SA 2458. Mr. LUJÁN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2459. Mr. LUJÁN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2460. Mr. LUJÁN (for himself, Mr. PADILLA, Mr. BOOKER, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. BLUMENTHAL, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2461. Mr. MARSHALL (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2462. Mr. MARKEY (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2463. Mr. MARKEY (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2464. Mr. PETERS (for himself, Mr. ROUNDS, Mr. PORTMAN, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2465. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2466. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2467. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2468. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2469. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2470. Ms. SINEMA (for herself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2471. Mr. ROUNDS (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2472. Mr. ROUNDS (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2473. Mr. ROUNDS (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2474. Mr. ROUNDS (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2475. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2476. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2477. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2302. Mr. RISCH (for himself, Mr. BARRASSO, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII of division D, insert the following:

SEC. 412____. ENERGY EMERGENCY AND ENERGY SECURITY FUNCTIONS ASSIGNED TO ASSISTANT SECