500
1362	Electric Emergency Response Vehicles	Chesapeake	VA	1,600,000
1363	Fall Line Trail – Downtown Core Enhancements	Richmond	VA	1,500,000
1364	HRT Bus Replacement	Virginia Beach	VA	2,377,000
1365	I–64 at Oilville Road (Rte. 617) Interchange	Goochland County	VA	3,436,000
1366	I–66 Transportation Alternatives	Fairfax	VA	4,000,000
1367	I–81 Northbound Truck Climbing Lane—Mile Marker 39.5	Marion	VA	11,160,000
1368	Intersection Safety Improvements at the Intersection of Route 15 and Route 250	Troy	VA	5,082,700
1369	Intersection Safety Improvements at the Intersection of Route 22 and Route 780	Louisa	VA	2,050,000
1370	Interstate 95 and Willis Road Interchange Improvements Project	Chesterfield	VA	3,200,000
1371	Jahnke Road: Blakemore Road to Forest Hill Avenue	Richmond	VA	1,600,000
1372	Long Bridge	Arlington	VA	4,000,000
1373	Mathis Corridor Revitalization Project	Manassas	VA	7,000,000
1374	Multimodal Transportation Infrastructure Improvements	Falls Church	VA	2,000,000
1375	Nimmo Parkway Phase VII-B	Virginia Beach	VA	5,000,000
1376	Old Bridge Road at Gordon Boulevard Interchange/Intersection Improvements	Woodbridge	VA	4,000,000
1377	Parallel Chesapeake Tunnel Project	Northampton County	VA	3,111,500
1378	Peninsula Transit Signal Priority Improvements	Newport News and Hampton	VA	9,702,071
1379	Red Lane Road/Rt. 60 Continuous Green T	Powhatan	VA	3,145,663
1380	Richmond Highway Bus Rapid Transit	Fairfax County	VA	5,000,000
1381	Roundabout at the intersection of Middle Road (Rt. 646) and Jefferson Park Road (Rt. 630)	Prince George County	VA	3,540,806
1382	Route 31 Bicycle Accommodations Project	Surry	VA	6,379,000
1383	Route 7/Route 690 Interchange	Purcellville	VA	10,000,000
1384	Rt. 208 (Courthouse Road) and Hood Drive Intersection Improvement (UPC 110987)	Fredericksburg	VA	1,151,000
1385	Silver Line Support Transportation Alternatives	Fairfax	VA	10,500,000
1386	The Birthplace of America Trail	Newport News	VA	3,160,000
1387	Tidewater Drive Reconstruction	Norfolk	VA	6,400,000
1388	Transit Enhancement and Expansion	Chesterfield	VA	4,688,800
1389	St. Croix/St. Thomas Ferry	Christiansted	VI	15,000,000

No.	Project Name	City	State/Territory	Amount
1390	Barre City-Barre Town VT Route 14 / Quarry Street and Quarry Hill Road Intersection Reconstruction	Barre	VT	4,750,000
1391	Essex Junction Crescent Connector	Essex	VT	5,400,000
1392	Railyard Enterprise Project (Design & Permitting Phase)	Burlington	VT	2,250,000
1393	Town of Hartford (Quechee) U.S 4 Bridge Rehabilitation	Hartford	VT	7,600,000
1394	Bigelow Gulch and Sullivan Road Corridor	Spokane Valley	WA	2,650,000
1395	City of Waitsburg Highway 12 Preston Bridge Replacement	Waitsburg	WA	350,000
1396	Columbia Heights Road Reconstruction	Longview	WA	5,500,000
1397	Ferry County Kettle River Road Rehabilitation	Curlew	WA	1,797,000
1398	I–5/SR 503 Interchange Area Improvements	Woodland	WA	11,760,000
1399	Industrial Rail Corridor Expansion (IRCE)	Longview	WA	2,740,000
1400	Palouse River Bridge Replacement	Colfax	WA	6,000,000
1401	Spokane Airport Spotted Road Project	Spokane	WA	6,749,000
1402	SR 410/Rock Creek Vic—Chronic Environmental Deficiency	Naches	WA	3,562,000
1403	SW Mojonnier Road Reconstruction	College Place	WA	2,453,574
1404	US 12 Naches Vic to Yakima Vic—Intersection Safety Improvements	Naches	WA	1,452,000
1405	US 97/Jones Rd—Intersection Improvements	Wapato	WA	4,464,000
1406	US Highway 12 Phase 8 Final Design and Right of Way Acquisition	Touchet	WA	5,965,931
1407	Yakima County, East-West Corridor Phase II Project.	Yakima	WA	4,000,000
1408	169th Street Connecting Segment	Arlington	WA	3,900,000
1409	20th Street NE / Main Street Improvements	Lake Stevens	WA	2,000,000
1410	42nd Ave S Bridge Replacement Project	Tukwila	WA	1,270,000
1411	Aberdeen US 12 Highway-Rail Separation Project	Aberdeen	WA	2,080,000
1412	Access and Circulation Roads for the Darrington Wood Innovation Center	Town of Darrington	WA	1,291,869
1413	Bellevue Transit Center Safety and Connectivity Project	Bellevue	WA	1,000,000
1414	City of Carnation Larson / 40th Street Bypass Project	Carnation	WA	2,400,000
1415	City of Kenmore Fish Passable Culvert Replacements	Kenmore	WA	1,224,000
1416	College Street Corridor Improvements Phase III	Lacey	WA	6,000,000
1417	Columbia River Pedestrian Bridge Extension, Apple Capital Loop Trail	Wenatchee	WA	8,600,000
1418	E. 64th Street Phase II	Tacoma	WA	5,600,000
1419	East Marginal Way Corridor Improvements – Phase 1	Seattle	WA	2,340,000
1420	Eastrail Wilburton Critical Crossing	Bellevue	WA	1,680,000
1421	Georgetown to South Park Connection	Seattle	WA	1,800,000
1422	Gorst Area Resiliency and Redundancy Alternatives Study	Bremerton	WA	8,000,000
1423	Guemes Island Ferry Replacement Project	Anacortes	WA	8,000,000
1424	I–5/Lake Washington Ship Canal Bridge	Seattle	WA	5,000,000
1425	Lea Hill Corridor 112th Ave SE & 105th Pl SE Intersection Improvements	Aubrun	WA	4,446,200
1426	Links to Opportunity Streetscape Project	Tacoma	WA	2,000,000
1427	Lyon Creek Culvert Replacement Project	Lake Forest Park	WA	3,100,000
1428	Meeker Complete Street/Safe Routes to School Project	Kent	WA	2,500,000
1429	MLK Jr. Way S Safety and Accessibility Improvements Project	Seattle	WA	750,000
1430	NE 124th St / 124th Ave NE Pedestrian Bridge (Totem Lake Non-Motorized Bridge)	Kirkland	WA	2,000,000
1431	Orting HWY 162 Pedestrian Bridge	Oting	WA	6,000,000
1432	Puyallup Avenue Transit/Complete Street Improvements	Tacoma	WA	2,000,000
1433	Rainier Avenue South Corridor Improvements—Phase 4A	Renton	WA	2,000,000
1434	Redmond Central Connector Phase III	Redmond	WA	3,000,000
1435	Roundabout on US–2 and Main Street	Sultan	WA	900,000
1436	Safe Routes to School Improvements: Whitman Elementary and Edison Elementary Schools	Tacoma	WA	1,000,000
1437	Sheffield Trail Improvement Project	Fife	WA	2,750,000
1438	South Campus Interim Base Electrification	Tukwila	WA	3,000,000
1439	South Tacoma Way, 88th Street S to 80th Street Court SW.	Lakewood	WA	2,400,000
1440	South Whidbey—Clinton Area Transportation Infrastructure Improvements	Clinton	WA	1,500,000
1441	SR 99/NB Duwamish River Bridge—Grid Deck Replacement	Seattle	WA	2,000,000
1442	SR522 Corridor Improvement	Maltby	WA	4,000,000
1443	Town to Zylstra Lake Multi-Modal Trail	Friday Harbor	WA	5,280,000
1444	Tukwila International Boulevard Bus Rapid Transit Station	Tukwila	WA	2,000,000
1445	US 12/Heron St Bridge Tier 1—Bridge Rehabilitation	Aberdeen	WA	2,038,166
1446	US–2 WB Trestle	Lake Stevens, Everett	WA	1,680,000 840,000 840,000
1447	Washington State Ferries Seattle Ferry Terminal Shoreside Electrification	Seattle	WA	4,200,000
1448	West Seattle and Ballard Link Extensions (WSBLE)	Seattle	WA	5,360,000
1449	X Street Roundabout	Tumwater	WA	3,250,000
1450	Atwood Ave. (Fair Oaks Ave. to Cottage Grove Rd.)	Madison	WI	6,275,000
1451	BeerLine Bike and Pedestrian Trail	Milwaukee	WI	1,200,000
1452	CTH CC from Ash Street to CTH D	Oregon	WI	2,000,000
1453	CTH CV from Government Road to USH 51	Madison	WI	2,000,000

No.	Project Name	City	State/Territory	Amount
1454	CTH M/Century Avenue Bridge (B–13–0046) over Pheasant Branch Replacement Including Approaches and Branch Street Intersection	Middleton	WI	2,000,000
1455	CTH P from CTH PD to CTH S	Klevenville	WI	2,000,000
1456	I–94 Screening Wall at Woods National Cemetery	Milwaukee	WI	2,000,000
1457	Milwaukee Country Transit Bus Purchase	Wauwatosa	WI	4,000,000
1458	Milwaukee County Transit Security Initiative	Wauwatosa	WI	2,000,000
1459	Reconstruction of Silver Spring Drive	Glendale	WI	4,500,000
1460	Reedsburg – Baraboo, Preston Avenue to STH 23 Const./Mill & Overlay, State 3R	Reedsburg	WI	125,000
1461	Reedsburg – Wisconsin Dells STH 136 Intersection Const./Intersection Improvement/RAB Safety	Reedsburg	WI	1,600,000
1462	South Kinnickinnic Avenue Resurfacing Project	St. Francis	WI	700,000
1463	US 14 (Wisconsin River to Oak Street) between Spring Green & Madison	Arena	WI	2,000,000
1464	Vliet Street Resurfacing Project	Milwaukee	WI	4,200,000
1465	Hal Greer Boulevard Corridor Upgrade	Huntington	WV	6,400,000
1466	Michael Angiulli Memorial Bridge	North View	WV	2,080,000
1467	New Cumberland—WV 2	New Cumberland	WV	3,200,000
1468	Princeton Overhead Bridge	Princeton	WV	3,600,000
1469	Rock Creek Interchange—New Access Road	Rock Creek	WV	10,000,000
1470	Route 93 Scherr Overpass	Scherr	WV	3,120,000
1471	Van Voorhis Road	Morgantown	WV	6,800,000
1472	WVU PRT Passenger Stations Rehabilitation Project	Morgantown	WV	4,800,000
1473	Excelsior Springs Safe Streets and Sidewalks	Excelsior Springs	MO	9,444,706
1474	Fox River Regional Trail: Hoover Forest Preserve-Fox River Bluffs Connecting Trail Segment	Yorkville	IL	240,000
1475	City of Red Wing Levee Road Realignment Project	Red Wing	MN	3,124,521

DIVISION B—SURFACE TRANSPORTATION

SEC. 1001. APPLICABILITY OF DIVISION.

(a) APPLICABILITY.—This division, including the amendments made by this division, applies beginning on October 1, 2022.

(b) REFERENCE TO DATE OF ENACTMENT.—In this division and the amendments made by this division, any reference to—

(1) the date of enactment of this Act;

(2) the date of enactment of a provision of this division;

(3) the date of enactment of a provision added to law by an amendment made by this division; or

(4) the date of enactment of the INVEST in America Act added to law by an amendment made by this division,

shall be treated as a reference to October 1, 2022.

(c) EXCEPTION FOR IMMEDIATE APPLICATION.—Subsections (a) and (b) shall not apply to the following sections and any amendments made by such sections:

(1) Section 1105.

(2) Section 1107.

(3) Section 1305.

(4) Subsections (c)(1) and (d) of section 2104.

(5) Section 2106.

(6) Section 2112.

(7) Section 2204(1)(A).

(8) Section 2305.

(9) Section 2307.

(10) Section 2902(2).

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Program Conditions

SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the pre-disaster mitigation program under section 124 of such title, the railway crossings program under section 130 of such title, the surface transportation program under section 133 of such title, the highway safety improvement program under section 148 of such title, the congestion mitigation and air quality improvement program under section 149 of such title, the clean corridors program under section 151 of such title, the national highway freight program under section 167 of such title, the carbon pollution reduction program under section 171 of such title, and metropolitan planning under section 134 of such title—

(A) $56,522,048,429 for fiscal year 2023;

(B) $57,480,646,776 for fiscal year 2024;

(C) $58,595,359,712 for fiscal year 2025; and

(D) $59,618,666,186 for fiscal year 2026.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, $250,000,000 for each of fiscal years 2023 through 2026.

(3) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—For construction of ferry boats and ferry terminal facilities under section 147 of title 23, United States Code, $120,000,000 for each of fiscal years 2023 through 2026.

(4) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code, $800,000,000 for each of fiscal years 2023 through 2026.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—

(i) IN GENERAL.—For the Federal lands transportation program under section 203 of title 23, United States Code, $555,000,000 for each of fiscal years 2023 through 2026.

(ii) ALLOCATION.—Of the amount made available for a fiscal year under clause (i)—

(I) the amount for the National Park Service is $400,000,000 for each of fiscal years 2023 through 2026;

(II) the amount for the United States Fish and Wildlife Service is $50,000,000 for each of fiscal years 2023 through 2026;

(III) the amount for the United States Forest Service is $50,000,000 for each of fiscal years 2023 through 2026;

(IV) the amount for the Corps of Engineers is $16,000,000 for each of fiscal years 2023 through 2026;

(V) the amount for the Bureau of Land Management is $16,000,000 for each of fiscal years 2023 through 2026;

(VI) the amount for the Bureau of Reclamation is $16,000,000 for each of fiscal years 2023 through 2026; and

(VII) the amount for independent Federal agencies with natural resource and land management responsibilities is $7,000,000 for each of fiscal years 2023 through 2026.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code, $345,000,000 for each of fiscal years 2023 through 2026.

(D) FEDERAL LANDS AND TRIBAL MAJOR PROJECTS GRANTS.—To carry out section 208 of title 23, United States Code, $400,000,000 for each of fiscal years 2023 through 2026.

(5) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, the amounts specified in paragraphs (1) and (2) of section 165(a) for each of fiscal years 2023 through 2026.

(6) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.—For projects of national and regional significance under section 117 of title 23, United States Code, $3,000,000,000 for each of fiscal years 2023 through 2026.

(7) COMMUNITY TRANSPORTATION INVESTMENT GRANTS.—To carry out section 173 of title 23, United States Code, $600,000,000 for each of fiscal years 2023 through 2026.

(8) COMMUNITY CLIMATE INNOVATION GRANTS.—To carry out section 172 of title 23, United States Code, $250,000,000 for each of fiscal years 2023 through 2026.

(9) NATIONAL SCENIC BYWAYS PROGRAM.—To carry out section 162 of title 23, United States Code, $16,000,000 for each of fiscal year 2023 through 2026.

(10) REBUILD RURAL BRIDGES PROGRAM.— To carry out section 1307 of this Act, $250,000,000 for each of fiscal years 2023 through 2026.

(11) PARKING FOR COMMERCIAL MOTOR VEHICLES.—To carry out section 1308 of this Act, $250,000,000 for each of fiscal years 2023 through 2026.

(12) ACTIVE CONNECTED TRANSPORTATION GRANT PROGRAM.—To carry out section 1309 of this Act, $250,000,000 for each of fiscal years 2023 through 2026.

(13) WILDLIFE CROSSINGS PROGRAM.—To carry out section 1310 of this Act, $100,000,000 for each of fiscal years 2023 through 2026.

(14) RECONNECTING NEIGHBORHOODS PROGRAM.—To carry out section 1311 of this Act, $750,000,000 for each of fiscal years 2023 through 2026.

(15) METRO PERFORMANCE PROGRAM.—To carry out section 1305 of this Act, $250,000,000 for each of fiscal years 2023 through 2026.

(16) GRIDLOCK REDUCTION GRANT PROGRAM.—To carry out section 1306 of this Act, $500,000,000 for fiscal year 2023.

(b) TREATMENT OF FUNDS.—Amounts made available under paragraphs (10) through (14) of

subsection (a) shall be administered as if apportioned under chapter 1 of title 23, United States Code.

(c) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) despite the real improvements caused by the disadvantaged business enterprise program, minority- and women-owned businesses across the country continue to confront serious and significant obstacles to success caused by race and gender discrimination in the federally assisted surface transportation market and related markets across the United States;

(B) the continuing race and gender discrimination described in subparagraph (A) merits the continuation of the disadvantaged business enterprise program;

(C) recently, the disparities cause by discrimination against African American, Hispanic American, Asian American, Native American, and women business owners have been further exacerbated by the coronavirus pandemic and its disproportionate effects on minority- and women-owned businesses across the nation;

(D) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and other investigative activities, scientific reports, reports issued by public and private agencies at every level of government, news reports, academic publications, reports of discrimination by organizations and individuals, and discrimination lawsuits, which continue to demonstrate that race- and gender-neutral efforts alone are insufficient to address the problem;

(E) the testimony and documentation described in subparagraph (D) demonstrate that discrimination across the United States poses an injurious and enduring barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has negatively affected firm formation, development and success in many aspects of surface transportation-related business in the public and private markets; and

(F) the testimony and documentation described in subparagraph (D) provide a clear picture of the inequality caused by discrimination that continues to plague our nation and a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary of Transportation determines otherwise, not less than 10 percent of the amounts made available for any program under titles I, II, V, and VII of this division and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (3) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

(i) women;

(ii) socially and economically disadvantaged individuals (other than women); and

(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary of Transportation shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

(i) on-site visits;

(ii) personal interviews with personnel;

(iii) issuance or inspection of licenses;

(iv) analyses of stock ownership;

(v) listings of equipment;

(vi) analyses of bonding capacity;

(vii) listings of work completed;

(viii) examination of the resumes of principal owners;

(ix) analyses of financial capacity; and

(x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary of Transportation shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under titles I, II, V, and VII of this division and section 403 of title 23, United States Code, if the entity or person is prevented, in whole or in part, from complying with paragraph (3) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (3) is unconstitutional.

(8) SENSE OF CONGRESS ON PROMPT PAYMENT OF DBE SUBCONTRACTORS.—It is the sense of Congress that—

(A) the Secretary of Transportation should take additional steps to ensure that recipients comply with section 26.29 of title 49, Code of Federal Regulations (the disadvantaged business enterprises prompt payment rule), or any corresponding regulation, in awarding federally funded transportation contracts under laws and regulations administered by the Secretary; and

(B) such additional steps should include increasing the Department of Transportation's ability to track and keep records of complaints and to make that information publicly available.

(9) SENSE OF CONGRESS ON FULFILLING CERTAIN CONTRACTS.—It is the sense of Congress that contractors participating in a federally funded transportation contract with a small business concern owned and controlled by socially and economically disadvantaged individuals should ensure that the percentage of a contract promised to such small business concern is fulfilled, unless prior approval is obtained consistent with the regulations under part 26 of title 49, Code of Federal Regulations.

(d) LIMITATION ON FINANCIAL ASSISTANCE FOR STATE-OWNED ENTERPRISES.—

(1) IN GENERAL.—Funds provided under this section may not be used in awarding or exercising an option on a previously awarded contract, a contract, subcontract, grant, or loan to an entity that is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

(A) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of this Act;

(B) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; and

(C) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

(2) EXCEPTION.—For purposes of paragraph (1), the term ''otherwise related legally or financially'' does not include a minority relationship or investment.

(3) INTERNATIONAL AGREEMENTS.—This subsection shall be applied in a manner consistent with the obligations of the United States under international agreements.

SEC. 1102. OBLIGATION LIMITATION.

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

(1) $66,097,092,526 for fiscal year 2023;

(2) $66,570,608,070 for fiscal year 2024;

(3) $67,701,550,431 for fiscal year 2025; and

(4) $68,741,903,518 for fiscal year 2026.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to $639,000,000 for each of those fiscal years);

(13) section 119 of title 23, United States Code (but, for fiscal years 2016 through 2022, only in an amount equal to $639,000,000 for each of those fiscal years);

(14) section 203 of title 23, United States Code (but, for fiscal years 2023 through 2026, only in an amount equal to $550,000,000 for each of those fiscal years); and

(15) section 133(d)(1)(B) of title 23, United States Code (but, for fiscal years 2023 through 2026, only in an amount equal to $89,000,000 for each of those fiscal years).

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—Subject to paragraph (1)(B), for each of fiscal years 2023 through 2026, the Secretary of Transportation—

(1)(A) shall not distribute obligation authority provided by subsection (a) for the fiscal year for—

(i) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code;

(ii) amounts authorized for the Bureau of Transportation Statistics;

(iii) amounts authorized for the tribal transportation program under section 202 of title 23, United States Code; and

(iv) amounts authorized for the territorial and Puerto Rico highway program under section 165(a) of title 23, United States Code; and

(B) for each of fiscal years 2023 through 2026, in addition to the amounts described in subparagraph (A), shall not distribute obligation authority provided by subsection (a) for the fiscal year for amounts authorized for the metro performance program under section 1305 of this Act;

(2) shall not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years, the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) shall determine the proportion that—

(A) the obligation authority provided by subsection (a) for the fiscal year, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of—

(i) the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs, other than sums authorized to be appropriated for—

(I) provisions of law described in paragraphs (1) through (13) of subsection (b);

(II) section 203 of title 23, United States Code, equal to the amount referred to in subsection (b)(14) for the fiscal year; and

(III) section 133(d)(1)(B) of title 23, United States Code, equal to the amount referred to in subsection (b)(15) for the fiscal year; less

(ii) the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under section 202 or 204 of such title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the surface transportation program in section 133(d)(1)(B) of title 23, United States Code, that are exempt from the limitation under subsection (b)(15) and the amounts apportioned under sections 202 and 204 of such title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary of Transportation shall, after August 1 of each of fiscal years 2023 through 2026—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under section 104 of title 23, United States Code.

(e) SPECIAL LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for—

(A) transportation research programs carried out under chapter 5 of title 23, United States Code, and title V of this Act; and

(B) the metro performance program under section 1305 of this Act.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) LOP-OFF.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2023 through 2026, the Secretary of Transportation shall distribute to the States any funds that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 1103. DEFINITIONS AND DECLARATION OF POLICY.

Section 101 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (30), (31), (32), (33), and (34) as paragraphs (2), (4), (5), (7), (9), (11), (12), (13), (14), (15), (17), (18), (19), (20), (21), (22), (24), (25), (26), (27), (29), (30), (33), (34), (35), (36), (37), (38), (39), (43), (44), (45), (46), and (47), respectively;

(B) by inserting before paragraph (2), as so redesignated, the following:

''(1) ADAPTATION.—The term 'adaptation' means an adjustment in natural or human systems in anticipation of, or in response to, a changing environment in a way that moderates negative effects of extreme events or climate change.'';

(C) by inserting before paragraph (4), as so redesignated, the following:

''(3) AREAS OF PERSISTENT POVERTY.—The term 'areas of persistent poverty' means—

''(A) any county that has had 20 percent or more of the population of such county living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;

''(B) any census tract with a poverty rate of at least 20 percent, as measured by the most recent 5-year data series available from the American Community Survey of the Bureau of the Census for all States and Puerto Rico; or

''(C) any other territory or possession of the United States that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990, 2000, and 2010 decennial censuses, or equivalent data, of the Bureau of the Census.'';

(D) by inserting after paragraph (5), as so redesignated, the following:

''(6) CLIMATE CHANGE.—The term 'climate change' means any significant change in the measures of climate lasting for an extended period of time, and may include major changes in temperature, precipitation, wind patterns, or sea level, among others, that occur over several decades or longer.'';

(E) in paragraph (7)(A), as so redesignated, by inserting ''assessing resilience,'' after ''surveying,'';

(F) by inserting after paragraph (7), as so redesignated, the following:

''(8) CONTEXT SENSITIVE DESIGN PRINCIPLES.—The term 'context sensitive design principles' means principles for the design of a public road that—

''(A) provides for the safe and adequate accommodation, in all phases of project planning, design, and development, transportation facilities for users, including pedestrians, bicyclists, public transportation users, children, older individuals, individuals with disabilities, motorists, and freight vehicles; and

''(B) considers the context in which the facility is planned to be constructed to determine the appropriate facility design.'';

(G) by inserting after paragraph (9), as so redesignated, the following:

''(10) EVACUATION ROUTE.—The term 'evacuation route' means a transportation route or system that—

''(A) is used to transport—

''(i) the public away from an emergency event; or

''(ii) first responders and recovery resources in the event of an emergency; and

''(B) is identified, consistent with sections 134(i)(2)(I)(iii) and 135(f)(10)(C)(iii), by the eligible entity with jurisdiction over the area in which the route is located for the purposes described in subparagraph (A).'';

(H) by inserting after paragraph (15), as so redesignated, the following:

''(16) GREENHOUSE GAS.—The term 'greenhouse gas' has the meaning given the term in section 211(o)(1)(G) of the Clean Air Act (42 U.S.C. 7545(o)(1)(G)).'';

(I) by inserting after paragraph (22), as so redesignated, the following:

''(23) NATURAL INFRASTRUCTURE.—

''(A) IN GENERAL.—The term 'natural infrastructure' means infrastructure that uses, restores, or emulates natural ecological processes that—

''(i) is created through the action of natural physical, geological, biological, and chemical processes over time;

''(ii) is created by human design, engineering, and construction to emulate or act in concert with natural processes; or

''(iii) involves the use of plants, soils, and other natural features, including through the creation, restoration, or preservation of vegetated areas using materials appropriate to the region to manage stormwater and runoff, to attenuate flooding and storm surges, and for other related purposes.

''(B) INCLUSION.—The term 'natural infrastructure' includes green infrastructure and nature-based solutions.'';

(J) by inserting after paragraph (27), as so redesignated, the following:

''(28) PROTECTIVE FEATURE.—

''(A) IN GENERAL.—The term 'protective feature' means an improvement to a highway, bridge, or other transportation facility designed to increase resilience or mitigate the risk of recurring damage or the cost of future repairs from climate change effects (including sea level rise), flooding, and extreme events or other natural disasters (including wildfires, seismic activity, and landslides).

''(B) INCLUSIONS.—The term 'protective feature' includes—

''(i) raising roadway grades;

''(ii) relocating roadways to higher ground above projected flood elevation levels or away from slide prone areas;

''(iii) stabilizing slide areas;

''(iv) stabilizing slopes;

''(v) lengthening or raising bridges to increase waterway openings;

''(vi) increasing the size or number of drainage structures;

''(vii) replacing culverts with bridges or upsizing culverts;

''(viii) installing seismic retrofits on bridges;

''(ix) scour, stream stability, coastal, and other hydraulic countermeasures;

''(x) the use of natural infrastructure;

''(xi) integration of the use of traditional and natural infrastructure features;

''(xii) undergrounding public utilities in the course of other infrastructure improvements eligible under this title; and

''(xiii) permeable pavements for stormwater management.'';

(K) by inserting after paragraph (30), as so redesignated, the following:

''(31) REPEATEDLY DAMAGED FACILITY.—The term 'repeatedly damaged facility' means a road, highway, or bridge that has required repair and reconstruction activities on 2 or more occasions due to natural disasters or catastrophic failures resulting in emergencies declared by the Governor of the State in which the road, highway, or bridge is located or emergencies or major disasters declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

''(32) RESILIENCE.—

''(A) IN GENERAL.—The term 'resilience' means, with respect to a facility, the ability to—

''(i) anticipate, prepare for, or adapt to conditions; or

''(ii) withstand, respond to, or recover rapidly from disruptions.

''(B) INCLUSIONS.—Such term includes, with respect to a facility, the ability to—

''(i) resist hazards or withstand impacts from disruptions;

''(ii) reduce the magnitude, duration, or impact of a disruption; or

''(iii) have the absorptive capacity, adaptive capacity, and recoverability to decrease vulnerability to a disruption.''; and

(L) by inserting after paragraph (39), as so redesignated, the following:

''(40) TRANSPORTATION DEMAND MANAGEMENT; TDM.—The terms 'transportation demand management' and 'TDM' mean the use of strategies to inform and encourage travelers to maximize the efficiency of a transportation system leading to improved mobility, reduced congestion, and lower vehicle emissions.

''(41) TRANSPORTATION DEMAND MANAGEMENT STRATEGIES.—The term 'transportation demand management strategies' means the use of planning, programs, policy, marketing, communications, incentives, pricing, data, and technology to shift travel mode, routes used, departure times, number of trips, and location and design work space or public attractions.

''(42) TRANSPORTATION SYSTEM ACCESS.—The term 'transportation system access' means the ability to travel by automobile, public transportation, pedestrian, and bicycle networks, measured by travel time, taking into consideration—

''(A) the impacts of the level of travel stress for non-motorized users;

''(B) costs for low-income travelers; and

''(C) the extent to which transportation access is impacted by zoning policies and land use planning practices that effect the affordability, elasticity, and diversity of the housing supply.''; and

(2) in subsection (b)—

(A) in paragraph (1) by striking ''Defense,'' and inserting ''Defense Highways,'';

(B) in paragraph (3)—

(i) in subparagraph (A) by striking ''Century'' and inserting ''century'';

(ii) in subparagraph (G) by striking ''; and'' and inserting a semicolon;

(iii) in subparagraph (H) by striking ''Century.'' and inserting ''century;''; and

(iv) by adding at the end the following:

''(I) safety is the highest priority of the Department of Transportation, and the Secretary and States should take all actions necessary to meet the transportation needs of the 21st century for all road users;

''(J) climate change presents a significant risk to safety, the economy, and national security, and reducing the contributions of the transportation system to the Nation's total carbon pollution is critical; and

''(K) the Secretary and States should take appropriate measures and ensure investments to increase the resilience of the Nation's transportation system.''; and

(C) in paragraph (4)(A) by inserting ''while ensuring that environmental protections are maintained'' after ''review process''.

SEC. 1104. APPORTIONMENT.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by striking subparagraphs (A) through (E) and inserting the following:

''(A) $530,000,000 for fiscal year 2023;

''(B) $543,000,000 for fiscal year 2024;

''(C) $557,000,000 for fiscal year 2025; and

''(D) $572,000,000 for fiscal year 2026.'';

(2) by striking subsections (b) and (c) and inserting the following:

''(b) DIVISION AMONG PROGRAMS OF STATE'S SHARE OF BASE APPORTIONMENT.—The Secretary shall distribute the amount of the base apportionment apportioned to a State for a fiscal year under subsection (c) among the covered programs as follows:

''(1) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—For the national highway performance program, 55.09 percent of the amount remaining after distributing amounts under paragraphs (4), (6), (7), and (10).

''(2) SURFACE TRANSPORTATION PROGRAM.—For the surface transportation program, 28.43 percent of the amount remaining after distributing amounts under paragraphs (4), (6), (7), and (10).

''(3) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—For the highway safety improvement program, 6.19 percent of the amount remaining after distributing amounts under paragraphs (4), (6), (7), and (10).

''(4) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—

''(A) IN GENERAL.—For the congestion mitigation and air quality improvement program, an amount determined for the State under subparagraphs (B) and (C).

''(B) TOTAL AMOUNT.—The total amount for the congestion mitigation and air quality improvement program for all States shall be—

''(i) $2,913,925,833 for fiscal year 2023;

''(ii) $2,964,919,535 for fiscal year 2024;

''(iii) $3,024,217,926 for fiscal year 2025; and

''(iv) $3,078,653,849 for fiscal year 2026.

''(C) STATE SHARE.—For each fiscal year, the Secretary shall distribute among the States the amount for the congestion mitigation and air quality improvement program under subparagraph (B) so that each State receives an amount equal to the proportion that—

''(i) the amount apportioned to the State for the congestion mitigation and air quality improvement program for fiscal year 2020; bears to

''(ii) the total amount of funds apportioned to all States for such program for fiscal year 2020.

''(5) NATIONAL HIGHWAY FREIGHT PROGRAM.—For the national highway freight program, 3.38 percent of the amount remaining after distributing amounts under paragraphs (4), (6), (7), and (10).

''(6) METROPOLITAN PLANNING.—

''(A) IN GENERAL.—For metropolitan planning, an amount determined for the State under subparagraphs (B) and (C).

''(B) TOTAL AMOUNT.—The total amount for metropolitan planning for all States shall be—

''(i) $507,500,000 for fiscal year 2023;

''(ii) $516,381,250 for fiscal year 2024;

''(iii) $526,708,875 for fiscal year 2025; and

''(iv) $536,189,635 for fiscal year 2026.

''(C) STATE SHARE.—For each fiscal year, the Secretary shall distribute among the States the amount for metropolitan planning under subparagraph (B) so that each State receives an amount equal to the proportion that—

''(i) the amount apportioned to the State for metropolitan planning for fiscal year 2020; bears to

''(ii) the total amount of funds apportioned to all States for metropolitan planning for fiscal year 2020.

''(7) RAILWAY CROSSINGS.—

''(A) IN GENERAL.—For the railway crossings program, an amount determined for the State under subparagraphs (B) and (C).

''(B) TOTAL AMOUNT.—The total amount for the railway crossings program for all States shall be $245,000,000 for each of fiscal years 2023 through 2026.

''(C) STATE SHARE.—

''(i) IN GENERAL.—For each fiscal year, the Secretary shall distribute among the States the amount for the railway crossings program under subparagraph (B) as follows:

''(I) 50 percent of the amount for a fiscal year shall be apportioned to States by the formula set forth in section 104(b)(3)(A) (as in effect on the day before the date of enactment of MAP–21).

''(II) 50 percent of the amount for a fiscal year shall be apportioned to States in the ratio that total public railway-highway crossings in each State bears to the total of such crossings in all States.

''(ii) MINIMUM APPORTIONMENT.—Notwithstanding clause (i), for each fiscal year, each State shall receive a minimum of one-half of 1 percent of the total amount for the railway crossings program for such fiscal year under subparagraph (B).

''(8) PREDISASTER MITIGATION PROGRAM.—For the predisaster mitigation program, 2.96 percent of the amount remaining after distributing amounts under paragraphs (4), (6), (7), and (10).

''(9) CARBON POLLUTION REDUCTION PROGRAM.—For the carbon pollution reduction program, 3.95 percent of the amount remaining after distributing amounts under paragraphs (4), (6), (7), and (10).

''(10) CLEAN CORRIDORS.—

''(A) IN GENERAL.—For the clean corridors program, an amount determined for the State under subparagraphs (B) and (C).

''(B) TOTAL AMOUNT.—The total amount for the clean corridors program for all States shall be $1,000,000,000 for each of fiscal years 2023 through 2026.

''(C) STATE SHARE.—For each fiscal year, the Secretary shall distribute among the States the total amount for the clean corridors program under subparagraph (B) so that each State receives the amount equal to the proportion that—

''(i) the total base apportionment determined for the State under subsection (c); bears to

''(ii) the total base apportionments for all States under subsection (c).

''(c) CALCULATION OF AMOUNTS.—

''(1) STATE SHARE.—For each of fiscal years 2023 through 2026, the amount for each State shall be determined as follows:

''(A) INITIAL AMOUNTS.—The initial amounts for each State shall be determined by multiplying—

''(i) each of—

''(I) the base apportionment; and

''(II) supplemental funds reserved under subsection (h)(1) for the highway safety improvement program; by

''(ii) the share for each State, which shall be equal to the proportion that—

''(I) the amount of apportionments that the State received for fiscal year 2020; bears to

''(II) the amount of those apportionments received by all States for fiscal year 2020.

''(B) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under subparagraph (A) shall be adjusted to ensure that each State receives an aggregate apportionment equal to at least 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

''(2) STATE APPORTIONMENT.—On October 1 of fiscal years 2023 through 2026, the Secretary shall apportion the sums authorized to be appropriated for expenditure on the covered programs in accordance with paragraph (1).'';

(3) in subsection (d)(1)(A)—

(A) in clause (i) by striking ''paragraphs (5)(D) and (6) of subsection (b)'' and inserting ''subsection (b)(6)''; and

(B) in clause (ii) by striking ''paragraphs (5)(D) and (6) of subsection (b)'' and inserting ''subsection (b)(6)''; and

(4) by striking subsections (h) and (i) and inserting the following:

''(h) SUPPLEMENTAL FUNDS.—

''(1) AMOUNT.—Before making an apportionment for a fiscal year under subsection (c), the Secretary shall reserve for the highway safety improvement program under section 148 $500,000,000 for each of fiscal years 2023 through 2026 for the purpose of the safe streets set-aside under section 148(m).

''(2) TREATMENT OF FUNDS.—Funds reserved under paragraph (1) and apportioned to a State under subsection (c) shall be treated as if apportioned under subsection (b)(3), and shall be in addition to amounts apportioned under such subsection.

''(i) DEFINITIONS.—In this section:

''(1) BASE APPORTIONMENT.—The term 'base apportionment' means—

''(A) the combined amount authorized for the covered programs; minus

''(B) the supplemental funds reserved under subsection (h) for the highway safety improvement program.

''(2) COVERED PROGRAMS.—The term 'covered programs' means—

''(A) the national highway performance program under section 119;

''(B) the surface transportation program under section 133;

''(C) the highway safety improvement program under section 148;

''(D) the congestion mitigation and air quality improvement program under section 149;

''(E) the national highway freight program under section 167;

''(F) metropolitan planning under section 134;

''(G) the railway crossings program under section 130;

''(H) the predisaster mitigation program under section 124;

''(I) the carbon pollution reduction program under section 171; and

''(J) the clean corridors program under section 151.''.

(b) FEDERAL SHARE PAYABLE.—Section 120(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A) by striking ''(5)(D),''; and

(2) in subparagraph (C)(i) by striking ''(5)(D),''.

(c) METROPOLITAN TRANSPORTATION PLANNING; TITLE 23.—Section 134(p) of title 23, United States Code, is amended by striking ''paragraphs (5)(D) and (6) of section 104(b)'' and inserting ''section 104(b)(6)''.

(d) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.—Section 135(i) of title 23, United States Code, is amended by striking ''paragraphs (5)(D) and (6) of section 104(b)'' and inserting ''section 104(b)(6)''.

(e) METROPOLITAN TRANSPORTATION PLANNING; TITLE 49.—Section 5303(p) of title 49, United States Code, is amended by striking ''section 104(b)(5)'' and inserting ''section 104(b)(6)''.

SEC. 1105. ADDITIONAL DEPOSITS INTO HIGHWAY TRUST FUND.

Section 105 of title 23, United States Code, is amended—

(1) in subsection (a) by striking ''FAST Act'' and inserting ''INVEST in America Act'';

(2) in subsection (c)—

(A) in paragraph (1)(A) by striking ''to be appropriated'' each place it appears; and

(B) by adding at the end the following:

''(4) SPECIAL RULE.—

''(A) ADJUSTMENT.—In making an adjustment under paragraph (1) for an allocation, reservation, or set-aside from an amount authorized from the Highway Account or Mass Transit Account described in subparagraph (B), the Secretary shall—

''(i) determine the ratio that—

''(I) the amount authorized to be appropriated for the allocation, reservation, or set-aside from the account for the fiscal year; bears to

''(II) the total amount authorized to be appropriated for such fiscal year for all programs under such account;

''(ii) multiply the ratio determined under clause (i) by the amount of the adjustment determined under subsection (b)(1)(B); and

''(iii) adjust the amount that the Secretary would have allocated for the allocation, reservation, or set-aside for such fiscal year but for this section by the amount calculated under clause (ii).

''(B) ALLOCATIONS, RESERVATIONS, AND SET-ASIDES.—The allocations, reservations, and set-asides described in this subparagraph are—

''(i) from the amount made available for a fiscal year for the Federal lands transportation program under section 203, the amounts allocated for a fiscal year for the National Park Service, the United States Fish and Wildlife Service, the United States Forest Service, the Corps of Engineers, the Bureau of Land Management, the Bureau of Reclamation, and independent Federal agencies with natural resource and land management responsibilities;

''(ii) the amount made available for the Puerto Rico highway program under section 165(a)(1);

''(iii) the amount made available for the territorial highway program under section 165(a)(2);

''(iv) from the amounts made available for a fiscal year for the urbanized areas formula grants under section 5307 of title 49, the amounts allocated for a fiscal year for the passenger ferry grant program under section 5307(h) of such title;

''(v) from the amounts made available for a fiscal year for the formula grants for rural areas under section 5311 of such title, the amounts allocated for a fiscal year for public transportation on Indian reservations;

''(vi) from the amounts made available for a fiscal year for the public transportation innovation program under section 5312 of such title—

''(I) the amounts allocated for the zero emission vehicle component assessment under section 5312(h) of such title; and

''(II) the amounts allocated for the transit cooperative research program under section 5312(i) of such title;

''(vii) from the amounts made available for a fiscal year for the technical assistance and workforce development program of section 5314 of such title, the amounts allocated for the national transit institute under section 5314(c) of such title;

''(viii) from the amounts made available for a fiscal year for the bus and bus facilities program under section 5339 of such title, the amounts allocated for a fiscal year for the zero emission grants under section 5339(c) of such title;

''(ix) the amounts made available for growing States under section 5340(c) of such title; and

''(x) the amounts made available for high density states under section 5340(d) of such title.'';

(3) in subsection (d) by inserting ''and section 5324 of title 49'' after ''section 125'';

(4) in subsection (e)—

(A) by striking ''There is authorized'' and inserting ''For fiscal year 2023 and each fiscal year thereafter, there is authorized''; and

(B) by striking ''for any of fiscal years 2017 through 2020''; and

(5) in subsection (f)(1) by striking ''section 1102 or 3018 of the FAST Act'' and inserting ''any other provision of law''.

SEC. 1106. TRANSPARENCY.

(a) APPORTIONMENT.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORTS.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—The Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway funds made available under this title.

''(B) USER FRIENDLY DATA.—The data compiled under subparagraph (A) shall be in a user friendly format that can be searched, downloaded, disaggregated, and filtered by data category.

''(2) PROJECT DATA.—

''(A) IN GENERAL.—Not later than 120 days after the end of each fiscal year, the Secretary shall make available on the website of the Department of Transportation a report that describes—

''(i) the location of each active project within each State during such fiscal year, including in which congressional district or districts such project is located;

''(ii) the total cost of such project;

''(iii) the amount of Federal funding obligated for such project;

''(iv) the program or programs from which Federal funds have been obligated for such project;

''(v) whether such project is located in an area of the State with a population of—

''(I) less than 5,000 individuals;

''(II) 5,000 or more individuals but less than 50,000 individuals;

''(III) 50,000 or more individuals but less than 200,001 individuals; or

''(IV) greater than 200,000 individuals;

''(vi) whether such project is located in an area of persistent poverty;

''(vii) the type of improvement being made by such project, including categorizing such project as—

''(I) a road reconstruction project;

''(II) a new road construction project;

''(III) a new bridge construction project;

''(IV) a bridge rehabilitation project; or

''(V) a bridge replacement project; and

''(viii) the functional classification of the roadway on which such project is located.

''(B) INTERACTIVE MAP.—In addition to the data made available under subparagraph (A), the Secretary shall make available on the website of the Department of Transportation an interactive map that displays, for each active project, the information described in clauses (i) through (v) of subparagraph (A).

''(3) STATE DATA.—

''(A) APPORTIONED AND ALLOCATED PROGRAMS.—The website described in paragraph (2)(A) shall be updated annually to display the Federal-aid highway funds apportioned and allocated to each State under this title, including—

''(i) the amount of funding available for obligation by the State, including prior unobligated balances, at the start of the fiscal year;

''(ii) the amount of funding obligated by the State during such fiscal year;

''(iii) the amount of funding remaining available for obligation by the State at the end of such fiscal year; and

''(iv) changes in the obligated, unexpended balance for the State.

''(B) PROGRAMMATIC DATA.—The data described in subparagraph (A) shall include—

''(i) the amount of funding by each apportioned and allocated program for which the State received funding under this title;

''(ii) the amount of funding transferred between programs by the State during the fiscal year using the authority provided under section 126; and

''(iii) the amount and program category of Federal funds exchanged as described in section 106(g)(6).

''(4) DEFINITIONS.—In this subsection:

''(A) ACTIVE PROJECT.—

''(i) IN GENERAL.—The term 'active project' means a Federal-aid highway project using funds made available under this title on which those funds were obligated or expended during the fiscal year for which the estimated total cost as of the start of construction is greater than $5,000,000.

''(ii) EXCLUSION.—The term 'active project' does not include any project for which funds are transferred to agencies other than the Federal Highway Administration.

''(B) INTERACTIVE MAP.—The term 'interactive map' means a map displayed on the public website of the Department of Transportation that allows a user to select and view information for each active project, State, and congressional district.

''(C) STATE.—The term 'State' means any of the 50 States or the District of Columbia.''.

(b) PROJECT APPROVAL AND OVERSIGHT.—Section 106 of title 23, United States Code, is amended—

(1) in subsection (g)—

(A) in paragraph (4) by striking subparagraph (B) and inserting the following:

''(B) ASSISTANCE TO STATES.—The Secretary shall—

''(i) develop criteria for States to use to make the determination required under subparagraph (A); and

''(ii) provide training, guidance, and other assistance to States and subrecipients as needed to ensure that projects administered by subrecipients comply with the requirements of this title.

''(C) PERIODIC REVIEW.—The Secretary shall review, not less frequently than every 2 years, the monitoring of subrecipients by the States.''; and

(B) by adding at the end the following:

''(6) FEDERAL FUNDING EXCHANGE PROGRAMS.—

''(A) IN GENERAL.—If a State allows a subrecipient to exchange Federal funds provided under this title that are allocated to such subrecipient for State or local funds, the State must certify to the Secretary that the State—

''(i) has prevailing wage requirements that are comparable to the requirements under section 113 that apply to the use of such State or local funds; and

''(ii) shall ensure that the prevailing wage requirements described in clause (i) apply to the use of such State or local funds.

''(B) APPLICABILITY.—The requirements of this paragraph shall apply only if the requirements of section 113 would be applicable to a covered project if such project was carried out using Federal funds.

''(C) COVERED PROJECT DEFINED.—In this paragraph, the term 'covered project' means a project carried out with exchanged State or local funds as described in subparagraph (A).'';

(2) in subsection (h)(3)—

(A) in subparagraph (B) by striking '', as determined by the Secretary,''; and

(B) in subparagraph (D) by striking ''shall assess'' and inserting ''in the case of a project proposed to be advanced as a public-private partnership, shall include a detailed value for money analysis or comparable analysis to determine''; and

(3) by adding at the end the following:

''(k) MEGAPROJECTS.—

''(1) COMPREHENSIVE RISK MANAGEMENT PLAN.—To be authorized for the construction of a megaproject, the recipient of Federal financial assistance under this title for such megaproject shall submit to the Secretary a comprehensive risk management plan that contains—

''(A) a description of the process by which the recipient will identify, quantify, and monitor the risks, including natural hazards, that might result in cost overruns, project delays, reduced construction quality, or reductions in benefits with respect to the megaproject;

''(B) examples of mechanisms the recipient will use to track risks identified pursuant to subparagraph (A);

''(C) a plan to control such risks; and

''(D) such assurances as the Secretary determines appropriate that the recipient shall, with respect to the megaproject—

''(i) regularly submit to the Secretary updated cost estimates; and

''(ii) maintain and regularly reassess financial reserves for addressing known and unknown risks.

''(2) PEER REVIEW GROUP.—

''(A) IN GENERAL.—Not later than 90 days after the date on which a megaproject is authorized for construction, the recipient of Federal financial assistance under this title for such megaproject shall establish a peer review group for such megaproject that consists of at least 5 individuals (including at least 1 individual with project management experience) to give expert advice on the scientific, technical, and project management aspects of the megaproject.

''(B) MEMBERSHIP.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall establish guidelines describing how a recipient described in subparagraph (A) shall—

''(I) recruit and select members for a peer review group established under such subparagraph; and

''(II) make publicly available the criteria for such selection and identify the members so selected.

''(ii) CONFLICT OF INTEREST.—No member of a peer review group for a megaproject may have a direct or indirect financial interest in such megaproject.

''(C) TASKS.—A peer review group established under subparagraph (A) by a recipient of Federal financial assistance for a megaproject shall—

''(i) meet annually until completion of the megaproject;

''(ii) not later than 90 days after the date of the establishment of the peer review group and not later than 90 days after the date of any significant change, as determined by the Secretary, to the scope, schedule, or budget of the megaproject, review the scope, schedule, and budget of the megaproject, including planning, engineering, financing, and any other elements determined appropriate by the Secretary; and

''(iii) submit to the Secretary, Congress, and such recipient a report on the findings of each review under clause (ii).

''(3) TRANSPARENCY.—Not later than 90 days after the submission of a report under paragraph (2)(C)(iii), the Secretary shall publish on the website of the Department of Transportation such report.

''(4) MEGAPROJECT DEFINED.—In this subsection, the term 'megaproject' means a project under this title that has an estimated total cost of $2,000,000,000 or more, and such other projects as may be identified by the Secretary.

''(l) SPECIAL EXPERIMENTAL PROJECTS.—

''(1) PUBLIC AVAILABILITY.—The Secretary shall publish on the website of the Department of Transportation a copy of all letters of interest, proposals, workplans, and reports related to the special experimental project authority pursuant to section 502(b). The Secretary shall redact confidential business information, as necessary, from any such information published.

''(2) NOTIFICATION.—Not later than 3 days before making a determination to proceed with an experiment under a letter of interest described in paragraph (1), the Secretary shall provide notification and a description of the proposed experiment to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

''(3) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the INVEST in America Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that includes—

''(A) a summary of each experiment described in this subsection carried out over the previous 5 years; and

''(B) legislative recommendations, if any, based on the findings of such experiments.

''(m) COMPETITIVE GRANT PROGRAM OVERSIGHT AND ACCOUNTABILITY.—

''(1) IN GENERAL.—To ensure the accountability and oversight of the discretionary grant selection process administered by the Secretary, a covered program shall be subject to the requirements of this section, in addition to the requirements applicable to each covered program.

''(2) APPLICATION PROCESS.—The Secretary shall—

''(A) develop a template for applicants to use to summarize—

''(i) project needs and benefits; and

''(ii) any factors, requirements, or considerations established for the applicable covered program;

''(B) create a data driven process to evaluate, as set forth in the covered program, each eligible project for which an application is received; and

''(C) make a determination, based on the evaluation made pursuant to subparagraph (B), on any ratings, rankings, scores, or similar metrics for applications made to the covered program.

''(3) NOTIFICATION OF CONGRESS.—Not less than 15 days before making a grant for a covered program, the Secretary shall notify, in writing, the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on the Environment and Public Works of the Senate of—

''(A) the amount for each project proposed to be selected;

''(B) a description of the review process;

''(C) for each application, the determination made under paragraph (2)(C); and

''(D) a detailed explanation of the basis for each award proposed to be selected.

''(4) NOTIFICATION OF APPLICANTS.—Not later than 30 days after making a grant for a project under a covered program, the Secretary shall send to all applicants under such covered program, and publish on the website of the Department of Transportation—

''(A) a summary of each application made to the covered program for the given round of funding; and

''(B) the evaluation and justification for the project selection, including all ratings, rankings, scores, or similar metrics for applications made to the covered program for the given round of funding during each phase of the grant selection process.

''(5) BRIEFING.—The Secretary shall provide, at the request of a grant applicant of a covered program, the opportunity to receive a briefing to explain any reasons the grant applicant was not awarded a grant.

''(6) TEMPLATE.—The Secretary shall, to the extent practicable, develop a template as described in paragraph (2)(A) for any discretionary program administered by the Secretary that is not a covered program.

''(7) COVERED PROGRAM DEFINED.—The term 'covered program' means each of the following discretionary grant programs:

''(A) Community climate innovation grants under section 172.

''(B) Federal lands and tribal major projects grants under section 208.

''(C) Mobility through advanced technologies grants under section 503(c)(4).

''(D) Rebuild rural bridges program under section 1307 of the INVEST in America Act.

''(E) Parking for commercial motor vehicle grants under section 1308 of the INVEST in America Act.

''(F) Active connected transportation grants under section 1309 of the INVEST in America Act.

''(G) Wildlife crossings grants under section 1310 of the INVEST in America Act.

''(H) Reconnecting neighborhoods capital construction grants under section 1311(d) of the INVEST in America Act.''.

(c) DIVISION OFFICE CONSISTENCY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) analyzes the consistency of determinations among division offices of the Federal Highway Administration; and

(2) makes recommendations to improve the consistency of such determinations.

(d) IMPROVING RISK BASED STEWARDSHIP AND OVERSIGHT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Highway Administration shall reference U.S. DOT Office of Inspector General Report No. ST2020035 and take the following actions, as necessary, to improve the risk based stewardship and oversight of the Federal Highway Administration:

(1) Update and implement Federal Highway Administration guidance for risk-based project involvement to clarify the requirements for its project risk-assessment process, including expectations for conducting and documenting the risk assessment and criteria to guide the reevaluation of project risks.

(2) Identify and notify division offices of the Federal Highway Administration about sources of information that can inform the project risk-assessment process.

(3) Update and implement Federal Highway Administration guidance for risk-based project involvement to clarify how the link between elevated risks and associated oversight activities, changes to oversight actions, and the results of its risk-based involvement should be documented in project oversight plans.

(4) Develop and implement a process to routinely monitor the implementation and evaluate the effectiveness of Federal Highway Administration risk-based project involvement.

SEC. 1107. COMPLETE AND CONTEXT SENSITIVE STREET DESIGN.

(a) STANDARDS.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''planned future traffic of the highway in a manner that is conducive to'' and inserting ''future operational performance of the facility in a manner that enhances''; and

(B) in paragraph (2) by inserting '', taking into consideration context sensitive design principles'' after ''each locality'';

(2) in subsection (b)—

(A) by striking ''The geometric'' and inserting ''DESIGN CRITERIA FOR THE INTERSTATE SYSTEM.—The geometric''; and

(B) by striking ''the types and volumes of traffic anticipated for such project for the twenty-year period commencing on the date of approval by the Secretary, under section 106 of this title, of the plans, specifications, and estimates for actual construction of such project'' and inserting ''the existing and future operational performance of the facility'';

(3) in subsection (c)(1)—

(A) in subparagraph (C) by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (D) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(E) context sensitive design principles.'';

(4) by striking subsection (o) and inserting the following:

''(o) COMPLIANCE WITH STATE LAWS FOR NON-NHS PROJECTS.—

''(1) IN GENERAL.—Projects (other than highway projects on the National Highway System) shall—

''(A) be designed, constructed, operated, and maintained in accordance with State laws, regulations, directives, safety standards, design standards, and construction standards; and

''(B) take into consideration context sensitive design principles.

''(2) DESIGN FLEXIBILITY.—

''(A) IN GENERAL.—

''(i) IN GENERAL.—A local jurisdiction may select the most appropriate design publication for the roadway context in which the local jurisdiction is located for the design of a project on a roadway (other than a highway on the National Highway System) if—

''(I) the local jurisdiction provides notification and justification of the use of such design publication to any State in which the project is located; and

''(II) the design complies with all other applicable Federal and State laws.

''(ii) REVIEW.—If a State rejects a local jurisdiction's selection of a design publication under this subparagraph, the local jurisdiction may submit notification and justification of such use to the Secretary. The Secretary shall make a determination to approve or deny such submission not later than 90 days after receiving such submission.

''(B) STATE-OWNED ROADS.—In the case of a roadway under the ownership of the State, the local jurisdiction may select the most appropriate design publication only with the concurrence of the State.

''(C) PROGRAMMATIC BASIS.—The Secretary may consider the use of a design publication under this paragraph on a programmatic basis.''; and

(5) by adding at the end the following:

''(s) CONTEXT SENSITIVE DESIGN.—

''(1) CONTEXT SENSITIVE DESIGN PRINCIPLES.—The Secretary shall consult with State and local officials prior to approving any roadway design publications under this section to ensure that the design publications provide adequate flexibility for a project sponsor to select the appropriate design of a roadway, consistent with context sensitive design principles.

''(2) POLICIES OR PROCEDURES.—

''(A) IN GENERAL.—Not later than 1 year after the Secretary publishes the final guidance described in paragraph (3), each State shall adopt policies or procedures to evaluate the context of a proposed roadway and select the appropriate design, consistent with context sensitive design principles.

''(B) LOCAL GOVERNMENTS.—The Secretary and States shall encourage local governments to adopt policies or procedures described under subparagraph (A).

''(C) CONSIDERATIONS.—The policies or procedures developed under this paragraph shall take into consideration the guidance developed by the Secretary under paragraph (3).

''(3) GUIDANCE.—

''(A) IN GENERAL.—

''(i) NOTICE.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall publish guidance on the official website of the Department of Transportation on context sensitive design.

''(ii) PUBLIC REVIEW AND COMMENT.—The guidance described in this paragraph shall be finalized following an opportunity for public review and comment.

''(iii) UPDATE.—The Secretary shall periodically update the guidance described in this paragraph, including the model policies or procedures described under subparagraph (B)(v).

''(B) CONTENTS.—The guidance described in this paragraph shall—

''(i) provide best practices for States, metropolitan planning organizations, regional transportation planning organizations, local governments, or other project sponsors to implement context sensitive design principles;

''(ii) identify opportunities to modify planning, scoping, design, and development procedures to more effectively combine modes of transportation into integrated facilities that meet the needs of each of such modes of transportation in an appropriate balance;

''(iii) identify metrics to assess the context of the facility, including surrounding land use or roadside characteristics;

''(iv) assess the expected operational and safety performance of facility design; and

''(v) establish model policies or procedures, consistent with the findings of such guidance, for a State or other project sponsor to evaluate the context of a proposed facility and select the appropriate facility design for the context.

''(C) TOPICS OF EMPHASIS.—In addition to the contents in subparagraph (B), the guidance shall emphasize—

''(i) procedures for identifying the needs of users of all ages and abilities of a particular roadway;

''(ii) procedures for identifying the types and designs of facilities needed to serve various modes of transportation;

''(iii) safety and other benefits provided by carrying out context sensitive design principles;

''(iv) common barriers to carrying out context sensitive design principles;

''(v) procedures for overcoming the most common barriers to carrying out context sensitive design principles;

''(vi) procedures for identifying the costs associated with carrying out context sensitive design principles;

''(vii) procedures for maximizing local cooperation in the introduction of context sensitive design principles and carrying out those principles; and

''(viii) procedures for assessing and modifying the facilities and operational characteristics of existing roadways to improve consistency with context sensitive design principles.

''(4) FUNDING.—Amounts made available under sections 104(b)(6) and 505 of this title may be used for States, local governments, metropolitan planning organizations, or regional transportation planning organizations to adopt policies or procedures to evaluate the context of a proposed roadway and select the appropriate design, consistent with context sensitive design principles.''.

(b) CONFORMING AMENDMENT.—Section 1404(b) of the FAST Act (23 U.S.C. 109 note) is repealed.

SEC. 1108. FEDERAL SHARE.

(a) IN GENERAL.—Section 120(c)(3)(B) of title 23, United States Code, is amended—

(1) by striking clauses (i) and (ii) and inserting the following:

''(i) prefabricated bridge elements and systems, innovative materials, and other technologies to reduce bridge construction time, extend service life, and reduce preservation costs, as compared to conventionally designed and constructed bridges;

''(ii) innovative construction equipment, materials, techniques, or practices, including the use of in-place recycling technology, digital 3-dimensional modeling technologies, and advanced digital construction management systems;'';

(2) by redesignating clause (vi) as clause (ix);

(3) in clause (v) by striking ''or'' at the end; and

(4) by inserting after clause (v) the following:

''(vi) innovative pavement materials that demonstrate reductions in—

''(I) greenhouse gas emissions through sequestration or innovative manufacturing processes; or

''(II) local air pollution, stormwater runoff, or noise pollution;

''(vii) innovative culvert materials that are made with recycled content and demonstrate reductions in greenhouse gas emissions;

''(viii) contractual provisions that provide safety contingency funds to incorporate safety enhancements to work zones prior to or during roadway construction and maintenance activities; or''.

(b) ENVIRONMENTAL JUSTICE COMMUNITIES.—Section 120(c) of title 23, United States Code, is amended by adding at the end the following:

''(4) ENVIRONMENTAL JUSTICE COMMUNITIES.—The Federal share payable on account of a project, program, or activity carried out with funds apportioned under section 104(b)(5) may be increased by up to 10 percent, up to 100 percent of the total project cost of any such project, program, or activity that the Secretary determines benefits an environmental justice community through reducing adverse environmental exposures that may disproportionately impact such communities.''.

(c) TECHNICAL AMENDMENT.—Section 107(a)(2) of title 23, United States Code, is amended by striking ''subsection (c) of''.

SEC. 1109. TRANSFERABILITY OF FEDERAL-AID HIGHWAY FUNDS.

Section 126(b) of title 23, United States Code, is amended—

(1) in the heading by inserting ''AND PROGRAMS'' after ''SET-ASIDES'';

(2) in paragraph (1) by striking ''and 133(d)(1)(A)'' and inserting '', 130, 133(d)(1)(A), 133(h), 148(m), 149, 151(f), and 171''; and

(3) by striking paragraph (2) and inserting the following:

''(2) ENVIRONMENTAL PROGRAMS.—With respect to an apportionment under either paragraph (4) or paragraph (9) of section 104(b), and notwithstanding paragraph (1), a State may only transfer not more than 50 percent from the amount of the apportionment of either such paragraph to the apportionment under the other such paragraph in a fiscal year.''.

SEC. 1110. TOLLING.

(a) TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES.—Section 129 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—

''(A) AUTHORIZATION.—Subject to the provisions of this section, Federal participation shall be permitted on the same basis and in the same manner as construction of toll-free highways is permitted under this chapter in the—

''(i) initial construction of a toll highway, bridge, or tunnel or approach to the highway, bridge, or tunnel;

''(ii) initial construction of 1 or more lanes or other improvements that increase capacity of a highway, bridge, or tunnel (other than a highway on the Interstate System) and conversion of that highway, bridge, or tunnel to a tolled facility, if the number of toll-free lanes, excluding auxiliary lanes, after the construction is not less than the number of toll-free lanes, excluding auxiliary lanes, before the construction;

''(iii) initial construction of 1 or more lanes or other improvements that increase the capacity of a highway, bridge, or tunnel on the Interstate System and conversion of that highway, bridge, or tunnel to a tolled facility, if the number of toll-free non-HOV lanes, excluding auxiliary lanes, after such construction is not less than the number of toll-free non-HOV lanes, excluding auxiliary lanes, before such construction;

''(iv) reconstruction, resurfacing, restoration, rehabilitation, or replacement of a toll highway, bridge, or tunnel or approach to the highway, bridge, or tunnel;

''(v) reconstruction or replacement of a toll-free bridge or tunnel and conversion of the bridge or tunnel to a toll facility;

''(vi) reconstruction of a toll-free Federal-aid highway (other than a highway on the Interstate System) and conversion of the highway to a toll facility;

''(vii) reconstruction, restoration, or rehabilitation of a highway on the Interstate System if the number of toll-free non-HOV lanes, excluding auxiliary lanes, after reconstruction, restoration, or rehabilitation is not less than the number of toll-free non-HOV lanes, excluding auxiliary lanes, before reconstruction, restoration, or rehabilitation;

''(viii) conversion of a high occupancy vehicle lane on a highway, bridge, or tunnel to a toll facility, subject to the requirements of section 166; and

''(ix) preliminary studies to determine the feasibility of a toll facility for which Federal participation is authorized under this paragraph.

''(B) AGREEMENT TO TOLL.—

''(i) IN GENERAL.—Before the Secretary may authorize tolling under this subsection, the public authority with jurisdiction over a highway, bridge, or tunnel shall enter into an agreement with the Secretary to ensure compliance with the requirements of this subsection.

''(ii) APPLICABILITY.—

''(I) IN GENERAL.—The requirements of this subparagraph shall apply to—

''(aa) Federal participation under subparagraph (A);

''(bb) any prior Federal participation in the facility proposed to be tolled; and

''(cc) conversion, with or without Federal participation, of a non-tolled lane on the National Highway System to a toll facility under subparagraph (E).

''(II) HOV FACILITY.—Except as otherwise provided in this subsection or section 166, the provisions of this paragraph shall not apply to a high occupancy vehicle facility.

''(iii) MAJOR FEDERAL ACTION.—Approval by the Secretary of an agreement to toll under this paragraph shall be considered a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(C) AGREEMENT CONDITIONS.—Prior to entering into an agreement to toll under subparagraph (B), the public authority shall certify to the Secretary that—

''(i) the public authority has established procedures to ensure the toll meets the purposes and requirements of this subsection;

''(ii) the facility shall provide for access at no cost to public transportation vehicles and over-the-road buses serving the public; and

''(iii) the facility shall provide for the regional interoperability of electronic toll collection, including through technologies or business practices.

''(D) CONSIDERATION OF IMPACTS.—

''(i) IN GENERAL.—Prior to entering into an agreement to toll under subparagraph (B), the Secretary shall ensure the public authority has adequately considered, including by providing an opportunity for public comment, the following factors within the corridor:

''(I) Congestion impacts on both the toll facility and in the corridor or cordon (including adjacent toll-free facilities).

''(II) In the case of a non-attainment or maintenance area, air quality impacts.

''(III) Planned investments to improve public transportation or other non-tolled alternatives in the corridor.

''(IV) Environmental justice and equity impacts.

''(V) Impacts on freight movement.

''(VI) Economic impacts on businesses.

''(ii) CONSIDERATION IN ENVIRONMENTAL REVIEW.—Nothing in this subparagraph shall limit a public authority from meeting the requirements of this subparagraph through the environmental review process, as applicable.

''(E) CONGESTION PRICING.—

''(i) IN GENERAL.—The Secretary may authorize conversion of a non-tolled lane on the National Highway System to a toll facility to utilize pricing to manage the demand to use the facility by varying the toll amount that is charged.

''(ii) REQUIREMENT.—Prior to entering into an agreement to convert a non-tolled lane on the National Highway System to a toll facility, the Secretary shall ensure (in addition to the requirements under subparagraphs (B), (C), and (D)) that such toll facility and the planned investments to improve public transportation or other non-tolled alternatives in the corridor are reasonably expected to improve the operation of the cordon or corridor, as described in clauses (iii) and (iv).

''(iii) PERFORMANCE MONITORING.—A public authority that enters into an agreement to convert a non-tolled lane to a toll facility under this subparagraph shall—

''(I) establish, monitor, and support a performance monitoring, evaluation, and reporting program—

''(aa) for the toll facility that provides for continuous monitoring, assessment, and reporting on the impacts that the pricing structure may have on the operation of the facility; and

''(bb) for the corridor or cordon that provides for continuous monitoring, assessment, and reporting on the impacts of congestion pricing on the operation of the corridor or cordon;

''(II) submit to the Secretary annual reports of the impacts described in subclause (I); and

''(III) if the facility or the corridor or cordon becomes degraded, as described in clause (iv), submit to the Secretary an annual update that describes the actions proposed to bring the toll facility into compliance and the progress made on such actions.

''(iv) DETERMINATION.—

''(I) DEGRADED OPERATION.—For purposes of clause (iii)(III), the operation of a toll facility shall be considered to be degraded if vehicles operating on the facility are failing to maintain a minimum average operating speed 90 percent of the time over a consecutive 180-day period during peak hour periods.

''(II) DEGRADED CORRIDOR OR CORDON.—For the purposes of clause (iii)(III), a corridor or cordon shall be considered to be degraded if congestion pricing or investments to improve public transportation or other non-tolled alternatives have not resulted in—

''(aa) an increase in person or freight throughput in the corridor or cordon; or

''(bb) a reduction in person hours of delay in the corridor or cordon, as determined by the Secretary.

''(III) DEFINITION OF MINIMUM AVERAGE OPERATING SPEED.—In this subparagraph, the term 'minimum average operating speed' means—

''(aa) 35 miles per hour, in the case of a toll facility with a speed limit of 45 miles per hour or greater; and

''(bb) not more than 10 miles per hour below the speed limit, in the case of a toll facility with a speed limit of less than 50 miles per hour.

''(v) MAINTENANCE OF OPERATING PERFORMANCE.—

''(I) IN GENERAL.—Not later than 180 days after the date on which a facility or a corridor or cordon becomes degraded under clause (iv), the public authority with jurisdiction over the facility shall submit to the Secretary for approval a plan that details the actions the public authority will take to make significant progress toward bringing the facility or corridor or cordon into compliance with this subparagraph.

''(II) NOTICE OF APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date of receipt of a plan under subclause (I), the Secretary shall provide to the public authority a written notice indicating whether the Secretary has approved or disapproved the plan based on a determination of whether the implementation of the plan will make significant progress toward bringing the facility or corridor or cordon into compliance with this subparagraph.

''(III) UPDATE.—Until the date on which the Secretary determines that the public authority

has brought the facility or corridor or cordon into compliance with this subparagraph, the public authority shall submit annual updates that describe—

''(aa) the actions taken to bring the facility into compliance;

''(bb) the actions taken to bring the corridor or cordon into compliance; and

''(cc) the progress made by those actions.

''(IV) COMPLIANCE.—If a public authority fails to bring a facility into compliance under this subparagraph, the Secretary may subject the public authority to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded.

''(vi) CONSULTATION OF MPO.—If a toll facility authorized under this subparagraph is located on the National Highway System and in a metropolitan planning area established in accordance with section 134, the public authority shall consult with the metropolitan planning organization for the area.

''(vii) INCLUSION.—For the purposes of this paragraph, the corridor or cordon shall include toll-free facilities that are adjacent to the toll facility.'';

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (iv) by striking ''and'' at the end; and

(II) by striking clause (v) and inserting the following:

''(v) any project eligible under this title or chapter 53 of title 49 that improves the operation of the corridor or cordon by increasing person or freight throughput and reducing person hours of delay;

''(vi) toll discounts or rebates for users of the toll facility that have no reasonable alternative transportation method to the toll facility; and

''(vii) if the public authority certifies annually that the tolled facility is being adequately maintained and the cordon or corridor is not degraded under paragraph (1)(E), any revenues remaining after funding the activities described in clauses (i) through (vi) shall be considered surplus revenue and may be used for any other purpose for which Federal funds may be obligated by a State under this title or chapter 53 of title 49.''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) TRANSPARENCY.—

''(i) ANNUAL AUDIT.—

''(I) IN GENERAL.—A public authority with jurisdiction over a toll facility shall conduct or have an independent auditor conduct an annual audit of toll facility records to verify adequate maintenance and compliance with subparagraph (A), and report the results of the audits to the Secretary.

''(II) RECORDS.—On reasonable notice, the public authority shall make all records of the public authority pertaining to the toll facility available for audit by the Secretary.

''(ii) USE OF REVENUES.—A State or public authority that obligates amounts under clauses (v), (vi), or (vii) of subparagraph (A) shall annually report to the Secretary a list of activities funded with such amounts and the amount of funding provided for each such activity.'';

(C) in paragraph (8) by striking ''as of the date of enactment of the MAP–21, before commencing any activity authorized'' and inserting '', before commencing any activity authorized'';

(D) in paragraph (9)—

(i) by striking ''bus'' and inserting ''vehicle''; and

(ii) by striking ''buses'' and inserting ''vehicles''; and

(E) by striking paragraph (10) and inserting the following:

''(10) INTEROPERABILITY OF ELECTRONIC TOLL COLLECTION.—

''(A) IN GENERAL.—All toll facilities on Federal-aid highways shall provide for the regional interoperability of electronic toll collection, including through technologies or business practices.

''(B) PROHIBITION ON RESTRICTION.—No State, or any political subdivision thereof, shall restrict the information that is shared across public and private toll facility operators or their agents or contractors for purposes of facilitating, operating, or maintaining electronic toll collection programs.

''(11) NONCOMPLIANCE.—If the Secretary concludes that a public authority has not complied with the requirements of this subsection, the Secretary may require the public authority to discontinue collecting tolls until the public authority and the Secretary enter into an agreement for the public authority to achieve compliance with such requirements.

''(12) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) FEDERAL PARTICIPATION.—The term 'Federal participation' means the use of funds made available under this title.

''(B) HIGH OCCUPANCY VEHICLE; HOV.—The term 'high occupancy vehicle' or 'HOV' means a vehicle with not fewer than 2 occupants.

''(C) INITIAL CONSTRUCTION.—

''(i) IN GENERAL.—The term 'initial construction' means the construction of a highway, bridge, tunnel, or other facility at any time before it is open to traffic.

''(ii) EXCLUSIONS.—The term 'initial construction' does not include any improvement to a highway, bridge, tunnel, or other facility after it is open to traffic.

''(D) OVER-THE-ROAD BUS.—The term 'over-the-road bus' has the meaning given the term in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181).

''(E) PUBLIC AUTHORITY.—The term 'public authority' means a State, interstate compact of States, or public entity designated by a State.

''(F) PUBLIC TRANSPORTATION VEHICLE.—The term 'public transportation vehicle' has the meaning given that term in section 166.

''(G) TOLL FACILITY.—The term 'toll facility' means a toll highway, bridge, or tunnel or approach to the highway, bridge, or tunnel constructed or authorized to be tolled under this subsection.''.

(b) REPEAL OF INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—Section 1216 of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note), and the item related to such section in the table of contents in section 1(b) of such Act, are repealed.

(c) VALUE PRICING PILOT PROGRAM.—Section 1012(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 149 note) is amended by adding at the end the following:

''(9) SUNSET.—The Secretary may not consider an expression of interest submitted under this section after the date of enactment of this paragraph.''.

(d) SAVINGS CLAUSE.—

(1) APPLICATION OF LIMITATIONS.—Any toll facility described in paragraph (2) shall be subject to the requirements of section 129(a)(3) of title 23, United States Code, as in effect on the day before the date of enactment of this Act.

(2) TOLL FACILITIES.—A toll facility described in this paragraph is a facility that, on the day prior to the date of enactment of this Act, was—

(A) operating;

(B) in the planning and design phase; or

(C) in the construction phase.

(e) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall submit to Congress a report on the implementation of the interoperability of toll collection as required under section 1512(b) of MAP–21, including an assessment of the progress in, and barriers on, such implementation.

SEC. 1111. HOV FACILITIES.

Section 166 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4)(C)(iii) by striking ''transportation buses'' and inserting ''transportation vehicles'';

(B) in paragraph (5)(B) by striking ''2019'' and inserting ''2025''; and

(C) by adding at the end the following:

''(6) EMERGENCY VEHICLES.—The public authority may allow the following vehicles to use the HOV facility if the authority establishes requirements for clearly identifying the vehicles:

''(A) An emergency vehicle that is responding to an existing emergency.

''(B) A blood transport vehicle that is transporting blood between collection points and hospitals or storage centers.''.

(2) in subsection (d)(2)(A)(i) by striking ''45 miles per hour, in the case of a HOV facility with a speed limit of 50 miles per hour or greater'' and inserting ''35 miles per hour, in the case of a HOV facility with a speed limit of 45 miles per hour or greater'';

(3) in subsection (d)(2)(B) by striking ''morning or evening weekday peak hour periods (or both)'' and inserting ''peak hour periods'';

(4) in subsection (e)—

(A) by striking ''Not later than 180 days after the date of enactment of this section, the Administrator'' and inserting ''The Administrator'';

(B) in paragraph (1) by striking ''and'' at the end;

(C) in paragraph (2) by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(3) not later than 180 days after the date of enactment of the INVEST in America Act, update the requirements established under paragraph (1).''; and

(5) in subsection (f)—

(A) in paragraph (1)—

(i) by striking subparagraphs (C), (D), and (F); and

(ii) by redesignating subparagraphs (E), (G), (H), and (I) as subparagraphs (C), (D), (E), and (F), respectively; and

(B) in paragraph (6)(B)(i) by striking ''public entity'' and inserting ''public transportation service that is a recipient or subrecipient of funds under chapter 53 of title 49''.

SEC. 1112. BUY AMERICA.

(a) IN GENERAL.—Section 313 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''Notwithstanding'' and inserting ''IN GENERAL.—Notwithstanding'';

(B) by striking ''Secretary of Transportation'' and inserting ''Secretary'';

(C) by striking ''the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or''; and

(D) by striking ''and manufactured products'' and inserting ''manufactured products, and construction materials'';

(2) in subsection (b) by inserting ''DETERMINATION.—'' before ''The provisions'';

(3) in subsection (c) by striking ''For purposes'' and inserting ''CALCULATION.—For purposes'';

(4) in subsection (d)—

(A) by striking ''The Secretary of Transportation'' and inserting ''REQUIREMENTS.—The Secretary''; and

(B) by striking ''the Surface Transportation Assistance Act of 1982 (96 Stat. 2097) or'';

(5) in subsection (g) by inserting ''or within the scope of the applicable finding, determination, or environmental review decision made pursuant to authority granted by the Secretary under section 330, if applicable,'' before ''regardless of the''; and

(6) by adding at the end the following:

''(h) WAIVER PROCEDURE.—

''(1) IN GENERAL.—Not later than 120 days after the submission of a request for a waiver, the Secretary shall make a determination under paragraph (1) or (2) of subsection (b) as to whether subsection (a) shall apply.

''(2) PUBLIC NOTIFICATION AND COMMENT.—

''(A) IN GENERAL.—Not later than 30 days before making a determination regarding a waiver described in paragraph (1), the Secretary shall provide notification and an opportunity for public comment on the request for such waiver.

''(B) NOTIFICATION REQUIREMENTS.—The notification required under subparagraph (A) shall—

''(i) describe whether the application is being made for a determination described in subsection (b)(1); and

''(ii) be provided to the public by electronic means, including on the public website of the Department of Transportation.

''(3) DETERMINATION.—Before a determination described in paragraph (1) takes effect, the Secretary shall publish a detailed justification for such determination that addresses all public comments received under paragraph (2)—

''(A) on the public website of the Department of Transportation; and

''(B) if the Secretary issues a waiver with respect to such determination, in the Federal Register.

''(i) REVIEW OF NATIONWIDE WAIVERS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, and at least every 5 years thereafter, the Secretary shall review any standing nationwide waiver issued by the Secretary under this section to ensure such waiver remains justified.

''(2) PUBLIC NOTIFICATION AND OPPORTUNITY FOR COMMENT.—

''(A) IN GENERAL.—Not later than 30 days before the completion of a review under paragraph (1), the Secretary shall provide notification and an opportunity for public comment on such review.

''(B) MEANS OF NOTIFICATION.—Notification provided under this subparagraph shall be provided by electronic means, including on the public website of the Department of Transportation.

''(3) DETAILED JUSTIFICATION IN FEDERAL REGISTER.—After the completion of a review under paragraph (1), the Secretary shall publish in the Federal Register a detailed justification for the determination made under paragraph (1) that addresses all public comments received under paragraph (2).

''(4) CONSIDERATION.—In conducting the review under paragraph (1), the Secretary shall consider the study on supply chains carried out under section 1112(c) of the INVEST in America Act.

''(j) REPORT.—Not later than 120 days after the last day of each fiscal year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Environment and Public Works of the Senate, and the Committee on Appropriations of the Senate a report on the waivers provided under subsection (h) during the previous fiscal year and the justifications for such waivers.

''(k) CONSTRUCTION MATERIALS DEFINED.—In this section, the term 'construction materials' means primary materials, except for iron and steel, that are commonly used in highway construction, as determined by the Secretary.''.

(b) CONSTRUCTION MATERIALS.—

(1) ESTABLISHMENT OF REQUIREMENTS.—

(A) IN GENERAL.—The Secretary shall issue such regulations as are necessary to implement the amendment made by subsection (a)(1)(D). Such regulations shall ensure the continued availability of construction materials to carry out projects under title 23, United States Code.

(B) CONSIDERATIONS.—The regulations issued pursuant to subparagraph (A) shall—

(i) ensure the continued availability of construction materials to carry out projects under title 23, United States Code;

(ii) include authority for the Secretary to waive the applicability of the requirement under section 313(a) of title 23, United States Code, to procure domestic construction materials if the study conducted under subsection (c)(1) determines that the domestic supply of construction materials is insufficient to meet the demand for activities covered under section 313 of title 23, United States Code; and

(iii) provide for efficient and timely—

(I) project delivery for project sponsors; and

(II) administration for the Secretary.

(C) FINAL RULE.—The regulations issued pursuant to subparagraph (A) shall not be finalized until the study under subsection (c) has been completed and considered by the Secretary in the rulemaking process under such subparagraph.

(2) CONSIDERATIONS.—The requirements of this section, and the amendments made by this section—

(A) shall seek to maximize jobs located in the United States;

(B) may establish domestic content requirements that are less than 100 percent and that increase over time, based on the current and expected future domestic availability of construction materials; and

(C) shall take into consideration the study conducted under subsection (c), including any potential—

(i) disruption in the supply of construction materials to any State or isolated geographic region; and

(ii) impacts on the price of covered items.

(3) APPLICABILITY.—The amendment made by subsection (a)(1)(D) shall take effect beginning on the date that the Secretary establishes the regulations described under paragraph (1).

(c) STUDY ON SUPPLY CHAINS.—

(1) IN GENERAL.—The Secretary shall conduct study on covered items that are commonly used or acquired under title 23, United States Code, including—

(A) construction materials;

(B) manufactured products;

(C) vehicles; and

(D) alternative fuel infrastructure and electric vehicle supply equipment.

(2) CONSIDERATIONS.—The study under paragraph (1) shall consider—

(A) the current domestic availability of covered items of sufficient and reasonably available quantity and of a satisfactory quality (including any specific impacts in a State or isolated geographic region, as applicable) neccessary to meet the demand for activities covered under section 313 of title 23, United State Code;

(B) the current supply chain for covered items; including the impacts of extracting, refining, manufacturing, and transporting domestically available covered items;

(C) anticipated impacts to the environment, public health, and safety from transportation of domestically available covered items;

(D) the esimated demand, in relation to total domestic demand from all sources, for covered items from—

(i) procurement under the Federal-aid highway program;

(ii) procurement under other programs administered by the Secretary of Transportation; and

(iii) other Federal procurement; and

(E) the delivery cost differential of domestic covered items, as compared to non-domestic alternatives, including any specific impacts in a State or isolated geographic region, as applicable.

(3) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Secretary completes the study in paragraph (1), the Inspector General of the Department of Transportation shall—

(A) review the extent to which the study under paragraph (1) addresses the considerations under paragraph (2); and

(B) submit to the Committee on Transporation and Infrastructure of the House of Representatives and Committee on Environment and Public Works of the Senate a report on the findings of the review under subparagraph (A).

(4) DOMESTIC SUPPLIERS.—As part of the review under this paragraph, the Secretary may establish and maintain a list of known domestic suppliers of covered items.

(5) DEFINITION OF COVERED ITEM.—For the purposes of this section, the term ''covered item'' means any material or product (except for iron and steel) subject to the requirements of section 313(a) of title 23, United States Code, that is commonly used in highway construction or procured under the Federal-aid highway program.

(d) IRON AND STEEL.—Subsections (b) and (c) shall not affect the requirements under section 635.410(b)(1)(ii) of title 23, Code of Federal Regulations, with respect to iron and steel.

(e) CONSTRUCTION MATERIALS DEFINED.—In this section, the term ''construction materials'' has the meaning given such term in section 313 of title 23, United States Code.

(f) SAFETEA-LU TECHNICAL CORRECTIONS ACT OF 2008.—Section 117 of the SAFETEA–LU Technical Corrections Act of 2008 (23 U.S.C. 313 note) is repealed.

SEC. 1113. FEDERAL-AID HIGHWAY PROJECT REQUIREMENTS.

(a) IN GENERAL.—Section 113 of title 23, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) IN GENERAL.—The Secretary shall take such action as may be necessary to ensure that all laborers and mechanics employed by contractors or subcontractors on construction work performed on projects financed or otherwise assisted in whole or in part by a loan, loan guarantee, grant, credit enhancement, or any other form of Federal assistance administered by the Secretary or the Department, including programs to capitalize revolving loan funds and subsequent financing cycles under such funds, shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267) and section 3145 of title 40.'';

(2) by redesignating subsection (c) as subsection (b); and

(3) in subsection (b), as so redesignated, by inserting ''APPRENTICESHIP AND SKILL TRAINING PROGRAMS.—'' before ''The provisions''.

(b) CONFORMING AMENDMENTS.—

(1) Section 133 of title 23, United States Code, is amended by striking subsection (i).

(2) Section 167 of title 23, United States Code, is amended by striking subsection (l).

(3) Section 1401 of the MAP–21 (23 U.S.C. 137 note) is amended by striking subsection (e).

SEC. 1114. STATE ASSUMPTION OF RESPONSIBILITY FOR CATEGORICAL EXCLUSIONS.

Section 326(c)(3) of title 23, United States Code, is amended—

(1) by striking subparagraph (A) and inserting the following:

''(A) except as provided under subparagraph (C), have a term of not more than 3 years;'';

(2) in subparagraph (B) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) for any State that has assumed the responsibility for categorical exclusions under this section for at least 10 years, have a term of 5 years.''.

SEC. 1115. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM WRITTEN AGREEMENTS.

Section 327 of title 23, United States Code, is amended—

(1) in subsection (a)(2)(G) by inserting '', including the payment of fees awarded under section 2412 of title 28'' after ''with the project''.

(2) in subsection (c)—

(A) by striking paragraph (5) and inserting the following:

''(5) except as provided under paragraph (7), have a term of not more than 5 years;'';

(B) in paragraph (6) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(7) for any State that has participated in a program under this section (or under a predecessor program) for at least 10 years, have a term of 10 years.'';

(3) in subsection (g)(1)—

(A) in subparagraph (C) by striking ''annual'';

(B) in subparagraph (B) by striking ''and'' at the end;

(C) by redesignating subparagraph (C) as subparagraph (D); and

(D) by inserting after subparagraph (B) the following:

''(C) in the case of an agreement period of greater than 5 years under subsection (c)(7), conduct an audit covering the first 5 years of the agreement period; and''; and

(4) by adding at the end the following:

''(m) AGENCY DEEMED TO BE FEDERAL AGENCY.—A State agency that is assigned a responsibility under an agreement under this section shall be deemed to be an agency of the United States for the purposes of section 2412 of title 28.''.

SEC. 1116. CORROSION PREVENTION FOR BRIDGES.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE BRIDGE PROJECTS.—The term ''applicable bridge projects'' means a project for construction, replacement, rehabilitation, preservation, or protection, other than de minimis work, as determined by the applicable State department of transportation, on a bridge project that receives financial assistance under title 23, United States Code.

(2) CERTIFIED CONTRACTOR.—The term ''certified contractor'' means a contracting or subcontracting firm that has been certified by an industry-wide recognized third party organization that evaluates the capability of the contractor or subcontractor to properly perform 1 or more specified aspects of applicable bridge projects described in subsection (b)(2).

(3) QUALIFIED TRAINING PROGRAM.—The term ''qualified training program'' means a training program in corrosion control, mitigation, and prevention that is either—

(A) offered or accredited by an organization that sets industry corrosion standards; or

(B) an industrial coatings applicator training program registered under the Act of August 16, 1937 (29 U.S.C. 50 et seq.; commonly known as the ''National Apprenticeship Act'') that meets the standards of subpart A of part 29 and part 30 of title 29, Code of Federal Regulations.

(b) APPLICABLE BRIDGE PROJECTS.—

(1) QUALITY CONTROL.—A certified contractor shall carry out aspects of an applicable bridge project described in paragraph (2).

(2) ASPECTS OF APPLICABLE BRIDGE PROJECTS.—Aspects of an applicable bridge project referred to in paragraph (1) shall include—

(A) surface preparation or coating application on steel or rebar of an applicable bridge project;

(B) removal of a lead-based or other hazardous coating from steel of an existing applicable bridge project; and

(C) shop painting of structural steel or rebar fabricated for installation on an applicable bridge project.

(3) CORROSION MANAGEMENT SYSTEM.—In carrying out an applicable bridge project, a State department of transportation shall—

(A) implement a corrosion management system that utilizes industry-recognized standards and corrosion mitigation and prevention methods to address—

(i) surface preparation;

(ii) protective coatings;

(iii) materials selection;

(iv) cathodic protection;

(v) corrosion engineering;

(vi) personnel training; and

(vii) best practices in environmental protection to prevent environmental degradation and uphold public health.

(B) require certified contractors, for the purpose of carrying out aspects of applicable bridge projects described in paragraph (2), to employ a substantial number of individuals that are trained and certified by a qualified training program as meeting the ANSI/NACE Number 13/SSPC–ACS–1 standard or future versions of this standard.

(4) CERTIFICATION.—The applicable State department of transportation shall only accept bids for projects that include aspects of applicable bridge projects described in paragraph (2) from a certified contractor that presents written proof that the certification of such contractor meets the standards of SSPC QP1, QP2, and QP3 or future versions of these standards.

(c) TRAINING PROGRAM.—As a condition of entering into a contract for an applicable bridge project, each certified contractor shall provide training, through a qualified training program, for each individual who is not a certified coating applicator but that the certified contractor employs to carry out aspects of applicable bridge projects as described in subsection (b)(2).

SEC. 1117. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) States should utilize life-cycle cost analysis to evaluate the total economic cost of a transportation project over its expected lifetime; and

(2) data indicating that future repair costs associated with a transportation project frequently total more than half of the initial cost of the project, and that conducting life-cycle cost analysis prior to construction will help States identify the most cost-effective option, improve their economic performance, and lower the total cost of building and maintaining the project.

SEC. 1118. ACCOMMODATION OF CERTAIN FACILITIES IN RIGHT-OF-WAY.

(a) IN GENERAL.—Notwithstanding chapter 1 of title 23, United States Code, electric vehicle charging infrastructure, renewable energy generation facilities, electrical transmission and distribution infrastructure, and broadband infrastructure and conduit shall be treated as a facility covered under part 645 of title 23, Code of Federal Regulations (or successor regulations), for purposes of being accommodated under section 109(l) of title 23, United States Code.

(b) STATE APPROVAL.—A State, on behalf of the Secretary of Transportation, may approve the accommodation of the infrastructure and facilities described in subsection (a) within any right-of-way on a Federal-aid highway pursuant to section 109(l) of title 23, United States Code.

SEC. 1119. FEDERAL GRANTS FOR PEDESTRIAN AND BIKE SAFETY IMPROVEMENTS.

(a) IN GENERAL.—Notwithstanding any provision of title 23, United States Code, or any regulation issued by the Secretary of Transportation, section 129(a)(3) of such title shall not apply to a covered public authority that receives funding under such title for pedestrian and bike safety improvements.

(b) NO TOLL.—A covered public authority may not charge a toll, fee, or other levy for use of such improvements.

(c) EFFECTIVE DATE.—A covered public authority shall be eligible for the exemption under subsection (a) for 10 years after the date of enactment of this Act. Any such exemption granted shall remain in effect after the effective date described in this section.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED PUBLIC AUTHORITY.—The term ''covered public authority'' means a public authority with jurisdiction over a toll facility located within both—

(A) a National Scenic Area; and

(B) the National Trail System.

(2) NATIONAL SCENIC AREA.—The term ''National Scenic Area'' means an area of the National Forest System federally designated as a National Scenic Area in recognition of the outstanding natural, scenic, and recreational values of the area.

(3) NATIONAL TRAIL SYSTEM.—The term ''National Trail System'' means an area described in section 3 of the National Trails System Act (16 U.S.C. 1242).

(4) PUBLIC AUTHORITY; TOLL FACILITY.—The terms ''public authority'' and ''toll facility'' have the meanings such terms would have if such terms were included in chapter 1 of title 23, United States Code.

Subtitle B—Programmatic Infrastructure Investment

SEC. 1201. NATIONAL HIGHWAY PERFORMANCE PROGRAM.

Section 119 of title 23, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

''(b) PURPOSES.—The purposes of the national highway performance program shall be—

''(1) to provide support for the condition and performance of the National Highway System, consistent with the asset management plans of States;

''(2) to support progress toward the achievement of performance targets of States established under section 150;

''(3) to increase the resilience of Federal-aid highways and bridges; and

''(4) to provide support for the construction of new facilities on the National Highway System, consistent with subsection (d)(3).'';

(2) in subsection (d)—

(A) in paragraph (1)(A) by striking ''or freight movement on the National Highway System'' and inserting ''freight movement, environmental sustainability, transportation system access, or combating climate change'';

(B) in paragraph (1)(B) by striking ''and'' at the end;

(C) in paragraph (2)—

(i) in subparagraph (G)—

(I) in clause (i) by inserting ''and'' at the end;

(II) in clause (ii) by striking ''; and'' and inserting a period; and

(III) by striking clause (iii);

(ii) in subparagraph (I) by inserting '', including the installation of safety barriers and nets on bridges on the National Highway System'' after ''National Highway System''; and

(iii) by adding at the end the following:

''(Q) Projects on or off the National Highway System to reduce greenhouse gas emissions that are eligible under section 171, including the installation of electric vehicle charging infrastructure.

''(R) Projects on or off the National Highway System to enhance resilience of a transportation facility eligible under section 124, including protective features and natural infrastructure.

''(S) Projects and strategies to reduce vehicle-caused wildlife mortality related to, or to restore and maintain connectivity among terrestrial or aquatic habitats affected by, a transportation facility eligible for assistance under this section.

''(T) Projects on or off the National Highway System to improve an evacuation route eligible under section 124(b)(1)(C).

''(U) The removal, retrofit, repurposing, remediation, or replacement of a highway on the National Highway System that creates a barrier to community connectivity to improve access for multiple modes of transportation.''; and

(D) by adding at the end the following:

''(3) a project that is otherwise eligible under this subsection to construct new capacity for single occupancy passenger vehicles only if the State—

''(A) has demonstrated progress in achieving a state of good repair, as defined in the State's asset management plan, on the National Highway System;

''(B) demonstrates that the project—

''(i) supports the achievement of performance targets of the State established under section 150; and

''(ii) is more cost effective, as determined by benefit-cost analysis, than—

''(I) an operational improvement to the facility or corridor;

''(II) the construction of a public transportation project eligible for assistance under chapter 53 of title 49; or

''(III) the construction of a non-single occupancy passenger vehicle project that improves freight movement; and

''(C) has a public plan for maintaining and operating the new asset while continuing its progress in achieving a state of good repair under subparagraph (A).'';

(3) in subsection (e)—

(A) in the heading by inserting ''ASSET AND'' after ''STATE'';

(B) in paragraph (4)(D) by striking ''analysis'' and inserting ''analyses, both of which shall take into consideration climate change adaptation and resilience''; and

(C) in paragraph (8) by striking ''Not later than 18 months after the date of enactment of the MAP–21, the Secretary'' and inserting ''The Secretary''; and

(4) by adding at the end the following:

''(k) BENEFIT-COST ANALYSIS.—In carrying out subsection (d)(3)(B)(ii), the Secretary shall establish a process for analyzing the cost and benefits of projects under such subsection, ensuring that—

''(1) the benefit-cost analysis includes a calculation of all the benefits addressed in the performance measures established under section 150;

''(2) the benefit-cost analysis includes a consideration of the total maintenance cost of an asset over the lifecycle of the asset; and

''(3) the State demonstrates that any transportation demand modeling used to calculate the benefit-cost analysis has a documented record of accuracy.''.

SEC. 1202. INCREASING THE RESILIENCE OF TRANSPORTATION ASSETS.

(a) PREDISASTER MITIGATION PROGRAM.—

(1) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 123 the following:

''§ 124. Predisaster mitigation program

''(a) ESTABLISHMENT.—The Secretary shall establish and implement a predisaster mitigation program to enhance the resilience of the transportation system of the United States, mitigate the impacts of covered events, and ensure the efficient use of Federal resources.

''(b) ELIGIBLE ACTIVITIES.—

''(1) IN GENERAL.—Subject to paragraph (2), funds apportioned to the State under section 104(b)(8) may be obligated for—

''(A) construction activities, including construction of natural infrastructure or protective features—

''(i) to increase the resilience of a surface transportation infrastructure asset to withstand a covered event;

''(ii) to relocate or provide a reasonable alternative to a repeatedly damaged facility; and

''(iii) for an evacuation route identified in the vulnerability assessment required under section 134(i)(2)(I)(iii) or section 135(f)(10)(C) to—

''(I) improve the capacity or operation of such evacuation route through communications and intelligent transportation system equipment and infrastructure, counterflow measures, and shoulders; and

''(II) relocate such evacuation route or provide a reasonable alternative to such evacuation route to address the risk of a covered event;

''(B) resilience planning activities, including activities described in sections 134(i)(2)(I) and 135(f)(10) of this title and sections 5303(i)(2)(I) and 5304(f)(10) of title 49; and

''(C) the development of projects and programs that help States, territories, and regions recover from covered events that significantly disrupt the transportation system, including—

''(i) predisaster training programs that help agencies and regional stakeholders plan for and prepare multimodal recovery efforts; and

''(ii) the establishment of region-wide telework training and programs.

''(2) INFRASTRUCTURE RESILIENCE AND ADAPTATION.—No funds shall be obligated to a project under this section unless the project meets each of the following criteria:

''(A) The project is designed to ensure resilience over the anticipated service life of the surface transportation infrastructure asset.

''(B) The project is identified in the metropolitan or statewide transportation improvement program as a project to address resilience vulnerabilities, consistent with section 134(j)(3)(E) or 135(g)(5)(B)(iii).

''(3) PRIORITIZATION OF PROJECTS.—A State shall develop a process to prioritize projects under this section based on the degree to which the proposed project would—

''(A) be cost effective in the long-term;

''(B) reduce the risk of disruption to a surface transportation infrastructure asset considered critical to support population centers, freight movement, economic activity, evacuation, recovery, national security functions, or critical infrastructure; and

''(C) ease disruptions to vulnerable, at-risk, or transit-dependant populations.

''(c) GUIDANCE.—The Secretary shall provide guidance to States to assist with the implementation of paragraphs (2) and (3) of subsection (b).

''(d) DEFINITIONS.—In this section:

''(1) COVERED EVENT.—The term 'covered event' means a climate change effect (including sea level rise), flooding, and an extreme event or other natural disaster (including wildfires, seismic activity, and landslides).

''(2) SURFACE TRANSPORTATION INFRASTRUCTURE ASSET.—The term 'surface transportation infrastructure asset' means a facility eligible for assistance under this title or chapter 53 of title 49.''.

(2) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 123 the following:

''124. Predisaster mitigation program.''.

(b) PROJECTS IN FLOOD-PRONE AREAS.—Section 109 of title 23, United States Code, is further amended by adding at the end the following:

''(t) PROJECTS IN FLOOD-PRONE AREAS.—For projects and actions that, in whole or in part, encroach within the limits of a flood-prone area, the Secretary shall ensure that such projects and actions are—

''(1) designed and constructed in a way that takes into account, and mitigates where appropriate, flood risk by using hydrologic, hydraulic, and hydrodynamic data, methods, and analysis that integrate current and projected changes in flooding based on climate science over the anticipated service life of the asset and future forecasted land use changes; and

''(2) designed using analysis that considers the capital costs, risks, and other economic, engineering, social and environmental concerns of constructing a project in a flood-prone area.''.

(c) METROPOLITAN TRANSPORTATION PLANNING.—

(1) AMENDMENTS TO TITLE 23.—

(A) CLIMATE CHANGE AND RESILIENCE.—Section 134(i)(2) of title 23, United States Code, is amended by adding at the end the following:

''(I) CLIMATE CHANGE AND RESILIENCE.—

''(i) IN GENERAL.—The transportation planning process shall assess strategies to reduce the climate change impacts of the surface transportation system and conduct a vulnerability assessment to identify opportunities to enhance the resilience of the surface transportation system and ensure the efficient use of Federal resources.

''(ii) CLIMATE CHANGE MITIGATION AND IMPACTS.—A long-range transportation plan shall—

''(I) identify investments and strategies to reduce transportation-related sources of greenhouse gas emissions per capita;

''(II) identify investments and strategies to manage transportation demand and increase the rates of public transportation ridership, walking, bicycling, and carpools; and

''(III) recommend zoning and other land use policies that would support infill, transit-oriented development, and mixed use development.

''(iii) VULNERABILITY ASSESSMENT.—A long-range transportation plan shall incorporate a vulnerability assessment that—

''(I) includes a risk-based assessment of vulnerabilities of critical transportation assets and systems to covered events (as such term is defined in section 124);

''(II) considers, as applicable, the risk management analysis in the State's asset management plan developed pursuant to section 119, and the State's evaluation of reasonable alternatives to repeatedly damaged facilities conducted under part 667 of title 23, Code of Federal Regulations;

''(III) at the discretion of the metropolitan planning organization, identifies evacuation routes, assesses the ability of any such routes to provide safe passage for evacuation, access to health care and public health facilities, and emergency response during an emergency event, and identifies any improvements or redundant facilities necessary to adequately facilitate safe passage;

''(IV) describes the metropolitan planning organization's adaptation and resilience improvement strategies that will inform the transportation investment decisions of the metropolitan planning organization; and

''(V) is consistent with and complementary of the State, Tribal, and local mitigation plans required under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165).

''(iv) CONSULTATION.—The assessment described in this subparagraph shall be developed in consultation with, as appropriate, State, local, and Tribal officials responsible for land use, housing, resilience, hazard mitigation, and emergency management.''.

(B) RESILIENCE PROJECTS.—Section 134(j)(3) of title 23, United States Code, is amended by adding at the end the following:

''(E) RESILIENCE PROJECTS.—The TIP shall—

''(i) identify any projects that address the vulnerabilities identified by the assessment in subsection (i)(2)(I)(iii); and

''(ii) describe how each project identified under clause (i) would improve the resilience of the transportation system.''.

(2) AMENDMENTS TO TITLE 49.—

(A) CLIMATE CHANGE AND RESILIENCE.—Section 5303(i)(2) of title 49, United States Code, is amended by adding at the end the following:

''(I) CLIMATE CHANGE AND RESILIENCE.—

''(i) IN GENERAL.—The transportation planning process shall assess strategies to reduce the climate change impacts of the surface transportation system and conduct a vulnerability assessment to identify opportunities to enhance the resilience of the surface transportation system and ensure the efficient use of Federal resources.

''(ii) CLIMATE CHANGE MITIGATION AND IMPACTS.—A long-range transportation plan shall—

''(I) identify investments and strategies to reduce transportation-related sources of greenhouse gas emissions per capita;

''(II) identify investments and strategies to manage transportation demand and increase the rates of public transportation ridership, walking, bicycling, and carpools; and

''(III) recommend zoning and other land use policies that would support infill, transit-oriented development, and mixed use development.

''(iii) VULNERABILITY ASSESSMENT.—A long-range transportation plan shall incorporate a vulnerability assessment that—

''(I) includes a risk-based assessment of vulnerabilities of critical transportation assets and systems to covered events (as such term is defined in section 124 of title 23);

''(II) considers, as applicable, the risk management analysis in the State's asset management plan developed pursuant to section 119 of title 23, and the State's evaluation of reasonable alternatives to repeatedly damaged facilities conducted under part 667 of title 23, Code of Federal Regulations;

''(III) at the discretion of the metropolitan planning organization, identifies evacuation routes, assesses the ability of any such routes to provide safe passage for evacuation, access to health care and public health facilities, and emergency response during an emergency event, and identifies any improvements or redundant facilities necessary to adequately facilitate safe passage;

''(IV) describes the metropolitan planning organization's adaptation and resilience improvement strategies that will inform the transportation investment decisions of the metropolitan planning organization; and

''(V) is consistent with and complementary of the State, Tribal, and local mitigation plans required under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165).

''(iv) CONSULTATION.—The assessment described in this subparagraph shall be developed in consultation, as appropriate, with State, local, and Tribal officials responsible for land use, housing, resilience, hazard mitigation, and emergency management.''.

(B) RESILIENCE PROJECTS.—Section 5303(j)(3) of title 49, United States Code, is amended by adding at the end the following:

''(E) RESILIENCE PROJECTS.—The TIP shall—

''(i) identify any projects that address the vulnerabilities identified by the assessment in subsection (i)(2)(I)(iii); and

''(ii) describe how each project identified under clause (i) would improve the resilience of the transportation system.''.

(d) STATEWIDE AND NONMETROPOLITAN PLANNING.—

(1) AMENDMENTS TO TITLE 23.—

(A) CLIMATE CHANGE AND RESILIENCE.—Section 135(f) of title 23, United States Code, is amended by adding at the end the following:

''(10) CLIMATE CHANGE AND RESILIENCE.—

''(A) IN GENERAL.—The transportation planning process shall assess strategies to reduce the climate change impacts of the surface transportation system and conduct a vulnerability assessment to identify opportunities to enhance the resilience of the surface transportation system and ensure the efficient use of Federal resources.

''(B) CLIMATE CHANGE MITIGATION AND IMPACTS.—A long-range transportation plan shall—

''(i) identify investments and strategies to reduce transportation-related sources of greenhouse gas emissions per capita;

''(ii) identify investments and strategies to manage transportation demand and increase the rates of public transportation ridership, walking, bicycling, and carpools; and

''(iii) recommend zoning and other land use policies that would support infill, transit-oriented development, and mixed use development.

''(C) VULNERABILITY ASSESSMENT.—A long-range transportation plan shall incorporate a vulnerability assessment that—

''(i) includes a risk-based assessment of vulnerabilities of critical transportation assets and systems to covered events (as such term is defined in section 124);

''(ii) considers, as applicable, the risk management analysis in the State's asset management plan developed pursuant to section 119, and the State's evaluation of reasonable alternatives to repeatedly damaged facilities conducted under part 667 of title 23, Code of Federal Regulations;

''(iii) identifies evacuation routes, assesses the ability of any such routes to provide safe passage for evacuation, access to health care and public health facilities, and emergency response during an emergency event, and identifies any improvements or redundant facilities necessary to adequately facilitate safe passage;

''(iv) describes the States's adaptation and resilience improvement strategies that will inform the transportation investment decisions of the State; and

''(v) is consistent with and complementary of the State, Tribal, and local mitigation plans required under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165).

''(D) CONSULTATION.—The assessment described in this paragraph shall be developed in consultation with, as appropriate, metropolitan planning organizations and State, local, and Tribal officials responsible for land use, housing, resilience, hazard mitigation, and emergency management.''.

(B) RESILIENCE PROJECTS.—Section 135(g)(5)(B) of title 23, United States Code, is amended by adding at the end the following:

''(iii) RESILIENCE PROJECTS.—The STIP shall—

''(I) identify projects that address the vulnerabilities identified by the assessment in subsection (i)(10)(B); and

''(II) describe how each project identified under subclause (I) would improve the resilience of the transportation system.''.

(2) AMENDMENTS TO TITLE 49.—

(A) CLIMATE CHANGE AND RESILIENCE.—Section 5304(f) of title 49, United States Code, is amended by adding at the end the following:

''(10) CLIMATE CHANGE AND RESILIENCE.—

''(A) IN GENERAL.—The transportation planning process shall assess strategies to reduce the climate change impacts of the surface transportation system and conduct a vulnerability assessment to identify opportunities to enhance the resilience of the surface transportation system and ensure the efficient use of Federal resources.

''(B) CLIMATE CHANGE MITIGATION AND IMPACTS.—A long-range transportation plan shall—

''(i) identify investments and strategies to reduce transportation-related sources of greenhouse gas emissions per capita;

''(ii) identify investments and strategies to manage transportation demand and increase the rates of public transportation ridership, walking, bicycling, and carpools; and

''(iii) recommend zoning and other land use policies that would support infill, transit-oriented development, and mixed use development.

''(C) VULNERABILITY ASSESSMENT.—A long-range transportation plan shall incorporate a vulnerability assessment that—

''(i) includes a risk-based assessment of vulnerabilities of critical transportation assets and systems to covered events (as such term is defined in section 124 of title 23);

''(ii) considers, as applicable, the risk management analysis in the State's asset management plan developed pursuant to section 119 of title 23, and the State's evaluation of reasonable alternatives to repeatedly damaged facilities conducted under part 667 of title 23, Code of Federal Regulations;

''(iii) identifies evacuation routes, assesses the ability of any such routes to provide safe passage for evacuation, access to health care and public health facilities, and emergency response during an emergency event, and identifies any improvements or redundant facilities necessary to adequately facilitate safe passage;

''(iv) describes the States's adaptation and resilience improvement strategies that will inform the transportation investment decisions of the State; and

''(v) is consistent with and complementary of the State, Tribal, and local mitigation plans required under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165).

''(D) CONSULTATION.—The assessment described in this paragraph shall be developed in consultation with, as appropriate, metropolitan planning organizations and State, local, and Tribal officials responsible for land use, housing, resilience, hazard mitigation, and emergency management.''.

(B) RESILIENCE PROJECTS.—Section 5304(g)(5)(B) of title 49, United States Code, is amended by adding at the end the following:

''(iii) RESILIENCE PROJECTS.—The STIP shall—

''(I) identify projects that address the vulnerabilities identified by the assessment in subsection (i)(10)(B); and

''(II) describe how each project identified under subclause (I) would improve the resilience of the transportation system.''.

SEC. 1203. EMERGENCY RELIEF.

(a) IN GENERAL.—Section 125 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by inserting ''wildfire,'' after ''severe storm,'';

(2) by striking subsection (b);

(3) in subsection (c)(2)(A) by striking ''in any 1 fiscal year commencing after September 30, 1980,'' and inserting ''in any fiscal year'';

(4) in subsection (d)—

(A) in paragraph (3)(C) by striking ''(as defined in subsection (e)(1))'';

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—The Secretary may expend funds from the emergency fund authorized by this section only for the repair or reconstruction of highways on Federal-aid highways in accordance with this chapter.

''(2) RESTRICTIONS.—

''(A) IN GENERAL.—No funds shall be expended from the emergency fund authorized by this section unless—

''(i) an emergency has been declared by the Governor of the State with concurrence by the Secretary, unless the President has declared the emergency to be a major disaster for the purposes of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for which concurrence of the Secretary is not required; and

''(ii) the Secretary has received an application from the State transportation department that includes a comprehensive list of all eligible project sites and repair costs by not later than 2 years after the natural disaster or catastrophic failure.

''(B) COST LIMITATION.—The total cost of a project funded under this section may not exceed the cost of repair or reconstruction of a comparable facility unless the Secretary determines that the project incorporates economically justified betterments, including protective features to increase the resilience of the facility.

''(C) REPEATEDLY DAMAGED FACILITIES.—An application submitted under this section for the permanent repair or reconstruction of a repeatedly damaged facility shall include consideration and, if feasible, incorporation of economically justifiable betterments, including protective features, to increase the resilience of such facility.

''(3) SPECIAL RULE FOR BRIDGE PROJECTS.—In no case shall funds be used under this section for the repair or reconstruction of a bridge—

''(A) that has been permanently closed to all vehicular traffic by the State or responsible local official because of imminent danger of collapse due to a structural deficiency or physical deterioration; or

''(B) if a construction phase of a replacement structure is included in the approved statewide transportation improvement program at the time of an event described in subsection (a).'';

(5) in subsection (e)—

(A) by striking paragraph (1);

(B) in paragraph (2) by striking ''subsection (d)(1)'' and inserting ''subsection (c)(1)''; and

(C) by redesignating paragraphs (2) and (3), as amended, as paragraphs (1) and (2), respectively;

(6) by redesignating subsections (c) through (g), as amended, as subsections (b) through (f), respectively; and

(7) by adding at the end the following:

''(g) IMPOSITION OF DEADLINE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may not require any project funded under this section to advance to the construction obligation stage before the date that is the last day of the sixth fiscal year after the later of—

''(A) the date on which the Governor declared the emergency, as described in subsection (c)(2)(A)(i); or

''(B) the date on which the President declared the emergency to be a major disaster, as described in such subsection.

''(2) EXTENSION OF DEADLINE.—If the Secretary imposes a deadline for advancement to the construction obligation stage pursuant to paragraph (1), the Secretary may, upon the request of the Governor of the State, issue an extension of not more than 1 year to complete such advancement, and may issue additional extensions after the expiration of any extension, if the Secretary determines the Governor of the State has provided suitable justification to warrant such an extension.

''(h) HAZARD MITIGATION PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a hazard mitigation pilot program for the purpose of mitigating future hazards posed to Federal-aid highways, Federal lands transportation facilities, and Tribal transportation facilities.

''(2) ALLOCATION OF FUNDS.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary for the pilot program established under this subsection.

''(B) CALCULATION.—Annually, the Secretary shall calculate the total amount of outstanding eligible repair costs under the emergency relief program under this section, including the emergency relief backlog, for each State, territory, and Indian Tribe.

''(C) ALLOCATION.—Any amounts made available under this subsection shall be distributed to each State, territory, or Indian Tribe based on—

''(i) the ratio that the total amount of outstanding eligible repair costs for such State, territory, or Indian Tribe, as described under subparagraph (B); bears to

''(ii) the total amount of outstanding eligible repair costs for all States, territories, and Indian Tribes, as described under subparagraph (B).

''(D) LIMITATION.—The allocation to a State, territory, or Indian Tribe described under subparagraph (C) shall not exceed 5 percent of the total amount of outstanding eligible repair costs under the emergency relief program for such State, territory, or Indian Tribe, as described in subparagraph (B).

''(3) ELIGIBLE ACTIVITIES.—Amounts made available under this subsection shall be used for protective features or other hazard mitigation activities that—

''(A) the Secretary determines are cost effective and that reduce the risk of, or increase the resilience to, future damage to existing assets as a result of natural disasters; and

''(B) are eligible under section 124.

''(4) REPORT.—For each fiscal year in which funding is made available for the program under this subsection, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report detailing—

''(A) a description of the activities carried out under the pilot program;

''(B) an evaluation of the effectiveness of the pilot program in meeting purposes described in paragraph (1); and

''(C) policy recommendations to improve the effectiveness of the pilot program.

''(5) SUNSET.—The authority provided under this subsection shall terminate on October 1, 2025.

''(i) IMPROVING THE EMERGENCY RELIEF PROGRAM.—Not later than 1 year after the date of enactment of the INVEST in America Act, the Secretary shall—

''(1) revise the emergency relief manual of the Federal Highway Administration—

''(A) to include and reflect the definition of the term 'resilience' (as defined in section 101(a));

''(B) to identify procedures that States may use to incorporate resilience into emergency relief projects; and

''(C) to consider economically justified betterments in emergency relief projects, such as—

''(i) protective features that increase the resilience of the facility; and

''(ii) incorporation of context sensitive design principles and other planned betterments that improve the safety of the facility;

''(2) consider transportation system access for moderate and low-income families impacted by a major disaster or emergency declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170);

''(3) develop best practices for improving the use of resilience in—

''(A) the emergency relief program under this section; and

''(B) emergency relief efforts;

''(4) provide to division offices of the Federal Highway Administration and State departments of transportation information on the best practices developed under paragraph (2); and

''(5) develop and implement a process to track—

''(A) the consideration of resilience as part of the emergency relief program under this section; and

''(B) the costs of emergency relief projects.

''(j) DEFINITIONS.—In this section:

''(1) COMPARABLE FACILITY.—The term 'comparable facility' means a facility that meets the current geometric and construction standards required for the types and volume of traffic that the facility will carry over its design life.

''(2) CONSTRUCTION PHASE.—The term 'construction phase' means the phase of physical construction of a highway or bridge facility that is separate from any other identified phases, such as planning, design, or right-of-way phases, in the State transportation improvement program.

''(3) OPEN TO PUBLIC TRAVEL.—The term 'open to public travel' means with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

''(A) is maintained;

''(B) is open to the general public; and

''(C) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

''(4) STANDARD PASSENGER VEHICLE.—The term 'standard passenger vehicle' means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.''.

(b) CONFORMING AMENDMENTS.—

(1) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—Section 201(c)(8)(A) of title 23, United States Code, is amended by striking ''section 125(e)'' and inserting ''section 125(j)''.

(2) TRIBAL TRANSPORTATION PROGRAM.—Section 202(b)(6)(A) of title 23, United States Code, is amended by striking ''section 125(e)'' and inserting ''section 125(d)''.

(c) REPEAL.—Section 668.105(h) of title 23, Code of Federal Regulations, is repealed.

SEC. 1204. RAILWAY CROSSINGS.

(a) IN GENERAL.—Section 130 of title 23, United States Code, is amended—

*(1) in the section heading by striking ''**Railway-highway crossings**'' and inserting ''**Railway crossings**'';*

(2) in subsection (a)—

(A) by striking ''Subject to section 120 and subsection (b) of this section, the entire'' and inserting ''IN GENERAL.—The'';

(B) by striking ''then the entire'' and inserting ''the''; and

(C) by striking '', subject to section 120 and subsection (b) of this section,'';

(3) by amending subsection (b) to read as follows:

''(b) CLASSIFICATION.—

''(1) IN GENERAL.—The construction of projects for the elimination of hazards at railway crossings represents a benefit to the railroad. The Secretary shall classify the various types of projects involved in the elimination of hazards of railway-highway crossings, and shall set for each such classification a percentage of the total project cost that represent the benefit to the railroad or railroads for the purpose of determining the railroad's share of the total project cost. The Secretary shall determine the appropriate classification of each project.

''(2) NONCASH CONTRIBUTIONS.—

''(A) IN GENERAL.—Not more than 5 percent of the cost share described in paragraph (1) may be attributable to noncash contributions of materials and labor furnished by the railroad in connection with the construction of such project.

''(B) REQUIREMENT.—The requirements under section 200.306 and 200.403(g) of title 2, Code of Federal Regulations (or successor regulations), shall apply to any noncash contributions under this subsection.

''(3) TOTAL PROJECT COST.—For the purposes of this subsection, the determination of the railroad's share of the total project cost shall include environment, design, right-of-way, utility accommodation, and construction phases of the project.'';

(4) in subsection (c)—

(A) by striking ''Any railroad involved'' and inserting ''BENEFIT.—Any railroad involved'';

(B) by striking ''the net benefit'' and inserting ''the cost associated with the benefit''; and

(C) by striking ''Such payment may consist in whole or in part of materials and labor furnished by the railroad in connection with the construction of such project.'';

(5) by striking subsection (e) and inserting the following:

''(e) RAILWAY CROSSINGS.—

''(1) ELIGIBLE ACTIVITIES.—Funds apportioned to a State under section 104(b)(7) may be obligated for the following:

''(A) The elimination of hazards at railway-highway crossings, including technology or protective upgrades.

''(B) Construction or installation of protective devices (including replacement of functionally obsolete protective devices) at railway-highway crossings.

''(C) Infrastructure and noninfrastructure projects and strategies to prevent or reduce suicide or trespasser fatalities and injuries along railroad rights-of-way and at or near railway-highway crossings.

''(D) Projects to mitigate any degradation in the level of access from a highway-grade crossing closure.

''(E) Bicycle and pedestrian railway grade crossing improvements, including underpasses and overpasses.

''(F) Projects eligible under section 22907(c)(5) of title 49, provided that amounts obligated under this subparagraph—

''(i) shall be administered by the Secretary in accordance with such section as if such amounts were made available to carry out such section; and

''(ii) may be used to pay up to 90 percent of the non-Federal share of the cost of a project carried out under such section.

''(2) SPECIAL RULE.—If a State demonstrates to the satisfaction of the Secretary that the State has met all its needs for installation of protective devices at railway-highway crossings, the State may use funds made available by this section for other highway safety improvement program purposes.'';

(6) by striking subsection (f) and inserting the following:

''(f) FEDERAL SHARE.—Notwithstanding section 120, the Federal share payable on account of any project financed with funds made available to carry out subsection (e) shall be up to 90 percent of the cost thereof.'';

(7) by striking subsection (g) and inserting the following:

''(g) REPORT.—

''(1) STATE REPORT.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of the INVEST in America Act, and at least biennially thereafter, each State shall submit to the Secretary a report on the progress being made to implement the railway crossings program authorized by this section and the effectiveness of projects to improve railway crossing safety.

''(B) CONTENTS.—Each State report under subparagraph (A) shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations.

''(2) DEPARTMENTAL REPORT.—

''(A) IN GENERAL.—Not later than 180 days after the deadline for the submission of a report under paragraph (1)(A), the Secretary shall publish on the website of the Department of Transportation a report on the progress being made by the State in implementing projects to improve railway crossings.

''(B) CONTENTS.—The report under subparagraph (A) shall include—

''(i) the number of projects undertaken;

''(ii) distribution of such projects by cost range, road system, nature of treatment, and subsequent accident experience at improved locations;

''(iii) an analysis and evaluation of each State program;

''(iv) the identification of any State found not to be in compliance with the schedule of improvements required by subsection (d); and

''(v) recommendations for future implementation of the railway crossings program.'';

(8) in subsection (j)—

(A) in the heading by inserting ''AND PEDESTRIAN'' after ''BICYCLE''; and

(B) by inserting ''and pedestrian'' after ''bicycle''; and

(9) in subsection (l)—

(A) in paragraph (1) by striking ''Not later than'' and all that follows through ''each State'' and inserting ''Not later than 6 months after a new railway crossing becomes operational, each State''; and

(B) in paragraph (2) by striking ''On a periodic'' and all that follows through ''every year thereafter'' and inserting ''On or before September 30 of each year''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by amending the item relating to section 130 to read as follows:

''130. Railway crossings.''.

(c) GAO STUDY.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes an analysis of the effectiveness of the railway crossing program under section 130 of title 23, United States Code.

(d) SENSE OF CONGRESS RELATING TO TRESPASSER DEATHS ALONG RAILROAD RIGHTS-OF-WAY.—It is the sense of Congress that the Department of Transportation should, where feasible, coordinate departmental efforts to prevent or reduce trespasser deaths along railroad rights-of-way and at or near railway-highway crossings.

SEC. 1205. SURFACE TRANSPORTATION PROGRAM.

(a) IN GENERAL.—Section 133 of title 23, United States Code, is amended—

(1) in the heading by striking ''**block grant**'';

(2) in subsection (a) by striking ''block grant'';

(3) in subsection (b)—

(A) by striking ''block grant'';

(B) in paragraph (1)(B) by inserting '', except that for the purposes of this section hovercraft and terminal facilities for hovercraft engaging in water transit for passengers or vehicles shall be considered ferry boats and ferry terminal facilities eligible under section 129(c)'' after ''section 129(c)'';

(C) in paragraph (4) by striking ''railway-highway grade crossings'' and inserting ''projects eligible under section 130 and installation of safety barriers and nets on bridges'';

(D) in paragraph (6)—

(i) by striking ''Recreational'' and inserting ''Transportation alternatives projects eligible under subsection (h), recreational''; and

(ii) by striking ''1404 of SAFETEA–LU (23 U.S.C. 402 note)'' and inserting ''211'';

(E) in paragraph (12) by striking ''travel'' and inserting ''transportation''; and

(F) by adding at the end the following:

''(16) Protective features (including natural infrastructure and vegetation control and clearance) to enhance the resilience of a transportation facility otherwise eligible for assistance under this section.

''(17) Projects to reduce greenhouse gas emissions eligible under section 171, including the installation of electric vehicle charging infrastructure.

''(18) Projects and strategies to reduce vehicle-caused wildlife mortality related to, or to restore and maintain connectivity among terrestrial or aquatic habitats affected by, a transportation facility otherwise eligible for assistance under this section.

''(19) A surface transportation project carried out in accordance with the national travel and tourism infrastructure strategic plan under section 1431(e) of the FAST Act (49 U.S.C. 301 note).

''(20) roads in rural areas that primarily serve to transport agricultural products from a farm or ranch to a marketplace.

''(21) The removal, retrofit, repurposing, remediation, or replacement of a highway or other transportation facility that creates a barrier to community connectivity to improve access for multiple modes of transportation.'';

(4) in subsection (c)—

(A) by striking ''block grant'' and inserting ''program'';

(B) by striking paragraph (3) and inserting the following:

''(3) for a project described in—

''(A) subsection (h); or

''(B) section 101(a)(29), as in effect on the day before the date of enactment of the FAST Act;'';

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following:

''(4) for a project described in section 5308 of title 49; and'';

(5) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting ''each fiscal year'' after ''apportioned to a State'';

(ii) by striking ''the reservation of'' and inserting ''setting aside''; and

(iii) in subparagraph (A)—

(I) by striking ''the percentage specified in paragraph (6) for a fiscal year'' and inserting ''57 percent for fiscal year 2023, 58 percent for fiscal year 2024, 59 percent for fiscal year 2025, and 60 percent for fiscal year 2026'';

(II) in clause (i) by striking ''of over'' and inserting ''greater than''; and

(III) by striking clauses (ii) and (iii) and inserting the following:

''(ii) in urbanized areas of the State with an urbanized area population greater than 49,999 and less than 200,001;

''(iii) in urban areas of the State with a population greater than 4,999 and less than 50,000; and

''(iv) in other areas of the State with a population less than 5,000; and'';

(B) by striking paragraph (3) and inserting the following:

''(3) LOCAL COORDINATION AND CONSULTATION.—

''(A) COORDINATION WITH METROPOLITAN PLANNING ORGANIZATIONS.—For purposes of paragraph (1)(A)(ii), a State shall—

''(i) establish a process to coordinate with all metropolitan planning organizations in the State that represent an urbanized area described in such paragraph; and

''(ii) describe how funds described under paragraph (1)(A)(ii) will be allocated equitably among such urbanized areas during the period of fiscal years 2023 through 2026.

''(B) JOINT RESPONSIBILITY.—Each State and the Secretary shall jointly ensure compliance with subparagraph (A).

''(C) CONSULTATION WITH REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS.—For purposes of clauses (iii) and (iv) of paragraph (1)(A), before obligating funding attributed to an area with a population less than 50,000, a State shall consult with the regional transportation planning organizations that represent the area, if any.'';

(C) in the heading for paragraph (4) by striking ''OVER 200,000'' and inserting ''GREATER THAN 200,000'';

(D) by striking paragraph (6) and inserting the following:

''(6) TECHNICAL ASSISTANCE.—

''(A) IN GENERAL.—The State and all metropolitan planning organizations in the State that represent an urbanized area with a population of greater than 200,000 may jointly establish a program to improve the ability of applicants to deliver projects under this subsection in an efficient and expeditious manner and reduce the period of time between the selection of the project and the obligation of funds for the project by providing—

''(i) technical assistance and training to applicants for projects under this subsection; and

''(ii) funding for one or more full-time State, regional, or local government employee positions to administer this subsection.

''(B) ELIGIBLE FUNDS.—To carry out this paragraph, a State or metropolitan planning organization may use funds made available under paragraphs (2) or (6) of section 104(b).

''(C) USE OF FUNDS.—Amounts used under this paragraph may be expended—

''(i) directly by the State or metropolitan planning organization; or

''(ii) through contracts with State agencies, private entities, or nonprofit organizations.'';

(6) in subsection (e)—

(A) in paragraph (1)—

(i) by striking ''over 200,000'' and inserting ''greater than 200,000''; and

(ii) by striking ''2016 through 2020'' and inserting ''2023 through 2026''; and

(B) by adding at the end the following:

''(3) ANNUAL AMOUNTS.—To the extent practicable, each State shall annually notify each affected metropolitan planning organization as to the amount of obligation authority that will be made available under paragraph (1) to each affected metropolitan planning organization for the fiscal year.'';

(7) by striking subsection (f) and inserting the following:

''(f) BRIDGES NOT ON FEDERAL-AID HIGHWAYS.—

''(1) DEFINITION OF OFF-SYSTEM BRIDGE.—In this subsection, the term 'off-system bridge' means a bridge located on a public road, other than a bridge on a Federal-aid highway.

''(2) SPECIAL RULE.—

''(A) SET ASIDE.—Of the amounts apportioned to a State for each fiscal year under this section other than the amounts described in subparagraph (C), the State shall obligate for activities described in subsection (b)(2) (as in effect on the day before the date of enactment of the FAST Act) for off-system bridges an amount that is not less than 20 percent of the amounts available to such State under this section in fiscal year 2020, not including the amounts described in subparagraph (C).

''(B) REDUCTION OF EXPENDITURES.—The Secretary, after consultation with State and local officials, may reduce the requirement for expenditures for off-system bridges under subparagraph (A) with respect to the State if the Secretary determines that the State has inadequate needs to justify the expenditure.

''(C) LIMITATIONS.—The following amounts shall not be used for the purposes of meeting the requirements of subparagraph (A):

''(i) Amounts described in section 133(d)(1)(A).

''(ii) Amounts set aside under section 133(h).

''(iii) Amounts described in section 505(a).

''(3) CREDIT FOR BRIDGES NOT ON FEDERAL-AID HIGHWAYS.—Notwithstanding any other provision of law, with respect to any project not on a Federal-aid highway for the replacement of a bridge or rehabilitation of a bridge that is wholly funded from State and local sources, is eligible for Federal funds under this section, is certified by the State to have been carried out in accordance with all standards applicable to such projects under this section, and is determined by the Secretary upon completion to be no longer a deficient bridge—

''(A) any amount expended after the date of enactment of this subsection from State and local sources for the project in excess of 20 percent of the cost of construction of the project may be credited to the non-Federal share of the cost of other bridge projects in the State that are eligible for Federal funds under this section; and

''(B) that crediting shall be conducted in accordance with procedures established by the Secretary.''; and

(8) in subsection (g)—

(A) in the heading by striking ''5,000'' and inserting ''50,000''; and

(B) in paragraph (1) by striking ''subsection (d)(1)(A)(ii)'' and all that follows through the period at the end and inserting ''clauses (iii) and (iv) of subsection (d)(1)(A) for each fiscal year may be obligated on roads functionally classified as rural minor collectors or local roads or on critical rural freight corridors designated under section 167(e).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 133 and inserting the following:

''133. Surface transportation program.''.

(c) CONFORMING AMENDMENTS.—

(1) ADVANCE ACQUISITION OF REAL PROPERTY.—Section 108(c) of title 23, United States Code, is amended—

(A) in paragraph (2)(A) by striking ''block grant''; and

(B) in paragraph (3) by striking ''block grant''.

(2) PUBLIC TRANSPORTATION.—Section 142(e)(2) of title 23, United States Code, is amended by striking ''block grant''.

(3) HIGHWAY USE TAX EVASION PROJECTS.—Section 143(b)(8) of title 23, United States Code, is amended in the heading by striking ''BLOCK GRANT''.

(4) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—Section 149(d) of title 23, United States Code, is amended—

(A) in paragraph (1)(B) by striking ''block grant''; and

(B) in paragraph (2)(A) by striking ''block grant''.

(5) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—Section 165 of title 23, United States Code, is amended—

(A) in subsection (b)(2)(A)(ii) by striking ''block grant'' each time such term appears; and

(B) in subsection (c)(6)(A)(i) by striking ''block grant''.

(6) MAGNETIC LEVITATION TRANSPORTATION TECHNOLOGY DEPLOYMENT PROGRAM.—Section 322(h)(3) of title 23, United States Code, is amended by striking ''block grant''.

(7) TRAINING AND EDUCATION.—Section 504(a)(4) of title 23, United States Code, is amended by striking ''block grant''.

SEC. 1206. TRANSPORTATION ALTERNATIVES PROGRAM.

Section 133(h) of title 23, United States Code, is amended to read as follows:

''(h) TRANSPORTATION ALTERNATIVES PROGRAM SET-ASIDE.—

''(1) SET ASIDE.—For each fiscal year, of the total funds apportioned to all States under section 104(b)(2) for a fiscal year, the Secretary shall set aside an amount such that—

''(A) the Secretary sets aside a total amount under this subsection for a fiscal year equal to 10 percent of such total funds; and

''(B) the State's share of the amount set aside under subparagraph (A) is determined by multiplying the amount set aside under subparagraph (A) by the ratio that—

''(i) the amount apportioned to the State for the transportation enhancement program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP–21; bears to

''(ii) the total amount of funds apportioned to all States for the transportation enhancements program for fiscal year 2009.

''(2) ALLOCATION WITHIN A STATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), funds set aside for a State under paragraph (1) shall be obligated within that State in the manner described in subsections (d) and (e), except that, for purposes of this paragraph (after funds are made available under paragraph (5))—

''(i) for each fiscal year, the percentage referred to in paragraph (1)(A) of subsection (d) shall be deemed to be 66 percent; and

''(ii) paragraph (3) of subsection (d) shall not apply.

''(B) LOCAL CONTROL.—

''(i) IN GENERAL.—A State may make available up to 100 percent of the funds set aside under paragraph (1) to the entities described in subclause (I) if the State submits to the Secretary, and the Secretary approves, a plan that describes—

''(I) how such funds shall be made available to metropolitan planning organizations, regional transportation planning organizations, counties, or other regional transportation authorities;

''(II) how the entities described in subclause (I) shall select projects for funding and how such entities shall report selected projects to the State;

''(III) the legal, financial, and technical capacity of such entities; and

''(IV) the procedures in place to ensure such entities comply with the requirements of this title.

''(ii) REQUIREMENT.—A State that makes funding available under a plan approved under this subparagraph shall make available an equivalent amount of obligation authority to an entity described in clause (i)(I) to whom funds are made available under this subparagraph.

''(3) ELIGIBLE PROJECTS.—Funds set aside under this subsection may be obligated for any of the following projects or activities:

''(A) Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

''(B) Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for nondrivers, including children, older adults, and individuals with disabilities to access daily needs.

''(C) Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other nonmotorized transportation users.

''(D) Construction of turnouts, overlooks, and viewing areas.

''(E) Community improvement activities, including—

''(i) inventory, control, or removal of outdoor advertising;

''(ii) historic preservation and rehabilitation of historic transportation facilities;

''(iii) vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, facilitate wildfire control, and provide erosion control; and

''(iv) archaeological activities relating to impacts from implementation of a transportation project eligible under this title.

''(F) Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in sections 328(a) and 329.

''(G) Projects and strategies to reduce vehicle-caused wildlife mortality related to, or to restore and maintain connectivity among terrestrial or aquatic habitats affected by, a transportation facility otherwise eligible for assistance under this subsection.

''(H) The recreational trails program under section 206.

''(I) The safe routes to school program under section 211.

''(J) Activities in furtherance of a vulnerable road user assessment described in section 148.

''(K) Any other projects or activities described in section 101(a)(29) or section 213, as such sections were in effect on the day before the date of enactment of the FAST Act (Public Law 114–94).

''(4) ACCESS TO FUNDS.—

''(A) IN GENERAL.—A State, metropolitan planning organization required to obligate funds in accordance with paragraph (2)(A), or an entity required to obligate funds in accordance with paragraph (2)(B) shall develop a competitive process to allow eligible entities to submit projects for funding that achieve the objectives of this subsection. A metropolitan planning organization for an area described in subsection (d)(1)(A)(i) shall select projects under such process in consultation with the relevant State.

''(B) PRIORITY.—The processes described in subparagraph (A) shall prioritize project location and impact in low-income, transit-dependent, or other high-need areas.

''(C) ELIGIBLE ENTITY DEFINED.—In this paragraph, the term 'eligible entity' means—

''(i) a local government, including a county or multi-county special district;

''(ii) a regional transportation authority;

''(iii) a transit agency;

''(iv) a natural resource or public land agency;

''(v) a school district, local education agency, or school;

''(vi) a tribal government;

''(vii) a metropolitan planning organization that serves an urbanized area with a population of 200,000 or fewer;

''(viii) a nonprofit organization carrying out activities related to transportation;

''(ix) any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails (other than a metropolitan planning organization that serves an urbanized area with a population of over 200,000 or a State agency) that the State determines to be eligible, consistent with the goals of this subsection; and

''(x) a State, at the request of any entity listed in clauses (i) through (ix).

''(5) CONTINUATION OF CERTAIN RECREATIONAL TRAILS PROJECTS.—

''(A) IN GENERAL.—For each fiscal year, a State shall—

''(i) obligate an amount of funds set aside under this subsection equal to 175 percent of the amount of the funds apportioned to the State

for fiscal year 2009 under section 104(h)(2), as in effect on the day before the date of enactment of MAP–21, for projects relating to recreational trails under section 206;

''(ii) return 1 percent of the funds described in clause (i) to the Secretary for the administration of such program; and

''(iii) comply with the provisions of the administration of the recreational trails program under section 206, including the use of apportioned funds described in subsection (d)(3)(A) of such section.

''(B) STATE FLEXIBILITY.—A State may opt out of the recreational trails program under this paragraph if the Governor of the State notifies the Secretary not later than 30 days prior to the date on which an apportionment is made under section 104 for any fiscal year.

''(6) IMPROVING ACCESSIBILITY AND EFFICIENCY.—

''(A) IN GENERAL.—A State may use an amount equal to not more than 5 percent of the funds set aside for the State under this subsection, after allocating funds in accordance with paragraph (2)(A), to improve the ability of applicants to access funding for projects under this subsection in an efficient and expeditious manner by providing—

''(i) to applicants for projects under this subsection application assistance, technical assistance, and assistance in reducing the period of time between the selection of the project and the obligation of funds for the project; and

''(ii) funding for one or more full-time State employee positions to administer this subsection.

''(B) USE OF FUNDS.—Amounts used under subparagraph (A) may be expended—

''(i) directly by the State; or

''(ii) through contracts with State agencies, private entities, or nonprofit entities.

''(C) IMPROVING PROJECT DELIVERY.—

''(i) IN GENERAL.—The Secretary shall take such action as may be necessary, consistent with Federal requirements, to facilitate efficient and timely delivery of projects under this subsection that are small, low impact, and constructed within an existing built environment.

''(ii) CONSIDERATIONS.—The Secretary shall consider the use of programmatic agreements, expedited or alternative procurement processes (including project bundling), and other effective practices to facilitate the goals of this paragraph.

''(7) FEDERAL SHARE.—

''(A) FLEXIBLE MATCH.—

''(i) IN GENERAL.—Notwithstanding section 120—

''(I) the non-Federal share for a project under this subsection may be calculated on a project, multiple-project, or program basis; and

''(II) the Federal share of the cost of an individual project in this subsection may be up to 100 percent.

''(ii) AGGREGATE NON-FEDERAL SHARE.—The average annual non-Federal share of the total cost of all projects for which funds are obligated under this subsection in a State for a fiscal year shall be not less than the non-Federal share authorized for the State under section 120.

''(iii) REQUIREMENT.—This subparagraph shall only apply to a State if such State has adequate financial controls, as certified by the Secretary, to account for the average annual non-Federal share under this subparagraph.

''(B) SAFETY PROJECTS.—Notwithstanding section 120, funds made available to carry out section 148 may be credited toward the non-Federal share of the costs of a project under this subsection if the project—

''(i) is a project described in section 148(e)(1); and

''(ii) is consistent with the State strategic highway safety plan (as defined in section 148(a)).

''(8) FLEXIBILITY.—

''(A) STATE AUTHORITY.—

''(i) IN GENERAL.—A State may use not more than 50 percent of the funds set aside under this subsection that are available for obligation in any area of the State (suballocated consistent with the requirements of subsection (d)(1)(B)) for any purpose eligible under subsection (b).

''(ii) RESTRICTION.—Funds may be used as described in clause (i) only if the State demonstrates to the Secretary—

''(I) that the State held a competition in compliance with the requirements of this subsection in such form as the Secretary determines appropriate;

''(II) that the State offered technical assistance to all eligible entities and provided such assistance upon request by an eligible entity; and

''(III) that there were not sufficient suitable applications from eligible entities to use the funds described in clause (i).

''(B) MPO AUTHORITY.—

''(i) IN GENERAL.—A metropolitan planning organization that represents an urbanized area with a population of greater than 200,000 may use not more than 50 percent of the funds set aside under this subsection for an urbanized area described in subsection (d)(1)(A)(i) for any purpose eligible under subsection (b).

''(ii) RESTRICTION.—Funds may be used as described in clause (i) only if the Secretary certifies that the metropolitan planning organization—

''(I) held a competition in compliance with the requirements of this subsection in such form as the Secretary determines appropriate; and

''(II) demonstrates that there were not sufficient suitable applications from eligible entities to use the funds described in clause (i).

''(9) ANNUAL REPORTS.—

''(A) IN GENERAL.—Each State or metropolitan planning organization responsible for carrying out the requirements of this subsection shall submit to the Secretary an annual report that describes—

''(i) the number of project applications received for each fiscal year, including—

''(I) the aggregate cost of the projects for which applications are received; and

''(II) the types of projects by eligibility category to be carried out, expressed as percentages of the total apportionment of the State under this subsection; and

''(ii) the list of each project selected for funding for each fiscal year, including specifying the fiscal year for which the project was selected, the fiscal year in which the project is anticipated to be funded, the recipient, the funding sources (including non-Federal match), the project status, the specific location, the congressional district, the type by eligibility category, and a brief description.

''(B) PUBLIC AVAILABILITY.—The Secretary shall make available to the public, in a user-friendly format on the website of the Department of Transportation, a copy of each annual report submitted under subparagraph (A).''.

SEC. 1207. BRIDGE INVESTMENT.

(a) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

*(1) in the section heading by striking ''**National bridge and tunnel inventory and inspection standards**'' and inserting ''**Bridges and tunnels**'';*

(2) in subsection (a)(1)(B) by striking ''deficient'';

(3) in subsection (b)(5) by striking ''structurally deficient bridge'' and inserting ''bridge classified as in poor condition'';

(4) in subsection (d)—

(A) in paragraph (2) by striking ''Not later than 2 years after the date of enactment of the MAP–21, each'' and inserting ''Each''; and

(B) by striking paragraph (4);

(5) in subsection (j)—

(A) in paragraph (2) by inserting '', 124,'' after ''section 119'';

(B) in paragraph (3)(A) by inserting '', 124,'' after ''section 119''; and

(C) in paragraph (5) by striking ''financial characteristics'' and all that follows through the end and inserting ''Federal share.''; and

(6) by adding at the end the following:

''(l) HIGHWAY BRIDGE REPLACEMENT AND REHABILITATION.—

''(1) GOALS.—The goals of this subsection shall be to—

''(A) support the achievement of a state of good repair for the Nation's bridges;

''(B) improve the safety, efficiency, and reliability of the movement of people and freight over bridges; and

''(C) improve the condition of bridges in the United States by reducing—

''(i) the number of bridges—

''(I) in poor condition; or

''(II) in fair condition and at risk of falling into poor condition;

''(ii) the total person miles traveled over bridges—

''(I) in poor condition; or

''(II) in fair condition and at risk of falling into poor condition;

''(iii) the number of bridges that—

''(I) do not meet current geometric design standards; or

''(II) cannot meet the load and traffic requirements typical of the regional transportation network; and

''(iv) the total person miles traveled over bridges that—

''(I) do not meet current geometric design standards; or

''(II) cannot meet the load and traffic requirements typical of the regional transportation network.

''(2) BRIDGES ON PUBLIC ROADS.—

''(A) MINIMUM BRIDGE INVESTMENT.—Excluding the amounts described in subparagraph (C), of the total funds apportioned to a State under paragraphs (1) and (2) of section 104(b) for fiscal years 2023 to 2026, a State shall obligate not less than 20 percent for projects described in subparagraph (E).

''(B) PROGRAM FLEXIBILITY.—A State required to obligate funds under subparagraph (A) may use any combination of funds apportioned to a State under paragraphs (1) and (2) of section 104(b).

''(C) LIMITATION.—Amounts described below may not be used for the purposes of calculating or meeting the minimum bridge investment requirement under subparagraph (A)—

''(i) amounts described in section 133(d)(1)(A);

''(ii) amounts set aside under section 133(h); and

''(iii) amounts described in section 505(a).

''(D) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the expenditure of funds described in subparagraph (C) for bridge projects eligible under such section.

''(E) ELIGIBLE PROJECTS.—Funds required to be obligated in accordance with paragraph (2)(A) may be obligated for projects or activities that—

''(i) are otherwise eligible under either section 119 or section 133, as applicable;

''(ii) support the achievement of performance targets of the State established under section 150, are consistent with the transportation asset management plan of the State, or provide support for the condition and performance of bridges on public roads within the State; and

''(iii) remove, replace, reconstruct, rehabilitate, preserve, or protect a bridge included on the national bridge inventory authorized by subsection (b), including through—

''(I) seismic retrofits;

''(II) systematic preventive maintenance;

''(III) installation of scour countermeasures;

''(IV) the use of innovative materials that extend the service life of the bridge and reduce preservation costs, as compared to conventionally designed and constructed bridges;

''(V) the use of nontraditional production techniques, including factory prefabrication;

''(VI) painting for purposes of bridge protection;

''(VII) application of calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing compositions;

''(VIII) corrosion control;

''(IX) construction of protective features (including natural infrastructure) alone or in combination with other activities eligible under this paragraph to enhance resilience of a bridge;

''(X) bridge security countermeasures;

''(XI) impact protection measures for bridges;

''(XII) inspection and evaluation of bridges;

''(XIII) training for bridge inspectors consistent with subsection (i); and

''(XIV) removal of a bridge classified as in poor condition in order to improve community connectivity.

''(F) BUNDLES OF PROJECTS.—A State may use a bundle of projects as described in subsection (j) to satisfy the requirements of subparagraph (A), if each project in the bundle is otherwise eligible under subparagraph (E).

''(G) FLEXIBILITY.—The Secretary may, at the request of a State, reduce the required obligation under subparagraph (A) if—

''(i) the reduction is consistent with a State's asset management plan for the National Highway System;

''(ii) the reduction will not limit a State's ability to meet its performance targets under section 150 or to improve the condition and performance of bridges on public roads within the State; and

''(iii) the State demonstrates that it has inadequate needs to justify the expenditure.

''(H) BRIDGE INVESTMENT REPORT.—The Secretary shall annually publish on the website of the Department of Transportation a bridge investment report that includes—

''(i) the total Federal funding obligated for bridge projects in the most recent fiscal year, on a State-by-State basis and broken out by Federal program;

''(ii) the total Federal funding obligated, on a State-by-State basis and broken out by Federal program, for bridge projects carried out pursuant to the minimum bridge investment requirements under subparagraph (A);

''(iii) the progress made by each State toward meeting the minimum bridge investment requirement under subparagraph (A) for such State, both cumulatively and for the most recent fiscal year;

''(iv) a summary of—

''(I) each request made under subparagraph (G) by a State for a reduction in the minimum bridge investment requirement under subparagraph (A); and

''(II) for each request described in subclause (I) that is granted by the Secretary—

''(aa) the percentage and dollar amount of the reduction; and

''(bb) an explanation of how the State met each of the criteria described in subparagraph (G); and

''(v) a summary of—

''(I) each request made by a State for a reduction in the obligation requirements under section 133(f); and

''(II) for each request that is granted by the Secretary—

''(aa) the percentage and dollar amount of the reduction; and

''(bb) an explanation of how the Secretary made the determination under section 133(f)(2)(B).

''(I) OFF-SYSTEM BRIDGES.—A State may apply amounts obligated under this subsection or section 133(f)(2)(A) to the obligation requirements of both this subsection and section 133(f).

''(J) NHS PENALTY.—A State may apply amounts obligated under this subsection or section 119(f)(2) to the obligation requirements of both this subsection and section 119(f)(2).

''(K) COMPLIANCE.—If a State fails to satisfy the requirements of subparagraph (A) by the end of fiscal year 2025, the Secretary may subject the State to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 144 and inserting the following:

''144. Bridges and tunnels.''.

SEC. 1208. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

Section 147 of title 23, United States Code, is amended—

(1) by striking subsection (h); and

(2) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively.

SEC. 1209. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

(a) IN GENERAL.—Section 148 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4)(B)—

(i) by striking ''only includes a project'' and inserting ''includes a project'';

(ii) in clause (xiii) by inserting '', including the development of a vulnerable road user safety assessment or a vision zero plan under section 1601 of the INVEST in America Act'' after ''safety planning'';

(iii) by amending clause (xviii) to read as follows:

''(xviii) Safe routes to school infrastructure-related projects eligible under section 211.'';

(iv) in clause (xxvi) by inserting ''or leading pedestrian intervals'' after ''hybrid beacons''; and

(v) by striking clause (xxviii) and inserting the following:

''(xxviii) A pedestrian security feature designed to slow or stop a motor vehicle.

''(xxix) Installation of infrastructure improvements, including sidewalks, crosswalks, signage, and bus stop shelters or protected waiting areas.'';

(B) in paragraph (11)—

(i) in subparagraph (A)—

(I) in clause (ix) by striking ''and'' at the end;

(II) by redesignating clause (x) as clause (xi); and

(III) by inserting after clause (ix) the following:

''(x) State or local representatives of educational agencies to address safe routes to school and schoolbus safety; and'';

(ii) in subparagraph (E) by inserting ''Tribal,'' after ''State,'';

(iii) by redesignating subparagraphs (G), (H), and (I) as subparagraphs (H), (I), and (J), respectively; and

(iv) by inserting after subparagraph (F) the following:

''(G) includes a vulnerable road user safety assessment described under paragraph (16);'';

(C) by redesignating paragraphs (10), (11), and (12) as paragraphs (12), (13), and (14), respectively;

(D) by inserting after paragraph (9) the following:

''(10) SAFE SYSTEM APPROACH.—The term 'safe system approach' means a roadway design that emphasizes minimizing the risk of injury or fatality to road users and that—

''(A) takes into consideration the possibility and likelihood of human error;

''(B) accommodates human injury tolerance by taking into consideration likely crash types, resulting impact forces, and the human body's ability to withstand such forces; and

''(C) takes into consideration vulnerable road users.

''(11) SPECIFIED SAFETY PROJECT.—

''(A) IN GENERAL.—The term 'specified safety project' means a project carried out for the purpose of safety under any other section of this title that is consistent with the State strategic highway safety plan.

''(B) INCLUSION.—The term 'specified safety project' includes a project that—

''(i) promotes public awareness and informs the public regarding highway safety matters (including safety for motorcyclists, bicyclists, pedestrians, individuals with disabilities, and other road users);

''(ii) facilitates enforcement of traffic safety laws;

''(iii) provides infrastructure and infrastructure-related equipment to support emergency services;

''(iv) conducts safety-related research to evaluate experimental safety countermeasures or equipment; or

''(v) supports safe routes to school noninfrastructure-related activities described under section 211(e)(2).''; and

(E) by adding at the end the following:

''(15) TRANSPORTATION MANAGEMENT AREA.—The term 'transportation management area' means an area designated under section 134(k).

''(16) VULNERABLE ROAD USER.—The term 'vulnerable road user' means a nonmotorist—

''(A) with a fatality analysis reporting system person attribute code that is included in the definition of the term 'number of non-motorized fatalities' in section 490.205 of title 23, Code of Federal Regulations (or successor regulation); or

''(B) described in the term 'number of non-motorized serious injuries' in such section.

''(17) VULNERABLE ROAD USER SAFETY ASSESSMENT.—The term 'vulnerable road user safety assessment' means an assessment of the safety performance of the State or a metropolitan planning organization within the State with respect to vulnerable road users and the plan of the State or metropolitan planning organization to improve the safety of vulnerable road users described in subsection (l).'';

(2) in subsection (c)—

(A) in paragraph (1) by striking ''(a)(11)'' and inserting ''(a)(13)''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(vi) by inserting '', consistent with the vulnerable road user safety assessment'' after ''nonmotorized crashes'';

(ii) in subparagraph (B)(i)—

(I) by inserting '', consistent with a safe system approach,'' after ''identify'';

(II) by inserting ''excessive design speeds and speed limits,'' after ''crossing needs,''; and

(III) by striking ''motorists (including motorcyclists), bicyclists, pedestrians, and other highway users'' and inserting ''road users''; and

(iii) in subparagraph (D)(iii) by striking ''motorists (including motorcyclists), bicyclists, pedestrians, persons with disabilities, and other highway users'' and inserting ''road users'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A) by striking ''Not later than 1 year after the date of enactment of the MAP–21, the'' and inserting ''The''; and

(ii) in subparagraph (B)—

(I) in clause (iv) by inserting ''and serious injury'' after ''fatality'';

(II) in clause (vii) by striking ''; and'' and inserting a semicolon;

(III) by redesignating clause (viii) as clause (ix); and

(IV) by inserting after clause (vii) the following:

''(viii) the findings of a vulnerable road user safety assessment of the State; and''; and

(B) in paragraph (2)(B)(i) by striking ''subsection (a)(11)'' and inserting ''subsection (a)(13)'';

(4) in subsection (e)—

(A) in paragraph (1)(C) by striking '', without regard to whether the project is included in an applicable State strategic highway safety plan''; and

(B) by adding at the end the following:

''(3) FLEXIBLE FUNDING FOR SPECIFIED SAFETY PROJECTS.—

''(A) IN GENERAL.—To advance the implementation of a State strategic highway safety plan, a State may use not more than 10 percent of the amounts apportioned to the State under section 104(b)(3) for a fiscal year to carry out specified safety projects.

''(B) RULE OF STATUTORY CONSTRUCTION.—Nothing in this paragraph shall be construed to require a State to revise any State process, plan, or program in effect on the date of enactment of this paragraph.

''(C) EFFECT OF PARAGRAPH.—

''(i) REQUIREMENTS.—A project funded under this paragraph shall be subject to all requirements under this section that apply to a highway safety improvement project.

''(ii) OTHER APPORTIONED PROGRAMS.—Subparagraph (A) shall not apply to amounts that may be obligated for noninfrastructure projects apportioned under any other paragraph of section 104(b).'';

(5) in subsection (g)—

(A) by amending paragraph (1) to read as follows:

''(1) HIGH-RISK RURAL ROAD SAFETY.—

''(A) IN GENERAL.—If the Secretary determines that the fatality rate on rural roads in a State for the most recent 2-year period for which data are available exceeds the median fatality rate for rural roads among all States, such State shall be required to—

''(i) obligate over the 2 fiscal years following the fiscal year in which such determination is made for projects on high-risk rural roads an amount not less than 7.5 percent of the amounts apportioned to the State under section 104(b)(3) for fiscal year 2020; and

''(ii) include, in the subsequent update to the State strategic highway safety plan, strategies to reduce the fatality rate.

''(B) SOURCE OF FUNDS.—Any amounts obligated under subparagraph (A) shall be from amounts described under section 133(d)(1)(B).

''(C) ANNUAL DETERMINATION.—The determination described under subparagraph (A) shall be made on an annual basis.

''(D) CONSULTATION.—In carrying out a project with an amount obligated under subparagraph (A), a State shall consult with, as applicable, local governments, metropolitan planning organizations, and regional transportation planning organizations.'';

(B) in paragraph (2)—

(i) in the heading by striking ''DRIVERS'' and inserting ''ROAD USERS'';

(ii) by striking ''drivers and pedestrians'' and inserting ''road users''; and

(iii) by striking ''address the increases in'' and inserting ''reduce''; and

(C) by adding at the end the following:

''(3) VULNERABLE ROAD USER SAFETY.—

''(A) HIGH RISK STATES.—

''(i) ANNUAL DETERMINATION.—Beginning on the date of enactment of the INVEST in America Act, the Secretary shall determine on an annual basis whether the number of vulnerable road user fatalities and serious injuries per capita in a State over the most recent 2-year period for which data are available exceeds the median number fatalities in all such areas over such 2-year period.

''(ii) OBLIGATION REQUIREMENT.—If the Secretary determines that the number of vulnerable road user fatalities and serious injuries per capita in a State over the most recent 2-year period for which data are available exceeds the median number of such fatalities and serious injuries per capita over such 2-year period among all States, that State shall be required to obligate over the 2 fiscal years following the fiscal year in which such determination is made an amount that is not less than 50 percent of the amount set aside in such State under section 133(h)(1) for fiscal year 2020 (less any amounts obligated for projects in that State as required by subparagraph (B)(ii)) for—

''(I) in the first two fiscal years after the enactment of the INVEST in America Act—

''(aa) performing the vulnerable road user safety assessment as required by subsection (l);

''(bb) providing matching funds for transportation alternatives safety projects as identified in section 133(h)(7)(B); or

''(cc) projects eligible under subparagraphs (A), (B), (C), or (I) of section 133(h); and

''(II) in each 2-year period thereafter, projects identified in the program of projects described in subsection (l)(2)(C).

''(B) HIGH RISK AREAS.—

''(i) ANNUAL DETERMINATION.—The Secretary shall determine on an annual basis whether the number of vulnerable road user fatalities per capita in a transportation management area over the most recent 2-year period for which data are available exceeds the median number fatalities in all such areas over such 2-year period.

''(ii) OBLIGATION REQUIREMENT.—If the Secretary determines that the number of vulnerable road user fatalities per capita in the transportation management area over the most recent 2-year period for which data are available exceeds the median number of such fatalities over such 2-year period among all such areas, then there shall be required to be obligated over the 2 fiscal years following the fiscal year in which such determination is made, for projects identified in the program of projects described in subsection (l)(7)(C), an amount that is not less than 50 percent of the amount set aside for that urbanized area under section 133(h)(2) for fiscal year 2020.

''(iii) APPLICABILITY.—The obligation requirement described in clause (ii) shall not take effect until the subject metropolitan planning organization has developed the vulnerable road user safety assessment described in subsection (l)(7).

''(C) SOURCE OF FUNDS.—

''(i) IN GENERAL.—Any amounts required to be obligated under this paragraph shall be from amounts apportioned under section 104(b) except for—

''(I) amounts described in section 133(d)(1)(A); and

''(II) amounts set aside under section 133(h).

''(ii) AREAS IN A HIGH RISK STATE.—If an area subject to the obligation requirement described in subparagraph (B)(ii) is located in a State required to obligate funds to vulnerable road user safety under subparagraph (A)(ii), any obligations in such State for projects identified in the program of projects described in subsection (l)(7)(C) shall count toward such State's obligation requirement under subparagraph (A)(ii).'';

(6) in subsection (h)(1)(A)—

(A) by inserting '', including any efforts to reduce vehicle speed'' after ''under this section''; and

(B) by inserting ''and projects identified under a vulnerable road user safety assessment'' after ''projects''; and

(7) by adding at the end the following:

''(l) VULNERABLE ROAD USER SAFETY ASSESSMENT.—

''(1) IN GENERAL.—Not later than 1 year after date of enactment of the INVEST in America Act, each State shall create a vulnerable road user safety assessment.

''(2) CONTENTS.—A vulnerable road user safety assessment required under paragraph (1) shall include—

''(A) a description of the location within the State of each vulnerable road user fatality and serious injury, including, if available, the design speed of the roadway at any such location;

''(B) a description of any corridors identified by a State, in coordination with local governments, metropolitan planning organizations, and regional transportation planning organizations that pose a high risk of a vulnerable road user fatality or serious injury, including, if available, the design speeds of such corridors; and

''(C) a program of projects or strategies to reduce safety risks to vulnerable road users in corridors identified under subparagraph (B), in coordination with local governments, metropolitan planning organizations, and regional transportation planning organizations that represent a high-risk area identified under subparagraph (B).

''(3) ANALYSIS.—In creating a vulnerable road user safety assessment under this subsection, a State shall assess the last 5 years of available data.

''(4) REQUIREMENTS.—In creating a vulnerable road user safety assessment under this subsection, a State shall—

''(A) take into consideration a safe system approach; and

''(B) coordinate with local governments, metropolitan planning organizations, and regional transportation planning organizations that represent a high-risk area identified under paragraph (2)(B).

''(5) UPDATE.—A State shall update a vulnerable road user safety assessment on the same schedule as the State updates the State strategic highway safety plan.

''(6) TRANSPORTATION SYSTEM ACCESS.—The program of projects developed under paragraph (2)(C) may not degrade transportation system access for vulnerable road users.

''(7) URBANIZED AREA ASSESSMENTS.—

''(A) IN GENERAL.—A metropolitan planning organization representing a transportation management area shall, in consultation with local governments in such area, complete a vulnerable road user safety assessment based on the most recent 5 years of available data at least once every 4 years.

''(B) CONTENTS.—The assessment completed under subparagraph (A) shall include—

''(i) a description of the location within the area of each vulnerable road user fatality and, if available, serious injury;

''(ii) a description of any corridors that represent a high-risk area identified under paragraph (2)(B) or have otherwise been identified by the metropolitan planning organization or local government that pose a high risk of a vulnerable road user fatality or serious injury; and

''(iii) a program of projects or strategies to reduce safety risks to vulnerable road users in corridors identified under subparagraph (B).''.

(b) TECHNICAL AMENDMENT.—Section 148 of title 23, United States Code, is amended—

(1) in the heading for subsection (a)(8) by striking ''ROAD USERS'' and inserting ''ROAD USER''; and

(2) in subsection (i)(2)(D) by striking ''safety safety'' and inserting ''safety''.

(c) HIGH-RISK RURAL ROADS.—

(1) STUDY.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall update the study described in paragraph (1) of section 1112(b) of MAP–21 (23 U.S.C. 148 note).

(2) PUBLICATION OF REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall publish on the website of the Department of Transportation an updated report of the report described in paragraph (2) of section 1112(b) of MAP–21 (23 U.S.C. 148 note).

(3) BEST PRACTICES MANUAL.—Not later than 180 days after the date of submission of the report described in paragraph (2), the Secretary shall update the best practices manual described in section 1112(b)(3) of MAP–21 (23 U.S.C. 148 note).

SEC. 1210. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

Section 149 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(ii) by striking ''subsection (h)'' and inserting ''subsection (i)'';

(B) in paragraph (7) by inserting ''shared micromobility (including bikesharing and shared scooter systems), publicly accessible charging stations, docks, and storage for electric bicycles and micromobility devices,'' after ''carsharing,'';

(C) in paragraph (8)(B) by striking ''; or'' and inserting a semicolon;

(D) in paragraph (9) by striking the period and inserting ''; or''; and

(E) by adding at the end the following:

''(10) if the project or program mitigates seasonal or temporary traffic congestion from long-haul travel or tourism.'';

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in the heading by inserting '', HYDROGEN VEHICLE,'' after ''ELECTRIC VEHICLE'';

(ii) by inserting ''hydrogen or'' after ''charging stations or''; and

(iii) by inserting '', hydrogen-powered,'' after ''battery powered''; and

(B) in paragraph (3) by inserting '', and is consistent with section 166'' after ''travel times''; and

(3) by striking subsection (m) and inserting the following:

''(m) OPERATING ASSISTANCE.—

''(1) PROJECTS.—A State may obligate funds apportioned under section 104(b)(4) in an area of such State that is otherwise eligible for obligations of such funds for operating costs under chapter 53 of title 49 or on a system for which CMAQ funding was made available, obligated, or expended in fiscal year 2012, or, notwithstanding subsection (b), on a State-supported Amtrak route with a cost-sharing agreement under section 209 of the Passenger Rail Investment and Improvement Act of 2008 or alternative cost allocation under section 24712(g)(3) of title 49.

''(2) TIME LIMITATION.—In determining the amount of time for which a State may obligate funds under paragraph (1) for operating assistance for an area of a State or on a system, the Secretary shall allow such obligations to occur, in such area or on such system—

''(A) with a time limitation of not less than 3 years; and

''(B) in the case of projects that demonstrate continued net air quality benefits beyond 3 years, as determined annually by the Secretary in consultation with the Administrator of the Environmental Protection Agency, with no imposed time limitation.''.

SEC. 1211. ELECTRIC VEHICLE CHARGING STATIONS.

(a) ELECTRIC VEHICLE CHARGING STATIONS.—Chapter 1 of title 23, United States Code, is amended by inserting after section 154 the following new section:

''§ 155. Electric vehicle charging stations

''(a) IN GENERAL.—Any electric vehicle charging infrastructure funded under this title shall be subject to the requirements of this section.

''(b) INTEROPERABILITY.—An electric vehicle charging station funded under this title shall—

''(1) provide a charging connector type or means to transmit electricity to vehicles that meets applicable industry accepted practices and safety standards; and

''(2) have the ability to serve vehicles produced by more than one vehicle manufacturer.

''(c) OPEN ACCESS TO PAYMENT.—Electric vehicle charging stations shall provide payment methods available to all members of the public to ensure secure, convenient, and equal access and shall not be limited by membership to a particular payment provider.

''(d) NETWORK CAPABILITY.—An electric vehicle charging station funded under this title shall be capable of being remotely monitored.

''(e) STANDARDS AND GUIDANCE.—Not less than 180 days after enactment of the INVEST in America Act, the Secretary of Transportation, in coordination with the Secretary of Energy and in consultation with relevant stakeholders, shall, as appropriate, develop standards and guidance applicable to any electric vehicle charging station funded in whole or in part under this title related to—

''(1) the installation, operation, or maintenance by qualified technicians of electric vehicle charging infrastructure;

''(2) the interoperability of electric vehicle charging infrastructure;

''(3) any traffic control device or on-premises sign acquired, installed, or operated related to an electric vehicle charging station funded under this title; and

''(4) network connectivity of electric vehicle charging infrastructure, including measures to protect personal privacy and ensure cybersecurity.

''(f) WAGE REQUIREMENTS.—Section 113 shall apply to any project for electric vehicle charging infrastructure funded under this title.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 154 the following new item:

''155. Electric vehicle charging stations.''.

(c) ELECTRIC VEHICLE CHARGING SIGNAGE.—The Secretary of Transportation shall update the Manual on Uniform Traffic Control Devices to—

(1) ensure uniformity in providing road users direction to electric charging stations that are open to the public; and

(2) allow the use of a comprehensive system of signs for electric vehicle charging providers to help drivers identify the type of charging and connector types available at the location.

(d) AGREEMENTS RELATING TO THE USE AND ACCESS OF RIGHTS-OF-WAY OF THE INTERSTATE SYSTEM.—Section 111 of title 23, United States Code, is amended by adding at the end the following:

''(f) INTERSTATE SYSTEM RIGHTS-OF-WAY.—

''(1) IN GENERAL.—Notwithstanding subsection (a) or (b) and sections 137 and 142, the Secretary shall permit, consistent with section 155, limited commercial activities for the charging of electric vehicles on rights-of-way of the Interstate System, including in—

''(A) a rest area; or

''(B) a fringe or corridor parking facility, including a park and ride facility.

''(2) SAVINGS CLAUSE.—Nothing in this subsection shall permit commercial activities on rights-of-way of the Interstate System, except as necessary for the charging of electric vehicles in accordance with this subsection.''.

SEC. 1212. NATIONAL HIGHWAY FREIGHT PROGRAM.

(a) IN GENERAL.—Section 167 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (6) by striking ''; and'' and inserting a semicolon; and

(B) by striking paragraph (7) and inserting the following:

''(7) to reduce the environmental impacts of freight movement on the National Highway Freight Network, including—

''(A) greenhouse gas emissions;

''(B) local air pollution, including local pollution derived from vehicles idling at railway crossings;

''(C) minimizing, capturing, or treating stormwater runoff and addressing other adverse impacts to water quality; and

''(D) wildlife habitat loss; and

''(8) to decrease any adverse impact of freight transportation on communities located near freight facilities or freight corridors.'';

(2) in subsection (e)(2) by striking ''150 miles'' and inserting ''300 miles'';

(3) in subsection (f)(4) by striking ''75 miles'' and inserting ''150 miles'';

(4) in subsection (h) by striking ''Not later than'' and all that follows through ''shall prepare'' and inserting ''As part of the report required under section 503(b)(8), the Administrator shall biennially prepare'';

(5) in subsection (i)—

(A) by striking paragraphs (2) and (3);

(B) by amending paragraph (4) to read as follows:

''(4) FREIGHT PLANNING.—Notwithstanding any other provision of law, a State may not obligate funds apportioned to the State under section 104(b)(5) unless the State has developed, updated, or amended, as applicable, a freight plan in accordance with section 70202 of title 49.'';

(C) in paragraph (5)—

(i) by striking subparagraph (B) and inserting the following:

''(B) LIMITATION.—The Federal share of a project described in subparagraph (C)(xxiii) shall fund only elements of such project that provide public benefits.''; and

(ii) in subparagraph (C)—

(I) in clause (iii) by inserting ''and freight management and operations systems'' after ''freight transportation systems''; and

(II) by amending clause (xxiii) to read as follows:

''(xxiii) Freight intermodal or freight rail projects, including—

''(I) projects within the boundaries of public or private freight rail or water facilities (including ports);

''(II) projects that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into or out of the facility; and

''(III) any other surface transportation project to improve the flow of freight into or out of a facility described in subclause (I) or (II).'';

(D) in paragraph (6) by striking ''paragraph (5)'' and inserting ''paragraph (3)''; and

(E) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (2), (3), (4), and (5), respectively; and

(6) in subsection (k)(1)(A)(ii) by striking ''ports-of entry'' and inserting ''ports-of-entry''.

(b) NATIONAL HIGHWAY FREIGHT NETWORK.—If a congressionally designated future Interstate, or any portion thereof, is included in a State Freight Plan (regardless of whether such project is included in the freight investment plan of the State) approved by the Department of Transportation prior to October 1, 2021, such route shall be considered to be on the National Highway Freight Network established under section 167(c) of title 23, United States Code.

SEC. 1213. CARBON POLLUTION REDUCTION.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''§ 171. Carbon pollution reduction

''(a) ESTABLISHMENT.—The Secretary shall establish a carbon pollution reduction program to support the reduction of greenhouse gas emissions from the surface transportation system.

''(b) ELIGIBLE PROJECTS.—A project is eligible for funding under this section if such project—

''(1) is expected to yield a significant reduction in greenhouse gas emissions from the surface transportation system;

''(2) will help a State meet the greenhouse gas emissions performance targets established under section 150(d); and

''(3) is—

''(A) eligible for assistance under this title or under chapter 53 of title 49 or is a capital project for vehicles and facilities (whether publicly or privately owned) that are used to provide intercity passenger service by bus; or

''(B) a capital project, as such term is defined in section 22906 of title 49, to improve intercity rail passenger transportation, provided that the project will yield a significant reduction in single occupant vehicle trips and improve mobility on public roads.

''(c) GUIDANCE.—The Secretary shall issue guidance on methods of determining the reduction of single occupant vehicle trips and improvement of mobility on public roads as those factors relate to intercity rail passenger transportation projects under subsection (b)(4).

''(d) OPERATING EXPENSES.—A State may use not more than 10 percent of the funds provided under section 104(b)(9) for the operating expenses of public transportation and passenger rail transportation projects.

''(e) SINGLE-OCCUPANCY VEHICLE HIGHWAY FACILITIES.—None of the funds provided under this section may be used for a project that will result in the construction of new capacity available to single occupant vehicles unless the project consists of a high occupancy vehicle facility and is consistent with section 166.

''(f) EVALUATION.—

''(1) IN GENERAL.—The Secretary shall annually evaluate the progress of each State in carrying out the program under this section by comparing the percent change in carbon dioxide emissions per capita on public roads in the State calculated as—

''(A) the annual carbon dioxide emissions per capita on public roads in the State for the most recent year for which there is data; divided by

''(B) the average annual carbon dioxide emissions per capita on public roads in the State in calendar years 2015 through 2019.

''(2) MEASURES.—In conducting the evaluation under paragraph (1), the Secretary shall—

''(A) prior to the effective date of the greenhouse gas performance measures under section 150(c)(7)(A), use such data as are available, which may include data on motor fuels usage published by the Federal Highway Administration and information on emissions factors or coefficients published by the Energy Information Administration of the Department of Energy; and

''(B) following the effective date of the greenhouse gas performance measures under section 150(c)(7)(A), use such measures.

''(g) PROGRESS REPORT.—The Secretary shall annually issue a carbon pollution reduction progress report, to be made publicly available on the website of the Department of Transportation, that includes—

''(1) the results of the evaluation under subsection (f) for each State; and

''(2) a ranking of all the States by the criteria under subsection (f), with the States that, for the year covered by such report, have the largest percentage reduction in annual carbon dioxide emissions per capita on public roads being ranked the highest.

''(h) HIGH-PERFORMING STATES.—

''(1) DESIGNATION.—For purposes of this section, each State that is 1 of the 15 highest ranked States, as determined under subsection (g)(2), and that achieves a reduction in carbon dioxide emissions per capita on public roads, as determined by the evaluation in subsection (f), shall be designated as a high-performing State for the following fiscal year.

''(2) USE OF FUNDS.—For each State that is designated as a high-performing State under paragraph (1)—

''(A) notwithstanding section 120, the State may use funds made available under this title to pay the non-Federal share of a project under this section during any year for which such State is designated as a high-performing State; and

''(B) notwithstanding section 126, the State may transfer up to 50 percent of funds apportioned under section 104(b)(9) to the program under section 104(b)(2) in any year for which such State is designated as a high-performing State.

''(3) TRANSFER.—For each State that is 1 of the 15 lowest ranked States, as determined under subsection (g)(2), the Secretary shall transfer 10 percent of the amount apportioned to the State under section 104(b)(2) in the fiscal year following the year in which the State is so ranked, not including amounts set aside under section 133(d)(1)(A) and under section 133(h) or 505(a), to the apportionment of the State under section 104(b)(9).

''(4) LIMITATION.—The Secretary shall not conduct a transfer under paragraph (3)—

''(A) until the first fiscal year following the effective date of greenhouse gas performance measures under section 150(c)(7)(A); and

''(B) with respect to a State in any fiscal year following the year in which such State achieves a reduction in carbon dioxide emissions per capita on public roads in such year as determined by the evaluation under subsection (f).

''(i) REPORT.—Not later than 2 years after the date of enactment of this section and periodically thereafter, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall issue a report—

''(1) detailing, based on the best available science, what types of projects eligible for assistance under this section are expected to provide the most significant greenhouse gas emissions reductions from the surface transportation sector; and

''(2) detailing, based on the best available science, what types of projects eligible for assistance under this section are not expected to provide significant greenhouse gas emissions reductions from the surface transportation sector.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following new item:

''171. Carbon pollution reduction.''.

(c) APPLICABILITY.—Subsection (b)(2) of section 171 of title 23, United States Code, as added by this section, shall apply to a State beginning on the first fiscal year following the fiscal year in which the State sets greenhouse gas performance targets under section 150(d) of title 23, United States Code.

SEC. 1214. RECREATIONAL TRAILS.

Section 206 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''except for'' and all that follows and inserting the following: ''except for—

''(A) a motorized wheelchair; and

''(B) in any case in which applicable laws and regulations permit use, an electric bicycle, as defined in section 217(j).'';

(B) in paragraph (2)—

(i) in subparagraph (F) by striking ''and'' at the end;

(ii) in subparagraph (G) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(H) electric bicycling.''; and

(2) by adding at the end the following:

''(j) SPECIAL RULE.—Section 113 shall not apply to projects under this section.

''(k) USE OF OTHER APPORTIONED FUNDS.—Funds apportioned to a State under section 104(b) that are obligated for recreational trails and related projects shall be administered as if such funds were made available for purposes described under this section.''.

SEC. 1215. SAFE ROUTES TO SCHOOL PROGRAM.

(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by inserting after section 210 the following:

''§211. Safe routes to school program

''(a) PROGRAM.—The Secretary shall carry out a safe routes to school program for the benefit of children in primary, middle, and high schools.

''(b) PURPOSES.—The purposes of the program shall be—

''(1) to enable and encourage children, including those with disabilities, to walk and bicycle to school;

''(2) to make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and

''(3) to facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools.

''(c) USE OF FUNDS.—Amounts apportioned to a State under paragraphs (2) and (3) of section 104(b) may be used to carry out projects, programs, and other activities under this section.

''(d) ELIGIBLE ENTITIES.—Projects, programs, and activities funded under this section may be carried out by eligible entities described under section 133(h)(4)(B) that demonstrate an ability to meet the requirements of this section.

''(e) ELIGIBLE PROJECTS AND ACTIVITIES.—

''(1) INFRASTRUCTURE-RELATED PROJECTS.—

''(A) IN GENERAL.—A State may obligate funds under this section for the planning, design, and construction of infrastructure-related projects that will substantially improve the ability of students to walk and bicycle to school, including sidewalk improvements, traffic calming and speed reduction improvements, pedestrian and bicycle crossing improvements, on-street bicycle facilities, off-street bicycle and pedestrian facilities, secure bicycle parking facilities, and traffic diversion improvements in the vicinity of schools.

''(B) LOCATION OF PROJECTS.—Infrastructure-related projects under subparagraph (A) may be carried out on any public road or any bicycle or pedestrian pathway or trail in the vicinity of schools.

''(2) NONINFRASTRUCTURE-RELATED ACTIVITIES.—In addition to projects described in paragraph (1), a State may obligate funds under this section for noninfrastructure-related activities to encourage walking and bicycling to school, including—

''(A) public awareness campaigns and outreach to press and community leaders;

''(B) traffic education and enforcement in the vicinity of schools;

''(C) student sessions on bicycle and pedestrian safety, health, and environment;

''(D) programs that address personal safety; and

''(E) funding for training, volunteers, and managers of safe routes to school programs.

''(3) SAFE ROUTES TO SCHOOL COORDINATOR.—Each State receiving an apportionment under paragraphs (2) and (3) of section 104(b) shall use a sufficient amount of the apportionment to fund a full-time position of coordinator of the State's safe routes to school program.

''(4) RURAL SCHOOL DISTRICT OUTREACH.—A coordinator described in paragraph (3) shall conduct outreach to ensure that rural school districts in the State are aware of such State's safe routes to school program and any funds authorized by this section.

''(f) FEDERAL SHARE.—The Federal share of the cost of a project, program, or activity under this section shall be 100 percent.

''(g) CLEARINGHOUSE.—

''(1) IN GENERAL.—The Secretary shall maintain a national safe routes to school clearinghouse to—

''(A) develop information and educational programs on safe routes to school; and

''(B) provide technical assistance and disseminate techniques and strategies used for successful safe routes to school programs.

''(2) FUNDING.—The Secretary shall carry out this subsection using amounts authorized to be appropriated for administrative expenses under section 104(a).

''(h) DEFINITIONS.—In this section, the following definitions apply:

''(1) IN THE VICINITY OF SCHOOLS.—The term 'in the vicinity of schools' means, with respect to a school, the area within bicycling and walking distance of the school (approximately 2 miles).

''(2) PRIMARY, MIDDLE, AND HIGH SCHOOLS.—The term 'primary, middle, and high schools' means schools providing education from kindergarten through twelfth grade.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REPEAL.—Section 1404 of SAFETEA–LU (Public Law 109–59; 119 Stat. 1228–1230), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

(2) ANALYSIS.—The analysis for chapter 2 of title 23, United States Code, is amended by inserting after the item relating to section 210 the following:

''211. Safe routes to school program.''.

SEC. 1216. BICYCLE TRANSPORTATION AND PEDESTRIAN WALKWAYS.

Section 217 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) by striking ''104(b)(3)'' and inserting ''104(b)(4)''; and

(B) by striking ''a position'' and inserting ''at least one full-time positions'';

(2) in subsection (e) by striking ''bicycles'' and inserting ''pedestrians or bicyclists'' each place such term appears;

(3) in subsection (j)—

(A) in paragraph (1) by inserting ''or operators of micromobility devices'' after ''bicyclists'';

(B) by striking paragraph (2) and inserting the following:

''(2) ELECTRIC BICYCLE.—The term 'electric bicycle' means mean a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than 750 watts that

can safely share a bicycle transportation facility with other users of such facility and meets the requirements of one of the following three classes:

''(A) CLASS 1 ELECTRIC BICYCLE.—The term 'class 1 electric bicycle' means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

''(B) CLASS 2 ELECTRIC BICYCLE.—The term 'class 2 electric bicycle' means an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

''(C) CLASS 3 ELECTRIC BICYCLE.—The term 'class 3 electric bicycle' means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

''(3) MICROMOBILITY DEVICE.—The term 'micromobility device' means any wheeled vehicle equipped with a low powered electric motor—

''(A) that is designed primarily for human transport;

''(B) that weighs not more than 100 pounds; and

''(C) that has a top speed of 20 miles per hour or less.''.

SEC. 1217. NOISE BARRIERS.

(a) PERMITTING USE OF HIGHWAY TRUST FUND FOR CONSTRUCTION OF CERTAIN NOISE BARRIERS.—Section 339(b)(1) of the National Highway System Designation Act of 1995 (23 U.S.C. 109 note) is amended to read as follows:

''(1) GENERAL RULE.—No funds made available out of the Highway Trust Fund may be used to construct a Type II noise barrier (as defined by section 772.5(I) of title 23, Code of Federal Regulations) pursuant to subsections (h) and (I) of section 109 of title 23, United States Code, unless—

''(A) such a barrier is part of a project approved by the Secretary before November 28, 1995; or

''(B) such a barrier separates a highway or other noise corridor from a group of structures of which the majority of those closest to the highway or noise corridor—

''(i) are residential in nature; and

''(ii) either—

''(I) were constructed before the construction or most recent widening of the highway or noise corridor; or

''(II) are at least 10 years old.''.

(b) ELIGIBILITY FOR SURFACE TRANSPORTATION PROGRAM FUNDS.—Section 133 of title 23, United States Code, is amended—

(1) in subsection (b) by adding at the end the following:

''(22) Planning, design, or construction of a Type II noise barrier (as described in section 772.5 of title 23, Code of Federal Regulations).''; and

(2) in subsection (c)(2) by inserting ''and paragraph (22)'' after ''(11)''.

SEC. 1218. SAFE STREETS FOR ALL.

Section 148 of title 23, United States Code, is further amended by adding at the end the following:

''(m) SAFE STREETS FOR ALL.—

''(1) SAFE STREETS SET-ASIDE.—

''(A) ESTABLISHMENT.—The Secretary shall establish a safe streets program to eliminate the occurrence of transportation-related fatalities and serious injuries on public roads, with a focus on vulnerable road users.

''(B) AMOUNT.—Of the funds apportioned to a State under section 104(b)(3) for each fiscal year, the Secretary shall reserve an amount such that—

''(i) the Secretary reserves a total under this subsection of $500,000,000 for each of fiscal years 2023 through 2026; and

''(ii) the State's share of that total is distributed in the same manner as the amount apportioned to the State under section 104(b)(3) for each fiscal year bears to the total amount of funds apportioned to all States under such section.

''(2) SUBALLOCATION.—For each fiscal year for which funds are set aside under this subsection, such funds shall be obligated within a State in the manner described in subsections (d) and (e) of section 133, except that, for the purposes of this subsection, the percentage referred to in section 133(d)(1)(A) shall be treated as 100 percent.

''(3) USE OF FUNDS.—

''(A) IN GENERAL.—Funds set aside under this subsection shall be available for obligation—

''(i) for a complete streets project that supports the safe, comfortable, convenient, and independent movement of all users of the transportation system, of all ages and abilities, consistent with context sensitive design principles;

''(ii) for activities eligible under the safe routes to school program under section 211;

''(iii) to develop and implement the policies and procedures described in section 109(s);

''(iv) for any element of vision zero planning described under section 1601 of the INVEST in America Act and to implement an existing vision zero plan;

''(v) for other activities in furtherance of the vulnerable road user safety assessment of the State or the metropolitan planning organization described under subsection (l); and

''(vi) for any other project, program, or plan eligible under this section that provides for the safe and adequate accommodation of all users of the surface transportation network, as determined by the Secretary.

''(B) SPECIAL RULE.—If a State or metropolitan planning organization demonstrates to the satisfaction of the Secretary that such State or metropolitan planning organization has met all its needs for vulnerable road user safety under this section, the State or metropolitan planning organization may use funds made available under this subsection for other highway safety improvement program purposes, subject to the suballocation under paragraph (2). The Secretary may not make a determination under this subparagraph if the State or metropolitan planning organization has been subject to the special rule described in subsection (g)(3) within the last 5 years.''.

SEC. 1219. YOUTH SERVICE AND CONSERVATION CORPS.

(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by inserting after section 211 (as added by this Act) the following:

''§212. Use of youth service and conservation corps

''(a) IN GENERAL.—The Secretary may allow and shall encourage project sponsors to enter into contracts and cooperative agreements with qualified youth service or conservation corps, as described in sections 122(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12572(a)(2)) and 106(c)(3) of the National and Community Service Trust Act of 1993 (42 U.S.C. 12656(c)(3)) to perform appropriate projects eligible under sections 133(h), 162, 206, and 211.

''(b) REQUIREMENTS.—Under any contract or cooperative agreement entered into with a qualified youth service or conservation corps under this section, the Secretary shall—

''(1) set the amount of a living allowance or rate of pay for each participant in such corps at—

''(A) such amount or rate as required under State law in a State with such requirements; or

''(B) for corps in States not described in subparagraph (A), at such amount or rate as determined by the Secretary, not to exceed the maximum living allowance authorized by section 140 of the National and Community Service Act of 1990 (42 U.S.C. 12594); and

''(2) not subject such corps to the requirements of section 112.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 2 of title 23, United States Code, is amended by inserting after the item relating to section 211 (as added by this Act) the following:

''212. Use of youth service and conservation corps.''.

Subtitle C—Project-Level Investments

SEC. 1301. PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.

(a) IN GENERAL.—Section 117 of title 23, United States Code, is amended to read as follows:

''§117. Projects of national and regional significance

''(a) ESTABLISHMENT.—The Secretary shall establish a projects of national and regional significance program under which the Secretary may make grants to, and establish multiyear grant agreements with, eligible entities in accordance with this section.

''(b) APPLICATIONS.—To be eligible for a grant under this section, an eligible entity shall submit to the Secretary an application in such form, in such manner, and containing such information as the Secretary may require.

''(c) GRANT AMOUNTS AND PROJECT COSTS.—

''(1) IN GENERAL.—Each grant made under this section—

''(A) shall be in an amount that is at least $25,000,000; and

''(B) shall be for a project that has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

''(i) $100,000,000; or

''(ii) in the case of a project—

''(I) located in 1 State or territory, 30 percent of the amount apportioned under this chapter to the State or territory in the most recently completed fiscal year; or

''(II) located in more than 1 State or territory, 50 percent of the amount apportioned under this chapter to the participating State or territory with the largest apportionment under this chapter in the most recently completed fiscal year.

''(2) LARGE PROJECTS.—For a project that has eligible project costs that are reasonably anticipated to equal or exceed $500,000,000, a grant made under this section—

''(A) shall be in an amount sufficient to fully fund the project, or in the case of a public transportation project, a minimum operable segment, in combination with other funding sources, including non-Federal financial commitment, identified in the application; and

''(B) may be awarded pursuant to the process under subsection (d), as necessary based on the amount of the grant.

''(d) MULTIYEAR GRANT AGREEMENTS FOR LARGE PROJECTS.—

''(1) IN GENERAL.—A large project that receives a grant under this section may be carried out through a multiyear grant agreement in accordance with this subsection.

''(2) REQUIREMENTS.—A multiyear grant agreement for a large project shall—

''(A) establish the terms of participation by the Federal Government in the project;

''(B) establish the amount of Federal financial assistance for the project;

''(C) establish a schedule of anticipated Federal obligations for the project that provides for obligation of the full grant amount by not later than 4 fiscal years after the fiscal year in which the initial amount is provided; and

''(D) determine the period of time for completing the project, even if such period extends beyond the period of an authorization.

''(3) SPECIAL RULES.—

''(A) IN GENERAL.—A multiyear grant agreement under this subsection—

''(i) shall obligate an amount of available budget authority specified in law; and

''(ii) may include a commitment, contingent on amounts to be specified in law in advance for commitments under this paragraph, to obligate an additional amount from future available budget authority specified in law.

''(B) CONTINGENT COMMITMENT.—A contingent commitment under this subsection is not an obligation of the Federal Government under section 1501 of title 31.

''(C) INTEREST AND OTHER FINANCING COSTS.—

''(i) IN GENERAL.—Interest and other financing costs of carrying out a part of the project within a reasonable time shall be considered a cost of carrying out the project under a multiyear grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing.

''(ii) CERTIFICATION.—The applicant shall certify to the Secretary that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

''(4) ADVANCE PAYMENT.—An eligible entity carrying out a large project under a multiyear grant agreement—

''(A) may use funds made available to the eligible entity under this title or title 49 for eligible project costs of the large project; and

''(B) shall be reimbursed, at the option of the eligible entity, for such expenditures from the amount made available under the multiyear grant agreement for the project in that fiscal year or a subsequent fiscal year.

''(e) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—The Secretary may make a grant under this section only for a project that is a project eligible for assistance under this title or chapter 53 of title 49 and is—

''(A) a bridge project carried out on the National Highway System, or that is eligible to be carried out under section 165;

''(B) a project to improve person throughput that is—

''(i) a highway project carried out on the National Highway System, or that is eligible to be carried out under section 165;

''(ii) a public transportation project; or

''(iii) a capital project, as such term is defined in section 22906 of title 49, to improve intercity rail passenger transportation; or

''(C) a project to improve freight throughput that is—

''(i) a highway freight project carried out on the National Highway Freight Network established under section 167 or on the National Highway System;

''(ii) a freight intermodal, freight rail, or railway-highway grade crossing or grade separation project; or

''(iii) within the boundaries of a public or private freight rail, water (including ports), or intermodal facility and that is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility.

''(2) LIMITATION.—

''(A) CERTAIN FREIGHT PROJECTS.—Projects described in clauses (ii) and (iii) of paragraph (1)(C) may receive a grant under this section only if—

''(i) the project will make a significant improvement to the movement of freight on the National Highway System; and

''(ii) the Federal share of the project funds only elements of the project that provide public benefits.

''(B) CERTAIN PROJECTS FOR PERSON THROUGHPUT.—Projects described in clauses (ii) and (iii) of paragraph (1)(B) may receive a grant under this section only if the project will make a significant improvement in mobility on public roads.

''(f) ELIGIBLE PROJECT COSTS.—An eligible entity receiving a grant under this section may use such grant for—

''(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements directly related to improving system performance.

''(g) PROJECT REQUIREMENTS.—The Secretary may select a project described under this section for funding under this section only if the Secretary determines that the project—

''(1) generates significant regional or national economic, mobility, safety, resilience, or environmental benefits;

''(2) is cost effective;

''(3) is based on the results of preliminary engineering;

''(4) has secured or will secure acceptable levels of non-Federal financial commitments, including—

''(A) one or more stable and dependable sources of funding and financing to construct, maintain, and operate the project; and

''(B) contingency amounts to cover unanticipated cost increases;

''(5) cannot be easily and efficiently completed without additional Federal funding or financial assistance available to the project sponsor, beyond existing Federal apportionments; and

''(6) is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project.

''(h) MERIT CRITERIA AND CONSIDERATIONS.—

''(1) MERIT CRITERIA.—In awarding a grant under this section, the Secretary shall evaluate the following merit criteria:

''(A) The extent to which the project supports achieving a state of good repair.

''(B) The level of benefits the project is expected to generate, including—

''(i) the costs avoided by the prevention of closure or reduced use of the asset to be improved by the project;

''(ii) reductions in maintenance costs over the life of the asset;

''(iii) safety benefits, including the reduction of accidents and related costs;

''(iv) improved person or freight throughput, including congestion reduction and reliability improvements;

''(v) national and regional economic benefits;

''(vi) resilience benefits, including the ability to withstand disruptions from a seismic event;

''(vii) environmental benefits, including reduction in greenhouse gas emissions and air quality benefits; and

''(viii) benefits to all users of the project, including pedestrian, bicycle, nonvehicular, railroad, and public transportation users.

''(C) How the benefits compare to the costs of the project.

''(D) The average number of people or volume of freight, as applicable, supported by the project, including visitors based on travel and tourism.

''(2) ADDITIONAL CONSIDERATIONS.—In awarding a grant under this section, the Secretary shall consider the following:

''(A) Whether the project spans at least 1 border between 2 States.

''(B) Whether the project serves low-income residents of low-income communities, including areas of persistent poverty, while not displacing such residents.

''(C) Whether the project uses innovative technologies, innovative design and construction techniques, or pavement materials that demonstrate reductions in greenhouse gas emissions through sequestration or innovative manufacturing processes and, if so, the degree to which such technologies, techniques, or materials are used.

''(D) Whether the project improves connectivity between modes of transportation moving people or goods in the Nation or region.

''(E) Whether the project provides new or improved connections between at least two metropolitan areas with a population of at least 500,000.

''(F) Whether the project would replace, reconstruct, or rehabilitate a commuter corridor (including a high-commuter corridor (as such term is defined in section 203(a)(6))) that is in poor condition.

''(G) Whether the project would improve the shared transportation corridor of a multistate corridor.

''(i) PROJECT SELECTION.—

''(1) EVALUATION.—To evaluate applications for funding under this section, the Secretary shall—

''(A) determine whether a project is eligible for a grant under this section;

''(B) evaluate, through a methodology that is discernible and transparent to the public, how each application addresses the merit criteria pursuant to subsection (h);

''(C) assign a quality rating for each merit criteria for each application based on the evaluation in subparagraph (B);

''(D) ensure that applications receive final consideration by the Secretary to receive an award under this section only on the basis of such quality ratings and that the Secretary gives final consideration only to applications that meet the minimally acceptable level for each of the merit criteria; and

''(E) award grants only to projects rated highly under the evaluation and rating process.

''(2) CONSIDERATIONS FOR LARGE PROJECTS.—In awarding a grant for a large project, the Secretary shall—

''(A) consider the amount of funds available in future fiscal years for the program under this section; and

''(B) assume the availability of funds in future fiscal years for the program that extend beyond the period of authorization based on the amount made available for the program in the last fiscal year of the period of authorization.

''(3) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Secretary shall ensure geographic diversity and a balance between rural and urban communities among grant recipients over fiscal years 2023 through 2026.

''(4) PUBLICATION OF METHODOLOGY.—

''(A) IN GENERAL.—Prior to the issuance of any notice of funding opportunity for grants under this section, the Secretary shall publish and make publicly available on the Department's website—

''(i) a detailed explanation of the merit criteria developed under subsection (h);

''(ii) a description of the evaluation process under this subsection; and

''(iii) how the Secretary shall determine whether a project satisfies each of the requirements under subsection (g).

''(B) UPDATES.—The Secretary shall update and make publicly available on the website of the Department of Transportation such information at any time a revision to the information described in subparagraph (A) is made.

''(C) INFORMATION REQUIRED.—The Secretary shall include in the published notice of funding opportunity for a grant under this section detailed information on the rating methodology and merit criteria to be used to evaluate applications, or a reference to the information on the website of the Department of Transportation, as required by subparagraph (A).

''(j) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost of a project carried out with a grant under this section may not exceed 60 percent.

''(2) MAXIMUM FEDERAL INVOLVEMENT.—Federal assistance other than a grant under this section may be used to satisfy the non-Federal share of the cost of a project for which such a grant is made, except that the total Federal assistance provided for a project receiving a grant under this section may not exceed 80 percent of the total project cost.

''(k) BRIDGE INVESTMENTS.—Of the amounts made available to carry out this section, the Secretary shall reserve not less than $1,000,000,000 in each fiscal year to make grants for projects described in subsection (e)(1)(A).

''(l) TREATMENT OF PROJECTS.—

''(1) FEDERAL REQUIREMENTS.—The Secretary shall, with respect to a project funded by a grant under this section, apply—

''(A) the requirements of this title to a highway project;

''(B) the requirements of chapter 53 of title 49 to a public transportation project; and

''(C) the requirements of section 22905 of title 49 to a passenger rail or freight rail project.

''(2) MULTIMODAL PROJECTS.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, if an eligible project is a multimodal project, the Secretary shall—

''(i) determine the predominant modal component of the project; and

''(ii) apply the applicable requirements of such predominant modal component to the project.

''(B) EXCEPTIONS.—

''(i) PASSENGER OR FREIGHT RAIL COMPONENT.—For any passenger or freight rail component of a project, the requirements of section 22907(j)(2) of title 49 shall apply.

''(ii) PUBLIC TRANSPORTATION COMPONENT.—For any public transportation component of a project, the requirements of section 5333 of title 49 shall apply.

''(C) BUY AMERICA.—In applying the Buy America requirements under section 313 of this title and sections 5320, 22905(a), and 24305(f) of title 49 to a multimodal project under this paragraph, the Secretary shall—

''(i) consider the various modal components of the project; and

''(ii) seek to maximize domestic jobs.

''(m) TIFIA PROGRAM.—At the request of an eligible entity under this section, the Secretary may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

''(n) ADMINISTRATION.—Of the amounts made available to carry out this section, the Secretary may use up to $5,000,000 in each fiscal year for the costs of administering the program under this section.

''(o) TECHNICAL ASSISTANCE.—Of the amounts made available to carry out this section, the Secretary may reserve up to $5,000,000 to provide technical assistance to eligible entities.

''(p) CONGRESSIONAL REVIEW.—

''(1) NOTIFICATION.—Not less than 60 days before making an award under this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate—

''(A) a list of all applications determined to be eligible for a grant by the Secretary;

''(B) the quality ratings assigned to each application pursuant to subsection (i);

''(C) a list of applications that received final consideration by the Secretary to receive an award under this section;

''(D) each application proposed to be selected for a grant award;

''(E) proposed grant amounts, including for each new multiyear grant agreement, the proposed payout schedule for the project; and

''(F) an analysis of the impacts of any large projects proposed to be selected on existing commitments and anticipated funding levels for the next 4 fiscal years, based on information available to the Secretary at the time of the report.

''(2) COMMITTEE REVIEW.—Before the last day of the 60-day period described in paragraph (1), each Committee described in paragraph (1) shall review the Secretary's list of proposed projects.

''(3) CONGRESSIONAL DISAPPROVAL.—The Secretary may not make a grant or any other obligation or commitment to fund a project under this section if a joint resolution is enacted disapproving funding for the project before the last day of the 60-day period described in paragraph (1).

''(q) TRANSPARENCY.—

''(1) IN GENERAL.—Not later than 30 days after awarding a grant for a project under this section, the Secretary shall send to all applicants, and publish on the website of the Department of Transportation—

''(A) a summary of each application made to the program for the grant application period; and

''(B) the evaluation and justification for the project selection, including ratings assigned to all applications and a list of applications that received final consideration by the Secretary to receive an award under this section, for the grant application period.

''(2) BRIEFING.—The Secretary shall provide, at the request of a grant applicant under this section, the opportunity to receive a briefing to explain any reasons the grant applicant was not awarded a grant.

''(r) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

''(1) a State or a group of States;

''(2) a unit of local government, including a metropolitan planning organization, or a group of local governments;

''(3) a political subdivision of a State or local government;

''(4) a special purpose district or public authority with a transportation function, including a port authority;

''(5) an Indian Tribe or Tribal organization;

''(6) a Federal agency eligible to receive funds under section 201, 203, or 204, including the Army Corps of Engineers, Bureau of Reclamation, and the Bureau of Land Management, that applies jointly with a State or group of States;

''(7) a territory; and

''(8) a multistate or multijurisdictional group of entities described in this subsection.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 117 and inserting the following:

''117. Projects of national and regional significance.''.

SEC. 1302. COMMUNITY TRANSPORTATION INVESTMENT GRANT PROGRAM.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, as amended by this title, is further amended by adding at the end the following:

''§ 173. Community transportation investment grant program

''(a) ESTABLISHMENT.—The Secretary shall establish a community transportation investment grant program to improve surface transportation safety, state of good repair, accessibility, and environmental quality through infrastructure investments.

''(b) GRANT AUTHORITY.—

''(1) IN GENERAL.—In carrying out the program established under subsection (a), the Secretary shall make grants, on a competitive basis, to eligible entities in accordance with this section.

''(2) GRANT AMOUNT.—The maximum amount of a grant under this section shall be $25,000,000.

''(c) APPLICATIONS.—To be eligible for a grant under this section, an eligible entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require.

''(d) ELIGIBLE PROJECT COSTS.—Grant amounts for an eligible project carried out under this section may be used for—

''(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to such land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements.

''(e) RURAL AND COMMUNITY SETASIDES.—

''(1) IN GENERAL.—The Secretary shall reserve—

''(A) not less than 25 percent of the amounts made available to carry out this section for projects located in rural areas; and

''(B) not less than 25 percent of the amounts made available to carry out this section for projects located in areas with a population greater than 74,999 individuals and fewer than 200,001 individuals.

''(2) DEFINITION OF RURAL AREA.—In this subsection, the term 'rural area' means all areas of a State or territory that are outside of an urbanized area with a population greater than 74,999 individuals, as determined by the Bureau of the Census.

''(3) EXCESS FUNDING.—If the Secretary determines that there are insufficient qualified applicants to use the funds set aside under this subsection, the Secretary may use such funds for grants for any projects eligible under this section.

''(f) EVALUATION.—To evaluate applications under this section, the Secretary shall—

''(1) develop a process to objectively evaluate applications on the benefits of the project proposed in such application—

''(A) to transportation safety, including reductions in traffic fatalities and serious injuries;

''(B) to state of good repair, including improved condition of bridges and pavements;

''(C) to transportation system access, including improved access to jobs and services; and

''(D) in reducing greenhouse gas emissions;

''(2) develop a rating system to assign a numeric value to each application, based on each of the criteria described in paragraph (1);

''(3) for each application submitted, compare the total benefits of the proposed project, as determined by the rating system developed under paragraph (2), with the costs of such project, and rank each application based on the results of the comparison; and

''(4) ensure that only such applications that are ranked highly based on the results of the comparison conducted under paragraph (3) are considered to receive a grant under this section.

''(g) WEIGHTING.—In establishing the evaluation process under subsection (f), the Secretary may assign different weights to the criteria described in subsection (f)(1) based on project type, population served by a project, and other context-sensitive considerations, provided that—

''(1) each application is rated on all criteria described in subsection (f)(1); and

''(2) each application has the same possible minimum and maximum rating, regardless of any differences in the weighting of criteria.

''(h) TRANSPARENCY.—

''(1) PUBLICLY AVAILABLE INFORMATION.—Prior to the issuance of any notice of funding opportunity under this section, the Secretary shall make publicly available on the website of the Department of Transportation a detailed explanation of the evaluation and rating process developed under subsection (f), including any differences in the weighting of criteria pursuant to subsection (g), if applicable, and update such website for each revision of the evaluation and rating process.

''(2) NOTIFICATIONS TO CONGRESS.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Environment and Public Works of the Senate, the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on Commerce, Science, and Transportation of the Senate the following written notifications:

''(A) A notification when the Secretary publishes or updates the information required under paragraph (1).

''(B) Not later than 30 days prior to the date on which the Secretary awards a grant under this section, a notification that includes—

''(i) the ratings of each application submitted pursuant to subsection (f)(2);

''(ii) the ranking of each application submitted pursuant to subsection (f)(3); and

''(iii) a list of all applications that receive final consideration by the Secretary to receive an award under this section pursuant to subsection (f)(4).

''(C) Not later than 3 business days prior to the date on which the Secretary announces the award of a grant under this section, a notification describing each grant to be awarded, including the amount and the recipient.

''(i) TECHNICAL ASSISTANCE.—Of the amounts made available to carry out this section, the Secretary may reserve up to $3,000,000 in each fiscal year to provide technical assistance to eligible entities.

''(j) ADMINISTRATION.—Of the amounts made available to carry out this section, the Secretary may reserve up to $5,000,000 for the administrative costs of carrying out the program under this section.

''(k) TREATMENT OF PROJECTS.—

''(1) FEDERAL REQUIREMENTS.—The Secretary shall, with respect to a project funded by a grant under this section, apply—

''(A) the requirements of this title to a highway project;

''(B) the requirements of chapter 53 of title 49 to a public transportation project; and

''(C) the requirements of section 22905 of title 49 to a passenger rail or freight rail project.

''(2) MULTIMODAL PROJECTS.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, if an eligible project is a multimodal project, the Secretary shall—

''(i) determine the predominant modal component of the project; and

''(ii) apply the applicable requirements of such predominant modal component to the project.

''(B) EXCEPTIONS.—

''(i) PASSENGER OR FREIGHT RAIL COMPONENT.—For any passenger or freight rail component of a project, the requirements of section 22907(j)(2) of title 49 shall apply.

''(ii) PUBLIC TRANSPORTATION COMPONENT.—For any public transportation component of a project, the requirements of section 5333 of title 49 shall apply.

''(C) BUY AMERICA.—In applying the Buy America requirements under section 313 of this title and sections 5320, 22905(a), and 24305(f) of title 49 to a multimodal project under this paragraph, the Secretary shall—

''(i) consider the various modal components of the project; and

''(ii) seek to maximize domestic jobs.

''(l) TRANSPARENCY.—

''(1) IN GENERAL.—Not later than 30 days after awarding a grant for a project under this section, the Secretary shall send to all applicants, and publish on the website of the Department of Transportation—

''(A) a summary of each application made to the program for the grant application period; and

''(B) the evaluation and justification for the project selection, including ratings and rankings assigned to all applications and a list of applications that received final consideration by the Secretary to receive an award under this section, for the grant application period.

''(2) BRIEFING.—The Secretary shall provide, at the request of a grant applicant under this section, the opportunity to receive a briefing to explain any reasons the grant applicant was not awarded a grant.

''(m) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a metropolitan planning organization;

''(B) a unit of local government;

''(C) a transit agency;

''(D) an Indian Tribe or Tribal organization;

''(E) a multijurisdictional group of entities described in this paragraph;

''(F) a special purpose district with a transportation function or a port authority;

''(G) a territory; or

''(H) a State that applies for a grant under this section jointly with an entity described in subparagraphs (A) through (G).

''(2) ELIGIBLE PROJECT.—The term 'eligible project' means any project eligible under this title or chapter 53 of title 49.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is further amended by adding at the end the following new item:

''173. Community transportation investment grant program.''.

SEC. 1303. CLEAN CORRIDORS PROGRAM.

(a) PURPOSE.—The purpose of this section is to establish a formula program to strategically deploy electric vehicle charging infrastructure along designated alternative fuel corridors that will be accessible to all drivers of electric vehicles.

(b) NATIONAL ELECTRIC VEHICLE CHARGING AND HYDROGEN, PROPANE, AND NATURAL GAS FUELING CORRIDORS.—Section 151 of title 23, United States Code, is amended—

(1) in subsection (a) by striking ''Not later than 1 year after the date of enactment of the FAST Act, the Secretary shall'' and inserting ''The Secretary shall periodically'';

(2) in subsection (b)(2) by inserting ''previously designated by the Federal Highway Administration or'' after ''fueling corridors'';

(3) in subsection (d)—

(A) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than'';

(B) by striking ''5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter'' and inserting ''180 days after the date of enactment of the INVEST in America Act'';

(C) by inserting ''establish a recurring process to regularly'' after ''the Secretary shall''; and

(D) by adding at the end the following:

''(2) FREIGHT CORRIDORS.—Not later than 1 year after the date of enactment of the INVEST in America Act, the Secretary shall designate national electric vehicle charging and hydrogen fueling freight corridors that identify the near- and long-term need for, and the location of, electric vehicle charging and hydrogen fueling infrastructure to support freight and goods movement at strategic locations along major national highways, the National Highway Freight Network, and goods movement locations including ports, intermodal centers, and warehousing locations.'';

(4) in subsection (e)—

(A) in paragraph (1) by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2)—

(i) by striking ''establishes an aspirational goal of achieving'' and inserting ''describes efforts to achieve''; and

(ii) by striking ''by the end of fiscal year 2020.'' and inserting '', including progress on the implementation of subsection (f); and'';

(C) by adding at the end the following:

''(3) summarizes best practices and provides guidance, developed through consultation with the Secretary of Energy, for project development of electric vehicle charging infrastructure to allow for the predictable deployment of such infrastructure.''; and

(5) by adding at the end the following:

''(f) CLEAN CORRIDORS PROGRAM.—

''(1) ESTABLISHMENT.—There is established a clean corridors program (referred to in this subsection as the ''Program'') to provide funding to States to strategically deploy electric vehicle charging and hydrogen fueling infrastructure along alternative fuel corridors and to establish an interconnected network to facilitate data collection, access, and reliability.

''(2) PURPOSE.—The purpose of the Program is to provide funding for—

''(A) the acquisition and installation of electric vehicle charging infrastructure and hydrogen fueling infrastructure to serve as a catalyst for the deployment of such infrastructure and to connect it to a network to facilitate data collection, access, and reliability;

''(B) proper operation and maintenance of electric vehicle charging infrastructure; and

''(C) data sharing about charging and fueling infrastructure to ensure the long-term success of investments made through the Program.

''(3) ALTERNATIVE DISTRIBUTION OF FUNDS.—

''(A) PLAN.—The Secretary shall establish a deadline by which a State shall provide a plan to the Secretary, in such form and such manner that the Secretary requires, describing how such State intends to use its allocation under this section.

''(B) EFFICIENT OBLIGATION OF FUNDS.—If a State fails to submit the plan required by subparagraph (A) to the Secretary in a timely manner, or if the Secretary determines a State has not taken sufficient action to carry out its plan, the Secretary may—

''(i) withdraw from the State the funds that were apportioned to the State for a fiscal year under section 104(b)(10);

''(ii) award such funds on a competitive basis to local units of government within the State for use on projects that meet the eligibility requirements described in paragraph (4); and

''(iii) ensure timely obligation of such funds.

''(C) REDISTRIBUTION AMONG STATES.—If the Secretary determines that any funds withdrawn from a State under subparagraph (B)(i) cannot be fully awarded to local units of government within the State under subparagraph (B)(ii) in a manner consistent with the purpose of this subsection, any such funds remaining under subparagraph (B)(i) shall be—

''(i) apportioned among other States (except States for which funds for that fiscal year have been withdrawn under subparagraph (B)(i)) in the same ratio as funds apportioned for that fiscal year under section 104(b)(10)(C) for the Program; and

''(ii) only available to carry out this section.

''(4) ELIGIBLE PROJECTS.—

''(A) IN GENERAL.—Funding made available under this subsection shall be for projects—

''(i) directly related to the electric charging or hydrogen fueling of a vehicle; and

''(ii) only for infrastructure that is open to the general public or to authorized commercial motor vehicle operators from more than 1 company.

''(B) LOCATION OF INFRASTRUCTURE.—

''(i) IN GENERAL.—Any charging or fueling infrastructure acquired or installed with funding under this subsection shall be located along an alternative fuel corridor.

''(ii) GUIDANCE.—Not later than 90 days after the date of enactment of the INVEST in America Act, the Secretary of Transportation, in coordination with the Secretary of Energy, shall develop guidance for States and localities to strategically deploy charging and fueling infrastructure along alternative fuel corridors, consistent with this section.

''(iii) ADDITIONAL CONSIDERATIONS.—In developing the guidance required under clause (ii), the Secretary of Transportation, in coordination with the Secretary of Energy, shall consider—

''(I) the distance between publicly available charging and fueling infrastructure eligible under this section;

''(II) connections to the electric grid or fuel distribution system, including electric distribution upgrades, vehicle-to-grid integration, including smart charge management or other protocols that can minimize impacts to the electric grid, and alignment with electric distribution interconnection processes;

''(III) plans to protect the electric grid from added load of charging distribution systems from adverse impacts of changing load patterns, including through on site storage;

''(IV) plans for the use of renewable energy sources to power charging, energy storage, and hydrogen fuel production;

''(V) the proximity of existing off-highway travel centers, fuel retailers, and small businesses to electric vehicle charging infrastructure acquired or funded under this subsection;

''(VI) the need for publicly available electric vehicle charging infrastructure in rural corridors;

''(VII) the long-term operation and maintenance of publicly available electric vehicle

charging infrastructure to avoid stranded assets and protect the investment of public funds in that infrastructure;

''(VIII) existing private, national, State, local, Tribal, and territorial government electric vehicle charging infrastructure programs and incentives;

''(IX) fostering enhanced, coordinated, public-private or private investment in charging and fueling infrastructure;

''(X) ensuring consumer protection and pricing transparency;

''(XI) the availability of onsite amenities for vehicle operators, including restrooms or food facilities; and

''(XII) any other factors, as determined by the Secretary.

''(5) ELIGIBLE PROJECT COSTS.—Subject to paragraph (6), funds made available under this subsection may be used for—

''(A) the acquisition or installation of electric vehicle charging or hydrogen fueling infrastructure;

''(B) operating assistance for costs allocable to operating and maintaining infrastructure acquired or installed under this subsection, for a period not to exceed five years;

''(C) the acquisition or installation of traffic control devices located in the right-of-way to provide directional information to infrastructure acquired, installed, or operated under this subsection; or

''(D) on-premises signs to provide information about infrastructure acquired, installed, or operated under this subsection.

''(6) PROJECT REQUIREMENTS.—Not later than 180 days after the date of enactment of the INVEST in America Act, the Secretary of Transportation, in coordination with the Secretary of Energy and in consultation with relevant stakeholders, shall, as appropriate, develop standards and requirements for electric vehicle charging infrastructure under this subsection related to—

''(A) the installation, operation, or maintenance by qualified technicians of electric vehicle charging infrastructure funded under this subsection;

''(B) the interoperability of electric vehicle charging infrastructure funded under this subsection;

''(C) any traffic control device or on-premises sign acquired, installed, or operated under this subsection;

''(D) any data requested by the Secretary related to a project funded under this subsection, including the format and schedule for the submission of such data; and

''(E) network connectivity of electric vehicle charging infrastructure funded under this subsection that includes measures to protect personal privacy and ensure cybersecurity.

''(7) FEDERAL SHARE.—The Federal share payable for the cost of a project funded under this subsection shall be 80 percent.

''(8) PERIOD OF AVAILABILITY.—Notwithstanding section 118(b), funds made available for the Program shall be available until expended.

''(9) ADDITIONAL ASSISTANCE GRANTS.—For each of fiscal years 2023 through 2026, before making an apportionment under section 104(b)(10), the Secretary shall set aside, from amounts made available to carry out the clean corridors program under this subsection, $100,000,000 for grants to States or localities that require additional assistance to strategically deploy infrastructure eligible under this subsection along alternative fuel corridors to fill gaps in the national charging network, including in rural areas.

''(10) DEFINITION OF ALTERNATIVE FUEL CORRIDORS.—In this subsection, the term 'alternative fuel corridors' means a fuel corridor—

''(A) designated under subsection (a); or

''(B) equivalent to a fuel corridor described under such subsection that is designated, after consultation with any affected Indian Tribes or Tribal organizations, by a State or group of States.''.

SEC. 1304. COMMUNITY CLIMATE INNOVATION GRANTS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, as amended by this title, is further amended by inserting after section 171 the following:

''§ 172. Community climate innovation grants

''(a) ESTABLISHMENT.—The Secretary shall establish a community climate innovation grant program (in this section referred to as the 'Program') to make grants, on a competitive basis, for locally selected projects that reduce greenhouse gas emissions while improving the mobility, accessibility, and connectivity of the surface transportation system.

''(b) PURPOSE.—The purpose of the Program shall be to support communities in reducing greenhouse gas emissions from the surface transportation system.

''(c) ELIGIBLE APPLICANTS.—The Secretary may make grants under the Program to the following entities:

''(1) A metropolitan planning organization.

''(2) A unit of local government or a group of local governments, or a county or multi-county special district.

''(3) A subdivision of a local government.

''(4) A transit agency.

''(5) A special purpose district with a transportation function or a port authority.

''(6) An Indian Tribe or Tribal organization.

''(7) A territory.

''(8) A multijurisdictional group of entities described in paragraphs (1) through (7).

''(d) APPLICATIONS.—To be eligible for a grant under the Program, an entity specified in subsection (c) shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary determines appropriate.

''(e) ELIGIBLE PROJECTS.—The Secretary may only provide a grant under the Program for a project that is expected to yield a significant reduction in greenhouse gas emissions from the surface transportation system and—

''(1) is a project eligible for assistance under this title or under chapter 53 of title 49, or is a capital project for vehicles and facilities, whether publicly or privately owned, that are used to provide intercity passenger service by bus; or

''(2) is a capital project as defined in section 22906 of title 49 to improve intercity passenger rail that will yield a significant reduction in single occupant vehicle trips and improve mobility on public roads.

''(f) ELIGIBLE USES.—Grant amounts received for a project under the Program may be used for—

''(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements.

''(g) PROJECT PRIORITIZATION.—In making grants for projects under the Program, the Secretary shall give priority to projects that are expected to yield the most significant reductions in greenhouse gas emissions from the surface transportation system.

''(h) ADDITIONAL CONSIDERATIONS.—In making grants for projects under the Program, the Secretary shall consider the extent to which—

''(1) a project maximizes greenhouse gas reductions in a cost-effective manner;

''(2) a project reduces dependence on single-occupant vehicle trips or provides additional transportation options;

''(3) a project improves the connectivity and accessibility of the surface transportation system, particularly to low- and zero-emission forms of transportation, including public transportation, walking, and bicycling;

''(4) an applicant has adequately considered or will adequately consider, including through the opportunity for public comment, the environmental justice and equity impacts of the project;

''(5) a project contributes to geographic diversity among grant recipients, including to achieve a balance between urban, suburban, and rural communities;

''(6) a project serves low-income residents of low-income communities, including areas of persistent poverty, while not displacing such residents;

''(7) a project uses pavement materials that demonstrate reductions in greenhouse gas emissions through sequestration or innovative manufacturing processes;

''(8) a project repurposes neglected or underused infrastructure, including abandoned highways, bridges, railways, trail ways, and adjacent underused spaces, into new hybrid forms of public space that support multiple modes of transportation; and

''(9) a project includes regional multimodal transportation system management and operations elements that will improve the effectiveness of such project and encourage reduction of single occupancy trips by providing the ability of users to plan, use, and pay for multimodal transportation alternatives.

''(i) FUNDING.—

''(1) MAXIMUM AMOUNT.—The maximum amount of a grant under the Program shall be $25,000,000.

''(2) TECHNICAL ASSISTANCE.—Of the amounts made available to carry out the Program, the Secretary may use up to 1 percent to provide technical assistance to applicants and potential applicants.

''(j) TREATMENT OF PROJECTS.—

''(1) FEDERAL REQUIREMENTS.—The Secretary shall, with respect to a project funded by a grant under this section, apply—

''(A) the requirements of this title to a highway project;

''(B) the requirements of chapter 53 of title 49 to a public transportation project; and

''(C) the requirements of section 22905 of title 49 to a passenger rail or freight rail project.

''(2) MULTIMODAL PROJECTS.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, if an eligible project is a multimodal project, the Secretary shall—

''(i) determine the predominant modal component of the project; and

''(ii) apply the applicable requirements of such predominant modal component to the project.

''(B) EXCEPTIONS.—

''(i) PASSENGER OR FREIGHT RAIL COMPONENT.—For any passenger or freight rail component of a project, the requirements of section 22907(j)(2) of title 49 shall apply.

''(ii) PUBLIC TRANSPORTATION COMPONENT.—For any public transportation component of a project, the requirements of section 5333 of title 49 shall apply.

''(C) BUY AMERICA.—In applying the Buy America requirements under section 313 of this title and sections 5320, 22905(a), and 24305(f) of title 49 to a multimodal project under this paragraph, the Secretary shall—

''(i) consider the various modal components of the project; and

''(ii) seek to maximize domestic jobs.

''(k) SINGLE-OCCUPANCY VEHICLE HIGHWAY FACILITIES.—None of the funds provided under this section may be used for a project that will result in the construction of new capacity available to single occupant vehicles unless the project consists of a high-occupancy vehicle facility and is consistent with section 166.

''(l) PUBLIC COMMENT.—Prior to issuing the notice of funding opportunity for funding under this section for fiscal year 2023, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall solicit public comment on the method of determining the

significant reduction in greenhouse gas emissions required under subsection (e).

''(m) CONSULTATION.—Prior to making an award under this section in a given fiscal year, the Secretary shall consult with the Administrator of the Environmental Protection Agency to determine which projects are expected to yield a significant reduction in greenhouse gas emissions as required under subsection (e).

''(n) RURAL SET-ASIDE.—

''(1) IN GENERAL.—The Secretary shall set aside not less than 10 percent of the amounts made available to carry out this section for projects located in rural areas.

''(2) DEFINITION OF RURAL AREA.—In this subsection, the term 'rural area' means all areas of a State or territory that are outside of an urbanized area with a population greater than 74,999 individuals, as determined by the Bureau of the Census.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by inserting after the item relating to section 171 the following:

''172. Community climate innovation grants.''.

SEC. 1305. METRO PERFORMANCE PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a metro performance program in accordance with this section to enhance local decision making and provide enhanced local control in transportation project delivery.

(b) DIRECT RECIPIENT DESIGNATION.—

(1) IN GENERAL.—The Secretary shall designate high-performing metropolitan planning organizations based on the criteria in paragraph (3) to be direct recipients of funds under this section.

(2) AUTHORITY.—Nothing in this section shall be construed to prohibit a direct recipient from taking any action otherwise authorized to secure and expend Federal funds authorized under chapter 1 of title 23, United States Code.

(3) CRITERIA.—In designating an applicant under this subsection, the Secretary shall consider—

(A) the legal, financial, and technical capacity of the applicant;

(B) the level of coordination between the applicant and—

(i) the State department of transportation of the State or States in which the metropolitan planning area represented by the applicant is located;

(ii) local governments and providers of public transportation within the metropolitan planning area represented by the applicant; and

(iii) if more than one metropolitan planning organization is designated within an urbanized area represented by the applicant, any other such metropolitan planning organization;

(C) in the case of an applicant that represents an urbanized area population of greater than 200,000, the effectiveness of project delivery and timely obligation of funds made available under section 133(d)(1)(A)(i) of title 23, United States Code;

(D) if the applicant or a local government within the metropolitan planning area that the applicant represents has been the recipient of a discretionary grant from the Secretary within the preceding 5 years, the administration of such grant;

(E) the extent to which the planning and decision making process of the applicant, including the long-range transportation plan and the approved transportation improvement program under section 134 of such title, support—

(i) the performance goals established under section 150(b) of such title; and

(ii) the achievement of metropolitan or statewide performance targets established under section 150(d) of such title;

(F) whether the applicant is a designated recipient of funds as described under subparagraphs (A) and (B) of section 5302(4) of title 49, United States Code, or a direct recipient of funds under section 5307 of such title from the Federal Transit Administration; and

(G) any other criteria established by the Secretary.

(4) REQUIREMENTS.—

(A) CALL FOR NOMINATION.—Not later than February 1, 2022, the Secretary shall publish in the Federal Register a notice soliciting applications for designation under this subsection.

(B) GUIDANCE.—The notification under paragraph (1) shall include guidance on the requirements and responsibilities of a direct recipient under this section, including implementing regulations.

(C) DETERMINATION.—The Secretary shall make all designations under this section for fiscal year 2023 not later than June 1, 2022.

(5) TERM.—Except as provided in paragraph (6), a designation under this subsection shall—

(A) be for a period of not less than 5 years; and

(B) be renewable.

(6) TERMINATION.—

(A) IN GENERAL.—The Secretary shall establish procedures for the termination of a designation under this subsection.

(B) CONSIDERATIONS.—In establishing procedures under subparagraph (A), the Secretary shall consider—

(i) with respect to projects carried out under this section, compliance with the requirements of title 23, United States Code, or chapter 53 of title 49, United States Code; and

(ii) the obligation rate of any funds—

(I) made available under this section; and

(II) in the case of a metropolitan planning organization that represents a metropolitan planning area with an urbanized area population of greater than 200,000, made available under section 133(d)(1)(A)(i) of title 23, United States Code.

(c) USE OF FUNDS.—

(1) ELIGIBLE PROJECTS.—Funds made available under this section may be obligated for the purposes described in section 133(b) of title 23, United States Code.

(2) ADMINISTRATIVE EXPENSES AND TECHNICAL ASSISTANCE.—Of the amounts made available under this section, the Secretary may set aside not more than $5,000,000 in each of fiscal years 2023 through 2026 for program management, oversight, and technical assistance to direct recipients.

(d) RESPONSIBILITIES OF DIRECT RECIPIENTS.—

(1) DIRECT AVAILABILITY OF FUNDS.—Notwithstanding title 23, United States Code, the amounts made available under this section shall be allocated to each direct recipient for obligation.

(2) DISTRIBUTION OF AMOUNTS AMONG DIRECT RECIPIENTS.—

(A) IN GENERAL.—Subject to subparagraph (B), on the first day of the fiscal year for which funds are made available under this section, the Secretary shall allocate such funds to each direct recipient as the proportion of the population (as determined by data collected by the Bureau of the Census) of the urbanized area represented by any 1 direct recipient bears to the total population of all of urbanized areas represented by all direct recipients.

(B) MINIMUM AND MAXIMUM AMOUNTS.—Of funds allocated to direct recipients under subparagraph (A), each direct recipient shall receive not less than $10,000,000 and not more than $50,000,000 each fiscal year.

(C) MINIMUM GUARANTEED AMOUNT.—In making a determination whether to designate a metropolitan planning organization as a direct recipient under subsection (b), the Secretary shall ensure that each direct recipient receives the minimum required allocation under subparagraph (B).

(D) ADDITIONAL AMOUNTS.—If any amounts remain undistributed after the distribution described in this subsection, such remaining amounts and an associated amount of obligation limitation shall be made available as if suballocated under clauses (i) and (ii) of section 133(d)(1)(A) of title 23, United States Code, and distributed among the States in the proportion that the relative shares of the population (as determined by data collected by the Bureau of the Census) of the urbanized areas of each State bears to the total populations of all urbanized areas across all States.

(3) PROJECT DELIVERY.—

(A) IN GENERAL.—For 1 or more projects carried out with funds provided under this section, the direct recipient may, consistent with the agreement entered into with the Secretary under this paragraph, assume the Federal-aid highway project approval and oversight responsibilities vested in the State department of transportation under section 106 of title 23, United States Code.

(B) PARTNERSHIP.—The direct recipient may partner with a State, unit of local government, regional entity, or transit agency to carry out a project under this section.

(C) PROCEDURAL, LEGAL, AND SUBSTANTIVE REQUIREMENTS.—A direct recipient entering into an agreement with the Secretary under this section shall assume responsibility for compliance with all procedural and substantive requirements as would apply if that responsibility were carried out by a State, unless the direct recipient or the Secretary determines that such assumption of responsibility for 1 or more of the procedural and substantive requirements is not appropriate.

(D) WRITTEN AGREEMENT.—The Secretary and the direct recipient shall enter into an agreement in writing relating to the extent to which the direct recipient assumes the responsibilities of the Secretary under this paragraph. Such agreement shall be developed in consultation with the State.

(E) USE OF FUNDS.—The direct recipient may use amounts made available under this section for costs incurred in implementing this paragraph and to compensate a State, unit of local government, or transit agency for costs incurred in providing assistance under this paragraph.

(F) LIMITATIONS.—The direct recipient may not assume responsibilities described in subparagraph (A) for any project that the Secretary determines to be in a high-risk category, including projects on the National Highway System.

(e) EXPENDITURE OF FUNDS.—

(1) CONSISTENCY WITH METROPOLITAN PLANNING.—Except as otherwise provided in this section, programming and expenditure of funds for projects under this section shall be consistent with the requirements of section 134 of title 23, United States Code, and section 5303 of title 49, United States Code.

(2) SELECTION OF PROJECTS.—

(A) IN GENERAL.—Notwithstanding subsections (j)(5) and (k)(4) of section 134 of title 23, United States Code, or subsections (j)(5) and (k)(4) of section 5303 of title 49, United States Code, a direct recipient shall select, from the approved transportation improvement program under such sections, all projects to be funded under this section, including projects on the National Highway System.

(B) ELIGIBLE PROJECTS.—The project selection process described in this subsection shall apply to all federally funded projects within the boundaries of a metropolitan planning area served by a direct recipient that are carried out under this section.

(C) CONSULTATION REQUIRED.—In selecting a project under this subsection, the metropolitan planning organization shall consult with—

(i) in the case of a highway project, the State and locality in which such project is located; and

(ii) in the case of a transit project, any affected public transportation operator.

(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of a direct recipient to partner with a State department of transportation or other recipient of Federal funds under title 23, United States Code, or

chapter 53 of title 49, United States Code, to carry out a project.

(f) TREATMENT OF FUNDS.—

(1) IN GENERAL.—Except as provided in this section, funds made available to carry out this section shall be administered as if apportioned under chapter 1 of title 23, United States Code.

(2) FEDERAL SHARE.—The Federal share of the cost of a project carried out under this section shall be determined in accordance with section 120 of title 23, United States Code.

(g) REPORT.—

(1) DIRECT RECIPIENT REPORT.—Not later than 60 days after the end of each fiscal year, each direct recipient shall submit to the Secretary a report that includes—

(A) a list of projects funded with amounts provided under this section;

(B) a description of any obstacles to complete projects or timely obligation of funds; and

(C) recommendations to improve the effectiveness of the program under this section.

(2) REPORT TO CONGRESS.—Not later than October 1, 2024, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(A) summarizes the findings of each direct recipient provided under paragraph (1);

(B) describes the efforts undertaken by both direct recipients and the Secretary to ensure compliance with the requirements of title 23 and chapter 53 of title 49, United States Code;

(C) analyzes the capacity of direct recipients to receive direct allocations of funds under chapter 1 of title 23, United States Code; and

(D) provides recommendations from the Secretary to—

(i) improve the administration, oversight, and performance of the program established under this section;

(ii) improve the effectiveness of direct recipients to complete projects and obligate funds in a timely manner; and

(iii) evaluate options to expand the authority provided under this section, including to allow for the direct allocation to metropolitan planning organizations of funds made available to carry out clause (i) or (ii) of section 133(d)(1)(A) of title 23, United States Code.

(3) UPDATE.—Not less frequently than every 2 years, the Secretary shall update the report described in paragraph (2).

(h) DEFINITIONS.—

(1) DIRECT RECIPIENT.—In this section, the term ''direct recipient'' means a metropolitan planning organization designated by the Secretary as high-performing under subsection (b) and that was directly allocated funds as described in subsection (d).

(2) METROPOLITAN PLANNING AREA.—The term ''metropolitan planning area'' has the meaning given such term in section 134 of title 23, United States Code.

(3) METROPOLITAN PLANNING ORGANIZATION.—The term ''metropolitan planning organization'' has the meaning given such term in section 134 of title 23, United States Code.

(4) NATIONAL HIGHWAY SYSTEM.—The term ''National Highway System'' has the meaning given such term in section 101 of title 23, United States Code.

(5) STATE.—The term ''State'' has the meaning given such term in section 101 of title 23, United States Code.

(6) URBANIZED AREA.—The term ''urbanized area'' has the meaning given such term in section 134 of title 23, United States Code.

SEC. 1306. GRIDLOCK REDUCTION GRANT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a gridlock reduction program to make grants, on a competitive basis, for projects to reduce, and mitigate the adverse impacts of, traffic congestion.

(b) APPLICATIONS.—To be eligible for a grant under this section, an applicant shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary determines appropriate.

(c) ELIGIBILITY.—

(1) ELIGIBLE APPLICANTS.—The Secretary may make grants under this section to an applicant that serves an eligible area and that is—

(A) a metropolitan planning organization;

(B) a unit of local government or a group of local governments;

(C) a multijurisdictional group of entities described in subparagraphs (A) and (B);

(D) a special purpose district or public authority with a transportation function, including a port authority; or

(E) a State that is in partnership with an entity or group of entities described in subparagraph (A), (B), or (C).

(2) ELIGIBLE AREA.—An eligible area for an eligible entity under paragraph (1) shall be—

(A) a combined statistical area, as defined by the Office of Management and Budget, with a population of not less than 1,300,000; or

(B) a metropolitan statistical area that is not part of a combined statistical area, as defined by the Office of Management and Budget, that has a population of not less than 750,000.

(d) ELIGIBLE PROJECTS.—The Secretary may award grants under this section to applicants that submit a comprehensive program of surface transportation-related projects to reduce traffic congestion and related adverse impacts, including a project for one or more of the following:

(1) Transportation systems management and operations, including strategies to improve the operations of high-occupancy vehicle lanes.

(2) Intelligent transportation systems to improve connectivity and innovation.

(3) Real-time traveler information.

(4) Traffic incident management.

(5) Active traffic management.

(6) Traffic signal timing.

(7) Multimodal travel payment systems.

(8) Transportation demand management, including employer-based commuting programs such as carpool, vanpool, transit benefit, parking cashout, shuttle, or telework programs.

(9) A project to provide transportation options to reduce traffic congestion, including—

(A) a project under chapter 53 of title 49, United States Code, including value capture and transit-oriented development projects;

(B) a bicycle or pedestrian project, including a project to provide safe and connected active transportation networks; and

(C) a surface transportation project carried out in accordance with the national travel and tourism infrastructure strategic plan under section 1431(e) of the FAST Act (49 U.S.C. 301 note).

(10) Any other project, as determined appropriate by the Secretary utilizing eligible projects.

(e) AWARD PRIORITIZATION.—

(1) IN GENERAL.—In selecting grants under this section, the Secretary shall prioritize applicants serving urbanized areas, as described in subsection (c), that are experiencing a high degree of recurrent transportation congestion, as determined by the Secretary.

(2) ADDITIONAL CONSIDERATIONS.—In selecting grants under this section, the Secretary shall also consider the extent to which the project would—

(A) reduce traffic congestion and improve the reliability of the surface transportation system;

(B) mitigate the adverse impacts of traffic congestion on the surface transportation system, including safety and environmental impacts;

(C) maximize the use of existing capacity; and

(D) employ innovative, integrated, and multimodal solutions to the items described in subparagraphs (A), (B), and (C).

(f) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of a project carried out under this section may not exceed 60 percent.

(2) MAXIMUM FEDERAL SHARE.—Federal assistance other than a grant for a project under this section may be used to satisfy the non-Federal share of the cost of such project, except that the total Federal assistance provided for a project receiving a grant under this section may not exceed 80 percent of the total project cost.

(g) USE OF FUNDS.—Funds made available for a project under this section may be used for—

(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements.

(h) FUNDING.—

(1) GRANT AMOUNT.—A grant under this section shall be in an amount not less than $10,000,000 and not more than $50,000,000.

(2) AVAILABILITY.—Funds made available under this program shall be available until expended.

(i) FREIGHT PROJECT SET-ASIDE.—

(1) IN GENERAL.—The Secretary shall set aside not less than 50 percent of the funds made available to carry out this section for grants for freight projects under this subsection.

(2) ELIGIBLE USES.—The Secretary shall provide funds set aside under this subsection to applicants that submit a comprehensive program of surface transportation-related projects to reduce freight-related traffic congestion and related adverse impacts, including—

(A) freight intelligent transportation systems;

(B) real-time freight parking information;

(C) real-time freight routing information;

(D) freight transportation and delivery safety projects;

(E) first-mile and last-mile delivery solutions;

(F) shifting freight delivery to off-peak travel times;

(G) reducing greenhouse gas emissions and air pollution from freight transportation and delivery, including through the use of innovative vehicles that produce fewer greenhouse gas emissions;

(H) use of centralized delivery locations;

(I) designated freight vehicle parking and staging areas;

(J) curb space management; and

(K) other projects, as determined appropriate by the Secretary.

(3) AWARD PRIORITIZATION.—

(A) IN GENERAL.—In providing funds set aside under this section, the Secretary shall prioritize applicants serving urbanized areas, as described in subsection (c), that are experiencing a high degree of recurrent congestion due to freight transportation, as determined by the Secretary.

(B) ADDITIONAL CONSIDERATIONS.—In providing funds set aside under this subsection, the Secretary shall consider the extent to which the proposed project—

(i) reduces freight-related traffic congestion and improves the reliability of the freight transportation system;

(ii) mitigates the adverse impacts of freight-related traffic congestion on the surface transportation system, including safety and environmental impacts;

(iii) maximizes the use of existing capacity;

(iv) employs innovative, integrated, and multimodal solutions to the items described in clauses (i) through (iii);

(v) leverages Federal funds with non-Federal contributions; and

(vi) integrates regional multimodal transportation management and operational projects that address both passenger and freight congestion.

(4) FLEXIBILITY.—If the Secretary determines that there are insufficient qualified applicants to use the funds set aside under this subsection, the Secretary may use such funds for grants for any projects eligible under this section.

(j) REPORT.—

(1) RECIPIENT REPORT.—The Secretary shall ensure that not later than 2 years after the Secretary awards grants under this section, the recipient of each such grant submits to the Secretary a report that contains—

(A) information on each activity or project that received funding under this section;

(B) a summary of any non-Federal resources leveraged by a grant under this section;

(C) any statistics, measurements, or quantitative assessments that demonstrate the congestion reduction, reliability, safety, and environmental benefits achieved through activities or projects that received funding under this section; and

(D) any additional information required by the Secretary.

(2) REPORT TO CONGRESS.—Not later than 9 months after the date specified in paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works, the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Affairs of the Senate, and make publicly available on a website, a report detailing—

(A) a summary of any information provided under paragraph (1); and

(B) recommendations and best practices to—

(i) reduce traffic congestion, including freight-related traffic congestion, and improve the reliability of the surface transportation system;

(ii) mitigate the adverse impacts of traffic congestion, including freight-related traffic congestion, on the surface transportation system, including safety and environmental impacts; and

(iii) employ innovative, integrated, and multimodal solutions to the items described in clauses (i) and (ii).

(k) NOTIFICATION.—Not later than 3 business days before awarding a grant under this section, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works, the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Affairs of the Senate of the intention to award such a grant.

(l) TREATMENT OF PROJECTS.—

(1) FEDERAL REQUIREMENTS.—The Secretary shall, with respect to a project funded by a grant under this section, apply—

(A) the requirements of title 23, United States Code, to a highway project;

(B) the requirements of chapter 53 of title 49, United States Code, to a public transportation project; and

(C) the requirements of section 22905 of title 49, United States Code, to a passenger rail or freight rail project.

(2) MULTIMODAL PROJECTS.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, if an eligible project is a multimodal project, the Secretary shall—

(i) determine the predominant modal component of the project; and

(ii) apply the applicable requirements of such predominant modal component to the project.

(B) EXCEPTIONS.—

(i) PASSENGER OR FREIGHT RAIL COMPONENT.—For any passenger or freight rail component of a project, the requirements of section 22907(j)(2) of title 49, United States Code, shall apply.

(ii) PUBLIC TRANSPORTATION COMPONENT.—For any public transportation component of a project, the requirements of section 5333 of title 49, United States Code, shall apply.

(C) BUY AMERICA.—In applying the Buy America requirements under section 313 of title 23, United States Code, and sections 5320, 22905(a), and 24305(f) of title 49, United States Code, to a multimodal project under this paragraph, the Secretary shall—

(i) consider the various modal components of the project; and

(ii) seek to maximize domestic jobs.

(m) TREATMENT OF FUNDS.—Except as provided in subsection (l), funds authorized for the purposes described in this section shall be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 1307. REBUILD RURAL BRIDGES PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a rebuild rural bridges program to improve the safety and state of good repair of bridges in rural communities.

(b) GRANT AUTHORITY.—In carrying out the program established in subsection (a), the Secretary shall make grants, on a competitive basis, to eligible applicants in accordance with this section.

(c) APPLICATIONS.—To be eligible for a grant under this section, an eligible entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary determines appropriate.

(d) ELIGIBLE PROJECTS.—The Secretary—

(1) shall provide grants under this section to projects eligible under title 23, United States Code, including projects on and off of the Federal-aid highway system, to inspect, replace, rehabilitate, or preserve—

(A) an off-system bridge;

(B) a bridge on Tribal land; or

(C) a bridge in poor condition located in a rural community; and

(2) may provide a grant for a bundle of bridges described in paragraph (1).

(e) ELIGIBLE PROJECT COSTS.—A recipient of a grant under this section may use such grant for—

(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities;

(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, and construction contingencies; and

(3) bridge inspection, evaluation, and preservation.

(f) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of a project carried out using a grant under this section may not exceed 80 percent of the total cost of such project.

(2) MAXIMUM FEDERAL ASSISTANCE.—Federal assistance other than a grant under this section may be used to satisfy up to 100 percent of the total cost of such project.

(g) CONSIDERATIONS.—In making grants under this section, the Secretary shall consider—

(1) whether the project can be completed without additional Federal funding or financial assistance available to the project sponsor, beyond existing Federal apportionments; and

(2) the level of benefits the project is expected to generate, including—

(A) the costs avoided by the prevention of closure or reduced use of the asset to be improved by the project;

(B) reductions in maintenance costs over the life of the asset;

(C) safety benefits, including the reduction of accidents and related costs; and

(D) benefits to the economy of the rural or Tribal community.

(h) INVESTMENTS IN COLONIAS.—

(1) IN GENERAL.—Of the grants made available under this section, for fiscal years 2023 through 2026, a total of not less than $10,000,000 shall be made available to provide grants that improve the safety, state of good repair, or connectivity through bridge investments in and providing access to, colonias.

(2) COLONIA DEFINED.—In this section, the term ''colonia'' means any identifiable community that—

(A) is in the State of Arizona, California, New Mexico, or Texas;

(B) is in the area of the United States within 150 miles of the border between the United States and Mexico, except that the term does not include any standard metropolitan statistical area that has a population exceeding 1,000,000;

(C) is determined to be a colonia on the basis of objective criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing; and

(D) was in existence as a colonia before November 28, 1990.

(i) NOTIFICATION.—Not later than 3 business days before awarding a grant under this section, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of the intention to award such a grant.

(j) DEFINITIONS.—In this section:

(1) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means—

(A) a State;

(B) a metropolitan planning organization or a regional transportation planning organization;

(C) a unit of local government;

(D) a Federal land management agency;

(E) an Indian Tribe or Tribal organization;

(F) a territory; and

(G) a multijurisdictional group of entities described in subparagraph (A) through (F).

(2) OFF SYSTEM BRIDGE.—The term ''off-system bridge'' has the meaning given such term in section 133(f) of title 23, United States Code, (as added by this Act).

(3) RURAL COMMUNITY.—The term ''rural community'' means an area that is not an urbanized area, as such term is defined in section 101(a) of title 23, United States Code.

SEC. 1308. PARKING FOR COMMERCIAL MOTOR VEHICLES.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a program under which the Secretary shall make grants, on a competitive basis, to eligible entities to address the shortage of parking for commercial motor vehicles to improve the safety of commercial motor vehicle operators.

(b) APPLICATIONS.—To be eligible for a grant under this section, an eligible entity shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require.

(c) ELIGIBLE PROJECTS.—Projects eligible under this section are projects that—

(1) construct safety rest areas that include parking for commercial motor vehicles;

(2) construct commercial motor vehicle parking facilities—

(A) adjacent to private commercial truckstops and travel plazas;

(B) within the boundaries of, or adjacent to, a publicly owned freight facility, including a port terminal operated by a public authority; and

(C) at existing facilities, including inspection and weigh stations and park-and-ride locations;

(3) open existing weigh stations, safety rest areas, and park-and-ride facilities to commercial motor vehicle parking;

(4) facilitate access to publicly and privately provided commercial motor vehicle parking, such as through the use of intelligent transportation systems;

(5) construct turnouts along a Federal-aid highway for commercial motor vehicles;

(6) make capital improvements to public commercial motor vehicle parking facilities that are closed on a seasonal basis to allow the facilities to remain open year-round;

(7) open existing commercial motor vehicle chain-up areas that are closed on a seasonal basis to allow the facilities to remain open year-round for commercial motor vehicle parking;

(8) address commercial motor vehicle parking and layover needs in emergencies that strain the capacity of existing publicly and privately provided commercial motor vehicle parking; and

(9) make improvements to existing commercial motor vehicle parking facilities, including advanced truckstop electrification systems.

(d) USE OF FUNDS.—

(1) IN GENERAL.—An eligible entity may use a grant under this section for—

(A) development phase activities, including planning, feasibility analysis, benefit-cost analysis, environmental review, preliminary engineering and design work, and other preconstruction activities necessary to advance a project described in subsection (c); and

(B) construction and operational improvements, as such terms are defined in section 101 of title 23, United States Code.

(2) PRIVATE SECTOR PARTICIPATION.—An eligible entity that receives a grant under this section may partner with a private entity to carry out an eligible project under this section.

(3) LIMITATION.—Not more than 10 percent of the amounts made available to carry out this section may be used to promote the availability of existing commercial motor vehicle parking.

(e) SELECTION CRITERIA.—In making grants under this section, the Secretary shall consider—

(1) in the case of construction of new commercial motor vehicle parking capacity, the shortage of public and private commercial motor vehicle parking near the project; and

(2) the extent to which each project—

(A) would increase commercial motor vehicle parking capacity or utilization;

(B) would facilitate the efficient movement of freight;

(C) would improve safety, traffic congestion, and air quality;

(D) is cost effective; and

(E) reflects consultation with motor carriers, commercial motor vehicle operators, and private providers of commercial motor vehicle parking.

(f) NOTIFICATION OF CONGRESS.—Not later than 3 business days before announcing a project selected to receive a grant under this section, the Secretary of Transportation shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of the intention to award such a grant.

(g) FEDERAL SHARE.—The Federal share of the cost of a project under this section shall be determined in accordance with subsections (b) and (c) of section 120 of title 23, United States Code.

(h) PROHIBITION ON CHARGING FEES.—To be eligible for a grant under this section, an eligible entity shall certify that no fees will be charged for the use of a project assisted with such grant.

(i) AMENDMENT TO MAP–21.—Section 1401(c)(1) of MAP–21 (23 U.S.C. 137 note) is amended—

(1) by inserting ''and private providers of commercial motor vehicle parking'' after ''personnel''; and

(2) in subparagraph (A) by striking ''the capability of the State to provide'' and inserting ''the availability of''.

(j) SURVEY; COMPARATIVE ASSESSMENT; REPORT.—

(1) UPDATE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall update the survey of each State required under section 1401(c)(1) of the MAP–21 (23 U.S.C. 137 note).

(2) REPORT.—Not later than 1 year after the deadline under paragraph (1), the Secretary shall publish on the website of the Department of Transportation a report that—

(A) evaluates the availability of adequate parking and rest facilities for commercial motor vehicles engaged in interstate transportation;

(B) evaluates the effectiveness of the projects funded under this section in improving access to commercial motor vehicle parking; and

(C) reports on the progress being made to provide adequate commercial motor vehicle parking facilities in the State.

(3) CONSULTATION.—The Secretary shall prepare the report required under paragraph (2) in consultation with—

(A) relevant State motor carrier safety personnel;

(B) motor carriers and commercial motor vehicle operators; and

(C) private providers of commercial motor vehicle parking.

(k) DEFINITIONS.—In this section:

(1) COMMERCIAL MOTOR VEHICLE.—The term ''commercial motor vehicle'' has the meaning given such term in section 31132 of title 49, United States Code.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State;

(B) a metropolitan planning organization;

(C) a unit of local government;

(D) a political subdivision of a State or local government carrying out responsibilities relating to commercial motor vehicle parking; and

(E) a multistate or multijurisdictional group of entities described in subparagraphs (A) through (D).

(3) SAFETY REST AREA.—The term ''safety rest area'' has the meaning given such term in section 120(c) of title 23, United States Code.

SEC. 1309. ACTIVE CONNECTED TRANSPORTATION GRANT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish an active connected transportation grant program to provide for safe and connected active transportation networks and active transportation connectors.

(b) GRANT AUTHORITY.—In carrying out the program established in subsection (a), the Secretary shall make grants, on a competitive basis, in accordance with this section.

(c) ELIGIBLE APPLICANTS.—The Secretary may make a grant under this section to—

(1) a State;

(2) a metropolitan planning organization;

(3) a regional transportation authority;

(4) a unit of local government, including a county or multi-county special district;

(5) a Federal land management agency;

(6) a natural resource or public land agency;

(7) an Indian Tribe or Tribal organization;

(8) any local or regional governmental entity with responsibility for or oversight of transportation or recreational trails; and

(9) a multistate or multijurisdictional group of entities described in this subsection.

(d) APPLICATIONS.—To be eligible for a grant under this section, an entity specified under subsection (c) shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary determines appropriate.

(e) ELIGIBLE PROJECTS.—The Secretary shall provide grants under this section to projects that improve the connectivity and the use of active transportation facilities—

(1) including—

(A) active transportation networks;

(B) active transportation connectors; and

(C) planning related to the development of—

(i) active transportation networks;

(ii) active transportation connectors; and

(iii) vision zero plans or complete streets prioritization plans under section 1601; and

(2) that have—

(A) total project costs of not less than $15,000,000; or

(B) in the case of planning grants under subsection (f)(2), a total cost of not less than $100,000.

(f) USE OF FUNDS.—

(1) IN GENERAL.—Of the amounts made available to carry out this section for fiscal years 2023 through 2026 and except as provided in paragraph (2), the Secretary shall obligate—

(A) not less than 30 percent to eligible projects that construct active transportation networks; and

(B) not less than 30 percent to eligible projects that construct active transportation connectors.

(2) PLANNING GRANTS.—Of the amounts made available to carry out this section for fiscal years 2023 through 2026, the Secretary may use not more than 10 percent to provide planning grants to eligible applicants for activities under subsection (e)(1)(C).

(g) CONSIDERATIONS.—In making grants under this section, the Secretary shall consider the extent to which—

(1) a project is likely to provide substantial additional opportunities for active transportation, including walking and bicycling, including through the creation of—

(A) active transportation networks connecting destinations within or between communities, including between schools, workplaces, residences, businesses, recreation areas, and other community areas; and

(B) active transportation connectors connecting 2 or more communities, metropolitan areas, or States, including greenway paths;

(2) an applicant has adequately considered or will consider, including through the opportunity for public comment, the environmental justice and equity impacts of the project;

(3) the project would improve safety for vulnerable road users, including through the use of complete street design policies or a safe system approach; and

(4) a project integrates active transportation facilities with public transportation services, where available, to improve access to public transportation.

(h) LIMITATION.—

(1) IN GENERAL.—The share of the cost of a project assisted with a grant under this section may not exceed 80 percent.

(2) MAXIMUM FEDERAL ASSISTANCE.—Federal assistance other than a grant under this section may be used to satisfy up to 100 percent of the total project cost.

(i) ELIGIBLE PROJECT COSTS.—Amounts made available for a project under this section may be used for—

(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

(2) construction, reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements.

(j) NOTIFICATION.—Not later than 3 business days before awarding a grant under this section, the Secretary of Transportation shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of the intention to award such a grant.

(k) DEFINITIONS.—In this section:

(1) ACTIVE TRANSPORTATION NETWORK.—The term ''active transportation network'' means facilities built for alternative methods of transportation to motor vehicles for individuals, including sidewalks, bikeways, and pedestrian and bicycle trails, that connect destinations within an area covered by a unit of local government, a county, a community, including a community on Federal lands, or a metropolitan area.

(2) ACTIVE TRANSPORTATION CONNECTOR.—The term ''active transportation connector'' means facilities built for alternative methods of transportation to motor vehicles for individuals, including sidewalks, bikeways, and pedestrian and bicycle trails, that connect 2 or more active transportation networks or connect communities, areas covered by a unit of local government, counties, metropolitan areas, Federal lands, or States.

(3) GREENWAY PATH.—The term ''greenway path'' means an active transportation connector that—

(A) crosses jurisdictional boundaries, including State lines, and provides for connectivity between multiple communities, counties, metropolitan areas, or States; or

(B) is a component of a regionally or nationally significant network.

(4) SAFE SYSTEM APPROACH.—The term ''safe system approach'' has the meaning given such term in section 148(a) of title 23, United States Code.

(5) VULNERABLE ROAD USER.—The term ''vulnerable road user'' has the meaning given such term in section 148(a) of title 23, United States Code.

SEC. 1310. WILDLIFE CROSSINGS PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish a competitive wildlife crossings grant program (referred to in this section as the ''program'') to provide grants for projects that seek to achieve—

(1) a reduction in the number of wildlife-vehicle collisions; and

(2) improved habitat connectivity for terrestrial and aquatic species.

(b) ELIGIBLE ENTITIES.—The Secretary may make grants under the program to the following entities:

(1) A State.

(2) An Indian Tribe or Tribal organization.

(3) A territory.

(4) A Federal land management agency described in section 203(b) of title 23, United States Code.

(5) A group of entities described in paragraphs (1) through (4).

(c) APPLICATIONS.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(d) CONSIDERATIONS.—In selecting grant recipients under the program, the Secretary shall consider the following:

(1) PRIMARY CRITERIA.—The extent to which the proposed project is likely to protect motorists and wildlife by reducing the number of wildlife-vehicle collisions and improve habitat connectivity for terrestrial and aquatic species.

(2) SECONDARY CRITERIA.—

(A) The resilience benefits of the project.

(B) The extent to which the project incorporates climate science, including expected changes in migration patterns.

(C) The extent to which the project sponsor has coordinated with the relevant State agency with jurisdiction over fish and wildlife, if appropriate.

(D) In the case of a project involving species listed as threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), whether the project sponsor has coordinated with the United States Fish and Wildlife Service.

(E) Other ecological benefits of the project, including—

(i) reductions in stormwater runoff and other water pollution; and

(ii) the benefits of improved habitat connectivity for pollinators and the use of natively appropriate grasses.

(F) Whether the project supports local economic development and improvement of visitation opportunities.

(G) The extent to which the project incorporates innovative technologies, including advanced design techniques and other strategies to enhance efficiency and effectiveness in reducing wildlife-vehicle collisions and improving habitat connectivity for terrestrial and aquatic species.

(H) The extent to which the project provides educational and outreach opportunities.

(I) Whether the project will further research to evaluate, compare effectiveness of, and identify best practices in selected projects.

(J) How the benefits compare to the costs of the project.

(K) Any other criteria relevant to reducing the number of wildlife-vehicle collisions and improving habitat connectivity for terrestrial and aquatic species, as the Secretary determines to be appropriate.

(e) ELIGIBLE PROJECT COSTS.—Grant amounts for a project under this section may be used for—

(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities;

(2) construction (including construction of protective features), reconstruction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, acquisition of equipment, and operational improvements; and

(3) planning and technical assistance activities consistent with section 5107 of title 49, United States Code, including—

(A) data collection on wildlife-vehicle collisions;

(B) integration of State, Tribal, territorial, regional, or Federal wildlife conservation plans and data collection with transportation planning and project selection;

(C) technical assistance, including workforce development training, on reducing wildlife-vehicle collisions and improving habitat connectivity for terrestrial and aquatic species; and

(D) education and public outreach to reduce wildlife-vehicle collisions.

(f) PARTNERSHIPS.—

(1) IN GENERAL.—A grant received under the program may be used to provide funds to an eligible partner as a subrecipient, in accordance with the terms of the project agreement and subject to the requirements of this section.

(2) ELIGIBLE PARTNER DEFINED.—In this section, the term ''eligible partner'' means—

(A) an eligible entity described in subsection (b);

(B) a metropolitan planning organization;

(C) a unit of local government;

(D) a regional transportation authority;

(E) a special purpose district or public authority with a transportation function, including a port authority;

(F) a non-profit entity or institution of higher education; or

(G) a Federal, Tribal, regional, State, or local governmental entity not described in subsection (b).

(g) REQUIREMENTS.—

(1) RURAL PROJECTS.—The Secretary shall reserve not less than 50 percent of the amounts made available under this section for projects located in a rural community.

(2) RESILIENCE.—A project under this section shall be designed to ensure resilience over the anticipated service life of the asset.

(3) LIMITATION.—The Secretary may not award more than 10 percent of the amounts made available under this section for grants that propose only activities described in subsection (e)(3).

(h) NOTIFICATION.—Not later than 3 business days before awarding a grant under this section, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of the intention to award such a grant.

(i) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than December 31 of each calendar year, the Secretary shall publish, on the website of the Department of Transportation, a report describing the activities under the program for the fiscal year that ends during that calendar year.

(2) CONTENTS.—The report under paragraph (1) shall include—

(A) a detailed description of the activities carried out under the program;

(B) an evaluation of the effectiveness of the program in meeting the purposes described in subsection (b); and

(C) policy recommendations, if any, to improve the effectiveness of the program.

(j) DEFINITIONS.—In this section:

(1) PROTECTIVE FEATURES.—The term ''protective features'' has the meaning given such term in section 101 of title 23, United States Code.

(2) RESILIENCE.—The term ''resilience'' has the meaning given that term in section 101 of title 23, United States Code.

(3) RURAL COMMUNITY.—The term ''rural community'' means any area of a State or territory that is not an urbanized area, as such term is defined in section 101 of title 23, United States Code.

(4) SECRETARY.—The term ''Secretary'' has the meaning given such term in section 101 of title 23, United States Code.

(5) STATE.—The term ''State'' has the meaning given such term in section 101 of title 23, United States Code.

SEC. 1311. RECONNECTING NEIGHBORHOODS PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a reconnecting neighborhoods program under which an eligible entity may apply for funding in order to identify, remove, replace, retrofit, or remediate the effects from eligible facilities and restore or improve connectivity, mobility, and access in disadvantaged and underserved communities, including—

(1) studying the feasibility and impacts of removing, retrofitting, or remediating the effects on community connectivity from an existing eligible facility;

(2) conducting preliminary engineering and final design activities for a project to remove, retrofit, or remediate the effects on community connectivity from an existing eligible facility;

(3) conducting construction activities necessary to carry out a project to remove, retrofit, or remediate the effects on community connectivity from an existing eligible facility; and

(4) ensuring any activities carried out under this section—

(A) focus on improvements that will benefit the populations impacted by or previously displaced by the eligible facility; and

(B) emphasize equity by garnering community engagement, avoiding future displacement, and ensuring local participation in the planning process.

(b) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—The Secretary may award a planning grant or a capital construction grant to—

(A) a State;

(B) a unit of local government;

(C) an Indian Tribe or Tribal organization;

(D) a territory;

(F) a metropolitan planning organization;

(G) a transit agency;

(H) a special purpose district with a transportation function; and

(I) a group of entities described in this paragraph.

(2) PARTNERSHIPS.—An eligible entity may enter into an agreement with the following entities to carry out the eligible activities under this section:

(A) A nonprofit organization.

(B) An institution of higher education, as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), including historically black colleges and universities, defined as the term ''Predominantly Black institution'' is defined in section 371(c) of the Higher Education Act of 1965 (20 U.S.C. 1067q(c)).

(c) PLANNING GRANTS.—

(1) IN GENERAL.—The Secretary may award grants (referred to in this section as a ''planning grants'') to carry out planning activities described in paragraph (2).

(2) ELIGIBLE ACTIVITIES DESCRIBED.—The planning activities referred to in paragraph (1) are—

(A) planning studies to evaluate the feasibility of removing, retrofitting, or remediating an existing eligible facility to restore community connectivity, including evaluations of—

(i) current traffic patterns on the eligible facility proposed for removal, retrofit, or remediation and the surrounding street network;

(ii) the capacity of existing transportation networks to maintain mobility needs;

(iii) an analysis of alternative roadway designs or other uses for the right-of-way of the eligible facility, including an analysis of whether the available right-of-way would suffice to create an alternative roadway design;

(iv) the effect of the removal, retrofit, or remediation of the eligible facility on the mobility of freight and people;

(v) the effect of the removal, retrofit, or remediation of the eligible facility on the safety of the traveling public;

(vi) the cost to remove, retrofit, or remediate the eligible facility—

(I) to restore community connectivity; and

(II) to convert the eligible facility to a roadway design or use that increases safety, mobility, and access for all users, compared to any expected costs for necessary maintenance or reconstruction of the eligible facility; and

(vii) the environmental impacts of retaining or reconstructing the eligible facility and the anticipated effect of the proposed alternative use or roadway design;

(B) public engagement activities to provide opportunities for public input into a plan to remove, replace, retrofit, or remediate the effects from an eligible facility, including—

(i) building organizational or community capacity to, and educating community members on how to, engage in and contribute to eligible planning activities described in subsection (c)(2);

(ii) identifying community needs and desires for community improvements and developing community driven solutions in carrying out eligible planning activities described in subsection (c)(2);

(iii) conducting assessments of equity, mobility and access, environmental justice, affordability, economic opportunity, health outcomes, and other local goals to be used in carrying out eligible planning activities described in subsection (c)(2); and

(iv) forming a community advisory board in accordance with subsection (d)(7);

(C) other transportation planning activities required in advance of a project to remove, retrofit, or remediate an existing eligible facility to restore community connectivity, as determined by the Secretary;

(D) evaluating land use and zoning changes necessary to improve equity and maximize transit-oriented development in connection with project eligible for a capital construction grant, including activities eligible under section 5327 of title 49, United States Code; and

(E) establishment of anti-displacement and equitable neighborhood revitalization strategies in connection with project eligible for a capital construction grant, including establishment of a community land trust for land acquisition, land banking, and equitable transit-oriented development.

(3) TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—The Secretary may provide technical assistance described in subparagraph (B) to an eligible entity.

(B) TECHNICAL ASSISTANCE DESCRIBED.—The technical assistance referred to in subparagraph (A) is technical assistance in building organizational or community capacity—

(i) to conduct transportation planning; and

(ii) to identify innovative solutions to challenges posed by existing eligible facilities, including reconnecting communities that—

(I) are bifurcated by eligible facilities; or

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

(4) SELECTION.—The Secretary shall—

(A) solicit applications for—

(i) planning grants;

(ii) technical assistance under paragraph (3); and

(iii) the activities would benefit populations impacted by or previously displaced by an eligible facility; and

(B) evaluate applications for a planning grant on the basis of the demonstration by the applicant that—

(i) the eligible facility—

(I) creates barriers to mobility, access, or economic development; or

(II) is not justified by current and forecast future travel demand; and

(ii) on the basis of preliminary assessment into the feasibility of removing, retrofitting, or remediating the eligible facility to restore community connectivity, and increase safety, mobility, and access for all users, further planning activities are necessary and likely to be productive.

(5) AWARD AMOUNTS.—A planning grant may not exceed $2,000,000 for any recipient.

(6) FEDERAL SHARE.—The total Federal share of the cost of a planning activity for which a planning grant is used may not exceed 80 percent.

(d) CAPITAL CONSTRUCTION GRANTS.—

(1) ELIGIBLE ENTITIES.—The Secretary may award grants (referred to in this section as a ''capital construction grants'') to eligible entities to carry out eligible projects described in paragraph (3).

(2) PARTNERSHIPS.—In the case that the owner of an eligible facility that is the subject of the capital construction grant is not an eligible entity, an eligible entity shall demonstrate the existence of a partnership with the owner of the eligible facility.

(3) ELIGIBLE PROJECTS.—A project eligible to be carried out with a capital construction grant includes the following:

(A) The removal, retrofit, or remediation of the effects on community connectivity from of an eligible facility.

(B) The replacement of an eligible facility with a new facility that—

(i) restores community connectivity;

(ii) employs context sensitive solutions appropriate for the surrounding community; and

(iii) is otherwise eligible for funding under title 23, United States Code.

(C) Support for community partnerships, including a community advisory board described under paragraph (7), in connection with a capital construction grant awarded under this subsection.

(D) Other activities required to remove, replace, retrofit, or remediate an existing eligible facility, as determined by the Secretary.

(4) SELECTION.—The Secretary shall—

(A) solicit applications for capital construction grants;

(B) evaluate applications on the basis of—

(i) the degree to which the project will improve mobility and access through the removal of barriers;

(ii) the appropriateness of removing, retrofitting, or remediating the effects on community connectivity from the eligible facility, based on current traffic patterns and the ability of the project and the regional transportation network to absorb transportation demand and provide safe mobility and access;

(iii) the impact of the project on freight movement;

(iv) the results of a cost-benefit analysis of the project;

(v) the extent to which the grantee has plans for inclusive economic development in place, including the existing land use and whether the zoning provides for equitable and transit-oriented development of underutilized land;

(vi) the degree to which the eligible facility is out of context with the current or planned land use;

(vii) the results of any feasibility study completed for the project;

(viii) whether the eligible facility is likely to need replacement or significant reconstruction within the 20-year period beginning on the date of the submission of the application;

(ix) whether the project is consistent with the relevant long-range transportation plan and included in the relevant statewide transportation improvement program;

(x) whether the project is consistent with, and how the project would impact, the relevant transportation performance management targets; and

(xi) the extent to which the project benefits populations impacted by or previously displaced by the eligible facility;

(C) ensure that the project has conducted sufficient community engagement, such as the activities described in subsection (c)(2)(B); and

(D) ensure that the jurisdiction in which the eligible facility is located has an anti-displacement policy or a community land trust in place.

(5) MINIMUM AWARD AMOUNTS.—A capital construction grant shall be in an amount not less than $5,000,000 for each recipient.

(6) FEDERAL SHARE.—

(A) IN GENERAL.—Subject to subparagraph (B), the Federal share of the total cost of a project carried out using a capital construction grant may not exceed 80 percent.

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

(7) COMMUNITY ADVISORY BOARD.—

(A) IN GENERAL.—To help achieve inclusive economic development benefits with respect to the project for which a grant is awarded, a grant recipient may form a community advisory board, which, if formed, shall—

(i) facilitate community engagement with respect to the project; and

(ii) track progress with respect to commitments of the grant recipient to inclusive employment, contracting, and economic development under the project.

(B) MEMBERSHIP.—If a grant recipient forms a community advisory board under subparagraph (A), the community advisory board shall be composed of representatives of—

(i) the community, including residents in the immediate vicinity of the project;

(ii) owners of businesses that serve the community;

(iii) labor organizations that represent workers that serve the community;

(iv) State and local government; and

(v) private and non-profit organizations that represent local community development.

(C) DIVERSITY.—The community advisory board shall be representative of the community served by the project.

(e) PRIORITIES.—In selecting recipients of planning grants, capital construction grants, and technical assistance under this section, the Secretary shall give priority to—

(1) an application from a community that is economically disadvantaged, including an environmental justice community, an underserved community, or a community located in an area of persistent poverty (as such term is defined in section 101 of title 23, United States Code); and

(2) an eligible entity that has—

(A) entered into a community benefits agreement with representatives of the community or formed a community advisory board under paragraph (7) of subsection (d);

(B) demonstrated a plan for employing residents in the area impacted by the activity or project through targeted hiring programs; and

(C) demonstrated a plan for improving transportation system access.

(f) ADMINISTRATIVE EXPENSES.—Of amounts made available to carry out this section, the Secretary may set aside not more than $5,000,000 in each fiscal year for the costs of administering the program under this section.

(g) TECHNICAL ASSISTANCE.—Of amounts made available to carry out this section, the Secretary may set aside not more than $5,000,000 in each fiscal year to provide technical assistance to eligible entities under subsection (c)(3).

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

(1) identifies and creates an online mapping tool showing any examples of potential projects to remove eligible facilities, and assesses the potential impacts of carrying out such projects; and

(2) assesses projects funded under subsection (d) to provide best practices.

(i) DEFINITIONS.—In this section:

(1) ANTI-DISPLACEMENT POLICY.—The term ''anti-displacement policy'' means a policy that limits the displacement of low-income, disadvantaged, and underserved communities from neighborhoods due to new investments in housing, businesses, and infrastructure.

(2) COMMUNITY LAND TRUST.—The term ''community land trust'' means a nonprofit organization established or with the responsibility, as applicable—

(A) to develop the real estate created by the removal or capping of an eligible facility; and

(B) to carry out anti-displacement or community development strategies, including—

(i) affordable housing preservation and development;

(ii) homeownership and property improvement programs;

(iii) the development or rehabilitation of park space or recreation facilities; and

(iv) community revitalization and economic development projects.

(3) ELIGIBLE FACILITY.—

(A) IN GENERAL.—The term ''eligible facility'' means a highway or other transportation facility that creates a barrier to community connectivity, including barriers to mobility, access, or economic development, due to high speeds, grade separations, or other design factors.

(B) INCLUSIONS.—In this section, the term ''eligible facility'' may include—

(i) a limited access highway;

(ii) a railway;

(iii) a viaduct;

(iv) a principal arterial facility; or

(v) any other transportation facility for which the high speeds, grade separation, or other design factors create an obstacle to connectivity.

SEC. 1312. APPRENTICESHIP UTILIZATION.

(a) IN GENERAL.—

(1) CERTIFICATION REQUIREMENT.—To receive a grant under sections 117 and 173 of title 23, United States Code, and section 1311 of this Act, each applicant shall include in a grant application a certification that such applicant will ensure that any contractor or subcontractor utilized in carrying out activities with such grant—

(A) meets or exceeds the apprenticeship employment goal; and

(B) to the extent practicable, employs qualified apprentices from traditionally underrepresented populations, including women and minorities, in meeting or exceeding such goal.

(2) EXCEPTIONS.—The Secretary may adjust the requirements of this section if the grant applicant—

(A) demonstrates a lack of availability of qualified apprentices in a specific geographic area; or

(B) makes a good faith effort to comply with the requirements of this section.

(b) REGULATIONS.—The Secretary shall have the authority to issue such regulations or other guidance, forms, instructions, and publications as may be necessary or appropriate to carry out the requirements of this section, including reporting requirements for applicants awarded a grant.

(c) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the utilization of qualified apprentices for projects carried out under sections 117 and 173 of title 23, United States Code, and section 1311 of this Act, that includes—

(1) the total number of labor hours fulfilled by qualified apprentices;

(2) the total number of qualified apprentices employed;

(3) the total number of grant recipients that met or exceeded the apprenticeship employment goal; and

(4) best practices utilized by grant recipients that met or exceeded the apprenticeship employment goal.

(d) PUBLIC TRANSPARENCY.—At the end of each fiscal year, the Secretary shall make available on a public website information on the utilization of qualified apprentices in the preceding fiscal year for each grant program under sections 117 and 173 of title 23, United States Code, and section 1311 of this Act, including—

(1) the total number of grant applicants that certified they would be able to meet or exceed the apprenticeship employment goal under subsection (a); and

(2) the total number of grants awarded for which applicants certified they would be able to meet or exceed the apprenticeship employment goal.

(e) DEFINITIONS.—In this section:

(1) APPRENTICESHIP EMPLOYMENT GOAL.—The term ''apprenticeship employment goal'' means the utilization of qualified apprentices for not less than 15 percent of the total labor hours used for construction activities for a project.

(2) QUALIFIED APPRENTICE.—The term ''qualified apprentice'' means an employee participating in an apprenticeship program that—

(A) is registered with the Office of Apprenticeship of the Employment Training Administration of the Department of Labor or a State apprenticeship agency recognized by such Office of Apprenticeship pursuant to the Act of August 16, 1937 (29 U.S.C. 50 et seq.; commonly known as the ''National Apprenticeship Act''); and

(B) satisfies the requirements of subpart A of part 29 and part 30 of title 29, Code of Federal Regulations.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

Subtitle D—Planning, Performance Management, and Asset Management

SEC. 1401. METROPOLITAN TRANSPORTATION PLANNING.

Section 134 of title 23, United States Code, is amended—

(1) in subsection (a) by striking ''resiliency needs while minimizing transportation-related fuel consumption and air pollution'' and inserting ''resilience and climate change adaptation needs while reducing transportation-related fuel consumption, air pollution, and greenhouse gas emissions'';

(2) in subsection (b)—

(A) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(B) by inserting after paragraph (5) the following:

''(6) STIP.—The term 'STIP' means a statewide transportation improvement program developed by a State under section 135(g).'';

(3) in subsection (c)—

(A) in paragraph (1) by striking ''and transportation improvement programs'' and inserting ''and TIPs''; and

(B) by adding at the end the following:

''(4) CONSIDERATION.—In developing the plans and TIPs, metropolitan planning organizations shall consider direct and indirect emissions of greenhouse gases.'';

(4) in subsection (d)—

(A) in paragraph (2) by striking ''Not later than 2 years after the date of enactment of MAP–21, each'' and inserting ''Each'';

(B) in paragraph (3) by adding at the end the following:

''(D) EQUITABLE AND PROPORTIONAL REPRESENTATION.—

''(i) IN GENERAL.—In designating officials or representatives under paragraph (2), the metropolitan planning organization shall ensure the equitable and proportional representation of the population of the metropolitan planning area.

''(ii) SAVINGS CLAUSE.—Nothing in this paragraph shall require a metropolitan planning organization in existence on the date of enactment of this subparagraph to be restructured.

''(iii) REDESIGNATION.—Notwithstanding clause (ii), the requirements of this paragraph shall apply to any metropolitan planning organization redesignated under paragraph (6).'';

(C) in paragraph (6)(B) by striking ''paragraph (2)'' and inserting ''paragraph (2) or (3)(D)''; and

(D) in paragraph (7)—

(i) by striking ''an existing metropolitan planning area'' and inserting ''an urbanized area''; and

(ii) by striking ''the existing metropolitan planning area'' and inserting ''the area'';

(5) in subsection (g)—

(A) in paragraph (1) by striking ''a metropolitan area'' and inserting ''an urbanized area'';

(B) in paragraph (2) by striking ''MPOS'' and inserting ''METROPOLITAN PLANNING AREAS'';

(C) in paragraph (3)(A) by inserting ''emergency response and evacuation, climate change adaptation and resilience,'' after ''disaster risk reduction,''; and

(D) by adding at the end the following:

''(4) COORDINATION BETWEEN MPOS.—

''(A) IN GENERAL.—If more than one metropolitan planning organization is designated within an urbanized area under subsection (d)(7), the metropolitan planning organizations designated within the area shall ensure, to the maximum extent practicable, the consistency of any data used in the planning process, including information used in forecasting transportation demand.

''(B) SAVINGS CLAUSE.—Nothing in this paragraph requires metropolitan planning organizations designated within a single urbanized area to jointly develop planning documents, including a unified long-range transportation plan or unified TIP.'';

(6) in subsection (h)(1)—

(A) by striking subparagraph (E) and inserting the following:

''(E) protect and enhance the environment, promote energy conservation, reduce greenhouse gas emissions, improve the quality of life and public health, and promote consistency between transportation improvements and State and local planned growth and economic development patterns, including housing and land use patterns;'';

(B) in subparagraph (I)—

(i) by inserting '', sea level rise, extreme weather, and climate change'' after ''stormwater''; and

(ii) by striking ''and'' at the end;

(C) by redesignating subparagraph (J) as subparagraph (M); and

(D) by inserting after subparagraph (I) the following:

''(J) support emergency management, response, and evacuation and hazard mitigation;

''(K) improve the level of transportation system access;

''(L) support inclusive zoning policies and land use planning practices that incentivize affordable, elastic, and diverse housing supply, facilitate long-term economic growth by improving the accessibility of housing to jobs, and prevent high housing costs from displacing economically disadvantaged households; and'';

(7) in subsection (h)(2) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—Through the use of a performance-based approach, transportation investment decisions made as a part of the metropolitan transportation planning process shall support the national goals described in section 150(b), the achievement of metropolitan and statewide targets established under section 150(d), the improvement of transportation system access (consistent with section 150(f)), and the general purposes described in section 5301 of title 49.'';

(8) in subsection (i)—

(A) in paragraph (2)(D)(i) by inserting ''reduce greenhouse gas emissions and'' before ''restore and maintain'';

(B) in paragraph (2)(G) by inserting ''and climate change'' after ''infrastructure to natural disasters'';

(C) in paragraph (2)(H) by inserting ''greenhouse gas emissions,'' after ''pollution,'';

(D) in paragraph (5)—

(i) in subparagraph (A) by inserting ''air quality, public health, housing, transportation, resilience, hazard mitigation, emergency management,'' after ''conservation,''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) ISSUES.—The consultation shall involve, as appropriate, comparison of transportation plans to other relevant plans, including, if available—

''(i) State conservation plans or maps; and

''(ii) inventories of natural or historic resources.''; and

(E) by amending paragraph (6)(C) to read as follows:

''(C) METHODS.—

''(i) IN GENERAL.—In carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable—

''(I) hold any public meetings at convenient and accessible locations and times;

''(II) employ visualization techniques to describe plans; and

''(III) make public information available in electronically accessible format and means, such as the internet, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

''(ii) ADDITIONAL METHODS.—In addition to the methods described in clause (i), in carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable—

''(I) use virtual public involvement, social media, and other web-based tools to encourage public participation and solicit public feedback; and

''(II) use other methods, as appropriate, to further encourage public participation of historically underrepresented individuals in the transportation planning process.'';

(9) in subsection (j) by striking ''transportation improvement program'' and inserting ''TIP'' each place it appears; and

(10) by striking ''Federally'' each place it appears and inserting ''federally''.

SEC. 1402. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

Section 135 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''statewide transportation improvement program'' and inserting ''STIP'';

(B) in paragraph (2)—

(i) by striking ''The statewide transportation plan and the'' and inserting the following:

''(A) IN GENERAL.—The statewide transportation plan and the'';

(ii) by striking ''transportation improvement program'' and inserting ''STIP''; and

(iii) by adding at the end the following:

''(B) CONSIDERATION.—In developing the statewide transportation plans and STIPs, States shall consider direct and indirect emissions of greenhouse gases.''; and

(C) in paragraph (3) by striking ''transportation improvement program'' and inserting ''STIP'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) by inserting ''reduce greenhouse gas emissions,'' after ''promote energy conservation,'';

(II) by inserting ''and public health'' after ''improve the quality of life''; and

(III) by inserting '', including housing and land use patterns'' after ''economic development patterns'';

(ii) in subparagraph (I)—

(I) by inserting '', sea level rise, extreme weather, and climate change'' after ''mitigate stormwater''; and

(II) by striking ''and'' after the semicolon;

(iii) by redesignating subparagraph (J) as subparagraph (M); and

(iv) by inserting after subparagraph (I) the following:

''(J) facilitate emergency management, response, and evacuation and hazard mitigation;

''(K) improve the level of transportation system access;

''(L) support inclusive zoning policies and land use planning practices that incentivize affordable, elastic, and diverse housing supply, facilitate long-term economic growth by improving the accessibility of housing to jobs, and prevent high housing costs from displacing economically disadvantaged households; and'';

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—Through the use of a performance-based approach, transportation investment decisions made as a part of the statewide transportation planning process shall support—

''(i) the national goals described in section 150(b);

''(ii) the consideration of transportation system access (consistent with section 150(f));

''(iii) the achievement of statewide targets established under section 150(d); and

''(iv) the general purposes described in section 5301 of title 49.''; and

(ii) in subparagraph (D) by striking ''statewide transportation improvement program'' and inserting ''STIP''; and

(C) in paragraph (3) by striking ''statewide transportation improvement program'' and inserting ''STIP'';

(3) in subsection (e)(3) by striking ''transportation improvement program'' and inserting ''STIP'';

(4) in subsection (f)—

(A) in paragraph (2)(D)—

(i) in clause (i) by inserting ''air quality, public health, housing, transportation, resilience, hazard mitigation, emergency management,'' after ''conservation,''; and

(ii) by amending clause (ii) to read as follows:

''(ii) COMPARISON AND CONSIDERATION.—Consultation under clause (i) shall involve the comparison of transportation plans to other relevant plans and inventories, including, if available—

''(I) State and tribal conservation plans or maps; and

''(II) inventories of natural or historic resources.'';

(B) in paragraph (3)(B)—

(i) by striking ''In carrying out'' and inserting the following:

''(i) IN GENERAL.—In carrying out'';

(ii) by redesignating clauses (i) through (iv) as subclauses (I) through (IV), respectively; and

(iii) by adding at the end the following:

''(ii) ADDITIONAL METHODS.—In addition to the methods described in clause (i), in carrying out subparagraph (A), the State shall, to the maximum extent practicable—

''(I) use virtual public involvement, social media, and other web-based tools to encourage public participation and solicit public feedback; and

''(II) use other methods, as appropriate, to further encourage public participation of historically underrepresented individuals in the transportation planning process.'';

(C) in paragraph (4)(A) by inserting ''reduce greenhouse gas emissions and'' after ''potential to''; and

(D) in paragraph (8) by inserting ''greenhouse gas emissions,'' after ''pollution,'';

(5) in subsection (g)—

(A) in paragraph (1)(A) by striking ''statewide transportation improvement program'' and inserting ''STIP'';

(B) in paragraph (3) by striking ''operators),,'' and inserting ''operators),'';

(C) in paragraph (4) by striking ''statewide transportation improvement program'' and inserting ''STIP'' each place it appears;

(D) in paragraph (5)—

(i) in subparagraph (A) by striking ''transportation improvement program'' and inserting ''STIP'';

(ii) in subparagraph (B)(ii) by striking ''metropolitan transportation improvement program'' and inserting ''TIP'';

(iii) in subparagraph (C) by striking ''transportation improvement program'' and inserting ''STIP'' each place it appears;

(iv) in subparagraph (E) by striking ''transportation improvement program'' and inserting ''STIP'';

(v) in subparagraph (F)(i) by striking ''transportation improvement program'' and inserting ''STIP'' each place it appears;

(vi) in subparagraph (G)(ii) by striking ''transportation improvement program'' and inserting ''STIP''; and

(vii) in subparagraph (H) by striking ''transportation improvement program'' and inserting ''STIP'';

(E) in paragraph (6)—

(i) in subparagraph (A)—

(I) by striking ''transportation improvement program'' and inserting ''STIP''; and

(II) by striking ''and projects carried out under the bridge program or the Interstate maintenance program''; and

(ii) in subparagraph (B)—

(I) by striking ''or under the bridge program or the Interstate maintenance program'';

(II) by striking ''5310, 5311, 5316, and 5317'' and inserting ''5310 and 5311''; and

(III) by striking ''statewide transportation improvement program'' and inserting ''STIP'';

(F) in paragraph (7)—

(i) in the heading by striking ''TRANSPORTATION IMPROVEMENT PROGRAM'' and inserting ''STIP''; and

(ii) by striking ''transportation improvement program'' and inserting ''STIP'';

(G) in paragraph (8) by striking ''statewide transportation plans and programs'' and inserting ''statewide transportation plans and STIPs''; and

(H) in paragraph (9) by striking ''transportation improvement program'' and inserting ''STIP'';

(6) in subsection (h)(2)(A) by striking ''Not later than 5 years after the date of enactment of the MAP–21,'' and inserting ''Not less frequently than once every 4 years,'';

(7) in subsection (k) by striking ''transportation improvement program'' and inserting ''STIP'' each place it appears; and

(8) in subsection (m) by striking ''transportation improvement programs'' and inserting ''STIPs''.

SEC. 1403. NATIONAL GOALS AND PERFORMANCE MANAGEMENT MEASURES.

(a) IN GENERAL.—Section 150 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1) by inserting ''or elimination'' after ''significant reduction'';

(B) by redesignating paragraph (7) as paragraph (8); and

(C) by inserting after paragraph (6) the following:

''(7) COMBATING CLIMATE CHANGE.—To reduce carbon dioxide and other greenhouse gas emissions and reduce the climate impacts of the transportation system.'';

(2) in subsection (c)—

(A) in paragraph (1) by striking ''Not later than 18 months after the date of enactment of the MAP–21, the Secretary'' and inserting ''The Secretary''; and

(B) by adding at the end the following:

''(7) GREENHOUSE GAS EMISSIONS.—The Secretary shall establish, in consultation with the Administrator of the Environmental Protection Agency, measures for States to use to assess—

''(A) carbon dioxide emissions per capita on public roads;

''(B) carbon dioxide emissions using different parameters than described in subparagraph (A) that the Secretary determines to be appropriate; and

''(C) any other greenhouse gas emissions on public roads that the Secretary determines to be appropriate.'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''Not later than 1 year after the Secretary has promulgated the final rulemaking under subsection (c), each'' and inserting ''Each''; and

(ii) by striking ''and (6)'' and inserting ''(6), and (7)''; and

(B) by adding at the end the following:

''(3) REGRESSIVE TARGETS.—

''(A) IN GENERAL.—A State may not establish a regressive target for the measures described under paragraph (4) or paragraph (7) of subsection (c).

''(B) REGRESSIVE TARGET DEFINED.—In this paragraph, the term 'regressive target' means a target that fails to demonstrate constant or improved performance for a particular measure.'';

(4) in subsection (e)—

(A) by striking ''Not later than 4 years after the date of enactment of the MAP–21 and biennially thereafter, a'' and inserting ''A''; and

(B) by inserting ''biennial'' after ''the Secretary a''; and

(5) by adding at the end the following:

''(f) TRANSPORTATION SYSTEM ACCESS.—

''(1) IN GENERAL.—The Secretary shall establish measures for States and metropolitan planning organizations to use to assess the level of safe, reliable, and convenient transportation system access to—

''(A) employment; and

''(B) services.

''(2) CONSIDERATIONS.—The measures established pursuant to paragraph (1) shall include the ability for States and metropolitan planning organizations to assess—

''(A) the change in the level of transportation system access for various modes of travel, including connection to other modes of transportation, that would result from new transportation investments;

''(B) the level of transportation system access for economically disadvantaged communities, including to affordable housing; and

''(C) the extent to which transportation access is impacted by zoning policies and land use planning practices that effect the affordability, elasticity, and diversity of the housing supply.

''(3) DEFINITION OF SERVICES.—In this subsection, the term 'services' includes healthcare facilities, child care, education and workforce training, food sources, banking and other financial institutions, and other retail shopping establishments.''.

(b) METROPOLITAN TRANSPORTATION PLANNING; TITLE 23.—Section 134 of title 23, United States Code, is further amended—

(1) in subsection (j)(2)(D)—

(A) by striking ''PERFORMANCE TARGET ACHIEVEMENT'' in the heading and inserting ''PERFORMANCE MANAGEMENT'';

(B) by striking ''The TIP'' and inserting the following:

''(i) IN GENERAL.—The TIP''; and

(C) by adding at the end the following:

''(ii) TRANSPORTATION MANAGEMENT AREAS.—For metropolitan planning areas that represent an urbanized area designated as a transportation management area under subsection (k), the TIP shall include—

''(I) a discussion of the anticipated effect of the TIP toward achieving the performance targets established in the metropolitan transportation plan, linking investment priorities to such performance targets; and

''(II) a description of how the anticipated effect of the TIP would improve the overall level of transportation system access, consistent with section 150(f).'';

(2) in subsection (k)—

(A) in paragraph (3)(A)—

(i) by striking ''shall address congestion management'' and inserting the following: ''shall address—

''(i) congestion management'';

(ii) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(ii) the overall level of transportation system access for various modes of travel within the metropolitan planning area, including the level of access for economically disadvantaged communities, consistent with section 150(f), that is based on a cooperatively developed and implemented metropolitan-wide strategy, assessing both new and existing transportation facilities eligible for funding under this title and chapter 53 of title 49.''; and

(B) in paragraph (5)(B)—

(i) in clause (i) by striking ''; and'' and inserting a semicolon;

(ii) in clause (ii) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) the TIP approved under clause (ii) makes progress towards improving the level of transportation system access, consistent with section 150(f).''; and

(3) in subsection (l)(2)—

(A) by striking ''5 years after the date of enactment of the MAP–21'' and inserting ''2 years after the date of enactment of the INVEST in America Act, and every 2 years thereafter'';

(B) in subparagraph (C) by striking ''and whether metropolitan planning organizations are developing meaningful performance targets; and'' and inserting a semicolon; and

(C) by striking subparagraph (D) and inserting the following:

''(D) a listing of all metropolitan planning organizations that are establishing performance targets and whether such performance targets established by the metropolitan planning organization are meaningful or regressive (as defined in section 150(d)(3)(B)); and

''(E) the progress of implementing the measure established under section 150(f).''.

(c) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING; TITLE 23.—Section 135(g)(4) of title 23, United States Code, is further amended—

(1) by striking ''PERFORMANCE TARGET ACHIEVEMENT'' in the heading and inserting ''PERFORMANCE MANAGEMENT'';

(2) by striking ''shall include, to the maximum extent practicable, a discussion'' and inserting the following: ''shall include—

''(A) a discussion'';

(3) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(B) a consideration of the anticipated effect of the STIP on the overall level of transportation system access, consistent with section 150(f).''.

(d) METROPOLITAN TRANSPORTATION PLANNING; TITLE 49.—Section 5303 of title 49, United States Code, is amended—

(1) in subsection (j)(2)(D)—

(A) by striking ''PERFORMANCE TARGET ACHIEVEMENT'' and inserting ''PERFORMANCE MANAGEMENT'';

(B) by striking ''The transportation improvement plan'' and inserting the following:

''(i) IN GENERAL.—The TIP''; and

(C) by adding at the end the following:

''(ii) TRANSPORTATION MANAGEMENT AREAS.—For metropolitan planning areas that represent an urbanized area designated as a transportation management area under subsection (k), the TIP shall include—

''(I) a discussion of the anticipated effect of the TIP toward achieving the performance targets established in the metropolitan transportation plan, linking investment priorities to such performance targets; and

''(II) a description of how the anticipated effect of the TIP would improve the overall level of transportation system access, consistent with section 150(f) of title 23.'';

(2) in subsection (k)—

(A) in paragraph (3)(A)—

(i) by striking ''shall address congestion management'' and inserting the following: ''shall address—

''(i) congestion management'';

(ii) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(ii) the overall level of transportation system access for various modes of travel within the metropolitan planning area, including the level of access for economically disadvantaged communities, consistent with section 150(f) of title 23, that is based on a cooperatively developed and implemented metropolitan-wide strategy, assessing both new and existing transportation facilities eligible for funding under this chapter and title 23.''; and

(B) in paragraph (5)(B)—

(i) in clause (i) by striking ''; and'' and inserting a semicolon;

(ii) in clause (ii) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) the TIP approved under clause (ii) makes progress towards improving the level of transportation system access, consistent with section 150(f) of title 23.''; and

(3) in subsection (l)(2)—

(A) by striking ''5 years after the date of enactment of the Federal Public Transportation Act of 2012'' and inserting ''2 years after the date of enactment of the INVEST in America Act, and every 2 years thereafter,'';

(B) in subparagraph (C) by striking ''and whether metropolitan planning organizations are developing meaningful performance targets; and'' and inserting a semicolon; and

(C) by striking subparagraph (D) and inserting the following:

''(D) a listing of all metropolitan planning organizations that are establishing performance targets and whether such performance targets established by the metropolitan planning organization are meaningful or regressive (as defined in section 150(d)(3)(B) of title 23); and

''(E) the progress of implementing the measure established under section 150(f) of title 23.''.

(e) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING; TITLE 49.—Section 5304(g)(4) of title 49, United States Code, is amended—

(1) by striking ''PERFORMANCE TARGET ACHIEVEMENT'' and inserting ''PERFORMANCE MANAGEMENT'';

(2) by striking ''shall include, to the maximum extent practicable, a discussion'' and inserting the following: ''shall include—

''(A) a discussion'';

(3) by striking the period at the end and inserting ''; and'';

(4) by striking ''statewide transportation improvement program'' and inserting ''STIP'' each place it appears; and

(5) by adding at the end the following:

''(B) a consideration of the anticipated effect of the STIP on the overall level of transportation system access, consistent with section 150(f) of title 23.''.

(f) SAVINGS CLAUSE.—

(1) REGRESSIVE TARGETS.—The prohibition in the amendment made by subsection (a)(3)(B) shall apply to States beginning on the date that is 1 year before the subsequent State target and reporting deadlines related to safety performance management established pursuant to section 150 of title 23, United States Code.

(2) ACCESS PLANNING REQUIREMENTS.—The requirements in the amendments made by subsections (b), (c), (d), and (e) shall apply beginning on the date on which the requirements for the measure described in section 150(f) of title 23, United States Code, take effect.

(g) DEVELOPMENT OF GREENHOUSE GAS MEASURE.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue such regulations as are necessary to carry out paragraph (7) of section

150(c) of title 23, United States Code, as added by this Act.

(h) DEVELOPMENT OF TRANSPORTATION SYSTEM ACCESS MEASURE.—

(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish a working group to assess the provisions of paragraphs (1) and (2) of section 150(f) and make recommendations regarding the establishment of measures for States and metropolitan planning organizations to use to assess the level of transportation system access for various modes of travel, consistent with section 150(f) of title 23, United States Code.

(2) MEMBERS.—The working group established pursuant to paragraph (1) shall include representatives from—

(A) the Department of Transportation;

(B) State departments of transportation, including representatives that specialize in pedestrian and bicycle safety;

(C) the Bureau of Transportation Statistics;

(D) metropolitan planning organizations representing transportation management areas (as those terms are defined in section 134 of title 23, United States Code);

(E) other metropolitan planning organizations or local governments;

(F) providers of public transportation;

(G) nonprofit entities related to transportation, including relevant safety groups;

(H) experts in the field of transportation access data; and

(I) any other stakeholders, as determined by the Secretary.

(3) REPORT.—

(A) SUBMISSION.—Not later than 1 year after the establishment of the working group pursuant to paragraph (1), the working group shall submit to the Secretary a report of recommendations regarding the establishment of measures for States and metropolitan planning organizations to use to assess the level of transportation system access, consistent with section 150(f) of title 23, United States Code.

(B) PUBLICATION.—Not later than 30 days after the date on which the Secretary receives the report under subparagraph (A), the Secretary shall publish the report on a publicly accessible website of the Department of Transportation.

(4) RULEMAKING.—Not later than 2 years after the date on which the Secretary receives the report under paragraph (3), the Secretary shall issue such regulations as are necessary to implement the requirements of section 150(f) of title 23, United States Code.

(5) TERMINATION.—The Secretary shall terminate the working group established pursuant to paragraph (1) on the date on which the regulation issued pursuant to paragraph (4) takes effect.

(i) TRANSPORTATION SYSTEM ACCESS DATA.—

(1) IN GENERAL.—Not later than 90 days after the date on which the Secretary of Transportation establishes the measure required under section 150(f) of title 23, United States Code, the Secretary shall develop or procure eligible transportation system access data sets and analytical tools and make such data sets and analytical tools available to State departments of transportation and metropolitan planning areas that represent transportation management areas.

(2) REQUIREMENTS.—An eligible transportation system access data set and analytical tool shall have the following characteristics:

(A) The ability to quantify the level of safe, reliable, and convenient transportation system access to—

(i) employment;

(ii) services; and

(iii) connections to other modes of transportation.

(B) The ability to quantify transportation system access for various modes of travel, including—

(i) driving;

(ii) public transportation;

(iii) walking (including conveyance for persons with disabilities); and

(iv) cycling (including micromobility).

(C) The ability to disaggregate the level of transportation system access by various transportation modes by a variety of population categories, including—

(i) low-income populations;

(ii) minority populations;

(iii) age;

(iv) disability; and

(v) geographical location.

(D) The ability to assess the change in the level of transportation system access that would result from new transportation investments.

(3) CONSIDERATION.—An eligible transportation system access data set and analytical tool shall take into consideration safe and connected networks for walking, cycling, and persons with disabilities.

(j) DEFINITIONS.—In this section:

(1) TRANSPORTATION SYSTEM ACCESS.—The term ''transportation system access'' has the meaning given such term in section 101 of title 23, United States Code.

(2) SERVICES.—The term ''services'' has the meaning given such term in section 150(f) of title 23, United States Code.

SEC. 1404. TRANSPORTATION DEMAND DATA AND MODELING STUDY.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Transportation shall conduct a study on transportation demand data and modeling, including transportation demand forecasting, and make recommendations for developing and utilizing transportation and traffic demand models with a demonstrated record of accuracy.

(2) CONTENTS.—In carrying out the study under this section, the Secretary shall—

(A) collect observed transportation demand data and transportation demand forecasts from States and metropolitan planning organizations, including data and forecasts on—

(i) traffic counts;

(ii) transportation mode share and public transportation ridership; and

(iii) vehicle occupancy measures;

(B) compare the transportation demand forecasts with the observed transportation demand data gathered under subparagraph (A), including an analysis of the level of accuracy of forecasts and possible reasons for large discrepancies; and

(C) use the information described in subparagraphs (A) and (B) to—

(i) develop best practices and guidance for States and metropolitan planning organizations to use in forecasting transportation demand for future investments in transportation improvements;

(ii) evaluate the impact of transportation investments, including new roadway capacity, on transportation behavior and transportation demand, including public transportation ridership, induced highway transportation, and congestion;

(iii) support more accurate transportation demand forecasting by States and metropolitan planning organizations;

(iv) enhance the capacity of States and metropolitan planning organizations to—

(I) forecast transportation demand; and

(II) track observed transportation behavior responses, including induced transportation, to changes in transportation capacity, pricing, and land use patterns; and

(v) develop transportation demand management strategies to maximize the efficiency of the transportation system, improve mobility, reduce congestion, and lower vehicle emissions.

(3) COVERED ENTITIES.—In carrying out the study under this section, the Secretary shall ensure that data and forecasts described in paragraph (2)(A) are collected from—

(A) States;

(B) metropolitan planning organizations that serve an area with a population of 200,000 people or fewer; and

(C) metropolitan planning organizations that serve an area with a population of over 200,000 people.

(4) WORKING WITH THE PRIVATE SECTOR.—In carrying out this section, the Secretary may, and is encouraged to, procure additional data as necessary from university transportation centers, private sector providers, and other entities as is needed and may use funds authorized under section 503(b) of title 23, United States Code, for carrying out this paragraph.

(5) WORKING WITH AFFECTED COMMUNITIES.—In carrying out this section, the Secretary shall consult with, and collect data and input from, representatives of—

(A) the Department of Transportation;

(B) State departments of transportation;

(C) metropolitan planning organizations;

(D) local governments;

(E) providers of public transportation;

(F) nonprofit entities related to transportation, including safety, cycling, disability, and equity groups; and

(G) any other stakeholders, as determined by the Secretary.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report containing the findings of the study conducted under subsection (a).

(c) SECRETARIAL SUPPORT.—The Secretary shall seek opportunities to support the transportation planning processes under sections 134 and 135 of title 23, United States Code, through the provision of data to States and metropolitan planning organizations to improve the quality of transportation plans, models, and demand forecasts.

(d) UPDATE GUIDANCE AND REGULATIONS.—The Secretary shall—

(1) update Department of Transportation guidance and procedures to utilize best practices documented throughout the Federal program; and

(2) ensure that best practices included in the report are incorporated into appropriate regulations as such regulations are updated.

(e) CONTINUING IMPROVEMENT.—The Secretary shall set out a process to repeat the study under this section every 2 years as part of the conditions and performance report, including—

(1) progress in the accuracy of model projections;

(2) further recommendations for improvement; and

(3) further changes to guidance, regulation, and procedures required for the Department of Transportation to adopt best practices.

SEC. 1405. FISCAL CONSTRAINT ON LONG-RANGE TRANSPORTATION PLANS.

Not later than 1 year after the date of enactment of this Act, the Secretary shall amend section 450.324(f)(11)(v) of title 23, Code of Federal Regulations, to ensure that the outer years of a metropolitan transportation plan are defined as ''beyond the first 4 years''.

Subtitle E—Federal Lands, Tribes, and Territories

SEC. 1501. TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.

(a) IN GENERAL.—Section 165 of title 23, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) ANNUAL ALLOCATION.—For the Puerto Rico and territorial highway program, there shall be made available—

''(1) $340,000,000 for the Puerto Rico highway program under subsection (b) for each of fiscal years 2023 through 2026; and

''(2) for the territorial highway program under subsection (c)—

''(A) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(A) of the INVEST in America Act for fiscal year 2023;

''(B) an amount equivalent to 0.002 of the amount made available under section

1101(a)(1)(B) of the INVEST in America Act for fiscal year 2024;

''(C) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(C) of the INVEST in America Act for fiscal year 2025; and

''(D) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(D) of the INVEST in America Act for fiscal year 2026.'';

(2) in subsection (b)(2) by adding at the end the following:

''(D) TRANSFERABILITY.—Of the amounts described in clauses (i) and (ii) of subparagraph (C) for the Puerto Rico highway program, Puerto Rico may transfer not to exceed 50 percent in a fiscal year of such amounts for activities described in clause (iii) of such subparagraph.''.

(3) in subsection (c)(6)(A)—

(A) by redesignating clauses (iv), (v), (vi), and (vii) as clauses (v), (vi), (vii), and (viii), respectively; and

(B) by inserting after clause (iii) the following:

''(iv) Ferry boats and terminal facilities that are privately or majority privately owned, in accordance with paragraphs (1), (2), (4), (5), (6), and (7) of section 129(c), that provide a substantial public benefit.''; and

(4) by adding at the end the following:

''(d) PARTICIPATION OF TERRITORIES IN DISCRETIONARY PROGRAMS.—For any program in which the Secretary may allocate funds out of the Highway Trust Fund (other than the Mass Transit Account) to a State at the discretion of the Secretary, the Secretary may allocate funds to one or more territory for any project or activity that otherwise would be eligible under such program if such project or activity was being carried out in a State.''.

(b) ACCESS AND DEVELOPMENT ROADS.—Section 118(d) of title 23, United States Code, is amended by striking ''and the Commonwealth of Puerto Rico'' and inserting '', the Commonwealth of Puerto Rico, and any other territory of the United States''.

SEC. 1502. TRIBAL TRANSPORTATION PROGRAM.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1) by striking ''improving deficient'' and inserting ''the construction and reconstruction of'';

(B) in paragraph (2)—

(i) in subparagraph (A) by inserting ''construct,'' after ''project to''; and

(ii) in subparagraph (B)—

(I) by striking ''deficient''; and

(II) by inserting ''in poor condition'' after ''facility bridges''; and

(C) in paragraph (3)—

(i) in the heading by striking ''ELIGIBLE BRIDGES'' and inserting ''ELIGIBILITY FOR EXISTING BRIDGES'';

(ii) by striking ''a bridge'' and inserting ''an existing bridge''; and

(iii) in subparagraph (C) by striking ''structurally deficient or functionally obsolete'' and inserting ''in poor condition''; and

(2) in subsection (e) by striking ''for eligible projects described in section 148(a)(4).'' and inserting the following: ''for—

''(A) eligible projects described in section 148(a)(4);

''(B) projects to promote public awareness and education concerning highway safety matters (including bicycle, all-terrain, motorcyclist, and pedestrian safety); or

''(C) projects to enforce highway safety laws.''.

SEC. 1503. TRIBAL HIGH PRIORITY PROJECTS PROGRAM.

(a) TRIBAL TRANSPORTATION PROGRAM.—Section 202 of title 23, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) TRIBAL HIGH PRIORITY PROJECTS PROGRAM.—Before making any distribution under subsection (b), the Secretary shall set aside $50,000,000 from the funds made available under the tribal transportation program for each fiscal year to carry out the Tribal High Priority Projects program under section 1123 of MAP–21 (23 U.S.C. 202 note).''.

(b) TRIBAL HIGH PRIORITY PROJECTS PROGRAM.—Section 1123 of MAP–21 (23 U.S.C. 202 note) is amended—

(1) in subsection (a)(1)(C) by striking ''required by that section'' and inserting ''required under such program'';

(2) in subsection (b)(1) by striking ''use amounts made available under subsection (h) to'';

(3) in subsection (d)—

(A) in paragraph (2) by inserting '', in consultation with the Secretary of the Interior,'' after ''The Secretary''; and

(B) in paragraph (3) by striking ''of the Interior'' each place it appears;

(4) in subsection (f) by striking ''$1,000,000'' and inserting ''$5,000,000'';

(5) in subsection (g) by striking ''and the Secretary'' and inserting ''or the Secretary''; and

(6) by striking subsection (h) and inserting the following:

''(h) ADMINISTRATION.—The funds made available to carry out this section shall be administered in the same manner as funds made available for the Tribal transportation program under section 202 of title 23, United States Code.''.

SEC. 1504. FEDERAL LANDS TRANSPORTATION PROGRAM.

(a) IN GENERAL.—Section 203(a) of title 23, United States Code, is amended by adding at the end the following:

''(6) TRANSFER FOR HIGH-COMMUTER CORRIDORS.—

''(A) REQUEST.—If the head of a covered agency determines that a high-commuter corridor requires additional investment, based on the criteria described in subparagraph (D), the head of a covered agency, with respect to such corridor, shall submit to the State—

''(i) information on condition of pavements and bridges;

''(ii) an estimate of the amounts needed to bring such corridor into a state of good repair, taking into consideration any planned future investments; and

''(iii) at the discretion of the head of a covered agency, a request that the State transfer to the covered agency, under the authority of section 132 or section 204, or to the Federal Highway Administration, under the authority of section 104, a portion of such amounts necessary to address the condition of the corridor.

''(B) STATE RESPONSE.—Not later than 45 days after the date of receipt of the request described in subparagraph (A)(iii), the State shall—

''(i) approve the request;

''(ii) deny the request and explain the reasons for such denial; or

''(iii) request any additional information necessary to take action on the request.

''(C) NOTIFICATION TO THE SECRETARY.—The head of a covered agency shall provide to the Secretary a copy of any request described under subparagraph (A)(iii) and response described under subparagraph (B).

''(D) CRITERIA.—In making a determination under subparagraph (A), the head of a covered agency, with respect to the corridor, shall consider—

''(i) the condition of roads, bridges, and tunnels; and

''(ii) the average annual daily traffic.

''(E) DEFINITIONS.—In this paragraph:

''(i) COVERED AGENCY.—The term 'covered agency' means a Federal agency eligible to receive funds under this section, section 203, or section 204, including the Army Corps of Engineers, Bureau of Reclamation, and the Bureau of Land Management.

''(ii) HIGH-COMMUTER CORRIDOR.—The term 'high-commuter corridor' means a Federal lands transportation facility that has an average annual daily traffic of not less than 20,000 vehicles.''.

(b) GAO STUDY REGARDING NPS MAINTENANCE.—

(1) STUDY.—The Comptroller General of the United States shall study the National Park Service maintenance prioritization of Federal lands transportation facilities.

(2) CONTENTS.—At minimum, the study under paragraph (1) shall examine—

(A) general administrative maintenance of the National Park Service;

(B) how the National Park Service currently prioritizes maintenance of Federal facilities covered under the Federal Lands Transportation Program;

(C) what kind of maintenance the National Parkway Service is performing;

(D) to what degree does the National Park Service prioritize high-commuter corridors; and

(E) how the National Park Service can better service the needs of high commuter corridors.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report summarizing the study and the results of such study, including recommendations for addressing the maintenance needs and prioritization of high-commuter corridors.

(4) DEFINITION OF HIGH-COMMUTER CORRIDOR.—In this section, the term ''high-commuter corridor'' means a Federal lands transportation facility that has average annual daily traffic of not less than 20,000 vehicles.

SEC. 1505. FEDERAL LANDS AND TRIBAL MAJOR PROJECTS PROGRAM.

(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by inserting after section 207 the following:

''§ 208. Federal lands and Tribal major projects program

''(a) ESTABLISHMENT.—The Secretary shall establish a Federal lands and Tribal major projects program (referred to in this section as the 'program') to provide funding to construct, reconstruct, or rehabilitate critical Federal lands and Tribal transportation infrastructure.

''(b) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), entities eligible to receive funds under sections 201, 202, 203, and 204 may apply for funding under the program.

''(2) SPECIAL RULE.—A State, county, or unit of local government may only apply for funding under the program if sponsored by an eligible Federal agency or Indian Tribe.

''(c) ELIGIBLE PROJECTS.—An eligible project under the program shall be on a Federal lands transportation facility, a Federal lands access transportation facility, or a tribal transportation facility, except that such facility is not required to be included in an inventory described in section 202 or 203, and for which—

''(1) the project—

''(A) has completed the activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) which has been demonstrated through—

''(i) a record of decision with respect to the project;

''(ii) a finding that the project has no significant impact; or

''(iii) a determination that the project is categorically excluded; or

''(B) is reasonably expected to begin construction not later than 18 months after the date of obligation of funds for the project; and

''(2) the project has an estimated cost equal to or exceeding—

''(A) $12,500,000 if it is on a Federal lands transportation facility or a Federal lands access transportation facility; and

''(B) $5,000,000 if it is on a Tribal transportation facility.

''(d) ELIGIBLE ACTIVITIES.—Grant amounts received for a project under this section may be used for—

''(1) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(2) construction, reconstruction, and rehabilitation activities.

''(e) APPLICATIONS.—Eligible applicants shall submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may require.

''(f) PROJECT REQUIREMENTS.—The Secretary may select a project to receive funds under the program only if the Secretary determines that the project—

''(1) improves the condition of critical transportation facilities, including multimodal facilities;

''(2) cannot be easily and efficiently completed with amounts made available under section 202, 203, or 204; and

''(3) is cost effective.

''(g) MERIT CRITERIA.—In making a grant under this section, the Secretary shall consider whether the project—

''(1) will generate state of good repair, resilience, economic competitiveness, quality of life, mobility, or safety benefits;

''(2) in the case of a project on a Federal lands transportation facility or a Federal lands access transportation facility, has costs matched by funds that are not provided under this section or this title; and

''(3) generates benefits for land owned by multiple Federal land management agencies or Indian Tribes, or which spans multiple States.

''(h) EVALUATION AND RATING.—To evaluate applications, the Secretary shall—

''(1) determine whether a project meets the requirements under subsection (f);

''(2) evaluate, through a discernable and transparent methodology, how each application addresses one or more merit criteria established under subsection (g);

''(3) assign a rating for each merit criteria for each application; and

''(4) consider applications only on the basis of such quality ratings and which meet the minimally acceptable level for each of the merit criteria.

''(i) COST SHARE.—

''(1) FEDERAL LANDS PROJECTS.—

''(A) IN GENERAL.—Notwithstanding section 120, the Federal share of the cost of a project on a Federal lands transportation facility or a Federal lands access transportation facility shall be up to 90 percent.

''(B) NON-FEDERAL SHARE.—Notwithstanding any other provision of law, any Federal funds may be used to pay the non-Federal share of the cost of a project carried out under this section.

''(2) TRIBAL PROJECTS.—The Federal share of the cost of a project on a Tribal transportation facility shall be 100 percent.

''(j) USE OF FUNDS.—For each fiscal year, of the amounts made available to carry out this section, not more than 50 percent shall be used for eligible projects on Federal lands transportation facilities or Federal lands access transportation facilities and Tribal transportation facilities, respectively.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 2 of title 23, United States Code, is amended by inserting after the item relating to section 207 the following new item:

''208. Federal lands and Tribal major projects program.''.

(c) REPEAL.—Section 1123 of the FAST Act (23 U.S.C. 201 note), and the item related to such section in the table of contents under section 1(b) of such Act, are repealed.

SEC. 1506. OFFICE OF TRIBAL GOVERNMENT AFFAIRS.

Section 102 of title 49, United States Code, is amended—

(1) in subsection (e)(1)—

(A) by striking ''6 Assistant'' and inserting ''7 Assistant'';

(B) in subparagraph (C) by striking ''; and'' and inserting a semicolon;

(C) by redesignating subparagraph (D) as subparagraph (E); and

(D) by inserting after subparagraph (C) the following:

''(D) an Assistant Secretary for Tribal Government Affairs, who shall be appointed by the President; and''; and

(2) in subsection (f)—

(A) in the heading by striking ''DEPUTY ASSISTANT SECRETARY FOR TRIBAL GOVERNMENT AFFAIRS'' and inserting ''OFFICE OF TRIBAL GOVERNMENT AFFAIRS''; and

(B) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT.—There is established in the Department an Office of Tribal Government Affairs, under the Assistant Secretary for Tribal Government Affairs, to—

''(A) oversee the Tribal transportation self-governance program under section 207 of title 23;

''(B) plan, coordinate, and implement policies and programs serving Indian Tribes and Tribal organizations;

''(C) coordinate Tribal transportation programs and activities in all offices and administrations of the Department;

''(D) provide technical assistance to Indian Tribes and Tribal organizations;

''(E) be a participant in any negotiated rulemakings relating to, or having an impact on, projects, programs, or funding associated with the tribal transportation program under section 202 of title 23; and

''(F) ensure that Department programs have in place, implement, and enforce requirements and obligations for regular and meaningful consultation and collaboration with Tribes and Tribal officials under Executive Order No. 13175 and to serve as the primary advisor to the Secretary and other Department components regarding violations of those requirements.''.

SEC. 1507. ALTERNATIVE CONTRACTING METHODS.

(a) LAND MANAGEMENT AGENCIES AND TRIBAL GOVERNMENTS.—Section 201 of title 23, United States Code, is amended by adding at the end the following:

''(f) ALTERNATIVE CONTRACTING METHODS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may use a contracting method available to a State under this title on behalf of—

''(A) a Federal land management agency, with respect to any funds available pursuant to section 203 or 204;

''(B) a Federal land management agency, with respect to any funds available pursuant to section 1535 of title 31 for any eligible use described in sections 203(a)(1) and 204(a)(1) of this title; or

''(C) a Tribal Government, with respect to any funds available pursuant to section 202(b)(7)(D).

''(2) METHODS DESCRIBED.—The contracting methods referred to in paragraph (1) shall include, at a minimum—

''(A) project bundling;

''(B) bridge bundling;

''(C) design-build contracting;

''(D) 2-phase contracting;

''(E) long-term concession agreements; and

''(F) any method tested, or that could be tested, under an experimental program relating to contracting methods carried out by the Secretary.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection—

''(A) affects the application of the Federal share for a project carried out with a contracting method under this subsection; or

''(B) modifies the point of obligation of Federal salaries and expenses.''.

(b) USE OF ALTERNATIVE CONTRACTING METHOD.—In carrying out the amendments made by this section, the Secretary shall—

(1) in consultation with the applicable Federal land management agencies, establish procedures that are—

(A) applicable to each alternative contracting method; and

(B) to the maximum extent practicable, consistent with requirements for Federal procurement transactions;

(2) solicit input on the use of each alternative contracting method from any affected industry prior to using such method; and

(3) analyze and prepare an evaluation of the use of each alternative contracting method.

SEC. 1508. DIVESTITURE OF FEDERALLY OWNED BRIDGES.

(a) IN GENERAL.—The Commissioner of the Bureau of Reclamation may transfer ownership of a bridge that is owned by the Bureau of Reclamation if—

(1) the ownership of the bridge is transferred to a State with the concurrence of such State;

(2) the State to which ownership is transferred agrees to operate and maintain the bridge;

(3) the transfer of ownership complies with all applicable Federal requirements, including—

(A) section 138 of title 23, United States Code;

(B) section 306108 of title 54, United States Code; and

(C) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(4) the Bureau of Reclamation and the State to which ownership is being transferred jointly notify the Secretary of Transportation of the intent to conduct a transfer prior to such transfer.

(b) ACCESS.—In a transfer of ownership of a bridge under this section, the Commissioner of the Bureau of Reclamation—

(1) shall not be required to transfer ownership of the land on which the bridge is located or any adjacent lands; and

(2) shall make arrangements with the State to which ownership is being transferred to allow for adequate access to such bridge, including for the purposes of construction, maintenance, and bridge inspections pursuant to section 144 of title 23, United States Code.

SEC. 1509. STUDY ON FEDERAL FUNDING AVAILABLE TO INDIAN TRIBES.

Not later than January 31 of each year, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that—

(1) identifies the number of Indian Tribes that were direct recipients of funds under any discretionary Federal highway, transit, or highway safety program in the prior fiscal year;

(2) lists the total amount of such funds made available directly to such Tribes;

(3) identifies the number and location of Indian Tribes that were indirect recipients of funds under any formula-based Federal highway, transit, or highway safety program in the prior fiscal year; and

(4) lists the total amount of such funds made available indirectly to such tribes through states or other direct recipients of Federal highway, transit or highway safety funding.

SEC. 1510. GAO STUDY.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the deferred maintenance of United States forest roads, including—

(1) the current backlog;

(2) the current actions on such maintenance and backlog;

(3) the impacts of public safety due to such deferred maintenance; and

(4) recommendations for Congress on ways to address such backlog.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the results of the study conducted under subsection (a).

SEC. 1511. FEDERAL LANDS ACCESS PROGRAM.

(a) IN GENERAL.—Section 204(a) of title 23, United States Code, is amended—

(1) in paragraph (1)(A)—

(A) in the matter preceding clause (i), by inserting ''context-sensitive solutions,'' after ''restoration,'';

(B) in clause (i), by inserting '', including interpretive panels in or adjacent to those areas'' after ''areas'';

(C) in clause (v), by striking ''and'' at the end;

(D) by redesignating clause (vi) as clause (ix); and

(E) by inserting after clause (v) the following:

''(vi) contextual wayfinding markers;

''(vii) landscaping;

''(viii) cooperative mitigation of visual blight, including screening or removal; and''; and

(2) by adding at the end the following:

''(6) NATIVE PLANT MATERIALS.—In carrying out an activity described in paragraph (1), the Secretary shall ensure that the entity carrying out the activity considers—

''(A) the use of locally adapted native plant materials; and

''(B) designs that minimize runoff and heat generation.''.

(b) FEDERAL SHARE.—Section 201(b)(7)(B) of title 23, United States Code, is amended by striking ''determined in accordance with section 120'', and inserting ''up to 100 percent''.

Subtitle F—Additional Provisions

SEC. 1601. VISION ZERO.

(a) IN GENERAL.—A local government, metropolitan planning organization, or regional transportation planning organization may develop and implement a vision zero plan to significantly reduce or eliminate transportation-related fatalities and serious injuries within a specified timeframe, not to exceed 20 years.

(b) USE OF FUNDS.—Amounts apportioned to a State under paragraph (2) or (3) of section 104(b) of title 23, United States Code, may be used—

(1) to carry out vision zero planning under this section or a vulnerable road user safety assessment; and

(2) to implement an existing vision zero plan.

(c) CONTENTS OF PLAN.—A vision zero plan under this section shall include—

(1) a description of programs, strategies, or policies intended to significantly reduce or eliminate transportation-related fatalities and serious injuries within a specified timeframe, not to exceed 20 years, that is consistent with a State strategic highway safety plan and uses existing transportation data and consideration of risk factors;

(2) plans for implementation of, education of the public about, and enforcement of such programs, strategies, or policies;

(3) a description of how such programs, strategies, or policies, and the enforcement of such programs, strategies, or policies will—

(A) equitably invest in the safety needs of low-income and minority communities;

(B) ensure that such communities are not disproportionately targeted by law enforcement; and

(C) protect the rights of members of such communities with respect to title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.); and

(4) a description of a mechanism to evaluate progress of the development and implementation of the plan, including the gathering and use of transportation safety and demographic data.

(d) INCLUSIONS.—A vision zero plan may include a complete streets prioritization plan that identifies a specific list of projects to—

(1) create a connected network of active transportation facilities, including sidewalks, bikeways, or pedestrian and bicycle trails, to connect communities and provide safe, reliable, affordable, and convenient access to employment, housing, and services, consistent with the goals described in section 150(b) of title 23, United States Code;

(2) integrate active transportation facilities with public transportation service or improve access to public transportation; and

(3) improve transportation options for low-income and minority communities.

(e) COORDINATION.—A vision zero plan under this section shall provide for coordination of various subdivisions of a unit of local government in the implementation of the plan, including subdivisions responsible for law enforcement, public health, data collection, and public works.

(f) SAFETY PERFORMANCE MANAGEMENT.—A vision zero plan under this section is not sufficient to demonstrate compliance with the safety performance or planning requirements of section 148 or 150 of title 23, United States Code.

(g) GUIDANCE ON SAFE SYSTEM APPROACH.—The Secretary of Transportation shall develop guidance on the consideration of a safe system approach in project planning, scoping, and design to facilitate the implementation of vision zero plans under this section and vulnerable road user assessments under section 148 of title 23, United States Code.

(h) DEFINITIONS.—In this section, the terms ''safe system approach'' and ''vulnerable road user safety assessment'' have the meanings given such terms in section 148 of title 23, United States Code.

SEC. 1602. SPEED LIMITS.

(a) SPEED LIMITS.—The Secretary of Transportation shall revise the Manual on Uniform Traffic Control Devices to provide for a safe system approach to setting speed limits, consistent with the safety recommendations issued by the National Transportation Safety Board on August 15, 2017, numbered H–17–27 and H–17–028.

(b) CONSIDERATIONS.—In carrying out subparagraph (A), the Secretary shall consider—

(1) crash statistics;

(2) road geometry characteristics;

(3) roadside characteristics;

(4) traffic volume;

(5) the possibility and likelihood of human error;

(6) human injury tolerance;

(7) the prevalence of vulnerable road users; and

(8) any other consideration, consistent with a safe system approach, as determined by the Secretary.

(c) REPORT ON SPEED MANAGEMENT PROGRAM PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall update and report on the implementation progress of the Speed Management Program Plan of the Department of Transportation, as described in the safety recommendation issued by the National Transportation Safety Board on August 15, 2017, numbered H–17–018.

(d) DEFINITIONS.—In this section, the terms ''safe system approach'' and ''vulnerable road user'' have the meanings given such terms in section 148(a) of title 23, United States Code.

SEC. 1603. DIG ONCE FOR BROADBAND INFRASTRUCTURE DEPLOYMENT.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE STATE AGENCY.—The term ''appropriate State agency'' means a State governmental agency that is recognized by the executive branch of the State as having the experience necessary to evaluate and facilitate the installation and operation of broadband infrastructure within the State.

(2) BROADBAND.—The term ''broadband'' has the meaning given the term ''advanced telecommunications capability'' in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302).

(3) BROADBAND CONDUIT.—The term ''broadband conduit'' means a conduit or innerduct for fiber optic cables (or successor technology of greater quality and speed) that supports the provision of broadband.

(4) BROADBAND INFRASTRUCTURE.—The term ''broadband infrastructure'' means any buried or underground facility and any wireless or wireline connection that enables the provision of broadband.

(5) BROADBAND PROVIDER.—The term ''broadband provider'' means an entity that provides broadband to any person, including, with respect to such entity—

(A) a corporation, company, association, firm, partnership, nonprofit organization, or any other private entity;

(B) a State or local broadband provider;

(C) an Indian Tribe; and

(D) a partnership between any of the entities described in subparagraphs (A), (B), and (C).

(6) COVERED HIGHWAY CONSTRUCTION PROJECT.—

(A) IN GENERAL.—The term ''covered highway construction project'' means, without regard to ownership of a highway, a project funded under title 23, United States Code, and administered by a State department of transportation to construct a new highway or an additional lane for an existing highway, to reconstruct an existing highway, or new construction, including construction of a paved shoulder.

(B) EXCLUSIONS.—The term ''covered highway construction project'' excludes any project—

(i) awarded before the date on which regulations required under subsection (b) take effect;

(ii) that does not include work beyond the edge of pavement or current paved shoulder;

(iii) that is less than a mile in length; or

(iv) that is—

(I) a project primarily for resurfacing, restoration, rehabilitation, or maintenance;

(II) a bicycle, pedestrian, transportation alternatives, sidewalk, recreational trails, or safe routes to school project;

(III) an operational improvement (as such term is defined in section 101 of title 23, United States Code);

(IV) a project primarily to install signage; or

(V) a culvert project.

(7) DIG ONCE REQUIREMENT.—The term ''dig once requirement'' means a requirement designed to reduce the cost and accelerate the deployment of broadband by minimizing the number and scale of repeated excavations for the installation and maintenance of broadband conduit or broadband infrastructure in rights-of-way.

(8) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given such term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

(9) NTIA ADMINISTRATOR.—The term ''NTIA Administrator'' means the Assistant Secretary of Commerce for Communications and Information.

(10) PROJECT.—The term ''project'' has the meaning given such term in section 101 of title 23, United States Code.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(12) STATE.—The term ''State'' has the meaning given such term in section 401 of title 23, United States Code.

(13) STATE OR LOCAL BROADBAND PROVIDER.—The term ''State or local broadband provider'' means a State or political subdivision thereof, or any agency, authority, or instrumentality of a State or political subdivision thereof, that provides broadband to any person or facilitates the provision of broadband to any person in such State.

(b) DIG ONCE REQUIREMENT.—Not later than 12 months after the date of enactment of this Act, to facilitate the installation of broadband infrastructure, the Secretary shall issue such regulations as may be necessary to ensure that

each State that receives funds under chapter 1 of title 23, United States Code, complies with the following provisions:

(1) BROADBAND PLANNING AND NOTICE.—The State department of transportation, in consultation with appropriate State agencies, shall—

(A) review existing State broadband plans, including existing dig once requirements of the State, municipal governments incorporated under State law, and Indian tribes within the State, to determine opportunities to coordinate covered highway construction projects occurring within or across highway rights-of-way with planned broadband infrastructure projects;

(B) identify a broadband coordinator, who may have additional responsibilities in the State department of transportation or in another State agency, that is responsible for facilitating the broadband infrastructure right-of-way efforts within the State; and

(C) establish a process—

(i) for the registration of broadband providers that seek to be included in the advance notification of, and opportunity to participate in, broadband infrastructure right-of-way facilitation efforts within the State; and

(ii) to electronically notify all broadband providers registered under clause (i)—

(I) of the State transportation improvement program on at least an annual basis; and

(II) of covered highway construction projects within the highway right-of-way for which Federal funding is expected to be obligated in the subsequent fiscal year.

(2) COORDINATION AND COMPLIANCE.—

(A) MOBILE NOW ACT.—A State department of transportation shall be considered to meet the requirements of subparagraphs (B) and (C) of paragraph (1) if such State department of transportation has been determined to be in compliance with the requirements established under section 607 of division P of the Consolidated Appropriations Act, 2018 (47 U.S.C. 1504).

(B) WEBSITE.—A State department of transportation shall be considered to meet the requirements of paragraph (1)(C) if the State publishes on a public website—

(i) the State transportation improvement program on at least an annual basis; and

(ii) covered highway construction projects within the highway right-of-way for which Federal funding is expected to be obligated in the subsequent fiscal year.

(C) COORDINATION.—The State department of transportation, in consultation with appropriate State agencies, shall by rule or regulation establish a process for a broadband provider to commit to installing broadband conduit or broadband infrastructure as part of any covered highway construction project.

(D) APPROPRIATE STATE AGENCY.—In lieu of the State department of transportation, at the discretion of the State, an appropriate State agency, in consultation with the State department of transportation, may carry out the requirements of paragraph (1).

(3) REQUIRED INSTALLATION OF BROADBAND CONDUIT.—

(A) IN GENERAL.—The State department of transportation shall install broadband conduit, in accordance with this paragraph (except as described in subparagraph (F)), as part of any covered highway construction project, unless a broadband provider has committed to install broadband conduit or broadband infrastructure as part of such project in a process described under paragraph (2)(C).

(B) INSTALLATION REQUIREMENTS.—In installing broadband conduit or broadband infrastructure as part of a covered highway construction project, the State department of transportation shall ensure that—

(i) installation pursuant to this paragraph of broadband conduit, broadband infrastructure, and means or points of access to such conduit or infrastructure (such as poles, hand holes, manholes, pull tape, or ducts) shall provide for the current and future safe operation of the traveled way, is consistent with part 645 of title 23, Code of Federal Regulations, and any accommodation policies of the State under such part to reasonably enable deployment of such conduit, infrastructure, and means or points of access, and any Damage Prevention and Underground Facilities Protection or related requirements of the State;

(ii) an appropriate number of broadband conduits, as determined in consultation with the appropriate State agencies, are installed along the right-of-way of a covered highway construction project to accommodate multiple broadband providers, with consideration given to the availability of existing broadband conduits;

(iii) the size of each broadband conduit is consistent with industry best practices, consistent with the requirements of part 645 of title 23, Code of Federal Regulations, and sufficient to accommodate anticipated demand, as determined in consultation with the appropriate State agencies;

(iv) any hand holes and manholes necessary for fiber access and pulling with respect to such conduit are placed at intervals consistent with standards determined in consultation with the appropriate State agencies (which may differ by type of road, topologies, and rurality) the requirements of part 645 of title 23, Code of Federal Regulations, and other applicable safety requirements;

(v) each broadband conduit installed pursuant to this paragraph includes a pull tape and is capable of supporting fiber optic cable placement techniques consistent with best practices and the requirements of part 645 of title 23, Code of Federal Regulations;

(vi) broadband conduit is placed at a depth consistent with requirements of the covered highway construction project and best practices and that, in determining the depth of placement, consideration is given to the location of existing utilities and cable separation requirements of State and local electrical codes; and

(vii) installation of broadband conduit shall not preclude the installation of other specific socially, environmentally, or economically beneficial uses of the right-of-way, such as planned energy transmission or renewable energy generation projects.

(C) PROGRAMMATIC REVIEW.—The State department of transportation may make determinations on the implementation of the requirements described in subparagraph (B) on a programmatic basis.

(D) ACCESS.—

(i) IN GENERAL.—The State department of transportation shall ensure that any requesting broadband provider has access to each broadband conduit installed by the State pursuant to this paragraph, on a competitively neutral and nondiscriminatory basis and in accordance with State permitting, licensing, leasing, or other similar laws and regulations.

(ii) SOCIALLY BENEFICIAL USE.—The installation of broadband conduit as part of a covered highway construction project shall be considered a socially-beneficial use of the right-of-way under section 156(b) of title 23, United States Code.

(iii) IN-KIND COMPENSATION.—The State department of transportation may negotiate in-kind compensation with any broadband provider requesting access to broadband conduit installed under the provisions of this paragraph.

(iv) SAFETY CONSIDERATIONS.—The State department of transportation shall provide for a process for a broadband provider to safely access to the highway right-of-way during installation and on-going maintenance of the broadband conduit and broadband infrastructure, including a traffic control safety plan.

(v) COMMUNICATION.—A broadband provider with access to the conduit installed pursuant to this subsection shall notify, and receive permission from, the relevant agencies of State responsible for the installation of such broadband conduit prior to accessing any highway or highway right-of-way, in accordance with applicable Federal requirements.

(E) TREATMENT OF PROJECTS.—Notwithstanding any other provision of law, broadband conduit and broadband infrastructure installation projects installed by a State under this paragraph shall comply with section 113(a) of title 23, United States Code.

(F) WAIVER AUTHORITY.—

(i) IN GENERAL.—A State department of transportation may waive the required installation of broadband conduit for part or all of any covered highway construction project under this paragraph if, in the determination of the State department of transportation—

(I) broadband infrastructure, terrestrial broadband infrastructure, aerial broadband fiber cables, or broadband conduit is present near a majority of the length of the covered highway construction project;

(II) installation of terrestrial or aerial broadband fiber cables associated with the covered highway construction project is more appropriate for the context or a more cost-effective means to facilitate broadband service to an area not adequately served by broadband and such installation is present or planned;

(III) the installation of broadband conduit increases overall costs of a covered highway construction project by 1.5 percent or greater;

(IV) the installation of broadband conduit associated with the covered highway construction project is not reasonably expected to be utilized or connected to future broadband infrastructure in the 20 years following the date on which such determination is made, as determined by the State department of transportation, in consultation with appropriate State agencies and potentially affected local governments and Indian tribes;

(V) the requirements of this paragraph would require installation of conduit redundant with a dig once requirement of a local government or Indian tribe;

(VI) there exists a circumstance involving force majeure; or

(VII) the installation of conduit is not appropriate based on other relevant factors established by the Secretary in consultation with the NTIA Administrator through regulation.

(ii) CONTENTS OF WAIVER.—A waiver authorized under this subparagraph shall—

(I) identify the covered highway construction project; and

(II) include a brief description of the determination of the State for issuing such waiver.

(iii) AVAILABILITY OF WAIVER.—Notification of a waiver authorized under this subparagraph shall be made publicly available, such as on a public website of the State department of transportation described in paragraph (2)(B).

(iv) WAIVER DETERMINATION.—

(I) IN GENERAL.—The State department of transportation shall be responsible for the waiver determination described under this paragraph, consistent with the regulation issued pursuant to this subsection, and may grant a programmatic waiver for categories of projects excluded under this subparagraph.

(II) NO PRIVATE CAUSE OF ACTION.—The waiver determination described under this paragraph shall be final and conclusive. Nothing in this section shall provide a private right or cause of action to challenge such determination in any court of law.

(4) PRIORITY.—If a State provides for the installation of broadband infrastructure or broadband conduit in the right-of-way of a covered highway construction project, the State department of transportation, along with appropriate State agencies, shall carry out appropriate measures to ensure that an existing broadband provider is afforded access that is non-discriminatory, competitively neutral, and equal in opportunity, as compared to other broadband providers, with respect to the program under this subsection.

(c) GUIDANCE FOR THE INSTALLATION OF BROADBAND CONDUIT.—The Secretary, in consultation with the NTIA Administrator, shall

issue guidance for best practices related to the installation of broadband conduit as described in subsection (b)(2) and of conduit and similar infrastructure for intelligent transportation systems (as such term is defined in section 501 of title 23, United States Code) that may utilize broadband conduit installed pursuant to subsection (b)(2).

(d) CONSULTATION.—

(1) IN GENERAL.—In issuing regulations required by this subsection or to implement any part of this section, the Secretary shall consult—

(A) the NTIA Administrator;

(B) the Federal Communications Commission;

(C) State departments of transportation;

(D) appropriate State agencies;

(E) agencies of local governments responsible for transportation and rights-of-way, utilities, and telecommunications and broadband;

(F) Indian tribes;

(G) broadband providers; and

(H) manufacturers of optical fiber, conduit, pull tape, and related items.

(2) BROADBAND USERS.—The Secretary shall ensure that the entities consulted under subparagraphs (C) through (F) of paragraph (1) include entities that have expertise with rural areas and populations with limited access to broadband infrastructure.

(3) BROADBAND PROVIDERS.—The Secretary shall ensure that the entities consulted under subparagraph (G) of paragraph (1) include entities that provide broadband to rural areas and populations with limited access to broadband infrastructure.

(4) CONSULTING SMALL MUNICIPALITIES.—The Secretary shall ensure that the agencies of local governments consulted under subparagraph (E) of paragraph (1) include rural areas, specifically agencies of local governments with populations less than 50,000.

(e) OVERSIGHT.—

(1) IN GENERAL.—The Secretary shall periodically review compliance with the regulations issued pursuant to this section and ensure that State waiver determinations are consistent with such regulations.

(2) EFFICIENT REVIEW.—The review described under paragraph (1) may be carried out through the risk-based stewardship and oversight program described under section 106(g) of title 23, United States Code.

(3) EFFECT OF SUBSECTION.—Nothing in this subsection shall affect or discharge any oversight responsibility of the Secretary specifically provided for under title 23, United States Code, or any other Federal law.

(f) ADDITIONAL PROVISIONS.—

(1) APPLICABILITY.—

(A) IN GENERAL.—The portion of the regulation issued pursuant to subsection (b) relating to the provisions under paragraph (3) of such subsection shall not take effect until a source of dedicated funding for the installation and long term maintenance of broadband conduit described in subsection (g)(2) is established.

(B) APPLICABILITY DATE.—Paragraphs (2) through (4) of subsection (b) and subsection (d) shall apply only to covered highway construction projects for which Federal obligations or expenditures are initially approved on or after the date on which regulations required under this subsection take effect.

(2) RULES OF CONSTRUCTION.—

(A) STATE LAW.—Nothing in this subsection shall be construed to require a State to install or allow the installation of broadband conduit or broadband infrastructure—

(i) that is otherwise inconsistent with what is allowable under State law; or

(ii) where the State lacks the authority for such installation, such as any property right or easement necessary for such installation.

(B) NO REQUIREMENT FOR INSTALLATION OF MOBILE SERVICES EQUIPMENT.—Nothing in this section shall be construed to require a State, a municipal government incorporated under State law, or an Indian Tribe to install or allow for the installation of equipment essential for the provision of commercial mobile services (as defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d))) or commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401)), other than broadband conduit and associated equipment described in paragraph (3)(B).

(3) RELATION TO STATE DIG ONCE REQUIREMENTS.—Nothing in subsections (b), (c), (d), or (e) or any regulations issued pursuant to subsection (b) shall be construed to alter or supersede any provision of a State law or regulation that provides for a dig once requirement that includes similar or more stringent requirements to the provisions of subsections (b), (c), (d), or (e) and any regulations promulgated under subsection (b).

(g) DIG ONCE FUNDING TASK FORCE.—

(1) ESTABLISHMENT.—The Secretary and the NTIA Administrator shall jointly establish an independent task force on funding the nationwide dig once requirement described in this section to be known as the ''Dig Once Funding Task Force'' (hereinafter referred to as the ''Task Force'').

(2) DUTIES.—The duties of the Task Force shall be to—

(A) estimate the annual cost for implementing, administering, and maintaining a nationwide dig once requirement;

(B) propose and evaluate options for funding a nationwide dig once requirement described in this section that includes—

(i) a discussion of the role and potential share of costs of—

(I) the Federal Government;

(II) State and local governments and Indian tribes; and

(III) broadband providers installing broadband conduit or broadband infrastructure under this section;

(ii) consideration of the role of existing dig once requirements on States, local governments, and Indian tribes and the role of private broadband investment, with a goal to not discourage or disincentivize such dig once requirements or such investment; and

(iii) evaluating the appropriate entity or entities responsible for maintaining the broadband infrastructure and conduit installed pursuant to a dig once requirement; and

(C) propose a cost-based model fee schedule for a State to charge a broadband provider to access and use conduit installed by such State pursuant to this section that—

(i) shall consider costs (including administrative costs) associated with installation and long-term maintenance of the broadband conduit installed pursuant to this section;

(ii) may vary by topography, location, type of road, rurality, and other factors; and

(iii) may consider financial and market incentives for expanding broadband infrastructure.

(3) REPORTS.—

(A) INTERIM REPORT AND BRIEFING.—Not later than 9 months after the appointment of Members to the Task Force under paragraph (4)(D), the Task Force shall—

(i) submit to Congress an interim report on the findings of the Task Force; and

(ii) provide briefings for Congress on the findings of the Task Force.

(B) FINAL REPORT.—Not later than 3 months after the submission of the interim report under subparagraph (A), the Task Force shall submit to Congress a final report on the findings of the Task Force.

(4) MEMBERS.—

(A) APPOINTMENTS.—The Task Force shall consist of 14 members, comprising—

(i) 2 co-chairs described in subparagraph (B);

(ii) 6 members jointly appointed by the Speaker and minority leader of the House of Representatives, in consultation with the respective Chairs and Ranking Members of—

(I) the Committee on Transportation and Infrastructure of the House of Representatives;

(II) the Committee on Energy and Commerce of the House of Representatives; and

(III) the Committee on Appropriations of the House of Representatives; and

(iii) 6 members jointly appointed by the majority leader and minority leader of the Senate, in consultation with the respective Chairs and Ranking Members of the—

(I) the Committee on Environment and Public Works of the Senate;

(II) the Committee on Commerce, Science, and Transportation of the Senate; and

(III) the Committee on Appropriations of the Senate.

(B) CO-CHAIRS.—The Task Force shall be co-chaired by the Secretary and the NTIA Administrator, or the designees of the Secretary and NTIA Administrator.

(C) COMPOSITION.—The Task Force shall include at least—

(i) 1 representative from a State department of transportation;

(ii) 1 representative from a local government;

(iii) 1 representative from an Indian tribe;

(iv) 1 representative from a broadband provider;

(v) 1 representative from a State or local broadband provider;

(vi) 1 representative from a labor union; and

(vii) 1 representative from a public interest organization.

(D) APPOINTMENT DEADLINE.—Members shall be appointed to the Task Force not later than 60 days after the date of enactment of this Act.

(E) TERMS.—Members shall be appointed for the life of the Task Force. A vacancy in the Task Force shall not affect the powers of the Task Force and the vacancy shall be filled in the same manner as the initial appointment was made.

(5) CONSULTATIONS.—In carrying out the duties required under this subsection, the Task Force shall consult, at a minimum—

(A) the Federal Communications Commission;

(B) agencies of States including—

(i) State departments of transportation; and

(ii) appropriate State agencies;

(C) agencies of local governments responsible for transportation and rights-of-way, utilities, and telecommunications and broadband;

(D) Indian tribes;

(E) broadband providers and other telecommunications providers;

(F) labor unions; and

(G) State or local broadband providers and Indian tribes that act as broadband providers.

(6) ADDITIONAL PROVISIONS.—

(A) EXPENSES FOR NON-FEDERAL MEMBERS.—Non-Federal members of the Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees under subchapter I of chapter 57 of title 5, United States Code, while away from the homes or regular places of business of such members in the performance of services for the Task Force.

(B) STAFF.—Staff of the Task Force shall comprise detailees with relevant expertise from the Department of Transportation and the National Telecommunications and Information Administration, or another Federal agency that the co-chairpersons consider appropriate, with the consent of the head of the Federal agency, and such detailees shall retain the rights, status, and privileges of the regular employment of such detailees without interruption.

(C) ADMINISTRATIVE ASSISTANCE.—The Secretary and NTIA Administrator shall provide to the Task Force on a reimbursable basis administrative support and other services for the performance of the functions of the Task Force.

(7) TERMINATION.—The Task Force shall terminate not later than 90 days after submission of the final report required under paragraph (3)(B).

SEC. 1604. STORMWATER BEST MANAGEMENT PRACTICES.

(a) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation and the Administrator shall seek to enter into an agreement with the Transportation Research Board of the National Academy of Sciences to under which the Transportation Research Board shall conduct a study—

(A) to estimate pollutant loads from stormwater runoff from highways and pedestrian facilities eligible for assistance under title 23, United States Code, to inform the development of appropriate total maximum daily load requirements;

(B) to provide recommendations (including recommended revisions to existing laws and regulations) regarding the evaluation and selection by State departments of transportation of potential stormwater management and total maximum daily load compliance strategies within a watershed, including environmental restoration and pollution abatement carried out under section 328 of title 23, United States Code;

(C) to examine the potential for the Secretary to assist State departments of transportation in carrying out and communicating stormwater management practices for highways and pedestrian facilities that are eligible for assistance under title 23, United States Code, through information-sharing agreements, database assistance, or an administrative platform to provide the information described in subparagraphs (A) and (B) to entities issued permits under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(D) to examine the benefit of concentrating stormwater retrofits in impaired watersheds and selecting such retrofits according to a process that depends on a watershed management plan developed in accordance with section 319 of the Federal Water Pollution Control Act (33 U.S.C. 1329).

(2) REQUIREMENTS.—In conducting the study under the agreement entered into pursuant to paragraph (1), the Transportation Research Board shall—

(A) review and supplement, as appropriate, the methodologies examined and recommended in the 2019 report of the National Academies of Sciences, Engineering, and Medicine titled ''Approaches for Determining and Complying with TMDL Requirements Related to Roadway Stormwater Runoff'';

(B) consult with—

(i) the Secretary of Transportation;

(ii) the Secretary of Agriculture;

(iii) the Administrator;

(iv) the Secretary of the Army, acting through the Chief of Engineers; and

(v) State departments of Transportation; and

(C) solicit input from—

(i) stakeholders with experience in implementing stormwater management practices for projects; and

(ii) educational and technical stormwater management groups.

(3) REPORT.—In carrying out the agreement entered into pursuant to paragraph (1), not later than 18 months after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary of Transportation, the Administrator, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report describing the results of the study.

(b) STORMWATER BEST MANAGEMENT PRACTICES REPORTS.—

(1) REISSUANCE.—Not later than 180 days after the date of enactment of this Act, the Administrator shall update and reissue the best management practices reports to reflect new information and advancements in stormwater management.

(2) UPDATES.—Not less frequently than once every 5 years after the date on which the Secretary reissues the best management practices reports under paragraph (1), the Secretary shall update and reissue the best management practices reports, unless the contents of the best management practices reports have been incorporated (including by reference) into applicable regulations of the Secretary.

(c) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) BEST MANAGEMENT PRACTICES REPORTS.—The term ''best management practices reports'' means—

(A) the 2014 report sponsored by the Department of Transportation titled ''Determining the State of the Practice in Data Collection and Performance Measurement of Stormwater Best Management Practices'' (FHWA–HEP–16–021); and

(B) the 2000 report sponsored by the Department of Transportation titled ''Stormwater Best Management Practices in an Ultra-Urban Setting: Selection and Monitoring''.

(3) TOTAL MAXIMUM DAILY LOAD.—The term ''total maximum daily load'' has the meaning given such term in section 130.2 of title 40, Code of Federal Regulations (or successor regulations).

SEC. 1605. PEDESTRIAN FACILITIES IN THE PUBLIC RIGHT-OF-WAY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Architectural and Transportation Barriers Compliance Board under the authority of section 502(b)(3) of the Rehabilitation Act of 1973 (29 U.S.C. 792(b)(3)), shall publish final accessibility guidelines setting forth minimum standards for pedestrian facilities in the public right-of-way, including shared use paths.

(b) ADOPTION OF REGULATIONS.—Not later than 180 days after the establishment of the guidelines pursuant to subsection (a), the Secretary shall issue such regulations as are necessary to adopt such guidelines.

SEC. 1606. HIGHWAY FORMULA MODERNIZATION REPORT.

(a) HIGHWAY FORMULA MODERNIZATION STUDY.—

(1) IN GENERAL.—The Secretary of Transportation, in consultation with the State departments of transportation and representatives of local governments (including metropolitan planning organizations), shall conduct a highway formula modernization study to assess the method and data used to apportion Federal-aid highway funds under subsections (b) and (c) of section 104 of title 23, United States Code, and issue recommendations on such method and data.

(2) ASSESSMENT.—The highway formula modernization study required under paragraph (1) shall include an assessment of, based on the latest available data, whether the apportionment method under such section results in—

(A) an equitable distribution of funds based on the estimated tax payments attributable to—

(i) highway users in the State that are paid into the Highway Trust Fund; and

(ii) individuals in the State that are paid to the Treasury, based on contributions to the Highway Trust Fund from the general fund of the Treasury; and

(B) the achievement of the goals described in section 101(b)(3) of title 23, United States Code.

(3) CONSIDERATIONS.—In carrying out the assessment under paragraph (2), the Secretary shall consider the following:

(A) The factors described in sections 104(b), 104(f)(2), 104(h)(2), 130(f), and 144(e) of title 23, United States Code, as in effect on the date of enactment of SAFETEA–LU (Public Law 109–59).

(B) The availability and accuracy of data necessary to calculate formula apportionments under the factors described in subparagraph (A).

(C) The measures established under section 150 of title 23, United States Code, and whether such measures are appropriate for consideration as formula apportionment factors.

(D) The results of the CMAQ formula modernization study required under subsection (b).

(E) Inclusion of the Commonwealth of Puerto Rico in the apportionment under subsections (b) and (c) of section 104 of such title, including an estimate of the anticipated contributions to the Highway Trust Fund from the citizens of Puerto Rico if Puerto Rico was subject to applicable highway user fees.

(F) A needs-based assessment of the share of Federal-aid highway funds that should be made available to the territories described under section 165(c) of such title.

(G) Any other factors that the Secretary determines are appropriate.

(4) RECOMMENDATIONS.—The Secretary shall, in consultation with the State departments of transportation and representatives of local governments (including metropolitan planning organizations), develop recommendations on a new apportionment method, including—

(A) the factors recommended to be included in such apportionment method;

(B) the weighting recommended to be applied to the factors under subparagraph (A); and

(C) any other recommendations to ensure that the apportionment method best achieves an equitable distribution of funds described under paragraph (2)(A) and the goals described in paragraph (2)(B).

(b) CMAQ FORMULA MODERNIZATION STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Administrator of the Environmental Protection Agency, shall conduct an CMAQ formula modernization study to assess whether the apportionment method under section 104(b)(4) of title 23, United States Code, results in a distribution of funds that best achieves the air quality goals of section 149 of such title.

(2) CONSIDERATIONS.—In providing consultation under this subsection, the Administrator of the Environmental Protection Agency shall provide to the Secretary an analysis of—

(A) factors that contribute to the apportionment, including population, types of pollutants, and severity of pollutants, as such factors were determined on the date prior to the date of enactment of MAP–21;

(B) the weighting of the factors listed under subparagraph (A); and

(C) the recency of the data used in making the apportionment under section 104(b)(4) of title 23, United States Code.

(3) RECOMMENDATIONS.—If, in conducting the study under this subsection, the Secretary finds that modifying the apportionment method under section 104(b)(4) of title 23, United States Code, would best achieve the air quality goals of section 149 of title 23, United States Code, the Secretary shall, in consultation with the Administrator, include in such study recommendations for a new apportionment method, including—

(A) the factors recommended to be included in such apportionment method;

(B) the weighting recommended to be applied to the factors under subparagraph (A); and

(C) any other recommendations to ensure that the apportionment method best achieves the air quality goals section 149 of such title.

(c) REPORT.—No later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing the results of the highway formula modernization study and the CMAQ formula modernization study.

SEC. 1607. CONSOLIDATION OF PROGRAMS.

Section 1519 of MAP–21 (Public Law 112–141) is amended—

(1) in subsection (a)—

(A) by striking ''fiscal years 2016 through 2020'' and inserting ''fiscal years 2023 through 2026''; and

(B) by striking ''$3,500,000'' and inserting ''$4,000,000'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

''(b) FEDERAL SHARE.—The Federal share of the cost of a project or activity carried out under subsection (a) shall be 100 percent.''.

SEC. 1608. STUDENT OUTREACH REPORT TO CONGRESS.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the efforts of the Department of Transportation to encourage elementary, secondary, and post-secondary students to pursue careers in the surface transportation sector.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) a description of efforts to increase awareness of careers related to surface transportation among elementary, secondary, and post-secondary students;

(2) a description of efforts to prepare and inspire such students for surface transportation careers;

(3) a description of efforts to support the development of a diverse, well-qualified workforce for future surface transportation needs; and

(4) the effectiveness of the efforts described in paragraphs (1) through (3).

SEC. 1609. TASK FORCE ON DEVELOPING A 21ST CENTURY SURFACE TRANSPORTATION WORKFORCE.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall establish a task force on developing a 21st century surface transportation workforce (in this section referred to as the ''Task Force'').

(b) DUTIES.—Not later than 12 months after the establishment of the Task Force under subsection (a), the Task Force shall develop and submit to the Secretary recommendations and strategies for the Department of Transportation to—

(1) evaluate the current and future state of the surface transportation workforce, including projected job needs in the surface transportation sector;

(2) identify factors influencing individuals pursuing careers in surface transportation, including barriers to attracting individuals into the workforce;

(3) address barriers to retaining individuals in surface transportation careers;

(4) identify and address potential impacts of emerging technologies on the surface transportation workforce;

(5) increase access for vulnerable or underrepresented populations, especially women and minorities, to high-skill, in-demand surface transportation careers;

(6) facilitate and encourage elementary, secondary, and post-secondary students in the United States to pursue careers in the surface transportation sector; and

(7) identify and develop pathways for students and individuals to secure pre-apprenticeships, registered apprenticeships, and other work-based learning opportunities in the surface transportation sector of the United States.

(c) CONSIDERATIONS.—In developing recommendations and strategies under subsection (b), the Task Force shall—

(1) identify factors that influence whether young people pursue careers in surface transportation, especially traditionally underrepresented populations, including women and minorities;

(2) consider how the Department, businesses, industry, labor, educators, and other stakeholders can coordinate efforts to support qualified individuals in pursuing careers in the surface transportation sector;

(3) identify methods of enhancing surface transportation pre-apprenticeships and registered apprenticeships, job skills training, mentorship, education, and outreach programs that are exclusive to youth in the United States; and

(4) identify potential sources of funding, including grants and scholarships, that may be used to support youth and other qualified individuals in pursuing careers in the surface transportation sector.

(d) CONSULTATION.—In developing the recommendations and strategies required under subsection (b), the Task Force may consult with—

(1) local educational agencies and institutes of higher education, including community colleges and vocational schools; and

(2) State workforce development boards.

(e) REPORT.—Not later than 60 days after the submission of the recommendations and strategies under subsection (b), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing such recommendations and strategies.

(f) COMPOSITION OF TASK FORCE.—The Secretary shall appoint members to the Task Force whose diverse background and expertise allow such members to contribute balanced points of view and ideas in carrying out this section, comprised of equal representation from each of the following:

(1) Industries in the surface transportation sector.

(2) Surface transportation sector labor organizations.

(3) Such other surface transportation stakeholders and experts as the Secretary considers appropriate.

(g) PERIOD OF APPOINTMENT.—Members shall be appointed to the Task Force for the duration of the existence of the Task Force.

(h) COMPENSATION.—Task Force members shall serve without compensation.

(i) SUNSET.—The Task Force shall terminate upon the submission of the report required under subsection (e).

(j) DEFINITIONS.—In this section:

(1) PRE-APPRENTICESHIP.—The term ''pre-apprenticeship'' means a training model or program that prepares individuals for acceptance into a registered apprenticeship and has a demonstrated partnership with one or more registered apprenticeships.

(2) REGISTERED APPRENTICESHIP.—The term ''registered apprenticeship'' means an apprenticeship program registered under the Act of August 16, 1937 (29 U.S.C. 50 et seq.; commonly known as the ''National Apprenticeship Act''), that satisfies the requirements of parts 29 and 30 of title 29, Code of Federal Regulations (as in effect on January 1, 2020).

SEC. 1610. ON-THE-JOB TRAINING AND SUPPORTIVE SERVICES.

Section 140(b) of title 23, United States Code, is amended to read as follows:

''(b) WORKFORCE TRAINING AND DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary, in cooperation with the Secretary of Labor and any other department or agency of the Government, State agency, authority, association, institution, Indian Tribe or Tribal organization, corporation (profit or nonprofit), or any other organization or person, is authorized to develop, conduct, and administer surface transportation and technology training, including skill improvement programs, and to develop and fund summer transportation institutes.

''(2) STATE RESPONSIBILITIES.—A State department of transportation participating in the program under this subsection shall—

''(A) develop an annual workforce plan that identifies immediate and anticipated workforce gaps and underrepresentation of women and minorities and a detailed plan to fill such gaps and address such underrepresentation;

''(B) establish an annual workforce development compact with the State workforce development board and appropriate agencies to provide a coordinated approach to workforce training, job placement, and identification of training and skill development program needs, which shall be coordinated to the extent practical with an institution or agency, such as a State workforce development board under section 101 of the Workforce Innovation and Opportunities Act (29 U.S.C. 3111), that has established skills training, recruitment, and placement resources; and

''(C) demonstrate program outcomes, including—

''(i) impact on areas with transportation workforce shortages;

''(ii) diversity of training participants;

''(iii) number and percentage of participants obtaining certifications or credentials required for specific types of employment;

''(iv) employment outcome, including job placement and job retention rates and earnings, using performance metrics established in consultation with the Secretary of Labor and consistent with metrics used by programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

''(v) to the extent practical, evidence that the program did not preclude workers that participate in training or registered apprenticeship activities under the program from being referred to, or hired on, projects funded under this chapter.

''(3) FUNDING.—From administrative funds made available under section 104(a), the Secretary shall deduct such sums as necessary, not to exceed $10,000,000 in each fiscal year, for the administration of this subsection. Such sums shall remain available until expended.

''(4) NONAPPLICABILITY OF TITLE 41.—Subsections (b) through (d) of section 6101 of title 41 shall not apply to contracts and agreements made under the authority granted to the Secretary under this subsection.

''(5) USE OF SURFACE TRANSPORTATION PROGRAM AND NATIONAL HIGHWAY PERFORMANCE PROGRAM FUNDS.—Notwithstanding any other provision of law, not to exceed ½ of 1 percent of funds apportioned to a State under paragraph (1) or (2) of section 104(b) may be available to carry out this subsection upon request of the State transportation department to the Secretary.''.

SEC. 1611. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM FUNDING FLEXIBILITY.

(a) IN GENERAL.—Any funds made available to a State for the Appalachian development highway system program under subtitle IV of title 40, United States Code, before the date of enactment of this Act may be used, at the request of such State to the Secretary of Transportation, for the purposes described in section 133(b) of title 23, United States Code.

(b) LIMITATION.—The authority in subsection (a) may only be used by an Appalachian development highway system State if all of the Appalachian development highway system corridors authorized by subtitle IV of title 40, United States Code, in such State, have been fully completed and are open to traffic prior to the State making a request to the Secretary as described in subsection (a).

SEC. 1612. TRANSPORTATION EDUCATION DEVELOPMENT PROGRAM.

Section 504 of title 23, United States Code, is amended—

(1) in subsection (e)(1) by inserting ''and (8) through (9)'' after ''paragraphs (1) through (4)''; and

(2) in subsection (f) by adding at the end the following:

''(4) REPORTS.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an annual report that includes—

''(A) a list of all grant recipients under this subsection;

''(B) an explanation of why each recipient was chosen in accordance with the criteria under paragraph (2);

''(C) a summary of each recipient's objective to carry out the purpose described in paragraph (1) and an analysis of progress made toward achieving each such objective;

''(D) an accounting for the use of Federal funds obligated or expended in carrying out this subsection; and

''(E) an analysis of outcomes of the program under this subsection.''.

SEC. 1613. WORKING GROUP ON CONSTRUCTION RESOURCES.

(a) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish a working group (in this section referred to as the ''Working Group'') to conduct a study on access to covered resources for infrastructure projects.

(b) MEMBERSHIP.—

(1) APPOINTMENT.—The Secretary shall appoint to the Working Group individuals with knowledge and expertise in the production and transportation of covered resources.

(2) REPRESENTATION.—The Working Group shall include at least one representative of each of the following:

(A) State departments of transportation.

(B) State agencies associated with covered resources protection.

(C) State planning and geologic survey and mapping agencies.

(D) Commercial motor vehicle operators, including small business operators and operators who transport covered resources.

(E) Covered resources producers.

(F) Construction contractors.

(G) Labor organizations.

(H) Metropolitan planning organizations and regional planning organizations.

(I) Indian Tribes.

(J) Professional surveying, mapping, and geospatial organizations.

(K) Any other stakeholders that the Secretary determines appropriate.

(3) TERMINATION.—The Working Group shall terminate 6 months after the date on which the Secretary receives the report under subsection (e)(1).

(c) DUTIES.—In carrying out the study required under subsection (a), the Working Group shall analyze—

(1) the use of covered resources in transportation projects funded with Federal dollars;

(2) how the proximity of covered resources to such projects affects the cost and environmental impact of such projects;

(3) whether and how State, Tribal, and local transportation and planning agencies consider covered resources when developing transportation projects; and

(4) any challenges for transportation project sponsors regarding access and proximity to covered resources.

(d) CONSULTATION.—In carrying out the study required under subsection (a), the Working Group shall consult with, as appropriate—

(1) chief executive officers of States;

(2) State and local transportation planning agencies;

(3) Indian Tribes;

(4) other relevant State, Tribal, and local agencies, including State agencies associated with covered resources protection;

(5) members of the public with industry experience with respect to covered resources;

(6) other Federal entities that provide funding for transportation projects; and

(7) any other stakeholder the Working Group determines appropriate.

(e) REPORTS.—

(1) WORKING GROUP REPORT.—Not later than 2 years after the date on which the Working Group is established, the Working Group shall submit to the Secretary a report that includes—

(A) the findings of the study required under subsection (a), including a summary of comments received during the consultation process under subsection (d); and

(B) any recommendations to preserve access to and reduce the costs and environmental impacts of covered resources for infrastructure projects.

(2) DEPARTMENTAL REPORT.—Not later than 3 months after the date on which the Secretary receives the report under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a summary of the findings under such report and any recommendations, as appropriate.

(f) DEFINITIONS.—In this section:

(1) COVERED RESOURCES.—The term ''covered resources'' means common variety materials used in transportation infrastructure construction and maintenance, including stone, sand, and gravel.

(2) INDIAN TRIBES.—The term ''Indian Tribes'' has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(3) STATE.—The term ''State'' means each of the several States, the District of Columbia, and each territory or possession of the United States.

SEC. 1614. NUMBERING SYSTEM OF HIGHWAY INTERCHANGES.

(a) IN GENERAL.—Notwithstanding section 315 of title 23, United States Code, and section 1.36 of title 23, Code of Federal Regulations, the Secretary of Transportation may not impose a penalty on a State that does not comply with section 2E.31 of the Manual on Uniform Traffic Control Devices (or a successor section) with respect to the numbering of highway interchanges.

(b) APPLICABILITY.—Subsection (a) shall only apply to a method of numbering of a highway interchange in effect on the date of enactment of this Act.

SEC. 1615. TOLL CREDITS.

(a) PURPOSES.—The Secretary of Transportation shall—

(1) identify the extent of the demand to purchase toll credits;

(2) identify the expected cash price of toll credits;

(3) analyze the impact of the exchange of toll credits on transportation expenditures; and

(4) identify any other repercussions of establishing a toll credit exchange.

(b) SOLICITATION.—To carry out the requirements of this section, the Secretary shall solicit information from States eligible to use a credit under section 120(i) of title 23, United States Code, including—

(1) the amount of unused toll credits, including—

(A) toll revenue generated and the sources of that revenue;

(B) toll revenue used by public, quasi-public, and private agencies to build, improve, or maintain highways, bridges, or tunnels that serve the public purpose of interstate commerce; and

(C) an accounting of any Federal funds used by the public, quasi-public, or private agency to build, improve, or maintain the toll facility, to validate that the credit has been reduced by a percentage equal to the percentage of the total cost of building, improving, or maintaining the facility that was derived from Federal funds;

(2) the documentation of maintenance of effort for toll credits earned by the State; and

(3) the accuracy of the accounting system of the State to earn and track toll credits.

(c) WEBSITE.—The Secretary shall make available a publicly accessible website on which a State eligible to use a credit under section 120(i) of title 23, United States Code shall publish the information described under subsection (b)(1).

(d) EVALUATION AND RECOMMENDATIONS TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available on the website of the Department of Transportation—

(1) an evaluation of the accuracy of the accounting and documentation of toll credits earned under section 120(i);

(2) a determination whether a toll credit marketplace is viable and cost effective;

(3) estimates, to the extent possible, of the average sale price of toll credits; and

(4) recommendations on any modifications necessary, including legislative changes, to establish and implement a toll credit exchange program.

(e) DEFINITION.—In this section, the term ''State'' has the meaning given the term in section 101(a) of title 23, United States Code.

SEC. 1616. TRANSPORTATION CONSTRUCTION MATERIALS PROCUREMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall initiate a review of the procurement processes used by State departments of transportation to select construction materials on projects utilizing Federal-aid highway funds.

(b) CONTENTS.—The review under subsection (a) shall include—

(1) a review of competitive practices in the bidding process for transportation construction materials;

(2) a list of States that currently issue bids that include flexibility in the type of construction materials used to meet the project specifications;

(3) any information provided by States on considerations that influence the decision to include competition by type of material in transportation construction projects;

(4) any data on whether issuing bids that include flexibility in the type of construction materials used to meet the project specifications will affect project costs over the lifecycle of an asset;

(5) any data on the degree to which competition leads to greater use of sustainable, innovative, or resilient materials; and

(6) an evaluation of any barriers to more widespread use of competitive bidding processes for transportation construction materials.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available, a report on the review initiated by the Secretary pursuant to this section.

SEC. 1617. NATIONWIDE ROAD SAFETY ASSESSMENT.

(a) IN GENERAL.—The Secretary of Transportation shall, every 2 years, conduct nationwide, on-the-ground road safety assessments focused on pedestrian and bicycle safety in each State.

(b) REQUIREMENTS.—The assessments required under subsection (a) shall be conducted—

(1) by Department of Transportation field offices from the Federal Highway Administration, the National Highway Transportation Safety Administration, the Federal Transit Administration, and the Federal Motor Carrier Safety Administration; and

(2) in consultation with—

(A) State and local agencies with jurisdiction over pedestrian and bicycle safety;

(B) pedestrian safety and bicycle safety advocacy organizations; and

(C) other relevant pedestrian and bicycle safety stakeholders.

(c) PURPOSES.—The purpose of the assessments under this section is to—

(1) identify and examine specific locations with documented or perceived problems with pedestrian and bicycle safety and access;

(2) examine barriers to providing safe pedestrian and bicycle access to transportation infrastructure; and

(3) develop and issue recommendations designed to effectively address specific safety and access issues and enhance pedestrian and bicycle safety in high risk areas.

(d) REPORT ON STATE ASSESSMENTS.—Upon completion of the assessment of a State, the Secretary shall issue, and make available to the public, a report containing the assessment that includes—

(1) a list of locations that have been assessed as presenting a danger to pedestrians or bicyclists; and

(2) recommendations to enhance pedestrian and bicycle safety in those locations.

(e) REPORT ON NATIONWIDE PROGRAM.—Upon completion of the biannual assessment nationwide required under this section, the Secretary shall issue, and make available to the public, that covers assessments for all jurisdictions and also present it to the congressional transportation committees.

(f) NATIONAL PEDESTRIAN AND BICYCLE SAFETY DATABASE.—The Secretary, in order to enhance pedestrian and bicycle safety and improve information sharing on pedestrian and bicycle safety challenges between the Federal Government and State and local governments, shall maintain a national pedestrian and bicycle safety database that includes—

(1) a list of high-risk intersections, roads, and highways with a documented history of pedestrian or bicycle accidents or fatalities and details regarding those incidents; and

(2) information on corrective measures that have been implemented at the State, local, or Federal level to enhance pedestrian and bicyclist safety at those high risk areas, including details on the nature and date of corrective action.

(g) STATE DEFINED.—In this section, the term ''State'' means each of the States, the District of Columbia, and Puerto Rico.

SEC. 1618. CLIMATE RESILIENT TRANSPORTATION INFRASTRUCTURE STUDY.

(a) CLIMATE RESILIENT TRANSPORTATION INFRASTRUCTURE STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall seek to enter into an agreement with the Transportation Research Board of the National Academies to conduct a study of the actions needed to ensure that Federal agencies are taking into account current and future climate conditions in planning, designing, building, operating, maintaining, investing in, and upgrading any federally funded transportation infrastructure investments.

(b) METHODOLOGIES.—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in—

(1) the 2018 report issued the American Society of Civil Engineers, titled ''Climate-Resilient Infrastructure: Adaptive Design and Risk Management''; and

(2) the report issued by the California Climate-Safe Infrastructure Working Group, titled ''Paying it Forward: The Path Toward Climate-Safe Infrastructure in California''.

(c) CONTENTS OF STUDY.—The study shall include specific recommendations regarding the following:

(1) Integrating scientific knowledge of projected climate change impacts, and other relevant data and information, into Federal infrastructure planning, design, engineering, construction, operation and maintenance.

(2) Addressing critical information gaps and challenges.

(3) Financing options to help fund climate-resilient infrastructure.

(4) A platform or process to facilitate communication between climate scientists and other experts with infrastructure planners, engineers and other relevant experts.

(5) A stakeholder process to engage with representatives of State, local, tribal and community groups.

(6) A platform for tracking Federal funding of climate-resilient infrastructure.

(7) Labor and workforce needs to implement climate-resilient transportation infrastructure projects including new and emerging skills, training programs, competencies and recognized postsecondary credentials that may be required to adequately equip the workforce.

(8) Outlining how Federal infrastructure planning, design, engineering, construction, operation, and maintenance impact the environment and public health of disproportionately exposed communities. For purposes of this paragraph, the term ''disproportionately exposed communities'' means a community in which climate change, pollution, or environmental destruction have exacerbated systemic racial, regional, social, environmental, and economic injustices by disproportionately affecting indigenous peoples, communities of color, migrant communities, deindustrialized communities, depopulated rural communities, the poor, low-income workers, women, the elderly, people experiencing homelessness, people with disabilities, people who are incarcerated, or youth.

(d) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall determine the need for information related to climate resilient transportation infrastructure by considering—

(1) the current informational and institutional barriers to integrating projected infrastructure risks posed by climate change into federal infrastructure planning, design, engineering, construction, operation and maintenance;

(2) the critical information needed by engineers, planners and those charged with infrastructure upgrades and maintenance to better incorporate climate change risks and impacts over the lifetime of projects;

(3) how to select an appropriate, adaptive engineering design for a range of future climate scenarios as related to infrastructure planning and investment;

(4) how to incentivize and incorporate systems thinking into engineering design to maximize the benefits of multiple natural functions and emissions reduction, as well as regional planning;

(5) how to take account of the risks of cascading infrastructure failures and develop more holistic approaches to evaluating and mitigating climate risks;

(6) how to ensure that investments in infrastructure resilience benefit all communities, including communities of color, low-income communities, and Indian Tribes that face a disproportionate risk from climate change and in many cases have experienced long-standing unmet needs and underinvestment in critical infrastructure;

(7) how to incorporate capital assessment and planning training and techniques, including a range of financing options to help local and State governments plan for and provide matching funds;

(8) how federal agencies can track and monitor federally funded resilient infrastructure in a coordinated fashion to help build the understanding of the cost-benefit of resilient infrastructure and to build the capacity for implementing resilient infrastructure; and

(9) the occupations, skillsets, training programs, competencies and recognized postsecondary credentials that will be needed to implement such climate-resilient transportation infrastructure projects, and how to ensure that any new jobs created by such projects ensure that priority hiring considerations are given to individuals facing barriers to employment, communities of color, low-income communities and Indian Tribes that face a disproportionate risk from climate change and have been excluded from job opportunities.

(e) CONSULTATION.—In carrying out the study, the Transportation Research Board—

(1) shall convene and consult with a panel of national experts, including operators and users of Federal transportation infrastructure and private sector stakeholders; and

(2) is encouraged to consult with—

(A) representatives from the thirteen federal agencies that comprise the United States Global Change Research Program;

(B) representatives from the Department of the Treasury;

(C) professional engineers with relevant expertise in infrastructure design;

(D) scientists from the National Academies with relevant expertise;

(E) scientists, social scientists and experts from academic and research institutions who have expertise in climate change projections and impacts; engineering; architecture; or other relevant areas of expertise;

(F) licensed architects with relevant experience in infrastructure design;

(G) certified planners;

(H) representatives of State and local governments and Indian Tribes;

(I) representatives of environmental justice groups; and

(J) representatives of labor unions that represent key trades and industries involved in infrastructure projects.

(f) REPORT.—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Environment and Public Works of the Senate a report on the results of the study conducted under this section.

SEC. 1619. NATURAL GAS, ELECTRIC BATTERY, AND ZERO EMISSION VEHICLES.

Subsection (s) of section 127 of title 23, United States Code is amended to read as follows:

''(s) NATURAL GAS, ELECTRIC BATTERY, AND ZERO EMISSION VEHICLES.—A vehicle, if operated by an engine fueled primarily by natural gas, powered primarily by means of electric battery power, or fueled primarily by means of other zero emission fuel technologies, may exceed the weight limit on the power unit by up to 2,000 pounds (up to a maximum gross vehicle weight of 82,000 pounds) under this section.''.

SEC. 1620. GUIDANCE ON EVACUATION ROUTES.

(a) IN GENERAL.—

(1) GUIDANCE.—The Administrator of the Federal Highway Administration, in coordination with the Administrator of the Federal Emergency Management Agency, and consistent with guidance issued by the Federal Emergency Management Agency pursuant to section 1209 of the Disaster Recovery Reform Act of 2018 (Public Law 115–254), shall revise existing guidance or issue new guidance as appropriate for State and local governments and Indian Tribes regarding the design, construction, maintenance, retrofit, and repair of evacuation routes.

(2) CONSIDERATIONS.—In revising or issuing guidance under subsection (a)(1), the Administrator of the Federal Highway Administration shall consider—

(A) methods that assist evacuation routes to—

(i) withstand the effects of hydrostatic and hydrodynamic forces on viability, including recommendations regarding appropriate drainage structures or other flood prevention mechanisms to manage stormwater, runoff, and the effect of storm surge;

(ii) withstand the risks that flammability poses to viability;

(iii) improve durability, strength (including the ability to withstand tensile stresses and compressive stresses), and sustainability; and

(iv) provide for long-term cost savings;

(B) the ability of evacuation routes to effectively manage contraflow operations;

(C) for evacuation routes on public lands, the viewpoints of the applicable Federal land management agency regarding emergency operations, sustainability, and resource protection; and

(D) such other items the Administrator of the Federal Highway Administration considers appropriate.

(3) REPORT.—In the case in which the Administrator of the Federal Highway Administration, in consultation with the Administrator of the Federal Emergency Management Agency, concludes existing guidance addresses the considerations in paragraph (2), The Administrator of the Federal Highway Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a detailed report describing how existing guidance addresses such considerations.

(b) STUDY.—

(1) IN GENERAL.—The Administrator of the Federal Highway Administration, in coordination with the Administrator of the Federal Emergency Management Agency, shall study the vulnerability of evacuation routes that are part of the national highway system to the risks of extreme weather, including flooding and storm surge.

(2) CONTENTS.—In conducting the study under paragraph (1), the Administrator shall examine—

(A) the likelihood of Federal evacuation routes flooding during a 100-year, 500-year, and 1000-year weather event;

(B) whether Federal evacuation routes that have historically flooded have recovered quickly from extreme weather events;

(C) the availability of alternative evacuation routes to accommodate the flow of evacuees in the event of an evacuation route becoming impassable due to flooding; and

(D) the impact of impassable evacuation routes on vulnerable individuals, with consideration of the return of evacuees after an extreme weather event, including—

(i) individuals with a physical or mental disability;

(ii) individuals in schools, daycare centers, mobile home parks, prisons, nursing homes, and other long-term care facilities and detention centers;

(iii) individuals with limited proficiency in English;

(iv) the elderly; and

(v) individuals who are tourists, seasonal workers, or homeless.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the study and the results of such study, including identifying which segments of Federal evacuation routes are most vulnerable to becoming impassable due to flooding.

SEC. 1621. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) IDENTIFICATION.—

(1) CENTRAL TEXAS CORRIDOR.—Section 1105(c)(84) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended to read as follows:

''(84) The Central Texas Corridor, including the route—

''(A) commencing in the vicinity of Texas Highway 338 in Odessa, Texas, running eastward generally following Interstate Route 20, connecting to Texas Highway 158 in the vicinity of Midland, Texas, then following Texas Highway 158 eastward to United States Route 87 and then following United States Route 87 southeastward, passing in the vicinity of San Angelo, Texas, and connecting to United States Route 190 in the vicinity of Brady, Texas;

''(B) commencing at the intersection of Interstate Route 10 and United States Route 190 in Pecos County, Texas, and following United States Route 190 to Brady, Texas;

''(C) following portions of United States Route 190 eastward, passing in the vicinity of Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, Woodville, and Jasper, to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing and including a loop generally encircling Bryan/College Station, Texas;

''(D) following United States Route 83 southward from the vicinity of Eden, Texas, to a logical connection to Interstate Route 10 at Junction, Texas;

''(E) following United States Route 69 from Interstate Route 10 in Beaumont, Texas, north to United States Route 190 in the vicinity of Woodville, Texas;

''(F) following United States Route 96 from Interstate Route 10 in Beaumont, Texas, north to United States Route 190 in the vicinity of Jasper, Texas; and

''(G) following United States Route 190, State Highway 305, and United States Route 385 from Interstate Route 10 in Pecos County, Texas to Interstate 20 at Odessa, Texas.''.

(2) CENTRAL LOUISIANA CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following:

''(92) The Central Louisiana Corridor commencing at the logical terminus of Louisiana Highway 8 at the Sabine River Bridge at Burrs Crossing and generally following portions of Louisiana Highway 8 to Leesville, Louisiana, and then eastward on Louisiana Highway 28, passing in the vicinity of Alexandria, Pineville, Walters, and Archie, to the logical terminus of United States Route 84 at the Mississippi River Bridge at Vidalia, Louisiana.''.

(3) CENTRAL MISSISSIPPI CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991, as amended by this Act, is further amended by adding at the end the following:

''(93) The Central Mississippi Corridor, including the route—

''(A) commencing at the logical terminus of United States Route 84 at the Mississippi River and then generally following portions of United States Route 84 passing in the vicinity of Natchez, Brookhaven, Monticello, Prentiss, and Collins, to Interstate 59 in the vicinity of Laurel, Mississippi, and continuing on Interstate Route 59 north to Interstate Route 20 and on Interstate Route 20 to the Mississippi-Alabama State Border; and

''(B) commencing in the vicinity of Laurel, Mississippi, running south on Interstate Route 59 to United States Route 98 in the vicinity of Hattiesburg, connecting to United States Route 49 south then following United States Route 49 south to Interstate Route 10 in the vicinity of Gulfport and following Mississippi Route 601 southerly terminating near the Mississippi State Port at Gulfport.''.

(4) MIDDLE ALABAMA CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991, as amended by this Act, is further amended by adding at the end the following:

''(94) The Middle Alabama Corridor including the route—

''(A) beginning at the Alabama-Mississippi Border generally following portions of I–20 until following a new interstate extension paralleling United States Highway 80 specifically:

''(B) crossing Alabama Route 28 near Coatopa, Alabama, traveling eastward crossing United States Highway 43 and Alabama Route 69 near Selma, Alabama, traveling eastwards closely paralleling United States Highway 80 to the south crossing over Alabama Routes 22, 41, and 21, until its intersection with I–65 near Hope Hull, Alabama;

''(C) continuing east along the proposed Montgomery Outer Loop south of Montgomery, Alabama where it would next join with I–85 east of Montgomery, Alabama;

''(D) continuing along I–85 east bound until its intersection with United States Highway 280 near Opelika, Alabama or United States Highway 80 near Tuskegee, Alabama; and

''(E) generally following the most expedient route until intersecting with existing United States Highway 80 (JR Allen Parkway) through Phenix City until continuing into Columbus, Georgia.''.

(5) MIDDLE GEORGIA CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991, as amended by this Act, is further amended by adding at the end the following:

''(95) The Middle Georgia Corridor including the route—

''(A) beginning at the Alabama-Georgia Border generally following the Fall Line Freeway from Columbus Georgia to Augusta, Georgia specifically:

''(B) travelling along United States Route 80 (JR Allen Parkway) through Columbus, Georgia and near Fort Benning, Georgia, east to Talbot County, Georgia where it would follow Georgia Route 96, then commencing on Georgia Route 49C (Fort Valley Bypass) to Georgia Route 49 (Peach Parkway) to its intersection with Interstate route 75 in Byron, Georgia;

''(C) continuing north along Interstate Route 75 through Warner Robins and Macon, Georgia where it would meet Interstate Route 16. Following Interstate 16 east it would next join United States Route 80 and then onto State Route 57; and

''(D) commencing with State Route 57 which turns into State Route 24 near Milledgeville, Georgia would then bypass Wrens, Georgia with a newly constructed bypass. After the bypass it would join United States Route 1 near Fort Gordon into Augusta, Georgia where it will terminate at Interstate Route 520.''.

(6) LOUISIANA CAPITAL REGION.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991, as amended by this Act, is further amended by adding at the end the following:

''(96) The Louisiana Capital Region High Priority Corridor, which shall generally follow—

''(A) Interstate 10, between its intersections with Interstate 12 and Louisiana Highway 415;

''(B) Louisiana Highway 415, between its intersections with Interstate 10 and United States route 190;

''(C) United States route 190, between its intersections with Louisiana Highway 415 and intersection with Interstate 110;

''(D) Interstate 110, between its intersections with United States route 190 and Interstate 10;

''(E) Louisiana Highway 30, near St. Gabriel, LA and its intersections with Interstate 10;

''(F) Louisiana Highway 1, near White Castle, LA and its intersection with Interstate 10; and

''(G) A bridge connecting Louisiana Highway 1 with Louisiana Highway 30, south of the Interstate described in subparagraph (A).''.

(b) INCLUSION OF CERTAIN SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended—

(1) by inserting ''subclauses (I) through (IX) of subsection (c)(38)(A)(i), subsection (c)(38)(A)(iv),'' after ''subsection (c)(37),'';

(2) by inserting ''subsection (c)(84),'' after ''subsection (c)(83),''; and

(3) by striking ''and subsection (c)(91)'' and inserting ''subsection (c)(91), subsection (c)(92), subsection (c)(93), subsection (c)(94), subsection (c)(95), and subsection (c)(96)''.

(c) DESIGNATION.—Section 1105(e)(5)(C) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by striking ''The route referred to in subsection (c)(84) is designated as Interstate Route I–14.'' and inserting ''The route referred to in subsection (c)(84)(A) is designated as Interstate Route I–14 North. The route referred to in subsection (c)(84)(B) is designated as Interstate Route I–14 South. The Bryan/College Station, Texas loop referred to in subsection (c)(84) is designated as Interstate Route I–214. The routes referred to in subparagraphs (C), (D), (E), (F), and (G) of subsection (c)(84) and in subsections (c)(92), (c)(93), (c)(94), and (c)(95) are designated as Interstate Route I–14.''.

SEC. 1622. GUIDANCE ON INUNDATED AND SUBMERGED ROADS.

(a) GUIDANCE.—The Administrator of the Federal Highway Administration, in coordination with the Administrator of the Federal Emergency Management Agency, shall review the guidance issued pursuant to section 1228 of the Disaster Recovery Reform Act of 2018 (Public Law 115–254), and revise or issue new guidance regarding repair, restoration, and replacement of inundated and submerged roads damaged or destroyed by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) with respect to roads eligible for assistance under Federal Highway Administration programs.

(b) CONSIDERATIONS.—In revising or issuing new guidance under subsection (a), the Administrator shall consider methods of repair, restoration, and replacement of damaged or destroyed roads that—

(1) improve the ability of a previously inundated or submerged road to withstand the effects of hydrostatic and hydrodynamic forces, including stormwater, runoff, or storm surge; and

(2) provide for long-term cost savings.

SEC. 1623. DRY BULK WEIGHT TOLERANCE.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(v) DRY BULK WEIGHT TOLERANCE.—

''(1) DEFINITION OF DRY BULK GOODS.—In this subsection, the term 'dry bulk goods' means any homogeneous unmarked nonliquid cargo being transported in a trailer specifically designed for that purpose.

''(2) WEIGHT TOLERANCE.—Notwithstanding any other provision of this section, except for the maximum gross vehicle weight limitation, a commercial motor vehicle transporting dry bulk goods may not exceed 110 percent of the maximum weight on any axle or axle group described in subsection (a), including any enforcement tolerance.''.

SEC. 1624. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b)(2)(A) of title 23, United States Code, is amended by striking ''2016 through 2020'' and inserting ''2023 through 2026''.

SEC. 1625. LABOR STANDARDS.

It is the policy of the United States that funds authorized or made available by this Act, or the amendments made by this Act, should not be used to purchase products produced whole or in part through the use of child labor, as such term is defined in Article 3 of the International Labor Organization Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labor (December 2, 2000), or in violation of human rights.

SEC. 1626. CLIMATE RESILIENCY REPORT BY GAO.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Comptroller General of the United States shall evaluate and issue a report to Congress on the economic benefits, including avoided impacts on property and life, of the use of model, consensus-based building codes, standards, and provisions that support resilience to climate risks and impacts, including—

(1) flooding;

(2) wildfires;

(3) hurricanes;

(4) heat waves;

(5) droughts;

(6) rises in sea level; and

(7) extreme weather.

(b) REPORT ISSUES.—The report required under subsection (a) shall include the following:

(1) An assessment of the status of adoption of building codes, standards, and provisions within the States, territories, and tribes at the State or jurisdictional level; including whether the adopted codes meet or exceed the most recent published edition of a national, consensus-based model code.

(2) An analysis of the extent to which pre-disaster mitigation measures provide benefits to the nation and individual States, territories and tribes, including—

(A) an economic analysis of the benefits to the design and construction of new resilient infrastructure;

(B) losses avoided, including economic losses, number of structures (buildings, roads, bridges), and injuries and deaths by utilizing building codes and standards that prioritize resiliency; and

(C) an economic analysis of the benefits to using hazard resistant building codes in rebuilding and repairing infrastructure following a disaster.

(3) An assessment of the building codes and standards referenced or otherwise currently incorporated into Federal policies and programs, including but not limited to grants, incentive programs, technical assistance and design and construction criteria, administered by the Federal Emergency Management Agency (hereinafter referred to as ''FEMA''), including—

(A) the extent to which such codes and standards contribute to increasing climate resiliency;

(B) recommendations for how FEMA could improve their use of codes and standards to prepare for climate change and address resiliency in housing, public buildings, and infrastructure such as roads and bridges; and

(C) how FEMA could increase efforts to support the adoption of hazard resistant codes by the States, territories, and Indian Tribes.

(4) Recommendations for FEMA on how to better incorporate climate resiliency into efforts to rebuild after natural disasters.

SEC. 1627. DESIGNATION OF JOHN R. LEWIS VOTING RIGHTS HIGHWAY.

(a) DESIGNATION.—The portion of United States Route 80 from Selma, Alabama to Montgomery, Alabama shall be known as the ''John R. Lewis Voting Rights Highway''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the portion of United States Route 80 from Selma, Alabama to Montgomery, Alabama is deemed to be a reference to the ''John R. Lewis Voting Rights Highway''.

SEC. 1628. GAO STUDY ON CAPITAL NEEDS OF PUBLIC FERRIES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the capital investment needs of United States public ferries and how Federal funding programs are meeting such needs.

(b) CONSIDERATIONS.—In carrying out the study under subsection (a), the Comptroller General shall examine the feasibility of including United States public ferries in the conditions and performance report of the Department of Transportation.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report describing the results of the study described in subsection (a), including any recommendations for how to include ferries in the conditions and performance report of the Department of Transportation.

SEC. 1629. USE OF MODELING AND SIMULATION TECHNOLOGY.

It is the sense of Congress that the Department of Transportation should utilize, to the fullest and most economically feasible extent practicable, modeling and simulation technology to analyze highway and public transportation projects authorized by this Act and the amendments made by this Act to ensure that these projects—

(1) increase transportation capacity and safety, alleviate congestion, and reduce travel time and environmental impacts; and

(2) are as cost effective as practicable.

SEC. 1630. GAO STUDY ON PER-MILE USER FEE EQUITY.

(a) ESTABLISHMENT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall carry out a study on the impact of equity issues associated with per-mile user fee funding systems on the surface transportation system.

(b) CONTENTS.—The study under subsection (a) shall include the following with respect to per-mile user fee systems:

(1) The financial, social, and other impacts of per-mile user fee systems on individuals, low-income individuals, and individuals of different races.

(2) The impact that access to alternative modes of transportation, including public transportation, has in carrying out per-mile user fee systems.

(3) The ability to access jobs and services, which may include healthcare facilities, child care, education and workforce training, food sources, banking and other financial institutions, and other retail shopping establishments.

(4) Equity issues for low-income individuals in urban and rural areas.

(5) Any differing impacts on passenger vehicles and commercial vehicles.

(c) INCLUSIONS.—In carrying out the study under subsection (a), the Comptroller General shall include an analysis of the State surface transportation system funding pilot program under section 6020 of the FAST Act (23 U.S.C. 503 note).

(d) REPORT.—Not later than 2 years after the date of the enactment after this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available, a report containing the results of the study under subsection (a), including recommendations for how to equitably implement per-mile user fee systems.

(e) DEFINITIONS.—

(1) PER-MILE USER FEE.—The term ''per-mile user fee'' means a revenue mechanism that—

(A) is applied to road users operating motor vehicles on the surface transportation system; and

(B) is based on the number of vehicle miles traveled by an individual road user.

(2) COMMERCIAL VEHICLE.—The term ''commercial vehicle'' has the meaning given the term commercial motor vehicle in section 31101 of title 49, United States Code.

SEC. 1631. GAO REVIEW OF EQUITY CONSIDERATIONS AT STATE DOTS.

(a) REVIEW REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall undertake a review of the extent to which State departments of transportation have in place best practices, standards, and protocols designed to ensure equity considerations in transportation planning, project selection, and project delivery, including considerations of the diverse transportation needs of low-income populations, minority populations, and other diverse populations.

(b) EVALUATION.—After the completion of the review under subsection (a), the Comptroller General shall issue and make available on a publicly accessible Website a report detailing—

(1) findings based on the review in subsection (a);

(2) a comprehensive set of recommendations for State departments of transportation to improve equity considerations, which may include model legislation, best practices, or guidance; and

(3) any recommendations to Congress for additional statutory authority needed to support State department of transportation efforts to incorporate equity considerations into transportation planning, project selection, and project delivery.

(c) REPORT.—After completing the review and evaluation required under subsections (a) and (b), and not later than 2 years after the date of enactment of this Act, the Comptroller General shall make available on a publicly accessible Website, a report that includes—

(1) findings based on the review conducted under subsection (a);

(2) the outcome of the evaluation conducted under subsection (b);

(3) a comprehensive set of recommendations to improve equity considerations in the public transportation industry, including recommendations for statutory changes if applicable; and

(4) the actions that the Secretary of Transportation could take to effectively address the recommendations provided under paragraph (3).

SEC. 1632. STUDY ON EFFECTIVENESS OF SUICIDE PREVENTION NETS AND BARRIERS FOR STRUCTURES OTHER THAN BRIDGES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study to identify—

(1) the types of structures, other than bridges, that attract a high number of individuals attempting suicide-by-jumping;

(2) the characteristics that distinguish structures identified under paragraph (1) from similar structures that do not attract a high number of individuals attempting suicide-by-jumping;

(3) the types of nets or barriers that are effective at reducing suicide-by-jumping with respect to the structures identified under paragraph (1);

(4) methods of reducing suicide-by-jumping with respect to the structures identified under paragraph (1) other than nets and barriers;

(5) quantitative measures of the effectiveness of the nets and barriers identified under paragraph (3);

(6) quantitative measures of the effectiveness of the additional methods identified under paragraph (4);

(7) the entities that typically install the nets and barriers identified under paragraph (3); and

(8) the costs of the nets and barriers identified under paragraph (3).

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a).

SEC. 1633. TRANSPORTATION PLANNING ACTIVITIES.

The Secretary or Transportation shall take all reasonable efforts to provide assistance for an Olympic or Paralympic event, or a Special Olympics International event, including the following:

(1) Planning activities of States and metropolitan planning organizations and transportation projects relating to an international Olympic or Paralympic event, or a Special Olympics International event, under sections 134 and 135 of title 23, United States Code.

(2) Developing intermodal transportation plans necessary for the projects, in coordination with State and local transportation agencies.

(3) Efforts to expedite review and comment by the Department of Transportation on any required submittals pertaining to an Olympic or Paralympic event or a Special Olympics International event.

(4) Providing technical assistance.

SEC. 1634. BETTER UTILIZING INFRASTRUCTURE FOR LASTING DEVELOPMENT OF VETERANS BUSINESSES.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(2) VETERAN.—The term ''veteran'' has the meaning given the term in section 101(2) of title 38, United States Code.

(3) VETERAN OWNED SMALL BUSINESS CONCERN.—The term ''veteran owned small business concern'' has the meaning given the term ''small business concern owned and controlled by veterans'' in section 3(q) of the Small Business Act (15 U.S.C. 632 (q)).

(b) AMOUNTS FOR VETERAN OWNED SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary of Transportation determines otherwise, not less than 3 percent of the amounts made available for any program under titles I, II, V, and VII of this division and section 403 of title 23, United States Code, shall be expended through veteran owned small business concerns.

(c) UNIFORM CRITERIA.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a veteran owned small business concern for the purpose of this section. Such criteria shall include a limit on the personal net worth of the veterans who own and control the small business concern.

(d) REPORTING.—The Secretary shall establish minimum requirements for use by State government in reporting to the Secretary—

(1) information concerning veteran owned small business concern awards, commitments, and achievement; and

(2) such other information as the Secretary determined to be appropriate for the proper monitoring of the veterans business enterprise program.

SEC. 1635. VEHICLE WEIGHT LIMITATIONS.

Section 127(i)(1)(A) of title 23, United States Code, is amended by inserting ''an emergency or'' before ''a major disaster''.

SEC. 1636. ROADWAY WORKER PROTECTION WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish a working group (in this section referred to as the ''Working Group'') to review the methods, practices, and technologies necessary to protect workers in roadway work zones.

(b) MEMBERSHIP.—

(1) APPOINTMENT.—The Secretary shall appoint to the Working Group individuals with knowledge and expertise in roadway safety.

(2) REPRESENTATION.—The Working group shall include at least one representative of each of the following:

(A) State departments of transportation.

(B) Local governments or metropolitan planning organizations.

(C) Temporary traffic control organizations.

(D) Roadway user organizations.

(E) Vehicle and commercial vehicle manufacturers.

(F) Labor organizations.

(G) Traffic safety organizations.

(H) Motor carrier and independent owner-operator organizations.

(I) Law enforcement and first responder organizations.

(J) Autonomous vehicle technology companies.

(K) Any other stakeholders that the Secretary determines appropriate.

(3) TERMINATION.—The Working Group shall terminate 6 months after the date on which the Secretary receives the report under subsection (f)(1).

(c) DUTIES.—In carrying out the review required under subsection (a), the Working Group shall—

(1) evaluate and analyze current work zone safety and worker protection traffic control best practices;

(2) identify causes of work zone injuries and fatalities;

(3) identify and evaluate technologies related to vehicle interaction with work zones and workers in work zones; and

(4) identify challenges for transportation construction project sponsors regarding improving work zone safety.

(d) CONSULTATION.—In carrying out the review required under subsection (a), the Working Group shall consult with—

(1) transportation construction contractor organizations;

(2) roadway and roadway safety equipment manufacturer organizations;

(3) academic experts; and

(4) any other stakeholder the Working Group determines appropriate.

(e) REPORTS.—

(1) WORKING GROUP REPORT.—Not later than 2 years after the date on which the Working Group is established, the Working Group shall submit to the Secretary a report that includes—

(A) the findings of the review required under subsection (a), including a summary of any comments received during the consultation process under subsection (d); and

(B) recommendations on safety countermeasures, technologies, programs and policies for the Department of Transportation to improve roadway work zone safety and practices.

(2) REPORT TO CONGRESS.—Not later than 1 month after the date on which the Secretary receives a report under paragraph (1), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a summary of the report.

SEC. 1637. GAO STUDY ON NATURE-BASED SOLUTIONS FOR COASTAL HIGHWAY RESILIENCE.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the utilization of nature-based solutions for improving the resilience of coastal highways and bridges.

(b) CONTENTS.—In conducting the study under subsection (a), the Comptroller General shall examine—

(1) the resiliency benefits of nature-based features that work in conjunction with structural features to protect coastal highways and bridges by reducing the impacts of floods or other risks of extreme weather;

(2) the ecological benefits of nature-based features for habitat restoration, water quality improvements, and recreational aesthetics;

(3) any potential savings to taxpayers over the lifecycles of roadways produced by an integrated approach to resilience against extreme weather;

(4) the utilization rates for integrated nature-based solutions among transportation agencies; and

(5) any barriers to the use of nature-based solutions by transportation agencies to improve the resilience of coastal roads and bridges.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the study under subsection (a) and the results of such study, including recommendations for how the Federal Highway Administration can encourage transportation agencies to use natural and nature-based features to improve the resilience of coastal highways and bridges.

SEC. 1638. REPEAL OF PILOT PROGRAM.

Section 325 of title 23, United States Code, is repealed.

SEC. 1639. TECHNICAL CORRECTIONS.

(a) IN GENERAL.— Title 23, United States Code, is amended as follows:

(1) NAME CORRECTION.—Section 101(a)(17)(C), as redesignated by section 1103(1)(A) of this Act, is amended by striking ''United States Customs and Immigration Services'' and inserting '' U.S. Customs and Border Protection''.

(2) TRANSFER OF FUNDS.—Section 104(f)(3) is amended—

(A) in subparagraph (A), by striking ''the Federal Highway Administration'' and inserting ''an operating administration of the Department of Transportation''; and

(B) in the paragraph heading, by striking ''FEDERAL HIGHWAY ADMINISTRATION'' and inserting ''AN OPERATING ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION''.

(3) TERMS AND CONDITIONS.—Section 108(c)(3)(F) is amended—

(A) by inserting ''of 1969 (42 U.S.C. 4321 et seq.)'' after ''Policy Act''; and

(B) by striking ''this Act'' and inserting ''this title''.

(4) EXCLUSION.—Section 112(b)(2) is amended in subparagraph (F) by striking ''(F)'' and all that follows through ''Subparagraphs'' and inserting ''(F) Subparagraphs''.

(5) REFERENCE TO STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM.—Section 115(c) is amended by striking ''135(f)'' and inserting ''135(g)''.

(6) OPPORTUNITY FOR COMMENT.—Section 134(j) is amended by striking ''subsection (i)(5)'' both places it appears and inserting ''subsection (i)(6)''.

(7) PERFORMANCE-BASED APPROACH.—Section 135(f)(7)(B) is amended by striking the semicolon at the end and inserting a period.

(8) EFFICIENT ENVIRONMENTAL REVIEWS FOR PROJECT DECISIONMAKING.—Section 139 is amended—

(A) in subsection (b)(1) by inserting ''(42 U.S.C. 4321 et seq.)'' after ''of 1969'';

(B) in subsection (c) by inserting ''(42 U.S.C. 4321 et seq.)'' after ''of 1969'' each place it appears; and

(C) in subsection (k)(2) by inserting ''(42 U.S.C. 4321 et seq.)'' after ''of 1969''.

(9) NONDISCRIMINATION.—Section 140(a) is amended, in the third sentence, by inserting a comma after ''Secretary''.

(10) PUBLIC TRANSPORTATION.—Section 142 is amended by striking subsection (i).

(11) CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—Section 149 is amended—

(A) in subsection (b)(1)(A)(ii) by striking ''; or,'' and inserting ''; or''; and

(B) in subsection (g)(2)(B) by striking the semicolon at the end and inserting ''; and''.

(12) TRIBAL TRANSPORTATION PROGRAM DATA COLLECTION.—Section 201(c)(6)(A)(ii) is amended by striking ''(25 U.S.C. 450 et seq.)'' and inserting ''(25 U.S.C. 5301 et seq.)''.

(13) TRIBAL TRANSPORTATION PROGRAM.—Section 202 is amended—

(A) by striking ''(25 U.S.C. 450 et seq.)'' each place it appears and inserting ''(25 U.S.C. 5301 et seq.)'';

(B) in subsection (a)(10)(B) by striking ''(25 U.S.C. 450e(b))'' and inserting ''(25 U.S.C. 5307(b))''; and

(C) in subsection (b)—

(i) in paragraph (5) in the matter preceding subparagraph (A) by inserting ''the'' after ''agreement under''; and

(ii) in paragraph (6)(A) by inserting ''the'' after ''in accordance with''.

(14) PERMISSIBLE USES OF RECREATIONAL TRAILS PROGRAM APPORTIONED FUNDS.—Section 206(d)(2)(G) is amended by striking ''use of recreational trails'' and inserting ''uses of recreational trails''.

(15) TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM.—Section 207 is amended—

(A) in subsection (g)—

(i) by striking ''(25 U.S.C. 450j–1)'' and inserting ''(25 U.S.C. 5325)''; and

(ii) by striking ''(25 U.S.C. 450j-1(f))'' and inserting ''(25 U.S.C. 5325(f))'';

(B) in subsection (l)—

(i) in paragraph (1), by striking ''(25 U.S.C. 458aaa–5)'' and inserting ''(25 U.S.C. 5386)'';

(ii) in paragraph (2), by striking ''(25 U.S.C. 458aaa–6)'' and inserting ''(25 U.S.C. 5387)'';

(iii) in paragraph (3), by striking ''(25 U.S.C. 458aaa–7)'' and inserting ''(25 U.S.C. 5388)'';

(iv) in paragraph (4), by striking ''(25 U.S.C. 458aaa–9)'' and inserting ''(25 U.S.C. 5390)'';

(v) in paragraph (5), by striking ''(25 U.S.C. 458aaa–10)'' and inserting ''(25 U.S.C. 5391)'';

(vi) in paragraph (6), by striking ''(25 U.S.C. 458aaa–11)'' and inserting ''(25 U.S.C. 5392)'';

(vii) in paragraph (7), by striking ''(25 U.S.C. 458aaa–14)'' and inserting ''(25 U.S.C. 5395)'';

(viii) in paragraph (8), by striking ''(25 U.S.C. 458aaa–15)'' and inserting ''(25 U.S.C. 5396)''; and

(ix) in paragraph (9), by striking ''(25 U.S.C. 458aaa–17)'' and inserting ''(25 U.S.C. 5398)''; and

(C) in subsection (m)(2)—

(i) by striking ''505'' and inserting ''501''; and

(ii) by striking ''(25 U.S.C. 450b; 458aaa)'' and inserting ''(25 U.S.C. 5304; 5381)''.

(16) BUY AMERICA.—Section 313 is amended—

(A) in subsection (e)(2) by striking ''States;'' and inserting ''States,''; and

(B) in subsection (f)(1) by striking '', and'' and inserting ''; and''.

(17) PROCEDURES FOR A GIFT OR DONATION.—Section 323(d) is amended in the matter preceding paragraph (1) by inserting ''(42 U.S.C. 4321 et seq.)'' after ''of 1969''.

(18) HIGHWAY SAFETY PROGRAMS.—Section 402(b)(1)(E) is amended by striking the semicolon at the end and inserting ''; and''.

(19) USE OF FREIGHT CAPACITY BUILDING PROGRAM FUNDS.—Section 504(g)(6) is amended by striking ''make grants or to'' and inserting ''make grants to''.

(20) DEVELOPMENT PHASE ACTIVITIES.—Section 602(e) is amended by striking ''601(a)(1)(A)'' and inserting ''601(a)(2)(A)''.

(b) CLERICAL AMENDMENTS.—

(1) IN GENERAL.—The table of contents for title 23, United States Code, is amended in the item relating to chapter 1 by striking ''**FEDERAL AID HIGHWAYS**'' and inserting ''**FEDERAL-AID HIGHWAYS**''.

(2) CHAPTER 3.—The analysis for chapter 3 of title 23, United States Code, is amended by striking the item relating to section 325.

SEC. 1640. CREDIT ADJUSTMENTS FOR PAYCHECK PROTECTION PROGRAM LOAN FORGIVENESS UNDER HIGHWAY AND PUBLIC TRANSPORTATION PROJECT COST REIMBURSEMENT CONTRACTS.

(a) IN GENERAL.—Notwithstanding section 112 of title 23, United States Code, a covered contractor shall only make credit adjustments to the indirect cost rate applied to such contractor to reflect the portion of loan forgiveness attributable to the receipt of Federal funds. For purposes of this section, beginning on the date on which the credit attributable to Federal funds is recovered fully, no further indirect cost rate credit shall be applied or otherwise provided.

(b) COVERED CONTRACTOR DEFINED.—For purposes of this section, the term ''covered contractor'' means a contractor or subcontractor at any tier that—

(1) provides architectural and engineering services under a federally-funded Federal-aid highway program or Federal lands highway program cost reimbursement contract under title 23, United States Code;

(2) received loan forgiveness in accordance with section 1106 of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136), for a loan provided under paragraph (36) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)); and

(3) applied such loan proceeds to indirect costs that were reimbursed, in whole or in part, with Federal funds.

TITLE II—PUBLIC TRANSPORTATION

Subtitle A—Federal Transit Administration

SEC. 2101. AUTHORIZATIONS.

(a) IN GENERAL.—Section 5338 of title 49, United States Code, is amended to read as follows:

''§ 5338. Authorizations

''(a) GRANTS.—

''(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5308, 5310, 5311, 5312, 5314, 5318, 5320, 5328, 5335, 5337, 5339, and 5340—

''(A) $17,894,460,367 for fiscal year 2023;

''(B) $18,201,940,770 for fiscal year 2024;

''(C) $18,551,676,708 for fiscal year 2025; and

''(D) $18,901,573,693 for fiscal year 2026.

''(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—

''(A) $189,879,151 for fiscal year 2023, $192,841,266 for fiscal year 2024, $195,926,726 for fiscal year 2025, and $199,002,776 for fiscal year 2026, shall be available to carry out section 5305;

''(B) $7,505,830,848 for fiscal year 2023, $7,622,921,809 for fiscal year 2024, $7,744,888,558 for fiscal year 2025, and $7,866,483,309 for fiscal year 2026 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;

''(C) $101,510,000 for fiscal year 2023, $103,093,556 for fiscal year 2024, $104,743,053 for fiscal year 2025, and $106,387,519 for fiscal year 2026 shall be available for grants under section 5308;

''(D) $434,830,298 for fiscal year 2023, $441,613,651 for fiscal year 2024, $448,679,469 for fiscal year 2025, and $455,723,737 for fiscal year 2026 shall be available to carry out section 5310, of which not less than—

''(i) $5,075,500 for fiscal year 2023, $5,154,678 for fiscal year 2024, $5,237,153 for fiscal year 2025, and $5,319,376 for fiscal year 2026 shall be available to carry out section 5310(j); and

''(ii) $20,302,000 for fiscal year 2023, $20,618,711 for fiscal year 2024, $20,948,611 for fiscal year 2025, and $21,277,504 for fiscal year 2026 shall be available to carry out section 5310(k);

''(E) $1,025,199,724 for fiscal year 2023, $1,041,192,839 for fiscal year 2024, $1,057,851,925 for fiscal year 2025, and $1,074,460,200 for fiscal year 2026 shall be available to carry out section 5311, of which not less than—

''(i) $55,679,500 for fiscal year 2023, $56,392,100 for fiscal year 2024, $57,134,374 for fiscal year 2025, and $57,874,383 for fiscal year 2026 shall be available to carry out section 5311(c)(1); and

''(ii) $50,755,000 for fiscal year 2023, $51,546,778 for fiscal year 2024, $52,371,526 for fiscal year 2025, and $53,193,759 for fiscal year 2026 shall be available to carry out section 5311(c)(2);

''(F) $53,498,300 for fiscal year 2023; $54,020,873 for fiscal year 2024; $54,565,207 for fiscal year 2025; $55,107,881 for fiscal year 2026 shall be available to carry out section 5312, of which not less than—

''(i) $5,075,500 for fiscal year 2023, $5,154,678 for fiscal year 2024, $5,237,153 for fiscal year 2025, and $5,319,376 for fiscal year 2026 shall be available to carry out each of sections 5312(d)(3) and 5312(d)(4);

''(ii) $3,045,300 for fiscal year 2023, $3,092,807 for fiscal year 2024, $3,142,292 for fiscal year 2025, and $3,191,626 for fiscal year 2026 shall be available to carry out section 5312(h);

''(iii) $10,151,000 for fiscal year 2023, $10,309,356 for fiscal year 2024, $10,474,305 for fiscal year 2025, and $10,638,752 for fiscal year 2026 shall be available to carry out section 5312(i); and

''(iv) $10,075,500 for fiscal year 2023, $10,154,678 for fiscal year 2024, $10,237,153 for fiscal year 2025, and $10,319,376 shall be available to carry out section 5312(j);

''(G) $23,347,300 for fiscal year 2023, $23,711,518 for fiscal year 2024, $24,090,902 for fiscal year 2025, and $24,469,129 for fiscal year 2026 shall be available to carry out section 5314, of which not less than—

''(i) $4,060,400 for fiscal year 2023, $4,123,742 for fiscal year 2024, $4,189,722 for fiscal year 2025, and $4,255,501 for fiscal year 2026 shall be available to carry out section of 5314(a);

''(ii) $5,075,500 for fiscal year 2023, $5,154,678 for fiscal year 2024, $5,237,153 for fiscal year 2025, and $5,319,376 for fiscal year 2026 shall be available to carry out section 5314(c); and

''(iii) $12,181,200 for fiscal year 2023, $12,371,227 for fiscal year 2024, $12,569,166 for fiscal year 2025, and $12,766,502 for fiscal year 2026 shall be available to carry out section 5314(b)(2);

''(H) $5,075,500 for fiscal year 2023, $5,154,678 for fiscal year 2024, $5,237,153 for fiscal year 2025, and $5,319,376 for fiscal year 2026 shall be available to carry out section 5318;

''(I) $30,453,000 for fiscal year 2023, $30,928,067 for fiscal year 2024, $31,422,916 for fiscal year 2025, and $31,916,256 for fiscal year 2026 shall be available to carry out section 5328, of which not less than—

''(i) $25,377,500 for fiscal year 2023, $25,773,389 for fiscal year 2024, $26,185,763 for fiscal year 2025, and $26,596,880 for fiscal year 2026 shall be available to carry out section of 5328(b); and

''(ii) $2,537,750 for fiscal year 2023, $2,577,339 for fiscal year 2024, $2,618,576 for fiscal year 2025, and $2,659,688 for fiscal year 2026 shall be available to carry out section 5328(c);

''(J) $4,060,400 for fiscal year 2023, $4,123,742 for fiscal year 2024, $4,189,722 for fiscal year 2025, and $4,255,501 for fiscal year 2026 shall be available to carry out section 5335;

''(K) $5,366,233,728 for fiscal year 2023, $5,460,789,084 for fiscal year 2024, $5,560,170,578 for fiscal year 2025, and $5,660,288,417 for fiscal year 2026 shall be available to carry out section 5337;

''(L) to carry out the bus formula program under section 5339(a)—

''(i) $1,240,328,213 for fiscal year 2023, $1,259,667,334 for fiscal year 2024, $1,279,832,171 for fiscal year 2025, and $1,299,925,536 for fiscal year 2026; except that

''(ii) 15 percent of the amounts under clause (i) shall be available to carry out 5339(d);

''(M) $437,080,000 for fiscal year 2023, $424,748,448 for fiscal year 2024, $387,944,423 for fiscal year 2025, and $351,100,151 for fiscal year 2026 shall be available to carry out section 5339(b);

''(N) $890,000,000 for fiscal year 2023, $950,000,000 for fiscal year 2024, $1,065,000,000 for fiscal year 2025, and $1,180,000,000 for fiscal year 2026 shall be available to carry out section 5339(c); and

''(O) $587,133,905 for each of fiscal years 2023 through 2026 shall be available to carry out section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311, of which—

''(i) $309,688,908 for each of fiscal years 2023 through 2026 shall be for growing States under section 5340(c); and

''(ii) $277,444,997 for each of fiscal years 2023 through 2026 shall be for high density States under section 5340(d).

''(b) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309 $3,500,000,000 for fiscal year 2023, $4,250,000,000 for fiscal year 2024, $5,000,000,000 for fiscal year 2025, and 5,500,000,000 for fiscal year 2026.

''(c) ADMINISTRATION.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, $142,060,785 for fiscal year 2023, $144,191,696 for fiscal year 2024, $146,412,248 for fiscal year 2025, and 148,652,356 for fiscal year 2026.

''(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than $6,000,000 for each of fiscal years 2023 through 2026 shall be available to carry out section 5329.

''(3) SECTION 5326.—Of the amounts made available under paragraph (2), not less than $2,500,000 for each of fiscal years 2023 through 2026 shall be available to carry out section 5326.

''(d) OVERSIGHT.—

''(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):

''(A) 0.5 percent of amounts made available to carry out section 5305.

''(B) 0.75 percent of amounts made available to carry out section 5307.

''(C) 1 percent of amounts made available to carry out section 5309.

''(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432; 126 Stat. 4968).

''(E) 0.5 percent of amounts made available to carry out section 5310.

''(F) 0.5 percent of amounts made available to carry out section 5311.

''(G) 1 percent of amounts made available to carry out section 5337, of which not less than 25 percent of such amounts shall be available to carry out section 5329 and of which not less than 10 percent of such amounts shall be made available to carry out section 5320.

''(H) 1 percent of amounts made available to carry out section 5339 of which not less than 10 percent of such amounts shall be made available to carry out section 5320.

''(I) 1 percent of amounts made available to carry out section 5308.

''(2) ACTIVITIES.—The activities described in this paragraph are as follows:

''(A) Activities to oversee the construction of a major capital project.

''(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

''(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

''(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

''(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

''(e) GRANTS AS CONTRACTUAL OBLIGATIONS.—

''(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

''(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts from future appropriations from the general fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

''(f) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.

''(g) LIMITATION ON FINANCIAL ASSISTANCE FOR STATE-OWNED ENTERPRISES.—

''(1) IN GENERAL.—Funds provided under this section may not be used in awarding a contract, subcontract, grant, or loan to an entity that is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

''(A) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of the INVEST in America Act;

''(B) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; and

''(C) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

''(2) EXCEPTION.—For purposes of paragraph (1), the term 'otherwise related legally or financially' does not include a minority relationship or investment.

''(3) INTERNATIONAL AGREEMENTS.—This subsection shall be applied in a manner consistent with the obligations of the United States under international agreements.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 5312(i)(1) of title 49, United States Code, is amended by striking ''5338(a)(2)(G)(ii)'' and inserting ''5338(a)(2)(F)(iii)''.

(2) Section 5333(b) of title 49, United States Code, is amended by striking ''5328, 5337, and 5338(b)'' each place it appears and inserting ''and 5337''.

(3) Section 5336 of title 49, United States Code, is amended in subsection (d)(1) by striking ''5338(a)(2)(C)'' and inserting ''5338(a)(2)(B)''.

(4) Subsections (c) and (d)(1) of section 5327 of title 49, United States Code, are amended by striking ''5338(f)'' and inserting ''5338(d)''.

(5) Section 5340(b) of title 49, United States Code, is amended by striking ''5338(b)(2)(N)'' and inserting ''5338(a)(2)(O)''.

SEC. 2102. CHAPTER 53 DEFINITIONS.

Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (1)(E)—

(A) by striking ''and the installation'' and inserting '', the installation''; and

(B) by inserting '', charging stations and docks for electric micromobility devices, and bikeshare projects'' after ''public transportation vehicles'';

(2) in paragraph (3)—

(A) in subparagraph (G) by striking clause (iii) and inserting the following:

''(iii) provides a fair share of revenue established by the Secretary that will be used for public transportation, except for a joint development that is a community service (as defined by the Federal Transit Administration), publicly operated facility, or offers a minimum of 50 percent of units as affordable housing, meaning legally binding affordability restricted housing units available to tenants with incomes below 60 percent of the area median income or owners with incomes below the area median;'';

(B) in subparagraph (M) strike ''; or'' and insert a semicolon;

(C) in subparagraph (N)—

(i) by striking ''no emission'' and inserting ''zero emission''; and

(ii) by striking ''(as defined in section 5339(c)) or facilities.'' and inserting ''or facilities; or''; and

(D) by adding at the end the following:

''(O) the employment of forensic consultants, cybersecurity experts, or third-party penetration testers to identify, evaluate, test, and patch ransomware attack vulnerabilities.''; and

(3) by adding at the end the following:

''(25) RESILIENCE.—

''(A) IN GENERAL.—The term 'resilience' means, with respect to a facility, the ability to—

''(i) anticipate, prepare for, or adapt to conditions; or

''(ii) withstand, respond to, or recover rapidly from disruptions.

''(B) INCLUSIONS.—Such term includes, with respect to a facility, the ability to—

''(i) resist hazards or withstand impacts from disruptions;

''(ii) reduce the magnitude, duration, or impact of a disruption; or

''(iii) have the absorptive capacity, adaptive capacity, and recoverability to decrease vulnerability to a disruption.

''(26) ASSAULT ON A TRANSIT WORKER.—The term 'assault on a transit worker' means any circumstance in which an individual knowingly, without lawful authority or permission, and with intent to endanger the safety of any individual, or with a reckless disregard for the safety of human life, interferes with, disables, or incapacitates any transit worker while the transit worker is performing his or her duties.''.

SEC. 2103. GENERAL PROVISIONS.

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1) by striking ''urban area'' and inserting ''urbanized area'';

(B) by adding at the end the following:

''(3) EXCEPTIONS.—This subsection shall not apply to financial assistance under this chapter—

''(A) in which the non-Federal share of project costs are provided from amounts received

under a service agreement with a State or local social service agency or private social service organization pursuant to section 5307(d)(3)(E) or section 5311(g)(3)(C);

''(B) provided to a recipient or subrecipient whose sole receipt of such assistance derives from section 5310; or

''(C) provided to a recipient operating a fixed route service that is—

''(i) for a period of less than 15 days;

''(ii) accessible to the public;

''(iii) contracted by a local government entity that provides local cost share to the recipient;

''(iv) not contracted for the purposes of a convention or on behalf of a convention and visitors bureau; and

''(v) limited to the service area in which the recipient provides regularly scheduled public transportation service.

''(4) GUIDELINES.—The Secretary shall publish guidelines for grant recipients and private bus operators that clarify when and how a transit agency may provide the service in the event a registered charter provider does not contact the customer, provide a quote, or provide the service.'';

(2) in subsection (h)—

(A) in paragraph (1) by adding ''or'' at the end; and

(B) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) by striking subsection (j) and inserting the following:

''(j) REPORTING ACCESSIBILITY COMPLAINTS.—

''(1) IN GENERAL.—The Secretary shall ensure that an individual who believes that he or she, or a specific class in which the individual belongs, has been subjected to discrimination on the basis of disability by a State or local governmental entity, private nonprofit organization, or Tribe that operates a public transportation service and is a recipient or subrecipient of funds under this chapter, may, by the individual or by an authorized representative, file a complaint with the Department of Transportation.

''(2) PROCEDURES.—Not later than 1 year after the date of enactment of the INVEST in America Act, the Secretary shall implement procedures that allow an individual to submit a complaint described in paragraph (1) by phone, mail-in form, and online through the website of the Office of Civil Rights of the Federal Transit Administration.

''(3) NOTICE TO INDIVIDUALS WITH DISABILITIES.—Not later than 12 months after the date of enactment of the INVEST in America Act, the Secretary shall require that each public transit provider and contractor providing paratransit services shall include on a publicly available website of the service provider, any related mobile device application, and online service—

''(A) notice that an individual can file a disability-related complaint with the local transit agency and the process and any timelines for filing such a complaint;

''(B) the telephone number, or a comparable electronic means of communication, for the disability assistance hotline of the Office of Civil Rights of the Federal Transit Administration;

''(C) notice that a consumer can file a disability related complaint with the Office of Civil Rights of the Federal Transit Administration; and

''(D) an active link to the website of the Office of Civil Rights of the Federal Transit Administration for an individual to file a disability-related complaint.

''(4) INVESTIGATION OF COMPLAINTS.—Not later than 60 days after the last day of each fiscal year, the Secretary shall publish a report that lists the disposition of complaints described in paragraph (1), including—

''(A) the number and type of complaints filed with Department of Transportation;

''(B) the number of complaints investigated by the Department;

''(C) the result of the complaints that were investigated by the Department including whether the complaint was resolved—

''(i) informally;

''(ii) by issuing a violation through a noncompliance Letter of Findings; or

''(iii) by other means, which shall be described; and

''(D) if a violation was issued for a complaint, whether the Department resolved the noncompliance by—

''(i) reaching a voluntary compliance agreement with the entity;

''(ii) referring the matter to the Attorney General; or

''(iii) by other means, which shall be described.

''(5) REPORT.—The Secretary shall, upon implementation of this section and annually thereafter, submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Banking, Housing, and Urban Affairs of the Senate, and make publicly available a report containing the information collected under this section.'';

(4) by striking subsection (m) and inserting the following:

''(m) PREAWARD AND POSTDELIVERY REVIEW OF ROLLING STOCK PURCHASES.—The Secretary shall prescribe regulations requiring a preaward and postdelivery review of a grant under this chapter to buy rolling stock to ensure compliance with bid specifications requirements of grant recipients under this chapter. Under this subsection, grantee inspections and review are required, and a manufacturer certification is not sufficient.''; and

(5) by amending subsection (r) to read as follows:

''(r) REASONABLE ACCESS TO PUBLIC TRANSPORTATION FACILITIES.—

''(1) IN GENERAL.—A recipient of assistance under this chapter—

''(A) may not deny reasonable access for a private intercity or charter transportation operator to federally funded public transportation facilities, including intermodal facilities, park and ride lots, and bus-only highway lanes; and

''(B) shall respond to any request for reasonable access within 75 days of the receipt of the request and, if a recipient of assistance under this chapter denies access to a private intercity or charter transportation operator based on the reasonable access standards, provide, in writing, the reasons for the denial.

''(2) DETERMINING REASONABLE ACCESS.—In determining reasonable access under paragraph (1)(A), capacity requirements of the recipient of assistance and the extent to which access would be detrimental or beneficial to existing public transportation services must be considered and demographic makeup of the riders of a private intercity or charter transportation operator may not be cited as a detriment to the provision of access.

''(3) NOTIFICATION.—If a private intercity or charter transportation operator requesting access under this subsection is denied such access by a recipient of assistance under this chapter or does not receive a written response within 75 days of submitting the request, such operator may notify the Secretary for purposes of inclusion in the report under paragraph (4).

''(4) REPORT TO CONGRESS.—The Secretary shall annually submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report listing each instance reported under paragraph (3) in which—

''(A) a private intercity or charter transportation operator requested reasonable access and was denied, and the reasons provided by the recipient of assistance under this chapter for the denial; and

''(B) a recipient of assistance under this chapter did not respond to a request for reasonable access within 75 days.''.

SEC. 2104. MISCELLANEOUS PROVISIONS.

(a) STATE OF GOOD REPAIR GRANTS.—Section 5337(e) of title 49, United States Code, is amended by adding at the end the following:

''(3) ACCESSIBILITY COSTS.—Notwithstanding paragraph (1), the Federal share of the net project cost of a project to provide accessibility improvements consistent with standards in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) shall be 90 percent.''.

(b) APPORTIONMENTS BASED ON GROWING STATES AND HIGH DENSITY STATES FORMULA FACTORS.—Section 5340(a) of title 49, United States Code, is amended by inserting ''and the District of Columbia'' after ''United States''.

(c) TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.—Section 5314 of title 49, United States Code, is amended—

(1) in subsection (a)(1)(B)—

(A) in clause (i) by striking ''; and'' and inserting a semicolon;

(B) in clause (ii) by striking ''and vehicle electronics.'' and inserting ''cybersecurity and mitigating the threat of ransomware, and vehicle electronics; and''; and

(C) by adding at the end the following:

''(iii) technical assistance to assist recipients with the impacts of a new census count.'';

(2) in subsection (a)(2)—

(A) by redesignating subparagraphs (H) and (I) as subparagraphs (J) and (K), respectively; and

(B) by inserting after subparagraph (G) the following:

''(H) cybersecurity and mitigating the threat of ransomware;'';

(3) in subsection (b)(1)(B) by striking ''females'' and inserting ''women''; and

(4) in subsection (c)(4)(A) by inserting '', and not more than 2 percent of amounts under 5311,'' after ''5339''.

(d) NATIONAL TRANSIT DATABASE.—Section 5335 of title 49, United States Code, is amended—

(1) in subsection (a) by inserting '', including information on transit routes and ridership on those routes'' after ''public sector investment decision''; and

(2) in subsection (c) by inserting '', any data on each assault on a transit worker, and pedestrian injuries and fatalities as a result of an impact with a bus. Each of the data sets shall be publicly reported without aggregating the data with other safety data'' after ''by the recipient''.

(e) URBANIZED AREA FORMULA GRANTS.—Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)(2)(A)—

(A) in clause (i) by striking ''or'' at the end; and

(B) by adding at the end the following:

''(iii) operate a minimum of 101 buses and a maximum of 125 buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 25 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours; or'';

(2) in subsection (a)(2)(B)—

(A) in clause (i) by striking ''or'' at the end;

(B) in clause (ii) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(iii) operate a minimum of 101 buses and a maximum of 125 buses in fixed route service or demand response service, excluding ADA complementary paratransit service, during peak service hours, in an amount not to exceed 25 percent of the share of the apportionment allocated to such systems within the urbanized area, as determined by the local planning process and included in the designated recipient's final program of projects prepared under subsection (b).''; and

(3) in subsection (b)—

(A) in paragraph (6) by striking ''and'' at the end;

(B) by redesignating paragraph (7) as paragraph (8); and

(C) by inserting after paragraph (6) the following:

''(7) ensure that the proposed program of projects provides improved access to transit for the individuals described in section 5336(j); and''.

(f) TECHNICAL CORRECTION.—Section 5307(a)(2)(B)(ii) of title 49, United States Code, is amended by striking ''service during peak'' and inserting ''service, during peak''.

(g) TRANSPORTATION DEVELOPMENT CREDITS AS LOCAL MATCH.—

(1) SECTION 5307.—Section 5307(d)(3) of title 49, United States Code, is amended—

(A) in subparagraph (D) by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (E) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(F) transportation development credits.''.

(2) SECTION 5309.—Section 5309 of title 49, United States Code, is amended—

(A) in subsection (f) by adding at the end the following:

''(3) TRANSPORTATION DEVELOPMENT CREDITS.—For purposes of assessments and determinations under this subsection or subsection (h), transportation development credits that are included as a source of local financing or match shall be treated the same as other sources of local financing.''; and

(B) in subsection (l)(4)—

(i) in subparagraph (B) by striking ''; or'' and inserting a semicolon;

(ii) in subparagraph (C) by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

''(D) transportation development credits; or''.

(3) SECTION 5339.—Section 5339(a)(7)(B) of title 49, United States Code, is amended—

(A) in clause (iv) by striking ''; or'' and inserting a semicolon;

(B) in clause (v) by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(vi) transportation development credits.''.

(h) CLARIFICATION OF INCIDENTAL USE.—Section 5310(b)(7) of title 49, United States Code, is amended—

(1) in the header by inserting ''AND INCIDENTAL USE'' after ''INDIVIDUALS'';

(2) by inserting ''or providing other incidental services'' after ''individuals''; and

(3) by striking ''delivery service does not conflict'' and inserting ''service does not conflict''.

SEC. 2105. POLICIES AND PURPOSES.

Section 5301(b) of title 49, United States Code, is amended—

(1) in paragraph (7) by striking ''; and'' and inserting a semicolon;

(2) in paragraph (8) by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(9) reduce the contributions of the surface transportation system to the total carbon pollution of the United States; and

''(10) improve the resiliency of the public transportation network to withstand weather events and other natural disasters.''.

SEC. 2106. FISCAL YEARS 2022 AND 2023 FORMULAS.

For fiscal years 2022 and 2023, the Secretary of Transportation shall apportion and distribute formula funds provided for under chapter 53 of title 49, United States Code, using data submitted to the 2019 National Transit Database.

SEC. 2107. METROPOLITAN TRANSPORTATION PLANNING.

Section 5303 of title 49, United States Code, is further amended—

(1) by amending subsection (a)(1) to read as follows:

''(1) to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight, foster economic growth and development within and between States and urbanized areas, and take into consideration resiliency and climate change adaptation needs while reducing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan and statewide transportation planning processes identified in this chapter; and''.

(2) in subsection (b)—

(A) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(B) by inserting after paragraph (5) the following:

''(6) STIP.—The term 'STIP' means a statewide transportation improvement program developed by a State under section 135(g).'';

(3) in subsection (c)—

(A) in paragraph (1) by striking ''and transportation improvement programs'' and inserting ''and TIPs''; and

(B) by adding at the end the following:

''(4) CONSIDERATION.—In developing the plans and TIPs, metropolitan planning organizations shall consider direct and indirect emissions of greenhouse gases.'';

(4) in subsection (d)—

(A) in paragraph (2) by striking ''Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2012, each'' and inserting ''Each'';

(B) in paragraph (3) by adding at the end the following:

''(D) EQUITABLE AND PROPORTIONAL REPRESENTATION.—

''(i) IN GENERAL.—In designating officials or representatives under paragraph (2), the metropolitan planning organization shall ensure the equitable and proportional representation of the population of the metropolitan planning area.

''(ii) SAVINGS CLAUSE.—Nothing in this paragraph shall require a metropolitan planning organization in existence on the date of enactment of this subparagraph to be restructured.

''(iii) REDESIGNATION.—Notwithstanding clause (ii), the requirements of this paragraph shall apply to any metropolitan planning organization redesignated under paragraph (6).'';

(C) in paragraph (6)(B) by striking ''paragraph (2)'' and inserting ''paragraph (2) or (3)(D)''; and

(D) in paragraph (7)—

(i) by striking ''an existing metropolitan planning area'' and inserting ''an urbanized area''; and

(ii) by striking ''the existing metropolitan planning area'' and inserting ''the area'';

(5) in subsection (g)—

(A) in paragraph (1) by striking ''a metropolitan area'' and inserting ''an urbanized area'';

(B) in paragraph (2) by striking ''MPOS'' and inserting ''METROPOLITAN PLANNING AREAS'';

(C) in paragraph (3)(A) by inserting ''emergency response and evacuation, climate change adaptation and resilience,'' after ''disaster risk reduction,''; and

(D) by adding at the end the following:

''(4) COORDINATION BETWEEN MPOS.—

''(A) IN GENERAL.—If more than one metropolitan planning organization is designated within an urbanized area under subsection (d)(7), the metropolitan planning organizations designated within the area shall ensure, to the maximum extent practicable, the consistency of any data used in the planning process, including information used in forecasting transportation demand.

''(B) SAVINGS CLAUSE.—Nothing in this paragraph requires metropolitan planning organizations designated within a single urbanized area to jointly develop planning documents, including a unified long-range transportation plan or unified TIP.'';

(6) in subsection (h)(1)—

(A) by striking subparagraph (E) and inserting the following:

''(E) protect and enhance the environment, promote energy conservation, reduce greenhouse gas emissions, improve the quality of life and public health, and promote consistency between transportation improvements and State and local planned growth and economic development patterns, including housing and land use patterns;'';

(B) in subparagraph (H) by striking ''and'' at the end;

(C) in subparagraph (I) by striking the period at the end and inserting ''and reduce or mitigate stormwater, sea level rise, extreme weather, and climate change impacts of surface transportation;''; and

(D) by inserting after subparagraph (I) the following:

''(J) support emergency management, response, and evacuation and hazard mitigation;

''(K) improve the level of transportation system access; and

''(L) support inclusive zoning policies and land use planning practices that incentivize affordable, elastic, and diverse housing supply, facilitate long-term economic growth by improving the accessibility of housing to jobs, and prevent high housing costs from displacing economically disadvantaged households.'';

(7) in subsection (h)(2) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—Through the use of a performance-based approach, transportation investment decisions made as a part of the metropolitan transportation planning process shall support the national goals described in section 150(b) of title 23, the achievement of metropolitan and statewide targets established under section 150(d) of title 23, the improvement of transportation system access (consistent with section 150(f)) of title 23, and the general purposes described in section 5301 of this title.'';

(8) in subsection (i)—

(A) in paragraph (2)(D)(i) by inserting ''reduce greenhouse gas emissions and'' before ''restore and maintain'';

(B) in paragraph (2)(G) by inserting ''and climate change'' after ''infrastructure to natural disasters'';

(C) in paragraph (2)(H) by inserting ''greenhouse gas emissions,'' after ''pollution,'';

(D) in paragraph (5)—

(i) in subparagraph (A) by inserting ''air quality, public health, housing, transportation, resilience, hazard mitigation, emergency management,'' after ''conservation,''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) ISSUES.—The consultation shall involve, as appropriate, comparison of transportation plans to other relevant plans, including, if available—

''(i) State conservation plans or maps; and

''(ii) inventories of natural or historic resources.''; and

(E) by amending paragraph (6)(C) to read as follows:

''(C) METHODS.—

''(i) IN GENERAL.—In carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable—

''(I) hold any public meetings at convenient and accessible locations and times;

''(II) employ visualization techniques to describe plans; and

''(III) make public information available in electronically accessible format and means, such as the internet, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

''(ii) ADDITIONAL METHODS.—In addition to the methods described in clause (i), in carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable—

''(I) use virtual public involvement, social media, and other web-based tools to encourage public participation and solicit public feedback; and

''(II) use other methods, as appropriate, to further encourage public participation of historically underrepresented individuals in the transportation planning process.'';

(9) in subsection (j) by striking ''transportation improvement program'' and inserting ''TIP'' each place it appears; and

(10) by striking ''Federally'' each place it appears and inserting ''federally''.

SEC. 2108. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

Section 5304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''statewide transportation improvement program'' and inserting ''STIP'';

(B) in paragraph (2)—

(i) by striking ''The statewide transportation plan and the'' and inserting the following:

''(A) IN GENERAL.—The statewide transportation plan and the'';

(ii) by striking ''transportation improvement program'' and inserting ''STIP''; and

(iii) by adding at the end the following:

''(B) CONSIDERATION.—In developing the statewide transportation plans and STIPs, States shall consider direct and indirect emissions of greenhouse gases.''; and

(C) in paragraph (3) by striking ''transportation improvement program'' and inserting ''STIP'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) by inserting ''reduce greenhouse gas emissions,'' after ''promote energy conservation,'';

(II) by inserting ''and public health'' after ''improve the quality of life''; and

(III) by inserting '', including housing and land use patterns'' after ''economic development patterns'';

(ii) in subparagraph (H) by striking ''and'';

(iii) in subparagraph (I) by striking the period at the end and inserting ''and reduce or mitigate stormwater, sea level rise, extreme weather, and climate change impacts of surface transportation;''; and

(iv) by adding at the end the following:

''(J) facilitate emergency management, response, and evacuation and hazard mitigation;

''(K) improve the level of transportation system access; and

''(L) support inclusive zoning policies and land use planning practices that incentivize affordable, elastic, and diverse housing supply, facilitate long-term economic growth by improving the accessibility of housing to jobs, and prevent high housing costs from displacing economically disadvantaged households.'';

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—Through the use of a performance-based approach, transportation investment decisions made as a part of the statewide transportation planning process shall support—

''(i) the national goals described in section 150(b) of title 23;

''(ii) the consideration of transportation system access (consistent with section 150(f) of title 23);

''(iii) the achievement of statewide targets established under section 150(d) of title 23; and

''(iv) the general purposes described in section 5301 of this title.''; and

(ii) in subparagraph (D) by striking ''statewide transportation improvement program'' and inserting ''STIP''; and

(C) in paragraph (3) by striking ''statewide transportation improvement program'' and inserting ''STIP'';

(3) in subsection (e)(3) by striking ''transportation improvement program'' and inserting ''STIP'';

(4) in subsection (f)—

(A) in paragraph (2)(D)—

(i) in clause (i) by inserting ''air quality, public health, housing, transportation, resilience, hazard mitigation, emergency management,'' after ''conservation,''; and

(ii) by amending clause (ii) to read as follows:

''(ii) COMPARISON AND CONSIDERATION.—Consultation under clause (i) shall involve the comparison of transportation plans to other relevant plans and inventories, including, if available—

''(I) State and tribal conservation plans or maps; and

''(II) inventories of natural or historic resources.'';

(B) in paragraph (3)(B)—

(i) by striking ''In carrying out'' and inserting the following:

''(i) IN GENERAL.—In carrying out'';

(ii) by redesignating clauses (i) through (iv) as subclauses (I) through (IV), respectively; and

(iii) by adding at the end the following:

''(ii) ADDITIONAL METHODS.—In addition to the methods described in clause (i), in carrying out subparagraph (A), the State shall, to the maximum extent practicable—

''(I) use virtual public involvement, social media, and other web-based tools to encourage public participation and solicit public feedback; and

''(II) use other methods, as appropriate, to further encourage public participation of historically underrepresented individuals in the transportation planning process.'';

(C) in paragraph (4)(A) by inserting ''reduce greenhouse gas emissions and'' after ''potential to''; and

(D) in paragraph (8) by inserting ''including consideration of the role that intercity buses may play in reducing congestion, pollution, greenhouse gas emissions, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' after ''transportation system'';

(5) in subsection (g)—

(A) in paragraph (1)(A) by striking ''statewide transportation improvement program'' and inserting ''STIP'';

(B) in paragraph (5)—

(i) in subparagraph (A) by striking ''transportation improvement program'' and inserting ''STIP'';

(ii) in subparagraph (B)(ii) by striking ''metropolitan transportation improvement program'' and inserting ''TIP'';

(iii) in subparagraph (C) by striking ''transportation improvement program'' and inserting ''STIP'' each place it appears;

(iv) in subparagraph (E) by striking ''transportation improvement program'' and inserting ''STIP'';

(v) in subparagraph (F)(i) by striking ''transportation improvement program'' and inserting ''STIP'' each place it appears;

(vi) in subparagraph (G)(ii) by striking ''transportation improvement program'' and inserting ''STIP''; and

(vii) in subparagraph (H) by striking ''transportation improvement program'' and inserting ''STIP'';

(C) in paragraph (6)—

(i) in subparagraph (A)—

(I) by striking ''transportation improvement program'' and inserting ''STIP''; and

(II) by striking ''and projects carried out under the bridge program or the Interstate maintenance program under title 23''; and

(ii) in subparagraph (B)—

(I) by striking ''or under the bridge program or the Interstate maintenance program''; and

(II) by striking ''statewide transportation improvement program'' and inserting ''STIP'';

(D) in paragraph (7)—

(i) in the heading by striking ''TRANSPORTATION IMPROVEMENT PROGRAM'' and inserting ''STIP''; and

(ii) by striking ''transportation improvement program'' and inserting ''STIP'';

(E) in paragraph (8) by striking ''statewide transportation plans and programs'' and inserting ''statewide transportation plans and STIPs''; and

(F) in paragraph (9) by striking ''transportation improvement program'' and inserting ''STIP'';

(6) in subsection (h)(2)(A) by striking ''Not later than 5 years after the date of enactment of the Federal Public Transportation Act of 2012,'' and inserting ''Not less frequently than once every 4 years,'';

(7) in subsection (j) by striking ''transportation improvement program'' and inserting ''STIP'' each place it appears; and

(8) in subsection (l) by striking ''transportation improvement programs'' and inserting ''STIPs''.

SEC. 2109. OBLIGATION LIMITATION.

Notwithstanding any other provision of law, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by subsection (a) of section 5338 of title 49, United States Code, shall not exceed—

(1) $17,894,460,367 for fiscal year 2023;

(2) $18,201,940,770 for fiscal year 2024;

(3) $18,551,676,708 for fiscal year 2025; and

(4) $18,901,573,693 for fiscal year 2026.

SEC. 2110. PUBLIC TRANSPORTATION EMERGENCY RELIEF FUNDS.

Section 5324 of title 49, United States Code, is amended by adding at the end the following:

''(f) IMPOSITION OF DEADLINE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may not require any project funded pursuant to this section to advance to the construction obligation stage before the date that is the last day of the sixth fiscal year after the later of—

''(A) the date on which the Governor declared the emergency, as described in subsection (a)(2); or

''(B) the date on which the President declared a major disaster, as described in such subsection.

''(2) EXTENSION OF DEADLINE.—If the Secretary imposes a deadline for advancement to the construction obligation stage pursuant to paragraph (1), the Secretary may, upon the request of the Governor of the State, issue an extension of not more than 1 year to complete such advancement, and may issue additional extensions after the expiration of any extension, if the Secretary determines the Governor of the State has provided suitable justification to warrant an extension.''.

SEC. 2111. CERTIFICATION REQUIREMENTS.

The certification requirements described in section 661.12 of title 49, Code of Federal Regulations, shall, after the date of enactment of this Act, include a certification that buses or other rolling stock (including train control, communication and traction power equipment) being procured do not contain or use any covered telecommunications equipment or services, as such term is defined by section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

SEC. 2112. HOLD HARMLESS.

Notwithstanding any other provision of law, for fiscal years 2021 and 2022, the Secretary of Transportation shall allow project sponsors, at the request of such sponsor, to submit ridership and service data and projections collected before January 20, 2020 and projections based on that data to determine project eligibility under section 5309 of title 49, United States Code.

SEC. 2113. STUDY ON ACCESSIBILITY OF PUBLIC TRANSPORTATION.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall submit to Congress a report that includes—

(1) a description of the challenges faced by each of the populations described in subsection (b) when riding public transportation; and

(2) recommendations to improve the accessibility of federally-funded public transportation for the populations described in subsection (b).

(b) COVERED POPULATIONS.—The populations described in subsection (a) shall be—

(1) pregnant women; and

(2) individuals living in areas of persistent poverty, as such term is defined in section 172(l) of title 23, United States Code, as added by this Act, and individuals that are unbanked or underbanked.

Subtitle B—Improving Frequency and Ridership

SEC. 2201. MULTI-JURISDICTIONAL BUS FREQUENCY AND RIDERSHIP COMPETITIVE GRANTS.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5307 the following new section:

''§ 5308. Multi-jurisdictional bus frequency and ridership competitive grants

''(a) IN GENERAL.—The Secretary shall make grants under this section, on a competitive basis, to eligible recipients to increase the frequency of bus service and the ridership of public transit buses.

''(b) APPLICATIONS.—To be eligible for a grant under this section, an eligible recipient shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(c) APPLICATION TIMING.—Not later than 90 days after amounts are made available to carry out this section, the Secretary shall solicit grant applications from eligible recipients for projects described in subsection (d).

''(d) USES OF FUNDS.—An eligible recipient of a grant under this section shall use such grant for transportation capital projects that—

''(1) increase—

''(A) the frequency of bus service;

''(B) bus ridership; and

''(C) total person throughput; and

''(2) are consistent with, and as described in, the design guidance issued by the National Association of City Transportation Officials and titled 'Transit Street Design Guide'.

''(e) GRANT CRITERIA.—In making grants under this section, the Secretary shall consider the following:

''(1) Each eligible recipient's projected increase in bus frequency.

''(2) Each eligible recipient's projected increase in bus ridership.

''(3) Each eligible recipient's projected increase in total person throughput.

''(4) The degree of regional collaboration described in each eligible recipient's application, including collaboration with—

''(A) a local government entity that operates a public transportation service;

''(B) local government agencies that control street design;

''(C) metropolitan planning organizations (as such term is defined in section 5303); and

''(D) State departments of transportation.

''(f) GRANT TIMING.—The Secretary shall award grants under this section not later than 120 days after the date on which the Secretary completes the solicitation described in subsection (c).

''(g) REQUIREMENTS OF THE SECRETARY.—In carrying out the program under this section, the Secretary shall—

''(1) not later than the date described in subsection (c), publish in the Federal Register a list of all metrics and evaluation procedures to be used in making grants under this section; and

''(2) publish in the Federal Register—

''(A) a summary of the final metrics and evaluations used in making grants under this section; and

''(B) a list of the ratings of eligible recipients receiving a grant under this section based on such metrics and evaluations.

''(h) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost of a project carried out under this section shall not exceed 80 percent.

''(2) RESTRICTION ON GRANT AMOUNTS.—The Secretary may make a grant for a project under this section in an amount up to 150 percent of the amount—

''(A) provided for such project under title 23; and

''(B) provided for such project from non-Federal funds budgeted for roadways.

''(i) REQUIREMENTS OF SECTION 5307.—Except as otherwise provided in this section, a grant under this section shall be subject to the requirements of section 5307.

''(j) AVAILABILITY OF FUNDS.—

''(1) IN GENERAL.—Amounts made available to carry out this section shall remain available for 4 fiscal years after the fiscal year for which the amount was made available.

''(2) UNOBLIGATED AMOUNTS.—After the expiration of the period described in paragraph (1) for an amount made available to carry out this section, any unobligated amounts made available to carry out this section shall be added to the amounts made available for the following fiscal year.

''(k) ELIGIBLE RECIPIENTS.—In this section, the term 'eligible recipient' means a recipient of a grant under section 5307 in an urbanized area with a population greater than 500,000.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by inserting after the item relating to section 5307 the following new item:

''5308. Multi-jurisdictional bus frequency and ridership competitive grants.''.

SEC. 2202. INCENTIVIZING FREQUENCY IN THE URBAN FORMULA.

Section 5336 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i) by striking ''95.61 percent'' and inserting ''95 percent'';

(II) in clause (i) by striking ''95.61 percent'' and inserting ''95 percent''; and

(III) in clause (ii) by striking ''95.61 percent'' and inserting ''95 percent''; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i) by striking ''4.39 percent'' and inserting ''5 percent'';

(II) in clause (i)—

(aa) by inserting ''in the highest 25 percent of routes by ridership'' before ''multiplied by''; and

(bb) by striking ''vehicle passenger miles traveled for each dollar of operating cost in an area'' and inserting ''vehicles operating in peak revenue service per hour in the highest 25 percent of routes by ridership''; and

(III) in clause (ii)—

(aa) by inserting ''in the highest 25 percent of routes by ridership'' before ''multiplied by''; and

(bb) by striking ''vehicle passenger miles traveled for each dollar of operating cost in all areas'' and inserting ''vehicles operating in peak revenue service per hour in the highest 25 percent of routes by ridership''; and

(B) by adding at the end the following:

''(3) SPECIAL RULE.—For fiscal years 2023 and 2024, the percentage—

''(A) in paragraph (2)(A) in the matter preceding clause (i) shall be treated as 100 percent; and

''(B) in paragraph (2)(B) in the matter preceding clause (i) shall be treated as 0 percent.'';

(2) in subsection (c)—

(A) in paragraph (1) by striking ''90.8 percent'' and inserting ''90 percent'' each place it appears;

(B) in paragraph (2)—

(i) by striking ''9.2 percent'' and inserting ''8 percent'';

(ii) by striking ''200,000'' and inserting ''500,000'';

(iii) by striking subparagraph (A) and inserting the following:

''(A) the number of bus passenger miles traveled on the highest 25 percent of routes by ridership multiplied by the number of buses operating in peak revenue service per hour on the highest 25 percent of routes by ridership; divided by''; and

(iv) by striking subparagraph (B) and inserting the following:

''(B) the total number of bus passenger miles traveled on the highest 25 percent of routes by ridership multiplied by the total number of buses operating in peak revenue service per hour on the highest 25 percent of routes by ridership in all areas.''; and

(C) by adding at the end the following:

''(3) Two percent of the total amount apportioned under this subsection shall be apportioned so that each urbanized area with a population of at least 200,000 and less than 500,000 is entitled to receive an amount using the formula in paragraph (1).

''(4) For fiscal years 2023 and 2024, the percentage—

''(A) in paragraph (1) in the matter preceding subparagraph (A) shall be treated as 100 percent;

''(B) in paragraph (2) in the matter preceding subparagraph (A) shall be treated as 0 percent; and

''(C) in paragraph (3) shall be treated as 0 percent.''; and

(3) by adding at the end the following:

''(k) PEAK REVENUE SERVICE DEFINED.—In this section, the term 'peak revenue service' means the time period between the time in the morning that an agency first exceeds the number of midday vehicles in revenue service and the time in the evening that an agency falls below the number of midday vehicles in revenue service.''.

SEC. 2203. MOBILITY INNOVATION.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5315 the following new section:

''§ 5316. Mobility innovation

''(a) IN GENERAL.—Amounts made available to a covered recipient to carry out sections 5307, 5310, and 5311 may be used by such covered recipient under this section to assist in the financing of—

''(1) mobility as a service; and

''(2) mobility on demand services.

''(b) FEDERAL SHARE.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Federal share of the net cost of a project carried out under this section shall not exceed 70 percent.

''(2) INSOURCING INCENTIVE.—Notwithstanding paragraph (1), the Federal share of the net cost of a project described in paragraph (1) shall, at the request of the project sponsor, be increased by up to 10 percent for mobility on demand service operated exclusively by personnel employed by the recipient.

''(3) ZERO EMISSION INCENTIVE.—Notwithstanding paragraph (1), the Federal share of the net cost of a project described in paragraph (1) shall, at the request of the project sponsor, be increased by up to 10 percent if such project involves an eligible use that uses a vehicle that produces zero carbon dioxide or particulate matter.

''(c) ELIGIBLE USES.—

''(1) IN GENERAL.—The Secretary shall publish guidance describing eligible activities that are demonstrated to—

''(A) increase transit ridership;

''(B) be complementary to fixed route transit service;

''(C) demonstrate meaningful improvements in—

''(i) environmental metrics, including standards established pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and greenhouse gas performance targets established pursuant to section 150(d) of title 23;

''(ii) traffic congestion;

''(iii) compliance with the requirements under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

''(iv) low-income service to increase access to employment, healthcare, and other essential services;

''(v) service during times of the day when regular transit service is not operating, as long as regular transit service hours are not reduced;

''(vi) new service that operates in areas of lower density that are unserved or underserved by regular transit service;

''(vii) rural service; and

''(viii) improvement in paratransit service quality.

''(2) FARE COLLECTION MODERNIZATION.—In developing guidance referred to in this section, the Secretary shall ensure that—

''(A) all costs associated with installing, modernizing, and managing fare collection, including touchless payment systems, shall be considered eligible expenses under this title and subject to the applicable Federal share; and

''(B) such guidance includes guidance on how agencies shall provide unbanked and underbanked users with an opportunity to benefit from mobility as a service platforms.

''(3) PROHIBITION ON USE OF FUNDS.—Amounts used by a covered recipient for projects eligible under this section may not be used for—

''(A) single passenger vehicle miles (in a passenger motor vehicle, as such term is defined in section 32101, that carries less than 9 passengers), unless the trip—

''(i) meets the definition of public transportation; and

''(ii) begins or completes a fixed route public transportation trip;

''(B) deadhead vehicle miles; or

''(C) any service considered a taxi service that operates under an exemption from testing requirements under section 5331.

''(d) FEDERAL REQUIREMENTS.—A project carried out under this section shall be treated as if such project were carried out under the section from which the funds were provided to carry out such project, including the application of any additional requirements provided for by law that apply to section 5307, 5310, or 5311, as applicable.

''(e) WAIVER.—

''(1) INDIVIDUAL WAIVER.—Except as provided in paragraphs (2) and (3), the Secretary may waive any requirement applied to a project carried out under this section pursuant to subsection (d) if the Secretary determines that the project would—

''(A) not undermine labor standards;

''(B) increase employment opportunities of the recipient unless the Secretary determines that such a waiver does not affect employment opportunities; and

''(C) be consistent with the public interest.

''(2) WAIVER UNDER OTHER SECTIONS.—The Secretary may not waive any requirement under paragraph (1) for which a waiver is otherwise available.

''(3) PROHIBITION OF WAIVER.—Notwithstanding paragraph (1), the Secretary may not waive any requirement of—

''(A) section 5333;

''(B) section 5331;

''(C) section 5302(14); and

''(D) chapter 53 that establishes a maximum Federal share for operating costs.

''(4) APPLICATION OF SECTION 5320.—Notwithstanding paragraphs (1) and (2), the Secretary may only waive the requirements of section 5320 with respect to—

''(A) a passenger vehicle owned by an individual;

''(B) subsection (q) of such section for any passenger vehicle not owned by an individual for the period beginning on the date of enactment of this section and ending 3 years after such date;

''(C) any shared micromobility device for the period beginning on the date of enactment of this section and ending on the date that is 3 years after such date; and

''(D) rolling stock that is part of a dedicated fleet of vehicles for the provision of microtransit that is operated by, or exclusively on behalf of, the covered recipient for the period beginning on the date of enactment of this section and ending on the date that is 3 years after such date.

''(5) LIMITATION.—A waiver issued under subparagraphs (B), (C), or (D) of paragraph (4) may only be issued on an individual project basis at the request of the covered recipient and may not be renewed or extended beyond the initial 3-year period of the waiver.

''(f) OPEN DATA STANDARDS.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5 to develop an open data standard and an application programming interface necessary to carry out this section.

''(2) REGULATIONS.—The regulations required under paragraph (1) shall require public transportation agencies, mobility on demand providers, mobility as a service technology providers, other non-government actors, and local governments the efficient means to transfer data to—

''(A) foster the efficient use of transportation capacity;

''(B) enhance the management of new modes of mobility;

''(C) enable the use of innovative planning tools;

''(D) enable single payment systems for all mobility on demand services;

''(E) establish metropolitan planning organization, State, and local government access to anonymized data for transportation planning, real time operations data, and rules;

''(F) prohibit the transfer of personally identifiable information;

''(G) protect confidential business information;

''(H) enhance cybersecurity protections; and

''(I) allow data governance, including but not limited to licensing and terms of information sharing, periodic risk assessments, policies regarding data retention and information handling policies, and anonymization techniques.

''(3) PROHIBITION ON FOR PROFIT ACTIVITY.—Any data received by an entity under this subsection may not be sold, leased, or otherwise used to generate profit, except for the direct provision of the related mobility on demand services and mobility as a service.

''(4) COMMITTEE.—A negotiated rulemaking committee established pursuant to section 565 of title 5 to carry out this subsection shall have a maximum of 17 members limited to representatives of the Department of Transportation, State and local governments, metropolitan planning organizations, urban and rural covered recipients, associations that represent public transit agencies, representatives from at least 3 different organizations engaged in collective bargaining on behalf of transit workers in not fewer than 3 States, mobility on demand providers, and mobility as a service technology providers.

''(5) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this section shall be published in the Federal Register by the Secretary not later than 18 months after such date of enactment.

''(6) EXTENSION OF DEADLINES.—A deadline set forth in paragraph (4) may be extended up to 180 days if the negotiated rulemaking committee referred to in paragraph (5) concludes that the committee cannot meet the deadline and the Secretary so notifies the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

''(g) APPLICATION OF RECIPIENT VEHICLE REVENUE MILES.—With respect to vehicle revenue miles with one passenger of a covered recipient using amounts under this section, such miles—

''(1) shall be included in the National Transit Database under section 5335; and

''(2) shall be excluded from vehicle revenue miles data used in the calculation described in section 5336.

''(h) SAVINGS CLAUSE.—Subsection (c)(2) and subsection (g) shall not apply to any eligible activities under this section if such activities are—

''(1) being carried out in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); or

''(2) projects eligible under section 5310 that exceed the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

''(i) DEFINITIONS.—In this section:

''(1) COVERED RECIPIENT.—The term 'covered recipient' means a State or local government entity, private nonprofit organization, or Tribe that—

''(A) operates a public transportation service; and

''(B) is a recipient or subrecipient of funds under section 5307, 5310, or 5311.

''(2) DEADHEAD VEHICLE MILES.—The term 'deadhead vehicle miles' means the miles that a vehicle travels when out of revenue service, including leaving or returning to the garage or yard facility, changing routes, when there is no expectation of carrying revenue passengers, and any miles traveled by a private operator without a passenger.

''(3) MOBILITY AS A SERVICE.—The term 'mobility as a service' means services that constitute the integration of mobility on demand services and public transportation that are available and accessible to all travelers, provide multimodal trip planning, and a unified payment system.

''(4) MOBILITY ON DEMAND.—The term 'mobility on demand' means an on-demand transportation service shared among individuals, either concurrently or one after another.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by inserting after the item relating to section 5315 the following new item:

''5316. Mobility innovation.''.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date on which the Secretary of Transportation has finalized both—

(1) the guidance required under section 5316(c) of title 49, United States Code; and

(2) the regulations required under section 5316(f) of title 49, United States Code.

(d) SAVINGS CLAUSE.—Nothing in this section, or the amendments made by this section, shall prohibit the use of funds for an eligible activity or pilot project of a covered recipient authorized under the law in effect on the day before the date of enactment of this Act before the effective date described in subsection (c).

SEC. 2204. FORMULA GRANTS FOR RURAL AREAS.

Section 5311 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2) by adding at the end the following:

''(D) CENSUS DESIGNATION.—The Secretary may approve a State program that allocates not more than 5 percent of such State's apportionment to assist rural areas that were redesignated as urban areas not more than 2 fiscal years after the last census designation of urbanized area boundaries.''; and

(B) in paragraph (3) by striking ''section 5338(a)(2)(F)'' and inserting ''section 5338(a)(2)(E)'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ''section 5338(a)(2)(F)'' and inserting ''section 5338(a)(2)(E)'';

(ii) in subparagraph (A) by striking ''$5,000,000'' and inserting ''$10,000,000''; and

(iii) in subparagraph (B) by striking ''$30,000,000'' and inserting ''the amount remaining under section 5338(a)(2)(E)(i) after the amount under subparagraph (A) is distributed'';

(B) in paragraph (2)(C) by striking ''section 5338(a)(2)(F)'' and inserting ''section 5338(a)(2)(E)''; and

(C) in paragraph (3)—

(i) in subparagraph (A) by striking ''section 5338(a)(2)(F)'' and inserting ''section 5338(a)(2)(E)''; and

(ii) by striking subparagraphs (B) and (C) and inserting the following:

''(B) LAND AREA.—

''(i) IN GENERAL.—Subject to clause (ii), each State shall receive an amount that is equal to 15 percent of the amount apportioned under this paragraph, multiplied by the ratio of the land area in rural areas in that State and divided by the land area in all rural areas in the United States, as shown by the most recent decennial census of population.

''(ii) MAXIMUM APPORTIONMENT.—No State shall receive more than 5 percent of the amount apportioned under clause (i).

''(C) POPULATION.—Each State shall receive an amount equal to 50 percent of the amount apportioned under this paragraph, multiplied by the ratio of the population of rural areas in that State and divided by the population of all rural areas in the United States, as shown by the most recent decennial census of population.

''(D) VEHICLE REVENUE MILES.—

''(i) IN GENERAL.—Subject to clause (ii), each State shall receive an amount that is equal to 25 percent of the amount apportioned under this paragraph, multiplied by the ratio of vehicle revenue miles in rural areas in that State and divided by the vehicle revenue miles in all rural areas in the United States, as determined by national transit database reporting.

''(ii) MAXIMUM APPORTIONMENT.—No State shall receive more than 5 percent of the amount apportioned under clause (i).

''(E) LOW-INCOME INDIVIDUALS.—Each State shall receive an amount that is equal to 10 percent of the amount apportioned under this paragraph, multiplied by the ratio of low-income individuals in rural areas in that State and divided by the number of low-income individuals in all rural areas in the United States, as shown by the Bureau of the Census.'';

(3) in subsection (f)—

(A) in paragraph (1) by inserting ''A State may expend funds to continue service into another State to extend a route.'' before ''Eligible activities under'';

(B) in paragraph (2) by inserting ''and makes the certification and supporting documents publicly available'' before the period at the end; and

(C) by adding at the end the following:

''(3) MEANINGFUL CONNECTIONS.—All projects funded under this subsection shall directly serve, or make meaningful scheduled connections to, the national intercity bus network.''; and

(4) in subsection (g) by adding at the end the following:

''(6) ALLOWANCE FOR VOLUNTEER HOURS.—

''(A) APPLICABLE REGULATIONS.—For any funds provided by a department or agency of the Government under paragraph (3)(D) or by a service agreement under paragraph (3)(C), and such department or agency has regulations in place that provide for the valuation of volunteer hours as allowable in-kind contributions toward the non-Federal share of project costs, such regulations shall be used to determine the allowable valuation of volunteer hours as an in-kind contribution toward the non-Federal remainder of net project costs for a transit project funded under this section.

''(B) LIMITATIONS.—Subparagraph (A) shall not apply to the provision of fixed-route bus services funded under this section.''.

SEC. 2205. ONE-STOP PARATRANSIT PROGRAM.

Section 5310 of title 49, United States Code, is amended by adding at the end the following:

''(j) ONE-STOP PARATRANSIT PROGRAM.—

''(1) IN GENERAL.—Not later than 6 months after the date of enactment of this subsection, the Secretary shall establish a one-stop paratransit competitive grant program to encourage an extra stop in non-fixed route Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) service for a paratransit rider to complete essential tasks.

''(2) PREFERENCE.—The Secretary shall give preference to eligible recipients that—

''(A) have comparable data for the year prior to implementation of the grant program and made available to the Secretary, academic and nonprofit organizations for research purposes; and

''(B) plan to use agency personnel to implement the pilot program.

''(3) APPLICATION CRITERIA.—To be eligible to participate in the grant program, an eligible recipient shall submit to the Secretary an application containing such information as the Secretary may require, including information on—

''(A) locations the eligible entity intends to allow a stop at, if stops are limited, including—

''(i) childcare or education facilities;

''(ii) pharmacies;

''(iii) grocery stores; and

''(iv) bank or ATM locations;

''(B) methodology for informing the public of the grant program;

''(C) vehicles, personnel, and other resources that will be used to implement the grant program;

''(D) if the applicant does not intend the grant program to apply to the full area under the jurisdiction of the applicant, a description of the geographic area in which the applicant intends the grant program to apply; and

''(E) the anticipated amount of increased operating costs.

''(4) SELECTION.—The Secretary shall seek to achieve diversity of participants in the grant program by selecting a range of eligible entities that includes at least—

''(A) 5 eligible recipients that serve an area with a population of 50,000 to 200,000;

''(B) 10 eligible recipients that serve an area with a population of over 200,000; and

''(C) 5 eligible recipients that provide transportation for rural communities.

''(5) DATA-SHARING CRITERIA.—An eligible recipient in this subsection shall provide data as the Secretary requires, which may include—

''(A) number of ADA paratransit trips conducted each year;

''(B) requested time of each paratransit trip;

''(C) scheduled time of each paratransit trip;

''(D) actual pickup time for each paratransit trip;

''(E) average length of a stop in the middle of a ride as allowed by this subsection;

''(F) any complaints received by a paratransit rider;

''(G) rider satisfaction with paratransit services; and

''(H) after the completion of the grant, an assessment by the eligible recipient of its capacity to continue a one-stop program independently.

''(6) REPORT.—

''(A) IN GENERAL.—The Secretary shall make publicly available an annual report on the program carried out under this subsection for each fiscal year, not later than December 31 of the calendar year in which such fiscal year ends.

''(B) CONTENTS.—The report required under subparagraph (A) shall include a detailed description of the activities carried out under the program, and an evaluation of the program, including an evaluation of the data shared by eligible recipients under paragraph (5).''.

Subtitle C—Buy America and Other Procurement Reforms

SEC. 2301. BUY AMERICA.

(a) BUY AMERICA.—

(1) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting before section 5321 the following:

''§ 5320. Buy America

''(a) IN GENERAL.—The Secretary may obligate an amount that may be appropriated to carry out this chapter for a project only if the steel, iron, and manufactured goods used in the project are produced in the United States.

''(b) WAIVER.—The Secretary may waive subsection (a) if the Secretary finds that—

''(1) applying subsection (a) would be inconsistent with the public interest;

''(2) the steel, iron, and goods produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality;

''(3) when procuring rolling stock (including train control, communication, traction power equipment, and rolling stock prototypes) under this chapter—

''(A) the cost of components and subcomponents produced in the United States is more than 70 percent of the cost of all components of the rolling stock; and

''(B) final assembly of the rolling stock has occurred in the United States; or

''(4) including domestic material will increase the cost of the overall project by more than 25 percent.

''(c) WRITTEN WAIVER DETERMINATION AND ANNUAL REPORT.—

''(1) WAIVER PROCEDURE.—Not later than 120 days after the submission of a request for a waiver, the Secretary shall make a determination under subsection (b)(1), (b)(2), or (b)(4) as to whether to waive subsection (a).

''(2) PUBLIC NOTIFICATION AND COMMENT.—

''(A) IN GENERAL.—Not later than 30 days before making a determination regarding a waiver described in paragraph (1), the Secretary shall provide notification and an opportunity for public comment on the request for such waiver.

''(B) NOTIFICATION REQUIREMENTS.—The notification required under subparagraph (A) shall—

''(i) describe whether the application is being made for a waiver described in subsection (b)(1), (b)(2) or (b)(4); and

''(ii) be provided to the public by electronic means, including on a public website of the Department of Transportation.

''(3) DETERMINATION.—Before a determination described in paragraph (1) takes effect, the Secretary shall publish a detailed justification for such determination that addresses all public comments received under paragraph (2)—

''(A) on the public website of the Department of Transportation; and

''(B) if the Secretary issues a waiver with respect to such determination, in the Federal Register.

''(4) ANNUAL REPORT.—Annually, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report listing any waiver issued under paragraph (1) during the preceding year.

''(d) ROLLING STOCK WAIVER CONDITIONS.—

''(1) LABOR COSTS FOR FINAL ASSEMBLY.—In this section, highly skilled labor costs involved in final assembly shall be included as a separate component in the cost of components and subcomponents under subsection (b)(3)(A).

''(2) HIGH DOMESTIC CONTENT COMPONENT BONUS.—In this section, in calculating the domestic content of the rolling stock under subsection (b)(3)(A), the percent, rounded to the nearest whole number, of the domestic content in components of such rolling stock, weighted by cost, shall be used in calculating the domestic content of the rolling stock, except—

''(A) with respect to components that exceed—

''(i) 70 percent domestic content, the Secretary shall add 10 additional percent to the component's domestic content when calculating the domestic content of the rolling stock; and

''(ii) 75 percent domestic content, the Secretary shall add 15 additional percent to the component's domestic content when calculating the domestic content of the rolling stock; and

''(B) in no case may a component exceed 100 percent domestic content when calculating the domestic content of the rolling stock.

''(3) ROLLING STOCK FRAMES OR CAR SHELLS.—

''(A) INCLUSION OF COSTS.—Subject to the substantiation requirement of subparagraph (B), in calculating the cost of the domestic content of the rolling stock under subsection (b)(3), in the case of a rolling stock procurement receiving assistance under this chapter in which the average cost of a rolling stock vehicle in the procurement is more than $300,000, if rolling stock frames or car shells are not produced in the United States, the Secretary shall include in the calculation of the domestic content of the rolling stock the cost of the steel or iron that is produced in the United States and used in the rolling stock frames or car shells.

''(B) SUBSTANTIATION.—If a rolling stock vehicle manufacturer wishes to include in the calculation of the vehicle's domestic content the cost of steel or iron produced in the United States and used in the rolling stock frames and car shells that are not produced in the United States, the manufacturer shall maintain and provide upon request a mill certification that substantiates the origin of the steel or iron.

''(4) TREATMENT OF WAIVED COMPONENTS AND SUBCOMPONENTS.—In this section, a component or subcomponent waived under subsection (b) shall be excluded from any part of the calculation required under subsection (b)(3)(A).

''(5) ZERO-EMISSION VEHICLE DOMESTIC BATTERY CELL INCENTIVE.—The Secretary shall add 2.5 percent to the total domestic content when calculating the domestic content of the rolling stock for any zero-emission vehicle that uses only battery cells for propulsion that are manufactured domestically.

''(6) PROHIBITION ON DOUBLE COUNTING.—

''(A) IN GENERAL.—No labor costs included in the cost of a component or subcomponent by the manufacturer of rolling stock may be treated as rolling stock assembly costs for purposes of calculating domestic content.

''(B) VIOLATION.—A violation of this paragraph shall be treated as a false claim under subchapter III of chapter 37 of title 31.

''(7) DEFINITION OF HIGHLY SKILLED LABOR COSTS.—In this subsection, the term 'highly skilled labor costs'—

''(A) means the apportioned value of direct wage compensation associated with final assembly activities of workers directly employed by a rolling stock original equipment manufacturer and directly associated with the final assembly activities of a rolling stock vehicle that advance the value or improve the condition of the end product;

''(B) does not include any temporary or indirect activities or those hired via a third-party contractor or subcontractor;

''(C) are limited to metalworking, fabrication, welding, electrical, engineering, and other technical activities requiring training;

''(D) are not otherwise associated with activities required under section 661.11 of title 49, Code of Federal Regulations; and

''(E) includes only activities performed in the United States and does not include that of foreign nationals providing assistance at a United States manufacturing facility.

''(e) CERTIFICATION OF DOMESTIC SUPPLY AND DISCLOSURE.—

''(1) CERTIFICATION OF DOMESTIC SUPPLY.—If the Secretary denies an application for a waiver under subsection (b)(2), the Secretary shall provide to the applicant a written certification that—

''(A) the steel, iron, or manufactured goods, as applicable, (referred to in this paragraph as the 'item') is produced in the United States in a sufficient and reasonably available amount;

''(B) the item produced in the United States is of a satisfactory quality; and

''(C) includes a list of known manufacturers in the United States from which the item can be obtained.

''(2) DISCLOSURE.—The Secretary shall disclose the waiver denial and the written certification to the public in the manner described in subsection (c).

''(f) WAIVER PROHIBITED.—The Secretary may not make a waiver under subsection (b) for goods produced in a foreign country if the Secretary, in consultation with the United States Trade Representative, decides that the government of that foreign country—

''(1) has an agreement with the United States Government under which the Secretary has waived the requirement of this section; and

''(2) has violated the agreement by discriminating against goods to which this section applies that are produced in the United States and to which the agreement applies.

''(g) PENALTY FOR MISLABELING AND MISREPRESENTATION.—A person is ineligible under subpart 9.4 of the Federal Acquisition Regulation, or any successor thereto, to receive a contract or subcontract made with amounts authorized under title II of division B of the INVEST in America Act if a court or department, agency, or instrumentality of the Government decides the person intentionally—

''(1) affixed a 'Made in America' label, or a label with an inscription having the same meaning, to goods sold in or shipped to the United States that are used in a project to which this section applies but not produced in the United States; or

''(2) represented that goods described in paragraph (1) were produced in the United States.

''(h) STATE REQUIREMENTS.—The Secretary may not impose any limitation on assistance provided under this chapter that restricts a State from imposing more stringent requirements than this subsection on the use of articles, materials, and supplies mined, produced, or manufactured in foreign countries in projects carried out with that assistance or restricts a recipient of that assistance from complying with those State-imposed requirements.

''(i) OPPORTUNITY TO CORRECT INADVERTENT ERROR.—The Secretary may allow a manufacturer or supplier of steel, iron, or manufactured goods to correct after bid opening any certification of noncompliance or failure to properly complete the certification (but not including failure to sign the certification) under this subsection if such manufacturer or supplier attests under penalty of perjury that such manufacturer or supplier submitted an incorrect certification as a result of an inadvertent or clerical error. The burden of establishing inadvertent or clerical error is on the manufacturer or supplier.

''(j) ADMINISTRATIVE REVIEW.—A party adversely affected by an agency action under this subsection shall have the right to seek review under section 702 of title 5.

''(k) STEEL AND IRON.—For purposes of this section, steel and iron meeting the requirements of section 661.5(b) of title 49, Code of Federal Regulations, may be considered produced in the United States.

''(l) DEFINITION OF SMALL PURCHASE.—For purposes of determining whether a purchase qualifies for a general public interest waiver under subsection (b)(1), including under any regulation promulgated under such subsection, the term 'small purchase' means a purchase of not more than $150,000.

''(m) PREAWARD AND POSTDELIVERY REVIEW OF ROLLING STOCK PURCHASES.—

''(1) IN GENERAL.—The Secretary shall prescribe regulations requiring a preaward and postdelivery certification of a rolling stock vehicle that meets the requirements of this section and Government motor vehicle safety requirements to be eligible for a grant under this chapter. For compliance with this section—

''(A) Federal inspections and review are required;

''(B) a manufacturer certification is not sufficient; and

''(C) a rolling stock vehicle that has been certified by the Secretary remains certified until the manufacturer makes a material change to the vehicle, or adjusts the cost of all components of the rolling stock, that reduces, by more than half, the percentage of domestic content above 70 percent.

''(2) CERTIFICATION OF PERCENTAGE.—

''(A) IN GENERAL.—The Secretary may, at the request of a component or subcomponent manufacturer, certify the percentage of domestic content and place of manufacturing for a component or subcomponent.

''(B) PERIOD OF CERTIFICATION.—Any component or subcomponent certified by the Secretary shall remain certified until the manufacturer makes a material change to the domestic content or the place of manufacturing of such component or subcomponent.

''(3) FREEDOM OF INFORMATION ACT.—In carrying out this subsection, the Secretary shall apply the provisions of section 552 of title 5, including subsection (b)(4) of such section.

''(4) NONCOMPLIANCE.—The Secretary shall prohibit recipients from procuring rolling stock, components, or subcomponents from a supplier that intentionally provides false information to comply with this subsection.

''(n) SCOPE.—The requirements of this section apply to all contracts for a public transportation project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least one contract for the public transportation project is funded with amounts made available to carry out this chapter.

''(o) BUY AMERICA CONFORMITY.—The Secretary shall ensure that all Federal funds for new commuter rail projects shall comply with this section and shall not be subject to section 22905(a).

''(p) AUDITS AND REPORTING OF WASTE, FRAUD, AND ABUSE.—

''(1) IN GENERAL.—The Inspector General of the Department of Transportation shall conduct an annual audit on certifications under subsection (m) regarding compliance with Buy America.

''(2) REPORT FRAUD, WASTE, AND ABUSE.—The Secretary shall display a 'Report Fraud, Waste, and Abuse' button and link to Department of Transportation's Office of Inspector General Hotline on the Federal Transit Administration's Buy America landing page.

''(3) CONTRACT REQUIREMENT.—The Secretary shall require all recipients who enter into contracts to purchase rolling stock with funds provided under this chapter to include in such contract information on how to contact the Department of Transportation's Office of Inspector General Hotline to report suspicions of fraud, waste, and abuse.

''(q) PASSENGER MOTOR VEHICLES.—

''(1) IN GENERAL.—Any domestically manufactured passenger motor vehicle shall be considered to be produced in the United States under this section.

''(2) DOMESTICALLY MANUFACTURED PASSENGER MOTOR VEHICLE.—In this subsection, the term 'domestically manufactured passenger motor vehicle' means any passenger motor vehicle, as such term is defined in section 32304(a) that—

''(A) has under section 32304(b)(1)(B) its final assembly place in the United States; and

''(B) the percentage (by value) of passenger motor equipment under section 32304(b)(1)(A) equals or exceeds 60 percent value added.

''(r) ROLLING STOCK COMPONENTS AND SUBCOMPONENTS.—No bus shell, railcar frame, or other component or subcomponent that is primarily made of steel or iron shall be treated as produced in the United States for purposes of subsection (b)(3) or determined to be of domestic origin under section 661.11 of title 49, Code of Federal Regulations, if the material inputs of such component or subcomponent were imported into the United States and the processes performed in the United States on the imported articles would not result in a change in the article's classification to chapter 86 or 87 of the Harmonized Tariff Schedule of the United States from another chapter or a new heading of

any chapter from the heading under which the article was classified upon entry.

''(s) TREATMENT OF STEEL AND IRON COMPONENTS AS PRODUCED IN THE UNITED STATES.—Notwithstanding any other provision of any law or any rule, regulation, or policy of the Federal Transit Administration, steel and iron components of a system, as defined in section 661.3 of title 49, Code of Federal Regulations, and of manufactured end products referred to in Appendix A of such section, may not be considered to be produced in the United States unless such components meet the requirements of section 661.5(b) of title 49, Code of Federal Regulations.

''(t) REQUIREMENT FOR TRANSIT AGENCIES.—Notwithstanding the provisions of this section, if a transit agency accepts Federal funds, such agency shall adhere to the requirements of this section in procuring rolling stock.''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by inserting before the item relating to section 5321 the following:

''5320. Buy America.''.

(3) CONFORMING AMENDMENTS.—

(A) TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.—Section 5314(a)(2)(G) of title 49, United States Code, is amended by striking ''sections 5323(j) and 5323(m)'' and inserting ''section 5320''.

(B) URBANIZED AREA FORMULA GRANTS.—Section 5307(c)(1)(E) of title 49, United States Code, is amended by inserting '', 5320,'' after ''5323''.

(C) INNOVATIVE PROCUREMENT.—Section 3019(c)(2)(E)(ii) of the FAST Act (49 U.S.C. 5325 note) is amended by striking ''5323(j)'' and inserting ''5320''.

(b) BUS ROLLING STOCK.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue such regulations as are necessary to revise Appendix B and Appendix D of section 661.11 of title 49, Code of Federal Regulations, with respect to bus rolling stock to maximize job creation and align such section with modern manufacturing techniques.

(c) RAIL ROLLING STOCK.—Not later than 30 months after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to revise subsections (t), (u), and (v) of section 661.11 of title 49, Code of Federal Regulations, with respect to rail rolling stock to maximize job creation and align such section with modern manufacturing techniques.

(d) RULE OF APPLICABILITY.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to any contract entered into on or after the date of enactment of this Act.

(2) DELAYED APPLICABILITY OF CERTAIN PROVISIONS.—Contracts described in paragraph (1) shall be subject to the following delayed applicability requirements:

(A) Section 5320(m)(2) shall apply to contracts entered into on or after the date that is 30 days after the date of enactment of this Act.

(B) Notwithstanding subparagraph (A), section 5320(m) shall apply to contracts for the procurement of bus rolling stock beginning on the earlier of—

(i) 180 days after the date on which final regulations are issued pursuant to subsection (b); or

(ii) the date that is 1 year after the date of enactment of this Act.

(C) Notwithstanding subparagraph (A), section 5320(m) shall apply to contracts for the procurement of rail rolling stock beginning on the earlier of—

(i) 180 days after the date on which final regulations are issued pursuant to subsection (c); or

(ii) the date that is 2 years after the date of enactment of this Act.

(D) Section 5320(p)(1) shall apply on the date that is 1 year after the latest of the application dates described in subparagraphs (A) through (C).

(3) SPECIAL RULE FOR CERTAIN CONTRACTS.—For any contract described in paragraph (1) for which the delivery for the first production vehicle occurs before October 1, 2024, paragraphs (1) and (4) of section 5320(d) shall not apply.

(4) SPECIAL RULE FOR BATTERY CELL INCENTIVES.—For any contract described in paragraph (1) for which the delivery for the first production vehicle occurs before October 1, 2023, section 5320(d)(5) shall not apply.

(5) APPLICATION OF EXISTING LAW.—During any periods described in this subsection, the Secretary shall apply the requirements of sections 5323(j) and 5323(m) of title 49, United States Code, as in effect on the day before the date of enactment of this Act, as applicable.

(e) SPECIAL RULE FOR DOMESTIC CONTENT.—

(1) IN GENERAL.—For the calculation of the percent of domestic content calculated under section 5320(d)(2) for a contract for rolling stock entered into on or after October 1, 2021—

(A) if the delivery of the first production vehicle occurs in fiscal year 2023 or fiscal year 2024, for components that exceed 70 percent domestic content, the Secretary shall add 20 additional percent to the component's domestic content; and

(B) if the delivery of the first production vehicle occurs in fiscal year 2025 or fiscal year 2026—

(i) for components that exceed 70 percent but do not exceed 75 percent domestic content, the Secretary shall add 15 additional percent to the component's domestic content; or

(ii) for components that exceed 75 percent domestic content, the Secretary shall add 20 additional percent to the component's domestic content.

(2) CONTRACTS AFTER OCTOBER 1, 2021.—For the calculation of the percent of domestic content calculated under section 5320(d)(2) for a contract for rolling stock entered into on or after October 1, 2021 for a vehicle described in section 5339(c)(1)(D), and notwithstanding subsection (e)(1), if the delivery of the first production vehicle occurs in fiscal year 2023 or 2024, for components that exceed 70 percent domestic content, the Secretary shall add 30 additional percent to the component's domestic content.

(3) BATTERY CELLS.—Paragraph (1) and paragraph (2) of this subsection shall not apply to any contract for rolling stock if the manufacturer of the rolling stock or the manufacturer of the battery cells used for propulsion of the rolling stock is an entity described in 49 USC 5323(u)(1) and (u)(2).

SEC. 2302. BUS PROCUREMENT STREAMLINING.

Section 5323 of title 49, United States Code, is amended by adding at the end the following:

''(x) BUS PROCUREMENT STREAMLINING.—

''(1) IN GENERAL.—The Secretary may only obligate amounts for acquisition of buses under this chapter to a recipient that issues a request for proposals for an open market procurement that meets the following criteria:

''(A) Such request for proposals is limited to performance specifications, except for components or subcomponents identified in the negotiated rulemaking carried out pursuant to this subsection.

''(B) Such request for proposals does not seek any alternative design or manufacture specification of a bus offered by a manufacturer, except to require a component or subcomponent identified in the negotiated rulemaking carried out pursuant to this subsection.

''(2) SPECIFIC BUS COMPONENT NEGOTIATED RULEMAKING.—

''(A) INITIATION.—Not later than 120 days after the date of enactment of the INVEST in America Act, the Secretary shall initiate procedures under subchapter III of chapter 5 of title 5 to negotiate and issue such regulations as are necessary to establish as limited a list as is practicable of bus components and subcomponents described in subparagraph (B).

''(B) LIST OF COMPONENTS.—The regulations required under subparagraph (A) shall establish a list of bus components and subcomponents that may be specified in a request for proposals described in paragraph (1) by a recipient. The Secretary shall ensure the list is limited in scope and limited to only components and subcomponents that cannot be selected with performance specifications to ensure interoperability.

''(C) PUBLICATION OF PROPOSED REGULATIONS.—Proposed regulations to implement this section shall be published in the Federal Register by the Secretary not later than 18 months after such date of enactment.

''(D) COMMITTEE.—A negotiated rulemaking committee established pursuant to section 565 of title 5 to carry out this paragraph shall have a maximum of 11 members limited to representatives of the Department of Transportation, urban and rural recipients (including State government recipients), and transit vehicle manufacturers.

''(E) EXTENSION OF DEADLINES.—A deadline set forth in subparagraph (C) may be extended up to 180 days if the negotiated rulemaking committee referred to in subparagraph (D) concludes that the committee cannot meet the deadline and the Secretary so notifies the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

''(3) SAVINGS CLAUSE.—Nothing in this section shall be construed to provide additional authority for the Secretary to restrict what a bus manufacturer offers to sell to a public transportation agency.''.

SEC. 2303. BUS TESTING FACILITY.

Section 5318 of title 49, United States Code, is amended by adding at the end the following:

''(f) TESTING SCHEDULE.—The Secretary shall—

''(1) determine eligibility of a bus manufacturer's request for testing within 10 business days; and

''(2) make publicly available the current backlog (in months) to begin testing a new bus at the bus testing facility.''.

SEC. 2304. REPAYMENT REQUIREMENT.

(a) IN GENERAL.—A transit agency shall repay into the general fund of the Treasury any funds received from the Federal Transit Administration under section 3401 of the American Rescue Plan Act of 2021 (Public Law 117–2) if the funds were used to award a contract or subcontract to an entity for the procurement of rolling stock for use in public transportation if the manufacturer of the rolling stock—

(1) is incorporated in or has manufacturing facilities in the United States; and

(2) is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

(A) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of this subsection;

(B) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; and

(C) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

(b) CERTIFICATION.—Not later than 60 days after the date of enactment of this section, a transit agency that received funds pursuant to the laws specified in subsection (a) shall certify that the agency has not and shall not use such funds to purchase rolling stock described in subsection (a).

SEC. 2305. DEFINITION OF URBANIZED AREAS FOLLOWING A MAJOR DISASTER.

(a) IN GENERAL.—Section 5323 of title 49, United States Code, is amended by adding at the end the following:

''(y) URBANIZED AREAS FOLLOWING A MAJOR DISASTER.—

''(1) DEFINED TERM.—In this subsection, the term 'decennial census date' has the meaning given the term in section 141(a) of title 13.

''(2) URBANIZED AREA MAJOR DISASTER POPULATION CRITERIA.—Notwithstanding section 5302, for purposes of this chapter, the Secretary shall treat an area as an urbanized area for the period described in paragraph (3) if—

''(A) a major disaster was declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) for the area during the 3-year period preceding the decennial census date for the 2010 decennial census or for any subsequent decennial census;

''(B) the area was defined and designated as an 'urbanized area' by the Secretary of Commerce in the decennial census immediately preceding the major disaster described in subparagraph (A); and

''(C) the population of the area fell below 50,000 as a result of the major disaster described in subparagraph (A).

''(3) COVERED PERIOD.—The Secretary shall treat an area as an urbanized area under paragraph (2) during the period—

''(A) beginning on—

''(i) in the case of a major disaster described in paragraph (2)(A) that occurred during the 3-year period preceding the decennial census date for the 2010 decennial census, October 1 of the first fiscal year that begins after the date of enactment of this subsection; or

''(ii) in the case of any other major disaster described in paragraph (2)(A), October 1 of the first fiscal year—

''(I) that begins after the decennial census date for the first decennial census conducted after the major disaster; and

''(II) for which the Secretary has sufficient data from that census to determine that the area qualifies for treatment as an urbanized area under paragraph (2); and

''(B) ending on the day before the first fiscal year—

''(i) that begins after the decennial census date for the second decennial census conducted after the major disaster described in paragraph (2)(A); and

''(ii) for which the Secretary has sufficient data from that census to determine which areas are urbanized areas for purposes of this chapter.

''(4) POPULATION CALCULATION.—An area treated as an urbanized area under this subsection shall be assigned the population and square miles of the urbanized area designated by the Secretary of Commerce in the most recent decennial census conducted before the major disaster described in paragraph (2)(A).

''(5) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect apportionments made under this chapter before the date of enactment of this subsection.''.

(b) AMENDMENT TAKES EFFECT ON ENACTMENT.—Notwithstanding section 1001, the amendment made by subsection (a) shall take effect on the date of enactment of this Act.

SEC. 2306. SPECIAL RULE FOR CERTAIN ROLLING STOCK PROCUREMENTS.

(a) CERTIFICATION.—Section 5323(u)(4) of title 49, United States Code, is amended—

(1) in subparagraph (A) in the heading by striking ''RAIL''; and

(2) by adding at the end the following:

''(C) NONRAIL ROLLING STOCK.—Notwithstanding subparagraph (B) of paragraph (5), as a condition of financial assistance made available in a fiscal year under section 5339, a recipient shall certify in that fiscal year that the recipient will not award any contract or subcontract for the procurement of rolling stock for use in public transportation with a rolling stock manufacturer described in paragraph (1).''.

(b) SPECIAL RULE.—Section 5323(u)(5)(A) of title 49, United States Code, is amended by striking ''made by a public transportation agency with a rail rolling stock manufacturer described in paragraph (1)'' and all that follows through the period at the end and inserting ''as of December 20, 2019, including options and other requirements tied to these contracts or subcontracts, made by a public transportation agency with a restricted rail rolling stock manufacturer.''.

SEC. 2307. SPARE RATIO WAIVER.

Section 5323 of title 49, United States Code, is further amended by adding at the end the following:

''(z) SPARE RATIO WAIVER.—The Federal Transit Administration shall waive spare ratio policies for rolling stock found in FTA Grant Management Requirements Circular 5010.1, FTA Circular 9030.1 providing Urbanized Area Formula Program guidance, and other guidance documents for 2 years from the date of enactment of the INVEST in America Act.''.

Subtitle D—Bus Grant Reforms

SEC. 2401. FORMULA GRANTS FOR BUSES.

Section 5339(a) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting ''and subsection (d)'' after ''In this subsection'';

(B) in subparagraph (A) by striking ''term 'low or no emission vehicle' has'' and inserting ''term 'zero emission vehicle' has'';

(C) in subparagraph (B) by inserting ''and the District of Columbia'' after ''United States''; and

(D) in subparagraph (C) by striking ''the District of Columbia,'';

(2) in paragraph (2)(A) by striking ''low or no emission vehicles'' and inserting ''zero emission vehicles'';

(3) in paragraph (4)—

(A) in subparagraph (A) by inserting ''and subsection (d)'' after ''this subsection''; and

(B) in subparagraph (B) by inserting ''and subsection (d)'' after ''this subsection'';

(4) in paragraph (5)(A)—

(A) by striking ''$90,500,000'' and inserting ''$156,750,000'';

(B) by striking ''2016 through 2020'' and inserting ''2023 through 2026'';

(C) by striking ''$1,750,000'' and inserting ''$3,000,000''; and

(D) by striking ''$500,000'' and inserting ''$750,000'';

(5) in paragraph (7) by adding at the end the following:

''(C) SPECIAL RULE FOR BUSES AND RELATED EQUIPMENT FOR ZERO EMISSION VEHICLES.—Notwithstanding subparagraph (A), a grant for a capital project for buses and related equipment for hybrid electric buses that make meaningful reductions in energy consumption and harmful emissions, including direct carbon emissions, and zero emission vehicles under this subsection shall be for 90 percent of the net capital costs of the project. A recipient of a grant under this subsection may provide additional local matching amounts.'';

(6) in paragraph (8)—

(A) by striking ''3 fiscal years'' and inserting ''4 fiscal years''; and

(B) by striking ''3-fiscal-year period'' and inserting ''4-fiscal-year period''; and

(7) by striking paragraph (9).

SEC. 2402. BUS FACILITIES AND FLEET EXPANSION COMPETITIVE GRANTS.

Section 5339(b) of title 49, United States Code, is amended—

(1) in the heading by striking ''BUSES AND BUS FACILITIES COMPETITIVE GRANTS'' and inserting ''BUS FACILITIES AND FLEET EXPANSION COMPETITIVE GRANTS'';

(2) in paragraph (1)—

(A) by striking ''buses and'';

(B) by inserting ''and certain buses'' after ''capital projects'';

(C) in subparagraph (A) by striking ''buses or related equipment'' and inserting ''bus-related facilities''; and

(D) by striking subparagraph (B) and inserting the following:

''(B) purchasing or leasing buses that will not replace buses in the applicant's fleet at the time of application and will be used to—

''(i) increase the frequency of bus service; or

''(ii) increase the service area of the applicant.'';

(3) by striking paragraph (2) and inserting the following:

''(2) GRANT CONSIDERATIONS.—In making grants—

''(A) under subparagraph (1)(A), the Secretary shall only consider—

''(i) the age and condition of bus-related facilities of the applicant compared to all applicants and proposed improvements to the resilience (as such term is defined in section 5302) of such facilities;

''(ii) for a facility that, in whole or in part, encroaches within the limits of a flood-prone area, the extent to which the facility is designed and constructed in a way that takes into account, and mitigates where appropriate, flood risk; and

''(iii) for a bus station, the degree of multimodal connections at such station; and

''(B) under paragraph (1)(B), the Secretary shall consider the improvements to headway and projected new ridership.''; and

(4) in paragraph (6) by striking subparagraph (B) and inserting the following:

''(B) GOVERNMENT SHARE OF COSTS.—

''(i) IN GENERAL.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(ii) SPECIAL RULE FOR BUSES AND RELATED EQUIPMENT FOR ZERO EMISSION VEHICLES.—Notwithstanding clause (i), the Government share of the cost of an eligible project for the financing of buses and related equipment for hybrid electric buses that make meaningful reductions in energy consumption and harmful emissions, including direct carbon emissions, and zero emission vehicles shall not exceed 90 percent.''.

SEC. 2403. ZERO EMISSION BUS GRANTS.

(a) IN GENERAL.—Section 5339(c) of title 49, United States Code, is amended—

(1) in the heading by striking ''LOW OR NO EMISSION GRANTS'' and inserting ''ZERO EMISSION GRANTS'';

(2) in paragraph (1)—

(A) in subparagraph (B)—

(i) in the matter preceding clause (i) by striking ''in an eligible area'';

(ii) in clause (i) by striking ''low or no emission'' and inserting ''zero emission'';

(iii) in clause (ii) by striking ''low or no emission'' and inserting ''zero emission'';

(iv) in clause (iii) by striking ''low or no emission'' and inserting ''zero emission'';

(v) in clause (iv) by striking ''facilities and related equipment for low or no emission'' and inserting ''related equipment for zero emission'';

(vi) in clause (v) by striking ''facilities and related equipment for low or no emission vehicles;'' and inserting ''related equipment for zero emission vehicles; or'';

(vii) in clause (vii) by striking ''low or no emission'' and inserting ''zero emission'';

(viii) by striking clause (vi); and

(ix) by redesignating clause (vii) as clause (vi);

(B) by striking subparagraph (D) and inserting the following:

''(D) the term 'zero emission bus' means a bus that is a zero emission vehicle;'';

(C) by striking subparagraph (E) and inserting the following:

''(E) the term 'zero emission vehicle' means a vehicle used to provide public transportation that produces no carbon dioxide or particulate matter;'';

(D) in subparagraph (F) by striking ''and'' at the end;

(E) by striking subparagraph (G) and inserting the following:

''(G) the term 'priority area' means an area that is—

''(i) designated as a nonattainment area for ozone or particulate matter under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d));

''(ii) a maintenance area, as such term is defined in section 5303, for ozone or particulate matter; or

''(iii) in a State that has enacted a statewide zero emission bus transition requirement, as determined by the Secretary; and''; and

(F) by adding at the end the following:

''(H) the term 'low-income community' means any population census tract if—

''(i) the poverty rate for such tract is at least 20 percent; or

''(ii) in the case of a tract—

''(I) not located within a metropolitan area, the median family income for such tract does not exceed 80 percent of statewide median family income; or

''(II) located within a metropolitan area, the median family income for such tract does not exceed 80 percent of the greater statewide median family income or the metropolitan area median family income.'';

(3) in paragraph (3)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B);

(4) by striking paragraph (5) and inserting the following:

''(5) GRANT ELIGIBILITY.—In awarding grants under this subsection, the Secretary shall make grants to eligible projects relating to the acquisition or leasing of equipment for zero-emission buses or zero-emission buses—

''(A) that procure—

''(i) at least 10 zero emission buses;

''(ii) if the recipient operates less than 50 buses in peak service, at least 5 zero emission buses; or

''(iii) hydrogen buses;

''(B) for which the recipient's board of directors has approved a long-term integrated fleet management plan that—

''(i) establishes—

''(I) a goal by a set date to convert the entire bus fleet to zero emission buses; or

''(II) a goal that within 10 years from the date of approval of such plan the recipient will convert a set percentage of the total bus fleet of such recipient to zero emission buses; and

''(ii) examines the impact of the transition on the applicant's current workforce, by identifying skills gaps, training needs, and retraining needs of the existing workers of such applicant to operate and maintain zero-emission vehicles and related infrastructure, and avoids the displacement of the existing workforce; and

''(C) for which the recipient has performed a fleet transition study that includes optimal route planning and an analysis of how utility rates may impact the recipient's operations and maintenance budget.'';

(5) in paragraph (7)(A) by striking ''80'' and inserting ''90''; and

(6) by adding at the end the following:

''(8) LOW AND MODERATE COMMUNITY GRANTS.—Not less than 10 percent of the amounts made available under this subsection in a fiscal year shall be distributed to projects serving predominantly low-income communities.

''(9) PRIORITY SET-ASIDE.—Of the amounts made available under this subsection in a fiscal year, not less than—

''(A) 20 percent shall be distributed to applicants in priority areas; and

''(B) 10 percent shall be distributed to applicants not located in priority areas whose board of directors have approved a long-term integrated fleet management plan that establishes a goal to convert 100 percent of their bus fleet to zero-emission buses within 15 years.''.

(b) METROPOLITAN TRANSPORTATION PLANNING.—Section 5303(b) of title 49, United States Code, is amended by adding at the end the following:

''(9) MAINTENANCE AREA.—The term 'maintenance area' has the meaning given the term in sections 171(2) and 175A of the Clean Air Act (42 U.S.C. 7501(2); 7505a).''.

SEC. 2404. RESTORATION TO STATE OF GOOD REPAIR FORMULA SUBGRANT.

Section 5339 of title 49, United States Code, is amended by adding at the end the following:

''(d) RESTORATION TO STATE OF GOOD REPAIR FORMULA SUBGRANT.—

''(1) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to assist eligible recipients and subrecipients described in paragraph (2) in financing capital projects to replace, rehabilitate, and purchase buses and related equipment.

''(2) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—Not later than September 1 annually, the Secretary shall make public a list of eligible recipients and subrecipients based on the most recent data available in the National Transit Database to calculate the 20 percent of eligible recipients and subrecipients with the highest percentage of asset vehicle miles for buses beyond the useful life benchmark established by the Federal Transit Administration.

''(3) URBAN APPORTIONMENTS.—Funds allocated under section 5338(a)(2)(L)(ii) shall be—

''(A) distributed to—

''(i) designated recipients in an urbanized area with a population of at least 200,000 made eligible by paragraph (1); and

''(ii) States based on subrecipients made eligible by paragraph (1) in an urbanized area under 200,000; and

''(B) allocated pursuant to the formula set forth in section 5336 other than subsection (b), using the data from the 20 percent of eligible recipients and subrecipients.

''(4) RURAL ALLOCATION.—The Secretary shall—

''(A) calculate the percentage of funds under section 5338(a)(2)(L)(ii) to allocate to rural subrecipients by dividing—

''(i) the asset vehicle miles for buses beyond the useful life benchmark (established by the Federal Transit Administration) of the rural subrecipients described in paragraph (2); by

''(ii) the total asset vehicle miles for buses beyond such benchmark of all eligible recipients and subrecipients described in paragraph (2); and

''(B) prior to the allocation described in paragraph (3)(B), apportion to each State the amount of the total rural allocation calculated under subparagraph (A) attributable to such State based the proportion that—

''(i) the asset vehicle miles for buses beyond the useful life benchmark (established by the Federal Transit Administration) for rural subrecipients described in paragraph (2) in such State; bears to

''(ii) the total asset vehicle miles described in subparagraph (A)(i).

''(5) APPLICATION OF OTHER PROVISIONS.—Paragraphs (3), (7), and (8) of subsection (a) shall apply to eligible recipients and subrecipients described in paragraph (2) of a grant under this subsection.

''(6) PROHIBITION.—No eligible recipient or subrecipient outside the top 5 percent of asset vehicle miles for buses beyond the useful life benchmark established by the Federal Transit Administration may receive a grant in both fiscal year 2023 and fiscal year 2024.

''(7) REQUIREMENT.—The Secretary shall require—

''(A) States to expend, to the benefit of the subrecipients eligible under paragraph (2), the apportioned funds attributed to such subrecipients; and

''(B) designated recipients to provide the allocated funds to the recipients eligible under paragraph (2) the apportioned funds attributed to such recipients.''.

SEC. 2405. WORKFORCE DEVELOPMENT TRAINING GRANTS.

Section 5339 of title 49, United States Code, is amended by adding at the end the following:

''(e) WORKFORCE DEVELOPMENT TRAINING GRANTS.—

''(1) IN GENERAL.—Not less than 12.5 percent of funds authorized to be made available for subsection (c) shall be available to fund workforce development training eligible under section 5314(b)(2) (including registered apprenticeships and other labor-management training programs), related to operations or maintenance of zero emission vehicles.

''(2) ELIGIBLE RECIPIENTS.—Recipients eligible under subsection (c) shall be eligible to receive a grant under this subsection.

''(3) FEDERAL SHARE.—The Federal share of the cost of an eligible project carried out under this subsection shall be 100 percent.

''(4) PRIORITIZATION.—In making grants under this subsection, the Secretary shall prioritize applications that jointly fund training as part of a vehicle procurement application under subsection (c).''.

Subtitle E—Supporting All Riders

SEC. 2501. LOW-INCOME URBAN FORMULA FUNDS.

Section 5336(j) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking ''75 percent'' and inserting ''50 percent'';

(2) in paragraph (2) by striking ''25 percent'' and inserting ''12.5 percent''; and

(3) by adding at the end the following:

''(3) 30 percent of the funds shall be apportioned among designated recipients for urbanized areas with a population of 200,000 or more in the ratio that—

''(A) the number of individuals in each such urbanized area residing in an urban census tract with a poverty rate of at least 20 percent during the 5 years most recently ending; bears to

''(B) the number of individuals in all such urbanized areas residing in an urban census tract with a poverty rate of at least 20 percent during the 5 years most recently ending.

''(4) 7.5 percent of the funds shall be apportioned among designated recipients for urbanized areas with a population less than 200,000 in the ratio that—

''(A) the number of individuals in each such urbanized area residing in an urban census tract with a poverty rate of at least 20 percent during the 5 years most recently ending; bears to

''(B) the number of individuals in all such areas residing in an urban census tract with a poverty rate of at least 20 percent during the 5 years most recently ending.''.

SEC. 2502. RURAL PERSISTENT POVERTY FORMULA.

Section 5311 of title 49, United States Code, as amended in section 2204, is further amended—

(1) in subsection (a) by adding at the end the following:

''(3) PERSISTENT POVERTY COUNTY.—The term 'persistent poverty county' means any county with a poverty rate of at least 20 percent—

''(A) as determined in each of the 1990 and 2000 decennial censuses;

''(B) in the Small Area Income and Poverty Estimates of the Bureau of the Census for the most recent year for which the estimates are available; and

''(C) has at least 25 percent of its population in rural areas.'';

(2) in subsection (b)(2)(C)(i) by inserting ''and persistent poverty counties'' before the semicolon; and

(3) in subsection (c) by striking paragraph (2) and inserting the following:

''(2) PERSISTENT POVERTY PUBLIC TRANSPORTATION ASSISTANCE PROGRAM.—

''(A) IN GENERAL.—The Secretary shall carry out a public transportation assistance program for areas of persistent poverty.

''(B) APPORTIONMENT.—Of amounts made available or appropriated for each fiscal year under section 5338(a)(2)(E)(ii) to carry out this paragraph, the Secretary shall apportion funds

to recipients for service in, or directly benefitting, persistent poverty counties for any eligible purpose under this section in the ratio that—

''(i) the number of individuals in each such rural area residing in a persistent poverty county; bears to

''(ii) the number of individuals in all such rural areas residing in a persistent poverty county.''.

SEC. 2503. DEMONSTRATION GRANTS TO SUPPORT REDUCED FARE TRANSIT.

Section 5312 of title 49, United States Code, is amended by adding at the end the following:

''(j) DEMONSTRATION GRANTS TO SUPPORT REDUCED FARE TRANSIT.—

''(1) IN GENERAL.—Not later than 300 days after the date of enactment of the INVEST in America Act, the Secretary shall award grants (which shall be known as 'Access to Jobs Grants') to eligible entities, on a competitive basis, to implement reduced fare transit service.

''(2) NOTICE.—Not later than 180 days after the date of enactment of the INVEST in America Act, the Secretary shall provide notice to eligible entities of the availability of grants under paragraph (1).

''(3) APPLICATION.—To be eligible to receive a grant under this subsection, an eligible recipient shall submit to the Secretary an application containing such information as the Secretary may require, including, at a minimum, the following:

''(A) A description of how the eligible entity plans to implement reduced fare transit access with respect to low-income individuals, including any eligibility requirements for such transit access.

''(B) A description of how the eligible entity will consult with local community stakeholders, labor unions, local education agencies and institutions of higher education, public housing agencies, and workforce development boards in the implementation of reduced fares.

''(C) A description of the eligible entity's current fare evasion enforcement policies, including how the eligible entity plans to use the reduced fare program to reduce fare evasion.

''(D) An estimate of additional costs to such eligible entity as a result of reduced transit fares.

''(E) A plan for a public awareness campaign of the transit agency's ability to provide reduced fares, including in foreign languages, based on—

''(i) data from the Bureau of the Census, consistent with the local area demographics where the transit agency operates, including the languages that are most prevalent and commonly requested for translation services; or

''(ii) qualitative and quantitative observation from community service providers including those that provide health and mental health services, social services, transportation, and other relevant social services.

''(F) Projected impacts on ridership.

''(G) Projected benefits in closing transit equity gaps.

''(H) Projected impact on the ability of students to access education or workforce training programs.

''(4) GRANT DURATION.—Grants awarded under this subsection shall be for a 2-year period.

''(5) SELECTION OF ELIGIBLE RECIPIENTS.—In carrying out the program under this subsection, the Secretary shall award not more than 20 percent of grants to eligible entities located in rural areas.

''(6) USES OF FUNDS.—An eligible entity receiving a grant under this subsection shall use such grant to implement a reduced fare transit program and offset lost fare revenue.

''(7) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the eligibility of an applicant if a State, local, or Tribal governmental entity provides reduced fare transportation to low-income individuals.

''(8) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE ENTITY.—The term 'eligible entity' means a State, local, or Tribal governmental entity that operates a public transportation service and is a recipient or subrecipient of funds under this chapter.

''(B) LOW-INCOME INDIVIDUAL.—The term 'low-income individual' means an individual—

''(i) that has qualified for—

''(I) any program of medical assistance under a State plan or under a waiver of the plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

''(II) supplemental nutrition assistance program (SNAP) under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

''(III) the program of block grants for States for temporary assistance for needy families (TANF) established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

''(IV) the free and reduced price school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

''(V) a housing voucher through section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o));

''(VI) benefits under the Low-Income Home Energy Assistance Act of 1981;

''(VII) special supplemental food program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786); or

''(VIII) a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a);

''(ii) whose family income is at or below a set percent (as determined by the eligible recipient) of the poverty line (as that term is defined in section 673(2) of the Community Service Block Grant Act (42 U.S.C. 9902(2)), including any revision required by that section) for a family of the size involved; or

''(iii) that is a low-income veteran or member of the military.

''(9) REPORT.—The Secretary shall designate a university transportation center under section 5505 to collaborate with the eligible entities receiving a grant under this subsection to collect necessary data to evaluate the effectiveness of meeting the targets described in the application of such recipient, including increased ridership, impacts on fare evasion, and progress towards significantly closing transit equity gaps.''.

SEC. 2504. EQUITY IN TRANSIT SERVICE PLANNING.

(a) BEST PRACTICES.—

(1) IN GENERAL.—

(A) ASSISTANCE TO PROVIDERS OF PUBLIC TRANSIT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue nonbinding best practices to assist providers of public transportation in setting the threshold for a major service change as described in Circular 4702.1B of the Federal Transit Administration.

(B) SPECIFIC PROVIDERS OF PUBLIC TRANSIT.—For the purposes of this section, the term ''providers of public transportation'' means providers that operate 50 or more fixed route vehicles in peak service and are located in an urbanized area of 200,000 or more in population.

(2) BEST PRACTICES.—In developing the best practices described in paragraph (1), the Secretary—

(A) shall issue specific recommendations for setting the threshold of a major service change, which shall include, at a minimum, recommendations related to—

(i) changes in hours of operations, including consideration of changes during nonpeak hours;

(ii) changes in the frequency of service;

(iii) changes in coverage, including the opening and closing of stations and stops and the changing of routes; and

(iv) the use of route-specific analyses in addition to service-area level analyses;

(B) shall recommend specific percentage change standards for the elements described in clauses (i), (ii), and (iii) of subparagraph (A) to assist providers of public transportation in setting the threshold for a major service change in a manner that ensures meaningful analyses and the provision of equitable service; and

(C) may issue different best practices for providers of public transportation of different sizes and service types.

(b) TRANSIT COOPERATIVE RESEARCH PROGRAM REPORT.—

(1) REVIEW.—Not later than 3 years after the issuance of the best practices described in subsection (a), the Transit Cooperative Research Program of the National Academy of Sciences shall conduct a review of the manner in which providers of public transportation define the threshold for a major service change for purposes of compliance with Circular 4702.1B of the Federal Transit Administration, including—

(A) a survey of the standards used by providers of public transportation to define the threshold for a major service change;

(B) a review of the differences in standards used to define the threshold for a major service change for providers of public transportation of different sizes and service types;

(C) information on the considerations used by providers of public transportation when defining the threshold for a major service change; and

(D) the extent to which providers of public transportation are using the best practices described in subsection (a).

(2) REPORT.—After the completion of the review described in paragraph (1), the National Academy of Sciences shall issue a report on the findings of the review and submit such report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 2505. GAO STUDY ON FARE-FREE TRANSIT.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the provision of fare-free transit service in the United States, including an assessment of—

(1) the extent to which fare-free transit is available in the United States; and

(2) the potential impacts of fare-free transit, which may include—

(A) increased transit ridership;

(B) improved access to transportation for low-income riders and marginalized communities;

(C) improved access to jobs and services;

(D) enhanced equity of the surface transportation system;

(E) reductions in disputes or law enforcement actions related to transit fares;

(F) environmental impacts;

(G) safety considerations; and

(H) the challenges of replacing farebox revenue.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report containing the results of the study conducted under subsection (a).

Subtitle F—Supporting Frontline Workers and Passenger Safety

SEC. 2601. NATIONAL TRANSIT FRONTLINE WORKFORCE TRAINING CENTER.

Section 5314(b) of title 49, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) NATIONAL TRANSIT FRONTLINE WORKFORCE TRAINING CENTER.—

''(A) ESTABLISHMENT.—The Secretary shall establish a national transit frontline workforce training center (hereinafter referred to as the 'Center') and enter into a cooperative agreement with a nonprofit organization with a demonstrated capacity to develop and provide transit career pathway programs through labor-

management partnerships and registered apprenticeships on a nationwide basis, in order to carry out the duties under subparagraph (B). The Center shall be dedicated to the needs of the frontline transit workforce in both rural and urban transit systems by providing training in the maintenance and operations occupations based on industry best practices.

''(B) DUTIES.—

''(i) IN GENERAL.—In cooperation with the Administrator of the Federal Transit Administration, public transportation authorities, and national entities, the Center shall develop and conduct training and educational programs for frontline local transportation employees of recipients eligible for funds under this chapter.

''(ii) TRAINING AND EDUCATIONAL PROGRAMS.—The training and educational programs developed under clause (i) may include courses in recent developments, techniques, and procedures related to—

''(I) developing consensus national training standards, skills, competencies, and recognized postsecondary credentials in partnership with industry stakeholders for key frontline transit occupations with demonstrated skill gaps;

''(II) developing recommendations and best practices for curriculum and recognized postsecondary credentials, including related instruction and on-the-job learning for registered apprenticeship programs for transit maintenance and operations occupations;

''(III) building local, regional, and statewide transit training partnerships to identify and address workforce skill gaps and develop skills, competencies, and recognized postsecondary credentials needed for delivering quality transit service and supporting employee career advancement;

''(IV) developing programs for training of transit frontline workers, instructors, mentors, and labor-management partnership representatives, in the form of classroom, hands-on, on-the-job, and web-based training, delivered at a national center, regionally, or at individual transit agencies;

''(V) developing training programs for skills and competencies related to existing and emerging transit technologies, including zero emission buses;

''(VI) developing improved capacity for safety, security, and emergency preparedness in local transit systems and in the industry as a whole through—

''(aa) developing the role of the transit frontline workforce in building and sustaining safety culture and safety systems in the industry and in individual public transportation systems; and

''(bb) training to address transit frontline worker roles in promoting health and safety for transit workers and the riding public;

''(VII) developing local transit capacity for career pathways programs with schools and other community organizations for recruiting and training under-represented populations as successful transit employees who can develop careers in the transit industry;

''(VIII) in collaboration with the Administrator of the Federal Transit Administration, the Bureau of Labor Statistics, the Employment and Training Adminstration, and organizations representing public transit agencies, conducting and disseminating research to—

''(aa) provide transit workforce job projections and identify training needs and gaps;

''(bb) determine the most cost-effective methods for transit workforce training and development, including return on investment analysis;

''(cc) identify the most effective methods for implementing successful safety systems and a positive safety culture; and

''(dd) promote transit workforce best practices for achieving cost-effective, quality, safe, and reliable public transportation services; and

''(IX) providing culturally competent training and educational programs to all who participate, regardless of gender, sexual orientation, or gender identity, including those with limited English proficiency, diverse cultural and ethnic backgrounds, and disabilities.

''(C) COORDINATION.—The Secretary shall coordinate activities under this section, to the maximum extent practicable, with the Employment and Training Administration, including the National Office of Apprenticeship of the Department of Labor and the Office of Career, Technical, and Adult Education of the Department of Education.

''(D) AVAILABILITY OF AMOUNTS.—

''(i) IN GENERAL.—Not more than 1 percent of amounts made available to a recipient under sections 5307, 5337, and 5339 and not more than 2 percent of amounts made available to a recipient under section 5311 is available for expenditures by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

''(ii) EXISTING PROGRAMS.—A recipient may use amounts made available under clause (i) to carry out existing local education and training programs for public transportation employees supported by the Secretary, the Department of Labor, or the Department of Education.

''(iii) LIMITATION.—Any funds made available under this section that are used to fund an apprenticeship or apprenticeship program shall only be used for, or provided to, a registered apprenticeship program, including any funds awarded for the purposes of grants, contracts, or cooperative agreements, or the development, implementation, or administration, of an apprenticeship or an apprenticeship program.

''(E) DEFINITIONS.—In this paragraph:

''(i) CAREER PATHWAY.—The term 'career pathway' has the meaning given such term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(ii) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term 'recognized postsecondary credential' has the meaning given such term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(iii) REGISTERED APPRENTICESHIP PROGRAM.—The term 'registered apprenticeship program' means an apprenticeship program registered with the Department of Labor or a Federally-recognized State Apprenticeship Agency and that complies with the requirements under parts 29 and 30 of title 29, Code of Federal Regulations, as in effect on January 1, 2019.'';

(2) in paragraph (3) by striking ''or (2)''; and

(3) by striking paragraph (4).

SEC. 2602. PUBLIC TRANSPORTATION SAFETY PROGRAM.

Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)(2)(C)(ii)—

(A) in subclause (I) by striking ''and'' at the end;

(B) in subclause (II) by striking the semicolon and inserting ''; and''; and

(C) by adding at the end the following:

''(III) innovations in driver assistance technologies and driver protection infrastructure where appropriate, and a reduction in visibility impairments that contribute to pedestrian fatalities;'';

(2) in subsection (b)(2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

''(D) in consultation with the Secretary of the Department of Health and Human Services, precautionary and reactive actions required to ensure public and personnel safety and health during an emergency as defined in section 5324;'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A) by inserting ''the safety committee established under paragraph (4), and subsequently,'' before ''the board of directors'';

(ii) in subparagraph (C) by striking ''public, personnel, and property'' and inserting ''public and personnel to injuries, assaults, fatalities, and, consistent with guidelines by the Centers for Disease Control and Prevention, infectious diseases, and strategies to minimize the exposure of property'';

(iii) in subparagraph (F) by striking ''and'' at the end; and

(iv) by striking subparagraph (G) and inserting the following:

''(G) a comprehensive staff training program for the operations and maintenance personnel and personnel directly responsible for safety of the recipient that includes—

''(i) the completion of a safety training program;

''(ii) continuing safety education and training; and

''(iii) de-escalation training;

''(H) a requirement that the safety committee only approve a safety plan under subparagraph (A) if such plan stays within such recipient's fiscal budget; and

''(I) a risk reduction program for transit operations to improve safety by reducing the number and rates of accidents, injuries, and assaults on transit workers using data submitted to the National Transit Database, including—

''(i) a reduction of vehicular and pedestrian accidents involving buses that includes measures to reduce visibility impairments for bus operators that contribute to accidents, including retrofits to buses in revenue service and specifications for future procurements that reduce visibility impairments; and

''(ii) transit worker assault mitigation, including the deployment of assault mitigation infrastructure and technology on buses, including barriers to restrict the unwanted entry of individuals and objects into bus operators' workstations when a recipient's risk analysis performed by the safety committee established in paragraph (4) determines that such barriers or other measures would reduce assaults on and injuries to transit workers.''; and

(B) by adding at the end the following:

''(4) SAFETY COMMITTEE.—For purposes of the approval process of an agency safety plan under paragraph (1), the safety committee shall be convened by a joint labor-management process and consist of an equal number of—

''(A) frontline employee representatives, selected by the labor organization representing the plurality of the frontline workforce employed by the recipient or if applicable a contractor to the recipient; and

''(B) employer or State representatives.''; and

(4) in subsection (e)(4)(A)(v) by inserting '', inspection,'' after ''has investigative''.

SEC. 2603. INNOVATION WORKFORCE STANDARDS.

(a) PROHIBITION ON USE OF FUNDS.—No financial assistance under chapter 53 of title 49, United States Code, may be used for—

(1) an automated vehicle providing public transportation unless—

(A) the recipient of such assistance that proposes to deploy an automated vehicle providing public transportation certifies to the Secretary of Transportation that the deployment does not eliminate or reduce the frequency of existing public transportation service; and

(B) the Secretary receives, approves, and publishes the workforce development plan under subsection (b) submitted by the eligible entity when required by subsection (b)(1); and

(2) a mobility on demand service unless—

(A) the recipient of such assistance that proposes to deploy a mobility on demand service certifies to the Secretary that the service meets the criteria under section 5307, 5310, 5311, 5312, or 5316 of title 49, United States Code; and

(B) the Secretary receives, approves, and publishes the workforce development plan under subsection (b) submitted by the eligible entity when required by subsection (b)(1).

(b) WORKFORCE DEVELOPMENT PLAN.—

(1) IN GENERAL.—A recipient of financial assistance under chapter 53 of title 49, United States Code, proposing to deploy an automated vehicle providing public transportation or mobility on demand service shall submit to the Secretary, prior to implementation of such service, a workforce development plan if such service, combined with any other automated vehicle providing public transportation or mobility on demand service offered by such recipient, would exceed more than 0.5 percent of the recipient's total annual transit passenger miles traveled.

(2) CONTENTS.—The workforce development plan under subsection (a) shall include the following:

(A) A description of services offered by existing conventional modes of public transportation in the area served by the recipient that could be affected by the proposed automated vehicle providing public transportation or mobility on demand service, including jobs and functions of such jobs.

(B) A forecast of the number of jobs provided by existing conventional modes of public transportation that would be eliminated or that would be substantially changed and the number of jobs expected to be created by the proposed automated vehicle providing public transportation or mobility on demand service over a 5-year period from the date of the publication of the workforce development plan.

(C) Identified gaps in skills needed to operate and maintain the proposed automated vehicle providing public transportation or mobility on demand service.

(D) A comprehensive plan to transition, train, or retrain employees that could be affected by the proposed automated vehicle providing public transportation or mobility on demand service.

(E) An estimated budget to transition, train, or retrain employees impacted by the proposed automated vehicle providing public transportation or mobility on demand service over a 5-year period from the date of the publication of the workforce development plan.

(c) NOTICE REQUIRED.—

(1) IN GENERAL.—A recipient of financial assistance under chapter 53 of title 49, United States Code, shall issue a notice to employees who, due to the use of an automated vehicle providing public transportation or mobility on demand service, may be subjected to a loss of employment or a change in responsibilities not later than 60 days before signing a contract for such service or procurement. A recipient shall provide employees copies of a request for a proposal related to an automated vehicle providing public transportation or mobility on demand services at the time such request is issued.

(2) CONTENT.—The notice required in paragraph (1) shall include the following:

(A) A description of the automated vehicle providing public transportation or mobility on demand service.

(B) The impact of the automated vehicle providing public transportation or mobility on demand service on employment positions, including a description of which employment positions will be affected and whether any new positions will be created.

(d) DEFINITIONS.—In this section:

(1) AUTOMATED VEHICLE.—The term ''automated vehicle'' means a motor vehicle that—

(A) is capable of performing the entire task of driving (including steering, accelerating and decelerating, and reacting to external stimulus) without human intervention; and

(B) is designed to be operated exclusively by a Level 4 or Level 5 automated driving system for all trips according to the recommended practice standards published on June 15, 2018, by the Society of Automotive Engineers International (J3016_201806) or equivalent standards adopted by the Secretary with respect to automated motor vehicles.

(2) MOBILITY ON DEMAND.—The term ''mobility on demand'' has the meaning given such term in section 5316 of title 49, United States Code.

(3) PUBLIC TRANSPORTATION.—The term ''public transportation'' has the meaning given such term in section 5302 of title 49, United States Code.

(e) SAVINGS CLAUSE.—Nothing in this section shall prohibit the use of funds for an eligible activity or pilot project of a covered recipient authorized under current law prior to the date of enactment of this Act.

SEC. 2604. SAFETY PERFORMANCE MEASURES AND SET ASIDES.

Section 5329(d)(2) of title 49, United States Code, is amended to read as follows:

''(2) SAFETY COMMITTEE PERFORMANCE MEASURES.—

''(A) IN GENERAL.—The safety committee described in paragraph (4) shall establish performance measures for the risk reduction program in paragraph (1)(I) using a 3-year rolling average of the data submitted by the recipient to the National Transit Database.

''(B) SAFETY SET ASIDE.—With respect to a recipient serving an urbanized area that receives funds under section 5307, such recipient shall allocate not less than 0.75 percent of such funds to projects eligible under section 5307.

''(C) FAILURE TO MEET PERFORMANCE MEASURES.—Any recipient that receives funds under section 5307 that does not meet the performance measures established in subparagraph (A) shall allocate the amount made available in subparagraph (B) in the following fiscal year to projects described in subparagraph (D).

''(D) ELIGIBLE PROJECTS.—Funds set aside under this paragraph shall be used for projects that are reasonably likely to meet the performance measures established in subparagraph (A), including modifications to rolling stock and de-escalation training.''.

SEC. 2605. U.S. EMPLOYMENT PLAN.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by adding at the end the following:

''§ 5341. U.S. Employment Plan

''(a) DEFINITIONS.—In this section:

''(1) COMMITMENT TO HIGH-QUALITY CAREER AND BUSINESS OPPORTUNITIES.—The term 'commitment to high-quality career and business opportunities' means participation in a registered apprenticeship program.

''(2) COVERED INFRASTRUCTURE PROGRAM.—The term 'covered infrastructure program' means any activity under a program or project under this chapter for the purchase or acquisition of rolling stock.

''(3) U.S. EMPLOYMENT PLAN.—The term 'U.S. Employment Plan' means a plan under which an entity receiving Federal assistance for a project under a covered infrastructure program shall—

''(A) include in a request for proposal an encouragement for bidders to include, with respect to the project—

''(i) high-quality wage, benefit, and training commitments by the bidder and the supply chain of the bidder for the project; and

''(ii) a commitment to recruit and hire individuals described in subsection (e) if the project results in the hiring of employees not currently or previously employed by the bidder and the supply chain of the bidder for the project;

''(B) give preference for the award of the contract to a bidder that includes the commitments described in clauses (i) and (ii) of subparagraph (A); and

''(C) ensure that each bidder that includes the commitments described in clauses (i) and (ii) of subparagraph (A) that is awarded a contract complies with those commitments.

''(4) REGISTERED APPRENTICESHIP PROGRAM.—The term 'registered apprenticeship program' means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), including any requirement, standard, or rule promulgated under such Act, as such requirement, standard, or rule was in effect on December 30, 2019.

''(b) BEST-VALUE FRAMEWORK.—To the maximum extent practicable, a recipient of assistance under a covered infrastructure program is encouraged—

''(1) to ensure that each dollar invested in infrastructure uses a best-value contracting framework to maximize the local value of federally funded contracts by evaluating bids on price and other technical criteria prioritized in the bid, such as—

''(A) equity;

''(B) environmental and climate justice;

''(C) impact on greenhouse gas emissions;

''(D) resilience;

''(E) the results of a 40-year life-cycle analysis;

''(F) safety;

''(G) commitment to creating or sustaining high-quality job opportunities affiliated with registered apprenticeship programs (as defined in subsection (a)(3)) for disadvantaged or underrepresented individuals in infrastructure industries in the United States; and

''(H) access to jobs and essential services by all modes of travel for all users, including individuals with disabilities; and

''(2) to ensure community engagement, transparency, and accountability in carrying out each stage of the project.

''(c) PREFERENCE FOR REGISTERED APPRENTICESHIP PROGRAMS.—To the maximum extent practicable, a recipient of assistance under a covered infrastructure program, with respect to the project for which the assistance is received, shall give preference to a bidder that demonstrates a commitment to high-quality job opportunities affiliated with registered apprenticeship programs.

''(d) USE OF U.S. EMPLOYMENT PLAN.—Notwithstanding any other provision of law, in carrying out a project under a covered infrastructure program that receives assistance under this chapter, the recipient shall use a U.S. Employment Plan for each contract of $10,000,000 or more for the purchase of manufactured goods or of services, based on an independent cost estimate.

''(e) PRIORITY.—The Secretary shall ensure that the entity carrying out a project under the covered infrastructure program gives priority to—

''(1) individuals with a barrier to employment (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)), including ex-offenders and disabled individuals;

''(2) veterans; and

''(3) individuals that represent populations that are traditionally underrepresented in the infrastructure workforce, such as women and racial and ethnic minorities.

''(f) REPORT.—Not less frequently than once each fiscal year, the Secretary shall jointly submit to Congress a report describing the implementation of this section.

''(g) INTENT OF CONGRESS.—

''(1) IN GENERAL.—It is the intent of Congress—

''(A) to encourage recipients of Federal assistance under covered infrastructure programs to use a best-value contracting framework described in subsection (b) for the purchase of goods and services;

''(B) to encourage recipients of Federal assistance under covered infrastructure programs to use preferences for registered apprenticeship programs as described in subsection (c) when evaluating bids for projects using that assistance;

''(C) to require that recipients of Federal assistance under covered infrastructure programs use the U.S. Employment Plan in carrying out the project for which the assistance was provided; and

''(D) that full and open competition under covered infrastructure programs means a procedural competition that prevents corruption, favoritism, and unfair treatment by recipient agencies.

''(2) INCLUSION.—A best-value contracting framework described in subsection (b) is a framework that authorizes a recipient of Federal assistance under a covered infrastructure program, in awarding contracts, to evaluate a range of factors, including price, the quality of products, the quality of services, and commitments to the creation of good jobs for all people in the United States.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by adding at the end the following:

''5341. U.S. Employment Plan.''.

SEC. 2606. TECHNICAL ASSISTANCE AND WORKFORCE DEVELOPMENT.

Section 5314(a) of title 49, United States Code, is amended—

(1) in paragraph (2) by inserting after subparagraph (H) (as added by section 2104 of this Act) the following:

''(I) provide innovation and capacity-building to rural and tribal public transportation recipients that do not duplicate the activities of sections 5311(b) or 5312;''; and

(2) by adding at the end the following:

''(5) AVAILABILITY OF AMOUNTS.—Of the amounts made available to carry out this section under section 5338(a)(2)(G)(i), $1,500,000 shall be available to carry out activities described in paragraph (2)(I).''.

SEC. 2607. RESILIENT PUBLIC TRANSPORTATION STUDY.

(a) STUDY.—The Secretary of Transportation shall conduct a study on resilience planning and innovative resilience strategies for public transportation and shared mobility.

(b) CONTENTS.—In carrying out the study under subsection (a), the Secretary shall assess—

(1) best practices for making public transportation more resilient to external shocks, such as pandemics and natural hazards; and

(2) new materials and technologies that may improve the resilience of public transportation and shared mobility, including innovative transit vehicles, emerging electric vehicle chassis platforms, and smart air quality control systems.

(c) PARTNERSHIPS.—In carrying out the study under subsection (a), the Secretary shall consult with institutions of higher education, as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), academic experts, and nonprofit organizations with expertise in engineering, travel behavior, artificial intelligence, policy analysis, planning, public healthy and safety, and social and racial equity.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of the study conducted under subsection (a).

Subtitle G—Transit-Supportive Communities

SEC. 2701. TRANSIT-SUPPORTIVE COMMUNITIES.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5327 the following:

''§ 5328. Transit-supportive communities

''(a) ESTABLISHMENT.—The Secretary shall establish within the Federal Transit Administration, an Office of Transit-Supportive Communities to make grants, provide technical assistance, and assist in the coordination of transit and housing policies within the Federal Transit Administration, the Department of Transportation, and across the Federal Government.

''(b) TRANSIT ORIENTED DEVELOPMENT PLANNING GRANT PROGRAM.—

''(1) DEFINITION.—In this subsection the term 'eligible project' means—

''(A) a new fixed guideway capital project or a core capacity improvement project as defined in section 5309;

''(B) an existing fixed guideway system, or an existing station that is served by a fixed guideway system; or

''(C) the immediate corridor along the highest 25 percent of routes by ridership as demonstrated in section 5336(b)(2)(B).

''(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to a State, local governmental authority, or metropolitan planning organization to assist in financing comprehensive planning associated with an eligible project that seeks to—

''(A) enhance economic development, ridership, equity, reduction of greenhouse gas emissions, or other goals established during the project development and engineering processes or the grant application;

''(B) facilitate multimodal connectivity and accessibility;

''(C) increase access to transit hubs for pedestrian and bicycle traffic;

''(D) enable mixed-use development;

''(E) identify infrastructure needs associated with the eligible project; and

''(F) include private sector participation.

''(3) ELIGIBILITY.—A State, local governmental authority, or metropolitan planning organization that desires to participate in the program under this subsection shall submit to the Secretary an application that contains at a minimum—

''(A) an identification of an eligible project;

''(B) a schedule and process for the development of a comprehensive plan;

''(C) a description of how the eligible project and the proposed comprehensive plan advance the metropolitan transportation plan of the metropolitan planning organization;

''(D) proposed performance criteria for the development and implementation of the comprehensive plan;

''(E) a description of how the project will advance equity and reduce and mitigate social and economic impacts on existing residents and businesses and communities historically excluded from economic opportunities vulnerable to displacement; and

''(F) identification of—

''(i) partners;

''(ii) availability of and authority for funding; and

''(iii) potential State, local or other impediments to the implementation of the comprehensive plan.

''(4) COST SHARE.—A grant under this subsection shall not exceed an amount in excess of 80 percent of total project costs, except that a grant that includes an affordable housing component shall not exceed an amount in excess of 90 percent of total project costs.

''(c) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to States, local governmental authorities, and metropolitan planning organizations in the planning and development of transit-oriented development projects and transit-supportive corridor policies, including—

''(1) the siting, planning, financing, and integration of transit-oriented development projects;

''(2) the integration of transit-oriented development and transit-supportive corridor policies in the preparation for and development of an application for funding under section 602 of title 23;

''(3) the siting, planning, financing, and integration of transit-oriented development and transit-supportive corridor policies associated with projects under section 5309;

''(4) the development of housing feasibility assessments as allowed under section 5309(g)(3)(B);

''(5) the development of transit-supportive corridor policies that promote transit ridership and transit-oriented development;

''(6) the development, implementation, and management of land value capture programs; and

''(7) the development of model contracts, model codes, and best practices for the implementation of transit-oriented development projects and transit-supportive corridor policies.

''(d) VALUE CAPTURE POLICY REQUIREMENTS.—

''(1) VALUE CAPTURE POLICY.—Not later than October 1 of the fiscal year that begins 2 years after the date of enactment of this section, the Secretary, in collaboration with State departments of transportation, metropolitan planning organizations, and regional council of governments, shall establish voluntary and consensus-based value capture standards, policies, and best practices for State and local value capture mechanisms that promote greater investments in public transportation and affordable transit-oriented development.

''(2) REPORT.—Not later than 15 months after the date of enactment of this section, the Secretary shall make available to the public a report cataloging examples of State and local laws and policies that provide for value capture and value sharing that promote greater investment in public transportation and affordable transit-oriented development.

''(e) EQUITY.—In providing technical assistance under subsection (c), the Secretary shall incorporate strategies to promote equity for underrepresented and underserved communities, including—

''(1) preventing displacement of existing residents and businesses;

''(2) mitigating rent and housing price increases;

''(3) incorporating affordable rental and ownership housing in transit-oriented development;

''(4) engaging under-served, limited English proficiency, low-income, and minority communities in the planning process;

''(5) fostering economic development opportunities for existing residents and businesses; and

''(6) targeting affordable housing that help lessen homelessness.

''(f) AUTHORITY TO REQUEST STAFFING ASSISTANCE.—In fulfilling the duties of this section, the Secretary shall, as needed, request staffing and technical assistance from other Federal agencies, programs, administrations, boards, or commissions.

''(g) REVIEW EXISTING POLICIES AND PROGRAMS.—Not later than 24 months after the date of enactment of this section, the Secretary shall review and evaluate all existing policies and programs within the Federal Transit Administration that support or promote transit-oriented development to ensure their coordination and effectiveness relative to the goals of this section.

''(h) REPORTING.—Not later than February 1 of each year beginning the year after the date of enactment of this section, the Secretary shall prepare a report detailing the grants and technical assistance provided under this section, the number of affordable housing units constructed or planned as a result of projects funded in this section, and the number of affordable housing units constructed or planned as a result of a property transfer under section 5334(h)(1). The report shall be provided to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

''(i) SAVINGS CLAUSE.—Nothing in this section authorizes the Secretary to provide any financial assistance for the construction of housing.

''(j) PRIORITY FOR LOW-INCOME AREAS.—In awarding grants under this section, the Secretary shall give priority to projects under this section that expand or build transit in low-income areas or that provide access to public transportation to low-income areas that do not have access to public transportation.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, is amended by inserting after the item relating to section 5327 the following:

''5328. Transit-supportive communities.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 20005 of the MAP–21 (Public Law 112–141) is amended—

(1) by striking ''(a) AMENDMENT.—''; and

(2) by striking subsection (b).

SEC. 2702. PROPERTY DISPOSITION FOR AFFORDABLE HOUSING.

Section 5334(h)(1) of title 49, United States Code, is amended to read as follows:

''(1) IN GENERAL.—If a recipient of assistance under this chapter decides an asset acquired under this chapter at least in part with that assistance is no longer needed for the purpose for which such asset was acquired, the Secretary may authorize the recipient to transfer such asset to—

''(A) a local governmental authority to be used for a public purpose with no further obligation to the Government if the Secretary decides—

''(i) the asset will remain in public use for at least 5 years after the date the asset is transferred;

''(ii) there is no purpose eligible for assistance under this chapter for which the asset should be used;

''(iii) the overall benefit of allowing the transfer is greater than the interest of the Government in liquidation and return of the financial interest of the Government in the asset, after considering fair market value and other factors; and

''(iv) through an appropriate screening or survey process, that there is no interest in acquiring the asset for Government use if the asset is a facility or land; or

''(B) a local governmental authority, nonprofit organization, or other third party entity to be used for the purpose of transit-oriented development with no further obligation to the Government if the Secretary decides—

''(i) the asset is a necessary component of a proposed transit-oriented development project;

''(ii) the transit-oriented development project will increase transit ridership;

''(iii) at least 40 percent of the housing units offered in the transit-oriented development, including housing units owned by nongovernmental entities, are legally binding affordability restricted to tenants with incomes at or below 60 percent of the area median income or owners with incomes at or below 60 percent the area median income;

''(iv) the asset will remain in use as described in this section for at least 30 years after the date the asset is transferred; and

''(v) with respect to a transfer to a third party entity—

''(I) a local government authority or nonprofit organization is unable to receive the property;

''(II) the overall benefit of allowing the transfer is greater than the interest of the Government in liquidation and return of the financial interest of the Government in the asset, after considering fair market value and other factors; and

''(III) the third party has demonstrated a satisfactory history of construction or operating an affordable housing development.''.

SEC. 2703. AFFORDABLE HOUSING INCENTIVES IN CAPITAL INVESTMENT GRANTS.

Section 5309 of title 49, United States Code, is further amended—

(1) in subsection (g)—

(A) in paragraph (2)(B)—

(i) in clause (i) by striking ''; and'' and inserting a semicolon;

(ii) in clause (ii) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) in the case of a new fixed guideway capital project or a core capacity improvement project, allow a weighting up to 5 percentage points greater to the economic development or land use criterion and up to 5 percentage points lesser to the lowest scoring criterion if the applicant demonstrates substantial efforts to preserve or encourage affordable housing near the project by providing documentation of policies that allow by-right multi-family housing, single room occupancy units, or accessory dwelling units, providing local capital sources for transit-oriented development, or demonstrate other methods as determined by the Secretary.''; and

(B) in paragraph (3) by adding at the end the following:

''(B) establish a warrant that applies to the economic development or land use project justification criteria, provided that the applicant that requests a warrant under this process has completed and submitted a housing feasibility assessment.''; and

(2) in subsection (l)(4) by adding at the end the following:

''(E) from grant proceeds distributed under section 103 of the Housing and Community Development Act of 1974 (42 U.S.C. 5303) or section 201 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141) provided that—

''(i) such funds are used in conjunction with the planning or development of affordable housing; and

''(ii) such affordable housing is located within one-half of a mile of a new station.''.

Subtitle H—Innovation

SEC. 2801. MOBILITY INNOVATION SANDBOX PROGRAM.

Section 5312(d) of title 49, United States Code, is amended by adding at the end the following:

''(3) MOBILITY INNOVATION SANDBOX PROGRAM.—The Secretary may make funding available under this subsection to carry out research on mobility on demand and mobility as a service activities eligible under section 5316.''.

SEC. 2802. TRANSIT BUS OPERATOR COMPARTMENT REDESIGN PROGRAM.

Section 5312(d) of title 49, United States Code, is further amended by adding at the end the following:

''(4) TRANSIT BUS OPERATOR COMPARTMENT REDESIGN PROGRAM.—

''(A) IN GENERAL.—The Secretary may make funding available under this subsection to carry out research on redesigning transit bus operator compartments to improve safety, operational efficiency, and passenger accessibility.

''(B) OBJECTIVES.—Research objectives under this paragraph shall include—

''(i) increasing bus operator safety from assaults;

''(ii) optimizing operator visibility and reducing operator distractions to improve safety of bus passengers, pedestrians, bicyclists, and other roadway users;

''(iii) expanding passenger accessibility for positive interactions between operators and passengers, including assisting passengers in need of special assistance;

''(iv) accommodating passenger boarding, alighting, and securement consistent with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

''(v) improving ergonomics to reduce bus operator work-related health issues and injuries, as well as locate key instrument and control interfaces to improve operational efficiency and convenience.

''(C) ACTIVITIES.—Eligible activities under this paragraph shall include—

''(i) measures to reduce visibility impairments and distractions for bus operators that contribute to accidents, including retrofits to buses in revenue service and specifications for future procurements that reduce visibility impairments and distractions;

''(ii) the deployment of assault mitigation infrastructure and technology on buses, including barriers to restrict the unwanted entry of individuals and objects into bus operators' workstations;

''(iii) technologies to improve passenger accessibility, including boarding, alighting, and securement consistent with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

''(iv) installation of seating and modification to design specifications of bus operator workstations that reduce or prevent injuries from ergonomic risks; or

''(v) other measures that align with the objectives under subparagraph (B).

''(D) ELIGIBLE ENTITIES.—Entities eligible to receive funding under this paragraph shall include consortia consisting of, at a minimum:

''(i) recipients of funds under this chapter that provide public transportation services;

''(ii) transit vehicle manufacturers;

''(iii) representatives from organizations engaged in collective bargaining on behalf of transit workers in not fewer than three States; and

''(iv) any nonprofit institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).''.

SEC. 2803. FEDERAL TRANSIT ADMINISTRATION EVERY DAY COUNTS INITIATIVE.

Section 5312 of title 49, United States Code, as amended by section 2503, is further amended by adding at the end the following:

''(k) EVERY DAY COUNTS INITIATIVE.—

''(1) IN GENERAL.—It is in the national interest for the Department of Transportation and recipients of Federal public transportation funds—

''(A) to identify, accelerate, and deploy innovation aimed at expediting project delivery, enhancing the safety of transit systems of the United States, and protecting the environment;

''(B) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner;

''(C) to promote the rapid deployment of proven solutions that provide greater accountability for public investments; and

''(D) to create a culture of innovation within the transit community.

''(2) FTA EVERY DAY COUNTS INITIATIVE.—To advance the policies described in paragraph (1), the Administrator of the Federal Transit Administration shall adopt the Every Day Counts initiative to work with recipients to identify and deploy the proven innovation practices and products that—

''(A) accelerate innovation deployment;

''(B) expedite the project delivery process;

''(C) improve environmental sustainability;

''(D) enhance transit safety;

''(E) expand mobility; and

''(F) reduce greenhouse gas emissions.

''(3) CONSIDERATION.—In accordance with the Every Day Counts goals described in paragraphs (1) and (2), the Administrator shall consider research conducted through the university transportation centers program in section 5505.

''(4) INNOVATION DEPLOYMENT.—

''(A) IN GENERAL.—At least every 2 years, the Administrator shall work collaboratively with recipients to identify a new collection of innovations, best practices, and data to be deployed to recipients through case studies, webinars, and demonstration projects.

''(B) REQUIREMENTS.—In identifying a collection described in subparagraph (A), the Secretary shall take into account market readiness, impacts, benefits, and ease of adoption of the innovation or practice.

''(5) PUBLICATION.—Each collection identified under paragraph (4) shall be published by the Administrator on a publicly available website.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to allow the Secretary to waive any requirement under any other provision of Federal law.''.

SEC. 2804. TECHNICAL CORRECTIONS.

Section 5312 of title 49, United States Code, as amended in section 2503 and 2803, is further amended—

(1) in subsection (e)—

(A) in paragraph (3)(C) by striking ''low or no emission vehicles, zero emission vehicles,'' and inserting ''zero emission vehicles''; and

(B) by striking paragraph (6) and inserting the following:

''(6) ZERO EMISSION VEHICLE DEFINED.—In this subsection, the term 'zero emission vehicle' means a passenger vehicle used to provide public transportation that produces no carbon or particulate matter.'';

(2) by redesignating the first subsection (g) as subsection (f); and

(3) in subsection (h)—

(A) in the header by striking ''LOW OR NO EMISSION'' and inserting ''ZERO EMISSION'';

(B) in paragraph (1)—

(i) by striking subparagraph (B) and inserting the following:

''(B) the term 'zero emission vehicle' has the meaning given such term in subsection (e)(6);''; and

(ii) in subparagraph (D) by striking ''low or no emission vehicle'' and inserting ''zero emission vehicle'' each place such term appears;

(C) in paragraph (2)—

(i) in the heading by striking ''LOW OR NO EMISSION'' and inserting ''ZERO EMISSION''; and

(ii) by striking ''low or no emission'' and inserting ''zero emission'' each place such term appears;

(D) in paragraph (3) by striking ''low or no emission'' and inserting ''zero emission'' each place such term appears (including in the heading); and

(E) in paragraph (5)(A) by striking ''low or no emission'' and inserting ''zero emission''.

SEC. 2805. NATIONAL ADVANCED TECHNOLOGY TRANSIT BUS DEVELOPMENT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a national advanced technology transit bus development program to facilitate the development and testing of commercially viable advanced technology transit buses that do not exceed a Level 3 automated driving system and related infrastructure.

(b) AUTHORIZATION.—There shall be available $20,000,000 for each of fiscal years 2022 through 2026.

(c) GRANTS.—The Secretary may enter into grants, contracts, and cooperative agreements with no more than three geographically diverse nonprofit organizations and recipients under chapter 53 of title 49, United States Code, to facilitate the development and testing of commercially viable advance technology transit buses and related infrastructure.

(d) CONSIDERATIONS.—

(1) IN GENERAL.—The Secretary shall consider the applicant's—

(A) ability to contribute significantly to furthering advanced technologies as it relates to transit bus operations, including advanced driver assistance systems, automatic emergency braking, accessibility, and energy efficiency;

(B) financing plan and cost share potential;

(C) technical experience developing or testing advanced technologies in transit buses;

(D) commitment to frontline worker involvement; and

(E) other criteria that the Secretary determines are necessary to carry out the program.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to allow the Secretary to waive any requirement under any other provision of Federal law.

(e) COMPETITIVE GRANT SELECTION.—The Secretary shall conduct a national solicitation for applications for grants under the program. Grant recipients shall be selected on a competitive basis. The Secretary shall give priority consideration to applicants that have successfully managed advanced transportation technology projects, including projects related to public transportation operations for a period of not less than 5 years.

(f) CONSORTIA.—As a condition of receiving an award in (c), the Secretary shall ensure—

(1) that the selected non-profit recipients subsequently establish a consortia for each proposal submitted, including representatives from a labor union, transit agency, an FTA-designated university bus and component testing center, a Buy America compliant transit bus manufacturer, and others as determined by the Secretary;

(2) that no proposal selected would decrease workplace or passenger safety; and

(3) that no proposal selected would undermine the creation of high-quality jobs or workforce support and development programs.

(g) FEDERAL SHARE.—The Federal share of costs of the program shall be provided from funds made available to carry out this section. The Federal share of the cost of a project carried out under the program shall not exceed 80 percent of such cost.

SEC. 2806. PUBLIC TRANSPORTATION INNOVATION.

Section 5312(h)(2) of title 49, United States Code, is amended by striking subparagraph (G).

SEC. 2807. TRANSIT VEHICLE BATTERY RECYCLING AND REUSE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue regulations that, notwithstanding any other provision of law, allow recipients of funds under chapter 53 of title 49, United States Code, at the option of the recipient, to repurpose, recycle, reuse, sell, or lease transit vehicle batteries that are beyond the useful service life of such batteries for the purpose of transit vehicle propulsion and component parts of such batteries.

(b) CONSIDERATIONS.—In issuing regulations under subsection (a), the Secretary shall prioritize second life applications that—

(1) maximize the full use of transit vehicle batteries beyond the useful life of such batteries for transit vehicle propulsion and component parts of such batteries;

(2) enhance the reuse and recycling of transit vehicle batteries, components, and component critical minerals of such batteries;

(3) reduce costs for recipients;

(4) create new streams of revenue for recipients;

(5) support the provision of zero emission public transportation service, which may include the use of wayside charging; and

(6) enhance the resilience of public transportation and the electric vehicle supply equipment network, which may include the use of batteries for energy storage.

(c) SECOND LIFE APPLICATIONS DEFINED.—In this section, the term ''second life applications'' means the repurposing, recycling, reuse, sale, or leasing of a transit vehicle battery that is beyond the useful service life for the purpose of transit vehicle propulsion and component parts of such battery, but that retains utility for other applications.

Subtitle I—Other Program Reauthorizations

SEC. 2901. REAUTHORIZATION FOR CAPITAL AND PREVENTIVE MAINTENANCE PROJECTS FOR WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.

Section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432) is amended—

(1) in subsection (b) by striking ''The Federal'' and inserting ''Except as provided in subsection (e)(2), the Federal'';

(2) by striking subsections (d) through (f) and inserting the following:

''(d) REQUIRED BOARD APPROVAL.—No amounts may be provided to the Transit Authority under this section until the Transit Authority certifies to the Secretary of Transportation that—

''(1) a board resolution has passed on or before July 1, 2022, and is in effect for the period of July 1, 2022 through June 30, 2031, that—

''(A) establishes an independent budget authority for the Office of Inspector General of the Transit Authority;

''(B) establishes an independent procurement authority for the Office of Inspector General of the Transit Authority;

''(C) establishes an independent hiring authority for the Office of Inspector General of the Transit Authority;

''(D) ensures the Inspector General of the Transit Authority can obtain legal advice from a counsel reporting directly to the Inspector General;

''(E) requires the Inspector General of the Transit Authority to submit recommendations for corrective action to the General Manager and the Board of Directors of the Transit Authority;

''(F) requires the Inspector General of the Transit Authority to publish any recommendation described in subparagraph (E) on the website of the Office of Inspector General of the Transit Authority, except that the Inspector General may redact personally identifiable information and information that, in the determination of the Inspector General, would pose a security risk to the systems of the Transit Authority;

''(G) requires the Board of Directors of the Transit Authority to provide written notice to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate not less than 30 days before the Board of Directors removes the Inspector General of the Transit Authority, which shall include the reasons for removal and supporting documentation; and

''(H) prohibits the Board of Directors from removing the Inspector General of the Transit Authority unless the Board of Directors has provided a 30 day written notification as described in subparagraph (G) that documents—

''(i) a permanent incapacity;

''(ii) a neglect of duty;

''(iii) malfeasance;

''(iv) a conviction of a felony or conduct involving moral turpitude;

''(v) a knowing violation of a law or regulation;

''(vi) gross mismanagement;

''(vii) a gross waste of funds;

''(viii) an abuse of authority; or

''(ix) inefficiency; and

''(2) the Code of Ethics for Members of the WMATA Board of Directors passed on September 26, 2019, remains in effect, or the Inspector General of the Transit Authority has consulted with any modifications to the Code of Ethics by the Board.

''(e) AUTHORIZATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Transportation for grants under this section—

''(A) for fiscal year 2022, $150,000,000;

''(B) for fiscal year 2023, $155,000,000;

''(C) for fiscal year 2024, $160,000,000;

''(D) for fiscal year 2025, $165,000,000;

''(E) for fiscal year 2026, $170,000,000;

''(F) for fiscal year 2027, $175,000,000;

''(G) for fiscal year 2028, $180,000,000;

''(H) for fiscal year 2029, $185,000,000;

''(I) for fiscal year 2030, $190,000,000; and

''(J) for fiscal year 2031, $200,000,000.

''(2) SET ASIDE FOR OFFICE OF INSPECTOR GENERAL OF TRANSIT AUTHORITY.—From the amounts in paragraph (1), the Transit Authority shall provide at least 7 percent for each fiscal year to the Office of Inspector General of the Transit Authority to carry out independent and objective audits, investigations, and reviews of Transit Authority programs and operations to promote economy, efficiency, and effectiveness, and to prevent and detect fraud, waste, and abuse in such programs and operations.''; and

(3) by redesignating subsection (g) as subsection (f).

SEC. 2902. OTHER APPORTIONMENTS.

Section 5336 of title 49, United States Code, is amended—

(1) in subsection (h)—

(A) in the matter preceding paragraph (1) by striking ''section 5338(a)(2)(C)'' and inserting ''section 5338(a)(2)(B)'';

(B) by amending paragraph (1) to read as follows:

''(1) to carry out section 5307(h)—

''(A) $60,906,000 shall be set aside in fiscal year 2023;

''(B) $61,856,134 shall be set aside in fiscal year 2024;

''(C) $62,845,832 shall be set aside in fiscal year 2025; and

''(D) $63,832,511 shall be set aside in fiscal year 2026;'';

(C) in paragraph (2) by striking ''3.07 percent'' and inserting ''6 percent''; and

(D) by amending paragraph (3) to read as follows:

''(3) of amounts not apportioned under paragraphs (1) and (2), 3 percent shall be apportioned to urbanized areas with populations of less than 200,000 in accordance with subsection (i);''; and

(2) in subsection (i) by adding at the end the following:

''(3) CENSUS PHASE-OUT.—Before apportioning funds under subsection (h)(3), for any urbanized area that is no longer an eligible area due to a change in population in the most recent decennial census, the Secretary shall apportion to such urbanized area, for 3 fiscal years, an amount equal to half of the funds apportioned to such urbanized area pursuant to this subsection for the previous fiscal year.''.

Subtitle J—Streamlining

SEC. 2911. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

Section 5309 of title 49, United States Code, as amended by section 2703 of this Act, is further amended—

(1) in subsection (a)—

(A) in paragraph (7)—

(i) in subparagraph (A) by striking ''$100,000,000'' and inserting ''$320,000,000''; and

(ii) in subparagraph (B) by striking ''$300,000,000'' and inserting ''$400,000,000'';

(B) by striking paragraph (6); and

(C) by redesignating paragraph (7), as so amended, as paragraph (6);

(2) in subsection (b)(2) by inserting ''expanding station capacity,'' after ''construction of infill stations,'';

(3) in subsection (d)(1)—

(A) in subparagraph (C)(i) by striking ''2 years'' and inserting ''3 years''; and

(B) by adding at the end the following:

''(D) OPTIONAL PROJECT DEVELOPMENT ACTIVITIES.—An applicant may perform cost and schedule risk assessments with technical assistance provided by the Secretary.

''(E) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed as authorizing the Secretary to require cost and schedule risk assessments in the project development phase.'';

(4) in subsection (e)(1)—

(A) in subparagraph (C)(i) by striking ''2 years'' and inserting ''3 years''; and

(B) by adding at the end the following:

''(D) OPTIONAL PROJECT DEVELOPMENT ACTIVITIES.—An applicant may perform cost and schedule risk assessments with technical assistance provided by the Secretary.

''(E) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed as authorizing the Secretary to require cost and schedule risk assessments in the project development phase.'';

(5) in subsection (e)(2)(A)(iii)(II) by striking ''5 years'' and inserting ''10 years'';

(6) in subsection (f)—

(A) in paragraph (1) by striking ''subsection (d)(2)(A)(v)'' and inserting ''subsection (d)(2)(A)(iv)'';

(B) in paragraph (2)—

(i) by striking ''subsection (d)(2)(A)(v)'' and inserting ''subsection (d)(2)(A)(iv)'';

(ii) in subparagraph (D) by adding ''and'' at the end;

(iii) by striking subparagraph (E); and

(iv) by redesignating subparagraph (F) as subparagraph (E); and

(C) by adding at the end the following:

''(4) COST-SHARE INCENTIVES.—For a project for which a lower CIG cost share is elected by the applicant under subsection (l)(1)(C), the Secretary shall apply the following requirements and considerations in lieu of paragraphs (1) and (2):

''(A) REQUIREMENTS.—In determining whether a project is supported by local financial commitment and shows evidence of stable and dependable financing sources for purposes of subsection (d)(2)(A)(iv) or (e)(2)(A)(v), the Secretary shall require that—

''(i) the proposed project plan provides for the availability of contingency amounts that the applicant determines to be reasonable to cover unanticipated cost increases or funding shortfalls;

''(ii) each proposed local source of capital and operating financing is stable, reliable, and available within the proposed project timetable; and

''(iii) an applicant certifies that local resources are available to recapitalize, maintain, and operate the overall existing and proposed public transportation system, including essential feeder bus and other services necessary to achieve the projected ridership levels without requiring a reduction in existing public transportation services or level of service to operate the project, or that the annual operating cost of the proposed project does not exceed 5 percent of the annual cost to operate and maintain the overall public transportation system of the applicant.

''(B) CONSIDERATIONS.—In assessing the stability, reliability, and availability of proposed sources of local financing for purposes of subsection (d)(2)(A)(iv) or (e)(2)(A)(v), the Secretary shall consider—

''(i) the reliability of the forecasting methods used to estimate costs and revenues made by the recipient and the contractors to the recipient;

''(ii) existing grant commitments;

''(iii) any debt obligation that exists, or is proposed by the recipient, for the proposed project or other public transportation purpose; and

''(iv) private contributions to the project, including cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies.''.

(7) in subsection (g)—

(A) in paragraph (2)(A) by striking ''degree of local financial commitment'' and inserting ''criteria in subsection (f)'' each place it appears;

(B) in paragraph (3) by striking ''The Secretary shall,'' and all that follows through ''to carry out this subsection.'' and inserting the following: ''The Secretary shall—

''(A) to the maximum extent practicable, develop and use special warrants for making a project justification determination under subsection (d)(2) or (e)(2), as applicable, for a project proposed to be funded using a grant under this section if—

''(i) the share of the cost of the project to be provided under this section—

''(I) does not exceed $500,000,000 and the total project cost does not exceed $1,000,000,000; or

''(II) complies with subsection (l)(1)(C);

''(ii) the applicant requests the use of the warrants;

''(iii) the applicant certifies that its existing public transportation system is in a state of good repair; and

''(iv) the applicant meets any other requirements that the Secretary considers appropriate to carry out this subsection; and'';

(C) by striking paragraph (5) and inserting the following:

''(5) POLICY GUIDANCE.—The Secretary shall issue policy guidance on the review and evaluation process and criteria not later than 180 days after the date of enactment of the INVEST in America Act.'';

(D) by striking paragraph (6) and inserting the following:

''(6) TRANSPARENCY.—Not later than 30 days after the Secretary receives a written request from an applicant for all remaining information necessary to obtain 1 or more of the following, the Secretary shall provide such information to the applicant:

''(A) Project advancement.

''(B) Medium or higher rating.

''(C) Warrant.

''(D) Letter of intent.

''(E) Early systems work agreement.''; and

(E) in paragraph (7) by striking ''the Federal Public Transportation Act of 2012'' and inserting ''the INVEST in America Act'';

(8) in subsection (h)—

(A) in paragraph (5) by inserting '', except that for a project for which a lower local cost share is elected under subsection (l)(1)(C), the Secretary shall enter into a grant agreement under this subsection for any such project that establishes contingency amounts that the applicant determines to be reasonable to cover unanticipated cost increases or funding shortfalls'' before the period at the end; and

(B) in paragraph (7)(C) by striking ''10 days'' and inserting ''3 days'';

(9) by striking subsection (i) and inserting the following:

''(i) INTERRELATED PROJECTS.—

''(1) RATINGS IMPROVEMENT.—The Secretary shall grant a rating increase of 1 level in mobility improvements to any project being rated under subsection (d), (e), or (h), if the Secretary certifies that the project has a qualifying interrelated project that meets the requirements of paragraph (2).

''(2) INTERRELATED PROJECT.—A qualifying interrelated project is a transit project that—

''(A) is adopted into the metropolitan transportation plan required under section 5303;

''(B) has received a class of action designation under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(C) will likely increase ridership on the project being rated in subsection (d), (e), or (h), respectively, as determined by the Secretary; and

''(D) meets one of the following criteria:

''(i) Extends the corridor of the project being rated in subsection (d), (e), or (h), respectively.

''(ii) Provides a direct passenger transfer to the project being rated in subsection (d), (e), or (h), respectively.'';

(10) in subsection (k)—

(A) in paragraph (2)(D) by adding at the end the following:

''(v) LOCAL FUNDING COMMITMENT.— For a project for which a lower CIG cost share is elected by the applicant under subsection (l)(1)(C), the Secretary shall enter into a full funding grant agreement that has at least 75 percent of local financial commitment committed and the remaining percentage budgeted for the proposed purposes.''; and

(B) in paragraph (5) by striking ''30 days'' and inserting ''3 days'';

(11) in subsection (l)—

(A) in paragraph (1) by striking subparagraph (B) and inserting the following:

''(B) CAP.—Except as provided in subparagraph (C), a grant for a project under this section shall not exceed 80 percent of the net capital project cost, except that a grant for a core capacity improvement project shall not exceed 80 percent of the net capital project cost of the incremental cost to increase the capacity in the corridor.

''(C) APPLICANT ELECTION OF LOWER LOCAL CIG COST SHARE.—An applicant may elect a lower local CIG cost share for a project under this section for purposes of application of the cost-share incentives under subsection (f)(3). Such cost share shall not exceed 60 percent of the net capital project cost, except that for a grant for a core capacity improvement project such cost share shall not exceed 60 percent of the net capital project cost of the incremental cost to increase the capacity in the corridor.'';

(B) by striking paragraph (5) and inserting the following:

''(5) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed as authorizing the Secretary to require, incentivize (in any manner not specified in this section), or place additional conditions upon a

non-Federal financial commitment for a project that is more than 20 percent of the net capital project cost or, for a core capacity improvement project, 20 percent of the net capital project cost of the incremental cost to increase the capacity in the corridor.''; and

(C) by striking paragraph (8) and inserting the following:

''(8) CONTINGENCY SHARE.—The Secretary shall provide funding for the contingency amount equal to the proportion of the CIG cost share. If the Secretary increases the contingency amount after a project has received a letter of no prejudice or been allocated appropriated funds, the federal share of the additional contingency amount shall be 25 percent higher than the original proportion the CIG cost share and in addition to the grant amount set in subsection (k)(2)(C)(ii).'';

(12) in subsection (o) by adding at the end the following:

''(4) CIG PROGRAM DASHBOARD.—Not later than the fifth day of each month, the Secretary shall make publicly available on a website data on, including the status of, each project under this section that is in the project development phase, in the engineering phase, or has received a grant agreement and remains under construction. Such data shall include, for each project—

''(A) the amount and fiscal year of any funding appropriated, allocated, or obligated for the project;

''(B) the date on which the project—

''(i) entered the project development phase;

''(ii) entered the engineering phase, if applicable; and

''(iii) received a grant agreement, if applicable; and

''(C) the status of review by the Federal Transit Administration and the Secretary, including dates of request, dates of acceptance of request, and dates of a decision for each of the following, if applicable:

''(i) A letter of no prejudice.

''(ii) An environmental impact statement notice of intent.

''(iii) A finding of no significant environmental impact.

''(iv) A draft environmental impact statement.

''(v) A final environmental impact statement.

''(vi) A record of decision on the final environmental impact statement.

''(vii) The status of the applicant in securing the non-Federal match, based on information provided by the applicant, including the amount committed, budgeted, planned, and undetermined.''; and

(13) by striking ''an acceptable degree of'' and inserting ''a'' each place it appears.

SEC. 2912. RURAL AND SMALL URBAN APPORTIONMENT DEADLINE.

Section 5336(d) of title 49, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) in paragraph (1) by striking ''and'' at the end; and

(3) by inserting after paragraph (1) the following:

''(2) notwithstanding paragraph (1), apportion amounts to the States appropriated under section 5338(a)(2) to carry out sections 5307, 5310, and 5311 not later than December 15 for which any amounts are appropriated; and''.

SEC. 2913. DISPOSITION OF ASSETS BEYOND USEFUL LIFE.

Section 5334 of title 49, United States Code, is further amended by adding at the end the following:

''(l) DISPOSITION OF ASSETS BEYOND USEFUL LIFE.—

''(1) IN GENERAL.—If a recipient, or subrecipient, for assistance under this chapter disposes of an asset with a current market value, or proceed from the sale of such asset, acquired under this chapter at least in part with such assistance, after such asset has reached the useful life of such asset, the Secretary shall allow the recipient, or subrecipient, to use the proceeds attributable to the Federal share of such asset calculated under paragraph (3) for capital projects under section 5307, 5310, or 5311.

''(2) MINIMUM VALUE.—This subsection shall only apply to assets with a current market value, or proceeds from sale, of at least $5,000.

''(3) CALCULATION OF FEDERAL SHARE ATTRIBUTABLE.—The proceeds attributable to the Federal share of an asset described in paragraph (1) shall be calculated by multiplying—

''(A) the current market value of, or the proceeds from the disposition of, such asset; by

''(B) the Federal share percentage for the acquisition of such asset at the time of acquisition of such asset.''.

SEC. 2914. INNOVATIVE COORDINATED ACCESS AND MOBILITY.

Section 5310 of title 49, United States Code, as amended by section 2205, is further amended by adding at the end the following:

''(k) INNOVATIVE COORDINATED ACCESS AND MOBILITY.—

''(1) START UP GRANTS.—

''(A) IN GENERAL.—The Secretary may make grants under this paragraph to eligible recipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation services.

''(B) APPLICATION.—An eligible recipient shall submit to the Secretary an application that, at a minimum, contains—

''(i) a detailed description of the eligible project;

''(ii) an identification of all eligible project partners and the specific role of each eligible project partner in the eligible project, including—

''(I) private entities engaged in the coordination of nonemergency medical transportation services for the transportation disadvantaged;

''(II) nonprofit entities engaged in the coordination of nonemergency medical transportation services for the transportation disadvantaged; or

''(III) Federal and State entities engaged in the coordination of nonemergency medical transportation services for the transportation disadvantaged; and

''(iii) a description of how the eligible project shall—

''(I) improve local coordination or access to coordinated transportation services;

''(II) reduce duplication of service, if applicable; and

''(III) provide innovative solutions in the State or community.

''(C) PERFORMANCE MEASURES.—An eligible recipient shall specify, in an application for a grant under this paragraph, the performance measures the eligible project, in coordination with project partners, will use to quantify actual outcomes against expected outcomes, including—

''(i) changes to transportation expenditures as a result of improved coordination;

''(ii) changes to healthcare expenditures provided by projects partners as a result of improved coordination; and

''(iii) changes to health care metrics, including aggregate health outcomes provided by projects partners.

''(D) ELIGIBLE USES.—Eligible recipients receiving a grant under this section may use such funds for—

''(i) the deployment of coordination technology;

''(ii) projects that create or increase access to community One-Call/One-Click Centers;

''(iii) projects that coordinate transportation for 3 or more of—

''(I) public transportation provided under this section;

''(II) a State plan approved under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

''(III) title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

''(IV) Veterans Health Administration; or

''(V) private health care facilities; and

''(iv) such other projects as determined appropriate by the Secretary.

''(E) CONSULTATION.—In evaluating the performance metrics described in subparagraph (C), the Secretary shall consult with the Secretary of Health and Human Services.

''(2) INCENTIVE GRANTS.—

''(A) IN GENERAL.—The Secretary may make grants under this paragraph to eligible recipients to incentivize innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation services.

''(B) SELECTION OF GRANT RECIPIENTS.—The Secretary shall distribute grant funds made available to carry out this paragraph as described in subparagraph (E) to eligible recipients that apply and propose to demonstrate improvement in the metrics described in subparagraph (F).

''(C) ELIGIBILITY.—An eligible recipient shall not be required to have received a grant under paragraph (1) to be eligible to receive a grant under this paragraph.

''(D) APPLICATIONS.—Eligible recipients shall submit to the Secretary an application that includes—

''(i) which metrics under subparagraph (F) the eligible recipient intends to improve;

''(ii) the performance data eligible recipients and the Federal, State, nonprofit, and private partners, as described in paragraph (1)(B)(ii), of the eligible recipient will make available; and

''(iii) a proposed incentive formula that makes payments to the eligible recipient based on the proposed data and metrics.

''(E) DISTRIBUTION.—The Secretary shall distribute funds made available to carry out this paragraph based upon the number of grant applications approved by the Secretary, number of individuals served by each grant, and the incentive formulas approved by the Secretary using the following metrics:

''(i) The reduced transportation expenditures as a result of improved coordination.

''(ii) The reduced Federal and State healthcare expenditures using the metrics described in subparagraph (F).

''(iii) The reduced private healthcare expenditures using the metrics described in subparagraph (F).

''(F) HEALTHCARE METRICS.—Healthcare metrics described in this subparagraph shall be—

''(i) reducing missed medical appointments;

''(ii) the timely discharge of patients from hospitals;

''(iii) preventing hospital admissions and reducing readmissions of patients into hospitals; and

''(iv) other measureable healthcare metrics, as determined appropriate by the Secretary, in consultation with the Secretary of Health and Human Services.

''(G) ELIGIBLE EXPENDITURES.—The Secretary shall allow the funds distributed by this grant program to be expended on eligible activities described in paragraph (1)(D) and any eligible activity under this section that is likely to improve the metrics described in subparagraph (F).

''(H) RECIPIENT CAP.—The Secretary—

''(i) may not provide more than 20 grants under this paragraph; and

''(ii) shall reduce the maximum number of grants under this paragraph to ensure projects are fully funded, if necessary.

''(I) CONSULTATION.—In evaluating the health care metrics described in subparagraph (F), the Secretary shall consult with the Secretary of Health and Human Services.

''(J) ANNUAL GRANTEE REPORT.—Each grantee shall submit a report, in coordination with the project partners of such grantee, that includes an evaluation of the outcomes of the grant

awarded to such grantee, including the performance measures.

''(3) REPORT.—The Secretary shall make publicly available an annual report on the program carried out under this subsection for each fiscal year, not later than December 31 of the calendar year in which that fiscal year ends. The report shall include a detailed description of the activities carried out under the program, and an evaluation of the program, including an evaluation of the performance measures used by eligible recipients in consultation with the Secretary of Health and Human Services.

''(4) FEDERAL SHARE.—

''(A) IN GENERAL.—The Federal share of the costs of a project carried out under this subsection shall not exceed 80 percent.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the costs of a project carried out under this subsection may be derived from in-kind contributions.

''(5) RULE OF CONSTRUCTION.—For purposes of this subsection, nonemergency medical transportation services shall be limited to services eligible under Federal programs other than programs authorized under this chapter.''.

SEC. 2915. PASSENGER FERRY GRANTS.

Section 5307(h) of title 49, United States Code, is amended by adding at the end the following paragraph:

''(4) ZERO-EMISSION OR REDUCED-EMISSION GRANTS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'eligible project' means a project or program of projects in an area eligible for a grant under subsection (a) for—

''(I) acquiring zero- or reduced-emission passenger ferries;

''(II) leasing zero- or reduced-emission passenger ferries;

''(III) constructing facilities and related equipment for zero- or reduced-emission passenger ferries;

''(IV) leasing facilities and related equipment for zero- or reduced-emission passenger ferries;

''(V) constructing new public transportation facilities to accommodate zero- or reduced-emission passenger ferries;

''(VI) constructing shoreside ferry charging infrastructure for zero- or reduced-emission passenger ferries; or

''(VII) rehabilitating or improving existing public transportation facilities to accommodate zero- or reduced-emission passenger ferries;

''(ii) the term 'zero- or reduced-emission passenger ferry' means a passenger ferry used to provide public transportation that reduces emissions by utilizing onboard energy storage systems for hybrid-electric or 100 percent electric propulsion, related charging infrastructure, and other technologies deployed to reduce emissions or produce zero onboard emissions under normal operation; and

''(iii) the term 'recipient' means a designated recipient, a local government authority, or a State that receives a grant under subsection (a).

''(B) GENERAL AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this paragraph.

''(C) GRANT REQUIREMENTS.—A grant under this paragraph shall be subject to the same terms and conditions as a grant under subsection (a).

''(D) COMPETITIVE PROCESS.—The Secretary shall solicit grant applications and make grants for eligible projects under this paragraph on a competitive basis.

''(E) GOVERNMENT SHARE OF COSTS.—

''(i) IN GENERAL.—The Federal share of the cost of an eligible project carried out under this paragraph shall not exceed 80 percent.

''(ii) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.''.

SEC. 2916. EVALUATION OF BENEFITS AND FEDERAL INVESTMENT.

Section 5309(h)(4) of title 49, United States Code, is amended by inserting '', the extent to which the project improves transportation options to economically distressed areas,'' after ''public transportation''.

SEC. 2917. BEST PRACTICES FOR THE APPLICATION OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 TO FEDERALLY FUNDED BUS SHELTERS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue best practices on the application of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to federally funded bus shelters to assist recipients of Federal funds in receiving exclusions permitted by law.

SEC. 2918. CAPITAL INVESTMENT GRANT STREAMLINING.

(a) IN GENERAL.—Section 3005(b) of the FAST Act (Public Law 116–94) is repealed.

(b) GRANDFATHER CLAUSES.—For any projects that have submitted an application or are being evaluated under the program described in section 3005(b) of such Act prior to the date of enactment of this Act, the Secretary shall—

(1) continue to administer the project under the terms of such section as it existed on the day prior to the date of enactment of this Act; and

(2) for purposes of providing Federal assistance to such project (and notwithstanding any other provision of law), provide such funds as may be necessary from the amounts provided in section 5338(b) of title 49, United States Code, and division A of this Act.

SEC. 2919. DISPOSITION OF ROLLING STOCK TO IMPROVE AIR QUALITY GOALS.

Section 5334 of title 49, United States Code, is further amended by adding at the end the following:

''(m) DISPOSITION OF ROLLING STOCK TO MEET AIR QUALITY GOALS.—

''(1) IN GENERAL.—If a recipient, or subrecipient, for assistance under this chapter disposes of rolling stock with a current market value, or proceeds from the disposition of such rolling stock, acquired under this chapter at least in part with such assistance, before such rolling stock has reached its useful life, the Secretary may allow the recipient, or subrecipient, to use the proceeds attributable to the Federal share of such rolling stock calculated under paragraph (3) for capital projects under section 5307, 5310, or 5311 without need for repayment of the Federal financial interest.

''(2) COVERED ROLLING STOCK.—This subsection shall only apply to rolling stock disposed of—

''(A) which are replaced by rolling stock that will help improve attainment of air quality goals compared to the rolling stock being replaced; and

''(B) for which the recipient is located in an area that is designated as a nonattainment area for particulate matter under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)).

''(3) CALCULATION OF FEDERAL SHARE ATTRIBUTABLE.—The proceeds attributable to the Federal share of rolling stock described in paragraph (1) shall be calculated by multiplying—

''(A) the current market value of, or the proceeds from the disposition of, such asset; and

''(B) the Federal share percentage for the acquisition of such asset at the time of acquisition of such asset.''.

TITLE III—HIGHWAY TRAFFIC SAFETY

SEC. 3001. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—

(A) $378,400,000 for fiscal year 2023;

(B) $382,400,000 for fiscal year 2024;

(C) $386,500,000 for fiscal year 2025; and

(D) $390,400,000 for fiscal year 2026.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—

(A) $182,495,000 for fiscal year 2023;

(B) $184,795,000 for fiscal year 2024;

(C) $187,795,000 for fiscal year 2025; and

(D) $190,695,000 for fiscal year 2026.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—

(A) $384,119,000 for fiscal year 2023;

(B) $393,205,000 for fiscal year 2024;

(C) $402,205,000 for fiscal year 2025; and

(D) $411,388,000 for fiscal year 2026.

(4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) $5,700,000 for fiscal year 2023;

(B) $5,800,000 for fiscal year 2024;

(C) $5,900,000 for fiscal year 2025; and

(D) $6,000,000 for fiscal year 2026.

(5) HIGH-VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 404 of title 23, United States Code—

(A) $60,200,000 for fiscal year 2023;

(B) $60,600,000 for fiscal year 2024;

(C) $60,800,000 for fiscal year 2025; and

(D) $61,200,000 for fiscal year 2026.

(6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code—

(A) $30,586,000 for fiscal year 2023;

(B) $31,000,000 for fiscal year 2024;

(C) $31,500,000 for fiscal year 2025; and

(D) $31,917,000 for fiscal year 2026.

(7) CENTER FOR FAIR AND EQUITABLE TRAFFIC SAFETY ENFORCEMENT.—For carrying out section 3003 of this title, $35,000,000 for each of fiscal years 2023 through 2026.

(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapters—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and chapter 303 of title 49, United States Code, amounts made available under subsection (a) for fiscal years 2023 through 2026 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) REGULATORY AUTHORITY.—Grants awarded under chapter 4 of title 23, United States Code, including any amendments made by this title, shall be carried out in accordance with regulations issued by the Secretary of Transportation.

(e) STATE MATCHING REQUIREMENTS.—If a grant awarded under chapter 4 of title 23, United States Code, requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during a fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any other project carried out under chapter 4 of title 23, United States Code (other than planning or administration), without regard to whether such expenditures were made in connection with such project.

(f) GRANT APPLICATION AND DEADLINE.—To receive a grant under chapter 4 of title 23, United States Code, a State shall submit an application, and the Secretary of Transportation shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

SEC. 3002. HIGHWAY SAFETY PROGRAMS.

Section 402 of title 23, United States Code, is amended—

(1) in subsection (a) by adding at the end the following:

''(3) ADDITIONAL CONSIDERATIONS.—States which have legalized medicinal or recreational marijuana shall consider programs in addition to the programs described in paragraph (2)(A) to educate drivers on the risks associated with marijuana-impaired driving and to reduce injuries and deaths resulting from individuals driving motor vehicles while impaired by marijuana.'';

(2) in subsection (c)—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(B) by inserting after paragraph (1) the following:

''(2) ADDITIONAL USES.—In addition to uses authorized under paragraph (1) and as approved by the Secretary, States may use funds under this section to—

''(A) educate the public on the dangers of pediatric vehicular hyperthermia;

''(B) purchase and distribute child restraints to low-income families; and

''(C) reduce injuries and deaths resulting from drivers of motor vehicles not moving to another traffic lane or reducing the speed of such driver's vehicle when passing an emergency, law enforcement, or other vehicle stopped or parked on or near the roadway.''.

(C) in paragraph (5), as so redesignated)—

(i) by striking subparagraph (C);

(ii) by redesignating subparagraph (B) as subparagraph (D); and

(iii) by inserting after subparagraph (A) the following:

''(B) SPECIAL RULE FOR SCHOOL AND WORK ZONES.—Notwithstanding subparagraph (A), a State may expend funds apportioned to that State under this section to carry out a program to purchase, operate, or maintain an automated traffic system in a work zone or school zone.

''(C) AUTOMATED TRAFFIC ENFORCEMENT SYSTEM GUIDELINES.—Any automated traffic enforcement system installed pursuant to subparagraph (B) shall comply with speed enforcement camera systems and red light camera systems guidelines established by the Secretary.''; and

(3) in subsection (n)—

(A) by striking ''PUBLIC TRANSPARENCY'' and all that follows through ''The Secretary'' and inserting the following: ''PUBLIC TRANSPARENCY.—

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) STATE HIGHWAY SAFETY PLAN WEBSITE.—

''(A) IN GENERAL.—In carrying out the requirements of paragraph (1), the Secretary shall establish a public website that is easily accessible, navigable, and searchable for the information required under paragraph (1), in order to foster greater transparency in approved State highway safety programs.

''(B) CONTENTS.—The website established under subparagraph (A) shall—

''(i) include each State highway safety plan and annual report submitted and approved by the Secretary under subsection (k);

''(ii) provide a means for the public to search such website for State highway safety program content required in subsection (k), including—

''(I) performance measures required by the Secretary under paragraph (3)(A);

''(II) progress made toward meeting the State's performance targets for the previous year;

''(III) program areas and expenditures; and

''(IV) a description of any sources of funds other than funds provided under this section that the State proposes to use to carry out the State highway safety plan of such State.''.

SEC. 3003. FAIR AND EQUITABLE TRAFFIC SAFETY ENFORCEMENT.

(a) IN GENERAL.—The Secretary of Transportation shall make grants under this section to an eligible nonprofit institution of higher education with demonstrated expertise in promoting fair and equitable traffic safety enforcement to establish and operate a national center of excellence for fair and equitable traffic safety enforcement (in this section referred to as the ''Center'').

(b) PURPOSE.—The purpose of the Center shall be to promote fair and equitable traffic safety enforcement with the goal of reducing traffic fatalities and injuries.

(c) ROLE OF CENTER.—The role of the Center shall be to establish and operate a national fair and equitable traffic safety enforcement clearinghouse to—

(1) develop data collection systems to promote fair and equitable traffic safety enforcement solutions, including assisting States participating in the program established under section 403(j) of title 23, United States Code, (as added by this Act) share data collected to a national database;

(2) develop recommendations for States to improve data collection on law enforcement programs carried out under sections 402 and 405 of this title in order to promote fair and equitable traffic safety enforcement programs;

(3) provide technical assistance to States on the implementation of the program established under section 403(j) of title 23, United States Code, as added by this Act;

(4) research and disseminate best practices for implementing equitable traffic safety enforcement programs; and

(5) develop information and educational programs on implementing equitable traffic safety enforcement best practices.

(d) CONSULTATION.—In carrying out the activities under paragraphs (4) and (5) of subsection (c), the Center shall consult with relevant stakeholders, including—

(1) civil rights organizations;

(2) traffic safety advocacy groups;

(3) law enforcement representatives;

(4) State highway safety offices; and

(5) such other surface transportation stakeholders and industry experts as the Center considers appropriate.

(e) REPORT TO CONGRESS.—Not later than 2 years after the establishment of the Center under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on progress made toward meeting the goals established under subsection (b).

SEC. 3004. HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.

Section 403 of title 23, United States Code, is amended—

(1) in subsection (b) by inserting '', training,'' after ''demonstration projects'';

(2) in subsection (f)(1)—

(A) by striking ''$2,500,000'' and inserting ''$3,500,000''; and

(B) by striking ''subsection 402(c) in each fiscal year ending before October 1, 2015, and $443,989 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2015, and ending on December 4, 2015,'' and inserting ''section 402(c)(2) in each fiscal year''; and

(3) by striking subsection (h) and redesignating subsections (i) and (j) as subsections (h) and (i), respectively.

SEC. 3005. GRANT PROGRAM TO PROHIBIT RACIAL PROFILING.

Section 403 of title 23, United States Code, as amended by section 3004 of this Act, is further amended by adding at the end the following:

''(j) GRANT PROGRAM TO PROHIBIT RACIAL PROFILING.—

''(1) GENERAL AUTHORITY.—Subject to the requirements of this subsection, the Secretary shall make grants to a State that—

''(A) is maintaining and allows public inspection of statistical information for each motor vehicle stop made by a law enforcement officer on a Federal-aid highway in the State regarding the race and ethnicity of the driver; or

''(B) provides assurances satisfactory to the Secretary that the State is undertaking activities to comply with the requirements of subparagraph (A).

''(2) USE OF GRANT FUNDS.—A grant received by a State under paragraph (1) shall be used by the State for the costs of—

''(A) collecting and maintaining data on traffic stops;

''(B) evaluating the results of such data; and

''(C) developing and implementing programs to reduce the occurrence of racial profiling.

''(3) LIMITATIONS.—The total amount of grants made to a State under this section in a fiscal year may not exceed—

''(A) 10 percent of the amount made available to carry out this section in the fiscal year for States eligible under paragraph (1)(A); and

''(B) 5 percent of the amount made available to carry out this section in the fiscal year for States eligible under paragraph (1)(B).

''(4) FUNDING.—From funds made available under this section, the Secretary shall set aside $15,000,000 for each fiscal year to carry out this subsection.''.

SEC. 3006. NATIONAL SAFETY CAMPAIGNS.

(a) IN GENERAL.—Section 404 of title 23, United States Code, is amended to read as follows:

''§404. National safety campaigns

''(a) IN GENERAL.—The Secretary shall establish and administer a program under which not less than 3 high-visibility enforcement campaigns and not less than 3 public awareness campaigns will be carried out in each of fiscal years 2023 through 2026.

''(b) HIGH-VISIBILITY ENFORCEMENT.—In carrying out the requirements under paragraph (a), the Secretary shall ensure that in each fiscal year not less than 1 high-visibility enforcement campaign is carried out to—

''(1) reduce alcohol-impaired operation of a motor vehicle;

''(2) reduce alcohol-impaired and drug-impaired operation of a motor vehicle; and

''(3) increase use of seatbelts by occupants of motor vehicles.

''(c) PUBLIC AWARENESS.—The purpose of each public awareness campaign carried out under this section shall be to achieve outcomes related to not less than 1 of the following objectives:

''(1) Increase the proper use of seatbelts and child restraints by occupants of motor vehicles.

''(2) Reduce instances of distracted driving.

''(3) Reduce instances of speeding by drivers.

''(d) ADVERTISING.—The Secretary may use, or authorize the use of, funds available to carry out this section to pay for the development, production, and use of broadcast and print media advertising and Internet-based outreach in carrying out campaigns under this section. In allocating such funds, consideration shall be given to advertising directed at non-English speaking populations, including those who listen to, read, or watch nontraditional media.

''(e) COORDINATION WITH STATES.—The Secretary shall coordinate with States in carrying out the high-visibility enforcement campaigns under this section, including advertising funded under subsection (d), with consideration given to—

''(1) relying on States to provide law enforcement resources for the campaigns out of funding made available under sections 402 and 405; and

''(2) providing, out of National Highway Traffic Safety Administration resources, most of the means necessary for national advertising and education efforts associated with the campaigns.

''(f) COORDINATION OF DYNAMIC HIGHWAY MESSAGE SIGNS.—During national high-visibility enforcement emphasis periods supported by these funds, the Federal Highway Administration and the National Highway Traffic Safety Administration shall coordinate with State

departments of transportation on the use of dynamic highway message signs to support high-visibility national emphasis activities.

''(g) USE OF FUNDS.—Funds made available to carry out this section may be used only for activities described in subsections (c) and (d).

''(h) DEFINITION.—In this section:

''(1) CAMPAIGN.—The term 'campaign' means a high-visibility traffic safety law enforcement campaign or a traffic safety public awareness campaign.

''(2) DYNAMIC HIGHWAY.—The term 'dynamic highway message sign' means a traffic control device that is capable of displaying one or more alternative messages which convey information to travelers.

''(3) STATE.—The 'State' has the meaning given that term in section 401.''.

(b) CLERICAL AMENDMENT.—The item relating to section 404 in the analysis for chapter 4 of title 23, United States Code, is amended to read as follows:

''404. National safety campaigns.''.

SEC. 3007. NATIONAL PRIORITY SAFETY PROGRAMS.

(a) IN GENERAL.—Section 405 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking ''13 percent'' and inserting ''12.85 percent'';

(B) in paragraph (2) by striking ''14.5 percent'' and inserting ''14.3 percent'';

(C) in paragraph (3) by striking ''52.5 percent'' and inserting ''51.75 percent'';

(D) in paragraph (4) by striking ''8.5 percent'' and inserting ''8.3 percent'';

(E) in paragraph (6) by striking ''5 percent'' and inserting ''4.9 percent'';

(F) in paragraph (7) by striking ''5 percent'' and inserting ''4.9 percent'';

(G) in paragraph (8)—

(i) by striking ''paragraphs (1) through (7)'' and inserting ''paragraphs (1) through (8)'';

(ii) by striking ''subsections (b) through (h)'' and inserting ''subsections (b) through (i)''; and

(iii) by inserting ''to carry out any of the other activities described in such subsections, or the amount made available'' before ''under section 402'';

(H) in paragraph (9)(A) by striking ''date of enactment of the FAST Act'' and inserting ''date of enactment of the INVEST in America Act'';

(I) by redesignating paragraphs (8), (9), and (10) as paragraphs (9), (10), and (11), respectively; and

(J) by inserting after paragraph (7) the following:

''(8) DRIVER AND OFFICER SAFETY EDUCATION.—In each fiscal year, 1.5 percent of the funds provided under this section shall be allocated among States that meet the requirements with respect to driver and officer safety education (as described in subsection (i)).'';

(2) in subsection (c)(3)(E) by striking ''5'' and inserting ''10'';

(3) in subsection (b)(4)—

(A) in subparagraph (A) by striking clause (v) and inserting the following:

''(v) implement programs in low-income and underserved populations to—

''(I) recruit and train occupant protection safety professionals, nationally certified child passenger safety technicians, police officers, fire and emergency medical personnel, and educators serving low-income and underserved populations;

''(II) educate parents and caregivers in low-income and underserved populations about the proper use and installation of child safety seats; and

''(III) purchase and distribute child safety seats to low-income and underserved populations; and''; and

(B) in subparagraph (B)—

(i) by striking ''100 percent'' and inserting ''90 percent''; and

(ii) by inserting ''The remaining 10 percent of such funds shall be used to carry out subsection (A)(v).'' after ''section 402.'';

(4) by striking subsection (c)(4) and inserting the following:

''(4) USE OF GRANT AMOUNTS.—Grant funds received by a State under this subsection shall be used for—

''(A) making data program improvements to core highway safety databases related to quantifiable, measurable progress in any of the 6 significant data program attributes set forth in paragraph (3)(D);

''(B) developing or acquiring information technology for programs to identify, collect, and report data to State and local government agencies, and enter data, including crash, citation and adjudication, driver, emergency medical services or injury surveillance system, roadway, and vehicle, into the core highway safety databases of a State;

''(C) purchasing equipment used to identify, collect, and report State safety data to support State efforts to improve State traffic safety information systems;

''(D) linking core highway safety databases of a State with such databases of other States;

''(E) improving the compatibility and interoperability of the core highway safety databases of the State with national data systems and data systems of other States;

''(F) costs associated with training State and local personnel on ways to improve State traffic safety information systems;

''(G) hiring a Fatality Analysis Reporting System liaison for a State; and

''(H) conducting research on State traffic safety information systems, including developing and evaluating programs to improve core highway safety databases of such State and processes by which data is identified, collected, reported to State and local government agencies, and entered into such core safety databases.'';

(5) by striking subsection (d)(6)(A) and inserting the following:

''(A) GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—The Secretary shall make a separate grant under this subsection to each State that—

''(i) adopts and is enforcing a mandatory alcohol-ignition interlock law for all individuals at the time of, or prior to, a conviction of driving under the influence of alcohol or of driving while intoxicated;

''(ii) does not allow any individual required to have an ignition interlock for driving privileges to drive a motor vehicle unless such individual installs an ignition interlock for a minimum 180-day interlock period; or

''(iii) has—

''(I) enacted and is enforcing a state law requiring all individuals convicted of, or whose driving privilege is revoked or denied for, refusing to submit to a chemical or other test for the purpose of determining the presence or concentration of any intoxicating substance to install an ignition interlock for a minimum 180-day interlock period unless the driver successfully completes an appeal process; and

''(II) a compliance-based removal program in which an individual required to install an ignition interlock for a minimum 180-day interlock period and have completed a minimum consecutive period of not less than 60 days of the required interlock period immediately preceding the date of release, without a confirmed violation, as defined by State law or regulations, of driving under the influence of alcohol or driving while intoxicated.'';

(6) in subsection (e)—

(A) in paragraph (1) by striking ''paragraphs (2) and (3)'' and inserting ''paragraph (2)'';

(B) in paragraph (4)—

(i) by striking ''paragraph (2) or (3)'' and inserting ''paragraph (3) or (4)'';

(ii) in subparagraph (A) by striking ''communications device to contact emergency services'' and inserting ''communications device during an emergency to contact emergency services or to prevent injury to persons or property'';

(iii) in subparagraph (C) by striking ''; and'' and inserting a semicolon;

(iv) by redesignating subparagraph (D) as subparagraph (E); and

(v) by inserting after subparagraph (C) the following:

''(D) a driver who uses a personal wireless communication device for navigation; and'';

(C) in paragraph (5)(A)(i) by striking ''texting or using a cell phone while'' and inserting ''distracted'';

(D) in paragraph (7) by striking ''Of the amounts'' and inserting ''In addition to the amounts authorized under section 404 and of the amounts'';

(E) in paragraph (9)—

(i) by striking subparagraph (B) and inserting the following:

''(B) PERSONAL WIRELESS COMMUNICATIONS DEVICE.—The term 'personal wireless communications device' means—

''(i) until the date on which the Secretary issues a regulation pursuant to paragraph (8)(A), a device through which personal services (as such term is defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i)) are transmitted, but not including the use of such a device as a global navigation system receiver used for positioning, emergency notification, or navigation purposes; and

''(ii) on and after the date on which the Secretary issues a regulation pursuant to paragraph (8)(A), the definition described in such regulation.''; and

(ii) by striking subparagraph (E) and inserting the following:

''(E) TEXTING.—The term 'texting' means—

''(i) until the date on which the Secretary issues a regulation pursuant to paragraph (8)(A), reading from or manually entering data into a personal wireless communications device, including doing so for the purpose of SMS texting, emailing, instant messaging, or engaging in any other form of electronic data retrieval or electronic data communication; and

''(ii) on and after the date on which the Secretary issues a regulation pursuant to paragraph (8)(A), the definition described in such regulation.'';

(F) by striking paragraphs (2), (3), (6), and (8);

(G) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(H) by inserting after paragraph (1) the following:

''(2) ALLOCATION.—

''(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D), the allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.

''(B) PRIMARY OFFENSE LAWS.—A State that has enacted and is enforcing a law that meets the requirements set forth in paragraphs (3) and (4) as a primary offense shall be allocated 100 percent of the amount calculated under subparagraph (A).

''(C) SECONDARY OFFENSE LAWS.—A State that has enacted and is enforcing a law that meets the requirements set forth in paragraphs (3) and (4) as a secondary offense shall be allocated 50 percent of the amount calculated under subparagraph (A).

''(D) TEXTING WHILE DRIVING.—Notwithstanding subparagraphs (B) and (C), a State shall be allocated 25 percent of the amount calculated under subparagraph (A) if such State has enacted and is enforcing a law that prohibits a driver from viewing a personal wireless communication device, except for the purpose of navigation.

''(3) PROHIBITION ON HANDHELD PERSONAL WIRELESS COMMUNICATION DEVICE USE WHILE DRIVING.—A State law meets the requirements set forth in this paragraph if the law—

''(A) prohibits a driver from holding or using, including texting, a personal wireless communications device while driving, except for the

use of a personal wireless communications device—

''(i) in a hands-free manner or with a hands-free accessory; or

''(ii) to activate or deactivate a feature or function of the personal wireless communications device;

''(B) establishes a fine for a violation of the law; and

''(C) does not provide for an exemption that specifically allows a driver to hold or use a personal wireless communication device while stopped in traffic.

''(4) PROHIBITION ON PERSONAL WIRELESS COMMUNICATION DEVICE USE WHILE DRIVING OR STOPPED IN TRAFFIC.—A State law meets the requirements set forth in this paragraph if the law—

''(A) prohibits a driver from holding or using a personal wireless communications device while driving if the driver is—

''(i) younger than 18 years of age; or

''(ii) in the learner's permit or intermediate license stage described in subparagraph (A) or (B) of subsection (g)(2);

''(B) establishes a fine for a violation of the law; and

''(C) does not provide for an exemption that specifically allows a driver to use a personal wireless communication device while stopped in traffic.''; and

(I) by inserting after paragraph (7) the following:

''(8) RULEMAKING.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall issue such regulations as are necessary to account for diverse State approaches to combating distracted driving that—

''(A) defines the terms personal wireless communications device and texting for the purposes of this subsection; and

''(B) determines additional permitted exceptions that are appropriate for a State law that meets the requirements under paragraph (3) or (4).'';

(7) in subsection (g)—

(A) in paragraph (1) by inserting ''subparagraphs (A) and (B) of'' before ''paragraph (2)'';

(B) by striking paragraph (2) and inserting the following:

''(2) MINIMUM REQUIREMENTS.—

''(A) TIER 1 STATE.—A State shall be eligible for a grant under this subsection as a Tier 1 State if such State requires novice drivers younger than 18 years of age to comply with a 2-stage graduated driver licensing process before receiving an unrestricted driver's license that includes—

''(i) a learner's permit stage that—

''(I) is at least 180 days in duration;

''(II) requires that the driver be accompanied and supervised at all times; and

''(III) has a requirement that the driver obtain at least 40 hours of behind-the-wheel training with a supervisor; and

''(ii) an intermediate stage that—

''(I) commences immediately after the expiration of the learner's permit stage;

''(II) is at least 180 days in duration; and

''(III) for the first 180 days of the intermediate stage, restricts the driver from—

''(aa) driving at night between the hours of 11:00 p.m. and at least 4:00 a.m. except—

''(AA) when a parent, guardian, driving instructor, or licensed driver who is at least 21 years of age is in the motor vehicle; and

''(BB) when driving to and from work, school and school-related activities, religious activities, for emergencies, or as a member of voluntary emergency service; and

''(bb) operating a motor vehicle with more than 1 nonfamilial passenger younger than 18 years of age, except when a parent, guardian, driving instructor, or licensed driver who is at least 21 years of age is in the motor vehicle.

''(B) TIER 2 STATE.—A State shall be eligible for a grant under this subsection as a Tier 2 State if such State requires novice drivers younger than 18 years of age to comply with a 2-stage graduated driver licensing process before receiving an unrestricted driver's license that includes—

''(i) a learner's permit stage that—

''(I) is at least 180 days in duration;

''(II) requires that the driver be accompanied and supervised at all times; and

''(III) has a requirement that the driver obtain at least 50 hours of behind-the-wheel training, with at least 10 hours at night, with a supervisor; and

''(ii) an intermediate stage that—

''(I) commences immediately after the expiration of the learner's permit stage;

''(II) is at least 180 days in duration; and

''(III) for the first 180 days of the intermediate stage, restricts the driver from—

''(aa) driving at night between the hours of 10:00 p.m. and at least 4:00 a.m. except—

''(AA) when a parent, guardian, driving instructor, or licensed driver who is at least 21 years of age is in the motor vehicle; and

''(BB) when driving to and from work, school and school-related activities, religious activities, for emergencies, or as a member of voluntary emergency service; and

''(bb) operating a motor vehicle with any nonfamilial passenger younger than 18 years of age, except when a parent, guardian, driving instructor, or licensed driver who is at least 21 years of age is in the motor vehicle.'';

(C) in paragraph (3)—

(i) in subparagraph (A) by inserting ''subparagraphs (A) and (B) of'' before ''paragraph (2)''; and

(ii) in subparagraph (B) by inserting ''subparagraphs (A) and (B) of'' before ''paragraph (2)'' each place such term appears;

(D) in paragraph (4) by striking ''such fiscal year'' and inserting ''fiscal year 2009''; and

(E) by striking paragraph (5) and inserting the following:

''(5) USE OF FUNDS.—

''(A) TIER 1 STATES.—A Tier 1 State shall use grant funds provided under this subsection for—

''(i) enforcing a 2-stage licensing process that complies with paragraph (2);

''(ii) training for law enforcement personnel and other relevant State agency personnel relating to the enforcement described in clause (i);

''(iii) publishing relevant educational materials that pertain directly or indirectly to the State graduated driver licensing law;

''(iv) carrying out other administrative activities that the Secretary considers relevant to the State's 2-stage licensing process; or

''(v) carrying out a teen traffic safety program described in section 402(m).

''(B) TIER 2 STATES .—Of the grant funds made available to a Tier 2 State under this subsection—

''(i) 25 percent shall be used for any activity described in subparagraph (A); and

''(ii) 75 percent may be used for any project or activity eligible under section 402.'';

(8) by amending subsection (h)(4) to read as follows:

''(4) USE OF GRANT AMOUNTS.—Grant funds received by a State under this subsection may be used for the safety of pedestrians and bicyclists, including—

''(A) training of law enforcement officials on pedestrian and bicycle safety, State laws applicable to pedestrian and bicycle safety, and infrastructure designed to improve pedestrian and bicycle safety;

''(B) carrying out a program to support enforcement mobilizations and campaigns designed to enforce State traffic laws applicable to pedestrian and bicycle safety;

''(C) public education and awareness programs designed to inform motorists, pedestrians, and bicyclists about—

''(i) pedestrian and bicycle safety, including information on nonmotorized mobility and the important of speed management to the safety of pedestrians and bicyclists;

''(ii) the value of the use of pedestrian and bicycle safety equipment, including lighting, conspicuity equipment, mirrors, helmets and other protective equipment, and compliance with any State or local laws requiring their use;

''(iii) State traffic laws applicable to pedestrian and bicycle safety, including motorists' responsibilities towards pedestrians and bicyclists; and

''(iv) infrastructure designed to improve pedestrian and bicycle safety; and

''(D) data analysis and research concerning pedestrian and bicycle safety.''; and

(9) by adding at the end the following:

''(i) DRIVER AND OFFICER SAFETY EDUCATION.—

''(1) GENERAL AUTHORITY.—Subject to the requirements under this subsection, the Secretary shall award grants to—

''(A) States that enact a commuter safety education program; and

''(B) States qualifying under paragraph (5)(A).

''(2) FEDERAL SHARE.—The Federal share of the costs of activities carried out using amounts from a grant awarded under this subsection may not exceed 80 percent.

''(3) ELIGIBILITY.—To be eligible for a grant under this subsection, a State shall enact a law or adopt a program that requires the following:

''(A) DRIVER EDUCATION AND DRIVING SAFETY COURSES.—Inclusion, in driver education and driver safety courses provided to individuals by educational and motor vehicle agencies of the State, of instruction and testing concerning law enforcement practices during traffic stops, including information on—

''(i) the role of law enforcement and the duties and responsibilities of peace officers;

''(ii) an individual's legal rights concerning interactions with peace officers;

''(iii) best practices for civilians and peace officers during such interactions;

''(iv) the consequences for an individual's or officer's failure to comply with those laws and programs; and

''(v) how and where to file a complaint against or a compliment on behalf of a peace officer.

''(B) PEACE OFFICER TRAINING PROGRAMS.—Development and implementation of a training program, including instruction and testing materials, for peace officers and reserve law enforcement officers (other than officers who have received training in a civilian course described in subparagraph (A)) with respect to proper interaction with civilians during traffic stops.

''(4) GRANT AMOUNT.—The allocation of grant funds to a State under this subsection for a fiscal year shall be in proportion to the State's apportionment under section 402 for fiscal year 2009.

''(5) SPECIAL RULE FOR CERTAIN STATES.—

''(A) QUALIFYING STATE.—A State qualifies pursuant to this subparagraph if—

''(i) the Secretary determines such State has taken meaningful steps toward the full implementation of a law or program described in paragraph (3);

''(ii) the Secretary determines such State has established a timetable for the implementation of such a law or program; and

''(iii) such State has received a grant pursuant to this subsection for a period of not more than 5 years.

''(B) WITHHOLDING.—With respect to a State that qualifies pursuant to subparagraph (A), the Secretary shall—

''(i) withhold 50 percent of the amount that such State would otherwise receive if such State were a State described in paragraph (1)(A); and

''(ii) direct any such amounts for distribution among the States that are enforcing and carrying out a law or program described in paragraph (3).

''(6) USE OF GRANT AMOUNTS.—A State receiving a grant under this subsection may use such grant—

''(A) for the production of educational materials and training of staff for driver education and driving safety courses and peace officer training described in paragraph (3); and

''(B) for the implementation of the law described in paragraph (3).''.

(b) CONFORMING AMENDMENT.—Sections 402, 403, and 405 of title 23, United States Code, are amended—

(1) by striking ''accidents'' and inserting ''crashes'' each place it appears; and

(2) by striking ''accident'' and inserting ''crash'' each place it appears.

SEC. 3008. MINIMUM PENALTIES FOR REPEAT OFFENDERS FOR DRIVING WHILE INTOXICATED OR DRIVING UNDER THE INFLUENCE.

Section 164(b)(1) of title 23, United States Code, is amended—

(1) in subparagraph (A) by striking ''alcohol-impaired'' and inserting ''alcohol or polysubstance-impaired''; and

(2) in subparagraph (B)—

(A) by striking ''alcohol-impaired'' and inserting ''alcohol or polysubstance-impaired'';

(B) by striking ''or'' and inserting a comma; and

(C) by inserting '', or driving while polysubstance-impaired'' after ''driving under the influence''.

SEC. 3009. NATIONAL PRIORITY SAFETY PROGRAM GRANT ELIGIBILITY.

Section 4010(2) of the FAST Act (23 U.S.C. 405 note) is amended by striking ''deficiencies'' and inserting ''all deficiencies''.

SEC. 3010. IMPLICIT BIAS RESEARCH AND TRAINING GRANTS.

(a) IN GENERAL.—The Secretary of Transportation shall make grants to institutions of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) to carry out research, development, technology transfer, and training activities in the operation or establishment of an implicit bias training program as it relates to racial profiling at traffic stops.

(b) QUALIFICATIONS.—To be eligible for a grant under this section, an institution of higher education shall—

(1) have an active research program or demonstrate, to the satisfaction of the Secretary, that the applicant is beginning a research program to study implicit bias as it relates to racial profiling before and during traffic stops; and

(2) partner with State and local police departments to conduct the research described in paragraph (1) and carry out the implementation of implicit bias training with State and local police departments.

(c) REPORT.—No later than 1 year after a grant has been awarded under this section, the institution of higher education awarded the grant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the research on implicit bias as it relates to racial profiling before and during traffic stops, and recommendations on effective interventions and trainings.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $20,000,000 for each fiscal year to carry out this section.

(e) DEFINITIONS.—In this section, the term ''implicit bias training program'' means a program that looks at the attitudes, stereotypes, and lenses human beings develop through various experiences in life that can unconsciously affect how they interact with one another.

SEC. 3011. STOP MOTORCYCLE CHECKPOINT FUNDING.

Section 4007 of the FAST Act (23 U.S.C. 153 note) is amended—

(1) in paragraph (1) by striking ''or'' at the end;

(2) in paragraph (2) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) otherwise profile and stop motorcycle operators or motorcycle passengers using as a factor the clothing or mode of transportation of such operators or passengers.''.

SEC. 3012. ELECTRONIC DRIVER'S LICENSE.

(a) REAL ID ACT.—Section 202(a)(1) of the REAL ID Act of 2005 (49 U.S.C. 30301 note) is amended by striking ''a driver's license or identification card'' and inserting ''a physical or digital driver's license or identification card''.

(b) TITLE 18.—Section 1028(d)(7)(A) of title 18, United States Code, is amended by striking ''government issued driver's license'' and inserting ''government issued physical or digital driver's license''.

SEC. 3013. MOTORCYCLIST ADVISORY COUNCIL.

(a) SHORT TITLE.—This section may be cited as the ''Motorcyclist Advisory Council Reauthorization Act''.

(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall establish a Motorcyclist Advisory Council (in this section referred to as the ''Council'').

(c) DUTIES.—

(1) ADVISING.—The Council shall advise the Secretary, the Administrator of the National Highway Traffic Safety Administration, and the Administrator of the Federal Highway Administration on transportation issues of concern to motorcyclists, including—

(A) barrier design;

(B) road design, construction, and maintenance practices; and

(C) the architecture and implementation of intelligent transportation system technologies.

(2) BIENNIAL COUNCIL REPORT.—

(A) IN GENERAL.—The Council shall submit a report to the Secretary containing the Council's recommendations regarding the issues described in paragraph (1) on which the Council provides advice pursuant to such paragraph.

(B) TIMING.—Not later than October 31 of the calendar year following the calendar year in which the Council is established, and by every 2nd October 31 thereafter, the Council shall submit the report required under this paragraph.

(d) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall be comprised of 12 members appointed by the Secretary as follows:

(A) Five experts from State or local government on highway engineering issues, including—

(i) barrier design;

(ii) road design, construction, and maintenance; or

(iii) intelligent transportation systems.

(B) One State or local traffic and safety engineer, design engineer, or other transportation department official who is a motorcyclist.

(C) One representative from a national association of State transportation officials.

(D) One representative from a national motorcyclist association.

(E) One representative from a national motorcyclist foundation.

(F) One representative from a national motorcycle manufacturing association.

(G) One roadway safety data expert on crash testing and analysis.

(H) One member of a national safety organization that represents the traffic safety systems industry.

(2) DURATION.—

(A) TERM.—Subject to subparagraphs (B) and (C), each member shall serve one term of 2 years.

(B) ADDITIONAL TERMS.—If a successor is not designated for a member before the expiration of the term the member is serving, the member may serve another term.

(C) APPOINTMENT OF REPLACEMENTS.—If a member resigns before serving a full 2-year term, the Secretary may appoint a replacement for such member to serve the remaining portion such term. A member may continue to serve after resignation until a successor has been appointed. A vacancy in the Council shall be filled in the manner in which the original appointment was made.

(3) COMPENSATION.—Members shall serve without compensation.

(e) TERMINATION.—The Council shall terminate 6 years after the date of its establishment.

(f) DUTIES OF THE SECRETARY.—

(1) ACCEPT OR REJECT RECOMMENDATION.—

(A) SECRETARY DETERMINES.—The Secretary shall determine whether to accept or reject a recommendation contained in a Council report.

(B) TIMING.—

(i) MUST ACCEPT OR REJECT.—The Secretary must indicate in each report submitted under this section the Secretary's acceptance or rejection of each recommendation listed in such report.

(ii) EXCEPTION.—The Secretary may indicate in a report submitted under this section that a recommendation is under consideration. If the Secretary does so, the Secretary must accept or reject the recommendation in the next report submitted under this section.

(2) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the Secretary receives a Council report, the Secretary shall submit a report to the following committees and subcommittees:

(i) The Committee on Transportation and Infrastructure of the House of Representatives.

(ii) The Committee on Environment and Public Works of the Senate.

(iii) The Committee on Commerce, Science, and Transportation of the Senate.

(iv) The Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies of the Committee on Appropriations of the House of Representatives.

(v) The Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies of the Committee on Appropriations of the Senate.

(B) CONTENTS.—A report submitted under this subsection shall include—

(i) a list containing—

(I) each recommendation contained in the Council report described in paragraph (1); and

(II) each recommendation indicated as under consideration in the previous report submitted under this subsection; and

(ii) for each such recommendation, whether it is accepted, rejected, or under consideration by the Secretary.

(3) ADMINISTRATIVE AND TECHNICAL SUPPORT.—The Secretary shall provide such administrative support, staff, and technical assistance to the Council as the Secretary determines to be necessary for the Council to carry out its duties.

(g) DEFINITIONS.—In this section:

(1) COUNCIL REPORT.—The term ''Council report'' means the report described in subsection (f)(2).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 3014. REPORT ON MARIJUANA RESEARCH.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Attorney General and the Secretary of Health and Human Services, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the Department of Transportation website, a report and recommendations on—

(1) increasing and improving access, for scientific researchers studying impairment while driving under the influence of marijuana, to samples and strains of marijuana and products containing marijuana lawfully being offered to patients or consumers in a State on a retail basis;

(2) establishing a national clearinghouse to collect and distribute samples and strains of

marijuana for scientific research that includes marijuana and products containing marijuana lawfully available to patients or consumers in a State on a retail basis;

(3) facilitating access, for scientific researchers located in States that have not legalized marijuana for medical or recreational use, to samples and strains of marijuana and products containing marijuana from such clearinghouse for purposes of research on marijuana-impaired driving; and

(4) identifying Federal statutory and regulatory barriers to the conduct of scientific research and the establishment of a national clearinghouse for purposes of facilitating research on marijuana-impaired driving.

(b) DEFINITION OF MARIJUANA.—In this section, the term ''marijuana'' has the meaning given such term in section 4008 of the FAST Act (Public Law 114–94).

SEC. 3015. COMPTROLLER GENERAL STUDY ON NATIONAL DUI REPORTING.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the reporting of alcohol-impaired driving arrest and citation results into Federal databases to facilitate the widespread identification of repeat impaired driving offenders.

(b) INCLUSIONS.—The study conducted under subsection (a) shall include a detailed assessment of—

(1) the extent to which State and local criminal justice agencies are reporting alcohol-impaired driving arrest and citation results into Federal databases;

(2) barriers on the Federal, State, and local levels to the reporting of alcohol-impaired driving arrest and citation results into Federal databases, as well as barriers to the use of those systems by criminal justice agencies;

(3) Federal, State, and local resources available to improve the reporting of alcohol-impaired driving arrest and citation results into Federal databases;

(4) recommendations for policies and programs to be carried out by the National Highway Traffic Safety Administration; and

(5) recommendations for programs and grant funding to be authorized by Congress.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

SEC. 3016. REPORT ON IMPAIRED DRIVING.

Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, in consultation with the heads of appropriate Federal agencies, State highway safety offices, State toxicologists, traffic safety advocates, and other interested parties, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that, using the National Safety Council model guidelines for toxicology testing—

(1) identifies any barriers that States encounter in submitting the alcohol and drug toxicology results to the Fatality Analysis Reporting System;

(2) provides recommendations on how to address any barriers identified under paragraph (1);

(3) provides further steps that the Secretary, acting through the Administrator of the National Highway Traffic Safety Administration, shall take to assist States in improving—

(A) toxicology testing in cases of motor vehicle crashes; and

(B) the reporting of alcohol and drug toxicology results in cases of motor vehicle crashes.

SEC. 3017. IMPAIRED DRIVING COUNTERMEASURE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a priority should be placed on creating State systems, programs, and processes that improve impaired driving detection in cases in which alcohol, drugs, and especially multiple substances are involved;

(2) States and communities should have access to a broader range of countermeasures, technologies, and resources to address multiple substance impaired driving; and

(3) increased Federal funding should be made available for efforts to improve public safety through the approaches described in paragraphs (1) and (2).

(b) PURPOSE.—The purpose of this section is to increase national investment in, and maximize the use of, innovative programs and technologies to eliminate multiple substance impaired driving.

(c) IMPAIRED DRIVING COUNTERMEASURES.—Section 405(d) of title 23, United States Code, is amended—

(1) in paragraph (4)—

(A) in subparagraph (B)—

(i) by striking clause (iii) and inserting the following:

''(iii)(I) court support of high-visibility enforcement efforts;

''(II) hiring criminal justice professionals, including law enforcement officers, prosecutors, traffic safety resource prosecutors, judges, judicial outreach liaisons, and probation officers;

''(III) training and education of the criminal justice professionals described in subclause (II) to assist those professionals in preventing impaired driving and handling impaired driving cases, including by providing compensation to a law enforcement officer to replace a law enforcement officer who is—

''(aa) receiving such drug recognition expert training; or

''(bb) participating as an instructor in such drug recognition expert training; and

''(IV) establishing driving while intoxicated courts;'';

(ii) by striking clauses (v) and (vi) and inserting the following:

''(v) improving—

''(I) blood alcohol concentration screening and testing;

''(II) the detection of potentially impairing drugs, including through the use of oral fluid as a specimen; and

''(III) reporting relating to the testing and detection described in subclauses (I) and (II);

''(vi)(I) paid and earned media in support of high-visibility enforcement efforts;

''(II) conducting initial and continuing—

''(aa) standardized field sobriety training, advanced roadside impaired driving enforcement training, and drug recognition expert training for law enforcement; and

''(bb) law enforcement phlebotomy training; and

''(III) to purchase equipment to carry out impaired driving enforcement activities authorized by this subsection;'';

(iii) in clause (ix), by striking ''and'' at the end;

(iv) in clause (x), by striking the period at the end and inserting ''; and''; and

(v) by adding at the end the following:

''(xi) testing and implementing programs and purchasing technologies to better identify, monitor, or treat impaired drivers, including—

''(I) oral fluid screening technologies;

''(II) electronic warrant programs;

''(III) equipment to increase the scope, quantity, quality, and timeliness of forensic toxicology chemical testing;

''(IV) case management software to support the management of impaired driving offenders; and

''(V) technology to monitor impaired driving offenders.''; and

(B) in subparagraph (C)—

(i) in the second sentence, by striking ''Medium-range'' and inserting the following:

''(ii) MEDIUM-RANGE AND HIGH-RANGE STATES.—Subject to clause (iii), medium-range'';

(ii) in the first sentence, by striking ''Low-range'' and inserting the following:

''(i) LOW-RANGE STATES.—Subject to clause (iii), low-range''; and

(iii) by adding at the end the following:

''(iii) ALL STATES.—

''(I) REPORTING OF IMPAIRED DRIVING CRIMINAL JUSTICE INFORMATION.—A State may use grant funds for any expenditure designed to increase the timely and accurate reporting of crash information, including electronic crash reporting systems that allow accurate real-time or near real-time uploading of crash information, and impaired driving criminal justice information to Federal, State, and local databases.

''(II) IMPAIRED DRIVING COUNTERMEASURES.—A State may use grant funds for any expenditure to research or evaluate impaired driving countermeasures.''; and

(2) in paragraph (7)(A), in the matter preceding clause (i), by inserting ''or local'' after ''authorizes a State''.

TITLE IV—MOTOR CARRIER SAFETY

Subtitle A—Motor Carrier Safety Grants, Operations, and Programs

SEC. 4101. MOTOR CARRIER SAFETY GRANTS.

(a) IN GENERAL.—Section 31104 of title 49, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account):

''(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) and subsection (c), to carry out section 31102 (except subsection (l))—

''(A) $388,950,000 for fiscal year 2023;

''(B) $398,700,000 for fiscal year 2024;

''(C) $408,900,000 for fiscal year 2025; and

''(D) $418,425,000 for fiscal year 2026.

''(2) HIGH-PRIORITY ACTIVITIES PROGRAM.—Subject to subsection (c), to carry out section 31102(l)—

''(A) $72,604,000 for fiscal year 2023;

''(B) $74,424,000 for fiscal year 2024;

''(C) $76,328,000 for fiscal year 2025; and

''(D) $78,106,000 for fiscal year 2026.

''(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—

''(A) $1,037,200 for fiscal year 2023;

''(B) $1,063,200 for fiscal year 2024;

''(C) $1,090,400 for fiscal year 2025; and

''(D) $1,115,800 for fiscal year 2026.

''(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION PROGRAM.—Subject to subsection (c), to carry out section 31313—

''(A) $56,008,800 for fiscal year 2023;

''(B) $57,412,800 for fiscal year 2024;

''(C) $58,881,600 for fiscal year 2025; and

''(D) $60,253,200 for fiscal year 2026.'';

(2) by striking subsection (c) and inserting the following:

''(c) PARTNER TRAINING AND PROGRAM SUPPORT.—

''(1) IN GENERAL.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.8 percent of those amounts for partner training and program support in that fiscal year.

''(2) USE OF FUNDS.—The Secretary shall use at least 50 percent of the amounts deducted under paragraph (1) on training and related training materials for non-Federal Government employees.

''(3) PARTNERSHIP.—The Secretary shall carry out the training and development of materials pursuant to paragraph (2) in partnership with one or more nonprofit organizations, through a competitive grant, that have—

''(A) expertise in conducting a training program for non-Federal Government employees; and

''(B) a demonstrated ability to involve in a training program the target population of commercial motor vehicle safety enforcement employees.'';

(3) in subsection (f)—

(A) in paragraph (1) by striking ''the next fiscal year'' and inserting ''the following 2 fiscal years'';

(B) in paragraph (2)—

(i) by striking ''section 31102(l)(2)'' and inserting ''paragraphs (2) and (4) of section 31102(l)'';

(ii) by striking ''the next 2 fiscal years'' and inserting ''the following 3 fiscal years''; and

(C) in paragraph (3) by striking ''the next 4 fiscal years'' and inserting ''the following 5 fiscal years''; and

(4) by adding at the end the following:

''(j) TREATMENT OF REALLOCATIONS.—Amounts that are obligated and subsequently, after the date of enactment of this subsection, released back to the Secretary under subsection (i) shall not be subject to limitations on obligations provided under any other provision of law.''.

(b) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION FINANCIAL ASSISTANCE PROGRAM.—Section 31313(b) of title 49, United States Code, is amended—

(1) by striking the period at the end and inserting ''; and'';

(2) by striking ''A recipient'' and inserting the following: ''In participating in financial assistance program under this section—

''(1) a recipient''; and

(3) by adding at the end the following:

''(2) a State may not receive more than $250,000 in grants under subsection (a)(2)(B) in any fiscal year—

''(A) in which the State prohibits private commercial driving schools or independent commercial driver's license testing facilities from offering a commercial driver's license skills test as a third-party tester; or

''(B) in which a State fails to report to the Administrator of the Federal Motor Carrier Safety Administration, during the previous fiscal year, the average number of days of delays for an initial commercial driver's license skills test or retest within the State.''.

SEC. 4102. MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS.

(a) IN GENERAL.—Section 31110 of title 49, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) ADMINISTRATIVE EXPENSES.—There is authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

''(1) $380,500,000 for fiscal year 2023;

''(2) $381,500,000 for fiscal year 2024;

''(3) $382,500,000 for fiscal year 2025; and

''(4) $384,500,000 for fiscal year 2026.''.

(b) ADMINISTRATIVE EXPENSES.—

(1) USE OF FUNDS.—The Administrator of the Federal Motor Carrier Safety Administration shall use funds made available in subsection (a) for—

(A) acceleration of planned investments to modernize the Administration's information technology and information management systems;

(B) completing outstanding mandates;

(C) carrying out a Large Truck Crash Causal Factors Study of the Administration;

(D) construction and maintenance of border facilities; and

(E) other activities authorized under section 31110(b) of title 49, United States Code.

(2) DEFINITION OF OUTSTANDING MANDATE.—In this subsection, the term ''outstanding mandate'' means a requirement for the Federal Motor Carrier Safety Administration to issue regulations, undertake a comprehensive review or study, conduct a safety assessment, or collect data—

(A) under this Act;

(B) under MAP–21 (Public Law 112–141), that has not been published in the Federal Register, if required, or otherwise completed as of the date of enactment of this Act;

(C) under the FAST Act (Public Law 114–94), that has not been published in the Federal Register, if required, or otherwise completed as of the date of enactment of this Act; and

(D) under any other Act enacted before the date of enactment of this Act that has not been published in the Federal Register by the date required in such Act.

SEC. 4103. IMMOBILIZATION GRANT PROGRAM.

Section 31102(l) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking ''and (3)'' and inserting '', (3), and (4)'';

(2) in paragraph (2)(F)(ii)(II) by inserting '', specifically including the priority activities described in paragraph (4)'' after ''required for participation''; and

(3) by adding at the end the following:

''(4) PRIORITIZATION OF IMMOBILIZING UNSAFE PASSENGER-CARRYING COMMERCIAL MOTOR VEHICLES.—

''(A) IN GENERAL.—The Secretary shall prioritize the awarding of discretionary grants to States for activities related to paragraph (2)(F)(II) for the enforcement of out of service orders if such vehicles are found to be unsafe or have violated a Federal out of service order.

''(B) ELIGIBILITY.—To be eligible for a grant described under this paragraph, a State shall have the authority to require the immobilization or impoundment of a passenger-carrying commercial motor vehicle if such vehicle is found to be unsafe or fail inspection or to have violated a Federal out of service order.

''(C) USE OF FUNDS.—Grant funds received under this paragraph may be used for—

''(i) the immobilization or impoundment of commercial motor vehicles that are unsafe, fail inspection, or have violated a Federal out of service order;

''(ii) safety inspections of vehicles described in clause (i);

''(iii) other activities related to the activities described in clauses (i) and (ii), as determined by the Secretary.

''(D) PASSENGER-CARRYING COMMERCIAL MOTOR VEHICLE DEFINED.—In this paragraph, the term 'passenger-carrying commercial motor vehicle' has the meaning given such term in section 31301.''.

SEC. 4104. OPERATION OF SMALL COMMERCIAL VEHICLES STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall initiate a review of the prevalence of, characteristics of, and safe operation of commercial vehicles that have a gross vehicle weight rating or gross vehicle weight below 10,000 pounds, and are utilized in package delivery of goods moving in interstate commerce.

(b) INDEPENDENT RESEARCH.—If the Secretary decides to enter into a contract with a third party to perform the research required under subsection (a), the Secretary shall—

(1) solicit applications from research institutions that conduct objective, fact-based research to conduct the study; and

(2) ensure that such third party does not have any financial or contractual ties with an entity engaged in interstate commerce utilizing commercial vehicles or commercial motor vehicles.

(c) ENTITIES INCLUDED.—As part of the review, the Secretary shall collect information from a cross-section of companies that use fleets of such vehicles for package delivery in interstate commerce, including companies that—

(1) directly perform deliveries;

(2) use contracted entities to perform work; and

(3) utilize a combination of direct deliveries and contract entities.

(d) EVALUATION FACTORS.—The review shall include an evaluation of the following:

(1) Fleet characteristics, including fleet structure, and vehicle miles traveled.

(2) Fleet management, including scheduling of deliveries and maintenance practices.

(3) Driver employment characteristics, including the basis of compensation and classification.

(4) How training, medical fitness, hours on duty, and safety of drivers is evaluated and overseen by companies, including prevention of occupational injuries and illnesses.

(5) Safety performance metrics, based on data associated with the included entities, including crash rates, moving violations, failed inspections, and other related data points.

(6) Financial responsibility and liability for safety or maintenance violations among companies, fleet managers, and drivers.

(7) Loading and unloading practices, and how package volume and placement in the vehicle is determined.

(8) Information on the use of driver safety applications, if applicable.

(9) Information on work-related injury and illness data of drivers.

(10) Other relevant information determined necessary by the Secretary in order to make recommendations under subsection (e).

(e) REPORT AND RECOMMENDATIONS.—Upon completion of the review, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce of the Senate a report containing—

(1) the findings of the Secretary on each of the factors in (d);

(2) a list of regulations applicable to commercial motor vehicles and commercial motor vehicle operators that are not applicable to commercial vehicle operations described in this section; and

(3) recommendations, based on the findings, on changes to laws or regulations at the Federal, State, or local level to promote safe operations and safe and fair working conditions for commercial vehicle operators.

Subtitle B—Motor Carrier Safety Oversight

SEC. 4201. MOTOR CARRIER SAFETY ADVISORY COMMITTEE.

Section 4144 of SAFETEA–LU (49 U.S.C. 31100 note) is amended—

(1) in subsection (b)(1) by inserting '', including small business motor carriers'' after ''industry''; and

(2) in subsection (d) by striking ''September 30, 2013'' and inserting ''September 30, 2026''.

SEC. 4202. COMPLIANCE, SAFETY, ACCOUNTABILITY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall implement a revised methodology to be used in the Compliance, Safety, Accountability program of the Federal Motor Carrier Safety Administration to identify and prioritize motor carriers for intervention, using the recommendations of the study required by section 5221(a) of the FAST Act (49 U.S.C. 31100 note).

(b) DATA AVAILABILITY.—The Secretary shall, in working toward implementation of the revised methodology described in subsection (a) prioritize revisions necessary to—

(1) restore the public availability of all relevant safety data under a revised methodology; and

(2) make such safety data publicly available that was made publicly available on the day before the date of enactment of the FAST Act, as appropriate under a revised methodology.

(c) IMPLEMENTATION.—

(1) PROGRESS REPORTS.—Not later than 30 days after the date of enactment of this Act, and every 90 days thereafter until the date on which the Secretary implements the revised methodology described in subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on a website of the Department of Transportation, a progress report on—

(A) the status of the revision of the methodology and related data modifications under subsection (a), a timeline for completion of such revision, and an estimated date for implementation of such revised methodology;

(B) an explanation for any delays in development or implementation of the revised methodology over the reporting period; and

(C) if the Secretary has not resumed making publicly available the data described in subsection (b), an updated timeline for the restoration of the public availability of data and a detailed explanation for why such restoration has not occurred.

(2) PUBLICATION AND NOTIFICATION.—Prior to commencing the use of the revised methodology described in subsection (a) to identify and prioritize motor carriers for intervention (other than in a testing capacity), the Secretary shall—

(A) publish a detailed summary of the methodology in the Federal Register and provide a period for public comment; and

(B) notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, in writing.

(d) SAFETY FITNESS RULE.—

(1) RULEMAKING.—Not later than 1 year after the date on which the Secretary notifies Congress under subsection (c)(2), the Secretary shall issue final regulations pursuant to section 31144(b) of title 49, United States Code, to revise the methodology for issuance of motor carrier safety fitness determinations.

(2) CONSIDERATIONS.—In issuing the regulations under paragraph (1), the Secretary shall consider the use of all available data to determine the fitness of a motor carrier.

(e) REPEAL.—Section 5223 of the FAST Act (49 U.S.C. 31100 note), and the item related to such section in the table of contents in section 1(b) of such Act, are repealed.

SEC. 4203. TERMS AND CONDITIONS FOR EXEMPTIONS.

Section 31315 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4)(A) by inserting '', including data submission requirements,'' after ''terms and conditions''; and

(B) by striking paragraph (8) and inserting the following:

''(8) TERMS AND CONDITIONS.—

''(A) IN GENERAL.—The Secretary shall establish terms and conditions for each exemption to ensure that the exemption will not likely degrade the level of safety achieved by the person or class of persons granted the exemption, and allow the Secretary to evaluate whether an equivalent level of safety is maintained while the person or class of persons is operating under such exemption, including—

''(i) requiring the regular submission of accident and incident data to the Secretary;

''(ii) requiring immediate notification to the Secretary in the event of a crash that results in a fatality or serious bodily injury;

''(iii) for exemptions granted by the Secretary related to hours of service rules under part 395 of title 49, Code of Federal Regulations, requiring that the exempt person or class of persons submit to the Secretary evidence of participation in a recognized fatigue management plan; and

''(iv) providing documentation of the authority to operate under the exemption to each exempt person, to be used to demonstrate compliance if requested by a motor carrier safety enforcement officer during a roadside inspection.

''(B) IMPLEMENTATION.—The Secretary shall monitor the implementation of the exemption to ensure compliance with its terms and conditions.''; and

(2) in subsection (e) by inserting '', based on an analysis of data collected by the Secretary and submitted to the Secretary under subsection (b)(8)'' after ''safety''.

SEC. 4204. SAFETY FITNESS OF MOTOR CARRIERS OF PASSENGERS.

Section 31144(i) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking ''who the Secretary registers under section 13902 or 31134''; and

(B) in subparagraph (B) by inserting ''to motor carriers of passengers and'' after ''apply''; and

(2) by adding at the end the following:

''(5) MOTOR CARRIER OF PASSENGERS DEFINED.—In this subsection, the term 'motor carrier of passengers' includes an offeror of motorcoach services that sells scheduled transportation of passengers for compensation at fares and on schedules and routes determined by such offeror, regardless of ownership or control of the vehicles or drivers used to provide the transportation by motorcoach.''.

SEC. 4205. PROVIDERS OF RECREATIONAL ACTIVITIES.

Section 13506(b) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking ''or'' at the end;

(2) in paragraph (3) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(4) transportation by a motor vehicle designed or used to transport between 9 and 15 passengers (including the driver), whether operated alone or with a trailer attached for the transport of recreational equipment, that is operated by a person that provides recreational activities if—

''(A) the transportation is provided within a 150 air-mile radius of the location where passengers are boarded; and

''(B) the person operating the motor vehicle, if transporting passengers over a route between a place in a State and a place in another State, is otherwise lawfully providing transportation of passengers over the entire route in accordance with applicable State law.''.

SEC. 4206. AMENDMENTS TO REGULATIONS RELATING TO TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE COMMERCE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the Federal Motor Carrier Safety Administration.

(2) COVERED CARRIER.—The term ''covered carrier'' means a motor carrier that is—

(A) engaged in the interstate transportation of household goods; and

(B) subject to the requirements of part 375 of title 49, Code of Federal Regulations (as in effect on the effective date of the amendments required by subsection (b)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(b) AMENDMENTS TO REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a notice of proposed rulemaking to amend regulations related to the interstate transportation of household goods.

(c) CONSIDERATIONS.—In issuing the notice of proposed rulemaking under subsection (b), the Secretary shall consider the following recommended amendments to provisions of title 49, Code of Federal Regulations:

(1) Section 375.207(b) to require each covered carrier to include on the website of the covered carrier a link—

(A) to the publication of the Administration titled ''Ready to Move–Tips for a Successful Interstate Move'' (ESA 03005) on the website of the Administration; or

(B) to a copy of the publication referred to in subparagraph (A) on the website of the covered carrier.

(2) Subsections (a) and (b)(1) of section 375.213 to require each covered carrier to provide to each individual shipper, with any written estimate provided to the shipper, a copy of the publication described in appendix A of part 375 of such title, entitled ''Your Rights and Responsibilities When You Move'' (ESA–03–006 (or a successor publication)), in the form of a written copy or a hyperlink on the website of the covered carrier to the location on the website of the Administration containing such publication.

(3) Subsection (e) of section 375.213, to repeal such subsection.

(4) Section 375.401(a), to require each covered carrier—

(A) to conduct a visual survey of the household goods to be transported by the covered carrier—

(i) in person; or

(ii) virtually, using—

(I) a remote camera; or

(II) another appropriate technology;

(B) to offer a visual survey described in subparagraph (A) for all household goods shipments, regardless of the distance between—

(i) the location of the household goods; and

(ii) the location of the agent of the covered carrier preparing the estimate; and

(C) to provide to each shipper a copy of publication of the Administration titled ''Ready to Move–Tips for a Successful Interstate Move'' (ESA 03005) on receipt from the shipper of a request to schedule, or a waiver of, a visual survey offered under subparagraph (B).

(5) Sections 375.401(b)(1), 375.403(a)(6)(ii), and 375.405(b)(7)(ii), and subpart D of appendix A of part 375, to require that, in any case in which a shipper tenders any additional item or requests any additional service prior to loading a shipment, the affected covered carrier shall—

(A) prepare a new estimate; and

(B) maintain a record of the date, time, and manner in which the new estimate was accepted by the shipper.

(6) Section 375.501(a), to establish that a covered carrier is not required to provide to a shipper an order for service if the covered carrier elects to provide the information described in paragraphs (1) through (15) of such section in a bill of lading that is presented to the shipper before the covered carrier receives the shipment.

(7) Subpart H of part 375, to replace the replace the terms ''freight bill'' and ''expense bill'' with the term ''invoice''.

SEC. 4207. BROKER GUIDANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue guidance to clarify the definitions of the terms ''broker'' and ''bona fide agents'' under part 371 of title 49, Code of Federal Regulations.

(b) CONSIDERATIONS.—In issuing the guidance under subsection (a), the Secretary shall consider the extent to which technology has changed the nature of freight brokerage, the role of bona fide agents, and other aspects of the freight transportation industry.

(c) DISPATCH SERVICES.—In issuing the guidance under subsection (a), the Secretary shall, at a minimum—

(1) examine the role of a dispatch service in the transportation industry;

(2) examine the extent to which dispatch services could be considered brokers or bona fide agents; and

(3) clarify the level of financial penalties for unauthorized brokerage activities under section 14916 of title 49, United States Code, applicable to a dispatch service.

SEC. 4208. REVIEW OF LABOR LAWS.

(a) REGISTRATION.—Section 13902(a)(1)(A) of title 49, United States Code, is amended—

(1) in clause (v) by striking ''and'' at the end;

(2) in clause (vi) by striking the semicolon and interesting ''; and''; and

(3) by adding at the end of the following:

''(vii) applicable labor and employment laws and regulations, including wage and hour and workplace safety laws and regulations, relevant to the safe operation of a motor carrier;''.

(b) AGENCY REVIEW.—Not later than 6 months after the enactment of this Act, the Secretary and Transportation and the Secretary of Labor shall initiate a process to—

(1) review the relationship between labor and employment laws and regulations and motor carrier safety laws and regulations, including hours of service rules;

(2) evaluate labor and employment laws and regulations likely to be relevant to the safe operation of a motor carrier;

(3) assess the availability of datasets, gaps in available data, and opportunities to gather and share useful data to better understand the relationship between labor and employment laws and regulations and the safety performance of a motor carrier; and

(4) assess the feasibility of utilizing available data, including data on violations of labor and employment laws and regulations, to improve the Secretary's safety oversight of a motor carrier.

(c) REPORT.—No later than 18 months after initiation of the process under subsection (b), the Secretary of Transportation and Secretary of Labor shall submit to Congress a report containing—

(1) the findings of the process undertaken under subsection (b);

(2) any proposed actions to be taken by either the Secretary of Transportation or the Secretary of Labor as a result of such findings; and

(3) any recommendations to Congress to implement such proposed actions.

(d) UPDATES.—Following completion of the agency review under subsection (b), the Secretary of Transportation may initiate a rulemaking addressing the periodic monitoring of information to ensure compliance with section 13902(a)(1)(A)(vi) of title 49, United States Code, including any required documentation that a motor carrier is required to submit.

Subtitle C—Commercial Motor Vehicle Driver Safety

SEC. 4301. COMMERCIAL DRIVER'S LICENSE FOR PASSENGER CARRIERS.

Section 31301 of title 49, United States Code, is amended—

(1) in paragraph (4)—

(A) in subparagraph (B) by striking ''or'';

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) is designed or used as a stretch limousine; or'';

(2) by redesignating paragraph (15) as paragraph (16); and

(3) by inserting after paragraph (14) the following:

''(15) 'stretch limousine' means any sedan or sports utility vehicle that—

''(A) has been modified to add seating capacity to that provided by the vehicle manufacturer through an extended chassis, lengthened wheelbase, or an elongated seating area;

''(B) as modified, has a seating capacity of more than 8 passengers (including the driver);

''(C) is used under trip-by-trip contracts for the transportation of passengers for compensation on a prearranged basis; and

''(D) is not used for public transportation service, as such term is defined in section 5302.''.

SEC. 4302. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

Section 31306(c)(2) of title 49, United States Code, is amended by striking '', for urine testing,''.

SEC. 4303. ENTRY-LEVEL DRIVER TRAINING.

Not later than 30 days after the date of enactment of this Act, and every 90 days thereafter until the compliance date for the final rule published on December 8, 2016, titled ''Minimum Training Requirements for Entry-Level Commercial Motor Vehicle Operators'' (81 Fed. Reg. 88732), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(1) a schedule, including benchmarks, to complete implementation of the requirements under such final rule;

(2) any anticipated delays, if applicable, in meeting the benchmarks described in paragraph (1);

(3) the progress that the Secretary has made in updating the Department of Transportation's information technology infrastructure to support the training provider registry;

(4) a list of States that have adopted laws or regulations to implement such final rule; and

(5) a list of States, if applicable, that are implementing the rule and confirming that an applicant for a commercial driver's license has complied with the requirements.

SEC. 4304. DRIVER DETENTION TIME.

(a) DATA COLLECTION.—Not later than 30 days after the date of enactment of this Act, the Secretary shall—

(1) begin to collect data on delays experienced by operators of commercial motor vehicles, as required under section 5501 of the FAST Act (49 U.S.C. 14103 note) and as referenced in the request for information published on June 10, 2019, titled ''Request for Information Concerning Commercial Motor Vehicle Driver Detention Times During Loading and Unloading'' (84 Fed. Reg. 26932); and

(2) make such data available on a publicly accessible website of the Department of Transportation.

(b) DETENTION TIME LIMITS.—

(1) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate a rulemaking to establish limits on the amount of time that an operator of a commercial motor vehicle may be reasonably detained by a shipper or receiver before the loading or unloading of the vehicle, if the operator is not compensated for such time detained.

(2) CONTENTS.—As part of the rulemaking conducted pursuant to subsection (a), the Secretary shall—

(A) consider the diverse nature of operations in the movement of goods by commercial motor vehicle;

(B) examine any correlation between time detained and violations of the hours-of-service rules under part 395 of title 49, Code of Federal Regulations;

(C) determine whether the effect of detention time on safety differs based on—

(i) how an operator is compensated; and

(ii) the contractual relationship between the operator and the motor carrier, including whether an operator is an employee, a leased owner-operator, or an owner-operator with independent authority; and

(D) establish a process for a motor carrier, shipper, receiver, broker, or commercial motor vehicle operator to report instances of time detained beyond the Secretary's established limits.

(3) INCORPORATION OF INFORMATION.—The Secretary shall incorporate information received under paragraph (2)(D) into the process established pursuant to subsection (a) once a final rule takes effect.

(c) DATA PROTECTION.—Data made available pursuant to this section shall be made available in a manner that—

(1) precludes the connection of the data to any individual motor carrier or commercial motor vehicle operator; and

(2) protects privacy and confidentiality of individuals, operators, and motor carriers submitting the data.

(d) COMMERCIAL MOTOR VEHICLE DEFINED.—In this section, the term ''commercial motor vehicle'' has the meaning given such term in section 31101 of title 49, United States Code.

SEC. 4305. TRUCK LEASING TASK FORCE.

(a) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Labor, shall establish a Truck Leasing Task Force (hereinafter referred to as the ''Task Force'').

(b) MEMBERSHIP.—The Secretary of Transportation shall select not more than 15 individuals to serve as members of the Task Force, including equal representation from each of the following:

(1) Labor organizations.

(2) The motor carrier industry, including independent owner-operators.

(3) Consumer protection groups.

(4) Safety groups.

(5) Members of the legal profession who specialize in consumer finance issues.

(c) DUTIES.—The Task Force shall examine, at a minimum—

(1) common truck leasing arrangements available to property-carrying commercial motor vehicle drivers, including lease-purchase agreements;

(2) the terms of such leasing agreements;

(3) the prevalence of predatory leasing agreements in the motor carrier industry;

(4) specific agreements available to drayage drivers at ports related to the Clean Truck Program or similar programs to decrease emissions from port operations;

(5) the impact of truck leasing agreements on the net compensation of property-carrying commercial motor vehicle drivers, including port drayage drivers;

(6) resources to assist property-carrying commercial motor vehicle drivers in assessing the impacts of leasing agreements; and

(7) the classification of property-carrying commercial motor vehicle drivers under lease-purchase agreements.

(d) COMPENSATION.—A member of the Task Force shall serve without compensation.

(e) REPORT.—Upon completion of the examination described in subsection (c), the Task Force shall submit to the Secretary of Transportation, Secretary of Labor, and appropriate congressional committees a report containing—

(1) the findings of the Task Force on the matters described in subsection (c);

(2) best practices related to—

(A) assisting a commercial motor vehicle driver in assessing the impacts of leasing agreements prior to entering into such agreements; and

(B) assisting a commercial motor vehicle driver who has entered into a predatory lease agreement; and

(3) recommendations on changes to laws or regulations, as applicable, at the Federal, State, or local level to promote fair leasing agreements under which a commercial motor vehicle driver is able to earn a living wage.

(f) TERMINATION.—Not later than 1 month after the date of submission of the report pursuant to subsection (e), the Task Force shall terminate.

SEC. 4306. HOURS OF SERVICE.

(a) COMPREHENSIVE REVIEW.—

(1) COMPREHENSIVE REVIEW OF HOURS OF SERVICE RULES.—Not later than 60 days after the date of enactment of this Act, the Secretary shall initiate a comprehensive review of hours of service rules and the impacts of waivers, exemptions, and other allowances that limit the applicability of such rules.

(2) CHANGES TO REGULATIONS.—In carrying out the comprehensive review under paragraph (1) and the required analyses under paragraphs (3) and (4), the Secretary shall consider the modifications made in the final rule published on June 1, 2020, titled ''Hours of Service of Drivers'' (85 Fed. Reg. 33396) and evaluate the impacts of the allowance to operate in excess of the limits in effect prior to June 1, 2020.

(3) LIST OF EXEMPTIONS.—In carrying out the comprehensive review required under paragraph (1), the Secretary shall—

(A) compile a list of waivers, exemptions, and other allowances—

(i) under which a driver may operate in excess of the otherwise applicable limits on on-duty or

driving time in absence of such exemption, waiver, or other allowance;

(ii) under which a driver may operate without recording compliance with hours of service rules through the use of an electronic logging device; and

(iii) applicable—

(I) to specific segments of the motor carrier industry or sectors of the economy;

(II) on a periodic or seasonal basis; and

(III) to specific types of operations, including the short haul exemption under part 395 of title 49, Code of Federal Regulations;

(B) specify whether each such waiver, exemption, or other allowance was granted by the Department of Transportation or enacted by Congress, and how long such waiver, exemption, or other allowance has been in effect; and

(C) estimate the number of motor carriers, motor private carriers, and drivers that may qualify to use each waiver, exemption, or other allowance.

(4) SAFETY IMPACT ANALYSIS.—

(A) IN GENERAL.—In carrying out the comprehensive review under paragraph (1), the Secretary, in consultation with State motor carrier enforcement entities, shall undertake a statistically valid analysis to determine the safety impact, including on enforcement, of the exemptions, waivers, or other allowances compiled under paragraph (2) by—

(i) using available data, or collecting from motor carriers or motor private carriers and drivers operating under an exemption, waiver, or other allowance if the Secretary does not have sufficient data, to determine the incidence of accidents, fatigue-related incidents, and other relevant safety information related to hours of service among motor carriers, private motor carriers, and drivers permitted to operate under each exemption, waiver, or other allowance;

(ii) comparing the data described in subparagraph (A) to safety data from motor carriers, motor private carriers, and drivers that are subject to the hours of service rules and not operating under an exemption, waiver, or other allowance; and

(iii) based on the comparison under subparagraph (B), determining whether waivers, exemptions, and other allowances in effect provide an equivalent level of safety as would exist in the absence of exemptions, waivers, or other allowances.

(B) CONSULTATION.—The Secretary shall consult with State motor carrier enforcement entities in carrying out this paragraph.

(C) EXCLUSIONS.—The Secretary shall exclude data related to exemptions, waivers, or other allowances made pursuant to an emergency declaration under section 390.23 of title 49, Code of Federal Regulations, or extended under section 390.25 of title 49, Code of Federal Regulations, from the analysis required under this paragraph.

(5) DRIVER IMPACT ANALYSIS.—In carrying out the comprehensive review under paragraph (1), the Secretary shall further consider—

(A) data on driver detention collected by the Secretary pursuant to section 4304 of this Act and other conditions affecting the movement of goods by commercial motor vehicle, and how such conditions interact with the Secretary's regulations on hours of service;

(B) whether exemptions, waivers, or other allowances that permit additional on-duty time or driving time have a deleterious effect on the physical condition of drivers; and

(C) whether differences in the manner in which drivers are compensated result in different levels of burden for drivers in complying with hours of service rules.

(b) PEER REVIEW.—Prior to the publication of the review required under subsection (d), the analyses performed by the Secretary shall undergo an independent peer review.

(c) PUBLICATION.—Not later than 18 months after the date that the Secretary initiates the comprehensive review under subsection (b)(1), the Secretary shall publish the findings of such review in the Federal Register and provide for a period for public comment.

(d) REPORT TO CONGRESS.—Not later than 30 days after the conclusion of the public comment period under subsection (d), the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available on a website of the Department of Transportation a report containing the information and analyses required under subsection (b).

(e) REPLACEMENT OF GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate a rulemaking to update the Department of Transportation guidance published on June 7, 2018, titled ''Hours of Service of Drivers of Commercial Motor Vehicles: Regulatory Guidance Concerning the Use of a Commercial Motor Vehicle for Personal Conveyance'' (83 Fed. Reg. 26377) to prescribe specific mileage or time limits, or both, for the use of personal conveyance.

(f) DEFINITIONS.—In this section:

(1) MOTOR CARRIER; MOTOR PRIVATE CARRIER.—The terms ''motor carrier'' and ''motor private carrier'' have the meanings given such terms in section 31501 of title 49, United States Code.

(2) ON-DUTY TIME; DRIVING TIME; ELECTRONIC LOGGING DEVICE.—The terms ''on-duty time'', ''driving time'', and ''electronic logging device'' have the meanings given such terms in section 395.2 of title 49, Code of Federal Regulations (as in effect on June 1, 2020).

SEC. 4307. DRIVER RECRUITMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the inspector general of the Department of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report examining the operation of commercial motor vehicles in the United States by drivers admitted to the United States under temporary business visas.

(b) CONTENTS.—The report under paragraph (1) shall include—

(1) an assessment of—

(A) the prevalence of the operation of commercial motor vehicles in the United States by drivers admitted to the United States under temporary business visas;

(B) the characteristics of motor carriers that recruit and use such drivers, including the country of domicile of the motor carrier or subsidiary;

(C) the demographics of drivers operating in the United States under such visas, including the country of domicile of such drivers; and

(D) the contractual relationship between such motor carriers and such drivers;

(2) an analysis of whether such drivers are required to comply with—

(A) motor carrier safety regulations under subchapter B of chapter III of title 49, Code of Federal Regulations, including—

(i) the English proficiency requirement under section 391.11(2) of title 49, Code of Federal Regulations;

(ii) the requirement for drivers of a motor carrier to report any violations of a regulation to such motor carrier under section 391.27 of title 49, Code of Federal Regulations; and

(iii) driver's licensing requirements under part 383 of title 49, Code of Federal Regulations, including entry-level driver training and drug and alcohol testing under part 382 of such title; and

(B) regulations prohibiting point-to-point transportation in the United States, or cabotage, under part 365 of title 49, Code of Federal Regulations;

(3) an evaluation of the safety record of the operations and drivers described in paragraph (1), including—

(A) violations of the motor carrier safety regulations under subchapter B of chapter III of title 49, Code of Federal Regulations, including applicable requirements described in paragraph (2)(A); and

(B) the number of crashes involving such operations and drivers; and

(4) the impact of such operations and drivers on—

(A) commercial motor vehicle drivers domiciled in the United States, including employment levels and driver compensation of such drivers; and

(B) the competitiveness of motor carriers domiciled in the United States.

(c) DEFINITIONS.—In this section:

(1) COMMERCIAL MOTOR VEHICLE.—In this section, the term ''commercial motor vehicle'' has the meaning given such term in section 31101 of title 49, United States Code.

(2) TEMPORARY BUSINESS VISA.—The term ''temporary business visa'' means any driver who is present in the United States with status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)).

SEC. 4308. SCREENING FOR OBSTRUCTIVE SLEEP APNEA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall—

(1) assess the risk posed by untreated obstructive sleep apnea in drivers of commercial motor vehicles and the feasibility, benefits, and costs associated with establishing screening criteria for obstructive sleep apnea in drivers of commercial motor vehicles;

(2) issue a notice in the Federal Register containing the independently peer-reviewed findings of the assessment required under paragraph (1) not later than 30 days after completion of the assessment and provide an opportunity for public comment; and

(3) if the Secretary contracts with an independent third party to conduct the assessment required under paragraph (1), ensure that the independent third party shall not have any financial or contractual ties or relationship with a motor carrier that transports passengers or property for compensation, the motor carrier industry, or driver advocacy organizations.

(b) SCREENING CRITERIA.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Secretary shall publish in the Federal Register a proposed rule to establish screening criteria for obstructive sleep apnea in commercial motor vehicle drivers and provide an opportunity for public comment.

(2) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a final rule to establish screening criteria for obstructive sleep apnea in commercial motor vehicle drivers.

(c) COMMERCIAL MOTOR VEHICLE DEFINED.—In this section, the term ''commercial motor vehicle'' has the meaning given such term in section 31132 of title 49, United States Cod

SEC. 4309. WOMEN OF TRUCKING ADVISORY BOARD.

(a) SHORT TITLE.—This section may be cited as the ''Promoting Women in Trucking Workforce Act''.

(b) FINDINGS.—Congress finds that—

(1) women make up 47 percent of the workforce of the United States;

(2) women are significantly underrepresented in the trucking industry, holding only 24 percent of all transportation and warehousing jobs and representing only—

(A) 6.6 percent of truck drivers;

(B) 12.5 percent of all workers in truck transportation; and

(C) 8 percent of freight firm owners;

(3) given the total number of women truck drivers, women are underrepresented in the truck-driving workforce; and

(4) women truck drivers have been shown to be 20 percent less likely than male counterparts to be involved in a crash.

(c) SENSE OF CONGRESS REGARDING WOMEN IN TRUCKING.—It is the sense of Congress that the trucking industry should explore every opportunity, including driver training and mentorship programs, to encourage and support the pursuit of careers in trucking by women.

(d) ESTABLISHMENT.—To encourage women to enter the field of trucking, the Administrator shall establish and facilitate an advisory board, to be known as the ''Women of Trucking Advisory Board'', to promote organizations and programs that—

(1) provide education, training, mentorship, or outreach to women in the trucking industry; and

(2) recruit women into the trucking industry.

(e) MEMBERSHIP.—

(1) IN GENERAL.—The Board shall be composed of not fewer than seven members whose backgrounds allow those members to contribute balanced points of view and diverse ideas regarding the strategies and objectives described in subsection (f)(2).

(2) APPOINTMENT.—Not later than 270 days after the date of enactment of this Act, the Administrator shall appoint the members of the Board, of whom—

(A) not fewer than one shall be a representative of large trucking companies;

(B) not fewer than one shall be a representative of mid-sized trucking companies;

(C) not fewer than one shall be a representative of small trucking companies;

(D) not fewer than one shall be a representative of nonprofit organizations in the trucking industry;

(E) not fewer than one shall be a representative of trucking business associations;

(F) not fewer than one shall be a representative of independent owner-operators; and

(G) not fewer than one shall be a woman who is a professional truck driver.

(3) TERMS.—Each member shall be appointed for the life of the Board.

(4) COMPENSATION.—A member of the Board shall serve without compensation.

(f) DUTIES.—

(1) IN GENERAL.—The Board shall identify—

(A) industry trends that directly or indirectly discourage women from pursuing careers in trucking, including—

(i) any differences between women minority groups;

(ii) any differences between women who live in rural, suburban, and urban areas; and

(iii) any safety risks unique to the trucking industry;

(B) ways in which the functions of trucking companies, nonprofit organizations, and trucking associations may be coordinated to facilitate support for women pursuing careers in trucking;

(C) opportunities to expand existing opportunities for women in the trucking industry; and

(D) opportunities to enhance trucking training, mentorship, education, and outreach programs that are exclusive to women.

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Board shall submit to the Administrator a report describing strategies that the Administrator may adopt—

(A) to address any industry trends identified under paragraph (1)(A);

(B) to coordinate the functions of trucking companies, nonprofit organizations, and trucking associations in a manner that facilitates support for women pursuing careers in trucking;

(C) to—

(i) take advantage of any opportunities identified under paragraph (1)(C); and

(ii) create new opportunities to expand existing scholarship opportunities for women in the trucking industry; and

(D) to enhance trucking training, mentorship, education, and outreach programs that are exclusive to women.

(g) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing—

(A) any strategies recommended by the Board under subsection (f)(2); and

(B) any actions taken by the Administrator to adopt the strategies recommended by the Board (or an explanation of the reasons for not adopting the strategies).

(2) PUBLIC AVAILABILITY.—The Administrator shall make the report under paragraph (1) publicly available—

(A) on the website of the Federal Motor Carrier Safety Administration; and

(B) in appropriate offices of the Federal Motor Carrier Safety Administration.

(h) TERMINATION.—The Board shall terminate on submission of the report to Congress under subsection (g).

(i) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Motor Carrier Safety Administration.

(2) BOARD.—The term ''Board'' means the Women of Trucking Advisory Board established under subsection (d).

(3) LARGE TRUCKING COMPANY.—The term ''large trucking company'' means a motor carrier (as defined in section 13102 of title 49, United States Code) with an annual revenue greater than $1,000,000,000.

(4) MID-SIZED TRUCKING COMPANY.—The term ''mid-sized trucking company'' means a motor carrier (as defined in section 13102 of title 49, United States Code) with an annual revenue of not less than $35,000,000 and not greater than $1,000,000,000.

(5) SMALL TRUCKING COMPANY.—The term ''small trucking company'' means a motor carrier (as defined in section 13102 of title 49, United States Code) with an annual revenue less than $35,000,000.

SEC. 4310. APPLICATION OF COMMERCIAL MOTOR VEHICLE SAFETY.

(a) DEFINITION.—Section 31301(14) of title 49, United States Code, is amended—

(1) by striking ''and'' and inserting a comma; and

(2) by inserting '', and Puerto Rico'' before the period.

(b) IMPLEMENTATION.—The Administrator of the Federal Motor Carrier Safety Administration shall work with the Commonwealth of Puerto Rico on obtaining full compliance with chapter 313 of title 49, United States Code, and regulations adopted under that chapter.

(c) GRACE PERIOD.—Notwithstanding section 31311(a) of title 49, United States Code, during a 5-year period beginning on the date of enactment of this Act, the Commonwealth of Puerto Rico shall not be subject to a withholding of an apportionment of funds under paragraphs (1) and (2) of section 104(b) of title 23, United States Code, for failure to comply with any requirement under section 31311(a) of title 49, United States Code.

SEC. 4311. USE OF DATA.

Section 31137(e) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''only''; and

(B) by striking '', including record-of-duty status regulations'' and inserting ''and to conduct transportation research utilizing such data'';

(2) in paragraph (2) by striking ''to enforce the regulations referred to in'' and inserting ''for purposes authorized under''; and

(3) by amending paragraph (3) to read as follows:

''(3) RESEARCH DATA.—The Secretary shall institute appropriate measures to protect the privacy of individuals, operators, and motor carriers when data obtained from an electronic logging device is used for research pursuant to this section and such research is made available to the public.''.

Subtitle D—Commercial Motor Vehicle and Schoolbus Safety

SEC. 4401. SCHOOLBUS SAFETY STANDARDS.

(a) SCHOOLBUS SEATBELTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a notice of proposed rulemaking to consider requiring large schoolbuses to be equipped with safety belts for all seating positions, if the Secretary determines that such standards meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(2) CONSIDERATIONS.—In issuing a notice of proposed rulemaking under paragraph (1), the Secretary shall consider—

(A) the safety benefits of a lap/shoulder belt system (also known as a Type 2 seatbelt assembly);

(B) the investigations and recommendations of the National Transportation Safety Board on seatbelts in schoolbuses;

(C) existing experience, including analysis of student injuries and fatalities compared to States without seat belt laws, and seat belt usage rates, from States that require schoolbuses to be equipped with seatbelts, including Type 2 seatbelt assembly;

(D) the impact of lap/shoulder belt systems on emergency evacuations, with a focus on emergency evacuations involving students below the age of 14, and emergency evacuations necessitated by fire or water submersion; and

(E) the impact of lap/shoulder belt systems on the overall availability of schoolbus transportation.

(3) REPORT.—If the Secretary determines that a standard described in paragraph (1) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes the reasons for not prescribing such a standard.

(4) APPLICATION OF REGULATIONS.—Any regulation issued based on the notice of proposed rulemaking described in paragraph (1) shall apply to schoolbuses manufactured more than 3 years after the date on which the regulation takes effect.

(b) AUTOMATIC EMERGENCY BRAKING.—Not later than 3 years after the date of enactment of this Act, the Secretary shall—

(1) prescribe a motor vehicle safety standard under section 30111 of title 49, United States Code, that requires all schoolbuses manufactured after the effective date of such standard to be equipped with an automatic emergency braking system; and

(2) as part of such standard, establish performance requirements for automatic emergency braking systems, including operation of such systems.

(c) ELECTRONIC STABILITY CONTROL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall—

(1) prescribe a motor vehicle safety standard under section 30111 of title 49, United States Code, that requires all schoolbuses manufactured after the effective date of such standard to be equipped with an electronic stability control system (as such term is defined in section 571.136 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act)); and

(2) as part of such standard, establish performance requirements for electronic stability control systems, including operation of such systems.

(d) FIRE PREVENTION AND MITIGATION.—

(1) RESEARCH AND TESTING.—The Secretary shall conduct research and testing to determine the most prevalent causes of schoolbus fires and

the best methods to prevent such fires and to mitigate the effect of such fires, both inside and outside the schoolbus. Such research and testing shall consider—

(A) fire suppression systems standards, which at a minimum prevent engine fires;

(B) firewall standards to prevent gas or flames from entering into the passenger compartment in schoolbuses with engines that extend beyond the firewall; and

(C) interior flammability and smoke emissions characteristics standards.

(2) STANDARDS.—The Secretary may issue fire prevention and mitigation standards for schoolbuses, based on the results of the Secretary's research and testing under paragraph (1), if the Secretary determines that such standards meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(e) SCHOOL BUS TEMPERATURE SAFETY STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall study and issue a report on the safety implications of temperature controls in school buses. The study and report shall include—

(1) an analysis of the internal temperature in school buses without air conditioning in weather between 80 and 110 degrees Fahrenheit;

(2) the collection and analysis of data on temperature-related injuries to students, including heatstroke and dehydration;

(3) the collection of data on how many public school districts currently operate buses without air conditioning; and

(4) recommendations for preventing heat related illnesses for children on school buses.

(f) DEFINITIONS.—In this section:

(1) AUTOMATIC EMERGENCY BRAKING.—The term ''automatic emergency braking'' means a crash avoidance system installed and operational in a vehicle that consists of—

(A) a forward warning function—

(i) to detect vehicles and vulnerable road users ahead of the vehicle; and

(ii) to alert the operator of an impending collision; and

(B) a crash-imminent braking function to provide automatic braking when forward-looking sensors of the vehicle indicate that—

(i) a crash is imminent; and

(ii) the operator of the vehicle is not applying the brakes.

(2) LARGE SCHOOLBUS.—The term ''large schoolbus'' means a schoolbus with a gross vehicle weight rating of more than 10,000 pounds.

(3) SCHOOLBUS.—The term ''schoolbus'' has the meaning given such term in section 30125(a) of title 49, United States Code.

SEC. 4402. ILLEGAL PASSING OF SCHOOLBUSES.

(a) ILLEGAL PASSING RESEARCH.—

(1) IN GENERAL.—The Secretary of Transportation shall conduct research to determine—

(A) drivers' knowledge of and attitudes towards laws governing passing of a school bus under the State in which the driver lives;

(B) the effectiveness of automated school bus camera enforcement systems in reducing school bus passing violations;

(C) whether laws that require automated school bus camera systems to capture images of a driver's face impact the ability of States to enforce such laws;

(D) the effectiveness of public education on illegal school bus passing laws in reducing school bus passing violations; and

(E) the most-effective countermeasures to address illegal passing of school buses and best practices for States to reduce the number of illegal passing violations.

(2) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing the research and findings required under paragraph (1).

(3) PUBLICATION.—The Secretary shall make publicly available on the website of the Department the report required under paragraph (2) not later than 30 days after the report is submitted under such paragraph.

(b) PUBLIC SAFETY MESSAGING CAMPAIGN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall create and disseminate a public safety messaging campaign, including public safety media messages, posters, digital, and other media messages for distribution to States, divisions of motor vehicles, schools, and other public outlets to highlight the dangers of illegally passing school buses, including educational materials for students and the public on the safest school bus loading and unloading procedures.

(2) CONSULTATION.—The Secretary shall consult with public and private school bus industry representatives and States in developing the materials and messages required under paragraph (1).

(3) UPDATE.—The Secretary shall periodically update the materials used in the campaign.

(c) REVIEW OF ADVANCED SCHOOL BUS SAFETY TECHNOLOGIES.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete a review of advanced school bus safety technologies to assess their feasibility, benefits, and costs. The review shall include—

(A) an evaluation of motion-activated alert systems that are capable of detecting and alerting the school bus driver to students, pedestrians, bicyclists, and other vulnerable road users located near the perimeter of the school bus;

(B) an evaluation of advanced school bus flashing lighting systems to improve communication to surrounding drivers;

(C) an evaluation of early warning systems, including radar-based warning systems, to alert school bus drivers and students near the school bus that an approaching vehicle is likely to engage in an illegal passing; and

(D) other technologies that enhance school bus safety, as determined by the Secretary.

(2) PUBLICATION.—The Secretary shall make the findings of the review publicly available on the website of the Department not later than 30 days after its completion.

(d) GAO REVIEW OF STATE ILLEGAL PASSING LAWS AND DRIVER EDUCATION.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report examining State laws and driver education efforts regarding illegal passing of school buses.

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) an overview of each State's illegal school bus passing laws, including how the laws are enforced and what penalties are imposed on violators;

(B) a review of each State's driver education efforts regarding illegal passing of school buses to determine how each State educates and evaluates new drivers on laws governing passing of a school bus; and

(C) recommendations on how States can improve driver education and awareness of the dangers of illegally passing school buses.

SEC. 4403. STATE INSPECTION OF PASSENGER-CARRYING COMMERCIAL MOTOR VEHICLES.

(a) REVIEW OF STATE INSPECTION PRACTICES.—The Secretary of Transportation shall conduct a review of Federal Motor Carrier Safety Regulations related to annual inspection of commercial motor vehicles carrying passengers to determine—

(1) different inspection models in use for commercial motor vehicles carrying passengers to satisfy the Federal inspection requirement;

(2) the number of States that have mandatory annual State vehicle inspections and whether such inspections are used to satisfy the Federal inspection requirement for commercial motor vehicles carrying passengers;

(3) the extent to which passenger carriers utilize self-inspection to satisfy the Federal inspection requirement;

(4) the number of States that have the authority to require the immobilization of impoundment of a commercial motor vehicle carrying passengers if such a vehicle fails inspection; and

(5) the impact on the safety of commercial motor vehicles carrying passengers, based on the inspection model employed.

(b) REPORT TO CONGRESS.—Not later than 1 year after the enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on—

(1) the findings of the review conducted under subsection (a); and

(2) recommendations on changes to the Secretary's inspection program regulations to improve the safety of commercial motor vehicles carrying passengers.

SEC. 4404. AUTOMATIC EMERGENCY BRAKING.

(a) FEDERAL MOTOR VEHICLE SAFETY STANDARD.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall—

(A) prescribe a motor vehicle safety standard under section 30111 of title 49, United States Code, that requires all commercial motor vehicles subject to Federal motor vehicle safety standard 136 under section 571.136 of title 49, Code of Federal Regulations, (relating to electronic stability control systems for heavy vehicles) manufactured after the effective date of such standard to be equipped with an automatic emergency braking system; and

(B) as part of such standard, establish performance requirements for automatic emergency braking systems, including operation of such systems in a variety of driving conditions.

(2) CONSIDERATIONS.—Prior to prescribing the standard required under paragraph (1)(A), the Secretary shall—

(A) conduct a review of automatic emergency braking systems in use in applicable commercial motor vehicles and address any identified deficiencies with such systems in the rulemaking proceeding to prescribe the standard, if practicable;

(B) assess the feasibility of updating the software of emergency braking systems in use in applicable commercial motor vehicles to address any deficiencies and to enable such systems to meet the new standard; and

(C) consult with representatives of commercial motor vehicle drivers regarding the experiences of drivers with automatic emergency braking systems in use in applicable commercial motor vehicles, including malfunctions or unwarranted activations of such systems.

(3) COMPLIANCE DATE.—The Secretary shall ensure that the compliance date of the standard prescribed pursuant to paragraph (1) shall be not later than 2 years after the date of publication of the final rule prescribing such standard.

(b) FEDERAL MOTOR CARRIER SAFETY REGULATION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a regulation under section 31136 of title 49, United States Code, that requires that an automatic emergency braking system installed in a commercial motor vehicle subject to Federal motor vehicle safety standard 136 under section 571.136 of title 49, Code of Federal Regulations,(relating to electronic stability control systems for heavy vehicles) that is in operation on or after the effective date of the standard prescribed under subsection (a) be used at any time during which such commercial motor vehicle is in operation.

(c) REPORT ON AUTOMATIC EMERGENCY BRAKING IN MEDIUM-DUTY COMMERCIAL MOTOR VEHICLES.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall, with respect to commercial motor vehicles not subject to Federal motor vehicle safety standard 136 under section 571.136 of title 49, Code of Federal Regulations—

(A) complete research on equipping commercial motor vehicles with automatic emergency braking systems to better understand the overall effectiveness of such systems on a variety of commercial motor vehicles;

(B) assess the feasibility of installing automatic emergency braking systems on newly manufactured commercial motor vehicles with a gross vehicle weight rating of 10,001 pounds or more; and

(C) if warranted, develop performance standards for such automatic emergency braking systems.

(2) INDEPENDENT RESEARCH.—If the Secretary enters into a contract with a third party to perform the research required under paragraph (1)(A), the Secretary shall ensure that such third party does not have any financial or contractual ties or relationship with a motor carrier that transports passengers or property for compensation, the motor carrier industry, or an entity producing or supplying automatic emergency braking systems.

(3) PUBLICATION OF ASSESSMENT.—Not later than 90 days after completing the assessment required under paragraph (1)(B), the Secretary shall issue a notice in the Federal Register containing the findings of the assessment and provide an opportunity for public comment.

(4) REPORT TO CONGRESS.—After the conclusion of the public comment period under paragraph (3), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that provides—

(A) the results of the assessment under paragraph (1)(B);

(B) a summary of the public comments received by the Secretary under paragraph (3); and

(C) a determination as to whether the Secretary intends to develop performance requirements for automatic emergency braking systems for applicable commercial motor vehicles, including any analysis that led to such determination.

(d) DEFINITIONS.—In this section:

(1) AUTOMATIC EMERGENCY BRAKING SYSTEM.—The term ''automatic emergency braking system'' means a crash avoidance system installed and operational in a vehicle that consists of—

(A) a forward collision warning function—

(i) to detect vehicles and vulnerable road users ahead of the vehicle; and

(ii) to alert the operator of the vehicle of an impending collision; and

(B) a crash-imminent braking function to provide automatic braking when forward-looking sensors of the vehicle indicate that—

(i) a crash is imminent; and

(ii) the operator of the vehicle is not applying the brakes.

(2) COMMERCIAL MOTOR VEHICLE.—The term ''commercial motor vehicle'' has the meaning given such term in section 31101 of title 49, United States Code.

SEC. 4405. UNDERRIDE PROTECTION.

(a) REAR UNDERRIDE GUARDS.—

(1) REAR GUARDS ON TRAILERS AND SEMITRAILERS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue such regulations as are necessary to revise motor vehicle safety standards under sections 571.223 and 571.224 of title 49, Code of Federal Regulations, to require trailers and semi-trailers manufactured after the date on which such regulation is issued to be equipped with rear impact guards that are designed to prevent passenger compartment intrusion from a trailer or semitrailer when a passenger vehicle traveling at 35 miles per hour makes—

(i) an impact in which the passenger vehicle impacts the center of the rear of the trailer or semitrailer;

(ii) an impact in which 50 percent the width of the passenger vehicle overlaps the rear of the trailer or semitrailer; and

(iii) an impact in which 30 percent of the width of the passenger vehicle overlaps the rear of the trailer or semitrailer.

(B) EFFECTIVE DATE.—The rule issued under subparagraph (A) shall require full compliance with the motor carrier safety standard prescribed in such rule not later than 2 years after the date on which a final rule is issued.

(2) ADDITIONAL RESEARCH.—The Secretary shall conduct additional research on the design and development of rear impact guards that can prevent underride crashes and protect motor vehicle passengers against severe injury at crash speeds of up to 65 miles per hour.

(3) REVIEW OF STANDARDS.—Not later than 5 years after any revisions to standards or requirements related to rear impact guards pursuant to paragraph (1), the Secretary shall review the standards or requirements to evaluate the need for changes in response to advancements in technology and upgrade such standards accordingly.

(4) INSPECTIONS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to amend the regulations on minimum periodic inspection standards under appendix G to subchapter B of chapter III of title 49, Code of Federal Regulations, and driver vehicle inspection reports under section 396.11 of title 49, Code of Federal Regulations, to include rear impact guards and rear end protection (as required by section 393.86 of title 49, Code of Federal Regulations).

(B) CONSIDERATIONS.—In updating the regulations described in subparagraph (A), the Secretary shall consider it to be a defect or a deficiency if a rear impact guard is missing or has a corroded or compromised element that affects the structural integrity and protective feature of such guard.

(b) SIDE UNDERRIDE GUARDS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(A) complete additional research on side underride guards to better understand the overall effectiveness of such guards;

(B) assess the feasibility, benefits, and costs associated with installing side underride guards on newly manufactured trailers and semitrailers with a gross vehicle weight rating of 10,000 pounds or more; and

(C) if warranted, develop performance standards for such guards.

(2) INDEPENDENT RESEARCH.—If the Secretary enters into a contract with a third party to perform the research required under paragraph (1)(A), the Secretary shall ensure that such third party does not have any financial or contractual ties or relationship with a motor carrier that transports passengers or property for compensation, the motor carrier industry, or an entity producing or supplying underride guards.

(3) PUBLICATION OF ASSESSMENT.—Not later than 90 days after completing the assessment required under paragraph (1)(B), the Secretary shall issue a notice in the Federal Register containing the findings of the assessment and provide an opportunity for public comment.

(4) REPORT TO CONGRESS.—After the conclusion of the public comment period under paragraph (3), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that provides—

(A) the results of the assessment under this subsection;

(B) a summary of the public comments received by the Secretary under paragraph (3); and

(C) a determination as to whether the Secretary intends to develop performance requirements for side underride guards, including any analysis that led to such determination.

(c) ADVISORY COMMITTEE ON UNDERRIDE PROTECTION.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall establish an Advisory Committee on Underride Protection (in this subsection referred to as the ''Committee'') to provide advice and recommendations to the Secretary on safety regulations to reduce crashes and fatalities involving truck underrides.

(2) REPRESENTATION.—

(A) IN GENERAL.—The Committee shall be composed of not more than 20 members appointed by the Secretary who are not employees of the Department of Transportation and who are qualified to serve because of their expertise, training, or experience.

(B) MEMBERSHIP.—Members shall include two representatives of each of the following:

(i) Truck and trailer manufacturers.

(ii) Motor carriers, including independent owner-operators.

(iii) Law enforcement.

(iv) Motor vehicle engineers.

(v) Motor vehicle crash investigators.

(vi) Truck safety organizations.

(vii) The insurance industry.

(viii) Emergency medical service providers.

(ix) Families of underride crash victims.

(x) Labor organizations.

(3) COMPENSATION.—Members of the Committee shall serve without compensation.

(4) MEETINGS.—The Committee shall meet at least annually.

(5) SUPPORT.—On request of the Committee, the Secretary shall provide information, administrative services, and supplies necessary for the Committee to carry out the duties described in paragraph (1).

(6) REPORT.—The Committee shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a biennial report that shall—

(A) describe the advice and recommendations made to the Secretary; and

(B) include an assessment of progress made by the Secretary in advancing safety regulations.

(d) DATA COLLECTION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall implement recommendations 1 and 2 described in the report by the Government Accountability Office published on March 14, 2019, titled ''Truck Underride Guards: Improved Data Collection, Inspections, and Research Needed'' (GAO–19–264).

SEC. 4406. TRANSPORTATION OF HORSES.

Section 80502 of title 49, United States Code, is amended—

(1) in subsection (c) by striking ''This section does not'' and inserting ''Subsections (a) and (b) shall not'';

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

''(d) TRANSPORTATION OF HORSES.—

''(1) PROHIBITION.—No person may transport, or cause to be transported, a horse from a place in a State, the District of Columbia, or a territory or possession of the United States through or to a place in another State, the District of Columbia, or a territory or possession of the United States in a motor vehicle containing two or more levels stacked on top of each other.

''(2) MOTOR VEHICLE DEFINED.—In this subsection, the term 'motor vehicle'—

''(A) means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways; and

''(B) does not include a vehicle operated exclusively on a rail or rails.''; and

(4) in subsection (e), as redesignated—

(A) by striking ''A rail carrier'' and inserting the following:

''(1) IN GENERAL.—A rail carrier'';

(B) by striking ''this section'' and inserting ''subsection (a) or (b)''; and

(C) by striking ''On learning'' and inserting the following:

''(2) TRANSPORTATION OF HORSES IN MULTI-LEVEL TRAILER.—

''(A) CIVIL PENALTY.—A person that knowingly violates subsection (d) is liable to the United States Government for a civil penalty of at least $100, but not more than $500, for each violation. A separate violation of subsection (d) occurs for each horse that is transported, or caused to be transported, in violation of subsection (d).

''(B) RELATIONSHIP TO OTHER LAWS.—The penalty imposed under subparagraph (A) shall be in addition to any penalty or remedy available under any other law.

''(3) CIVIL ACTION.—On learning''.

SEC. 4407. ADDITIONAL STATE AUTHORITY.

(a) ADDITIONAL AUTHORITY.—Notwithstanding the limitation in section 127(d) of title 23, United States Code, if a State had in effect on or before June 1, 1991, a statute or regulation which placed a limitation on the overall length of a longer combination vehicle consisting of 3 trailers, such State may allow the operation of a longer combination vehicle to accommodate a longer energy efficient truck tractor in such longer combination vehicle under such limitation, if the additional tractor length is the only added length to such longer combination vehicle and does not result in increased cargo capacity in weight or volume.

(b) SAVINGS CLAUSE.—Nothing in this section authorizes a State to allow an increase in the length of a trailer, semitrailer, or other cargo-carrying unit of a longer combination vehicle.

(c) LONGER COMBINATION VEHICLE DEFINED.—The term ''longer combination vehicle'' has the meaning given such term in section 127 of title 23, United States Code.

SEC. 4408. UPDATING THE REQUIRED AMOUNT OF INSURANCE FOR COMMERCIAL MOTOR VEHICLES.

Section 31139(b) of title 49, United States Code, is amended—

(1) in paragraph (2), by striking ''$750,000'' and inserting ''$2,000,000''; and

(2) by adding at the end the following:

''(3) ADJUSTMENT.—The Secretary, in consultation with the Bureau of Labor Statistics, shall adjust the minimum level of financial responsibility under paragraph (2) quinquennially for inflation.''.

SEC. 4409. UNIVERSAL ELECTRONIC IDENTIFIER.

Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall issue a final motor vehicle safety standard that requires a commercial motor vehicle manufactured after the effective date of such standard to be equipped with a universal electronic vehicle identifier that provides a single point of data, such as the vehicle identification number, that—

(1) identifies the vehicle for compliance, inspection, or enforcement purposes;

(2) does not transmit personally identifiable information regarding operators; and

(3) does not create an undue cost burden for operators and carriers.

TITLE V—INNOVATION

SEC. 5001. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out section 503(b) of title 23, United States Code, $144,000,000 for each of fiscal years 2023 through 2026.

(2) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out section 503(c) of title 23, United States Code, $152,000,000 for each of fiscal years 2023 through 2026.

(3) TRAINING AND EDUCATION.—To carry out section 504 of title 23, United States Code, $26,000,000 for each of fiscal years 2023 through 2026.

(4) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out sections 512 through 518 of title 23, United States Code, $100,000,000 for each of fiscal years 2023 through 2026.

(5) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out section 5505 of title 49, United States Code, $96,000,000 for each of fiscal years 2023 through 2026.

(6) BUREAU OF TRANSPORTATION STATISTICS.—To carry out chapter 63 of title 49, United States Code, $27,000,000 for each of fiscal years 2023 through 2026.

(b) ADDITIONAL PROGRAMS.—The following amounts are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) MOBILITY THROUGH ADVANCED TECHNOLOGIES.—To carry out section 503(c)(4) of title 23, United States Code, $70,000,000 for each of fiscal years 2023 through 2026 from funds made available to carry out section 503(c) of such title.

(2) MATERIALS TO REDUCE GREENHOUSE GAS EMISSIONS PROGRAM.—To carry out section 503(d) of title 23, United States Code, $10,000,000 for each of fiscal years 2023 through 2026 from funds made available to carry out section 503(c) of such title.

(3) NATIONAL HIGHLY AUTOMATED VEHICLE AND MOBILITY INNOVATION CLEARINGHOUSE.—To carry out section 5509 of title 49, United States Code, $2,000,000 for each of fiscal years 2023 through 2026 from funds made available to carry out sections 512 through 518 of title 23, United States Code.

(4) NATIONAL COOPERATIVE MULTIMODAL FREIGHT TRANSPORTATION RESEARCH PROGRAM.—To carry out section 70205 of title 49, United States Code, $4,000,000 for each of fiscal years 2023 through 2026 from funds made available to carry out section 503(b) of title 23, United States Code.

(5) STATE SURFACE TRANSPORTATION SYSTEM FUNDING PILOTS.—To carry out section 6020 of the FAST Act (23 U.S.C. 503 note), $35,000,000 for each of fiscal years 2023 through 2026 from funds made available to carry out section 503(b) of title 23, United States Code.

(c) ADMINISTRATION.—The Federal Highway Administration shall—

(1) administer the programs described in paragraphs (1), (2), and (3) of subsection (a) and paragraph (1) of subsection (b); and

(2) in consultation with relevant modal administrations, administer the programs described in subsections (a)(4) and (b)(2).

(d) TREATMENT OF FUNDS.—Funds authorized to be appropriated by subsections (a) and (b) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this title (including the amendments by this title) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable, except as otherwise provided in this title.

Subtitle A—Research and Development

SEC. 5101. HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.

(a) IN GENERAL.—Section 503 of title 23, United States Code, is amended—

(1) in subsection (a)(2) by striking ''section 508'' and inserting ''section 6503 of title 49''; and

(2) in subsection (b)—

(A) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (ii) by striking ''; and'' and inserting a semicolon;

(II) in clause (iii) by striking the period and inserting ''; and''; and

(III) by adding at the end the following:

''(iv) to reduce greenhouse gas emissions and limit the effects of climate change.''; and

(ii) by striking subparagraphs (D) and (E);

(B) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (ii) by striking ''; and'' and inserting a semicolon;

(II) in clause (iii) by striking the period and inserting ''; and''; and

(III) by adding at the end the following:

''(iv) to reduce greenhouse gas emissions and limit the effects of climate change.''; and

(ii) in subparagraph (C)—

(I) in clause (iv) by striking ''; and'' and inserting a semicolon;

(II) in clause (v) by striking the period and inserting ''; and''; and

(III) by inserting at the end the following:

''(vi) establishing best practices and creating models and tools to support metropolitan and statewide planning practices to meet the considerations described in sections 134(i)(2)(I) and 135(f)(10) of this title, including—

''(I) strategies to address climate change mitigation and impacts described in sections 134(i)(2)(I)(ii) and 135(f)(10)(B) of this title and the incorporation of such strategies into long range transportation planning;

''(II) preparation of a vulnerability assessment described in sections 134(i)(2)(I)(iii) and 135(f)(10)(C) of this title; and

''(III) integration of these practices with the planning practices described in sections 5303(i)(2)(I) and 5304(f)(10) of title 49.'';

(C) in paragraph (5)(A)—

(i) in clause (iv) by striking ''; and'' and inserting a semicolon;

(ii) in clause (v) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(vi) reducing greenhouse gas emissions and limiting the effects of climate change.''; and

(D) by adding at the end the following:

''(9) ANALYSIS TOOLS.—The Secretary may develop interactive modeling tools and databases that—

''(A) track the condition of highway assets, including interchanges, and the reconstruction history of such assets;

''(B) can be used to assess transportation options;

''(C) allow for the monitoring and modeling of network-level traffic flows on highways; and

''(D) further Federal and State understanding of the importance of national and regional connectivity and the need for long-distance and interregional passenger and freight travel by highway and other surface transportation modes.

''(10) PERFORMANCE MANAGEMENT DATA SUPPORT PROGRAM.—

''(A) PERFORMANCE MANAGEMENT DATA SUPPORT.—The Administrator of the Federal Highway Administration shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150).

''(B) INCLUSIONS.—The data analysis activities authorized under subparagraph (A) may include—

''(i) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;

''(ii) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;

''(iii) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;

''(iv) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e);

''(v) developing tools—

''(I) to improve performance analysis; and

''(II) to evaluate the effects of project investments on performance;

''(vi) assisting in the development or procurement of the transportation system access data under section 1403(g) of the INVEST in America Act; and

''(vii) developing tools and acquiring data described under paragraph (9).

''(C) FUNDING.—The Administrator of the Federal Highway Administration may use up to $15,000,000 for each of fiscal years 2023 through 2026 to carry out this paragraph.''.

(b) REPEAL.—Section 6028 of the FAST Act (23 U.S.C. 150 note), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

SEC. 5102. MATERIALS TO REDUCE GREENHOUSE GAS EMISSIONS PROGRAM.

Section 503 of title 23, United States Code, as amended by section 5101, is further amended by adding at the end the following:

''(d) MATERIALS TO REDUCE GREENHOUSE GAS EMISSIONS PROGRAM.—

''(1) IN GENERAL.—Not later than 6 months after the date of enactment of this subsection, the Secretary shall establish and implement a program under which the Secretary shall award grants to eligible entities to research and support the development and deployment of materials that will capture, absorb, adsorb, reduce, or sequester the amount of greenhouse gas emissions generated during the production of highway materials and the construction and use of highways.

''(2) ACTIVITIES.—Activities under this section may include—

''(A) carrying out research to determine the materials proven to most effectively capture, absorb, adsorb, reduce, or sequester greenhouse gas emissions;

''(B) evaluating and improves the ability of materials to most effectively capture, absorb, adsorb, reduce, or sequester greenhouse gas emissions;

''(C) supporting the development and deployment of materials that will capture, absorb, adsorb, reduce, or sequester greenhouse gas emissions; and

''(D) in coordination with standards-setting organizations, such as the American Association of State Highway and Transportation Officials, carrying out research on—

''(i) the extent to which existing state materials procurement standards enable the deployment of materials proven to most effectively reduce or sequester greenhouse gas emissions;

''(ii) opportunities for States to adapt procurement standards to more frequently procure materials proven to most effectively reduce or sequester greenhouse gas emissions; and

''(iii) how to support or incentivize States to adapt procurement standards to incorporate more materials proven to most effectively reduce or sequester greenhouse gas emissions.

''(3) COMPETITIVE SELECTION PROCESS.—

''(A) APPLICATIONS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit to the Secretary an application in such form and containing such information as the Secretary may require.

''(B) CONSIDERATION.—In making grants under this subsection, the Secretary shall consider the degree to which applicants presently carry out research on materials that capture, absorb, adsorb, reduce, or sequester greenhouse gas emissions.

''(C) SELECTION CRITERIA.—The Secretary may make grants under this subsection to any eligible entity based on the demonstrated ability of the applicant to fulfill the activities described in paragraph (2).

''(D) TRANSPARENCY.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the overall review process for a grant under this subsection, including—

''(i) specific criteria of evaluation used in the review;

''(ii) descriptions of the review process; and

''(iii) explanations of the grants awarded.

''(4) GRANTS.—

''(A) RESTRICTIONS.—

''(i) IN GENERAL.—For each fiscal year, a grant made available under this subsection shall be not greater than $4,000,000 and not less than $2,000,000 per recipient.

''(ii) LIMITATION.—An eligible entity may only receive one grant in a fiscal year under this subsection.

''(B) MATCHING REQUIREMENTS.—As a condition of receiving a grant under this subsection, a grant recipient shall match 50 percent of the amounts made available under the grant.

''(5) PROGRAM COORDINATION.—

''(A) IN GENERAL.—The Secretary shall—

''(i) coordinate the research, education, and technology transfer activities carried out by grant recipients under this subsection;

''(ii) disseminate the results of that research through the establishment and operation of a publicly accessible online information clearinghouse; and

''(iii) to the extent practicable, support the deployment and commercial adoption of effective materials researched or developed under this subsection to relevant stakeholders.

''(B) ANNUAL REVIEW AND EVALUATION.—Not later than 2 years after the date of enactment of this subsection, and not less frequently than annually thereafter, the Secretary shall, consistent with the activities in paragraph (3)—

''(i) review and evaluate the programs carried out under this subsection by grant recipients, describing the effectiveness of the program in identifying materials that capture, absorb, adsorb, reduce, or sequester greenhouse gas emissions;

''(ii) submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing such review and evaluation; and

''(iii) make the report in clause (ii) available to the public on a website.

''(6) LIMITATION ON AVAILABILITY OF AMOUNTS.—Amounts made available to carry out this subsection shall remain available for obligation by the Secretary for a period of 3 years after the last day of the fiscal year for which the amounts are authorized.

''(7) INFORMATION COLLECTION.—Any survey, questionnaire, or interview that the Secretary determines to be necessary to carry out reporting requirements relating to any program assessment or evaluation activity under this subsection, including customer satisfaction assessments, shall not be subject to chapter 35 of title 44 (commonly known as the 'Paperwork Reduction Act').

''(8) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) a nonprofit institution of higher education, as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); and

''(B) a State department of transportation.''.

SEC. 5103. TRANSPORTATION RESEARCH AND DEVELOPMENT 5-YEAR STRATEGIC PLAN.

Section 6503 of title 49, United States Code, is amended—

(1) in subsection (a) by striking ''The Secretary'' and inserting ''For the period of fiscal years 2017 through 2022, and for each 5-year period thereafter, the Secretary'';

(2) in subsection (c)(1)—

(A) in subparagraph (C) by inserting ''and security in the transportation system'' after ''safety'';

(B) in subparagraph (D) by inserting ''and the existing transportation system'' after ''infrastructure'';

(C) in subparagraph (E) by striking ''; and'' and inserting a semicolon;

(D) by amending subparagraph (F) to read as follows:

''(F) reducing greenhouse gas emissions; and''; and

(E) by adding at the end the following:

''(G) developing and maintaining a diverse workforce in transportation sectors;''; and

(3) in subsection (d) by striking ''not later than December 31, 2016,'' and inserting ''not later than December 31, 2022,''.

SEC. 5104. UNIVERSITY TRANSPORTATION CENTERS PROGRAM.

Section 5505 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4)—

(i) in subparagraph (A) by striking ''research priorities identified in chapter 65.'' and inserting the following: ''following research priorities:

''(i) Improving the mobility of people and goods.

''(ii) Reducing congestion.

''(iii) Promoting safety.

''(iv) Improving the durability and extending the life of transportation infrastructure and the existing transportation system.

''(v) Preserving the environment.

''(vi) Reducing greenhouse gas emissions.''; and

(ii) in subparagraph (B)—

(I) by striking ''Technology and'' and inserting ''Technology,'';

(II) by inserting '', the Administrator of the Federal Transit Administration,'' after ''Federal Highway Administration''; and

(III) by striking ''and other modal administrations as appropriate'' and inserting ''and the Administrators of other operating administrations, as appropriate''; and

(B) by adding at the end the following:

''(7) FOCUSED RESEARCH CONSIDERATIONS.—In awarding grants under this section, the Secretary shall consider how the program under this section advances research on the cybersecurity implications of technologies relating to connected vehicles, connected infrastructure, and automated vehicles.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Not later than 1 year after the date of enactment of this section,'' and inserting the following:

''(A) SELECTION OF GRANTS.—Not later than 1 year after the date of enactment of the INVEST in America Act,''; and

(ii) by adding at the end the following:

''(B) LIMITATIONS.—A grant under this subsection may not include a cooperative agreement described in section 6305 of title 31.'';

(B) in paragraph (2)—

(i) in subparagraph (A) by striking ''5 consortia'' and inserting ''6 consortia'';

(ii) in subparagraph (B)—

(I) in clause (i) by striking ''not greater than $4,000,000 and not less than $2,000,000'' and inserting ''not greater than $4,250,000 and not less than $2,250,000''; and

(II) in clause (ii) by striking ''section 6503(c)'' and inserting ''subsection (b)(4)(A)'';

(iii) in subparagraph (C) by striking ''100 percent'' and inserting ''50 percent''; and

(iv) by adding at the end the following:

''(D) REQUIREMENT.—In awarding grants under this section, the Secretary shall award 1 grant to a national consortia for each focus area described in subsection (b)(4)(A).'';

(C) in paragraph (3)—

(i) in subparagraph (C) by striking ''not greater than $3,000,000 and not less than

$1,500,000'' and inserting ''not greater than $3,250,000 and not less than $1,750,000'';

(ii) in subparagraph (D)(i) by striking ''100 percent'' and inserting ''50 percent''; and

(iii) by striking subparagraph (E); and

(D) in paragraph (4)—

(i) in subparagraph (A) by striking ''greater than $2,000,000 and not less than $1,000,000'' and inserting ''greater than $2,250,000 and not less than $1,250,000''; and

(ii) by striking subparagraph (C) and inserting the following:

''(C) CONSIDERATION.—In awarding grants under this section, the Secretary shall consider historically black colleges and universities, as such term is defined in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q), and other minority institutions, as such term is defined by section 365 of the Higher Education Act (20 U.S.C. 1067k), or consortia that include such institutions that have demonstrated an ability in transportation-related research.

''(D) FOCUSED RESEARCH.—

''(i) IN GENERAL.—In awarding grants under this section, the Secretary shall select not less than one grant recipient with each of the following focus areas:

''(I) Transit.

''(II) Connected and automated vehicle technology, including cybersecurity implications of technologies relating to connected vehicles, connected infrastructure, and automated vehicle technology.

''(III) Non-motorized transportation, including bicycle and pedestrian safety.

''(IV) The surface transportation workforce, including—

''(aa) current and future workforce needs and challenges; and

''(bb) the impact of technology on the transportation sector.

''(V) Climate change mitigation, including—

''(aa) researching the types of transportation projects that are expected to provide the most significant greenhouse gas emissions reductions from the surface transportation sector; and

''(bb) researching the types of transportation projects that are not expected to provide significant greenhouse gas emissions reductions from the surface transportation sector.

''(ii) ADDITIONAL GRANTS.—In awarding grants under this section and after awarding grants pursuant to clause (i), the Secretary may award any remaining grants to any grant recipient based on the criteria described in subsection (b)(4)(A).'';

(3) in subsection (d)(3) by striking ''fiscal years 2016 through 2020'' and inserting ''fiscal years 2023 through 2026'';

(4) by redesignating subsection (f) as subsection (g); and

(5) by inserting after subsection (e) the following:

''(f) SURPLUS AMOUNTS.—

''(1) IN GENERAL.—Amounts made available to the Secretary to carry out this section that remain unobligated after awarding grants under subsection (c) shall be made available under the unsolicited research initiative under section 5506.

''(2) LIMITATION ON AMOUNTS.—Amounts under paragraph (1) shall not exceed $2,000,000 for any given fiscal year.''.

SEC. 5105. UNSOLICITED RESEARCH INITIATIVE.

(a) IN GENERAL.—Subchapter I of chapter 55 of title 49, United States Code, is amended by adding at the end the following:

''§ 5506. Unsolicited research initiative

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish a program under which an eligible entity may at any time submit unsolicited research proposals for funding under this section.

''(b) CRITERIA.—A research proposal submitted under subsection (a) shall meet the purposes of the Secretary's 5-year transportation research and development strategic plan described in section 6503(c)(1).

''(c) APPLICATIONS.—To receive funding under this section, eligible entities shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

''(d) REPORT.—Not later than 18 months after the date of enactment of this section, and annually thereafter, the Secretary shall make available to the public on a public website a report on the progress and findings of the program established under subsection (a).

''(e) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost of an activity carried out under this section may not exceed 50 percent.

''(2) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity carried out under this section.

''(f) FUNDING.—

''(1) IN GENERAL.—Of the funds made available to carry out the university transportation centers program under section 5505, $2,000,000 shall be available for each of fiscal years 2023 through 2026 to carry out this section.

''(2) FUNDING FLEXIBILITY.—

''(A) IN GENERAL.—For fiscal years 2023 through 2026, funds made available under paragraph (1) shall remain available until expended.

''(B) UNCOMMITTED FUNDS.—If the Secretary determines, at the end of a fiscal year, funds under paragraph (1) remain unexpended as a result of a lack of meritorious projects under this section, the Secretary may, for the following fiscal year, make remaining funds available under either this section or under section 5505.

''(g) ELIGIBLE ENTITY DEFINED.—In this section, the term 'eligible entity' means—

''(1) a State;

''(2) a unit of local government;

''(3) a transit agency;

''(4) any nonprofit institution of higher education, including a university transportation center under section 5505; and

''(5) a nonprofit organization.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is amended by inserting after the item relating to section 5505 the following new item:

''5506. Unsolicited research initiative.''.

SEC. 5106. NATIONAL COOPERATIVE MULTIMODAL FREIGHT TRANSPORTATION RESEARCH PROGRAM.

(a) IN GENERAL.—Chapter 702 of title 49, United States Code, is amended by adding at the end the following:

''§ 70205. National cooperative multimodal freight transportation research program

''(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Secretary shall establish and support a national cooperative multimodal freight transportation research program.

''(b) AGREEMENT.—Not later than 6 months after the date of enactment of this section, the Secretary shall seek to enter into an agreement with the National Academy of Sciences to support and carry out administrative and management activities relating to the governance of the national cooperative multimodal freight transportation research program.

''(c) ADVISORY COMMITTEE.—In carrying out the agreement described in subsection (b), the National Academy of Sciences shall select a multimodal freight transportation research advisory committee consisting of multimodal freight stakeholders, including, at a minimum—

''(1) a representative of the Department of Transportation;

''(2) representatives of any other Federal agencies relevant in supporting the nation's multimodal freight transportation research needs;

''(3) a representative of a State department of transportation;

''(4) a representative of a local government (other than a metropolitan planning organization);

''(5) a representative of a metropolitan planning organization;

''(6) a representative of the trucking industry;

''(7) a representative of the railroad industry;

''(8) a representative of the port industry;

''(9) a representative of logistics industry;

''(10) a representative of shipping industry;

''(11) a representative of a safety advocacy group with expertise in freight transportation;

''(12) an academic expert on multimodal freight transportation;

''(13) an academic expert on the contributions of freight movement to greenhouse gas emissions; and

''(14) representatives of labor organizations representing workers in freight transportation.

''(d) ELEMENTS.—The national cooperative multimodal freight transportation research program established under this section shall include the following elements:

''(1) NATIONAL RESEARCH AGENDA.—The advisory committee under subsection (c), in consultation with interested parties, shall recommend a national research agenda for the program established in this section.

''(2) INVOLVEMENT.—Interested parties may—

''(A) submit research proposals to the advisory committee;

''(B) participate in merit reviews of research proposals and peer reviews of research products; and

''(C) receive research results.

''(3) OPEN COMPETITION AND PEER REVIEW OF RESEARCH PROPOSALS.—The National Academy of Sciences may award research contracts and grants under the program through open competition and merit review conducted on a regular basis.

''(4) EVALUATION OF RESEARCH.—

''(A) PEER REVIEW.—Research contracts and grants under the program may allow peer review of the research results.

''(B) PROGRAMMATIC EVALUATIONS.—The National Academy of Sciences shall conduct periodic programmatic evaluations on a regular basis of research contracts and grants.

''(5) DISSEMINATION OF RESEARCH FINDINGS.—

''(A) IN GENERAL.—The National Academy of Sciences shall disseminate research findings to researchers, practitioners, and decisionmakers, through conferences and seminars, field demonstrations, workshops, training programs, presentations, testimony to government officials, a public website for the National Academy of Sciences, publications for the general public, and other appropriate means.

''(B) REPORT.—Not more than 18 months after the date of enactment of this section, and annually thereafter, the Secretary shall make available on a public website a report that describes the ongoing research and findings of the program.

''(e) CONTENTS.—The national research agenda under subsection (d)(1) shall include—

''(1) techniques and tools for estimating and identifying both quantitative and qualitative public benefits derived from multimodal freight transportation projects, including—

''(A) greenhouse gas emissions reduction;

''(B) congestion reduction; and

''(C) safety benefits;

''(2) the impact of freight delivery vehicles, including trucks, railcars, and non-motorized vehicles, on congestion in urban and rural areas;

''(3) the impact of both centralized and disparate origins and destinations on freight movement;

''(4) the impacts of increasing freight volumes on transportation planning, including—

''(A) first-mile and last-mile challenges to multimodal freight movement;

''(B) multimodal freight travel in both urban and rural areas; and

''(C) commercial motor vehicle parking and rest areas;

''(5) the effects of Internet commerce and accelerated delivery speeds on freight movement and increased commercial motor vehicle volume, including impacts on—

''(A) safety on public roads;

''(B) congestion in both urban and rural areas;

''(C) first-mile and last-mile challenges and opportunities;

''(D) the environmental impact of freight transportation, including on air quality and on greenhouse gas emissions; and

''(E) vehicle miles-traveled by freight-delivering vehicles;

''(6) the impacts of technological advancements in freight movement, including impacts on—

''(A) congestion in both urban and rural areas;

''(B) first-mile and last-mile challenges and opportunities; and

''(C) vehicle miles-traveled;

''(7) methods and best practices for aligning multimodal infrastructure improvements with multimodal freight transportation demand, including improvements to the National Multimodal Freight Network under section 70103; and

''(8) other research areas to identify and address current, emerging, and future needs related to multimodal freight transportation.

''(f) FUNDING.—

''(1) FEDERAL SHARE.—The Federal share of the cost of an activity carried out under this section shall be 100 percent.

''(2) PERIOD OF AVAILABILITY.—Amounts made available to carry out this section shall remain available until expended.

''(g) DEFINITION OF GREENHOUSE GAS.—In this section, the term 'greenhouse gas' has the meaning given such term in section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 702 of title 49, United States Code, is amended by adding at the end the following new item:

''70205. National cooperative multimodal freight transportation research program.''.

SEC. 5107. WILDLIFE-VEHICLE COLLISION REDUCTION AND HABITAT CONNECTIVITY IMPROVEMENT.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Transportation shall conduct a study examining methods to reduce collisions between motorists and wildlife (referred to in this section as ''wildlife-vehicle collisions'').

(2) CONTENTS.—

(A) AREAS OF STUDY.—The study required under paragraph (1) shall—

(i) update and expand on, as appropriate—

(I) the report titled ''Wildlife Vehicle Collision Reduction Study: 2008 Report to Congress'': and

(II) the document titled ''Wildlife Vehicle Collision Reduction Study: Best Practices Manual'' and dated October 2008; and

(ii) include—

(I) an assessment, as of the date of the study, of—

(aa) the causes of wildlife-vehicle collisions;

(bb) the impact of wildlife-vehicle collisions on motorists and wildlife; and

(cc) the impacts of roads and traffic on habitat connectivity for terrestrial and aquatic species; and

(II) solutions and best practices for—

(aa) reducing wildlife-vehicle collisions; and

(bb) improving habitat connectivity for terrestrial and aquatic species.

(B) METHODS.—In carrying out the study required under paragraph (1), the Secretary shall—

(i) conduct a thorough review of research and data relating to—

(I) wildlife-vehicle collisions; and

(II) habitat fragmentation that results from transportation infrastructure;

(ii) survey current practices of the Department of Transportation and State departments of transportation to reduce wildlife-vehicle collisions; and

(iii) consult with—

(I) appropriate experts in the field of wildlife-vehicle collisions; and

(II) appropriate experts on the effects of roads and traffic on habitat connectivity for terrestrial and aquatic species.

(3) REPORT.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the study required under paragraph (1).

(B) CONTENTS.—The report required under subparagraph (A) shall include—

(i) a description of—

(I) the causes of wildlife-vehicle collisions;

(II) the impacts of wildlife-vehicle collisions; and

(III) the impacts of roads and traffic on—

(aa) species listed as threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(bb) species identified by States as species of greatest conservation need;

(cc) species identified in State wildlife plans; and

(dd) medium and small terrestrial and aquatic species;

(ii) an economic evaluation of the costs and benefits of installing highway infrastructure and other measures to mitigate damage to terrestrial and aquatic species, including the effect on jobs, property values, and economic growth to society, adjacent communities, and landowners;

(iii) recommendations for preventing wildlife-vehicle collisions, including recommended best practices, funding resources, or other recommendations for addressing wildlife-vehicle collisions; and

(iv) guidance to develop, for each State that agrees to participate, a voluntary joint statewide transportation and wildlife action plan.

(C) PURPOSES.—The purpose of the guidance described in subparagraph (B)(iv) shall be—

(i) to address wildlife-vehicle collisions; and

(ii) to improve habitat connectivity for terrestrial and aquatic species.

(D) CONSULTATION.—The Secretary shall develop the guidance described under subparagraph (B)(iv) in consultation with—

(i) Federal land management agencies;

(ii) State departments of transportation;

(iii) State fish and wildlife agencies; and

(iv) Tribal governments.

(b) STANDARDIZATION OF WILDLIFE COLLISION AND CARCASS DATA.—

(1) STANDARDIZATION METHODOLOGY.—

(A) IN GENERAL.—The Secretary of Transportation, acting through the Administrator of the Federal Highway Administration, shall develop a quality standardized methodology for collecting and reporting spatially accurate wildlife collision and carcass data for the National Highway System, taking into consideration the practicability of the methodology with respect to technology and cost.

(B) METHODOLOGY.—In developing the standardized methodology under subparagraph (A), the Secretary shall—

(i) survey existing methodologies and sources of data collection, including the Fatality Analysis Reporting System, the General Estimates System of the National Automotive Sampling System, and the Highway Safety Information System; and

(ii) to the extent practicable, identify and correct limitations of such existing methodologies and sources of data collection.

(C) CONSULTATION.—In developing the standardized methodology under subparagraph (A), the Secretary shall consult with—

(i) the Secretary of the Interior;

(ii) the Secretary of Agriculture, acting through the Chief of the Forest Service;

(iii) Tribal, State, and local transportation and wildlife authorities;

(iv) metropolitan planning organizations (as such term is defined in section 134(b) of title 23, United States Code);

(v) members of the American Association of State Highway and Transportation Officials;

(vi) members of the Association of Fish and Wildlife Agencies;

(vii) experts in the field of wildlife-vehicle collisions;

(viii) nongovernmental organizations; and

(ix) other interested stakeholders, as appropriate.

(2) STANDARDIZED NATIONAL DATA SYSTEM WITH VOLUNTARY TEMPLATE IMPLEMENTATION.—The Secretary shall—

(A) develop a template for State implementation of a standardized national wildlife collision and carcass data system for the National Highway System that is based on the standardized methodology developed under paragraph (1); and

(B) encourage the voluntary implementation of the template developed under subparagraph (A) for States, metropolitan planning organizations, and additional relevant transportation stakeholders.

(3) REPORTS.—

(A) METHODOLOGY.—The Secretary shall submit to Congress a report describing the development of the standardized methodology required under paragraph (1) not later than—

(i) the date that is 18 months after the date of enactment of this Act; and

(ii) the date that is 180 days after the date on which the Secretary completes the development of such standardized methodology.

(B) IMPLEMENTATION.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing—

(i) the status of the voluntary implementation of the standardized methodology developed under paragraph (1) and the template developed under paragraph (2)(A);

(ii) whether the implementation of the standardized methodology developed under paragraph (1) and the template developed under paragraph (2)(A) has impacted efforts by States, units of local government, and other entities—

(I) to reduce the number of wildlife-vehicle collisions; and

(II) to improve habitat connectivity;

(iii) the degree of the impact described in clause (ii); and

(iv) the recommendations of the Secretary, including recommendations for further study aimed at reducing motorist collisions involving wildlife and improving habitat connectivity for terrestrial and aquatic species on the National Highway System, if any.

(c) NATIONAL THRESHOLD GUIDANCE.—The Secretary of Transportation shall—

(1) establish guidance, to be carried out by States on a voluntary basis, that contains a threshold for determining whether a highway shall be evaluated for potential mitigation measures to reduce wildlife-vehicle collisions and increase habitat connectivity for terrestrial and aquatic species, taking into consideration—

(A) the number of wildlife-vehicle collisions on the highway that pose a human safety risk;

(B) highway-related mortality and effects of traffic on the highway on—

(i) species listed as endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) species identified by a State as species of greatest conservation need;

(iii) species identified in State wildlife plans; and

(iv) medium and small terrestrial and aquatic species; and

(C) habitat connectivity values for terrestrial and aquatic species and the barrier effect of the

highway on the movements and migrations of those species.

(d) WORKFORCE DEVELOPMENT AND TECHNICAL TRAINING.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall, based on the study conducted under subsection (a), develop a series of in-person and online workforce development and technical training courses—

(A) to reduce wildlife-vehicle collisions; and

(B) to improve habitat connectivity for terrestrial and aquatic species.

(2) AVAILABILITY.—The Secretary shall—

(A) make the series of courses developed under paragraph (1) available for transportation and fish and wildlife professionals; and

(B) update the series of courses not less frequently than once every 2 years.

(e) WILDLIFE HABITAT CONNECTIVITY AND NATIONAL BRIDGE AND TUNNEL INVENTORY AND INSPECTION STANDARDS.—Section 144 of title 23, United States Code, is amended in subsection (a)(2)—

(1) in subparagraph (B) by inserting '', resilience,'' after ''safety'';

(2) in subparagraph (D) by striking ''and'' at the end;

(3) in subparagraph (E) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(F) to ensure adequate passage of aquatic and terrestrial species, where appropriate.'';

SEC. 5108. RESEARCH ACTIVITIES.

Section 330(g) of title 49, United States Code, is amended by striking ''each of fiscal years 2016 through 2020'' and inserting ''each of fiscal years 2023 through 2026''.

SEC. 5109. TRANSPORTATION EQUITY RESEARCH PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation shall carry out a transportation equity research program for research and demonstration activities that focus on the impacts that surface transportation planning, investment, and operations have on low-income populations, minority populations, and other underserved populations that may be dependent on public transportation. Such activities shall include research on surface transportation equity issues, the development of strategies to advance economic and community development in public transportation-dependent populations, and the development of training programs that promote the employment of low-income populations, minority populations, and other underserved populations on Federal-aid transportation projects constructed in their communities.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2023 through 2026.

(c) AVAILABILITY OF AMOUNTS.—Amounts made available to the Secretary to carry out this section shall remain available for a period of 3 years beginning after the last day of the fiscal year for which the amounts are authorized.

SEC. 5110. SURFACE TRANSPORTATION RESEARCH, DEVELOPMENT, AND TECHNOLOGY.

Section 502(b)(3)(C) of title 23, United States Code, is amended by inserting ''entities that represent the needs of metropolitan planning organizations,'' after ''Officials,''.

SEC. 5111. METROPOLITAN PLANNING RESEARCH PILOT PROGRAM.

(a) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall seek to enter into an agreement with a nonprofit nongovernmental entity that exclusively serves the needs and interests of metropolitan planning organizations to establish a pilot program to provide awards to eligible entities to carry out eligible activities to enhance and improve metropolitan planning practices in surface transportation.

(b) GOALS.—The goals of the pilot program established under this section include—

(1) enhancing metropolitan planning practices in surface transportation;

(2) improving the ability of metropolitan planning organizations to meet performance measures and targets under section 150 of title 23, United States Code;

(3) preparing for the impact that emerging technologies, such as connected and automated vehicles, will have on the metropolitan planning process;

(4) improving environmental considerations in the metropolitan planning process;

(5) reducing greenhouse gas emissions and limiting the effects of climate change;

(6) improving access to jobs and services;

(7) supporting underserved communities; and

(8) expanding the ability of metropolitan planning organizations to collect public input and strengthen community engagement.

(c) FORMS OF ASSISTANCE.—An award provided under this section may be in the form of a grant, contract, or cooperative agreement.

(d) COMPETITIVE SELECTION PROCESS.—

(1) APPLICATIONS.—To be eligible to receive an award under this section, an eligible entity shall submit to the Secretary an application in such form and containing such information as the Secretary may require.

(2) SELECTION CRITERIA.—The Secretary may provide awards under this section to any eligible entity based on the demonstrated ability of the entity to fulfill the goals described under subsection (b) and carry out eligible activities.

(e) TRANSPARENCY.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the selection process for providing an award under this section and the results of activities carried out under this section.

(f) DEFINITIONS.—In this section:

(1) ELIGIBLE ACTIVITY.—The term ''eligible activity'' means—

(A) carrying out research to improve metropolitan planning practices;

(B) developing new metropolitan planning tools;

(C) improving existing metropolitan planning tools and practices; or

(D) any other research activities the Secretary determines to be appropriate, consistent with the goals under subsection (b).

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a metropolitan planning organization designated under section 134(d) of title 23, United States Code;

(B) a metropolitan planning organization working in partnership with a nonprofit organization;

(C) a metropolitan planning organization working in partnership with a county; or

(D) a group of entities described under subparagraphs (A) through (C).

(g) FEDERAL SHARE.—The Federal share of the cost of an activity carried out using an award under this section shall be 100 percent.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—From the amounts made available to carry out section 503(b) of title 23, United States Code, for each of fiscal years 2023 through 2026, the Secretary may expend $1,000,000 to carry out this section.

(2) ADMINISTRATIVE EXPENSES.—Of the amounts made available under paragraph (1), the Secretary may use up to 5 percent of such funds for administrative expenses.

(i) INFORMATION COLLECTION.—Any survey, questionnaire, or interview that the Secretary determines to be necessary to carry out reporting requirements relating to any program assessment or evaluation activity under this section, including customer satisfaction assessments, shall not be subject to chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

SEC. 5112. INTEGRATED PROJECT DELIVERY.

(a) IN GENERAL.—The Secretary of Transportation shall seek to enter into an agreement with the National Academy of Sciences to support and carry out a study of the effectiveness of integrated project delivery in delivering large infrastructure projects.

(b) CONTENTS.—

(1) AREAS OF STUDY.—The study shall—

(A) identify best practices for surface transportation project delivery with a focus on delivery of large or complex projects;

(B) determine whether there are any regulatory requirements that limit the use of integrated project delivery and the purpose of such regulations; and

(C) analyze the effectiveness of integrated project delivery compared to traditional project delivery methods, including an analysis of outcomes related to safety, cost effectiveness, environmental impacts, and on-time project delivery.

(2) METHODS.—In carrying out the study, the National Academy of Sciences shall consult with entities with experience managing, administering, or implementing integrated project delivery projects.

(c) REPORT.—Not later than 1 year after the completion of the study under subsection (a), the Secretary shall publish a report on the results of the study under this section.

SEC. 5113. ACCELERATED IMPLEMENTATION AND DEPLOYMENT OF ADVANCED DIGITAL CONSTRUCTION MANAGEMENT SYSTEMS.

Section 503(c) of title 23, United States Code, is amended by adding at the end the following:

''(5) ACCELERATED IMPLEMENTATION AND DEPLOYMENT OF ADVANCED DIGITAL CONSTRUCTION MANAGEMENT SYSTEMS.—

''(A) IN GENERAL.—The Secretary shall, to the extent practicable, under the technology and innovation deployment program goals established under paragraph (1), promote, support, and document the application of advanced digital construction management systems, practices, performance, and benefits.

''(B) GOALS.—The goals of promoting the accelerated implementation and deployment of advanced digital construction management systems established under subparagraph (A) shall include—

''(i) accelerated State and local government adoption of advanced digital construction management systems applied throughout the project delivery process (including through the design and engineering, construction, and operations phases) that—

''(I) maximize interoperability with other systems, products, tools, or applications;

''(II) boost productivity;

''(III) manage complexity and risk;

''(IV) reduce project delays and cost overruns;

''(V) enhance safety and quality; and

''(VI) support sustainable design and construction;

''(ii) more timely and productive information-sharing among stakeholders through digital collaboration platforms that connect workflows, teams, and data and reduced reliance on paper to manage construction processes and deliverables;

''(iii) deployment of digital management systems that enable and leverage the use of digital technologies on construction sites by contractors;

''(iv) the development and deployment of best practices for use in digital construction management;

''(v) increased technology adoption and deployment by States and units of local government that enables project sponsors—

''(I) to integrate the adoption of digital management systems and technologies in contracts; and

''(II) to weigh the cost of digitization and technology in setting project budgets;

''(vi) technology training and workforce development to build the capabilities of project managers and sponsors that enables States and units of local government—

''(I) to better manage projects using advance digital construction management technologies; and

''(II) to properly measure and reward technology adoption across projects of the State or unit of local government;

''(vii) development of guidance to assist States in updating regulations of the State to allow project sponsors and contractors—

''(I) to report data relating to the project in digital formats; and

''(II) to fully capture the efficiencies and benefits of advanced digital construction management systems and related technologies;

''(viii) reduction in the environmental footprint of construction projects using advanced digital construction management systems resulting from elimination of congestion through more efficient projects;

''(ix) development of more sustainable infrastructure that is designed to be more resilient to climate impacts, constructed with less material waste and made with more low-emissions construction materials; and

''(x) enhanced worker and pedestrian safety resulting from increased transparency.''.

SEC. 5114. INNOVATIVE MATERIAL INNOVATION HUBS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Transportation shall carry out a program to enhance the development of innovative materials in the United States by making awards to consortia for establishing and operating Hubs (to be known as ''Innovative Material Innovation Hubs'') to conduct and support multidisciplinary, collaborative research, development, demonstration, standardized design development, and commercial application of innovative materials.

(2) COORDINATION.—The Secretary shall ensure the coordination of, and avoid duplication of, the activities of each Hub with the activities of—

(A) other research entities of the Department of Transportation, including the Federal Highway Administration; and

(B) research entities of other Federal agencies, as appropriate.

(b) COMPETITIVE SELECTION PROCESS.—

(1) ELIGIBILITY.—To be eligible to receive an award for the establishment and operation of a Hub under subsection (a)(1), a consortium shall—

(A) be composed of not fewer than two qualifying entities;

(B) operate subject to a binding agreement, entered into by each member of the consortium, that documents—

(i) the proposed partnership agreement, including the governance and management structure of the Hub;

(ii) measures the consortium will undertake to enable cost-effective implementation of activities under the program described in subsection (a)(1); and

(iii) a proposed budget, including financial contributions from non-Federal sources; and

(C) operate as a nonprofit organization.

(2) APPLICATION.—

(A) IN GENERAL.—A consortium seeking to establish and operate a Hub under subsection (a)(1) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a detailed description of—

(i) each element of the consortium agreement required under paragraph (1)(B); and

(ii) any existing facilities the consortium intends to use for Hub activities.

(B) REQUIREMENT.—If the consortium members will not be located at 1 centralized location, the application under subparagraph (A) shall include a communications plan that ensures close coordination and integration of Hub activities.

(3) SELECTION.—

(A) IN GENERAL.—The Secretary shall select consortia for awards for the establishment and operation of Hubs through a competitive selection process.

(B) CONSIDERATIONS.—In selecting consortia under subparagraph (A), the Secretary shall consider—

(i) any existing facilities a consortium has identified to be used for Hub activities;

(ii) maintaining geographic diversity in locations of selected Hubs;

(iii) the demonstrated ability of the recipient to conduct and support multidisciplinary, collaborative research, development, demonstration, standardized design development, and commercial application of innovative materials;

(iv) the demonstrated research, technology transfer, and education resources available to the recipient to carry out this section;

(v) the ability of the recipient to provide leadership in solving immediate and long-range national and regional transportation problems related to innovative materials;

(vi) the demonstrated ability of the recipient to disseminate results and spur the implementation of transportation research and education programs through national or statewide continuing education programs;

(vii) the demonstrated commitment of the recipient to the use of peer review principles and other research best practices in the selection, management, and dissemination of research projects;

(viii) the performance metrics to be used in assessing the performance of the recipient in meeting the stated research, technology transfer, education, and outreach goals; and

(ix) the ability of the recipient to implement the proposed program in a cost-efficient manner, including through cost sharing and overall reduced overhead, facilities, and administrative costs.

(4) TRANSPARENCY.—

(A) IN GENERAL.—The Secretary shall provide to each applicant, upon request, any materials used in the evaluation process of the proposal of the applicant, including copies of reviews (with any information that would identify a reviewer redacted), used in the evaluation process of the proposal of the applicant.

(B) REPORTS.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report describing the overall review process under paragraph (2), given the considerations under paragraph (3), that includes—

(i) specific criteria of evaluation used in the review;

(ii) descriptions of the review process; and

(iii) explanations of the selected awards.

(c) FUNDS.—

(1) AUTHORIZATION.—There is authorized to be appropriated to carry out this section such sums as may be necessary and such sums shall remain available for a period of 3 years after the last day of the fiscal year in which such sums were made available.

(2) MATCHING REQUIREMENT.—As a condition of receiving an award under this section, an award recipient shall match 50 percent of the amounts made available under the award.

(d) HUB OPERATIONS.—

(1) IN GENERAL.—Each Hub shall conduct, or provide for, multidisciplinary, collaborative research, development, demonstration, and commercial application of innovative materials.

(2) ACTIVITIES.—Each Hub shall—

(A) encourage collaboration and communication among the member qualifying entities of the consortium, as described in subsection (b)(1), and awardees;

(B) develop and publish proposed plans and programs on a publicly accessible website;

(C) submit to the Department of Transportation an annual report summarizing the activities of the Hub, including information—

(i) detailing organizational expenditures; and

(ii) describing each project undertaken by the Hub, as it relates to conducting and supporting multidisciplinary, collaborative research, development, demonstration, standardized design development, and commercial application of innovative materials; and

(D) monitor project implementation and coordination.

(3) CONFLICTS OF INTEREST.—Each Hub shall maintain conflict of interest procedures, consistent with the conflict of interest procedures of the Department of Transportation.

(4) PROHIBITION ON CONSTRUCTION AND RENOVATION.—

(A) IN GENERAL.—No funds provided under this section may be used for construction or renovation of new buildings, test beds, or additional facilities for Hubs.

(B) NON-FEDERAL SHARE.—Construction of new buildings or facilities shall not be considered as part of the non-Federal share of a Hub cost-sharing agreement.

(e) APPLICABILITY.—The Secretary shall administer this section in accordance with section 330 of title 49, United States Code.

(f) DEFINITIONS.—In this section:

(1) HUB.—The term ''Hub'' means an Innovative Material Innovation Hub established under this section.

(2) QUALIFYING ENTITY.—The term ''qualifying entity'' means—

(A) an institution of higher education (as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)));

(B) an appropriate Federal or State entity, including a federally funded research and development center of the Department of Transportation;

(C) a university transportation center under section 5505 of title 49, United States Code; and

(D) a research and development entity in existence on the date of enactment of this Act focused on innovative materials that the Secretary determines to be similar in scope and intent to a Hub under this section.

(3) INNOVATIVE MATERIAL.—The term ''innovative material'' means materials or combinations and processes for use of materials with respect to a surface transportation infrastructure project that enhance the overall service life, sustainability, and resiliency of the project or provide ancillary benefits relative to widely adopted state of practice technologies, as determined by the Secretary.

SEC. 5115. STRATEGIC TRANSPORTATION RESEARCH AGENDA.

(a) IN GENERAL.—Subchapter I of chapter 55 of title 49, United States Code, as amended, is further amended by adding at the end the following:

''§ 5507. Strategic transportation research agenda

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall enter into an agreement with the National Academies to undertake a study of the research needs of the surface transportation system to fully adapt and integrate advanced technologies and innovation. The focus areas of the study shall include—

''(1) connected technologies, autonomous technologies, or both;

''(2) incorporating safety-related technologies;

''(3) addressing infrastructure resiliency;

''(4) the impact of advanced transportation technologies on safety and mobility;

''(5) multimodal connectivity;

''(6) data gathering methods to understand travel behavior, including the public's short and long-term responses to transformational technologies;

''(7) impacts of private-sector transportation product development on society and the traditional research programs;

''(8) support for a public-sector culture of transportation innovation and acceleration of federally funded research into practice, codes, and standards; and

''(9) fostering development of transportation educators and transportation professionals.

''(b) REPORT.—The agreement entered into under this section shall require the National

Academies to submit to Congress a report containing the results of the study not later than 2 years after the date of enactment of this section.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,500,000 for fiscal year 2023.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''5507. Strategic transportation research agenda.''.

SEC. 5116. ADVANCED TRANSPORTATION RESEARCH AND INNOVATION PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''§ 5508. Advanced transportation research and innovation program

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish an advanced transportation research and innovation program, to be administered by the Assistant Secretary of Research and Technology, to—

''(1) support research that addresses the long-term barriers to development of advanced transportation technologies with the potential to meet the Nation's long-term safety, competitiveness, and transportation goals;

''(2) support high-risk research and development to accelerate transformational transportation innovations and emerging technology development;

''(3) advance research and development that improves the resilience of regions of the United States to natural disasters, extreme weather, and the effects of climate change on modal and multimodal transportation and infrastructure;

''(4) leverage Federal interagency research mechanisms and the academic research enterprise;

''(5) educate and train students in science, technology, engineering, and mathematics fields to conduct research and standards development relevant to transportation technologies, materials, systems, operations, processes, and policies; and

''(6) foster collaboration among federal researchers and academic researchers.

''(b) COLLABORATION.—

''(1) INTERAGENCY COLLABORATION.—In carrying out this section, the Secretary shall collaborate on, identify, and disseminate within the Department, as appropriate, advanced transportation research, development, and other activities of other Federal agencies, including the Office of Science and Technology Policy, the National Science Foundation, the Department of Energy, the National Institute of Standards and Technology, the Department of Homeland Security, the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, and the Department of Defense to ensure the Department's research investments are making the best possible contribution to the Nation's long-term safety, competitiveness, and transportation goals.

''(2) NON-GOVERNMENTAL COLLABORATION.—In carrying out this section, the Secretary shall collaborate with labor organizations, as appropriate.

''(c) RESEARCH GRANTS.—In carrying out this section, the Secretary may carry out the activities described under subsection (a) through—

''(1) competitive, merit-based basic research grants to individual investigators and teams of investigators; and

''(2) centers of excellence selected through a competitive, merit-based process.

''(d) APPLICATION.—

''(1) IN GENERAL.—An investigator, team of investigators, or an institution of higher education (or consortium thereof) seeking funding under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) RESEARCH CENTERS.—Each application under paragraph (1) from an institution of higher education (or consortium thereof) shall include a description of how the Center will promote multidisciplinary transportation research and development collaboration.

''(e) RESEARCH.—At a minimum, the Secretary shall award 75 percent of awards under this program to projects for basic research.

''(f) REVIEW.—Not later than September 30, 2025, the Secretary shall enter into an agreement with the National Academies to conduct a review of the research and activities carried out under this program and assess whether such activities are consistent with subsection (a). Members of the review panel shall represent, at a minimum, multimodal surface transportation researchers and practitioners.

''(g) REPORT.—Not later than 1 year after the date of enactment of the INVEST in America Act, and biennially thereafter, the Secretary shall provide to the Committee on Commerce, Science, and Transportation and Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives a report on implementation of the program under this section and research areas that the program will support.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $25,000,000 for each of fiscal years 2023 through 2026.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''5508. Advanced transportation research and innovation program.''.

SEC. 5117. INTERAGENCY INNOVATIVE MATERIALS STANDARDS TASK FORCE.

(a) PURPOSES.—The purposes of this section shall be—

(1) to encourage the research, design, and use of innovative materials, in concert with traditional materials, and associated techniques in the construction and preservation of the domestic infrastructure network;

(2) to accelerate the deployment and extend the service life, improve the performance, and reduce the cost of infrastructure projects; and

(3) to improve the economy, resilience, maintainability, sustainability, and safety of the domestic infrastructure network.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall establish an Interagency innovative materials standards task force (referred to in this section as the ''Task Force'') composed of the heads of Federal agencies responsible for significant civil infrastructure projects, including the Administrator of the Federal Highway Administration.

(2) CHAIRPERSON.—The Director of the National Institute of Standards and Technology shall serve as Chairperson of the Task Force.

(c) DUTIES.—The Task Force shall coordinate and improve, with respect to infrastructure construction, retrofitting, rehabilitation, and other improvements—

(1) Federal testing standards;

(2) Federal design and use guidelines;

(3) Federal regulations; and

(4) other applicable standards and performance and sustainability metrics.

(d) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Task Force shall conduct, and submit to the appropriate committees of Congress a report that describes the results of, a study—

(A) to assess the standards and performance metrics for the use of innovative materials in infrastructure projects;

(B) to identify any barriers, regulatory or otherwise, relating to the standards described in subparagraph (A) that preclude the use of certain products or associated techniques; and

(C) to identify opportunities for the development of standardized designs and materials genome approaches that design and use innovative materials to reduce costs, improve performance and sustainability, and extend the service life of infrastructure assets.

(2) REPORT.—The report under paragraph (1) shall—

(A) identify any non-Federal entities or other organizations, including the American Association of State Highway and Transportation Officials, that develop relevant standards; and

(B) outline a strategy to improve coordination and information sharing between the entities described in subparagraph (A) and any relevant Federal agencies.

(e) IMPROVED COORDINATION.—Not later than 2 years after the date of enactment of this Act, the Task Force shall collaborate with any non-Federal entity identified under subsection (d)(2)(A)—

(1) to identify and carry out appropriate research, testing methods, and processes relating to the development and use of innovative materials;

(2) to develop new methods and processes relating to the development and use of innovative materials, as the applicable agency head determines to be necessary;

(3) to contribute to the development of standards, performance metrics, and guidelines for the use of innovative materials and approaches in civil infrastructure projects;

(4) to develop a plan for addressing potential barriers, regulatory or otherwise, identified in subsection (d)(1)(B); and

(5) to develop a plan for the development of standardized designs that use innovative materials to reduce costs, improve performance and sustainability, and extend the service life of infrastructure assets.

(f) INNOVATIVE MATERIAL DEFINED.—In this section, the term ''innovative material'', with respect to an infrastructure project, includes those materials or combinations and processes for use of materials that enhance the overall service life, sustainability, and resiliency of the project or provide ancillary benefits relative to widely adopted state of practice technologies, as determined by the appropriate Secretary or agency head.

SEC. 5118. VEHICULAR DATA ANALYTICS PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation shall establish a pilot program for the purpose of integrating vehicle on-board sensor data with public and private data sets in existence as of the date of the enactment of this Act to improve safety, operations, cost reduction, and congestion relief strategies for local and State transportation authorities and private sector partners.

(b) AWARD.—In carrying out the pilot program under subsection (a), the Secretary shall make 1 or more awards to an institution of higher education or a nonprofit research organization (or a consortium thereof).

(c) PARTNERSHIP.—The Secretary shall require a recipient of an award under subsection (b) to seek to partner with private sector organizations and local and State transportation authorities to facilitate—

(1) access to vehicle on-board sensor data; and

(2) the sharing of information regarding operational needs and research and development priorities from such organizations or authorities to such recipient.

(d) ACTIVITIES.—The activities of the pilot program shall include—

(1) development of strategies for the acquisition, management, and analysis of large scale vehicular on-board sensor data to ensure the privacy and security of such data; and

(2) research and development to analyze and integrate vehicle on-board sensor data with public and private data sets in existence as of the date of enactment of this Act, including development of applications to address safety, operations, cost reduction, congestion mitigation, and other transportation challenges.

(e) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce and Transportation of the Senate a report detailing—

(1) a summary of the activities of the pilot program under subsection (a); and

(2) recommendations for continuing such pilot program or integrating such pilot program into the activities of the Department of Transportation.

(f) PROTECTIONS.—In carrying out this section, the Secretary shall apply all applicable privacy protections of the Department of Transportation.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the activities of this section $4,000,000 for each of fiscal years 2023 and 2024.

Subtitle B—Technology Deployment

SEC. 5201. TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.

Section 503(c) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by inserting '', while considering the impacts on jobs'' after ''transportation community'';

(B) in subparagraph (D) by striking ''; and'' and inserting a semicolon;

(C) in subparagraph (E) by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(F) reducing greenhouse gas emissions and limiting the effects of climate change.''; and

(2) in paragraph (2)(A) by striking the period and inserting ''and findings from the materials to reduce greenhouse gas emissions program under subsection (d).''.

SEC. 5202. ACCELERATED IMPLEMENTATION AND DEPLOYMENT OF PAVEMENT TECHNOLOGIES.

Section 503(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (B)—

(A) in clause (v) by striking ''; and'' and inserting a semicolon;

(B) in clause (vi) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(vii) the deployment of innovative pavement designs, materials, and practices that reduce or sequester the amount of greenhouse gas emissions generated during the production of highway materials and the construction of highways, with consideration for findings from the materials to reduce greenhouse gas emissions program under subsection (d).'';

(2) in subparagraph (C) by striking ''fiscal years 2016 through 2020'' and inserting ''fiscal years 2023 through 2026''; and

(3) in subparagraph (D)(ii)—

(A) in subclause (III) by striking ''; and'' and inserting a semicolon;

(B) in subclause (IV) by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(V) pavement monitoring and data collection practices;

''(VI) pavement durability and resilience;

''(VII) stormwater management;

''(VIII) impacts on vehicle efficiency;

''(IX) the energy efficiency of the production of paving materials and the ability of paving materials to enhance the environment and promote sustainability;

''(X) integration of renewable energy in pavement designs; and

''(XI) greenhouse gas emissions reduction, including findings from the materials to reduce greenhouse gas emissions program under subsection (d).''.

SEC. 5203. FEDERAL HIGHWAY ADMINISTRATION EVERY DAY COUNTS INITIATIVE.

(a) IN GENERAL.—Chapter 5 of title 23, United States Code, is amended by adding at the end the following:

''§ 520. Every Day Counts initiative

''(a) IN GENERAL.—It is in the national interest for the Department of Transportation, State departments of transportation, and all other recipients of Federal surface transportation funds—

''(1) to identify, accelerate, and deploy innovation aimed at expediting project delivery;

''(2) enhancing the safety of the roadways of the United States, and protecting the environment;

''(3) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner;

''(4) to promote the rapid deployment of proven solutions that provide greater accountability for public investments and encourage greater private sector involvement; and

''(5) to create a culture of innovation within the highway community.

''(b) EVERY DAY COUNTS INITIATIVE.—To advance the policy described in subsection (a), the Administrator of the Federal Highway Administration shall continue the Every Day Counts initiative to work with States, local transportation agencies, all other recipients of Federal surface transportation funds, and industry stakeholders, including labor representatives, to identify and deploy proven innovative practices and products that—

''(1) accelerate innovation deployment;

''(2) expedite the project delivery process;

''(3) improve environmental sustainability;

''(4) enhance roadway safety;

''(5) reduce congestion; and

''(6) reduce greenhouse gas emissions.

''(c) CONSIDERATIONS.—In carrying out the Every Day Counts initiative, the Administrator shall consider any innovative practices and products in accordance with subsections (a) and (b), including—

''(1) research results from the university transportation centers program under section 5505 of title 49; and

''(2) results from the materials to reduce greenhouse gas emissions program in section 503(d).

''(d) INNOVATION DEPLOYMENT.—

''(1) IN GENERAL.—At least every 2 years, the Administrator shall work collaboratively with stakeholders to identify a new collection of innovations, best practices, and data to be deployed to highway stakeholders through case studies, outreach, and demonstration projects.

''(2) REQUIREMENTS.—In identifying a collection described in paragraph (1), the Secretary shall take into account market readiness, impacts, benefits, and ease of adoption of the innovation or practice.

''(e) PUBLICATION.—Each collection identified under subsection (d) shall be published by the Administrator on a publicly available website.

''(f) FUNDING.—The Secretary may use funds made available to carry out section 503(c) to carry out this section.

''(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed to allow the Secretary to waive any requirement under any other provision of Federal law.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 23, United States Code, is amended by adding at the end the following new item:

''520. Every Day Counts initiative.''.

(c) REPEAL.—Section 1444 of the FAST Act (23 U.S.C. 101 note), and the item related to such section in the table of contents in section 1(b) of such Act, are repealed.

Subtitle C—Emerging Technologies

SEC. 5301. MOBILITY THROUGH ADVANCED TECHNOLOGIES.

Section 503(c)(4) of title 23, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking ''Not later than 6 months after the date of enactment of this paragraph, the'' and inserting ''The'';

(B) by striking ''establish an advanced transportation and congestion management technologies deployment'' and inserting ''establish a mobility through advanced technologies'';

(C) by inserting ''mobility,'' before ''efficiency,''; and

(D) by inserting ''environmental impacts,'' after ''system performance,'';

(2) in subparagraph (B)—

(A) by striking clause (i) and inserting the following:

''(i) reduce costs, improve return on investments, and improve person throughput and mobility, including through the optimization of existing transportation capacity;'';

(B) in clause (iv) by inserting ''bicyclist, and'' before ''pedestrian'';

(C) in clause (vii)—

(i) by inserting ''increasing job opportunities,'' after ''performance,''; and

(ii) by striking ''; or'' and inserting a semicolon;

(D) in clause (viii)—

(i) by striking ''accelerate the deployment'' and inserting ''prepare for the safe deployment''; and

(ii) by striking the period and inserting ''; or''; and

(E) by adding at the end the following:

''(ix) reduce greenhouse gas emissions and limit the effects of climate change.'';

(3) in subparagraph (C)—

(A) in clause (ii)—

(i) in subclause (II)(aa) by striking ''congestion'' and inserting ''congestion and delays, greenhouse gas emissions'';

(ii) in subclause (III) by inserting ''economic,'' after ''mobility,''; and

(iii) in subclause (IV) by inserting ''organizations representing the surface transportation workforce,'' after ''leaders,''; and

(B) by adding at the end the following:

''(iii) CONSIDERATIONS.—An application submitted under this paragraph may include a description of how the proposed project would support the national goals described in section 150(b), the achievement of metropolitan and statewide targets established under section 150(d), or the improvement of transportation system access consistent with section 150(f), including through—

''(I) the congestion and on-road mobile-source emissions performance measures established under section 150(c)(5); or

''(II) the greenhouse gas emissions performance measures established under section 150(c)(7).'';

(4) in subparagraph (D) by adding at the end the following:

''(iv) PRIORITIZATION.—In awarding a grant under this paragraph, the Secretary shall prioritize projects that, in accordance with the criteria described in subparagraph (B)—

''(I) improve person throughput and mobility, including through the optimization of existing transportation capacity;

''(II) deliver environmental benefits;

''(III) reduce the number and severity of traffic crashes and increase driver, passenger, bicyclist, and pedestrian safety; or

''(IV) reduce greenhouse gas emissions and limit the effects of climate change.

''(v) GRANT DISTRIBUTION.—In each fiscal year, the Secretary shall award not fewer than 3 grants under this paragraph based on the potential of the project to reduce the number and severity of traffic crashes and increase, driver, passenger, bicyclist, and pedestrian safety.

''(vi) WORKFORCE PARTNERSHIPS.—In awarding a grant under this paragraph, the Secretary shall consider, to the extent practicable, any demonstrated partnership of the applicant with representatives of the surface transportation workforce.'';

(5) in subparagraph (E)—

(A) in clause (iv) by inserting ''consistent with section 5312 of title 49'' after ''systems'';

(B) in clause (vi)—

(i) by inserting '', vehicle-to-pedestrian,'' after ''vehicle-to-vehicle''; and

(ii) by inserting ''systems to improve vulnerable road user safety,'' before ''technologies associated with'' ;

(C) in clause (viii) by striking ''; or'' and inserting a semicolon;

(D) in clause (ix) by striking ''disabled individuals.'' and inserting ''disabled individuals, including activities under section 5316 of title 49;''; and

(E) by adding at the end the following:

''(x) measures to safeguard surface transportation system technologies under this subparagraph from cybersecurity threats; or

''(xi) retrofitting dedicated short-range communications technology deployed as part of an existing pilot program to cellular vehicle-to-everything technology.'';

(6) by striking subparagraph (G) and inserting the following:

''(G) REPORTING.—

''(i) APPLICABILITY OF LAW.—The program under this paragraph shall be subject to the accountability and oversight requirements in section 106(m).

''(ii) REPORT.—Not later than 3 years after the date that the first grant is awarded under this paragraph, and each year thereafter, the Secretary shall make available to the public on a website a report that describes the effectiveness of grant recipients in meeting their projected deployment plans, including data provided under subparagraph (F) on how the program has provided benefits, such as how the program has—

''(I) reduced traffic-related fatalities and injuries;

''(II) reduced traffic congestion and improved travel time reliability;

''(III) reduced transportation-related emissions;

''(IV) optimized multimodal system performance;

''(V) improved access to transportation alternatives;

''(VI) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;

''(VII) provided cost savings to transportation agencies, businesses, and the traveling public;

''(VIII) created or maintained transportation jobs and supported transportation workers; or

''(IX) provided other benefits to transportation users, workers, and the general public.

''(iii) CONSIDERATIONS.—If applicable, the Secretary shall ensure that the activities described in subclauses (I) and (IV) of clause (ii) reflect—

''(I) any information described in subparagraph (C)(iii) that is included by an applicant; or

''(II) the project prioritization guidelines under subparagraph (D)(iv).'';

(7) in subparagraph (I) by striking ''FUNDING'' and all that follows through ''the Secretary may set aside'' and inserting the following: ''FUNDING.—Of the amounts made available to carry out this paragraph, the Secretary may set aside'';

(8) in subparagraph (J) by striking the period at the end and inserting '', except that the Federal share of the cost of a project for which a grant is awarded under this paragraph shall not exceed 80 percent.'';

(9) in subparagraph (K) by striking ''amount described under subparagraph (I)'' and inserting ''funds made available to carry out this paragraph'';

(10) by striking subparagraph (M) and inserting the following:

''(M) GRANT FLEXIBILITY.—If, by August 1 of each fiscal year, the Secretary determines that there are not enough grant applications that meet the requirements described in subparagraph (C) to carry out this paragraph for a fiscal year, the Secretary shall transfer to the technology and innovation deployment program—

''(i) any of the funds made available to carry out this paragraph in a fiscal year that the Secretary has not yet awarded under this paragraph; and

''(ii) an amount of obligation limitation equal to the amount of funds that the Secretary transfers under clause (i).''; and

(11) in subparagraph (N)—

(A) in clause (i) by inserting ''an urbanized area with'' before ''a population of''; and

(B) in clause (iii) by striking ''a any'' and inserting ''any''.

SEC. 5302. INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.

(a) USE OF FUNDS FOR ITS ACTIVITIES.—Section 513(c)(1) of title 23, United States Code, is amended by inserting ''greenhouse gas emissions reduction,'' before ''and congestion management''.

(b) GOALS AND PURPOSES.—Section 514(a) of title 23, United States Code, is amended—

(1) in paragraph (6) by striking ''national freight policy goals'' and inserting ''national multimodal freight policy goals and activities described in subtitle IX of title 49'';

(2) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively; and

(3) by inserting after paragraph (3) the following:

''(4) reduction of greenhouse gas emissions and mitigation of the effects of climate change;''.

(c) GENERAL AUTHORITIES AND REQUIREMENTS.—Section 515(h) of title 23, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''20 members'' and inserting ''25 members'';

(B) in subparagraph (A) by striking ''State highway department'' and inserting ''State department of transportation'';

(C) in subparagraph (B) by striking ''local highway department'' and inserting ''local department of transportation'';

(D) by striking subparagraphs (E), (F), (G), (H), (I), and (J) and inserting the following:

''(E) a private sector representative of the intelligent transportation systems industry;

''(F) a representative from an advocacy group concerned with safety, including bicycle and pedestrian interests;

''(G) a representative from academia;

''(H) a representative from a labor organization; and'';

(E) in subparagraph (K) by striking ''; and'' and inserting a period;

(F) by redesignating subparagraph (K) as subparagraph (I); and

(G) by striking subparagraph (L);

(2) in paragraph (3)—

(A) in subparagraph (A) by striking ''section 508'' and inserting ''section 6503 of title 49'';

(B) in subparagraph (B)—

(i) in clause (ii)—

(I) by inserting ''in both urban and rural areas'' after ''by users''; and

(II) by striking ''; and'' and inserting a semicolon;

(ii) in clause (iii) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iv) assess how Federal transportation resources, including programs under this title, are being used to advance intelligent transportation systems.''; and

(C) by adding at the end the following:

''(C) Convene not less frequently than twice each year, either in person or remotely.'';

(3) in paragraph (4) by striking ''May 1'' and inserting ''April 1''; and

(4) in paragraph (5) by inserting '', except that section 14 of such Act shall not apply'' before the period at the end.

(d) RESEARCH AND DEVELOPMENT.—Section 516(a) of title 23, United States Code, is amended by inserting ''including through grants to entities or groups of entities, such as institutions of higher education,'' after ''research and development,''.

(e) RESEARCH AND DEVELOPMENT PRIORITY AREAS.—Section 516(b) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively;

(2) by inserting after paragraph (4) the following:

''(5) demonstrate reductions in greenhouse gas emissions;'';

(3) in paragraph (7), as so redesignated, by striking ''; or'' and inserting a semicolon;

(4) in paragraph (8), as so redesignated, by striking the period and inserting a semicolon; and

(5) by adding at the end the following:

''(9) integrate existing observational networks and data management systems for road weather applications; or

''(10) facilitate the interconnectivity of data and information technology systems across different observational networks and different users.''.

SEC. 5303. NATIONAL HIGHLY AUTOMATED VEHICLE AND MOBILITY INNOVATION CLEARINGHOUSE.

(a) IN GENERAL.—Subchapter I of chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''§ 5509. National highly automated vehicle and mobility innovation clearinghouse

''(a) IN GENERAL.—The Secretary shall make a grant to an institution of higher education engaged in research on the secondary impacts of highly automated vehicles and mobility innovation to—

''(1) operate a national highly automated vehicle and mobility innovation clearinghouse;

''(2) collect, conduct, and fund research on the secondary impacts of highly automated vehicles and mobility innovation;

''(3) make such research available on a public website; and

''(4) conduct outreach and dissemination of the information described in this subsection to assist communities.

''(b) DEFINITIONS.—In this section:

''(1) HIGHLY AUTOMATED VEHICLE.—The term 'highly automated vehicle' means a motor vehicle that is designed to be operated by a level 3 or level 4 automated driving system for trips within its operational design domain or a level 5 automated driving system for all trips according to the recommended standards published in April 2021, by the Society of Automotive Engineers International (J3016_202104) or, when adopted, equivalent standards established by the Secretary under chapter 301 of title 49, United States Code, with respect to automated motor vehicles.

''(2) MOBILITY INNOVATION.—The term 'mobility innovation' means an activity described in section 5316, including mobility on demand and mobility as a service (as such terms are defined in such section).

''(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(4) SECONDARY IMPACTS.—The term 'secondary impacts' means the impacts on land use, urban design, transportation systems, real estate, accessibility, municipal budgets, social equity, availability and quality of jobs, air quality and climate, energy consumption, and the environment.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''5509. National highly automated vehicle and mobility innovation clearinghouse.''.

(c) DEADLINE FOR CLEARINGHOUSE.—The Secretary of Transportation shall ensure that the institution of higher education that receives the grant described in section 5509(a)(1) of title 49, United States Code, as added by subsection (a), shall establish the national highly automated vehicle clearinghouse described in such section not later than 180 days after the date of enactment of this Act.

SEC. 5304. STUDY ON SAFE INTERACTIONS BETWEEN AUTOMATED VEHICLES AND ROAD USERS.

(a) PURPOSE.—The purpose of this section shall be to ensure that the increasing deployment of automated vehicles does not jeopardize the safety of road users.

(b) STUDY.—

(1) ESTABLISHMENT.—Not later than 9 months after the date of enactment of this Act, the Secretary of Transportation shall initiate a study on the ability of automated vehicles to safely interact with other road users.

(2) CONTENTS.—In carrying out the study under paragraph (1), the Secretary shall—

(A) examine the ability of automated vehicles to safely interact with general road users, including vulnerable road users;

(B) identify barriers to improving the safety of interactions between automated vehicles and general road users; and

(C) issue recommendations to improve the safety of interactions between automated vehicles and general road users, including, at a minimum—

(i) technology advancements with the potential to facilitate safer interactions between automated vehicles and general road users given the safety considerations in paragraph (3);

(ii) road user public awareness; and

(iii) improvements to transportation planning and road design.

(3) CONSIDERATIONS.—In carrying out the study under paragraph (1), the Secretary shall take into consideration whether automated vehicles can safely operate within the surface transportation system, including—

(A) the degree to which ordinary human behaviors make it difficult for an automated vehicle to safely, reliably predict human actions;

(B) unique challenges for automated vehicles in urban and rural areas;

(C) the degree to which an automated vehicle is capable of uniformly recognizing and responding to individuals with disabilities and individuals of different sizes, ages, races, and other varying characteristics;

(D) for bicyclist, motorcyclist, and pedestrian road users—

(i) the varying and non-standardized nature of bicyclist and pedestrian infrastructure in different locations;

(ii) the close proximity to motor vehicles within which bicyclists often operate, including riding in unprotected bike lanes and crossing lanes to make a left turn, and the risk of such close proximity; and

(iii) roadways that lack marked bicyclist infrastructure, particularly in midsized and rural areas, on which bicyclists often operate;

(E) for motorcyclist road users, the close proximity to other motor vehicles within which motorcyclists operate, including operating between lanes of slow or stopped traffic; and

(F) depending on the level of automation of the vehicle, the degree to which human intervention remains necessary to safely operate an automated vehicle to ensure the safety of general road users in circumstances including—

(i) dangerous weather;

(ii) an electronic or system malfunction of the automated vehicle; and

(iii) a cybersecurity threat to the operation of the vehicle.

(4) PUBLIC COMMENT.—Before conducting the study under paragraph (1), the Secretary shall provide an opportunity for public comment on the study proposal.

(c) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall establish a working group to assist in the development of the study and recommendations under subsection (b).

(2) MEMBERSHIP.—The working group established under paragraph (1) shall include representation from—

(A) the National Highway Traffic Safety Administration;

(B) State departments of transportation;

(C) local governments (other than metropolitan planning organizations, as such term is defined in section 134(b) of title 23, United States Code);

(D) transit agencies;

(E) metropolitan planning organizations (as such term is defined in section 134(b) of title 23, United States Code);

(F) bicycle and pedestrian safety groups;

(G) highway and automobile safety groups;

(H) truck safety groups;

(I) law enforcement officers and first responders;

(J) motor carriers and independent owner-operators;

(K) the road construction industry;

(L) labor organizations;

(M) academic experts on automated vehicle technologies;

(N) manufacturers and developers of both passenger and commercial automated vehicles;

(O) a motorcyclist rights group; and

(P) other industries and entities as the Secretary determines appropriate.

(3) DUTIES.—The working group established under paragraph (1) shall assist the Secretary by, at a minimum—

(A) assisting in the development of the scope of the study under subsection (b);

(B) reviewing the data and analysis from such study;

(C) provide ongoing recommendations and feedback to ensure that such study reflects the contents described in paragraphs (2) and (3) of subsection (b); and

(D) providing input to the Secretary on recommendations required under subsection (b)(2)(C).

(4) APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—The working group under this subsection shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.), except that section 14 of such Act shall not apply.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available, the study initiated under subsection (b), including recommendations for ensuring that automated vehicles safely interact with general road users.

(e) DEFINITIONS.—In this section:

(1) AUTOMATED VEHICLE.—The term ''automated vehicle'' means a motor vehicle that is designed to be operated by a level 3 or level 4 automated driving system for trips within its operational design domain or a level 5 automated driving system for all trips according to the recommended standards published in April 2021, by the Society of Automotive Engineers International (J3016l9 202104) or, when adopted, equivalent standards established by the Secretary under chapter 301 of title 49, United States Code, with respect to automated motor vehicles.

(2) GENERAL ROAD USERS.—The term ''general road users'' means—

(A) motor vehicles driven by individuals;

(B) bicyclists and pedestrians;

(C) motorcyclists;

(D) workers in roadside construction zones;

(E) emergency response vehicles, including first responders;

(F) vehicles providing local government services, including street sweepers and waste collection vehicles;

(G) law enforcement officers;

(H) personnel who manually direct traffic, including crossing guards;

(I) users of shared micromobility (including bikesharing and shared scooter systems); and

(J) other road users that may interact with automated vehicles, as determined by the Secretary of Transportation.

(3) VULNERABLE ROAD USER.—The term ''vulnerable road user'' has the meaning given such term in section 148(a) of title 23, United States Code.

SEC. 5305. SURFACE TRANSPORTATION WORKFORCE RETRAINING GRANT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a program to make grants to eligible entities to develop a curriculum for, and establish, transportation workforce training programs in urban and rural areas to train, retrain, or upgrade the skills of surface transportation workers—

(1) whose employment may be changed or worsened by automation;

(2) who have been separated from employment; or

(3) who have received notice of impending employment loss as a result of being replaced by the use of automated vehicles.

(b) ELIGIBLE ENTITIES.—The following entities shall be eligible to receive grants under this section:

(1) Institutions of higher education.

(2) Consortia of institutions of higher education.

(3) Nonprofit organizations with a demonstrated capacity to develop and provide career pathway programs through labor-management partnerships, pre-apprenticeships, or registered apprenticeships on a nationwide basis.

(4) Local governments.

(c) LIMITATION ON AWARDS.—An entity may only receive one grant in a fiscal year under this section.

(d) USE OF FUNDS.—

(1) IN GENERAL.—A recipient of a grant under this section may only use grant amounts for developing and carrying out training programs, including—

(A) identifying and testing new duties for existing jobs impacted by the use of automated vehicles, including mechanical work, diagnostic work, and fleet operations management;

(B) educational programs, including—

(i) coursework or curricula through which participants may pursue a degree or certification; and

(ii) tuition and direct education expenses, excluding salaries, in connection with the education and training of surface transportation workers whose jobs have been affected by the use of automated vehicles; and

(C) employee professional development, including worker training or retraining, including train-the-trainer programs, to upgrade the skills of surface transportation workers whose jobs have been affected by the use of automated vehicles.

(2) REPORTING.—A recipient of a grant under this section shall report to the Secretary the following information:

(A) The sectors of the surface transportation system from which workers are being displaced.

(B) The skills and professions for which workers are being retrained.

(C) How many workers have benefitted from a grant awarded under this section.

(D) Relevant demographic information of impacted workers.

(3) LIMITATION.—Funds made available under this section may not be used to evaluate the effectiveness of automated vehicle technologies.

(e) SELECTION CRITERIA.—In selecting grant recipients under this section, the Secretary shall consider the extent to which an applicant—

(1) demonstrates the capability to develop curricula and provide training, provide retraining, or upgrade the skills of individuals described in subsection (a);

(2) will provide program participants with practical experience and on-the-job training; and

(3) demonstrates a commitment to carry out a surface transportation workforce development program through degree-granting programs or programs that provide other industry-recognized credentials.

(f) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost of a grant under this section shall be 100 percent.

(2) AVAILABILITY OF FUNDS.—For a recipient of a grant under this section carrying out activities under such grant in partnership with a public transportation agency that is receiving funds under section 5307, 5337, or 5339 of title 49, United States Code, up to 0.5 percent of amounts made available under any such section may qualify as the non-Federal share under paragraph (1).

(g) REPORT REQUIREMENTS.—Not later than 60 days after grants are awarded in a fiscal year under this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committees on Commerce, Science, and Transportation, Banking, Housing, and Urban Affairs, and Environment and Public Works of the Senate, and make publicly available, a report that includes—

(1) a list of all grant recipients for such fiscal year;

(2) an explanation of why each recipient was chosen in accordance with the selection criteria under subsection (e);

(3) a summary of activities planned to be carried out by each recipient and how such activities relate to the goals established under subsection (a);

(4) the grant amount awarded to each recipient; and

(5) the information required to be provided to the Secretary under subsection (d)(2).

(h) DEFINITIONS.—In this section:

(1) AUTOMATED VEHICLE.—The term ''automated vehicle'' means a motor vehicle that is designed to be operated by a level 3 or level 4 automated driving system for trips within its operational design domain or a level 5 automated driving system for all trips according to the recommended standards published in April 2021, by the Society of Automotive Engineers International (J3016l9 202104) or, when adopted, equivalent standards established by the Secretary under chapter 301 of title 49, United States Code, with respect to automated motor vehicles.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) PUBLIC TRANSPORTATION.—The term ''public transportation'' has the meaning given such term in section 5302 of title 49, United States Code.

(4) PRE-APPRENTICESHIP.—The term ''pre-apprenticeship'' means a training model or program that prepares individuals for acceptance into a registered apprenticeship and has a demonstrated partnership with one or more registered apprenticeships.

(5) REGISTERED APPRENTICESHIP.—The term ''registered apprenticeship'' means an apprenticeship program registered under the Act of August 16, 1937 (29 U.S.C. 50 et seq.; commonly known as the ''National Apprenticeship Act''), that satisfies the requirements of parts 29 and 30 of title 29, Code of Federal Regulations (as in effect on January 1, 2020).

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $50,000,000 for each of fiscal years 2023 through 2026 to carry out this section.

(2) AVAILABILITY OF AMOUNTS.—Amounts made available to the Secretary to carry out this section shall remain available for a period of 3 years after the last day of the fiscal year for which the amounts are authorized.

SEC. 5306. THIRD-PARTY DATA INTEGRATION PILOT PROGRAM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish and implement a pilot program (in this section referred to as the ''program'') to leverage anonymous crowdsourced data from third-party entities to improve transportation management capabilities and efficiency on Federal-aid highways.

(b) GOALS.—The goals of the program include the utilization of anonymous crowdsourced data from third parties to implement integrated traffic management systems which leverage real-time data to provide dynamic and efficient traffic-flow management for purposes of—

(1) adjusting traffic light cycle times to optimize traffic management and decrease congestion;

(2) expanding or contracting lane capacity to meet traffic demand;

(3) enhancing traveler notification of service conditions;

(4) prioritizing high-priority vehicles such as emergency response and law enforcement within the transportation system; and

(5) any other purposes which the Secretary deems an appropriate use of anonymous user data.

(c) PARTNERSHIP.—In carrying out the program, the Secretary is authorized to enter into agreements with public and private sector entities to accomplish the goals listed in subsection (b).

(d) DATA PRIVACY AND SECURITY.—The Secretary shall ensure the protection of privacy for all sources of data utilized in the program, promoting cybersecurity to prevent hacking, spoofing, and disruption of connected and automated transportation systems.

(e) PROGRAM LOCATIONS.—In carrying out the program, the Secretary shall initiate programs in a variety of areas, including urban, suburban, rural, tribal, or any other appropriate settings.

(f) BEST PRACTICES.—Not later than 3 years after date of enactment of this Act, the Secretary shall publicly make available best practices to leverage private user data to support improved transportation management capabilities and efficiency, including—

(1) legal considerations when acquiring private user data for public purposes; and

(2) protecting privacy and security of individual user data.

(g) REPORT.—The Secretary shall annually submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report detailing—

(1) a description of the activities carried out under the pilot program;

(2) an evaluation of the effectiveness of the pilot program in meeting goals descried in subsection (b);

(3) policy recommendations to improve integration of systems between public and private entities; and

(4) a description of costs associated with equipping and maintaining systems.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as are necessary to carry out the program.

(i) SUNSET.—On a date that is 5 years after the enactment of this Act, this program shall cease to be effective.

SEC. 5307. THIRD-PARTY DATA PLANNING INTEGRATION PILOT PROGRAM.

(a) IN GENERAL.—Not later than 180 days after enactment of this Act, the Secretary of Transportation shall establish and implement a pilot program (in this section referred to as the ''program'') to leverage anonymous crowdsourced data from third-party entities to improve transportation management capabilities and efficiency on Federal-aid highways.

(b) GOALS.—The goals of the program include the utilization of anonymous crowdsourced data from third parties to—

(1) utilize private-user data to inform infrastructure planning decisions for the purposes of—

(A) reducing congestion;

(B) decreasing miles traveled;

(C) increasing safety;

(D) improving freight efficiency;

(E) enhancing environmental conditions; and

(F) other purposes as the Secretary deems necessary.

(c) PARTNERSHIP.—In carrying out the program, the Secretary is authorized to enter into agreements with public and private sector entities to accomplish the goals listed in subsection (b).

(d) DATA PRIVACY AND SECURITY.—The Secretary shall ensure the protection of privacy for all sources of data utilized in the program, promoting cybersecurity to prevent hacking, spoofing, and disruption of connected and automated transportation systems.

(e) PROGRAM LOCATIONS.—In carrying out the program, the Secretary shall initiate programs in a variety of areas, including urban, suburban, rural, tribal, or any other appropriate settings.

(f) BEST PRACTICES.—Not later than 3 years after date of enactment of this Act, the Secretary shall publicly make available best practices to leverage private user data to support improved transportation management capabilities and efficiency, including—

(1) legal considerations when acquiring private user data for public purposes; and

(2) protecting privacy and security of individual user data.

(g) REPORT.—The Secretary shall annually submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report detailing—

(1) a description of the activities carried out under the pilot program;

(2) an evaluation of the effectiveness of the pilot program in meeting goals descried in subsection (b); and

(3) policy recommendations to improve the implementation of anonymous crowdsourced data into planning decisions.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as are necessary to carry out the program.

(i) SUNSET.—On a date that is 5 years after the enactment of this Act, this program shall cease to be effective.

SEC. 5308. AUTOMATED COMMERCIAL VEHICLE REPORTING.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall establish a repository for submitting entities to submit information to the Secretary on operations of automated commercial motor vehicles in interstate commerce.

(b) PURPOSES.—The purpose of this section shall be to ensure automated commercial motor vehicle safety and transparency in developing and maintaining the repository under this section.

(c) INFORMATION REQUIRED.—

(1) SUBMISSIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a process for submitting entities operating automated commercial motor vehicles in interstate commerce to provide the following information in accordance with paragraph (2):

(A) The name of the submitting entity responsible for the operation of an automated commercial motor vehicle or vehicles.

(B) The make, model, and weight class of such vehicle or vehicles.

(C) The intended level of automation of such vehicle or vehicles, according to the taxonomy described in subsection (f)(1).

(D) The Department of Transportation number or operating authority assigned to the submitting entity described in subparagraph (A), if applicable.

(E) A list of States in which the operation of such vehicle or vehicles will occur and a list of Federal-aid highways (as defined in section 101(a) of title 23, United States Code) on which the operation will occur, as well as total miles traveled in the previous year on a biannual basis.

(F) Any cargo classifications or passengers to be transported in such vehicle or vehicles, including whether the submitting entity is transporting such cargo or passengers under contract with another entity.

(G) Documentation of training or certifications provided to any drivers, or other individuals directly involved in the performance of the dynamic driving task or fallback during operation of the vehicle, if any.

(H) Any fatigue management plans or work hour limitations applicable to drivers, if any, consistent with such standards of the Department regarding automated commercial motor vehicle drivers.

(I) Law enforcement interaction plans for automated commercial motor vehicles submitted to State transportation agencies or State and local law enforcement agencies.

(J) Proof of insurance coverage.

(2) SUBMISSION AND UPDATES.—

(A) IN GENERAL.—A submitting entity responsible for the operation of an automated commercial motor vehicle shall provide the information required under this subsection not later than 60 days after the Secretary has published the notice establishing the process described in paragraph (1).

(B) MATERIAL CHANGE OF INFORMATION.—The submitting entity responsible for the operation of an automated commercial motor vehicle shall notify the Secretary of any material changes to the information previously provided pursuant to this subsection on an annual basis, or on a more frequent basis specified by the Secretary.

(C) AMENDMENT AND CORRECTION.—If a submitting entity responsible for the operation of an automated commercial motor vehicle submits incomplete or inaccurate information pursuant to subsection (c), the submitting entity shall be given an opportunity to amend or correct the submission within a reasonable timeframe to be established by the Secretary.

(d) PUBLIC AVAILABILITY OF INFORMATION.—

(1) IN GENERAL.—The Secretary shall make available on a publicly accessible website of the Department of Transportation the following information on automated commercial motor vehicles:

(A) The prevalence of planned operations of such vehicles.

(B) The characteristics of such operations.

(C) The geographic location of such operations in a safe manner that reflects only the most significant public road or roads on which the majority of the route takes place, as determined appropriate by the Secretary.

(2) PROTECTION OF INFORMATION.—Any data collected under subsection (c) and made publicly available pursuant to this subsection shall be made available in a manner that—

(A) precludes the connection of the data to any individual motor carrier, shipper, company, vehicle manufacturer, or other submitting entity submitting data;

(B) protects the safety, privacy, and confidentiality of individuals, operators, and submitting entities submitting the data; and

(C) protects from disclosing—

(i) trade secrets; and

(ii) information obtained from a submitting entity that is commercial or financial and privileged or confidential, in accordance with section 552(b)(4) of title 5, United States Code.

(e) CRASH DATA.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall require submitting entities to submit information regarding collisions which occur during the operation of an automated commercial motor vehicle on public roads while the vehicle's automated driving system is engaged, including—

(A) fatalities or bodily injury to persons who, as a result of the injury, immediately receive medical treatment away from the scene of a collision involving the automated commercial motor vehicle;

(B) collisions or damage to property involving an automated commercial motor vehicle that results in an automated commercial motor vehicle or a motor vehicle being transported away from the scene by a tow truck or other motor vehicle;

(C) a full description of how the collision or damage to property occurred, including, if applicable, the role of the automated driving system; and

(D) the mode of transportation used by any road users involved in the collision, including general road users, as such term is defined under section 5304 of this Act.

(2) DATA AVAILABILITY.—The Secretary shall ensure that any submitting entity submitting information under this subsection that has a Department of Transportation number or operating authority from the Federal Motor Carrier Safety Administration—

(A) shall be subject to safety monitoring and oversight under the Compliance, Safety, and Accountability program of the Federal Motor Carrier Safety Administration; and

(B) shall be included when the Secretary restores the public availability of relevant safety data under such program under section 4202(b) of this Act.

(3) RULEMAKING.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate a rulemaking to define the term ''safety incident'', including collisions, with respect to automated commercial motor vehicle safety.

(B) UPDATE.—Notwithstanding paragraph (1), the Secretary shall carry out this subsection to require submitting entities to submit information regarding safety incidents instead of collisions upon issuing a final rule under subparagraph (A).

(C) VOLUNTARY REPORTING.—

(i) IN GENERAL.—To support the rulemaking under this paragraph, the Secretary shall establish a mechanism through which entities may voluntarily report safety data or other information regarding automated commercial motor vehicles.

(ii) USE OF DATA.—The data collected under this subparagraph may only be used to support the rulemaking under this paragraph.

(iii) PROTECTION FROM DISCLOSURE.—Data or other information submitted under this subparagraph—

(I) shall not be made publicly available; and

(II) shall not be disclosed to the public by the Secretary pursuant to section 552(b)(4) of title 5, United States Code, if the data or other information is submitted to the Secretary voluntarily and is not required to be submitted to the Secretary under any other provision of law.

(f) DEFINITIONS.—In this section:

(1) AUTOMATED COMMERCIAL MOTOR VEHICLE.—The term ''Automated commercial motor vehicle'' means a commercial motor vehicle (as such term is defined in section 31132 of title 49, United States Code) that is designed to be operated by a level 3 or level 4 automated driving system for trips within its operational design domain or a level 5 automated driving system for all trips according to the recommended taxonomy published in April 2021, by the Society of Automotive Engineers International (J3016_202104) or, when adopted, equivalent standards established by the Secretary under chapter 301 of title 49, United States Code, with respect to automated motor vehicles.

(2) BROKER.—The term ''broker'' has the meaning given such term under section 13102 of title 49, United States Code.

(3) EMPLOYER.—The term ''employer'' has the meaning given such term under section 31132 of title 49, United States Code.

(4) FREIGHT FORWARDER.—The term ''freight forwarder'' has the meaning given such term in section 13102 of title 49, United States Code.

(5) MOTOR CARRIER.—The term ''motor carrier'' has the meaning given such term in section 13102 of title 49, United States Code.

(6) SUBMITTING ENTITY.—The term ''submitting entity'' means either—

(A) a motor carrier; or

(B) a company that is carrying out motor carrier-related operations in interstate commerce on public roads or an employer thereof, such as a motor carrier, freight forwarder, or broker.

(7) TRUCK PLATOONING.—The term ''truck platooning'' means a series of commercial motor vehicles traveling in a unified manner with electronically coordinated braking, acceleration, and steering with a driver in the lead commercial motor vehicle.

(g) DUPLICATIVE REPORTING.—

(1) IN GENERAL.—The Secretary may not require duplicative reporting.

(2) JOINT SUBMISSIONS.—Submitting entities working in partnership on the same automated commercial motor vehicle operational trips shall make 1 submission of the information required under this section for each general route, as determined appropriate by the Secretary.

(3) INFORMATION.—In developing the reporting process required under subsection (c), the Secretary shall ensure, to the extent practicable, that submitting entities are not required to submit information previously reported to the Secretary under chapters 139 or 311 of title 49, United States Code.

(h) SAVINGS PROVISION.—Nothing in this section shall add to or detract from any existing—

(1) enforcement authority of the Department of Transportation; or

(2) authority to operate automated commercial motor vehicles in interstate commerce on public roads.

(i) PENALTIES.—An entity that violates any provision of this section shall be subject to civil penalties under section 521(b)(2)(B), of title 49, United States Code, and criminal penalties under section 521(b)(6)(A) of such title, and any other applicable civil and criminal penalties, as determined by the Secretary.

(j) TREATMENT.—In carrying out this section, the Secretary shall treat truck platooning operations the same as automated commercial motor vehicles.

SEC. 5309. TASK FORCE TO PROMOTE AMERICAN VEHICLE COMPETITIVENESS.

(a) IN GENERAL.—Subtitle III of title 49, United States Code, is amended by adding at the end the following:

''CHAPTER 66—DOMESTIC PRODUCTION OF ELECTRIC VEHICLES

''Sec.
''6601. Task force.
''6602. Critical mineral sourcing.

''§ 6601. Task force

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Task Force to Promote American Vehicle Competitiveness (hereinafter referred to as the 'Task Force') in accordance with this section.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Task Force shall be composed of the following officers:

''(A) The Secretary of Transportation.

''(B) The Secretary of the Interior.

''(C) The Secretary of Commerce.

''(D) The Secretary of Energy.

''(E) The Administrator of the Environmental Protection Agency.

''(2) ADDITIONAL MEMBERS.—The Secretary may designate additional members to serve on the Task Force.

''(3) OFFICERS.—The Secretary of Transportation shall serve as Chair and may designate officials to serve as the Vice Chair, and on any working groups of the task force.

''(c) DUTIES.—The Task Force shall—

''(1) identify and resolve any jurisdictional or regulatory gaps or inconsistencies associated with domestic sourcing and production of electric vehicle batteries to eliminate, so far as practicable, impediments to the prompt and safe deployment of domestically produced electric vehicle batteries, including with respect to safety regulation and oversight, environmental review, and funding issues;

''(2) coordinate agency oversight of nontraditional and emerging electric vehicle battery sourcing and production technologies, projects, and engagement with external stakeholders;

''(3) within applicable statutory authority other than this subsection, develop, recommend, and establish processes, solutions, and best practices for identifying, managing, and resolving issues regarding domestic sourcing and production of electric vehicle batteries; and

''(4) carry out such additional duties as the Secretary of Transportation may prescribe, to the extend consistent with this title.

''(d) REPORT.—Not later than 12 months after the date of enactment of this section, and annually thereafter, the Task Force shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on the Environment and Public Works of the Senate a report containing findings on electric vehicle battery sourcing and production issues in the United States, recommended strategies or measures to streamline sourcing and production and promote American competitiveness, and any recommended legislative solutions.

''§ 6602. Critical mineral sourcing

''(a) IN GENERAL.—The Secretary of Transportation, in conjunction with the Task Force to Promote American Vehicle Competitiveness, shall coordinate with the appropriate agencies to increase domestic sourcing of critical minerals and domestic production of electric vehicle batteries.

''(b) DEPARTMENT COORDINATION.—The Department of Transportation shall coordinate with the Task Force in implementing section 5339(c) and sections 151 and 155 of title 23.''.

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle III of title 49, United States Code, is amended by adding at the end the following new item:

''66. Domestic Production of Electric Vehicles ..... 6601''.

SEC. 5310. MULTIMODAL TRANSPORTATION DEMONSTRATION PROGRAM.

(a) IN GENERAL.—Subchapter 1 of chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''§ 5510. Multimodal transportation demonstration program

''(a) ESTABLISHMENT.—The Secretary of Transportation may establish a pilot program for the demonstration of advanced transportation passenger surface transportation modes in small- and mid-sized communities by providing grants to entities to achieve the purposes of the national transportation research and development plan described in section 6503.

''(b) ELIGIBLE ACTIVITIES.—Activities eligible for funding under this section include data availability and interoperability, traveler support tools and services, active demand management, micro-transit, mobility-on-demand, and micro-mobility projects to demonstrate first-mile and last-mile transportation connections to the broader transportation system, and any other activity as determined appropriate by the Secretary.

''(c) ELIGIBILITY.—Entities eligible to receive grants under this program include State departments of transportation, local governments, metropolitan planning organizations, and transit agencies serving a population of not more than 200,000 individuals, including communities of economic hardship and communities that experience transportation equity and accessibility issues.

''(d) APPLICATION.—

''(1) IN GENERAL.—An entity seeking funding under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) COLLABORATION.—Each application submitted under this section shall describe how the applying entity will collaborate, as appropriate, with other entities, including institutions of higher education, State and local governments, regional transportation planning organizations, nonprofit organizations, labor organizations, or private sector entities.

''(e) FUNDS.—

''(1) AUTHORIZATION.—There is authorized to be appropriated to carry out activities under this section $30,000,000 for each of fiscal years 2023 through 2026.

''(2) FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is awarded under this section shall not exceed 80 percent.

''(3) SOURCES.—The local share of the cost of a project under this section may include amounts made available to the recipient under—

''(A) section 504(b) of title 23; or

''(B) section 505 of title 23.

''(4) ADMINISTRATION.—The Secretary may use funds made available to carry out this section for administrative costs under this section.

''(f) DEFINITIONS.—In this section:

''(1) MICROMOBILITY.—The term 'micromobility' has the meaning given such term in section 217 of title 23.

''(2) MOBILITY ON DEMAND.—The term 'mobility on demand' has the meaning given such term in section 5316 of this title.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''5510. Multimodal transportation demonstration program.''.

SEC. 5311. HEAVY FREIGHT AUTOMATED TRUCKING RESEARCH CORRIDOR.

(a) IN GENERAL.—Subchapter I of chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''§ 5511. Heavy freight automated trucking research corridor

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the INVEST in America Act, the Secretary of Transportation shall establish a heavy freight automated trucking research initiative to explore the potential benefits and risks of the broad scale adoption of heavy freight automated commercial motor vehicles.

''(b) RESPONSIBILITIES.—In carrying out the initiative established under subsection (a), the Secretary shall—

''(1) support and conduct research and development on automated and connected freight trucking with private industry, driver associations, other Federal agencies, State and local transportation agencies, and institutions of higher education; and

''(2) support or establish a heavy freight automated trucking testing and demonstration corridor and related programs.

''(c) RESEARCH AND DEVELOPMENT AGENDA.—The Secretary shall establish an agenda for research and development conducted under subsection (b)(1) and the programs described in subsection (b)(2) that may include—

''(1) analyzing, modeling, and piloting the feasibility, benefits, and risks of dedicated automated trucking corridors, including any impact on—

''(A) long distance freight movement;

''(B) supply chains;

''(C) fuel economy and emissions;

''(D) transportation infrastructure;

''(E) vehicle miles traveled;

''(F) small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632);

''(G) the trucking industry workforce, such as any impact on pay, benefits, and working conditions in both long-haul trucking and any related driving jobs;

''(H) safety, including interactions with non-automated motor vehicles and other road users; and

''(I) surrounding communities; and

''(2) providing deployment guidance, including for—

''(A) cyber-physical security; and

''(B) human factors, such as—

''(i) human-machine interfaces;

''(ii) psychological impacts;

''(iii) driver training; and

''(iv) strategies to address any impacts on the workforce, such as impacts on driver retention, wages, benefits, and working conditions within the trucking industry.

''(d) OUTREACH AND CONSULTATION.—In developing the research agenda under subsection (b), the Secretary shall conduct outreach to, and solicit input from, public, private, and academic stakeholders, including individual workers and labor organizations (as such terms are defined in section 2 of the National Labor Relations Act (29 U.S.C. 152)).

''(e) ELIGIBILITY.—An institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) or a consortium composed of nonprofit research organizations and institutions of higher education shall be eligible to receive grants under this section.

''(f) AUTHORIZATION.—The Secretary may award grants to eligible entities described in subsection (e) to carry out this section.

''(g) SELECTION CRITERIA.—In awarding a grant under this section, the Secretary shall—

''(1) give preference to the recipient's past and current collaboration with local and State transportation agencies, other Federal agencies, private industry, and driver associations in activities related to this section;

''(2) give preference to a recipient whose geographic location offers access to long-haul trucking corridors;

''(3) consider the extent to which an applicant's proposal would involve participation by local, regional, and national stakeholders; and

''(4) consider the local, regional, and national impacts of the applicant's proposal.

''(h) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—As a condition of receiving a grant under this section, a grant recipient shall match 50 percent of the costs of establishing and operating the test corridor and related activities carried out by the grant recipient.

''(2) SOURCES.—The matching amounts referred to in paragraph (1) may include amounts made available to the recipient under—

''(A) section 504(b) of title 23; or

''(B) section 505 of title 23.

''(i) TRANSPARENCY.—The results of testing and research funded under this section shall be made available on a publicly accessible website of the Department of Transportation.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $6,000,000 for each of the fiscal years 2023 through 2026 for activities carried out under this section.

''(k) HEAVY FREIGHT AUTOMATED COMMERCIAL MOTOR VEHICLE DEFINED.—In this section, the term 'heavy freight automated commercial motor vehicle' means a property-carrying commercial motor vehicle (as such term is defined in section 31101) that—

''(1) has a gross vehicle weight rating or gross vehicle weight of at least 26,001 pounds, whichever is greater; and

''(2) is designed to be operated exclusively by a Level 4 automated driving system for trips within the vehicle's operational design domain or a Level 5 automated driving system for all trips according to the recommended standards published in April 2021, by the Society of Automotive Engineers International (J3016_202104) or, when adopted, equivalent standards established by the Secretary with respect to automated motor vehicles.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''5511. Heavy freight automated trucking research corridor.''.

Subtitle D—Surface Transportation Funding Pilot Programs

SEC. 5401. STATE SURFACE TRANSPORTATION SYSTEM FUNDING PILOT.

Section 6020 of the FAST Act (23 U.S.C. 503 note) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) ELIGIBILITY.—

''(1) APPLICATION.—To be eligible for a grant under this section, a State or group of States shall submit to the Secretary an application in such form and containing such information as the Secretary may require.

''(2) ELIGIBLE PROJECTS.—The Secretary may provide grants to States or a group of States under this section for the following projects:

''(A) STATE PILOT PROJECTS.—

''(i) IN GENERAL.—A pilot project to demonstrate a user-based alternative revenue mechanism in a State.

''(ii) LIMITATION.—If an applicant has previously been awarded a grant under this section, such applicant's proposed pilot project must be comprised of core activities or iterations not substantially similar in manner or scope to activities previously carried out by the applicant with a grant for a project under this section.

''(B) STATE IMPLEMENTATION PROJECTS.—A project—

''(i) to implement a user-based alternative revenue mechanism that collects revenue to be expended on projects for the surface transportation system of the State; or

''(ii) that demonstrates progress towards implementation of a user-based alternative revenue mechanism, with consideration for previous grants awarded to the applicant under this section.'';

(2) in subsection (c)—

(A) in paragraph (1) by striking ''2 or more future''; and

(B) by adding at the end the following:

''(6) To test solutions to ensure the privacy and security of data collected for the purpose of implementing a user-based alternative revenue mechanism.'';

(3) in subsection (d) by striking ''to test the design, acceptance, and implementation of a user-based alternative revenue mechanism'' and inserting ''to test the design and acceptance of, or implement, a user-based alternative revenue mechanism'';

(4) in subsection (g) by striking ''50 percent'' and inserting ''80 percent'';

(5) in subsection (i) by inserting ''and containing a determination of the characteristics of the most successful mechanisms with the highest potential for future widespread deployment'' before the period at the end; and

(6) by striking subsection (j) and inserting the following:

''(j) FUNDING.—Of amounts made available to carry out this section—

''(1) for fiscal year 2023, $17,500,000 shall be used to carry out projects under subsection (b)(2)(A) and $17,500,000 shall be used to carry out projects under subsection (b)(2)(B);

''(2) for fiscal year 2024, $15,000,000 shall be used to carry out projects under subsection (b)(2)(A) and $20,000,000 shall be used to carry out projects under subsection (b)(2)(B);

''(3) for fiscal year 2025, $12,500,000 shall be used to carry out projects under subsection (b)(2)(A) and $22,500,000 shall be used to carry out projects under subsection (b)(2)(B); and

''(4) for fiscal year 2026, $10,000,000 shall be used to carry out projects under subsection (b)(2)(A) and $25,000,000 shall be used to carry out projects under subsection (b)(2)(B).''.

Subtitle E—Miscellaneous

SEC. 5501. ERGONOMIC SEATING WORKING GROUP.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall convene a working group to examine the seating standards for commercial drivers.

(2) MEMBERS.—At a minimum, the working group shall include—

(A) seat manufacturers;

(B) commercial vehicle manufacturers;

(C) transit vehicle manufacturers;

(D) labor representatives for the trucking industry;

(E) representatives from organizations engaged in collective bargaining on behalf of transit workers in not fewer than three States; and

(F) musculoskeletal health experts.

(b) OBJECTIVES.—The Secretary shall pursue the following objectives through the working group:

(1) To identify health issues, including musculoskeletal health issues, that afflict commercial drivers due to sitting for long periods of time while on duty.

(2) To identify the impact that commercial vehicle sizing, design, and safety measures have on women in comparison to men, and to identify designs that may improve the health and safety of women drivers.

(3) To identify research topics for further development and best practices to improve seating.

(4) To determine ways to incorporate improved seating into manufacturing standards for public transit vehicles and commercial vehicles.

(c) REPORT.—

(1) SUBMISSION.—Not later than 18 months after the date of enactment of this Act, the working group shall submit to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the working group under this section and any recommendations for the adoption of better ergonomic seating for commercial drivers.

(2) PUBLICATION.—Upon receipt of the report in paragraph (1), the Secretary shall publish the report on a publicly accessible website of the Department.

(d) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Advisory Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 5502. REPEAL OF SECTION 6314 OF TITLE 49, UNITED STATES CODE.

(a) IN GENERAL.—Section 6314 of title 49, United States Code, is repealed.

(b) CONFORMING AMENDMENTS.—

(1) TITLE ANALYSIS.—The analysis for chapter 63 of title 49, United States Code, is amended by striking the item relating to section 6314.

(2) SECTION 6307.—Section 6307(b) of title 49, United States Code, is amended—

(A) in paragraph (1)—

(i) in subparagraph (A) by striking ''or section 6314(b)'';

(ii) in subparagraph (B) by striking ''or section 6314(b)''; and

(iii) in subparagraph (C) by striking ''or section 6314(b)''; and

(B) in paragraph (2)(A) by striking ''or section 6314(b)''.

SEC. 5503. TRANSPORTATION WORKFORCE OUTREACH PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''§ 5512. Transportation workforce outreach program

''(a) IN GENERAL.—The Secretary shall establish and administer a transportation workforce outreach program that carries out a series of public service announcement campaigns during fiscal years 2023 through 2026.

''(b) PURPOSE.—The purpose of each campaign carried out under the program shall be to achieve the following objectives:

''(1) Increase awareness of career opportunities in the transportation sector, including aviation pilots, safety inspectors, mechanics and technicians, maritime transportation workers, air traffic controllers, flight attendants, truck drivers, engineers, transit workers, railroad workers, and other transportation professionals.

''(2) Increase diversity, including race, gender, ethnicity, and socioeconomic status, of professionals in the transportation sector.

''(c) ADVERTISING.—The Secretary may use, or authorize the use of, funds available to carry out the program for the development, production, and use of broadcast, digital, and print media advertising and outreach in carrying out campaigns under this section.

''(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $5,000,000 for each fiscal years 2023 through 2026.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

''5512. Transportation workforce outreach program.''.

SEC. 5504. ADVISORY COUNCIL ON TRANSPORTATION STATISTICS.

Section 6305 of title 49, United States Code, is amended—

(1) in subsection (a), by striking ''The Director'' and all that follows to the period and inserting ''Notwithstanding section 418 of the FAA Reauthorization Act of 2018 (Public Law 115–254), not later than 6 months after the date of enactment of the INVEST in America Act, the Director shall establish and consult with an advisory council on transportation statistics.''; and

(2) by striking subsection (d)(3).

SEC. 5505. GAO REVIEW OF DISCRETIONARY GRANT PROGRAMS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate a review of the extent to which the Secretary is considering the needs of and awarding funding through covered discretionary grant programs to projects that serve—

(1) low-income communities;

(2) minority communities; and

(3) populations that are underserved or have limited transportation choices.

(b) RECOMMENDATIONS.—The Comptroller General shall include as part of the review under subsection (a) recommendations to the Secretary on possible means to improve consideration of projects that serve the unique needs of communities described in subsection (a)(1).

(c) DEFINITION OF COVERED DISCRETIONARY GRANT PROGRAM.—For purposes of this section, the term ''covered discretionary grant programs'' means the Projects of National and Regional Significance program under section 117 of title 23, the Community Transportation Investment Grant program under section 173 of such title, and the Community Climate Innovation Grant program under section 172 of such title.

TITLE VI—MULTIMODAL TRANSPORTATION

SEC. 6001. NATIONAL MULTIMODAL FREIGHT POLICY.

Section 70101(b) of title 49, United States Code, is amended—

(1) in paragraph (2) by inserting ''in rural and urban areas'' after ''freight transportation'';

(2) in paragraph (7)—

(A) in subparagraph (B) by striking ''; and'' and inserting a semicolon;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) travel within population centers; and'';

(3) in paragraph (9) by striking ''; and'' and inserting the following: ''including—

''(A) greenhouse gas emissions;

''(B) local air pollution;

''(C) minimizing, capturing, or treating stormwater runoff or other adverse impacts to water quality; and

''(D) wildlife habitat loss;'';

(4) by redesignating paragraph (10) as paragraph (11); and

(5) by inserting after paragraph (9) the following:

''(10) to decrease any adverse impact of freight transportation on communities located near freight facilities or freight corridors; and''.

SEC. 6002. NATIONAL FREIGHT STRATEGIC PLAN.

Section 70102(c) of title 49, United States Code, is amended by striking ''shall'' and all that follows through the end and inserting the following: ''shall—

''(1) update the plan and publish the updated plan on the public website of the Department of Transportation; and

''(2) include in the update described in paragraph (1)—

''(A) each item described in subsection (b); and

''(B) best practices to reduce the adverse environmental impacts of freight-related—

''(i) greenhouse gas emissions;

''(ii) local air pollution;

''(iii) stormwater runoff or other adverse impacts to water quality; and

''(iv) wildlife habitat loss.''.

SEC. 6003. NATIONAL MULTIMODAL FREIGHT NETWORK.

Section 70103 of title 49, United States Code, is amended—

(1) in subsection (b)(2)(C) by striking ''of the United States that have'' and inserting the following: ''of the United States that—

''(i) have a total annual value of cargo of at least $1,000,000,000, as identified by United States Customs and Border Protection and reported by the Bureau of the Census; or

''(ii) have''; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively (and adjust the margins accordingly); and

(ii) by striking ''Not later than 1 year after the date of enactment of this section,'' and inserting the following:

''(A) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of the INVEST in America Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing a plan to designate a final National Multimodal Freight Network, including a detailed summary of the resources within the Office of the Secretary that will be dedicated to carrying out such plan.

''(B) DESIGNATION OF NATIONAL MULTIMODAL FREIGHT NETWORK.—Not later than 60 days after the submission of the report described in subparagraph (A),'';

(B) in paragraph (3)(C)—

(i) by inserting ''and metropolitan planning organizations'' after ''States''; and

(ii) by striking ''paragraph (4)'' and inserting ''paragraphs (4) and (5)'';

(C) in paragraph (4)—

(i) in the header by inserting ''AND METROPOLITAN PLANNING ORGANIZATION'' after ''STATE'';

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by striking subparagraph (C) and inserting the following:

''(C) CRITICAL URBAN FREIGHT FACILITIES AND CORRIDORS.—

''(i) AREA WITH A POPULATION OF OVER 500,000.—In an urbanized area with a population of 500,000 or more individuals, the representative metropolitan planning organization, in consultation with the State, may designate a freight facility or corridor within the borders of the State as a critical urban freight facility or corridor.

''(ii) AREA WITH A POPULATION OF LESS THAN 500,000.—In an urbanized area with a population of less than 500,000 individuals, the State, in consultation with the representative metropolitan planning organization, may designate a freight facility or corridor within the borders of the State as a critical urban freight corridor.

''(iii) DESIGNATION.—A designation may be made under subparagraph (i) or (ii) if the facility or corridor is in an urbanized area, regardless of population, and such facility or corridor—

''(I) provides access to the primary highway freight system, the Interstate system, or an intermodal freight facility;

''(II) is located within a corridor of a route on the primary highway freight system and provides an alternative option important to goods movement;

''(III) serves a major freight generator, logistics center, or manufacturing and warehouse industrial land;

''(IV) connects to an international port of entry;

''(V) provides access to a significant air, rail, water, or other freight facility in the State; or

''(VI) is important to the movement of freight within the region, as determined by the metropolitan planning organization or the State.

''(D) LIMITATION.—A State may propose additional designations to the National Multimodal Freight Network in the State in an amount that is—

''(i) for a highway project, not more than 20 percent of the total mileage designated by the Under Secretary in the State; and

''(ii) for a non-highway project, using a limitation determined by the Under Secretary.''; and

(D) by adding at the end the following:

''(5) REQUIRED NETWORK COMPONENTS.—In designating or redesignating the National Multimodal Freight Network, the Under Secretary shall ensure that the National Multimodal Freight Network includes the components described in subsection (b)(2).''.

SEC. 6004. STATE FREIGHT ADVISORY COMMITTEES.

Section 70201(a) of title 49, United States Code, is amended by striking ''and local governments'' and inserting ''local governments, metropolitan planning organizations, and the departments with responsibility for environmental protection and air quality of the State''.

SEC. 6005. STATE FREIGHT PLANS.

Section 70202(b) of title 49, United States Code, is amended—

(1) in paragraph (3)(A) by inserting ''and urban'' after ''rural'';

(2) in paragraph (9) by striking ''; and'' and inserting a semicolon;

(3) by redesignating paragraph (10) as paragraph (12); and

(4) by inserting after paragraph (9) the following:

''(10) strategies and goals to decrease freight-related—

''(A) greenhouse gas emissions;

''(B) local air pollution;

''(C) stormwater runoff or other adverse impacts to water quality; and

''(D) wildlife habitat loss;

''(11) strategies and goals to decrease any adverse impact of freight transportation on communities located near freight facilities or freight corridors; and''.

SEC. 6006. STUDY OF FREIGHT TRANSPORTATION FEE.

(a) STUDY.—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of the Treasury and the Commissioner of the Internal Revenue Service, shall establish a joint task force to study the establishment and administration of a fee on multimodal freight surface transportation services.

(b) CONTENTS.—The study required under subsection (a) shall include the following:

(1) An estimation of the revenue that a fee of up to 1 percent on freight transportation services would raise.

(2) An identification of the entities that would be subject to such a fee paid by the owners or suppliers of cargo.

(3) An analysis of the administrative capacity of Federal agencies and freight industry participants to collect such a fee and ensure compliance with fee requirements.

(4) Policy options to prevent avoidance of such a fee, including diversion of freight services to foreign countries.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure and the Committee on Ways and Means of the House of Representatives and the Committee on Environment and Public Works and the Committee on Finance of the Senate the study required under subsection (a).

SEC. 6007. NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU.

Section 116 of title 49, United States Code, is amended—

(1) in subsection (b) by striking paragraph (1) and inserting the following:

''(1) to provide assistance and communicate best practices and financing and funding opportunities to eligible entities for the programs referred to in subsection (d)(1), including by—

''(A) conducting proactive outreach to communities located outside of metropolitan or micropolitan statistical areas (as such areas are defined by the Office of Management and Budget) using data from the most recent decennial Census; and

''(B) coordinating with the Office of Rural Development of the Department of Agriculture, the Office of Community Revitalization of the Environmental Protection Agency, and any other agencies that provide technical assistance for rural communities, as determined by the Executive Director;'';

(2) by redesignating subsection (j) as subsection (k); and

(3) by inserting after subsection (i) the following:

''(j) ANNUAL PROGRESS REPORT.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Executive Director shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report detailing—

''(1) the use of funds authorized under section 605(f) of title 23; and

''(2) the progress of the Bureau in carrying out the purposes described in subsection (b).''.

SEC. 6008. TRANSPORTATION EQUITY ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of Transportation shall establish an advisory committee, to be known as the Transportation Equity Committee (referred to in this section as the ''Committee''), regarding comprehensive and interdisciplinary issues related to transportation equity from a variety of stakeholders in transportation planning, design, research, policy, and advocacy.

(2) PURPOSE OF THE ADVISORY COMMITTEE.—The Committee established under paragraph (1) shall provide independent advice and recommendations to the Secretary on transportation equity, including developing a strategic plan with recommendations to the Secretary on national transportation metrics and the effect on such factors as economic development, connectivity, and public engagement.

(b) DUTIES.—The Committee shall evaluate the work of the Department of Transportation in connecting people to economic and related forms of opportunity and revitalize communities in carrying out its strategic, research, technological, regulatory, community engagement, and economic policy activities related to transportation and opportunity. Decisions directly affecting implementation of transportation policy remain with the Secretary.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Secretary shall appoint an odd number of members of not less than 9 but not more than 15 members (with a quorum consisting of a majority of members rounded up to the nearest odd number), to include balanced representation from academia, community groups, industry and business, non-governmental organizations, State and local governments, federally recognized Tribal Governments, advocacy organizations, and indigenous groups with varying points of view.

(2) BROAD REPRESENTATION.—To the extent practicable, members of the Committee shall reflect a variety of backgrounds and experiences, geographic diversity, including urban, rural, tribal, territories, and underserved and marginalized communities throughout the country, and individuals with expertise in related areas such as housing, health care, and the environment.

(3) REPLACEMENT FOR NON-ACTIVE MEMBERS .—The Secretary may remove a non-active member who misses 3 consecutive meetings and appoint a replacement to service for the period of time set forth in paragraph (5).

(4) MEETINGS.—The Committee shall meet not less than 2 times each year with not more than 9 months between meetings at a reasonable time, in a place accessible to the public, and in a room large enough to accommodate the Committee members, staff, and reasonable number of interested members of the public. The room in which the Committee meets shall be large enough to accommodate at least 100 and shall be compliant with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(5) TERM.—Each member of the Committee shall serve a 2-year term with not more than 2 consecutive term reappointments, but may continue service until a replacement is appointed.

(6) SUPPORT.—The Office of the Under Secretary for Policy of the Department of the Department of Transportation shall provide necessary funding, logistics, and administrative support for the Committee.

(d) APPLICATION OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee established under this section, with the exception of section 14 of such Act.

SEC. 6009. SENSE OF CONGRESS.

It is the sense of the Congress that walking, bicycling, and public transportation are complementary modes of transportation, and that pedestrian and bicycle pathways and related improvements within the right-of-way of public transportation are an appropriate use of the right-of-way for the benefit of the public, do not exceed the reasonable use of the right-of-way, and every effort should be made to support the development and safe operation of such pedestrian and bicycle pathways.

TITLE VII—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT

SEC. 7001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT.

(a) CREDITWORTHINESS.—Section 602(a)(2) of title 23, United States Code, is amended—

(1) in subparagraph (A)(iv)—

(A) by striking ''a rating'' and inserting ''an investment grade rating''; and

(B) by striking ''$75,000,000'' and inserting ''$150,000,000''; and

(2) in subparagraph (B)—

(A) by striking ''the senior debt'' and inserting ''senior debt''; and

(B) by striking ''credit instrument is for an amount less than $75,000,000'' and inserting ''total amount of other senior debt and the Federal credit instrument is less than $150,000,000''.

(b) BUY AMERICA APPLICATION.—Section 602(c)(1) of title 23, United States Code, is amended by striking ''of title 49'' inserting ''and section 22905(a) of title 49, subject to the requirements of section 5320(o) of title 49,''.

(c) NON-FEDERAL SHARE.—Section 603(b) of title 23, United States Code, is amended by striking paragraph (8) and inserting the following:

''(8) NON-FEDERAL SHARE.—Notwithstanding paragraph (9) and section 117(j)(2), the proceeds of a secured loan under the TIFIA program shall be considered to be part of the non-Federal share of project costs required under this title or chapter 53 of title 49, if the loan is repayable from non-Federal funds.''.

(d) EXEMPTION OF FUNDS FROM TIFIA FEDERAL SHARE REQUIREMENT.—Section 603(b)(9) of title 23, United States Code, is amended by adding at the end the following:

''(C) TERRITORIES.—Funds provided for a territory under section 165(c) shall not be considered Federal assistance for purposes of subparagraph (A).''.

(e) STREAMLINED APPLICATION PROCESS.—Section 603(f) of title 23, United States Code, is amended by adding at the end the following:

''(3) ADDITIONAL TERMS FOR EXPEDITED DECISIONS.—

''(A) IN GENERAL.—Not later than 120 days after the date of enactment of this paragraph, the Secretary shall implement an expedited decision timeline for public agency borrowers seeking secured loans that meet—

''(i) the terms under paragraph (2); and

''(ii) the additional criteria described in subparagraph (B).

''(B) ADDITIONAL CRITERIA.—The additional criteria referred to in subparagraph (A)(ii) are the following:

''(i) The secured loan is made on terms and conditions that substantially conform to the conventional terms and conditions established by the National Surface Transportation Innovative Finance Bureau.

''(ii) The secured loan is rated in the A category or higher.

''(iii) The TIFIA program share of eligible project costs is 33 percent or less.

''(iv) The applicant demonstrates a reasonable expectation that the contracting process for the project can commence by not later than 90 days after the date on which a Federal credit instrument is obligated for the project under the TIFIA program.

''(v) The project has received a categorical exclusion, a finding of no significant impact, or a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(C) WRITTEN NOTICE.—The Secretary shall provide to an applicant seeking a secured loan under the expedited decision process under this paragraph a written notice informing the applicant whether the Secretary has approved or disapproved the application by not later than 180 days after the date on which the Secretary submits to the applicant a letter indicating that the National Surface Transportation Innovative Finance Bureau has commenced the creditworthiness review of the project.''.

(f) ASSISTANCE TO SMALL PROJECTS.—Section 605(f)(1) of title 23, United States Code, is amended by striking ''$2,000,000'' and inserting ''$3,000,000''.

(g) ADMINISTRATIVE FUNDS.—Section 608(a)(5) of title 23, United States Code, is amended by striking ''$6,875,000'' and all that follows through the period and inserting ''2.5 percent for the administration of the TIFIA program.''.

(h) APPLICATION PROCESS REPORT.—Section 609(b)(2)(A) of title 23, United States Code, is amended—

(1) in clause (iv) by striking ''and'';

(2) in clause (v) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(vi) whether the project is located in a metropolitan statistical area, micropolitan statistical area, or neither (as such areas are defined by the Office of Management and Budget).''.

(i) STATUS REPORTS.—Section 609 of title 23, United States Code, is amended by adding at the end the following:

''(c) STATUS REPORTS.—

''(1) IN GENERAL.—The Secretary shall publish on the website for the TIFIA program—

''(A) on a monthly basis, a current status report on all submitted letters of interest and applications received for assistance under the TIFIA program; and

''(B) on a quarterly basis, a current status report on all approved applications for assistance under the TIFIA program.

''(2) INCLUSIONS.—Each monthly and quarterly status report under paragraph (1) shall include, at a minimum, with respect to each project included in the status report—

''(A) the name of the party submitting the letter of interest or application;

''(B) the name of the project;

''(C) the date on which the letter of interest or application was received;

''(D) the estimated project eligible costs;

''(E) the type of credit assistance sought; and

''(F) the anticipated fiscal year and quarter for closing of the credit assistance.''.

DIVISION C—HAZARDOUS MATERIALS TRANSPORTATION

SEC. 8001. SHORT TITLE.

This division may be cited as the ''Improving Hazardous Materials Safety Act of 2021''.

TITLE I—AUTHORIZATIONS

SEC. 8101. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 of title 49, United States Code, is amended—

(1) in subsection (a) by striking paragraphs (1) through (5) and inserting the following:

''(1) $75,000,000 for fiscal year 2022;

''(2) $70,000,000 for fiscal year 2023;

''(3) $71,000,000 for fiscal year 2024;

''(4) $73,000,000 for fiscal year 2025; and

''(5) $74,000,000 for fiscal year 2026.'';

(2) in subsection (b)—

(A) by striking ''fiscal years 2016 through 2020'' and inserting ''fiscal years 2022 through 2026'';

(B) in paragraph (1) by striking ''$21,988,000'' and inserting ''$24,025,000''; and

(C) in paragraph (4) by striking ''$1,000,000'' and inserting ''$2,000,000'';

(3) in subsection (c) by striking ''$4,000,000 for each of fiscal years 2016 through 2020'' and inserting ''$5,000,000 for each of fiscal years 2022 through 2026'';

(4) in subsection (d) by striking ''$1,000,000 for each of fiscal years 2016 through 2020'' and inserting ''$4,000,000 for each of fiscal years 2022 through 2026'';

(5) by redesignating subsection (e) as subsection (f); and

(6) by inserting after subsection (d) the following:

''(e) ASSISTANCE WITH LOCAL EMERGENCY RESPONDER TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(h), the Secretary may expend $1,800,000 for each of fiscal years 2022 through 2026 to carry out the grant program under section 5107(j).''.

TITLE II—HAZARDOUS MATERIALS SAFETY AND IMPROVEMENT

SEC. 8201. REPEAL OF CERTAIN REQUIREMENTS RELATED TO LITHIUM CELLS AND BATTERIES.

(a) REPEAL.—Section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), and the item relating to such section in the table of contents in section 1(b) of such Act, are repealed.

(b) CONFORMING AMENDMENTS.—Section 333 of the FAA Reauthorization Act of 2018 (49 U.S.C. 44701 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''(A) IN GENERAL.—'' and all that follows through ''the Secretary'' and inserting ''The Secretary''; and

(ii) by striking subparagraph (B); and

(B) in paragraph (2) by striking ''Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), the Secretary'' and inserting ''The Secretary'';

(2) by striking paragraph (4) of subsection (b); and

(3) by striking paragraph (1) of subsection (h) and inserting the following:

''(1) ICAO TECHNICAL INSTRUCTIONS.—The term 'ICAO Technical Instructions' means the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air.''.

(c) LITHIUM BATTERY SAFETY EVALUATION AND REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration, in coordination with the Administrator of the Federal Aviation Administration, shall evaluate outstanding recommendations of the National Transportation Safety Board regarding transportation of lithium batteries by air.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on the evaluation described in paragraph (1).

SEC. 8202. TRANSPORTATION OF LIQUEFIED NATURAL GAS BY RAIL TANK CAR.

(a) STAY OF AUTHORIZATION FOR TRANSPORTATION OF LIQUEFIED NATURAL GAS BY TANK CAR.—

(1) IN GENERAL.—Any regulation authorizing the transportation of liquefied natural gas by rail tank car issued before the date of enactment of this Act shall have no force or effect until—

(A) the Secretary of Transportation conducts the evaluation, testing, and analysis required in subsections (b), (c), and (d);

(B) the Secretary issues the report required by subsection (e);

(C) the Comptroller General of the United States completes the evaluation and report required under subsection (g); and

(D) the Secretary issues a final rule updating the regulation described in this paragraph that incorporates the additional data, research, and analysis required under this section.

(2) PERMIT OR APPROVAL.—The Secretary shall rescind any special permit or approval for the transportation of liquefied natural gas by rail tank car issued before the date of enactment of this Act.

(b) EVALUATION.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Pipeline and Hazardous Materials Safety Administration, in coordination with the Administrator of the Federal Railroad Administration, shall initiate an evaluation of the safety, security, and environmental risks of transporting liquefied natural gas by rail.

(c) TESTING.—In conducting the evaluation under subsection (a), the Administrator of the Pipeline and Hazardous Materials Safety Administration shall—

(1) perform physical testing of rail tank cars, including, at a minimum, the DOT–113C120–W9 specification, to evaluate the performance of such rail tank cars in the event of an accident or derailment, including evaluation of the extent to which design and construction features such as steel thickness and valve protections prevent or mitigate the release of liquefied natural gas;

(2) analyze multiple release scenarios, including derailments, front-end collisions, rear-end collisions, side-impact collisions, grade-crossing collisions, punctures, and impact of an incendiary device, at a minimum of three speeds of travel with a sufficient range of speeds to evaluate the safety, security, and environmental risks posed under real-world operating conditions; and

(3) examine the effects of exposure to climate conditions across rail networks, including temperature, humidity, and any other factors that the Administrator of the Federal Railroad Administration determines could influence performance of rail tank cars and components of such rail tank cars.

(d) OTHER FACTORS TO CONSIDER.—In conducting the evaluation under subsection (b), the Administrator of the Pipeline and Hazardous Materials Safety shall evaluate the impact of a discharge of liquefied natural gas from a rail tank car on public safety and the environment, and consider—

(1) the safety benefits of route restrictions, speed restrictions, enhanced brake requirements, personnel requirements, rail tank car technological requirements, and other operating controls;

(2) the inclusion of consist restrictions, including limitations on the arrangement and quantity of rail tank cars carrying liquefied natural gas in any given consist;

(3) the identification of potential impact areas, and the number of homes and structures potentially endangered by a discharge in rural, suburban, and urban environments;

(4) the impact of discharge on the environment, including air quality impacts;

(5) the benefits of advanced notification to the Department of Transportation, State Emergency Response Commissions, and Tribal Emergency Response Commissions of routes for moving liquefied natural gas by rail tank car;

(6) how first responders respond to an incident, including the extent to which specialized equipment or training would be required and the cost to communities for acquiring any necessary equipment or training;

(7) whether thermal radiation could occur from a discharge;

(8) an evaluation of the rail tank car authorized by the Secretary of Transportation for liquefied natural gas or similar cryogenic liquids, and a determination of whether specific safety enhancements or new standards are necessary to ensure the safety of rail transport of liquefied natural gas; and

(9) the risks posed by the transportation of liquefied natural gas by International Organization for Standardization containers authorized by the Federal Railroad Administration.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make available to the public—

(1) a report based on the evaluation and testing conducted under subsections (b) and (c), which shall include the results of the evaluation and testing and recommendations for mitigating or eliminating the safety, security, environmental, and other risks of an accident or incident involving the transportation of liquefied natural gas by rail; and

(2) a complete list of all research related to the transportation of liquefied natural gas by rail conducted by the Federal Railroad Administration, the Pipeline and Hazardous Materials Safety Administration, or any other entity of the Federal Government since 2010 that includes, for each research item—

(A) the title of any reports or studies produced with respect to the research;

(B) the agency, entity, or organization performing the research;

(C) the names of all authors and co-authors of any report or study produced with respect to the research; and

(D) the date any related report was published or is expected to publish.

(f) DATA COLLECTION.—The Administrator of the Federal Railroad Administration and the Administrator of the Pipeline and Hazardous Materials Safety Administration shall collect any relevant data or records necessary to complete the evaluation required by subsection (b).

(g) GAO REPORT.—After the evaluation required by subsection (b) has been completed, the Comptroller General shall conduct an independent evaluation to verify that the Federal Railroad Administration and the Pipeline and Hazardous Materials Safety Administration complied with the requirements of this Act, and transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of such independent evaluation.

(h) FUNDING.—From the amounts made available for fiscal year 2022 under section 5128(a) of title 49, United States Code, the Secretary shall expend not less than $4,000,000 and not more than $6,000,000 to carry out the evaluation under subsection (a).

SEC. 8203. HAZARDOUS MATERIALS TRAINING REQUIREMENTS AND GRANTS.

Section 5107 of title 49, United States Code, is amended by adding at the end the following:

''(j) ASSISTANCE WITH LOCAL EMERGENCY RESPONDER TRAINING.—The Secretary shall establish a program to make grants, on a competitive basis, to nonprofit organizations to develop hazardous materials response training for emergency responders and make such training available electronically or in person.''.

SEC. 8204. LITHIUM BATTERY APPROVAL.

(a) IN GENERAL.—Chapter 51 of title 49, United States Code, is amended by adding at the end the following:

''§ 5129. Lithium battery approval

''(a) APPROVAL TO TRANSPORT CERTAIN BATTERIES IN COMMERCE.—A person may not transport in commerce a specified lithium battery that is determined by the Secretary to be a high safety or security risk unless—

''(1) the manufacturer of such battery receives an approval from the Secretary; and

''(2) the manufacture of such battery meets the requirements of this section and the regulations issued under subsection (d).

''(b) TERM OF APPROVAL.—An approval granted to a manufacturer under this section shall not exceed 5 years.

''(c) APPROVAL PROCESS.—To receive an approval for a specified lithium battery under this section, a manufacturer shall—

''(1) allow the Secretary, or an entity designated by the Secretary, to inspect the applicant's manufacturing process and procedures;

''(2) bear the cost of any inspection carried out under paragraph (1); and

''(3) develop and implement, with respect to the manufacture of such battery—

''(A) a comprehensive quality management program; and

''(B) appropriate product identification, marking, documentation, lifespan, and tracking measures.

''(d) REGULATIONS REQUIRED.—Not later than 2 years after the date of enactment of this section, the Secretary shall issue regulations to carry out this section. Such regulations shall include—

''(1) parameters for, and a process for receiving, an approval under this section; and

''(2) a determination of the types of specified lithium batteries that pose a high safety or security risk in transport, including battery or cell type, size, and energy storage capacity.

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

''(1) to affect any provision, limitation, or prohibition with respect to the transportation of a specified lithium battery in effect as of the date of enactment of this section; or

''(2) to authorize transportation of any such battery if such transportation is not already authorized as of the date of enactment of this section.

''(f) SPECIFIED LITHIUM BATTERY DEFINED.—In this section, the term 'specified lithium battery' means—

''(1) a lithium ion cell or battery; or

''(2) a lithium metal cell or battery.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 51 of title 49, United States Code, is amended by adding at the end the following:

''5129. Lithium battery approval.''.

DIVISION D—RAIL

SEC. 9001. SHORT TITLE.

This division may be cited as the ''Transforming Rail by Accelerating Investment Nationwide Act'' or the ''TRAIN Act''.

TITLE I—AUTHORIZATIONS

SEC. 9101. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF GRANTS TO AMTRAK.—

(1) NORTHEAST CORRIDOR.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for activities associated with the Northeast Corridor the following amounts:

(A) For fiscal year 2022, $2,500,000,000.

(B) For fiscal year 2023, $2,600,000,000.

(C) For fiscal year 2024, $2,700,000,000.

(D) For fiscal year 2025, $2,800,000,000.

(E) For fiscal year 2026, $2,900,000,000.

(2) NATIONAL NETWORK.—There are authorized to be appropriated to the Secretary for the use of Amtrak for activities associated with the National Network the following amounts:

(A) For fiscal year 2022, $3,500,000,000.

(B) For fiscal year 2023, $3,600,000,000.

(C) For fiscal year 2024, $3,700,000,000.

(D) For fiscal year 2025, $3,800,000,000.

(E) For fiscal year 2026, $3,900,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to one-half of one percent annually from the amounts made available under subsection (a) for oversight.

(c) AMTRAK COMMON BENEFIT COSTS FOR STATE-SUPPORTED ROUTES.— For fiscal year 2022, if funds are made available under subsection (a)(2) in excess of the amounts authorized for fiscal year 2020 under section 11101(b) of the FAST Act (Public Law 114–94), Amtrak shall use up to $250,000,000 of the excess funds to defray the share of operating costs of Amtrak's national assets (as such term is defined in section 24320(c)(5) of title 49, United States Code) and corporate services (as such term is defined pursuant to section 24317(b) of title 49, United States Code) that is allocated to the State-supported services. After the update of the cost methodology policy required under section 24712(a)(7)(B) of title 49, United States Code, is implemented, there are authorized to be appropriated to the Secretary for the use of Amtrak such sums as may be necessary for each of the fiscal years 2023 through 2026 for the implementation of the updated policy.

(d) STATE-SUPPORTED ROUTE COMMITTEE.—Of the funds made available under subsection (a)(2), the Secretary may make available up to $4,000,000 for each fiscal year for the State-Supported Route Committee established under section 24712 of title 49, United States Code.

(e) NORTHEAST CORRIDOR COMMISSION.—Of the funds made available under subsection (a)(1), the Secretary may make available up to $6,000,000 for each fiscal year for the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

(f) AUTHORIZATION OF APPROPRIATIONS FOR AMTRAK OFFICE OF INSPECTOR GENERAL.—There are authorized to be appropriated to the Office of Inspector General of Amtrak the following amounts:

(1) For fiscal year 2022, $26,500,000.

(2) For fiscal year 2023, $27,000,000.

(3) For fiscal year 2024, $27,500,000.

(4) For fiscal year 2025, $28,000,000.

(5) For fiscal year 2026, $28,500,000.

(g) PASSENGER RAIL IMPROVEMENT, MODERNIZATION, AND EXPANSION GRANTS.—

(1) There are authorized to be appropriated to the Secretary to carry out section 22906 of title 49, United States Code, the following amounts:

(A) For fiscal year 2022, $4,800,000,000.

(B) For fiscal year 2023, $4,900,000,000.

(C) For fiscal year 2024, $5,000,000,000.

(D) For fiscal year 2025, $5,100,000,000.

(E) For fiscal year 2026, $5,200,000,000.

(2) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent of the total amount appropriated under paragraph (1) for the costs of program management oversight, including providing technical assistance and project planning guidance, of grants carried out under section 22906 of title 49, United States Code.

(3) HIGH-SPEED RAIL CORRIDOR PLANNING.—The Secretary shall withhold at least 4 percent of funding in paragraph (1) for the purposes described in section 22906(a)(1)(B) of title 49, United States Code. Any funds withheld by this paragraph that remain unobligated at the end of the fiscal year following the fiscal year in which such funds are made available may be used for any eligible project under section 22906 of such title.

(h) CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out section 22907 of title 49, United States Code, the following amounts:

(A) For fiscal year 2022, $1,200,000,000.

(B) For fiscal year 2023, $1,300,000,000.

(C) For fiscal year 2024, $1,400,000,000.

(D) For fiscal year 2025, $1,500,000,000.

(E) For fiscal year 2026, $1,600,000,000.

(2) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 2 percent of the total amount appropriated under paragraph (1) for the costs of program management oversight, including providing technical assistance and project planning guidance, of grants carried out under section 22907 of title 49, United States Code.

(3) RAIL SAFETY PUBLIC AWARENESS.—Of the amounts made available under paragraph (1), the Secretary may make available up to $5,000,000 for each of fiscal years 2022 through 2026 to make grants under section 22907(o) of title 49, United States Code.

(4) RAILROAD TRESPASSING ENFORCEMENT.—Of the amounts made available under paragraph (1), the Secretary may make available up to $250,000 for each of fiscal years 2022 through 2026 to make grants under section 22907(p) of title 49, United States Code.

(5) RAILROAD TRESPASSING SUICIDE PREVENTION.—Of the amounts made available under paragraph (1), the Secretary may make available up to $1,000,000 for each of fiscal years 2022 through 2026 to make grants under section 22907(q) of title 49, United States Code.

(i) BRIDGES, STATIONS, AND TUNNELS GRANTS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out section 22909 of title 49, United States Code, the following amounts:

(A) For fiscal year 2022, $4,800,000,000.

(B) For fiscal year 2023, $4,900,000,000.

(C) For fiscal year 2024, $5,000,000,000.

(D) For fiscal year 2025, $5,100,000,000.

(E) For fiscal year 2026, $5,200,000,000.

(2) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to one half of 1 percent of the total amount appropriated under paragraph (1) for the costs of program management oversight, including providing technical assistance and project planning guidance, of grants carried out under section 22909 of title 49, United States Code.

(j) RAILROAD REHABILITATION AND IMPROVEMENT FINANCING.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary for payment of credit risk premiums in accordance with section 502(f)(1) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)(1)) the following amounts, to remain available until expended:

(A) For fiscal year 2022, $160,000,000.

(B) For fiscal year 2023, $170,000,000.

(C) For fiscal year 2024, $180,000,000.

(D) For fiscal year 2025, $190,000,000.

(E) For fiscal year 2026, $200,000,000.

(2) REFUND OF PREMIUM.—There are authorized to be appropriated to the Secretary $70,000,000 to repay the credit risk premium under section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822) for each loan in cohort 3, as defined by the memorandum to the Office of Management and Budget of the Department of Transportation dated November 5, 2018, with interest accrued thereon, not later than 60 days after the date on which all obligations attached to each such loan have been satisfied. For each such loan for which obligations have been satisfied as of the date of enactment of this Act, the Secretary shall repay the credit risk premium of each such loan, with interest accrued thereon, not later than 60 days after the date of the enactment of this Act.

(k) RESTORATION AND ENHANCEMENT GRANTS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out section 22908 of title 49, United States Code, $20,000,000 for each of fiscal years 2022 through 2026.

(2) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the total amounts appropriated under paragraph (1) for the costs of project management oversight of grants carried out under section 22908 of title 49, United States Code.

(l) GRADE CROSSING SEPARATION GRANTS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out section 22912 of title 49, United States Code, (as added by section 9551 of this Act) the following amounts:

(A) For fiscal year 2022, $450,000,000.

(B) For fiscal year 2023, $475,000,000.

(C) For fiscal year 2024, $500,000,000.

(D) For fiscal year 2025, $525,000,000.

(E) For fiscal year 2026, $550,000,000.

(2) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 2 percent from the total amounts appropriated under paragraph (1) for the costs of project management oversight, including providing technical assistance and project planning guidance, of grants carried out under section 22912 of title 49, United States Code.

(m) AUTHORIZATION OF APPROPRIATIONS TO THE FEDERAL RAILROAD ADMINISTRATION.—Section 20117 of title 49, United States Code, is amended to read as follows:

''§20117. Authorization of appropriations

''(a) SAFETY AND OPERATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Transportation

for the operations of the Federal Railroad Administration and to carry out railroad safety activities authorized or delegated to the Administrator—

''(A) $290,500,000 for fiscal year 2022;

''(B) $303,300,000 for fiscal year 2023;

''(C) $316,100,000 for fiscal year 2024;

''(D) $324,400,000 for fiscal year 2025; and

''(E) $332,900,000 for fiscal year 2026.

''(2) AUTOMATED TRACK INSPECTION PROGRAM AND DATA ANALYSIS.—From the funds made available under paragraph (1) for each of fiscal years 2022 through 2026, not more than $17,000,000 may be expended for the Automated Track Inspection Program and data analysis related to track inspection. Such funds shall remain available until expended.

''(3) STATE PARTICIPATION GRANTS.—Amounts made available under paragraph (1) for grants under section 20105(e) shall remain available until expended.

''(4) REGIONAL PLANNING GUIDANCE.—The Secretary may withhold up to $20,000,000 from the amounts made available for each fiscal year under paragraph (1) to facilitate and provide guidance for regional planning processes, including not more than $500,000 annually for each interstate rail compact.

''(5) RAILROAD SAFETY INSPECTORS.—

''(A) IN GENERAL.—The Secretary shall ensure that the number of full-time equivalent railroad safety inspection personnel employed by the Office of Railroad Safety of the Federal Railroad Administration does not fall below the following:

''(i) 379 for fiscal year 2022;

''(ii) 403 for fiscal year 2023;

''(iii) 422 for fiscal year 2024;

''(iv) 424 for fiscal year 2025; and

''(v) 426 for fiscal year 2026.

''(B) CONSIDERATION.—In meeting the minimum railroad safety inspector levels under subparagraph (A), the Secretary shall consider the ability of railroad safety inspectors to analyze railroad safety data.

''(C) FUNDING.—From the amounts made available to the Secretary under subsection (a)(1), the Secretary shall use the following amounts to carry out subparagraph (A):

''(i) $3,244,104 for fiscal year 2022.

''(ii) $6,488,208 for fiscal year 2023.

''(iii) $9,056,457 for fiscal year 2024.

''(iv) $9,326,799 for fiscal year 2025.

''(v) $9,597,141 for fiscal year 2026.

''(6) OTHER SAFETY PERSONNEL.—

''(A) INCREASE IN NUMBER OF SUPPORT EMPLOYEES.—The Secretary shall, for each of fiscal years 2022 and 2023, increase by 10 the total number of full-time equivalent employees working as specialists, engineers, or analysts in the field supporting inspectors compared to the number of such employees employed in the previous fiscal year.

''(B) FUNDING.—From the amounts made available to the Secretary under subsection (a)(1), the Secretary shall use the following amounts to carry out subparagraph (A):

''(i) $1,631,380 for fiscal year 2022.

''(ii) $3,262,760 for fiscal year 2023.

''(iii) $3,262,760 for fiscal year 2024.

''(iv) $3,262,760 for fiscal year 2025.

''(v) $3,262,760 for fiscal year 2026.

''(b) RAILROAD RESEARCH AND DEVELOPMENT.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation for necessary expenses for carrying out railroad research and development activities the following amounts which shall remain available until expended:

''(A) $67,000,000 for fiscal year 2022.

''(B) $69,000,000 for fiscal year 2023.

''(C) $71,000,000 for fiscal year 2024.

''(D) $73,000,000 for fiscal year 2025.

''(E) $75,000,000 for fiscal year 2026.

''(2) SHORT LINE SAFETY.—From funds made available under paragraph (1) for each of fiscal years 2022 through 2026, the Secretary may expend not more than $4,000,000—

''(A) for grants to improve safety practices and training for Class II and Class III freight, commuter, and intercity passenger railroads; and

''(B) to develop safety management systems for Class II and Class III freight, commuter, and intercity passenger railroads through the continued development of safety culture assessments, transportation emergency response plans, training and education, outreach activities, best practices for trespassing prevention and employee trauma response, and technical assistance.

''(3) UNIVERSITY RAIL CLIMATE INNOVATION INSTITUTE.—

''(A) IN GENERAL.—Of the amounts made available under paragraph (1), the Secretary may make available up to $20,000,000 for each of fiscal years 2022 through 2026 to establish the University Rail Climate Innovation Institute under section 22913.

''(B) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the total amounts appropriated under subparagraph (A) for the costs of project management oversight of the grant carried out under section 22913.

''(4) SUICIDE PREVENTION RESEARCH FUNDING.—From funds made available under paragraph (1) for each of fiscal years 2022 through 2026, the Secretary may make available not less than $1,000,000 for human factors research undertaken by the Federal Railroad Administration, including suicide countermeasure evaluation, data exploration and quality improvement, and other initiatives as appropriate.''.

(n) LIMITATION ON FINANCIAL ASSISTANCE FOR STATE-OWNED ENTERPRISES.—

(1) IN GENERAL.—Funds provided under this section and the amendments made by this section may not be used in awarding a contract, subcontract, grant, or loan to an entity that is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

(A) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of this Act;

(B) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; and

(C) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

(2) EXCEPTION.—For purposes of paragraph (1), the term ''otherwise related legally or financially'' does not include a minority relationship or investment.

(3) INTERNATIONAL AGREEMENTS.—This subsection shall be applied in a manner consistent with the obligations of the United States under international agreements.

(o) RAIL TRUST FUND.—

(1) IN GENERAL.—

(A) FUNDING.—Beginning on the date on which a rail trust fund is established, any amounts made available under subsections (a), (g), (h), (i), (j)(1), (k), and (l) shall be derived from such fund.

(B) RAIL TRUST FUND DEFINED.—In this subsection, the term ''rail trust fund'' means a trust fund established under the Internal Revenue Code of 1986 for making certain expenditures for the benefit of rail and for crediting certain taxes and penalties collected relating to rail.

(2) SENSE OF COMMITTEE ON NEED FOR RAIL TRUST FUND.—The following is the sense of the Committee on Transportation and Infrastructure of the House of Representatives:

(A) There is a discrepancy in historical Federal investment between highways, aviation, and intercity passenger rail. Between 1949 and 2017, the Federal Government invested more than $2 trillion in our nation's highways and over $777 billion in aviation. The Federal Government has invested $96 billion in intercity passenger rail, beginning in 1971 with the creation of the National Railroad Passenger Corporation. Intercity passenger rail Federal investment is only 12 percent of Federal aviation investment and less than 5 percent of Federal highway investment.

(B) Congress has recognized the value and importance of a predictable, dedicated funding source through a trust fund for all other modes of transportation including for aviation, highways, transit, and waterways. The Highway Trust Fund was created in 1956. The Airport and Aviation Trust Fund was created in 1970. The Inland Waterways Trust Fund was created in 1978. Mass transit was added to the Highway Trust Fund in 1983. The Harbor Maintenance Trust Fund was created in 1986. With regard to Federal transportation investment, only intercity passenger and freight rail do not have a predictable, dedicated funding source through a trust fund.

(C) The Federal Railroad Administration has identified more than $300 billion worth of investment needed to develop both high-speed and higher speed intercity passenger rail corridors around the United States. In addition, a Federal Railroad Administration report from 2014 found that shortline and regional railroads need $7 billion of investment. The Northeast Corridor has a $40 billion state of good repair backlog.

(D) A rail trust fund would provide a predictable, dedicated funding source to high-speed and intercity passenger rail projects and for the public benefits of shortline and regional railroad freight rail projects. A trust fund provides essential longer term funding certainty to allow the United States to develop quality intercity passenger rail service in corridors across the country, eliminate the state of good repair backlog on the Northeast Corridor, allow for accessible equipment and stations for passengers with disabilities, move more freight on rail, redevelop an American passenger rail car manufacturing base, create good paying, middle class jobs, and reduce our nation's transportation carbon emissions.

SEC. 9102. PASSENGER RAIL IMPROVEMENT, MODERNIZATION, AND EXPANSION GRANTS.

(a) IN GENERAL.—Section 22906 of title 49, United States Code, is amended to read as follows:

''§ 22906. Passenger rail improvement, modernization, and expansion grants

''(a) IN GENERAL.—

''(1) ESTABLISHMENT.—The Secretary of Transportation shall establish a program to make grants to eligible applicants for—

''(A) capital projects that—

''(i) provide high-speed rail or intercity rail passenger transportation;

''(ii) improve high-speed rail or intercity rail passenger performance, including congestion mitigation, reliability improvements, achievement of on-time performance standards established under section 207 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 24101 note), reduced trip times, increased train frequencies, higher operating speeds, electrification, and other improvements, as determined by the Secretary; and

''(iii) expand or establish high-speed rail or intercity rail passenger transportation and facilities; or

''(B) corridor planning activities for high-speed rail described in section 26101(b).

''(2) PURPOSES.—Grants under this section shall be for projects that improve mobility, operational performance, or growth of high-speed rail or intercity rail passenger transportation.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE APPLICANT.—The term 'eligible applicant' means—

''(A) a State;

''(B) a group of States;

''(C) an Interstate Compact;

''(D) a public agency or publicly chartered authority established by 1 or more States;

''(E) a political subdivision of a State;

''(F) Amtrak, acting on its own behalf or under a cooperative agreement with 1 or more States; or

''(G) an Indian Tribe.

''(2) CAPITAL PROJECT.—The term 'capital project' means—

''(A) a project or program for acquiring, constructing, or improving—

''(i) passenger rolling stock;

''(ii) infrastructure assets, including tunnels, bridges, stations, track and track structures, communication and signalization improvements; and

''(iii) a facility of use in or for the primary benefit of high-speed or intercity rail passenger transportation;

''(B) project planning, development, design, engineering, location surveying, mapping, environmental analysis or studies;

''(C) acquiring right-of-way or payments for rail trackage rights agreements;

''(D) making highway-rail grade crossing improvements related to high-speed rail or intercity rail passenger transportation service;

''(E) electrification;

''(F) mitigating environmental impacts; or

''(G) a project relating to other assets determined appropriate by the Secretary.

''(3) INTERCITY RAIL PASSENGER TRANSPORTATION.—The term 'intercity rail passenger transportation' has the meaning given such term in section 24102.

''(4) HIGH-SPEED RAIL.—The term 'high-speed rail' has the meaning given such term in section 26105.

''(5) STATE.—The term 'State' means each of the 50 States and the District of Columbia.

''(6) SOCIALLY DISADVANTAGED INDIVIDUALS.—The term 'socially disadvantaged individuals' has the meaning given the term 'socially and economically disadvantaged individuals' in section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

''(c) PROJECT REQUIREMENTS.—

''(1) REQUIREMENTS.—To be eligible for a grant under this section, an eligible applicant shall demonstrate that such applicant has or will have—

''(A) the legal, financial, and technical capacity to carry out the project;

''(B) satisfactory continuing control over the use of the equipment or facilities that are the subject of the project; and

''(C) an agreement in place for maintenance of such equipment or facilities.

''(2) HIGH-SPEED RAIL REQUIREMENTS.—

''(A) CORRIDOR PLANNING ACTIVITIES.—Notwithstanding paragraph (1), the Secretary shall evaluate projects described in subsection (a)(1)(B) based on the criteria under section 26101(c).

''(B) HIGH-SPEED RAIL PROJECT REQUIREMENTS.—To be eligible for a grant for a high-speed rail project, an eligible applicant shall demonstrate compliance with section 26106(e)(2)(A).

''(d) PROJECT SELECTION CRITERIA.—

''(1) PRIORITY.—In selecting a project for a grant under this section, the Secretary shall give preference to projects that—

''(A) are supported by multiple States or are included in a multi-state regional plan or planning process;

''(B) achieve environmental benefits such as a reduction in greenhouse gas emissions or an improvement in local air quality; or

''(C) improve service to and investment in socially disadvantaged individuals.

''(2) ADDITIONAL CONSIDERATIONS.—In selecting an applicant for a grant under this section, the Secretary shall consider—

''(A) the proposed project's anticipated improvements to high-speed rail or intercity rail passenger transportation, including anticipated public benefits on the—

''(i) effects on system and service performance;

''(ii) effects on safety, competitiveness, reliability, trip or transit time, and resilience;

''(iii) overall transportation system, including efficiencies from improved integration with other modes of transportation or benefits associated with achieving modal shifts;

''(iv) ability to meet existing, anticipated, or induced passenger or service demand; and

''(v) projected effects on regional and local economies along the corridor, including increased competitiveness, productivity, efficiency, and economic development;

''(B) the eligible applicant's past performance in developing and delivering similar projects;

''(C) if applicable, the consistency of the project with planning guidance and documents set forth by the Secretary or required by law; and

''(D) if applicable, agreements between all stakeholders necessary for the successful delivery of the project.

''(3) ADDITIONAL SCREENING FOR HIGH-SPEED RAIL.—In selecting an applicant for a grant under this section, for high-speed rail projects, the Secretary shall, in addition to the application of paragraphs (1) and (2), apply the selection and consideration criteria described in subparagraphs (B) and (C) of section 26106(e)(2).

''(e) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COST ESTIMATE.—The Secretary shall estimate the total cost of a project under this section based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total project costs under this section shall not exceed 90 percent.

''(3) TREATMENT OF REVENUE.—Applicants may use ticket and other revenues generated from operations and other sources to satisfy the non-Federal share requirements.

''(f) LETTERS OF INTENT.—

''(1) IN GENERAL.—The Secretary shall, to the maximum extent practicable, issue a letter of intent to a recipient of a grant under this section that—

''(A) announces an intention to obligate, for a project under this section, an amount that is not more than the amount stipulated as the financial participation of the Secretary in the project, regardless of authorized amounts; and

''(B) states that the contingent commitment—

''(i) is not an obligation of the Federal Government; and

''(ii) is subject to the availability of appropriations for grants under this section and subject to Federal laws in force or enacted after the date of the contingent commitment.

''(2) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—Not later than 3 days before issuing a letter of intent under paragraph (1), the Secretary shall submit written notification to—

''(i) the Committee on Transportation and Infrastructure of the House of Representatives;

''(ii) the Committee on Appropriations of the House of Representatives;

''(iii) the Committee on Appropriations of the Senate; and

''(iv) the Committee on Commerce, Science, and Transportation of the Senate.

''(B) CONTENTS.—The notification submitted under subparagraph (A) shall include—

''(i) a copy of the letter of intent;

''(ii) the criteria used under subsection (d) for selecting the project for a grant; and

''(iii) a description of how the project meets such criteria.

''(g) APPROPRIATIONS REQUIRED.—An obligation may be made under this section only when amounts are appropriated for such purpose.

''(h) AVAILABILITY.—Amounts made available to carry out this section shall remain available until expended.

''(i) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the grant conditions under section 22905, except that the domestic buying preferences of section 24305(f) shall apply to Amtrak in lieu of the requirements of section 22905(a).''.

(b) CLERICAL AMENDMENT.—The item relating to section 22906 in the analysis for chapter 229 of title 49, United States Code, is amended to read as follows:

''22906. Passenger rail improvement, modernization, and expansion grants.''.

(c) DEFINITION OF SATISFACTORY CONTINUING CONTROL.—Section 22901 of title 49, United States Code, is amended by adding at the end the following:

''(4) SATISFACTORY CONTINUING CONTROL.—The term 'satisfactory continuing control' means the continuing ability to utilize and ensure maintenance of an asset as a result of full or partial ownership, lease, operating or other enforceable contractual agreements, or statutory access rights.''.

SEC. 9103. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENT GRANTS.

Section 22907 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1) by striking ''The following'' and inserting ''Except as provided in subsections (o), (p), and (q), the following'';

(B) in paragraph (1) by inserting ''or the District of Columbia'' before the period;

(C) in paragraph (10) by striking ''transportation center''; and

(D) by adding at the end the following:

''(12) A commuter authority (as such term is defined in section 24102).

''(13) An Indian Tribe.'';

(2) in subsection (c)—

(A) in paragraph (1) by inserting ''and upgrades'' after ''Deployment'';

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) through (12) as paragraphs (2) through (11), respectively;

(D) in paragraph (2), as so redesignated, by inserting ''or safety'' after ''address congestion'';

(E) in paragraph (3), as so redesignated, by striking ''identified by the Secretary'' and all that follows through ''rail transportation'' and inserting ''to improve service or facilitate ridership growth in intercity rail passenger transportation or commuter rail passenger transportation (as such term is defined in section 24102)'';

(F) in paragraph (4), as so redesignated, by inserting ''to establish new quiet zones or'' after ''engineering improvements'';

(G) in paragraph (9), as so redesignated, by inserting '', including for suicide prevention and other rail trespassing prevention'' before the period;

(3) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—In selecting a recipient of a grant for an eligible project, the Secretary shall give preference to—

''(A) projects that will maximize the net benefits of the funds made available for use under this section, considering the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project and factoring in the other considerations described in paragraph (2); and

''(B) projects that improve service to, or provide direct benefits to, socially disadvantaged individuals (as defined in section 22906(b)), including relocating or mitigating infrastructure that limits community connectivity, including mobility, access, or economic development of such individuals.''; and

(B) in paragraph (3) by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(A)'';

(4) in subsection (h)(2) by inserting '', except that a grant for a capital project involving zero-emission locomotive technologies shall not exceed an amount in excess of 90 percent of the total project costs'' before the period.

(5) by redesignating subsections (i), (j), and (k) as subsections (l), (m), and (n) respectively; and

(6) by inserting after subsection (h) the following:

''(i) LARGE PROJECTS.—Of the amounts made available under this section, at least 25 percent shall be for projects that have total project costs of greater than $100,000,000.

''(j) COMMUTER RAIL.—

''(1) ADMINISTRATION OF FUNDS.—The amounts awarded under this section for commuter rail passenger transportation projects shall be transferred by the Secretary, after selection, to the Federal Transit Administration for administration of funds in accordance with chapter 53.

''(2) GRANT CONDITION.—

''(A) IN GENERAL.—Notwithstanding section 22905(f)(1) and 22907(j)(1), as a condition of receiving a grant under this section that is used to acquire, construct, or improve railroad right-of-way or facilities, any employee covered by the Railway Labor Act (45 U.S.C. 151 et seq.) and the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.) who is adversely affected by actions taken in connection with the project financed in whole or in part by such grant shall be covered by employee protective arrangements established under section 22905(e).

''(B) APPLICATION OF PROTECTIVE ARRANGEMENT.—The grant recipient and the successors, assigns, and contractors of such recipient shall be bound by the protective arrangements required under subparagraph (A). Such recipient shall be responsible for the implementation of such arrangement and for the obligations under such arrangement, but may arrange for another entity to take initial responsibility for compliance with the conditions of such arrangement.

''(3) APPLICATION OF LAW.—Subsection (g) of section 22905 shall not apply to grants awarded under this section for commuter rail passenger transportation projects.

''(k) DEFINITION OF CAPITAL PROJECT.—In this section, the term 'capital project' means a project or program for—

''(1) acquiring, constructing, improving, or inspecting equipment, track and track structures, or a facility, expenses incidental to acquisition or construction (including project-level planning, designing, engineering, location surveying, mapping, environmental studies, and acquiring right-of-way), payments for rail trackage rights agreements, highway-rail grade crossing improvements, mitigating environmental impacts, communication and signalization improvements, relocation assistance, acquiring replacement housing sites, and acquiring, constructing, relocating, and rehabilitating replacement housing;

''(2) rehabilitating, remanufacturing, or overhauling rail rolling stock and facilities;

''(3) costs associated with developing State or multi-State regional rail plans; and

''(4) the first-dollar liability costs for insurance related to the provision of intercity passenger rail service under section 22904.''; and

(7) by striking subsection (l).

SEC. 9104. RAILROAD REHABILITATION AND IMPROVEMENT FINANCING.

(a) IN GENERAL.—Section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A) by inserting ''civil works such as cuts and fills, stations, tunnels,'' after ''components of track,''; and

(ii) in subparagraph (D) by inserting '', permitting,'' after ''reimburse planning''; and

(B) by striking paragraph (3);

(2) by striking subsection (e)(1) and inserting the following:

''(1) DIRECT LOANS.—The interest rate on a direct loan under this section shall be not less than the yield on United States Treasury securities of a similar maturity to the maturity of the direct loan on the date of execution of the loan agreement.'';

(3) in subsection (f)—

(A) in paragraph (1) by adding ''The Secretary shall only apply appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification thereof, in whole or in part, for entities described in paragraphs (1) through (3) of subsection (a).'' at the end;

(B) in paragraph (3) by striking subparagraph (C) and inserting the following:

''(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, if the total amount of the direct loan or loan guarantee is less than $100,000,000.

''(D) In the case of a total amount of a direct loan or loan guarantee greater than $100,000,000, an investment-grade rating from at least 2 rating agencies on the direct loan or loan guarantee, or an investment-grade rating on the direct loan or loan guarantee and a projection of freight or passenger demand for the project based on regionally developed economic forecasts, including projections of any modal diversion resulting from the project.''; and

(C) by adding at the end the following:

''(5) REPAYMENT OF CREDIT RISK PREMIUMS.—The Secretary shall return credit risk premiums paid, and interest accrued thereon, to the original source when all obligations of a loan or loan guarantee have been satisfied. This paragraph applies to any project that has been granted assistance under this section after the date of enactment of the TRAIN Act.''; and

(4) by adding at the end the following:

''(n) NON-FEDERAL SHARE.—The proceeds of a loan provided under this section shall be used as the non-Federal share of project costs under this title and title 49 if such loan is repayable from non-Federal funds.

''(o) BUY AMERICA.—

''(1) IN GENERAL.—In awarding direct loans or loan guarantees under this section, the Secretary shall require each recipient to comply with section 22905(a) of title 49, United States Code.

''(2) SPECIFIC COMPLIANCE.—Notwithstanding paragraph (1), the Secretary shall require—

''(A) Amtrak to comply with section 24305(f) of title 49, United States Code; and

''(B) a commuter authority (as defined in section 24102 of title 49, United States Code) to comply with section 5320 of title 49, United States Code.''.

(b) GUIDANCE.—Not later than 9 months after the date of enactment of this Act, the Secretary shall publish guidance that provides applicants for assistance under section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822) information regarding the types of data, assumptions, and other factors typically used to calculate credit risk premiums required under subsection (f) of such section. Such guidance shall include information to help applicants understand how different factors may increase or decrease such credit risk premiums.

SEC. 9105. BRIDGES, STATIONS, AND TUNNELS (BEST) GRANT PROGRAM.

(a) IN GENERAL.—Chapter 229 of title 49, United States Code, is amended by adding at the end the following:

''§ 22909. Bridges, stations, and tunnels (BeST) grant program

''(a) IN GENERAL.—The Secretary of Transportation shall establish a program (in this section referred to as the 'BeST Program') to provide grants to eligible entities for major capital projects included in the BeST Inventory established under subsection (b) for rail bridges, stations, and tunnels that are publicly owned or owned by Amtrak to make safety, capacity, and mobility improvements.

''(b) BeST INVENTORY.—

''(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of the TRAIN Act, the Secretary shall establish, and publish on the website of the Department of Transportation an inventory (in this section referred to as the 'BeST Inventory') for publicly owned and Amtrak owned major capital projects designated by the Secretary to be eligible for funding under this section. The BeST Inventory shall include major capital projects to acquire, refurbish, rehabilitate, or replace rail bridges, stations, or tunnels and any associated and co-located projects.

''(2) CONSIDERATIONS.—In selecting projects for inclusion in the BeST Inventory, the Secretary shall give priority to projects that provide the most benefit for intercity passenger rail service in relation to estimated costs and that are less likely to secure all of the funding required from other sources.

''(3) UPDATES TO BEST INVENTORY.—Every 2 years after the establishment of the BeST Inventory under paragraph (1), the Secretary shall update the BeST Inventory and include it in its annual budget justification.

''(4) ELIGIBILITY FOR BEST INVENTORY.—Projects included in the BeST Inventory—

''(A) shall be—

''(i) consistent with the record of decision issued by the Federal Railroad Administration in July 2017 titled 'NEC FUTURE: A Rail Investment Plan for the Northeast Corridor' (known as the 'Selected Alternative');

''(ii) consistent with the most recent service development plan under section 24904(a) (hereinafter in this section referred to as the 'Service Development Plan'); and

''(iii) located in a territory for which a cost allocation policy is maintained pursuant to section 24905(c); or

''(B) shall be consistent with a multi-state regional planning document equivalent to the document referred to in subparagraph (A)(ii) with a completed Tier I environmental review of such document pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(5) PROJECT FUNDING SEQUENCING.—The Secretary shall determine the order of priority for projects in the BeST Inventory based on projects identified in paragraph (4) and project management plans as described in subsection (d). The Secretary may alter the BeST Inventory as necessary if eligible entities are not carrying out the schedule identified in the Inventory.

''(6) TERMS.—The Secretary shall ensure the BeST Inventory establishes, for each project included in such Inventory—

''(A) the roles and terms of participation by any railroad bridge, station, or tunnel owners and railroad carriers in the project; and

''(B) the schedule for such project that ensures efficient completion of the project.

''(7) SPECIAL FINANCIAL RULES.—

''(A) IN GENERAL.—Projects listed in the BeST Inventory may include an agreement with a commitment, contingent on future amounts to be specified in law for commitments under this paragraph, to obligate an additional amount from future available budget authority specified in law.

''(B) STATEMENT OF CONTINGENT COMMITMENT.—An obligation or administrative commitment under this paragraph may be made only when amounts are appropriated. An agreement shall state that any contingent commitment is not an obligation of the Federal Government, and is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.

''(C) FINANCING COSTS.—Financing costs of carrying out the project may be considered a cost of carrying out the project under the BeST Inventory.

''(c) EXPENDITURE OF FUNDS.—

''(1) FEDERAL SHARE OF TOTAL PROJECT COSTS.—The Federal share for the total cost of a project under this section shall not exceed 90 percent.

''(2) NON-FEDERAL SHARE.—A recipient of funds under this section may use any source of funds, including other Federal financial assistance, to satisfy the non-Federal funds requirement. The non-Federal share for a grant provided under this section shall be consistent with section 24905(c) or section 24712(a)(7) if either such section are applicable to the railroad territory at the project location.

''(3) AVAILABILITY OF FUNDS.—Funds made available under this section shall remain available for obligation by the Secretary for a period of 10 years after the last day of the fiscal year for which the funds are appropriated, and remain available for expenditure by the recipient of grant funds without fiscal year limitation.

''(4) ELIGIBLE USES.—Funds made available under this section may be used for projects contained in the most recent BeST Inventory, including pre-construction expenses and the acquisition of real property interests.

''(5) FUNDS AWARDED TO AMTRAK.—Grants made to Amtrak shall be provided in accordance with the requirements of chapter 243.

''(6) GRANT CONDITIONS.—Except as provided in this section, the use of any amounts made available for grants under this section shall be subject to the grant requirements in section 22905.

''(d) PROJECT MANAGEMENT.—

''(1) SUBMISSION OF PROJECT MANAGEMENT PLANS.—The Secretary shall establish a process, including specifying formats, methods, and procedures, for applicants to submit a project management plan to the Secretary for a project in the BeST Inventory. Consistent with requirements in section 22903, project management plans shall—

''(A) describe the schedules, management actions, workforce availability, interagency agreements, permitting, track outage availability, and other factors that will determine the entity's ability to carry out a project included in the BeST Inventory; and

''(B) be updated and resubmitted in accordance with this subsection every 2 years according to the schedule in the most recent Service Development Plan, or equivalent multi-state regional planning document with a completed Tier I environmental review conducted pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) NORTHEAST CORRIDOR PROJECTS.—For projects on the Northeast Corridor, an applicant shall submit such project management plan to the Northeast Corridor Commission. Upon receipt of such plan, the Northeast Corridor Commission shall submit to the Secretary an updated Service Development Plan that describes the schedule and sequencing of all capital projects on the Northeast Corridor, including estimates of the amount each sponsor entity will need in program funding for each of the next 2 fiscal years to carry out the entity's projects according to the Service Development Plan.

''(e) COST METHODOLOGY POLICY REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary shall ensure, as a condition of a grant agreement under this section for any project located in a railroad territory where a policy established pursuant to section 24905(c) or section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) applies, that a recipient of funds under either such section maintain compliance with the policies, or any updates to any applicable cost methodology policy, for the railroad territory encompassing the project location.

''(2) PENALTY FOR NONCOMPLIANCE.—If such recipient does not maintain compliance with the policies described in paragraph (1), the Secretary may—

''(A) withhold funds under this subsection from such recipient up to the amount the recipient owes, but has not paid; and

''(B) permanently reallocate such funds to other recipients after a reasonable period.

''(f) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a State, including the District of Columbia;

''(B) a group of States;

''(C) an Interstate Compact;

''(D) a public agency or publicly chartered authority established by one or more States;

''(E) a political subdivision of a State;

''(F) Amtrak;

''(G) An Indian Tribe; or

''(H) any combination of the entities listed in subparagraphs (A) through (G).

''(2) MAJOR CAPITAL PROJECT.—The term 'major capital project' means a rail bridge, station, or tunnel project used for intercity passenger rail service that has a total project cost of at least $500,000,000.

''(3) NORTHEAST CORRIDOR.—The term 'Northeast Corridor' has the meaning given the term in section 24904(e).

''(4) PUBLICLY OWNED.—The term 'publicly owned' means major capital projects that are at least partially owned or planned to be owned by the Federal Government or an eligible entity.

''(5) CO-LOCATED PROJECT.—The term 'co-located project' means a capital project that is adjacent to a major capital project and can be carried out during the same period.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 229 of title 49, United States Code, is amended by adding at the end the following:

''22909. Bridges, stations, and tunnels (BeST) grant program.''.

SEC. 9106. BUY AMERICA.

Section 22905(a) of title 49, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (B) by adding ''or'' at the end;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(2) by striking paragraph (4) and inserting the following:

''(4)(A) If the Secretary receives a request for a waiver under paragraph (2), the Secretary shall provide notice of and an opportunity for public comment on the request at least 30 days before making a finding based on the request.

''(B) A notice provided under subparagraph (A) shall—

''(i) include the information available to the Secretary concerning the request, including whether the request is being made under subparagraph (A), (B), or (C) of paragraph (2); and

''(ii) be provided by electronic means, including on the official public website of the Department of Transportation.'';

(3) in paragraph (5)—

(A) by striking ''2012'' and inserting ''2020, and each year thereafter''; and

(B) by inserting ''during the preceding fiscal year'' before the period; and

(4) by adding at the end the following:

''(12) The requirements of this subsection apply to all contracts for a project carried out within the scope of the applicable finding, determination, or decisions under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source for activities carried out pursuant to such contracts, if at least 1 contract for the project is funded with amounts made available to carry out a provision specified in paragraph (1).''.

TITLE II—AMTRAK REFORMS

SEC. 9201. AMTRAK FINDINGS, MISSION, AND GOALS.

Section 24101 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking '', to the extent its budget allows,''; and

(ii) by striking ''between crowded urban areas and in other areas of'' and inserting ''throughout'';

(B) in paragraph (2) by striking the period and inserting '', thereby providing additional capacity for the traveling public and widespread air quality benefits.'';

(C) in paragraph (4)—

(i) by striking ''greater'' and inserting ''high''; and

(ii) by striking ''to Amtrak to achieve a performance level sufficient to justify expending public money'' and inserting ''in order to meet the intercity passenger rail needs of the United States'';

(D) in paragraph (5)—

(i) by inserting ''intercity and'' after ''efficient''; and

(ii) by striking ''the energy conservation and self-sufficiency'' and inserting ''addressing climate change, energy conservation, and self-sufficiency'';

(E) in paragraph (6) by striking ''through its subsidiary, Amtrak Commuter,''; and

(F) by adding at the end the following:

''(9) Long-distance intercity passenger rail provides economic benefits to rural communities and offers intercity travel opportunities where such options are often limited, making long-distance intercity passenger rail an important part of the national transportation system.

''(10) The Northeast Corridor, long-distance routes, and State-supported routes are interconnected and collectively provide national rail passenger transportation.

''(11) Investments in intercity and commuter rail passenger transportation support jobs that provide a pathway to the middle class.'';

(2) in subsection (b) by striking ''The'' and all that follows through ''consistent'' and inserting ''The mission of Amtrak is to provide a safe, efficient, and high-quality national intercity passenger rail system that is trip-time competitive with other intercity travel options, consistent'';

(3) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

''(1) use its best business judgment in acting to maximize the benefits of public funding;'';

(B) in paragraph (2)—

(i) by striking ''minimize Government subsidies by encouraging'' and inserting ''work with''; and

(ii) by striking the semicolon and inserting ''and improvements to service;'';

(C) by striking paragraph (3) and inserting the following:

''(3) manage the passenger rail network in the interest of public transportation needs, including current and future Amtrak passengers;'';

(D) in paragraph (7) by striking ''encourage'' and inserting ''work with'';

(E) in paragraph (11) by striking ''and'' the last place it appears; and

(F) by striking paragraph (12) and inserting the following:

''(12) utilize and manage resources with a long-term perspective, including sound investments that take into account the overall lifecycle costs of an asset;

''(13) ensure that service is accessible, equitable, and accommodating to passengers with disabilities and members of underserved communities; and

''(14) maximize the benefits Amtrak generates for the United States by creating quality jobs and supporting the domestic workforce.''; and

(4) by striking subsection (d).

SEC. 9202. AMTRAK STATUS.

Section 24301(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking ''20102(2)'' and inserting ''20102''; and

(2) in paragraph (2) by inserting ''serving the public interest in reliable passenger rail service'' after ''for-profit corporation''.

SEC. 9203. BOARD OF DIRECTORS.

(a) IN GENERAL.—Section 24302 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B) by striking ''President of Amtrak'' and inserting ''Chief Executive Officer of Amtrak''; and

(ii) by striking subparagraph (C) and inserting the following:

''(C) 8 individuals appointed by the President of the United States, by and with the advice and consent of the Senate, with a record of support for national intercity passenger rail service. Of the individuals appointed—

''(i) 1 shall be a Mayor or Governor of a location served by a regularly scheduled Amtrak service on the Northeast Corridor;

''(ii) 1 shall be a Mayor or Governor of a location served by a regularly scheduled Amtrak service that is not on the Northeast Corridor;

''(iii) 1 shall be a representative of Amtrak employees;

''(iv) 1 shall be an individual with a history of regular Amtrak ridership and an understanding of the concerns of intercity rail passengers;

''(v) 1 shall be an individual with—

''(I) demonstrated experience or demonstrated interest in the Northeast Corridor and the National Network; and

''(II) industry experience or qualifications in transportation, freight and passenger rail transportation, travel, or passenger air transportation; and

''(vi) 1 shall be an individual with general business and financial experience who has demonstrated experience or demonstrated interest in the Northeast Corridor and the National Network.'';

(B) in paragraph (2) by inserting ''users of Amtrak, including the elderly and individuals with disabilities, and'' after ''and balanced representation of'';

(C) in paragraph (3)—

(i) by striking ''Not more than 5'' and inserting ''Not more than 4''; and

(ii) by adding at the end the following: ''A member of the Board appointed under clause (i) or (ii) of paragraph (1)(C) shall serve for a term of 5 years or until such member leaves the elected office such member occupied at the time such member was appointed, whichever is first.'';

(D) in paragraph (4) by striking ''President'' and inserting ''Chief Executive Officer''; and

(E) by striking paragraph (5) and inserting the following:

''(5) The Secretary and any Governor of a State may be represented at a Board meeting by a designee.'';

(2) in subsection (b)—

(A) by striking ''PAY AND EXPENSES'' and inserting ''DUTIES, PAY, AND EXPENSES''; and

(B) by inserting ''Each director must consider the well-being of current and future Amtrak passengers, the public interest in sustainable national passenger rail service, and balance the preceding considerations with the fiduciary responsibilities of the director and the mission and goals of Amtrak.'' before ''Each director not employed by the United States Government or Amtrak''; and

(3) by adding at the end the following:

''(g) GOVERNOR DEFINED.—In this section, the term 'Governor' means the Governor of a State or the Mayor of the District of Columbia and includes a designee of the Governor.''.

(b) TIMING OF NEW BOARD REQUIREMENTS.—The appointment and membership requirements under section 24302 of title 49, United States Code (as amended by this Act), shall apply to any member of the Board appointed pursuant to subsection (a)(1)(C) of such section who is appointed on or after the date of enactment of this Act.

SEC. 9204. AMTRAK PREFERENCE ENFORCEMENT.

(a) IN GENERAL.—Section 24308(c) of title 49, United States Code, is amended by adding at the end the following: ''Notwithstanding section 24103(a) and section 24308(f), Amtrak shall have the right to bring an action for equitable or other relief in the United States District Court for the District of Columbia to enforce the preference rights granted under this subsection.''.

(b) CONFORMING AMENDMENT.—Section 24103 of title 49, United States Code, is amended by inserting ''and section 24308(c)'' before '', only the Attorney General''.

SEC. 9205. USE OF FACILITIES AND PROVIDING SERVICES TO AMTRAK.

Section 24308(e) of title 49, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:(1)(A) When a rail carrier does not agree to allow Amtrak to operate additional trains in accordance with proposed schedules over any rail line of the carrier on which Amtrak is operating or seeks to operate, Amtrak may submit an application to the Board for an order requiring the carrier to allow for the operation of the requested trains. Not later than 90 days after receipt of such application, the Board shall determine whether the additional trains would unreasonably impair freight transportation and—

''(i) upon a determination that such trains do not unreasonably impair freight transportation, order the rail carrier to allow for the operation of such trains on a schedule established by the Board; or

''(ii) upon a determination that such trains do unreasonably impair freight transportation, initiate a proceeding to determine any additional infrastructure investments required by, or on behalf of, Amtrak.

''(B) If Amtrak seeks to resume operation of a train that Amtrak operated during the 5-year period preceding an application described in subparagraph (A), the Board shall apply a presumption that the resumed operation of such train will not unreasonably impair freight transportation unless the Board finds that there are substantially changed circumstances.'';

(2) in paragraph (2)—

(A) by striking ''The Board shall consider'' and inserting ''The Board shall'';

(B) by striking subparagraph (A) and inserting the following:

''(A) in making the determination under paragraph (1), take into account any infrastructure investments previously made by, or on behalf of, Amtrak, or proposed in Amtrak's application, with the rail carrier having the burden of demonstrating that the additional trains will unreasonably impair the freight transportation; and''; and

(C) in subparagraph (B) by inserting ''consider investments described in subparagraph (A) and'' after ''times,''; and

(3) by adding at the end the following:

''(4) In a proceeding initiated by the Board under paragraph (1)(A)(ii), the Board shall solicit the views of the parties and require the parties to provide any necessary data or information. Not later than 180 days after the date on which the Board makes a determination under paragraph (1)(A)(ii), the Board shall issue an order requiring the rail carrier to allow for the operation of the requested trains provided that any conditions enumerated by the Board are met. In determining the necessary level of additional infrastructure or other investments needed to mitigate unreasonable impairment of freight transportation, the Board shall use any criteria, assumptions, and processes it considers appropriate.

''(5) The provisions of this subsection shall be in addition to any other statutory or contractual remedies Amtrak may have with respect to operating the additional trains.''.

SEC. 9206. PROHIBITION ON MANDATORY ARBITRATION.

(a) IN GENERAL.—Section 28103 of title 49, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

''(e) PROHIBITION ON CHOICE-OF-FORUM CLAUSE.—

''(1) IN GENERAL.—Amtrak may not impose a choice-of-forum clause that attempts to preclude a passenger, or a person who purchases a ticket for rail transportation on behalf of a passenger, from bringing a claim against Amtrak in any court of competent jurisdiction, including a court within the jurisdiction of the residence of such passenger in the United States (provided that Amtrak does business within that jurisdiction).

''(2) COURT OF COMPETENT JURISDICTION.—Under this subsection, a court of competent jurisdiction may not include an arbitration forum.''.

(b) EFFECTIVE DATE.—This section, and the amendments made by this section, shall apply to any claim that arises on or after the date of enactment of this Act.

SEC. 9207. AMTRAK ADA ASSESSMENT.

(a) ASSESSMENT.—Amtrak shall conduct an assessment and review of all Amtrak policies, procedures, protocols, and guidelines for compliance with the requirements of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, Amtrak shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the assessment conducted under subsection (a).

(c) CONTENTS.—The report required under subsection (b) shall include—

(1) a summary of the policies, procedures, protocols, and guidelines reviewed;

(2) any necessary changes to such policies, procedures, protocols, and guidelines to ensure compliance with the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), including full compliance under such Act for stations and facilities for which Amtrak has responsibility under such Act and consideration of the needs of individuals with disabilities when procuring rolling stock and setting ticket fares; and

(3) an implementation plan and timeline for making any such necessary changes.

(d) ENGAGEMENT.—Amtrak shall engage with a range of advocates for individuals with disabilities during the assessment conducted under subsection (a), and develop an ongoing and standardized process for engagement with advocates for individuals with disabilities.

(e) PERIODIC EVALUATION.—At least once every 2 years, Amtrak shall review and update, as necessary, Amtrak policies, procedures, protocols, and guidelines to ensure compliance with the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

SEC. 9208. PROHIBITION ON SMOKING ON AMTRAK TRAINS.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is amended by adding at the end the following:

''§ 24323. Prohibition on smoking on Amtrak trains

''(a) PROHIBITION.—Beginning on the date of enactment of the TRAIN Act, Amtrak shall prohibit smoking on board Amtrak trains.

''(b) ELECTRONIC CIGARETTES.—

''(1) INCLUSION.—The use of an electronic cigarette shall be treated as smoking for purposes of this section.

''(2) ELECTRONIC CIGARETTE DEFINED.—In this section, the term 'electronic cigarette' means a device that delivers nicotine or other substances to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 243 of title 49, United States Code, is amended by adding at the end the following:

''24323. Prohibition on smoking on Amtrak trains.''.

SEC. 9209. STATE-SUPPORTED ROUTES OPERATED BY AMTRAK.

Section 24712 of title 49, United States Code, is amended to read as follows:

''§ 24712. State-supported routes operated by Amtrak

''(a) STATE-SUPPORTED ROUTE COMMITTEE.—

''(1) ESTABLISHMENT.—There is established a State-Supported Route Committee (referred to in this section as the 'Committee') to promote mutual cooperation and planning pertaining to the current and future rail operations of Amtrak and related activities of trains operated by Amtrak on State-supported routes and to further implement section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall consist of—

''(i) members representing Amtrak;

''(ii) members representing the Department of Transportation, including the Federal Railroad Administration; and

''(iii) members representing States.

''(B) NON-VOTING MEMBERS.—The Committee may invite and accept other non-voting members to participate in Committee activities, as appropriate.

''(3) DECISIONMAKING.—The Committee shall establish a bloc voting system under which, at a minimum—

''(A) there are 3 separate voting blocs to represent the Committee's voting members, including—

''(i) 1 voting bloc to represent the members described in paragraph (2)(A)(i);

''(ii) 1 voting bloc to represent the members described in paragraph (2)(A)(ii); and

''(iii) 1 voting bloc to represent the members described in paragraph (2)(A)(iii);

''(B) each voting bloc has 1 vote;

''(C) the votes of the voting bloc representing the members described in paragraph (2)(A)(iii) requires the support of at least two-thirds of that voting bloc's members; and

''(D) the Committee makes decisions by unanimous consent of the 3 voting blocs.

''(4) ABILITY TO CONDUCT CERTAIN BUSINESS.—If all members of a voting bloc described in paragraph (3) abstain from a Committee decision, agreement between the other voting blocs consistent with the procedures set forth in paragraph (3) shall be deemed unanimous consent.

''(5) MEETINGS; RULES AND PROCEDURES.—The Committee shall define and periodically update the rules and procedures governing the Committee's proceedings. The rules and procedures shall—

''(A) incorporate and further describe the decisionmaking procedures to be used in accordance with paragraph (3); and

''(B) be adopted in accordance with such decisionmaking procedures.

''(6) COMMITTEE DECISIONS.—Decisions made by the Committee in accordance with the Committee's rules and procedures, once established, are binding on all Committee members.

''(7) COST METHODOLOGY POLICY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Committee may amend the cost methodology policy required and previously approved under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(B) REVISIONS TO COST METHODOLOGY POLICY.—

''(i) REQUIREMENT TO REVISE AND UPDATE.—Subject to the requirements of clause (iii), the Committee shall, not later than March 31, 2022, update the cost methodology policy required and previously approved under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note). Such update shall be consistent with the principles for revision of the Committee pursuant to such section and consistent with any subsequent changes to such principles approved by the Committee. The Committee shall implement the updated policy beginning in fiscal year 2023 and shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report documenting and explaining any changes to the policy and plans for implementation not later than 30 days after the adoption of the updated policy.

''(ii) IMPLEMENTATION IMPACTS ON FEDERAL FUNDING.—To the extent that a policy implemented pursuant to clause (i) assigns to Amtrak costs that were previously allocated to States, Amtrak shall request such costs in the general and legislative annual report required by section 24315 or in any appropriate subsequent Federal funding request for the fiscal year in which the revised policy is implemented.

''(iii) PROCEDURES FOR CHANGING METHODOLOGY.—The rules and procedures implemented under paragraph (5) shall include procedures for changing the cost methodology policy under this subparagraph, notwithstanding section 209(b) of the Passenger Rail Investment and Improvement Act (49 U.S.C. 22 24101 note), and procedures or broad guidelines for conducting financial planning, including operating and capital forecasting, reporting, and data sharing and governance.

''(C) REQUIREMENTS.—The cost methodology policy shall—

''(i) ensure equal treatment in the provision of like services of all States and groups of States;

''(ii) assign to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route; and

''(iii) promote increased efficiency in Amtrak's operating and capital activities.

''(b) INVOICES AND REPORTS.—

''(1) MONTHLY INVOICE.—Amtrak shall provide to each State that sponsors a State-supported route a monthly invoice of the cost of operating such route, including fixed costs and third-party costs.

''(2) PLANNING AND DEMAND REPORTS.—A State shall provide to the Committee and Amtrak planning and demand reports with respect to a planned or existing State-supported route.

''(3) FINANCIAL AND PERFORMANCE REPORTS.—The Committee shall require Amtrak to provide to the States and the Committee financial and performance reports at a frequency, and containing such information, as determined appropriate by the Committee.

''(c) DISPUTE RESOLUTION.—

''(1) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with respect to the rules and procedures implemented under subsection (a)(5), an invoice or a report provided under subsection (b), implementation or compliance with the cost methodology policy developed under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) or amended under subsection (a)(7) of this section, either Amtrak or the State may request that the Surface Transportation Board conduct dispute resolution under this subsection.

''(2) PROCEDURES.—The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this subsection, which may include provision of professional mediation services.

''(3) BINDING EFFECT.—A decision of the Surface Transportation Board under this subsection shall be binding on the parties to the dispute.

''(4) OBLIGATION.—Nothing in this subsection shall affect the obligation of a State to pay an amount related to a State-supported route that a State sponsors that is not in dispute.

''(d) ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may provide assistance to the parties in the course of negotiations for a contract for operation of a State-supported route.

''(2) FINANCIAL ASSISTANCE.—From among available funds, the Secretary shall provide—

''(A) financial assistance to Amtrak or 1 or more States to perform requested independent technical analysis of issues before the Committee; and

''(B) administrative expenses that the Secretary determines necessary.

''(e) PERFORMANCE METRICS.—In negotiating a contract for operation of a State-supported route, Amtrak and the State or States that sponsor the route shall consider including provisions that provide penalties and incentives for performance, including incentives to—

''(1) increase revenue;

''(2) reduce costs;

''(3) finalize contracts by the beginning of the Federal fiscal year; and

''(4) require States to promptly make payments for services delivered.

''(f) STATEMENT OF GOALS AND OBJECTIVES.—

''(1) IN GENERAL.—The Committee shall develop and annually review and update, as necessary, a statement of goals, objectives, and associated recommendations concerning the future of State-supported routes operated by Amtrak. The statement shall identify the roles and responsibilities of Committee members and any other relevant entities, such as host railroads, in meeting the identified goals and objectives, or carrying out the recommendations. The statement shall include a list of capital projects, including infrastructure, fleet, station, and facility initiatives, needed to support the growth of State-supported routes. The Committee may consult with such relevant entities, as the Committee considers appropriate, when developing the statement.

''(2) TRANSMISSION OF STATEMENT OF GOALS AND OBJECTIVES.—Not later than March 31 of each year, the Committee shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the most recent annual update to the statement developed under paragraph (1).

''(g) NEW OR EXPANDED STATE-SUPPORTED ROUTES.—

''(1) COORDINATION AND CONSULTATION.—In developing a new State-supported route or expanding an existing State-supported route, Amtrak shall closely coordinate with all States in which such route operates, and shall consult with the following:

''(A) The local municipalities in which the proposed route operates.

''(B) Commuter authorities and regional transportation authorities (as such terms are defined in section 24102) in the areas proposed to be served by such route.

''(C) The owner of any rail infrastructure over which the proposed route operates.

''(D) Administrator of the Federal Railroad Administration.

''(E) Other stakeholders, as appropriate.

''(2) STATE COMMITMENTS.—Notwithstanding any other provision of law, before beginning construction necessary for, or beginning operation of, a State-supported route that is initiated or expanded on or after the date of enactment of the TRAIN Act, Amtrak shall enter into an agreement with the State in which the proposed route operates for sharing ongoing operating costs and capital costs in accordance with—

''(A) the cost methodology policy described under subsection (a)(7); or

''(B) the alternative cost methodology schedule described in paragraph (3).

''(3) ALTERNATIVE COST METHODOLOGY.—Under the cost methodology schedule described in this paragraph, with respect to costs not covered by revenues for the operation of a State-supported route, Amtrak shall pay—

''(A) the share Amtrak otherwise would have paid under the cost methodology under subsection (a); and

''(B) a percentage of the share that the State otherwise would have paid under the cost methodology policy under subsection (a) according to the following:

''(i) Amtrak shall pay up to 100 percent of the capital costs and planning costs necessary to initiate a new State-supported route or expand an existing State-supported route, including planning and development, design, and environmental analysis costs, prior to beginning operations on the new route.

''(ii) For the first 2 years of operation, Amtrak shall pay for 100 percent of operating costs and capital costs.

''(iii) For the third year of operation, Amtrak shall pay 90 percent of operating costs and capital costs and the State shall pay the remainder.

''(iv) For the fourth year of operation, Amtrak shall pay 80 percent of operating costs and capital costs and the State shall pay the remainder

''(v) For the fifth year of operation, Amtrak shall pay 50 percent of operating costs and capital costs and the State shall pay the remainder.

''(vi) For the sixth year of operation and thereafter, operating costs and capital costs shall be allocated in accordance with the cost methodology policy described under subsection (a) as applicable.

''(4) DEFINITIONS.—In this subsection, the terms 'capital cost' and 'operating cost' shall apply in the same manner as such terms apply under the cost methodology policy developed under subsection (a).

''(h) COST METHODOLOGY UPDATE AND IMPLEMENTATION REPORT.—Not later than 18 months after an updated cost methodology policy required under subsection (a)(7)(B) is implemented, the Committee shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report assessing the implementation of the updated policy.

''(i) IDENTIFICATION OF STATE-SUPPORTED ROUTE CHANGES.—Amtrak shall provide an update in the general and legislative annual report required by 24315(b) of planned or proposed changes to State-supported routes, including the introduction of new State-supported routes. In identifying routes to be considered planned or proposed under this subsection, Amtrak shall—

''(1) identify the timeframe in which such changes could take effect and whether Amtrak has entered into a commitment with a State under subsection (g)(2); and

''(2) consult with the Committee and any additional States in which a planned or proposed route may operate, not less than 120 days before an annual grant request is transmitted to the Secretary.

''(j) RULE OF CONSTRUCTION.—The decisions of the Committee—

''(1) shall pertain to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-sponsored routes; and

''(2) shall not pertain to the rail operations or related activities of services operated by other rail carriers on State-supported routes.

''(k) DEFINITION OF STATE.—In this section, the term 'State' means any of the 50 States, including the District of Columbia, that sponsor or propose to sponsor the operation of trains by Amtrak on a State-supported route, or a public entity that sponsors or proposes to sponsor such operation on such a route.''.

SEC. 9210. AMTRAK POLICE DEPARTMENT.

(a) DEPARTMENT MISSION.—Not later than 180 days after the date of enactment of this Act, Amtrak shall identify the mission of the Amtrak Police Department (in this section referred to as the ''Department''), including the scope of the role and priorities of the Department, in mitigating risks to and ensuring the safety and security of Amtrak passengers, employees, trains, stations, facilities, and other infrastructure. In identifying such mission, Amtrak shall consider—

(1) the unique needs of maintaining the safety and security of Amtrak's network; and

(2) comparable passenger rail systems and the mission of the police departments of such rail systems.

(b) WORKFORCE PLANNING PROCESS.—Not later than 120 days after identifying the mission of the Department under subsection (a), Amtrak shall develop a workforce planning process that—

(1) ensures adequate employment levels and allocation of sworn and civilian personnel, including patrol officers, necessary for fulfilling the Department's mission; and

(2) sets performance goals and metrics for the Department that align with the mission of the Department and monitors and evaluates the Department's progress toward such goals and metrics.

(c) CONSIDERATIONS.—In developing the workforce planning process under subsection (b), Amtrak shall—

(1) identify critical positions, skills, and competencies necessary for fulfilling the Department's mission;

(2) analyze employment levels and ensure that—

(A) an adequate number of civilian and sworn personnel are allocated across the Department's 6 geographic divisions, including patrol officers, detectives, canine units, special operations unit, strategic operations, intelligence, corporate security, the Office of Professional Responsibilities, and the Office of Chief of Polices; and

(B) patrol officers have an adequate presence on trains and route segments, and in stations, facilities, and other infrastructure;

(3) analyze workforce gaps and develop strategies to address any such gaps;

(4) consider risks, including those identified by Amtrak's triannual risk assessments;

(5) consider variables, including ridership levels, miles of right-of-way, crime data, call frequencies, interactions with vulnerable populations, and workload, that comparable passenger rail systems with similar police departments consider in the development of the workforce plans of such systems; and

(6) consider collaboration or coordination with local, State, Tribal, and Federal agencies, and public transportation agencies to support the safety and security of the Amtrak network.

(d) CONSULTATION.—In carrying out this section, Amtrak shall consult with the Amtrak Police Labor Committee, public safety experts, foreign or domestic entities providing passenger rail service comparable to Amtrak, and any other relevant entities, as determined by Amtrak.

(e) REPORTS.—

(1) REPORT ON MISSION OF DEPARTMENT.—Not later than 10 days after Amtrak identifies the mission of the Department under subsection (a), Amtrak shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing a description of the mission of the Department and the reasons for the content of such mission.

(2) REPORT ON WORKFORCE PLANNING PROCESS.—Not later than 10 days after Amtrak completes the workforce planning process under subsection (b), Amtrak shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the workforce planning process, the underlying data used to develop such process, and how such process will achieve the Department's mission.

SEC. 9211. AMTRAK FOOD AND BEVERAGE.

(a) AMTRAK FOOD AND BEVERAGE.—Section 24321 of title 49, United States Code, is amended to read as follows:

''§24321. Amtrak food and beverage

''(a) ENSURING ACCESS TO FOOD AND BEVERAGE SERVICES.—On all long-distance routes, Amtrak shall ensure that all passengers who travel overnight on such route shall have access to purchasing the food and beverages that are provided to sleeping car passengers on such route.

''(b) FOOD AND BEVERAGE WORKFORCE.—

''(1) WORKFORCE REQUIREMENT.—Amtrak shall ensure that any individual onboard a train who prepares or provides food and beverages is an Amtrak employee.

''(2) SAVINGS CLAUSE.—No Amtrak employee holding a position as of the date of enactment of the TRAIN Act may be involuntarily separated because of any action taken by Amtrak to implement this section, including any employees who are furloughed as a result of the COVID–19 pandemic.

''(c) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee holding a position as of the date of enactment of the Passenger Rail Reform and Investment Act of 2015 is involuntarily separated because of the development and implementation of the plan required by the amendments made by section 11207 of such Act.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ANALYSIS.—The item relating to section 24321 in the analysis for chapter 243 of title 49, United States Code, is amended to read as follows:

''24321. Amtrak food and beverage.''.

(2) AMTRAK AUTHORITY.—Section 24305(c)(4) of title 49, United States Code, is amended by striking ''only if revenues from the services each year at least equal the cost of providing the services''.

(3) CONTRACTING OUT.—Section 121(c) of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24312 note; 111 Stat. 2574) is amended by striking '', other than work related to food and beverage service,''.

(c) AMTRAK FOOD AND BEVERAGE WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, Amtrak shall establish a working group (in this subsection referred to as the ''Working Group'') to provide recommendations on Amtrak onboard food and beverage services.

(2) MEMBERSHIP.—The Working Group shall consist of—

(A) an equal number of individuals representing—

(i) Amtrak;

(ii) the labor organizations representing Amtrak employees who prepare or provide onboard food and beverage services;

(iii) the State-Supported Route Committee established by section 24712; and

(iv) nonprofit organizations representing Amtrak passengers; and

(B) an individual with culinary or hospitality expertise agreed to by the members under clauses (i) through (iv) of subparagraph (A).

(3) RECOMMENDATIONS.—

(A) IN GENERAL.—The Working Group shall develop recommendations to increase ridership and improve customer satisfaction by—

(i) promoting collaboration and engagement between Amtrak, Amtrak passengers, and Amtrak employees preparing or providing onboard food and beverage services, prior to Amtrak implementing changes to onboard food and beverage services;

(ii) improving onboard food and beverage services; and

(iii) improving solicitation, reception, and consideration of passenger feedback regarding onboard food and beverage services.

(B) CONSIDERATIONS.—In developing the recommendations under subparagraph (A), the Working Group shall consider—

(i) the healthfulness of onboard food and beverages offered, including the ability of passengers to address dietary restrictions;

(ii) the preparation and delivery of onboard food and beverages;

(iii) the differing needs of passengers traveling on long-distance routes, State-supported routes, and the Northeast Corridor;

(iv) the reinstatement of the dining car service on long-distance routes;

(v) Amtrak passenger survey data about the food and beverages offered on Amtrak trains; and

(vi) any other issue the Working Group determines appropriate.

(4) REPORTS.—

(A) INITIAL REPORT.—Not later than 1 year after the date on which the Working Group is established, the Working Group shall submit to the Board of Directors of Amtrak, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report containing the recommendations developed under paragraph (3).

(B) SUBSEQUENT REPORT.—Not later than 30 days after the date on which the Working Group submits the report required under subparagraph (A), Amtrak shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on whether Amtrak agrees with the recommendations of the Working Group and describing any plans to implement such recommendations.

(5) PROHIBITION ON FOOD AND BEVERAGE SERVICE CHANGES.—During the period beginning on the date of enactment of this Act and ending 30 days after the date on which Amtrak submits the report required under paragraph (4)(B), Amtrak may not make large-scale, structural changes to existing onboard food and beverage services, except that Amtrak shall reverse any changes to onboard food and beverage service made in response to the COVID–19 pandemic as Amtrak service is restored.

(6) TERMINATION.—The Working Group shall terminate on the date on which Amtrak submits the report required under paragraph (4)(B), except that Amtrak may extend such date by up to 1 year if Amtrak determines that the Working Group is beneficial to Amtrak in making decisions related to onboard food and beverage services. If Amtrak extends such date, Amtrak shall include notification of the extension in the report required under paragraph (4)(B).

(7) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the Working Group established under this section.

(8) LONG-DISTANCE ROUTE; NORTHEAST CORRIDOR; AND STATE-SUPPORTED ROUTE DEFINED.—In this subsection, the terms ''long-distance route'', ''Northeast Corridor'', and ''State-supported route'' have the meaning given those terms in section 24102 of title 49, United States Code.

SEC. 9212. CLARIFICATION ON AMTRAK CONTRACTING OUT.

(a) FURLOUGHED WORK.—Section 121 of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24312 note; 111 Stat. 2574) is amended by striking subsection (d) and inserting the following:

''(d) FURLOUGHED WORK.—Amtrak may not contract out work within the scope of work performed by an employee in a bargaining unit covered by a collective bargaining agreement entered into between Amtrak and an organization representing Amtrak employees during the period of time such employee has been laid off involuntarily if such employee—

''(1) is eligible and qualified under the agreement to perform such work in accordance with the seniority of such employee; and

''(2) has not been provided an opportunity to be recalled to perform such work.

''(e) AGREEMENT PROHIBITIONS ON CONTRACTING OUT.—This section does not—

''(1) supersede a prohibition or limitation on contracting out work covered by an agreement entered into between Amtrak and an organization representing Amtrak employees; or

''(2) prohibit Amtrak and an organization representing Amtrak employees from entering into an agreement that allows for contracting out the work of a furloughed employee that would otherwise be prohibited under subsection (d).''.

(b) WORKFORCE PLAN.—Section 24320(c)(2) of title 49, United State Code, is amended—

(1) in subparagraph (C)(iii)(III) by striking ''and'' at the end;

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following:

''(D) a summary of Amtrak's plan to meet the workforce needs of each asset category, which shall—

''(i) identify any gaps in Amtrak's workforce, including any vacancy, skill gap, or shortage of qualified personnel;

''(ii) summarize any action Amtrak is taking to address any such gaps; and

''(iii) summarize any anticipated change to the size of the Amtrak workforce and any cause for such change; and''.

SEC. 9213. AMTRAK STAFFING.

Section 24312 of title 49, United States Code, is amended by adding at the end the following:

''(c) CALL CENTER STAFFING.—

''(1) OUTSOURCING.—Amtrak may not renew or enter into a contract to outsource call center customer service work on behalf of Amtrak, including through a business process outsourcing group.

''(2) TRAINING.—Amtrak shall make available appropriate training programs to any Amtrak call center employee carrying out customer service activities using telephone or internet platforms.

''(d) STATION AGENT STAFFING.—

''(1) IN GENERAL.—Amtrak shall ensure that at least one Amtrak ticket agent is employed at each station building where at least one Amtrak ticket agent was employed on or after October 1, 2017.

''(2) LOCATIONS.—Amtrak shall ensure that at least one Amtrak ticket agent is employed at each station building—

''(A) that Amtrak owns, or operates service through, as part of a passenger service route; and

''(B) for which the number of passengers boarding or deboarding an Amtrak long-distance train in the previous fiscal year exceeds the average of at least 40 passengers per day over all days in which the station was serviced by Amtrak, regardless of the number of Amtrak vehicles servicing the station per day. For fiscal year 2021, ridership from fiscal year 2019 shall be used to determine qualifying stations.

''(3) EXCEPTION.—This subsection does not apply to any station building in which a commuter rail ticket agent has the authority to sell Amtrak tickets.

''(4) AMTRAK TICKET AGENT.—For purposes of this section, the term 'Amtrak ticket agent' means an Amtrak employee with authority to sell Amtrak tickets onsite and assist in the checking of Amtrak passenger baggage.

''(5) EFFECTIVE DATE.—This subsection shall take effect on the earlier of—

''(A) the date of the expiration of the emergency declaration issued by the President on March 13, 2020, pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)); or

''(B) the day after the period that is the first 6 consecutive months within a calendar year for which Amtrak ridership exceeds the Amtrak ridership for the same 6 consecutive calendar months in 2019.''.

SEC. 9214. SPECIAL TRANSPORTATION.

Section 24307(a) of title 49, United States Code, is amended—

(1) in the matter preceding paragraph (1) by striking ''for the following:'' and inserting ''of at least a 10 percent discount on full-price coach class rail fares for, at a minimum—'';

(2) in paragraph (1) by striking the period at the end and inserting a semicolon; and

(3) by striking paragraph (2) and inserting the following:

''(2) individuals of 12 years of age or younger;

''(3) individuals with a disability, as such term is defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102);

''(4) members of the Armed Forces on active duty (as those terms are defined in section 101 of title 10) and their spouses and dependents with valid identification;

''(5) veterans (as that term is defined in section 101 of title 38) with valid identification; and

''(6) individuals attending federally accredited postsecondary education institutions with valid student identification cards.''.

SEC. 9215. DISASTER AND EMERGENCY RELIEF PROGRAM.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following:

''§ 24324. Disaster and emergency relief program

''(a) IN GENERAL.—The Secretary of Transportation may make grants to Amtrak for—

''(1) capital projects to repair, reconstruct, or replace equipment, infrastructure, stations, and other facilities that the Secretary determines are in danger of suffering serious damage, or have suffered serious damage, as a result of an emergency event;

''(2) offset revenue lost as a result of such an event; and

''(3) support continued operations following emergency events.

''(b) COORDINATION OF EMERGENCY FUNDS.—Funds made available to carry out this section shall be in addition to any other funds available and shall not affect the ability of Amtrak to use any other funds otherwise authorized by law.

''(c) GRANT CONDITIONS.—Grants made under this subsection (a) shall be subject to section 22905(c)(2)(A) and other such terms and conditions as the Secretary determines necessary.

''(d) DEFINITION OF EMERGENCY EVENT.—In this section, the term 'emergency event' has the meaning given such term in section 20103.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 243 of title 49, United States Code, is further amended by adding at the end the following:

''24324. Disaster and emergency relief program.''.

SEC. 9216. ACCESS TO RECREATIONAL TRAILS.

Section 24315 of title 49, United States Code, is amended by adding at the end the following:

''(i) ACCESS TO RECREATIONAL TRAILS.—At least 30 days before implementing a new policy, structure, or operation that impedes access to recreational trails, Amtrak shall work with potentially affected communities, making a good-faith effort to address local concerns about such access. Not later than February 15 of each year, Amtrak shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on any such engagement in the preceding calendar year, and any changes to policies, structures, or operations affecting access to recreational trails that were considered or made as a result. The report shall include Amtrak's plans to mitigate the impact to such access.''.

SEC. 9217. AMTRAK CYBERSECURITY ENHANCEMENT AND RESILIENCY GRANT PROGRAM.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following:

''§ 24325. Amtrak cybersecurity enhancement and resiliency grant program

''(a) IN GENERAL.—The Secretary of Transportation shall make grants to Amtrak for improvements in information technology systems, including cyber resiliency improvements for Amtrak information technology assets.

''(b) APPLICATION OF BEST PRACTICES.—Any cyber resiliency improvements carried out with a grant under this section shall be consistent with cybersecurity industry best practices and publications issued by the National Institute of Standards and Technology.

''(c) COORDINATION OF CYBERSECURITY FUNDS.—Funds made available to carry out this section shall be in addition to any other Federal funds and shall not affect the ability of Amtrak to use any other funds otherwise authorized by law for purposes of enhancing the cybersecurity architecture of Amtrak.

''(d) GRANT CONDITIONS.—In carrying out this section—

''(1) to the extent practicable, the Secretary shall provide grants consistent with the process established under section 24319;

''(2) the Secretary shall ensure that a grant made available under this section shall be administered and disbursed as part of Amtrak's annual grant agreement as authorized by section 24319(d)(1)(B); and

''(3) a grant made under this section shall be subject to such terms and conditions as the Secretary determines necessary.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 243 of title 49, United States Code, is further amended by adding at the end the following:

''24325. Amtrak cybersecurity enhancement and resiliency grant program.''.

SEC. 9218. AMTRAK AND PRIVATE CARS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that private cars and charter trains can—

(1) improve Amtrak's financial performance, particularly on the long-distance routes;

(2) have promotional value for Amtrak that results in future travel on Amtrak trains by passengers made aware of Amtrak as a result;

(3) support private-sector jobs, including for mechanical work and on-board services; and

(4) provide good-will benefits to Amtrak.

(b) POLICY REVIEW.—Amtrak shall review the policy changes since January 1, 2018, that have caused significant changes to the relationship between Amtrak and private car owners and charter train services and evaluate opportunities to strengthen these services, including by reinstating some access points and restoring flexibility to charter-train policies. For charter trains, private cars, and package express carried on regular Amtrak trains, consistent with sound business practice, Amtrak should recover direct costs plus a reasonable profit margin.

SEC. 9219. AMTRAK OFFICE OF COMMUNITY OUTREACH.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following new section:

''§ 24326. Amtrak Office of Community Outreach

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of the TRAIN Act, Amtrak shall establish an Office of Community Outreach to engage with communities impacted by Amtrak operations.

''(b) RESPONSIBILITIES.—The Office of Community Outreach shall be responsible for—

''(1) outreach and engagement with—

''(A) local officials before capital improvement project plans are finalized; and

''(B) local stakeholders and relevant organizations on projects of community significance;

''(2) clear explanation and publication of how community members can communicate with Amtrak;

''(3) the use of virtual public involvement, social media, and other web-based tools to encourage public participation and solicit public feedback; and

''(4) making publicly available on the website of Amtrak, planning documents for proposed and implemented capital improvement projects.

''(c) REPORT TO CONGRESS.—Not later than 1 year after the establishment of the Office of Community Outreach, and annually thereafter, Amtrak shall submit to the Committee on Transportation and Infrastructure in the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

''(1) describes the community outreach efforts undertaken by the Amtrak Office of Community Outreach for the previous year; and

''(2) identifies changes Amtrak made to capital improvement project plans after engagement with affected communities.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 243 of title 49, United States Code, is further amended by adding at the end the following:

''24326. Amtrak Office of Community Outreach.''.

SEC. 9220. LONG-DISTANCE CUSTOMER ENHANCEMENT PROGRAM.

(a) AUTHORIZATION.—Amtrak shall expend not less than 2.5 percent of the amounts appropriated in each fiscal year pursuant to section 9101(a)(2) to enhance the customer experience on Amtrak long-distance routes.

(b) ELIGIBILITY.—Projects and initiatives to serve the following purposes, including planning and development, are eligible to be implemented by Amtrak under this section:

(1) Rolling stock interior refreshes and redesigns.

(2) Food and beverage service improvements consistent with section 24321 of title 49, United States Code.

(3) Wi-Fi service expansion and improvement.

(4) Enhanced customer experience at stations.

(5) Other customer enhancement initiatives developed by Amtrak, including initiatives developed in accordance with subsection (c).

(c) CONSULTATION.—Not later than 90 days after the date of enactment of this Act, and subsequently on a periodic basis, Amtrak shall consult with appropriate States, local governments, labor organizations representing railroad employees, and national associations that represent rail passengers on ways to enhance the customer experience on long-distance routes.

(d) USE OF FUNDS FOR OTHER PURPOSES.—Amtrak may use funds provided under this section for purposes related to long-distance route service other than those listed in subsection (b) if—

(1) Amtrak determines the use of funds is necessary to—

(A) improve the safety of long-distance route operations; or

(B) maintain continued operation or service levels of any such route; and

(2) not later than 10 days of the repurposing of such funds, Amtrak submits to the Secretary, the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, and the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate, a report that includes—

(A) the amount of funds repurposed for a use described in this subsection, and

(B) the reason for the repurposing of such funds.

(e) LONG-DISTANCE ROUTE DEFINED.—In this section, the term ''long-distance route'' has the meaning given the term in section 24102 of title 49, United States Code.

SEC. 9221. AMTRAK CARBON-FREE AND RENEWABLE ENERGY INITIATIVES.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is further amended by adding at the end the following new section:

''§ 24327. Amtrak carbon-free and renewable energy initiatives

''(a) EMISSIONS REDUCTION AND ENERGY PLAN.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the TRAIN Act, Amtrak shall—

''(A) develop a greenhouse gas emissions reduction and energy plan that sets forth a goal of, a strategy for achieving, and potential timelines and funding requirements for—

''(i) becoming a net-zero carbon emissions transportation provider; and

''(ii) achieving net-zero carbon emissions with respect to Amtrak operations within the Northeast Corridor;

''(B) submit the plan to the Secretary of Transportation, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate; and

''(C) publish the plan on Amtrak's website.

''(2) ADDITIONAL REQUIREMENTS.—The plan developed under paragraph (1) shall contain—

''(A) at least 1 option for becoming a net-zero carbon emissions transportation provider not later than January 1, 2035; and

''(B) at least 1 option for achieving net-zero carbon emissions with respect to Amtrak operations within the Northeast Corridor not later than January 1, 2030.

''(3) ANNUAL PROGRESS REPORTS.—

''(A) IN GENERAL.—After submission and publication of the plan developed under paragraph (1), Amtrak shall include in each general and legislative annual report required under section 24315(b), an update on Amtrak's progress towards—

''(i) becoming a net-zero carbon emissions transportation provider; and

''(ii) achieving net-zero carbon emissions with respect to Amtrak operations within the Northeast Corridor.

''(B) LEGISLATIVE RECOMMENDATIONS.—The update required under subparagraph (A) may include recommendations for legislative changes or changes to funding levels likely to increase the rate of Amtrak's progress.

''(b) CARBON-FREE AND RENEWABLE ENERGY USE.—

''(1) ENERGY SOURCE REQUIREMENT.—Not later than 180 days after the date of enactment of the TRAIN Act, Amtrak shall ensure that any new or renewed contract between Amtrak and a provider of electricity that is used to meet the needs of train traction power or rail facility power requires that an amount equal to or greater that 25 percent of such electricity is derived from carbon-free or renewable energy sources.

''(2) INCREASED ENERGY SOURCE GOALS.—Amtrak shall establish goals for increasing the energy source requirements described in paragraph (1), including a goal of requiring—

''(A) at least 50 percent of electricity derived from such sources for new or renewed contracts entered into beginning 5 years after the date of enactment of the TRAIN Act; and

''(B) 100 percent of electricity derived from such sources for new or renewed contracts entered into on or after January 1, 2030.

''(3) EXCEPTIONS.—The requirements of paragraph (1) shall not apply in any case in which—

''(A) no provider of electricity is able to provide the necessary levels of carbon-free or renewable energy;

''(B) compliance with such requirements would adversely affect Amtrak's operations or quality of service to an unreasonable degree; or

''(C) compliance with such requirements would cause an increase of at least 50 percent in total cost of electricity, as compared to the total cost of electricity Amtrak would otherwise have acquired.

''(4) REPORT.—Not later than 1 year after the date of enactment of the TRAIN Act, Amtrak shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that identifies opportunities to further increase Amtrak's use of carbon-free and renewable energy for train traction power needs and facility power needs.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 243 of title 49, United States Code, is further amended by adding at the end the following:

''24327. Amtrak carbon-free and renewable energy initiatives.''.

TITLE III—INTERCITY PASSENGER RAIL POLICY

SEC. 9301. NORTHEAST CORRIDOR COMMISSION.

Section 24905 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A) by striking ''members'' and inserting ''4 members'';

(B) in subparagraph (B) by striking ''members'' and inserting ''5 members''; and

(C) in subparagraph (D) by striking ''and commuter railroad carriers using the Northeast Corridor selected by the Secretary'' and inserting ''railroad carriers and commuter authorities using the Northeast Corridor, as determined by the Commission'';

(2) by striking paragraph (2) of subsection (a) and inserting the following:

''(2) At least two of the members described in paragraph (1)(B) shall be career appointees, as such term is defined in section 3132(a) of title 5.'';

(3) in subsection (b)(3)(B)—

(A) in clause (i) by inserting '', including ridership trends,'' before ''along the Northeast Corridor'';

(B) in clause (ii) by striking ''capital investment plan described in section 24904.'' and inserting ''first year of the capital investment plan described in section 24904; and''; and

(C) by adding at the end the following:

''(iii) progress in assessing and eliminating the state-of-good-repair backlog.'';

(4) in subsection (c)—

(A) by striking ''(1) DEVELOPMENT'' and all that follows through ''standardized policy'' and inserting the following:

''(1) POLICY.—The Commission shall—

''(A) maintain and update, as appropriate, the 'Northeast Corridor Commuter and Intercity Rail Cost Allocation Policy' approved on September 17, 2015,'';

(B) in paragraph (1)—

(i) in subparagraph (B) by striking ''a proposed timetable for implementing'' and inserting ''timetables for implementing and maintaining'';

(ii) in subparagraph (C) by striking ''the policy and the timetable'' and inserting ''updates to the policy and the timetables''; and

(iii) by striking subparagraph (D) and inserting the following:

''(D) support the efforts of the members of the Commission to implement the policy in accordance with such timetables; and'';

(C) in paragraph (2)—

(i) by striking the first sentence and inserting ''In accordance with the timetable developed in paragraph (1), Amtrak and commuter authorities on the Northeast Corridor shall implement the policy developed under paragraph (1) in agreements for usage of facilities or services.'';

(ii) by striking ''fail to implement such new agreements'' and inserting ''fail to implement the policy''; and

(iii) by striking ''paragraph (1)(A), as applicable'' and inserting ''paragraph (1)''; and

(D) in paragraph (4) by striking ''public authorities providing commuter rail passenger transportation'' and inserting ''commuter authorities'';

(5) by striking subsection (d);

(6) by redesignating subsection (e) as subsection (d); and

(7) in paragraph (1)(D) of subsection (d) (as redesignated by paragraph (6)) by striking ''commuter rail agencies'' and inserting ''commuter authorities''.

SEC. 9302. NORTHEAST CORRIDOR PLANNING.

(a) IN GENERAL.—Section 24904 of title 49, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f);

(2) by striking subsection (c);

(3) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively;

(4) by inserting before subsection (b), as so redesignated, the following:

''(a) SERVICE DEVELOPMENT PLAN.—

''(1) REQUIREMENT.—Not later than December 31, 2021, the Northeast Corridor Commission established under section 24905 (referred to in this section as the 'Commission') shall submit to Congress a service development plan that identifies key state-of-good-repair, capacity expansion, and capital improvement projects planned for the Northeast Corridor, to upgrade aging infrastructure and improve the reliability, capacity, connectivity, performance, and resiliency of passenger rail service on the Northeast Corridor.

''(2) CONTENTS.—The service development plan required under paragraph (1) shall—

''(A) provide a coordinated and consensus-based plan covering a period of 15 years;

''(B) identify service objectives and capital investments needs;

''(C) provide a delivery-constrained strategy that identifies capital investment phasing, an evaluation of workforce needs, and strategies for managing resources and mitigating construction impacts on operations;

''(D) describe the anticipated outcomes of each project or program, including an assessment of improved capacity, travel time, and other benefits and costs of proposed investments;

''(E) include a financial strategy that incorporates available funding and identifies funding needs and potential sources of such funding; and

''(F) be updated at least every 5 years.'';

(5) in subsection (b) (as redesignated by paragraph (3))—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ''Not later than'' and all that follows through ''shall'' and inserting ''Not later than November 1 of each year, the Commission shall'';

(ii) in subparagraph (A) by striking ''a capital investment plan'' and inserting ''an annual capital investment plan''; and

(iii) in subparagraph (B) by inserting ''for the Northeast Corridor'' after ''capital investment plan'';

(B) in paragraph (2)—

(i) in subparagraph (A) by striking ''and network optimization'';

(ii) in subparagraph (B) by striking ''and service'';

(iii) in subparagraph (C) by striking ''first fiscal year after the date on which'' and inserting ''fiscal year during which'';

(iv) in subparagraph (D)—

(I) by striking ''identify, prioritize,'' and all that follows through ''and consider'' and inserting ''document the projects and programs being undertaken to achieve the service outcomes identified in the Northeast Corridor service development plan, once available, and the asset condition needs identified in the Northeast Corridor asset management system described in subsection (e) and consider''; and

(II) in clause (i) by inserting ''overall estimated'' before ''benefits'';

(v) in subparagraph (E)(i) by striking ''normalized capital replacement and'';

(vi) in subparagraph (F) by adding ''and'' at the end;

(vii) by striking subparagraph (G); and

(viii) by redesignating subparagraph (H) as subparagraph (G); and

(C) in paragraph (3)—

(i) by striking ''paragraph (2)(H)'' and inserting ''paragraph (2)(G)'';

(ii) in subparagraph (A)—

(I) by inserting ''anticipated'' before ''funding sources''; and

(II) by inserting ''and, in the absence of an authorization or appropriation of funds for a fiscal year, be based on the amount of funding available in the previous fiscal year, plus inflation'' after ''methods'';

(iii) in subparagraph (B) by striking ''expected allocated shares of costs'' and inserting ''status of cost sharing agreements'';

(iv) in subparagraph (C) by striking ''and'' at the end;

(v) by redesignating subparagraph (D) as subparagraph (E); and

(vi) by inserting after subparagraph (C) the following:

''(D) include any funding needs in excess of amounts authorized or otherwise available in a fiscal year; and'';

(6) in subsection (c) (as redesignated by paragraph (3)) by striking ''may be spent only on'' and all that follows through the end and inserting ''may be spent only on capital projects and programs contained in the Commission's capital investment plan from the previous year.''; and

(7) by striking subsection (d) and inserting the following:

''(d) REVIEW AND COORDINATION.—The Commission shall gather information from Amtrak, the States in which the Northeast Corridor is located, and commuter rail authorities to support development of the capital investment plan. The Commission may specify a format and other criteria for the information submitted. Submissions to the plan from Amtrak, States in which the Northeast Corridor are located, and commuter rail authorities shall be provided to the Commission in a manner that allows for a reasonable period of review by, and coordination with, affected agencies.

''(e) NORTHEAST CORRIDOR ASSET MANAGEMENT.—With regard to existing infrastructure, Amtrak and other infrastructure owners that provide or support intercity rail passenger transportation on the Northeast Corridor shall develop an asset management system, and use and update such system as necessary, to develop submissions to the Northeast Corridor capital investment plan described in subsection (b). Such system shall—

''(1) be timed consistent with the Federal Transit Administration process, as authorized under section 5326, when implemented; and

''(2) include, at a minimum—

''(A) an inventory of all capital assets owned by the developer of the plan;

''(B) an assessment of asset condition;

''(C) a description of the resources and processes necessary to bring or maintain those assets in a state of good repair; and

''(D) a description of changes in asset condition since the previous version of the plan.''.

(b) CONFORMING AMENDMENTS.—

(1) ACCOUNTS.—Section 24317(d)(1) of title 49, United States Code, is amended—

(A) in subparagraph (B) by striking ''24904(a)(2)(E)'' and inserting ''24904(b)(2)(E)''; and

(B) in subparagraph (F) by striking ''24904(b)'' and inserting ''24904(c)''.

(2) FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.—Section 24911(e)(2) of title 49, United States Code, is amended by striking ''24904(a)'' and inserting ''24904(b)''.

SEC. 9303. PROTECTIVE ARRANGEMENTS.

Section 22905 of title 49, United States Code, is amended—

(1) in subsection (c)(2)(B) by striking ''that are equivalent to the protective arrangements established under section 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 836)'' and inserting ''established by the Secretary under subsection (e)(1)'';

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(3) by inserting after subsection (d) the following:

''(e) EQUIVALENT EMPLOYEE PROTECTIONS.—

''(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this subsection, the Administrator of the Federal Railroad Administration shall establish protective arrangements equivalent to those established under section 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 836), and require such protective arrangements to apply to employees described under subsection (c)(2)(B)

and as required under subsection (j) of section 22907.

''(2) PUBLICATION.—The Administrator shall make available on a publicly available website the protective arrangements established under paragraph (1).''.

SEC. 9304. INTERSTATE RAIL COMPACTS.

(a) IDENTIFICATION.—Section 410 of the Amtrak Reform and Accountability Act of 1997 (Public Law 105–134; 49 U.S.C. 24101 note) is amended—

(1) in subsection (b)(2) by striking ''(except funds made available for Amtrak)''; and

(2) by adding at the end the following:

''(c) INTERSTATE RAIL COMPACTS PROGRAM.—The Secretary of Transportation shall—

''(1) make available on a publicly accessible website a list of interstate rail compacts established in accordance with subsection (a);

''(2) provide information to the public regarding interstate rail compacts, including how States may establish interstate rail compacts under subsection (a); and

''(3) annually update the information provided under paragraph (2).''.

(b) GRANTS AUTHORIZED.—Chapter 229 of title 49, United States Code, is further amended by adding at the end the following:

''§ 22910. Interstate rail compacts support program

''(a) IN GENERAL.—The Secretary shall develop and implement a competitive grant program for providing administrative assistance, including salaries, benefits, travel, and other administrative expenses, to eligible applicants to support interstate and regional efforts—

''(1) to improve the safety, efficiency, or reliability of intercity passenger rail; and

''(2) to promote and develop intercity passenger rail service, including through initiating, restoring, or enhancing intercity passenger rail service.

''(b) APPLICANT SELECTION CRITERIA.—

''(1) IN GENERAL.—In awarding grants under this section, the Secretary shall consider—

''(A) the amount of other funding received by an applicant (including funding from railroads) or other significant participation by State, local, and regional governmental and private entities;

''(B) the applicant's work to facilitate and encourage regional planning for passenger rail improvement, enhancement, and development;

''(C) the applicant's work to foster, through rail transportation systems, economic development, particularly in rural communities, for socially disadvantaged individuals, and for disadvantaged populations;

''(D) the applicant's efforts to provide guidance to local communities on public and private resources relate to community concerns, such as congestion, rail and grade crossing safety, trespasser prevention, quiet zones, idling, and rail line relocations;

''(E) whether the applicant seeks to restore service over routes formerly operated by Amtrak, including routes described in section 11304(a) of the Passenger Rail Reform and Investment Act of 2015 (title XI of division A of Public Law 114–94);

''(F) the applicant's intent to provide intercity passenger rail service to regions and communities that are underserved or not served by other intercity public transportation;

''(G) whether the applicant is enhancing connectivity and geographic coverage of the existing national network of intercity rail passenger service;

''(H) the applicant's efforts to engage with entities to deploy railroad safety technology or programs, including trespassing prevention, rail integrity inspection systems, or grade crossing safety;

''(I) whether the applicant prepares regional rail and corridor service development plans and corresponding environmental analysis; and

''(J) whether the applicant has engaged with the Federal, local, or State government and transportation planning agencies to identify projects necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service, commercial air service, or commuter rail service.

''(2) PREFERENCE.—In selecting grant recipients, the Secretary shall give preference to applicants that are initiating, restoring, or enhancing intercity rail passenger transportation.

''(c) APPLICATION PROCESS.—The Secretary shall prescribe the form and manner of submitting applications under this section.

''(d) PERFORMANCE MEASURES.—

''(1) IN GENERAL.—The Secretary shall establish performance measures for each grant recipient to assess progress in achieving strategic goals and objectives.

''(2) ANNUAL REPORT.— The Secretary shall require grant recipients to submit an annual report of the activities of such recipient and information related to applicable performance measures, which may include—

''(A) a demonstration of progress to achieve or advance the relevant criteria described in subsection (b); and

''(B) the amount of non-Federal matching funds provided from each member State.

''(e) FEDERAL SHARE OF TOTAL PROJECT COST.—The Secretary shall require each recipient of a grant under this subsection to provide a non-Federal match of not less than 50 percent of the administrative assistance to the interstate rail compact.

''(f) APPLICABLE REQUIREMENTS.—The use of any amounts appropriated for grants under this section shall be subject to the applicable requirements under this chapter.

''(g) APPLICABILITY.—Amounts appropriated to carry out this section shall remain available until expended.

''(h) LIMITATIONS.—

''(1) MAXIMUM FUNDING PER APPLICANT.—The Secretary may not award grants under this section in an amount exceeding $500,000 annually for each applicant.

''(2) NUMERIC LIMITATION.—The Secretary may not provide grants under this section to more than 10 interstate rail compacts in any fiscal year.

''(i) DEFINITIONS.—In this section:

''(1) APPLICANT.—The term 'applicant' means an interstate rail compact or an interstate commission composed of 2 or more States that has been established to promote, develop, or operate intercity passenger rail transportation systems.

''(2) INTERCITY PASSENGER RAIL SERVICE.—The term 'intercity passenger rail service' has the meaning given the term 'intercity rail passenger transportation' in section 24102.''.

(c) CLERICAL AMENDMENT.—The analysis for chapter 229 of title 49, United States Code, is further amended by adding at the end the following:

''22910. Interstate rail compacts support program.''.

SEC. 9305. HIGH-SPEED RAIL UPDATES.

(a) HIGH-SPEED RAIL CORRIDOR PLANNING.—Section 26101 of title 49, United States Code, is amended—

(1) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A) by striking '', or if it is an activity described in subparagraph (M)'';

(B) in subparagraph (J) by striking ''right-of-way improvements'' and inserting ''right-of-way acquisition or improvement needs'';

(C) in subparagraph (K) by inserting ''and'' at the end; and

(D) by striking subparagraphs (L) and (M) and inserting the following:

''(L) public costs in the creation of public private partnerships.''; and

(2) in subsection (c)—

(A) by striking paragraphs (1) through (3) and inserting the following:

''(1) the extent to which the proposed planning focuses on systems which will provide for high-speed rail;

''(2) the integration of the corridor into metropolitan area and statewide transportation planning, including State rail plans;

''(3) the use of rail stations within urbanized areas that are located in a geographic area with a greater density population than the urbanized area as a whole;'';

(B) in paragraph (4) by inserting before the semicolon '', passenger rail, transit, and other multimodal options'';

(C) in paragraph (6) by inserting ''and reduce greenhouse gas emissions'' before the semicolon; and

(D) in paragraph (11) by inserting '', including access to affordable housing'' before the semicolon.

(b) DEFINITIONS.—Section 26105(2) of title 49, United States Code, is amended—

(1) by inserting ''made available to members of the general public as passengers and reasonably expected to reach speeds of'' after ''service which is'';

(2) in subparagraph (A) by striking ''reasonably expected to reach sustained speeds of more than 125 miles per hour; and'' and inserting ''160 miles per hour or more on shared-use right-of-way; or''; and

(3) in subparagraph (B) by striking ''made available to members of the general public as passengers'' and inserting ''186 miles per hour or more on dedicated right-of-way''.

(c) HIGH-SPEED RAIL CORRIDOR DEVELOPMENT.—Section 26106(e)(2) of title 49, United States Code, is amended—

(1) in subparagraph (A)(i) by striking ''section 211 of the Passenger Rail Investment and Improvement Act of 2008'' and inserting ''section 24904(a)''; and

(2) in subparagraph (C)(i)—

(A) by striking subclause (III);

(B) by redesignating subclause (II) as subclause (III);

(C) by inserting after subclause (I) the following:

''(II) connectivity to rail stations within urbanized areas that are located in a geographic area with a greater density population than the urbanized area as a whole;''; and

(D) by striking subclause (IV) and inserting the following:

''(IV) environmental benefits, including projects that—

''(aa) reduce greenhouse gas emissions; and

''(bb) involve electrification or the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment;''.

SEC. 9306. STATE RAIL PLANNING FORMULA FUNDS.

(a) IN GENERAL.—Chapter 229 of title 49, United States Code, is further amended by adding at the end the following:

''§ 22911. State rail planning formula funds

''(a) IN GENERAL.—In carrying out this chapter, the Secretary shall allocate an appropriate portion of 1.5 percent of the amounts made available for programs under this chapter to provide grants to States—

''(1) for State or multi-State regional intercity passenger rail corridor planning or project-specific, intercity passenger rail planning purposes; or

''(2) for funding rail projects otherwise eligible under section 22907 if no intercity passenger rail planning is feasible.

''(b) LIMITATION OF FUNDS.—Any unobligated balances of a grant under this section remaining after 3 years from the fiscal year in which the grant was made shall be redistributed in an appropriate portion.

''(c) DEFINITIONS.—In this section:

''(1) APPROPRIATE PORTION.—The term 'appropriate portion' means a share, for each State—

''(A) one quarter of which is comprised of the ratio that the total railroad route miles in such

State bears to the total railroad route miles in the United States, excluding from each such total the route miles used exclusively for tourist excursions;

''(B) one quarter of which is comprised of the ratio that the population in such State bears to the total population of the United States, as determined by the Bureau of the Census; and

''(C) half of which is comprised of the ratio that the Amtrak ridership for fiscal year 2019 in each State bears to the total Amtrak ridership for fiscal year 2019.

''(2) STATE.—The term 'State' means each of the 50 States and the District of Columbia.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 229 of title 49, United States Code, is further amended by adding at the end the following:

''22911. State rail planning formula funds.''.

TITLE IV—COMMUTER RAIL POLICY

SEC. 9401. SENSE OF CONGRESS REGARDING COMMUTER RAIL LIABILITY INSURANCE.

(a) FINDINGS.—Congress finds the following:

(1) Prior to the COVID–19 pandemic, 32 commuter railroads across the United States safely carried passengers on more than 500,000,000 trips each year.

(2) Commuter rail is a $9,900,000,000 industry that creates and supports more than 200,000 public- and private-sector jobs, and continues to grow.

(3) Most commuter rail agencies are required to maintain liability insurance up to statutory liability limits.

(4) Commuter rail agencies face significant obstacles to finding and obtaining liability insurance.

(5) Only a handful of insurers offer this coverage, and a significant percentage of the railroad liability insurance marketplace is provided by foreign companies.

(6) The number of insurers in the American and foreign markets willing to even offer potential capacity for this coverage has drastically decreased over the past several years, and, regardless of cost, it is becoming extremely difficult for commuter railroads to obtain the needed coverage.

(7) Despite the exceptional safety record of commuter railroads and recent full compliance with positive train control, a 2021 survey of the American Public Transportation Association's commuter rail agencies revealed that there has been a 60 percent increase in premium costs over the last 3 years.

(8) The increase in premiums is largely due to factors outside the control of the commuter rail industry, including major forest fires, hurricanes, and insurers exiting the market.

(9) The cost of liability insurance severely impacts the operating budgets of many commuter rail agencies and potentially affects their ability to offer these critical public transportation services.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress should address the capacity and cost issues associated with the commuter rail liability insurance market and consider establishing a commuter rail insurance program within the Department of Transportation.

SEC. 9402. SURFACE TRANSPORTATION BOARD MEDIATION OF TRACKAGE USE REQUESTS.

Section 28502 of title 49, United States Code, is amended to read as follows:

''§ 28502. Surface Transportation Board mediation of trackage use requests

''A rail carrier shall provide good faith consideration to a reasonable request from a provider of commuter rail passenger transportation for access to trackage and provision of related services. If, after a reasonable period of negotiation, a public transportation authority cannot reach agreement with a rail carrier to use trackage of, and have related services provided by, the rail carrier for purposes of commuter rail passenger transportation, the public transportation authority or the rail carrier may apply to the Board for nonbinding mediation. In any case in which dispatching for the relevant trackage is controlled by a rail carrier other than the trackage owner, both shall be subject to the requirements of this section and included in the Board's mediation process. The Board shall conduct the nonbinding mediation in accordance with the mediation process of section 1109.4 of title 49, Code of Federal Regulations, as in effect on the date of enactment of the TRAIN Act. During such mediation process, the Board shall determine whether the consideration a rail carrier provided to a request was in good faith and whether the request from a provider of commuter rail passenger transportation was reasonable. The determinations made in the preceding sentence shall have no effect on the nonbinding nature of the mediation.''.

SEC. 9403. SURFACE TRANSPORTATION BOARD MEDIATION OF RIGHTS-OF-WAY USE REQUESTS.

Section 28503 of title 49, United States Code, is amended to read as follows:

''§ 28503. Surface Transportation Board mediation of rights-of-way use requests

''A rail carrier shall provide good faith consideration to a reasonable request from a provider of commuter rail passenger transportation for access to rail right-of-way for the construction and operation of a segregated fixed guideway facility. If, after a reasonable period of negotiation, a public transportation authority cannot reach agreement with a rail carrier to acquire an interest in a railroad right-of-way for the construction and operation of a segregated fixed guideway facility to provide commuter rail passenger transportation, the public transportation authority or the rail carrier may apply to the Board for nonbinding mediation. In any case in which dispatching for the relevant trackage is controlled by a rail carrier other than the right-of-way owner, both shall be subject to the requirements of this section and included in the Board's mediation process. The Board shall conduct the nonbinding mediation in accordance with the mediation process of section 1109.4 of title 49, Code of Federal Regulations, as in effect on the date of enactment of the TRAIN Act. During such mediation process, the Board shall determine whether the consideration a rail carrier provided to a request was in good faith and whether the request from a provider of commuter rail passenger transportation was reasonable. The determinations made in the preceding sentence shall have no effect on the nonbinding nature of the mediation.''.

TITLE V—RAIL SAFETY

Subtitle A—Passenger and Freight Safety

SEC. 9501. STUDY ON SAFETY IMPACT OF LONG TRAINS.

(a) STUDY.—The Secretary of Transportation shall conduct a study on the safety impacts of the operation of long trains.

(b) CONTENTS.—The study conducted under subsection (a) shall include—

(1) an examination of any potential risks of the operation of long trains and recommendations on mitigation of any such risks;

(2) among other safety factors with respect to the operation of such trains, an evaluation of any—

(A) potential risk of loss of communications between an end-of-train device, or a distributed power unit, and the locomotive cab, including communications over differing terrains and conditions;

(B) potential risk of loss of radio communications between crewmembers after a crewmember alights from a train, including communications over differing terrains and conditions;

(C) potential risk of derailments, including any risks associated with in-train compressive forces and slack action, or other safety risks in differing terrains and conditions;

(D) changes in risks or benefits to safety associated with the deployment of multiple distributed power units in the consists of such trains; and

(E) impacts of the length of trains on braking and locomotive performance and track wear and tear; and

(3) an evaluation of whether additional engineer and conductor training is required for safely operating such trains.

(c) COLLABORATION.—In conducting the study required under subsection (a), the Secretary shall collaborate with railroad carriers, labor organizations representing railroad employees, and railroad safety technology manufacturers.

(d) RESULTS OF STUDY.—

(1) REPORT.—Not later than 24 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that contains—

(A) the results of the study required by subsection (a);

(B) any recommendations for mitigating safety risks caused by long trains; and

(C) a description of any action the Secretary intends to take to address any safety risk identified in the study.

(2) SHARING STUDY RESULTS.—After submitting the report required by paragraph (1), the Secretary shall share the results of the study with railroad carriers, labor organizations representing railroad employees, and safety technology organizations.

(e) SECRETARY ACTION.—Not later than 180 days after the date on which the report required by subsection (d)(1) is submitted, the Secretary shall implement any proposed actions described in such report.

(f) DEFINITION.—In this section, the term ''long train'' means a freight train composed of more than 150 rail cars.

(g) FUNDING.—From the amounts made available for fiscal year 2021 to carry out section 20117(a) of title 49, United States Code, the Secretary shall expend not less than $1,000,000 and not more than $2,000,000 to carry out this section.

SEC. 9502. FRA SAFETY REPORTING.

(a) IN GENERAL.—Section 20901 of title 49, United States Code, is amended by inserting ''(including the train length, the number of crew members in the controlling locomotive cab, and the duties of such crew members)'' after ''reported accident or incident''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue such regulations as are necessary to carry out the amendment made by subsection (a).

(c) TREND ANALYSIS.—

(1) IN GENERAL.—Chapter 209 of title 49, United States Code, is amended by adding at the end the following:

''§ 20904. Trend analysis

''(a) ANNUAL REVIEW AND ANALYSIS.—Not later than 1 year after the date of enactment of the TRAIN Act, and not less frequently than annually thereafter, the Secretary shall review the reports filed by a railroad carrier subject to section 20901(a) and analyze the data contained in such reports for trends or patterns of potential safety risks.

''(b) SECRETARY ACTION.—If the Secretary identifies any such trends or patterns, the Secretary shall—

''(1) take such actions as are necessary to address the potential safety risk; and

''(2) if appropriate, communicate any such trends or patterns to a representative of any relevant railroad carrier and a representative of the employees of such railroad carrier, including any nonprofit employee labor organization representing a craft or class of employees subject to the potential safety risk.''.

(2) CLERICAL AMENDMENT.—The analysis for chapter 209 of title 49, United States Code, is amended by adding at the end the following:

''20904. Trend analysis.''.

(d) ACCIDENT AND INCIDENT REPORTING.—Section 209 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20901 note) is amended by inserting '', and other events required to be reported under part 225 of title 49, Code of Federal Regulations,'' after ''collisions and fatalities''.

SEC. 9503. WAIVER NOTICE REQUIREMENTS.

Section 20103(d) of title 49, United States Code, is amended to read as follows:

''(d) NONEMERGENCY WAIVERS.—

''(1) IN GENERAL.—The Secretary may waive or suspend compliance with any part of a regulation prescribed or order issued under this chapter if the waiver or suspension is in the public interest and consistent with railroad safety.

''(2) NOTICE REQUIRED.—The Secretary shall—

''(A) provide timely public notice of any request for a waiver or suspension under this subsection;

''(B) make the application for such waiver or suspension and any related underlying data available to interested parties;

''(C) provide the public with notice and a reasonable opportunity to comment on a proposed waiver or suspension under this subsection before making a final decision; and

''(D) make public the reasons for granting a waiver or suspension under this subsection.

''(3) INFORMATION PROTECTION.—Nothing in this subsection shall be construed to require the release of information protected by law from public disclosure.''.

SEC. 9504. NOTICE OF FRA COMPREHENSIVE SAFETY COMPLIANCE ASSESSMENTS.

(a) INITIAL NOTICE.—If the Federal Railroad Administration initiates a comprehensive safety compliance assessment of an entity providing regularly scheduled intercity or commuter rail passenger transportation, the Administration shall notify in electronic format the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of such comprehensive safety compliance assessment not later than 10 business days after the date on which commencement of any field investigation activity that is part of such assessment occurs.

(b) FINDINGS.—Not later than 180 days after completion of a comprehensive safety compliance assessment described in subsection (a), the Federal Railroad Administration shall transmit in electronic format to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a summary report of the findings of such assessment.

(c) DEFINITION OF COMPREHENSIVE SAFETY COMPLIANCE ASSESSMENT.—In this section, the term ''comprehensive safety compliance assessment'' means a focused review initiated and managed by the Federal Railroad Administration based on findings from an accident investigation and involving at least 2 technical disciplines, with the purpose of examining the compliance of an entity providing regularly scheduled intercity or commuter rail passenger transportation with safety standards.

SEC. 9505. FRA ACCIDENT AND INCIDENT INVESTIGATIONS.

Section 20902 of title 49, United States Code, is amended—

(1) in subsection (b) by striking ''subpena'' and inserting ''subpoena'';

(2) in subsection (c) by inserting ''The Secretary shall develop a process to make available to a representative of the railroad carrier that is the subject of an accident or incident investigation, and to a representative of the employees of such railroad carrier, including a nonprofit employee labor organization representing railroad workers, a draft investigation report for timely review and comment.'' after the period at the end; and

(3) by adding at the end the following:

''(d) GATHERING INFORMATION AND TECHNICAL EXPERTISE.—

''(1) IN GENERAL.—The Secretary shall create a standard process for investigators to use during accident and incident investigations conducted under this section to—

''(A) gather information about an accident or incident under investigation from railroad carriers, contractors or employees of railroad carriers or representatives of employees of railroad carriers, and others determined relevant by the Secretary; and

''(B) consult with railroad carriers, contractors or employees of railroad carriers or representatives of employees of railroad carriers, and others determined relevant by the Secretary, for technical expertise on the facts of the accident or incident under investigation.

''(2) CONFIDENTIALITY.—In developing the process under paragraph (1), the Secretary shall factor in ways to maintain the confidentiality of any entity identified under paragraph (1) if—

''(A) such entity requests confidentiality;

''(B) such entity was not involved in the accident or incident; and

''(C) maintaining such entity's confidentiality does not adversely affect an investigation of the Federal Railroad Administration.

''(3) APPLICATION OF LAW.—This subsection shall not apply to any investigation carried out by the National Transportation Safety Board.''.

SEC. 9506. FREIGHT TRAIN CREW SIZE SAFETY STANDARDS.

(a) IN GENERAL.—Subchapter II of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

''§20169. Freight train crew size safety standards

''(a) MINIMUM CREW SIZE.—No freight train may be operated unless such train has a 2-person crew comprised of at least 1 appropriately qualified and certified conductor and 1 appropriately qualified and certified locomotive engineer.

''(b) EXCEPTIONS.—Except as provided in subsection (d), the prohibition in subsection (a) shall not apply in any of the following circumstances:

''(1) Train operations on track that is not a main track.

''(2) A train operated—

''(A) by a railroad carrier that has fewer than 400,000 total employee work hours annually and less than $40,000,000 annual revenue (adjusted for inflation as measured by the Surface Transportation Board Railroad Inflation-Adjusted Index);

''(B) at a speed of not more than 25 miles per hour; and

''(C) on a track with an average track grade of less than 2 percent for any segment of track that is at least 2 continuous miles.

''(3) Locomotives performing assistance to a train that has incurred mechanical failure or lacks the power to traverse difficult terrain, including traveling to or from the location where assistance is provided.

''(4) Locomotives that—

''(A) are not attached to any equipment or attached only to a caboose; and

''(B) do not travel farther than 30 miles from the point of origin of such locomotive.

''(5) Train operations staffed with fewer than a two-person crew at least 1 year prior to the date of enactment of this section, if the Secretary determines that the operation achieves an equivalent level of safety.

''(c) TRAINS INELIGIBLE FOR EXCEPTION.—The exceptions under subsection (b) may not be applied to—

''(1) a train transporting 1 or more loaded cars carrying high-level radioactive waste, spent nuclear fuel, or material toxic by inhalation;

''(2) a train carrying 20 or more loaded tank cars of a Class 2 material or a Class 3 flammable liquid in a continuous block or a single train carrying 35 or more loaded tank cars of a Class 2 material or a Class 3 flammable liquid throughout the train consist; or

''(3) a train with a total length of 7,500 feet or greater.

''(d) WAIVER.—A railroad carrier may seek a waiver of the requirements of this section pursuant to section 20103(d).''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

''20169. Freight train crew size safety standards.''.

SEC. 9507. BORDER CROSSINGS.

(a) BORDER CROSSINGS.—The Secretary of Transportation shall require that—

(1) any railroad carrier that is operating a freight train across the southern border into the United States operates the train continually until the last car of the train passes through the scanning facility used for nonintrusive inspection by U.S. Customs and Border Protection located at such border;

(2) when the last car of such train passes through such facility, the railroad carrier shall stop such train to conduct a crew interchange and any federally-mandated safety testing; and

(3) the railroad carrier ensures that the only individuals that operate such trains after carrying out the activities described in paragraph (2) are individuals—

(A) who are United States nationals or aliens lawfully admitted for permanent residence in the United States; and

(B) whose primary reporting point is in the United States.

(b) FUNDING.—

(1) SET-ASIDE.—From the amounts made available to carry out section 22907 of title 49, United States Code, the Secretary shall set aside, for each of fiscal years 2022 through 2026, $60,000,000 for projects to prevent blocked crossing incidents as a result of operations made necessary by subsection (a). Projects eligible for funding under this paragraph are—

(A) highway-rail grade crossing separation projects eligible under such section that are located not further than 1.5 miles from a scanning facility described in subsection (a)(1); and

(B) projects eligible under such section to relocate a rail line to prevent blocked crossing incidents resulting from trains crossing the southern border.

(2) UNOBLIGATED FUNDS.—Any funds provided under paragraph (1) that are unobligated at the end of the second fiscal year following the fiscal year in which such funds are set aside may be used for any eligible project under section 22907.

(c) AGREEMENT.—The Secretary shall ensure that a recipient of funds made available under subsection (b)(1)(A) has a written agreement with any railroad carrier operating over the infrastructure constructed or improved with such funds that includes a requirement that any such railroad carrier may not operate trains over such infrastructure that, due to the length of the train, are likely to cause blocked crossing incidents.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as amending any safety regulation of the Federal Railroad Administration or amending or revoking any waivers such Administration has granted under section 20103 of title 49, United States Code.

(e) DEFINITIONS.—In this section:

(1) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given such term in section 20102 of title 49, United States Code.

(2) SOUTHERN BORDER.—The term ''southern border'' means the international border between the United States and Mexico.

(3) BLOCKED CROSSING INCIDENT.—The term ''blocked crossing incident'' has the meaning

given such term in section 20173 of title 49, United States Code.

SEC. 9508. YARDMASTERS HOURS OF SERVICE.

(a) LIMITATIONS ON DUTY HOURS OF YARDMASTER EMPLOYEES.—Section 21103 of title 49, United States Code, is amended—

(1) in the section heading by inserting ''**and yardmaster employees**'' after ''**train employees**'';

(2) by inserting ''or yardmaster employee'' after ''train employee'' each place it appears; and

(3) in subsection (e) by inserting ''or yardmaster employee's'' after ''During a train employee's''.

(b) DEFINITIONS.—Section 21101 of title 49, United States Code, is amended—

(1) in paragraph (3) by inserting ''a yardmaster employee,'' after ''dispatching service employee,''; and

(2) by adding at the end the following:

''(6) 'yardmaster employee' means an individual responsible for supervising and coordinating the control of trains and engines operating within a rail yard.''.

(c) CONFORMING AMENDMENT.—The analysis for chapter 211 of title 49, United States Code, is amended by striking the item relating to section 21103 and inserting the following:

''21103. Limitations on duty hours of train employees and yardmaster employees.''.

SEC. 9509. LEAKING BRAKES.

(a) IN GENERAL.—The Administrator of the Federal Railroad Administration shall take such actions as are necessary to prohibit the use of any service air brake control valve or emergency air brake control valve in any location north of the 37th parallel during the period beginning on November 1 and ending on March 31 of any year if—

(1) the period between the date on which the air brake control valve is in use and the date of the manufacture or recondition of such valve exceeds 15 years; and

(2) the air brake control valve is operated in—

(A) a unit train on or after August 1, 2023;

(B) a train transporting 1 or more materials poisonous by inhalation, as such term is defined in section 171.8 of title 49, Code of Federal Regulations, on or after August 1, 2023; or

(C) a non-unit train on or after August 1, 2025.

(b) REPORTS.—Not later than 1 year after the date of enactment of this Act, and every year thereafter until air brake control valves described in subsection (a) are no longer operating in trains as required under subparagraphs (A) and (B) of subsection (a)(1), the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that identifies—

(1) the estimated number of such air brake control valves in use on—

(A) unit trains operating north of the 37th parallel between November 1 and March 31; and

(B) trains transporting 1 or more material poisonous-by-inhalation operating north of the 37th parallel during the period beginning on November 1 and ending on March 31;

(2) any issues affecting the industry's progress toward ensuring that such air brake control valves are phased out in accordance with the requirements of subsection (a); and

(3) efforts the Administrator has taken since the previous report to ensure such air brake control valves are phased out in accordance with the requirements of subsection (a).

(c) RULEMAKING.—If, after collecting data through a science-based methodology, the Administrator determines the prohibition under subsection (a) does not ensure a sufficient level of safety, the Administrator may propose alternative actions in a rulemaking addressing the air brake control valves subject to this section.

SEC. 9510. REPORT ON PTC SYSTEM FAILURES.

Section 20157 of title 49, United States Code, is amended by adding at the end the following:

''(m) REPORT OF SYSTEM FAILURES.—The Secretary shall require railroad carriers and other entities subject to subsection (a) to regularly report to the Administrator failures of positive train control systems. The Secretary shall prescribe the type of failure, format, interval, and detail required for reports submitted under this subsection.''.

SEC. 9511. FATIGUE REDUCTION MANAGEMENT PLANS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue final regulations on fatigue management plans based on the notice of proposed rulemaking published on December 22, 2020, titled ''Fatigue Risk Management Programs for Certain Passenger and Freight Railroads'' (85 Fed. Reg. 83484; Docket No. FRA–2015–0122).

(b) MONITORING.—

(1) FATIGUE AS CAUSE OR CONTRIBUTING FACTOR.—If a Federal Railroad Administration railroad accident or incident investigation conducted under section 20902 of title 49, United States Code, identifies that fatigue was a casual or contributing factor to an accident or incident, the Secretary may reopen a fatigue management plan of a passenger railroad operation or a railroad subject to part 270 or part 271, respectively, of title 49, Code of Federal Regulations.

(2) FATIGUE AS SYSTEMIC ISSUE.—If the Secretary determines that fatigue is a systemic issue for a passenger railroad operation or railroad, the Secretary shall reopen a fatigue management plan of such passenger railroad operation or a railroad subject to part 270 or part 271, respectively, of title 49, Code of Federal Regulations.

(3) REOPENING OF FATIGUE MANAGEMENT PLAN.—If the Secretary reopens a fatigue management plan under paragraph (1) or (2), the Secretary shall—

(A) consider whether any statement filed under sections 270.208(e) and 271.207(e) of title 49, Code of Federal Regulations, addressed such plan; and

(B) consult with employees, including labor organizations representing railroad employees, of the passenger railroad operation or railroad that has a reopened fatigue management plan.

SEC. 9512. ASSAULT PREVENTION AND RESPONSE PLANS.

(a) IN GENERAL.—Subchapter II of chapter 201 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

''§ 20170. Assault prevention and response plans

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of the TRAIN Act, any entity that provides regularly scheduled intercity or commuter rail passenger transportation shall submit to the Secretary of Transportation for review and approval an assault prevention and response plan (in this section referred to as the 'Plan') to address transportation assaults.

''(b) CONTENTS OF PLAN.—The Plan required under subsection (a) shall include—

''(1) procedures that—

''(A) facilitate the reporting of a transportation assault, including the notification of on-site personnel, rail law enforcement, and local law enforcement;

''(B) personnel should follow up on the reporting of a transportation assault, including actions to protect affected individuals from continued assault;

''(C) may be taken to remove the passenger or personnel who has committed a transportation assault from the train or related area or facility as soon as practicable when appropriate;

''(D) include protections and safe reporting practices for passengers who may have been assaulted by personnel; and

''(E) may limit or prohibit, to the extent practicable, future travel with the entity described in subsection (a) by any passenger or personnel who commits a transportation assault against personnel or passengers;

''(2) a policy that ensures an employee who is a victim or witness of a transportation assault may participate in the prosecution of a criminal offense of such assault without any adverse effect on the victim's or witnesses' employment status; and

''(3) a process and timeline for conducting an annual review and update of the Plan.

''(c) NOTICE TO PASSENGERS.—An entity described under subsection (a) shall display on-board trains and in boarding areas, as appropriate, a notice stating the entity's abilities to restrict future travel under subsection (b)(1)(E).

''(d) PERSONNEL TRAINING.—An entity described under subsection (a) shall provide initial and annual training for all personnel on the contents of the Plan, including training regarding—

''(1) the procedures described in subsection (b);

''(2) methods for responding to hostile situations, including de-escalation training; and

''(3) rights and responsibilities of personnel with respect to a transportation assault on themselves, other personnel, or passengers.

''(e) PERSONNEL PARTICIPATION.—The Plan required under subsection (a) shall be developed and implemented with the direct participation of personnel, and, as applicable, labor organizations representing personnel.

''(f) REPORTING.—

''(1) INCIDENT NOTIFICATION.—

''(A) IN GENERAL.—Not later than 10 days after a transportation assault incident, the applicable entity described in subsection (a) shall notify personnel employed at the location in which the incident occurred. In the case of an incident on a vehicle, such entity shall notify personnel regularly scheduled to carry out employment activities on the service route on which the incident occurred.

''(B) CONTENT OF INCIDENT REPORT.—The notification required under paragraph (1) shall—

''(i) include a summary of the incident; and

''(ii) be written in a manner that protects the confidentiality of individuals involved in the incident.

''(2) ANNUAL REPORT.—For each calendar year, each entity with respect to which a transportation assault incident has been reported during such year shall submit to the Secretary a report that describes—

''(A) the number of assault incidents reported to the entity, including—

''(i) the number of incidents committed against passengers; and

''(ii) the number of incidents committed against personnel; and

''(B) the number of assault incidents reported to rail or local law enforcement by personnel of the entity.

''(3) PUBLICATION.—The Secretary shall make available to the public on the primary website of the Federal Railroad Administration the data collected under paragraph (2).

''(4) DATA PROTECTION.—Data made available under this subsection shall be made available in a manner that protects the confidentiality of individuals involved in transportation assault incidents.

''(g) DEFINITION OF TRANSPORTATION ASSAULT.—In this section, the term 'transportation assault' means the occurrence, or reasonably suspected occurrence, of an act that—

''(1) constitutes assault;

''(2) is committed by a passenger or member of personnel of an entity that provides regularly scheduled intercity or commuter rail passenger transportation against another passenger or member of personnel of such entity; and

''(3) takes place—

''(A) within a vehicle of such entity; or

''(B) in an area in which passengers are entering or exiting a vehicle described in subparagraph (A); or

''(C) at a station or facility where such entity operates, regardless of ownership of the station or facility.''.

(b) CONFORMING AMENDMENT.—The analysis for subchapter II of chapter 201 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

''20170. Assault prevention and response plans.''.

SEC. 9513. CRITICAL INCIDENT STRESS PLANS.

The Secretary of Transportation shall issue such regulations as are necessary to amend part 272 of title 49, Code of Federal Regulations, to ensure that—

(1) the coverage of a critical incident stress plan under section 272.7 of such part includes directly involved employees of commuter railroads and intercity passenger railroads, as such terms are defined in section 272.9 of such part; and

(2) assault and the witnessing of an assault against an employee or train passenger is included in the definition of critical incident under section 272.9 of such part.

SEC. 9514. CREWMEMBER CERTIFICATION AND QUALIFICATION.

(a) AUDIT OF PROGRAMS.—

(1) IN GENERAL.—Subchapter II of chapter 201 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

''§ 20171. Audit of qualification and certification programs

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the TRAIN Act, and not less frequently than every 5 years thereafter, the Secretary shall conduct an audit of—

''(1) the qualification and certification program of locomotive engineers of each Class I railroad carrier subject to the requirements of part 240 of title 49, Code of Federal Regulations; and

''(2) the qualification and certification program of conductors of each Class I railroad carrier subject to the requirements of part 242 of title 49, Code of Federal Regulations.

''(b) CONTENTS OF AUDIT.—In carrying out the audit required under subsection (a), the Secretary shall—

''(1) consider whether the training, qualification, and continuing education components of the programs described in subsection (a) comply with regulations in parts 240 and 242 of title 49, Code of Federal Regulations;

''(2) assess the quality of the training that railroad carriers provide locomotive engineers and conductors under such programs;

''(3) determine whether such programs provide locomotive engineers and conductors the knowledge, skill, and ability to safely operate the types of locomotives or trains a railroad carrier may require a locomotive engineer and conductor to operate, including all associated technology used on such locomotives or trains;

''(4) determine whether the training, qualification, and continuing education components of such programs reflect the operating practices of the railroad carrier carrying out such components;

''(5) assess whether a railroad carrier conducting such programs provides locomotive engineers or conductors adequate at-controls training before certification;

''(6) assess how a railroad carrier uses a simulator or other technology to train, familiarize, or provide recurrent training to a locomotive engineer or conductor, including how the use of a simulator or other such technology compares to international experience or practice; and

''(7) address any other safety issues the Secretary determines appropriate for preparing locomotive engineers and conductors.

''(c) DEFICIENCY IN QUALIFICATION AND CERTIFICATION PROGRAM.—If, in conducting the audit required under this section, the Secretary identifies a deficiency in a railroad carrier's qualification and certification program of locomotive engineers or the qualification and certification program of conductors, the Secretary shall require the railroad carrier to update such program to eliminate the deficiency.

''(d) CONSULTATION.—In conducting the audit required under this section, the Secretary shall consult with representatives of each railroad carrier and representatives of the employees of the railroad carrier, including any nonprofit employee labor organization representing engineers or conductors of the railroad carrier.

''(e) COOPERATION.—

''(1) IN GENERAL.—A railroad carrier and employees of the railroad carrier, including any nonprofit employee labor organization representing engineers or conductors of the railroad carrier, shall cooperate fully with the Secretary during an audit required under this section.

''(2) DOCUMENTS; INTERVIEWS.—A railroad carrier shall provide any documents requested by the Secretary or make available any employee for interview with the Secretary without undue delay or obstruction.

''(f) REPORT TO CONGRESS.—Not later than 90 days after the date on which the Secretary completes an audit under subsection (a), the Secretary shall—

''(1) publish on the website of the Federal Railroad Administration a report that summarizes the results of the audit and any updates made in accordance with subsection (c); and

''(2) notify of such report the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(g) CIVIL PENALTY.—The Secretary is authorized to assess a civil penalty or to take other authorized enforcement action, as appropriate, pursuant to chapter 213 for a failure to comply with the requirements of this section.''.

(2) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 201 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

''20171. Audit of qualification and certification programs.''.

(b) REVIEW OF REGULATIONS.—

(1) IN GENERAL.—The Secretary of Transportation shall determine whether any update to part 240 or 242, of title 49, Code of Federal Regulations, is necessary to prepare locomotive engineers and conductors to safely operate trains.

(2) REQUIREMENTS.—In making a determination under paragraph (1), the Secretary shall—

(A) evaluate, taking into account the requirements of section 20169 of title 49, United States Code, whether such parts establish Federal standards for railroad carriers to—

(i) provide locomotive engineers and conductors the knowledge, skill and ability to safely operate trains under conditions that reflect industry practices;

(ii) adequately address locomotive engineer and conductor situational awareness;

(iii) require adequate at-controls training before a locomotive engineer or conductor is certified;

(iv) adequately prepare locomotive engineers and conductors to understand all locomotive operating characteristics;

(v) sufficiently require locomotive engineers and conductors to demonstrate knowledge on the physical characteristics of a territory under various conditions and using various resources; and

(vi) address any other safety issue the Secretary determines appropriate for better preparing locomotive engineers and conductors; and

(B) consider the results of the audit required by section 20171 of title 49, United States Code.

(3) REPORT TO CONGRESS.—Not later than 180 days after the date on which the Secretary submits the report required under section 20171(f) of title 49, United States Code, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes the findings of the review required under paragraph (1) and a description of any action the Secretary intends to take to improve, or increase the effectiveness of the requirements of, part 240 or 242 of title 49, Code of Federal Regulations.

(4) RULEMAKING.—If the Secretary determines under paragraph (1) that any update to part 240 or 242 is necessary to prepare locomotive engineers or conductors to safely operate locomotives or trains, the Secretary shall issue a rulemaking to carry out such update.

(5) APPLICATION OF LAW.—Any action the Secretary takes as a result of a determination made under paragraph (1) shall be consistent with section 20169 of title 49, United States Code.

(6) DEFINITION OF RAILROAD CARRIER.—In this subsection, the term ''railroad carrier'' has the meaning given such term in section 20102 of title 49, United States Code.

SEC. 9515. SAFETY MANAGEMENT TEAM COMMUNICATION.

(a) IN GENERAL.—Subchapter II of chapter 201 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

''§ 20172. Safety management team communication

''The Administrator of the Federal Railroad Administration shall implement a process for the communication of information between safety management teams of the Administration and railroad employees, including any nonprofit employee labor organization representing railroad employees. Such process shall include a reasonable timeframe for a safety management team to respond to communication from such railroad employees.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 201 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

''20172. Safety management team communication.''.

SEC. 9516. GAO STUDY ON REORGANIZATION OF OFFICE OF RAILROAD SAFETY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study comparing the Office of Railroad Safety of the Federal Railroad Administration before and after the reorganization of such Office that took effect on June 8, 2020.

(b) CONTENTS.—The study conducted under subsection (a) shall evaluate—

(1) the differences in the structure of the Office before and after such reorganization;

(2) any differences in the communication between the Office and railroad carriers and the employees of railroad carriers before and after such reorganization;

(3) any differences in the communication between Federal Railroad Administration safety inspectors and other specialists before and after such reorganization, and the impacts of such differences;

(4) whether the structure before or after such reorganization better protects against regulatory capture;

(5) whether the structure before or after such reorganization is better at promoting and ensuring safety;

(6) whether the structure before or after such reorganization more closely resembles the structure of other Department of Transportation modal agencies that have enforcement authority similar to the Federal Railroad Administration; and

(7) any other issues the Comptroller General determines are relevant.

(c) INFORMATION COLLECTION.—In conducting the study required under this section, the Comptroller General shall collect information from the following entities:

(1) The Federal Railroad Administration.

(2) Freight rail carriers and passenger rail carriers.

(3) Employees of freight rail carriers and passenger rail carriers.

(4) Other entities the Comptroller General determines are relevant.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes the findings of the study conducted under subsection (a) and any recommendations for improving safety and communication within the Office of Railroad Safety or between the Office of Railroad Safety and the entities identified in paragraphs (2) and (3) of subsection (c).

SEC. 9517. OPEN-TOP RAIL CAR PUBLIC INPUT.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Railroad Administration shall initiate a public process to seek input on addressing safety risks, spills, emissions, odors, and other public nuisances associated with top loading rail cars, open-top hoppers, and gondolas, including evaluating the feasibility of a requirement that such rail cars be covered while in transportation, including while being held, delayed, or transferred.

SEC. 9518. NEW PASSENGER SERVICE PRE-REVENUE SAFETY VALIDATION PLAN.

(a) IN GENERAL.—Subchapter I of chapter 201 of title 49, United States Code, is amended by adding at the end the following:

"§ 20122. New passenger service pre-revenue safety validation plan

''(a) SAFETY VALIDATION PLAN.—

''(1) IN GENERAL.—The Secretary of Transportation shall require a covered entity to submit to the Secretary a safety validation plan to ensure the safe operation of—

''(A) a new intercity rail passenger transportation or commuter rail passenger transportation service;

''(B) an intercity rail passenger transportation or commuter rail passenger transportation route that has not been in revenue service for a period of more than 180 days; or

''(C) an extension of an existing intercity rail passenger transportation or commuter rail passenger transportation route.

''(2) SUBMISSION.—A covered entity shall submit a safety validation plan required under paragraph (1) not later than 30 days before the date on which such entity begins revenue service of a service or route described in paragraph (1).

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—Not later than 60 days after the date of enactment of the TRAIN Act, the Secretary shall establish the requirements of the safety validation plan described under subsection (a), including adequate training of all relevant personnel and a minimum period of simulated service to ensure operational readiness.

''(2) PROHIBITION OF SERVICE.—The Secretary shall prohibit a covered entity from beginning a service described in subsection (a)(1) until the entity is in full compliance with the safety validation plan required by such subsection.

''(c) AMENDMENT TO SAFETY VALIDATION PLAN.—

''(1) IN GENERAL.—The Secretary shall require a covered entity to submit to the Secretary for review and approval any proposed amendment to a safety validation plan required under subsection (a).

''(2) REVIEW AND APPROVAL.—Not later than 5 working days after the date on which the Secretary receives a proposed amendment submitted under paragraph (1), the Secretary shall review and approve or deny such proposed amendment.

''(3) NOTIFICATION.—If the Secretary does not approve a proposed amendment submitted under this subsection, the Secretary shall provide written notice to the covered entity of the specific areas in which the proposed amendment is deficient. An entity may correct such deficiencies and reapply for review and approval under this subsection.

''(d) DEFINITIONS.—In this section:

''(1) COVERED ENTITY.—The term 'covered entity' means an entity providing regularly scheduled railroad transportation that is intercity rail passenger transportation or commuter rail passenger transportation.

''(2) INTERCITY RAIL PASSENGER TRANSPORTATION; COMMUTER RAIL PASSENGER TRANSPORTATION.—The terms 'intercity rail passenger transportation' and 'commuter rail passenger transportation' have the meanings given such terms in section 24102.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 201 of title 49, United States Code, is amended by adding at the end the following new item:

''20122. New passenger service pre-revenue safety validation plan.''.

SEC. 9519. SAFETY OVERSIGHT OF NONTRADITIONAL AND EMERGING RAIL TECHNOLOGIES.

(a) IN GENERAL.—The Secretary of Transportation shall conduct a review of the safety regulations of the Federal Railroad Administration to determine the applicability of such regulations to nontraditional and emerging rail technologies and to identify any gaps in such regulations or any challenges to ensuring the safety of such technologies.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the review conducted under subsection (a).

(c) CONTENTS.—The report required under subsection (b) shall include a description of—

(1) the applicability of safety regulations in effect on the date of enactment of this Act to nontraditional and emerging rail technologies;

(2) whether gaps in the regulations or other challenges exist that should be addressed in order to ensure the safety of nontraditional and emerging rail technologies;

(3) any additional regulations that are necessary to ensure the safety of nontraditional and emerging rail technologies; and

(4) any additional research that may be needed to further evaluate and regulate the safety of nontraditional and emerging rail technologies.

(d) PUBLIC NOTICE AND COMMENT.—In conducting the review process under subsection (a), the Secretary shall provide notice and an opportunity for public comment for not less than 60 days.

(e) NONTRADITIONAL AND EMERGING RAIL TECHNOLOGIES DEFINED.—In this section, the term ''nontraditional and emerging rail technologies'' means nonhighway ground transportation that runs on electromagnetic guideways in a tube, or system of tubes, that operates in a low-pressure environment.

SEC. 9520. FRA SAFETY INSPECTOR AND SPECIALIST REVIEW.

(a) REVIEW.—The Administrator of the Federal Railroad Administration shall review the position descriptions and pay grades of railroad safety inspection personnel and railroad safety specialists employed by the Office of Railroad Safety.

(b) CONTENTS OF REVIEW.—The review under subsection (a) shall—

(1) consider whether the descriptions of the positions described in subsection (a) accurately reflect the scope of work and duties of the personnel and specialists described in such subsection, including any technological advancements that impact the scope of work and duties;

(2) compare the pay grades of such positions to the pay grades of personnel employed by other Department of Transportation agencies and the National Transportation Safety Board who have scopes of work and duties comparable to those of railroad safety inspection personnel and railroad safety specialists; and

(3) assess whether the Administration experiences difficulty in recruiting or retaining such personnel and specialists and identify the reasons for such difficulty.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

(1) summarizes the findings of the review required by the section;

(2) describes how the Administration plans to update the position descriptions of such personnel and specialists to accurately reflect the scope of work and duties, including any technological advancements that impact the scope of work and duties; and

(3) describes how pay grades may be updated to retain and recruit such personnel and specialists.

Subtitle B—Grade Crossing Safety

SEC. 9551. HIGHWAY-RAIL GRADE CROSSING SEPARATION GRANTS.

(a) IN GENERAL.—Chapter 229 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

"§ 22912. Highway-rail grade crossing separation grants

''(a) GENERAL AUTHORITY.—The Secretary of Transportation shall make grants under this section to eligible entities to assist in funding the cost of highway-rail grade crossing separation projects.

''(b) APPLICATION REQUIREMENTS.—To be eligible for a grant under this section, an eligible entity shall submit to the Secretary an application in such form, in such manner, and containing such information as the Secretary may require, including—

''(1) an agreement between the entity that owns or controls the railroad right-of-way and the applicant addressing access to the railroad right-of-way throughout the project; and

''(2) a cost-sharing agreement with the funding amounts that the entity that owns or controls the railroad right-of-way shall contribute to the project, which shall be not less than 10 percent of the total project cost.

''(c) ELIGIBLE PROJECTS.—The following projects are eligible to receive a grant under this section:

''(1) Installation, repair, or improvement, including necessary acquisition of real property interests, of highway-rail grade crossing separations.

''(2) Highway-rail grade crossing elimination incidental to eligible grade crossing separation projects.

''(3) Project planning, development, and environmental work related to a project described in paragraph (1) or (2).

''(d) PROJECT SELECTION CRITERIA.—In awarding grants under this section, the Secretary—

''(1) shall give priority to projects that maximize the safety benefits of Federal funding;

''(2) shall give priority to projects that provide direct benefits to socially disadvantaged individuals (as such term is defined in section 22906(b)); and

''(3) may evaluate applications on the safety profile of the existing crossing, 10-year history of accidents at such crossing, inclusion of the proposed project on a State highway-rail grade crossing action plan, average daily vehicle traffic, total number of trains per day, average daily number of crossing closures, the challenges of grade crossings located near international borders, proximity to established emergency evacuation routes, and proximity of community resources, including schools, hospitals,

fire stations, police stations, and emergency medical service facilities.

''(e) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COSTS.—The Secretary shall estimate the total costs of a project under this section based on the best available information, including any available engineering studies, studies of economic feasibility, environmental analysis, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share for a project carried out under this section shall not exceed 85 percent.

''(f) GRANT CONDITIONS.—An eligible entity may not receive a grant for a project under this section unless such project complies with section 22905.

''(g) LETTERS OF INTENT.—

''(1) IN GENERAL.—The Secretary shall, to the maximum extent practicable, issue a letter of intent to a recipient of a grant under this section that—

''(A) announces an intention to obligate for a project an amount that is not more than the amount stipulated as the financial participation of the Secretary for the project; and

''(B) states that the contingent commitment—

''(i) is not an obligation of the Federal Government; and

''(ii) is subject to the availability of appropriations for grants under this section and subject to Federal laws in force or enacted after the date of the contingent commitment.

''(2) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—Not later than 3 days before issuing a letter of intent under paragraph (1), the Secretary shall submit written notification to—

''(i) the Committee on Transportation and Infrastructure of the House of Representatives;

''(ii) the Committee on Appropriations of the House of Representatives;

''(iii) the Committee on Appropriations of the Senate; and

''(iv) the Committee on Commerce, Science, and Transportation of the Senate.

''(B) CONTENTS.—The notification submitted under subparagraph (A) shall include—

''(i) a copy of the letter of intent;

''(ii) the criteria used under subsection (d) for selecting the project for a grant; and

''(iii) a description of how the project meets such criteria.

''(h) APPROPRIATIONS REQUIRED.—An obligation or contingent commitment may be made under subsection (g) only after amounts are appropriated for such purpose.

''(i) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a State;

''(B) a public agency or publicly chartered authority;

''(C) a metropolitan planning organization;

''(D) a political subdivision of a State; and

''(E) a Tribal government.

''(2) METROPOLITAN PLANNING ORGANIZATION.—The term 'metropolitan planning organization' has the meaning given such term in section 134(b) of title 23.

''(3) STATE.—The term 'State' means a State of the United States or the District of Columbia.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 229 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

''22912. Highway-rail grade crossing separation grants.''.

SEC. 9552. RAIL SAFETY PUBLIC AWARENESS GRANT.

Section 22907 of title 49, United States Code (as amended by this Act), is further amended by adding at the end the following new subsection:

''(o) RAIL SAFETY PUBLIC AWARENESS GRANTS.—

''(1) GRANT.—Of the amounts made available to carry out this section, the Secretary shall make grants to nonprofit organizations to carry out public information and education programs to help prevent and reduce rail-related pedestrian, motor vehicle, and other incidents, injuries, and fatalities, and to improve awareness along railroad right-of-way and at highway-rail grade crossings.

''(2) SELECTION.—Programs eligible for a grant under this subsection—

''(A) shall include, as appropriate—

''(i) development, placement, and dissemination of public service announcements in appropriate media;

''(ii) school presentations, driver and pedestrian safety education, materials, and public awareness campaigns; and

''(iii) disseminating information to the public on how to identify and report to the appropriate authorities—

''(I) unsafe or malfunctioning highway-rail grade crossings and equipment; and

''(II) high-risk and unsafe behavior and trespassing around railroad right-of-way; and

''(B) may include targeted and sustained outreach in communities at greatest risk to develop measures to reduce such risk.

''(3) COORDINATION.—Eligible entities shall coordinate program activities with local communities, law enforcement and emergency responders, and railroad carriers, as appropriate, and ensure consistency with State highway-rail grade crossing action plans required under section 11401(b) of the FAST Act (49 U.S.C. 22501 note) and the report titled 'National Strategy to Prevent Trespassing on Railroad Property' issued by the Federal Railroad Administration in October 2018.

''(4) PRIORITIZATION.—In awarding grants under this subsection, the Administrator shall give priority to applications for programs that—

''(A) are nationally recognized;

''(B) are targeted at schools in close proximity to railroad right-of-way;

''(C) partner with nearby railroad carriers; or

''(D) focus on communities with a recorded history of repeated pedestrian and motor vehicle accidents, incidents, injuries, and fatalities at highway-rail grade crossings and along railroad right-of-way.

''(5) APPLICABILITY.—Section 22905 shall not apply to contracts and agreements made under this subsection.''.

SEC. 9553. ESTABLISHMENT OF 10-MINUTE TIME LIMIT FOR BLOCKING PUBLIC HIGHWAY-RAIL GRADE CROSSINGS.

(a) IN GENERAL.—Subchapter II of chapter 201 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

''§ 20173. Time limit for blocking public highway-rail grade crossing

''(a) TIME LIMIT.—A railroad carrier may not cause a blocked crossing incident that is longer than 10 minutes in duration, unless the blocked crossing incident is caused by—

''(1) a casualty or serious injury;

''(2) an accident;

''(3) a track obstruction;

''(4) actions necessary to comply with Federal rail safety laws, regulations, or orders issued thereunder unless the action to comply could reasonably occur at a different time or location;

''(5) actions necessary to adhere to section 24308;

''(6) a train fully contained within rail yard limits or fully contained in a rail siding;

''(7) an act of God; or

''(8) a derailment or a safety appliance equipment failure that prevents the train from advancing.

''(b) INVESTIGATION OF FREQUENTLY BLOCKED CROSSINGS.—For any public highway-rail grade crossing that has had 3 or more blocked crossing incidents that exceed the time limit set forth in subsection (a) and are reported to the blocked crossing database, and such incidents have occurred on at least 3 calendar days within a 30-day period, the Secretary shall—

''(1) provide an electronic notice of the number of reported blocked crossing incidents to the railroad carrier that owns the public highway-rail grade crossing;

''(2) investigate the causes of the blocked crossing incidents; and

''(3) investigate possible measures to reduce the frequency and duration of blocked crossing incidents at such grade crossing.

''(c) RECORDKEEPING.—

''(1) IN GENERAL.—A railroad carrier shall, upon receiving a notice under subsection (b), maintain train location data records for the public highway-rail grade crossing that was the subject of the notice.

''(2) CONTENTS OF RECORDS.—The train location data records required under paragraph (1) shall include—

''(A) a list of all blocked crossing incidents at the public highway-rail grade crossing that is the subject of the report exceeding 10 minutes;

''(B) the cause of the blocked crossing incident (to the extent available);

''(C) train length; and

''(D) the estimated duration of each blocked crossing incident.

''(3) CONSULTATION.—Beginning on the date on which a railroad carrier receives a notice under subsection (b), the Secretary may consult with the carrier for a period of 60 days to address concerns with blocked crossing incidents at the public highway-rail grade crossing that is the subject of the notice.

''(4) EXPIRATION OF DATA COLLECTION.—The requirement to maintain records under paragraph (1) shall cease with respect to a public highway-rail grade crossing noticed under subsection (b)(2) if there are no reports submitted to the blocked crossing database for blocked crossing incidents reported to occur at such grade crossing during the previous 365 consecutive calendar days.

''(d) CIVIL PENALTIES.—

''(1) IN GENERAL.—The Secretary may issue civil penalties in accordance with section 21301 to railroad carriers for violations of subsection (a) occurring 60 days after the date of submission of a notice under subsection (b).

''(2) RELEASE OF RECORDS.—Upon the request of, and under requirements set by, the Secretary, railroad carriers shall provide the records maintained pursuant to subsection (c)(1) to the Administrator of the Federal Railroad Administration.

''(3) ALTERNATE ROUTE EXEMPTION.—Civil penalties may not be issued for violations of subsection (a) that occur at a public highway-rail grade crossing if an alternate route created by a public highway-rail grade separation exists within a half mile by road mileage of such public highway-rail grade crossing.

''(4) GRADE SEPARATION PROJECT.—Civil penalties may not be issued for violations of subsection (a) if the violation occurs at a public highway-rail grade crossing for which there is a proposed grade separation project—

''(A) that has received written agreement from the relevant local authorities; and

''(B) for which railroad carrier and project funding from all parties has been budgeted.

''(5) CONSIDERATIONS.—In determining civil penalties under this section, the Secretary shall consider increased penalties in a case in which a pattern of the blocked crossing incidents continue to cause delays to State or local emergency services.

''(e) APPLICATION TO AMTRAK AND COMMUTER RAILROADS.—This section shall not apply to Amtrak or commuter authorities, including Amtrak and commuter authorities' operations run or dispatched by a Class I railroad.

''(f) DEFINITIONS.—In this section:

''(1) BLOCKED CROSSING DATABASE.—The term 'blocked crossing database' means the national blocked crossing database established under section 20174.

''(2) BLOCKED CROSSING INCIDENT.—The term 'blocked crossing incident' means a circumstance in which a train, locomotive, rail car,

or other rail equipment is stopped in a manner that obstructs travel at a public highway-rail grade crossing.

''(3) PUBLIC HIGHWAY-RAIL GRADE CROSSING.—The term 'public highway-rail grade crossing' means a location within a State in which a public highway, road, or street, including associated sidewalks and pathways, crosses 1 or more railroad tracks at grade.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 201 of title 49, United States Code, is further amended by adding at the end the following new item:

''20173. Time limit for blocking public highway-rail grade crossing.''.

SEC. 9554. NATIONAL BLOCKED CROSSING DATABASE.

(a) IN GENERAL.—Subchapter II of chapter 201 of title 49, United States Code, as amended by this division, is further amended by adding at the end the following:

''§ 20174. National blocked crossing database

''(a) DATABASE.—Not later than 45 days after the date of enactment of the TRAIN Act, the Secretary of Transportation shall establish a national blocked crossings database for the public to report blocked crossing incidents.

''(b) PUBLIC AWARENESS.—Not later than 60 days after the date of enactment of the TRAIN Act, the Secretary shall require each railroad carrier to publish the active link to report blocked crossing incidents on the website of the national blocked crossings database described in subsection (a) on the home page of the publicly-available website of the railroad carrier.

''(c) BLOCKED CROSSING INCIDENT; PUBLIC HIGHWAY-RAIL GRADE CROSSING.—In this section, the terms 'blocked crossing incident' and 'public highway-rail grade crossing' have the meanings given the terms in section 20173.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter II of chapter 201 of title 49, United States Code, is further amended by adding at the end the following new item:

''20174. National blocked crossing database.''.

SEC. 9555. RAILROAD POINT OF CONTACT FOR BLOCKED CROSSING MATTERS.

Section 20152 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (C) by striking ''or'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting the following after subparagraph (C):

''(D) blocked crossing incident, as defined in section 20173; or'';

(B) in paragraph (4)—

(i) by striking ''paragraph (1)(C) or (D)'' and inserting ''subparagraph (C), (D), or (E) of paragraph (1)''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (5) by striking the period at the end and inserting a semicolon ; and

(D) by adding at the end the following:

''(6) upon receiving a report of a blocked crossing pursuant to paragraph (1)(D), the railroad carrier shall, within 14 days of receipt of the report—

''(A) verify that the public highway-rail grade crossing, as defined in section 20173, was blocked for a period of at least 10 minutes; and

''(B) upon positive verification of the report, enter the report into the national blocked crossings database established in section 20174; and

''(7) promptly inform the Secretary of any update to the number maintained under paragraph (1).''; and

(2) by adding at the end the following:

''(c) PUBLICATION OF TELEPHONE NUMBERS.—The Secretary shall make any telephone number established under subsection (a) publicly available on the website of the Department of Transportation.''.

SEC. 9556. NATIONAL HIGHWAY-RAIL CROSSING INVENTORY REVIEW.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall expend such sums as are necessary to conduct a comprehensive review of the national highway-rail crossing inventory of the Department of Transportation established under section 20160 of title 49, United States Code.

(b) CONTENTS.—In conducting the review required under subsection (a), the Secretary shall—

(1) verify the accuracy of the geographical location data contained in the inventory described in subsection (a) using mapping technologies and other methods; and

(2) notify the relevant railroad and State agencies of the erroneous data in the inventory and require such entities to correct the erroneous data within 30 days of notification.

(c) STATE REPORTS.—The Secretary shall require State agencies to ensure that any geographic data contained in the inventory described in subsection (a) remains consistent with any geographic data identified in biennial State reports required under section 130 of title 23, United States Code.

(d) REPORT.—Not later than 120 days after the completion of the review required under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the corrections made to the inventory described in subsection (a) and the Secretary's plans to ensure continued accuracy of such inventory.

SEC. 9557. RAILROAD TRESPASSING ENFORCEMENT GRANTS.

Section 22907 of title 49, United States Code, is further amended by adding at the end the following:

''(p) RAILROAD TRESPASSING ENFORCEMENT GRANTS.—

''(1) IN GENERAL.—Of the amounts made available under this section, the Secretary may make grants to public law enforcement agencies engaged in, or seeking to engage in, suicide prevention efforts along railroad right-of-way to pay wages of law enforcement personnel to patrol railroad right-of-way located in communities at risk for rail trespassing incidents and fatalities.

''(2) PRIORITIZATION.—In awarding grants under this subsection, the Administrator shall give priority to applications from entities that have jurisdiction within the boundaries of the 10 States with the highest incidence of rail trespass related casualties as reported in the previous fiscal year, as reported by the National Rail Accident Incident Reporting System.

''(3) LIMITATION.—The Secretary shall not award more than 3 annual grants under this subsection to the same entity.''.

SEC. 9558. RAILROAD TRESPASSING SUICIDE PREVENTION GRANTS.

Section 22907 of title 49, United States Code, is further amended by adding at the end the following:

''(q) RAILROAD TRESPASSING SUICIDE GRANTS.—

''(1) IN GENERAL.—Of the amounts made available to carry out this section, the Secretary may make grants to eligible entities to implement a public outreach campaign to reduce the number of railroad suicides.

''(2) ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means a nonprofit mental health organization engaged in, or seeking to engage in, suicide prevention efforts along railroad right-of-way in partnership with a railroad carrier, as defined in section 20102.''.

SEC. 9559. INCLUDING RAILROAD SUICIDES.

(a) IN GENERAL.—Not less than 180 days after the enactment of this Act, the Secretary of Transportation shall revise any regulations, guidance, or other relevant agency documents to include the number of suicides on a railroad crossing or railroad right-of-way in the total number of rail fatalities the Secretary reports each year.

(b) AUTHORITY OF THE SECRETARY.—In carrying out subsection (a), the Secretary may require Federal, State, and local agencies, railroads, or other entities to submit such data as necessary.

(c) APPLICABILITY OF RULEMAKING REQUIREMENTS.—The requirements of section 553 of title 5, United States Code, shall not apply to the modification required by subsection (a).

SEC. 9560. REPORT ON SAFETY MEASURES REQUIRED FOR QUIET ZONES.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Railroad Administration shall—

(1) submit to Congress a report on any supplementary safety measures and alternative safety measures not contained in part 222 of title 49, Code of Federal Regulations, that can be used to qualify for a Quiet Zone or Partial Quiet Zone; and

(2) include in the report submitted under paragraph (1)—

(A) a summary of the supplementary safety measures and alternative safety measures for which a public authority has requested approval from the Administrator to implement; and

(B) an explanation for why such requests were not granted.

TITLE VI—MISCELLANEOUS

SEC. 9601. RAIL NETWORK CLIMATE CHANGE VULNERABILITY ASSESSMENT.

(a) IN GENERAL.—The Secretary of Transportation shall seek to enter into an agreement with the National Academies to conduct an assessment of the potential impacts of climate change on the national rail network.

(b) ASSESSMENT.—At a minimum, the assessment conducted pursuant to subsection (a) shall—

(1) cover the entire freight, commuter, and intercity passenger rail network of the United States;

(2) evaluate risk to the network over 5-, 30-, and 50-year outlooks;

(3) examine and describe potential effects of climate change and extreme weather events on passenger and freight rail infrastructure, trackage, and facilities, including facilities owned by rail shippers;

(4) identify and categorize the assets described in paragraph (3) by vulnerability level and geographic area; and

(5) recommend strategies or measures to mitigate any adverse impacts of climate change, including—

(A) emergency preparedness measures;

(B) resiliency best practices for infrastructure planning; and

(C) coordination with State and local authorities.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings of the assessment conducted pursuant to subsection (a).

(d) FURTHER COORDINATION.—The Secretary shall make the report publicly available on the website of the Department of Transportation and communicate the results of the assessment with stakeholders.

(e) REGULATORY AUTHORITY.—If the Secretary finds in the report required under subsection (c) that regulatory measures are warranted and such measures are otherwise under the existing authority of the Secretary, the Secretary may issue such regulations as are necessary to implement such measures.

(f) FUNDING.—From the amounts made available for fiscal year 2022 under section 20117(b) of

title 49, United States Code, the Secretary shall expend not less than $1,500,000 to carry out the study required under subparagraph (a).

SEC. 9602. ADVANCE ACQUISITION.

(a) IN GENERAL.—Chapter 242 of title 49, United States Code, is amended by inserting the following after section 24202:

"SEC. 24203. ADVANCE ACQUISITION.

''(a) RAIL CORRIDOR PRESERVATION.—The Secretary of Transportation may assist a recipient of Federal financial assistance provided by the Secretary for an intercity passenger rail project in acquiring a right-of-way and adjacent real property interests before or during the completion of the environmental reviews for a project that may use such property interests if the acquisition is otherwise permitted under Federal law.

''(b) CERTIFICATION.—Before authorizing advance acquisition under this section, the Secretary shall verify that—

''(1) the recipient has authority to acquire the real property interest; and

''(2) the acquisition of the real property interest—

''(A) is for a transportation purpose;

''(B) will not cause significant adverse environmental impact;

''(C) will not limit the choice of reasonable alternatives for the proposed project or otherwise influence the decision of the Secretary on any approval required for the project;

''(D) does not prevent the lead agency from making an impartial decision as to whether to accept an alternative that is being considered;

''(E) complies with other applicable Federal laws and regulations; and

''(F) will not result in elimination or reduction of benefits or assistance to a displaced person required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

''(c) ENVIRONMENTAL REVIEWS.—

''(1) COMPLETION OF NEPA REVIEW.—Before reimbursing or approving the expenditure of Federal funding for an acquisition of a real property interest, the Secretary shall complete all review processes otherwise required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303), and section 106 of the National Historic Preservation Act (16 U.S.C. 470f) with respect to the acquisition.

''(2) TIMING OF DEVELOPMENT ACQUISITION.—A real property interest acquired under subsection (a) may not be developed in anticipation of the proposed project until all required environmental reviews for the project have been completed.

''(d) INCLUSION IN NON-FEDERAL SHARE OF PROJECT COSTS.—Non-Federal funds used to acquire right-of-way and adjacent real property interests under this section before or during the environmental review, or before the award of a grant by the Secretary, shall be included in determining the non-Federal share of the costs of the underlying intercity passenger rail project.

''(e) SAVINGS CLAUSE.—The advance acquisition process described in this section—

''(1) is in addition to processes in effect on or before the date of enactment of the TRAIN Act; and

''(2) does not affect—

''(A) any right of the recipient described in subsection (a) to acquire property; or

''(B) any other environmental review process, program, agreement, or funding arrangement related to the acquisition of real property, in effect on the date of enactment of the TRAIN Act.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 242 of title 49, United States Code, is amended by inserting after the item relating to section 24202 the following new item:

''Sec. 24203. Advance acquisition.''.

SEC. 9603. UNIVERSITY RAIL CLIMATE INNOVATION INSTITUTE.

(a) IN GENERAL.—Chapter 229 of title 49, United States Code, is further amended by adding at the end the following:

"§ 22913. University Rail Climate Innovation Institute

''(a) ESTABLISHMENT.—The Secretary of Transportation may make a grant to an institution of higher education to establish a University Rail Climate Innovation Institute (in this section referred to as the 'Institute') for the research and development of low- and zero-emission rail technologies. Such grant agreement shall not exceed 5 years.

''(b) ELIGIBLE APPLICANTS.—To be eligible for a grant under the subsection (a), an institution of higher education shall—

''(1) have an active research program to study the development of low- and zero-emission rail technologies or be able to demonstrate sufficient expertise in relevant rail research and development;

''(2) enter into a cost-sharing agreement for purposes of the Institute with a railroad or rail supplier; and

''(3) submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require.

''(c) ELIGIBLE PROJECTS.—A recipient of this grant under this section may carry out the research, design, development, and demonstration of 1 or more of the following:

''(1) Hydrogen-powered locomotives and associated locomotive technologies.

''(2) Battery-powered locomotives and associated locomotive technologies.

''(3) Deployment of a revenue service testing and demonstration program to accelerate commercial adoption of low- or zero-emission locomotives.

''(4) Development or deployment of an operating prototype low- or zero-emission locomotive.

''(5) Rail technologies that significantly reduce greenhouse gas emissions, as determined appropriate by the Secretary.

''(d) BUY AMERICA APPLICABILITY.—For purposes of subsection (c)(4), the recipient shall be in compliance with section 22905(a).

''(e) FUNDING REQUIREMENT.—The Federal share of the total cost of the Institute shall not exceed 50 percent.

''(f) CONSIDERATIONS.—In selecting an applicant to receive funding to establish the Institute, the Secretary shall consider—

''(1) the extent to which the proposed activities maximize greenhouse gas reductions;

''(2) the potential of the proposed activities to increase the use of low- and zero- emission rail technologies among the United States freight and passenger rail industry; and

''(3) the anticipated public benefits of the proposed activities.

''(g) CONSIDERATION OF HBCUS.—In selecting an institution of higher education for a grant award under this section, the Secretary shall consider historically black colleges and universities, as such term is defined in section 371(a)of the Higher Education Act of 1965 (2010 U.S.C. 1067q), and other minority institutions, as such term is defined by section 365 of such Act (20 U.S.C. 1067k).

''(h) NOTIFICATION.—

''(1) NOTICE.—Not less than 3 days before an applicant has been selected, the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the intention to award such a grant.

''(2) REPORT.—The Institute shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Secretary an annual report summarizing the activities undertaken by the Institute on low- and zero-emission rail technologies.

''(i) INSTITUTION OF HIGHER EDUCATION DEFINED.—In this section, the term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 229 of title 49, United States Code, is further amended by adding at the end the following:

''22913. University Rail Climate Innovation Institute.''.

SEC. 9604. WORKFORCE DIVERSITY AND DEVELOPMENT.

(a) IN GENERAL.—The Secretary of Transportation shall carry out at least one workforce development pilot program with a railroad carrier.

(b) TYPES OF PILOT PROGRAMS.—A workforce development pilot program described in subsection (a) may be in the form of—

(1) an outreach program to increase employment opportunities for socially disadvantaged individuals;

(2) the development of a partnership with high schools, vocational schools, community colleges, or secondary education institutions to address future workforce needs; and

(3) an apprenticeship program to train railroad employees in needed skills.

(c) APPRENTICESHIP.—In carrying out a workforce development pilot program described in subsection (b)(3), the Secretary shall partner with a railroad carrier providing intercity rail passenger transportation.

(d) REPORT TO CONGRESS.—For a workforce development pilot program carried out under this section, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that describes—

(1) the activities carried out under the pilot program;

(2) the diversity of individuals participating in the pilot program;

(3) an evaluation of the pilot program;

(4) employment outcomes, including job placement, job retention, and wages, using performance metrics established by the Secretary of Transportation, in consultation with the Secretary of Labor, and consistent with performance indicators used by programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), as applicable; and

(5) any recommendations for increasing diversity in the railroad workforce, addressing future workforce needs, or enhancing workforce skills.

(e) DEFINITION.—In this section:

(1) INTERCITY RAIL PASSENGER TRANSPORTATION.—The term ''intercity rail passenger transportation'' has the meaning given such term in section 24102 of title 49, United States Code.

(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given such term in section 20102 of title 49, United States Code.

(3) SOCIALLY DISADVANTAGED INDIVIDUALS.—The term ''socially disadvantaged individuals'' has the meaning given the term ''socially and economically disadvantaged individuals'' in section 8(d) of the Small Business Act (15 U.S.C. 637(d)).

(f) FUNDING.—From the amounts made available under section 20117(b) of title 49, United States Code, the Secretary may expend up to $1,300,000 for fiscal year 2022 and $1,300,000 for 2023 to carry out this section.

SEC. 9605. REQUIREMENTS FOR RAILROAD FREIGHT CARS ENTERING SERVICE IN UNITED STATES.

(a) IN GENERAL.—Chapter 207 of title 49, United States Code, is amended by adding at the end the following:

"§ 20704. Requirements for railroad freight cars entering service in United States

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) COMPONENT.—The term 'component' means a part or subassembly of a railroad freight car.

''(2) CONTROL.—The term 'control' means the power, whether direct or indirect and whether or not exercised, through the ownership of a majority or a dominant minority of the total outstanding voting interest in an entity, representation on the board of directors of an entity, proxy voting on the board of directors of an entity, a special share in the entity, a contractual arrangement with the entity, a formal or informal arrangement to act in concert with an entity, or any other means, to determine, direct, make decisions, or cause decisions to be made for the entity.

''(3) COST OF SENSITIVE TECHNOLOGY.—The term 'cost of sensitive technology' means the aggregate cost of the sensitive technology located on a railroad freight car.

''(4) COUNTRY OF CONCERN.—The term 'country of concern' means a country that—

''(A) is identified by the Department of Commerce as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of the TRAIN Act;

''(B) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a foreign country included on the priority watch list defined in subsection (g)(3) of that section; and

''(C) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C.2416).

''(5) NET COST.—The term 'net cost' has the meaning given the term in chapter 4 of the USMCA or any subsequent free trade agreement between the United States, Mexico, and Canada.

''(6) QUALIFIED FACILITY.—The term 'qualified facility' means a facility that is not owned or under the control of a state-owned enterprise.

''(7) QUALIFIED MANUFACTURER.—The term 'qualified manufacturer' means a railroad freight car manufacturer that is not owned or under the control of a state-owned enterprise.

''(8) RAILROAD FREIGHT CAR.—The term 'railroad freight car' means a car designed to carry freight or railroad personnel by rail, including—

''(A) box car;

''(B) refrigerator car;

''(C) ventilator car;

''(D) intermodal well car;

''(E) gondola car;

''(F) hopper car;

''(G) auto rack car;

''(H) flat car;

''(I) special car;

''(J) caboose car;

''(K) tank car; and

''(L) yard car.

''(9) SENSITIVE TECHNOLOGY.—The term 'sensitive technology' means any device embedded with electronics, software, sensors, or other connectivity, that enables the device to connect to, collect data from, or exchange data with another device, including—

''(A) onboard telematics;

''(B) remote monitoring software;

''(C) firmware;

''(D) analytics;

''(E) GPS satellite and cellular location tracking systems;

''(F) event status sensors;

''(G) predictive component condition and performance monitoring sensors; and

''(H) similar sensitive technologies embedded into freight railcar components and subassemblies.

''(10) STATE-OWNED ENTERPRISE.—The term 'state-owned enterprise' means—

''(A) an entity that is owned by, or under the control of, a national, provincial, or local government of a country of concern, or an agency of such government; or

''(B) an individual acting under the direction or influence of a government or agency described in subparagraph (A).

''(11) SUBSTANTIALLY TRANSFORMED.—The term 'substantially transformed' means a component of a railroad freight car that undergoes an applicable change in tariff classification as a result of the manufacturing process, as described in chapter 4 and related Annexes of the USMCA or any subsequent free trade agreement between the United States, Mexico, and Canada.

''(12) USMCA.—The term 'USMCA' has the meaning given the term in section 3 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4502).

''(b) REQUIREMENTS FOR RAILROAD FREIGHT CARS ENTERING SERVICE IN THE UNITED STATES.—

''(1) LIMITATION ON RAILROAD FREIGHT CARS.—A railroad freight car wholly manufactured on or after the date that is 1 year after the date of enactment of the TRAIN Act, may only operate on the United States freight railroad interchange system if—

''(A) the railroad freight car is manufactured, assembled, and substantially transformed, as applicable, by a qualified manufacturer in a qualified facility;

''(B) none of the sensitive technology located on the railroad freight car, including components necessary to the functionality of the sensitive technology, originates from a country of concern or is sourced from state-owned enterprise; and

''(C) none of the content of the railroad freight car, excluding sensitive technology, originates from a country of concern or is sourced from a state-owned enterprise that has been determined by a recognized court or administrative agency of competent jurisdiction and legal authority to have violated or infringed valid United States intellectual property rights of another including such a finding by a Federal district court under title 35 or the U.S. International Trade Commission under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337).

''(2) LIMITATION ON RAILROAD FREIGHT CAR CONTENT.—

''(A) PERCENTAGE LIMITATION.—Not later than 12 months after the date of enactment of the TRAIN Act, a railroad freight car manufactured may operate on the United States freight railroad interchange system only if—

''(i) not more than 20 percent of the content of the railroad freight car, calculated by the net cost of all components of the car and excluding the cost of sensitive technology, originates from a country of concern or is sourced from a state-owned enterprise; and

''(ii) not later than 24 months after the date of enactment of the TRAIN Act, the percentage described in clause (i) shall be no more than 15 percent.

''(B) CONFLICT.—The percentages specified in this paragraph apply notwithstanding any apparent conflict with provisions of chapter 4 of the USMCA.

''(c) REGULATIONS AND PENALTIES.—

''(1) REGULATIONS REQUIRED.—Not later than 1 year after the date of enactment of the TRAIN Act, the Secretary of Transportation shall issue such regulations as are necessary to carry out this section, including for the monitoring, enforcement, and sensitive technology requirements of this section.

''(2) CERTIFICATION REQUIRED.—To be eligible to provide a railroad freight car for operation on the United States freight railroad interchange system, the manufacturer of such car shall certify to the Secretary annually that any railroad freight cars to be so provided meet the requirements of this section.

''(3) COMPLIANCE.—

''(A) VALID CERTIFICATION REQUIRED.—At the time a railroad freight car begins operation on the United States freight railroad interchange system, the manufacturer of such railroad freight car shall have valid certification describe under paragraph (2) for the year in which such car begins operation.

''(B) REGISTRATION OF NONCOMPLIANT CARS PROHIBITED.—A railroad freight car manufacturer may not register, or cause to be registered, a railroad freight car that does not comply with the requirements of this section in the Association of American Railroad's Umler system.

''(4) CIVIL PENALTIES.—

''(A) IN GENERAL.—A railroad freight car manufacturer that has manufactured a railroad freight car for operation on the United States freight railroad interchange system that the Secretary of Transportation determines, after written notice and an opportunity for a hearing, has violated this section is liable to the United States Government for a civil penalty of at least $100,000 but not more than $250,000 for each violation for each railroad freight car.

''(B) PROHIBITION FOR VIOLATIONS.—The Secretary of Transportation may prohibit a railroad freight car manufacturer with respect to which the Secretary has assessed more than 3 violations under subparagraph (A) from providing additional railroad freight cars for operation on the United States freight railroad interchange system until the Secretary determines—

''(i) such manufacturer is in compliance with this section; and

''(ii) all civil penalties assessed to such manufacturer under subparagraph (A) have been paid in full.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 207 of title 49, United States Code, is amended by adding at the end the following:

''20704. Requirements for railroad freight cars entering service in United States.''.

SEC. 9606. RAIL RESEARCH AND DEVELOPMENT CENTER OF EXCELLENCE.

Section 20108 of title 49, United States Code, is amended by adding at the end the following:

''(d) RAIL RESEARCH AND DEVELOPMENT CENTER OF EXCELLENCE.—

''(1) CENTER OF EXCELLENCE.—The Secretary may provide a grant to an entity described in paragraph (2) to establish a Center of Excellence to advance research and development that improves the safety, efficiency, and reliability of passenger and freight rail transportation.

''(2) ELIGIBILITY.—An institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or a consortium of nonprofit institutions of higher education shall be eligible to receive a grant under this subsection.

''(3) SELECTION CRITERIA.—In awarding a grant under this subsection, the Secretary may—

''(A) give preference to an applicant with strong past performance related to rail research, education, and workforce development activities;

''(B) consider the extent to which the applicant would involve public passenger and private and public freight railroad operators; and

''(C) consider the regional and national impacts of the applicant's proposal.

''(4) USE OF FUNDS.—Amounts awarded under this subsection may be used to establish and operate the Center of Excellence described in paragraph (1) and for research, evaluation, education, and workforce development and training efforts related to safety, environmental sustainability, and reliability of rail transportation, including—

''(A) rolling stock;

''(B) positive train control;

''(C) human factors, systems design, or fatigue;

''(D) rail infrastructure;

''(E) shared corridors;

''(F) grade crossings;

''(G) rail systems maintenance;

''(H) network resiliency;

''(I) programs to train railroad workers in needed skills; and

''(J) the development of programs or partnerships to raise awareness of railroad employment opportunities, in coordination with the Federal Railroad Administration.

''(5) FEDERAL SHARE.—The Federal share of the cost of an activity carried out with a grant under this subsection shall be 50 percent.''.

SEC. 9607. FREIGHT RAILROAD LOCOMOTIVE REQUIREMENTS.

(a) REQUIREMENTS FOR CLASS I LOCOMOTIVES.—A Class I railroad may only operate a locomotive on the freight railroad interchange system on or after January 1, 2030, if—

(1) the locomotive was manufactured on or after January 1, 2008;

(2) the primary NO_x and PM emissions on the Environmental Protection Agency certificate of conformity for the locomotive are equal to or cleaner than the cleanest available locomotive; or

(3) the locomotive has not exceeded a total of 89,100 MWhs of operation since its original engine build date.

(b) CERTIFICATION REQUIRED.—To be eligible to own or operate a locomotive covered by subsection (a) on the United States freight railroad interchange system on or after January 1, 2030, a Class I railroad shall certify to the Secretary of Transportation that such locomotive meets the requirements of this section.

(c) EFFECTUATION.—The Secretary is authorized to issue such regulations as are necessary to carry out this section.

(d) DEFINITIONS.—In this section:

(1) CERTIFICATE OF CONFORMITY.—The term ''certificate of conformity'' means the document that the Environmental Protection Agency issues to an engine manufacturer to certify that an engine class conforms to Environmental Protection Agency requirements.

(2) CLEANEST AVAILABLE LOCOMOTIVE.—The term ''cleanest available locomotive'' means the strictest standard set by the Environmental Protection Agency for the applicable locomotive under section 213 of the Clean Air Act (42 U.S.C. 7547).

SEC. 9608. EXTENSION.

Section 1246 of the Disaster Recovery Reform Act of 2018 is amended—

(1) by striking ''3 years'' and inserting ''4½ years''; and

(2) by inserting ''and every 3 months thereafter,'' before ''the Administrator shall''.

DIVISION E—SPORT FISH RESTORATION, RECREATIONAL BOATING SAFETY, AND WILDLIFE RESTORATION

SEC. 9701. SHORT TITLE.

This division may be cited as the ''Sport Fish Restoration, Recreational Boating Safety, and Wildlife Restoration Act of 2021''.

SEC. 9702. DIVISION OF ANNUAL APPROPRIATIONS.

(a) IN GENERAL.—Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), by striking ''2021'' and inserting ''2026'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''2021'' and inserting ''2026''; and

(ii) by amending subparagraph (B) to read as follows—

''(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

''(i) for fiscal year 2022, $12,786,434, adjusted for inflation as described in clause (ii)(II)(bb); and

''(ii) for fiscal year 2023, and each fiscal year thereafter, the sum of—

''(I) the available amount for the preceding fiscal year; and

''(II) the amount determined by multiplying—

''(aa) the available amount for the preceding fiscal year; and

''(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''2016 through 2021'' and inserting ''2022 through 2026''; and

(ii) by amending subparagraph (B) to read as follows—

''(B) AVAILABLE AMOUNTS.—The available amount referred to in subparagraph (A) is—

''(i) for fiscal year 2022, $8,988,700; and

''(ii) for fiscal year 2023, and each fiscal year thereafter, the sum of—

''(I) the available amount for the preceding fiscal year; and

''(II) the amount determined by multiplying—

''(aa) the available amount for the preceding fiscal year; and

''(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.''; and

(3) in subsection (e)(2), by striking ''$900,000'' and inserting ''$1,300,000''.

(b) ADMINISTRATION.—Section 9(a) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(a)) is amended—

(1) in paragraph (1)—

(A) by striking ''on a full-time basis''; and

(B) by inserting ''for work hours the employee spends directly administering this Act, as such hours are certified by the supervisor of the employee'' after ''administer this Act'';

(2) by striking paragraph (2) and redesignating paragraphs (3) through (12) as paragraphs (2) through (11), respectively;

(3) by striking ''paragraphs (1) and (2)'' and inserting ''paragraph (1)'' each place it appears;

(4) in paragraph (7), as so redesignated, by striking ''full-time'';

(5) in paragraph (8)(A), as so redesignated, by striking ''on a full-time basis'';

(6) in paragraph (9), as so redesignated, by striking ''on a full-time basis''; and

(7) in paragraph (10), as so redesignated—

(A) by inserting ''or a part-time basis'' after ''on a full-time basis''; and

(B) by inserting '', provided that the percentage of relocation expenses paid with funds under this chapter do not exceed the percentage of work hours the employee spends administering this Act'' after ''at which the relocation expenses are incurred''.

(c) OTHER ACTIVITIES.—Section 14(e) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777m(e)) is amended by adding at the end the following:

''(3) A portion, as determined by the Sport Fishing and Boating Partnership Council, of funds disbursed for the purposes described in paragraph (2) but remaining unobligated prior to fiscal year 2021 shall be used to study—

''(A) the impact of derelict recreational vessels on recreational boating safety and recreational fishing; and

''(B) identify options and methods for recycling for recreational vessels.''.

SEC. 9703. RECREATIONAL BOATING ACCESS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on recreational boating access. In carrying out such study, the Comptroller General shall consult with the Sport Fishing and Boating Partnership Council and the National Boating Safety Advisory Council on the design, scope, and priorities of such study.

(b) CONTENTS.—To the extent practicable, the study required under subsection (a) shall contain a description of—

(1) the use of nonmotorized vessels in each State and how the increased use of nonmotorized vessels is impacting motorized and nonmotorized vessel access to waterway entry points;

(2) recreational fishing and boating user conflicts concerning motorized and nonmotorized vessels at waterway access points; and

(3) the use of funds provided under the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.) for—

(A) the sport fish restoration program to improve nonmotorized vessel access at waterway entry points and the reasons for providing such access; and

(B) the Recreational Boating Safety Program funds for nonmotorized boating safety programs.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Sport Fishing and Boating Partnership Council, the Committees on Natural Resources and Transportation and Infrastructure of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Environment and Public Works of the Senate a report containing the study required under this section.

(d) STATE DEFINED.—In this section, the term ''State'' means any State, the District of Columbia, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and the territories of Guam, the U.S. Virgin Islands, and American Samoa.

SEC. 9704. WILDLIFE RESTORATION FUND ADMINISTRATION.

(a) ALLOCATION AND APPORTIONMENT OF AVAILABLE AMOUNTS.—Section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c), is amended—

(1) in subsection (a)(1)(B)—

(A) in clause (i) by striking ''for each of fiscal years 2001 and 2002, $9,000,000;'' and inserting the following: ''for fiscal year 2022, $12,786,434, adjusted for inflation as described in clause (ii)(II)(bb);''; and

(B) by striking clauses (ii) and (iii) and inserting the following:

''(ii) for fiscal year 2023, and each fiscal year thereafter, the sum of—

''(I) the available amount for the preceding fiscal year; and

''(II) the amount determined by multiplying—

''(aa) the available amount for the preceding fiscal year; and

''(bb) the change, relative to the preceding fiscal year, in the Consumer Price Index for All Urban Consumers published by the Department of Labor.''; and

(2) in subsection (a)(2)(A) by striking ''the end of the fiscal year'' and inserting ''the end of the subsequent fiscal year''.

(b) AUTHORIZED EXPENSES FOR ADMINISTRATION.—Section 9(a) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h(a)) is amended—

(1) in paragraph (1)—

(A) by striking ''on a full-time basis''; and

(B) by inserting ''for the work hours the employee spends directly administering this Act, as such hours are certified by the supervisor of the employee'' after ''administer this Act'';

(2) by striking ''paragraphs (1) and (2)'' and inserting ''paragraph (1)'' each place it appears;

(3) by striking paragraph (2) and redesignating paragraphs (3) through (12) as paragraphs (2) through (11), respectively;

(4) in paragraph (7), as so redesignated, by striking ''full-time'';

(5) in paragraph (8)(A), as so redesignated, by striking ''on a full-time basis'';

(6) in paragraph (9), as so redesignated, by striking ''on a full-time basis''; and

(7) in paragraph (10), as so redesignated—

(A) by inserting ''or a part-time basis'' after ''on a full-time basis''; and

(B) by inserting '', provided that the percentage of relocation expenses paid with funds under this chapter do not exceed the percentage of work hours the employee spends administering this Act'' after ''at which the relocation expenses are incurred''.

SEC. 9705. SPORT FISH RESTORATION AND BOATING TRUST FUND.

Section 13107(c)(2) of title 46, United States Code, is amended by striking ''No funds available'' and inserting ''On or after October 1, 2023, no funds available''.

SEC. 9706. SPORT FISHING AND BOATING PARTNERSHIP COUNCIL.

The Sport Fishing and Boating Partnership Council established by the Secretary of the Interior shall be a Federal advisory committee of

both the Department of the Interior and the Department of Commerce, and the secretaries of Interior and Commerce shall jointly carry out the requirements of the Federal Advisory Committee Act with respect to the Sport Fishing and Boating Partnership Council.

DIVISION F—AUTO SAFETY

SEC. 10101. SAFETY WARNING FOR OCCUPANTS OF HOT CARS.

(a) OCCUPANT SAFETY.—

(1) IN GENERAL.—Subchapter II of chapter 301 of title 49, United States Code, is amended by adding at the end the following new section:

"§ 30129. Occupant safety

''(a) DEFINITIONS.—In this section:

''(1) PASSENGER MOTOR VEHICLE.—The term 'passenger motor vehicle' has the meaning given that term in section 32101.

''(2) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(b) RULEMAKING.—Not later than 2 years after the date of enactment of this section, the Secretary shall issue a final rule prescribing a motor vehicle safety standard that requires all new passenger motor vehicles with a gross vehicle weight rating of 10,000 pounds or less to be equipped with a system that detects the presence of an unattended occupant in the passenger compartment of the vehicle and engages a warning to reduce death and injury resulting from vehicular heatstroke, particularly incidents involving children.

''(c) LIMITATION ON CAPABILITY OF BEING DISABLED.—The motor vehicle safety standard prescribed under subsection (b) shall require that the system described in that subsection cannot be disabled, overridden, reset, or recalibrated in such a way that the system will no longer detect the presence of an unattended occupant in the passenger compartment of the vehicle and engage a warning.

''(d) MEANS.—

''(1) IN GENERAL.—The warning required under the motor vehicle safety standard prescribed under subsection (b) shall include a distinct auditory and visual warning to notify individuals inside and outside of the vehicle of the presence of an unattended occupant, which shall be combined with an interior haptic warning.

''(2) CONSIDERATION.—In developing such warning, the Secretary shall also consider including a secondary additional warning to—

''(A) notify—

''(i) operators that are not in close proximity to the vehicle;

''(ii) emergency responders; and

''(B) provide the geographical location of the vehicle in a manner that allows for an emergency response.

''(e) COMPLIANCE DEADLINE.—The rule issued pursuant to subsection (b) shall require full compliance with the motor vehicle safety standard prescribed in the rule not later than 2 years after the date on which the final rule is issued.''.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 301 of title 49, United States Code, is amended by adding at the end the following new item:

''30129. Occupant safety.''.

(b) STUDY.—

(1) INDEPENDENT STUDY.—

(A) CONTRACT.—Not later than 90 days after the date on which a final rule is issued pursuant to section 30129(b) of title 49, United States Code, as added by subsection (a)(1), and every two years thereafter, the Secretary shall enter into a contract with an independent third party to conduct the study described under subparagraph (B).

(B) STUDY.—

(i) IN GENERAL.—Under the contract between the Secretary and an independent third party under subparagraph (A), the independent third party shall carry out a study on retrofitting passenger motor vehicles introduced into interstate commerce before the effective date of the rule required pursuant to section 30129(b) of title 49, United States Code, as added by subsection (a)(1), with technologies and products that meet the safety need addressed by the motor vehicle safety standard prescribed under such section.

(ii) ELEMENTS.—In carrying out the study required under clause (i), the independent third party shall—

(I) identify technologies and products—

(aa) manufactured for use in passenger motor vehicles introduced into interstate commerce before the effective date of the rule required by section 30129(b) of title 49, United States Code, as added by subsection (a)(1); and

(bb) that reduce death and injury resulting from vehicular heatstroke, particularly incidents involving children; and

(II) make recommendations for manufacturers of such technologies and products to undergo a functional safety performance assessment to ensure that the technologies and products perform as designed by the manufacturer under a variety of real-world conditions.

(2) PUBLICATION; PUBLIC COMMENT.—Not later than 2 years after the date on which the Secretary enters into a contract pursuant to paragraph (1)(A), and every two years thereafter, the Secretary shall—

(A) publish the study required under paragraph (1)(B) in the Federal Register; and

(B) provide a period for public comment of not longer than 90 days after the date on which the study is published pursuant to subparagraph (A).

(3) CONSUMER INFORMATION.—Not later than 120 days after expiration of the public comment period described under paragraph (2)(B) and upon review of the public comments, the Secretary shall provide information for consumers through the website of the National Highway Traffic Safety Administration on the performance of the technologies and products described in paragraph (1)(B)(ii) to retrofit existing vehicles.

(4) SUBMISSION TO CONGRESS.—Upon issuance of the recommendations required under paragraph (1)(B), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives the study and recommendations required by paragraph (1)(B), including any public comment received under paragraph (2)(B).

(5) DEFINITIONS.—In this subsection:

(A) CHILD RESTRAINT SYSTEM.—The term ''child restraint system'' has the meaning given that term in section 571.213 of title 49, Code of Federal Regulations (or any successor regulation).

(B) INDEPENDENT THIRD PARTY.—The term ''independent third party'' means a person that does not receive any direct financial assistance from a manufacturer (as defined in section 30102 of title 49, Code of Federal Regulations (or any successor regulation)) that produces or supplies—

(i) equipment for the systems mandated in such section 30129; or

(ii) child restraint systems.

(C) PASSENGER MOTOR VEHICLE.—The term ''passenger motor vehicle'' has the meaning given that term in section 32101 of title 49, United States Code.

(D) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 10102. RULEMAKING TO INSTALL AUTOMATIC SHUTOFF SYSTEMS AND ROLLAWAY PREVENTION TECHNOLOGY IN MOTOR VEHICLES.

(a) DEFINITIONS.—In this section:

(1) ELECTRIC VEHICLE.—The term ''electric vehicle''—

(A) means a vehicle that does not include an engine and is powered solely by an external source of electricity, solar power, or both;

(B) does not include an electric hybrid vehicle that uses a chemical fuel such as gasoline or diesel fuel.

(2) KEY.—The term ''key'' has the meaning given the term in section 571.114 of title 49, Code of Federal Regulations (or successor regulations).

(3) MANUFACTURER.—The term ''manufacturer'' has the meaning given the term in section 30102(a) of title 49, United States Code.

(4) MOTOR VEHICLE.—

(A) IN GENERAL.—The term ''motor vehicle'' has the meaning given the term in section 30102(a) of title 49, United States Code.

(B) EXCLUSIONS.—The term ''motor vehicle'' does not include—

(i) a motorcycle or trailer (as those terms are defined in section 571.3 of title 49, Code of Federal Regulations) (or successor regulations);

(ii) any motor vehicle that is rated at more than 10,000 pounds gross vehicular weight; or

(iii) for purposes of subsection (b), a battery electric vehicle.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(b) AUTOMATIC SHUTOFF SYSTEMS FOR MOTOR VEHICLES.—

(1) FINAL RULE.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a final rule amending section 571.114 of title 49, Code of Federal Regulations (relating to Federal Motor Vehicle Safety Standard Number 114), to require manufacturers to install in each motor vehicle equipped with a keyless ignition device and an internal combustion engine technology to automatically shut off the motor vehicle after the motor vehicle has idled for the period designated under subparagraph (B).

(B) PERIOD DESCRIBED.—

(i) IN GENERAL.—The period referred to in subparagraph (A) is the period designated by the Secretary as necessary to prevent carbon monoxide poisoning.

(ii) DIFFERENT PERIODS.—The Secretary may designate different periods under clause (i) for different types of motor vehicles, depending on the rate at which the motor vehicle emits carbon monoxide, if—

(I) the Secretary determines a different period is necessary for a type of motor vehicle for purposes of section 30111 of title 49, United States Code; and

(II) requiring a different period for a type of motor vehicle is consistent with the prevention of carbon monoxide poisoning.

(2) DEADLINE.—The rule under paragraph (1) shall become effective not later than 2 years after the date on which the Secretary issues such rule.

(c) PREVENTING MOTOR VEHICLES FROM ROLLING AWAY.—

(1) REQUIREMENT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a final rule amending part 571 of title 49, Code of Federal Regulations, to require manufacturers to install technology to prevent movement of motor vehicles equipped with keyless ignition devices and automatic transmissions if—

(A) the transmission of the motor vehicle is not in the park setting;

(B) the motor vehicle does not exceed the speed determined by the Secretary under paragraph (2);

(C) the seat belt of the operator of the motor vehicle is unbuckled;

(D) the service brake of the motor vehicle is not engaged; and

(E) the door for the operator of the motor vehicle is open.

(2) DETERMINATION.—The Secretary shall determine the maximum speed at which a motor vehicle may be safely locked in place under the conditions described in subparagraphs (A), (C), (D), and (E) of paragraph (1) to prevent vehicle rollaways.

(3) DEADLINE.—The rule under paragraph (1) shall become effective not later than 2 years after the date on which the Secretary issues such rule.

SEC. 10103. 21ST CENTURY SMART CARS.

(a) CRASH AVOIDANCE RULEMAKING.—

(1) IN GENERAL.—Subchapter II of chapter 301 of title 49, United States Code, as amended by section 10101(a)(1), is further amended by adding at the end the following new section:

"§ 30130. Crash avoidance rulemaking

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Secretary shall issue final rules prescribing motor vehicle safety standards that—

''(1) establish minimum performance requirements for the crash avoidance systems described in subsection (b); and

''(2) require all new passenger motor vehicles manufactured for sale in the United States, introduced or delivered for introduction in interstate commerce, or imported into the United States to be equipped with the crash avoidance systems described in subsection (b).

''(b) CRASH AVOIDANCE SYSTEMS.—The Secretary shall issue motor vehicle safety standards for each of the following crash avoidance systems—

''(1) forward collision warning and automatic emergency braking that detects potential collisions with vehicles, objects, pedestrians, bicyclists, and other vulnerable road users while the vehicle is traveling forward, provides a warning to the driver, and automatically applies the brakes to avoid or mitigate the severity of a collision;

''(2) rear automatic emergency braking that detects a potential collision with vehicles, objects, pedestrians, bicyclists, and other vulnerable roads user while a vehicle is traveling in reverse and automatically applies the brakes to avoid or mitigate the severity of a collision;

''(3) rear cross traffic warning that detects vehicles, objects, pedestrians, bicyclists, and other vulnerable road users approaching from the side and rear of a vehicle as it travels in reverse and alerts the driver;

''(4) lane departure warning that monitors a vehicle's position in its lane and alerts the driver as the vehicle approaches or crosses lane markers; and

''(5) blind spot warning that detects a vehicle, pedestrian, bicyclist , and other vulnerable road user to the side or rear of a vehicle and alerts the driver to their presence, including when a driver attempts to change the course of travel toward another vehicle or road user in the blind zone of the vehicle.

''(c) CONSIDERATIONS.—In prescribing the motor vehicle safety standards required in subsection (a), the Secretary shall require that the crash avoidance systems—

''(1) perform effectively at speeds for which a passenger motor vehicle is designed to operate, including on city streets and highways; and

''(2) include self-diagnostic capability and warning when inoperable.

''(d) COMPLIANCE DATE.—The compliance date of the standards prescribed under subsection (a) shall not exceed more than 2 years from the date final rules are issued.

''(e) RULEMAKING ON POINT OF SALE INFORMATION.—Not later than 18 months after the date of enactment of this section, the Secretary shall issue a final rule to require clear and concise information about the capabilities and limitations of advanced crash avoidance systems described in subsection (b) to be provided to a consumer at the point of sale and in the vehicle owner's manual, including a publicly accessible electronic owner's manual.

''(f) HEADLAMPS.—

''(1) FINAL RULE.—Not later than 2 years after the date of enactment of this section, the Secretary shall issue a final rule amending section 571.108 of title 49, Code of Federal Regulations to—

''(A) improve illumination of the roadway;

''(B) prevent glare;

''(C) establish minimum performance standards for—

''(i) semi-automatic headlamp beam switching;

''(ii) curve adaptive headlamps; and

''(iii) adaptive driving beam headlamp technology.

''(2) COMPLIANCE DATE.—The compliance date of the revised standard prescribed under paragraph (1) shall not exceed more than 2 years from the effective date.

''(3) FINAL RULEMAKING REQUIRED.—Not later than 1 year after the date of enactment of this section, the Secretary shall finalize the Rulemaking (83 Fed. Reg. 51766) to permit the certification of adaptive driving beam headlighting systems.

''(g) DEFINITIONS.—In this section:

''(1) CRASH AVOIDANCE.—The term 'crash avoidance' has the meaning given to that term in section 32301.

''(2) PASSENGER MOTOR VEHICLE.—The term 'passenger motor vehicle' has the meaning given to that term in section 32101.''.

(2) CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 301 of title 49, United States Code, as amended by section 10101(a)(2), is further amended by adding at the end the following new item:

''30130. Crash avoidance rulemaking.''.

(b) RESEARCH OF ADVANCED CRASH SYSTEMS.—

(1) IN GENERAL.—Subchapter II of chapter 301 of title 49, United States Code, as amended by section 10101(a)(1) and subsection (a)(1), is further amended by adding at the end the following new section:

"§ 30131. Advanced crash systems research and consumer education

''(a) ADVANCED CRASH SYSTEMS RESEARCH.—

''(1) RESEARCH REQUIRED.—Not later than 2 years after the date of enactment of this section, the Secretary shall complete research into the following:

''(A) Direct driver monitoring systems that will minimize driver disengagement, driver distraction, prevent automation complacency, and foreseeable misuse of vehicle automation.

''(B) Lane keeping assistance that assists with steering to keep a vehicle within its driving lane.

''(C) Automatic collision notification systems that—

''(i) notify emergency responders that a crash has occurred and provide the geographical location of the vehicle and crash data in a manner that allows for assessment of potential injuries and emergency response; and

''(ii) transfer to the Secretary anonymized automatic crash data for the purposes of safety research and statistical analysis.

''(D) Intelligent Speed Assist that—

''(i) determines the applicable speed limit where the vehicle is operating; and

''(ii) alerts the driver to the current speed limit and discourages exceeding that limit.

''(2) REQUIREMENTS.—In conducting the research required under subsection (a), the Secretary shall—

''(A) develop one or more tests to evaluate the performance of the systems;

''(B) determine criteria that would be reasonable and practicable at evaluating the performance of the systems; and

''(C) determine fail, pass, or advanced pass criteria to assure the systems are performing their intended function.

''(3) REPORT.—The Secretary shall submit a report detailing findings from the research required under subsection (a) to the House Energy and Commerce Committee and the Senate Commerce, Science, and Transportation Committee not later than 3 years after the date of enactment of this Act.

''(4) RULEMAKING.—Not later than 4 years after the date of enactment of this section, the Secretary shall issue final rules to establish motor vehicle safety standards for the advanced crash systems described in this subsection and to require all new passenger motor vehicles manufactured for sale in the United States, introduced or delivered for introduction in interstate commerce, or imported into the United States produced after the compliance date of such standards to be equipped with advanced crash avoidance systems described in this subsection.

''(5) LEAD-TIME.—The compliance date of the standards prescribed under this section shall not exceed more than 2 model years from the date a motor vehicle safety standard is finalized.

''(6) CRASH DATA.—If the Secretary makes a determination that establishing a motor vehicle safety standard described in paragraph (1)(C)(ii) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary—

''(A) shall submit a report describing the reasons for reaching such a determination to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation in the Senate; and

''(B) may not issue such a standard.

''(b) DEFINITIONS.—In this section:

''(1) CRASH AVOIDANCE.—The term 'crash avoidance' has the meaning given to that term in section 32301.

''(2) PASSENGER MOTOR VEHICLE.—The term 'passenger motor vehicle' has the meaning given to that term in section 32101.''.

(2) CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 301 of title 49, United States Code, as amended by section 10101(a)(2) and subsection (a)(2), is further amended by adding at the end the following new item:

''30131. Advanced crash systems research and consumer education.''.

SEC. 10104. UPDATING THE 5-STAR SAFETY RATING SYSTEM.

(a) IN GENERAL.—Section 32302 of title 49, United States Code, is amended—

(1) by striking subsection (c);

(2) by redesignating subsection (d) as subsection (c); and

(3) by adding at the end the following:

''(d) ROADMAP.—

''(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this subsection, and every 2 years thereafter, the Secretary shall publish a clear and concise report on a publicly accessible website detailing efforts over the next 5-year period to improve the passenger motor vehicle information developed under subsection (a).

''(2) ELEMENTS.—The report required under paragraph (1) shall include—

''(A) descriptions of actions that will be taken to update the passenger motor vehicle information developed under subsection (a), including the development of test procedures, test devices, and safety performance criteria;

''(B) key milestones, including the anticipated start of an action, completion of an action, and effective date of an update; and

''(C) descriptions of how an update will improve the passenger motor vehicle information developed under subsection (a).

''(3) REQUIREMENTS.—In developing and implementing the report required under paragraph (1), the Secretary shall—

''(A) identify and prioritize features and systems that meet a known safety need and for which objective and appropriate tests and evaluation criteria exist or can be developed;

''(B) when reasonable and in the interest of reducing crashes and deaths and injuries resulting from crashes, harmonize the passenger motor vehicle information developed under subsection (a) with other safety information programs, including those administered internationally or by private organizations, that provide comparisons of safety characteristics of passenger motor vehicles; and

''(C) establish objective criteria for the selection of safety features and systems to be tested.

''(4) PUBLIC COMMENT.—The Secretary shall provide for a period of public comment and review in developing the report required under paragraph (1).

''(e) INITIAL UPDATES TO THE 5-STAR SAFETY RATING SYSTEM.—

''(1) CRASH AVOIDANCE.—Not later than 1 year after the date of the enactment of this subsection, the Secretary shall implement, in the passenger motor vehicle information program under subsection (a), updated or new, as applicable, crash avoidance tests, which shall include tests of forward automatic emergency braking, lane departure warning, blind spot warning, rear cross traffic warning, and rear automatic emergency braking.

''(2) VULNERABLE ROAD USER SAFETY.—Not later than 1 year after the date of the enactment of this subsection, the Secretary shall implement, in the passenger motor vehicle information program under subsection (a), crash avoidance tests that assess the prevention or mitigation of crashes between a passenger motor vehicle and a pedestrian, bicyclist, or other vulnerable road user, which shall include tests of forward automatic emergency braking and rear automatic emergency braking.

''(3) NEW AND UPDATED 5-STAR SAFETY RATINGS.—Not later than 1 year after the date of the enactment of this subsection, the Secretary shall—

''(A) establish separate 5-star safety ratings for—

''(i) crash avoidance, which shall incorporate the tests implemented under paragraph (1); and

''(ii) pedestrian, bicyclist, and other vulnerable road user safety, which shall incorporate the tests implemented under paragraph (2); and

''(B) update the combined overall 5-star safety rating to incorporate the 5-star safety ratings established under subparagraph (A).

''(f) ADVANCED UPDATES TO THE 5-STAR SAFETY RATING SYSTEM.—

''(1) CRASHWORTHINESS.—

''(A) TEST PROCEDURES, CONDITIONS, AND DEVICES; INJURY CRITERIA.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall prescribe a final rule amending part 572 of title 49, Code of Federal Regulations, to incorporate into the passenger motor vehicle information program under subsection (a)—

''(i) updated and new test procedures, test conditions, and anthropomorphic test devices that reasonably represent motor vehicle occupants and pedestrians, bicyclists, and other vulnerable road users, including such occupants and users who are children, elderly individuals, adult males, and adult females; and

''(ii) new or refined injury criteria, including head, neck, chest, abdomen, pelvis, upper leg, and lower leg injury criteria, based on real-world injuries and the greatest potential to increase the safety of passenger motor vehicles.

''(B) TESTS.—Not later than 3 years after the date of the enactment of this subsection, the Secretary shall, with respect to the passenger motor vehicle information program under subsection (a)—

''(i) update existing crashworthiness tests, including to account for adult male, adult female, and elderly occupants in all designated seating positions; and

''(ii) implement new crashworthiness tests for—

''(I) occupants, including children, elderly occupants, adult males, and adult females, in all rear designated seating positions;

''(II) crashes between a passenger motor vehicle and a pedestrian, bicyclist, or other vulnerable road user, including the potential risks of injuries to the head, neck, chest, abdomen, pelvis, upper leg, and lower leg; and

''(III) seats, the attachment assemblies of seats, and the installation of seats.

''(2) POST-CRASH SAFETY AND ADVANCED CRASH AVOIDANCE SYSTEMS.—

''(A) RESEARCH.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall complete research into the development of tests for—

''(i) post-crash safety systems, including tests for automatic collision notification; and

''(ii) advanced crash avoidance systems, including tests for—

''(I) lane keeping assistance;

''(II) traffic jam assist;

''(III) driver monitoring and driver distraction prevention, including tests for maintaining driver engagement and mitigating distraction from in-vehicle electronic devices;

''(IV) intelligent speed assistance; and

''(V) blind spot intervention.

''(B) IMPLEMENTATION.—After completion of the research required under subparagraph (A), and not later than 3 years after the date of the enactment of this subsection, the Secretary shall implement tests for post-crash safety systems and advanced crash avoidance systems, including (at a minimum) tests for the specific capabilities described in clause (i) of such subparagraph and subclauses (I) through (V) of clause (ii) of such subparagraph, unless the Secretary determines that doing so will not improve the passenger motor vehicle information developed under subsection (a).

''(C) EXPLANATION OF DETERMINATION.—If the Secretary does not implement tests for a specific capability described in clause (i) of subparagraph (A) or any of subclauses (I) through (V) of clause (ii) of such subparagraph, the Secretary shall describe in the next report required under subsection (d)—

''(i) the reasons for the determination of the Secretary under subparagraph (B) with respect to such capability; and

''(ii) if such capability is included in another safety information program, including such a program administered by an international or private organization, why the tests, or substantially similar tests, from such other program were not adopted.

''(3) NEW AND UPDATED 5-STAR SAFETY RATINGS.—Not later than 3 years after the date of the enactment of this subsection, the Secretary shall—

''(A) establish separate 5-star safety ratings for—

''(i) crashworthiness for adults;

''(ii) crashworthiness for elderly occupants; and

''(iii) crashworthiness for children;

''(B) update the crash avoidance 5-star safety rating to incorporate the post-crash safety and advanced crash avoidance tests implemented under paragraph (2)(B); and

''(C) update the combined overall 5-star safety rating to incorporate the 5-star safety ratings established under subparagraph (A) and the 5-star safety rating updated under subparagraph (B).

''(g) ADVANCED DRUNK DRIVING PREVENTION TECHNOLOGY.—

''(1) RESEARCH.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall complete research into the development of tests for advanced drunk driving prevention technology.

''(2) IMPLEMENTATION.—After completion of the research required under paragraph (1), and not later than 4 years after the date of the enactment of this subsection, the Secretary shall implement tests for advanced drunk driving prevention technology, unless the Secretary determines that doing so will not improve the passenger motor vehicle information developed under subsection (a).

''(3) EXPLANATION OF DETERMINATION.—If the Secretary does not implement tests for advanced drunk driving prevention technology, the Secretary shall describe in the next report required under subsection (d)—

''(A) the reasons for the determination of the Secretary under paragraph (2); and

''(B) if advanced drunk driving prevention technology is included in another safety information program, including such a program administered by an international or private organization, the Secretary shall detail why the tests, or substantially similar tests, from such other program were not adopted.

''(4) UPDATED 5-STAR SAFETY RATINGS.—Not later than 4 years after the date of the enactment of this subsection, the Secretary shall—

''(A) update the crash avoidance 5-star safety rating to incorporate any tests for advanced drunk driving prevention technology implemented under paragraph (2); and

''(B) update the combined overall 5-star safety rating to incorporate any updates to the crash avoidance 5-star safety rating under subparagraph (A).

''(h) UPDATING THE MONRONEY LABEL.—

''(1) IN GENERAL.—Not later than 4 years after the date of the enactment of this subsection, the Secretary shall prescribe a final rule revising part 575 of title 49, Code of Federal Regulations, to update the safety rating information required to be displayed on stickers placed on motor vehicles by their manufacturers (commonly referred to as 'Monroney Labels').

''(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall require that crash avoidance information is indicated next to crashworthiness information on the stickers described in such paragraph.

''(i) SAFETY RATINGS.—

''(1) IN GENERAL.—The 5-star safety ratings shall—

''(A) provide consumers with easy-to-understand information about passenger motor vehicle safety;

''(B) provide meaningful comparative information about the safety of passenger motor vehicles; and

''(C) provide incentives for the design of safer passenger motor vehicles.

''(2) STANDARD SYSTEMS OR FEATURES.—A vehicle model shall only achieve the highest safety rating under the passenger motor vehicle information program under subsection (a) if each system or feature that is subject to a test under such program is standard for the model.

''(3) PUBLIC AVAILABILITY.—Not later than 30 days after providing the safety ratings under the passenger motor vehicle information program under subsection (a) for a passenger motor vehicle to the manufacturer of the vehicle, the Secretary shall publish such safety ratings on a website that is publicly available and easily accessible (including on mobile devices).

''(j) CONTINUOUS UPDATES.—

''(1) IN GENERAL.—Not later than 6 years after the date of the enactment of this subsection, and every 2 years thereafter, the Secretary shall—

''(A) update the passenger motor vehicle information program under subsection (a) to expand consumer access to information about passenger motor vehicle safety in accordance with the roadmap required under subsection (d); and

''(B) update each test or 5-star safety rating implemented under this section, unless the Secretary determines that updating the test or 5-star safety rating will not improve the passenger motor vehicle information developed under subsection (a).

''(2) REPLACING AND ELIMINATING TESTS AND 5-STAR SAFETY RATINGS.—

''(A) IN GENERAL.—If the Secretary determines that a test or 5-star safety rating implemented under this section no longer improves the passenger motor vehicle information developed under subsection (a), the Secretary shall—

''(i) replace such test or 5-star safety rating; or

''(ii) if the Secretary determines that a replacement of such test or 5-star safety rating will not improve the passenger motor vehicle information developed under subsection (a), eliminate such test or 5-star safety rating.

''(B) EXPLANATION OF DETERMINATION.—If the Secretary eliminates a test or 5-star safety rating under subparagraph (A)(ii), the Secretary shall provide an explanation for the determination of the Secretary under such subparagraph in the next report required under subsection (d).

''(k) REPORT ON FAILURE TO MEET DEADLINE.—If the Secretary fails to meet a deadline

under this section, the Secretary shall, not later than 30 days after the deadline, submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing—

''(1) an explanation of why the Secretary failed to meet the deadline; and

''(2) a detailed plan and projected timeline for completing the requirement to which the deadline relates.

''(l) DEFINITIONS.—In this section:

''(1) 5-STAR SAFETY RATING.—The term '5-star safety rating' means a graphical depiction of a rating assigned under the passenger motor vehicle information program under subsection (a).

''(2) CRASHWORTHINESS.—The term 'crashworthiness' has the meaning given such term in section 32301, except that such term also includes the protection a passenger motor vehicle gives pedestrians, bicyclists, and other vulnerable road users against personal injury or death from a motor vehicle accident.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Transportation $75,000,000 for each of fiscal years 2022 through 2027 to carry out the amendments made by this section.

SEC. 10105. ADVANCED DRUNK DRIVING PREVENTION TECHNOLOGY.

(a) REQUIREMENTS.—

(1) MOTOR VEHICLE SAFETY STANDARD.—Not later than 18 months after the date of enactment of this Act, the Secretary of Transportation shall issue a notice of proposed rulemaking to prescribe a motor vehicle safety standard under section 30111 of title 49, United States Code, that requires passenger motor vehicles manufactured after the effective date of such standard to be equipped with advanced drunk driving prevention technology. Not later than three years after the date of enactment of this Act, the Secretary shall prescribe a final rule containing the motor vehicle safety standard required under this subsection. The final rule shall specify an effective date that provides at least two years, but no more than three years, to allow for manufacturing compliance.

(2) TIMING.—If the Secretary determines that a new motor vehicle safety standard required under this subsection cannot meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, within the 3-year period required under paragraph (1), the Secretary shall—

(A) submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate describing the reasons for not prescribing such a standard within such 3-year period;

(B) not later than one year after the submission of the report under subparagraph (A), prescribe the final rule required by paragraph (1);

(C) if the Secretary cannot meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, within the additional 1-year period described in subparagraph (B), or any subsequent 1-year period, submit a additional reports after each additional 1-year period to the committees described in subparagraph (A) describing the reasons for not prescribing such a standard within such additional period; and

(D) not later than six years after the date of enactment of this Act, prescribe a final motor vehicle safety, as required under paragraph (1).

(b) DEVELOPMENT.—The Secretary shall work directly with manufacturers of passenger motor vehicles, suppliers, safety advocates, and other interested parties, including universities with expertise in automotive engineering, to—

(1) accelerate the development of the advanced drunk driving prevention technology required to prescribe a motor vehicle safety standard described in subsection (a); and

(2) ensure the integration of such technology into passenger motor vehicles available for sale at the earliest practicable date.

(c) DEFINITIONS.—In this section:

(1) ADVANCED DRUNK DRIVING PREVENTION TECHNOLOGY.—the term ''advanced drunk driving prevention technology'' means—

(A)(i) a passive system that monitors a driver's performance to identify whether that driver may be impaired;

(ii) a system that can passively and accurately detect whether the blood alcohol concentration of a driver of a motor vehicle is equal to or greater than .08 blood alcohol content; or

(iii) a similar system that detects impairment of a driver, including a combination of systems described in paragraphs (A) and (B); and

(B) a system that prevents or limits vehicle operation if such system determines the driver may be intoxicated or otherwise impaired.

(2) MOTOR VEHICLE SAFETY STANDARD.—The term ''motor vehicle safety standard'' has the meaning given such term in section 30102 of title 49, United States Code.

(3) PASSENGER MOTOR VEHICLE.—The term ''passenger motor vehicle'' has the meaning given such term in section 32101 of title 49, United States Code.

SEC. 10106. LIMOUSINE COMPLIANCE WITH FEDERAL SAFETY STANDARDS.

(a) LIMOUSINE STANDARDS.—

(1) SAFETY BELT AND SEATING SYSTEM STANDARDS FOR LIMOUSINES.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall prescribe a final rule—

(A) that amends Federal Motor Vehicle Safety Standard Numbers 208, 209, and 210 to require to be installed in limousines at each designated seating position, including on side-facing seats—

(i) an occupant restraint system consisting of integrated lap shoulder belts; or

(ii) an occupant restraint system consisting of a lap belt if the occupant restraint system described in clause (i) does not meet the need for motor vehicle safety; and

(B) that amends Federal Motor Vehicle Safety Standard Number 207 to require limousines to meet standards for seats (including side-facing seats), seat attachment assemblies, and seat installation to minimize the possibility of their failure by forces acting on them as a result of vehicle impact.

(2) REPORT ON RETROFIT ASSESSMENT FOR LIMOUSINES.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that assesses the feasibility, benefits, and costs with respect to the application of any requirement established under paragraph (1) to a limousine introduced into interstate commerce before the date on which the requirement takes effect.

(b) SAFETY REGULATION OF LIMOUSINES.—

(1) IN GENERAL.—Section 30102(a)(6) of title 49, United States Code, is amended—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(C) modifying a passenger motor vehicle (as such term is defined in section 32101) that has already been purchased by the first purchaser (as such term is defined in subsection (b)) by increasing the wheelbase of the vehicle so that the vehicle has increased seating capacity.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply beginning on the date that is 1 year after the date of the enactment of this Act.

(c) LIMOUSINE COMPLIANCE WITH FEDERAL SAFETY STANDARDS.—

(1) IN GENERAL.—Subchapter II of chapter 301 of title 49, United States Code, as amended by sections 10101(a)(1), 10103 (a)(1), and 10103(b)(1), is further amended by adding at the end the following new section:

''§ 30132. Limousine compliance with Federal safety standards

''(a) REQUIREMENT.—Beginning on the date that is 1 year after the date of the enactment of this section, a limousine remodeler may not offer for sale, lease, or rent, introduce or deliver for introduction into interstate commerce, or import into the United States a new limousine unless the limousine remodeler has submitted to the Secretary a vehicle remodeler plan (or an updated vehicle remodeler plan required by subsection (b), as applicable) that describes how the remodeler is mitigating risks to motor vehicle safety posed by the limousines of the remodeler. A vehicle remodeler plan shall include the following:

''(1) Verification and validation of compliance with applicable motor vehicle safety standards.

''(2) Design, quality control, manufacturing, and training practices adopted by the limousine remodeler.

''(3) Customer support guidelines, including instructions for limousine occupants to wear seatbelts and limousine operators to notify occupants of the date and results of the most recent inspection of the limousine.

''(b) UPDATES.—Each limousine remodeler shall submit an updated vehicle remodeler plan to the Secretary each year.

''(c) PUBLICLY AVAILABLE.—The Secretary shall make any vehicle remodeler plan submitted under subsection (a) or (b) publicly available not later than 60 days after the date on which the plan is received, except the Secretary may not make publicly available any information relating to a trade secret or other confidential business information (as such terms are defined in section 512.3 of title 49, Code of Federal Regulations (or any successor regulation)).

''(d) REVIEW.—The Secretary may inspect any vehicle remodeler plan submitted by a limousine remodeler under subsection (a) or (b) to enable the Secretary to determine whether the limousine remodeler has complied, or is complying, with this chapter or a regulation prescribed or order issued pursuant to this chapter.

''(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect discovery, a subpoena or other court order, or any other judicial process otherwise allowed under applicable Federal or State law.

''(f) DEFINITIONS.—In this section:

''(1) CERTIFIED PASSENGER MOTOR VEHICLE.—The term 'certified passenger motor vehicle' means a passenger motor vehicle that has been certified in accordance with section 30115 to meet all applicable motor vehicle safety standards.

''(2) INCOMPLETE VEHICLE.—The term 'incomplete vehicle' has the meaning given such term in section 567.3 of title 49, Code of Federal Regulations (or any successor regulation).

''(3) LIMOUSINE.—The term 'limousine' means a motor vehicle—

''(A) that has a seating capacity of 9 or more persons (including the driver);

''(B) with a gross vehicle weight rating greater than 10,000 pounds but not greater than 26,000 pounds; and

''(C) that the Secretary has determined by regulation has physical characteristics resembling—

''(i) a passenger car;

''(ii) a multipurpose passenger vehicle; or

''(iii) a truck with a gross vehicle weight rating of 10,000 pounds or less.

''(4) LIMOUSINE OPERATOR.—The term 'limousine operator' means a person who owns or leases, and uses, a limousine to transport passengers for compensation.

''(5) LIMOUSINE REMODELER.—The term 'limousine remodeler' means a person who alters or modifies by addition, substitution, or removal of components (other than readily attachable components) an incomplete vehicle, a vehicle manufactured in two or more stages, or a certified

passenger motor vehicle before or after the first purchase of the vehicle to manufacture a limousine.

''(6) MULTIPURPOSE PASSENGER VEHICLE.—The term 'multipurpose passenger vehicle' has the meaning given such term in section 571.3 of title 49, Code of Federal Regulations (or any successor regulation).

''(7) PASSENGER CAR.—The term 'passenger car' has the meaning given such term in section 571.3 of title 49, Code of Federal Regulations (or any successor regulation).

''(8) PASSENGER MOTOR VEHICLE.—The term 'passenger motor vehicle' has the meaning given such term in section 32101.

''(9) TRUCK.—The term 'truck' has the meaning given such term in section 571.3 of title 49, Code of Federal Regulations (or any successor regulation).''.

(2) ENFORCEMENT.—Section 30165(a)(1) of title 49, United States Code, is amended by inserting ''30132,'' after ''30127,''.

(3) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 301 of title 49, United States Code, as amended by sections 10101(a)(2), 10103(a)(2), and 10103(b)(2), is further amended by adding at the end the following new item:

''30132. Limousine compliance with Federal safety standards.''.

(d) LIMOUSINE CRASHWORTHINESS.—

(1) RESEARCH.—Not later than 4 years after the date of the enactment of this Act, the Secretary shall complete research into the development of motor vehicle safety standards for side impact protection, roof crush resistance, and air bag systems for the protection of occupants for limousines with alternative seating positions, including perimeter seating arrangements.

(2) RULEMAKING OR REPORT.—

(A) CRASHWORTHINESS STANDARDS.—

(i) IN GENERAL.—Not later than 2 years after the completion of the research required under paragraph (1), except as provided in clause (ii), the Secretary shall prescribe a final motor vehicle safety standard, for the protection of occupants in limousines with alternative seating positions, for each of the following:

(I) Side impact protection.

(II) Roof crush resistance.

(III) Air bag systems.

(ii) REQUIREMENTS AND CONSIDERATIONS.—The Secretary may only prescribe a motor vehicle safety standard described in clause (i) if the Secretary determines that such standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code.

(B) REPORT.—If the Secretary determines that a standard described in subparagraph (A)(i) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall publish in the Federal Register and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the reasons for not prescribing such standard.

(e) LIMOUSINE EVACUATION.—

(1) RESEARCH.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall complete research into safety features and standards that aid evacuation in the event that one exit in the passenger compartment of a limousine is blocked.

(2) STANDARDS.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall prescribe a final motor vehicle safety standard based on the results of the research under paragraph (1).

(f) LIMOUSINE INSPECTION DISCLOSURE.—

(1) IN GENERAL.—A limousine operator may not introduce a limousine into interstate commerce unless the limousine operator has prominently disclosed in a clear and conspicuous notice, including on the website of the operator if the operator has a website, the following:

(A) The date of the most recent inspection of the limousine required under State or Federal law.

(B) The results of the inspection.

(C) Any corrective action taken by the limousine operator to ensure the limousine passed inspection.

(2) FEDERAL TRADE COMMISSION ENFORCEMENT.—The Federal Trade Commission shall enforce this subsection in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this subsection. Any person who violates this subsection shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) SAVINGS PROVISION.—Nothing in this subsection shall be construed to limit the authority of the Federal Trade Commission under any other provision of law.

(4) EFFECTIVE DATE.—This subsection shall take effect 180 days after the date of the enactment of this Act.

(g) EVENT DATA RECORDERS FOR LIMOUSINES.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall prescribe a final motor vehicle safety standard requiring the use of event data recorders for limousines.

(2) PRIVACY PROTECTIONS.—Any standard prescribed under paragraph (1) pertaining to event data recorder information shall be consistent with the collection and sharing requirements under the FAST Act (Public Law 114–94) and any other applicable law.

(h) DEFINITIONS.—In this section:

(1) EVENT DATA RECORDER.—The term ''event data recorder'' has the meaning given such term in section 563.5 of title 49, Code of Federal Regulations (or any successor regulation).

(2) LIMOUSINE.—The term ''limousine'' has the meaning given such term in section 30132 of title 49, United States Code, as added by this section.

(3) LIMOUSINE OPERATOR.—The term ''limousine operator'' has the meaning given such term in section 30132 of title 49, United States Code, as added by this section.

(4) MOTOR VEHICLE SAFETY.—The term ''motor vehicle safety'' has the meaning given such term in section 30102(a) of title 49, United States Code.

(5) MOTOR VEHICLE SAFETY STANDARD.—The term ''motor vehicle safety standard'' has the meaning given such term in section 30102(a) of title 49, United States Code.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(7) STATE.—The term ''State'' has the meaning given such term in section 30102(a) of title 49, United States Code.

SEC. 10107. STUDY TO EVALUATE THE PERFORMANCE OF CRASH AVOIDANCE SYSTEMS.

(a) STUDY.—The Secretary of Transportation shall conduct a study to evaluate the performance of crash avoidance systems at detecting and classifying pedestrians, bicyclists, and other vulnerable road users, including those with different skin tones that are representative of different racial and ethnic groups.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit a report of the results of the study required under subsection (a) to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make such report publicly available.

(c) CONTRACTING.—The Secretary may enter into contracts with nonprofit institutions, colleges, and universities to conduct research required for the study required under subsection (a).

(d) DEFINITION OF CRASH AVOIDANCE.—As used in this section, the term ''crash avoidance systems'' means any system in a motor vehicle used to prevent or mitigate a crash, including a system using cameras, lidar, or radar.

SEC. 10108. STUDY AND REPORT ON MOTOR VEHICLE LAMPS.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, an entity described in subsection (b) that is competent to carry out the requirements of this section, and that is selected by the Secretary (in consultation with the Director of the National Institute of Standards and Technology and the Director of the National Institutes of Health), shall complete a study and submit to the Secretary a report on the effects of non-uniform luminance from Light Emitting Diode (LED) and Light Amplification by Stimulated Emission of Radiation (LASER) motor vehicle lamps on the vision of elderly drivers and roadway safety. The study and report shall consider, at a minimum, motor vehicle headlights, daytime running lights, brake lights, tail lights, turn signals, and flashing lights on public safety and maintenance vehicles.

(b) ENTITY DESCRIBED.—An entity described in this subsection is—

(1) a nonprofit research institution;

(2) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(3) a consortium of institutions described in paragraph (1) or institutions described in paragraph (2), or both.

(c) CONTENTS OF REPORT.—The report required by subsection (a) shall include, at a minimum, the following:

(1) Measurements and evaluation of peak luminance, spectral power distribution, and flicker from lamps described in subsection (a).

(2) An evaluation of the effects (including specifically for elderly drivers), if any, on vision, health, and safety of individuals exposed to light from lamps described in subsection (a), including an evaluation of risks (including specifically for elderly drivers) of temporary or long-term impairment of vision and light-induced psychological stress and seizures.

(d) SUBMISSION OF REPORT AND RECOMMENDATIONS.—Not later than 90 days after the completion of the study and report required by subsection (a), the Secretary shall publish in the Federal Register and submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate—

(1) such report; and

(2) if appropriate, recommendations regarding measures to reduce the risks to roadway safety of glare from the lamps described in subsection (a).

(e) PUBLIC NOTICE AND COMMENT.—In developing the scope of the study required by subsection (a), the Secretary shall provide for a period of public notice and comment.

(f) DEFINITIONS.—In this section:

(1) MOTOR VEHICLE.—The term ''motor vehicle'' has the meaning given such term in section 30102(a) of title 49, United States Code.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

DIVISION G—HIGHWAY TRUST FUND

SEC. 11001. EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2021'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2026'', and

(2) by striking ''Continuing Appropriations Act, 2021 and Other Extensions Act'' in subsections (c)(1) and (e)(3) and inserting ''INVEST in America Act''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking ''Continuing Appropriations Act, 2021 and Other Extensions Act'' each place it appears in subsection (b)(2) and inserting ''INVEST in America Act'', and

(2) by striking ''October 1, 2021'' in subsection (d)(2) and inserting ''October 1, 2026''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Section 9508(e)(2) of such Code is amended by striking ''October 1, 2021'' and inserting ''October 1, 2026''.

SEC. 11002. ADDITIONAL TRANSFERS TO HIGHWAY TRUST FUND.

Section 9503(f) of the Internal Revenue Code of 1986 is amended by redesignating paragraph (11) as paragraph (12) and by inserting after paragraph (10) the following new paragraph:

''(11) ADDITIONAL TRANSFERS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(A) $109,000,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund, and

''(B) $39,000,000,000 to the Mass Transit Account in the Highway Trust Fund.''.

DIVISION H—WATER QUALITY PROTECTION AND JOB CREATION ACT OF 2021

SEC. 12001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Water Quality Protection and Job Creation Act of 2021''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

Sec. 12001. Short title; table of contents.
Sec. 12002. Wastewater infrastructure workforce investment.
Sec. 12003. Technical assistance to rural, small, and Tribal municipalities.
Sec. 12004. State management assistance.
Sec. 12005. Watershed, wet weather, and resiliency projects.
Sec. 12006. Waiver of matching requirement for grants to District of Columbia.
Sec. 12007. Pilot program for alternative water source projects.
Sec. 12008. Sewer overflow and stormwater reuse municipal grants.
Sec. 12009. Grants for the treatment of emerging contaminants.
Sec. 12010. Household wastewater grant program.
Sec. 12011. Smart wastewater infrastructure technology grant program.
Sec. 12012. Reports to Congress.
Sec. 12013. Indian Tribes.
Sec. 12014. Capitalization grants.
Sec. 12015. Water pollution control revolving loan funds.
Sec. 12016. Allotment of funds.
Sec. 12017. Reservation of funds for territories of the United States.
Sec. 12018. Authorization of appropriations.
Sec. 12019. Technical assistance by Municipal Ombudsman.
Sec. 12020. Report on wastewater infrastructure funding for rural, economically disadvantaged, and Tribal communities.
Sec. 12021. Water Reuse Interagency Working Group.

SEC. 12002. WASTEWATER INFRASTRUCTURE WORKFORCE INVESTMENT.

Section 104(g) of the Federal Water Pollution Control Act (33 U.S.C. 1254(g)) is amended—

(1) in paragraph (1), by striking ''manpower'' each place it appears and inserting ''workforce''; and

(2) by amending paragraph (4) to read as follows:

''(4) REPORT TO CONGRESS ON PUBLICLY OWNED TREATMENT WORKS WORKFORCE DEVELOPMENT.—Not later than 2 years after the date of enactment of the Water Quality Protection and Job Creation Act of 2021, the Administrator, in consultation with the Secretary of Labor, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report containing—

''(A) an assessment of the current and future workforce needs for publicly owned treatment works, including an estimate of the number of future positions needed for such treatment works and the technical skills and education needed for such positions;

''(B) a summary of actions taken by the Administrator, including Federal investments under this chapter, that promote workforce development to address such needs; and

''(C) any recommendations of the Administrator to address such needs.''.

SEC. 12003. TECHNICAL ASSISTANCE TO RURAL, SMALL, AND TRIBAL MUNICIPALITIES.

(a) REAUTHORIZATION.—Section 104(u) of the Federal Water Pollution Control Act (33 U.S.C. 1254(u)) is amended—

(1) by striking ''and (7)'' and inserting ''(7)'';

(2) by striking ''2023'' and inserting ''2021''; and

(3) by inserting ''; and (8) not to exceed $100,000,000 for each of fiscal years 2022 through 2026 for carrying out subsections (b)(3), (b)(8), and (g), except that not less than half of the amounts so appropriated to carry out such subsections in each such fiscal year shall be used for carrying out subsection (b)(8)'' before the period at the end.

(b) COMMUNICATION.—A nonprofit organization receiving a grant under section 104(b)(8) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)(8)) shall, prior to carrying out an activity using such grant funds, consult with the State in which such activity is to be carried out.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall submit to Congress a report that describes the implementation of the grants made under subsections (b)(3), (b)(8), and (g) of section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254) during the 2 fiscal years preceding the date of the report, including a description of the recipients and amounts of such grants.

SEC. 12004. STATE MANAGEMENT ASSISTANCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 106(a) of the Federal Water Pollution Control Act (33 U.S.C. 1256(a)) is amended—

(1) by striking ''and'' at the end of paragraph (1); and

(2) by inserting after paragraph (2) the following:

''(3) such sums as may be necessary for each of fiscal years 1991 through 2021; and

''(4) $500,000,000 for each of fiscal years 2022 through 2026;''.

(b) TECHNICAL AMENDMENT.—Section 106(e) of the Federal Water Pollution Control Act (33 U.S.C. 1256(e)) is amended by striking ''Beginning in fiscal year 1974 the'' and inserting ''The''.

SEC. 12005. WATERSHED, WET WEATHER, AND RESILIENCY PROJECTS.

(a) INCREASED RESILIENCE OF TREATMENT WORKS.—Section 122(a)(6) of the Federal Water Pollution Control Act (33 U.S.C. 1274(a)(6)) is amended to read as follows:

''(6) INCREASED RESILIENCE OF TREATMENT WORKS.—Efforts—

''(A) to assess future risks and vulnerabilities of publicly owned treatment works to manmade or natural disasters, including extreme weather events, drought, and sea level rise; and

''(B) to carry out the planning, design, or construction of projects, on a systemwide or areawide basis, to increase the resilience of publicly owned treatment works through—

''(i) the conservation of water or the enhancement of water use efficiency;

''(ii) the enhancement of wastewater (including stormwater) management by increasing watershed preservation and protection, including through—

''(I) the use of green infrastructure; or

''(II) the reclamation and reuse of wastewater (including stormwater), such as through aquifer recharge zones;

''(iii) the modification or relocation of an existing publicly owned treatment works at risk of being significantly impaired or damaged by a manmade or natural disaster;

''(iv) the enhancement of energy efficiency, or the use or generation of recovered or renewable energy, in the management, treatment, or conveyance of wastewater (including stormwater); or

''(v) other activities that the Administrator determines will address identified vulnerabilities to manmade or natural disasters, including activities to address cybersecurity vulnerabilities of publicly owned treatment works.''.

(b) REQUIREMENTS; AUTHORIZATION OF APPROPRIATIONS.—Section 122 of the Federal Water Pollution Control Act (33 U.S.C. 1274) is amended by striking subsection (c) and inserting the following:

''(c) REQUIREMENTS.—The requirements of section 608 shall apply to any construction, alteration, maintenance, or repair of treatment works carried out using a grant under this section.

''(d) ASSISTANCE.—The Administrator shall use not less than 15 percent of the amounts appropriated pursuant to this section in a fiscal year to provide assistance to municipalities with a population of less than 10,000, or for economically disadvantaged communities (as defined in section 12020 of the Water Quality Protection and Job Creation Act of 2021), to the extent there are sufficient eligible applications.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000,000 for each of fiscal years 2022 through 2026.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) WATERSHED PILOT PROJECTS.—Section 122 of the Federal Water Pollution Control Act (33 U.S.C. 1274) is amended—

*(A) in the section heading, by striking ''**WATERSHED PILOT PROJECTS**'' and inserting ''**WATERSHED, WET WEATHER, AND RESILIENCY PROJECTS**''; and*

(B) by striking ''pilot'' each place it appears.

(2) WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.—Section 603(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1383(c)(7)) is amended by striking ''watershed''.

SEC. 12006. WAIVER OF MATCHING REQUIREMENT FOR GRANTS TO DISTRICT OF COLUMBIA.

Section 202(a) of the Federal Water Pollution Control Act (33 U.S.C. 1282(a)) is amended by adding at the end the following:

''(5) Notwithstanding any other provision of this subsection, in the case of a project for a treatment works in the District of Columbia, such a project shall be eligible for grants at 100 percent of the cost of construction thereof.''.

SEC. 12007. PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS.

(a) SELECTION OF PROJECTS.—Section 220(d) of the Federal Water Pollution Control Act (33 U.S.C. 1300(d)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) LIMITATION ON ELIGIBILITY.—A project that has received construction funds under the Reclamation Projects Authorization and Adjustment Act of 1992 shall not be eligible for grant assistance under this section.''; and

(2) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(b) COMMITTEE RESOLUTION PROCEDURE; ASSISTANCE.—Section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300) is amended by striking subsection (e) and inserting the following:

''(e) ASSISTANCE.—The Administrator shall use not less than 15 percent of the amounts appropriated pursuant to this section in a fiscal year

to provide assistance to eligible entities for projects designed to serve fewer than 10,000 individuals, to the extent there are sufficient eligible applications.''.

(c) REQUIREMENTS.—Section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300) is amended by redesignating subsections (i) and (j) as subsections (j) and (k), respectively, and inserting after subsection (h) the following:

''(i) REQUIREMENTS.—The requirements of section 608 shall apply to any construction of an alternative water source project carried out using assistance made available under this section.''.

(d) DEFINITIONS.—Section 220(j)(1) of the Federal Water Pollution Control Act (as redesignated by subsection (c) of this section) is amended by striking ''or by treating wastewater'' and inserting ''(including stormwater), or by treating wastewater (including stormwater) for groundwater recharge, potable reuse, or other purposes''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 220(k) of the Federal Water Pollution Control Act (as redesignated by subsection (c) of this section) is amended by striking ''a total of $75,000,000 for fiscal years 2002 through 2004'' and inserting ''$200,000,000 for each of fiscal years 2022 through 2026''.

SEC. 12008. SEWER OVERFLOW AND STORMWATER REUSE MUNICIPAL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (c), by striking ''subsection (b),'' each place it appears and inserting ''this section,'';

(2) in subsection (d)—

(A) by striking ''The Federal share'' and inserting the following:

''(1) FEDERAL SHARE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share''; and

(B) by striking ''The non-Federal share'' and inserting the following:

''(B) FINANCIALLY DISTRESSED COMMUNITIES.—The Federal share of the cost of activities carried out using amounts from a grant made to a financially distressed community under subsection (a) shall be not less than 75 percent of the cost.

''(2) NON-FEDERAL SHARE.—The non-Federal share'';

(3) in subsection (e), by striking ''section 513'' and inserting ''section 513, or the requirements of section 608,''; and

(4) in subsection (f)—

(A) in paragraph (1), by inserting '', and $400,000,000 for each of fiscal years 2022 through 2026'' before the period at the end; and

(B) by adding at the end the following:

''(3) ASSISTANCE.—In carrying out subsection (a), the Administrator shall ensure that, of the amounts granted to municipalities in a State, not less than 20 percent is granted to municipalities with a population of less than 20,000, to the extent there are sufficient eligible applications.''.

SEC. 12009. GRANTS FOR THE TREATMENT OF EMERGING CONTAMINANTS.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

''SEC. 222. EMERGING CONTAMINANTS.

''(a) IN GENERAL.—The Administrator shall award grants to owners of publicly owned treatment works to be used for the implementation of a pretreatment standard or effluent limitation developed pursuant to this Act for the introduction into a treatment works, or the discharge of, any pollutant that is a perfluoroalkyl or polyfluoroalkyl substance or any pollutant identified by the Administrator as a contaminant of emerging concern.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000,000 for each of fiscal years 2022 through 2026.''.

SEC. 12010. HOUSEHOLD WASTEWATER GRANT PROGRAM.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is further amended by adding at the end the following:

''SEC. 223. HOUSEHOLD WASTEWATER GRANT PROGRAM.

''(a) ESTABLISHMENT.—The Administrator shall establish a program to provide grants to municipalities or qualified nonprofit entities to provide assistance to eligible individuals—

''(1) for the construction, repair, or replacement of an individual household decentralized wastewater treatment system;

''(2) for the construction of a decentralized wastewater treatment system designed to provide wastewater treatment for 2 or more households in which eligible individuals reside, if—

''(A) such a decentralized wastewater treatment system could be cost-effectively constructed; and

''(B) site conditions at such households are unsuitable for the construction of an individual household decentralized wastewater treatment system; or

''(3) in a case in which an eligible individual resides in a household that could be cost-effectively connected to an available publicly owned treatment works, for the connection of the applicable household to such treatment works.

''(b) APPLICATION.—To be eligible to receive a grant under this subsection, a municipality or qualified nonprofit entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator determines to be appropriate.

''(c) PRIORITY.—In providing grants under this section, the Administrator shall, to the maximum extent practicable, prioritize applications for activities that will assist eligible individuals residing in households that are not connected to a system or technology designed to treat domestic sewage, including eligible individuals using household cesspools.

''(d) ADMINISTRATIVE EXPENSES.—

''(1) IN GENERAL.—Of the amounts made available under subsection (i), the Administrator may use not more than 2 percent for administrative costs.

''(2) INDIVIDUAL GRANTS.—A municipality or qualified nonprofit entity may use grant funds provided under this section to pay the administrative expenses associated with the provision of the assistance to eligible individuals under this section, as the Administrator determines to be appropriate.

''(e) REPORT.—Not later than 2 years after the date of enactment of this section, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the recipients of grants and assistance under this section and the results of the program established under this section.

''(f) RULEMAKING.—Not later than 180 days after the date of enactment of this section, the Administrator shall issue a rule requiring that, with respect to any decentralized wastewater treatment system constructed pursuant to this section or section 603(c)—

''(l) such system complies with any applicable State and local requirements;

''(2) such system complies with any applicable American National Standard approved by the American National Standards Institute; and

''(3) the design and construction of such system is carried out by persons or entities licensed and bonded, by the State in which such system is constructed, to carry out such design and construction.

''(g) APPLICATION OF OTHER REQUIREMENTS.—The requirements of sections 513 and 608 shall apply to any project for the construction, repair, or replacement of a decentralized wastewater treatment system, or for the connection of a household to a treatment works, for which assistance is received under this section.

''(h) DEFINITIONS.—In this section:

''(1) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' has the meaning given that term in section 603(j).

''(2) QUALIFIED NONPROFIT ENTITY.—The term 'qualified nonprofit entity' means an entity determined by the Administrator to be a qualified nonprofit entity for purposes of section 603(c)(12).

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section $50,000,000 for each of fiscal years 2022 through 2026.''.

SEC. 12011. SMART WASTEWATER INFRASTRUCTURE TECHNOLOGY GRANT PROGRAM.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is further amended by adding at the end the following:

''SEC. 224. SMART WASTEWATER INFRASTRUCTURE TECHNOLOGY GRANT PROGRAM.

''(a) GRANTS.—The Administrator shall establish a program to provide grants to municipalities for projects for the planning, design, and construction, at publicly owned treatment works, of—

''(1) intelligent sewage or stormwater collection systems, including such collection systems that incorporate technologies that rely on—

''(A) real-time monitoring (including through sensors), embedded intelligence, and predictive maintenance capabilities that improve the energy efficiency, reliability, and resiliency of treatment works; and

''(B) the use of artificial intelligence and other intelligent optimization tools that reduce operational costs, including operational costs relating to energy consumption and chemical treatment; or

''(2) innovative and alternative combined storm and sanitary sewer projects, including groundwater recharge, that rely on real-time data acquisition to support predictive aquifer recharge through water reuse and stormwater management capabilities.

''(b) ASSISTANCE.—The Administrator shall use not less than 20 percent of the amounts appropriated pursuant to this section in a fiscal year to provide assistance to municipalities with a population of less than 10,000, to the extent there are sufficient eligible applications.

''(c) COST SHARE.—

''(1) IN GENERAL.—The non-Federal share of the costs of an activity carried out using a grant under this section shall be 25 percent.

''(2) EXCEPTION.—The Administrator may waive the cost-sharing requirement of paragraph (1) if the Administrator determines that the municipality meets the affordability criteria established under section 603(i)(2) by the State in which the municipality is located.

''(d) PROGRAM IMPLEMENTATION.—

''(1) GUIDANCE.—Not later than 30 days after the date of enactment of this section, the Administrator shall issue guidance to municipalities on how to apply for a grant under this section.

''(2) DECISION ON APPLICATIONS.—Not later than 30 days after the date on which the Administrator receives an application for a grant under this section, the Administrator shall determine whether to provide such grant.

''(3) APPLICATION DEFICIENCY.—If the Administrator determines that an application for a grant under this section is incomplete, the Administrator shall notify the applicant and provide the applicant the opportunity to resubmit the application.

''(4) CONSIDERATION.—In determining whether to provide a grant under this section, the Administrator shall consider the potential positive effects of the project on water quality.

''(e) COMPLIANCE WITH BUY AMERICA.—The requirements of section 608 shall apply to any project for construction for which assistance is received under this section.

''(f) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this section, and annually thereafter, the Administrator shall submit to Congress a report describing projects funded under this section, any related improvement of the resiliency of publicly owned treatment works, and recommendations to improve the grant program established under this section.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $500,000,000 to carry out this section, to remain available until expended.''.

SEC. 12012. REPORTS TO CONGRESS.

(a) BIENNIAL ESTIMATES.—Section 516(b)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1375(b)(1)) is amended by striking ''(B) a detailed estimate, biennially revised, of the cost of construction of all needed publicly owned treatment works in all of the States and of the cost of construction of all needed publicly owned treatment works in each of the States;'' and inserting ''(B) a detailed estimate, biennially revised, of the cost of construction of all planned publicly owned treatment works in all of the States and all needed publicly owned treatment works in all of the States, and the cost of construction of all planned publicly owned treatment works in each of the States and all needed publicly owned treatment works in each of the States, which estimates shall include (i) the cost of construction to rehabilitate or upgrade all existing publicly owned treatment works (excluding any pipe or other device or system for the conveyance of wastewater), every 20 years, including the costs to implement measures necessary to address the resilience and sustainability of publicly owned treatment works to manmade or natural disasters, and (ii) the cost of construction to replace 10 percent of existing publicly owned pipes and other devices and systems for the conveyance of wastewater to such treatment works over the 20-year period following the date of the estimate;''.

(b) ANNUAL REPORT ON USE OF FUNDS.—Section 516 of the Federal Water Pollution Control Act (33 U.S.C. 1375) is amended by adding at the end the following:

''(f) ANNUAL REPORT ON USE OF FUNDS.—Not later than 18 months after the date of enactment of this subsection, and annually thereafter, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that—

''(1) identifies projects that are—

''(A) described in clause (i) or (ii) of section 602(b)(15)(A); and

''(B) carried out using funds made available under or pursuant to section 221 or title VI; and

''(2) identifies, to the extent practicable, the costs and benefits of such projects, including any potential short- and long-term cost savings to publicly owned treatment works and any environmental and community benefits of implementing such projects.''.

SEC. 12013. INDIAN TRIBES.

(a) IN GENERAL.—Section 518(c) of the Federal Water Pollution Control Act (33 U.S.C. 1377(c)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—For each fiscal year, the Administrator shall reserve, of the funds made available to carry out title VI (before allotments to the States under section 604(a)), the greater of—

''(A) 2 percent of such funds; or

''(B) $30,000,000.

''(2) USE OF FUNDS.—

''(A) GRANTS.—Funds reserved under this subsection shall be available only for grants to entities described in paragraph (3) for—

''(i) projects and activities eligible for assistance under section 603(c); and

''(ii) training, technical assistance, and educational programs relating to the operation and management of treatment works eligible for assistance pursuant to section 603(c).

''(B) LIMITATION.—Not more than $2,000,000 of such reserved funds may be used for grants under subparagraph (A)(ii).''; and

(2) in paragraph (3)—

(A) in the header, by striking ''USE OF FUNDS'' and inserting ''ELIGIBLE ENTITIES''; and

(B) by striking ''for projects and activities eligible for assistance under section 603(c) to serve'' and inserting ''to''.

(b) ADDITIONAL ASSISTANCE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise made available under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.), there is authorized to be appropriated $500,000,000 for each of fiscal years 2022 through 2026 to make grants, in cooperation with the Director of the Indian Health Service, to entities described in section 518(c)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1377) for—

(A) projects and activities eligible for assistance under section 603(c) of such Act (33 U.S.C. 1383); and

(B) training, technical assistance, and educational programs related to the operation and management of treatment works eligible for assistance pursuant to such section 603(c).

(2) NO MATCHING REQUIREMENT.—The Administrator may not require an entity receiving a grant under paragraph (1) to provide, as a condition of receiving such grant, a share of the cost of the project or activity for which such grant was made.

(3) LIMITATION.—Not more than $2,000,000 of amounts made available in a fiscal year to carry out this subsection may be used for grants under paragraph (1)(B).

(4) APPLICATION OF OTHER REQUIREMENTS.—The requirements of sections 513 and 608 of the Federal Water Pollution Control Act (33 U.S.C. 1372, 1388) shall apply to any project for the construction, alteration, maintenance, or repair of treatment works for which a grant is received under paragraph (1).

SEC. 12014. CAPITALIZATION GRANTS.

(a) SPECIFIC REQUIREMENTS.—Section 602(b) of the Federal Water Pollution Control Act (33 U.S.C. 1382(b)) is amended—

(1) in paragraph (13)(B)—

(A) in the matter preceding clause (i), by striking ''and energy conservation'' and inserting ''and efficient energy use (including through the implementation of technologies to recover and reuse energy produced in the treatment of wastewater)''; and

(B) in clause (iii), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting ''; and'' ; and

(3) by adding at the end the following:

''(15) to the extent there are sufficient projects or activities eligible for assistance from the fund, with respect to funds for capitalization grants received by the State under this title and section 205(m)—

''(A) the State will use—

''(i) not less than 15 percent of such funds for green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities; and

''(ii) not less than 5 percent of such funds for projects to increase the resiliency of treatment works to extreme weather events, drought, sea level rise, or other impacts of climate change; and

''(B) the State will use not less than a total of 20 percent of such funds for projects described in subparagraph (A).''.

(b) CORROSION CONTROL.—Section 602 of the Federal Water Pollution Control Act (33 U.S.C. 1382) is amended by adding at the end the following:

''(c) CORROSION CONTROL.—

''(1) IN GENERAL.—To the greatest extent practicable, the Administrator shall encourage the incorporation of corrosion prevention activities in projects and activities carried out using financial assistance provided under or pursuant to this title.

''(2) ACTIVITIES.—In carrying out paragraph (1), the Administrator, to the greatest extent practicable, shall ensure that any recipient of financial assistance under or pursuant to this title—

''(A) carries out any project or activity using such assistance using, as applicable—

''(i) best practices to carry out corrosion prevention activities in the field;

''(ii) industry-recognized standards and corrosion mitigation and prevention methods when—

''(I) determining protective coatings;

''(II) selecting materials; and

''(III) determining methods of cathodic protection, design, and engineering for corrosion prevention;

''(iii) certified coating application specialists and cathodic protection technicians and engineers; and

''(iv) best practices in environmental protection to prevent environmental degradation and to ensure proper handling of all hazardous materials; and

''(B) demonstrates, as applicable—

''(i) a history of employing industry-certified inspectors to ensure adherence to best practices and standards; and

''(ii) a history of compliance with applicable requirements of the Occupational Safety and Health Administration.

''(3) CORROSION PREVENTION ACTIVITIES DEFINED.—In this subsection, the term 'corrosion prevention activities' means—

''(A) the application and inspection of protective coatings for complex work involving steel and cementitious structures, including structures that will be exposed in immersion;

''(B) the installation, testing, and inspection of cathodic protection systems; and

''(C) any other activities related to corrosion prevention the Administrator determines appropriate.''.

SEC. 12015. WATER POLLUTION CONTROL REVOLVING LOAN FUNDS.

Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(1) in subsection (c)(10), by inserting '', including measures to identify and address cybersecurity vulnerabilities of such treatment works'' before the semicolon; and

(2) in subsection (i)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking '', including forgiveness of principal and negative interest loans'' and inserting ''(including in the form of forgiveness of principal, negative interest loans, or grants)''; and

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''in assistance''; and

(II) in clause (ii)(III), by striking ''to such ratepayers'' and inserting ''to help such ratepayers maintain access to wastewater (including stormwater) treatment services''; and

(B) by amending paragraph (3) to read as follows:

''(3) SUBSIDIZATION AMOUNTS.—

''(A) IN GENERAL.—A State may use for providing additional subsidization in a fiscal year under this subsection an amount that does not exceed the greater of—

''(i) 50 percent of the total amount received by the State in capitalization grants under this title for the fiscal year; or

''(ii) the annual average over the previous 10 fiscal years of the amounts deposited by the State in the State water pollution control revolving fund from State moneys that exceed the amounts required to be so deposited under section 602(b)(2).

''(B) MINIMUM.—To the extent there are sufficient applications for additional subsidization under this subsection that meet the criteria under paragraph (1)(A), a State shall use for

providing additional subsidization in a fiscal year under this subsection an amount that is not less than 20 percent of the total amount received by the State in capitalization grants under this title for the fiscal year.''.

SEC. 12016. ALLOTMENT OF FUNDS.

(a) FORMULA.—Section 604(a) of the Federal Water Pollution Control Act (33 U.S.C. 1384(a)) is amended by striking ''each of fiscal years 1989 and 1990'' and inserting ''each fiscal year''.

(b) WASTEWATER INFRASTRUCTURE WORKFORCE DEVELOPMENT.—Section 604 of the Federal Water Pollution Control Act (33 U.S.C. 1384) is amended by adding at the end the following:

''(d) WASTEWATER INFRASTRUCTURE WORKFORCE DEVELOPMENT.—Each fiscal year, a State may reserve up to 1 percent of the sums allotted to the State under this section for the fiscal year to carry out workforce development, training, and retraining activities described in section 104(g).''.

(c) NEEDS SURVEY.—Section 604 of the Federal Water Pollution Control Act (33 U.S.C. 1384) is further amended by adding at the end the following:

''(e) NEEDS SURVEY.—Each fiscal year, a State may reserve up to 0.5 percent of the sums allotted to the State under this section for the fiscal year to carry out activities under section 516(b)(1)(B).''.

(d) FUNDS ALLOTTED TO PUERTO RICO.—Section 604 of the Federal Water Pollution Control Act (33 U.S.C. 1384) is further amended by adding at the end the following:

''(f) FUNDS ALLOTTED TO PUERTO RICO.—Notwithstanding any other provision of law, no funds allotted to the Commonwealth of Puerto Rico under this section may be counted as income or an asset of the owner or operator of a publicly owned treatment works receiving such funds, or be used, set aside, or otherwise made available for the purposes of payment of debt restructuring under the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2101 et seq.) by the Puerto Rico Financial Oversight and Management Board.''.

SEC. 12017. RESERVATION OF FUNDS FOR TERRITORIES OF THE UNITED STATES.

Title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) is amended by striking section 607 and inserting the following:

''SEC. 607. RESERVATION OF FUNDS FOR TERRITORIES OF THE UNITED STATES.

''(a) IN GENERAL.—

''(1) RESERVATION.—For each fiscal year, the Administrator shall reserve 1.5 percent of available funds, as determined under paragraph (2).

''(2) AVAILABLE FUNDS.—For purposes of paragraph (1), the amount of available funds for a fiscal year is—

''(A) the amount of funds made available to carry out this title for the fiscal year (before allotments to the States under section 604(a)); less

''(B) the amount of any funds reserved under section 518(c) for the fiscal year.

''(b) USE OF FUNDS.—Funds reserved under this section shall be available only for grants to American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands for projects and activities eligible for assistance under section 603(c).

''(c) LIMITATION.—American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands may not receive funds allotted under section 604(a).''.

SEC. 12018. AUTHORIZATION OF APPROPRIATIONS.

Title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) is amended by adding at the end the following:

''SEC. 609. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title the following sums:

''(1) $8,000,000,000 for fiscal year 2022.

''(2) $8,000,000,000 for fiscal year 2023.

''(3) $8,000,000,000 for fiscal year 2024.

''(4) $8,000,000,000 for fiscal year 2025.

''(5) $8,000,000,000 for fiscal year 2026.''.

SEC. 12019. TECHNICAL ASSISTANCE BY MUNICIPAL OMBUDSMAN.

Section 4(b)(1) of the Water Infrastructure Improvement Act (42 U.S.C. 4370j(b)(1)) is amended to read as follows:

''(1) technical and planning assistance to support municipalities, including municipalities that are rural, small, economically disadvantaged, or Tribal communities, in achieving and maintaining compliance with enforceable deadlines, goals, and requirements of the Federal Water Pollution Control Act; and''.

SEC. 12020. REPORT ON WASTEWATER INFRASTRUCTURE FUNDING FOR RURAL, ECONOMICALLY DISADVANTAGED, AND TRIBAL COMMUNITIES.

(a) STUDY.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall initiate a study on the distribution of wastewater infrastructure funds to rural communities, economically disadvantaged communities, and Tribal communities during the 20 fiscal years preceding the date of enactment of this Act.

(b) REQUIREMENTS.—In carrying out the study under this section, the Administrator shall—

(1) consult with other Federal agencies, State, local, and Tribal governments, owners and operators of publicly owned treatment works, and stakeholder organizations, including organizations with experience in investigating or addressing the wastewater infrastructure needs of rural communities, economically disadvantaged communities, and Tribal communities;

(2) undertake at least one public meeting in a rural community, in an economically disadvantaged community, and in a Tribal community, to receive testimony from the public;

(3) examine whether the distribution of wastewater infrastructure funds during the period covered by the study has been in accordance with any applicable executive order or policy regarding environmental justice;

(4) examine how wastewater infrastructure funds have been distributed with respect to the identified needs of rural communities, economically disadvantaged communities, and Tribal communities, and whether such funds have addressed the needs of such communities equitably when compared to how such funds have been distributed with respect to the identified needs of communities that are not rural, economically disadvantaged, or Tribal; and

(5) consider any additional factors that the Administrator determines necessary or appropriate to determine whether rural communities, economically disadvantaged communities, and Tribal communities have equitable access to wastewater infrastructure funds to comply with applicable requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(c) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report describing—

(1) the results of the study carried out under this section; and

(2) any recommendations to Congress, or to State, local, and Tribal governments, to ensure that rural communities, economically disadvantaged communities, and Tribal communities can equitably access wastewater infrastructure funds in amounts sufficient to address local wastewater infrastructure needs and local water quality challenges.

(d) DEFINITIONS.—In this section:

(1) ECONOMICALLY DISADVANTAGED COMMUNITY.—The term ''economically disadvantaged community'' means—

(A) a municipality that meets the affordability criteria of a State established under section 603(i)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1383(i)(2));

(B) a community with respect to which a municipality can demonstrate that households in the community experience significant economic hardship related to wastewater infrastructure; or

(C) a community that is located in an area that meets the criteria described in paragraph (1) or (2) of section 301(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3161(a)).

(2) MUNICIPALITY; TREATMENT WORKS.—The terms ''municipality'' and ''treatment works'' have the meanings given those terms in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

(3) WASTEWATER INFRASTRUCTURE FUNDS.—The term ''wastewater infrastructure funds'' means funds made available for projects or activities under or pursuant to—

(A) title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.);

(B) section 122 of the Federal Water Pollution Control Act (33 U.S.C. 1274);

(C) section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300); and

(D) section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301).

SEC. 12021. WATER REUSE INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a Water Reuse Interagency Working Group to develop and coordinate actions, tools, and resources to encourage water reuse across the United States, including through the implementation of the National Water Reuse Action Plan, consistent with the mission of each Federal agency that is a member of the working group.

(b) CHAIRPERSON; MEMBERSHIP.—The working group shall be—

(1) chaired by the Administrator; and

(2) comprised of senior representatives from any Federal agency the Administrator determines to be appropriate.

(c) DUTIES OF THE WORKING GROUP.—The working group shall—

(1) annually review the National Water Reuse Action Plan and, as necessary, update such plan;

(2) encourage the consideration of water reuse as part of integrated water resources management and planning;

(3) conduct, and submit to Congress and make public, an assessment of opportunities to encourage water reuse and actions necessary to pursue such opportunities;

(4) seek to coordinate Federal programs and policies to encourage water reuse;

(5) consider how each Federal agency that is a member of the working group can explore and identify opportunities to encourage water reuse through the programs and activities of each such Federal agency; and

(6) consult, on a regular basis, with representatives of the water reuse industry, research community, and nongovernmental organizations.

(d) REPORT.—Not less frequently than once every 2 years, the Administrator shall submit to Congress a report on the activities and findings of the working group.

(e) SUNSET.—The working group shall terminate on the date that is 6 years after the date of enactment of this Act.

(f) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) NATIONAL WATER REUSE ACTION PLAN.—The term ''National Water Reuse Action Plan'' means the document published by the Administrator entitled ''National Water Reuse Action Plan: Collaborative Implementation (Version 1)'', dated February 2020, and noticed in the Federal Register on March 3, 2020 (85 Fed. Reg. 12552), as updated pursuant to this section.

(3) WORKING GROUP.—The term ''working group'' means the Water Reuse Interagency Working Group established under this section.

DIVISION I—ASSISTANCE, QUALITY, AND AFFORDABILITY ACT OF 2021

SEC. 13001. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Assistance, Quality, and Affordability Act of 2021''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

Sec. 13001. Short title; table of contents.

TITLE I—INFRASTRUCTURE

Sec. 13101. Drinking water system resilience funding.
Sec. 13102. Grants for State programs.
Sec. 13103. American iron and steel products.
Sec. 13104. Assistance for disadvantaged communities.
Sec. 13105. Allotments for territories.
Sec. 13106. Drinking water SRF funding.
Sec. 13107. Lead service line replacement.
Sec. 13108. Drinking water assistance to colonias.
Sec. 13109. PFAS treatment grants.
Sec. 13110. Voluntary school and child care program lead testing grant program.
Sec. 13111. Grant program for installation of filtration stations at schools and child care programs.
Sec. 13112. Drinking water fountain replacement for schools.
Sec. 13113. Indian reservation drinking water program.
Sec. 13114. Assistance for areas affected by natural disasters.

TITLE II—SAFETY

Sec. 13201. Enabling EPA to set standards for new drinking water contaminants.
Sec. 13202. National primary drinking water regulations for PFAS.
Sec. 13203. National primary drinking water regulations for microcystin toxin.
Sec. 13204. National primary drinking water regulations for 1,4–dioxane.
Sec. 13205. Elimination of small system variances.

TITLE III—AFFORDABILITY

Sec. 13301. Emergency relief program.
Sec. 13302. Low-income drinking water assistance program.
Sec. 13303. Low-income wastewater assistance program.
Sec. 13304. Needs assessment for nationwide rural and urban low-income community water assistance program.

TITLE IV—OTHER MATTERS

Sec. 13401. Small urban and rural water system consolidation report.

TITLE I—INFRASTRUCTURE

SEC. 13101. DRINKING WATER SYSTEM RESILIENCE FUNDING.

Section 1433(g) of the Safe Drinking Water Act (42 U.S.C. 300i–2(g)) is amended—

(1) in paragraph (1), by striking ''and 2021'' and inserting ''through 2031''; and

(2) in paragraph (6)—

(A) by striking ''25,000,000'' and inserting ''50,000,000''; and

(B) by striking ''2020 and 2021'' and inserting ''2022 through 2031''.

SEC. 13102. GRANTS FOR STATE PROGRAMS.

Section 1443(a)(7) of the Safe Drinking Water Act (42 U.S.C. 300j–2(a)(7)) is amended by striking ''and 2021'' and inserting ''through 2031''.

SEC. 13103. AMERICAN IRON AND STEEL PRODUCTS.

Section 1452(a)(4)(A) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(4)(A)) is amended by striking ''During fiscal years 2019 through 2023, funds'' and inserting ''Funds''.

SEC. 13104. ASSISTANCE FOR DISADVANTAGED COMMUNITIES.

Section 1452(d)(2)(A) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(2)(A)) is amended by striking ''35 percent'' and inserting ''40 percent''.

SEC. 13105. ALLOTMENTS FOR TERRITORIES.

Section 1452(j) of the Safe Drinking Water Act (42 U.S.C. 300j–12(j)) is amended by striking ''0.33 percent'' and inserting ''1.5 percent''.

SEC. 13106. DRINKING WATER SRF FUNDING.

Section 1452(m)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(m)(1)) is amended—

(1) in subparagraph (B), by striking ''and'';

(2) in subparagraph (C), by striking ''2021.'' and inserting ''2021;''; and

(3) by adding at the end the following:

''(D) $4,140,000,000 for fiscal year 2022;

''(E) $4,800,000,000 for fiscal year 2023; and

''(F) $5,500,000,000 for each of fiscal years 2024 through 2031.''.

SEC. 13107. LEAD SERVICE LINE REPLACEMENT.

(a) IN GENERAL.—Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended by adding at the end the following:

''(u) LEAD SERVICE LINE REPLACEMENT.—

''(1) IN GENERAL.—In addition to the capitalization grants to eligible States under subsection (a)(1), the Administrator shall offer to enter into agreements with States, Indian Tribes, and the territories described in subsection (j) to make grants, including letters of credit, to such States, Indian Tribes, and territories under this subsection to fund the replacement of lead service lines.

''(2) ALLOTMENTS.—

''(A) STATES.—Funds made available to carry out this subsection shall be—

''(i) allotted and reallotted to the extent practicable to States as if allotted or reallotted under subsection (a)(1) as a capitalization grant under such subsection; and

''(ii) deposited into the State loan fund of a State receiving such funds pursuant to an agreement entered into pursuant to this subsection.

''(B) INDIAN TRIBES.—The Administrator shall set aside 1½ percent of the amounts made available each fiscal year to carry out this subsection to make grants to Indian Tribes.

''(C) OTHER AREAS.—Funds made available to carry out this subsection shall be allotted to territories described in subsection (j) in accordance with such subsection.

''(3) GRANTS.—Notwithstanding any other provision of this section, funds made available under this subsection shall be used only for providing grants for the replacement of lead service lines.

''(4) PRIORITY.—Each State, Indian Tribe, and territory that has entered into an agreement pursuant to this subsection shall annually prepare a plan that identifies the intended uses of the amounts made available to such State, Indian Tribe, or territory under this subsection, and any such plan shall—

''(A) not be required to comply with subsection (b)(3); and

''(B) provide, to the maximum extent practicable, that priority for the use of funds be given to projects that replace lead service lines serving disadvantaged communities and environmental justice communities.

''(5) PLAN FOR REPLACEMENT.—Each State, Indian Tribe, and territory that has entered into an agreement pursuant to this subsection shall require each recipient of funds made available pursuant to this subsection to submit to the State, Indian Tribe, or territory a plan to replace all lead service lines in the applicable public water system within 10 years of receiving such funds.

''(6) AMERICAN MADE IRON AND STEEL AND PREVAILING WAGES.—The requirements of paragraphs (4) and (5) of subsection (a) shall apply to any project carried out in whole or in part with funds made available under or pursuant to this subsection.

''(7) LIMITATION.—

''(A) PROHIBITION ON PARTIAL LINE REPLACEMENT.—No funds made available pursuant to this subsection may be used for partial lead service line replacement if, at the conclusion of the service line replacement, drinking water is delivered through a publicly or privately owned portion of a lead service line.

''(B) NO PRIVATE OWNER CONTRIBUTION.—Any recipient of funds made available pursuant to this subsection for lead service line replacement shall offer to replace any privately owned portion of any lead service line with respect to which such funds are used at no cost to the private owner.

''(8) DISADVANTAGED COMMUNITY ASSISTANCE.—All funds made available pursuant to this subsection to fund the replacement of lead service lines may be used to replace lead service lines serving disadvantaged communities.

''(9) STATE CONTRIBUTION NOT REQUIRED.—No agreement entered into pursuant to paragraph (1) shall require that a State deposit, at any time, in the applicable State loan fund from State moneys any contribution in order to receive funds under this subsection.

''(10) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There are authorized to be appropriated to carry out this subsection $4,500,000,000 for each of fiscal years 2022 through 2031. Such sums shall remain available until expended.

''(B) ADDITIONAL AMOUNTS.—To the extent amounts authorized to be appropriated under this subsection in any fiscal year are not appropriated in that fiscal year, such amounts are authorized to be appropriated in a subsequent fiscal year. Such sums shall remain available until expended.

''(11) DEFINITIONS.—For purposes of this subsection:

''(A) DISADVANTAGED COMMUNITY.—The term 'disadvantaged community' has the meaning given such term in subsection (d)(3).

''(B) ENVIRONMENTAL JUSTICE COMMUNITY.—The term 'environmental justice community' means any population of color, community of color, indigenous community, or low-income community that experiences a disproportionate burden of the negative human health and environmental impacts of pollution or other environmental hazards.

''(C) LEAD SERVICE LINE.—The term 'lead service line' means a pipe and its fittings, which are not lead free (as defined in section 1417(d)), that connect the drinking water main to the building inlet.''.

(b) CONFORMING AMENDMENT.—Section 1452(m)(1) of the Safe Drinking Water Act (42 U.S.C. 300j–12(m)(1)) is amended by striking ''(a)(2)(G) and (t)'' and inserting ''(a)(2)(G), (t), and (u)''.

SEC. 13108. DRINKING WATER ASSISTANCE TO COLONIAS.

Section 1456 of the Safe Drinking Water Act (42 U.S.C. 300j–16) is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following new paragraph:

''(2) COVERED ENTITY.—The term 'covered entity' means each of the following:

''(A) A border State.

''(B) A local government with jurisdiction over an eligible community.'';

(2) in subsection (b), by striking ''border State'' and inserting ''covered entity'';

(3) in subsection (d), by striking ''shall not exceed 50 percent'' and inserting ''may not be less than 80 percent''; and

(4) in subsection (e)—

(A) by striking ''$25,000,000'' and inserting ''$100,000,000''; and

(B) by striking ''1997 through 1999'' and inserting ''2022 through 2026''.

SEC. 13109. PFAS TREATMENT GRANTS.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following new section:

"SEC. 1459E. ASSISTANCE FOR COMMUNITY WATER SYSTEMS AFFECTED BY PFAS.

''(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this section, the Administrator shall establish a program to award grants to affected community water systems to pay for capital costs associated with the implementation of eligible treatment technologies.

''(b) APPLICATIONS.—

''(1) GUIDANCE.—Not later than 12 months after the date of enactment of this section, the Administrator shall publish guidance describing the form and timing for community water systems to apply for grants under this section.

''(2) REQUIRED INFORMATION.—The Administrator shall require a community water system applying for a grant under this section to submit—

''(A) information showing the presence of a perfluoroalkyl or polyfluoroalkyl substance in water of the community water system; and

''(B) a certification that the treatment technology in use by the community water system at the time of application is not sufficient to meet all applicable standards, and all applicable health advisories published pursuant to section 1412(b)(1)(F), for perfluoroalkyl and polyfluoroalkyl substances.

''(c) LIST OF ELIGIBLE TREATMENT TECHNOLOGIES.—Not later than 150 days after the date of enactment of this section, and every 2 years thereafter, the Administrator shall publish a list of treatment technologies that the Administrator determines are the most effective at removing perfluoroalkyl and polyfluoroalkyl substances from drinking water.

''(d) PRIORITY FOR FUNDING.—In awarding grants under this section, the Administrator shall prioritize an affected community water system that—

''(1) serves a disadvantaged community;

''(2) will provide at least a 10-percent cost share for the cost of implementing an eligible treatment technology;

''(3) demonstrates the capacity to maintain the eligible treatment technology to be implemented using the grant; or

''(4) is located within an area with respect to which the Administrator has published a determination under the first sentence of section 1424(e) relating to an aquifer that is the sole or principal drinking water source for the area.

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $500,000,000 for each of the fiscal years 2022 through 2031.

''(2) SPECIAL RULE.—Of the amounts authorized to be appropriated by paragraph (1), $25,000,000 are authorized to be appropriated for each of fiscal years 2022 and 2023 for grants under subsection (a) to pay for capital costs associated with the implementation of eligible treatment technologies during the period beginning on October 1, 2014, and ending on the date of enactment of this section.

''(f) DEFINITIONS.—In this section:

''(1) AFFECTED COMMUNITY WATER SYSTEM.—The term 'affected community water system' means a community water system that is affected by the presence of a perfluoroalkyl or polyfluoroalkyl substance in the water in the community water system.

''(2) DISADVANTAGED COMMUNITY.—The term 'disadvantaged community' has the meaning given that term in section 1452.

''(3) ELIGIBLE TREATMENT TECHNOLOGY.—The term 'eligible treatment technology' means a treatment technology included on the list published under subsection (c).''.

SEC. 13110. VOLUNTARY SCHOOL AND CHILD CARE PROGRAM LEAD TESTING GRANT PROGRAM.

Section 1464(d)(8) of the Safe Drinking Water Act (42 U.S.C. 300j–24(d)(8)) is amended by striking ''and 2021'' and inserting ''through 2031''.

SEC. 13111. GRANT PROGRAM FOR INSTALLATION OF FILTRATION STATIONS AT SCHOOLS AND CHILD CARE PROGRAMS.

Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j–24) is amended by adding at the end the following:

''(e) GRANT PROGRAM FOR INSTALLATION AND MAINTENANCE OF FILTRATION STATIONS.—

''(1) PROGRAM.—The Administrator shall establish a program to make grants to States to assist local educational agencies in voluntary installation and maintenance of filtration stations at schools and child care programs under the jurisdiction of the local educational agencies.

''(2) DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The Administrator may make a grant described in paragraph (1) directly available to—

''(A) any local educational agency described in clause (i) or (iii) of subsection (d)(1)(B) located in a State that does not participate in the program established under paragraph (1); or

''(B) any local educational agency described in clause (ii) of subsection (d)(1)(B).

''(3) USE OF FUNDS.—Grants made under the program established under this subsection may be used to pay the costs of—

''(A) installation and maintenance of filtration stations at schools and child care programs; and

''(B) annual testing of drinking water at such schools and child care programs following the installation of filtration stations.

''(4) PRIORITY.—In making grants under the program established under this subsection, the Administrator shall give priority to States and local educational agencies that will assist in voluntary installation and maintenance of filtration stations at schools and child care programs that are in low-income areas.

''(5) GUIDANCE.—Not later than 180 days after the date of enactment of this subsection, the Administrator shall establish guidance to carry out the program established under this subsection.

''(6) NO PRIOR TESTING REQUIRED.—The program established under this subsection shall not require testing for lead contamination in drinking water at schools and child care programs prior to participation in such program.

''(7) DEFINITIONS.—In this subsection:

''(A) CHILD CARE PROGRAM AND LOCAL EDUCATIONAL AGENCY.—The terms 'child care program' and 'local educational agency' have the meaning given such terms in subsection (d).

''(B) FILTRATION STATION.—The term 'filtration station' means an apparatus that—

''(i) is connected to building plumbing;

''(ii) is certified to the latest version of NSF/ANSI 53 for lead reduction and NSF/ANSI 42 for particulate reduction (Class I) by a certification body accredited by the American National Standards Institute National Accreditation Board;

''(iii) has an indicator to show filter performance;

''(iv) can fill bottles or containers for water consumption; and

''(v) allows users to drink directly from a stream of flowing water.

''(8) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $50,000,000 for each of fiscal years 2022 through 2031.''.

SEC. 13112. DRINKING WATER FOUNTAIN REPLACEMENT FOR SCHOOLS.

Section 1465(d) of the Safe Drinking Water Act (42 U.S.C. 300j–25(d)) is amended by striking ''2021'' and inserting ''2031''.

SEC. 13113. INDIAN RESERVATION DRINKING WATER PROGRAM.

Section 2001(d) of America's Water Infrastructure Act of 2018 (Public Law 115–270) is amended by striking ''2022'' and inserting ''2031''.

SEC. 13114. ASSISTANCE FOR AREAS AFFECTED BY NATURAL DISASTERS.

Section 2020 of America's Water Infrastructure Act of 2018 (Public Law 115–270) is amended—

(1) in subsection (b)(1), by striking ''subsection (e)(1)'' and inserting ''subsection (f)(1)'';

(2) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively;

(3) by inserting after subsection (b) the following:

''(c) ASSISTANCE FOR TERRITORIES.—The Administrator may use funds made available under subsection (f)(1) to make grants to Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands for the purposes of providing assistance to eligible systems to restore or increase compliance with national primary drinking water regulations.''; and

(4) in subsection (f), as so redesignated—

(A) in the heading, by striking ''STATE REVOLVING FUND CAPITALIZATION''; and

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''and to make grants under subsection (c) of this section,'' before ''to be available''; and

(ii) in subparagraph (A), by inserting ''or subsection (c), as applicable'' after ''subsection (b)(1)''.

TITLE II—SAFETY

SEC. 13201. ENABLING EPA TO SET STANDARDS FOR NEW DRINKING WATER CONTAMINANTS.

(a) IN GENERAL.—Section 1412(b)(6) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(6)) is repealed.

(b) CONFORMING AMENDMENTS.—Section 1412(b) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)) is amended—

(1) in paragraph (3)(C)(i)—

(A) by striking ''paragraph (5) or (6)(A)'' and inserting ''paragraph (5)''; and

(B) by striking ''paragraphs (4), (5), and (6)'' and inserting ''paragraphs (4) and (5)''; and

(2) in paragraph (4)(B), by striking ''paragraphs (5) and (6)'' and inserting ''paragraph (5)''.

SEC. 13202. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR PFAS.

Section 1412(b) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)) is amended by adding at the end the following:

''(16) PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of this paragraph, the Administrator shall, after notice and opportunity for public comment, promulgate a national primary drinking water regulation for perfluoroalkyl and polyfluoroalkyl substances, which shall, at a minimum, include standards for—

''(i) perfluorooctanoic acid (commonly referred to as 'PFOA'); and

''(ii) perfluorooctane sulfonic acid (commonly referred to as 'PFOS').

''(B) ALTERNATIVE PROCEDURES.—

''(i) IN GENERAL.—Not later than 1 year after the validation by the Administrator of an equally effective quality control and testing procedure to ensure compliance with the national primary drinking water regulation promulgated under subparagraph (A) to measure the levels described in clause (ii) or other methods to detect and monitor perfluoroalkyl and polyfluoroalkyl substances in drinking water, the Administrator shall add the procedure or method as an alternative to the quality control and testing procedure described in such national primary drinking water regulation by publishing the procedure or method in the Federal Register in accordance with section 1401(1)(D).

''(ii) LEVELS DESCRIBED.—The levels referred to in clause (i) are—

''(I) the level of a perfluoroalkyl or polyfluoroalkyl substance;

''(II) the total levels of perfluoroalkyl and polyfluoroalkyl substances; and

''(III) the total levels of organic fluorine.

''(C) INCLUSIONS.—The Administrator may include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances on—

''(i) the list of contaminants for consideration of regulation under paragraph (1)(B)(i), in accordance with such paragraph; and

''(ii) the list of unregulated contaminants to be monitored under section 1445(a)(2)(B)(i), in accordance with such section.

''(D) MONITORING.—When establishing monitoring requirements for public water systems as part of a national primary drinking water regulation under subparagraph (A) or subparagraph (G)(ii), the Administrator shall tailor the monitoring requirements for public water systems that do not detect or are reliably and consistently below the maximum contaminant level (as defined in section 1418(b)(2)(B)) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances subject to the national primary drinking water regulation.

''(E) HEALTH PROTECTION.—The national primary drinking water regulation promulgated under subparagraph (A) shall be protective of the health of subpopulations at greater risk, as described in section 1458.

''(F) HEALTH RISK REDUCTION AND COST ANALYSIS.—In meeting the requirements of paragraph (3)(C), the Administrator may rely on information available to the Administrator with respect to one or more specific perfluoroalkyl or polyfluoroalkyl substances to extrapolate reasoned conclusions regarding the health risks and effects of a class of perfluoroalkyl or polyfluoroalkyl substances of which the specific perfluoroalkyl or polyfluoroalkyl substances are a part.

''(G) REGULATION OF ADDITIONAL SUBSTANCES.—

''(i) DETERMINATION.—The Administrator shall make a determination under paragraph (1)(A), using the criteria described in clauses (i) through (iii) of that paragraph, whether to include a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances in the national primary drinking water regulation under subparagraph (A) not later than 18 months after the later of—

''(I) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is listed on the list of contaminants for consideration of regulation under paragraph (1)(B)(i); and

''(II) the date on which—

''(aa) the Administrator has received the results of monitoring under section 1445(a)(2)(B) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; or

''(bb) the Administrator has received reliable water data or water monitoring surveys for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances from a Federal or State agency that the Administrator determines to be of a quality sufficient to make a determination under paragraph (1)(A).

''(ii) PRIMARY DRINKING WATER REGULATIONS.—

''(I) IN GENERAL.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under clause (i), the Administrator—

''(aa) not later than 18 months after the date on which the Administrator makes the determination, shall propose a national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

''(bb) may publish the proposed national primary drinking water regulation described in item (aa) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

''(II) DEADLINE.—

''(aa) IN GENERAL.—Not later than 1 year after the date on which the Administrator publishes a proposed national primary drinking water regulation under clause (i)(I) and subject to item (bb), the Administrator shall take final action on the proposed national primary drinking water regulation.

''(bb) EXTENSION.—The Administrator, on publication of notice in the Federal Register, may extend the deadline under item (aa) by not more than 6 months.

''(H) HEALTH ADVISORY.—

''(i) IN GENERAL.—Subject to clause (ii), the Administrator shall publish a health advisory under paragraph (1)(F) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not subject to a national primary drinking water regulation not later than 1 year after the later of—

''(I) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

''(II) the date on which the Administrator validates an effective quality control and testing procedure for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

''(ii) WAIVER.—The Administrator may waive the requirements of clause (i) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl and polyfluoroalkyl substances if the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water with sufficient frequency to justify the publication of a health advisory, and publishes such determination, including the information and analysis used, and basis for, such determination, in the Federal Register.''.

SEC. 13203. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR MICROCYSTIN TOXIN.

Section 1412(b) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)) is further amended by adding at the end the following:

''(17) MICROCYSTIN TOXIN.—

''(A) IN GENERAL.—Notwithstanding any other deadline established in this subsection, not later than 2 years after the date of enactment of the Assistance, Quality, and Affordability Act of 2021, the Administrator shall publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for microcystin toxin.

''(B) HEALTH PROTECTION.—The maximum contaminant level goal and national primary drinking water regulation promulgated under subparagraph (A) shall be protective of the health of subpopulations at greater risk, as described in section 1458.''.

SEC. 13204. NATIONAL PRIMARY DRINKING WATER REGULATIONS FOR 1,4–DIOXANE.

Section 1412(b) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)) is further amended by adding at the end the following:

''(18) 1,4–DIOXANE.—

''(A) IN GENERAL.—Notwithstanding any other deadline established in this subsection, not later than 2 years after the date of enactment of the Assistance, Quality, and Affordability Act of 2021, the Administrator shall publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for 1,4–dioxane.

''(B) HEALTH PROTECTION.—The maximum contaminant level goal and national primary drinking water regulation promulgated under subparagraph (A) shall be protective of the health of subpopulations at greater risk, as described in section 1458.''.

SEC. 13205. ELIMINATION OF SMALL SYSTEM VARIANCES.

(a) SMALL SYSTEM VARIANCES.—Section 1415 (42 U.S.C. 300g–4) of the Safe Drinking Water Act is amended by striking subsection (e).

(b) CONFORMING AMENDMENTS.—

(1) Section 1412(b)(15) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(15)) is amended by striking subparagraph (D).

(2) Section 1414(c)(1)(B) of the Safe Drinking Water Act (42 U.S.C. 300g–3(c)(1)(B)) is amended by striking '', (a)(2), or (e)'' and inserting ''or (a)(2)''.

(3) Section 1416(b)(2) of the Safe Drinking Water Act (42 U.S.C. 300g–5(b)(2)) is amended by striking subparagraph (D).

(4) Section 1445(h) of the Safe Drinking Water Act (42 U.S.C. 300j–4(h)) is amended—

(A) by striking ''sections 1412(b)(4)(E) and 1415(e) (relating to small system variance program)'' and inserting ''section 1412(b)(4)(E)''; and

(B) by striking ''guidance under sections 1412(b)(4)(E) and 1415(e)'' and inserting ''guidance under section 1412(b)(4)(E)''.

TITLE III—AFFORDABILITY

SEC. 13301. EMERGENCY RELIEF PROGRAM.

Part F of the Safe Drinking Water Act (42 U.S.C. 300j–21 et seq.) is amended by adding at the end the following new section:

''SEC. 1466. EMERGENCY RELIEF PROGRAM.

''(a) EMERGENCY RELIEF PROGRAM.—The Administrator shall establish and carry out a residential emergency relief program to provide payments to public water systems to reimburse such public water systems for providing forgiveness of arrearages and fees incurred by eligible residential customers before the date of enactment of this section to help such eligible residential customers retain, or reconnect or restore, water service.

''(b) CONDITIONS.—To receive funds under this section, a public water system shall agree to—

''(1) except as otherwise provided in this section, use such funds to forgive all arrearages and fees relating to nonpayment or arrearages incurred by eligible residential customers before the date of enactment of this section;

''(2) if forgiveness of all arrearages and fees described in paragraph (1) is not possible given the amount of funds received, except as otherwise provided in this section, use such funds to reduce such arrearages and fees for each eligible residential customer by, to the extent practicable, a consistent percentage;

''(3) take no action that negatively affects the credit score of an eligible residential customer, or pursue any type of collection action against such eligible residential customer, during the 5-year period that begins on the date on which the public water system receives such funds;

''(4) not disconnect or interrupt the service of any eligible residential customer as a result of nonpayment or arrearages during such 5-year period; and

''(5) provide to the Administrator such information as the Administrator determines appropriate.

''(c) ELIGIBLE CUSTOMERS.—To be eligible for forgiveness or reduction of arrearages and fees pursuant to the program established under subsection (a), a residential customer of a public water system shall have accrued new arrearages on or after March 1, 2020.

''(d) RECONNECTION EXPENSES.—The Administrator, or a State that is, pursuant to subsection (e), implementing the program established under subsection (a), may authorize a public water system receiving funds under this section to use up to 5 percent of such funds for expenses relating to reconnecting or restoring water service, including expenses relating to plumbing repairs and pipe flushing, as needed, for eligible residential customers.

''(e) ADMINISTRATIVE EXPENSES.—The Administrator may authorize—

''(1) States to implement the program established under subsection (a); and

''(2) a State implementing such program to use up to 4 percent of funds made available to carry out such program in such State for administrative expenses.

''(f) SUBMISSIONS TO CONGRESS.—Not later than 180 days after the date of enactment of this section, and every other month thereafter until all amounts made available under this section are expended, the Administrator shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes—

''(1) each public water system that received a payment under or pursuant to this section;

''(2) the total amount of each payment provided under or pursuant to this section;

''(3) for each public water system receiving a payment under or pursuant to this section—

''(A) the amount of arrearages and fees forgiven or reduced;

''(B) the number of eligible residential customers benefitting from forgiveness or reduction of arrearages and fees under this section;

''(C) the amount of arrearages and fees of customers described in subparagraph (B) incurred before the date of enactment of this section that remain outstanding;

''(D) the number of eligible residential customers that did not benefit from forgiveness or reduction of arrearages and fees under this section; and

''(E) the amount of arrearages and fees of customers described in subparagraph (D) incurred before the date of enactment of this section that remain outstanding; and

''(4) a summary of any other information provided to the Administrator by public water systems that receive a payment pursuant to this section.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $4,000,000,000, to remain available until expended.''.

SEC. 13302. LOW-INCOME DRINKING WATER ASSISTANCE PROGRAM.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is further amended by adding at the end the following:

''SEC. 1459F. LOW-INCOME DRINKING WATER ASSISTANCE PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a community water system that is owned or operated by a municipality, other than a small community-serving water system; or

''(B) a State, with respect to a small community-serving water system located in the State.

''(2) HOUSEHOLD.—The term 'household' means any individual or group of individuals who are living together as 1 economic unit.

''(3) LOCAL DRINKING WATER ACCESS PROGRAM.—The term 'local drinking water access program' means a program developed or implemented by an eligible entity using a grant awarded under this section.

''(4) LOW-INCOME HOUSEHOLD.—The term 'low-income household' means a household—

''(A) in which 1 or more individuals are receiving—

''(i) assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

''(ii) supplemental security income payments under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

''(iii) supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

''(iv) payments under—

''(I) section 1315, 1521, 1541, or 1542 of title 38, United States Code; or

''(II) section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978 (38 U.S.C. 1521 note; Public Law 95–588); or

''(B) that has an income that—

''(i) as determined by the State in which the household is located, does not exceed the greater of—

''(I) an amount equal to 150 percent of the poverty level; and

''(II) an amount equal to 60 percent of the State median income for that State; or

''(ii) does not exceed an amount, determined by an eligible entity receiving a grant under this section, that—

''(I) is lower that the amount described in clause (i); and

''(II) is greater than or equal to 110 percent of the poverty level.

''(5) POVERTY LEVEL.—The term 'poverty level' means, with respect to a household in a State, the income described in the poverty guidelines issued by the Secretary of Health and Human Services pursuant to section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), as applicable to the household.

''(6) SMALL COMMUNITY-SERVING WATER SYSTEM.—The term 'small community-serving water system' means a community water system that provides drinking water services to a municipality with a population of fewer than 10,000 residents, at least 20 percent of whom are at or below the poverty level.

''(7) STATE MEDIAN INCOME.—The term 'State median income' has the meaning given that term in section 2603 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8622).

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—The Administrator shall establish a Federal low-income drinking water assistance program to award grants to eligible entities to develop and implement local drinking water access programs to assist low-income households in maintaining access to affordable drinking water.

''(2) REQUIREMENTS FOR SMALL COMMUNITY-SERVING WATER SYSTEMS.—In order for a State to be eligible to receive a grant under this section for a small community-serving water system, the State and the small community-serving water system shall enter into a memorandum of understanding, under which the State shall—

''(A) submit to the Administrator an application under paragraph (6) for the small community-serving water system; and

''(B) on receipt of a grant under this section, develop and implement a local drinking water access program for the small community-serving water system.

''(3) LIMITATIONS.—A grant awarded under this subsection—

''(A) shall not be used to replace funds for any existing similar local program to assist low-income households in maintaining access to affordable drinking water; but

''(B) may be used to supplement or enhance such a local program.

''(4) TERM.—The term of a grant awarded under this subsection shall be one year.

''(5) MINIMUM LOCAL PROGRAM REQUIREMENTS.—

''(A) IN GENERAL.—Not later than 6 months after the date of enactment of this section, the Administrator shall develop, in consultation with relevant stakeholders, the minimum requirements for a local drinking water access program.

''(B) INCLUSIONS.—The local drinking water access program requirements developed under subparagraph (A) may include—

''(i) direct financial assistance;

''(ii) a lifeline rate;

''(iii) bill discounting;

''(iv) special hardship provisions;

''(v) a percentage-of-income payment plan;

''(vi) water efficiency assistance, including subsidizing the cost of the installation of water efficient fixtures or leak repair work that is carried out or contracted by a homeowner; or

''(vii) any other form of assistance identified by the Administrator.

''(6) APPLICATION.—

''(A) IN GENERAL.—To receive a grant under this subsection, an eligible entity shall submit to the Administrator an application that demonstrates that—

''(i) the proposed local drinking water access program meets the requirements developed under paragraph (5); and

''(ii) the proposed local drinking water access program will treat households that live in owner-occupied homes and households that live in rental housing equitably.

''(B) ADDITIONAL REQUIREMENTS.—In the case of an eligible entity described in subsection (a)(1)(A), to receive a grant under this subsection, the eligible entity shall include in an application submitted under subparagraph (A) information demonstrating that—

''(i) the eligible entity has—

''(I) a long-term financial plan based on an analysis of the rates the applicable community water system charges for drinking water services;

''(II) an asset management plan;

''(III) a capital improvement plan with a period of not less than 20 years;

''(IV) a fiscal management plan; or

''(V) another plan similar to the plans described in subclauses (I) through (IV);

''(ii) a grant awarded under this subsection would support the efforts of the eligible entity to generate the necessary funds to achieve or maintain compliance with this Act while mitigating the cost to low-income households; and

''(iii) the eligible entity has the capacity to create and implement an effective community outreach plan to inform low-income households of the local drinking water access program and assist with enrollment.

''(7) PRIORITY.—In awarding grants under this subsection, the Administrator shall give priority to applications for local drinking water access programs with respect to which—

''(A) the owner or operator of the applicable community water system—

''(i) owns or operates a—

''(I) treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)) for municipal waste; or

''(II) a municipal separate storm sewer system (as such term is used in the Federal Water Pollution Control Act); and

''(ii) is subject to a consent decree relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) with respect to a treatment works or system described in clause (i);

''(B) the residential customers of the applicable community water system have experienced rate or fee increases for drinking water services or wastewater services (including stormwater services) of 30 percent or more during the 3-year period ending on the date of enactment of this section; or

''(C) the eligible entity will provide matching funds in an amount equal to or greater than the amount of the grant.

''(8) REPORTING REQUIREMENTS.—

''(A) IN GENERAL.—As a condition of receiving a grant under this subsection, an eligible entity shall submit to the Administrator, in a manner determined by the Administrator, information regarding the applicable local drinking water access program, including—

''(i) key features, including—

''(I) rate structures, rebates, discounts, and related initiatives that assist low-income households;

''(II) billing methods that average rates over the course of a year, known as 'budget billing';

''(III) bill timing; and

''(IV) procedures that ensure that households receive notice and an opportunity to respond before service is disconnected or interrupted due to nonpayment;

''(ii) sources of funding;

''(iii) eligibility criteria;

''(iv) participation rates by households;

''(v) the average amount of assistance provided to low-income households that participate in the program;

''(vi) program costs;

''(vii) the demonstrable impacts of the program on arrearage and service disconnection for low-income households that participate in the program, based on data from before and after the implementation of the program, to the maximum extent practicable; and

''(viii) other relevant information required by the Administrator.

''(B) PUBLICATION.—The Administrator shall annually publish a report that compiles and summarizes the information submitted under subparagraph (A).

''(9) ASSISTANCE EXEMPT FROM TAXATION.—Notwithstanding any other provision of law, assistance provided to a low-income household under a local drinking water access program shall not be includible in the gross income of the recipient of such assistance for purposes of the Internal Revenue Code of 1986.

''(c) TECHNICAL ASSISTANCE.—The Administrator shall provide technical assistance to each eligible entity that receives a grant under this section to ensure—

''(1) full implementation of the applicable local drinking water access program; and

''(2) maximum enrollment of low-income households in the applicable local drinking water access program, including through—

''(A) community outreach campaigns; or

''(B) coordination with local health departments to determine the eligibility of households for assistance.

''(d) REPORT.—Not later than 2 years after the date on which grant funds are first disbursed to an eligible entity under this section, and annually thereafter, the Administrator shall submit to Congress a report on the results of the Federal program established under this section.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $4,000,000,000, to remain available until expended.''.

SEC. 13303. LOW-INCOME WASTEWATER ASSISTANCE PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

''SEC. 124. LOW-INCOME WASTEWATER ASSISTANCE PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) COVERED FACILITY.—The term 'covered facility' means—

''(A) a treatment works for municipal waste; or

''(B) a municipal separate storm sewer system.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a municipality that owns or operates a covered facility, other than a small community-serving wastewater facility;

''(B) 2 or more municipalities described in subparagraph (A) that have entered into a partnership agreement or a cooperative agreement; or

''(C) a State, with respect to a small community-serving wastewater facility located in the State.

''(3) HOUSEHOLD.—The term 'household' means any individual or group of individuals who are living together as 1 economic unit.

''(4) LOCAL WASTEWATER SERVICES ACCESS PROGRAM.—The term 'local wastewater services access program' means a program developed or implemented by an eligible entity using a grant awarded under this section.

''(5) LOW-INCOME HOUSEHOLD.—The term 'low-income household' means a household—

''(A) in which 1 or more individuals are receiving—

''(i) assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

''(ii) supplemental security income payments under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

''(iii) supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

''(iv) payments under—

''(I) section 1315, 1521, 1541, or 1542 of title 38, United States Code; or

''(II) section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978 (38 U.S.C. 1521 note; Public Law 95–588); or

''(B) that has an income that—

''(i) as determined by the State in which the household is located, does not exceed the greater of—

''(I) an amount equal to 150 percent of the poverty level; and

''(II) an amount equal to 60 percent of the State median income for that State; or

''(ii) does not exceed an amount, determined by an eligible entity receiving a grant under this section, that—

''(I) is lower that the amount described in clause (i); and

''(II) is greater than or equal to 110 percent of the poverty level.

''(6) POVERTY LEVEL.—The term 'poverty level' means, with respect to a household in a State, the income described in the poverty guidelines issued by the Secretary of Health and Human Services pursuant to section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), as applicable to the household.

''(7) SMALL COMMUNITY-SERVING WASTEWATER FACILITY.—The term 'small community-serving wastewater facility' means a covered facility that provides services to municipality with a population of fewer than 10,000 residents, at least 20 percent of whom are at or below the poverty level.

''(8) STATE MEDIAN INCOME.—The term 'State median income' has the meaning given that term in section 2603 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8622).

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—The Administrator shall establish a Federal low-income wastewater assistance program to award grants to eligible entities to develop and implement local wastewater access programs to assist low-income households in maintaining access to affordable wastewater services, including municipal stormwater services.

''(2) REQUIREMENTS FOR SMALL COMMUNITY-SERVING WASTEWATER FACILITIES.—In order for a State to be eligible to receive a grant under this section for a small community-serving wastewater facility, the State and the small community-serving wastewater facility shall enter into a memorandum of understanding, under which the State shall—

''(A) submit to the Administrator an application under paragraph (6) for the small community-serving wastewater facility; and

''(B) on receipt of a grant under this section, develop and implement a local wastewater access program for the small community-serving wastewater facility.

''(3) LIMITATIONS.—A grant awarded under this subsection—

''(A) shall not be used to replace funds for any existing similar local program to assist low-income households in maintaining access to affordable wastewater services, including municipal stormwater services; but

''(B) may be used to supplement or enhance such a local program.

''(4) TERM.—The term of a grant awarded under this subsection shall be one year.

''(5) MINIMUM LOCAL PROGRAM REQUIREMENTS.—

''(A) IN GENERAL.—Not later than 6 months after the date of enactment of this section, the Administrator shall develop, in consultation with relevant stakeholders, the minimum requirements for a local wastewater access program.

''(B) INCLUSIONS.—The local wastewater access program requirements developed under subparagraph (A) may include—

''(i) direct financial assistance;

''(ii) a lifeline rate;

''(iii) bill discounting;

''(iv) special hardship provisions;

''(v) a percentage-of-income payment plan;

''(vi) water efficiency assistance, including subsidizing the cost of the installation of water efficient fixtures or leak repair work that is carried out or contracted by a homeowner; or

''(vii) any other form of assistance identified by the Administrator.

''(6) APPLICATION.—

''(A) IN GENERAL.—To receive a grant under this subsection, an eligible entity shall submit to the Administrator an application that demonstrates that—

''(i) the proposed local wastewater access program meets the requirements developed under paragraph (5); and

''(ii) the proposed local wastewater access program will treat households that live in owner-occupied homes and households that live in rental housing equitably.

''(B) ADDITIONAL REQUIREMENTS.—In the case of an eligible entity described in subsection (a)(1)(A), to receive a grant under this subsection, the eligible entity shall include in an application submitted under subparagraph (A) information demonstrating that—

''(i) the eligible entity has—

''(I) a long-term financial plan based on an analysis of the rates the applicable covered facility charges for services;

''(II) an asset management plan;

''(III) a capital improvement plan with a period of not less than 20 years;

''(IV) a fiscal management plan; or

''(V) another plan similar to the plans described in subclauses (I) through (IV);

''(ii) a grant awarded under this subsection would support the efforts of the eligible entity to generate the necessary funds to achieve or maintain compliance with this Act while mitigating the cost to low-income households; and

''(iii) the eligible entity has the capacity to create and implement an effective community outreach plan to inform low-income households of the local wastewater access program and assist with enrollment.

''(7) PRIORITY.—In awarding grants under this subsection, the Administrator shall give priority to applications for local wastewater access programs with respect to which—

''(A) the applicable covered facility is subject to a consent decree relating to compliance with this Act;

''(B) the residential customers of the applicable covered facility have experienced rate or fee increases for drinking water services or wastewater services (including stormwater services) of 30 percent or more during the 3-year period ending on the date of enactment of this section;

''(C) the eligible entity develops an equivalent program, as determined by the Administrator, that is administered separately by the eligible entity;

''(D) matching funds will be provided in an amount equal to or greater than the amount of the grant; or

''(E) the eligible entity is described in subsection (a)(2)(B).

''(8) REPORTING REQUIREMENTS.—

''(A) IN GENERAL.—As a condition of receiving a grant under this subsection, an eligible entity shall submit to the Administrator, in a manner determined by the Administrator, information regarding the applicable local wastewater access program, including—

''(i) key features, including—

''(I) rate structures, rebates, discounts, and related initiatives that assist low-income households;

''(II) billing methods that average rates over the course of a year, known as 'budget billing'; and

''(III) bill timing;

''(ii) sources of funding;

''(iii) eligibility criteria;

''(iv) participation rates by households;

''(v) the average amount of assistance provided to low-income households that participate in the program;

''(vi) program costs;

''(vii) the demonstrable impacts of the program on arrearage and service disconnection for low-income households that participate in the program, based on data from before and after the implementation of the program, to the maximum extent practicable; and

''(viii) other relevant information required by the Administrator.

''(B) PUBLICATION.—The Administrator shall annually publish a report that compiles and summarizes the information submitted under subparagraph (A).

''(9) ASSISTANCE EXEMPT FROM TAXATION.—Notwithstanding any other provision of law, assistance provided to a low-income household under a local wastewater access program shall not be includible in the gross income of the recipient of such assistance for purposes of the Internal Revenue Code of 1986.

''(c) TECHNICAL ASSISTANCE.—The Administrator shall provide technical assistance to each eligible entity that receives a grant under this section to ensure—

''(1) full implementation of the applicable local wastewater access program; and

''(2) maximum enrollment of low-income households in the applicable local wastewater access program, including through—

''(A) community outreach campaigns; or

''(B) coordination with local health departments to determine the eligibility of households for assistance.

''(d) REPORT.—Not later than 2 years after the date on which grant funds are first disbursed to an eligible entity under this section, and annually thereafter, the Administrator shall submit to Congress a report on the results of the Federal program established under this section.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated carry out this section $4,000,000,000, to remain available until expended.''.

SEC. 13304. NEEDS ASSESSMENT FOR NATIONWIDE RURAL AND URBAN LOW-INCOME COMMUNITY WATER ASSISTANCE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) HOUSEHOLD.—The term ''household'' means any individual or group of individuals who are living together as 1 economic unit.

(3) LOW-INCOME HOUSEHOLD.—The term ''low-income household'' means a household—

(A) in which 1 or more individuals are receiving—

(i) assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

(ii) supplemental security income payments under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

(iii) supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

(iv) payments under—

(I) section 1315, 1521, 1541, or 1542 of title 38, United States Code; or

(II) section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978 (38 U.S.C. 1521 note; Public Law 95–588); or

(B) that has an income that, as determined by the State in which the household is located, does not exceed the greater of—

(i) an amount equal to 150 percent of the poverty level; and

(ii) an amount equal to 60 percent of the State median income for that State.

(4) POVERTY LEVEL.—The term ''poverty level'' means, with respect to a household in a State, the income described in the poverty guidelines issued by the Secretary of Health and Human Services pursuant to section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), as applicable to the household.

(5) STATE MEDIAN INCOME.—The term ''State median income'' has the meaning given that term in section 2603 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8622).

(b) STUDY; REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall conduct, and submit to Congress a report describing the results of, a study regarding the prevalence throughout the United States of low-income households that do not have access to—

(A) affordable and functional centralized or onsite wastewater services that protect the health of individuals in the households;

(B) affordable municipal stormwater services; or

(C) affordable public drinking water services to meet household needs.

(2) INCLUSIONS.—The report under paragraph (1) shall include—

(A) recommendations of the Administrator regarding the best methods to increase access to the services described in paragraph (1);

(B) a description of the cost of each method described in subparagraph (A);

(C) a description of all consultation with relevant stakeholders carried out in developing the report; and

(D) a description of the results of the study with respect to low-income households that live in rental housing and do not receive bills for such services, but pay for the services indirectly through rent payments.

(3) AGREEMENTS.—The Administrator may enter into an agreement with another Federal agency to carry out the study under paragraph (1).

TITLE IV—OTHER MATTERS

SEC. 13401. SMALL URBAN AND RURAL WATER SYSTEM CONSOLIDATION REPORT.

(a) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on issues relating to the potential for consolidation of distressed small water systems.

(2) INCLUSIONS.—The report submitted under paragraph (1) shall include—

(A) information on—

(i) the amount of debt of covered small water systems;

(ii) whether the budgets of covered small water systems are balanced;

(iii) the degree to which covered small water systems defer infrastructure improvements;

(iv) the degree to which covered small water systems are not in compliance with applicable Federal and State water quality standards;

(v) how rates charged by covered small water systems for service relate to the costs for maintenance of, and improvements to, such systems; and

(vi) how the management, financial, and technical capacity of covered small water systems affects the ability of such systems to provide service at affordable rates;

(B) an evaluation of—

(i) whether covered small water system infrastructure is failing, resulting in a temporary or permanent loss of essential functions or services; and

(ii) how to prevent covered small water systems from becoming distressed small water systems;

(C) policy recommendations for how Congress may support the consolidation of distressed small water systems; and

(D) best practices and guidelines the Administrator of the Environmental Protection Agency may use to assist State and local governments with facilitating the consolidation of distressed small water systems.

(b) DEFINITIONS.—In this section:

(1) CONSOLIDATION.—The term ''consolidation'' means, with respect to a public water system, any of the actions described in subparagraphs (A) through (D) of section 1414(h)(1) of the Safe Drinking Water Act (42 U.S.C. 300g–3(h)(1)).

(2) COVERED SMALL WATER SYSTEM.—The term ''covered small water system'' means a public water system that serves—

(A) fewer than 50,000 individuals; and

(B) a disadvantaged community or an environmental justice community.

(3) DISADVANTAGED COMMUNITY.—The term ''disadvantaged community'' has the meaning given such term in section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(3)).

(4) DISTRESSED SMALL WATER SYSTEM.—The term ''distressed small water system'' means a covered small water system—

(A) that is unable to carry out necessary maintenance of, and improvements to, such system in order to—

(i) comply with applicable Federal and State water quality standards; or

(ii) provide reliable and affordable service to customers while complying with such water quality standards; and

(B) with respect to which consolidation may be necessary to address the issues described in subparagraph (A).

(5) ENVIRONMENTAL JUSTICE COMMUNITY.—The term ''environmental justice community'' has the meaning given such term in section 1452(u)(11) of the Safe Drinking Water Act.

(6) PUBLIC WATER SYSTEM.—The term ''public water system'' has the meaning given such term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 90 minutes, with 60 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure, and 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Missouri (Mr. GRAVES) each will control 30 minutes. The gentleman from New Jersey (Mr. PALLONE) and the gentleman from Washington (Mrs. RODGERS) each will control 15 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. DEFAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3684, the INVEST in America Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I include in the RECORD a letter of support for H.R. 3684 from 113 organizations supporting the Water Quality Protection and Job Creation Act of 2021.

113 ORGANIZATIONS SUPPORTING THE WATER QUALITY PROTECTION AND JOB CREATION ACT OF 2021

Alliance for American Manufacturing (AAM), The Alliance for the Great Lakes, American Concrete Pavement Association, American Concrete Pipe Association, American Concrete Pressure Pipe Association, American Concrete Pumping Association,

American Council of Engineering Companies (ACEC), American Foundry Society (AFS), American Iron and Steel Institute (AISI), American Public Works Association (APWA), American Rivers, American Sustainable Business Council, American Society of Civil Engineers (ASCE), American Society of Landscape Architects (ASLA), Associated General Contractors of America (AGC), Association of Equipment Manufacturers (AEM), BlueGreen Alliance, California Association of Sanitation Agencies (CASA), Center for Biological Diversity, Chesapeake Bay Foundation, Clean Water Construction Coalition, Clean Water For All, Academy of Natural Sciences of Drexel University, Advocates for Clean & Clear Waterways, Alabama Rivers Alliance, Anthropocene Alliance.

Children's Environmental Health Network, Clean Water Action, Community Water Center, Conservative Voters of PA, Earthjustice, Environmental League of Massachusetts, For Love of Water (FLOW), Freshwater Future, Georgia Conservation Voters, GreenLatinos, Healthy Gulf, Illinois Council of Trout Unlimited, Illinois Environmental Council, Junction Coalition, Maine Conservation Voters, Massachusetts Rivers Alliance, Mississippi River Collaborative, Montana Conservation Voters, National Latino Farmers & Ranchers Trade Association, National Parks Conservation Association, NC Conservation Network, New York League of Conservation Voters, Ocean River Institute, Ohio Valley Environmental Coalition, Pennsylvania Council of Churches, Tennessee Clean Water Network, Vermont Conservation Voters, Virginia League of Conservation Voters, Wisconsin Conservation Voters, Concrete Foundations Association, Concrete Reinforcing Steel Institute, Committee on Pipe and Tube Imports (CPTI), Ducks Unlimited (DU), Eastern Municipal Water District.

Environment America, Environmental Working Group (EWG), Healing Our Waters-Great Lakes Coalition, Hydraulic Institute, International Union of Operating Engineers (IUOE), International Union of Painters and Allied Trades (IUPAT), Laborers' International Union of North America (LiUNA), Los Angeles County Sanitation, Districts (LACSD), League of Conservation Voters (LCV), Municipal Castings Association, National Association of Clean Water Agencies (NACWA), National Association of Counties (NACO), National Association of Flood & Stormwater Management Agencies (NAFSMA), National Association of Sewer Service Companies (NASSCO), National Concrete Masonry Association, National League of Cities (NLC), National Municipal Stormwater Alliance (NMSA), National Onsite Wastewater Recycling Association (NOWRA), National Precast Concrete Association, National Ready Mixed Concrete Association, National Sand, Stone & Gravel Association (NSSGA), National Utility Contractors Association (NUCA), National Water Resources Association (NWRA), National Waterways Conference, National Wildlife Federation (NWF).

Natural Resources Defense Council (NRDC), The Nature Conservancy, Orenco Systems Inc, Puyallup Tribe of Indians, Plastics Pipe Institute, Precast/Prestressed Concrete Institute, Portland Cement Association (PCA), Rural Community Assistance Partnership (RCAP), Sierra Club, Southern Environmental Law Center (SELC), Surfrider Foundation, Theodore Roosevelt Conservation Partnership (TRCP), Tilt-up Concrete Association, Trout Unlimited, United Association of Union, Plumbers and Pipefitters (UA), U.S. Chamber of Commerce, United States Conference of Mayors, Vinyl Institute, Water Environment Federation (WEF), Water Equity and Climate Resilience Caucus, Water Replenishment District (WRD), WateReuse Association, Water Infrastructure Network (WIN), Grasslands Water District—GWD, Milwaukee Metropolitan Sewerage District—MMSD, National Electrical Contractors Association—NECA, United Association of Plumbers and Pipefitters—The United, Western Recycled Water Coalition.

Mr. DEFAZIO. Mr. Speaker, I include in the RECORD a letter from Chairwoman EDDIE BERNICE JOHNSON of the House Committee on Science, Space, and Technology, to waive consideration of H.R. 3684, as amended, as well as my response to Chairwoman JOHNSON expressing appreciation for her willingness to work cooperatively on this legislation.

Mr. Speaker, the INVEST in America Act before us today is generational transformational in terms of what we are going to do in terms of 21st century surface transportation and water infrastructure. We are going to move past the Eisenhower era of the 1950s.

During the Eisenhower era, the existential threat to the United States was invasion or attack by Russia. The National Defense Highway System was built to move military equipment to the coast, and it was also built to evacuate our cities in times of nuclear war.

Now we have a different existential threat, which is climate change. Tackling climate change is a Herculean task.

Some may ask: Why address it in the transportation bill?

In fact, we will hear that from the other side.

Because the transportation sector is the single largest carbon emitter in the United States of America, and it would be foolish and irresponsible to continue pouring taxpayer money into the old way of thinking, that we must merely expand highways.

We know now that doing that creates induced demand. You add more lanes, attract more cars and, before long, congestion returns and you are right back where you started, except now you have bad traffic and more carbon pollution.

According to the Texas A&M Transportation Institute, in the last 25 years, we have built 35,000 lane miles in our 100 largest cities, and the cost of congestion and delay have gone up six times.

Should we keep doing that?

No. It is not working.

There are alternatives. We have a great opportunity.

The infrastructure of the Eisenhower era is crumbling, threatening safety, quality of life, and economic competitiveness. In fact, some of the infrastructure we are living off, like the critical Baltimore rail tunnel, was built in 1872. It is not going to last long. It is brick and it is leaking water.

The tunnels under the Hudson are subject to failure in the not-too-distant future. They were built in 1908. We had great engineers at the time, but now we have become so puny, we can't do big projects like that.

No, that is not the United States of America. That is not the American way. We can tackle these challenges, and we will. And climate change is part of what we have to deal with.

I hear a lot from the other side about we want resilience.

Resilience to what? Sea level rise? Why is the sea level rising?

Hmm, I don't know.

Severe weather events?

Nope.

But in my region, just this week, an unprecedented heat wave—unprecedented in the history of the United States and western Canada, by far; 40 degrees above normal—pavement buckled and melted, cables supplying power to transit melted, high tension lines sagged. Luckily, we got the trees out from under them. They didn't cause fires this time.

We have to rebuild this infrastructure to deal with the threats of the 21st century, and this is a tremendous opportunity.

We have long had problems with inequality and racial injustice perpetuated by transportation programs, policies, and funding decisions. We have a major section in this bill to right those wrongs and provide new opportunities for those communities and rejoin some of those communities; social equity.

U.S. infrastructure was once the envy of the world. We are now 13th and plummeting fast. We are kind of a joke around the world. China is putting 6 percent of their GDP into transportation infrastructure. We are putting in one-half of 1 percent.

We are going to compete with that?

Other competitive nations in Europe are putting in 2 or 3 percent of their GDP. We are putting in a fraction of that.

You know, we have water mains that explode, sewers that back up, and bridges that collapse. We have decrepit transit, $100 billion to bring up to state of good repair, and it breaks down when people are trying to get to work. We have potholes that cost every American between $560 and $1,000 a year in car repairs. The cost of delays is $170 billion, which is way more than we are spending on investment in transportation infrastructure.

A rising China is threatening to take over the future of transportation in the world. We cannot let the Chinese do this yet again and steal those jobs from America. We have to move toward the future.

We have General Motors, all electric in 2035. The Ford electric Mustang is outselling the fossil fuel Mustang. Hey, it is faster. I have driven a semi-truck made by Volvo. But there are four manufacturers making them, an 80,000-pound capable semi-tractor. Fred Smith from FedEx is going all electric, but he says there is no place to charge them.

We have to meet this challenge, and part of this bill is EV challenging on the backbone of the national highway network.

We are also going to put significant funds into safety. We are having huge

problems with safety: growing deaths in pedestrian, cycling, and others. We have to promote those modes, make them safe. More people will use them. We are making a major investment there, fossil fuel free.

This bill is going to focus on bringing things to a state of good repair. 47,000 bridges on the National Highway System need substantial repair or replacement, and an infinite number of off-system bridges. We are creating a new program for off-highway-system bridges; a new program for rural bridges; a new program for the 10 most economically significant bridges in the country, including ones like the Brent Spence Bridge, which is going to collapse or be closed in 8 years, connecting Kentucky and Ohio.

Those things are in this bill. If we don't do this bill, then we are doomed to an even more inefficient and decrepit future.

We are going to make historic investments in transit, helping to address, as I mentioned, the $100 billion state of good repair backlog. We are closing the last loopholes in transit.

We are going to get two Chinese companies—predatory Chinese companies out of here, making electric buses and rail. And we are going to make all of that stuff in the United States of America and create one heck of a lot of jobs. Maybe we will even export electric buses to the rest of the world.

Then beyond that, you know, we are going to be a leader in the clean energy economy. That is the future. It is the future. It is the business case. It is where the corporations are going, except parts of the fossil fuel industry. Even ExxonMobil is talking about spending $100 billion on carbon capture and sequestration; even ExxonMobil.

But there are other parts of the fossil fuel industry that are, like, ''No, you stick with us. Stick with fossil fuel. Don't allow them to do this electrification stuff. Don't talk about climate change. Carbon pollution doesn't do anything.''

No, none of that is true, and we have to deal with it.

It offers opportunities to communities of all sizes: urban, suburban, and rural. There's a 50 percent increase for rural transit, $37 billion from the Surface Transportation Program suballocated to local communities, not the biggest cities. We create several new multimodal discretionary grant programs, including the Community Transportation and Community Climate grants, for local government applicants.

For the first time in a decade, we provided bipartisan member-designated projects. 109 Republicans applied for projects. Everyone was offered $20 million under very strict guidelines agreed to by the majority and the minority. We cleaned that up.

Some people are saying: Well, this is bad; it is poor.

No. Does the Federal DOT or your State DOT know what you need most in your district? What your city needs? What your county needs?

You know better, but sometimes they just ignore it. They are focused on the capitol; they are focused on the biggest cities; they are focused on Washington, D.C., who knows what.

So we have those projects in this bill.

Someone said: Well, if the Republicans won't vote for it, are you going to strip them out?

I said: No. These are meritorious projects that have gone through a vetting process. They will stay in. This is helping local communities.

Now, I also have to say that we have had issues with the DBE—Disadvantaged Business Enterprise—program at the Department of Transportation. Discrimination is still a barrier for many to get into constructing and maintaining our Surface Transportation Program.

Mr. Speaker, I include in the RECORD a more comprehensive statement about the need for this crucial program, along with a list of several key studies on discrimination used to help inform the reauthorization of the DBE program. It includes a historic $95 billion in rail investment. That is about a 500 percent increase.

We are going to begin to join city pairs so people can get off the highways.

Virginia is doing a great project. Instead of putting two more lanes, which would be immediately congested, for $12 billion on I–95, they are going to build a rail project with a new bridge over the Potomac River, partnering with CSX for half the cost, and reduce congestion more and give people a better commute. We need to be looking at that model around the country.

□ 1715

The bill includes $32 billion for Amtrak. It also has money for a new program, PRIME, the Passenger Rail Improvement, Modernization, and Expansion program, a $25 billion competitive grant program for States and localities to launch high-speed and intercity rail development.

It tackles big rail projects that need significant investment to get off the ground. The $25 billion Bridges, Stations, and Tunnels, or BeST—I mentioned the Baltimore tunnel earlier—directed grant program funds bridges, stations, and tunnels that have total project costs of $500 million or more, which cannot just be carried by local communities.

I previously mentioned robust safety programs.

It also includes the first reauthorization of the Clean Water State Revolving Fund since 1987.

When I was a county commissioner, we got a 75 percent match from the Federal Government to build a system that is still serving a community twice that size today. Today, if we went to the Federal Government for a match, they would say, ''Sorry, we don't help you with wastewater.''

Wastewater does not observe city limits. It does not observe county lines. It does not observe State lines. It does not observe international boundaries. It is a national problem, and our communities need help.

I was on a statewide call with county commissioners, 75 percent of them Republicans. They are begging—begging—in these rural counties for help with wastewater and drinking water. We have to step up to the plate on that. This will be the first reauthorization in many, many years.

We are going to move forward with this bill, and every part of this bill is backed by the strongest Buy America requirements, labor protections, and new investments in worker training safety. I wish some of the other departments of the Federal Government, particularly the Pentagon, would follow our model to create more jobs in America.

It is not enough just to transform it. We need to ensure our investments create good-paying jobs, revitalize American manufacturing, help us compete in the clean energy economy, and lead the world once again, as we were the envy of the world in the 1970s and up to about the early 1980s.

This is a chance to reform and rebuild our infrastructure for the future. It is an opportunity to improve safety, equity, and access for all Americans. It is an urgent call to confront the existential threat of climate change and leave a better world for future generations.

This is a transformative bill that will improve mobility, economic competitiveness, and the quality of life in communities across the country. Infrastructure is calling, and Congress must finally answer the call.

Chairman PETER DEFAZIO Statement for the RECORD on DBE Program and Disparity Studies Submitted to the RECORD INVEST in America Act, General Debate, June 30, 2021. I include in the RECORD:

The INVEST in America Act once again reauthorizes the critically important Disadvantage Business Enterprise, or DBE, program at the Department of Transportation.

Unfortunately, even with the DBE Program, discrimination still haunts us in the market to construct and maintain our federal surface transportation system. We hear about it from constituents and others who work as contractors in the transportation industry. We've read about it in personal statements submitted by women- and minority-small business owners from across the country. And we see it reflected in mounds of statistical evidence compiled by my Committee. This evidence includes many thousands of pages of rigorous statistical analysis demonstrating clear disparities between the capacity of minority- and women-owned businesses to compete for federal dollars, and the utilization of that capacity by federal contractors.

These studies represent thousands of pages of complex rigorous analysis by many different authors in every region of our nation. And while the findings are better than in the early days of the DBE program, we still have a long way to go. I'd like to just highlight a tiny fraction of the information found in these studies:

Just so my colleagues don't think I am picking on their states, let me start with Oregon. The 2016 ODOT Disparity Study found that women- and minority-owned firms only won 61 cents on the dollar of what we would expect given their availability on state and federally funded highway contracts. Non-minority women, African Americans and Native Americans did even worse at 52 cents, 58 cents and 49 cents respectively.

In Texas DOT spending, women and minority owned firms as a group won only 60 cents on the dollar of what we might have expected for state-funded transportation projects given their availability in the market. Non-minority women, African Americans, Hispanic Americans and Native Americans all did worse. Indeed, African Americans won only 22 cents on the dollar and Native Americans won only 18 cents on the dollar. The numbers were even worse when considering only federal funds—32 cents on the dollar when considering Federal Highway Administration contracts alone.

For Maryland, which has had one of the more robust and continuously operated DBE programs in the nation, DBEs still get only 70 cents on the dollar of combined federal and state transportation funding. For African Americans, the number is 50 cents, for Native Americans it's 43 cents and for non-minority women, the number is 56 cents.

Sadly, in the transit industry, things are not much better. For instance, an analysis of contracting for the Los Angeles, California, Metropolitan Transportation Authority, found that firms owned by women and minorities make about 74 cents on the dollar of what we would expect given their representation in the marketplace. For non-minority women, the number was 59 cents and for African Americans it was 51 cents.

These same troubling statistics are repeated in cities and states that spend some of their budgets on surface transportation and similar construction, architecture, and engineering projects. For instance, the 2018 study for the Nashville, Tennessee area found that women- and minority-owned business enterprises got 54 cents of every one dollar in construction prime contracting; Asian American firms were at 25 cents on the dollar; and firms owned by Hispanic Americans earned only 1 cent of every dollar of what we would expect given their marketplace representation.

There's no doubt that things are better today than before the DBE Program—more firms owned by women and minorities get work than they did forty years ago. But the progress has been slow, halting, and exceedingly fragile. One of the powerful things about the disparity study evidence we have collected is the diversity of approaches and analyses these documents provide. Some studies, for instance, not only study disparities in the public and private surface transportation markets, but they also attempt to analyze what might occur if the DBE program no longer existed. One interesting example is found in the LA Metro study where they compared the participation of minority- and women-owned firms on contracts that had goals to encourage diverse participation and those that did not. The results are stunning. On contracts with goals, participation occurred at almost the level we would expect given the presence of minority- and women-owned firms in the marketplace and firms owned by minorities and women earned 96 cents on the dollar—on contracts without goals, they earned 53 cents on the dollar. The numbers are even more startling for certain subgroups. On contracts with goals, non-minority women actually exceeded parity (something that regularly occurs for firms owned by non-minority males, but rarely happens for firms owned by women and minorities). But on contracts without goals, firms owned by non-minority women earned only 37 cents on the dollar. Firms owned by Hispanic Americans approached parity on contracts with goals (98 cents on the dollar), but on contracts without goals, they earned only 59 cents on the dollar. African American owned firms earned only 64 cents on the dollar even on contracts with goals, and on contracts without goals the number plummeted to 30 cents on the dollar.

Tragically, the COVID–19 pandemic only exacerbated the need for the DBE program. Preliminary data on the pandemic's economic devastation shows a massively disproportionate impact on small businesses in minority communities. An article by Dr. Robert Fairlie published last year by the Stanford Institute for Economic Policy Research, uses statistics from the Census Bureau's Current Population Survey to illustrate just how devastating the COVID–19 pandemic has already been for firms owned by minorities and women. His analysis examines the drop in ''active businesses'' comparing the numbers from mid-February 2020, just before the effects of the pandemic became clear in the United States, to mid-April, when the economy in much of the country had shut down. During that time, all businesses experienced economic devastation—but because of discrimination, the devastation was far greater for businesses owned by women and minorities. For instance, during this period the number of active businesses owned by whites dropped 17 percent, but the number of businesses owned by African Americans dropped 41 percent. For Hispanic businesses, the number was 32 percent and for firms owned by Asian Americans the drop was 26 percent. These numbers are not just troubling, they are staggering, and the pandemic is still not over.

Now, more than ever, as we prepare to spend billions of federal dollars on transportation projects, it is urgent that we ensure the process of awarding federal transportation contract dollars is not discriminatory, and that minorities and women are allowed to compete on an equal playing field for those dollars.

Below is a list of dozens of disparity studies held on file with the Committee on Transportation and Infrastructure demonstrating the continued need for this essential program:

STATE AND LOCAL DISPARITY STUDIES FROM 2015–2021

ALASKA

Alaska Department of Transportation & Public Facilities Disadvantaged Business Enterprise Study, Final Report & Final Appendices, Prepared by the Alaska Department of Transportation & Public Facilities Civil Rights Office (2020).

ARIZONA

Arizona Department of Transportation Disparity Study, Final Report, Prepared by Keen Independent Research (2020).

Arizona Department of Transportation Disparity Study Report, Prepared by Keen Independent Research (2015).

CALIFORNIA

Caltrans Disparity Study, Prepared by BBC Research and Consulting for Caltrans Department of Transportation (2016).

City of Oakland 2017 Race and Gender Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2020).

LA Metro 2017 Disparity Study, Prepared by BBC Research & Consulting for the Los Angeles County Metropolitan Transportation Authority (2018).

San Francisco Bay Area Rapid Transit District Disparity Study Volumes I–II, Prepared by Miller Consulting, Inc. (2017).

Disadvantaged Business Enterprise Availability, Utilization, and Disparity Study for the San Francisco Municipal Transportation Agency, Prepared by Rosales Business Partners LLC (2015).

COLORADO

City and County of Denver Disparity Study, Prepared by BBC Research & Consulting (2018).

Colorado Disparity Study, Final Report, Prepared by Keen Independent Research (2020).

CONNECTICUT

Connecticut Disparity Study: Phases 1–3, Prepared by The Connecticut Academy of Science and Engineering for the Connecticut General Assembly and the Government Administration and Elections Commission (2013, 2014, 2016).

DISTRICT OF COLUMBIA

District of Columbia Department of Small and Local Business Development Comparative Analysis: Minority and Women-Owned Business Assessment, Prepared by CRP, Inc (2019).

District of Columbia Department of Small and Local Business Development Disparity Report Framework and Recommendations, Prepared by CRP, Inc. (2019).

2015 Disparity Study for Washington Suburban Sanitary Commission, Prepared by MGT of America, Inc. (2016).

FLORIDA

Minority, Women, and Small Business Enterprise Disparity Study for the City of Tallahassee, Leon County, Florida and Blueprint Intergovernmental Agency, Prepared by MGT Consulting Group (2019).

Palm Beach County Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2017).

Solid Waste Authority of Palm Beach County, Florida Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2017).

GEORGIA

Atlanta Housing Authority Disparity Study, Prepared by Keen Independent Research (2017).

Atlanta Public Schools Disparity Study, Prepared by Keen Independent Research (2017).

City of Atlanta Disparity Study Summary Report, Prepared by Keen Independent Research LLC (2015).

Fulton County Small Business Study, Prepared by Keen Independent Research (2016).

Georgia Department of Transportation Disparity Study, Prepared by Griffin & Strong, P.C. for the State of Georgia (2016).

HAWAII

Hawaii Department of Transportation 2019 Availability and Disparity Study, Prepared by Keen Independent Research (2020).

IDAHO

Idaho Transportation Department Disparity Study, Prepared by BBC Research & Consulting (2017).

ILLINOIS

Chicago Transit Authority Disparity Study, Prepared by Colette Holt & Associates (2019).

Illinois Department of Transportation Disparity Study, Prepared by BBC Research & Consulting (2017).

Illinois State Toll Highway Authority Disparity Study Construction and Construction Related Services, Prepared by Colette Holt & Associates (2015).

INDIANA

City of Indianapolis and Marion County Disparity Study, BBC Research & Consulting (2019).

City of South Bend Disparity Study, Prepared by Colette Holt & Associates (2019).

State of Indiana Disparity Study, Prepared by BBC Research & Consulting for the Indiana Department of Administration (2015–16).

State of Indiana Disparity Study, Prepared by BBC Research & Consulting for the Indiana Department of Administration (2020).

KANSAS

City of Kansas City Construction Workforce Disparity Study, Prepared by Keen Independent Research (2019).

City of Kansas City, Missouri Disparity Study, Prepared by Colette Holt & Associates (2016).

KENTUCKY

Louisville & Jefferson County Metropolitan Sewer District Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2018).

LOUISIANA

City of Baton Rouge, Parish of East Baton Rouge Disparity Study, Prepared by Keen Independent Research (2019).

City of New Orleans Disparity Study, Prepared by Keen Independent Research (2018).

Recreation and Park Commission for the Parish of East Baton Rouge Disparity Study, Prepared by Keen Independent Research (2019).

MARYLAND

Business Disparities in the Maryland Market Area, Prepared by NERA Economic Consulting for the State and Maryland and the Maryland Department of Transportation (2017).

Disadvantaged Business Enterprise Disparity Study: Volumes I–III, Prepared by NERA Economic Consulting for the Maryland Department of Transportation (2018).

MASSACHUSETTS

Business Disparities in the DCAMM Construction and Design Market Area, Prepared by NERA Economic Consulting for the Commonwealth of Massachusetts Division of Capital Asset Management and Maintenance (2017).

City of Boston 2020 Disparity Study, Prepared by BBC Research & Consulting (2021).

MINNESOTA

2017 Minnesota Joint Disparity Study City of Minneapolis, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study City of Saint Paul, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Hennepin County, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Metropolitan Airports Commission, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Metropolitan Council, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Metropolitan Mosquito Control District, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Minnesota Department of Administration; Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Minnesota Department of Transportation, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Minnesota State Colleges and Universities, Prepared by Keen Independent Research (2018).

MISSOURI

City of St. Louis Disparity Study, Prepared by Mason Tillman Associates (2015).

Missouri Department of Transportation DBE Availability Study, Prepared by Keen Independent Research (2019).

Saint Louis County Disparity Study, Prepared by Griffin & Strong P.C. (2017).

MONTANA

Availability and Disparity Study, Prepared by Keen Independent Research LLC for the State of Montana Department of Transportation (2016).

NEVADA

Nevada Transportation Consortium Disparity Study, Prepared by BBC Research & Consulting for the Regional Transportation Commission of Southern Nevada (2017).

NEW JERSEY

NJ Transit Disparity Study, Executive Summary & Appendix, Prepared by The Roy Wilkins Center for Human Relations and Social Justice, Hubert H. Humphrey School of Public Affairs, University of Minnesota (2016).

NEW YORK

City of New York Disparity Study, Prepared by MGT Consulting Group (2018).

State of New York MWBE Disparity Study, Volumes I & II, Prepared by Mason Tillman Associates, Ltd. (2016).

NORTH CAROLINA

City of Asheville, North Carolina Disparity Study, Prepared by BBC Research & Consulting (2018).

City of Charlotte Disparity Study, Prepared by BBC Research & Consulting (2017).

City of Winston-Salem Disparity Study, Prepared by MGT Consulting Group (2019).

Durham County/City of Durham, North Carolina Multi-jurisdictional Disparity Study, Prepared by Griffin & Strong, P.C. (2015).

Greensboro, North Carolina Disparity Study, Prepared by Griffin & Strong (2018).

State of North Carolina Department of Administration, Disparity Study Report: Volume 1, State Agencies, Prepared by Griffin & Strong, P.C. (2020).

State of North Carolina Department of Administration, Disparity Study Report: Volume 2, Community Colleges and Universities. Prepared by Griffin & Strong, P.C. (2021).

OHIO

Cuyahoga County Disparity Study Report, Prepared by Griffin & Strong P.C. (2020).

2015–16 Ohio Public Authorities Disparity Study, prepared by BBC Research & Consulting for the Ohio Department of Transportation (2016).

City of Cincinnati Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2015).

City of Columbus Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2019).

OREGON

Oregon Department of Transportation DBE Disparity Study Update, Prepared by Keen Independent Research LLC (2019).

Oregon Department of Aviation, Draft Oregon Statewide Airport DBE Disparity Study, Prepared by Keen Independent Research (2021).

Oregon Department of Transportation Availability and Disparity Study, Prepared by Keen Independent Research LLC (2016).

The Port of Portland Small Business Program Disparity Study, Prepared by Colette Holt & Associates (2018).

PENNSYLVANIA

City of Philadelphia Fiscal Year 2019 Annual Disparity Study, Prepared by the City of Philadelphia Department of Commerce and Miller3 Consulting (2020).

City of Philadelphia Fiscal Year 2018 Annual Disparity Study, Prepared by Econsult Solutions, Inc. and Milligan & Company, LLC (2019).

City of Philadelphia Fiscal Year 2017 Annual Disparity Study, Prepared by Econsult Solutions, Inc. and Milligan & Company, LLC (2018).

City of Philadelphia Fiscal Year 2016 Annual Disparity Study, Prepared by Econsult Solutions, Inc. for the City of Philadelphia Department of Commerce (2017).

City of Philadelphia Fiscal Year 2015 Annual Disparity Study, Prepared by Econsult Solutions, Inc. and Milligan & Company, LLC (2016).

Commonwealth of Pennsylvania Department of General Services Disparity Study, Prepared by BBC Research & Consulting (2018).

Pennsylvania Department of Transportation Disparity Study, Prepared by BBC Research & Consulting (2018).

TENNESSEE

Business Market Availability and Disparity Study Shelby County Schools Board of Education, Prepared by MGT Consulting Group (2017).

City of Chattanooga, Tennessee Disparity Study Final Report, Prepared by Griffin & Strong P.C. (2019).

City of Memphis, Tennessee Disparity Study, Prepared by Griffin & Strong P.C. (2016).

Metro Nashville, Tennessee Disparity Study, Prepared by Griffin & Strong P.C. (2018).

Shelby County Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2016).

TEXAS

Availability and Disparity Study, City of Dallas, Texas, Final Report, Prepared by MGT Consulting Group (2020).

Business Disparities in the Austin, Texas Market Area, Prepared by NERA Economic Consulting for the City of Austin, Texas (2015).

Business Disparities in the San Antonio, Texas Market Area, Prepared by NERA Economic Consulting for the City of San Antonio (2015).

Business Disparities in the Travis County, Texas Market Area, Prepared by NERA Economic Consulting for Travis County, Texas (2016).

City of Fort Worth, Texas, Disparity Study, Prepared by Colette Holt & Associates (2020).

Disparity Study for Corpus Christi and CCRTA, Prepared by Texas A&M University South Texas Economic Development Center (2016).

Minority- and Women-owned Business Enterprise (M/WBE) Program Disparity Study for the San Antonio Water System, Prepared by MGT of America (2015).

Texas Department of Transportation Disparity Study, Prepared by Colette Holt & Associates (2019).

VIRGINIA

Commonwealth of Virginia Disparity Study, Prepared by BBC Research & Consulting (2020).

City of Virginia Beach Disparity Study, Prepared by BBC Research & Consulting (2018).

WASHINGTON

City of Tacoma Disparity Study, Prepared by Griffin & Strong P.C. (2018).

Port of Seattle Disparity Study, Prepared by Colette Holt & Associates (2019).

Sound Transit Disparity Study, Prepared by BBC Research & Consulting (2020).

State of Washington Disparity Study, Prepared by Colette Holt & Associates (2019).

Washington State Airports Disparity Study, Prepared by Colette Holt & Associates (2019).

Washington State Department of Transportation Disparity Study, Prepared by Colette Holt & Associates (2017).

WISCONSIN

Madison Public Works Disparity Study, Prepared by Keen Independent Research for City of Madison, Wisconsin (2015).

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, June 21, 2021.

Hon. PETER A. DEFAZIO,

Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN DEFAZIO: I am writing you concerning H.R. 3684, the ''INVEST in America Act,'' which was ordered to be reported out of the Committee on Transportation and Infrastructure on June 10, 2021. Prior to this, I submitted a jurisdictional claim letter for a sequential referral on this bill on June 7, 2021 and the Office of the Parliamentarian found this claim to be valid.

As a result of cooperative consultations with the Committee on Science, Space, and Technology (''Science Committee'') and in the interest an expedient consideration of H.R. 3684 before the House of Representatives, I will waive formal consideration of this bill. I take this action with a mutual understanding between our two Committees that by foregoing consideration of H.R. 3684, the Science Committee does not waive any jurisdiction over the subject matter contained in this, or in similar, legislation.

Furthermore, I humbly request a letter confirming this understanding and that this exchange of letters be included in the bill report to be filed by the Committee on Transportation and Infrastructure as well as included in the Congressional Record during floor consideration of the bill. Finally, I ask that you support the appointment of Science Committee conferees during any House-Senate conference convened on this legislation.

Sincerely,

EDDIE BERNICE JOHNSON,

Chairwoman, Committee on Science, Space, and Technology.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington DC, June 21, 2021.

Hon. EDDIE BERNICE JOHNSON,

Chairwoman, Committee on Science, Space, and Technology, House of Representatives, Washington, DC.

DEAR CHAIRWOMAN JOHNSON: Thank you for your letter regarding H.R. 3684, the INVEST in America Act. I appreciate your decision to waive formal consideration of the bill.

I agree that the Committee on Science, Space, and Technology (''Science Committee'') has valid jurisdictional claims to certain provisions in this important legislation, and I further agree that by forgoing formal consideration of the bill, the Science Committee is not waiving any jurisdiction over any relevant subject matter. Additionally, I will support the appointment of conferees from the Science Committee should a House-Senate conference be convened on this legislation. Finally, this exchange of letters will be included in the committee report filed by the Committee on Transportation and Infrastructure and included in the Congressional Record when the bill is considered on the floor.

Thank you again, and I look forward to continuing to work collaboratively with the Science Committee to ensure H.R. 3684 passes the House and is enacted into law.

Sincerely,

PETER A. DEFAZIO,

Chair.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to H.R. 3684.

Here we are again. It is ''Groundhog Day'' for infrastructure on the floor this week. Exactly 1 year ago, I stood here as we took up the majority's first version of its my-way-or-the-highway bill. That bill, just like today's, was developed without working with Republican Members, and it passed mostly along party lines. And then that bill died, forcing Congress to pass a 1-year, short-term extension, something that we all know is extremely costly, and it is detrimental to our States' ability to plan and carry out the improvements that they need.

Unfortunately, the Speaker has ignored the obvious lesson that successful legislating is through partnership, not through partisanship. As a result, today's bill is even worse than last year's failed effort.

This bill is completely unpaid for. It is completely unpaid for, something that I have never seen in a highway bill in my two decades here in Congress. It is all deficit spending, and it is going to continue driving up what is already the highest inflation rate since 2008.

Mr. Speaker, it didn't have to be this way. Earlier this year, our committee's leaders met with the President, and we made it clear that Republicans wanted to be a part of a bipartisan bill. I have no doubt that we could have compromised in a way that met many of the majority's goals while still including Republicans' priorities from our own proposal.

Far from being impossible, the Senate committees have managed to do just that. They found common ground on commonsense project streamlining, flexibility for our State and local partners, and equitable treatment for rural America.

However, in order to appease the progressives in their party, the majority showed no willingness to meet us anywhere in the middle. Instead, they moved their bill even further to the left than the one from last year. Ironically, even that won't be enough, as Speaker PELOSI right now is preparing another partisan effort that is going to completely overshadow this bill by pushing through a multitrillion-dollar, tax-and-spend plan using budget reconciliation.

Mr. Speaker, I will just walk through a few of the things, just a very few of the things that are wrong with this bill.

Mr. Speaker, $1 out of every $2 on this bill is tied up in the Green New Deal agenda. This bill eliminates a ban on spending transit dollars to fund art at train stations or transit stations. It is insane, given the infrastructure needs that we have in this country, that this bill would waste critical infrastructure resources on buying paintings and sculptures for transit stations.

This bill significantly increases the size of government. It creates 41 new programs.

As I mentioned, this bill provides no regulatory reform to make project delivery more efficient and less wasteful.

This bill ties the hands of States that need to build new roads and new capacity. Even if that is their most critical need, it still ties their hands.

These are just a few of the examples of why this bill is bad for the country. I can go on and on and on and on and on. This partisanship was absolutely unnecessary, and it is sad.

The Senate Environment and Public Works Committee and the Senate Commerce Committee have overwhelmingly approved their own pieces of a surface reauthorization. The Senate has also approved a bipartisan $35 billion water infrastructure plan. But instead of following that example or using the bipartisan agreement we had on clean water infrastructure that we agreed to last Congress as the framework, the majority again chose to walk away from bipartisanship.

This bill now includes more than $170 billion for drinking water and wastewater infrastructure, which is completely unrealistic, and it is out of touch with the Senate's bill and House Republicans. In fact, everything about this bill is out of touch.

Although the President currently supports a bipartisan infrastructure framework in the Senate, progressives in Congress have already declared that that Senate proposal is dead on arrival without first getting their massive partisan wish list. If they don't get it, they have stated that.

The Speaker and the far left are trying to hold infrastructure hostage in order to get their $6 trillion in other priorities through budget reconciliation.

While the other side says that all the spending in today's bill is supposed to transform our transportation system, it is certainly going to change one thing in transportation, and that is your gas prices. More deficit spending is only going to further fuel inflation and raise the price of not only gas but food and every other necessity.

Voting for this bill is an implicit endorsement of the Speaker's overall strategy to ram through a $6 trillion tax-and-spend reconciliation package, and I encourage Members to vote against this bill and against this partisan process.

Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), the chair of the Surface Transportation Subcommittee.

Ms. NORTON. Mr. Speaker, as chair of the subcommittee that helped write today's INVEST in America Act, I want to emphasize that this bill breaks with previous Transportation and Infrastructure bills generally passed every 4 or 5 years. Until today, we have simply updated the bill first passed during the Eisenhower administration.

However, today's bill, for example, for the first time tackles climate change in recognition that transportation leads as a source of greenhouse gas emissions. The need to reduce burning fossil fuels is a priority in this

bill to move us more quickly to zero emissions.

I am particularly focused on transportation infrastructure alternatives, like those here in my district, the District of Columbia, particularly transit, especially Amtrak, and establishing a pilot project for reduced transit fares for low-income riders.

Perhaps most important, this bill fundamentally reverses course by actively discouraging expansion of roads for the first time. This limitation is in recognition of climate change. Instead of incentivizing more miles of roads for cars, this bill encourages safer roads for walking, biking, and scooters. Today's bill repairs existing roads with climate-resilient materials rather than building new roads.

The INVEST in America Act changes course altogether in the interest of 21st century transportation realities from climate change to rapidly emerging alternatives to cars as forms of travel and mobility.

The 54 percent increase in funding for this bill is in keeping with the road to change course on transportation and infrastructure.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Mr. Speaker, today, we are debating a partisan bill that spends over $400 billion on everything but long-term investments in America's roads and bridges.

Despite being the largest percentage increase in surface transportation programs in the last quarter-century, very little of the money going out the door is directed at the policies, programs, and people that need it.

It ignores the need to streamline our project review process, creates more bureaucratic red tape, and, once again, leaves rural America behind.

A focus on the rail title, for example, reveals complete ignorance of the industry. Freight railroads are the most fuel-efficient way to move freight over land, covering more than 480 miles on a single gallon of fuel. Yet, my colleagues on the left included section 9607 that would require Class I freight railroads to replace locomotives constructed prior to 2008 with brand-new fossil-fuel-burning locomotives by 2030.

This ignores the significant efforts of the Class I freight railroads themselves to reduce greenhouse gas emissions and combat climate change. It locks the industry into utilizing internal combustion engines for decades, negating the ongoing efforts with suppliers to research, test, and adapt zero-emission locomotives for future incorporation into their fleets.

This section alone would cost the industry tens of billions of dollars and, needless to say, was written without the consultation of the railroads or stakeholders.

This is just one of the many examples in this partisan bill of the significant disconnect between constituents and the majority's Green New Deal agenda. We have a bill that cares more about appeasing the climate lobby than fixing the cracks in our bridges.

I cannot support this legislation today. Instead, I will continue working with my colleagues who are serious about addressing American transportation and infrastructure, and I encourage everyone to do the same thing.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PAYNE), the chair of the Railroads, Pipelines, and Hazardous Materials Subcommittee.

Mr. PAYNE. Mr. Speaker, I rise today to support the INVEST in America Act. It is a bill that I have co-led because it would help fix our country's decaying and unreliable infrastructure.

America has always used infrastructure to grow our Nation and our economy, but those improvements have left behind too many people in underserved and rural communities.

In Congress, we have a responsibility to make sure everyone has an opportunity to achieve the American Dream. That is why the INVEST in America Act is so critical.

It provides funds to build or improve roads, bridges, and tunnels throughout America, and it will allow access and development within those communities.

For example, it provides $95 billion to improve passenger rail travel nationwide. That figure includes almost $19 billion to help Amtrak upgrade stations and tracks. And it provides $13.5 billion for rail improvements in the Northeast corridor.

It would spend $25 billion to repair and rebuild bridges, train stations, and train tunnels across this Nation.

Most important, it provides $25 billion to modernize existing rail and expand into more American communities. The expansion would increase our opportunities for jobs and prosperity in underserved communities.

We need to make these investments now and improve the lives of millions of Americans in the process.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, I rise in opposition to H.R. 3684, which is nothing more than the Green New Deal in disguise. Whether it is creating dozens of new government programs or propping up failed passenger rail projects, the House Democrats' my-way-or-the-highway bill is bloated Big Government at its worst.

□ 1730

Democrats blocked every Republican attempt to improve the bill, including my amendment in committee that would stop taxpayer dollars for funding art through transit projects.

H.R. 3684 also bends the knee to Beijing, allowing communist China to profit off American investments in electric vehicles.

There is plenty of room for commonsense, bipartisan efforts on actual transportation infrastructure: Fixing roads and bridges, repairing airports, and even responsible investments in broadband.

But the majority is intent on ignoring these bipartisan prospects with irresponsible spending on socialism and driving up debt on the backs of American taxpayers.

I reject H.R. 3684, and I urge my colleagues to do the same.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JOHNSON), the chair of the Science, Space and Technology Committee, and a senior member of the Transportation and Infrastructure Committee.

Ms. JOHNSON of Texas. Mr. Speaker, I thank Chairman DEFAZIO for his leadership in bringing this bill to the floor.

I rise in strong support of H.R. 3684, the INVEST in America Act. This bill authorizes a tremendous funding boost to our Nation's surface transportation and infrastructure system, including a significant amount for my State of Texas. Failing to invest now will cost much more later.

The INVEST in America Act also makes significant investments in transportation research, development, and demonstration to support of safer and more resilient, equitable, and sustainable transportation future.

I am pleased to have inserted numerous provisions in the bill before us today, including one to establish a grants program in the Department of Transportation to develop transportation workforce training programs for workers adversely affected by industry automation; a sense of Congress to emphasize that contractors participating in a federally funded transportation contract with a minority-owned business must ensure that it is fulfilled.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DEFAZIO. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. JOHNSON of Texas. As well as an amendment to require the GAO to analyze the DOT's performance of key DBE objectives, and a provision to assist communities to retrofit transportation infrastructure.

Nothing in this bill is intended to build a wall in Texas, and I look forward to supporting this legislation.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, you can look back at history at highway bills and infrastructure bills, and all of these bills passed this House with strong bipartisan support. Seventy-five, 80 percent, 90 percent of the Members of Congress have supported these bills. You can look back, Mr. Speaker. For decades this has happened.

Why is this bill moving in an entirely partisan manner? Why is there not bipartisan support?

And the answer is really simple: Because this bill is not infrastructure. It

is not solving road problems and traffic problems that are plaguing this country.

What this bill does is it puts billions of dollars into things like EV charging stations. So if you are an American that owns the 0.6 percent of vehicles out there that are electric vehicles—the majority of which make over $160,000—the great news for you is you are going to get billions of dollars in federally paid-for subsidized charging stations.

The process needs to be fixed for delivering projects. This bill doesn't do it.

Why is it we are building projects around the country that have been around for decades?

It is because the process is flawed. It takes decades just to get a project approved, but don't worry, Mr. Speaker, because this bill fixes it for bus shelters.

This bill should be bipartisan, as has been done for decades. We need real traffic solutions, real investments in infrastructure, and unfortunately, this bill doesn't do it.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GARAMENDI), a member of the committee.

Mr. GARAMENDI. Mr. Speaker, I thank the chairman for his leadership and his partnership in this vital $715 billion INVEST in America Act. This bill will modernize our Nation's roads, bridges, transit, rail, water systems, and hasten the transition to carbon-free mobility and resilience to climate threats in America.

My amendments to the bill ensure that projects will be built by well-paid American workers with American made services and products. It does extend the NEPA timelines to ensure a timely project completion, and it also prioritizes evacuation routes and invests in corrosion resistance.

This bill also invests $27 billion for roads and transit in California over the next 5 years and three critical projects in my own district: $8.5 million for the 505 highway over crossing in Winters, California; $4 million for a multimodal transit/highway improvement in Vacaville; and a $7½ million project in Fairfield, and—I would dare say, for my colleagues on the Republican side—a whole lot of their community-based projects which apparently they want us to vote for but they don't have the willingness to vote for on their own.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Speaker, the bill before us today represents a missed opportunity to produce good, strong bipartisan legislation focused on the country's real infrastructure needs.

Instead, it is one focused on an agenda cloaked under the guise of the term ''infrastructure.''

This bill is all about Green New Deal mandates. In fact, for every $2 spent, $1 of that goes to meet these mandates.

The bill rejects widely supported bipartisan projects streamlining provisions that would save taxpayer dollars.

The bill creates 41 new programs and adds dozens of new eligibilities to existing programs for progressive priorities, which means true infrastructure needs are likely going to have access to fewer dollars.

The bill strips States of their ability to prioritize new roads and bridges. And we all know States need more flexibility to meet their infrastructure needs, not less.

Today's bill is also a missed opportunity to address our aging wastewater infrastructure.

In the most recent Congress, we reached a bipartisan agreement on a way to move forward on clean water infrastructure with realistic levels of funding that address the needs of our rural communities. Well, not this time.

Unfortunately, by choosing partisanship, the majority has chosen a very rocky path that will make it unlikely any final infrastructure package will be able to pass both Chambers and get to the President's desk during this Congress.

Mr. Speaker, it didn't have to be this way.

Mr. DEFAZIO. Mr. Speaker, may I ask how much time is remaining?

The SPEAKER pro tempore. The gentleman from Oregon has 10½ minutes remaining. The gentleman from Missouri has 19-minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HUFFMAN), a member of the committee.

Mr. HUFFMAN. Mr. Speaker, it is important that this 5-year surface transportation reauthorization invests in a cleaner, greener transportation future while helping create great-paying jobs for American workers, but the INVEST in America Act does more than that. It finally restores Congress' Article I prerogative in controlling the power of the purse.

Through an open, transparent process, Member-designated projects will ensure that elected Representatives of the people have at least some say on which surface transportation projects get funding. And in my district that means expanding the SMART rail service into Healdsburg and further north, closing the gaps in a pedestrian and bike pathway along San Francisco Bay Trail, providing ADA accessibility and educational signage at the mouth of the Smith River Overlook, and planning for a safe pedestrian crossing at the San Rafael Channel.

The INVEST Act will also start planning for improvements along Route 37 to benefit both commuters and the environment in the face of rising sea levels.

I thank Chairman DEFAZIO for his leadership on this bill, and I look forward to sending it to President Biden's desk for his signature.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. BOST).

Mr. BOST. Mr. Speaker, I thank the gentleman for yielding.

With this bill, House Democrats are saying that when it comes to our Nation's infrastructure, it is either their way or the highway.

Instead of accurately investing in our roads and bridges, the House Democrats have chosen to double down on a liberal wish list.

In fact, $1 of every $2 in this bill is spent on parts of Green New Deal mandates.

It allows jurisdictions that have defunded the police to backfill their budgets with Federal dollars for traffic enforcement activities.

It allows funds to be spent on art instead of roads, bridges, and waterways. I will just repeat that again. It allows the funds to be spent on art instead of roads, bridges, and waterways.

It punishes our Nation's truckers by raising their minimum insurance costs by 167 percent and regulating when and how far they can drive their own vehicles on their own personal time.

And it does not include any way to pay for this massive $547.9 billion price tag.

I urge my colleagues to oppose this legislation.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from Nevada (Ms. TITUS), the chair of the Economic Development, Public Buildings, and Emergency Management Subcommittee.

Ms. TITUS. Mr. Speaker, I thank the chairman for yielding.

I rise in support of the INVEST in America Act, which focuses on rebuilding our Nation's highways, transit systems, railroads, and water systems.

These investments will spur economic development, tackle the climate crisis, and put people to work in good-paying union jobs.

I am proud that the Act includes some issues that I fought for that will benefit the State of Nevada, provisions to support projects of regional impact, like the completion of I–11 between Las Vegas and Phoenix; an expansion of the RRIF program to help with the development of high-speed passenger rail; projects to reduce congestion and improve air quality in our environmental justice communities; and resources for child passenger safety programs in our underserved communities.

Finally, I am glad to see Congress reassert its authority to direct funding to priority projects in a very transparent manner.

Critical infrastructure projects in southern Nevada will see $20 million in funding to support congestion relief, transit, and safety enhancements on roadways that cross and crisscross the district.

The INVEST Act sends a clear and strong message about our priorities, and I congratulate our chairman for his hard work on this issue.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, I do have to clear up one point made earlier. The sales of gas Mustangs are double that of the so-called four-door electric Mustang in the month of May, and the gas Mustang is triple that of the electric Mustang for the year. As a Mustang driver, I had to get that out.

So when we had the Biden administration announcing an over $2 trillion spending package, but we only end up with 6 percent in expenditures for roads and bridges, it is a bait and switch.

Indeed, it seems like the Democrats are trying to take this miniscule investment in infrastructure and challenge themselves to waste it on something else in Green New Deal programs.

It is already a big enough challenge to get money and keep money in infrastructure these days and keep it from being siphoned off.

This bill does nothing to reform or fix the 30 percent of overhead costs that go towards frivolous regulation, et cetera. That means they are planning to waste right off the top $160 billion of their own proposal.

In California, with the high-speed rail boondoggle, they are setting aside $25 billion for a program that originally was going to cost $33 billion, according to how it was sold to the voters. So this needs to be stopped and put into programs that people can actually use like their road system.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. BROWN), a member of the committee.

□ 1745

Mr. BROWN. Mr. Speaker, first, let me thank Chairman DEFAZIO, Chairwoman NORTON, and Chairman PAYNE for their leadership.

This bill will get our infrastructure working again; fund new, transformative projects; and create good-paying American jobs. We need 21st century infrastructure that meets the challenges facing the Nation, and that is exactly what the INVEST in America Act will do:

With investments in our communities, including more than $6.2 billion to Maryland's highway and transit systems;

With an emphasis on equity, including $3 billion to reconnect neighborhoods, particularly communities of color separated from local economic opportunities and divided by decades of bad infrastructure policy;

And with a modern approach to growth and development, including $134 million to promote Transit Oriented Development needed to create thriving and inclusive communities around our transit hubs, and promote safe multimodal transits in communities like New Carrollton in my district.

Mr. Speaker, this is a historic investment in America, and I urge its adoption.

Mr. GRAVES of Missouri. Mr. Speaker I yield 1½ minutes to the gentleman from Arkansas (Mr. WESTERMAN).

Mr. WESTERMAN. Mr. Speaker, the bill that passed the committee was partisan and wasteful.

As expected, the Speaker succeeded in making a bad bill even worse. That is crazy, but that is how it goes.

And things are going wrong for rural America in this bill. In fact, it specifically bans building new roads and lets road and bridge funding expire while playing favorites with urban transit funding, like Amtrak and Speaker PELOSI's pet train project. It mandates policies that make us more dependent on Chinese supply chains while Democrats refuse to allow development of our own resources.

The bill is more focused on the Green New Deal than the well-being of hard-working Americans—spending now with promises to tax later.

Speaker PELOSI said it herself last week. According to the Speaker: ''There ain't gonna be no bipartisan bill, unless we have a reconciliation bill. Plain and simple. In fact, I use the word 'ain't.' There ain't going to be an infrastructure bill, unless we have the reconciliation bill passed by the United States Senate.''

Mr. Speaker, listen to that. The Speaker is hellbent on raising your taxes and using them to increase wasteful spending. House Democrats, led by Speaker PELOSI, can't even get on board with their Democrat colleagues in the Senate and administration.

Maybe it is not too late to learn and do better. The STARTER Act is one way to move forward.

Mr. Speaker, whatever path we choose, it would be better than going off the rails on a crazy train bill like this one.

Mr. Speaker, I urge my colleagues to vote ''no.''

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from Georgia (Ms. BOURDEAUX).

Ms. BOURDEAUX. Mr. Speaker, I rise today in support of the INVEST in America Act.

This bill provides funding that will accelerate road repairs, reduce congestion, and shore up our water systems, all while creating good-paying jobs and building sustainable, green infrastructure.

Under the INVEST in America Act, Georgia will receive a $2.6 billion increase in funding for core infrastructure programs over the next 5 years, a 38 percent increase. With such an investment, we need to be innovative, forward-looking, and climate conscious.

The bill includes many of my FutureFit The Suburbs initiatives, providing funding for the expansion of greenways, express lane transit options to decrease congestion, renewable energy projects, innovative wastewater technology, and more.

The INVEST in America Act will jump-start innovation that will lead to economic growth in small towns, big cities, and suburban areas like mine.

Mr. Speaker, I urge my colleagues to vote in support of the INVEST in America Act.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BALDERSON).

Mr. BALDERSON. Mr. Speaker, I rise in opposition to H.R. 3684, the majority's ''my-way-or-the-highway bill.''

Rather than working with Republicans to deliver a commonsense, bipartisan bill that puts America's real infrastructure needs center stage, the majority has decided to fast track its Green New Deal agenda. In fact, half of the funding in this bill is tied up meeting Green New Deal mandates.

The majority refused to work with Republicans on policies to streamline the permitting process for construction projects. These policies will save taxpayers billions of dollars and move projects forward faster, while still ensuring world-class environmental standards.

Unfortunately, Republicans were shut out of the process, and the impact is clear. This bill places costly restrictions on local construction projects, includes catastrophic provisions that would put small trucking companies and independent truckers out of business, and relies on deficit spending, which will further fuel the problem of inflation.

Mr. Speaker, I strongly encourage my colleagues to reject this partisan process and vote ''no'' on H.R. 3684.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from Georgia (Ms. WILLIAMS), a new and esteemed member of the committee.

Ms. WILLIAMS of Georgia. Mr. Speaker, I rise today in support of the INVEST in America Act, which includes the legislative provision based on my bill, the Reconnecting Neighborhoods and Strengthening Communities Act.

This act is a long overdue matter of racial justice and environmental justice. The Federal Highway Act of 1956 built highways through the middle of cities, sometimes to intentionally displace Black families, disconnecting thriving communities, and made devastating economic impacts that still exist today.

We have a responsibility to undo the harm of these intentional decisions. Two examples of these disenfranchising projects are in the Fifth District of Georgia that you see right next to me. The Sweet Auburn and Summerhill communities were divided by the construction of the downtown connector and I–20.

Millions of people in the districts across the country will benefit from the Reconnecting Neighborhoods Program because the government built these projects in virtually every major city.

My program invests in the redesign or removal of infrastructural barriers built through communities of color. It ensures the infrastructure of the future will serve communities rather than divide them.

Mr. Speaker, I urge my colleagues to vote ''yes.''

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. BURCHETT).

Mr. BURCHETT. Mr. Speaker, I rise in opposition to this legislation.

Improving and reauthorizing our Nation's surface transportation programs should take priority over advancing a very liberal, woke, partisan agenda. These programs should fund our roads, railways, and waterways, and should be the foundation of our country's long-term economic success.

Mr. Speaker, instead of working with Republicans, the majority advanced a partisan bill that dramatically increases spending and regulation that would stifle development. I even had an amendment that was nonpartisan. It was just a technical correction, which was agreed upon by several Members, and it went straight down party lines. So if anybody tells you this is a bipartisan bill, they are speaking with a very forked tongue.

It redirects funding away from basic investments and physical infrastructure and towards social programs, new regulatory regimes, and government mandates on business. Out-of-control spending by Congress and the Biden administration has triggered an inflation crisis that is leaving less money in the pockets of working folks.

Mr. Speaker, American citizens cannot afford another partisan spending boondoggle orchestrated by Washington liberals. I urge my colleagues to join me in opposing this bill.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. MALINOWSKI), a member of the committee.

Mr. MALINOWSKI. Mr. Speaker, the INVEST in America Act will put millions of Americans to work building 21st century infrastructure that will make us again the envy of the world.

This is not Eisenhower 7.0, as the chairman often reminds us. Of course, we are going to fix our highways, but we are not just going to keep building bigger and wider ones. We are going to do something as new and as bold today as the Interstate Highway System was in the 1950s.

So, yes, the bill invests in EV charging. Yes, it makes record investments in passenger rail, including our important Hudson Tunnel between New Jersey and New York.

And please, don't tell New Jersey commuters that they are riding the Green New Deal to work every day. They just want better trains that will get there faster than they did 100 years ago.

Anyone who wants to do just what we have been doing here for the last few decades is basically saying they want to let other countries, like China, master and market the clean energy technologies of the future.

Well, I am not going to cede our leadership. I want America to win. I want America to do big and bold and great things again.

Mr. Speaker, I am going to vote for this bill.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota (Mr. JOHNSON).

Mr. JOHNSON of South Dakota. Mr. Speaker, railroad hauls 40 percent of America's long-haul freight, but it makes up only 2 percent of our transportation-based emissions.

Now, unfortunately, the INVEST in America Act tells freight railroads that they need to replace all of their older locomotives with newer, albeit only marginally cleaner, fossil-fuel burning locomotives. And this will be incredibly expensive. Again, only slightly cleaner. And that cost will slow industry's progress toward the development of zero emission locomotives.

There is a cleaner, a better, a less prescriptive, and a less expensive way to make this transition. You think about slowing the deployment of those locomotives will actually hinder the majority's fight against climate change.

Mr. Speaker, I would say that this part of the INVEST in America Act moves in the wrong direction, like so many parts of the INVEST in America Act, and it is one more good reason to vote ''no.''

Mr. DEFAZIO. Mr. Speaker, may I inquire how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Oregon has 4½ minutes remaining. The gentleman from Missouri has 12 minutes remaining.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. VAN DREW).

(Mr. VAN DREW asked and was given permission to revise and extend his remarks.)

Mr. VAN DREW. Mr. Speaker, I rise in opposition to H.R. 3684.

Our country's infrastructure is crumbling. Prices are surging everywhere. Yet before us is an infrastructure plan that fails to address America's needs, and, in fact, will make our lives even more expensive. This bill neglects to fix the bureaucracy that makes the United States one of the most difficult places in the world to build infrastructure.

The bill diminishes American energy prosperity and grows our dependence on the Chinese Communist Party's slave labor. The bill makes goods and services more expensive by overregulating American workers and American businesses.

To put it simply, this bill makes it more expensive to be an American.

We need truly bipartisan legislation to address the American infrastructure crisis. We should focus on traditional infrastructure by investing in roads and bridges and dams, as well as modern infrastructure of broadband internet. We should strengthen American supply chains so that the American infrastructure boom is fueled by American materials, American workers, and American businesses.

Mr. Speaker, these are the steps we must take to build a stronger America. I and all of us will never stop fighting for this vision of American greatness.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. STANTON), a member of the committee.

Mr. STANTON. Mr. Speaker, I thank the chairman for his incredible leadership up to this point and moving forward as we get the INVEST in America Act passed in this House and soon signed by the President of the United States.

It is bold. It is transformative. And it is the investment we need now to compete in the 21st century economy.

Mr. Speaker, this bill includes long-delayed, incredibly important investments in Arizona's roads, bridges, transit, rail, and water infrastructure. Arizona will receive more than $5 billion for highways and almost $1 billion for transit.

Importantly, it supports major Arizona projects: I–11, public transit in cities big and small, key investments to support local communities, and improve the way we move people and goods.

It directs significant resources to our long overlooked Tribal communities throughout the State. It also addresses urgent water needs in my State by increasing investments in drinking water and wastewater infrastructure.

Mr. Speaker, the time for action is now, and I urge my colleagues to support this historic investment in the American people and our American economy.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. GUEST).

Mr. GUEST. Mr. Speaker, this legislation includes more than $715 billion in wasteful spending.

One out of every two dollars would go toward Green New Deal requirements. Funding for passenger rail for big cities has been increased eight-fold in this bill, sacrificing our rural roads and bridges for costly urban projects. The Electric Charging Station Grant Program in this bill would receive four times more funding than a rural grant program and take away funding from States that don't comply; even in States like Mississippi, which has less than 1,000 electric vehicles.

This bill is bad for our economy. It is bad for our rural States. And without significant change, this bill is bad for America.

□ 1800

Mr. DEFAZIO. Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, this bill is so important to the Nation and to Texas that I had to come and rename it: Repair, innovate, restore, inspire.

Thank you for the INVEST in America Act that looks at social equity, that realizes we cannot concrete our way to a better quality of life, that also invests in those issues of dams and bayous and roads and bridges, but at the same time recognizes the economic engine that climate change is, the economic engine that investment in workers is, and, as well, recognizes that we have a new day in America where transit is for everyone.

Mr. Speaker, I thank the chairman for giving us transit for America.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. VAN DUYNE).

Ms. VAN DUYNE. Mr. Speaker, there are very few issues that we work on that have such an impact on every single person's daily life as an infrastructure bill. It is what moves people. It is what moves goods.

That is why we need a bill that makes us globally competitive. We need a bill that builds roads and bridges. We need a bill that decreases traffic and improves people's quality of life. Doing so, by the way, would decrease carbon emissions. But this bill actually bans new roads by stripping States of their ability to prioritize building new roads or bridges.

We need a bill that makes it more efficient to move products from place to place, and we need a bill that takes control out of the hands of bureaucrats and empowers local leaders because they know best what their community needs. Unfortunately, this bill does none of those things.

What it does do is increase inflation, cost, and debt. There are zero proposals to pay for this bill. It is not a serious attempt to legislate. It is another partisan wish list and, sadly, another missed opportunity to uplift the everyday lives of Americans.

This misguided legislation is not what the American people need. I hope calmer heads will prevail, and we see that a real bipartisan effort to get this important work done actually happens.

Mr. Speaker, I urge opposition.

Mr. DEFAZIO. Madam Speaker, I yield 1 minute to the gentlewoman from Kansas (Ms. DAVIDS), the vice chair of the committee.

Ms. DAVIDS of Kansas. Madam Speaker, I rise in support of the INVEST in America Act.

This comprehensive bill builds our economy back better than before, creates good-paying jobs, and tackles climate change.

In the Kansas Third, there is a particular highway that has been a priority since my predecessor's predecessor. It is the busiest four-lane road in the State, experiencing increased crashes and constant congestion.

Folks in our district disagree on plenty, but not this. U.S. 69 must be addressed.

I am now the vice chair of the Transportation and Infrastructure Committee, the first Kansan to serve on the committee in a decade. I am proud to say this bill puts us one step closer to bringing home the Federal investment necessary to reduce congestion, increase safety, and attract economic development.

It also includes two provisions I introduced on resiliency and responsible financing, saving taxpayer money and bringing smart investments home.

For the people sitting in traffic, waiting for the bus in Wyandotte County, or wondering why that one road floods every year no matter how many times we fix it, this cannot wait. If we fail to act, these authorizations will run out by October.

Madam Speaker, I urge my colleagues to support the INVEST in America Act to create jobs and propel our infrastructure into the modern era.

Mr. GRAVES of Missouri. Madam Speaker, can I inquire as to how much time is remaining?

The SPEAKER pro tempore (Ms. JACKSON LEE). The gentleman from Missouri has 8½ minutes remaining. The gentleman from Oregon has 2 minutes remaining.

Mr. GRAVES of Missouri. Madam Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Madam Speaker, rather than working across the aisle to advance a bipartisan highway bill, as they are attempting to do in the Senate, House Democrats have jammed a partisan bill through to the floor that puts America on a road to nowhere.

This bill is nothing but a partisan wish list that prioritizes the Green New Deal agenda over the core needs of our Nation's infrastructure, like roads and bridges. In fact, the bill before us would actually prevent the building of new roads, ripping away the ability of States to prioritize the needs of local communities.

I was sent to Washington to ensure our government is transparent and accountable for every action it takes. Spending $1 out of every $2 to comply with Green New Deal mandates is absolutely ludicrous.

I will not accept a deal that puts big cities and Big Government over the interests of the American taxpayers who I represent in rural America.

We are willing and open to negotiating realistic ways to rebuild our highways and infrastructure, but it must be done in a fiscally responsible manner and not through deficit spending.

Madam Speaker, I urge a ''no'' vote on this misguided piece of legislation.

Mr. DEFAZIO. Madam Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Madam Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. MURPHY).

Mr. MURPHY of North Carolina. Madam Speaker, today, I rise in opposition to H.R. 3684. American infrastructure is in dire need of repair, but this is just not the way to do it.

One provision lifts a longtime ban against spending Federal money on art and nonfunctional landscaping. It is sad when tax dollars are diverted to afford art projects rather than fixing crumbling bridges, buildings, and roads.

That is why I introduced H.R. 3208, which would amend the U.S. Code to explicitly define what the term ''infrastructure'' means so we can better allocate taxpayer dollars. In my bill, the term ''infrastructure'' is defined as being specific to bridges, dams, wharves, roads, highways, ports, buildings, and public utilities, including broadband, airports, and train stations, not childcare.

This messaging bill prioritizes Pelosi's party and its green agenda over the needs of this great Nation. I urge my colleagues to vigorously oppose passage of this misguided bill.

Mr. DEFAZIO. Madam Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Madam Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. NEHLS).

Mr. NEHLS. Madam Speaker, my amendment, which was rejected by the majority, calls for cities—think about this now—that have defunded their police forces from receiving Federal National Highway Traffic Safety Administration grants for traffic enforcement.

Look at Austin, look at Seattle, look at Oakland, look at New York, millions and millions of dollars being defunded from their local law enforcement agencies. They should not be eligible to apply for Federal grant funds in the millions of dollars after they have chosen to defund their own agencies. It makes no sense.

Look at Oakland and look at the other cities today. Crime is on the rise. Violence in these liberal cities is out of control, and still, these cities continue to defund their police departments. They should not be allowed to tap into Federal grant moneys when they have chosen to defund their police.

Madam Speaker, I cannot support such hypocrisy, and I will be voting against this bill.

Mr. DEFAZIO. Madam Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this bill basically lets the American people down. This is a missed opportunity for partnership, a chance to come together and pass a bill that addresses the real infrastructure needs of all of our communities, from the largest cities right down to our most rural areas.

Members on the other side have said that they don't want another traditional highway bill, but we can't abandon our roads and bridges just to say we want something new. Our core infrastructure has become traditional because Americans depend on it to work, travel, and live.

That is why every highway bill that has become law for at least the last three decades has done so based on bipartisanship, Democrats and Republicans sitting down together with their

priorities and putting in the work to find common ground that both sides can support.

We could have found common ground and achieved many of the goals while addressing Republican priorities, as well. That is what the American people want us to do. That is what the President at least said that he wanted, and that is what the Speaker actually said she wanted our committees to do.

But the process that led us here didn't reflect any of those calls to unity. What is even more frustrating is that we did have a bipartisan agreement in place, at least part of it, ready to take up again, and that was the wastewater section of this bill. But the majority, again, blatantly rejected the chance to work together on another infrastructure issue that has been and should continue to be bipartisan.

This bill only reflects the majority's one-size-fits-all vision for what they think our infrastructure should look like. It doesn't reflect the realities of what actually addresses the needs of our communities.

Today, I am going to ask my colleagues to consider this: Does this help your communities? Do you consider art to be infrastructure? Do you feel good about spending $550 billion on a highway bill that restricts communities from building highways? Most importantly, can you ignore the reality of spending more than $715 billion with no pay-fors, no revenue title, just piling more debt onto our children's future and driving up inflation?

For me, that answer is really simple. It is no.

What is worse, progressives are not going to let this bill or any real infrastructure bill become law unless they get their $6 trillion partisan wish list. They are holding infrastructure hostage to achieve their socialist tax and spend agenda.

Madam Speaker, I urge my colleagues to oppose this bill and the majority's partisan process, and I yield back the balance of my time.

Mr. DEFAZIO. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, we have heard a lot from their side that we should have worked with them. They offered an alternative. They have talked a lot about how we are not putting money into bridges and highways. We are putting in $333 billion, and they put in $310 billion, and I am not even sure that they included anything on safety. They had zero on rail—zero—and status quo for transit. That is a 21st century transportation bill?

As I mentioned earlier, we have built 35,000 lane miles in the hundred largest cities. Guess what? They are running out of space. They have to tear down neighborhoods to build any more, and it is not working.

Congestion is six times worse than it was 35 years ago. Americans waste $170 billion a year in congestion. Business wastes time in congestion.

We need to solve these problems, and we have to look at new ways of solving these problems. What we have been doing since Dwight David Eisenhower was great at the time. It doesn't work in the 21st century.

They continue to deny the threat of climate change or even the existence of climate change. I tried to say: Okay, you can't acknowledge climate change. Trump won't let you do that, and fossil fuel contributors won't let you do that. How about this? You acknowledge that there is a business case to be made.

GM is going all electric, all electric in 2035. Where are they going to charge? You have four companies making 80,000-pound tractor semis. Fred Smith, FedEx, going all electric in the near term—no place to charge them except at fleet headquarters. They have to be able to charge on the road.

But, no, we shouldn't invest in EV charging. We should just keep doing the same thing. We should keep polluting the atmosphere.

But they do believe in resilience. We have to build up Louisiana and other places, Florida, to deal with sea level rise. Why is the sea level rising? We have to deal with extraordinary, unprecedented climate events. We have to deal with those in rebuilding our infrastructure. ''Oh, no. Why is that happening?'' ''Don't worry about that.''

We will do that, but we will not go to the root cause.

We are doing all three. We are rebuilding resilient; we are rebuilding America and creating jobs. We are making the country more efficient. And we are dealing with climate change. This is the 21st century. Deal with the threats of the 21st century.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The time of the Committee on Transportation and Infrastructure has expired.

□ 1815

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the INVEST in America Act marks an important first step forward on President Biden's jobs agenda. This legislation invests in surface and water infrastructure to create jobs, revitalize the economy, and improve public health.

I appreciate all the hard work that Chairman DEFAZIO and the members of the Transportation and Infrastructure Committee have done to make our transportation sector greener and more equitable.

I am proud of the important drinking water legislation and vehicle safety legislation that is included in this bill that came out of my committee, the Energy and Commerce Committee.

Madam Speaker, the drinking water provisions of this bill combine two pieces of legislation, the AQUA Act of 2021, authored by Environment and Climate Change Subcommittee Chairman TONKO, and the Low-Income Water Customer Assistance Program led by Representatives BLUNT ROCHESTER, KATKO, DINGELL, and TLAIB.

Safe drinking water is one of our most fundamental human rights, yet right now, there are millions of Americans across the country who cannot trust that the water coming out of their taps is safe. That is simply unacceptable, and it is why the INVEST in America Act invests $117 billion to address drinking water infrastructure safety and affordability.

The legislation increases authorizations for drinking water programs by more than $80 billion, including funding to replace lead service lines nationwide. There is no safe level of lead exposure. It comes with tremendous human health risks, and that is why we must replace the lead service lines that deliver our water and ensure every home is safe from lead contamination.

The legislation also funds water resiliency programs, school drinking water safety programs, and Tribal water programs. Investments in drinking water infrastructure have a proven track record of creating jobs while improving public health protections. Requirements included in this bill will ensure those jobs and those health benefits reach environmental justice communities.

The bill will also improve drinking water safety by repairing the broken standard-setting process under the Safe Drinking Water Act. We all know that we need to do more to ensure the safety of our drinking water. This bill would make targeted changes and set deadlines to empower the EPA to set the protective drinking water standards that our communities need.

Madam Speaker, the bill provides assistance to low-income families so they can afford their water bills. Financial hardship should not stand between any family and basic access to water. This bill creates two water assistance programs similar to the successful Low Income Home Energy Assistance Program, better known as LIHEAP.

We also authorize funding to reduce or eliminate customer debt and prohibit water service shutoffs for 5 years for the participating water systems. These funds will give families peace of mind that they will continue to have access to safe, clean, and affordable water.

The legislation also includes auto safety reforms that mandate proven safety technologies that could save 20,000 lives per year. In 2020 alone vehicular crashes resulted in over 42,000 deaths. The INVEST in America Act includes a bold vision of safety and innovation that will save lives, boost domestic manufacturing, and strengthen our industrial base. The safety reforms will deploy existing proven technologies that can have immediate lifesaving effects such as crash avoidance systems, drunk driving prevention technology, and it will put an end to children dying in hot cars.

It also includes my Five-Stars for Safe Cars Act, legislation modernizing the five-star safety rating for the 21st century, providing consumers with

meaningful comparative information about the safety of vehicles.

Now, in addition to our water and safety provisions, Madam Speaker, there are several important amendments that will strengthen the bill even further.

Particularly, I urge support for an amendment from Energy Subcommittee Chairman RUSH that will supercharge electric vehicle infrastructure and electric vehicle deployment. It also encourages the domestic manufacturing of electric vehicle and infrastructure components.

I also urge support for Representative DINGELL's clean energy technology accelerator amendment that incorporates her bipartisan legislation with Representative YOUNG and provides financing for clean energy infrastructure.

So, Madam Speaker, the INVEST in America Act is transformative legislation that focuses our investments where they belong: revitalizing and modernizing our infrastructure, creating new, good-paying jobs, and taking a critical step to fulfill President Biden's promise to build back better.

Madam Speaker, I urge strong bipartisan support for this legislation, and I reserve the balance of my time.

Mrs. RODGERS of Washington. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today on H.R. 3684, the INVEST in America Act.

I support improving America's infrastructure, but even a broad definition of infrastructure doesn't include creating a massive network of centralized planning, unreasonable regulations, and undisciplined debt. This is not how we win the future.

We have shown how working together can result in positive improvements for drinking water systems. Take the America's Water Infrastructure Act of 2018, AWIA, which was a huge bipartisan win for water infrastructure. Today, while the bill before us renews several AWIA authorizations, H.R. 3684 is plagued by significant controversial policy choices.

First, it authorizes drinking water loan fund spending amounts that are triple those requested in the President's fiscal year 2022 budget, $1.35 billion versus $4.14 billion.

It also layers an expensive, new, 10-year, $45 billion public and privately owned lead service replacement program on top of two existing EPA programs. It does so even though EPA is at least 2 years away from determining where lead service lines should be replaced, and the costs involved.

Second, the legislation makes radical changes to EPA's regulatory authority for drinking water contaminants. It promotes stringency rather than health.

It will raise costs on all customers, including low-and middle-income families and punish communities with the lowest rate bases.

H.R. 3684 strikes the requirement in the Safe Drinking Water Act that costs of a regulation be in line with its health benefits. That allows communities to protect public health without overspending their finite public health resources on minimal risks. Communities must be allowed to prioritize their limited resources on their most pressing concerns.

The INVEST in America Act also removes language permitting our lowest and smallest communities—with EPA approval—to use more affordable technology that protects people's health.

This bill authorizes $4 billion to pay off unpaid bills from the last 15 months—even though Congress has already provided at least $1.1 billion to do this. Importantly, water systems that participate in this program are prohibited from collecting old amounts from their customers for 5 years, regardless of income. This will cripple water systems' ability to meet expenses and plan.

If that is not enough, H.R. 3684 creates a new, $8 billion entitlement program at the EPA. This is EPA's first-ever entitlement program. It creates barriers for smaller, poorer, water systems and requires EPA to study the need for this program only after it starts handing out all this money.

Without dramatic changes, I can't support this bill, and I urge opposition. I encourage all Members of the House to support Republican amendments that correct its deficits, including my amendment with Ranking Member MCKINLEY, which builds upon the 2018 bipartisan efforts and reauthorizes more than $11 billion for the bipartisan drinking water programs from AWIA.

I also have to address the so-called auto safety title that the majority dropped into this bill.

In mid-April we agreed with the Energy and Commerce Committee Democrats to circulate a draft auto safety title to stakeholders, largely written by the Democrats, that included a proposal promoting autonomous vehicles. We worked in good faith—even when the majority backed off on their commitment for a legislative hearing. Our patience seemed to be rewarded with this rushed measure without even a markup.

It is notable that the framework for autonomous vehicles is missing in this legislation before us. We must provide a pathway for America to beat China and lead in the testing and the deployment of AVs.

This deficiency is a gift to the trial lawyers who make money off of unsafe roads.

It rewards the Teamsters, who completely misunderstood that our jurisdiction only includes passenger vehicles and not trucking. Their opposition hurts their brothers and sisters in labor who want to make these vehicles.

Sadly, this failure will hurt vulnerable communities. AV legislation, autonomous vehicles, self-driving cars, would deliver a whole new form of mobility for seniors and people with disabilities.

Our economy and national security is also compromised here as well. Inaction cedes the leadership of driverless cars to China, just like we did for communication equipment companies. It is not acceptable. We can do better.

Madam Speaker, I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY), who is a member of our committee and always looking to make everything green.

Mr. MCNERNEY. Madam Speaker, I rise today in support of H.R. 3684, the INVEST in America Act, and in support of my amendment to this legislation.

Water main breaks are one of the most visible signs of our deteriorating infrastructure. Some of our Nation's water pipes date back to the 19th century, and many are reaching the end of their designed lifetime.

Reports have found a 27 percent increase in water main breaks between 2012 and 2018—that is 6 years—equating to a break every 2 minutes nationwide.

Despite vast economic implications, most water main breaks don't even make the local news, and consistent data about them is not regularly collected. And as California faces the worst drought in decades, we do not have the luxury of remaining in the dark about our most valuable resource.

Under my amendment, data on water main breaks will be compiled in a publicly accessible database that will offer great opportunities for analysis and insights into this nationwide problem.

Increasing the consistent reporting of breaks will shine new light on the magnitude of this water infrastructure challenge and help us track the pace of improvements as we make needed repairs and replacements. The knowledge to be drawn from this new database will help all our drinking water utilities become more resilient in facing the challenges of climate change.

Furthermore, the work done by my colleagues and me in the Energy and Commerce Committee will ensure crucial drinking and wastewater infrastructure improvements that communities across the Nation desperately need. These provisions not only improve the water we drink and help keep pollution out of our rivers and lakes, they will also create good-paying jobs and tackle the climate crisis head-on.

Lastly, this legislation recognizes that working directly with our communities is the best way to identify the unique infrastructure needs of our specific districts. As a result, my district is set to receive much-needed funding for six separate infrastructure projects spanning road, rail, and public transportation infrastructure.

Madam Speaker, I urge my colleagues to support it.

Mr. JOYCE of Pennsylvania. Madam Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. LATTA), who is the ranking member of the Subcommittee on Communications and Technology.

Mr. LATTA. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise today to voice my disappointment and opposition to the INVEST in America Act and the amendment process.

The majority has missed the mark with this so-called infrastructure bill that doesn't even allow States to build new roads or bridges.

How are my constituents in rural Van Wert County going to get to school, work, doctor's appointments, or the grocery store without roads to drive on?

Rural America is not considered in this bill, and it does not increase safety on our roads.

I filed my legislation, the SELF DRIVE Act, as an amendment to create a Federal safety framework for autonomous vehicles, but it was not made in order. My amendment would have supported the safe testing and deployment of self-driving cars. This technology will save lives on roads, improve mobility for seniors and individuals with disabilities, and keep innovation and jobs in America.

Ironically enough, an amendment expressing the sense of the House to develop this type of Federal framework was made in order. Yet the bipartisan solution—the actual framework to improve roadway safety—will not be considered on the floor today.

I am disappointed this House is not prioritizing safety and American leadership by supporting self-driving vehicles. I remain at the table to work with Members on both sides of the aisle to enact legislation establishing a national AV framework.

Mr. PALLONE. Madam Speaker, may I inquire about the time remaining on each side.

The SPEAKER pro tempore. The gentleman from Pennsylvania has 8½ minutes remaining. The gentleman from New Jersey has 8½ minutes remaining.

□ 1830

Mr. PALLONE. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. TONKO), who is the author of the AQUA Act, which is the infrastructure piece of the water bill, and the chairman of the Environment and Climate Change Subcommittee.

Mr. TONKO. Madam Speaker, I thank the gentleman for yielding.

Every life and every job depends on safe drinking water. Unfortunately, our water systems have been underfunded for decades, and the EPA has been unable to finalize new national standards since 1996.

Division I will enhance our drinking water infrastructure, its quality, and its affordability. This bill includes the investments and the policy reforms that will make the Safe Drinking Water Act actually live up to its name.

It significantly increases funding for the State Revolving Fund. It funds lead line removals to the full extent. It addresses PFAS contaminations, which are an endangerment to public health.

This is a down payment on critical public health infrastructure that must be part of our infrastructure investments moving forward. We know our water systems need these dollars; and our constituents deserve to have safe, reliable, and affordable water, free from lead, from PFAS, and other dangerous contaminants.

We need to be stronger partners with those at the local levels of government. So I encourage support of this measure.

I thank Rick Kessler, Jacqueline Cohen, Anthony Gutierrez, Rebecca Tomilchik, and last, but not least, Brendan Larkin from the committee staff for their long hours put into this effort and their diligence as it relates to this division.

Mr. Speaker, I urge Members to support this bill.

Mr. JOYCE of Pennsylvania. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. BILIRAKIS), my friend and colleague.

Mr. BILIRAKIS. Mr. Speaker, I thank my friend from Pennsylvania, a great member of the Energy and Commerce Committee.

I want to express my disappointment with the inclusion of a partisan auto safety title in this legislation before us today. I hope the Senate is listening and sees that this does not represent a consensus, since this product completely bypassed the Energy and Commerce Committee.

We even agreed in April to circulate a draft safety title to stakeholders with our majority counterparts; drafts, I would add, that were largely written by them. But, sadly, they walked away from their own proposals, completely ignoring minority and stakeholder concerns, and bypassed regular order altogether.

One could only surmise that the directive came straight from the majority leadership.

And for what? To snatch defeat from the jaws of a bipartisan victory?

The National Federation of the Blind even supported an amendment I drafted, with their input, to increase transportation access and benefits for Americans with disabilities. The Rules Committee voted not to make it in order. It is truly puzzling that a vote for this previously bipartisan initiative would fall victim to such partisan politics.

Mr. Speaker, I urge a ''no'' vote on this legislation. We need to get back to the table and deliver for those who are left behind by this partisan bill.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Speaker, I strongly support the energy and commerce provisions in the INVEST in America Act.

I would like to speak briefly about the surface transportation side. An amendment I have in there adds a goal to the Highway Bridge Replacement and Rehabilitation Program that these investments increase the resiliency of bridges, including the ability to withstand disruptions from a seismic event.

The Pacific Northwest is due for a major seismic event, and our communities need to be able to take the necessary steps to ensure our infrastructure can withstand these disasters. This amendment will make that a possibility and ensure that projects focusing on seismic resiliency are prioritized by the U.S. Department of Transportation when they submit applications.

In my district, Interstate 205 is set for a massive retrofitting to improve the vital passenger and freight corridor and mitigate the awful congestion many of our communities currently face.

One of the key components of this project is to retrofit the Abernathy Bridge and make it seismically resilient. This bridge is a critical span over the Willamette River and will be essential in the event of a major disaster to coordinate first responders and supplies to affected Oregonians.

Mr. Speaker, I am proud to offer the amendment.

Mr. JOYCE of Pennsylvania. Mr. Speaker, I yield 1½ minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, this bill is riddled with problems, but one example I want to focus on right now is the Low-Income Water Customer Assistance Program.

I have an amendment that would rein in some of this program's outlandish spending and take a more targeted approach at water assistance.

Let me be very clear. I am not saying that there is not a need for a program such as this, and I am not saying that some people wouldn't benefit from it. All I am saying is that we should figure out the best way to attack the problem before authorizing $8 billion to fund it. Funding the program prior to a study is backwards.

The logical first step is to determine the scope of the problem, rather than just throwing money at it; and my amendment would do just that.

I would argue that the Democrats even recognize the need for a study. They included it in the bill. I am just arguing it should be done before the implementation of a permanent entitlement at the EPA, the very first of its kind, when the EPA said they didn't have the logistics or the ability to run the program.

This is irresponsible government, and it will come at the cost of taxpayers. Mr. Speaker, I urge my colleagues to consider this and vote ''no'' on the underlying bill.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. TLAIB), who has been so helpful in putting together the infrastructure and the assistance program in this bill.

Ms. TLAIB. Mr. Speaker, during my time in Congress, I have made it my mission to put into policy what we all should know to be true: That safe, clean water is a human right; that water is life.

This bill includes critical water provisions that will provide clean, affordable drinking water. Over 60 schools in one of my cities alone has garbage bags over their drinking fountains. So we must invest in lead pipe and school drinking fountain replacement so that no child has to drink poisoned water. This bill gets us closer to that.

We invest in water debt relief and low-income assistance so that nobody has to suffer the indignity of having their water shut off and having to rely on bottled water or collecting rainwater.

A couple in my district, Mr. Speaker, had to melt snow just to flush their toilets.

Millions of Americans have experienced inhumane water shutoffs, but this bill declares that nobody, especially our poor neighbors, should live without water in our country. We will stop water shutoffs.

And my amendment helps families to make it clear that everyone receiving assistance must be reconnected and stays connected. Again, we are getting closer to the root causes of shutoffs because in this bill we include reporting and data collection that is so critically important to understand why water is becoming unaffordable and inaccessible.

Again, it is important at all levels of government that we continue to work together in truly making water a human right.

Mr. JOYCE of Pennsylvania. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Arizona (Mrs. LESKO), my colleague and a member of the Energy and Commerce Committee.

Mrs. LESKO. Mr. Speaker, I rise in opposition to this bill.

This bill should be focused on proposals that make the United States more competitive in the global economy, and update our Nation's infrastructure; but instead it is filled with detrimental mandates.

Despite the fact that rail offers one of the most environmentally efficient ways to transport goods, this bill includes regulations that undermine the railroad industry's ability to offer competitive services. The bill effectively prohibits movement of liquefied natural gas by rail, despite extensive research into the safety of this method by the Department of Transportation.

This legislation also would allow the EPA to enact burdensome regulations on drinking water utilities, driving up costs for low-income consumers.

Under these new regulations, drinking water utilities that serve smaller, lower-income communities cannot receive direct funding from the EPA. This harms low-income consumers and those on fixed incomes. They will have to jump through burdensome hoops and will face increased costs that many of them cannot afford.

In drafting this bill, Democrats have pushed aside commonsense solutions to push their radical, partisan agenda.

Mr. Speaker, I urge my colleagues to oppose this bill.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. GARCÍA).

Mr. GARCÍA of Illinois. Mr. Speaker, I commend both Chairman PALLONE and Chairman DEFAZIO for their excellent work on moving forward the INVEST in America Act and clean water work as well.

I fought hard to advance equitable transit oriented development, create a National Frontline Transit Workforce Development Center, and ensure that our transportation system is focused on providing access to jobs and services for those who need it.

As we move forward toward a reconciliation package, I will keep fighting for robust investments to reduce carbon emissions and air pollution from transportation; expand mass transit and biking and walking options; and electrify every public transit bus, school bus, and commuter railroad in this country.

Mr. Speaker, we cannot wait any more for bold action. The climate crisis certainly won't wait.

Mr. JOYCE of Pennsylvania. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, can I ask again how much time remains on each side?

The SPEAKER pro tempore (Mr. MORELLE). The gentleman from New Jersey has 3½ minutes remaining. The gentleman from Pennsylvania has 4½ minutes remaining.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who is the chair of our Consumer Protection and Commerce Subcommittee, and is the author of many of the auto safety provisions in this bill.

Ms. SCHAKOWSKY. Mr. Speaker, I thank Chairman PALLONE for getting a transformative auto safety package into the INVEST in America Act. This will save tens of thousands of lives if we can get this passed, and I hope that we will see that happen.

We had a press conference this morning where we had people who have suffered such great harm. We heard the story of a limousine with 18 people, 6 from one family, that went up in flames because of a drunk driver.

We heard from a woman whose child died in a hot car. We have the Hot Car Act that would make sure that there is a warning that there is a child in the back seat, because 1,000 children, babies and toddlers, have died since 1990 in hot cars. This was a press conference with tears and anguish for preventable things, and I am so grateful that this is in the legislation.

I also just want to say that the city of Chicago has the most water lines with lead inside of them, and this legislation will deal with water safety. And this is so important because the lead poisoning does not go away. Children are affected for life because of that.

So the bills that I am talking about are lifesavers as part of this whole package of the INVEST in America Act.

I also want to thank Representative PETER DEFAZIO for his great work in putting this together.

Mr. JOYCE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I rise to oppose H.R. 3684 as a whole, and, in particular, the AQUA Act. This is yet another partisan attempt at unnecessary and costly legislation. These rush-to-spend bills are bad for rural America. They are bad for my constituents.

□ 1845

Every Member in this Congress wants safe drinking water for their communities and constituents. That is why we have already spent over $1 billion in the last 6 months on drinking water and on wastewater assistance.

The additional tens of billions of dollars that this legislation will spend is wasteful and gratuitous. Under this proposal, the EPA will be tasked, for the first time, with administering a welfare program, which will be worth $8 billion.

Worse yet, these bills restrict the rights of local and municipal authorities to best meet their customers' needs. In this legislation, local water utilities are prevented from taking action to collect overdue payments for up to 5 years, regardless of the income level of the offenders.

It would rescind flexibility for modest communities to have variances for their small water systems.

Furthermore, it would repeal provisions in the Safe Drinking Water Act that prohibit burdensome regulations where costs exceed benefits.

Unfortunately, this legislation yet again demonstrates the Democrats' fixation on urban centers while leaving rural Americans behind.

For all of these reasons, I strongly urge my colleagues to join me in voting ''no,'' and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself the balance of my time.

I respect my colleague from Pennsylvania, but I have to say, I totally disagree that this legislation is not necessary.

We know that America's drinking water infrastructure is failing. Anyone who experienced what happened in Flint, Michigan, or my own State, in Newark, knows that there are all of these lead pipes out there that need to be replaced. Congress has to take bold action to deliver crucial drinking water improvements that communities all around the Nation desperately need.

I heard what my colleague, Congresswoman TLAIB, said, that safe drinking water is a fundamental human right, and that is true. These bills include significant and meaningful investments and reform that will ensure that every household has safe, reliable, and affordable drinking water.

Congresswoman TLAIB and the Michigan delegation, they really brought

home to us, practically speaking, what needs to be done here, both with the infrastructure improvements for drinking water as well as for the assistance for households and those with debt.

Mr. Speaker, this is a very important bill. I urge bipartisan support, and I yield back the balance of my time.

Ms. PELOSI. Mr. Speaker, in November, the American people elected leaders committed to not only recovering from the pandemic and economic crisis, but to Building Back Better.

Americans know that now is the time to act boldly with a once-in-a-century investment to rebuild our nation's infrastructure.

With the INVEST in America Act, Democrats are honoring the faith placed in us, as we seize this historic opportunity to Build Back Better.

Thank you to Chair PETER DEFAZIO, who has been masterful in putting together this strong, jobs-creating package to rebuild America. Thanks also to Chair FRANK PALLONE, and to members of both committees for ensuring that the priorities of all our communities are represented in this legislation.

INVEST IN AMERICA ACT

This package was developed with the benefit of regular order, after dozens of hours of hearings and mark-ups, and hundreds of amendments debated.

And—proudly—as a result, it is transformative. It contains the goals of the President's American Jobs Plan, as it puts America on a path to create millions of good-paying jobs, ensure we can out-compete any other country and power economic growth for decades.

NEED FOR INVESTMENT

And it is desperately needed: America ranks 13th in infrastructure quality, with the American Society of Civil Engineer awarding us a ''C-'' grade.

We face a maintenance backlog of over $1 trillion in transportation alone—imposing serious costs on businesses and workers, who bear the burden of congestion, delays and missed opportunity.

As I often say, the most expensive maintenance is no maintenance.

COMPETITIVENESS

The INVEST in America Act will not only rebuild our infrastructure; it will rebuild our middle class—connecting workers with good-paying union jobs with benefits and helping working families recover from the pandemic and economic crisis.

It puts equity front and center. Its benefits target underserved communities: communities of color, rural communities and places with persistent poverty.

And it will take us into the future: advancing a zero-emissions future by expanding transportation alternatives, targeting pollution reduction, using greener materials and investing in resilient infrastructure.

EV INFRASTRUCTURE

We are particularly proud of the investments that this legislation makes in electric vehicle charging infrastructure.

This spring, before Easter, Chair DEFAZIO held a bipartisan hearing on electrification in which CEOs from companies such as FedEx testified. And they all, including Fred Smith of FedEx, said, ''We're going electric.''

Electric vehicles are the future, and America cannot be left behind.

DETAILS

The American people across parties support these initiatives, which include:

$343 billion investment in roads, bridges and safety: a more than 50 percent increase, focused on fixing existing infrastructure, including with $32 billion to ensure bridges in communities of all sizes are safer, more reliable and more resilient.

$109 billion for transit: a record investment to increase routes, reduce the maintenance backlog, expand service for rural communities and low-income riders and invest in zero-emission vehicles.

$95 billion for passenger and freight rail: tripling Amtrak funding for better service, reduced congestion and improved rail safety. We are particularly proud of the funding secured for the development of high-speed rail—which is the future.

Over $50 billion for wastewater infrastructure: improving services for vulnerable communities and prioritizing energy efficiency and resilience.

$117 billion for drinking water infrastructure, including to replace the 10 million lead service lines in use nationwide, including at an estimated 400,000 schools and child care facilities. As many here. I have traveled to Flint, Michigan over time and seen the dire need for improved drinking water infrastructure in this and so any other communities.

NEXT STEPS: JOBS & FAMILIES PLANS

The American people want and expect us to pass this legislation.

Once we do so, the House will work with the Senate to ensure that the strong and bipartisan provisions of our legislation are included in the final package. And we will work with them to secure robust investments in parents, workers and young people through the American Families Plan.

Our responsibility—and our pledge—is to pass and enact an infrastructure package and reconciliation bill that truly meet the needs of Americans.

The initiatives of President Biden's American Jobs and American Families Plans enjoy the strong support of the American people, including Republicans. Democrats are committed to making them law—so we can Build Back Better, with prosperity, opportunity and justice for all.

The SPEAKER pro tempore. All time for debate has expired.

Each further amendment printed in House Report 117–75 not earlier considered as part of amendments en bloc pursuant to House Resolution 508 shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Transportation and Infrastructure or his designee to offer amendments en bloc consisting of further amendments printed in House Report 117–75, not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. LAMB OF PENNSYLVANIA

Mr. LAMB. Mr. Speaker, pursuant to House Resolution 508, I rise to offer amendments en bloc No. 1.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 1, 2, 3, 4, 25, 32, 50, 51, 53, 55, 56, 57, 58, 59, 60, 64, 66, 68, 69, 71, 72, 73, 75, 83, 84, 87, 88, 90, 91, 93, 95, 96, 97, 99, 101, 102, 103, 105, 106, 109, 110, and 111, printed in House Report 117–75, offered by Mr. LAMB of Pennsylvania:

AMENDMENT NO. 1 OFFERED BY MS. ROSS OF NORTH CAROLINA

At the end of subtitle F of title I of division B, add the following:

SEC. 1640. ELECTRIC VEHICLE WORKING GROUP.

(a) ESTABLISHMENT OF WORKING GROUP.—Not later than 240 days after the date of enactment of this Act, the Secretary of Transportation and the Secretary of Energy shall jointly establish a working group consisting of Federal and non-Federal stakeholders to make recommendations on the development, adoption, and integration of light and heavy duty electric vehicles into the transportation and energy systems of the United States.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The working group shall be composed of—

(A) the Secretaries (or designees), who shall be co-chairs of the working group; and

(B) relevant Federal and non-Federal stakeholders, as determined by the Secretaries.

(2) REQUIREMENT.—The Secretaries shall ensure that the members of the working group include individuals with a balance of backgrounds, experiences, view points, and represent geographically diverse regions of the United States.

(c) MEETINGS.—The working group shall meet not less frequently than once every 120 days.

(d) JOINT REPORT AND STRATEGY ON ELECTRIC VEHICLE ADOPTION, OPPORTUNITIES, AND CHALLENGES.—

(1) IN GENERAL.—The Secretaries, in consultation with the working group, shall submit to Congress, a report on the status of electric vehicle adoption, opportunities, and challenges to expanding adoption of electric vehicles, and develop strategies to address these opportunities and challenges.

(2) DEADLINES.—A joint report and strategy shall be submitted to Congress by September 30, 2025.

(e) TERMINATION.—The working group shall terminate on the date on which the report and strategy under subsection (d) are submitted.

AMENDMENT NO. 2 OFFERED BY MR. AUCHINCLOSS OF MASSACHUSETTS

Page 782, line 6, insert the following:

SEC. 2206. NEW MUNICIPAL TRANSIT SERVICES TO BETTER CONNECT COMMUNITIES.

Section 5336 of title 49, United States Code, is further amended by adding at the end the following:

''(1) PASS THROUGH FUNDING.—

''(1) PASS THROUGH TO SERVICE PROVIDERS.—Designated recipients, upon request of a provider of new public transportation service, shall enter into a split letter or some other agreement under which not less than 80 percent of the funding apportioned under subparagraphs (A)(i) and (B)(i) of subsection (c)(1) to a service provider that results from the provision of new qualified transit services provided by such provider is passed through to such provider so long as the following conditions are met—

''(A) the service being provided as well as the service provider are eligible for assistance and meets or exceeds all Federal Transit Administration requirements, including the requirements of sections 5320 and 5333;

''(B) the service provided has submitted the appropriate data to the National Transit Database or has submitted such data to another regional entity for submission to the National Transit Database;

''(C) the service provider is eligible to be a recipient of Federal transit funds;

''(D) the service provider is able to use the funding for continued service or expansion of eligible transit services so long as any new service being provided does not duplicate existing service being provided; and

''(E) the regional metropolitan planning organization does not opt out of the pass-through requirement as allowed by paragraph (2).

''(2) OPT-OUT.—A metropolitan planning organization may elect to have designated recipients within the metropolitan planning area opt-out if such planning organization certifies with the Secretary that 1 of the following conditions are met:

''(A) The new service has not met the conditions outlined by paragraph (1) of this subsection.

''(B) The new service does not address or align with the policies and goals identified in the region's transportation plan.

''(C) The metropolitan planning organization or designated recipient has in place a process or policy that addresses multi-agency or regional issues with formula funds and includes an opportunity for new service providers to participate and receive necessary funding from such policy or program.

''(3) DEFINITIONS.—In this subsection:

''(A) NEW TRANSIT SERVICES.—The term 'new transit services' means public transportation services whereby data from the provision of services has previously not been submitted to the national transit database and is service created to increase access to public transportation, address areas which are not adequately serviced by high frequency public transportation, create first and last mile connections to existing public transportation services, or provide access to public transportation to long distance commute routes where no or limited service previously existed.

''(B) SERVICE PROVIDER.—The term 'service provider'—

''(i) has the meaning given the term 'local government authority' in section 5302; and

''(ii) means a public transportation agency.''.

AMENDMENT NO. 3 OFFERED BY MS. BARRAGÁN OF CALIFORNIA

Page 1510, after line 5, insert the following:

DIVISION H—OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM

SEC. 11101. OUTDOORS FOR ALL.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—

(A) IN GENERAL.—The term ''eligible entity'' means—

(i) a State or territory of the United States;

(ii) a political subdivision of a State or territory of the United States, including—

(I) a city;

(II) a county; and

(III) a special purpose district that manages open space, including park districts; and

(iii) an Indian Tribe, or Alaska Native or Native Hawaiian community or organization.

(B) POLITICAL SUBDIVISIONS AND INDIAN TRIBES.—A political subdivision of a State or territory of the United States or an Indian Tribe, including Alaska Native or Native Hawaiian community organization, shall be considered an eligible entity only if the political subdivision or Indian Tribe represents or otherwise serves a qualifying urban area.

(2) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term ''Indian tribe'' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(3) LOW-INCOME.—The term ''low-income community'' means any census block group in which 30 percent or more of the population are individuals with an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.

(4) OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM.—The term ''Outdoor Recreation Legacy Partnership Program'' means the program established under subsection (b)(1).

(5) QUALIFYING URBAN AREA.—The term ''qualifying urban area'' means an area identified by the Census Bureau as an area with a population of 30,000 or more in the most recent census.

(6) ELIGIBLE NONPROFIT ORGANIZATION.—The term ''eligible nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from tax under section 501(a) of such code.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(8) STATE.—The term ''State'' means any state of the United States or the District of Columbia.

(b) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary shall establish an Outdoor Recreation Legacy Partnership Program under which the Secretary may award grants to eligible entities for projects—

(A) to acquire land and water for parks and other outdoor recreation purposes in qualifying urban areas; and

(B) to develop new or renovate existing outdoor recreation facilities in qualifying urban areas.

(2) MATCHING REQUIREMENT.—

(A) IN GENERAL.—As a condition of receiving a grant under paragraph (1), an eligible entity shall provide matching funds in the form of cash or an in-kind contribution in an amount equal to not less than 100 percent of the amounts made available under the grant.

(B) SOURCES.—The matching amounts referred to in subparagraph (A) may include amounts made available from State, local, nongovernmental, or private sources.

(C) WAIVER.—The Secretary may waive all or part of the matching requirement under subparagraph (A) in underserved or low-income communities if the Secretary determines that—

(i) no reasonable means are available through which an applicant can meet the matching requirement; and

(ii) the probable benefit of such project outweighs the public interest in such matching requirement.

(D) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of funds provided to an eligible entity may be used for administrative expenses.

(c) CONSIDERATIONS.—In awarding grants to eligible entities, the Secretary will consider the extent to which a project may—

(1) provide recreation opportunity in underserved communities where access to parks is not adequate to meet local needs;

(2) provide opportunities for outdoor education and public land volunteerism;

(3) support innovative or cost-effective ways to enhance parks and recreation opportunities or delivery of services;

(4) support city park and recreation programming, by means including cooperative agreements with community-based eligible nonprofit organizations; and

(5) create native event sites or cultural gathering spaces.

(d) ELIGIBLE USES.—

(1) IN GENERAL.—A grant recipient may use a grant awarded under this section—

(A) to acquire land or water in a qualifying urban area that provides outdoor recreation opportunities to the public; and

(B) to develop or renovate outdoor recreational facilities in a qualifying urban area that provide outdoor recreation opportunities to the public.

(2) LIMITATIONS ON USE.—A grant recipient may not use grant funds for—

(A) incidental costs related to land acquisition, including appraisal and titling;

(B) operation and maintenance activities;

(C) facilities that support semiprofessional or professional athletics;

(D) indoor facilities such as recreation centers or facilities that support primarily non-outdoor purposes; or

(E) acquisition of land or interests in land that restrict access to specific persons.

(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to projects that—

(1) create or significantly enhance access to park and recreational opportunities in an urban neighborhood or community;

(2) engage and empower underserved communities and youth;

(3) provide employment or job training opportunities for youth or underserved communities;

(4) establish or expand public-private partnerships, with a focus on leveraging resources; and

(5) take advantage of coordination among various levels of government.

(f) NATIONAL PARK SERVICE REQUIREMENTS.—In carrying out the Outdoor Recreation Legacy Partnership Program, the Secretary shall—

(1) conduct an initial screening and technical review of applications received;

(2) evaluate and score all qualifying applications; and

(3) provide culturally and linguistically appropriate information and technical assistance to eligible entities and low-income communities about the opportunity to apply for funds under this section, the application procedures by which eligible entities may apply for funds, and eligible uses for funding.

(g) REPORTING.—

(1) ANNUAL REPORTS.—Not later than 30 days after the last day of each report period, each State lead agency that receives a grant under this section shall annually submit to the Secretary performance and financial reports that—

(A) summarize project activities conducted during the report period; and

(B) provide the status of the project.

(2) FINAL REPORTS.—Not later than 90 days after the earlier of the date of expiration of a project period or the completion of a project, each State lead agency that receives a grant under this section shall submit to the Secretary a final report containing such information as the Secretary may require.

AMENDMENT NO. 4 OFFERRED BY MR. BEYER OF VIRGINIA

At the end of the bill, add the following:

DIVISION H—WILDLIFE CORRIDORS CONSERVATION ACT OF 2021

SEC. 11101. SHORT TITLE; TABLE OF CONTENTS.

This division may be cited as the ''Wildlife Corridors Conservation Act of 2021''.

SEC. 11102. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Energy and Natural Resources of the Senate;

(B) the Committee on Environment and Public Works of the Senate;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Energy and Commerce of the House of Representatives;

(E) the Committee on Natural Resources of the House of Representatives;

(F) the Committee on Appropriations of the House of Representatives; and

(2) CONNECTIVITY.—The term ''connectivity'' means the degree to which the landscape or seascape facilitates native species movement.

(3) CORRIDOR.—The term ''corridor'' means a feature of the landscape or seascape that—

(A) provides habitat or ecological connectivity; and

(B) allows for native species movement or dispersal.

(4) DATABASE.—The term ''Database'' means the National Wildlife Corridors Database established under section 11308(a).

(5) FEDERAL LAND OR WATER.—The term ''Federal land or water'' means any land or water, or interest in land or water, owned by the United States.

(6) FUND.—The term ''Fund'' means the Wildlife Corridors Stewardship Fund established by section 11401(a).

(7) HABITAT.—The term ''habitat'' means land, water, and substrate occupied at any time during the life cycle of a native species that is necessary, with respect to the native species, for spawning, breeding, feeding, growth to maturity, or migration.

(8) INDIAN LAND.—The term ''Indian land'' means land of an Indian Tribe, or an Indian individual, that is—

(A) held in trust by the United States; or

(B) subject to a restriction against alienation imposed by the United States.

(9) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term ''Indian tribe'' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(10) NATIONAL COORDINATION COMMITTEE.—The term ''National Coordination Committee'' means the National Coordination Committee established under section 11306(a).

(11) NATIONAL WILDLIFE CORRIDOR.—The term ''National Wildlife Corridor'' means any Federal land or water designated as a National Wildlife Corridor under section 11201(a).

(12) NATIONAL WILDLIFE CORRIDOR SYSTEM.—The term ''National Wildlife Corridor System'' means the system of National Wildlife Corridors established by section 11201(a).

(13) NATIVE SPECIES.—The term ''native species'' means—

(A) a fish, wildlife, or plant species that is or was historically present in a particular ecosystem as a result of natural migratory or evolutionary processes, including subspecies and plant varieties; or

(B) a migratory bird species that is native to the United States or its territories (as defined in section 2(b) of the Migratory Bird Treaty Act (16 U.S.C. 703(b))).

(14) REGIONAL OCEAN PARTNERSHIP.—The term ''regional ocean partnership'' means a regional organization of coastal or Great Lakes States, territories, or possessions voluntarily convened by Governors to address cross-jurisdictional ocean matters, or the functional equivalent of such a regional ocean organization designated by the Governor or Governors of a State or States.

(15) REGIONAL WILDLIFE MOVEMENT COUNCIL.—The term ''regional wildlife movement council'' means a regional wildlife movement council established under section 11307(a).

(16) SECRETARIES.—The term ''Secretaries'' means—

(A) the Secretary of Agriculture, acting through the Chief of the Forest Service, concerning land contained within the National Forest System;

(B) the Secretary of Commerce;

(C) the Secretary of the Interior; and

(D) the Secretary of Transportation.

(17) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(18) TRIBAL WILDLIFE CORRIDOR.—The term ''Tribal Wildlife Corridor'' means a corridor established by the Secretary under section 11303(a)(1)(C).

(19) UNITED STATES.—The term ''United States'', when used in a geographical sense, means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau;

(J) the United States Virgin Islands; and

(K) the territorial sea (within the meaning of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)) and the exclusive economic zone (as defined in section 3 of that Act (16 U.S.C. 1802)) within the jurisdiction or sovereignty of the Federal Government.

(20) WILDLIFE MOVEMENT.—The term ''wildlife movement'' means the passage of individual members or populations of a fish, wildlife, or plant species across a landscape or seascape.

TITLE I—NATIONAL WILDLIFE CORRIDOR SYSTEM ON FEDERAL LAND AND WATER

SEC. 11201. NATIONAL WILDLIFE CORRIDORS.

(a) ESTABLISHMENT.—There is established a system of corridors on Federal land and water, to be known as the ''National Wildlife Corridor System'', which shall consist of National Wildlife Corridors designated as part of the National Wildlife Corridor System by—

(1) statute;

(2) rulemaking under section 11202; or

(3) a land management plan developed or revised under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(b) STRATEGY.—Not later than 18 months after the date of enactment of this Act, the Secretary shall develop a strategy for the effective development of the National Wildlife Corridor System—

(1) to support the fulfillment of the purposes described in section 11202(b);

(2) to ensure coordination and consistency across Federal agencies in the development, implementation, and management of National Wildlife Corridors; and

(3) to develop a timeline for the implementation of National Wildlife Corridors.

SEC. 11202. ADMINISTRATIVE DESIGNATION OF NATIONAL WILDLIFE CORRIDORS.

(a) RULEMAKING.—

(1) NATIONAL WILDLIFE CORRIDORS.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Secretaries, pursuant to the land, water, and resource management planning and conservation authorities of the Secretaries, shall establish a process, by regulation, for the designation and management of National Wildlife Corridors on Federal land or water under the respective jurisdictions of the Secretaries. Where a National Wildlife Corridor crosses federal land or water under the jurisdiction of several secretaries, then the Secretary must obtain concurrence from the applicable Secretaries before a National Wildlife Corridor may be designated.

(2) FEDERAL LAND AND WATER MANAGEMENT.—The Secretaries shall consider the designation of National Wildlife Corridors in any process relating to the issuance, revision, or modification of a management plan for land or water under the respective jurisdiction of the Secretaries insofar as a corridor is consistent with the purpose of the plan.

(b) CRITERIA FOR DESIGNATION.—The regulations promulgated by the Secretary under subsection (a)(1) shall ensure that, in designating a National Wildlife Corridor, the Secretaries—

(1) base the designation of the National Wildlife Corridor on—

(A) coordination with existing—

(i) National Wildlife Corridors;

(ii) corridors established by States; and

(iii) Tribal Wildlife Corridors; and

(B) the best available science of—

(i) existing native species habitat; and

(ii) likely future native species habitats;

(2) determine that the National Wildlife Corridor supports the connectivity, persistence, resilience, and adaptability of the native species for which it has been designated by providing for—

(A) dispersal and genetic exchange between populations;

(B) range shifting, range expansion, or range restoration, such as in response to climate change;

(C) seasonal movement or migration; or

(D) succession, movement, or recolonization following—

(i) a disturbance, such as fire, flood, drought, or infestation; or

(ii) population decline or previous extirpation;

(3) consult the Database; and

(4) consider recommendations from the National Coordination Committee under section 11306(e)(2)(C).

(c) DESIGNATION OF FEDERAL LAND OR WATER REQUIRING RESTORATION OR CONNECTION OF HABITAT.—The Secretaries may designate as a National Wildlife Corridor land or water that—

(1) is necessary for the natural movements of one or more native species;

(2) requires restoration, including—

(A) land or water that is degraded; and

(B) land or water from which a species is currently absent—

(i) but may be colonized or recolonized by the species naturally; or

(ii) to which the species may be reintroduced or restored based on habitat changes; and

(3) is fragmented or consists of only a portion of the habitat required for the

connectivity needs of one or more native species.

(d) NOMINATION FOR DESIGNATION.—

(1) IN GENERAL.—In establishing the process for designation under subsection (a)(1), the Secretary shall include procedures under which—

(A) any State, Tribal, or local government, or a nongovernmental organization engaged in the conservation of native species and the improvement of the habitats of native species, may submit to the Secretaries a nomination to designate as a National Wildlife Corridor an area under the respective jurisdiction of the Secretaries; and

(B) the Secretaries shall consider and, not later than 1 year after the date on which the nomination was submitted under subparagraph (A), respond to any nomination submitted under that subparagraph.

(2) SUPPORTING DOCUMENTATION.—A nomination for designation under paragraph (1)(A) shall include supporting documentation, including—

(A) the native species for which the National Wildlife Corridor would be designated;

(B) summaries and references of, with respect to the designation of a National Wildlife Corridor—

(i) the best science available at the time of the submission of the nomination for designation documenting why the corridor is needed; and

(ii) the most current scientific reports available at the time of the submission of the nomination for designation;

(C) information with respect to how the nomination was coordinated with potential partners;

(D) a description of supporting stakeholders, such as States, Indian Tribes, local governments, scientific organizations, nongovernmental organizations, and affected voluntary private landowners; and

(E) any additional information the Secretaries, in consultation with the National Coordination Committee, determine is relevant to the nomination.

SEC. 11203. MANAGEMENT OF NATIONAL WILDLIFE CORRIDORS.

(a) IN GENERAL.—The Secretaries shall, consistent with other applicable Federal land and water management requirements, laws, and regulations, manage each National Wildlife Corridor under the respective administrative jurisdiction of the Secretaries in a manner that contributes to the long-term connectivity, persistence, resilience, and adaptability of native species for which the National Wildlife Corridor is identified, including through—

(1) the maintenance and improvement of habitat connectivity within the National Wildlife Corridor;

(2) the implementation of strategies and activities that enhance the ability of native species to respond to climate change and other environmental factors;

(3) the maintenance or restoration of the integrity and functionality of the National Wildlife Corridor;

(4) the mitigation or removal of human infrastructure that obstructs the natural movement of native species; and

(5) the use of existing conservation programs, including Tribal Wildlife Corridors, under the respective jurisdiction of the Secretaries to contribute to the connectivity, persistence, resilience, and adaptability of native species.

(b) NATIONAL WILDLIFE CORRIDORS SPANNING MULTIPLE JURISDICTIONS.—In the case of a National Wildlife Corridor that spans the administrative jurisdiction of two or more of the Secretaries, the relevant Secretaries shall coordinate management of the National Wildlife Corridor in accordance with section 11301(b) to advance the purposes described in section 11201(b).

(c) ROAD MITIGATION.—In the case of a National Wildlife Corridor that intersects, adjoins, or crosses a new or existing State, Tribal, or local road or highway, the relevant Secretaries shall coordinate with the Secretary of Transportation and State, Tribal, and local transportation agencies, as appropriate, to identify and implement voluntary environmental mitigation measures—

(1) to improve public safety and reduce vehicle caused native species mortality while maintaining habitat connectivity; and

(2) to mitigate damage to the natural movements of native species through strategies such as—

(A) the construction, maintenance, or replacement of native species underpasses, overpasses, and culverts; and

(B) the maintenance, replacement, or removal of dams, bridges, culverts, and other hydrological obstructions.

(d) COMPATIBLE USES.—A use of Federal land or water that was authorized before the date on which the Federal land or water is designated as a National Wildlife Corridor may continue if the applicable Secretaries determine that the use is compatible with the wildlife movements of the species for which the National Wildlife Corridor was designated, consistent with applicable Federal laws and regulations.

TITLE II—WILDLIFE CORRIDORS CONSERVATION

SEC. 11301. COLLABORATION AND COORDINATION.

(a) COLLABORATION.—The Secretaries may partner with and provide funds to States, local governments, Indian Tribes, the National Coordination Committee, voluntary private landowners, and the regional wildlife movement councils to support the purposes described in section 11201(b).

(b) COORDINATION.—To the maximum extent practicable and consistent with applicable law, the Secretary or Secretaries, as applicable, shall develop the strategy under section 11201(b), designate National Wildlife Corridors under section 11202, and manage National Wildlife Corridors under section 11203—

(1) in consultation and coordination with—

(A) other relevant Federal agencies;

(B) States, including—

(i) State fish and wildlife agencies; and

(ii) other State agencies responsible for managing the natural resources and wildlife;

(C) Indian Tribes;

(D) units of local government;

(E) other interested stakeholders identified by the Secretary, including applicable voluntary private landowners;

(F) landscape- and seascape-scale partnerships, including—

(i) the National Fish Habitat Partnership;

(ii) the National Marine Fisheries Service;

(iii) regional fishery management councils established under section 302(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a));

(iv) relevant regional ocean partnerships;

(v) the Climate Science Centers of the Department of the Interior; and

(vi) the Landscape Conservation Cooperative Network;

(G) the National Coordination Committee; and

(H) the regional wildlife movement councils.

SEC. 11302. EFFECT.

(a) RELATIONSHIP TO OTHER CONSERVATION LAWS.—Nothing in this title amends or otherwise affects any other law (including regulations) relating to the conservation of native species.

(b) JURISDICTION OF STATES AND INDIAN TRIBES.—Nothing in this title or an amendment made by this title affects the jurisdiction of a State or an Indian Tribe with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in a National Wildlife Corridor or a Tribal Wildlife Corridor.

SEC. 11303. TRIBAL WILDLIFE CORRIDORS.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—

(A) NOMINATIONS.—An Indian Tribe may nominate a corridor within Indian land of the Indian Tribe as a Tribal Wildlife Corridor by submitting to the Secretary, in consultation with the Director of the Bureau of Indian Affairs (referred to in this section as the ''Secretary''), an application at such time, in such manner, and containing such information as the Secretary may require.

(B) DETERMINATION.—Not later than 90 days after the date on which the Secretary receives an application under subparagraph (A), the Secretary shall determine whether the nominated Tribal Wildlife Corridor described in the application meets the criteria established under paragraph (2).

(C) PUBLICATION.—On approval of an application under subparagraph (B), the Secretary shall publish in the Federal Register a notice of the establishment of the Tribal Wildlife Corridor, which shall include a map and legal description of the land designated as a Tribal Wildlife Corridor.

(2) CRITERIA.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall establish criteria for determining whether a corridor nominated by an Indian Tribe under paragraph (1)(A) qualifies as a Tribal Wildlife Corridor.

(B) INCLUSIONS.—The criteria established under subparagraph (A) shall include, at a minimum, the following:

(i) The restoration of historical habitat for the purposes of facilitating connectivity.

(ii) The management of land for the purposes of facilitating connectivity.

(iii) The management of land to prevent the imposition of barriers that may hinder current or future connectivity.

(3) REMOVAL.—

(A) IN GENERAL.—An Indian Tribe may elect to remove the designation of a Tribal Wildlife Corridor on the Indian land of the Indian Tribe by notifying the Secretary.

(B) EFFECT OF REMOVAL.—An Indian Tribe that elects to remove a designation under subparagraph (A) may not receive assistance under subsection (c) or (d)(1) or section 11305.

(b) COORDINATION OF LAND USE PLANS.—Section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) is amended—

(1) in subsection (b)—

(A) by striking ''Indian tribes by'' and inserting the following: Indian tribes—

''(1) by'';

(B) in paragraph (1) (as so designated), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(2) for the purposes of determining whether the land use plans for land in the National Forest System would provide additional connectivity to benefit the purposes of a Tribal Wildlife Corridor established under section 11303(a)(1) of the Wildlife Corridors Conservation Act of 2021.''; and

(2) by adding at the end the following:

''(g) TRIBAL WILDLIFE CORRIDORS.—On the establishment of a Tribal Wildlife Corridor under section 11303(a)(1) of the Wildlife Corridors Conservation Act of 2021, the Secretary shall conduct a meaningful consultation with the Indian tribe that administers the Tribal Wildlife Corridor to determine whether, through the revision of one or more existing land use plans, the Tribal Wildlife Corridor can—

''(1) be expanded into public lands; or

''(2) otherwise benefit connectivity (as defined in section 11102 of that Act) between public lands and the Tribal Wildlife Corridor.''.

(c) TECHNICAL ASSISTANCE.—The Secretary shall provide to Indian Tribes technical assistance relating to the establishment, management, and expansion of a Tribal Wildlife Corridor, including assistance with accessing wildlife data and working with voluntary private landowners to access Federal and State programs to improve wildlife habitat and connectivity on non-Federal land.

(d) AVAILABILITY OF ASSISTANCE.—An Indian Tribe that has a Tribal Wildlife Corridor established on the Indian land of the Indian Tribe shall be eligible for a grant under the wildlife movements grant program under section 11305, subject to other applicable requirements of that grant program.

(e) SAVINGS CLAUSE.—Nothing in this section authorizes or affects the use of private property or Indian land.

SEC. 11304. PROTECTION OF INDIAN TRIBES.

(a) FEDERAL TRUST RESPONSIBILITY.—Nothing in this title amends, alters, or waives the Federal trust responsibility to Indian Tribes.

(b) FREEDOM OF INFORMATION ACT.—

(1) EXEMPTION.—Information described in paragraph (2) shall not be subject to disclosure under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''), if the head of the agency that receives the information, in consultation with the Secretary and the affected Indian Tribe, determines that disclosure may—

(A) cause a significant invasion of privacy;

(B) risk harm to human remains or resources, cultural items, uses, or activities; or

(C) impede the use of a traditional religious site by practitioners.

(2) INFORMATION DESCRIBED.—Information referred to in paragraph (1) is information received by a Federal agency—

(A) pursuant to this title relating to—

(i) the location, character, or ownership of human remains of a person of Indian ancestry; or

(ii) resources, cultural items, uses, or activities identified by an Indian Tribe as traditional or cultural because of the long-established significance or ceremonial nature to the Indian Tribe; or

(B) pursuant to the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.).

SEC. 11305. WILDLIFE MOVEMENTS GRANT PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a wildlife movements grant program (referred to in this section as the ''grant program'') to encourage wildlife movement in accordance with this subsection.

(b) GRANTS.—Beginning not later than 2 years after the date of enactment of this Act, the Secretary, based on recommendations from the National Coordination Committee under section 11306(e)(2)(C), shall make grants to one or more projects that—

(1) are a regional priority project identified by a regional wildlife movement council;

(2) satisfy the purposes described in section 11201(b); and

(3) increase connectivity for native species.

(c) ELIGIBLE RECIPIENTS.—A person that is eligible to receive a grant under the grant program is—

(1) a voluntary private landowner or group of landowners;

(2) a State fish and wildlife agency or other State agency responsible for managing natural resources and wildlife;

(3) an Indian Tribe;

(4) a unit of local government;

(5) an agricultural cooperative;

(6) water, irrigation, or rural water districts or associations, or other organizations with water delivery authority (including acequias and land grant communities in the State of New Mexico);

(7) institutions of higher education;

(8) an entity approved for a grant by a regional wildlife movement council; and

(9) any group of entities described in paragraphs (1) through (8).

(d) REQUIREMENTS.—In administering the grant program, the Secretary shall use the criteria, guidelines, contracts, reporting requirements, and evaluation metrics developed by the National Coordination Committee under subparagraphs (A) and (B) of section 11306(e)(2).

SEC. 11306. NATIONAL COORDINATION COMMITTEE.

(a) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall establish a committee, to be known as the ''National Coordination Committee''.

(b) ADMINISTRATIVE SUPPORT.—The Secretary shall provide administrative support for the National Coordination Committee.

(c) MEMBERSHIP.—The National Coordination Committee shall be composed of—

(1) the Secretary (or a designee);

(2) the Secretary of Transportation (or a designee);

(3) the Secretary of Agriculture (or a designee);

(4) the Secretary of Commerce (or a designee);

(5) the Director of the Bureau of Indian Affairs (or a designee);

(6) the Executive Director of the Association of Fish and Wildlife Agencies (or a designee);

(7) two representatives of intertribal organizations, to be appointed by the Secretary;

(8) the chairperson of each regional wildlife movement council (or a designee); and

(9) not more than three representatives of nongovernmental, science, or academic organizations with expertise in wildlife conservation and habitat connectivity, to be appointed by the Secretary in a manner that ensures that the membership of the National Coordination Committee is fair and balanced.

(d) CHAIRPERSON.—The National Coordination Committee shall select a Chairperson and Vice Chairperson from among the members of the National Coordination Committee.

(e) DUTIES.—The National Coordination Committee—

(1) shall establish standards for regional wildlife movement plans to allow for better cross-regional collaboration; and

(2) shall, with respect to the wildlife movements grant program under section 11305—

(A) establish criteria and develop guidelines for the solicitation of applications for grants by regional wildlife movement councils;

(B) develop standardized contracts, reporting requirements, and evaluation metrics for grant recipients; and

(C) make recommendations annually to the Secretary for the selection of grant recipients on the basis of the ranked lists of regional priority projects received from the regional wildlife movement councils under section 11307(c)(4) that are consistent with the purposes described in section 11201(b).

(f) APPLICABILITY OF FACA.—Except as otherwise provided in this section, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the National Coordination Committee.

SEC. 11307. REGIONAL WILDLIFE MOVEMENT COUNCILS.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish not less than 4 regional wildlife movement councils with separate geographic jurisdictions that encompass the entire United States.

(b) MEMBERSHIP.—

(1) IN GENERAL.—Each regional wildlife movement council shall be composed of—

(A) the director of each State fish and wildlife agency within the jurisdiction of the regional wildlife movement council (or a designee);

(B) balanced representation from Tribal governments within the jurisdiction of the regional wildlife movement council;

(C) to serve as a Federal agency liaison and nonvoting, ex officio member—

(i) the Director of the United States Fish and Wildlife Service (or a designee); or

(ii) the director of any applicable regional office of the United States Fish and Wildlife Service (or a designee);

(D) not more than three representatives of nongovernmental, science, or academic organizations with expertise in native species conservation and the habitat connectivity needs of the region covered by the regional wildlife movement council; and

(E) not more than three voluntary representatives of private landowners with property in the applicable region, not less than one of whom shall be a farmer or rancher.

(2) REQUIREMENTS.—

(A) MEMBERSHIP.—The Secretary shall ensure that the membership of each regional wildlife movement council is fair and balanced in terms of expertise and perspectives represented.

(B) EXPERTISE.—Each regional wildlife movement council shall include experts in ecological connectivity, native species ecology, and ecological adaptation.

(3) CHAIRPERSON.—Each regional wildlife movement council shall select a Chairperson from among the members of the regional wildlife movement council.

(c) DUTIES.—Each regional wildlife movement council shall—

(1) not later than 2 years after the date of establishment of the regional wildlife movement council and in accordance with any standards established by the National Coordination Committee, prepare and submit to the Secretary and the National Coordination Committee a regional wildlife movement plan that maintains natural wildlife movement by identifying research priorities and data needs for the Database that is revised, amended, or updated not less frequently than once every 5 years;

(2) provide for public engagement, including engagement of Indian Tribes, at appropriate times and in appropriate locations in the region covered by the regional wildlife movement council, to allow all interested persons an opportunity to be heard in the development and implementation of a regional wildlife movement plan under paragraph (1);

(3) solicit applications for wildlife movement grants under section 11305 in accordance with the criteria and guidelines established by the National Coordination Council under section 11306(e)(2)(A);

(4) in accordance with the criteria and guidelines established under section 11306(e)(2)(A), submit to the National Coordination Committee an annual list of regional priority projects, in ranked order, for wildlife movements grants under section 11305 to maintain wildlife movements in the area under the jurisdiction of the regional wildlife movement council; and

(5) submit to the Secretary and the National Coordination Committee, and make publicly available, an annual report describing the activities of the regional wildlife movement council.

(d) COORDINATION.—If applicable, to increase habitat connectivity between designated Federal land and water and non-Federal land and water, a regional wildlife movement council shall coordinate with—

(1) Federal agencies;

(2) Indian Tribes;

(3) regional fishery management councils established under section 302(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a));

(4) migratory bird joint ventures partnerships recognized by the United States Fish and Wildlife Service with respect to migratory bird species;

(5) State fish and wildlife agencies;

(6) regional associations of fish and wildlife agencies;

(7) nongovernmental organizations;

(8) applicable voluntary private landowners;

(9) the National Coordination Committee;

(10) fish habitat partnerships;

(11) other regional wildlife movement councils with respect to crossregional projects;

(12) international wildlife management entities with respect to transboundary species in accordance with trade policies of the United States; and

(13) Federal and State transportation agencies.

(e) APPLICABILITY OF FACA.—Except as otherwise provided in this section, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the regional wildlife movement councils.

SEC. 11308. NATIONAL WILDLIFE CORRIDORS DATABASE.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the United States Geological Survey (referred to in this section as the ''Director''), in consultation with the National Coordination Committee and the regional wildlife movement councils, shall establish a database, to be known as the ''National Wildlife Corridors Database''.

(b) CONTENTS.—

(1) IN GENERAL.—The Database shall—

(A) include maps, data, models, surveys, and descriptions of native species habitats, wildlife movements, and corridors that have been developed by Federal agencies that pertain to Federal land and water;

(B) include maps, models, analyses, and descriptions of projected shifts in habitats, wildlife movements, and corridors of native species in response to climate change or other environmental factors;

(C) reflect the best scientific data and information available; and

(D) in accordance with the requirements of the Geospatial Data Act of 2018 (Public Law 115–254), have the data, models, and analyses included in the Database available at scales useful to State, Tribal, local, and Federal agency decisionmakers and the public.

(c) REQUIREMENTS.—Subject to subsection (d), the Director, in collaboration with the National Coordination Committee, the regional wildlife movement councils, and the Administrator of the National Oceanic and Atmospheric Administration, shall—

(1) design the Database to support State, Tribal, local, voluntary private landowner, and Federal agency decisionmakers and the public with data that will allow those entities—

(A) to prioritize and target natural resource adaptation strategies and enhance existing State and Tribal corridor protections;

(B) to assess the impacts of proposed energy, water, transportation, and transmission projects, and other development activities, and to avoid, minimize, and mitigate the impacts of those projects and activities on National Wildlife Corridors;

(C) to assess the impact of new and existing development on native species habitats and National Wildlife Corridors; and

(D) to develop strategies that promote habitat connectivity to allow native species to move—

(i) to meet biological and ecological needs;

(ii) to adjust to shifts in habitat; and

(iii) to adapt to climate change;

(2) establish a coordination process among Federal agencies to update maps and other information with respect to landscapes, seascapes, native species habitats and ranges, habitat connectivity, National Wildlife Corridors, and wildlife movement changes as information based on new scientific data becomes available; and

(3) not later than 5 years after the date of enactment of this Act, and not less frequently than once every 5 years thereafter, develop, submit a report to the Secretary and the appropriate committees of Congress, and make publicly available a report, that, with respect to the Database—

(A) outlines the categories for data that may be included in the Database;

(B) outlines the data protocols and standards for each category of data in the Database;

(C) identifies gaps in native species habitat and National Wildlife Corridor information;

(D) prioritizes research and future data collection activities for use in updating the Database; and

(E) evaluates and quantifies the efficacy of the Database to meet the needs of the entities described in paragraph (1).

(d) PROPRIETARY INTERESTS AND PROTECTED INFORMATION.—In developing the Database, the Director shall—

(1) as applicable, protect proprietary interests with respect to any licensed information, licensed data, and other items contained in the Database; and

(2) protect information in the Database with respect to the habitats and ranges of specific native species to prevent poaching, illegal taking and trapping, and other related threats to native species.

TITLE III—FUNDING

SEC. 11401. AUTHORIZATION OF APPROPRIATIONS.

(a) NATIONAL WILDLIFE CORRIDOR SYSTEM.—There are authorized to be appropriated to carry out title I for fiscal year 2020 and each fiscal year thereafter—

(1) to the Secretary, $7,500,000;

(2) to the Secretary of Agriculture, $3,000,000;

(3) to the Secretary of Commerce, $3,000,000; and

(4) to the Secretary of Transportation, $3,000,000.

(b) TRIBAL WILDLIFE CORRIDORS.—There is authorized to be appropriated to carry out title II $5,000,000 for fiscal year 2020 and each fiscal year thereafter.

(c) WILDLIFE MOVEMENTS GRANT PROGRAM AND REGIONAL WILDLIFE MOVEMENT COUNCILS.—

(1) WILDLIFE MOVEMENT GRANT PROGRAM.—

(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out the wildlife movements grant program under section 11305 $50,000,000 for fiscal year 2022 and each fiscal year thereafter.

(B) REQUIREMENTS.—Amounts appropriated under subparagraph (A) may be used to complement or match other Federal or non-Federal funding received by the projects funded by those grants.

(C) ADMINISTRATIVE SUPPORT.—Not more than 5 percent of amounts appropriated under subparagraph (A) may be used for administrative support.

(2) REGIONAL WILDLIFE MOVEMENT COUNCILS.—

(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to provide support for the regional wildlife movement councils to carry out section 11307 $1,000,000 for fiscal year 2020 and each fiscal year thereafter.

(B) EQUAL DIVISION.—Amounts appropriated under subparagraph (A) shall be proportionally divided between each regional wildlife movement council.

(d) NATIONAL WILDLIFE CORRIDORS DATABASE.—There are authorized to be appropriated to the Secretary to carry out section 11308—

(1) $3,000,000 for fiscal year 2020; and

(2) $1,500,000 for fiscal year 2021 and each fiscal year thereafter.

AMENDMENT NO. 25 OFFERED BY MR. DOGGETT OF TEXAS

Page 535, line 23, strike ''In designating'' and insert ''For''.

AMENDMENT NO. 32 OFFERED BY MRS. FLETCHER OF TEXAS

Page 903, line 14, strike the closing quotation marks and the semicolon.

Page 903, after line 14, insert the following:

''(3) LOCAL MATCH CREDIT.—For any project that qualifies as an interrelated project under paragraph (2) after the date of enactment of this subsection, the Secretary shall allow any non-Federal financial commitment in excess of 20 percent to count towards the non-Federal financial commitment for any other qualifying interrelated project under this subsection.'';

AMENDMENT NO. 50 OFFERED BY MR. JONES OF NEW YORK

Page 1446, after line 21, insert the following:

SEC. 9608. GAO STUDY ON ECONOMIC BENEFITS OF ONE-SEAT RIDE COMMUTER RAIL.

(a) STUDY.—The Comptroller General of the United States shall conduct a study in coordination with the Administrator of the Federal Transit Administration on the economic benefits of commuter rail service in connecting urban and suburban areas.

(b) CONTENTS.—The study under subsection (a) shall include—

(1) potential benefits of one-seat ride commuter rail expansion to suburban communities that currently lack direct service to urban areas;

(2) best practices in identifying where one-seat ride commuter rail service is beneficial to suburban communities; and

(3) best practices in improving suburban commuter access on routes that currently require a transfer.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report to Congress setting forth the results and conclusions of the study under subsection (a).

AMENDMENT NO. 51 OFFERED BY MS. KAPTUR OF OHIO

Page 864, after line 25, insert the following:

SEC. 2608. SENSE OF CONGRESS REGARDING ELECTRIC VEHICLE TRANSITION STRATEGY.

(a) FINDINGS.—Congress finds the following:

(1) The transition to a modern electric fleet managed by the nation's transit agencies represents a key opportunity to modernize and green the public transit fleets.

(2) The impending fleet transition presents difficult workforce challenges for the transit agencies and their frontline workers as they prepare for the differences in purchasing, maintaining, and managing new electric buses and the related maintenance systems.

(3) The maintenance of electric engines requires fewer mechanics than does the maintenance of diesel and natural gas engines,

which make up more than 99 percent of bus fleets in the United States.

(4) Although approximately 400,000 people work in public transportation, and of that figure, 90 percent work in the frontline occupations, because of retirements and a massive transition in the transit workforce, large changes are bound for workers, transit agencies, and the communities that the transit workforce serves.

(5) Based on the Department of Transportation and the Department of Labor data from 2014, transit systems needed to hire, train, and retain approximately 126 percent of their workforce over a 10-year period.

(6) The Department of Transportation, the Federal Railroad Administration, and sister Federal agencies like the Department of Energy and the Department of Labor can offer resources, strategy, and a research and development plan to prepare and assist in the upcoming transition to electric and clean vehicle systems.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the transit industry needs an integrated, cooperative, and forward-looking workforce development strategy in order to help frontline workers and the transit agencies prepare for and mitigate the workforce disruption challenges posed by the transition to electric vehicles and electric buses.

AMENDMENT NO. 53 OFFERED BY MR. KRISHNAMOORTHI OF ILLINOIS

At the end of subtitle F of title I of division B, add the following:

SEC. ____. SENSE OF THE CONGRESS ON SOIL AND EROSION CONTROL FOR HIGHWAY PROJECTS.

It is the sense of Congress that—

(1) federally funded construction projects should seek to—

(A) incorporate products and materials that support environmental sustainability;

(B) ensure the health and safety of fish and wildlife; and

(C) consist of recycled or biobased products; and

(2) State departments of transportation should support environmental sustainability, to the maximum extent practicable, in procurement decisions.

AMENDMENT NO. 55 OFFERED BY MR. LANGEVIN OF RHODE ISLAND

Page 633, line 8, insert ''and Attorney General'' after ''Secretary''.

AMENDMENT NO. 56 OFFERED BY MRS. LAWRENCE OF MICHIGAN

Page 531, line 13, strike ''and''.

Page 531, line 17, strike the period and insert ''; and''.

Page 531, after line 17, insert the following:

(C) makes best efforts to meet project-wide, annually updated participation goals set by the applicant for the percentage of total workhours that are performed by historically under-represented populations, including by women, people of color, and women of color, by trade and position; and

(D) tracks ongoing progress towards the goals described in subparagraph (C).

Page 532, line 1, insert '', in collaboration with the Secretary of Labor, as appropriate,'' after ''Secretary''.

Page 532, line 5, insert ''and oversight'' after ''requirements''.

Page 532, line 17, insert ''and historically underrepresented populations'' after ''apprentices''.

Page 532, line 19, insert ''and historically underrepresented populations'' before ''employed''.

Page 532, line 22, strike ''goal; and'' and insert ''and the goals for the percentage of total workhours performed by historically under-represented populations under subsection (a)(1)(C);''.

Page 532, line 25, strike the period and insert ''and the goals for the percentage of total workhours performed by historically under-represented populations under subsection (a)(1)(C); and''.

Page 532, after line 25, insert the following:

(5) a summary of agency oversight of grant recipients' fulfillment of certification terms under this section.

Page 533, line 10, strike ''and''.

Page 533, line 13, strike the period and insert ''; and''.

Page 533, after line 13, insert the following:

(3) for each grant awarded, data on grant recipients' progress toward achieving participation goals under subsection (a)(1).

Page 534, after line 10, insert the following:

SEC. 1313. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) contractors and subcontractors utilized in carrying out activities funded under title 23, United States Code, should institute respectful workplace policies and provide effective, ongoing workplace training to create safe, respectful work sites that are free from bullying, hazing, discrimination, or harassment; and

(2) the Department of Transportation should take appropriate steps in coordination with the Department of Labor to ensure contractors and subcontractors take such actions.

AMENDMENT NO. 57 OFFERED BY MR. LEVIN OF MICHIGAN

Page 449, strike line 17 and insert the following:

''(A) PLAN.—

''(i) IN GENERAL.—The Secretary shall establish

Page 449, after line 22, insert the following:

''(ii) REPORT OF STATE PLANS TO CONGRESS.—Not later than 120 days after the deadline established in clause (i), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report detailing—

''(I) a summary of each plan submitted by a State to the Department of Transportation; and

''(II) an assessment of how such plans make progress towards the establishment of a national network of electric vehicle charging stations.

AMENDMENT NO. 58 OFFERED BY MR. LEVIN OF MICHIGAN

Page 453, line 12, insert '', including recommendations for promoting efficient dwell times based on best practices'' before the semicolon.

Page 456, line 4, strike ''and''.

Page 456, line 8, strike the period and insert a semicolon.

Page 456, after line 8, insert the following:

''(F) information on publicly available electric vehicle charging station locations, station operator contact information, number of simultaneous refueling positions, pricing, and real-time availability to be made publicly available and easily accessible, including through applicable mapping applications.

AMENDMENT NO. 59 OFFERED BY MR. LOWENTHAL OF CALIFORNIA

Page 259, line 22, insert ''or that operates'' before ''a highway''.

Page 261, line 9, insert ''toll'' before ''facility''.

Page 261, line 13, insert ''toll'' before ''facility''.

Page 263, line 3, insert ''toll'' before ''facility''.

Page 263, line 11, strike ''the planned'' and insert ''any planned''.

Page 263, line 15, strike ''the operation of'' and insert ''mobility and efficiency in''.

Page 264, line 6, insert ''toll'' before ''facility''.

Page 264, beginning on line 7, strike ''for the corridor or cordon that provides for continuous monitoring, assessment, and reporting on'' and insert ''that considers''.

Page 264, line 11, insert ''of the toll facility'' after ''pricing''.

Page 264, beginning on line 16, strike ''facility or the corridor or cordon'' and insert ''toll facility''.

Page 265, line 3, insert ''toll'' before ''facility''.

Page 265, strike lines 8 through 22 and insert the following:

''(II) CORRIDOR OR CORDON OPERATION.—The public authority with jurisdiction over or that operates the toll facility shall consider options that improve public transportation or other non-tolled alternatives that improve mobility and efficiency in the corridor or cordon, including increased person or freight throughput or reduced person hours of delay.

Page 266, line 6, strike ''and'' at the end and insert ''or''.

Page 266, after line 11, insert the following:

''(IV) EFFICIENT OPERATION.—The Secretary may set efficiency and mobility performance standards as an alternative to minimum operating speed for a toll facility if determined appropriate based on the context of such toll facility.

Page 266, line 16, strike ''facility or a corridor or cordon'' and insert ''toll facility''.

Page 266, line 19, insert ''toll'' before ''facility''.

Page 266, beginning on line 23, strike ''facility or a corridor or cordon'' and insert ''toll facility''.

Page 267, line 12, strike ''facility or corridor or cordon'' and insert ''toll facility''.

Page 267, line 17, strike ''facility or corridor or cordon'' and insert ''toll facility''.

Page 267, line 22, insert ''toll'' before ''facility''.

Page 267, line 23, strike ''the'' and insert ''any''.

Page 267, beginning on line 24, strike ''bring the corridor or cordon into compliance'' and insert ''improve the operation of the corridor or cordon''.

Page 268, strike lines 3 through 11.

Page 269, strike lines 5 through 13 and insert the following:

''(v) any project eligible under this title or chapter 53 of title 49 that provides an efficiency or mobility benefit in the corridor or cordon, including by increasing person or freight throughput, increasing public transportation service, or reducing person hours of delay;

''(vi) toll or public transportation fare discounts, subsidies, or rebates for users of the toll facility or public transportation in the corridor that have no reasonable alternative transportation method to the toll facility or for whom the tolls or public transportation fares create a financial hardship, as determined by the public authority; and

Page 269, beginning on line 16, strike ''and the cordon or corridor is not degraded under paragraph (1)(E)'' and insert ''and is not degraded as described under paragraph (1)(E)''.

Page 272, beginning on line 4, strike ''require the public authority to discontinue collecting tolls until the public authority and the Secretary enter into an agreement for the public authority to achieve compliance with such requirements'' and insert ''take such action as may be necessary to ensure compliance with this section''.

Page 273, line 13, strike ''a toll'' and insert ''the tolled lanes of a''.

Page 274, line 8, insert '', including a high occupancy toll facility,'' after ''facility''.

Page 274, beginning on line 9, strike ''section 129(a)(3) of title 23, United States Code,''

and insert ''sections 129(a) or 166 of title 23, United States Code, as applicable,''.

Page 274, line 12, insert '', including a high occupancy toll facility,'' after ''toll facility''.

Page 274, line 13, strike ''paragraph'' and insert ''subsection''.

Page 274, after line 17, insert the following:

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall prohibit the Secretary, at the request of the public authority, from applying the requirements of section 129(a) of title 23, United States Code, as amended by this Act.

Page 274, line 23, strike ''on'' and insert ''to''.

AMENDMENT NO. 60 OFFERED BY MR. LOWENTHAL OF CALIFORNIA

Page 991, after line 9, insert the following:

SEC. 4105. MOTOR CARRIER SAFETY GRANTS MAINTENANCE OF EFFORT.

Section 31102(f)(2) of title 49, United States Code, is amended—

(1) by striking ''after fiscal year 2017''; and

(2) by striking ''baseline after the year in which the Secretary implements a new allocation formula under section 5106 of the FAST Act, and'' and inserting a period.

AMENDMENT NO. 64 OFFERED BY MR. MCNERNEY OF CALIFORNIA

Page 1200, line 12, insert ''veteran status,'' before ''and socioeconomic''.

AMENDMENT NO. 66 OFFERED BY MS. MOORE OF WISCONSIN

Page 821, line 2, strike ''10 percent'' and insert ''15 percent''.

AMENDMENT NO. 68 OFFERED BY MR. NADLER OF NEW YORK

Page 705, after line 3, insert the following:

SEC. 1640. LOCAL PROJECT DELIVERY IMPROVEMENTS.

(a) HIGH-PERFORMING LOCAL PUBLIC AGENCY DESIGNATION.—

(1) IN GENERAL.—The Secretary shall designate high-performing local public agencies based on the criteria in paragraph (3) and consistent with the process described under paragraph (4) to be eligible to exercise the project delivery methods described under this section for projects funded under title 23, United States Code.

(2) AUTHORITY.—Nothing in this section shall be construed to prohibit a local public agency from taking any action otherwise authorized to secure and expend Federal funds authorized under chapter 1 of title 23, United States Code.

(3) CRITERIA.—In designating a high-performing local public agency under this section, the Secretary shall consider the legal, financial, and technical capacity of the applicant.

(4) REQUIREMENTS.—

(A) CALL FOR NOMINATION.—The Secretary shall solicit applications for designation under this section.

(B) GUIDANCE.—The call for nomination under paragraph (1) shall include guidance on the requirements and responsibilities of a high-performing local public agency under this section.

(C) DETERMINATION.—

(i) IN GENERAL.—The Secretary shall have discretion to make any designation under this section.

(ii) APPROVAL.—The Secretary may approve for participation under this program any direct recipient under section 1305 of this Act based on the application under such section. Such approval shall only apply to the direct recipient unless the Secretary determines it is appropriate, based on the criteria in subsection (a)(3), to extend the approval to 1 or more subrecipients of the direct recipient.

(5) TERM.—Except as provided in paragraph (6), a designation under this subsection—

(A) shall be for a period of not less than 5 years; and

(B) may be renewable.

(6) TERMINATION.—The Secretary shall establish procedures for the termination of a designation under this subsection.

(7) LIMITATION.—The Secretary may establish a limitation on the number of participants in the program, based on the availability of administrative resources and the capacity to provide sufficient oversight of the program established under this section.

(b) PROJECT DELIVERY.—

(1) IN GENERAL.—

(A) METHODS.—The high-performing local public agency may, consistent with the agreement entered into with the Secretary under subsection(c), utilize 1 or more of the project delivery methods described in this subsection, notwithstanding the adoption of such methods by the State.

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a local public agency from using a project delivery method otherwise available to such local public agency under title 23, United States Code.

(2) FORCE ACCOUNT.—Notwithstanding subsections (a) and (b) of section 112 of title 23, United States Code, a high-performing local public agency may, subject to the terms of the agreement under subsection (c), complete the construction (as such term is defined under section 101 of such title) of a Federal-aid highway project by force account, provided the recipient is qualified to perform the work in a satisfactory manner based on the criteria in subsection (a)(3), as determined by the Secretary.

(3) INDEFINITE DELIVERY AND INDEFINITE QUANTITY CONTRACTING.—Subject to the terms of the agreement under subsection (c), a high-performing local public agency may use indefinite quantity and indefinite delivery contracting, including job order contracting, consistent with the process described under subpart F of part 635 of title 23, Code of Federal Regulations. If determined appropriate by the Secretary, the high-performing local public agency may submit an indefinite delivery and indefinite quantity contracting procedures plan directly to the Secretary for approval.

(4) ASSUMPTION OF RESPONSIBILITIES OF STATE DEPARTMENTS OF TRANSPORTATION.—

(A) IN GENERAL.—Subject to the terms of the agreement under subsection (c), a high-performing local public agency may assume, in lieu of a State, for projects covered by an agreement under subsection (c)—

(i) the Federal-aid highway project approval, determination, and oversight responsibilities that a State may assume under section 106 of title 23, United States Code; and

(ii) the responsibility that a State may assume, under section 326 of title 23, United States Code, for determining whether certain designated activities are included within classes of action identified in regulation by the Secretary that are categorically excluded from requirements for environmental assessments or environmental impact statements.

(B) TERMS.—In assuming the responsibilities under subparagraph (A), the high-performing local public agency shall be subject to the same terms, conditions, and requirements at the discretion of the Secretary as would be a State under sections 106(c) and 326 of title 23, United States Code, and any associated regulations and procedures.

(c) AGREEMENT.—

(1) IN GENERAL.—

(A) AUTHORITY.—The Secretary and the high-performing local public agency shall enter into an agreement relating to the extent to which the local public agency may assume the authorities described under this section.

(B) DISCRETION.—The Secretary shall have the discretion to enter into an agreement under this section for one or more of the project delivery methods described in subsection (b).

(C) SCOPE.—

(i) IN GENERAL.—The Secretary may make an approval to assume the responsibilities described under subsection (b) on a single-project, multiple-project, project-type, or programmatic basis.

(ii) COVERED PROJECTS.—The authority described under this section may apply to any Federal-aid highway project carried out within the jurisdiction of the high-performing local public agency, at the discretion of the Secretary.

(2) SELF-CERTIFICATION OF COMPLIANCE.—

(A) IN GENERAL.—The high-performing local public agency may, at the discretion of the Secretary, provide for self-certification of compliance for the responsibilities assumed pursuant to the agreement established under this section. The Secretary shall establish procedures governing such self-certification of compliance, including the frequency of such certification.

(B) OVERSIGHT.—If the high-performing local public agency assumes the role of self-certification of compliance as described under clause (i), the Secretary shall establish procedures to conduct risk-based stewardship and oversight of a local public agency's performance of the assumed responsibilities specified in the agreement under this subsection, as determined necessary or appropriate by the Secretary.

(3) ASSISTANCE TO LOCAL PUBLIC AGENCIES.—On request of a local public agency, the Secretary shall provide to the local public agency technical assistance, training, or other support relating to—

(A) assuming responsibilities under this section;

(B) developing an agreement under this subsection; or

(C) addressing a responsibility under this section in need of corrective action.

(4) ADOPTION OF STATE PROCEDURES.—Except as otherwise provided in the agreement between the Secretary and the high performing local agency, the local public agency shall use any manuals, standards, procedures, and specifications utilized by the State, as determined appropriate by the Secretary.

(5) CONSULTATION.—In establishing the agreement under this section, the Secretary may require the local public agency to consult with the State department of transportation, as appropriate.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of a high-performing local public agency to partner with a State department of transportation or other recipient of Federal funds under title 23, United States Code, or chapter 53 of title 49, United States Code, to carry out a project.

(e) SAVINGS CLAUSE.—Except as provided in this section, all applicable requirements of title 23, United States Code, shall apply to projects carried out under this section.

(f) FUNDING.—The Secretary may use for program management, oversight, and technical assistance to high-performing local public agencies amounts made available under section 1305(c)(2) of this Act for technical assistance and administration.

(g) REPORT.—

(1) LOCAL PUBLIC AGENCY REPORT.—Not later than 60 days after the end of each fiscal year, each local public agency designated under this section shall submit to the Secretary a report that includes—

(A) a list of projects carried out under this section;

(B) a description of the authorities assumed under subsection (b), including a summary of the project types carried out under such authorities;

(C) recommendations, if any—

(i) on other authorities that would be appropriate to assume under this section; and

(ii) to improve the effectiveness of the program under this section.

(2) REPORT TO CONGRESS.—Not later than October 1, 2024, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that—

(A) summarizes the findings of each local public agency provided under paragraph (1);

(B) describes the efforts undertaken by both local public agencies and the Secretary to ensure compliance with the requirements of title 23, United States Code; and

(C) provides recommendations from the Secretary to—

(i) improve the administration, oversight, and performance of the program established under this section;

(ii) improve the effectiveness of project delivery for local public agencies;

(iv) evaluate options to expand the authority provided under this section; and

(iii) provide legislative recommendations, if any, based on the outcomes of the program.

AMENDMENT NO. 69 OFFERED BY MR. NEGUSE OF COLORADO

At the end of the print, insert the following (and amend the table of contents accordingly):

DIVISION H—COMMUNITY RESILIENCE AND RESTORATION FUND

SECTION 12001. DEFINITIONS.

For purposes of this division:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means a Federal agency, State, the District of Columbia, a territory of the United States, a unit of local government, an Indian Tribe, a non-profit organization, or an accredited institution of higher education.

(2) ELIGIBLE PROJECTS AND ACTIVITIES.—The term ''eligible projects and activities'' means projects and activities carried out by an eligible entity on public lands, tribal lands, or private land, or any combination thereof, to further the purposes for which the Fund is established, including planning and capacity building and projects and activities carried out in coordination with Federal, State, or tribal departments or agencies, or any department or agency of a subdivision of a State.

(3) FOUNDATION.—The term ''Foundation'' means the National Fish and Wildlife Foundation established under the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.).

(4) FUND.—The term ''Fund'' means the Community Resilience and Restoration Fund established under this Act.

(5) INDIAN TRIBE.—The term ''Indian Tribe'' means the governing body of any individually identified and federally recognized Indian or Alaska Native Tribe, band, nation, pueblo, village, community, affiliated Tribal group, or component reservation in the list published pursuant to section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)).

(6) RESTORATION AND RESILIENCE LANDS.—The term ''restoration and resilience lands'' means fish, wildlife, and plant habitats, and other important natural areas in the United States, on public lands, private land (after obtaining proper consent from the landowner), or land of Indian Tribes, including: grasslands, shrublands, prairies, chapparal lands, forest lands, deserts, and riparian or wetland areas within or adjacent to these ecosystems.

(7) PUBLIC LANDS.—The term ''public lands'' means lands owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

(9) STATE.—The term ''State'' means a State of the United States, the District of Columbia, any Indian tribe, and any commonwealth, territory, or possession of the United States.

SEC. 12002. ESTABLISHMENT OF FUND.

Not later than 180 days after the date of enactment of this division, the Secretary shall enter into a cooperative agreement with the Foundation to establish the Fund at the Foundation to—

(1) to protect, conserve, and restore restoration and resilience lands, in order to help communities respond and adapt to natural threats, including those posed by the impacts of global climate change.

(2) to build the resilience of restoration and resilience lands to adapt to, recover from, and withstand natural threats, including those posed by the impacts of global climate change;

(3) to protect and enhance the biodiversity of wildlife populations across restoration and resilience lands;

(4) to support the health of restoration and resilience lands for the benefit of present and future generations;

(5) to foster innovative, nature-based solutions that help meet the goals of this section; and

(6) to enhance the nation's natural carbon sequestration capabilities and help communities strengthen natural carbon sequestration capacity where applicable.

SEC. 12003. MANAGEMENT OF THE FUND.

The Foundation shall manage the Fund—

(1) pursuant to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.); and

(2) in such a manner that, to the greatest extent practicable and consistent with the purposes for which the Fund is established—

(A) ensures that amounts made available through the Fund are accessible to historically underserved communities, including Tribal communities, communities of color, and rural communities; and

(B) avoids project selection and funding overlap with those projects and activities that could otherwise receive funding under—

(i) the National Oceans and Coastal Security Fund, established under the National Oceans and Coastal Security Act (16 U.S.C. 7501); or

(ii) other coastal management focused programs.

SEC. 12004. COMPETITIVE GRANTS.

(a) IN GENERAL.—To the extent amounts are available in the Fund, the Foundation shall award grants to eligible entities through a competitive grant process in accordance with procedures established pursuant to the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.) to carry out eligible projects and activities, including planning eligible projects and activities.

(b) PROPOSALS.—The Foundation, in coordination with the Secretary, shall establish requirements for proposals for competitive grants under this section.

SEC. 12005. USE OF AMOUNTS IN THE FUND.

(a) PLANNING.—Not less than 8 percent of amounts appropriated annually to the Fund may be used to plan eligible projects and activities, including capacity building.

(b) ADMINISTRATIVE COSTS.—Not more than 4 percent of amounts appropriated annually to the Fund may be used by the Foundation for administrative expenses of the Fund or administration of competitive grants offered under the Fund.

(c) PRIORITY.—Not less than $10,000,000 shall be awarded annually to support eligible projects and activities for Indian Tribes.

SEC. 12006. REPORTS.

(a) ANNUAL REPORTS.—Beginning at the end the first full fiscal year after the date of enactment of this division, and not later than 60 days after the end of each fiscal year in which amounts are deposited into the Fund, the Foundation shall submit to the Secretary a report on the operation of the Fund including—

(1) an accounting of expenditures made under the Fund, including leverage and match where applicable;

(2) an accounting of any grants made under the Fund, including a list of recipients and a brief description of each project and its purposes and goals; and

(3) measures and metrics to track benefits created by grants administered under the Fund, including enhanced biodiversity, water quality, natural carbon sequestration, and resilience.

(b) 5–YEAR REPORTS.—Not later than 90 days after the end of the fifth full fiscal year after the date of enactment of this division, and not later than 90 days after the end every fifth fiscal year thereafter, the Foundation shall submit to the Secretary a report containing—

(1) a description of any socioeconomic, biodiversity, community resilience, or climate resilience or mitigation (including natural carbon sequestration), impacts generated by projects funded by grants awarded by the Fund, including measures and metrics illustrating these impacts;

(2) a description of land health benefits derived from projects funded by grants awarded by the Fund, including an accounting of—

(A) lands treated for invasive species;

(B) lands treated for wildfire threat reduction, including those treated with controlled burning or other natural fire-management techniques; and

(C) lands restored either from wildfire or other forms or degradation, including overgrazing and sedimentation;

(3) key findings for Congress, including any recommended changes to the authorization or purposes of the Fund;

(4) best practices for other Federal agencies in the administration of funds intended for land and habitat restoration;

(5) information on the use and outcome of funds specifically set aside for planning and capacity building pursuant to section 6; and

(6) any other information that the Foundation considers relevant.

(c) SUBMISSION OF REPORTS TO CONGRESS.—Not later than 10 days after receiving a report under this section, the Secretary shall submit the report to the Committee on Natural Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate.

SEC. 12007. AUTHORIZATION OF APPROPRIATIONS.

There is hereby authorized to be appropriated to the Fund $100,000,000 for each of fiscal years 2022 through 2027 to carry out this division.

AMENDMENT NO. 71 OFFERED BY MR. NORCROSS OF NEW JERSEY

Page 705, after line 3, insert the following:

SEC. 1640. UTILIZATION OF QUALIFIED ELECTRICIANS.

(a) RULEMAKING.—Not later than 6 months after the date of enactment of this Act, the

Secretary of Transportation and the Secretary of Energy shall each promulgate regulations requiring the utilization of qualified electricians in the construction, installation, operation and maintenance of electric vehicle charging stations assisted, in whole or in part, by funding provided under this Act.

(b) DEFINITION OF QUALIFIED ELECTRICIAN.—In this section, the term ''qualified electrician'' means an electrician who has completed training under the Electric Vehicle Infrastructure Training Program (EVITP) and obtained an EVITP certification.

AMENDMENT NO. 72 OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

Page 504, line 24, strike ''and'' at the end.

Page 505, line 3, strike the period and insert ''; and''.

Page 505, after line 3, insert the following:

(5) the project would serve the low income residents of economically disadvantaged communities, including environmental justice communities, underserved communities, or communities located in areas of persistent poverty (as such term is defined in section 101 of title 23, United States Code).

AMENDMENT NO. 73 OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

Page 518, line 17, strike ''and''.

Page 518, line 21, insert ''and'' at the end.

Page 518, after line 21, insert the following:

(viii) the community impacts and equity analyses of retaining or reconstructing the eligible facility on the surrounding communities, including—

(I) the demographic breakdown of the impacted community by race and socioeconomic status; and

(II) the displacement or disconnection that occurred within the community as a result of the existing facility;

AMENDMENT NO. 75 OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE

Page 1056, after line 15, insert the following:

SEC. 4410. LENGTH LIMITATIONS.

Section 31111 of title 49, United States Code, is amended—

(1) in subsection (a) by adding at the end the following:

''(8) COVERED HEAVY-DUTY TOW AND RECOVERY VEHICLE.—The term 'covered heavy-duty tow and recovery vehicle' means any vehicle transporting a wrecked or disabled vehicle from the place where the vehicle became wrecked or disabled to the nearest appropriate repair facility or other location, as directed by any agency having jurisdiction.''; and

(2) in subsection (b)(1)—

(A) in subparagraph (G) by striking ''; or'' and inserting a semicolon;

(B) in subparagraph (H) by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(I) imposes an overall length limit on any combination of vehicles, or the length of any individual vehicle in the combination configuration, being transported by a covered heavy-duty tow and recovery vehicle provided that the wrecked or disabled vehicle combination being transported was in compliance with applicable length limits at the time and place of the initial disablement or wreck; or

''(J) imposes a limit to the number of vehicles that may be transported in combination with a covered heavy-duty tow and recovery vehicle provided that the wrecked or disabled vehicle combination being transported was in compliance with applicable limits at the time and place of the initial disablement or wreck''.

AMENDMENT NO. 83 OFFERED BY MS. PLASKETT OF VIRGIN ISLANDS

Page 417, after the item following line 2, insert the following:

SEC. 1220. NATIONAL SCENIC BYWAYS PROGRAM.

Section 162 of title 23, United States Code, is amended by adding at the end the following:

''(g) STATE.—In this section, the term 'State' has the meaning given such term in section 401.''.

AMENDMENT NO. 84 OFFERED BY MS. PORTER OF CALIFORNIA

Page 594, line 17, insert '', including wildfire ignitions, suppression, and evacuation routes'' after ''maintenance''.

AMENDMENT NO. 87 OFFERED BY MISS RICE OF NEW YORK

Page 1508, after line 13, add the following new section (and update the table of contents accordingly):

SEC. 10109. MOTOR VEHICLE SEAT BACK SAFETY STANDARDS.

(a) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, subject to subsection (b), the Secretary of Transportation shall issue a final rule updating section 571.207 of title 49, Code of Federal Regulations, to reduce the potential for injury to all motor vehicle occupants due to seat back failure during all types of vehicle impact.

(b) COMPLIANCE DATE.—In issuing the final rule pursuant to subsection (a), the Secretary of Transportation shall establish a date for required compliance with the final rule of not later than 2 motor vehicle model years after the model year during which the effective date of the final rule occurs.

AMENDMENT NO. 88 OFFERED BY MISS RICE OF NEW YORK

At the end of subtitle F of title I of division B, add the following:

SEC. 1640. GAO STUDY ON THE IMPACT OF DRUNK DRIVING CHILD ENDANGERMENT LAWS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the impact and effectiveness of drunk driving child endangerment laws, and ways in which child endangerment laws can be strengthened to protect children who may be passengers in vehicles driven by drunk drivers.

(b) CONTENTS.—The report required under this section shall—

(1) review State laws to determine best practices, comparing State laws in which driving drunk with a child is considered a felony versus a misdemeanor, as well as review effective ways in which States mandate or encourage reporting and documentation of child endangerment; and

(2) make recommendations as to how State laws can be improved to protect children from riding as passengers in vehicles driven by drunk drivers, including increased penalties, reporting requirements, and coordination with child protective services.

AMENDMENT NO. 90 OFFERED BY MR. SABLAN OF NORTHERN MARIANA ISLANDS

Page 635, line 20, insert ''and a review of the current administrative distribution of such funds among the territories'' after ''title''.

Page 636, after line 13, insert the following:

(5) TERRITORIAL ALLOCATIONS.—The Secretary shall, in consultation with the territories described under section 165(c) of title 23, United States Code, develop recommendations on the total annual allocation to such territories and a data driven, equitable allocation of funding among such territories.

AMENDMENT NO. 91 OFFERED BY MR. SCHRADER OF OREGON

Page 362, line 10, strike ''and'' at the end.

Page 363, line 10, strike the period at the end and insert a period.

Page 363, after line 10, insert the following:

''(D) increase the resilience of bridges, including the ability to withstand disruptions from a seismic event.''.

AMENDMENT NO. 93 OFFERED BY MS. SPEIER OF CALIFORNIA

Page 754, after line 7, insert the following:

SEC. 2114. FORMULA FUNDS FOR RURAL AREAS.

Section 5311(a)(1) of title 49, United States Code, is amended—

(1) by striking ''means a State'' and inserting the following: ''means—

''(A) a State'';

(2) by striking ''Government.'' and inserting ''Government; or''; and

(3) by adding at the end the following:

''(B) a State or local governmental entity that operates a public transportation service and receives and administers Federal transit program grant funds for both rural and urban areas.''.

AMENDMENT NO. 95 OFFERED BY MS. STEVENS OF MICHIGAN

Page 1130, line 13, strike ''and''.

Page 1130, line 20, strike the period and insert ''; and''.

Page 1130, after line 20, insert the following:

(3) research and development to identify solutions that use on board sensor data for vehicle safety purposes, such as—

(A) identifying when a vehicle has either entered or passed an exit ramp traveling in a direction opposing the legal flow of traffic;

(B) employing vehicle-to-infrastructure (VI2) communications in combination with onboard sensor data to enhance roadway safety; and

(C) developing applications to notify at-risk drivers and law enforcement agencies of a wrong way driver in the area.

AMENDMENT NO. 96 OFFERED BY MS. STEVENS OF MICHIGAN

At the end of subtitle A of title V of division B, add the following:

SEC. 5119. RESILIENT TRANSPORTATION INFRASTRUCTURE CENTERS OF EXCELLENCE.

(a) CENTERS OF EXCELLENCE.—The Secretary of Transportation shall award grants to establish 5 Centers of Excellence to advance research and development that improves the resilience of regions of the United States to natural disasters, extreme weather, and the effects of climate change on surface transportation infrastructure.

(b) ACTIVITIES.—In carrying out this section, the Secretary shall ensure the Centers promote resilient surface transportation infrastructure through—

(1) supporting the research and development of design, operations, and maintenance standards relevant to surface transportation that consider existing and anticipated impacts of natural disasters, extreme weather, and climate change;

(2) research, development, and technology transfer of resilient materials and technologies into existing and future surface transportation infrastructure; and

(3) development and dissemination of tools, techniques, and information that informs federal, state, and local government decision-making, policies, planning, and investments.

(c) CENTER COORDINATION.—

(1) IN GENERAL.—The Secretary shall—

(A) coordinate activities of all five Centers to prevent duplication; and

(B) promote dissemination of research among awardees.

(2) PROGRAM EVALUATION AND OVERSIGHT.—The Secretary may expend not more than 1 and a half percent of the amounts made

available to the Secretary to carry out this section for any coordination, evaluation, and oversight activities, of the Secretary under this Section.

(d) ELIGIBILITY.—An institution of higher education, as defined by section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), or a consortium of institutions of higher education shall be eligible to receive grants under this program.

(e) COMPETITIVE SELECTION PROCESS.—

(1) APPLICATIONS.—To receive a grant under this section, an eligible entity shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

(2) RESTRICTION.—A recipient may only receive 1 grant per fiscal year under this section.

(3) SELECTION CRITERIA.—In awarding a grant under this section, the Secretary shall—

(A) give preference to the applicant's past performance in the activities under subsection (b);

(B) consider the extent to which an applicant's proposal would involve participation by local, regional, and national stakeholders; and

(C) consider the local, regional, and national impacts of the applicant's proposal.

(4) LOCATION.—In awarding a grant under this section, the Secretary shall select centers located in diverse geographic regions that represent a variety of experiences with natural disasters, extreme weather patterns, and climate change impacts.

(f) FEDERAL SHARE.—As a condition of receiving an award under this section, an award recipient shall match 50 percent of the amounts made available under the award.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary such sums as necessary for grants under this section.

(2) LIMITATION ON AVAILABILITY OF AMOUNTS.—Amounts made available to the Secretary to carry out this section shall remain available for obligation by the Secretary for a period of 3 years after the last day of the fiscal year for which the amounts are authorized.

(h) REPORTING.—In general, on a biannual basis, the Secretary shall—

(1) review and evaluate the programs carried out under this section by grant recipients; and

(2) submit to the Committees on Transportation and Infrastructure and Science, Space, and Technology of the House of Representatives and the Committees on Environment and Public Works and Commerce, Science, and Transportation of the Senate a report describing that review and evaluation.

(i) INFORMATION COLLECTION.—Any survey, questionnaire, or interview that the Secretary determines to be necessary to carry out reporting requirements relating to any program assessment or evaluation activity under this section, including customer satisfaction assessments, shall not be subject to chapter 35 of title 44, United States Code.

AMENDMENT NO. 97 OFFERED BY MR. SUOZZI OF NEW YORK

Page 1358, after line 11, insert the following:

SEC. 9307. NORTH ATLANTIC RAIL INTERSTATE COMPACT.

(a) IN GENERAL.—Chapter 249 of title 49, United States Code, is amended by inserting after section 24905 the following:

"§ 24905A. North Atlantic Rail Interstate Compact; North Atlantic Rail Network

''(a) NORTH ATLANTIC RAIL INTERSTATE COMPACT.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this section, the Secretary of Transportation shall appoint a director for the North Atlantic Rail Interstate Compact (referred to in this section as the 'Compact') in collaboration with states identified in paragraph (2)(A).

''(2) BOARD OF DIRECTORS.—

''(A) COMPOSITION.—The Compact shall be governed by a board of directors, which shall be composed of directors, of whom—

''(i) 2 directors shall be appointed by the Secretary of Transportation;

''(ii) 1 director shall be appointed by the Chief Executive Officer of Amtrak;

''(iii) 2 directors shall be appointed by the Governor of Connecticut;

''(iv) 2 directors shall be appointed by the Governor of Maine;

''(v) 2 directors shall be appointed by the Governor of Massachusetts;

''(vi) 2 directors shall be appointed by the Governor of New Hampshire;

''(vii) 2 directors shall be appointed by the Governor of New York;

''(viii) 2 directors shall be appointed by the Governor of Rhode Island; and

''(ix) 2 directors shall be appointed by the Governor of Vermont

''(B) TERM; QUALIFICATIONS.—Of the individuals appointed pursuant to each of the clauses (iii) through (ix) of paragraph (1)—

''(i) 1 shall be the head of the respective State department of transportation; and

''(ii) the other director appointed by the respective governor—

''(I) shall serve for a 5-year term;

''(II) shall be a resident of the appointing governor's State;

''(III) may not be an employee of the government of such State; and

''(IV) shall be an expert in transportation policy, finance, public policy, planning or a related discipline associated with the purpose and mission of the Compact.

''(C) NO COMPENSATION.—Directors shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions of subchapter I of chapter 57 of title 5, United States Code.

''(3) PURPOSE.—The purpose of the Compact shall be to construct, on an accelerated basis, a North Atlantic Rail Network in order—

''(A) to provide clean, safe, coordinated and efficient high-speed and high-performance passenger rail transportation in the 7-State North Atlantic Rail Network region; including the improvement of existing intercity passenger rail services;

''(B) to reduce carbon emissions from auto and air transportation in such region in order to meet the greenhouse gas performance targets established under section 150(d) of title 23; and

''(C) to provide employment opportunities and economic development in the cities and regions served by a North Atlantic Rail Network.

''(4) STAFFING.—The directors and officers of the Compact may appoint and fix the pay of such personnel, as they consider necessary and appropriate, to advance the design and construction of a North Atlantic Rail Network.

''(5) COORDINATION.—The Compact, in designing and constructing a North Atlantic Rail Network, shall coordinate and cooperate with—

''(A) the Secretary of Transportation;

''(B) the Northeast Corridor Commission;

''(C) Amtrak;

''(D) State departments of transportation, regional transportation authorities, and other State-established entities, responsible for the provision of passenger rail in the North Atlantic Rail Network region; and

''(E) freight railroads that host passenger trains or operate freight trains over passenger rail lines within the territory.

''(b) NORTH ATLANTIC RAIL NETWORK.—

''(1) CREATION.—Notwithstanding the existing service along the Northeast Corridor, the Compact shall construct a North Atlantic Rail Network, which may include—

''(A) additional high-speed rail service between Boston and New York;

''(B) a high-performance network of intercity passenger rail transportation throughout the 7-State region; and

''(C) an integrated network of metropolitan passenger rail transportation coordinated with the high-speed rail service referred to in subparagraph (A).

''(2) AUTHORIZATIONS.—The Compact shall have the same authorities provided to interstate compacts in section 410 of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24101 note), including—

''(A) receiving appropriations—

''(i) to plan, design, engineer, and acquire property (including railroad rights-of-way);

''(ii) to conduct competitive procurements;

''(iii) to enter into construction contracts;

''(iv) to form project labor agreements; and

''(v) to construct a North Atlantic Rail Network;

''(B) utilizing all design-build and other alternative procurement policies and practices approved by the Department of Transportation;

''(C) utilizing existing authorities to expedite reviews for infrastructure investment within existing rights of way under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(D) contracting with Amtrak, State departments of transportation, or related operating entities within the 7-State North Atlantic Rail Network region to design or construct elements of a North Atlantic Rail Network.

''(3) COMMENCEMENT OF OPERATIONS.—The Compact shall commence operations and be eligible for appropriated funding in any State that has ratified the Compact, upon the ratification of a minimum of 2 states of the Compact.

''(4) RESPONSIBILITIES.—If a State department of transportation or its related operating entity owns the right-of-way for a rail line segment within a North Atlantic Rail Network, such department or entity shall be responsible for the design and construction of improvements on such segment of a North Atlantic Rail Network.

''(5) WORK PERFORMED ON RIGHT-OF-WAY.—Notwithstanding paragraph (2)(D), all work done in existing rail right-of-way shall be performed only in accordance with the rail collective bargaining agreements applicable to work performed on such right-of-way.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 249 of title 49, United States Code, is amended by inserting after the item relating to section 24905 the following:

''24905A. North Atlantic Rail Interstate Compact; North Atlantic Rail Network.''.

(c) SUNSET.—Upon the earlier of the completion of the construction of all of the elements of a North Atlantic Rail Network created pursuant to subsection (b)(1) of section 24905A of title 49, United States Code, as added by this Act, or the date that is 20 years after the date of the enactment of this Act—

(1) the North Atlantic Rail Interstate Compact established pursuant to subsection (a)(1) of such section shall be dissolved; and

(2) the assets of the North Atlantic Rail Interstate Compact shall be transferred to Amtrak.

AMENDMENT NO. 99 OFFERED BY MR. TITUS OF NEVADA

Page 1269, line 12, insert before the period the following: '', or a rail carrier (as such term is defined in section 10102(5) of title 49, United States Code) with demonstrated support from at least one of such entities for high-speed rail activities described in section 26101 or 26106 of title 49, United States Code''.

AMENDMENT NO. 101 OFFERED BY MRS. TORRES OF CALIFORNIA

Page 600, beginning on line 18, strike ''consistent with the safety recommendations issued by the National Transportation Safety Board on August 15, 2017, numbered H-17-27 and H-17-28''.

Page 600, after line 4, insert the following (and redesignate subsequent paragraphs accordingly):

(7) the results and recommendations of the National Academies of Sciences, Engineering, and Medicine report entitled ''Development of a Posted Speed Limit Setting Procedure and Tool'', issued March 2021;

(8) the safety recommendations issued by the National Transportation Safety Board on August 15, 2017, numbered H-17-27 and H-17-28;

Page 600, after line 16, insert the following (and redesignate the subsequent subsection accordingly):

(d) STUDY ON SPEED LIMIT METHODOLOGIES.—Not later than 2 years after the date of enactment of this Act, the Secretary shall conduct a study of current speed limit setting methodologies across the country and develop best-practices for such methodologies, taking into consideration context sensitive design principles (as such term is defined in section 101 of title 23, United States Code).

AMENDMENT NO. 102 OFFERED BY MRS. TORRES OF CALIFORNIA

Page 1101, line 7, strike ''$2,000,000'' and insert ''$8,000,000''.

Page 1101, after line 12, insert the following:

(d) APPLICATION OF CHAPTER 35 OF TITLE 44.—Any survey, questionnaire, or interview that the Secretary determines to be necessary to carry out the reporting or research requirements relating to this section, including customer satisfaction assessments, shall not be subject to chapter 35 of title 44, United States Code.

AMENDMENT NO. 103 OFFERED BY MRS. TORRES OF CALIFORNIA

Page 705, after line 3, insert the following:

SEC. 1640. REGIONAL INFRASTRUCTURE ACCELERATOR DEOMONSTRATION PROGRAM.

Section 1441 of the FAST Act (23 U.S.C. 601 note) is amended—

(1) in subsection (d)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(B) by inserting before paragraph (1) the following:

''(1) the need for projects that address air quality in areas—

''(A) that have been designated as nonattainment area under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); or

''(B) that are maintenance areas (as such term is defined in section 101(a) of title 23, United States Code);''; and

(2) in subsection (f) by striking ''$12,000,000'' inserting ''$13,600,000 out of the general fund of the Treasury for each fiscal year''.

AMENDMENT NO. 105 OFFERED BY MR. TORRES OF NEW YORK

Page 523, line 3, before the period, insert the following: '', including a project to deck over a limited-access highway or other eligible facility''.

AMENDMENT NO. 106 OFFERED BY MR. TORRES OF NEW YORK

At the end of subtitle C of title I of division B, add the following:

SEC. ___. GAO STUDY.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study to review the amount of funds made available under section 151(f) of title 23, United States Code, for the installation of electric vehicle charging stations in communities disproportionately impacted by air pollution and high rates of asthma.

AMENDMENT NO. 109 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

Page 663, line 8, insert ''residents of public housing (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and of other housing assisted under other Federal affordable housing programs as so designated by the Secretary of Housing and Urban Development,'' after ''elderly,''.

Page 664, line 15, insert '', residents of public housing (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and of other housing assisted under other Federal affordable housing programs as so designated by the Secretary of Housing and Urban Development,'' after ''low-income communities''.

Page 665, beginning on line 12, insert '', residents of public housing (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and of other housing assisted under other Federal affordable housing programs as so designated by the Secretary of Housing and Urban Development,'' after ''low-income communities''.

Page 665, line 12, insert ''including individuals registered with a one-stop center, as defined under section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102),'' after ''employment,''.

AMENDMENT NO. 110 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

Page 838, after line 25, insert the following (and redesignate the subsequent subparagraphs accordingly):

(F) any expected cost savings for transit agencies and law enforcement agencies responsible for enforcing fare evasion policies;

AMENDMENT NO. 111 OFFERED BY MS. VELAZQUEZ OF NEW YORK

Page 350, line 16, strike ''and'' at the end.

Page 350, line 19, strike the period at the end and insert ''; and''.

Page 350, after line 19, insert the following:

''(v) the planting of trees, appropriate to the region, in street medians, islands, and along sidewalks in order to complement traffic calming techniques.

The SPEAKER pro tempore. Pursuant to House Resolution 508, the gentleman from Pennsylvania (Mr. LAMB) and the gentleman from Louisiana (Mr. GRAVES) each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. LAMB. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this en bloc amendment, which provides for the consideration of 42 amendments. The amendments contained in this en bloc touch upon various policy areas in the base bill.

The surface transportation amendments include: increasing funding for the National Scenic Byways Program; creating a climate-safe infrastructure working group to prepare transportation infrastructure for the effects of climate change; requiring a GAO report to Congress on access to nonemergency medical transportation for disadvantaged populations; requiring the Secretary of Transportation to submit a report to Congress on the Disadvantaged Business Enterprise Program; and ensuring underserved communities are considered in the expansion of electric vehicle charging infrastructure.

These are just some of the highlights of the amendments included. I thank my colleagues for offering such thoughtful amendments to improve the surface transportation portions of the INVEST in America Act, and I urge adoption of the amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Louisiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I actually want to repeat what the gentleman from Pennsylvania just said: This bloc of amendments consists of 42 amendments.

All you Americans that are at home right now, your Member of Congress that you elected to come up here to debate, to influence, to fix the crisis we have in transportation and traffic right now, you get the choice to either support or oppose 42 different amendments, some of which may be good, some of which may be awful.

This is what democracy looks like right now under this Democrat majority, where the individual Members of Congress aren't even allowed to effectively represent their constituents.

This bill, including this amendment, simply adds more money to a bad system. The average American, Mr. Speaker, all they need to do is think about that road project, that traffic jam, they have in their community. All this bill does is puts more money in that very system that resulted in those problems in their community. It doesn't fix it.

In fact, it even diverts money from what should be infrastructure into things that have absolutely nothing to do with infrastructure, which, just to give an example of that, includes art. That is where your transportation dollars are going, art infrastructure.

Mr. Speaker, this amendment is so fundamentally flawed, this process is so fundamentally flawed, I urge rejection of this entire bloc.

Mr. Speaker, I reserve the balance of my time.

Mr. LAMB. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am proud to rise in support of the INVEST in America Act, which will help rebuild America's infrastructure. I especially rise today in strong support of my amendment and other disability provisions in the INVEST in America Act.

It has been more than three decades since the ADA became law. Yet, people

with disabilities still face substantial barriers to transportation. The INVEST in America Act includes provisions from the Disability Access to Transportation Act, a bill I authored to break down barriers in transportation for people with disabilities.

These provisions, among other things, include establishing a one-stop paratransit pilot program so that riders can schedule an intermediate stop during their trips, reauthorizing and increasing funding for section 5310 mobility grants, and streamlining the reporting process for accessibility complaints.

The bill will also require the Department of Transportation to adopt the U.S. Access Board's proposed ''Public Rights-of-Way Accessibility Guidelines'' as enforceable standards, and my amendment will require the Department of Justice to follow suit.

Mr. Speaker, this amendment and the INVEST in America Act will help make our Nation more accessible for Americans with disabilities. I urge my colleagues to vote ''yes'' on this amendment, and I thank the chairman for his leadership on this outstanding bill.

Mr. GRAVES of Louisiana. Mr. Speaker, I reserve the balance of my time.

Mr. LAMB. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. JONES).

Mr. JONES. Mr. Speaker, people in suburban communities benefit from convenient, reliable public transportation to urban areas. It allows them to move to more affordable neighborhoods while maintaining access to the economic opportunities in the city.

This is evident in part of my district, where a one-seat ride on the east side of the Hudson River in New York makes it easy to get off the roads and commute by train between Westchester County and New York City.

Unfortunately, Rockland County, on the west side of the Hudson, lacks direct rail service to the city, making the commute deeply inconvenient and the area a more challenging place to live.

My amendment would commission a study on the economic benefits of one-seat ride commuter rail service between urban and suburban communities. This study would help Federal, State, and local governments plan for expansion of direct rail service to communities like Rockland County and identify areas where improvements are not only feasible but necessary.

I urge support for my amendment because communities like Rockland deserve convenient, reliable public transportation to urban areas like New York City.

Mr. GRAVES of Louisiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have heard people talk about how this bill is going to help address climate change, and we have heard people try to suggest that our side doesn't care about it. The facts actually paint a very different story.

My friends on the other side of the aisle came in and tried very hard to force legislation that would mandate reductions in emissions in the power sector. That was going to significantly drive up energy costs. Thankfully, Congress didn't enact it.

But do you know what actually happened? By letting innovators innovate, by Congress not coming in and forcing regulatory mandates and forcing and choosing different types of energy technologies, the United States has reduced emissions more than the next 12 emissions-reducing countries combined.

Is it because of Congress' actions? No. It is because Americans are innovative, and Americans innovated their way out of this. We have been leading the world.

What this legislation does is it goes back, and it fails to learn from the lessons of the past. It tries to force technologies.

Right now, electric vehicle sales represent 2 percent of sales. Consumers don't want them.

In my home State, we drive pickup trucks and put our boats behind them. But don't worry, because according to Car and Driver, you are going to get to pull your boat 100 miles, and then you get to stop at a charging station, paid for by this bill. You will then get to sit there for 45 minutes, potentially get your truck up to 80 percent, and you can maybe then drive another, I don't know, 70 miles or so. It is going to be great.

This is crazy. This is absolutely crazy. Americans need traffic solutions. We need traffic solutions. We had 325 amendments submitted to this bill to try to improve it. Mr. Speaker, 149 of those were accepted, and 105 of those were Democrat amendments, not even giving Republican constituents across America the opportunity to be able to be represented.

Mr. Speaker, I urge rejection of this partisan, failed process that, for the first time in decades, has failed to yield a bipartisan bill.

Mr. Speaker, I reserve the balance of my time.

Mr. LAMB. Mr. Speaker, I would just note for my colleague's edification the strong role that the Federal Government and national lab system played in the very energy innovation that he was mentioning in his remarks. It was not done by the private sector alone.

Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. TORRES).

Mr. TORRES of New York. Mr. Speaker, I rise to speak in favor of my amendment to the INVEST Act, which clarifies that the capping of highways with deck parks shall qualify for funding under the Reconnecting Neighborhoods Program.

The South Bronx is the most densely populated congressional district with the highest concentration of diesel truck traffic. In Hunts Point alone, there are 15,000 trucks traveling every day from and to the Hunts Point Terminal Market. Children living near the Cross Bronx Expressway are, through no fault of their own, breathing in air pollutants that cause respiratory disease.

The sheer prevalence of asthma in the South Bronx is no accident. It is a consequence of the Cross Bronx Expressway, which stands both literally and metaphorically as a structure of racism.

My amendment to the INVEST Act would lay the groundwork for capping the Cross Bronx Expressway in the hopes of preventing diesel truck traffic from polluting the air we breathe in the Bronx.

There is no policy or project that would do more to fundamentally improve the air quality and life expectancy in the South Bronx than the long-overdue transformation of the Cross Bronx Expressway.

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Mr. GRAVES of Louisiana. Mr. Speaker, I reserve the balance of my time.

Mr. LAMB. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. AUCHINCLOSS).

Mr. AUCHINCLOSS. Mr. Speaker, I rise today in support of my amendment to the INVEST in America Act to ensure the future of transportation is convenient, affordable, and sustainable.

My amendment would help local governments sustainably fund innovative public transportation options, including on-demand transit. These new transit services will be required to follow FTA rules and to protect the labor force that makes public transit possible.

Expanding mobility-as-a-service—like bikeshare, scooters, and rideshare—will bring in new transit ridership, meaning less traffic and pollution and more walkable, vibrant downtowns.

I am grateful for Chairman DEFAZIO's leadership on this transformational bill and the diligent work of his staff. I urge my colleagues to support my amendment and the underlying bill.

Mr. GRAVES of Louisiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I heard my friends talk about how it has been innovation that has led us to emissions reductions. I find it fascinating and certainly look forward to that discussion.

But, Mr. Speaker, right now, just a few months ago, the United States was entirely energy independent. We produced all the resources that we needed to power our economy and to power our transportation sector.

What this bill does is begins forcing everything, manipulating markets in a direction that doesn't work.

Don't take my word for it. Let me give you examples about the State of

California that has tried to do the very thing that this bill does. The State of California currently has electricity prices that are twice those of my home State.

I ask the American citizens, Mr. Speaker, which American is asking to have their electricity bills doubled?

By the way, when you increase demand for electricity, the price goes up even higher. When you try to electrify the entire vehicle fleet, then prices go up.

Do you think they got a plan for this?

There is a study in this very amendment that tries to study how you are going to incorporate vehicles into the energy and transportation sector. They don't even know how they are going to do it, yet they are charging ahead boldly under this en bloc amendment.

Another great one in here: During the committee process on this, I offered an amendment, Mr. Speaker, to establish national centers of resilience. I got a commitment from the chairman saying: Yes, we are going to work with you on this.

They didn't work with us. But all of a sudden, when we filed our amendment, that one is discarded, and one pops up from a Democrat Member with our idea. It is now going to be in this en bloc for consideration.

This whole process just doesn't reflect democracy. I can't say it enough, Mr. Speaker: Decades and decades of bipartisan support, strong support, representing the leadership on how you negotiate legislation and bringing traffic solutions and transportation solutions to America.

In this case, there is no bipartisan support. This is a failed effort that fails to address the needs of the American public. It diverts funds that need to go to traffic solutions to things that, quite frankly, are going to play into China's hands and cause the loss of jobs. We need to be exporting American innovation, not exporting jobs to China, as this bill does.

Mr. Speaker, I reserve the balance of my time.

Mr. LAMB. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Pennsylvania has 5 minutes remaining. The gentleman from Louisiana has 3½ minutes remaining.

Mr. LAMB. Mr. Speaker, I yield 1 minute to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. Mr. Speaker, I thank the chairmen for their leadership, vision, and work on this bill.

It must be our priority to ensure needed infrastructure investments promote equity to help address the myriad environmental injustices experienced by minority, Tribal, and low-income communities.

For this reason, I was happy to join forces with the gentleman from Colorado (Mr. CROW) to offer an amendment which ensures underserved and disadvantaged communities are not left behind as we make the electric vehicle transition.

I also want to thank Chairman DEFAZIO for the strong equity-focused investments in this package, such as the new reduced fare for the low-income riders demonstration grant program and changes to the transit formula to require transit agencies to better serve transit-dependent populations.

I am pleased that my amendment to this package, which would increase the funding set-aside for low- and moderate-income communities under the Zero Emission Bus Grant Program, is included.

Finally, providing equitable access to electric charging infrastructure and substantial public transit funding helps build equity into our Nation's transportation options and will help address the climate hazards that must remain a priority for this administration and Congress.

Mr. Speaker, I urge the body to support this bill.

Mr. GRAVES of Louisiana. Mr. Speaker, I reserve the balance of my time.

Mr. LAMB. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. OCASIO-CORTEZ).

Ms. OCASIO-CORTEZ. Mr. Speaker, I rise today to offer six amendments to the INVEST in America Act.

It is imperative that any infrastructure bill that we work on and is passed by Congress helps to achieve two goals: one, address the history of injustice and displacement that traditional and historic infrastructure investment has imposed on communities of color and working people, like the construction of the Cross Bronx Expressway; and the second is to prepare for and create good, dignified union jobs in building the infrastructure that helps mitigate climate change.

One amendment that I am offering today would double the funding to replace lead water infrastructure in schools. In the richest country in the world, no child should be poisoned by their classroom water fountain, yet that is exactly the case for millions of American schoolchildren. In New York City alone, at least 400 schools, many in the Bronx, contained faucets with elevated lead levels as recently as 2019.

I am also offering an amendment today with Representative MOULTON to increase rail funding by 20 percent.

Mr. Speaker, I urge support and passage of these amendments.

Mr. GRAVES of Louisiana. Mr. Speaker, I reserve the balance of my time.

Mr. LAMB. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I rise today in support of my amendment to H.R. 3684, the INVEST in America Act.

Among other things, this legislation aims to increase both the awareness of career opportunities in the transportation sector and to build a more diverse workforce in this field.

My amendment would add veteran status as a factor to be considered under diversity.

As of 2017, women represented 16 percent of the overall Active Duty force, with 43 percent of Active Duty military identified as Black, Hispanic, Asian, or another racial or ethnic group. Our increasingly diverse military is not only an asset to our Nation's security, but when these servicemembers return to civilian life, they are often an untapped pool of potential.

We have a duty to protect and serve those who have done so for us. A key part of that is helping our veterans find gainful employment once their service has ended, which is what my amendment would seek to do.

Mr. Speaker, I urge my colleagues to support this.

Mr. GRAVES of Louisiana. Mr. Speaker, I reserve the balance of my time.

Mr. LAMB. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Mrs. FLETCHER).

Mrs. FLETCHER. Mr. Speaker, I rise today to offer an amendment to the INVEST in America Act to provide local transit agencies the flexibility to develop large-scale transit improvement plans.

As Congress discusses legislation to reimagine and rebuild our country's infrastructure and transit systems, the amendment I am offering today provides additional flexibility, as transit agencies group transit improvement projects together and allow more than one project to be developed and financed at a time.

Specifically, if an agency pays more than the required 20 percent of local funds to pay for a federally qualified project, the extra funds they used on that project will be counted as a credit on another project.

This will ensure that local agencies are able to maximize both the Federal and local funds available to them to deliver large-scale regional transit improvements.

As we reimagine and rebuild our country's infrastructure, this is precisely the type of Federal-local partnership that will deliver the highest value for our investment as we work to build for our future.

Mr. GRAVES of Louisiana. Madam Speaker, I reserve the balance of my time.

Mr. LAMB. Madam Speaker, I am prepared to close whenever the gentleman from Louisiana is prepared to close. I reserve the balance of my time.

Mr. GRAVES of Louisiana. Madam Speaker, I am prepared to close, but being in opposition, I reserve the right to close.

Mr. LAMB. Madam Speaker, just kind of wrapping up everyone's comments today, I think that this bill is a significant down payment on the future that we are all working toward.

The reality of American history is that the government often works together with businesses to stimulate investments and speed up new markets.

That is what we are trying to do in this bill. That has been true in natural gas; it has been true in public transportation; and it is true in electric vehicles. And that is what this bill is about.

We are very proud to offer all of these amendments, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Madam Speaker, recognizing that I have the right to close, I continue to reserve the balance of my time.

Mr. LAMB. Madam Speaker, I yield back the balance of my time.

Mr. GRAVES of Louisiana. Madam Speaker, I would like to start a colloquy with the gentleman from Pennsylvania, who made a statement about how our national labs innovated us into this emissions reduction leadership role we play in the United States.

I ask the gentleman from Pennsylvania to explain to us about those innovations and how that contributed to emissions reductions.

I yield 30 seconds to the gentleman from Pennsylvania (Mr. LAMB) for the purpose of a colloquy.

Mr. LAMB. Madam Speaker, I will try to do it in 30 seconds.

The bulk of our emissions reduction has come from the transition from coal to natural gas. Most of the critical science that is behind the shale revolution was developed within the national lab system, particularly at the National Energy Technology Laboratory, proudly located in western Pennsylvania.

Of course, private-sector innovation played a huge role, but there were many key scientific advances that would not have been possible without Federal investment paid for by this very Congress.

That is how we are responsible for many of the emissions reductions that have taken place and that will continue to take place in the future.

Mr. GRAVES of Louisiana. Madam Speaker, reclaiming my time, I couldn't have asked the gentleman to make my point any more than he just did.

This bill attempts to force or manipulate markets in a direction that is simply not consistent with the resources, the workforce of America.

The gentleman is exactly right. He is exactly right. It is our natural gas revolution that has resulted in the United States leading the world in reducing emissions. It is not a result of someone coming in and forcing people to drive electric vehicles. It is not a result of forcing people to put solar panels on their homes. That is not it. It is the transition to natural gas.

As a matter of fact, the natural gas from the gentleman's home State, according to the National Energy Technology Lab in the gentleman's home State, has a 42 to 47 percent lower emissions profile than Russian gas, which is effectively what this bill forces to happen, more dependence on Russian gas.

A year ago, we imported zero barrels of Russian oil—zero—into the United States. This month, we are on a trajectory to import 7 million barrels, 7 million barrels of oil from Vladimir Putin. Thanks. This is crazy.

This bill just continues building on that. I really don't understand, Madam Speaker, what the gentleman is going to tell his own constituents when they are no longer employed. Folks say: Hey, don't you worry. We are going to get new clean energy jobs.

Madam Speaker, what has happened every single time we have developed new technology that wasn't tied back to America's resources? China steals the property. They steal the intellectual property. They steal the inventions and sell it back to us at a cheaper price—by the way, at the same time, causing greater environmental consequences using child enslaved labor.

Madam Speaker, what I urge is, let's apply cancel culture to the countries that my friends across the aisle are actually promoting right now, to China and Russia.

Let me say this again. This bill attempts to take California's model and apply it nationally, doubling the electricity prices in my home State.

Guess which State had the eighth worst emissions growth in America? Is it the State that carried all this out? No. It is California. Guess which State is the most dependent State on foreign energy? It is California.

I can't say it enough. We need to be exporting our innovation, not exporting our jobs. This is a flawed bill. It is an entirely flawed strategy that is being forced on American citizens under this legislation. People have the option right now to buy electric vehicles, and they are not doing it. It is 0.6 percent of the vehicles today.

Madam Speaker, I urge rejection of this amendment. I yield back the balance of my time.

□ 1915

The SPEAKER pro tempore (Ms. JACKSON LEE). Pursuant to House Resolution 504, the previous question is ordered on the amendments en bloc No. 1 offered by the gentleman from Pennsylvania (Mr. LAMB).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GRAVES of Louisiana. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. LAMB OF PENNSYLVANIA

Mr. LAMB. Madam Speaker, pursuant to House Resolution 508, I rise to offer amendments en bloc No. 2.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 5, 9, 15, 31, 34, 43, 52, 61, 62, 63, 65, 74, 76, 86, 94, 100, 112, 114, 119, 121 and 143, printed in House Report 117–75, offered by Mr. LAMB of Pennsylvania:

AMENDMENT NO. 5 OFFERED BY MR. BEYER OF VIRGINIA

Page 1222, after line 8, insert the following:

SEC. 7002. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 TEMPORARY LOAN RELIEF DUE TO COVID–19.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE BORROWER.—The term ''eligible borrower'' means a recipient of an eligible loan administered by the National Surface Transportation and Innovative Finance Bureau.

(2) ELIGIBLE LOAN.—The term ''eligible loan'' means a loan provided on or before the date of enactment of this Act under a program described in subparagraph (A) or (B) of 116(d)(1) of title 49, United States Code.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(b) INTEREST RATE RESET.—

(1) IN GENERAL.—If, at any time after the date of execution of an eligible loan, the eligible borrower of such eligible loan is impacted by COVID–19 and unable to generate sufficient revenues from the dedicated revenue source to pay the scheduled repayments of principal and interest on such eligible loan—

(A) the eligible borrower may submit to the Secretary a request to reset the interest rate of the eligible loan in such manner and containing such information as the Secretary may require; and

(B) the Secretary—

(i) in accordance with such criteria as the Secretary may establish under subsection (d), shall determine whether the eligible borrower is impacted by COVID–19; and

(ii) if a positive determination is made under clause (i), may reset the interest rate of such eligible loan (including through amendment of such eligible loan) to a lower interest rate equal to not less than the yield on United States Treasury securities of a similar maturity to the maturity of the eligible loan on the date of the reset, in accordance with this section.

(2) APPLICABILITY.—A lower interest rate provided for an eligible loan pursuant to paragraph (1)(B)(ii) shall apply until the final maturity date of the eligible loan.

(c) OTHER LOAN MODIFICATIONS.—With respect to an eligible borrower impacted by COVID–19, the Secretary, on determining that the eligible borrower has been impacted by COVID–19, may—

(1) allow, for a maximum aggregate period of not more than 5 years, an obligor to add unpaid principal and interest to the outstanding balance of the loan, subject to the requirements under section 502(j)(3)(B) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(j)(3)(B)) or section 603(c)(3)(B) of title 23, United States Code, as applicable; and

(2) extend any applicable disbursement period established under an agreement for credit assistance made pursuant to section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822) or section 603 of title 23, United States Code, as applicable.

(d) CRITERIA.—

(1) IN GENERAL.—To be eligible to receive a lower interest rate or other loan modification under this section, an eligible borrower shall achieve compliance with such criteria as the Secretary may establish, in accordance with paragraph (2).

(2) FACTORS FOR CONSIDERATION.—In establishing criteria for purposes of paragraph (1), the Secretary may take into consideration such factors as the Secretary determines to be relevant, including achieving the objectives of—

(A) maintaining the operation of a project carried out by an eligible borrower in a disaster, emergency, or other extenuating circumstance;

(B) mitigating the financial impact on an eligible borrower of a disaster, emergency, or other extenuating circumstance; and

(C) protecting the interests of the Federal Government in critical infrastructure.

(e) EFFECTIVE PERIOD.—

(1) IN GENERAL.—The authority of the Secretary to reset interest rates pursuant to this section shall terminate on September 30, 2022.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection affects any eligible loan that is modified pursuant to this section on or before September 30, 2022.

AMENDMENT NO. 9 OFFERED BY MR. CALVERT OF CALIFORNIA

Page 705, after line 3, insert the following:

SEC. 1640. ESTABLISHMENT OF WESTERN RIVERSIDE COUNTY NATIONAL WILDLIFE REFUGE.

(a) IN GENERAL.—The Secretary of the Interior (in this section referred to as the ''Secretary''), acting through the United States Fish and Wildlife Service, shall establish as a national wildlife refuge the lands, waters, and interests therein acquired under subsection (g). The national wildlife refuge shall be known as the ''Western Riverside County National Wildlife Refuge'' (in this section referred to as the ''Wildlife Refuge'').

(b) PURPOSE.—The purpose of the Wildlife Refuge shall be—

(1) to conserve, manage, and restore wildlife habitats for the benefit of present and future generations of Americans;

(2) to conserve species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or the California Endangered Species Act (California Fish and Game Code 2050–2068), or which is a covered species under the Western Riverside County Multiple Species Habitat Conservation Plan;

(3) to support the recovery and protection of threatened and endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(4) to provide for wildlife habitat connectivity and migratory corridors within the Western Riverside County Multiple Species Habitat Conservation Plan Area.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary shall seek to acquire land, water, or interests therein (including conservation easements), or sufficient to satisfy the goals established in the Multiple Species Habitat Conservation Plan, within the acquisition boundaries pursuant to this section, including but not limited to those which have been heretofore or may be hereinafter acquired by the Western Riverside County Regional Conservation Authority for Purposes of the Multiple Species Habitat Conservation Plan.

(d) NOTIFICATION OF ESTABLISHMENT.—The Secretary shall publish notice of the establishment of the Wildlife Refuge in the Federal Register.

(e) ACQUISITION BOUNDARIES.—The Secretary shall establish the acquisition boundaries of the Wildlife Refuge as the lands and waters within the Western Riverside County Multiple Species Habitat Conservation Plan Area (as depicted on maps and described in the Final Western Riverside County Multiple Species Habitat Conservation Plan dated June 17, 2003).

(f) ADMINISTRATION.—

(1) IN GENERAL.—Upon the establishment of the Wildlife Refuge and thereafter, the Secretary shall administer all federally owned lands, waters, and interests in the Wildlife Refuge in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) and this section. The Secretary may use such additional statutory authority as may be available to the Secretary for the conservation, management, recovery and restoration of fish and wildlife and habitat, the development of compatible wildlife dependent outdoor recreation opportunities, and the facilitation of fish and wildlife interpretation and education as the Secretary considers appropriate to carry out the purposes of this section and serve the objectives of the Western Riverside County Multiple Species Habitat Conservation Plan.

(2) COOPERATIVE AGREEMENTS REGARDING NON-FEDERAL LANDS.—The Secretary may enter into cooperative agreements with the State of California, any political subdivision thereof, or any other person—

(A) for the management, in a manner consistent with this section and the Western Riverside County Multiple Species Habitat Conservation Plan, of lands that are owned by such State, subdivision, or other person and located within the acquisition boundaries of the Wildlife Refuge;

(B) to promote public awareness of the natural resources of the Western Riverside County Multiple Species Habitat Conservation Plan Area; or

(C) to encourage public participation in the conservation of those resources.

(g) ACQUISITION AND TRANSFERS OF LANDS AND WATERS FOR WILDLIFE REFUGE.—

(1) ACQUISITIONS.—The Secretary shall acquire by donation, purchase with appropriated funds, or exchange such lands and waters, or interests therein (including conservation easements), as they become available, that will achieve the purposes of subsection (b), within the acquisition boundaries of the Wildlife Refuge, except that the lands, waters, and interests therein owned by the State of California and its political subdivisions may be acquired only by donation.

(2) TRANSFERS.—

(A) IN GENERAL.—The head of any Federal department or agency, including any agency within the Department of the Interior, that has jurisdiction of any Federal property located within the boundaries of the Wildlife Refuge as described by this section shall, not later than 1 year after the date of the enactment of this Act, submit to the Secretary an assessment of the suitability of such property for inclusion in the Wildlife Refuge.

(B) ASSESSMENT.—Any assessment under subparagraph (A) shall include—

(i) parcel descriptions and best existing land surveys for such property;

(ii) a list of existing special reservations designations, or purposes of the property;

(iii) a list of all known or suspected hazardous substance contamination of such property, and any facilities, surface water, or groundwater on such property;

(iv) the status of withdrawal of such property from—

(I) the Mineral Leasing Act (30 U.S.C. 181 et seq.); and

(II) the General Mining Act of 1872 (30 U.S.C. 22 et seq.); and

(v) a recommendation as to whether such property is or is not suitable for inclusion in the Wildlife Refuge, and the reasons supporting the recommendation.

(C) INCLUSION IN WILDLIFE REFUGE.—

(i) IN GENERAL.—The Secretary shall, not later than 60 days after receiving an assessment submitted pursuant to subparagraph (A), determine if the property described in such assessment is suitable for inclusion in the Wildlife Refuge.

(ii) TRANSFER.—If the Secretary determines the property in an assessment submitted under subparagraph (A) is suitable for inclusion in the Wildlife Refuge, the head of the Federal department or agency that has jurisdiction of such property shall transfer such property to the administrative jurisdiction of the Secretary for the purposes of this section.

(D) PROPERTY UNSUITABLE FOR INCLUSION.—Property determined by the Secretary to be unsuitable for inclusion in the Wildlife Refuge based on an assessment submitted under subparagraph (A) shall be subsequently transferred to the Secretary for purposes of this section by the head of the department or agency that has jurisdiction of such property if such property becomes suitable for inclusion in the Wildlife Refuge as determined by the Secretary in consultation with the head of the department or agency that has jurisdiction of such property.

(E) PUBLIC ACCESS.—If property transferred to the Secretary under this paragraph allows for public access at the time of transfer, such access shall be maintained unless such access—

(i) would be incompatible with the purposes of the Wildlife Refuge;

(ii) would jeopardize public health or safety; or

(iii) must be limited due to emergency circumstances.

AMENDMENT NO. 15 OFFERED BY MR. CARTER OF LOUISIANA

Page 1053, strike lines 5 through 20 and insert the following:

''(d) TRANSPORTATION OF EQUINES.—

''(1) PROHIBITION.—No person may transport or cause to be transported, an equine from a place in a State, the District of Columbia, or a territory or possession of the United States through or to a place in another State, the District of Columbia, or a territory or possession of the United States, or any place that is under the sovereignty of a government that is not the United States—

''(A) in a motor vehicle containing 2 or more levels stacked on top of each other; or

''(B) with reason to believe that the equine may be slaughtered for human consumption.

''(2) MOTOR VEHICLE DEFINED.—In this subsection, the term 'motor vehicle' means—

''(A) a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways; and

''(B) does not include a vehicle operated exclusively on a rail or rails.

''(3) EQUINE DEFINED.—In this subsection, the term 'equine' means any member of the Equidae family.''.

Page 1954, line 5, strike ''HORSES IN MULTI-LEVEL TRAILER'' and inserting ''EQUINES''.

Page 1954, line 12, strike ''horse'' and insert ''equine''.

AMENDMENT NO. 31 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 1446, after line 21, insert the following:

SEC. 9608. GAO STUDY ON COST ALLOCATION OF RAIL PASSENGER TRANSPORTATION LIABILITY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study of the apportionment of liability among owners of right-of-way on the Northeast Corridor and passenger rail operators on the Northeast Corridor in accordance with section 24905 of title 49, United States Code, the Northeast Corridor Commission's cost allocation policy, and the statutory prohibition on cross-subsidization under such section.

(b) RECOMMENDATIONS.—Upon completion of the study under subsection (a), the Comptroller General shall issue recommendations to the Northeast Corridor Commission, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate on how to determine equitable liability allocation policy between owners of right-of-way on the Northeast Corridor and passenger rail operators on the Northeast Corridor.

(c) CONSIDERATIONS.—In issuing recommendations under subsection (b), the Comptroller General shall consider that any recommendations may be implemented differently amongst the various Northeast Corridor passenger rail entities based on differing ownership and operational profiles.

(d) CONCLUSION.—If a mutually agreed upon resolution between owners of right-of-way on the Northeast corridor and passenger rail operators on the Northeast Corridor is reached prior to the completion of the study under subsection (a), the Comptroller General shall conclude the study.

AMENDMENT NO. 34 OFFERED BY MR. GARAMENDI OF CALIFORNIA

Page 928, after line 2, insert the following (and redesignate subsequent subparagraphs accordingly):

''(B) educate the public about proper and safe usage of light- and medium-duty trailers, including required safety equipment and preventive maintenance for safety.

AMENDMENT NO. 43 OFFERED BY MR. GRAVES OF LOUISIANA

Page 705, after line 3, insert the following:

SEC. 1640. EFFECT OF WEATHER EXTREMES ON SUSTAINABILITY AND RELIABILITY OF ROADWAYS.

The Administrator of the Federal Highway Administration shall issue or update guidance and best practices related to the resiliency of materials used for construction, reconstruction, rehabilitation, and preservation projects on Federal-aid highways, taking into consideration the effect of dynamic changes on maintenance cycles for roadways, including as a result of weather-based factors.

AMENDMENT NO. 52 OFFERED BY MR. KILMER OF WASHINGTON

Page 1455, after line 23, insert the following:

SEC. 9707. NATIONAL CULVERT REMOVAL, REPLACEMENT, AND RESTORATION GRANT PROGRAM.

(a) IN GENERAL.—Chapter 805 of subtitle X of title 49, United States Code, is amended by adding at the end the following:

''§ 80505. National culvert removal, replacement, and restoration grant program

''(a) DEFINITIONS.—In this section:

''(1) DIRECTOR.—The term 'Director' means the Director of the United States Fish and Wildlife Service.

''(2) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(3) PROGRAM.—The term 'program' means the annual competitive grant program established under subsection (b).

''(4) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(5) UNDERSECRETARY.—The term 'Undersecretary' means the Undersecretary of Commerce for Oceans and Atmosphere.

''(b) ESTABLISHMENT.—The Secretary, in consultation with the Undersecretary and Director, shall establish an annual competitive grant program to award grants to eligible entities for projects for the replacement, removal, and repair of culverts that would meaningfully improve or restore fish passage for anadromous fish.

''(c) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under the program is—

''(1) a State (as such term is defined in section 401 of title 23);

''(2) a unit of local government;

''(3) an Indian Tribe;

''(4) a Federal agency eligible to receive funds under sections 201, 203, or 204 of title 23;

''(5) a political subdivision of a State or unit of local government;

''(6) a special purpose district or public authority with a transportation function, including a port authority; or

''(7) a multistate or multijurisdictional group of entities described in paragraphs (1) through (6).

''(d) GRANT SELECTION PROCESS.—The Secretary, in consultation with the Undersecretary and Director, shall establish a process for determining criteria for awarding grants under the program, subject to subsection (e).

''(e) PRIORITIZATION.—The Secretary, in consultation with the Undersecretary and the Director, shall establish procedures to prioritize awarding grants under the program to—

''(1) projects that would improve fish passage for—

''(A) anadromous fish stocks listed as an endangered species or a threatened species under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533);

''(B) anadromous fish stocks identified by the Undersecretary or the Director that could reasonably become listed as an endangered species or a threatened species under that section;

''(C) anadromous fish stocks identified by the Undersecretary or the Director as prey for endangered species, threatened species, or protected species, including Southern resident orcas (Orcinus orcas); or

''(D) anadromous fish stocks identified by the Undersecretary or the Director as climate resilient stocks; and

''(2) projects that would open up more than 200 meters of upstream habitat before the end of the natural habitat.

''(f) FEDERAL SHARE.—The Federal share of the cost of a project carried out with a grant to a State or a unit of local government under the program shall be not more than 80 percent.

''(g) TECHNICAL ASSISTANCE.—The Secretary, in consultation with the Undersecretary and Director, shall develop a process to provide technical assistance to Indian Tribes and underserved communities to assist in the project design and grant process and procedures.

''(h) ADMINISTRATIVE EXPENSES.—Of the amounts made available for each fiscal year to carry out the program, the Secretary, the Undersecretary, and the Director may use not more than 2 percent to pay the administrative expenses necessary to carry out this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $800,000,000 for each of fiscal years 2022 through 2026.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 805 of subtitle X of title 49, United States Code, is amended by adding at the end the following new item:

''80505. National culvert removal, replacement, and restoration grant program.''.

AMENDMENT NO. 61 OFFERED BY MR. LYNCH OF MASSACHUSETTS

Page 1222, after line 8, insert the following:

SEC. 7002. FEDERAL REQUIREMENTS FOR TIFIA ELIGIBILITY AND PROJECT SELECTION.

(a) IN GENERAL.—Section 602(c) of title 23, United States Code, is amended by adding at the end the following:

''(3) PAYMENT AND PERFORMANCE SECURITY.—

''(A) IN GENERAL.—The Secretary shall ensure that the design and construction of a project carried out with assistance under the TIFIA program shall have appropriate payment and performance security, regardless of whether the obligor is a State, local government, agency or instrumentality of a State or local government, public authority, or private party.

''(B) WRITTEN DETERMINATION.—If payment and performance security is required to be furnished by applicable State or local statute or regulation, the Secretary may accept such payment and performance security requirements applicable to the obligor if the Federal interest with respect to Federal funds and other project risk related to design and construction is adequately protected.

''(C) NO DETERMINATION OR APPLICABLE REQUIREMENTS.—If there are no payment and performance security requirements applicable to the obligor, the security under section 3131(b) of title 40 or an equivalent State or local requirement, as determined by the Secretary, shall be required.''.

(b) APPLICABILITY.—The amendments made by this section shall apply with respect to any agreement for credit assistance entered into on or after the date of enactment of this Act.

AMENDMENT NO. 62 OFFERED BY MS. MACE OF SOUTH CAROLINA

Page 705, after line 3, insert the following:

SEC. 1640. GAO REPORT REGARDING HIGHWAY TRUST FUND EXPENDITURES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on Highway Trust Fund expenditures.

(b) PURPOSE.—The purpose of the report under subsection (a) shall be to gain an understanding of the expenditures made by the trust fund, including for programs funded under the Mass Transit Account and the Highway Account.

(c) CONTENTS.—The report under subsection (a) shall examine reimbursements to eligible recipients, including States, territories, Indian tribes, transit agencies, and Federal land management agencies, by—

(1) Federal-aid highway program; and

(2) category of eligible project costs including—

(A) administrative costs;

(B) development phase activities, including transportation planning;

(C) construction;

(D) maintenance;

(E) transit capital projects;

(F) operational improvements;

(G) safety improvements; and

(H) any other category that the Comptroller General determines necessary.

AMENDMENT NO. 63 OFFERED BY MRS. RODGERS OF WASHINGTON

Page 210, line 13, insert '', including areas that are at risk of flooding, rockslides, and mudslides following a wildfire'' before the semicolon.

AMENDMENT NO. 65 OFFERED BY MR. MEUSER OF PENNSYLVANIA

Page 294, after line 5, insert the following:

SEC. 1120. INCREASED FEDERAL SHARE.

Section 120(c) of title 23, United States Code, is amended by adding at the end the following:

''(4) AREAS OF PERSISTENT POVERTY.—The Federal share payable on account of a project, program, or activity carried out in

an area of persistent poverty with funds apportioned under section 104(b) may be increased by up to 5 percent, up to 100 percent of the total project cost of any such project, program, or activity.''.

AMENDMENT NO. 74 OFFERED BY MR. O'HALLERAN OF ARIZONA

Page 577, line 1, strike ''(2) in subsection (e) by striking'' and insert the following:

(2) in subsection (e)(1)—

(A) by striking ''2 percent'' and inserting ''4 percent''; and

(B) by striking

AMENDMENT NO. 76 OFFERED BY MR. PENCE OF INDIANA

At end of subtitle F of title I of division B, add the following:

SEC. 1640. RURAL OPPORTUNITIES TO USE TRANSPORTATION FOR ECONOMIC SUCCESS INITIATIVE.

(a) IN GENERAL.—The Secretary of Transportation shall establish the Rural Opportunities to Use Transportation for Economic Success Initiative (hereinafter referred to as the ''ROUTES Office''), to—

(1) improve analysis of rural projects applying for Department of Transportation discretionary grants, including ensuring that project costs, local resources, and the larger benefits to the American people and the economy are appropriately considered; and

(2) provide rural communities with technical assistance for meeting the Nation's transportation infrastructure investment need in a financially sustainable manner.

(b) OBJECTIVES.—The ROUTES Office shall—

(1) collect input from knowledgeable entities and the public on the benefits of rural transportation projects, the technical and financial assistance required for constructing and operating rural transportation infrastructure and services, and barriers and opportunities to funding such rural transportation projects;

(2) evaluate data on rural transportation challenges and determining methods to align the Department of Transportation's discretionary funding and financing opportunities with the needs of rural communities for meeting National transportation goals; and

(3) educate rural communities about applicable Department of Transportation discretionary grants, developing effective methods to evaluate rural projects in discretionary grant programs, and communicating those methods through program guidance.

(c) ROUTES COUNCIL.—

(1) IN GENERAL.—The Secretary shall establish the ROUTES Council (hereinafter referred to as the ''Council'') to—

(A) organize, guide, and lead the ROUTES Office; and

(B) coordinate rural-related funding programs and assistance among the modal administrations.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Council shall be composed of the following officers of the Department of Transportation, or their designees:

(i) The Under Secretary of Transportation for Policy.

(ii) The General Counsel.

(iii) The Chief Financial Officer and Assistant Secretary for Budget and Programs.

(iv) The Assistant Secretary for Research and Technology.

(v) The Administrators of the—

(I) Federal Aviation Administration;

(II) Federal Highway Administration;

(III) Federal Railroad Administration; and

(IV) Federal Transit Administration.

(vi) The Chief Infrastructure Funding Officer.

(vii) The Assistant Secretary of Government Affairs.

(viii) The Director of the Office of Public Affairs.

(B) CHAIR.—The Under Secretary of Transportation for Policy shall be the Chair of the Council.

(C) ADDITIONAL MEMBERS.—The Secretary of Transportation or the Chair of the Council may designate additional members to serve on the Council.

(3) ADDITIONAL MODAL INPUT.—To address issues related to safety and transport of rural commodities, the Council shall consult with the Administrators (or their designees) of the—

(A) Maritime Administration;

(B) Great Lakes St. Lawrence Seaway Development Corporation; and

(C) National Highway Traffic Safety Administration.

(4) DUTIES.—Members of the Council shall—

(A) participate in all meetings and relevant Council activities and be prepared to share information relevant to rural transportation infrastructure projects and issues;

(B) provide guidance and leadership on rural transportation infrastructure issues and represent the work of the Council and Department of Transportation on such issues to external stakeholders; and

(C) recommend initiatives to the Chair of the Council to consider, establish, and staff any resulting activities or working groups.

(5) MEETINGS.—The Council shall meet bimonthly.

(6) WORK PRODUCTS AND DELIVERABLES.—The Council my develop work products or deliverables to meet its goals, including—

(A) an annual report to Congress describing Council activities for the past year and expected activities for the coming year;

(B) any recommendations to enhance the effectiveness of Department of Transportation discretionary grant programs regarding rural infrastructure issues; and

(C) other guides and reports for relevant groups and the public.

AMENDMENT NO. 86 OFFERED BY MISS RICE OF NEW YORK

At the end of title III of division B of the bill, add the following:

SEC. 3018. DRUG-IMPAIRED DRIVING EDUCATION GRANT PROGRAM.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall establish a program to provide grants on a competitive basis to States and Indian tribes to educate the public on the dangers of drug-impaired driving.

(b) APPLICATION FOR GRANT.—To be awarded a grant under this section, State or Indian tribe shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary may require.

(c) SUBALLOCATIONS OF FUNDS.—A State or Indian tribe that receives a grant under this section may suballocate funds from the grant to a covered entity that will carry out the requirements of paragraph (a).

(d) BEST AVAILABLE EVIDENCE.—An entity that receives funds under this section, including a covered entity using such funds, shall—

(1) use evidence and strategies recommended by the Congressional Research Service publication titled ''Marijuana Use and Highway Safety'', published in May, 2019;

(2) use evidence and strategies recommended by the National Highway Traffic Safety Administration publication titled ''Countermeasures That Work: A Highway Safety Countermeasure Guide For State Highway Safety Offices, Ninth Edition, 2017'', published in April, 2018; or

(3) use other evidence-based, peer-reviewed strategies as determined by the Secretary.

(e) EVALUATION.—Not later than 2 years after the date on which a State or Indian tribe receives a grant under the program established under paragraph (a), the State or Indian tribe shall submit to the Secretary an evaluation of progress made toward reducing drug-impaired driving within the State or Indian tribe.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $15,000,000 for each of the first 2 fiscal years beginning after the date of enactment of this Act.

(g) FEDERAL SHARE.—The Federal share of the costs of activities funded using amounts from grants awarded under this section may not exceed 80 percent for each fiscal year for which a State receives a grant.

(g) DEFINITIONS.—In this section:

(1) COVERED ENTITY.—The term ''covered entity'' includes the following:

(A) A State government agency.

(B) A local government agency or political subdivision of a State.

(C) A Tribal organization.

(D) A nonprofit organization.

(E) A State or local prosecution office.

(F) A State or local law enforcement agency.

(2) DRUG-IMPAIRED DRIVING.—The term ''drug-impaired driving'' means driving under the influence of marijuana, opioids, cocaine, amphetamines, fentanyl, or phencyclidine.

(3) MARIJUANA.—The term ''marijuana'' has the meaning given such term in section 4008 of the FAST Act (Public Law 114–94).

(4) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and is exempt from taxation under section 501(a) of such Code.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(6) STATE.—The term ''State'' means a State of the United States, the District of Columbia, and each territory of the United States.

(7) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(8) TRIBAL ORGANIZATION.—The term ''Tribal organization'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

AMENDMENT NO. 94 OFFERED BY MR. STEIL OF WISCONSIN

Page 705, after line 3, insert the following:

SEC. 16___. GAO STUDY ON VULNERABILITIES TO CERTAIN THREATS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit a report on the vulnerabilities facing the United States transportation system, including risks to intelligent transportation systems and other connected systems from ransomware and other cybersecurity threats. Such report shall be submitted to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate and include a summary of findings and any recommendations to protect against any such vulnerabilities.

AMENDMENT NO. 100 OFFERED BY MR. TONKO OF NEW YORK

Page 705, after line 3, insert the following:

SEC. __. EXTENSION OF NHA AUTHORIZATIONS.

(a) SHORT TITLE.—The section may be referred to as the ''National Heritage Area Authorization Extension Act of 2021''.

(b) IN GENERAL.—Notwithstanding any other provision of law, the authorization of appropriations for each National Heritage Area with an authorization expiring in 2021 is extended through September 30, 2023.

(c) NATIONAL HERITAGE AREA DEFINED.—For the purposes of subsection (b), the term ''National Heritage Area'' means each of the following:

(1) A National Heritage Area.
(2) A National Heritage Corridor.
(3) A Cultural Heritage Corridor.
(4) A Heritage Preservation Commission.
(5) A National Heritage Route.
(6) A Heritage Partnership.
(7) A National Heritage Partnership.
(8) A National Historic District.
(9) An area designated as a national heritage area through Federal Statute.

(d) MANAGEMENT PLAN EXTENSION.—Section 6001(c) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Public Law 116–9; 54 U.S.C. 320101 note) is amended—

(1) in paragraph (1), by striking ''3 years after the date of enactment of this Act'' and inserting ''September 30, 2023''; and

(2) in paragraph (3), by striking ''the date that is 3 years after the date of enactment of this Act'' and inserting ''September 30, 2023''.

AMENDMENT NO. 112 OFFERED BY MR. WALBERG OF MICHIGAN

Page 934, line 10, insert ''mode of transportation'' before ''of the driver''.

Page 934, strike lines 16 through 25 and insert the following:

''(2) USE OF GRANT FUNDS.—A grant received by a State under paragraph (1)—

''(A) shall be used by the State for the costs of—

''(i) collecting and maintaining data on traffic stops;

''(ii) evaluating the results of such data; and

''(iii) developing and implementing programs to reduce the occurrence of racial profiling.; and

''(B) may be used by the State for the costs of collecting, maintaining, and evaluating data on the driver's mode of transportation at traffic stops.

AMENDMENT NO. 114 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

At the end of title II of division C, insert the following:

SEC. 8205. TRANSPORTATION OF CARBON DIOXIDE.

The Secretary of Transportation may not propose, issue, or enforce any rule, regulation, or guidance that prohibits the bulk transportation of captured carbon dioxide, in solid, liquid, or gaseous form, by pipeline, rail, or ship.

AMENDMENT NO. 119 OFFERED BY MR. CRENSHAW OF TEXAS

Page 1584, line 18, insert ''or unincorporated area'' after ''municipality''.

AMENDMENT NO. 121 OFFERED BY MR. DELGADO OF NEW YORK

Page 1549, after line 8, insert the following:

SEC. 12022. DISCLOSURE OF INTRODUCTIONS OF PFAS.

(a) IN GENERAL.—The introduction of any perfluoroalkyl or polyfluoroalkyl substance by the owner or operator of an industrial source shall be unlawful unless such owner or operator first notifies the owner or operator of the applicable treatment works of—

(1) the identity and quantity of such substance;

(2) whether such substance is susceptible to treatment by such treatment works; and

(3) whether such substance would interfere with the operation of the treatment works.

(b) VIOLATIONS.—A violation of this section shall be treated in the same manner as a violation of a regulation promulgated under subsection 307(b) of the Federal Water Pollution Control Act (33 U.S.C. 1317(b)).

(c) DEFINITIONS.—In this section:

(1) INTRODUCTION.—The term ''introduction'' means the introduction of pollutants into treatment works, as described in section 307(b) of the Federal Water Pollution Control Act (33 U.S.C. 1317).

(2) TREATMENT WORKS.—The term ''treatment works'' has the meaning given that term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

AMEDMENT NO. 143 OFFERED BY MR. PAPPAS OF NEW HAMPSHIRE

Page 1549, after line 8, insert the following:

SEC. 12022. CLEAN WATER ACT EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS AND WATER QUALITY CRITERIA FOR PFAS.

(a) DEADLINES.—

(1) WATER QUALITY CRITERIA.—Not later than 3 years after the date of enactment of this section, the Administrator shall publish in the Federal Register human health water quality criteria under section 304(a)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1314) for each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of such substances.

(2) EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR PRIORITY INDUSTRY CATEGORIES.—As soon as practicable, but not later than 4 years after the date of enactment of this section, the Administrator shall publish in the Federal Register a final rule establishing, for each priority industry category, effluent limitations guidelines and standards, in accordance with the Federal Water Pollution Control Act, for the discharge (including a discharge into a publicly owned treatment works) of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of such substances.

(b) NOTIFICATION.—The Administrator shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of each publication made under this section.

(c) IMPLEMENTATION ASSISTANCE FOR PUBLICLY OWNED TREATMENT WORKS.—

(1) IN GENERAL.—The Administrator shall award grants to owners and operators of publicly owned treatment works, to be used to implement effluent limitations guidelines and standards developed by the Administrator for a perfluoroalkyl substance, polyfluoroalkyl substance, or class of such substances.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection $200,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

(d) NO INCREASED BONDING AUTHORITY.—Amounts awarded to an owner or operator of a publicly owned treatment works under this section may not be used as a source of payment of, or security for (directly or indirectly), in whole or in part, any obligation the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986.

(e) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) EFFLUENT LIMITATION.—The term ''effluent limitation'' has the meaning given that term in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

(3) MEASURABLE.—The term ''measurable'' means, with respect to a chemical substance or class of chemical substances, capable of being measured using test procedures established under section 304(h) of the Federal Water Pollution Control Act (33 U.S.C. 1314).

(4) PERFLUOROALKYL SUBSTANCE.—The term ''perfluoroalkyl substance'' means a chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(5) POLYFLUOROALKYL SUBSTANCE.—The term ''polyfluoroalkyl substance'' means a chemical containing at least one fully fluorinated carbon atom and at least one carbon atom that is not a fully fluorinated carbon atom.

(6) PRIORITY INDUSTRY CATEGORY.—The term ''priority industry category'' means the following point source categories:

(A) Organic chemicals, plastics, and synthetic fibers, as identified in part 414 of title 40, Code of Federal Regulations (or successor regulations).

(B) Pulp, paper, and paperboard, as identified in part 430 of title 40, Code of Federal Regulations (or successor regulations).

(C) Textile mills, as identified in part 410 of title 40, Code of Federal Regulations (or successor regulations).

(D) Electroplating, as identified in part 413 of title 40, Code of Federal Regulations (or successor regulations).

(E) Metal finishing, as identified in part 433 of title 40, Code of Federal Regulations (or successor regulations).

(F) Leather tanning and finishing, as identified in part 425 of title 40, Code of Federal Regulations (or successor regulations).

(G) Paint formulating, as identified in part 446 of title 40, Code of Federal Regulations (or successor regulations).

(H) Electrical and electronic components, as identified in part 469 of title 40, Code of Federal Regulations (or successor regulations).

(I) Plastics molding and forming, as identified in part 463 of title 40, Code of Federal Regulations (or successor regulations).

(7) TREATMENT WORKS.—The term ''treatment works'' has the meaning given that term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

The SPEAKER pro tempore. Pursuant to House Resolution 508, the gentleman from Pennsylvania (Mr. LAMB) and the gentleman from Louisiana (Mr. GRAVES) each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. LAMB. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of these amendments en bloc, which provide for the consideration of 21 amendments sponsored by Members on both sides of the aisle.

The amendments contained in this en bloc amend various divisions of the bill. These amendments include granting the Secretary of Transportation the authority to reset interest rates on certain existing TIFIA loans for borrowers impacted by COVID–19.

Banning the interstate and international transportation of horses bound to be slaughtered for human consumption.

Allowing States to use their National Highway Traffic Safety Administration grants to educate the public on the safe and proper use of passenger vehicle trailers.

Establishing a new grant program for culvert restoration programs that improve or restore passage for anadromous fish.

Ensuring that Federal funds administered through the TIFIA program are

protected by adequate payment and performance security requirements.

Increasing the Tribal Transportation Program safety set-aside.

Codifying the Rural Opportunities to Use Transportation for Economic Success initiative, a DOT program to help rural communities and Indian Tribes.

Authorizing a competitive grant program for States and localities to educate the public on the dangers of drugged driving.

Directing the Comptroller General to study threats facing the U.S. transportation system from ransomware and other cybersecurity threats.

Reauthorizing certain national heritage areas set to expire at the end of fiscal year 2021.

Establishing the Western Riverside County National Wildlife Refuge.

Establishing clear Clean Water Act permit limits for the discharge from PFAS chemicals.

And prohibiting industrial dischargers from secretly using our network of sewers as dumping grounds for these harmful and persistent chemicals.

I look forward to hearing further discussion of these amendments from the various sponsors. I thank my colleagues on both sides of the aisle for offering these amendments to improve the INVEST in America Act, and I urge adoption of the amendment. I reserve the balance of my time.

Mr. GRAVES of Louisiana. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, traditionally what would happen in an amendment grouping like this is that Republicans and Democrats would sit down and decide which group of amendments everybody agrees on. There are actually some really good amendments that are included in this en bloc, some of which address some fundamental problems in our transportation system.

For example, there is an amendment in here by Congresswoman MACE. What that amendment does is after much research, the Department of Transportation couldn't even tell us how much money is being invested in roads and bridges. Couldn't even answer the question. Congressional Research Service couldn't. Government Accountability Office couldn't. We have tried for months to get an answer.

So this commission is a study to look at that, to give us feedback to understand where the dollars are going to help inform us on how to do a better job governing.

There is an amendment here that I want to say thanks to my friends across the aisle for that has to do with the resilience of materials of roads.

And again, there are good amendments, but, Madam Speaker, this is how the process is supposed to work. We are supposed to sit down and try to come to common ground and decide which amendments make sense and we all agree on and help to expedite this entire process to go from 325 amendments, hopefully, to a much shorter number, not by having unilateral control and someone unilaterally deciding they are going to let these amendments go and these not and design a group of amendments to intentionally fail, despite the fact that there is good policy.

So I will say it again, I think there are some good amendments in here. I look forward to hearing from my colleagues about their particular amendments and why they are good policy, and I reserve the balance of my time.

Mr. LAMB. Madam Speaker, I yield 1 minute to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. Madam Speaker, people in the Pacific Northwest have faced horrific news this week regarding potential catastrophic die-off of salmon populations resulting from rising water temperatures from this week's heatwave.

Sadly, in our region, deteriorating infrastructure and failing culverts have long had a negative impact on water quality and have threatened the salmon that are so important to our economy and to our identity.

But today, through this bipartisan amendment, we have some good news. This amendment would create a new grant program within the U.S. Department of Transportation for culvert restoration to aid fish passage and recovery efforts.

It provides $800 million for the new National Culvert Removal, Replacement and Restoration Grant Program.

By providing this dedicated funding for culvert restoration, the Federal Government can restore fish passages and provide critical access to upstream habitat for aquatic species.

I am grateful for Senator CANTWELL's partnership and that of Chair DEFAZIO and for the support of bipartisan Members from the Pacific Northwest, who know how important this effort is to protecting clean water and recovering salmon populations in our region.

This is good news, and I encourage my colleagues to support this amendment.

Mr. GRAVES of Louisiana. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MEUSER).

Mr. MEUSER. Madam Speaker, I thank Mr. GRAVES for yielding and for so strongly and well leading this important debate.

Madam Speaker, I rise in support of my amendment, the roads to revitalization amendment, which would increase the Federal share for infrastructure projects in areas of persistent poverty from 80 percent to 85 percent. Levelling up the Federal contribution to these projects could reduce the burden on local governments, enabling long overdue projects to proceed sooner.

Many low-income communities have infrastructure needs that have been deferred for far too long, imperiling public safety and compounding the project's costs. My amendment reduces the burden on State and local governments to drive infrastructure investments in distressed areas, paving the way for broader economic development and revitalization of countless great American neighborhoods.

Infrastructure investment, as we all know, can be a game changer for many of the communities I represent, as we all do. This simple policy change will help these communities, Madam Speaker, make the up-front investment they need to revitalize Main Street, attract private-sector investment, and become even better places to live and to work.

Mr. LAMB. Madam Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. SCHRIER).

Ms. SCHRIER. Madam Speaker, I thank Mr. LAMB for yielding.

I am incredibly excited to have three local projects included in the INVEST in America Act. I worked with mayors, county commissioners, and community members across my district to identify priorities and advocate for Federal investment. These projects will improve the safety and resiliency of infrastructure in our communities, create jobs, and boost local economies.

Now, I would like to ask my colleagues to support my amendment to codify the Forest Service's Legacy Roads and Trails Program. This program leverages public and private funding to address our national backlog of deteriorating infrastructure, and does so while protecting American rivers and streams, endangered fish, and community water systems with targeted projects, like restoring fish passage and access to upstream habitat for salmon and steelhead, maintaining and storm-proofing forest roads, and improving trails so people can safely recreate in our public lands.

Chronic underfunding has left a long backlog of projects, and I am proud to present this solution. As we face the increasing threat of climate change and the need to improve our Nation's crumbling infrastructure, we must ensure pragmatic programs like legacy roads are also protected.

I urge my colleagues to support this amendment.

Mr. GRAVES of Louisiana. Madam Speaker, I yield 1 minute to the gentleman from Indiana (Mr. PENCE), a leading member of the Transportation and Infrastructure Committee.

Mr. PENCE. Madam Speaker, I am going to get straight to the point since infrastructure is fundamental to a Hoosier's way of life back home in Indiana and across America.

I rise today in support of my amendment to codify the Rural Opportunities to Use Transportation for Economic Success, or the ROUTES initiative.

The ROUTES initiative, first introduced in 2019, works to ensure that rural communities like mine get their fair share of federal funding for infrastructure.

This amendment would provide much-needed technical assistance for

local municipalities, strengthening their ability to be competitive in applying for Federal funds.

Indiana is the ''Crossroads of America.'' We see billions in commerce come through our State via airports, highways, and railways.

My home State, and countless other parts of the country are just as dependent on reliable, safe, and updated infrastructure.

That is why in April I introduced this bipartisan legislation with my colleague from Texas, Congressman HENRY CUELLAR.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GRAVES of Louisiana. Madam Speaker, I yield the gentleman an additional 30 seconds.

Mr. PENCE. Madam Speaker, in short, this means rural America will have the ability to improve critical infrastructure that will drive economic competitiveness and improve safety.

Madam Speaker, I am thankful this issue has remained a bipartisan priority, and I urge my colleagues to support this amendment so Congress can continue to recognize the infrastructure needs of our rural communities across America.

Mr. LAMB. Madam Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. CARTER).

Mr. CARTER of Louisiana. Madam Speaker, I rise today to offer a bipartisan, commonsense amendment.

This amendment will protect America's equines from being moved across State lines then exported to Canada and Mexico to be butchered for human consumption.

Horses aren't bred for food, and Americans don't want them bought under false pretenses, forced into overcrowded trailers, tormented on a thousand-mile journey and then prodded to slaughterhouses.

However, a legal loophole still allows tens of thousands of American equines to be exported each year to Canada and Mexico for slaughter.

This is a heinous practice, and Congress should take every step and chance we have to end it for good.

I thank the chairman and all of my colleagues for working with me to make this amendment possible. I thank the amazing advocates who work to protect horses, equines, and all animals day in and day out, year in and year out. This amendment wouldn't be on the floor today without their support. I tip my hat to them. This is a huge amendment that is bipartisan.

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Mr. GRAVES of Louisiana. Madam Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK), one of the hardest working members on the Committee on Transportation and Infrastructure.

Mr. FITZPATRICK. Madam Speaker, I rise today in support of amendment No. 15.

This important bipartisan amendment bans the transportation of equines for the purpose of being slaughtered for human consumption.

Madam Speaker, currently, horses, donkeys, and others can be transported inhumanely across our country and borders only to be slaughtered for human consumption in Mexico and in Canada.

Moreover, this heinous practice is responsible for over 3,500 horses being slaughtered in 2020 alone. These horses are not old or sickly. More than 92 percent of these horses sent to slaughter are in good condition, according to the USDA.

Madam Speaker, these innocent horses deserve better, and we must lend a voice to the voiceless to help end the practice of American horses being needlessly slaughtered. This amendment has the overwhelming support of the equestrian community, including the Humane Society, the SPCA, and Horses for Homes Coalition.

I thank Representative CARTER for leading this amendment, along with the other bipartisan cosponsors of this amendment, and I urge all my colleagues across the aisle to support it and vote ''yes'' on this bipartisan en bloc.

Mr. LAMB. Madam Speaker, I yield 1 minute to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Madam Speaker, I rise to support the INVEST in America Act, which is landmark legislation that provides critical funding to repair our crumbling infrastructure, makes long-overdue investments in public transit, and improves overall safety.

Together, the reforms respond to the climate crisis by reducing emissions from transportation, which represents the largest share of greenhouse gas emissions in our economy. This bill includes several provisions that I authored, including a boost to disadvantaged business enterprises, a requirement that trucks be equipped with life-saving, automatic emergency braking systems, and critical funding for public transit.

The bill would also fund five projects in my district to expand or add public transit service and improve rider safety, including the Stonecrest Transit Hub.

Moving forward, I am hopeful that a final law will include a dedicated public transit operating program, such as the one that I have proposed, to grow and improve service around the Nation.

Madam Speaker, I applaud the chairman for his leadership.

Mr. GRAVES of Louisiana. Madam Speaker, I reserve the balance of my time.

Mr. LAMB. Madam Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate your forthright support for a legislation that deals with the future. The gentleman from Louisiana State is a textbook example of what happens when we are not dealing meaningfully, when, for example, allowing the petrol chemical industry free rein. That is why they are losing an acre an hour, putting them at risk. This legislation is visionary in terms of providing the tools that communities need.

I visited over 200 communities since I have been in Congress dealing with land use, transportation, cycling, how we deal with land use planning in terms of design. This legislation supercharges that, gives them the tools that communities want.

Madam Speaker, Republicans for 8 years refused to move forward in a meaningful way; paralyzed, not willing to make a tough decision. I salute the committee. I salute you and these package of amendments because this prepares us for the future.

I bring you greetings from a community that had 116-degree temperature in June. This is the future if we don't move forward.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LAMB. Madam Speaker, I yield an additional 30 seconds to the gentleman from Oregon.

Mr. BLUMENAUER. Madam Speaker, that is the future you are all going to be experiencing. It is not just losing an acre an hour in Louisiana, it is baking in the Pacific Northwest, where people didn't even think they needed air-conditioning.

We have an opportunity to make those investments. I think the committee has done an outstanding job. And if you spend time on the ground with local government, with the private sector who want to solve these problems, we will find that this is very much in keeping with what America wants and America needs.

Madam Speaker, I appreciate their leadership and hard work.

Mr. GRAVES of Louisiana. Madam Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. BRADY), the leader of the Committee on Ways and Means.

Mr. BRADY. Madam Speaker, I thank Ranking Member GRAVES for his leadership trying to find a bipartisan framework on our Nation's infrastructure priorities.

Madam Speaker, I rise today to speak in support of my amendment that would add crucial taxpayer safeguards to the Railroad Rehabilitation and Improvement Financing.

With this amendment, 67 percent of total funding for projects would be required to come from sources other than the Federal Government. This ensures Federal funds are going towards projects with sound financials that partner with other public or private entities.

My amendment would require borrowers to document a revenue stream with the sole objective of paying off the loan. If the Federal Government is going to lend money to a project, we have to make sure they have a plan to pay it back. And this provision does just that.

Another provision would require the Federal loan be repaid, along with primary debt, if the loan defaults. This requirement protects taxpayers from bearing the brunt of costs from bankrupt projects.

In my district, constituents are seeing firsthand how high-speed rail projects with uncertain financing and lacking necessary permits in place, are looking to the RRIF program for funding. Even though Texas Central Railroad vowed for years to not seek Federal funding for the high-speed rail projects, just last year they lobbied Congress to loosen the RRIF lending requirements even further.

This amendment protects Federal taxpayers not only in my district, but across America, to make sure our constituents aren't stuck holding the bag when rail projects default on their loan.

Madam Speaker, I urge bipartisan support.

Mr. LAMB. Madam Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Madam Speaker, I thank the gentleman for yielding to me.

Madam Speaker, I rise in strong support of H.R. 3684, the INVEST in America Act.

This legislation invests in communities like mine all across the country that are in desperate need of infrastructure improvements.

Madam Speaker, this past weekend, I took the train back to Washington, D.C., from my hometown of Wilson, North Carolina. As I waited to board the train, I noticed significant deterioration to facilities of the station, including the platform and the canopy. Like many train stations across America, the Wilson Station is in dire need of repair and renovation. The INVEST in America Act, among other things, provides funding to address these issues.

I thank Chairman DEFAZIO for including over $57 billion in grant funding to help repair and modernize our aging train facilities. I also thank the chairman for the inclusion of five transformative infrastructure projects across my district.

Madam Speaker, this momentous bill delivers on a promise that we made to the American people. Let's build back better.

Mr. GRAVES of Louisiana. Madam Speaker, I have the right to close so I reserve the balance of my time.

Mr. LAMB. Madam Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. GRAVES of Louisiana. Madam Speaker, I believe we have the right to close, so I am going to reserve.

The SPEAKER pro tempore. Is the gentleman opposed to the amendment?

Mr. GRAVES of Louisiana. I am opposed to the amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized.

Mr. LAMB. Madam Speaker, I yield myself the balance of my time. I simply rise again to encourage my colleagues to support amendments en bloc No. 2, and I yield back the balance of my time.

Mr. GRAVES of Louisiana. Madam Speaker, as I mentioned, there are a number of amendments in here that I fully support. This whole process is a flawed process.

I have heard the gentleman from Oregon (Mr. BLUMENAUER) bring up the coastal Louisiana and the loss of land. The ranking member of the committee talked about the loss in coastal Louisiana, and it is extraordinary.

We have lost 2,000 square miles of our coast. It is like taking the State of Rhode Island and wiping it off the map, which is why I care so much about this issue; and it is why I care that we actually provide solutions, not rhetoric. And let me explain.

Madam Speaker, the dirty little secret that my friends across the aisle will tell you is that the highly celebrated Paris accords that they are all out there advocating for and saying this bill is going to advance this Green New Deal and Paris accord commitments, the Paris accord results in an increase in global emissions. that doesn't fix what is going on in my home State. It doesn't do anything. It makes it worse.

As a matter of fact, in negotiations, Secretary Kerry conducted—allows China to increase emissions another 50 percent between now and 2030. China today emits more than every developed country combined.

So these are the people who we are being asked to trust what happens to the people that I represent in coastal Louisiana?

Absolutely not.

Let me say it again. It is as a result of what we have done, as a result of what innovators have done that have resulted in the greatest reduction in emissions in world history. And don't take my word for it. That is a quote from the IEA's executive director—International Energy Agency's executive director.

Madam Speaker, these are flawed strategies. It is proven.

Who has cornered the market on rare earth and strategic minerals?

China has.

So who is going to be responsible for manufacturing the batteries?

China.

Who has made 80 percent of the global investment in battery technology and in manufacturing?

China.

Madam Speaker, I represent people from America, and that is who I am going to fight for. That is who I am going to defend. I am going to defend our land and prevent it from eroding and disappearing because of flawed policies. I am going to defend their tax dollars to prevent them being wasted on things that clearly play into China's hands.

Madam Speaker, I can't say this enough. I want to export American innovation or ingenuity, not our jobs, not our economy. This bill is fundamentally flawed. And representing the greatest loss of coastal wetlands in the United States, I won't stand for this type of behavior that squanders dollars and actually exacerbates the problem of coastal land lost and sustainability, and ecological productivity in my home State.

Madam Speaker, I urge that we stop this; that we start this bill over again; and as we have done for decades, that we come together in a bipartisan process, just like I know my friend from Oregon would be saying right now if roles were reversed.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 504, the previous question is ordered on the amendments en bloc printed in House Report 117–75, offered by the gentleman from Pennsylvania (Mr. LAMB).

The question is on the amendments en bloc.

The en bloc amendments were agreed to.

A motion to reconsider was laid on the table.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. DEFAZIO OF OREGON

Mr. DEFAZIO. Madam Speaker, pursuant to House Resolution 508, I rise to offer amendments en bloc No. 3.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 6, 8, 21, 40, 41, 45, 77, 78, 79, 80, 81, 82, 98, 107, 120, 122, 125, 134, and 135, printed in House Report 117–75, offered by Mr. DEFAZIO of Oregon:

AMENDMENT NO. 6 OFFERED BY MR. BRADY OF TEXAS

Page 1270, line 12, strike ''and''.

Page 1270, after line 12, insert the following (and redesignate the subsequent paragraph accordingly):

(4) in subsection (h)—

(A) in paragraph (4) by striking ''project described in subsection (b)(1)(E) to provide a non-Federal match of not less than 25 percent'' and inserting ''project that receives a loan or loan guarantee under this section to provide a non-Federal match of not less than 67 percent''; and

(B) by adding at the end the following:

''(5) To be eligible for a direct loan or loan guarantee under this section any debt senior to a loan or loan guarantee under this section shall have an investment-grade rating

''(6) The Secretary shall ensure that a recipient of a loan or loan guarantee on or after the date of enactment of the TRAIN Act shall—

''(A) document the existence of a revenue stream dedicated to retiring such a loan or loan guarantee and other loans provided to the project; and

''(B) in the event of bankruptcy of the recipient with respect to the project, such loan or loan guarantee shall become equal in status to any primary debt with respect to the project.''.

AMENDMENT NO. 8 OFFERED BY MR. BUDD OF NORTH CAROLINA

Page 732, line 18, strike ''and''.

Page 733, line 2, strike the period and insert ''; and''.

Page 733, after line 2, insert the following:

(C) at the end of subsection (l) add the following:

''(8) LOANS CONSIDERED AS FEDERAL FUNDING.—The Secretary shall consider loans from the Department as part of all the Federal funding sources requested by the project sponsor when completing the capital investment grant evaluation process.''.

AMENDMENT NO. 21 OFFERED BY MR. CRAWFORD OF ARKANSAS

Page 294, line 25, insert ''and'' after the semicolon.

Page 295, line 8, insert ''and'' after the semicolon.

Page 296, line 21, strike the semicolon at the end and insert a period.

Page 296, strike line 22 and all that follows through page 299, line 4.

AMENDMENT NO. 40 OFFERED BY MR. GIBBS OF OHIO

Page 722, strike lines 1 through 5 (and redesignate accordingly).

Page 754, after line 7, insert the following:

SEC. 2114. FEDERAL-AID HIGHWAY FUNDING.

Recipients of funds under this title may reprogram funds made available to carry out this title for any purpose described in section 133 of title 23, United States Code, if the recipient of such funds certifies that such recipient has excess funds for the purposes for which the funds were provided.

AMENDMENT NO. 41 OFFERED BY MR. GIMENEZ OF FLORIDA

Page 766, line 2, add ''or'' after the semicolon.

Page 766, line 3, strike ''; or'' and insert a period.

Page 766, strike lines 4 through 6.

AMENDMENT NO. 45 OFFERED BY MR. JACKSON OF TEXAS

Strike section 9101 of the bill (and redesignate the subsequent sections accordingly).

AMENDMENT NO. 77 OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1303 of the bill.

AMENDMENT NO. 78 OFFERED BY MR. PERRY OF PENNSYLVANIA

At the end of title III of division D of the bill, add the following:

SEC. ___. RESTRICTION ON PROVISION OF LOAN OR LOAN GUARANTEE FOR CERTAIN HIGH-SPEED RAIL PROJECTS.

Notwithstanding any other provision of law, the Secretary of Transportation may not enter into a contract or cooperative agreement, issue a letter of intent or a letter of commitment, make a grant, or provide a direct loan or loan guarantee or line of credit for a high-speed rail project that uses rolling stock or equipment unless the rolling stock or equipment complies with the tier III safety standards in part 238 of title 49, Code of Federal Regulations.

AMENDMENT NO. 79 OFFERED BY MR. PERRY OF PENNSYLVANIA

Page 215, line 10, strike ''and (10)'' and insert ''and (9)''.

Page 215, line 26, strike ''and (10)'' and insert ''and (9)''.

Page 216, line 5, strike ''and (10)'' and insert ''and (9)''.

Page 217, line 15, strike ''(10)'' and insert ''(9)''.

Page 220, line 4, strike ''and (10)'' and insert ''and (9)''.

Page 220, strike lines 5 through 9 (and redesignate accordingly).

Page 397, strike line 15 and all that follows through page 403, line 12 (and redesignate accordingly).

AMENDMENT NO. 80 OFFERED BY MR. PERRY OF PENNSYLVANIA

At the end of title II of division D of the bill, insert the following:

SEC. 9222. PROHIBITION ON USE OF FUNDS FOR AMTRAK NETWORK.

No Federal funds may be used to expand the Amtrak network beyond the routes and stations served by Amtrak on the date of enactment of this Act.

AMENDMENT NO. 81 OFFERED BY MR. PERRY OF PENNSYLVANIA

Page 15, strike line 22 and all that follows through page 16, line 3.

Page 712, strike lines 10 through 14 (and redesignate any subsequent subsections accordingly).

Page 895, strike line 2 and all that follows through page 907, line 20 (and redesignate any subsequent sections accordingly).

AMENDMENT NO. 82 OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1602 of the bill.

AMENDMENT NO. 98 OFFERED BY MR. TIFFANY OF WISCONSIN

Page 705, after line 3, insert the following:

SEC. 1640. HIGHWAY TRUST FUND RESTRICTION.

Notwithstanding any other provision of law, no Federal funds made available from the Highway Trust Fund may be expended for any activity or purpose other than for road and bridge construction.

AMENDMENT NO. 107 OFFERED BY MS. VAN DUYNE OF TEXAS

Page 705, after line 3, insert the following:

SEC. 1640. NON-FEDERAL PERMITTING.

Notwithstanding any other provision of law, no funds shall be made available under this Act to satisfy any non-Federal permitting requirements that exceed the Federal standard for a permit.

AMENDMENT NO. 120 OFFERED BY MR. CURTIS OF UTAH

Page 1578, line 23, strike the semicolon and insert ''; and''.

Beginning on page 1578, strike line 24 and all that follows through page 1579, line 7.

Page 1581, strike lines 16 through 18, and insert the following:

''(g) LIMITATION.—The Administrator may not provide payments under this section until such time as the Administrator submits to Congress a report containing—

''(1) an accounting of funds made available by the Federal Government, during the 18 month period preceding the date of enactment of this section, to be used for providing forgiveness of arrearages and fees described in this section;

''(2) a certification of the amount of arrearages and fees described in this section with respect to which such funds are insufficient to provide forgiveness; and

''(3) a certification that implementation of this section will not—

''(A) impair the financial wellbeing of a public water system receiving such payments; or

''(B) exacerbate drought in an area served by such a public water system.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section an amount equal to the amount certified under subsection (g)(2), but not to exceed $4,000,000,000, to remain available until expended.''.

AMENDMENT NO. 122 OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

Strike sections 13302 and 13303.

Page 1604, strike lines 8 through 10.

In section 13304(b), strike ''Administrator'' each place it appears and insert ''Comptroller General''.

AMENDMENT NO. 125 OFFERED BY MR. HUDSON OF NORTH CAROLINA

Page 1559, line 2, insert '', including the chemical GenX,'' after ''substance''.

Page 1559, line 10, insert '', including the chemical GenX'' after ''substances''.

Page 1559, line 17, insert '', including the chemical GenX,'' after ''substances''.

Page 1560, line 3, strike ''or''.

Page 1560, line 8, strike ''area.'' and insert ''area; or''.

Page 1560, after line 8, insert the following:

''(5) is affected by the presence of the chemical GenX in the water in the community water system.''.

Page 1561, line 2, insert '', including the chemical GenX,'' before ''in the water''.

AMENDMENT NO. 134 OFFERED BY MR. MCKINLEY OF WEST VIRGINIA

Strike sections 13201 and 13205.

AMENDMENT NO. 135 OFFERED BY MRS. RODGERS OF WASHINGTON

Strike division I and insert the following:

DIVISION I—DRINKING WATER FUNDING FOR THE FUTURE ACT OF 2021

SEC. 13001. SHORT TITLE.

This division may be cited as the ''Drinking Water Funding for the Future Act of 2021''.

SEC. 13002. EXTENSIONS OF AUTHORIZATIONS.

(a) COMMUNITY WATER SYSTEM RISK AND RESILIENCE.—Section 1433(g)(6) of the Safe Drinking Water Act (42 U.S.C. 300i–2(g)(6)) is amended by striking ''and 2021'' and inserting ''through 2026''.

(b) TECHNICAL ASSISTANCE FOR INNOVATIVE WATER TECHNOLOGIES.—Section 1442(f)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–1(f)(2)) is amended by striking ''2021'' and inserting ''2026''.

(c) GRANTS FOR STATE PROGRAMS.—Section 1443(a)(7) of the Safe Drinking Water Act (42 U.S.C. 300j–2(a)(7)) is amended by striking ''and 2021'' and inserting ''through 2026''.

(d) MONITORING PROGRAM FOR CERTAIN UNREGULATED CONTAMINANTS.—Section 1445(a)(2)(H) of the Safe Drinking Water Act (42 U.S.C. 300j–4(a)(2)(H)) is amended by striking ''2021'' and inserting ''2026''.

(e) CAPITALIZATION GRANTS TO STATES FOR STATE DRINKING WATER TREATMENT REVOLVING LOAN FUNDS.—Section 1452(m)(1)(C) of the Safe Drinking Water Act (42 U.S.C. 300j–12(m)(1)(C)) is amended by striking ''for fiscal year 2021'' and inserting ''for each of fiscal years 2021 through 2026''.

(f) SOURCE WATER PETITION PROGRAM.—Section 1454(e) of the Safe Drinking Water Act (42 U.S.C. 300j–14(e)) is amended by striking ''2021'' and inserting ''2026''.

(g) ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.—Section 1459A(k) of the Safe Drinking Water Act (42 U.S.C. 300j–19a(k)) is amended by striking ''2021'' and inserting ''2026''.

(h) REDUCING LEAD IN DRINKING WATER.—Section 1459B(d) of the Safe Drinking Water Act (42 U.S.C. 300j–19b(d)) is amended by striking ''2021'' and inserting ''2026''.

(i) VOLUNTARY SCHOOL AND CHILD CARE PROGRAM LEAD TESTING GRANT PROGRAM.—Section 1464(d)(8) of the Safe Drinking Water Act (42 U.S.C. 300j–24(d)(8)) is amended by striking ''and 2021'' and inserting ''through 2026''.

(j) DRINKING WATER FOUNTAIN REPLACEMENT FOR SCHOOLS.—Section 1465(d) of the Safe Drinking Water Act (42 U.S.C. 300j–25(d)) is amended by striking ''2021'' and inserting ''2026''.

(k) INDIAN RESERVATION DRINKING WATER PROGRAM.—Section 2001(d) of America's Water Infrastructure Act of 2018 (42 U.S.C. 300j–3c note) is amended by striking ''2022'' and inserting ''2026''.

(l) WATER INFRASTRUCTURE AND WORKFORCE INVESTMENT.—Section 4304(b)(4) of America's Water Infrastructure Act of 2018 (42 U.S.C.

300j–19e) is amended by striking ''and 2020'' and inserting ''through 2026''.

The SPEAKER pro tempore. Pursuant to House Resolution 508, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Arkansas (Mr. CRAWFORD) each will control 10 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to the amendments en bloc, which provides for the consideration of 19 amendments.

The amendments contained in this en bloc amend various provisions of the bill. They would strike some of the highest priorities in a bill. We just heard an impassioned speech from the gentleman from Louisiana, talking about Louisiana sea-level rise, sinking, and all that, and wanting to take on China and the world economy.

Well, guess what?

They are building the future. That is EVs and AVs. And they want to strike all of the provisions in the bill that will provide for electric charging.

So Fred Smith, no liberal Democrat going all electric with FedEx. GM, going all electric. Four truck manufacturers making 80,000-pound capable tractors. No charging stations in America.

Oh, that is not supposed to be the future?

That is the future. That is the future.

And we also—yeah, we deal with climate change. And I know you don't believe in climate change on that side of the aisle. That is fine. I wish you lived up where I do. You might just get a sample of what the future is like.

Now, this strikes the Fix-It-First requirements that prioritize state of good repair.

Oh, great. Let's go lay down more lane miles; 35,000 lane miles, the hundred largest cities in America in the last 25 years, and congestion is six times worse. It is called induced demand. Don't provide transit alternatives. They kill transit. They kill rail. We are just going to build more highways. We are going to pave over the entire city.

How much of it are you going to knock down?

□ 1945

It is not going to work. It didn't work. It hasn't been working. So it is time to do something different.

It is time to fix what we have, the Eisenhower legacy, 47,000 bridges in the National Highway System in desperate need of repair or replacement, tens of thousands in rural areas and counties, new programs in this bill to deal with those rural areas and counties.

They take out the $4 billion Clean Corridors program, as I said, for EV charging and hydrogen fueling.

Madam Speaker, $8.3 billion for carbon pollution—they don't believe in carbon pollution because the parts of the fossil fuel industry that are enlightened are big contributors, and Donald Trump says we can't believe in climate change. So, okay, got to take that out.

It prohibits any expenditures out of the highway trust fund, except for road and bridge construction. That means no safety.

We are having record numbers of pedestrian and cycling deaths, and this bill is going to make it safer for people to use alternative modes in urban, suburban, and rural areas.

I am building a bike lane on a highway in a rural area that is heavily trafficked by bikers to a winery in my district where there have been fatalities. But, no, none of that. None of that in the bill. We don't care about the pedestrian deaths. We don't care about the cycling deaths. We don't care about safety. None of that. None of that is in their proposal.

They say we are not doing enough on highways. We are doing more than $20 billion more than they are on highways and bridges. But, oh, we are ignoring the problem. No, we are not.

They eliminate the Capital Investment Grant Program in its entirety.

They allow the transfer of rural and small urban transit funding to highways. I represent a very, very large district, bigger than a number of your States, and I have a lot of rural areas and small cities, and they want to have some options for transit. You would eliminate that. Okay.

It eliminates rail funding: no Amtrak, no passenger rail.

Highways are funded at a lower level than we do, and that is going to take care of the problem. That is kind of laughable.

These are just some of the really bad ideas in this amendment. This is not the path to the future, not the path to the 21st century. It is the path of the failed policies of the late 20th century that don't work anymore.

We also need to hold States accountable. I know some States don't like that. They don't want to be held accountable. They don't want to fix it first. They don't want to be held accountable for fossil fuel pollution. If you don't believe in climate change, you don't care: What is the problem with fossil fuel pollution?

So this is ''Groundhog Day'' on their side of the aisle. Let's bring back the failed policies of the 1990s and the early 2000s. Yes, they were bipartisan, but they didn't deal with 21st century problems.

Madam Speaker, I reserve the balance of my time.

Mr. CRAWFORD. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, there is a lot to unpack in that statement right there. Let me start with section 1201 of H.R. 3684, which basically requires States to prioritize the state of good repair for their roads over constructing new capacity.

Well, it is almost impossible to achieve a state of good repair when new capacity is necessary to achieve that state of good repair. You are telling States they can't do that, exercising more Federal control over the States.

It would greatly limit the State's jurisdiction over their own roads. Each State has unique transportation systems with needs that vary greatly, and their decisions to expand highway capacity should be made by them and not in a vacuum, certainly not here in Washington, D.C. DOTs must consider everything, from balancing loan service to asset management.

Section 1201 is an attempt by the Federal Government to identify the needs of States for them and direct their policies rather than promoting State flexibility. This section would limit the scope of good-paying construction projects and jobs for our constituents. It disproportionately affects rural and suburban communities, mind you, where new capacity is often needed far more than repairs.

As I mentioned before, Washington cannot and should not try to dictate every need of the road systems State by State when the individuals who understand those roads are the best ones to make that decision. They are the ones who are driving on them every single day.

Instead, Congress should focus our efforts on empowering States to build the transportation systems their communities need rather than create more bureaucratic hurdles.

It is interesting to note the comments about electric vehicles in China. I don't think we should emulate China in any way, shape, or form, number one. Number two, I am curious to note how those electric vehicles are powered: by coal-fired power plants. Then, we have the conversation about the Paris climate accord and who is emitting the most carbon.

I don't know how you expect to power all these electric vehicles just by plugging into the wall. Power has to come from somewhere. You are against nuclear. We are shuttering coal-fired plants. I would ask for some suggestions on that, but I don't see any realistic ones coming from the other side.

Madam Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Madam Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Madam Speaker, I rise in opposition to the en bloc No. 3 Republican amendments.

Some of my colleagues on the Energy and Commerce Committee on the Republican side earlier said that this water bill was not necessary, and I strongly disagree. A lot needs to be done to ensure the safety of our drinking water. We saw what happened in Flint. In my State, we saw serious lead contamination in Newark.

This bill would provide new resources to address lead and PFAS in drinking

water, including $45 billion for lead service line replacement. But the Rodgers amendment in this bloc would strip these resources out. And, unfortunately, the Hudson amendment would direct the PFAS resources in the bill toward just one set of PFAS chemicals, undermining access to those resources for communities in need.

The underlying bill would provide increased funds for resiliency, to help water systems plan for and adapt to climate change. But the Rodgers amendment would strip out those increases.

The underlying bill provides for deadlines for the EPA to set health-protective standards for PFAS, 1,4-dioxane, and microcystin toxin, which are long overdue. But the Rodgers amendment would strip out those deadlines.

The underlying bill also makes targeted changes to improve the standard-setting process and empower EPA to set standards as needed. The current standard-setting process has been an utter failure. EPA has not been able to complete that process for a single drinking water standard in the 25 years it has been in place. That should be unacceptable to all of us. But the Rodgers and McKinley amendments would strip out the changes this bill makes on standard-setting.

Instead of working with us to improve the standard-setting process, my Republican colleagues seem intent on preserving the status quo, despite so much evidence that this is simply not enough.

Let me turn briefly to the affordability provisions of this bill. This bill authorizes significant new funding to reduce or eliminate customer water debt, recognizing that water debt has become a crisis in this country. Importantly, water systems taking these funds will agree not to shut off customer water access for nonpayment for a 5-year period, offering families peace of mind as we all recover from the pandemic. But Representative CURTIS' amendment would strip out that shut-off moratorium and make it harder for EPA to get this assistance out the door.

Last but not least, the drinking water provisions of this bill will establish permanent rate assistance programs for drinking water and wastewater service to help families pay their bills and avoid a repeat of our current debt crisis. These programs have broad support from all kinds of stakeholders.

Safe drinking water is a fundamental human right, and the drinking water provisions we have included in the INVEST in America Act include significant and meaningful investments and reforms to help guarantee that right. The Republican amendments in this bloc would undermine each of these improvements, leaving nothing but the status quo.

It is no longer enough to keep pushing the status quo. We have urgent public health and infrastructure needs that require that we build back better, as the President says. The INVEST in America Act takes significant steps toward repairing our water infrastructure, creating jobs, and protecting public health.

Madam Speaker, I urge my colleagues to vote ''no'' on these harmful amendments and pass the underlying bill to affirm that safe drinking water is a fundamental human right.

Mr. CRAWFORD. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Madam Speaker, for 6 years, a bipartisan agreement in the last surface transportation reauthorization prohibited transit funds going to nontransportation, art-related aspects in federally funded transit projects. The majority's bill ends that bipartisan agreement and allows for the diversion of transportation infrastructure funding to ancillary and unnecessary art projects. My amendment would keep this prohibition in place so that transportation infrastructure funding goes to actual infrastructure projects.

Both Republicans and Democrats agree there is a real need for investments in critical infrastructure, though the majority is attempting to expand the definition of infrastructure to include virtually anything.

Rerouting these investments to unnecessary art projects or to pay for artists on the project design team is a misuse of taxpayer dollars. We need to focus on repairs for roads and bridges, not feel-good frescoes and metro station murals.

The amendment will allow excess transit funding to be directed toward improving our highway systems.

My colleague from the Transportation and Infrastructure Committee today suggested that if the Soviet Union could have artwork as part of their infrastructure projects, the United States can as well. I am not sure we should be taking infrastructure advice from the bankrupt nation that gave us the Chernobyl incident. And the comparison to the Soviet Union is unintentionally appropriate: This bill is bloated with socialist policies.

Simply put, this amendment makes sure that infrastructure funds are used to fund actual infrastructure. A vote against this amendment codifies art as infrastructure.

Madam Speaker, I urge my colleagues to support this amendment to prohibit Federal funding for unnecessary art projects.

Mr. DEFAZIO. Madam Speaker, may I inquire as to the balance of time on each side.

The SPEAKER pro tempore. The gentleman from Arkansas has 6½ minutes. The gentleman from Oregon has 2½ minutes.

Mr. DEFAZIO. Madam Speaker, I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Speaker, I appreciate the gentleman's courtesy in permitting me to speak against the Republican approach with these amendments.

It is a different world that we are operating in, in terms of climate change, in terms of the facts. I bring you greetings from a community that suffered a 116-degree temperature in June.

But I guess we can understand their being confused. These are the same people who thought the rioters that attacked the Capitol were a group of peaceful tourists. They are in an alternative universe.

Who are the groups and organizations that support this approach? Not the engineers, not the truckers, not local government, not State government, not environmentalists, not the bicyclists.

There is a wide array of interest groups that understand that this is the future. This is an opportunity for us to actually compete with China.

I was there 12 years ago and watched them weaponize our research, leaping ahead in solar, wind, and electric vehicles. That is the future that China has unless we reclaim it.

This visionary legislation, offered by the gentleman from Oregon and his committee, helps us get back in the game. It is one that we can't afford to lose. This approach will do it, and I applaud him for his leadership in allowing us to move forward.

Mr. CRAWFORD. Madam Speaker, the gentleman's comments were dangerously close to what I would consider disparaging, and I would bring that to your attention.

Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Madam Speaker, I thank the gentleman from Arkansas.

This en bloc includes my amendments to strike the EV funding program. Do you know why? Because the EV funding program pays the Communist Party of China. That is who it pays. You don't have to believe me. You can just listen to the chairman. He said it in his remarks, right? That is the future, and China is building it. That is where your money is going.

My amendment also prohibits loans to high-speed rail projects that fail to meet the FRA safety standards, our safety standards. We just ask that they meet them. But since they don't, we shouldn't be building them.

It strikes the carbon reduction program. Why? Because that, again, pays the Communist Party of China. It prohibits Amtrak from expanding their network because they can't afford the network they have now. You don't believe me? Talk to Mr. BUTTERFIELD. He just talked about it.

It strikes the Capital Investment Grant program because all of America shouldn't pay for a couple of pet projects in somebody's location.

It strikes the section restricting the right of States to set their speed limits because, I don't know, I think there should be a different speed limit in Center City Philadelphia than one in Nebraska or across Wyoming.

□ 2000

Now, Madam Speaker, I am grateful to have some amendments finally heard here, but this system is broken. The Speaker and the majority have chosen a closed process that restricts debate.

Why have they done it?

Because they are scared to death of the radical green left. That is what we are doing here is supporting the Green New Deal and Communist China.

Mr. DEFAZIO. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PAYNE), who is the Chair of the Railroads, Pipelines, and Hazardous Materials Subcommittee.

Mr. PAYNE. Madam Speaker, to the gentleman on the right, I would like to use a great quote from somebody who all of you loved over there: ''There you go again.''

Madam Speaker, as the chairman of the Subcommittee on Railroads, Pipelines, and Hazardous Materials, I rise today in opposition to the amendments offered en bloc, including the one offered by Mr. PERRY that would prohibit expansion of Amtrak service.

I strongly oppose the prohibition which would prevent Amtrak from expanding their network across the country. Allowing Amtrak to expand the national network will connect communities that have previously been isolated and create new economic opportunities. It is vital that we add new service to underserved cities and not just maintain the status quo.

Madam Speaker, I urge my colleagues to oppose the amendments offered en bloc.

Mr. CRAWFORD. Madam Speaker, before I yield to my distinguished colleague from North Carolina (Mr. BUDD), it is my understanding that we are to address our comments to the Chair and not to each other.

Madam Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. BUDD).

Mr. BUDD. Madam Speaker, I thank my colleague from Arkansas for yielding.

Madam Speaker, my amendment would re-implement a Federal Transit Administration policy that ensured that Federal loans were not counted towards State contributions for capital investment projects.

This is particularly important as the FTA considers the Gateway project between New York and New Jersey. Secretary Buttigieg recently made a verbal commitment to approve this project, but he has yet to provide any details on the Federal share. If it mirrors the Obama administration's plans, Federal taxpayers would be footing half of the bill for this project while New York and New Jersey would cover the rest. But the States are planning to cover most of their local share with billions in Federal loans.

In essence, New York and New Jersey are demanding that taxpayers in my State of North Carolina pay for their project.

My amendment makes sure that drivers in North Carolina are not overly subsidizing potentially wasteful transit projects in New York, L.A., San Francisco, or Chicago.

Mr. CRAWFORD. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. VAN DUYNE.)

Ms. VAN DUYNE. Mr. Speaker, I rise in support of this en bloc amendment.

The American people overwhelmingly have been telling us that Congress must pass an infrastructure bill which focuses on true infrastructure and not superficial projects perpetuating frivolous spending. We have crumbling roads and bridges on the verge of collapse across the country, and my Democrat colleagues with a straight face are prioritizing road art over actual roads.

This amendment would maintain the current probation on defining infrastructure as art. It is, once again, clear where the priority of the majority is, and it is not on transportation, roads, and bridges.

The fact that we even have to have this debate on this amendment shows how out of touch some of my colleagues are. The INVEST in America Act does little to streamline permitting and get relative costs in order.

In California 40 percent of the cost of building a new home is related to government fees. In Texas it is 20 percent. Mr. Speaker, you can expect similar costs when it comes to other infrastructure projects.

My amendment included in the en bloc ensures States, such as California, can choose if they want to have exuberant costs—just not at the cost of the Federal Government.

Mr. Speaker, this amendment would encourage States to right size their permit costs and not award high-permit-cost States with a Federal bailout, and I urge adoption.

Mr. CRAWFORD. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore (Mr. MRVAN). The gentleman from Arkansas has 3 minutes remaining.

Mr. CRAWFORD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to urge a vote against this en bloc. This en bloc contains 8 percent of the total amendments that Republicans were allowed to offer in this process.

To me it is amazing that this bill prioritizes things like artwork in rail terminals. I heard the chairman say earlier that, look, in Russia, they have chandeliers hanging in their rail stations. So I am not sure that we necessarily need to emulate Russian infrastructure, particularly focusing our hard-earned taxpayer dollars on hanging chandeliers and other artwork that the chairman categorizes as art infrastructure. I don't consider art infrastructure. I don't think my constituents would either.

Our infrastructure is crumbling. I live in a district that is connected to Tennessee via the I–40 bridge, a glaring example of where we need to be placing our infrastructure dollars. That bridge was shut down just about 6 weeks ago for structural deficiencies.

Ironically, we have two bridges connecting Arkansas and Tennessee. They are in Memphis and West Memphis, Arkansas. One bridge which was built in 1969, we refer to it as the ''new bridge.'' That is how old it is.

Thankfully, those structural defects were found in time. But the majority is proposing to waste some of the billions of dollars on infrastructure on art—and without any way to pay for it after sending $70 billion to transit agencies over the last year to support them through the pandemic. But now the majority thinks we should be allowing these same agencies to divert Federal resources for art and that it is okay to use that money for paintings and whatever else you might consider.

If you vote against this amendment, your vote says that you believe that art is infrastructure, Mr. Speaker, and that we should send taxpayer dollars to support infrastructure dollars as art. It is as simple as that.

Our limited transportation resources need to be invested in rebuilding our communities' roads and bridges.

Mr. Speaker, I urge my colleagues to support this en bloc amendment No. 3, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 504, the previous question is ordered on the amendments en bloc offered by the gentleman from Oregon (Mr. DEFAZIO).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the ayes appear to have it.

Mr. DEFAZIO. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. DEFAZIO OF OREGON

Mr. DEFAZIO. Mr. Speaker, pursuant to House Resolution 508, I offer amendments en bloc Number 4.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 7, 11, 12, 13, 14, 16, 17, 18, 19, 20, 22, 23, 24, 26, 27, 28, 29, 30, 33, 35, 36, 37, 38, 39, 42, 44, 46, 47, 48, 49, 54, 67, 85, 89, 92, 104, 113, and 115, printed in House Report 117–75, offered by Mr. DEFAZIO of Oregon:

AMENDMENT NO. 7 OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle F of title I of division B, add the following:

SEC. 1640. CLIMATE-SAFE INFRASTRUCTURE WORKING GROUP.

(a) ESTABLISHMENT.—Not later than 3 months after the date of enactment of this

Act, the Secretary of Transportation shall establish a working group, to be known as the ''Climate-Safe Infrastructure Working Group'' (in this section referred to as the ''Working Group''), to examine how to integrate scientific data regarding the projected impacts and risks of climate change into infrastructure planning, design, engineering, construction, operation, and maintenance that is funded by the Federal Government.

(b) COMPOSITION.—The Working Group shall consist of the following:

(1) One or more representatives from each of the Federal agencies that participate in the U.S. Global Change Research Program.

(2) One or more representatives from the Department of the Treasury.

(3) One or more professional engineers with relevant expertise in infrastructure design.

(4) One or more scientists from the National Academy of Sciences.

(5) One or more scientists, social scientists, and experts from academic and research institutions who have expertise in—

(A) climate change projections and impacts;

(B) engineering;

(C) architecture; or

(D) other relevant areas of expertise.

(6) One or more licensed architects with relevant expertise in infrastructure design.

(7) One or more certified planners with relevant expertise in climate change impacts.

(8) One or more representatives of State, local, and Tribal governments.

(9) One or more representatives of environmental justice groups.

(c) DUTIES.—The Working Group shall consider and examine, at a minimum, the following matters:

(1) The current informational and institutional barriers to integrating scientific data regarding the projected impacts and risks of climate change into infrastructure planning, design, engineering, construction, operation, and maintenance that is funded by the Federal Government.

(2) The critical information needed by engineers, certified planners, Federal, State, and local governments, and other persons charged with infrastructure upgrades and maintenance to better address the impacts and risks of climate change over the lifetime of infrastructure projects.

(3) With respect to Federal investment and planning for infrastructure, how to select an appropriate, adaptive engineering design for a range of future climate scenarios.

(4) How to incentivize and incorporate transportation systems thinking, considering how various transportation and infrastructure projects are linked together in a metropolitan region or community, into regional planning and engineering design to ensure the social, economic, and environmental benefits of transportation and infrastructure projects are maximized.

(5) With respect to Federal investment and planning for infrastructure, how to take account of the risks of cascading infrastructure failures and develop more holistic and equitable approaches to evaluating and mitigating risks of climate change.

(6) How to ensure that Federal investments in infrastructure resilience benefit all communities, including communities of color, low-income communities, Tribal communities, and other communities that face a disproportionate risk from climate change and may have experienced long-standing unmet needs and underinvestment in critical infrastructure.

(7) How Federal agencies can track and monitor federally-funded climate resilient infrastructure in a coordinated fashion to—

(A) help build an understanding of the costs and benefits of climate resilient infrastructure;

(B) build the capacity for climate resilient infrastructure; and

(C) plan for investments for the future.

(d) COORDINATION AND CONSIDERATIONS.—In carrying out its duties, the Working Group shall—

(1) coordinate with other Federal climate change adaptation planning efforts and strategies that advance reliability and safety in infrastructure, including the Mitigation Framework Leadership Group and the National Mitigation Investment Strategy; and

(2) consider and build upon existing information relating to climate change, including information from the most recent National Climate Assessment.

(e) PUBLIC INPUT.—In carrying out its duties, the Working Group shall, prior to submission of a draft report under subsection (f), engage in a public stakeholder process by—

(1) holding regional public meetings with key stakeholders, including climate experts, infrastructure experts, State, local, and community groups, and infrastructure finance and insurance experts; and

(2) providing the public an opportunity to provide views, for a period of at least 60 days, to the Working Group regarding the best way to incorporate scientific data regarding the projected impacts and risks of climate change into infrastructure planning, design, engineering, construction, operation, and maintenance that is funded by the Federal Government.

(f) PRELIMINARY RECOMMENDATIONS.—

(1) SUBMISSION.—Not later than 1 year after the date of enactment of this Act, the Working Group shall submit to the President and Congress a draft report that includes preliminary recommendations addressing the each of the matters described in subsection (c).

(2) PUBLIC COMMENT.—The Working Group shall make draft report submitted under paragraph (1) available to the public for comment for a period of not less than 60 days prior to submission of the final report under subsection (g).

(g) FINAL RECOMMENDATIONS.—Not later than 2 years after the date of enactment of this Act, the Working Group shall submit to the President and Congress a final report that includes recommendations—

(1) addressing each of the matters described in subsection (c);

(2) addressing critical information gaps and challenges identified by the Working Group;

(3) for financing options for Federal, State, local, Tribal, and territorial governments to help fund climate-resilient infrastructure;

(4) for a platform or process to facilitate communication between climate scientists, infrastructure planners, engineers, and other relevant experts;

(5) for a stakeholder process—

(A) to engage with representatives of State, local, Tribal, territorial, and community groups regarding the specific challenges and inequities faced by historically marginalized communities; and

(B) to provide outreach and education, shared knowledge, and lessons learned about climate-resilient infrastructure; and

(6) for a platform for tracking Federal funding of climate-resilient infrastructure.

AMENDMENT NO. 11 OFFERED BY MR. CARBAJAL OF CALIFORNIA

At the end of subtitle C of title I of division B of the bill, add the following:

SEC. 1313. POLLINATOR-FRIENDLY PRACTICES ON ROADSIDES AND HIGHWAY RIGHTS-OF-WAY.

(a) IN GENERAL.—Section 329 of title 23, United States Code, is amended by adding at the end the following:

''(d) POLLINATOR-FRIENDLY PRACTICES ON ROADSIDES AND HIGHWAY RIGHTS-OF-WAY.—

''(1) IN GENERAL.—The Secretary shall establish a program to provide grants to eligible entities to carry out activities to benefit pollinators on roadsides and highway rights-of-way, including the planting and seeding of native locally-appropriate grasses and wildflowers, including milkweed.

''(2) ELIGIBLE ENTITIES.—An entity eligible to receive a grant under this subsection is—

''(A) a State department of transportation;

''(B) an Indian tribe or tribal organization;

''(C) a territory; or

''(D) a Federal land management agency.

''(3) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a pollinator-friendly practices plan described in paragraph (4).

''(4) POLLINATOR-FRIENDLY PRACTICES PLAN.—

''(A) IN GENERAL.—An eligible entity shall include in the application under paragraph (3) a plan that describes the pollinator-friendly practices that the eligible entity has implemented or plans to implement, including—

''(i) practices relating to mowing strategies that promote early successional vegetation and limit disturbance during periods of highest use by target pollinator species on roadsides and highway rights-of-way, such as—

''(I) reducing the mowing swath outside of the State-designated safety zone;

''(II) increasing the mowing height;

''(III) reducing the mowing frequency;

''(IV) refraining from mowing monarch and other pollinator habitat during periods in which monarchs or other pollinators are present;

''(V) use of a flushing bar and cutting at reduced speeds to reduce pollinator deaths due to mowing; or

''(VI) reducing raking along roadsides and highway rights-of-way;

''(ii) implementation of an integrated vegetation management plan that includes approaches such as mechanical tree and brush removal, targeted and judicious use of herbicides, and mowing, to address weed issues on roadsides and highway rights-of-way;

''(iii) planting or seeding of native, locally-appropriate grasses and wildflowers, including milkweed, on roadsides and highway rights-of-way to enhance pollinator habitat, including larval host plants;

''(iv) removing nonnative grasses from planting and seeding mixes, except for use as nurse or cover crops;

''(v) obtaining expert training or assistance on pollinator-friendly practices, including—

''(I) native plant identification;

''(II) establishment and management of locally-appropriate or native plants that benefit pollinators;

''(III) land management practices that benefit pollinators; and

''(IV) pollinator-focused integrated vegetation management; or

''(vi) any other pollinator-friendly or vegetation management practices the Secretary determines to be appropriate.

''(B) CONSIDERATION.—In developing the plan under subparagraph (A), the eligible entity shall consider other vegetation management best management practices established by the Secretary, including—

''(i) fuel breaks for the prevention and control of wildfires;

''(ii) abating stormwater runoff and stabilizing soil;

''(iii) habitat for forage for native fauna; and

''(iv) the economy of maintenance of the right-of-way.

''(C) COORDINATION.—In developing a plan under subparagraph (A), an eligible entity that is a State department of transportation or a Federal land management agency shall coordinate with applicable State agencies, including State agencies with jurisdiction over agriculture and fish and wildlife.

''(D) CONSULTATION.—In developing a plan under subparagraph (A)—

''(i) an eligible entity that is a State department of transportation or a Federal land management agency shall consult with any affected Indian tribes or tribal organizations; and

''(ii) any eligible entity may consult with nonprofit organizations, institutions of higher education, units of local government, or any other relevant entities.

''(5) AWARD OF GRANTS.—

''(A) IN GENERAL.—The Secretary shall provide a grant to each eligible entity that submits an application under paragraph (3), including a plan under paragraph (4), that the Secretary determines to be satisfactory.

''(B) AMOUNT OF GRANTS.—The amount of each grant provided under this subsection may not exceed $150,000.

''(6) USE OF FUNDS.—An eligible entity that receives a grant under this subsection shall use the funds for the implementation, improvement, or further development of the plan under paragraph (4).

''(7) FEDERAL SHARE.—The Federal share of the cost of an activity carried out with a grant under this subsection shall be up to 80 percent.

''(8) TECHNICAL ASSISTANCE.—On request of an eligible entity that receives a grant under this subsection, the Secretary may provide technical assistance with the implementation, improvement, or further development of a plan under paragraph (4).

''(9) ADMINISTRATIVE COSTS.—For each fiscal year, the Secretary may use not more than 5 percent of the amounts made available to carry out this subsection for the administrative costs of carrying out this subsection.

''(10) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to be appropriated from the general fund of the Treasury to carry out this subsection $2,000,000 for each of fiscal years 2023 through 2026.

''(B) AVAILABILITY.—Amounts made available under this subsection shall remain available as described under section 118(b).

''(e) BEST PRACTICES AND GUIDANCE.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the INVEST in America Act, and periodically thereafter, the Secretary shall develop or update best practices for, and a priority ranking of, pollinator-friendly practices on roadsides and highway rights-of-way.

''(2) GUIDANCE.—The Secretary shall provide guidance on sources of funds made available under this title that are eligible for activities described under this section, including any best management practices identified under paragraph (1) that are eligible for funding under this title.''.

(b) REPORT.—Not later than 2 years after the date on which the first grant is provided under section 329(d) of title 23, United States Code, as added by this Act, the Secretary shall publish a report on the implementation of the program under such section.

AMENDMENT NO. 12 OFFERED BY MR. CARBAJAL OF CALIFORNIA

Page 932, line 5, strike ''and'' at the end.

Page 932, line 8, strike the period at the end and insert ''; and''.

Page 932, after line 8, insert the following:

(6) evaluate the feasibility and benefits of requiring States participating in the program established under section 403(j) of title 23, United States Code, as added by this Act, to collect data on pedestrian and bicyclist stops by law enforcement when the stop is made for a traffic law violation.

AMENDMENT NO. 13 OFFERED BY MR. CARBAJAL OF CALIFORNIA

Page 909, strike line 17 and insert the following:

(a) IN GENERAL.—Section 5310 of title 49, United States Code, as

Page 917, after line 16, insert the following:

(b) STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study, and submit a report on such study to Congress, on access to non-emergency medical transportation services for individuals in disadvantaged populations, including—

(1) how to make it easier for such individuals to use non-emergency medical transportation services; and

(2) how to make it easier for recipients of grants under section 5310(k) of title 49, United States Code, as added by this section, to coordinate non-emergency medical transportation services for such individuals.

AMENDMENT NO. 14 OFFERED BY MR. CARBAJAL OF CALIFORNIA

Page 934, strike lines 16 through 25 and insert the following:

''(2) USE OF GRANT FUNDS.—A grant received by a State under paragraph (1)—

''(A) shall be used by the State for the costs of—

''(i) collecting and maintaining data on traffic stops;

''(ii) evaluating the results of such data; and

''(iii) developing and implementing programs to reduce the occurrence of racial profiling.; and

''(B) may be used by the State for the costs of collecting, maintaining, and evaluating data on traffic-related stops of pedestrians, bicyclists, or people traveling via micromobility devices.' '''.

AMENDMENT NO. 16 OFFERED BY MS. CASTOR OF FLORIDA

Page 389, strike line 4 and insert ''and inserting a semicolon; and''.

Page 389, line 8, strike the period through the semicolon and insert ''; or''.

Page 389, after line 8, insert the following:

''(11) if the project or program is for the point-of-sale purchase of zero-emission medium- and heavy-duty vehicles or related zero-emission operations equipment, or supports battery electric charging or fuel cell electric refueling infrastructure and related equipment for medium- and heavy-duty vehicles in projects or programs such as depot infrastructure and infrastructure along routes servicing regional freight hubs.''.

AMENDMENT NO. 17 OFFERED BY MS. CASTOR OF FLORIDA

Page 389, strike line 4 and insert ''and inserting a semicolon; and''.

Page 389, line 8, strike the period through the semicolon and insert ''; or''.

Page 389, after line 8, insert the following:

''(11) if the project or program of projects involves the deployment of hyperlocal air quality mobile monitoring systems primarily to monitor transportation-related emissions.'';

Page 390, line 24, strike the closing quotation marks and the second period.

Page 390, after line 24, insert the following:

''(n) HYPERLOCAL AIR QUALITY MOBILE MONITORING SYSTEMS DEFINED.—In this section, the term 'hyperlocal air quality mobile monitoring systems' means a method of monitoring and mapping ambient air quality and greenhouse gases and detecting the presence of pollutants using mobile vehicles that yields frequently repeated, on-going measurements of pollutants and greenhouse gases at a block-level resolution and identifies hotspots of persistent elevated levels of pollutants and greenhouse gases.''.

AMENDMENT NO. 18 OFFERED BY MR. CASTRO OF TEXAS

At the end of division A of the bill, add the following:

SEC. _____. REPORT ON PROGRESS OF DBE PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Transportation shall submit to Congress a report on the disadvantaged business enterprises program carried out by the Department of Transportation pursuant to section 1101(c) of this division.

(b) CONTENTS.—The report required under subsection (a) shall include, at a minimum, the percentage and dollar amount of Federal funds paid to small business concerns owned and controlled by socially and economically disadvantaged individuals in the prior fiscal year for each State and territory of the United States.

(c) DEFINITIONS.—The terms ''small business concern'' and ''socially and economically disadvantaged individuals'' have the meanings given such terms in section 1101(c)(2).

AMENDMENT NO. 19 OFFERED BY MR. CICILLINE OF RHODE ISLAND

Page 188, after line 8, insert the following (and redesignate the subsequent subsections accordingly):

(b) AUTHORIZATION FOR NATIONAL SCENIC BYWAYS.—There is authorized to be appropriated out of the general fund of the Treasury $39,000,000 for each of fiscal years 2023 through 2026 to carry out section 162 of title 23, United States Code.

AMENDMENT NO. 20 OFFERED BY MR. COSTA OF CALIFORNIA

Page 1255, line 13, insert '', including through advance mitigation'' after ''environmental impacts''.

AMENDMENT NO. 22 OFFERED BY MR. CROW OF COLORADO

Page 452, line 10, strike ''shall consider'' and insert ''shall consider, as appropriate''.

Page 453, strike lines 13 through 15 and insert the following:

''(VI) the need for—

''(aa) publicly available electric vehicle charging infrastructure in rural corridors;

''(bb) equitable deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities;

''(cc) vehicle charging infrastructure that is easily accessible to residents of public or affordable housing and multi-unit dwellings; and

''(dd) consideration of the beneficial health impacts of installing electric vehicle charging infrastructure in densely populated communities with high rates of poverty, air pollution, and asthma;

Page 456, line 25, strike ''rural areas'' and insert ''rural areas and underserved or disadvantaged communities''.

AMENDMENT NO. 23 OFFERED BY MRS. DINGELL OF MICHIGAN

At the end, add the following:

DIVISION _____—CLEAN ENERGY AND SUSTAINABILITY ACCELERATOR

SEC. _____. CLEAN ENERGY AND SUSTAINABILITY ACCELERATOR.

Title XVI of the Energy Policy Act of 2005 (Public Law 109–58, as amended) is amended

by adding at the end the following new subtitle:

"Subtitle C—Clean Energy and Sustainability Accelerator

"SEC. 1621. DEFINITIONS.

''In this subtitle:

''(1) ACCELERATOR.—The term 'Accelerator' means the Clean Energy and Sustainability Accelerator established under section 1622.

''(2) BOARD.—The term 'Board' means the Board of Directors of the Accelerator.

''(3) CHIEF EXECUTIVE OFFICER.—The term 'chief executive officer' means the chief executive officer of the Accelerator.

''(4) CLIMATE-IMPACTED COMMUNITIES.—The term 'climate-impacted communities' includes—

''(A) communities of color, which include any geographically distinct area the population of color of which is higher than the average population of color of the State in which the community is located;

''(B) communities that are already or are likely to be the first communities to feel the direct negative effects of climate change;

''(C) distressed neighborhoods, demonstrated by indicators of need, including poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration;

''(D) low-income communities, defined as any census block group in which 30 percent or more of the population are individuals with low income;

''(E) low-income households, defined as a household with annual income equal to, or less than, the greater of—

''(i) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

''(ii) 200 percent of the Federal poverty line;

''(F) Tribal communities;

''(G) persistent poverty counties, defined as any county that has had a poverty rate of 20 percent or more for the past 30 years as measured by the 2000, 2010, and 2020 decennial censuses;

''(H) communities disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects; and

''(I) communities that are economically reliant on fossil fuel-based industries.

''(5) CLIMATE RESILIENT INFRASTRUCTURE.—The term 'climate resilient infrastructure' means any project that builds or enhances infrastructure so that such infrastructure—

''(A) is planned, designed, and operated in a way that anticipates, prepares for, and adapts to changing climate conditions; and

''(B) can withstand, respond to, and recover rapidly from disruptions caused by these climate conditions.

''(6) ELECTRIFICATION.—The term 'electrification' means the installation, construction, or use of end-use electric technology that replaces existing fossil-fuel-based technology.

''(7) ENERGY EFFICIENCY.—The term 'energy efficiency' means any project, technology, function, or measure that results in the reduction of energy use required to achieve the same level of service or output prior to the application of such project, technology, function, or measure, or substantially reduces greenhouse gas emissions relative to emissions that would have occurred prior to the application of such project, technology, function, or measure.

''(8) FUEL SWITCHING.—The term 'fuel switching' means any project that replaces a fossil-fuel-based heating system with an electric-powered system or one powered by biomass-generated heat.

''(9) GREEN BANK.—The term 'green bank' means a dedicated public or nonprofit specialized finance entity that—

''(A) is designed to drive private capital into market gaps for low- and zero-emission goods and services;

''(B) uses finance tools to mitigate climate change;

''(C) does not take deposits;

''(D) is funded by government, public, private, or charitable contributions; and

''(E) invests or finances projects—

''(i) alone; or

''(ii) in conjunction with other investors.

''(10) QUALIFIED PROJECTS.—The terms 'qualified projects' means the following kinds of technologies and activities that are eligible for financing and investment from the Clean Energy and Sustainability Accelerator, either directly or through State, Territorial, and local green banks funded by the Clean Energy and Sustainability Accelerator:

''(A) Renewable energy generation, including the following:

''(i) Solar.

''(ii) Wind.

''(iii) Geothermal.

''(iv) Hydropower.

''(v) Ocean and hydrokinetic.

''(vi) Fuel cell.

''(B) Building energy efficiency, fuel switching, and electrification.

''(C) Industrial decarbonization.

''(D) Grid technology such as transmission, distribution, and storage to support clean energy distribution, including smart-grid applications.

''(E) Agriculture and forestry projects that reduce net greenhouse gas emissions.

''(F) Clean transportation, including the following:

''(i) Battery electric vehicles.

''(ii) Plug-in hybrid electric vehicles.

''(iii) Hydrogen vehicles.

''(iv) Other zero-emissions fueled vehicles.

''(v) Related vehicle charging and fueling infrastructure.

''(G) Climate resilient infrastructure.

''(H) Any other key areas identified by the Board as consistent with the mandate of the Accelerator as described in section 1623.

''(11) RENEWABLE ENERGY GENERATION.—The term 'renewable energy generation' means electricity created by sources that are continually replenished by nature, such as the sun, wind, and water.

"SEC. 1622. ESTABLISHMENT.

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subtitle, there shall be established a nonprofit corporation to be known as the Clean Energy and Sustainability Accelerator.

''(b) LIMITATION.—The Accelerator shall not be an agency or instrumentality of the Federal Government.

''(c) FULL FAITH AND CREDIT.—The full faith and credit of the United States shall not extend to the Accelerator.

''(d) NONPROFIT STATUS.—The Accelerator shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

"SEC. 1623. MANDATE.

''The Accelerator shall make the United States a world leader in combating the causes and effects of climate change through the rapid deployment of mature technologies and scaling of new technologies by maximizing the reduction of emissions in the United States for every dollar deployed by the Accelerator, including by—

''(1) providing financing support for investments in the United States in low- and zero-emissions technologies and processes in order to rapidly accelerate market penetration;

''(2) catalyzing and mobilizing private capital through Federal investment and supporting a more robust marketplace for clean technologies, while avoiding competition with private investment;

''(3) enabling climate-impacted communities to benefit from and afford projects and investments that reduce emissions;

''(4) providing support for workers and communities impacted by the transition to a low-carbon economy;

''(5) supporting the creation of green banks within the United States where green banks do not exist; and

''(6) causing the rapid transition to a clean energy economy without raising energy costs to end users and seeking to lower costs where possible.

"SEC. 1624. FINANCE AND INVESTMENT DIVISION.

''(a) IN GENERAL.—There shall be within the Accelerator a finance and investment division, which shall be responsible for—

''(1) the Accelerator's greenhouse gas emissions mitigation efforts by directly financing qualifying projects or doing so indirectly by providing capital to State, Territorial, and local green banks;

''(2) originating, evaluating, underwriting, and closing the Accelerator's financing and investment transactions in qualified projects;

''(3) partnering with private capital providers and capital markets to attract coinvestment from private banks, investors, and others in order to drive new investment into underpenetrated markets, to increase the efficiency of private capital markets with respect to investing in greenhouse gas reduction projects, and to increase total investment caused by the Accelerator;

''(4) managing the Accelerator's portfolio of assets to ensure performance and monitor risk;

''(5) ensuring appropriate debt and risk mitigation products are offered; and

''(6) overseeing prudent, noncontrolling equity investments.

''(b) PRODUCTS AND INVESTMENT TYPES.—The finance and investment division of the Accelerator may provide capital to qualified projects in the form of—

''(1) senior, mezzanine, and subordinated debt;

''(2) credit enhancements including loan loss reserves and loan guarantees;

''(3) aggregation and warehousing;

''(4) equity capital; and

''(5) any other financial product approved by the Board.

''(c) STATE, TERRITORIAL, AND LOCAL GREEN BANK CAPITALIZATION.—The finance and investment division of the Accelerator shall make capital available to State, Territorial, and local green banks to enable such banks to finance qualifying projects in their markets that are better served by a locally based entity, rather than through direct investment by the Accelerator.

''(d) INVESTMENT COMMITTEE.—The debt, risk mitigation, and equity investments made by the Accelerator shall be—

''(1) approved by the investment committee of the Board; and

''(2) consistent with an investment policy that has been established by the investment committee of the Board in consultation with the risk management committee of the Board.

"SEC. 1625. START-UP DIVISION.

''There shall be within the Accelerator a Start-up Division, which shall be responsible for providing technical assistance and start-up funding to States and other political subdivisions that do not have green banks to establish green banks in those States and political subdivisions, including by working with relevant stakeholders in those States and political subdivisions.

"SEC. 1626. ZERO-EMISSIONS FLEET AND RELATED INFRASTRUCTURE FINANCING PROGRAM.

''Not later than 1 year after the date of establishment of the Accelerator, the Accelerator shall explore the establishment of a program to provide low- and zero-interest loans, up to 30 years in length, to any school, metropolitan planning organization, or nonprofit organization seeking financing for the acquisition of zero-emissions vehicle fleets or associated infrastructure to support zero-emissions vehicle fleets.

"SEC. 1627. PROJECT PRIORITIZATION AND REQUIREMENTS.

''(a) EMISSIONS REDUCTION MANDATE.—In investing in projects that mitigate greenhouse gas emissions, the Accelerator shall maximize the reduction of emissions in the United States for every dollar deployed by the Accelerator.

''(b) ENVIRONMENTAL JUSTICE PRIORITIZATION.—

''(1) IN GENERAL.—In order to address environmental justice needs, the Accelerator shall, as applicable, prioritize the provision of program benefits and investment activity that are expected to directly or indirectly result in the deployment of projects to serve, as a matter of official policy, climate-impacted communities.

''(2) MINIMUM PERCENTAGE.—The Accelerator shall ensure that over the 30-year period of its charter 40 percent of its investment activity is directed to serve climate-impacted communities.

''(c) CONSUMER PROTECTION.—

''(1) PRIORITIZATION.—Consistent with the mandate under section 1623 to maximize the reduction of emissions in the United States for every dollar deployed by the Accelerator, the Accelerator shall prioritize qualified projects according to benefits conferred on consumers and affected communities.

''(2) CONSUMER CREDIT PROTECTION.—The Accelerator shall ensure that any residential energy efficiency or distributed clean energy project in which the Accelerator invests directly or indirectly complies with the requirements of the Consumer Credit Protection Act (15 U.S.C. 1601 et seq.), including, in the case of a financial product that is a residential mortgage loan, any requirements of title I of that Act relating to residential mortgage loans (including any regulations promulgated by the Bureau of Consumer Financial Protection under section 129C(b)(3)(C) of that Act (15 U.S.C. 1639c(b)(3)(C))).

''(d) LABOR.—

''(1) IN GENERAL.—The Accelerator shall ensure that laborers and mechanics employed by contractors and subcontractors in construction work financed directly by the Accelerator will be paid wages not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor under sections 3141 through 3144, 3146, and 3147 of title 40, United States Code.

''(2) PROJECT LABOR AGREEMENT.—The Accelerator shall ensure that projects financed directly by the Accelerator with total capital costs of $100,000,000 or greater utilize a project labor agreement.

"SEC. 1628. EXPLORATION OF ACCELERATED CLEAN ENERGY TRANSITION PROGRAM.

''Not later than 1 year after the date on which the Accelerator is established, the Board shall explore the establishment of an accelerated clean energy transition program—

''(1) to expedite the transition within the power sector to zero-emissions power generation facilities or assets; and

''(2) to simultaneously invest in local economic development in communities affected by this transition away from carbon-intensive facilities or assets.

"SEC. 1629. BOARD OF DIRECTORS.

''(a) IN GENERAL.—The Accelerator shall operate under the direction of a Board of Directors, which shall be composed of 7 members.

''(b) INITIAL COMPOSITION AND TERMS.—

''(1) SELECTION.—The initial members of the Board shall be selected as follows:

''(A) APPOINTED MEMBERS.—Three members shall be appointed by the President, with the advice and consent of the Senate, of whom no more than two shall belong to the same political party.

''(B) ELECTED MEMBERS.—Four members shall be elected unanimously by the 3 members appointed and confirmed pursuant to subparagraph (A).

''(2) TERMS.—The terms of the initial members of the Board shall be as follows:

''(A) The 3 members appointed and confirmed under paragraph (1)(A) shall have initial 5-year terms.

''(B) Of the 4 members elected under paragraph (1)(B), 2 shall have initial 3-year terms, and 2 shall have initial 4-year terms.

''(c) SUBSEQUENT COMPOSITION AND TERMS.—

''(1) SELECTION.—Except for the selection of the initial members of the Board for their initial terms under subsection (b), the members of the Board shall be elected by the members of the Board.

''(2) DISQUALIFICATION.—A member of the Board shall be disqualified from voting for any position on the Board for which such member is a candidate.

''(3) TERMS.—All members elected pursuant to paragraph (1) shall have a term of 5 years.

''(d) QUALIFICATIONS.—The members of the Board shall collectively have expertise in—

''(1) the fields of clean energy, electric utilities, industrial decarbonization, clean transportation, resiliency, and agriculture and forestry practices;

''(2) climate change science;

''(3) finance and investments; and

''(4) environmental justice and matters related to the energy and environmental needs of climate-impacted communities.

''(e) RESTRICTION ON MEMBERSHIP.—No officer or employee of the Federal or any other level of government may be appointed or elected as a member of the Board.

''(f) QUORUM.—Five members of the Board shall constitute a quorum.

''(g) BYLAWS.—

''(1) IN GENERAL.—The Board shall adopt, and may amend, such bylaws as are necessary for the proper management and functioning of the Accelerator.

''(2) OFFICERS.—In the bylaws described in paragraph (1), the Board shall—

''(A) designate the officers of the Accelerator; and

''(B) prescribe the duties of those officers.

''(h) VACANCIES.—Any vacancy on the Board shall be filled through election by the Board.

''(i) INTERIM APPOINTMENTS.—A member elected to fill a vacancy occurring before the expiration of the term for which the predecessor of that member was appointed or elected shall serve for the remainder of the term for which the predecessor of that member was appointed or elected.

''(j) REAPPOINTMENT.—A member of the Board may be elected for not more than 1 additional term of service as a member of the Board.

''(k) CONTINUATION OF SERVICE.—A member of the Board whose term has expired may continue to serve on the Board until the date on which a successor member is elected.

''(l) CHIEF EXECUTIVE OFFICER.—The Board shall appoint a chief executive officer who shall be responsible for—

''(1) hiring employees of the Accelerator;

''(2) establishing the 2 divisions of the Accelerator described in sections 1624 and 1625; and

''(3) performing any other tasks necessary for the day-to-day operations of the Accelerator.

''(m) ADVISORY COMMITTEE.—

''(1) ESTABLISHMENT.—The Accelerator shall establish an advisory committee (in this subsection referred to as the 'advisory committee'), which shall be composed of not more than 13 members appointed by the Board on the recommendation of the president of the Accelerator.

''(2) MEMBERS.—Members of the advisory committee shall be broadly representative of interests concerned with the environment, production, commerce, finance, agriculture, forestry, labor, services, and State Government. Of such members—

''(A) not fewer than 3 shall be representatives of the small business community;

''(B) not fewer than 2 shall be representatives of the labor community, except that no 2 members may be from the same labor union;

''(C) not fewer than 2 shall be representatives of the environmental nongovernmental organization community, except that no 2 members may be from the same environmental organization;

''(D) not fewer than 2 shall be representatives of the environmental justice nongovernmental organization community, except that no 2 members may be from the same environmental organization;

''(E) not fewer than 2 shall be representatives of the consumer protection and fair lending community, except that no 2 members may be from the same consumer protection or fair lending organization; and

''(F) not fewer than 2 shall be representatives of the financial services industry with knowledge of and experience in financing transactions for clean energy and other sustainable infrastructure assets.

''(3) MEETINGS.—The advisory committee shall meet not less frequently than once each quarter.

''(4) DUTIES.—The advisory committee shall—

''(A) advise the Accelerator on the programs undertaken by the Accelerator; and

''(B) submit to the Congress an annual report with comments from the advisory committee on the extent to which the Accelerator is meeting the mandate described in section 1623, including any suggestions for improvement.

''(n) CHIEF RISK OFFICER.—

''(1) APPOINTMENT.—Subject to the approval of the Board, the chief executive officer shall appoint a chief risk officer from among individuals with experience at a senior level in financial risk management, who—

''(A) shall report directly to the Board; and

''(B) shall be removable only by a majority vote of the Board.

''(2) DUTIES.—The chief risk officer, in coordination with the risk management and audit committees established under section 1632, shall develop, implement, and manage a comprehensive process for identifying, assessing, monitoring, and limiting risks to the Accelerator, including the overall portfolio diversification of the Accelerator.

"SEC. 1630. ADMINISTRATION.

''(a) CAPITALIZATION.—

''(1) IN GENERAL.—To the extent and in the amounts provided in advance in appropriations Acts, the Secretary of Energy shall transfer to the Accelerator—

''(A) $50,000,000,000 on the date on which the Accelerator is established under section 1622; and

''(B) $10,000,000,000 on October 1 of each of the 5 fiscal years following that date.

''(2) AUTHORIZATION OF APPROPRIATIONS.—For purposes of the transfers under paragraph (1), there are authorized to be appropriated such sums as may be necessary.

''(b) CHARTER.—The Accelerator shall establish a charter, the term of which shall be 30 years.

''(c) USE OF FUNDS AND RECYCLING.—To the extent and in the amounts provided in advance in appropriations Acts, the Accelerator—

''(1) may use funds transferred pursuant to subsection (a)(1) to carry out this subtitle, including for operating expenses; and

''(2) shall retain and manage all repayments and other revenue received under this subtitle from financing fees, interest, repaid loans, and other types of funding to carry out this subtitle, including for—

''(A) operating expenses; and

''(B) recycling such payments and other revenue for future lending and capital deployment in accordance with this subtitle.

''(d) REPORT.—The Accelerator shall submit on a quarterly basis to the relevant committees of Congress a report that describes the financial activities, emissions reductions, and private capital mobilization metrics of the Accelerator for the previous quarter.

''(e) RESTRICTION.—The Accelerator shall not accept deposits.

''(f) COMMITTEES.—The Board shall establish committees and subcommittees, including—

''(1) an investment committee; and

''(2) in accordance with section 1631—

''(A) a risk management committee; and

''(B) an audit committee.

''SEC. 1631. ESTABLISHMENT OF RISK MANAGEMENT COMMITTEE AND AUDIT COMMITTEE.

''(a) IN GENERAL.—To assist the Board in fulfilling the duties and responsibilities of the Board under this subtitle, the Board shall establish a risk management committee and an audit committee.

''(b) DUTIES AND RESPONSIBILITIES OF RISK MANAGEMENT COMMITTEE.—Subject to the direction of the Board, the risk management committee established under subsection (a) shall establish policies for and have oversight responsibility for—

''(1) formulating the risk management policies of the operations of the Accelerator;

''(2) reviewing and providing guidance on operation of the global risk management framework of the Accelerator;

''(3) developing policies for—

''(A) investment;

''(B) enterprise risk management;

''(C) monitoring; and

''(D) management of strategic, reputational, regulatory, operational, developmental, environmental, social, and financial risks; and

''(4) developing the risk profile of the Accelerator, including—

''(A) a risk management and compliance framework; and

''(B) a governance structure to support that framework.

''(c) DUTIES AND RESPONSIBILITIES OF AUDIT COMMITTEE.—Subject to the direction of the Board, the audit committee established under subsection (a) shall have oversight responsibility for—

''(1) the integrity of—

''(A) the financial reporting of the Accelerator; and

''(B) the systems of internal controls regarding finance and accounting;

''(2) the integrity of the financial statements of the Accelerator;

''(3) the performance of the internal audit function of the Accelerator; and

''(4) compliance with the legal and regulatory requirements related to the finances of the Accelerator.

''SEC. 1632. OVERSIGHT.

''(a) EXTERNAL OVERSIGHT.—The inspector general of the Department of Energy shall have oversight responsibilities over the Accelerator.

''(b) REPORTS AND AUDIT.—

''(1) ANNUAL REPORT.—The Accelerator shall publish an annual report which shall be transmitted by the Accelerator to the President and the Congress.

''(2) ANNUAL AUDIT OF ACCOUNTS.—The accounts of the Accelerator shall be audited annually. Such audits shall be conducted in accordance with generally accepted auditing standards by independent certified public accountants who are certified by a regulatory authority of the jurisdiction in which the audit is undertaken.

''(3) ADDITIONAL AUDITS.—In addition to the annual audits under paragraph (2), the financial transactions of the Accelerator for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited by the Government Accountability Office in accordance with such rules and regulations as may be prescribed by the Comptroller General of the United States.''.

AMENDMENT NO. 24 OFFERED BY MS. DINGELL OF MICHIGAN

Page 1508, after line 13, insert the following:

SEC. 10109. SENSE OF HOUSE OF REPRESENTATIVES ON REGULATORY FRAMEWORK FOR AUTONOMOUS VEHICLES.

It is the sense of the House of Representatives that Congress, in broad consultation with labor, safety groups, industry, and other stakeholders, should begin establishing a Federal regulatory framework for the safe deployment of autonomous vehicles nationwide that will support existing jobs and grow the United States workforce of the future, including good union jobs, keep the United States on the forefront of this technology, and keep the United States competitive around the globe.

AMENDMENT NO. 26 OFFERED BY MS. ESCOBAR OF TEXAS

Page 439, after line 5, insert the following (and redesignate the subsequent paragraph accordingly):

''(3) INVESTMENTS IN COLONIAS.—

''(A) IN GENERAL.—Of the grants made available under this section, for fiscal years 2023 through 2026, a total of not less than $20,000,000 shall be made available to provide grants that improve the safety, state of good repair, or connectivity of surface transportation infrastructure eligible under this section in and providing access to, colonias.

''(B) RURAL AND COMMUNITY SET ASIDES.—Funds made available under this section in areas described in paragraphs (1)(A) or (1)(B) shall count toward the set aside described in the applicable paragraph.

''(C) COLONIA DEFINED.—In this subsection, the term 'colonia' means any identifiable community that—

''(i) is in the State of Arizona, California, New Mexico, or Texas;

''(ii) is in the area of the United States within 150 miles of the border between the United States and Mexico, except that the term does not include any standard metropolitan statistical area that has a population exceeding 1,000,000; and

''(iii) is determined to be a colonia on the basis of objective criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing.

Page 492, strike line 14 and all that follows through page 493, line 15 (and redesignate the subsequent subsections accordingly).

AMENDMENT NO. 27 OFFERED BY MS. ESCOBAR OF TEXAS

Page 493, after line 15, insert the following:

(3) STUDY.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives a study on the infrastructure needs of colonias.

AMENDMENT NO. 28 OFFERED BY MS. ESCOBAR OF TEXAS

At the end of subtitle B of title I of division B of the bill, insert the following:

SEC. 1220. FUNDING FOR BORDER INFRASTRUCTURE.

Section 1437(a) of the FAST Act (23 U.S.C. 101 note) is amended by striking ''5 percent'' and inserting ''7 percent''.

AMENDMENT NO. 29 OFFERED BY MS. ESHOO OF CALIFORNIA

Page 452, after line 22, insert the following (and redesignate accordingly):

''(III) meeting current and anticipated market demands for charging or fueling infrastructure, including with regard to power levels and charging speed, and minimizing the time to charge or refuel current and anticipated vehicles;

AMENDMENT NO. 30 OFFERED BY MR. ESPAILLAT OF NEW YORK

Page 465, line 7, insert ''and units of local government'' before ''based on''.

Page 465, line 15, insert '', where applicable'' after ''consider''.

Page 465, line 22, insert ''or unit of local government'' after ''planning area''.

Page 465, line 24, insert '', the metropolitan planning organization,'' after ''local governments''.

Page 465, beginning on line 25, strike ''metropolitan planning''.

Page 467, line 11, strike ''and''.

Page 467, after line 11, insert the following (and redesignate the subsequent subparagraph accordingly):

(G) if the applicant is a unit of local government, whether the applicable metropolitan planning organization has been designated as a direct recipient; and

Page 469, line 11, insert ''or 148'' after ''section 133(b)''.

Page 469, line 16, insert ''for each fiscal year'' after ''$5,000,000''.

Page 470, line 18, insert ''or unit of local government'' after ''planning organization''.

Page 473, after line 6, insert the following:

(G) SELF-CERTIFICATION AND COMPLIANCE.—The Secretary may conduct risk-based stewardship and oversight of a direct recipient's performance of the assumed responsibilities specified in the agreement under subparagraph (D), as determined appropriate by the Secretary.

Page 474, line 4, insert ''or unit of local government'' after ''planning area''.

Page 474, beginning on line 8, strike ''metropolitan planning organization'' and insert ''direct recipient''.

Page 476, line 20, insert ''or units of local government'' after ''planning organizations''.

Page 477, line 7, insert ''or unit of local government'' after ''organization''.

AMENDMENT NO. 33 OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of title II of division C of the bill, add the following:

SEC. 8205. SEISMICITY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation, in consultation with the Federal Energy Regulatory Commission, shall enter into an agreement with the National Academy of Sciences under which the National Academy of Sciences shall prepare a report containing—

(1) the results of a study that—

(A) evaluates the current Federal requirements for pipeline facility design, siting, construction, operation and maintenance, and integrity management, relating to seismicity, land subsidence, landslides, slope instability, frost heave, soil settlement, erosion, and other dynamic geologic conditions that may pose a safety risk;

(B) identifies any discrepancy in such requirements that apply to operators of gas pipeline facilities and hazardous liquid pipeline facilities; and

(C) identifies any deficiencies in industry practices related to such requirements; and

(2) any recommendations of the National Academy of Sciences based on such results.

(b) REPORT TO CONGRESS.—Upon completion of the report prepared pursuant to subsection (a), the National Academy of Sciences shall submit to the Secretary of Transportation, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate the report.

(c) PIPELINE FACILITIES.—In this section, the term ''pipeline facility'' has the meaning given that term in section 60101 of title 49, United States Code.

AMENDMENT NO. 35 OFFERED BY MR. GARAMENDI OF CALIFORNIA

Page 290, beginning on line 25, strike ''standards of SSPC QP1, QP2, and QP3'' and insert ''relevant SSPC–QP standards''.

Page 291, beginning on line 5, strike '', through a qualified training program,''.

AMENDMENT NO. 36 OFFERED BY MR. GARCÍA OF ILLINOIS

Page 213, line 4, strike ''design work space'' and insert ''design of work spaces''.

Page 388, strike lines 21 through 25 and insert the following:

(B) by striking paragraph (7) and inserting the following:

''(7) if the project or program utilizes transportation demand management strategies, shifts traffic demand to nonpeak hours or other transportation modes, increases vehicle occupancy rates, or otherwise reduces demand for roads through such means as telecommuting, ridesharing, carsharing, shared micromobility (including bikesharing and shared scooter systems), publicly accessible charging stations, docks, and storage for electric bicycles and micromobility devices, alternative work hours, and pricing;''; and

Page 569, line 5, strike ''and''.

Page 569, line 6, insert ''and'' at the end.

Page 569, after line 6, insert the following:

(iv) travel demand impacts from state and local transportation demand management programs;

AMENDMENT NO. 37 OFFERED BY MR. GARCÍA OF ILLINOIS

Page 1508, after line 13, insert the following:

SEC. 10109. MOTOR VEHICLE PEDESTRIAN AND CYCLIST PROTECTION.

(a) RULEMAKING.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, acting through the Administrator of the National Highway Traffic Safety Administration, shall issue a final rule that—

(1) establishes minimum performance standards for the hood and bumper areas of passenger cars, multipurpose passenger vehicles, trucks, and buses with a gross vehicle weight rating of 4,536 kilograms (10,000 pounds) or less to reduce injuries and fatalities suffered by vulnerable road users, including pedestrians and cyclists, who are struck by such vehicles; and

(2) considers the protection of vulnerable pedestrian and cycling populations, including children and older adults, and people with disabilities.

(b) COMPLIANCE.—The rule issued pursuant to subsection (a) shall require full compliance with minimum performance standards established by the Secretary not later than 2 years after the date on which the final rule is issued.

(c) DEFINITIONS.—In this section:

(1) BUS.—The term ''bus'' has the meaning given such term in section 571.3 of title 49, Code of Federal Regulations (or any successor regulation).

(2) MULTIPURPOSE PASSENGER VEHICLE.—The term ''multiperson passenger vehicle'' has the meaning given such term in section 571.3 of title 49, Code of Federal Regulations (or any successor regulation).

(3) PASSENGER CAR.—The term ''passenger car'' has the meaning given such term in section 571.3 of title 49, Code of Federal Regulations (or any successor regulation).

(4) TRUCK.—The term ''truck'' has the meaning given such term in section 571.3 of title 49, Code of Federal Regulations (or any successor regulation).

AMENDMENT NO. 38 OFFERED BY MR. GARCÍA OF ILLINOIS

Page 705, after line 3, insert the following:

SEC. 1640. UPDATES TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

(a) ADDRESSING ALL USERS EQUALLY.—The Secretary shall ensure that current and future editions of the Manual on Uniform Traffic Control Devices address all users equally, including vulnerable road users such as pedestrians and cyclists.

(b) TIMING OF REGULAR UPDATES.—Pursuant to the authority granted the Secretary in section 109 of title 23, United States Code, the Secretary shall review the existing guidance for when updates to the Manual on Uniform Traffic Control Devices occur and make any adjustments to that guidance needed to ensure the Secretary is timely updating the Manual on Uniform Traffic Control Devices to take into account advances in design standards, road markings, and traffic devices. The Secretary shall consider requiring that the Manual on Uniform Traffic Control Devices be reviewed at least once every 4 years for any necessary updates.

AMENDMENT NO. 39 OFFERED BY MS. GARCIA OF TEXAS

Page 1510, after line 5, insert the following:

DIVISION H—DOMESTIC MARITIME WORKFORCE TRAINING

SECTION 11101. CENTERS OF EXCELLENCE FOR DOMESTIC MARITIME WORKFORCE TRAINING AND EDUCATION.

Section 54102 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''of Transportation'';

(2) in subsection (b), in the subsection heading, by striking ''ASSISTANCE'' and inserting ''COOPERATIVE AGREEMENTS'';

(3) by redesignating subsection (c) as subsection (d);

(4) in subsection (d), as redesignated by paragraph (2), by adding at the end the following:

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.''; and

(5) by inserting after subsection (b) the following:

''(c) GRANT PROGRAM.—

''(1) DEFINITION OF ELIGIBLE INSTITUTION.—In this subsection, the term 'eligible institution' means a postsecondary educational institution as such term is defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302) that offers a 2-year program of study, a 1-year program of training, or is a postsecondary vocational institution.

''(2) GRANT AUTHORIZATION.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Maritime Administration Authorization and Improvement Act, the Secretary, in consultation with the Secretary of Labor and the Secretary of Education, may award maritime career training grants to eligible institutions for the purpose of developing, offering, or improving educational or career training programs for American workers related to the maritime workforce.

''(B) GUIDELINES.—Not later than 1 year after the date of enactment of the Maritime Administration Authorization and Improvement Act, the Secretary shall—

''(i) promulgate guidelines for the submission of grant proposals under this subsection; and

''(ii) publish and maintain such guidelines on the website of the Department of Transportation.

''(3) LIMITATIONS.—The Secretary may not award a grant under this subsection in an amount that is more than $20,000,000.

''(4) REQUIRED INFORMATION.—

''(A) IN GENERAL.—An eligible institution that desires to receive a grant under this subsection shall submit to the Secretary a grant proposal that includes a detailed description of—

''(i) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career training program that is suited to maritime industry workers;

''(ii) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of maritime workers in the community served by the eligible institution;

''(iii) the extent to which the project for which the grant proposal is submitted fits within any overall strategic plan developed by an eligible community; and

''(iv) any previous experience of the eligible institution in providing maritime educational or career training programs.

''(B) COMMUNITY OUTREACH REQUIRED.—In order to be considered by the Secretary, a grant proposal submitted by an eligible institution under this subsection shall—

''(i) demonstrate that the eligible institution—

''(I) reached out to employers to identify—

''(aa) any shortcomings in existing maritime educational and career training opportunities available to workers in the community; and

''(bb) any future employment opportunities within the community and the educational and career training skills required for workers to meet the future maritime employment demand; and

''(II) reached out to other similarly situated institutions in an effort to benefit from any best practices that may be shared with respect to providing maritime educational or career training programs to workers eligible for training; and

''(ii) include a detailed description of—

''(I) the extent and outcome of the outreach conducted under clause (i);

''(II) the extent to which the project for which the grant proposal is submitted will contribute to meeting any shortcomings identified under clause (i)(I)(aa) or any maritime educational or career training needs identified under clause (i)(I)(bb); and

''(III) the extent to which employers, including small- and medium-sized firms within the community, have demonstrated a commitment to employing workers who

would benefit from the project for which the grant proposal is submitted.

''(5) CRITERIA FOR AWARD OF GRANTS.—

''(A) IN GENERAL.—Subject to the appropriation of funds, the Secretary shall award a grant under this subsection based on—

''(i) a determination of the merits of the grant proposal submitted by the eligible institution to develop, offer, or improve maritime educational or career training programs to be made available to workers;

''(ii) an evaluation of the likely employment opportunities available to workers who complete a maritime educational or career training program that the eligible institution proposes to develop, offer, or improve;

''(iii) an evaluation of prior demand for training programs by workers in the community served by the eligible institution, as well as the availability and capacity of existing maritime training programs to meet future demand for training programs; and

''(iv) any prior designation of an institution as a Center of Excellence for Domestic Maritime Workforce Training and Education.

''(B) MATCHING REQUIREMENTS.—A grant awarded under this subsection may not be used to satisfy any private matching requirement under any other provision of law.

''(6) PUBLIC REPORT.—Not later than December 15 in each of the calendar years 2021 through 2023, the Secretary shall make available on a publically available website a report and provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) describing each grant awarded under this subsection during the preceding fiscal year;

''(B) assessing the impact of each award of a grant under this subsection in a fiscal year preceding the fiscal year referred to in subparagraph (A) on workers receiving training; and

''(C) the performance of the grant awarded with respect to the indicators of performance under section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)(i)).

''(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $200,000,000.''.

AMENDMENT NO. 42 OFFERED BY MR. GOMEZ OF CALIFORNIA

At the end of subtitle E of title II of division B, insert the following:

SEC. 2506. TRANSIT TO TRAILS GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) COMMUNITY OF COLOR.—The term ''community of color'' means a geographically distinct area in which the population of any of the following categories of individuals is higher than the average populations of that category for the State in which the community is located:

(A) Black.

(B) African American.

(C) Asian.

(D) Pacific Islander.

(E) Other non-white race.

(F) Hispanic.

(G) Latino.

(2) CRITICALLY UNDERSERVED COMMUNITY.—The term ''critically underserved community'' means—

(A) a community that can demonstrate to the Secretary that the community has inadequate, insufficient, or no park space or recreation facilities, including by demonstrating—

(i) quality concerns relating to the available park space or recreation facilities;

(ii) the presence of recreational facilities that do not serve the needs of the community; or

(iii) the inequitable distribution of park space for high-need populations, based on income, age, or other measures of vulnerability and need;

(B) a community in which at least 50 percent of the population is not located within ½ mile of park space; or

(C) any other community that the Secretary determines to be appropriate.

(3) DESIGNATED SERVICE AREA.—The term ''designated service area'' means a geographical area recommended by a designated official planning agency, that defines the community where coordinated transportation services are be provided to the transportation disadvantaged.

(4) DISPROPORTIONATE BURDEN OF ADVERSE HUMAN HEALTH OR ENVIRONMENTAL EFFECTS.—The term ''disproportionate burden of adverse human health or environmental effects'' means a situation where there exists higher or more adverse human health or environmental effects on communities of color, low income communities, and Tribal and indigenous communities.

(5) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State or local government entity;

(B) a political subdivision of a State (including a city or a county);

(C) a special purpose district (including a park district);

(D) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)); or

(E) a metropolitan planning organization (as defined in section 134(b) of title 23, United States Code).

(6) ENVIRONMENTAL JUSTICE COMMUNITY.—The term ''environmental justice community'' means a community with significant representation of communities of color, low income communities, or Tribal and indigenous communities, that experience, or is at risk of experiencing higher or more adverse human health or environmental effects.

(7) LOW INCOME COMMUNITY.—the term ''low income community'' means any census block group in which 30 percent or more of the population are individuals with an annual household income equal to, or less than, the greater of—

(A) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

(B) 200 percent of the Federal poverty line.

(8) MICROTRANSIT.—The term ''microtransit'' means low-capacity transportation service carrying small numbers of people at a time.

(9) PROGRAM.—The term ''program'' means the Transit to Trails Grant Program established under subsection (b)(1).

(10) RURAL AREA.—The term ''rural area'' means a community that is not an urbanized area.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(12) STATE.—The term ''State'' means each of the several States, the District of Columbia, and each territory or possession of the United States.

(13) TRANSPORTATION CONNECTOR.—

(A) IN GENERAL.—The term ''transportation connector'' means a system that—

(i) connects 2 zip codes or communities within a 175-mile radius of a designated service area; and

(ii) provides public transportation.

(B) INCLUSIONS.—The term ''transportation connector'' includes microtransits, bus lines, light rail, rapid transits, or personal rapid transits.

(b) GRANT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a grant program, to be known as the ''Transit to Trails Grant Program'', under which the Secretary shall award grants to eligible entities for—

(A) projects that develop transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities to increase access and mobility to Federal or non-Federal public land, inland and costal waters, parkland, or monuments; or

(B) projects that facilitate transportation improvements to enhance access to Federal or non-Federal public land and recreational opportunities in critically underserved communities.

(2) ADMINISTRATION.—

(A) IN GENERAL.—The Secretary shall administer the program to assist eligible entities in the development of public transportation routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities to increase access and mobility to Federal or non-Federal public land, inland and coastal waters, parkland, or monuments.

(B) JOINT PARTNERSHIPS.—The Secretary shall encourage joint partnership projects under the program, if available, among multiple agencies, including school districts, nonprofit organizations, metropolitan planning organizations, regional transportation authorities, transit agencies, and State and local governmental agencies (including park and recreation agencies and authorities) to enhance investment of public sources.

(C) ANNUAL GRANT PROJECT PROPOSAL SOLICITATION, REVIEW, AND APPROVAL.—

(i) IN GENERAL.—The Secretary shall—

(I) annually solicit the submission of project proposals for grants from eligible entities under the program; and

(II) review each project proposal submitted under subclause (I) on a timeline established by the Secretary.

(ii) REQUIRED ELEMENTS FOR PROJECT PROPOSAL.—A project proposal submitted under clause (i)(I) shall include—

(I) a statement of the purposes of the project;

(II) the name of the entity or individual with overall responsibility for the project;

(III) a description of the qualifications of the entity or individuals identified under subclause (II);

(IV) a description of—

(aa) staffing and stakeholder engagement for the project;

(bb) the logistics of the project; and

(cc) anticipated outcomes of the project;

(V) a proposed budget for the funds and time required to complete the project;

(VI) information regarding the source and amount of matching funding available for the project;

(VII) information that demonstrates the clear potential of the project to contribute to increased access to parkland for critically underserved communities; and

(VIII) any other information that the Secretary considers to be necessary for evaluating the eligibility of the project for funding under the program.

(D) PRIORITY.—To the extent practicable, in determining whether to approve project proposals under the program, the Secretary shall prioritize projects that—

(i) are designed to increase access and mobility to local or neighborhood Federal or non-Federal public land, inland and costal waters, parkland, monuments, or recreational opportunities;

(ii) utilize low- or no-emission vehicles;

(iii) provide free or discounted rates for low income riders;

(iv) provide opportunities for youth engagement;

(v) projects established in communities of color, low-income communities, Tribal or indigenous communities, or rural communities; and

(vi) comply with relevant regulations in the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(3) TRANSPORTATION PLANNING PROCEDURES.—

(A) PROCEDURES.— In consultation with the head of each appropriate Federal land management agency, the Secretary shall ensure that projects conducted under the program that are consistent with metropolitan and statewide planning processes.

(B) REQUIREMENTS.—In carrying out the program, the Secretary shall ensure the following:

(i) All projects carried out under the program will comply with sections 5303 and 5304 of title 49, United States Code.

(ii) All new transportation connectors and routes established under a project shall be accessible in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) accessibility specifications for transportation vehicles.

(iii) State department of transportation agencies shall engage with relevant stakeholders consistent with sections 5304(f)(3) and 5404(g)(3) of title 49, United States Code, and metropolitan planning organizations shall engage with relevant stakeholders consistent with sections 5303(g)(3)(B), 5303(i)(5), and 5303(i)(6) of title 49, United States Code, in addition to faith-based and community-based organizations.

(iv) Except as otherwise provided under this section, a grant provided under this section shall be subject to the requirements of section 5307 of title 49, United States Code.

(4) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of the cost of an eligible project carried our under this subsection shall not exceed 80 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.

(5) ELIGIBLE USES.—Grant funds provided under the program may be used—

(A) to develop transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities to increase access and mobility to Federal and non-Federal public land, inland and costal waters, parkland, and monuments; and

(B) to create or significantly enhance access to Federal or non-Federal public land and recreational opportunities in an urban area or a rural area.

(6) GRANT AMOUNT.—A grant provided under the program shall be—

(A) not less than $25,000; and

(B) not more than $500,000.

(7) TECHNICAL ASSISTANCE.—It is the intent of Congress that grants provided under the program deliver project funds to areas of greatest need while offering technical assistance to all applicants and potential applicants for grant preparation to encourage full participation in the program.

(c) REPORTING REQUIREMENT.—

(1) REPORTS BY GRANT RECIPIENTS.—The Secretary shall require a recipient of a grant under the program to submit to the Secretary at least 1 performance and financial report that—

(A) includes—

(i) demographic data on communities served by the project; and

(ii) a summary of project activities conducted after receiving the grant; and

(B) describes the status of each project funded by the grant as of the date of the report.

(2) ADDITIONAL REPORTS.—In addition to the report required under paragraph (1), the Secretary may require additional reports from a recipient, as the Secretary determines to be appropriate, including a final report.

(3) DEADLINES.—The Secretary shall establish deadlines for the submission of each report required under paragraph (1) or (2).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for fiscal years 2023 and 2024 and $20,000,000 for fiscal years 2025 and 2026.

AMENDMENT NO. 44 OFFERED BY MR. GRIJALVA OF ARIZONA

At the end, add the following:

DIVISION H—EFFICIENT AND EFFECTIVE NEPA IMPLEMENTATION

SEC. 12001. EFFICIENT AND EFFECTIVE NEPA IMPLEMENTATION.

(a) DEFINITION OF AGENCY.—In this section, the term ''agency'' means a Federal agency eligible to receive funds under the INVEST in America Act.

(b) FUNDING FOR THE EFFICIENT AND EFFECTIVE APPLICATION OF NEPA.—For the period of fiscal years 2023 through 2031, there is authorized to be appropriated to the Chair of the Council on Environmental Quality $150,000,000 for allocation to agencies eligible to receive funds under the INVEST in America Act to provide for efficient and effective environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in accordance with the guidelines and requirements established under subsection (c)(2), to remain available until expended.

(c) TASK FORCE.—

(1) ESTABLISHMENT.—The Chair of the Council on Environmental Quality shall establish and administer a task force, to be known as the ''Task Force to Revitalize NEPA Implementation'' (referred to in this section as the ''Task Force''), the membership of which may—

(A) be determined by the Chair of the Council on Environmental Quality; and

(B) include detailees from other agencies and personnel assigned to the Council on Environmental Quality under subchapter VI of chapter 33 of title 5, United States Code.

(2) GUIDELINES AND REQUIREMENTS.—Not later than 180 days after the date of enactment of this division, the Task Force shall establish guidelines and requirements for the use of amounts allocated to an agency under paragraph (3) that provide for more efficient and more effective environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including through the hiring and training of additional personnel, development of programmatic assessments or templates, procurement of technical or scientific services, development of data or technology systems, stakeholder and community engagement, and the purchase of new equipment.

(3) ALLOCATION OF FUNDS.—

(A) APPLICATION.—An agency seeking to receive amounts under this section shall submit to the Task Force an application at such time, in such manner, and containing such information as the Task Force shall require, which shall include criteria and performance measures for the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that are established by the Task Force.

(B) ADDITIONAL AGENCIES.—The Task Force, working with the Director of the Office of Management and Budget, shall—

(i) identify the agencies that need additional amounts to effectively and efficiently carry out the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) determine the additional amounts needed by each agency identified under clause (i).

(C) ALLOCATION.—The Task Force shall allocate amounts made available under subsection (b)—

(i) for the 2-year period beginning on the date of enactment of this division, to agencies that submit an application under subparagraph (A); and

(ii) for the period beginning on the date that is 2 years after the date of enactment of this division and ending on September 30, 2026—

(I) to agencies that submit an application under subparagraph (A); and

(II) to agencies identified under subparagraph (B)(i).

(D) TRANSFER AND ACCEPTANCE OF FUNDS.—

(i) TRANSFER.—The Chair of the Council on Environmental Quality may, to the extent provided in advance in appropriations Acts—

(I) transfer amounts allocated to agencies by the Task Force under subparagraph (C) to the heads of those agencies for use in accordance with the guidelines and requirements established by the Task Force under paragraph (2); and

(II) use the amounts allocated to the Council on Environmental Quality by the Task Force under subparagraph (C) in accordance with the guidelines and requirements established by the Task Force under paragraph (2).

(ii) RECEIPT AND ACCEPTANCE.—The head of an agency to which amounts are transferred by the Chair of the Council on Environmental Quality under clause (i)(I) shall be entitled to receive, may accept, and may use those amounts, in accordance with the guidelines and requirements established by the Task Force under paragraph (2).

(4) SUPPLEMENT, NOT SUPPLANT.—Amounts allocated to an agency under this section shall supplement, and not supplant, amounts otherwise made available to the agency to carry out the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(d) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this division, and annually thereafter until amounts made available to carry out this section are expended, the Chair of the Council on Environmental Quality shall submit to Congress a report describing the implementation of this section.

(2) INCLUSION.—If the Task Force allocates amounts to agencies under subsection (c)(3)(C)(ii)(II), the Chair of the Council on Environmental Quality shall include in the applicable report under paragraph (1) a description of—

(A) the agencies to which amounts were allocated under that subsection; and

(B) the amounts that were allocated to those agencies.

AMENDMENT NO. 46 OFFERED BY MS. JOHNSON OF TEXAS

Page 705, after line 3, insert the following:

SEC. 1639. DBE REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress, and make available to the public, a report analyzing the Department of Transportation's performance measured against the 8 objectives of the Disadvantaged Business Enterprises Program under section 26.1 of title 49, Code of Federal Regulations. The report shall identify and provide a list of recipients of Department of Transportation funds, such recipient's overall annual Disadvantaged Business Enterprise goals (disaggregated by percentage and dollar

value), and the information submitted in sections A and B of such recipient's respective Uniform Reports of DBE Awards, Commitments, and Payments for the previous 5 years.

AMENDMENT NO. 47 OFFERED BY MR. JOHNSON OF GEORGIA

Page 398, line 25, strike ''10 percent'' and insert ''20 percent''.

AMENDMENT NO. 48 OFFERED BY MR. JOHNSON OF GEORGIA

Page 37, strike lines 21 through 23 (and redesignate the subsequent subparagraphs accordingly).

AMENDMENT NO. 49 OFFERED BY MR. JOHNSON OF GEORGIA

Page 37, after line 23, insert the following (and redesignate the subsequent subparagraphs accordingly):

(D) adding service hours or days to existing transit service;

AMENDMENT NO. 54 OFFERED BY MR. KRISHNAMOORTHI OF ILLINOIS

Page 1508, after line 13, add the following new section (and update the table of contents accordingly):

SEC. 10109. CHILD RESTRAINT SYSTEMS.

(a) CHILD RESTRAINT SYSTEM LABELING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Transportation shall revise section 571.213 of title 49, Code of Federal Regulations—

(A) in S5.5.2(f) by striking ''13.6 kg'' and inserting ''18.2 kg''; and

(B) by adding at the end of S5.5.2 the following:

''(o) The packaging for each booster seat shall be permanently labeled with the information specified in S5.5.2(g).

''(p) On each booster seat, and on the packaging of such booster seat, there shall be placed—

''(1) a permanent label stating: 'For use by children [__] years old or older and who are over [__] pounds.', with respect to which—

''(A) the first bracket is replaced with the minimum age recommended for a user, which may not be an age younger than 4 years old; and

''(B) the second bracket is replaced with the minimum weight recommended for a user, which may not be under 40 pounds; and

''(2) a permanent label stating: 'Strongly recommended children use this seat only when they reach either the height or weight limit for a child restraint system with internal harness as indicated by the manufacturer.'.

''(q) On each child restraint system with internal harness, and on the packaging of such child restraint system with internal harness, there shall be placed a permanent label stating: 'To prevent possible injury or death, it is important to delay the transition from a child restraint system with internal harness to a booster seat as long as possible, until the child reaches the weight or height limit of the child restraint system with internal harness as indicated by the manufacturer.'.

''(r) On each combination car seat, there shall be placed a permanent label stating: 'Please use this seat with the internal harness as long as possible, until your child outgrows the maximum weight of [__] or reaches the maximum height of [__]. Once they have exceeded such weight or height, this seat can be used as a belt positioning booster seat with the vehicle seat belt.', with respect to which—

''(1) the first bracket is replaced with the maximum weight recommended for an internal harness user, which may not be under 40 pounds; and

''(2) the second bracket is replaced with the maximum height recommended for an internal harness user.''.

(2) EFFECTIVE DATE.—The modifications to section 571.213 of title 49, Code of Federal Regulations, under paragraph (1) shall take effect not later than 180 days after the date of the enactment of this Act.

(b) SIDE-IMPACT CRASH TESTING.—

(1) GENERAL STANDARDS.—Not later than 1 year after the date of the enactment of this section, the Administrator shall issue regulations to establish standards with respect to side-impact crash testing for child restraint systems, which—

(A) shall include standards for booster seats; and

(B) may include the use of the most appropriate test dummy available at the time of such side-impact crash testing.

(2) NEAR-SIDE AND FAR-SIDE IMPACT TESTING.—In issuing regulations under paragraph (1), the Administrator shall include procedures for testing—

(A) near-side impacts, in which the child restraint system being tested is positioned on the side of the point of impact; and

(B) far-side impacts, in which the child restraint system being tested is positioned on the opposite side of the point of impact.

(3) BOOSTER SEAT TEST DEVICES.—

(A) DESIGN.—Not later than 18 months after the date of the enactment of this section, the Administrator shall issue regulations that provide guidelines for a test dummy that approximates a 6-year-old child for the purposes of side-impact crash testing.

(B) USE.—Not later than 18 months after the date on which the Administrator issues regulations under subparagraph (A), the Administrator shall require that side-impact crash testing for booster seats (for both near-side and far-side impacts) includes the use of a test dummy that meets the guidelines provided under subparagraph (A).

(c) TETHER SYSTEMS STUDY.—Not later than 1 year after the date of the enactment of this section, the Administrator shall provide to Congress a study of the functionality of tether systems and the variability that exists in tether use recommendations by car seat and vehicle manufacturers, with recommendations on how such tether systems may be used or modified to increase the usage of child restraint systems with internal harness to maximize child safety.

(d) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the National Highway Traffic Safety Administration.

(2) BOOSTER SEAT.—The term ''booster seat'' has the meaning given such term in section 571.213 of title 49, Code of Federal Regulations (as in effect on the date of the enactment of this section).

(3) CHILD RESTRAINT SYSTEM.—The term ''child restraint system'' has the meaning given such term in section 571.213 of title 49, Code of Federal Regulations (as in effect on the date of the enactment of this section).

(4) CHILD RESTRAINT SYSTEM WITH INTERNAL HARNESS.—The term ''child restraint system with internal harness'' means a child restraint system designed to be used rear-facing or forward-facing employing a 5-point harness to position the child in the seat.

(5) COMBINATION CAR SEAT.—The term ''combination car seat''—

(A) means any child restraint system designed to be used in a forward-facing position with a 5-point internal harness, where the harness may be removed and the seat utilized as a belt-positioning booster seat; and

(B) includes a child restraint system that may be—

(i) converted between rear-facing with an internal harness and forward-facing with an internal harness; and

(ii) commonly referred to as ''3-in-1'' or ''all-in-1'' seats.

(6) TEST DUMMY.—The term ''test dummy'' means an anthropomorphic test dummy as such term is used in section 571.213 of title 49, Code of Federal Regulations (as in effect on the date of the enactment of this section).

(7) TETHER SYSTEM.—The term ''tether system'' means a system utilizing a tether anchorage, tether strap, and tether hook (as such terms are defined in section 571.225 of tile 49, Code of Federal Regulations).

AMENDMENT NO. 67 OFFERED BY MR. MOULTON OF MASSACHUSETTS

Page 1237, line 25, strike ''$4,800,000,000'' and insert ''$5,800,000,000''.

Page 1238, line 1. strike ''$4,900,000,000'' and insert ''$5,900,000,000''.

Page 1238, line 2, strike ''$5,000,000,000'' and insert ''$6,000,000,000''.

Page 1238, line 3, strike ''$5,100,000,000'' and insert ''$6,100,000,000''.

Page 1238, line 4, strike ''$5,200,000,000'' and insert ''$6,200,000,000''.

AMENDMENT NO. 85 OFFERED BY MS. PORTER OF CALIFORNIA

At the end of subtitle F of title I of division B of the bill, insert the following:

SEC. 1640. STUDY ON IMPACT OF AIR POLLUTION FROM VEHICLES IDLING IN SCHOOL ZONES.

Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency, acting jointly, shall—

(1) complete a study on the impacts on the health of children related to the emission of air pollutants from school buses and other vehicles idling in school zones; and

(2) submit a report to the Congress on the results of such study.

AMENDMENT NO. 89 OFFERED BY MR. RUSH OF ILLINOIS

At the end, add the following:

DIVISION H—ELECTRIC VEHICLES

TITLE I—ZERO EMISSIONS VEHICLE INFRASTRUCTURE BUILDOUT

Subtitle A—Electric Vehicle Infrastructure

SEC. 12101. DEFINITIONS.

In this subtitle:

(1) ELECTRIC VEHICLE SUPPLY EQUIPMENT.—The term ''electric vehicle supply equipment'' means any conductors, including ungrounded, grounded, and equipment grounding conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy to an electric vehicle.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(3) UNDERSERVED OR DISADVANTAGED COMMUNITY.—The term ''underserved or disadvantaged community'' means—

(A) a community located in a ZIP code that includes a census tract that is identified as—

(i) a low-income community; or

(ii) a community of color;

(B) a community in which climate change, pollution, or environmental destruction have exacerbated systemic racial, regional, social, environmental, and economic injustices by disproportionately affecting indigenous peoples, communities of color, migrant communities, deindustrialized communities, depopulated rural communities, the poor, low-income workers, women, the elderly, the unhoused, people with disabilities, or youth; or

(C) any other community that the Secretary determines is disproportionately vulnerable to, or bears a disproportionate burden of, any combination of economic, social, and environmental stressors.

SEC. 12102. ELECTRIC VEHICLE SUPPLY EQUIPMENT REBATE PROGRAM.

(a) REBATE PROGRAM.—Not later than January 1, 2022, the Secretary shall establish a rebate program to provide rebates for covered expenses associated with publicly accessible electric vehicle supply equipment (in this section referred to as the ''rebate program'').

(b) REBATE PROGRAM REQUIREMENTS.—

(1) ELIGIBLE ENTITIES.—A rebate under the rebate program may be made to an individual, a State, local, Tribal, or Territorial government, a private entity, a not-for-profit entity, a nonprofit entity, or a metropolitan planning organization.

(2) ELIGIBLE EQUIPMENT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall publish and maintain on the Department of Energy internet website a list of electric vehicle supply equipment that is eligible for the rebate program.

(B) UPDATES.—The Secretary may, by regulation, add to, or otherwise revise, the list of electric vehicle supply equipment under subparagraph (A) if the Secretary determines that such addition or revision will likely lead to—

(i) greater usage of electric vehicle supply equipment;

(ii) greater access to electric vehicle supply equipment by users; or

(iii) an improved experience for users of electric vehicle supply equipment, including accessibility in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(C) LOCATION REQUIREMENT.—To be eligible for the rebate program, the electric vehicle supply equipment described in subparagraph (A) shall be installed—

(i) in the United States;

(ii) on property—

(I) owned by the eligible entity under paragraph (1); or

(II) on which the eligible entity under paragraph (1) has authority to install electric vehicle supply equipment; and

(iii) at a location that is—

(I) a multi-unit housing structure;

(II) a workplace;

(III) a commercial location; or

(IV) open to the public for a minimum of 12 hours per day;

(3) APPLICATION.—

(A) IN GENERAL.—An eligible entity under paragraph (1) may submit to the Secretary an application for a rebate under the rebate program. Such application shall include—

(i) the estimated cost of covered expenses to be expended on the electric vehicle supply equipment that is eligible under paragraph (2);

(ii) the estimated installation cost of the electric vehicle supply equipment that is eligible under paragraph (2);

(iii) the global positioning system location, including the integer number of degrees, minutes, and seconds, where such electric vehicle supply equipment is to be installed, and identification of whether such location is—

(I) a multi-unit housing structure;

(II) a workplace;

(III) a commercial location; or

(IV) open to the public for a minimum of 12 hours per day;

(iv) the technical specifications of such electric vehicle supply equipment, including the maximum power voltage and amperage of such equipment;

(v) an identification of any existing electric vehicle supply equipment that—

(I) is available to the public for a minimum of 12 hours per day; and

(II) is not further than 50 miles from the global positioning system location identified under clause (iii); and

(vi) any other information determined by the Secretary to be necessary for a complete application.

(B) REVIEW PROCESS.—The Secretary shall review an application for a rebate under the rebate program and approve an eligible entity under paragraph (1) to receive such rebate if the application meets the requirements of the rebate program under this subsection.

(C) NOTIFICATION TO ELIGIBLE ENTITY.—Not later than 1 year after the date on which the eligible entity under paragraph (1) applies for a rebate under the rebate program, the Secretary shall notify the eligible entity whether the eligible entity will be awarded a rebate under the rebate program following the submission of additional materials required under paragraph (5).

(4) REBATE AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of a rebate made under the rebate program for each charging unit shall be the lesser of—

(i) 75 percent of the applicable covered expenses;

(ii) $2,000 for covered expenses associated with the purchase and installation of non-networked level 2 charging equipment;

(iii) $4,000 for covered expenses associated with the purchase and installation of networked level 2 charging equipment; or

(iv) $100,000 for covered expenses associated with the purchase and installation of networked direct current fast charging equipment.

(B) REBATE AMOUNT FOR REPLACEMENT EQUIPMENT.—A rebate made under the rebate program for replacement of pre-existing electric vehicle supply equipment at a single location shall be the lesser of—

(i) 75 percent of the applicable covered expenses;

(ii) $1,000 for covered expenses associated with the purchase and installation of non-networked level 2 charging equipment;

(iii) $2,000 for covered expenses associated with the purchase and installation of networked level 2 charging equipment; or

(iv) $25,000 for covered expenses associated with the purchase and installation of networked direct current fast charging equipment.

(5) DISBURSEMENT OF REBATE.—

(A) IN GENERAL.—The Secretary shall disburse a rebate under the rebate program to an eligible entity under paragraph (1), following approval of an application under paragraph (3), if such entity submits the materials required under subparagraph (B).

(B) MATERIALS REQUIRED FOR DISBURSEMENT OF REBATE.—Not later than one year after the date on which the eligible entity under paragraph (1) receives notice under paragraph (3)(C) that the eligible entity has been approved for a rebate, such eligible entity shall submit to the Secretary the following—

(i) a record of payment for covered expenses expended on the installation of the electric vehicle supply equipment that is eligible under paragraph (2);

(ii) a record of payment for the electric vehicle supply equipment that is eligible under paragraph (2);

(iii) the global positioning system location of where such electric vehicle supply equipment was installed and identification of whether such location is—

(I) a multi-unit housing structure;

(II) a workplace;

(III) a commercial location; or

(IV) open to the public for a minimum of 12 hours per day;

(iv) the technical specifications of the electric vehicle supply equipment that is eligible under paragraph (2), including the maximum power voltage and amperage of such equipment; and

(v) any other information determined by the Secretary to be necessary.

(C) AGREEMENT TO MAINTAIN.—To be eligible for a rebate under the rebate program, an eligible entity under paragraph (1) shall enter into an agreement with the Secretary to maintain the electric vehicle supply equipment that is eligible under paragraph (2) in a satisfactory manner for not less than 5 years after the date on which the eligible entity under paragraph (1) receives the rebate under the rebate program.

(D) EXCEPTION.—The Secretary shall not disburse a rebate under the rebate program if materials submitted under subparagraph (B) do not meet the same global positioning system location and technical specifications for the electric vehicle supply equipment that is eligible under paragraph (2) provided in an application under paragraph (3).

(6) MULTI-PORT CHARGERS.—An eligible entity under paragraph (1) shall be awarded a rebate under the rebate program for covered expenses relating to the purchase and installation of a multi-port charger based on the number of publicly accessible charging ports, with each subsequent port after the first port being eligible for 50 percent of the full rebate amount.

(7) NETWORKED DIRECT CURRENT FAST CHARGING.—Of amounts appropriated to carry out the rebate program, not more than 40 percent may be used for rebates of networked direct current fast charging equipment.

(8) HYDROGEN FUEL CELL REFUELING INFRASTRUCTURE.—Hydrogen refueling equipment shall be eligible for a rebate under the rebate program as though it were networked direct current fast charging equipment. All requirements related to public accessibility of installed locations shall apply.

(9) REPORT.—Not later than 3 years after the first date on which the Secretary awards a rebate under the rebate program, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report of the number of rebates awarded for electric vehicle supply equipment and hydrogen fuel cell refueling equipment in each of the location categories described in paragraph (2)(C)(iii).

(c) DEFINITIONS.—In this section:

(1) COVERED EXPENSES.—The term ''covered expenses'' means an expense that is associated with the purchase and installation of electric vehicle supply equipment, including—

(A) the cost of electric vehicle supply equipment;

(B) labor costs associated with the installation of such electric vehicle supply equipment, only if wages for such labor are paid at rates not less than those prevailing on similar labor in the locality of installation, as determined by the Secretary of Labor under subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the ''Davis-Bacon Act'');

(C) material costs associated with the installation of such electric vehicle supply equipment, including expenses involving electrical equipment and necessary upgrades or modifications to the electrical grid and associated infrastructure required for the installation of such electric vehicle supply equipment;

(D) permit costs associated with the installation of such electric vehicle supply equipment; and

(E) the cost of an on-site energy storage system.

(2) ELECTRIC VEHICLE.—The term ''electric vehicle'' means a vehicle that derives all or part of its power from electricity.

(3) MULTI-PORT CHARGER.—The term ''multi-port charger'' means electric vehicle supply equipment capable of charging more than one electric vehicle.

(4) LEVEL 2 CHARGING EQUIPMENT.—The term ''level 2 charging equipment'' means electric vehicle supply equipment that provides an alternating current power source at a minimum of 208 volts.

(5) NETWORKED DIRECT CURRENT FAST CHARGING EQUIPMENT.—The term ''networked direct current fast charging equipment'' means electric vehicle supply equipment that provides a direct current power source at a minimum of 50 kilowatts and is enabled to connect to a network to facilitate data collection and access.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2022 through 2026.

SEC. 12103. MODEL BUILDING CODE FOR ELECTRIC VEHICLE SUPPLY EQUIPMENT.

(a) REVIEW.—The Secretary shall review proposed or final model building codes for—

(1) integrating electric vehicle supply equipment into residential and commercial buildings that include space for individual vehicle or fleet vehicle parking; and

(2) integrating onsite renewable power equipment and electric storage equipment (including electric vehicle batteries to be used for electric storage) into residential and commercial buildings.

(b) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to stakeholders representing the building construction industry, manufacturers of electric vehicles and electric vehicle supply equipment, State and local governments, and any other persons with relevant expertise or interests to facilitate understanding of the model code and best practices for adoption by jurisdictions.

SEC. 12104. ELECTRIC VEHICLE SUPPLY EQUIPMENT COORDINATION.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Assistant Secretary of the Office of Electricity Delivery and Energy Reliability (including the Smart Grid Task Force), shall convene a group to assess progress in the development of standards necessary to—

(1) support the expanded deployment of electric vehicle supply equipment;

(2) develop an electric vehicle charging network to provide reliable charging for electric vehicles nationwide, taking into consideration range anxiety and the location of charging infrastructure to ensure an electric vehicle can travel throughout the United States without losing a charge; and

(3) ensure the development of such network will not compromise the stability and reliability of the electric grid.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall provide to the Committee on Energy and Commerce of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate a report containing the results of the assessment carried out under subsection (a) and recommendations to overcome any barriers to standards development or adoption identified by the group convened under such subsection.

SEC. 12105. STATE CONSIDERATION OF ELECTRIC VEHICLE CHARGING.

(a) CONSIDERATION AND DETERMINATION RESPECTING CERTAIN RATEMAKING STANDARDS.—Section 111(d) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2621(d)) is amended by adding at the end the following:

''(20) ELECTRIC VEHICLE CHARGING PROGRAMS.—

''(A) IN GENERAL.—Each State shall consider measures to promote greater electrification of the transportation sector, including—

''(i) authorizing measures to stimulate investment in and deployment of electric vehicle supply equipment and to foster the market for electric vehicle charging;

''(ii) authorizing each electric utility of the State to recover from ratepayers any capital, operating expenditure, or other costs of the electric utility relating to load management, programs, or investments associated with the integration of electric vehicle supply equipment into the grid; and

''(iii) allowing a person or agency that owns and operates an electric vehicle charging facility for the sole purpose of recharging an electric vehicle battery to be excluded from regulation as an electric utility pursuant to section 3(4) when making electricity sales from the use of the electric vehicle charging facility, if such sales are the only sales of electricity made by the person or agency.

''(B) DEFINITION.—For purposes of this paragraph, the term 'electric vehicle supply equipment' means conductors, including ungrounded, grounded, and equipment grounding conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy to an electric vehicle.''.

(b) OBLIGATIONS TO CONSIDER AND DETERMINE.—

(1) TIME LIMITATIONS.—Section 112(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(b)) is amended by adding at the end the following:

''(7)(A) Not later than 1 year after the date of enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority) and each nonregulated electric utility shall commence the consideration referred to in section 111, or set a hearing date for consideration, with respect to the standards established by paragraph (20) of section 111(d).

''(B) Not later than 2 years after the date of the enactment of this paragraph, each State regulatory authority (with respect to each electric utility for which it has ratemaking authority), and each nonregulated electric utility, shall complete the consideration, and shall make the determination, referred to in section 111 with respect to each standard established by paragraph (20) of section 111(d).''.

(2) FAILURE TO COMPLY.—Section 112(c) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622(c)) is amended by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this subsection to the date of enactment of this Act shall be deemed to be a reference to the date of enactment of that paragraph.''.

(3) PRIOR STATE ACTIONS.—Section 112 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2622) is amended by adding at the end the following:

''(g) PRIOR STATE ACTIONS.—Subsections (b) and (c) of this section shall not apply to the standard established by paragraph (20) of section 111(d) in the case of any electric utility in a State if, before the enactment of this subsection—

''(1) the State has implemented for such utility the standard concerned (or a comparable standard);

''(2) the State regulatory authority for such State or relevant nonregulated electric utility has conducted a proceeding to consider implementation of the standard concerned (or a comparable standard) for such utility;

''(3) the State legislature has voted on the implementation of such standard (or a comparable standard) for such utility; or

''(4) the State has taken action to implement incentives or other steps to strongly encourage the deployment of electric vehicles.''.

(4) PRIOR AND PENDING PROCEEDINGS.—Section 124 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2634) is amended is amended by adding at the end the following: ''In the case of the standard established by paragraph (20) of section 111(d), the reference contained in this section to the date of the enactment of this Act shall be deemed to be a reference to the date of enactment of such paragraph (20).''.

SEC. 12106. STATE ENERGY PLANS.

(a) STATE ENERGY CONSERVATION PLANS.—Section 362(d) of the Energy Policy and Conservation Act (42 U.S.C. 6322(d)) is amended—

(1) in paragraph (16), by striking ''; and'' and inserting a semicolon;

(2) by redesignating paragraph (17) as paragraph (18); and

(3) by inserting after paragraph (16) the following:

''(17) a State energy transportation plan developed in accordance with section 367; and''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) STATE ENERGY CONSERVATION PLANS.—For the purpose of carrying out this part, there are authorized to be appropriated $100,000,000 for each of fiscal years 2022 through 2026.

''(2) STATE ENERGY TRANSPORTATION PLANS.—In addition to the amounts authorized under paragraph (1), for the purpose of carrying out section 367, there are authorized to be appropriated $25,000,000 for each of fiscal years 2022 through 2026.''.

(c) STATE ENERGY TRANSPORTATION PLANS.—

(1) IN GENERAL.—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is amended by adding at the end the following:

''SEC. 367. STATE ENERGY TRANSPORTATION PLANS.

''(a) IN GENERAL.—The Secretary may provide financial assistance to a State to develop a State energy transportation plan, for inclusion in a State energy conservation plan under section 362(d), to promote the electrification of the transportation system, reduced consumption of fossil fuels, and improved air quality.

''(b) DEVELOPMENT.—A State developing a State energy transportation plan under this section shall carry out this activity through the State energy office that is responsible for developing the State energy conservation plan under section 362.

''(c) CONTENTS.—A State developing a State energy transportation plan under this section shall include in such plan a plan to—

''(1) deploy a network of electric vehicle supply equipment to ensure access to electricity for electric vehicles, including commercial vehicles, to an extent that such electric vehicles can travel throughout the State without running out of a charge; and

''(2) promote modernization of the electric grid, including through the use of renewable energy sources to power the electric grid, to accommodate demand for power to operate electric vehicle supply equipment and to utilize energy storage capacity provided by electric vehicles, including commercial vehicles.

''(d) COORDINATION.—In developing a State energy transportation plan under this section, a State shall coordinate, as appropriate, with—

''(1) State regulatory authorities (as defined in section 3 of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2602));

''(2) electric utilities;

''(3) regional transmission organizations or independent system operators;

''(4) private entities that provide electric vehicle charging services;

''(5) State transportation agencies, metropolitan planning organizations, and local governments;

''(6) electric vehicle manufacturers;

''(7) public and private entities that manage vehicle fleets; and

''(8) public and private entities that manage ports, airports, or other transportation hubs.

''(e) TECHNICAL ASSISTANCE.—Upon request of the Governor of a State, the Secretary shall provide information and technical assistance in the development, implementation, or revision of a State energy transportation plan.

''(f) ELECTRIC VEHICLE SUPPLY EQUIPMENT DEFINED.—For purposes of this section, the term 'electric vehicle supply equipment' means conductors, including ungrounded, grounded, and equipment grounding conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy to an electric vehicle.''.

(2) CONFORMING AMENDMENT.—The table of sections for part D of title III of the Energy Policy and Conservation Act is amended by adding at the end the following:

''Sec. 367. State energy security plans.''.

SEC. 12107. TRANSPORTATION ELECTRIFICATION.

Section 131 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17011) is amended—

(1) in subsection (a)(6)—

(A) in subparagraph (A), by inserting '', including ground support equipment at ports'' before the semicolon;

(B) in subparagraph (E), by inserting ''and vehicles'' before the semicolon;

(C) in subparagraph (H), by striking ''and'' at the end;

(D) in subparagraph (I)—

(i) by striking ''battery chargers,''; and

(ii) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(J) installation of electric vehicle supply equipment for recharging plug-in electric drive vehicles, including such equipment that is accessible in rural and urban areas and in underserved or disadvantaged communities and such equipment for medium- and heavy-duty vehicles, including at depots and in-route locations;

''(K) multi-use charging hubs used for multiple forms of transportation;

''(L) medium- and heavy-duty vehicle smart charging management and refueling;

''(M) battery recycling and secondary use, including for medium- and heavy-duty vehicles; and

''(N) sharing of best practices, and technical assistance provided by the Department to public utilities commissions and utilities, for medium- and heavy-duty vehicle electrification.'';

(2) in subsection (b)—

(A) in paragraph (3)(A)(ii), by inserting '', components for such vehicles, and charging equipment for such vehicles'' after ''vehicles''; and

(B) in paragraph (6), by striking ''$90,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$2,000,000,000 for each of fiscal years 2022 through 2026'';

(3) in subsection (c)—

(A) in the header, by striking ''NEAR-TERM'' and inserting ''LARGE-SCALE''; and

(B) in paragraph (4), by striking ''$95,000,000 for each of fiscal years 2008 through 2013'' and inserting ''$2,500,000,000 for each of fiscal years 2022 through 2026''; and

(4) by redesignating subsection (d) as subsection (e) and inserting after subsection (c) the following:

''(d) PRIORITY.—In providing grants under subsections (b) and (c), the Secretary shall give priority consideration to applications that contain a written assurance that all laborers and mechanics employed by contractors or subcontractors during construction, alteration, or repair that is financed, in whole or in part, by a grant provided under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with sections 3141 through 3144, 3146, and 3147 of title 40, United States Code (and the Secretary of Labor shall, with respect to the labor standards described in this clause, have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. App.) and section 3145 of title 40, United States Code).''.

SEC. 12108. FEDERAL FLEETS.

(a) MINIMUM FEDERAL FLEET REQUIREMENT.—Section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) The Secretary, in consultation with the Administrator of General Services, shall ensure that in acquiring medium- and heavy-duty vehicles for a Federal fleet, a Federal entity shall acquire zero emission vehicles to the maximum extent feasible.'';

(2) by striking subsection (b) and inserting the following:

''(b) PERCENTAGE REQUIREMENTS.—

''(1) IN GENERAL.—

''(A) LIGHT-DUTY VEHICLES.—Beginning in fiscal year 2025, 100 percent of the total number of light-duty vehicles acquired by a Federal entity for a Federal fleet shall be alternative fueled vehicles, of which—

''(i) at least 50 percent shall be zero emission vehicles or plug-in hybrids in fiscal years 2025 through 2034;

''(ii) at least 75 percent shall be zero emission vehicles or plug-in hybrids in fiscal years 2035 through 2049; and

''(iii) 100 percent shall be zero emission vehicles in fiscal year 2050 and thereafter.

''(B) MEDIUM- AND HEAVY-DUTY VEHICLES.—The following percentages of the total number of medium- and heavy-duty vehicles acquired by a Federal entity for a Federal fleet shall be alternative fueled vehicles:

''(i) At least 20 percent in fiscal years 2025 through 2029.

''(ii) At least 30 percent in fiscal years 2030 through 2039.

''(iii) At least 40 percent in fiscal years 2040 through 2049.

''(iv) At least 50 percent in fiscal year 2050 and thereafter.

''(2) EXCEPTION.—The Secretary, in consultation with the Administrator of General Services where appropriate, may permit a Federal entity to acquire for a Federal fleet a smaller percentage than is required in paragraph (1) for a fiscal year, so long as the aggregate percentage acquired for each class of vehicle for all Federal fleets in the fiscal year is at least equal to the required percentage.

''(3) DEFINITIONS.—In this subsection:

''(A) FEDERAL FLEET.—The term 'Federal fleet' means a fleet of vehicles that are centrally fueled or capable of being centrally fueled and are owned, operated, leased, or otherwise controlled by or assigned to any Federal executive department, military department, Government corporation, independent establishment, or executive agency, the United States Postal Service, the courts of the United States, or the Executive Office of the President. Such term does not include—

''(i) motor vehicles held for lease or rental to the general public;

''(ii) motor vehicles used for motor vehicle manufacturer product evaluations or tests;

''(iii) law enforcement vehicles;

''(iv) emergency vehicles; or

''(v) motor vehicles acquired and used for military purposes that the Secretary of Defense has certified to the Secretary must be exempt for national security reasons.

''(B) FLEET.—The term 'fleet' means—

''(i) 20 or more light-duty vehicles, located in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of more than 250,000; or

''(ii) 10 or more medium- or heavy-duty vehicles, located at a Federal facility or located in a metropolitan statistical area or consolidated metropolitan statistical area, as established by the Bureau of the Census, with a 1980 population of more than 250,000.''; and

(3) in subsection (f)(2)(B)—

(A) by striking '', either''; and

(B) in clause (i), by striking ''or'' and inserting ''and''.

(b) FEDERAL FLEET CONSERVATION REQUIREMENTS.—Section 400FF(a) of the Energy Policy and Conservation Act (42 U.S.C. 6374e) is amended—

(1) in paragraph (1)—

(A) by striking ''18 months after the date of enactment of this section'' and inserting ''12 months after the date of enactment of the INVEST in America Act'';

(B) by striking ''2010'' and inserting ''2022''; and

(C) by striking ''and increase alternative fuel consumption'' and inserting '', increase alternative fuel consumption, and reduce vehicle greenhouse gas emissions''; and

(2) by striking paragraph (2) and inserting the following:

''(2) GOALS.—The goals of the requirements under paragraph (1) are that each Federal agency shall—

''(A) reduce fleet-wide per-mile greenhouse gas emissions from agency fleet vehicles, relative to a baseline of emissions in 2015, by—

''(i) not less than 30 percent by the end of fiscal year 2025;

''(ii) not less than 50 percent by the end of fiscal year 2030; and

''(iii) 100 percent by the end of fiscal year 2050; and

''(B) increase the annual percentage of alternative fuel consumption by agency fleet vehicles as a proportion of total annual fuel consumption by Federal fleet vehicles, to achieve—

''(i) 25 percent of total annual fuel consumption that is alternative fuel by the end of fiscal year 2025;

''(ii) 50 percent of total annual fuel consumption that is alternative fuel by the end of fiscal year 2035; and

''(iii) at least 85 percent of total annual fuel consumption that is alternative fuel by the end of fiscal year 2050.''.

Subtitle B—Electric Vehicles for Underserved Communities

SEC. 12111. EXPANDING ACCESS TO ELECTRIC VEHICLES IN UNDERSERVED AND DISADVANTAGED COMMUNITIES.

(a) IN GENERAL.—

(1) ASSESSMENT.—The Secretary shall conduct an assessment of the state of, challenges to, and opportunities for the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities located throughout the United States.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the results of the assessment conducted under paragraph (1), which shall—

(A) describe the state of deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities located in urban, suburban, and rural areas, including a description of—

(i) the state of deployment of electric vehicle charging infrastructure that is—

(I) publicly accessible;

(II) installed in or available to occupants of public and affordable housing;

(III) installed in or available to occupants of multi-unit dwellings;

(IV) available to public sector and commercial fleets; and

(V) installed in or available at places of work;

(ii) policies, plans, and programs that cities, States, utilities, and private entities are using to encourage greater deployment and usage of electric vehicles and the associated electric vehicle charging infrastructure, including programs to encourage deployment of publicly accessible electric vehicle charging stations and electric vehicle charging stations available to residents in publicly owned and privately owned multi-unit dwellings;

(iii) ownership models for Level 2 charging stations and DC FAST charging stations located in residential multi-unit dwellings, commercial buildings, and publicly accessible areas;

(iv) mechanisms for financing electric vehicle charging stations; and

(v) rates charged for the use of Level 2 charging stations and DC FAST charging stations;

(B) identify current barriers to expanding deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural areas, including barriers to expanding deployment of publicly accessible electric vehicle charging infrastructure;

(C) identify the potential for, and barriers to, recruiting and entering into contracts with locally owned small and disadvantaged businesses, including women and minority-owned businesses, to deploy electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural areas;

(D) compile and provide an analysis of best practices and policies used by State and local governments, nonprofit organizations, and private entities to increase deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural areas, including best practices and policies relating to—

(i) public outreach and engagement;

(ii) increasing deployment of publicly accessible electric vehicle charging infrastructure; and

(iii) increasing deployment of electric vehicle charging infrastructure in publicly owned and privately owned multi-unit dwellings;

(E) to the extent practicable, enumerate and identify in urban, suburban, and rural areas within each State with detail at the level of ZIP Codes and census tracts—

(i) the number of existing and planned publicly accessible Level 2 charging stations and DC FAST charging stations for individually owned light-duty and medium-duty electric vehicles;

(ii) the number of existing and planned Level 2 charging stations and DC FAST charging stations for public sector and commercial fleet electric vehicles and medium- and heavy-duty electric vehicles; and

(iii) the number and type of electric vehicle charging stations installed in or available to occupants of public and affordable housing; and

(F) describe the methodology used to obtain the information provided in the report.

(b) FIVE-YEAR UPDATE ASSESSMENT.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall—

(1) update the assessment conducted under subsection (a)(1); and

(2) make public and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report, which shall—

(A) update the information required by subsection (a)(2); and

(B) include a description of case studies and key lessons learned after the date on which the report under subsection (a)(2) was submitted with respect to expanding the deployment of electric vehicle charging infrastructure in underserved or disadvantaged communities in urban, suburban, and rural areas.

SEC. 12112. ELECTRIC VEHICLE CHARGING EQUITY PROGRAM.

(a) PROGRAM.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish a program, to be known as the EV Charging Equity Program, to increase deployment and accessibility of electric vehicle charging infrastructure in underserved or disadvantaged communities by—

(1) providing technical assistance to eligible entities described in subsection (e); and

(2) awarding grants on a competitive basis to eligible entities described in subsection (e) for projects that increase such deployment and accessibility of electric vehicle charging infrastructure, including projects that are—

(A) publicly accessible;

(B) located within or are easily accessible to residents of—

(i) public or affordable housing;

(ii) multi-unit dwellings; or

(iii) single-family homes; and

(C) located within or easily accessible to places of work, provided that such electric vehicle charging infrastructure is accessible no fewer than 5 days per week.

(b) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amount of a grant awarded under this section for a project shall not exceed 80 percent of project costs.

(2) SINGLE-FAMILY HOMES.—The amount of a grant awarded under this section for a project that involves, as a primary focus, single-family homes shall not exceed 60 percent of project costs.

(c) LIMITATION.—Not more than 15 percent of the amount awarded for grants under this section in a fiscal year shall be awarded for projects that involve, as a primary focus, single-family homes.

(d) PRIORITY.—In awarding grants and providing technical assistance under this section, the Secretary shall give priority to projects that—

(1) provide the greatest benefit to the greatest number of people within an underserved or disadvantaged community;

(2) incorporate renewable energy resources;

(3) maximize local job creation, particularly among low-income, women, and minority workers; or

(4) utilize or involve locally owned small and disadvantaged businesses, including women and minority-owned businesses.

(e) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—To be eligible for a grant or technical assistance under the EV Charging Equity Program, an entity shall be—

(A) an individual or household that is the owner of where a project will be carried out;

(B) a State, local, Tribal, or Territorial government, or an agency or department thereof;

(C) an electric utility, including—

(i) a municipally owned electric utility;

(ii) a publicly owned electric utility;

(iii) an investor-owned utility; and

(iv) a rural electric cooperative;

(D) a nonprofit organization or institution;

(E) a public housing authority;

(F) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(G) a local small or disadvantaged business; or

(H) a partnership between any number of eligible entities described in subparagraphs (A) through (G).

(2) UPDATES.—The Secretary may add to or otherwise revise the list of eligible entities under paragraph (1) if the Secretary determines that such an addition or revision would be beneficial to increasing deployment and accessibility of electric vehicle charging infrastructure in underserved or disadvantaged communities.

(f) PUBLIC NOTICE AND REQUEST FOR APPLICATIONS.—The Secretary shall publish in the Federal Register, and such other publications as the Secretary considers to be appropriate, a notice and request for applications to carry out projects under the EV Charging Equity Program.

(g) EDUCATION AND OUTREACH.—

(1) IN GENERAL.—In carrying out the EV Charging Equity Program, the Secretary shall establish an education and outreach component of such Program to ensure that information regarding such Program and the benefits and opportunities for electric vehicle charging is made available to individuals and relevant entities that live within or serve underserved or disadvantaged communities.

(2) REQUIREMENTS.—At a minimum, the education and outreach component of the EV Charging Equity Program established under this subsection shall include—

(A) the development and dissemination of an electric vehicle charging resource guide that is—

(i) maintained electronically on a website;

(ii) available to the public, free of charge; and

(iii) directed specifically towards individuals and relevant entities that live within or serve underserved or disadvantaged communities;

(B) targeted outreach towards, and coordinated public outreach with, relevant local, State, and Tribal entities, nonprofit organizations, and institutions of higher education, that are located within or serve underserved or disadvantaged communities; and

(C) any other such forms of education or outreach as the Secretary determines appropriate to increase awareness of and access to the EV Charging Equity Program.

(h) REPORTS TO CONGRESS.—Not later than 1 year after the EV Charging Equity Program is established under this section, and not less frequently than once every 2 years

after that, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, and make publicly available, a report on the status of the EV Charging Equity Program, including a list and description of projects that have received grant awards or technical assistance, and of the funding or assistance provided to such projects.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $96,000,000 for each of fiscal years 2022 through 2026.

SEC. 12113. ENSURING PROGRAM BENEFITS FOR UNDERSERVED AND DISADVANTAGED COMMUNITIES.

In administering a relevant program, the Secretary shall, to the extent practicable, invest or direct available and relevant programmatic resources so that such program—

(1) promotes electric vehicle charging infrastructure;

(2) supports clean and multi-modal transportation;

(3) provides improved air quality and emissions reductions; and

(4) prioritizes the needs of underserved or disadvantaged communities.

SEC. 12114. DEFINITIONS.

In this subtitle:

(1) ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.—The term ''electric vehicle charging infrastructure'' means electric vehicle supply equipment, including any conductors, electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purposes of delivering energy to an electric vehicle.

(2) PUBLICLY ACCESSIBLE.—The term ''publicly accessible'' means, with respect to electric vehicle charging infrastructure, electric vehicle charging infrastructure that is available, at zero or reasonable cost, to members of the public for the purpose of charging a privately owned or leased electric vehicle, or electric vehicle that is available for use by members of the general public as part of a ride service or vehicle sharing service or program, including within or around—

(A) public sidewalks and streets;

(B) public parks;

(C) public buildings, including—

(i) libraries;

(ii) schools; and

(iii) government offices;

(D) public parking;

(E) shopping centers; and

(F) commuter transit hubs.

(3) RELEVANT PROGRAM.—The term ''relevant program'' means a program of the Department of Energy, including—

(A) the State energy program under part D of title III the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.);

(B) the Clean Cities program;

(C) the Energy Efficiency and Conservation Block Grant Program established under section 542 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17152);

(D) loan guarantees made pursuant to title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.); and

(E) such other programs as the Secretary determines appropriate.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(5) UNDERSERVED OR DISADVANTAGED COMMUNITY.—The term ''underserved or disadvantaged community'' means a community located within a ZIP Code or census tract that is identified as—

(A) a low-income community;

(B) a community of color;

(C) a Tribal community;

(D) having a disproportionately low number of electric vehicle charging stations per capita, compared to similar areas; or

(E) any other community that the Secretary determines is disproportionately vulnerable to, or bears a disproportionate burden of, any combination of economic, social, environmental, and climate stressors.

TITLE II—PROMOTING DOMESTIC ADVANCED VEHICLE MANUFACTURING

SEC. 12201. DOMESTIC MANUFACTURING CONVERSION GRANT PROGRAM.

(a) HYBRID VEHICLES, ADVANCED VEHICLES, AND FUEL CELL BUSES.—Subtitle B of title VII of the Energy Policy Act of 2005 (42 U.S.C. 16061 et seq.) is amended—

(1) in the subtitle header, by inserting ''**Plug-In Electric Vehicles,**'' before ''**Hybrid Vehicles**''; and

(2) in part 1, in the part header, by striking ''**HYBRID**'' and inserting ''**PLUG-IN ELECTRIC**''.

(b) PLUG-IN ELECTRIC VEHICLES.—Section 711 of the Energy Policy Act of 2005 (42 U.S.C. 16061) is amended to read as follows:

''SEC. 711. PLUG-IN ELECTRIC VEHICLES.

''The Secretary shall accelerate efforts, related to domestic manufacturing, that are directed toward the improvement of batteries, power electronics, and other technologies for use in plug-in electric vehicles.''.

(c) EFFICIENT HYBRID AND ADVANCED DIESEL VEHICLES.—Section 712 of the Energy Policy Act of 2005 (42 U.S.C. 16062) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting '', plug-in electric,'' after ''efficient hybrid''; and

(B) by amending paragraph (3) to read as follows:

''(3) PRIORITY.—Priority shall be given to—

''(A) the refurbishment or retooling of manufacturing facilities that have recently ceased operation or would otherwise cease operation in the near future; and

''(B) applications containing—

''(i) a written assurance that—

''(I) all laborers and mechanics employed by contractors or subcontractors during construction, alteration, or repair, or at any manufacturing operation, that is financed, in whole or in part, by a loan under this section shall be paid wages at rates not less than those prevailing in a similar firm or on similar construction in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code; and

''(II) the Secretary of Labor shall, with respect to the labor standards described in this paragraph, have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code;

''(ii) a disclosure of whether there has been any administrative merits determination, arbitral award or decision, or civil judgment, as defined in guidance issued by the Secretary of Labor, rendered against the applicant in the preceding 3 years for violations of applicable labor, employment, civil rights, or health and safety laws;

''(iii) specific information regarding the actions the applicant will take to demonstrate compliance with, and where possible exceedance of, requirements under applicable labor, employment, civil rights, and health and safety laws, and actions the applicant will take to ensure that its direct suppliers demonstrate compliance with applicable labor, employment, civil rights, and health and safety laws; and

''(iv) an estimate and description of the jobs and types of jobs to be retained or created by the project and the specific actions the applicant will take to increase employment and retention of dislocated workers, veterans, individuals from low-income communities, women, minorities, and other groups underrepresented in manufacturing, and individuals with a barrier to employment.''; and

(2) by striking subsection (c) and inserting the following:

''(c) COST SHARE AND GUARANTEE OF OPERATION.—

''(1) CONDITION.—A recipient of a grant under this section shall pay the Secretary the full amount of the grant if the facility financed in whole or in part under this subsection fails to manufacture goods for a period of at least 10 years after the completion of construction.

''(2) COST SHARE.—Section 988(c) shall apply to a grant made under this subsection.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $2,500,000,000 for each of fiscal years 2022 through 2026.

''(e) PERIOD OF AVAILABILITY.—An award made under this section after the date of enactment of this subsection shall only be available with respect to facilities and equipment placed in service before December 30, 2035.''.

(d) CONFORMING AMENDMENT.—The table of contents of the Energy Policy Act of 2005 is amended—

(1) in the item relating to subtitle B of title VII, by inserting ''Plug-In Electric Vehicles,'' before ''Hybrid Vehicles'';

(2) in the item relating to part 1 of such subtitle, by striking ''Hybrid'' and inserting ''Plug-In Electric''; and

(3) in the item relating to section 711, by striking ''Hybrid'' and inserting ''Plug-in electric''.

AMENDMENT NO. 92 OFFERED BY MS. SCHRIER OF WASHINGTON

At the end of subtitle F of title I of division B, add the following:

SEC. 1640. FOREST SERVICE LEGACY ROADS AND TRAILS REMEDIATION PROGRAM.

Public Law 88–657 (16 U.S.C. 532 et seq.) (commonly known as the ''Forest Roads and Trails Act'') is amended by adding at the end the following:

''SEC. 8. FOREST SERVICE LEGACY ROADS AND TRAILS REMEDIATION PROGRAM.

''(a) ESTABLISHMENT.—The Secretary shall establish the Forest Service Legacy Roads and Trails Remediation Program (referred to in this section as 'the Program').

''(b) ADMINISTRATION.—The Program shall be administered by the Secretary, acting through the Chief of the Forest Service.

''(c) ACTIVITIES.—In carrying out the Program, the Secretary shall, taking into account predicted changes in weather and hydrology related to global climate change—

''(1) carry out storm damage risk reduction, including deferred maintenance, repairs, road and trail relocation, and associated activities on National Forest System roads, National Forest System trails, and tunnels and bridges under the jurisdiction of the Forest Service;

''(2) restore waterways and natural migration for fish and other aquatic species by removing, repairing, or replacing culverts or other infrastructure from such waterways; and

''(3) decommission National Forest System roads and unauthorized roads and trails under National Forest System jurisdiction in accordance with subsection (f).

''(d) PRIORITY.—In implementing the Program, the Secretary shall give priority to projects that protect or restore—

''(1) water quality and watershed function;

''(2) a watershed that supplies a public drinking water system;

''(3) the habitat of a threatened, endangered, or sensitive fish or wildlife species, or species of conservation concern; or

''(4) a watershed for which the Secretary has completed a watershed protection and restoration action plan pursuant to section 304 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6543).

''(e) NATIONAL FOREST SYSTEM.—Except with respect to a project carried out on a watershed for which the Secretary has a cooperative agreement under section 323 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011a), each project carried out under this section shall be on a National Forest System road, National Forest System trail, or unauthorized road or trail under National Forest System jurisdiction.

''(f) UNNEEDED NATIONAL FOREST SYSTEM ROADS.—As soon as practicable after identifying a road as unneeded under subpart A of part 212 of title 36, Code of Federal Regulations (as in effect on the date of the enactment of this section), the Secretary shall—

''(1) decommission such road; or

''(2) convert such road to a system trail.

''(g) REVIEW; REVISION.—The Secretary shall review, and may revise, an identification made under subpart A of part 212 of title 36 Code of Federal Regulations (as in effect on the date of enactment of this section).

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2021 through 2030.''.

AMENDMENT NO. 104 OFFERED BY MRS. TORRES OF CALIFORNIA

At the end of subtitle F of title I of division B, add the following:

SEC. 1640. COMPTROLLER GENERAL REPORT ON HIGH-SPEED INTERNET CONNECTIVITY IN FEDERALLY-ASSISTED HOUSING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on broadband service in Federally-assisted housing.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) an analysis of Federally-assisted housing units that have access to broadband service and the number of such units that do not have access to broadband service, disaggregated by State, county, and congressional district, that includes geographic information and any Federal agency responsible for such units;

(2) an analysis of which such units are not currently capable of supporting broadband service deployment and would require retrofitting to support broadband service deployment, disaggregated by State, county, and congressional district, that includes geographic information and any Federal agency responsible for such units;

(3) an analysis of the estimated costs and timeframe necessary for retrofitting buildings to achieve 100 percent access to broadband service;

(4) an analysis of the challenges to more widespread deployment of broadband service, including the comparative markets dynamics to expansion in rural areas and low-income urban areas, and the challenges to pursuing retrofits to achieve 100 percent access to broadband service;

(5) descriptions of lessons learned from previous retrofitting actions;

(6) an evaluation of the ConnectHome pilot program of the Secretary of Housing and Urban Development; and

(7) recommendations for Congress for achieving 100 percent access to broadband service in Federally-assisted housing.

(c) DEFINITIONS.—In this section:

(1) BROADBAND SERVICE.—The term ''broadband service'' has the meaning given the term ''broadband internet access service'' in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

(2) FEDERALLY-ASSISTED HOUSING.—In this section, the term ''Federally-assisted housing'' means—

(A) any single-family or multifamily housing that is assisted under a program administered by the Secretary of Housing and Urban Development or the Secretary of Agriculture; or

(B) housing eligible for a Federal low-income housing tax credit.

AMENDMENT NO. 113 OFFERED BY MS. LEGER FERNÁNDEZ OF NEW MEXICO

Page 705 after line 3, insert the following:

SEC. 1640. HISTORIC PRESERVATION FUND.

Section 303102 of title 54, United States Code, is amended by—

(1) striking ''of fiscal years 2012 to 2023'' and inserting ''fiscal year''; and

(2) striking ''$150,000,000'' and inserting ''$300,000,000''.

AMENDMENT NO. 115 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 413, strike lines 15 through 21 and insert the following:

''(2) SUBALLOCATION.—

''(A) IN GENERAL.—For each fiscal year for which funds are set aside under this subsection, such funds shall be obligated within a State in the manner described in subsections (d) and (e) of section 133, except that, for the purposes of this subsection—

''(i) the percentage referred to in section 133(d)(1)(A) shall be treated as 100 percent; and

''(ii) before obligating funds for a project located fully or partially within an area described in subparagraph (B) that is under the jurisdiction of a unit of local government, a State or metropolitan planning organization shall consult with such unit of local government regarding project selection.

''(B) AREA DESCRIBED.—An area described in this subparagraph is an area with a population greater than 200,000.

The SPEAKER pro tempore. Pursuant to House Resolution 508, the gentleman from Oregon (Mr. DEFAZIO) and the gentleman from Arkansas (Mr. CRAWFORD) each will control 10 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume

Mr. Speaker, I rise in strong support of this en bloc amendment, which provides for the consideration of 38 amendments filed by Members and made in order by the Committee on Rules. The amendments contained in this en bloc touch upon various policy areas in the base bill.

The surface transportation amendments include:

Expressing the sense of Congress on the importance of protecting workers in transition to electric vehicles.

Promoting a more diverse transportation workforce and more inclusive work sites for infrastructure projects.

Allowing high-performing local public agencies to utilize enhanced project delivery methods when appropriate.

Expanding the number of veterans in the transportation sector through the Transportation Workforce Outreach Program.

Requiring EV supply equipment projects to be performed by qualified electricians with proper certification.

Adding language to increase bridge resiliency for seismic events.

Strengthening reporting requirements under the Reconnecting Neighborhoods Program.

Allowing private high-speed rail projects access to credit risk premium subsidies for rail financing to develop high-speed rail projects.

These are just some of the highlights of the amendments included. I thank my colleagues for their thoughtful amendments to improve the INVEST in America Act. I urge the adoption of the amendment. I will remember to vote properly this time, and I reserve the balance of my time.

Mr. CRAWFORD. Mr. Speaker, I yield myself such time as I may consume, and I claim the time in opposition to this en bloc of amendments.

Again, this bill is nothing more than a partisan exercise, and this en bloc just throws together, again, a bunch of bad ideas with little opportunity for input or debate.

Nothing further proves that point than the disproportionate amount of Democrat amendments we will be considering today, many of which will not be subjected to the scrutiny of standalone votes or debate.

Over 100 Democrat amendments have been approved by the Rules Committee while less than 30 Republican amendments have been made in order.

Unfortunately, this is not just about the terrible legislative process—it is also about the policy which moves forward with no pay-for in sight. This is completely unacceptable.

Members should not be forced to choose between voting on a bill that just burdens future generations of Americans with more debt and greater dependence on China or passing another short-term surface extension. But those are the two options presented to us by the majority here today.

What we are looking at is a bill with policies that prevent rural communities from growing and that raises inflation so average Americans will continue to see rising prices in everyday products like milk and gas.

I had hoped we wouldn't make this bad bill even worse, but this en bloc only adds more spending and more bad policies.

This bill is over 1,600 pages and over 230 amendments were filed by Members on both sides. But we are going to spend less than 12 hours working through amendments and debate to rush to an inevitable partisan vote.

This is not a process anyone should be proud of and very indicative of how we got here today: just a one-sided, my-way-or-the-highway approach.

Mr. Speaker, I urge my colleagues to oppose this en bloc amendment, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 2 minutes to gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, since they make such important decisions concerning mobility, social and economic opportunity, metropolitan planning organizations across the country have boards that should be fully representative of all those who are served within their jurisdiction. And while some MPOs do just that, my amendment No. 25, which was a part of en bloc No. 1, addresses those that do not by ensuring that MPO board membership is equal, equitable, and proportional to the population.

I would like to engage in a colloquy with the chairman.

Mr. Chairman, I thank you for supporting this amendment and trust that you share that objective.

Mr. DEFAZIO. I totally concur in the amendment.

Mr. DOGGETT. If, for example, as happened down in Texas, an MPO arbitrarily provides that a new MPO voting representative gets added any time a new city comes along and surpasses a population of 50,000, but is not providing a voting representative for every 50,000 residents in longstanding urban areas, would you agree that that does not constitute representation which is equal, proportional, or equitable, and that with the adoption of this amendment a change must be made to ensure equal representation?

Mr. DEFAZIO. Absolutely, I concur with the gentleman.

Mr. DOGGETT. I thank you very much for accepting the amendment. I think it will be helpful to us here.

Much of my concern about this issue arose from the fact that in our area, my hometown of Austin, an effort was made to require in transportation planning that we measure greenhouse gas emissions and that we consider that. It was rejected, and it is not representative of the feelings of people in the central Texas area.

I appreciate not only your endorsing amendment No. 25, which can bring about important changes, but also incorporating in the base bill the Green Transportation Act which we worked on with your staff to ensure that greenhouse gas emissions are measured, evaluated, and considered in transportation planning.

□ 2015

Mr. CRAWFORD. Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I stand in support of this amendment. I would like to thank the chairman of the Energy and Commerce's Energy Subcommittee, Chairman RUSH, for his dedicated commitment to supporting the development of electric vehicle infrastructure.

Electrifying the transportation sector is critical to meeting our climate goals. It is expected that nearly seven million electric vehicles will be sold per year by 2025. To ensure we are ready for this growing demand, we must invest in the necessary charging and manufacturing infrastructure so that Americans are able to reliably power their cars. Chairman RUSH's amendment is crucial to this effort and supports charging infrastructure buildout.

We must also guarantee the benefits of electric vehicles are available and accessible to all communities. Minority communities and rural and underserved communities, stand to benefit from EV infrastructure development, as EV charging infrastructure can help support local economies and help support reduced emissions. Provisions in this amendment help address the lack of EV infrastructure in these communities and bring resources to this area.

Additionally, as we see growing EV adoption in this country, we must make sure our transition prioritizes American workers.

Mr. CRAWFORD. Mr. Speaker, I yield myself such time as I may consume.

Again, just as a reminder for the many of the tens of people who are watching at home, this en bloc amendment contains 38 Democrat amendments. In contrast to the en bloc No. 3 that we just considered that contained all of the Republican amendments, only 19 were considered there. So that represents, again, 8 percent of the total number of amendments that were made in order.

And there are a good number of these amendments, by the way, that are offered by Members on the committee. In fact, I mean, there are an awful lot of them. And it just underscores how this process has been so flawed and so ill-conceived.

Back in the not-too-distant past—I have been on this committee now for 11 years—we would bring a bill to committee to mark up, and it was agreed upon by the four principals of the committee. And the amendments would be agreed upon by the four principals of the committee, and that is how we achieved bipartisanship. Those days, apparently, are gone.

Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, our infrastructure is stuck in the 1950s, and it doesn't have to be this way. It is long past time for America to bring our bridges, roads, public transit, and water infrastructure into the 21st century.

The INVEST in America Act provides $715 billion to accomplish this goal through bold investments in modern, sustainable infrastructure. This legislation will create millions of good-paying jobs while combating climate change and investing in the well-being of our cities and towns.

I worked with Chairman DEFAZIO and the committee to secure nearly $20 million in funding for four high-priority infrastructure projects in Rhode Island.

The quality of roads and bridges is particularly important. That is why I introduced amendment 19, to bring funding for the National Scenic Byways Program in line with historic funding levels, adjusted for inflation. This will allow the Secretary of Transportation to designate new National Scenic Byways and All-American Roads; and allow already designated roads, including the Revolutionary Heritage Byway in Bristol, Rhode Island, to apply for competitive grants.

I urge the House to adopt the en bloc package 4, which includes my amendment No. 19, and to pass the underlying bill without delay.

Mr. CRAWFORD. Mr. Speaker, may I inquire as to the remaining time?

The SPEAKER pro tempore. The gentleman from Arkansas has 7½ minutes remaining. The gentleman from Oregon has 5 minutes remaining.

Mr. CRAWFORD. Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MOULTON), a member of the committee.

Mr. MOULTON. Mr. Speaker, I rise to urge passage of my amendment to increase funding for the Passenger Rail Improvement, Modernization, and Expansion program.

The coalition that supports the PRIME program spans ideology and geography. We are united in this belief: America can still do big things.

Ten of our colleagues joined me by cosponsoring this amendment and, today, 80 Representatives and Senators joined Representatives COSTA, OCASIO-CORTEZ, and me, calling for investments in high-speed rail.

In our country today, transportation is the leading driver of carbon emissions. Americans have fewer options for inner-city travel than citizens of China and France. And families are unable to afford homes where they work, and they can't go to where they work from where they can afford homes.

On top of that, trains are slower in America today than they were in the 1930s, a century ago.

The PRIME program is a great first step to fixing these problems. Regions like the Pacific Northwest can create an economic mega-region and see a 10:1 return by investing in the Cascadia High-Speed Rail Corridor, at less than half the cost of another lane of highway in either direction.

Americans across the Midwest would have access to new jobs and housing opportunities. You could live in Chattanooga and get to work in Atlanta in a little more than a half hour.

We can build a system that is faster than driving and more convenient than flying, and we can power it on low-power emissions.

Mr. Speaker, there is no reason we shouldn't adopt this.

Mr. CRAWFORD. Mr. Speaker, I yield myself such time as I may consume.

American demand for high-speed rail is low; and Federal money for transportation must be spent on projects and infrastructure that Americans need and use.

The issue is not whether America must lead the world in high-speed rail, but whether Americans actually want high-speed rail.

In California, the high-speed rail project launched in 2008 has been continually plagued by cost increases and delays. According to the L.A. Times, costs have gone from $33 billion to over $100 billion, and it is at least 12 years behind schedule.

These projects inevitably result in environmental and endangered species concerns, eminent domain fights, potential displacement of families and businesses, including in low-income communities, and highly questionable demand that will leave these railroads dependent on government subsidies forever.

Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. PANETTA).

Mr. PANETTA. Mr. Speaker, I rise in support of my amendment to the INVEST in America Act that would save our Nation's pollinators.

In my district, on the Central Coast, we grow over 100 different specialty crops that greatly contribute to our Nation's food security. But what many people don't realize is that our agriculture, from the Central Coast, or to the center of America, would not be possible without our pollinators.

Unfortunately, Mr. Speaker, those pollinators and their habitats on are the verge of extinction. That is why the robust investment, as provided in my amendment, is needed now more than ever. The amendment sets up grant programs that State transportation departments can use to grow more flora and fauna, from grasses to wildflowers to milkweed, so that pollinators can thrive.

I want to thank Representative CARBAJAL, my Central Coast neighbor, for his partnership on this amendment, and our work together on bills and amendments like this to revive our pollinators habitats and regrow their population.

By passing this amendment, we not only can save the pollinators, but we can also secure the food supply of our Nation.

Mr. CRAWFORD. Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. ESCOBAR).

Ms. ESCOBAR. Mr. Speaker, I thank both committees of jurisdiction for their work on the INVEST in America Act.

I would like to share some of the significant resources that this bill will bring to my home district of El Paso, Texas.

This bill would bring almost $20 million in investment directly to two projects for the city and county of El Paso. The first project, the John Hayes Extension, would assist the exponential growth we have seen in the Eastern portion of our country.

The second project, the Stanton Street Bridge Intelligent Transportation System, would improve the traffic flow around this land port of entry.

The INVEST in America Act also establishes the Reconnecting Neighborhoods Program to help communities, like downtown El Paso, that were divided when highways, such as I–10, were built through the heart of our city.

The amendments I have offered to this bill would bring crucial funding to some of the most economically disadvantaged members of our community. They also recognize our key location on the U.S.-Mexico trade corridor.

My amendments include millions of dollars for colonial surface, drinking water, and wastewater infrastructure, as well as an increase in an optional set-aside for infrastructure critical to trade in border communities.

Simply put, the INVEST in America Act is a transformational measure for El Paso, and I look forward to voting for it.

Mr. CRAWFORD. Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KRISHNAMOORTHI).

Mr. KRISHNAMOORTHI. Mr. Speaker, I rise to urge my colleagues to support this en bloc amendment, which includes mine and Representative PORTER's amendment to improve booster seat safety.

In December, my Oversight Subcommittee on Economic and Consumer Policy released a concerning report on the safety of booster seats for children. Booster seatmakers have been marketing their booster seats as safe for 30-pound children, a standard not recommended by experts. And these makers have been left largely unregulated when it comes to side-impact testing.

Some makers gave passing grades to booster seats because the seat maintained its structural integrity. Meanwhile, the dummy was damaged. And we all know what a damaged dummy equates to: The severe spinal cord or other injuries to a child.

We expect the products we buy to be tried and true, but, sadly, that is not the case with booster seats. And when it comes to our children, we cannot continue to stand idly by.

My amendment would require NHTSA to revise their recommended minimum weight for a booster seat to 40 pounds, and would require booster seatmakers to produce labels that display recommendations clearly for parents.

Mr. CRAWFORD. Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 1 minute remaining.

Mr. DEFAZIO. Mr. Speaker, I yield myself the balance of my time.

Well, we have heard the same tired arguments: Over 200 amendments in committee from the Republicans.

And today, all day, on the floor: Not bipartisan.

It is pretty simple, if you deny climate change and you deny the need to do things differently than the failures of the last 30 years in building 35,000 lane miles and making congestion worse in our 100 largest cities; and you don't want to fund transit; and you don't want to fund rail options; and transit includes rural areas and small cities, which is a new emphasis in this program; if you don't want to repair America's 47,000 crumbling bridges and national highway system, you are proposing $20 billion less than we are for repairing bridges and highways.

You object to the fact that we want States to fix things first, and also to look at alternatives to paving over the whole country and causing more induced congestion. You deny climate change. You deny fossil fuel pollution.

I hope you don't go through what my region just went through. We have had 50 people die in Portland. No one has air-conditioning there; two-thirds of the people don't. It has never been—it was 45 degrees above normal. This is not normal.

Climate change is real. Keep up the denial and you are going to destroy this country and the planet.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. CRAWFORD. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 7 minutes remaining.

Mr. CRAWFORD. Mr. Speaker, I will try to only use 6 of those 7 minutes.

Mr. Speaker, I yield myself such time as I may consume.

This bill contains—tons of money just won't matter if we fail to support programs for roads and bridges. The huge funding levels aren't what they appear to be because the bill spreads the dollars thin over 41 new programs; adds many new burdensome mandates to programs that States rely on; doesn't include meaningful regulatory reforms so dollars are used more effectively.

Instead of getting money to States quickly so they can use it how they need, the majority adds new restrictions, like prohibiting new highway capacity that would hamper States' ability to build the projects that their communities need.

□ 2030

Really, this is the wrong time for this big, drastic change. This bill wants

to force Americans off the roads and into transit and passenger rail. But the central planning push couldn't come at a worse time because of the pandemic-related uncertainty and ongoing changes in transportation, work, and living patterns that will last for years to come.

Even before the pandemic, 85 percent of Americans traveled to work in a car, truck, or van, and only 5 percent used public transportation. But the majority chose to bankrupt the programs the overwhelming majority of Americans rely on.

As employers are becoming more flexible with teleworking, the majority believes we should be less flexible with our State and local partners. We should focus on core infrastructure and proven programs that provide for flexibility instead of dictating a one-size-fits-all progressive idea of what transportation should look like.

The majority calls this is a transformative bill. Well, the American people can be assured they will see the price of gas and goods transform upwards with the increasing inflation this unpaid-for bill will drive.

We just heard 38 amendments and not a single reference to how any of those would be paid for. In fact, there is not any pay-for in this entire bill. Any argument that we don't want to work with the majority is just simply false.

In addition to the strong resiliency title in Republican bill STARTER Act 2.0, I frequently said I was willing to work with the majority. And the ranking member said that he wanted to work with the majority on their priority of reducing transportation's impact on the environment, but that we also needed to work to address Republican priorities like streamlining. They simply refused.

In committee, we proposed compromises that would include both climate and streamlining provisions and offered a ''Buy American'' amendment to ensure we weren't sending U.S. dollars for electric vehicle infrastructure to support the Chinese Government's slave labor and environmental destruction. The majority rejected those proposals. Instead, House Democrats are willing to sell out to China to claim they are reaching their climate goals.

Republican Members are not willing to ignore the fact that relying on China, the worst polluter in the world, will absolutely increase global emissions.

Furthermore, we have to remember this is a transportation bill, first and foremost. Spending $1 out of every $2 on meeting Green New Deal objectives begs the question: Is this bill still a transportation bill?

Mr. Speaker, I urge a ''no'' vote on this en bloc amendment, I urge a ''no'' vote on the underlying bill, and I yield the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 504, the previous question is ordered on the amendments en bloc offered by the gentleman from Oregon (Mr. DEFAZIO).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CRAWFORD. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 10 OFFERED BY MRS. CAMMACK

The SPEAKER pro tempore. It is now in order to consider amendment No. 10 printed in House Report 117–75.

Mrs. CAMMACK. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1029, after line 8, insert the following:

SEC. 4312. TRANSPORTATION OF AGRICULTURAL COMMODITIES AND FARM SUPPLIES.

Section 229(a)(1) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended—

(1) in subparagraph (B) by striking ''or'' at the end;

(2) in subparagraph (C) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(D) drivers transporting livestock (as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) including insects) within a 150 air-mile radius from the final destination of the livestock.''.

The SPEAKER pro tempore. Pursuant to House Resolution 508, the gentlewoman from Florida (Mrs. CAMMACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Mrs. CAMMACK. Mr. Speaker, I rise today to offer a bipartisan amendment to give needed flexibility to our livestock haulers and producers. My amendment would exempt livestock haulers from hours-of-service requirements for the last 150 air miles to their final destination.

Mr. Speaker, since last year, livestock haulers have been temporarily exempted from hours-of-service requirements. However, a permanent solution for our livestock haulers and cattle producers is urgently needed.

Speaking as a Floridian, cattle is one of Florida's most important exports. It is typically an 8-hour journey just to transport cattle from our producers in south Florida all the way to the north end of the State, before continuing onward to destinations in the Midwest or elsewhere.

For the health and welfare of the cattle in transit, livestock haulers need flexibility on both the front and back end of their journey to get the cattle safely and efficiently transported to their final destinations.

Hauling live animals is simply not the same as hauling a trailer full of toilet paper; however, we saw that both were vital during the pandemic.

Although I and many other Members on both sides of the aisle support this measure wholeheartedly, I will reluctantly withdraw my amendment today. I remain hopeful that as we move forward, we can work to fix these hours-of-service rules to provide greater flexibility for the success of our Nation's producers and livestock haulers.

Mr. Speaker, I yield back the balance of my time, and I withdraw the amendment.

The SPEAKER pro tempore. The amendment is withdrawn.

The Chair understands that amendment No. 70 will not be offered.

AMENDMENT NO. 108 OFFERED BY MS. VAN DUYNE

The SPEAKER pro tempore. It is now in order to consider amendment No. 108 printed in House Report 117–75.

Ms. VAN DUYNE. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 705, after line 3, insert the following:

SEC. 1640. HOV FACILITY REVIEW.

Section 166 of title 23, United States Code, is further amended by adding at the end the following:

''(h) REVIEW AND REMOVAL.—If the Secretary of Transportation determines appropriate, 10 years after construction of an HOV facility operated in compliance with this section, a State may—

''(1) conduct a review of such facility; and

''(2) remove such facility and repay any funds associated with such facility.''.

SEC. 2. .

The SPEAKER pro tempore. Pursuant to House Resolution 508, the gentlewoman from Texas (Ms. VAN DUYNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. VAN DUYNE. Mr. Speaker, my amendment would fix an ongoing problem that I see back home and in other areas of the country which highlights the need for local control to be able to fix local problems.

One example is U.S. Highway 75, just across my district line in Dallas. The highway received funds over 10 years ago to install HOV lanes to help alleviate congestion in the area. Unfortunately, 10 years later, these lanes are not being used and are actually creating more congestion. Due to Federal DOT regulations, these lanes cannot be removed even if the funds are repaid for the cost of installation.

This amendment would allow for increased flexibility to local elected officials to properly manage traffic flow as patterns change. Because these funds would be repaid to the DOT, these funds could be used to fund more and essential future transportation projects.

Unfortunately, this bill further limits local government control. Local leaders know better than bureaucrats in Washington how to solve problems, and my amendment would provide the relief needed to local governments without any Federal cost.

Mr. Speaker, I urge adoption of this amendment, and I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I claim the time in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this totally contradicts the intent of the Congestion Mitigation and Air Quality Improvement program, a relatively small program in terms of the entire bill, but a very, very important program.

As I mentioned earlier, we have been doing the same thing for 30 years. 30,511 new freeway lane-miles in and around our 100 largest urban areas. The cost of delay has gone from $16 billion a year to $166 billion a year, which wastes way more than we are spending to deal with the problem, and delay is up a staggering 144 percent and pollution is worse.

So this is an amendment that would say, okay, you can take the money to deal with congestion mitigation and air quality, you can spend it to build an HOV lane, and then after you toll people on that HOV lane—maybe like in Virginia where you can pay $48 for 10 miles in the Bentley lane during rush hour sometimes—and then they pay back the money, then they convert it to a single-occupancy vehicle lane, voila, we are back at another induced-demand congested road, the same Groundhog Day strategy we have been doing for 30 years that doesn't work.

HOV lanes and other operational improvements are eligible under the CMAQ program. They are part of the solution, but not in this form. They allow more people to move more efficiently in the most congested transportation corridors by getting more than one person per car. But this would only do that temporarily and then revert to one person per car. Great idea.

So it allows van pools, car pools, and transit in these lanes. They benefit all drivers. So in this case, we would say, well, yeah, for a while, they will benefit car pools, van pools, and transit, but then we are going to go back to putting single-occupancy vehicles in them. That is not a solution to the problem.

It is of particular concern, because it allows for HOV restrictions to be repealed without any analysis of the impacts on the traffic in the corridor. Under this proposal, as I said, all of those who have begun to use it, the families, transit riders, car poolers in HOV lanes, they are going to go back into gridlock traffic with everybody else. It is an extraordinarily bad idea whose time has not come.

Mr. Speaker, I reserve the balance of my time.

Ms. VAN DUYNE. Mr. Speaker, while I appreciate the gentleman's comments on increasing traffic and increasing congestion, what I would remind him is that this is going to be looked at by local elected officials. And if those local elected officials deem that this is an unused lane, which is what we are seeing on Highway 75, we will actually be opening up and relieving congestion by allowing those elected officials to be able to say we are going to open this back up, which will have much more response to alleviating traffic, alleviating problems with congestion, allowing many more people to be able to drive on that lane, as opposed to paying money to create more congestion, more carbon emissions, and less efficiency.

Again, these cities would be paying back those dollars which could be used for necessary future transportation costs.

Mr. DEFAZIO. Mr. Speaker, I reserve the balance of my time.

Ms. VAN DUYNE. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentlewoman has 2½ minutes remaining.

Ms. VAN DUYNE. Mr. Speaker, I yield myself the balance of my time.

Again, I would argue that this is an opportunity to be able to get money back from cities that have found that the HOV lanes have not had the impact, have not had the necessary effect on creating less congestion, but what they found is they have actually created more congestion.

So in areas where traffic patterns may have changed, where additional highways or other roads may have alleviated those conditions, where 10 years prior HOV lanes were necessary, they are no longer necessary, instead of keeping them closed, we will actually be able to open them up and provide the help that these funds were initially used for.

Mr. Speaker, I would encourage adoption of this amendment, and I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, perhaps the gentlewoman has an absolute unique circumstance in her district or her State. But to make this a national policy for a program that is intended to deal with congestion management and air quality would be a huge mistake.

I cannot support the amendment, I urge people to vote ''no,'' and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 504, the previous question is ordered on the amendment offered by the gentlewoman from Texas (Ms. VAN DUYNE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the noes appear to have it.

Ms. VAN DUYNE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. LAMB OF PENNSYLVANIA

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on the adoption of amendments en bloc No. 1, printed in House Report 117–75, on which further proceedings were postponed and on which the yeas and nays were ordered.

The Clerk will redesignate the amendments en bloc.

The Clerk redesignated the amendments en bloc.

The SPEAKER pro tempore. The question is on the amendments en bloc offered by the gentleman from Pennsylvania (Mr. LAMB).

The vote was taken by electronic device, and there were—yeas 217, nays 186, not voting 27, as follows:

[Roll No. 201]

YEAS—217

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Dunn
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
Garcia (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone

Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—186

Aderholt
Allen
Amodei
Armstrong
Babin
Bacon
Baird
Balderson
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Donalds
Duncan
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gonzales, Tony
Gonzalez (OH)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Harris
Harshbarger
Hartzler
Hern
Herrera Beutler
Hice (GA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Jacobs (NY)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rosendale
Rouzer
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spanberger
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Webster (FL)
Wenstrup
Westerman
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—27

Arrington
Banks
Bilirakis
Carter (GA)
Cloud
Diaz-Balart
Fulcher
Gohmert
Good (VA)
Hagedorn
Herrell
Higgins (LA)
Issa
Jackson
Johnson (LA)
McCaul
Miller (IL)
Norman
Pfluger
Rose
Roy
Sherman
Simpson
Speier
Tiffany
Weber (TX)
Williams (TX)

□ 2113

Mr. DUNN changed his vote from ''nay'' to ''yea.''

So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SHERMAN. Mr. Speaker, had I been present, I would have noted "YEA" on rollcall No. 201.

Stated against:

Mr. DUNN. Mr. Speaker, I was recorded as Yes—I intended to vote "No" on Rollcall No. 201.

PERSONAL EXPLANATION

Mr. PFLUGER. Mr. Speaker, I was absent from votes to tour the immigration and humanitarian crisis at our southern border. Had I been present, I would have voted "nay" on rollcall No. 197, "nay" on rollcall No. 198, "nay" on rollcall No. 199, "nay" on rollcall No. 200, and "nay" on rollcall No. 201.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Nehls)
Boebert (Gosar)
Cárdenas (Gomez)
Cawthorn (Nehls)
Cohen (Beyer)
Comer (Cammack)
Fallon (Nehls)
Gallego (Gomez)
Garcia (TX) (Jeffries)
Grijalva (Stanton)
Herrera Beutler (Kinzinger)
Horsford (Jeffries)
Jacobs (NY) (Garbarino)
Jayapal (Pocan)
Johnson (TX) (Jeffries)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Leger Fernandez (Jacobs (CA))
Lieu (Beyer)
Long (Fleischmann)
Lowenthal (Beyer)
McClain (Bergman)
Meng (Jeffries)
Mullin (Lucas)
Napolitano (Correa)
Owens (Stewart)
Payne (Pallone)
Reschenthaler (Nehls)
Ruiz (Aguilar)
Rush (Underwood)
Sewell (DelBene)
Steube (Franklin, C. Scott)
Strickland (DelBene)
Timmons (Gonzalez (OH))
Wilson (FL) (Hayes)
Young (Mast)

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. DEFAZIO OF OREGON

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on the adoption of amendments en bloc No. 3, printed in House Report 117–75, on which further proceedings were postponed and on which the yeas and nays were ordered.

The Clerk will redesignate the amendments en bloc.

The Clerk redesignated the amendments en bloc.

The SPEAKER pro tempore. The question is on the amendments en bloc offered by the gentleman from Oregon (Mr. DEFAZIO).

The vote was taken by electronic device, and there were—yeas 180, nays 226, not voting 24, as follows:

[Roll No. 202]

YEAS—180

Aderholt
Allen
Amodei
Armstrong
Babin
Baird
Balderson
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fleischmann
Foxx
Franklin, C. Scott
Gaetz
Gallagher
Garcia (CA)
Gibbs
Gimenez
Gonzales, Tony
Gonzalez (OH)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Harris
Harshbarger
Hartzler
Hern
Hice (GA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Jacobs (NY)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (WV)
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rosendale
Rouzer
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Smith (MO)
Smith (NE)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Timmons
Turner
Upton
Valadao
Van Duyne
Wagner
Walberg
Walorski
Waltz
Webster (FL)
Wenstrup
Westerman
Wilson (SC)
Wittman
Womack
Young

NAYS—226

Adams
Aguilar
Allred
Auchincloss
Axne
Bacon
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Fortenberry
Foster
Frankel, Lois
Gallego
Garamendi
Garbarino
Garcia (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Herrera Beutler
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Miller-Meeks
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens

Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Van Drew
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—24

Arrington
Banks
Carter (GA)
Cloud
Doggett
Fulcher
Gohmert
Good (VA)
Hagedorn
Herrell
Higgins (LA)
Issa
Jackson
Johnson (LA)
Miller (IL)
Moore (WI)
Norman
Pfluger
Rose
Roy
Simpson
Tiffany
Weber (TX)
Williams (TX)

□ 2134

Ms. SPEIER, Messrs. FORTENBERRY, and RUSH changed their vote from ''yea'' to ''nay.''

Ms. CHENEY changed her vote from ''nay'' to ''yea.''

So the en bloc amendments were rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Nehls)
Boebert (Gosar)
Cárdenas (Gomez)
Cawthorn (Nehls)
Cohen (Beyer)
Comer (Cammack)
Fallon (Nehls)
Gallego (Gomez)
Garcia (TX) (Jeffries)
Grijalva (Stanton)
Herrera Beutler (Kinzinger)
Horsford (Jeffries)
Jacobs (NY) (Garbarino)
Jayapal (Pocan)
Johnson (TX) (Jeffries)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Leger Fernandez (Jacobs (CA))
Lieu (Beyer)
Long (Fleischmann)
Lowenthal (Beyer)
McClain (Bergman)
Meng (Jeffries)
Mullin (Lucas)
Napolitano (Correa)
Owens (Stewart)
Payne (Pallone)
Reschenthaler (Nehls)
Ruiz (Aguilar)
Rush (Underwood)
Sewell (DelBene)
Steube (Franklin, C. Scott)
Strickland (DelBene)
Timmons (Gonzalez (OH))
Wilson (FL) (Hayes)
Young (Mast)

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. DEFAZIO OF OREGON

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on the adoption of amendments en bloc No. 4, printed in House Report 117–75, on which further proceedings were postponed and on which the yeas and nays were ordered.

The Clerk will redesignate the amendments en bloc.

The Clerk redesignated the amendments en bloc.

The SPEAKER pro tempore. The question is on the amendments en bloc offered by the gentleman from Oregon (Mr. DEFAZIO).

The vote was taken by electronic device, and there were—yeas 221, nays 187, not voting 22, as follows:

[Roll No. 203]

YEAS—221

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Katko
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stansbury
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—187

Aderholt
Allen
Amodei
Armstrong
Babin
Bacon
Baird
Balderson
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gonzales, Tony
Gonzalez (OH)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Harris
Harshbarger
Hartzler
Hern
Herrera Beutler
Hice (GA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Jacobs (NY)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rosendale
Rouzer
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Taylor
Tenney
Thompson (PA)
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Webster (FL)
Wenstrup
Westerman
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—22

Arrington
Banks
Carter (GA)
Cloud
Fulcher
Gohmert
Good (VA)
Hagedorn
Herrell
Higgins (LA)
Issa
Jackson
Johnson (LA)
Miller (IL)
Norman
Pfluger
Rose
Roy
Simpson
Tiffany
Weber (TX)
Williams (TX)

□ 2158

So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Nehls)
Boebert (Gosar)
Cárdenas (Gomez)
Cawthorn (Nehls)
Cohen (Beyer)
Comer (Cammack)
Fallon (Nehls)
Gallego (Gomez)
Garcia (TX) (Jeffries)
Grijalva (Stanton)
Herrera Beutler (Kinzinger)
Horsford (Jeffries)
Jacobs (NY) (Garbarino)
Jayapal (Pocan)
Johnson (TX) (Jeffries)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Leger Fernandez (Jacobs (CA))
Lieu (Beyer)
Long (Fleischmann)
Lowenthal (Beyer)
McClain (Bergman)
Meng (Jeffries)
Mullin (Lucas)
Napolitano (Correa)
Owens (Stewart)
Payne (Pallone)
Reschenthaler (Nehls)
Ruiz (Aguilar)
Rush (Underwood)
Sewell (DelBene)
Steube (Franklin, C. Scott)
Strickland (DelBene)
Timmons (Gonzalez (OH))
Wilson (FL) (Hayes)
Young (Mast)

AMENDMENT NO. 108 OFFERED BY MS. VAN DUYNE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on amendment No. 108, printed in House Report 117–75, on which further proceedings were postponed and on which the yeas and nays were ordered.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentlewoman from Texas (Ms. VAN DUYNE).

The vote was taken by electronic device, and there were—yeas 230, nays 178, not voting 22, as follows:

[Roll No. 204]

YEAS—230

Aderholt
Allen
Allred
Amodei
Armstrong
Axne
Babin
Bacon
Baird
Balderson
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Bourdeaux
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (TX)
Case
Cawthorn
Chabot
Cheney
Cline
Clyde
Cole
Comer
Cooper
Correa
Craig
Crawford
Crenshaw
Cuellar
Curtis
Davids (KS)
Davidson
Davis, Rodney
Delgado
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Fortenberry
Foxx
Franklin, C. Scott
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Golden
Gonzales, Tony
Gonzalez (OH)
Gonzalez, Vicente
Gooden (TX)
Gosar
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Harder (CA)
Harris
Harshbarger
Hartzler
Hayes
Hern
Herrera Beutler
Hice (GA)
Hill
Hinson
Hollingsworth
Houlahan
Hudson
Huizenga
Jacobs (NY)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keating
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kim (NJ)
Kind
Kinzinger
Kuster
Kustoff
LaHood
LaMalfa
Lamb
Lamborn
Latta
LaTurner
Lee (NV)
Lesko
Letlow
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malinowski
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Nunes
O'Halleran
Obernolte
Owens
Palazzo
Palmer
Pappas
Pence
Perry
Peters
Phillips
Porter
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rosendale
Rouzer
Rutherford
Salazar
Scalise
Schneider
Schrier
Schweikert
Scott, Austin
Sessions
Sherrill
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spanberger
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stevens
Stewart
Suozzi
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Veasey
Vela
Wagner
Walberg
Walorski
Waltz
Webster (FL)
Wenstrup
Westerman
Wild
Wilson (SC)
Wittman
Womack
Yarmuth
Young
Zeldin

NAYS—178

Adams
Aguilar
Auchincloss
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Carter (LA)
Cartwright
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Costa
Courtney
Crist
Crow
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Gomez
Green, Al (TX)
Grijalva
Higgins (NY)
Himes
Horsford
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Kelly (IL)
Khanna
Kildee
Kilmer
Kirkpatrick
Krishnamoorthi
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
Ocasio-Cortez
Omar
Pallone
Panetta
Pascrell
Payne
Perlmutter
Pingree
Pocan
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sewell
Sherman
Sires
Smith (WA)
Soto
Speier
Stansbury
Stanton
Strickland
Swalwell
Takano
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Williams (GA)
Wilson (FL)

NOT VOTING—22

Arrington
Banks
Carter (GA)
Cloud
Fulcher
Gohmert
Good (VA)
Hagedorn
Herrell
Higgins (LA)
Issa
Jackson
Johnson (LA)
Miller (IL)
Norman
Pfluger
Rose
Roy
Simpson
Tiffany
Weber (TX)
Williams (TX)

□ 2220

So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PFLUGER. Mr. Speaker, I was absent from votes to tour the immigration and humanitarian crisis at our southern border. Had I been present, I would have voted "yea" on rollcall No. 202, "nay" on rollcall No. 203 and, "yea" on rollcall No. 204.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Babin (Nehls)
Boebert (Gosar)
Cárdenas (Gomez)
Cawthorn (Nehls)
Cohen (Beyer)
Comer (Cammack)
Fallon (Nehls)
Gallego (Gomez)
Garcia (TX) (Jeffries)
Grijalva (Stanton)
Herrera Beutler (Kinzinger)
Horsford (Jeffries)
Jacobs (NY) (Garbarino)
Jayapal (Pocan)
Johnson (TX) (Jeffries)
Kirkpatrick (Stanton)
Lawson (FL) (Evans)
Leger Fernandez (Jacobs (CA))
Lieu (Beyer)
Long (Fleischmann)
Lowenthal (Beyer)
McClain (Bergman)
Meng (Jeffries)
Mullin (Lucas)
Napolitano (Correa)
Owens (Stewart)
Payne (Pallone)
Reschenthaler (Nehls)
Ruiz (Aguilar)
Rush (Underwood)
Sewell (DelBene)
Steube (Franklin, C. Scott)
Strickland (DelBene)
Timmons (Gonzalez (OH))
Wilson (FL) (Hayes)
Young (Mast)

AMENDMENTS EN BLOC NO. 5 OFFERED BY MS. DAVIDS OF KANSAS

Ms. DAVIDS of Kansas. Mr. Speaker, pursuant to House Resolution 508, I rise to offer amendments en bloc No. 5.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 5 consisting of amendment Nos. 116, 117, 118, 123, 124, 126, 127, 128, 129, 130, 131, 133, 136, 137, 138, 139, 140, 141, 142, 144, 145, 146, 147, 148, and 149, printed in House Report 117–75, offered by Ms. DAVIDS of Kansas:

AMENDMENT NO. 116 OFFERED BY MS. BARRAGÁN OF CALIFORNIA

Page 1609, line 8, insert "or alternative compliance strategies" after "water systems".

Page 1609, beginning on line 12, strike "with facilitating the consolidation of distressed small water systems." and insert the following:

with—

(i) facilitating the consolidation of distressed small water systems; and

(ii) including the public in the process of such consolidation.

AMENDMENT NO. 117 OFFERED BY MS. BUSH OF MISSOURI

Page 1611, after line 2, insert the following:

SEC. 13402. STUDY ON CONTAMINATION OF COLDWATER CREEK, MISSOURI.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency, in coordination with the Secretary of the Army, the Secretary of Energy, the Administrator of the Agency for Toxic Substances and Disease Registry, and other appropriate Federal agencies, shall—

(1) undertake a review of prior and ongoing efforts to remediate radiological contamination in the vicinity of Coldwater Creek in North St. Louis County, Missouri, associated with historic radiological waste storage near the St. Louis Airport;

(2) consult with State and local agencies, and representatives of the Coldwater Creek community;

(3) take into consideration the Public Health Assessment for the Evaluation of Community Exposure Related to Coldwater Creek, dated April 30, 2019, and prepared by the Agency for Toxic Substances and Disease Registry; and

(4) within 180 days of the date of enactment of this section, issue a report to Congress on the status of efforts to reduce or eliminate the potential human health impacts from potential exposure to such contamination, including any recommendations for further action.

(b) INSTALLATION OF SIGNAGE TO PREVENT POTENTIAL EXPOSURE RISKS.—In accordance with the recommendations of the Public Health Assessment for the Evaluation of Community Exposure Related to Coldwater Creek, the Administrator, in coordination with the Secretary of the Army, shall install signage to inform residents and visitors of potential exposure risks in areas around Coldwater Creek where remediation efforts have not been undertaken or completed.

AMENDMENT NO. 118 OFFERED BY MS. CRAIG OF MINNESOTA

Page 1549, after line 8, insert the following:

SEC. 12022. NONPOINT SOURCE MANAGEMENT PROGRAMS.

Section 319(j) of the Federal Water Pollution Control Act (33 U.S.C. 1329(j)) is amended by striking "subsections (h) and (i) not to

exceed'' and all that follows through ''fiscal year 1991'' and inserting ''subsections (h) and (i) $200,000,000 for each of fiscal years 2022 through 2026''.

AMENDMENT NO. 123 OFFERED BY MS. ESCOBAR OF TEXAS

Page 1549, after line 8, insert the following:

SEC. 12022. WASTEWATER ASSISTANCE TO COLONIAS.

Section 307 of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1281 note) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) COVERED ENTITY.—The term 'covered entity' means each of the following:

''(A) A border State.

''(B) A local government with jurisdiction over an eligible community.'';

(2) in subsection (b), by striking ''border State'' and inserting ''covered entity'';

(3) in subsection (d), by striking ''shall not exceed 50 percent'' and inserting ''may not be less than 80 percent'';

(4) in subsection (e)—

(A) by striking ''$25,000,000'' and inserting ''$100,000,000''; and

(B) by striking ''1997 through 1999'' and inserting ''2022 through 2026''.

AMENDMENT NO. 124 OFFERED BY MR. GREEN OF TEXAS

Page 1576, after line 20, insert the following:

SEC. 13205. NATIONAL PRIMARY DRINKING WATER REGULATION FOR CHROMIUM-6.

Section 1412(b) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)) is further amended by adding at the end the following:

''(19) CHROMIUM-6.—

''(A) IN GENERAL.—Notwithstanding any other deadline established in this subsection, not later than 2 years after the date of enactment of the Assistance, Quality, and Affordability Act of 2021, the Administrator shall publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for chromium-6.

''(B) HEALTH PROTECTION.—The maximum contaminant level goal and national primary drinking water regulation promulgated under subparagraph (A) shall be protective of the health of subpopulations at greater risk, as described in section 1458.''.

AMENDMENT NO. 126 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 1544, line 16, strike the ''and'' at the end.

Page 1544, after line 16, insert the following:

(5) document the harm and injury caused by any identified inequities in the distribution of wastewater infrastructure funds with respect to the identified needs of rural communities, economically disadvantaged communities, and Tribal communities; and

AMENDMENT NO. 127 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 1607, after line 11, insert the following new section:

SEC. 13305. NATURAL HAZARD EDUCATION AND RESPONSE GRANT PROGRAM.

Section 1433 of the Safe Drinking Water Act (42 U.S.C. 300i–2) is amended by adding at the end the following:

''(i) EDUCATION AND RESPONSE GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Administrator shall establish and implement a program under which the Administrator may award grants to community water systems to carry out activities to educate and assist persons served by the community water system in adapting and responding to malevolent acts and natural hazards, including sub-zero temperatures, that disrupt the provision of safe drinking water or significantly affect the public health or the safety or supply of drinking water provided to communities and individuals.

''(2) PRIORITY.—In awarding grants under this subsection, the Administrator shall give priority to community water systems that will use funds to assist senior citizens and low-income homeowners in adapting and responding to malevolent acts and natural hazards, including sub-zero temperatures, that disrupt the provision of safe drinking water or significantly affect the public health or the safety or supply of drinking water provided to communities and individuals, including by providing funds to cover the costs of repairing ruptured pipes.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $200,000,000 for each of fiscal years 2022 through 2026.''.

AMENDMENT NO. 128 OFFERED BY MS. KAPTUR OF OHIO

Page 1530, line 25, strike ''and'' at the end.

Page 1531, line 5, strike the period each place it appears and the closing quotation mark and insert ''; and''.

Page 1531, after line 5, insert the following:

''(3) identifies—

''(A) the locations in which such projects are carried out;

''(B) estimated energy savings for such projects;

''(C) projects that address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities; and

''(D) with respect to projects carried out using funds made available under or pursuant to section 603, whether such projects are funded under subsection (d) or subsection (i) of such section.''.

AMENDMENT NO. 129 OFFERED BY MR. KILDEE OF MICHIGAN

Page 1549, after line 8, insert the following:

SEC. 12022. HOUSEHOLD WELL WATER TESTING WEBSITE.

(a) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall establish a website containing information relating to the testing of household well water.

(b) CONTENTS.—The Administrator shall include on the website established under subsection (a) the following:

(1) Information on how to get drinking water tested for a home served by an individual private well.

(2) A list of laboratories that analyze water samples and are certified by a State or the Administrator.

(3) State-specific information, developed in coordination with each State, on naturally occurring and human-induced contaminants.

(4) Information that, using accepted risk communication techniques, clearly communicates whether a test result value exceeds a level determined by the Administrator or the State to pose a health risk.

(5) Information on treatment options, including information relating to water treatment systems certified by the National Sanitation Foundation, Underwriters Laboratories, and the Water Quality Association.

(6) A directory of whom to contact to report a test result value that exceeds a level determined by the Administrator or the State to pose a health risk.

(7) Information on financial assistance that is available for homeowners to support water treatment, including grants under section 306E of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926e) and State resources.

(8) Any other information the Administrator considers appropriate.

(c) COORDINATION.—The Administrator shall coordinate with the Secretary of Health and Human Services, the Secretary of Agriculture, and appropriate State agencies in carrying out this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for fiscal year 2022.

AMENDMENT NO. 130 OFFERED BY MR. KRISHNAMOORTHI OF ILLINOIS

Page 1549, after line 8, insert the following:

SEC. 12022. STUDY AND REPORT ON EFFECT OF TOILET WIPES MARKETED AS FLUSHABLE.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall conduct a study on the effect of toilet wipes marketed as flushable on municipal water systems and residential plumbing systems.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the study conducted under subsection (a).

AMENDMENT NO. 131 OFFERED BY MRS. LAWRENCE OF MICHIGAN

Page 1611, after line 2, insert the following:

SEC. 13402. REPORT ON AFFORDABILITY, DISCRIMINATION AND CIVIL RIGHTS VIOLATIONS, AND DATA COLLECTION.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a study on water and sewer services, in accordance with this section.

(2) AFFORDABILITY.—In conducting the study under paragraph (1), the Comptroller General shall study water affordability nationwide, including—

(A) rates for water and sewer services, increases in such rates during the ten-year period preceding such study, and water service disconnections and interruptions due to unpaid water service charges; and

(B) the effectiveness of funding under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) and under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) for promoting affordable, equitable, transparent, and reliable water and sewer service.

(3) DISCRIMINATION AND CIVIL RIGHTS.—In conducting the study under paragraph (1), the Comptroller General, in collaboration with the Civil Rights Division of the Department of Justice, shall study—

(A) discriminatory practices of water and sewer service providers; and

(B) violations by such service providers that receive Federal assistance of civil rights under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) with regard to equal access to water and sewer services.

(4) DATA COLLECTION.—In conducting the study under paragraph (1), the Comptroller General shall collect information, assess the availability of information, and evaluate the methodologies used to collect information, related to—

(A) people living without water or sewer services;

(B) water service disconnections or interruptions due to unpaid water service charges, including disconnections experienced by households containing children, elderly persons, disabled persons, or chronically ill persons, or other vulnerable populations; and

(C) disparate effects, on the basis of race, gender, or socioeconomic status, of water service disconnections or interruptions and the lack of public water and sewer service.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller shall submit to Congress a report that contains—

(1) the results of the study conducted under subsection (a); and

(2) recommendations for water and sewer service providers, Federal agencies, and States relating to such results.

AMENDMENT NO. 133 OFFERED BY MR. LOWENTHAL OF CALIFORNIA

Page 1549, after line 8, insert the following:

SEC. 12022. EFFLUENT LIMITATIONS FOR WASTEWATER, SPILLS, AND RUNOFF FROM FACILITIES ASSOCIATED WITH THE TRANSPORT AND PACKAGING OF PRE-PRODUCTION PLASTIC MATERIALS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall issue such regulations as are necessary to ensure that—

(1) the discharge of plastic pellets or other pre-production plastic materials (including discharge into wastewater and other runoff) from facilities regulated under part 414 or 463 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), is prohibited;

(2) the discharge of plastic pellets or other pre-production plastic materials (including discharge into wastewater and other runoff) from a point source associated with the making, use, packaging, or transportation of such plastic pellets and other pre-production plastic materials is prohibited; and

(3) the requirements under paragraphs (1) and (2) are reflected in—

(A) permits issued under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) to facilities or other point sources that make, use, package, or transport plastic pellets or other pre-production plastic materials, as determined by the Administrator, in addition to other applicable limits and standards; and

(B) all standards of performance promulgated under section 312(p) of the Federal Water Pollution Control Act (33 U.S.C. 1322(p)) that are applicable to point sources associated with the making, use, packaging, or transportation of plastic pellets or other pre-production plastic materials, as determined by the Administrator.

(b) DEFINITION.—In this section, the term ''point source'' has the meaning given such term in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

AMENDMENT NO. 136 OFFERED BY MR. MCNERNEY OF CALIFORNIA

Page 1566, after line 3, insert the following:

SEC. 13115. WATER MAIN BREAK DATA CLEARINGHOUSE.

Part B of the Safe Drinking Water Act (42 U.S.C. 300g et seq.) is amended by adding at the end the following:

''SEC. 1420A. WATER MAIN BREAK DATA CLEARINGHOUSE.

''(a) ONLINE DATA CLEARINGHOUSE.—

''(1) ESTABLISHMENT.—Not later than 2 years after the date of enactment of this section, the Administrator shall establish and maintain a publicly accessible website with a national data clearinghouse on reported water main breaks and associated repair activity.

''(2) CONTENTS.—The website established pursuant to paragraph (1) shall present—

''(A) information submitted to the Administrator by a public water system under this section with respect to reported water main breaks;

''(B) aggregate State and national data on reported water main breaks; and

''(C) trends in such information and data over time.

''(3) UPDATES.—The website established pursuant to paragraph (1) shall be updated at least twice per year.

''(b) DEFINITION.—In this section, the term 'reported water main break' means the unplanned rupture or breach of a pipe 6 inches in diameter or more in service as part of a public water system resulting in water escaping and being reported to the public water system by an employee or other person.

''(c) RULE.—Not later than one year after the date of enactment of this section, the Administrator shall issue a rule requiring each public water system serving more than 10,000 persons to submit to the Administrator information on each reported water main break in, and the repair activity for such break to be provided by, the public water system with respect to a calendar year. Such rule shall—

''(1) specify the format, content, quality assurance procedure, and method of submission of information;

''(2) apply to reported water main breaks that occur in the second calendar year following the date of enactment of this section and each calendar year thereafter;

''(3) allow for the submission, storage, and display of information in electronic format;

''(4) allow for the submission of information by a public water system serving 10,000 or fewer persons submitted on a voluntary basis;

''(5) allow for submission of any additional information that may be required of a public water system by a State regarding reported water main breaks and repair activity; and

''(6) require that a summary of the information submitted be included in a public water system's annual consumer confidence report required under section 1414(c)(4).

''(d) REPORTED WATER MAIN BREAK AND REPAIR INFORMATION.—The rule issued under subsection (c) shall require each public water system serving more than 10,000 persons to submit to the Administrator the following information with respect to each reported water main break in the public water system:

''(1) To the extent practicable, the time and date the reported water main break was reported to the public water system.

''(2) The specific location of the reported water main break.

''(3) The size, type, age, and bedding material of the broken water main.

''(4) The elapsed time from the initial report of the water main break to the public water system to the completion of repairs.

''(5) The amount of water escaping from the public water system between the time of the report and the repair, estimated in accordance with 'Water Audits and Loss Control Programs, Manual—36' (2016) published by the American Water Works Association or any successor manual.

''(6) The estimated cost of repairing the reported water main break and associated public infrastructure, including pavement restoration, and the cost of any damage to other public or private property.

''(e) ANNUAL REPORT.—Not later than 4 years after the date of enactment of this section, and annually thereafter, the Administrator shall prepare and make available to the public a report summarizing and evaluating submissions by public water systems pursuant to this section. Such report shall include information and recommendations concerning the methods and resources needed by public water systems to reduce the frequency, duration, and cost of water main breaks.''.

AMENDMENT NO. 137 OFFERED BY MS. MOORE OF WISCONSIN

Page 1611, after line 2, insert the following:

SEC. 13402. WATER INFRASTRUCTURE AND WORKFORCE INVESTMENT.

Section 4304 of the America's Water Infrastructure Act of 2018 (42 U.S.C. 300j–19e) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), by inserting ''Tribal,'' after ''State,''; and

(B) by amending subparagraph (B) to read as follows:

''(B) institutions of higher education, apprentice programs, high schools, and other community based organizations, and public works departments and agencies, to align water and wastewater utility workforce recruitment efforts, training programs, retention efforts, and community resources with water and wastewater utilities to—

''(i) accelerate career pipelines;

''(ii) ensure the sustainability of the water and wastewater utility workforce; and

''(iii) provide access to workforce opportunities, including for diverse populations or populations that are underrepresented in the water and wastewater utility workforce.''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''and the Secretary of Labor'' after ''the Secretary of Agriculture'';

(ii) in subparagraph (A), by striking ''; and'' and inserting '', which may include—''; and

(iii) by inserting after subparagraph (A) the following:

''(i) expanding the use and availability of activities and resources that relate to the recruitment, including promotion of diversity within that recruitment, of individuals to careers in the water and wastewater utility sector;

''(ii) expanding the availability of training opportunities for—

''(I) individuals entering the water and wastewater utility sector; and

''(II) individuals seeking to advance careers within the water and wastewater utility sector; and

''(iii) expanding the use and availability of activities and strategies, including the development of innovative activities and strategies, that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector; and'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ''public works departments or agencies,'' after ''institutions of higher education,''; and

(ii) in subparagraph (A)—

(I) in clause (ii), by striking ''; or'' and inserting a semicolon;

(II) in clause (iii), by striking ''; and'' and inserting ''; or''; and

(III) by adding at the end the following:

''(iv) in the development of educational or recruitment materials and activities, including those materials and activities that specifically promote diversity within recruitment, for the water and wastewater utility workforce; and'';

(C) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and inserting after paragraph (2) the following:

''(3) PRIORITY.—In selecting grant recipients under paragraph (2), the Administrator shall give priority to entities that focus on assisting low-income and very low-income individuals, as well as those individuals with the most barriers to entry, such as the recently incarcerated, to enter into careers in the water and wastewater utility sector.'';

(D) in paragraph (4) (as so redesignated)—

(i) in subparagraph (C), by inserting '', or with high poverty levels,'' after ''high unemployment''; and

(ii) in subparagraph (D)(ii), by inserting ''or certification'' before ''programs''; and

(E) in paragraph (5) (as so redesignated), by striking ''$1,000,000 for each of fiscal years 2019 and 2020'' and inserting ''$25,000,000 for each of fiscal years 2022 through 2026''.

AMENDMENT NO. 138 OFFERED BY MS. MOORE OF WISCONSIN

Page 1549, after line 8, insert the following:

SEC. 12022. CENTERS OF EXCELLENCE FOR STORMWATER CONTROL INFRASTRUCTURE TECHNOLOGIES.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Administrator of the Environmental Protection Agency shall provide grants, on a competitive basis, to eligible institutions to establish not more than 5 centers of excellence for new and emerging stormwater control infrastructure technologies, to be located in different geographic regions of the United States.

(2) GENERAL OPERATION.—Each center of excellence established with a grant provided under this section shall—

(A) conduct research on new and emerging stormwater control infrastructure technologies that are relevant to the geographical region in which the center of excellence is located to improve the effectiveness, cost efficiency, and protection of public health, public safety, and water quality, including research on—

(i) stormwater and sewer overflow reduction; and

(ii) other approaches to achieve water resource enhancement and other environmental, economic, and social benefits;

(B) maintain a list of—

(i) stormwater control infrastructure needs in the region in which the center of excellence is located; and

(ii) available new and emerging stormwater control infrastructure technologies;

(C) analyze the usefulness of additional financial programs for the implementation of new and emerging stormwater control infrastructure technologies;

(D) share the results of research conducted under subparagraph (A) with the Federal Government, State, Tribal, and local governments, and the private sector;

(E) provide technical assistance to State, Tribal, and local governments to assist with the design, construction, operation, and maintenance of stormwater control infrastructure projects that use innovative technologies;

(F) collaborate with institutions of higher education and private and public organizations, including community-based public-private partnerships and other stakeholders, in the geographical region in which the center of excellence is located; and

(G) coordinate with the other centers of excellence to avoid duplication of efforts.

(3) APPLICATION.—To be eligible to receive a grant under this section, an eligible institution shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require.

(b) NATIONAL ELECTRONIC CLEARINGHOUSE CENTER.—Of the centers of excellence established under subsection (a), the Administrator shall designate 1 center of excellence as the ''National Electronic Clearinghouse Center'' to—

(1) develop, operate, and maintain public database and a website that contains information relating to new and emerging stormwater control infrastructure technologies; and

(2) publish on such website information from each of the centers of excellence established under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2022 through 2026.

(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used for administrative costs.

(d) DEFINITION.—In this section, the term ''eligible institution'' means an institution of higher education, a research institution, or a nonprofit organization—

(1) that has demonstrated excellence in researching and developing new and emerging stormwater control infrastructure technologies; and

(2) with respect to a nonprofit organization, the core mission of which includes water management, as determined by the Administrator.

AMENDMENT NO. 139 OFFERED BY MS. MOORE OF WISCONSIN

Page 1553, line 21, strike ''and'' after the semicolon.

Page 1554, line 2, strike the period at the end and insert ''; and''.

Page 1554, after line 2, insert the following:

''(C) provide, in addition to subparagraph (B) and to the maximum extent practicable, that priority for the use of funds be given to projects that, in carrying out lead service line replacements, provide job training, apprenticeships, or other employment opportunities for low-income persons and very low-income persons that are located in the area in which the project is carried out.''.

Page 1555, after line 18, insert the following:

''(10) REPORT.—The Administrator shall annually submit to Congress a report that provides—

''(A) the number of households for which lead service lines have been replaced using funds made available by this subsection;

''(B) the total number of lead service lines that exist in each State, territory, and area under the jurisdiction of an Indian Tribe that has entered into an agreement pursuant to this subsection;

''(C) with respect to each project for such lead service line replacement, data on job training, apprenticeships, and other employment opportunities for persons described in paragraph (4)(C) under such projects, which shall include the amount of the funding used to hire such persons for such project; and

''(D) any other data determined by the Administrator to be useful for purposes of determining the effect of this subsection with respect to replacing lead service lines.''.

Page 1556, after line 25, insert the following:

''(D) LOW-INCOME PERSON; VERY LOW-INCOME PERSON.—The terms 'low-income person' and 'very low-income person' have the same meanings given the terms 'low-income families' and 'very low-income families', respectively, in section 3(b) of the United States Housing Act of 1937 (42 U.S.C.14 1437a(b)).''.

Page 1562, line 23, strike ''In making'' and insert the following:

''(A) IN GENERAL.—In making''.

Page 1563, after line 4, insert the following:

''(B) OTHER PRIORITIES.—In making grants under the program established under this subsection, the Administrator shall, to the greatest extent feasible, also give priority to States and local educational agencies that, in assisting with the installation and maintenance of filtration stations pursuant to this subsection, will provide job training, apprenticeships, or other employment opportunities for low-income persons and very low-income persons in the area in which the installation and maintenance takes place.''.

AMENDMENT NO. 140 OFFERED BY MR. NORCROSS OF NEW JERSEY

Page 1611, after line 2, insert the following:

SEC. 13402. IDENTIFICATION OF HIGH-RISK LOCATIONS.

(a) DEVELOPMENT OF GUIDANCE.—

(1) IN GENERAL.—In accordance with the deadline established in subsection (b), the Administrator of the Environmental Protection Agency shall develop guidance to help public water systems identify high-risk locations for purposes of focusing efforts to—

(A) test drinking water for the concentration of lead in such drinking water; and

(B) replace lead service lines.

(2) USE OF DATA.—The guidance developed under paragraph (1) shall include information on how a public water system may use data from the American Community Survey conducted by the Department of Commerce and, where available, geospatial data to identify high-risk locations for the purposes described in subsection (a).

(b) AVAILABILITY OF GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Administrator of the Environmental Protection Agency shall—

(1) publish the guidance developed under subsection (a) in the Federal Register; and

(2) make such guidance available on a publicly accessible website.

(c) REPORT.—Not later than 180 days after the date of enactment of this section, the Administrator of the Environmental Protection Agency shall submit to the Committee on Energy and Commerce of the House of Representatives and the appropriate committee of the Senate a report that—

(1) includes the guidance developed under subsection (a);

(2) describes the methodology used to develop such guidance; and

(3) provides information about who was consulted in the development of such guidance.

(d) DEFINITIONS.—In this section:

(1) HIGH-RISK LOCATION.—The term ''high-risk location'' means an area—

(A) that is likely to have lead service lines; and

(B) in which an environmental justice community is located.

(2) LEAD SERVICE LINE.—The term ''lead service line'' has the meaning given such term in section 1459B(a) of the Safe Drinking Water Act (42 U.S.C. 300j–19b(a)).

(3) PUBLIC WATER SYSTEM.—The term ''public water system'' has the meaning given such term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

AMENDMENT NO. 141 OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

Page 1564, line 12, strike ''$50,000,000'' and insert ''$100,000,000''.

AMENDMENT NO. 142 OFFERED BY MR. O'HALLERAN OF ARIZONA

Page 1533, after line 23, insert the following:

(c) INDIAN HEALTH SERVICE SANITATION FACILITIES CONSTRUCTION PROGRAM FUNDING.—

(1) FINDINGS.—Congress finds that—

(A) the COVID–19 crisis has highlighted the lack of infrastructure and sanitation available in Native communities; and

(B) addressing the Sanitation Facilities Deficiency List of the Division of Sanitation Facilities and Construction of the Indian Health Service included in the report will—

(i) result in investments in necessary water infrastructure; and

(ii) improve health outcomes.

(2) DEFINITIONS.—In this subsection:

(A) REPORT.—The term ''report'' means the fiscal year 2019 report of the Division of Sanitation Facilities and Construction of the Indian Health Service entitled ''Annual Report to the Congress of the United States on

Sanitation Deficiency Levels for Indian Homes and Communities''.

(B) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services, acting through the Director of the Indian Health Service.

(3) ADDITIONAL FUNDING FOR SANITATION FACILITIES.—

(A) IN GENERAL.—The Secretary shall award additional funding under the Sanitation Facilities Construction Program for the planning, design, construction, modernization, improvement, and renovation of water, sewer, and solid waste sanitation facilities that are funded, in whole or part, by the Indian Health Service through, or provided for in, a contract or compact with the Indian Health Service under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.).

(B) PRIORITY FOR FUNDING.—In awarding funding to sanitation facilities under subparagraph (A), the Secretary shall prioritize sanitation facilities with the highest deficiency level, as established in the report.

(4) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this subsection $2,600,000,000.

(B) REQUIREMENT.—Amounts made available under subparagraph (A) shall be in addition to any amounts made available to carry out the purposes described in paragraph (3)(A) under any other provision of law.

AMENDMENT NO. 144 OFFERED BY MR. PAYNE OF NEW JERSEY

Page 1563, line 4, insert '', including low-income areas that have a history of drinking water lead contamination'' after ''areas''.

AMENDMENT NO. 145 OFFERED BY MS. SEWELL OF ALABAMA

Page 1526, line 3, strike ''$50,000,000'' and insert ''$100,000,000''.

AMENDMENT NO. 146 OFFERED BY MS. TLAIB OF MICHIGAN

Page 1579, line 4, insert '', or leave disconnected or interrupted, where feasible,'' after ''interrupt''.

AMENDMENT NO. 147 OFFERED BY MS. TLAIB OF MICHIGAN

Strike section 13304 and insert the following:

SEC. 13304. NEEDS ASSESSMENT FOR NATIONWIDE RURAL AND URBAN LOW-INCOME COMMUNITY WATER ASSISTANCE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) HOUSEHOLD.—The term ''household'' means any individual or group of individuals who are living together as 1 economic unit.

(3) LOW-INCOME HOUSEHOLD.—The term ''low-income household'' means a household—

(A) in which 1 or more individuals are receiving—

(i) assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

(ii) supplemental security income payments under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.);

(iii) supplemental nutrition assistance program benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(iv) payments under—

(I) section 1315, 1521, 1541, or of title 38, United States Code; or

(II) section 306 of the Veterans' and Survivors' Pension Improvement Act of 1978 (38 U.S.C. 1521 note; Public Law 95–588);

(v) assistance under the Low Income Home Energy Assistance Program (42 U.S.C. 8621); or

(vi) assistance under the Women Infants and Children program (42 U.S.C. 1786); or

(B) that has an income that as determined by the State in which the household is located that is receiving a grant under paragraph (7)(b), or an eligible wastewater or stormwater system receiving a grant under paragraph (7)(b), does not exceed the greater of—

(i) an amount equal to 200 per-cent of the poverty level; and

(ii) an amount equal to 80 percent of the area median income.

(4) POVERTY LEVEL.—The term ''poverty level'' means, with respect to a household in a State, the income described in the poverty guidelines issued by the Secretary of Health and Human Services pursuant to section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), as applicable to the household.

(5) AREA MEDIAN INCOME.—The term ''area median income'' means the unadjusted median income levels by geographic area as determined annually by the Secretary of Housing and Urban Development.

(b) STUDY; REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, and annually thereafter, the Administrator shall conduct, and submit to Congress a report describing the results of, a study regarding the prevalence throughout the United States of low-income households that do not have access to—

(A) affordable and functional centralized or onsite wastewater services that protect the health of individuals in the households;

(B) affordable municipal stormwater services; or

(C) affordable public drinking water services to meet household needs.

(2) DATA COLLECTION.—The Administrator shall collect regularly from community water systems, treatment works for municipal waste, municipal separate storm sewer systems, and such other sources as may be appropriate, for use in the reports under paragraph (1)—

(A) data, provided by zip code, concerning arrearages, service disconnections, and other debt collection activities for low-income households, including, at minimum, number of disconnections for nonpayment, length of disconnections, amount of debt at time of disconnection, number of households and amount of debt subject to sale or enforcement of property liens, number of households enrolled in an assistance program, number of eligible households, benefit levels, and amount of debt reduction for enrolled households, and number of enrolled households reconnected to water service;

(B) revenue collection information from each community water system, treatment works for municipal waste, and municipal separate storm sewer systems, including, at minimum, rate design for residential customers, billing frequency, fees and charges included on the bill, and projected rate increases over the next 5 years;

(C) information regarding customer assistance programs, including any rate structures, rebates, discounts, billing methods that average rates over the course of a year, known as ''budget billing'', and procedures that ensure that households receive notice and an opportunity to dispute charges before service is disconnected or interrupted due to nonpayment; and

(D) other relevant information as determined by the Administrator.

(3) INCLUSIONS.—The report under paragraph (1) shall include—

(A) recommendations of the Administrator regarding the best methods to increase access to the services described in paragraph (1);

(B) a description of the cost of each method described in subparagraph (A);

(C) a description of all consultation with relevant stakeholders carried out in developing the report; and

(D) a description of the results of the study with respect to low-income households that live in rental housing and do not receive bills for such services, but pay for the services indirectly through rent payments.

(4) AGREEMENTS.—The Administrator may enter into an agreement with another Federal agency to carry out the study under paragraph (1).

(5) FUNDS TO WATER, WASTEWATER, AND STORMWATER SYSTEMS.—The Administrator may provide reasonable, one-time grants to owners and operators of community water systems, treatment works for municipal waste, and municipal separate storm sewer systems to modify their billing and data management systems in order to reliably and regularly generate the data required in this needs assessment.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $150,000,000 to remain available until expended.

AMENDMENT NO. 148 OFFERED BY MR. VARGAS OF CALIFORNIA

Page 1549, after line 8, insert the following:

SEC. 12022. MANAGEMENT OF INTERNATIONAL TRANSBOUNDARY WATER POLLUTION.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMISSION.—The term ''Commission'' means the United States section of the International Boundary and Water Commission.

(3) COVERED FUNDS.—The term ''covered funds'' means amounts made available to the Administrator under the heading ''Environmental Protection Agency—State and Tribal Assistance Grants'' under title IX of the United States-Mexico-Canada Agreement Implementation Act (Public Law 116–113).

(4) TREATMENT WORKS.—The term ''treatment works'' has the meaning given that term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

(5) U.S.-MEXICO BORDER REGION.—The term ''U.S.-Mexico border region'' means any area in the United States that is located within 100 kilometers of the United States-Mexico border.

(b) GRANTS.—The Administrator may, using covered funds, provide to the Commission grants for projects for treatment works for the U.S.-Mexico border region that—

(1) protect residents within the U.S.-Mexico border region from pollution resulting from—

(A) transboundary flows of wastewater (including stormwater) or other international transboundary water flows originating in Mexico; and

(B) any inadequacies or breakdowns of treatment works in Mexico; and

(2) provide treatment of such flows in compliance with local, State, and Federal law.

(c) USE OF FUNDS.—The Commission may use funds received under this section to plan, study, design, and construct treatment works in accordance with this section, and carry out any related activities.

(d) CONSULTATION AND COORDINATION.—The Commission shall consult and coordinate with the Administrator in carrying out any project using funds received under this section.

(e) APPLICATION OF OTHER REQUIREMENTS.—The requirements of sections 513 and 608 of the Federal Water Pollution Control Act (33 U.S.C. 1372, 1388) shall apply to the construction of any treatment works in the United

States for which the Commission receives funds under this section.

AMENDMENT NO. 149 OFFERED BY MR. VARGAS OF CALIFORNIA

Page 1549, after line 8, insert the following:

SEC. 12022. CALIFORNIA NEW RIVER RESTORATION.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) MEXICAN.—The term ''Mexican'' refers to the Federal, State, and local governments of the United Mexican States.

(3) NEW RIVER.—The term ''New River'' means that portion of the New River, California, that flows north within the United States from the border of Mexico through Calexico, California, passes through the Imperial Valley, and drains into the Salton Sea.

(4) PROGRAM.—The term ''program'' means the California New River restoration program established under subsection (b).

(5) RESTORATION AND PROTECTION.—The term ''restoration and protection'' means the conservation, stewardship, and enhancement of habitat for fish and wildlife to preserve and improve ecosystems and ecological processes on which they depend.

(b) CALIFORNIA NEW RIVER RESTORATION PROGRAM ESTABLISHMENT.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a program to be known as the ''California New River restoration program''.

(2) DUTIES.—In carrying out the program, the Administrator shall—

(A) implement projects, plans, and initiatives for the restoration and protection of the New River that are supported by the California-Mexico Border Relations Council, in consultation with applicable management entities, including representatives of the Calexico New River Committee, the California-Mexico Border Relations Council, the New River Improvement Project Technical Advisory Committee, the Federal Government, State and local governments, and regional and nonprofit organizations;

(B) undertake activities that—

(i) support the implementation of a shared set of science-based restoration and protection activities identified in accordance with subparagraph (A);

(ii) target cost-effective projects with measurable results; and

(iii) maximize conservation outcomes with no net gain of Federal full-time equivalent employees; and

(C) provide grants and technical assistance in accordance with subsection (c).

(3) COORDINATION.—In establishing the program, the Administrator shall consult, as appropriate, with—

(A) the heads of Federal agencies, including—

(i) the Secretary of the Interior;

(ii) the Secretary of Agriculture;

(iii) the Secretary of Homeland Security;

(iv) the Administrator of General Services;

(v) the Commissioner of U.S. Customs and Border Protection;

(vi) the Commissioner of the International Boundary Water Commission; and

(vii) the head of any other applicable agency;

(B) the Governor of California;

(C) the California Environmental Protection Agency;

(D) the California State Water Resources Control Board;

(E) the California Department of Water Resources;

(F) the Colorado River Basin Regional Water Quality Control Board;

(G) the Imperial Irrigation District; and

(H) other public agencies and organizations with authority for the planning and implementation of conservation strategies relating to the New River.

(4) PURPOSES.—The purposes of the program include—

(A) coordinating restoration and protection activities, among Mexican, Federal, State, local, and regional entities and conservation partners, relating to the New River; and

(B) carrying out coordinated restoration and protection activities, and providing for technical assistance relating to the New River—

(i) to sustain and enhance fish and wildlife habitat restoration and protection activities;

(ii) to improve and maintain water quality to support fish and wildlife, as well as the habitats of fish and wildlife;

(iii) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(iv) to improve opportunities for public access to, and recreation in and along, the New River consistent with the ecological needs of fish and wildlife habitat;

(v) to maximize the resilience of natural systems and habitats under changing watershed conditions;

(vi) to engage the public through outreach, education, and citizen involvement, to increase capacity and support for coordinated restoration and protection activities relating to the New River;

(vii) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities; and

(viii) to provide technical assistance to carry out restoration and protection activities relating to the New River.

(c) GRANTS AND ASSISTANCE.—

(1) IN GENERAL.—In carrying out the program, the Administrator shall provide grants and technical assistance to State and local governments, nonprofit organizations, and institutions of higher education, to carry out the purposes of the program.

(2) CRITERIA.—The Administrator, in consultation with the organizations described in subsection (b)(3), shall develop criteria for providing grants and technical assistance under this subsection to ensure that such activities accomplish one or more of the purposes identified in subsection (b)(4)(B).

(3) COST SHARING.—

(A) FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is provided under this subsection shall not exceed 55 percent of the total cost of the activity, as determined by the Administrator.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project for which a grant is provided under this subsection may be provided in the form of an in-kind contribution of services or materials that the Administrator determines are integral to the activity carried out using assistance authorized by this section.

(4) REQUIREMENTS.—Sections 513 and 608 of the Federal Water Pollution Control Act (33 U.S.C. 1372; 1388) shall apply to the construction of any project or activity carried out, in whole or in part, under this section in the same manner those sections apply to a treatment works for which a grant is made available under the Federal Water Pollution Control Act.

(5) ADMINISTRATION.—The Administrator may enter into an agreement to manage the implementation of this subsection with the North American Development Bank or a similar organization that offers grant management services.

(d) ANNUAL REPORTS.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to Congress a report on the implementation of this section, including a description of each project that has received funding under this section and the status of all such projects that are in progress on the date of submission of the report.

The SPEAKER pro tempore. Pursuant to House Resolution 508, the gentlewoman from Kansas (Ms. DAVIDS) and the gentleman from North Carolina (Mr. ROUZER) each will control 10 minutes.

The Chair recognizes the gentlewoman from Kansas.

Ms. DAVIDS of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this en bloc amendment, which provides for the consideration of 25 individual amendments to address both drinking and wastewater infrastructure concerns.

Mr. Speaker, these amendments make several improvements to the underlying legislation, including increasing Federal investment in failing or insufficient septic systems, which is a pervasive water quality and human health challenge facing many of our rural and economically disadvantaged communities, including those from Oregon, Alabama, and New York;

Addressing emerging pollution concerns, including so-called flushable wipes that are clogging our Nation's sewers, and the discharge of plastic pellets into our waste stream;

Addressing several local water quality challenges, including transboundary sewage flows that have adversely affected the San Diego region, the inadequate wastewater infrastructure in the U.S.-Mexico border region, and the legacy radiological contamination of Coldwater Creek in St. Louis, Missouri;

Clarifying audit and reporting requirements for EPA's Green Project Reserve; and

Focusing additional attention on potential discrimination and civil rights violations in water infrastructure funding so we can ensure these programs equitably help all communities address their long-term wastewater concerns.

Each of these amendments further strengthens the ability of this bill to address the water and wastewater infrastructure needs of this Nation in a way that protects public health and our environment; creates well-paying jobs here in the United States; and addresses the historic water infrastructure challenges that is facing our rural, small, and economically disadvantaged communities.

Mr. Speaker, I thank the members for working with the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce to improve this bill and urge passage of this en bloc amendment.

Mr. Speaker, I reserve the balance of my time.

Mr. ROUZER. Mr. Speaker, I yield myself such time as I may consume,

and I rise in opposition to the amendments en bloc.

These amendments en bloc would further expand upon the majority's wish list of progressive priorities for water infrastructure, just like the underlying bill.

These amendments create additional programs costing billions in taxpayer dollars.

In addition, several of the amendments create additional burdens and take discretionary, science-based regulatory decisionmaking out of the hands of the experts.

Again, this bill is nothing more than a partisan exercise, and this en bloc just throws together another bunch of bad ideas with little opportunity for input or debate.

This group of Democrat amendments we are considering at the moment is completely lopsided, and by considering them en bloc, they will not be subjected to the scrutiny of standalone votes or debate.

Mr. Speaker, I urge my colleagues to oppose this en bloc amendment, and I reserve the balance of my time.

Ms. DAVIDS of Kansas. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Ms. BUSH).

Ms. BUSH. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, St. Louis and I rise today in support of our amendment to the INVEST in America Act.

Our amendment would save lives by reviewing the inadequate efforts to clean up Coldwater Creek in north St. Louis County and posting signs to prevent further hazardous exposure to our community.

The CDC estimates that 350,000 people have potential radioactive exposure from Coldwater Creek. That is nearly one in two residents in Missouri's First District—my district—and I am possibly one of those people. Too many of us have gotten sick or died because of exposure to this toxic water. No one should have to face such an injustice. St. Louis deserves better. St. Louis needs better.

Mr. Speaker, this amendment would immediately start saving lives, and I urge my colleagues to support it. Invest in America.

□ 2230

Mr. ROUZER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Washington (Mrs. RODGERS), the ranking member of the Committee on Energy and Commerce.

Mrs. RODGERS of Washington. Mr. Speaker, I rise in opposition to amendments en bloc No. 5.

En bloc No. 5 is filled with proposals that spend excessively on new programs, create duplicate programs, ignore scientific and public input, and place serious burdens on rural communities.

For instance, one amendment, which I might add is very well-meaning, creates a new program with a price tag of $200 million per year, or eight times the amount for the existing program that covers physical upgrades and training to deal with all terrorism threats and resilience.

There is a proposal in this bloc to require EPA to establish a website for testing private water wells. Yet, for those seeking information, EPA already has a website to provide information to the public on private well testing, preventing water pollution, identifying contaminants, and contacts for emergency response.

In another area, en bloc No. 5 requires GAO to provide Congress policy options for best practices for EPA to use with States and local governments to include the public in a consolidation process.

The study is unnecessary and punitive to rural communities. Section 1414 of the Safe Drinking Water Act already has mandatory assessment requirements for systems that have problems.

Mr. Speaker, I have identified here only a few of the provisions that I find troublesome. There are other matters in this amendment that are difficult when it comes to workability and also that have other policy concerns.

On a separate note, I must express my opposition to the inclusion in the previous bloc of amendments of the NO EXHAUST Act, a partisan Energy and Commerce bill. This amendment provides subsidies for the rich to buy electric vehicles at the expense of the taxpayers and everyone else's electric reliability and utility bills.

The amendment makes no consideration for American jobs, our growing reliance on China for critical minerals to make batteries, or the strain that electric vehicles undoubtedly will place on the grid.

The amendment even mandates new building codes so everyone has to install expensive electrical equipment in their homes and buildings for EV chargers, even if nobody is driving an electric vehicle.

These kinds of policies will harm hardworking American families, especially those in our rural communities.

Mr. Speaker, I urge Members to join me in opposing this en bloc amendment.

Ms. DAVIDS of Kansas. Mr. Speaker, I wish to yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman from Kansas for her leadership, and I want to take a moment to thank Mr. DEFAZIO for this transformative legislation that is really going to move America, not just in mobility, but in quality of life.

Mr. Speaker, I want to also take a moment to offer my sympathy to a family in my community, the Cummings family, whose mother was killed as she brought her son to the United States Naval Academy in the last 48 hours. I hope that we will pray for them at this time.

Mr. Speaker, I also want to take this moment to dedicate this amendment that Mr. ESPAILLAT and myself introduced to bicyclists, motorcyclists, pedestrians, and wheelchair users, and particularly to Jamail Harris, who was killed on a motorcycle in an intersection at Highway 288.

This amendment that I am offering in the name of others, such as Lesha White, Jesus Perez, David Leon Loya, is evidence of the dangers of mobility in the form of bikes and pedestrians in the city of Houston.

In the past 16 years, the Houston area has seen 2,000 deaths of bicyclists and pedestrians, an average of 100 a year, with the last 3 years seeing the rate increase to 150 a year, according to Federal statistics.

The amendment that I am offering is an amendment that deals specifically with the safety legislation that causes the Department of Transportation to work with local entities to decide where those dollars will go, where the crashes or the numbers of crashes or the incidences with pedestrians and bike riders and motorcycles are at their highest. Listen to the community.

This is in the name of those who have lost their lives, these families who have lost a life: one crashed in a school bus; one was a lady helping a wheelchair get across the street, and she stopped a car and a car ran into her and the wheelchair. I think it is extremely important in this particular amendment.

Mr. Speaker, I also want to indicate that I thank Mr. DEFAZIO for the legislation that allows a new redoing of Scott Street in an earmark, a community assessment that we are able to utilize for Scott Street to make a difference in that area.

Mr. Speaker, I want to mention my next amendment that directs the EPA Administrator to establish and implement a program under which the Administrator may award grants to community water systems to carry out activities to educate and assist persons served by the community water system and adapting and responding to acts and natural hazards, including subzero temperatures.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. DAVIDS of Kansas. Mr. Speaker, I yield the gentlewoman from Texas an additional 30 seconds.

Ms. JACKSON LEE. Mr. Speaker, this has to do with the freeze that we had in Houston, and I am very grateful for this amendment because there were more than 100 people who died.

Mr. Speaker, my second amendment has to do with wastewater. A recent report suggested that wastewater resources in facilities in urban and rural areas were at their lowest. This forces a study to determine how to improve and to ensure that those kinds of resources for wastewater and sewage are equal in rural and urban areas as would be otherwise.

I am grateful for these amendments because they will change lives, and certainly, the bike amendment will allow us to be able to save lives.

Mr. Speaker, I rise in support of the Invest in America Act (RCP 117–8 and RCP 117–9; H.R. 3684), and the Jackson Lee Amendments incorporated in the Chairman's En Bloc Amendment.

Let me thank Chairman DEFAZIO and Ranking Member GRAVES of the Transportation and Infrastructure Committee for their hard work in crafting and shepherding the legislative package before us today.

I thank the staff of the Transportation Committee for working with me and my staff on the three Jackson Lee Amendments that are included in the En Bloc Amendment.

These amendments are intended to make a good bill better.

The first amendment I want to speak to you about is intended to make walking, biking, motorcycling, and other pedestrian travel safer by making changes to the new ''Safe Streets'' program already in the bill to allow local input in decisions by state Department of Transportation on projects intended to reduce fatalities of vulnerable road users.

This Jackson Lee-Espaillat Amendment gives local governments more control over where the funds for the new ''Safe Streets'' program are spent, by requiring state Departments of Transportation to consult with the local governments before carrying out these complete streets' projects.

The ''Safe Streets'' program sets aside safety funds to reduce fatalities and serious injuries on public roads, with a focus on vulnerable road users such as pedestrians, bicyclists, scooters users, and motorcyclist.

The amendment will support local governments by giving them a voice in the implementation of projects intended to address high crash areas where pedestrian fatalities occur.

The goal of this amendment is to make more efficient the learning curve of State Departments of Transportation on methods, strategies and policies that yield proven reductions in deaths.

We can and must do a better job of making the roads safer for everyone—including bike riders.

As the nation celebrates its first Juneteenth Independence Day, it was an added bonus for participants to take a bike ride from Galveston to Houston along routes once used by former slaves to travel from the island to their new lives in the city of Houston and beyond.

The 58-mile bike route is scenic and historic with lush green spaces, and eclectic neighborhoods—that are linked by trails, park land and roads.

This event is a welcomed recent addition to the 156-year history of Juneteenth celebrations in the Galveston Houston area, and this year's jubilation was more exuberant with the knowledge that the entire nation joined us in the festivities.

The bike ride is not a race, but a leisure activity that all members of the family can enjoy.

There are adequate rest breaks along the way to visit historic sites like a trailer exhibit of memorabilia about Marshall Walter ''Major'' Taylor who was born on November 26, 1878.

Taylor became a professional cyclist at 18 and won the sprint event at the 1899 world track championships at the age of 20 to become the first African American to achieve the level of cycling world champion.

Another rest stop is at the 1867 Settlement, which was the home of newly freed slaves who bought property to form a community that would later be well known for the cowboy skills of its residents.

A little-known fact is that some of the skills featured at Rodeos owe their invention or refinement to black cowboys—a term used to distinguish between whites and blacks.

Whites were called cow hands and blacks referred to as ''cow boys,'' which later became the term for everyone working with cattle regardless of race.

Some well-known rodeo contests skills owe a thanks to black cowboys like Bill Pickett (1870–1932), who invented the form of steer wrestling called ''bulldogging,'' and Jesse Stahl (c. 1879–1935), who was a bronco rider.

The pleasure of riding bikes has and continues to be an important source of recreation and exercise for millions of people who ride routinely or occasionally, which is evidenced by the growth in popularity of this biking event.

Unfortunately, biking is not always so carefree as this event held on Juneteenth weekend.

The reality for too many bicyclists is the dread and fear they sometimes experience while riding in residential, rural, or urban spaces.

In June 2019, the National Highway Traffic Safety Administration published its traffic fatality report which showed a one percent decrease in traffic fatalities and a four percent increase in pedestrian fatalities, but a whopping 10 percent increase in bicyclist fatalities.

On May 9, 2021, a hit-and-run driver who allegedly ran a red light slammed into a motorcycle, killing the rider.

Despite less traffic on the road in 2020 due to the pandemic and a 2 percent reduction in motorcycle crashes nationally, safety officials are alarmed by a 17 percent increase in Texas motorcycle fatalities in 2020 compared to 2019.

On average, a motorcyclist is killed in a crash on Texas roads every day.

Last year, 482 died, accounting for 12 percent of all traffic fatalities statewide.

In my city of Houston, just last month, a driver allegedly ran a red light and struck and killed a motorcyclist on Highway 288.

The incident happened along Holly Hall and Highway 288, the South Freeway.

Witnesses told police a pickup or SUV ran the light and struck a motorcyclist, who was heading westbound on Holly Hall.

The motorcyclist had a green light, police believe.

The suspect, who was believed to be in a white or light color vehicle, briefly stopped but then sped away.

The motorcyclist died at the scene.

On March 30, 2019, in the city of Houston, at the intersection of North Shepherd Drive and West 10th Street, located in the 18th Congressional District of Texas, Lesha White, 54, was driving with her daughters when she saw Jesus ''Jesse'' Perez struggling to cross the intersection in a wheelchair.

Ms. White pulled over and got out of her car to help Mr. Perez cross the street when another vehicle struck them, and they were both killed.

On March 7, 2019, 23-year-old David Leon Loya was killed in a collision with a school bus while riding his bicycle in The Heights area of Houston.

Police report that Mr. Loya was in the bike lane and tried to avoid the accident by sliding under the bus, but unfortunately, he was run over by the back axle.

This young man was greatly loved by his family and is missed by the people he helped through his volunteer work, and the bicyclist community.

I offer this amendment in remembrance of Lesha White, Jesus ''Jesse'' Perez, David Leon Loya, and all of the other pedestrians and bicyclists who have lost their lives in accidents with motor vehicles in urban areas.

In the past sixteen years, the Houston area has seen 2,000 deaths of bicyclists and pedestrians, at an average of 100 a year, with the last three years seeing the rate increase to 150 a year, according to federal statistics.

In 2017, the most recent year for which comprehensive statistics are available, according to the Texas Department of Transportation (''TDOT''), the numbers were no more encouraging.

According to TDOT, 1,409 Houston-area pedestrians were injured in roadways crashes:

1. 275 of them were injured seriously;
2. 146 pedestrians were killed in roadways crashes;
3. 639 bicyclists were injured in roadways crashes; and
4. 82 bicyclists were injured seriously.

The National Highway Traffic Safety Administration has called the number of deaths a'' public health crisis.''

The problem is no more encouraging on the national level, as Texas ranks third nationwide in bicycle deaths, behind California and Florida.

Nationwide, the number of fatal bicyclist accidents is rising and are also amounting to a greater percentage of total traffic fatalities.

Cities are uniquely susceptible to this problem, as the National Highway Traffic Safety Administration reports that 70 percent of bicycle fatalities occur in cities.

The Jackson Lee Amendment amends Section 12020 of the Water Quality Protection and Job Creation Act of 2021, which is Division H of Rules Committee Print 117–9, and requires the EPA Administrator to initiate a study on the distribution of wastewater infrastructure funds to rural communities, economically disadvantaged communities, and Tribal communities during the 20 fiscal years preceding the date of enactment of this Act.

Among other things, the legislation requires that in conducting this study, the EPA Administrator:

1. consult with other Federal agencies, State, local, and Tribal governments, owners and operators of publicly owned treatment works, and stakeholder organizations;
2. undertake at least one public meeting in a rural community, in an economically disadvantaged community, and in a Tribal community, to receive testimony from the public;
3. examine whether the distribution of wastewater infrastructure funds during the period covered by the study has been in accordance with any applicable executive order or policy regarding environmental justice; and
4. examine how wastewater infrastructure funds have been distributed with respect to the identified needs of rural communities, economically disadvantaged communities, and Tribal communities, and whether such funds have addressed the needs of such communities equitably.

These are all laudable requirements; the Jackson Lee Amendment goes a step further and adds a fifth requirement that the EPA Administrator endeavor to calculate, measure,

and "document the harm and injury caused by any identified inequities in the distribution of wastewater infrastructure funds with respect to the identified needs of rural communities, economically disadvantaged communities, and Tribal communities."

The events of the past year have laid bare for the nation and world the systemic inequalities that unfortunately still exist in too many sectors of American life, including the health care, education, and criminal justice systems, housing patterns, and environmental quality of life.

The path-breaking 2019 study and report, "Flushed and Forgotten: Sanitation and Wastewater in the Rural United States," conducted by the Alabama Center for Rural Enterprise (ACRE), the Columbia Law School Human Rights Clinic, and the Institute for the Study of Human Rights at Columbia University concluded:

Sanitation is essential to everyday functions such as urination and defecation. Without a system in place to dispose of wastewater, individuals experience environmental contamination and health risks. Common risks include infections such as hookworm and other tropical diseases that were thought to be eradicated in the United States. These can have serious impacts on health, including development, pregnancy, and reproductive capacity. The perpetual appearance of wastewater in and around homes that occur when systems are absent or failing, takes a significant toll on mental health and the ability of individuals to live with dignity.

These communities do not have the luxury to flush and forget as raw sewage backs up into their yards and homes.

A lack of adequate sanitation can also perpetuate cycles of poverty and marginalization through negative impacts on health, education, and employment.

The burden for improving sanitation systems currently rests primarily on homeowners, who receive little government support.

Securing sanitation can be costly, especially for individuals who lack access to central wastewater systems.

Further, in some jurisdictions, failure to comply with sanitation 1 regulations leads to fines and criminal records, in effect criminalizing poverty.

This criminalization compounds the challenges already faced by individuals living in poverty.

Jackson Lee Amendment No. 15 requires the EPA Administrator to document identified results from disparate treatment in the distribution of wastewater funding to rural areas and communities of color.

We cannot begin to pursue and implement effective measures to ameliorate the damage caused until we know the extent of the injury, which is the purpose of the Jackson Lee Amendment.

My next amendment to RCP 117–9 directs the EPA Administrator to establish and implement a program under which the Administrator may award grants to community water systems to carry out activities to educate and assist persons served by the community water system in adapting and responding to malevolent acts and natural hazards, including subzero temperatures, that disrupt the provision of safe drinking water or significantly affect the public health or the safety or supply of drinking water provided to communities and individuals.

This past February, a historic cold outbreak led in the coldest air in decades across the United States, reaching all the way to the Rio Grande and bringing record amounts of snow and ice to the Deep South.

Over 154 million people, or roughly half the population of the country, were in subfreezing temperatures.

1. Dallas dipped to 5 degrees Fahrenheit, the coldest temperature the city has seen since 1989.

2. Oklahoma City hit 6 degrees below zero, the city's coldest temperature since 1989, and the wind chill reached a record 29 degrees below zero.

3. Austin and San Antonio in Texas both had single-digit temperatures for the first time since 1989.

4. Corpus Christi, Texas, dipped down to 17 degrees, the coldest it's been there since 1989.

5. Rapid City, South Dakota has had five consecutive nights of 12 degrees below zero. The last time this happened was in 1943.

6. The wind chill dipped to 32 degrees below zero in Kansas City, Missouri, the lowest since 1989.

7. Monday's high of 3 degrees below zero and a low of 21 degrees below zero was the coldest day in Omaha, Nebraska, in 25 years.

Texas power providers, Electric Reliability Council of Texas (ERCOT), and Entergy Corporation, did not provide the needed weatherization of power generating and delivery equipment after being warned in 2011 after a cold snap that the system would fail if these steps where not taken.

What made matters worse was the Texas electric grid was not connected to neighboring electric grids so that it could take power from other electricity generating sources onto the Texas grid to heat homes or businesses.

Today, too many families mourn the loss of a loved one, including the mother of 11-year-old Cristian Pineda, after he and his family were trapped in their mobile home for two days without electricity.

Nearly 8.8 million people—approximately a third of the state's total population—still experienced water disruptions on Sunday evening, according to the Texas Commission on Environmental Quality.

The disruptions impacted more than 1,200 public water systems in 199 counties in the state, and about 147 public water systems serving "just under" 120,000 people were nonoperational.

Active duty troops from Fort Hood, Texas, helped to provide clean water to local inmates at jails in several towns in Texas that were struggling to restore water supplies in the wake of the extremely cold weather, and the Texas Agriculture Commissioner announced that grocery stores were unable to get shipments of some products, and severe weather conditions had created a "food supply chain problem like we've never seen before, even with Covid–19."

No one was prepared for five days of subfreezing temperatures, ice and snow-covered roads, and a failed energy grid throughout the state of Texas.

That is why Jackson Lee Amendment No. 18 is necessary; to ensure that should we experience another once-in-a-century ice storm like we did earlier this year, that Americans will be prepared to ride it out without unnecessary loss of life and minimal economic and physical damage.

I thank the Rules Committee for making the Jackson Lee Amendments in order and Chairman DeFazio for including them in the Chair's En Bloc Amendment, and I urge all Members to vote for the Amendment and the underlying legislation, the Invest in America Act of 2021.

Mr. ROUZER. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlemen from North Carolina has 6½ minutes remaining. The gentlewoman from Kansas has 4 minutes remaining.

Mr. ROUZER. Mr. Speaker, I reserve the balance of my time.

Ms. DAVIDS of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, I would like to thank Chairperson DEFAZIO for his leadership on this issue of importance to all Americans. I especially want to thank the staff for being people with great integrity. They are honorable people. With them, we can do great things. Without them, we can do very little.

Mr. Speaker, there is no national drinking water standard for chromium-6. The American Cancer Society lists chromium-6 as a known and probable human carcinogen.

Mr. Speaker, there are an estimated 200 million Americans exposed to drinking water with unsafe levels of chromium-6. This amendment, if passed, will require the EPA to establish national standards for chromium-6. Lives will be saved, and the American people will be in a better place.

Mr. Speaker, I thank, again, Mr. DEFAZIO for his efforts. I also would like to thank Debbie Strauss at KPRC Channel 2 for calling this issue to my attention.

Mr. ROUZER. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, Americans depend on basic infrastructure to get to work and go about their daily lives, but our infrastructure is crumbling.

The majority's bill proposes spending $715 billion over 5 years to make a transformational investment in our infrastructure, including more than $109 billion on transit. That is an extraordinary amount, especially after all the relief we have provided transit agencies over the last year, nearly $70 billion in total.

□ 2240

For now, let's ignore the fact that none of this bill is paid for, because instead of concentrating our taxpayer resources on real infrastructure, the majority thinks we have the luxury of spending these resources on art, sculptures, and nonfunctional landscaping.

Mr. Speaker, I don't know how many times we have to say that art is not infrastructure. It does not provide mobility. It doesn't get you to work or to the store. Our limited resources for transportation should not be wasted on art. That is why this body in the FAST Act put in place a bipartisan ban to prevent wasting our valuable transportation dollars on nonfunctional art.

Interestingly, it seems that some on the other side still agree. Just a few hours ago, the Democratic leadership tried to allow a vote on restoring this commonsense ban but failed. This was an interesting development, particularly since I offered an amendment during the committee markup 3 weeks ago to ensure we keep the ban in place. Of course, given this partisan process, the majority voted against my committee amendment.

Throughout this whole process, the majority has turned its back on bipartisanship and commonsense. My amendment now will keep in place 2015 the protection against wasting transportation money on art. We simply can't afford to decorate the walls when the house is crumbling. We shouldn't be putting art before the horse. It doesn't even pass the laugh test that the majority continues to defend this policy.

Mr. Speaker, I ask unanimous consent to include the text of the amendment in the RECORD immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Ms. DAVIDS of Kansas. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. STEVENS).

Ms. STEVENS. Mr. Speaker, I thank the vice chair of the Transportation and Infrastructure Committee from the State of Kansas.

Mr. Speaker, I rise in support of the INVEST in America Act which authorizes billions of dollars in direct infrastructure investment over the next 5 years to address America's crumbling wastewater and local water quality challenges—something we know all too well in Michigan, particularly in the wake of our communities being deluged by storms and deluged by wastewater coming up into our roads and into people's homes.

Less than 50 years ago, many U.S. rivers were little more than open sewers with some so polluted that they literally caught fire—something that, yet again, motivated Members of Congress from Michigan to enact landmark legislation. But even today, communities are struggling.

For instance, for decades, to this day, residents of Centreville, Illinois, a nearly all Black town of 5,000 in southern Illinois, just a 12-minute drive from downtown East St. Louis, had been dealing with persistent flooding and sewage overflows.

The smell of it is in the air and all over the town after a rain, and bits of soggy toilet paper and slicks of human waste cling to the grass in the neighborhoods where children used to play on warm days.

This, Mr. Speaker, is why we commit to an infrastructure bill because we are standing for the guarantee that everyone deserves to live safely and in clean environments.

With that, Mr. Speaker, I urge my colleagues to support this bipartisan bill that will get us the wastewater spend and make our country great.

Mr. ROUZER. Mr. Speaker, if I could inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from North Carolina has 4½ minutes remaining. The gentlewoman from Kansas has 1 minute remaining.

Mr. ROUZER. Inquiry to the other side: Does the gentlewoman have other speakers as well?

Ms. DAVIDS of Kansas. No, I do not, Mr. Speaker, and I am prepared to close.

Mr. ROUZER. Mr. Speaker, I reserve the balance of my time.

Ms. DAVIDS of Kansas. Mr. Speaker, I urge my colleagues to support these amendments en bloc, and I yield back the balance of my time.

Mr. ROUZER. Mr. Speaker, I have listened to the debate today, and it is a real shame that a surface reauthorization bill and a wastewater reauthorization bill have to be partisan. They shouldn't be partisan. We wanted a bipartisan process, but that is not what we got. And here we are today. In fact, we probably could have avoided even en bloc amendments had we had the opportunity to have a bipartisan process. But that is not the path, unfortunately, that our friends in the majority chose to take; and that, Mr. Speaker, is quite regretful. It is regretful in a number of ways, but most regretful for the great citizens of this country.

Mr. Speaker, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Ms. MOORE of Wisconsin. Mr. Speaker, I rise in strong support of the Invest in America Act. I thank Chairman DEFAZIO and Chairman PALLONE, among others, for their outstanding work in getting this bill to the floor.

I appreciate their support for my amendments to this bill.

On the water portion of this bill, my three amendments attempt to:

(1) spur innovation to help address storm water challenges

(2) link efforts to remove lead pipes to creating jobs for low-income and very low-income individuals where these projects take place, and

(3) strengthen an existing water workforce development program.

I have spoken directly to both Chairman DEFAZIO and Chairman PALLONE about the need to link investments in water infrastructure to jobs for those in affected communities, especially for underserved communities. So I am excited to have their support, both through provisions including in the underlying bill, and for my amendments.

Every $1 billion invested in water infrastructure creates or sustains approximately 28,000 American jobs. I want to make sure that those in communities where these projects take place directly benefit from this job creation.

Likewise, the new regional stormwater centers of excellence will help support research into new and emerging technologies that can help to meet stormwater needs in our communities, such as stopping sewer overflows.

I thank both Chairs for working with me on these amendments and their inclusion in this strong bill and urge my colleagues to vote for this measure.

The SPEAKER pro tempore. Pursuant to House Resolution 504, the previous question is ordered on the amendments en bloc offered by the gentlewoman from Kansas (Ms. DAVIDS).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROUZER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

AMENDMENT NO. 132 OFFERED BY MRS. LEE OF NEVADA

The SPEAKER pro tempore. It is now in order to consider amendment No. 132 printed in House Report 117–75.

Mrs. LEE of Nevada. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1549, after line 8, insert the following:

SEC. 12022. RULEMAKING ON CLIMATE RESILIENCY.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this section, the Administrator of the Environmental Protection Agency, after notice and opportunity for public comment, shall issue such regulations as are necessary to require that an applicant for wastewater infrastructure funds—

(1) undertake an assessment of the potential impacts of climate change on the project or activity for which such funds are sought; and

(2) where appropriate, incorporate measures to avoid, minimize, or mitigate such potential impacts into the design of such project or activity.

(b) CONSIDERATIONS.—In issuing regulations under subsection (a)(1), the Administrator shall consider requiring varying levels of assessments that reflect the scale or type of the project or activity for which wastewater infrastructure funds are sought.

(c) CONSULTATION; TECHNICAL ASSISTANCE.—In carrying out the rulemaking required under subsection (a), the Administrator shall—

(1) consult with other Federal and State agencies, municipalities, Tribal governments, owners and operators of publicly owned treatment works, and other stakeholders with experience in addressing potential impacts of climate change on projects and activities eligible for wastewater infrastructure funds; and

(2) identify entities to provide technical assistance to applicants for wastewater infrastructure funds to assist such applicants in incorporating the climate resilience measures described under subsection (a)(2).

(d) DEFINITIONS.—In this section:

(1) IMPACTS OF CLIMATE CHANGE.—The term ''impacts of climate change'' includes observed changes to temperature, precipitation patterns, drought, storms, flooding, and sea level rise that may adversely impact the continued safe and reliable operation of a treatment works.

(2) MUNICIPALITY; STATE; TREATMENT WORKS.—The terms ''municipality'', ''State'',

and ''treatment works'' have the meaning given such terms in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

(3) WASTEWATER INFRASTRUCTURE FUNDS.—The term ''wastewater infrastructure funds'' means funds made available for projects or activities under or pursuant to—

(A) title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.);

(B) section 122 of the Federal Water Pollution Control Act (33 U.S.C. 1274);

(C) section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300); and

(D) section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301).

The SPEAKER pro tempore. Pursuant to House Resolution 508, the gentlewoman from Nevada (Mrs. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

Mrs. LEE of Nevada. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of my amendment No. 132 to the INVEST in America Act which would ensure that wastewater infrastructure funding using the Clean Water State Revolving Fund or other Clean Water Act grant programs undergo a climate resiliency assessment.

Today, 88 percent of the West is under some form of drought. Back in my home district, Nevada's Third, the water in Lake Mead sits at the lowest level since the Hoover Dam was built. Almost half of my home State of Nevada is experiencing exceptional drought—the highest classification there is.

As I stand here today, the unfortunate truth is that this is not just a Nevada problem. From coast to coast, climate change is here—it is not some distant threat—and it demands that we take action for all of our constituents.

Investments in infrastructure are desperately needed, and we need to ensure that these projects can withstand the impact of climate change. We cannot talk about infrastructure without talking about climate change, because what good is it for us to invest millions or billions in infrastructure if it can't hold up to the devastating impact of climate change?

For example, we should be looking at how a water treatment facility would withstand extreme heat, because the reality is, as we have experienced, temperatures are rising. Just look at the West right now. So as we are making investments in water treatment facilities, we must ensure that these facilities will not fail under extreme heat, straining already limited water resources.

A climate resiliency assessment might look at what happens when it is 120 degrees and the wastewater facility loses power during a blackout. We need to ensure that our facilities are prepared for the realities that we are facing. That is true whether we are talking about drought and extreme heat or worsening hurricanes or even rising sea levels along the coast.

My amendment will ensure that future wastewater infrastructure is designed and constructed to withstand potential impacts of climate change. Importantly, my amendment also is in line with a January 2020 report on water infrastructure from the nonpartisan Government Accountability Office. This nonpartisan report recommended that Congress require that climate resilience be considered in planning for federally funded water infrastructure projects.

So I am implore all of you to join me in voting ''yes'' on my amendment. We must ensure that our investments in infrastructure are longlasting and resilient to the threat of climate change.

Mr. Speaker, I reserve the balance of my time.

□ 2250

Mr. ROUZER. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Mr. ROUZER. Mr. Speaker, I rise in opposition to Lee amendment No. 132. This amendment would require that any applicant for wastewater infrastructure funds undertake an assessment regarding the potential impacts of climate change on the project and to adjust that project accordingly.

Well, that sounds well and good, but this layers a new Federal mandate on top of the multitude of Federal regulations that are already being imposed on States, Tribes, and local governments in order to maintain their wastewater infrastructure and serve their communities.

A one-size-fits-all regulation like this will create more process and increase project costs, but not add any more protection for projects, the environment or the climate.

States, Tribes, and local governments are already incorporating resiliency into their infrastructure project planning and implementation. This is not 1960.

For example, the State revolving loan fund programs already fund a wide range of projects to add resiliency and climate change. That makes this amendment unnecessarily redundant and an impediment for communities looking to upgrade their wastewater infrastructure.

Mr. Speaker, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mrs. LEE of Nevada. Mr. Speaker, I would like to address a couple of points that were raised.

First of all, if these requirements were already being met, I don't understand why the GAO, in 2020, recommended that any investment in federally funded infrastructure should undergo such an assessment.

Secondly, in terms of the burden, we have added language to this amendment to make it not a one-size-fits-all. In fact, it will only require assessment when appropriate for the project.

It will consider varying levels of assessments that reflect the scale, or the type of the project, or activity for which the infrastructure funds are sought; and it will identify entities to provide technical assistance to applicants for wastewater infrastructure funds to assist them. This is particularly geared toward smaller investments.

Finally, with respect to this amendment being unnecessary, I say just look around this country at what is happening. I mean, we want to be fiscally responsible, and I don't think we want to make investments to know that in 3 or 5 years, or even 1 year, they are rendered unusable because of climate change.

So this, in fact, is a most necessary amendment, and we are feeling the impacts of climate change right now, and the time is now to provide these assessments.

Mr. Speaker, I reserve the balance of my time.

Mr. ROUZER. Mr. Speaker, in my past career, I have served as a senior staffer in the U.S. Senate, under George W. Bush during his administration, as a member of the State legislature, and now as a Member of Congress. It is interesting to me that—and I have never quite understood this, but our friends on the other side of the aisle seem to think that Washington knows best about everything.

Our local communities, our States, our local partners, they know what they are doing. Let's give them the flexibility. Let's let them do what they need to do for their communities.

Climate change is not a new notion. It has been around for a little while. You have got a lot of States and a lot of folks in private enterprise, in fact, that are incorporating changes, not at the request of Washington, but because that is what they feel like they need to do.

We don't need a one-size-fits-all approach for any of this. In fact, a lot of this could have been worked out, had we had a bipartisan open process, but we didn't.

Mr. Speaker, that is regrettable. I encourage my colleagues to oppose this amendment, and I reserve the balance of my time.

Mrs. LEE of Nevada. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman has 30 seconds remaining.

Mrs. LEE of Nevada. Mr. Speaker, I will just, again, reiterate that most importantly about this amendment is it does address local needs. Specifically, we included language in this to allow for local entities. But most importantly, they are accessing Federal dollars. So with Federal dollars, I think we need to put some safeguards to make sure that that investment will withstand the impact of climate change that we are seeing all across this country.

Mr. Speaker, I yield back the balance of my time.

Mr. ROUZER. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from North Carolina has 2 minutes remaining.

Mr. ROUZER. Mr. Speaker, again, we have had the opportunity here tonight and before to have a very open bipartisan process. And that is not what we have had, and that is quite regrettable. It is regrettable from not only a standpoint of this institution, but it is regrettable for the American people.

You know, all the proven successful surface reauthorization bills and wastewater reauthorization bills, they went through a thorough bipartisan process. That is not what we have had. Instead, we have just had lip service.

When House Republicans held the majority, we led every successful bipartisan effort in the last 30 years to reauthorize surface transportation programs.

However, this time around, there has been little opportunity for meaningful input from the minority, and this en bloc process just continues down that same road.

Look no further than the number of Democrat amendments that we have considered today, many of which have not been subjected to the scrutiny of a standalone vote or debate. More than 100 Democrat amendments have been approved by the Rules Committee, while less than 30 Republican amendments have been made in order.

The majority argues they are moving this through regular order and providing both sides with the opportunity to offer amendments. That is not true.

Both sides should be appalled that this en bloc takes away from our individual right to speak on these individual amendments and randomly groups them with other items with zero input given to the amendments' sponsor. It is all just a partisan move meant to further suppress the minority's rights to fairly represent their constituents.

I think we can all agree that every Member deserves an opportunity to be heard on these amendments.

Mr. Speaker, I encourage my colleagues to vote against this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 504, the previous question is ordered on the amendment offered by the gentlewoman from Nevada (Mrs. LEE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. LEE of Nevada. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of the bill (H.R. 3684) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, is postponed.

□ 2300

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. ROUZER. Mr. Speaker, by direction of the House Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 511

Resolved That the following named Member be, and hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON FINANCIAL SERVICES: Mr. Sessions (to rank immediately after Mr. Lucas).

The resolution was agreed to.

A motion to reconsider was laid on the table.

STATUS OF THE HYDE AMENDMENT

(Mr. BURCHETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURCHETT. Mr. Speaker, Joe Biden's budget request is troubling for many reasons. Today, I want to focus on how the President is weaponizing his budget to the left's anti-life agenda.

In his fiscal year 2022 budget, President Biden has called on Congress to eliminate the Hyde amendment, which Biden used to support when he was in the United States Senate.

The Hyde amendment is commonsense policy that has stood for decades. It would be wrong to force pro-life Americans to fund abortions against their moral will.

Mr. Speaker, abortion goes directly against the Catholic Church's teachings, but Joe Biden, a Catholic himself, has embraced abortion.

I applaud the United States Conference of Catholic Bishops for sticking to their guns about the church's principles. On June 18, the organization condemned President Biden's assault on right to life by overwhelmingly voting to deny him communion.

Eliminating the Hyde amendment would be a death sentence for millions of unborn Americans, Mr. Speaker. Being anti-life is now the price of admission into today's Democratic Party, but Joe Biden knows deep down this isn't right.

The President needs to buck his party's radical base on this issue and ditch his plans to scrap the Hyde amendment.

Mr. President, get back to your roots from when you were a Senator. Make the right decision and protect the lives of the unborn.

HOUSE BILLS AND JOINT RESOLUTION APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the following titles:

March 27, 2021:

H.R. 1651. An Act to amend the CARES Act to extend the sunset for the definition of a small business debtor, and for other purposes.

March 30, 2021:

H.R. 1799. An Act to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

April 14, 2021:

H.R. 1868. An Act to prevent across-the-board direct spending cuts, and for other purposes.

May 4, 2021:

H.R. 2630. An Act to amend the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act to extend until October 2021, a temporary order for fentanyl-related substances.

May 24, 2021:

H.R. 1318. An Act to restrict the imposition by the Secretary of Homeland Security of fines, penalties, duties, or tariffs applicable only to coastwise voyages, or prohibit otherwise qualified non-United States citizens from serving as crew, on specified vessels transporting passengers between the State of Washington and the State of Alaska, to address a Canadian cruise ship ban and the extraordinary impacts of the COVID–19 pandemic on Alaskan communities, and for other purposes.

May 26, 2021:

H.R. 941. An Act to reauthorize the Stem Cell Therapeutic and Research Act of 2005 and for other purposes.

June 8, 2021:

H.R. 2523. An Act to amend the American Rescue Plan Act of 2021 to improve the COVID–19 Veteran Rapid Retraining Assistance program, to make certain technical corrections to the Johnny Isakon and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020, and for other purposes.

June 23, 2021:

H.J. Res. 27. A joint resolution providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.R. 711. An Act to amend the West Los Angeles Leasing Act of 2016 to authorize the use of certain funds received pursuant to leases entered into under such Act, and for other purposes.

June 25, 2021:

H.R. 49. An Act to designate the National Pulse Memorial located at 1912 South Orange Avenue, Orlando, Florida, 32806, and for other purposes.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate of the following titles:

April 23, 2021:

S. 164. An Act to educate health care providers and the public on biosimilar biological products, and for other purposes.

S. 415. An Act to amend the Federal Food, Drug, and Cosmetic Act with respect to the scope of new chemical exclusivity.

S. 422. An Act to allow Senators, Senator-elect, committees of the Senate, leadership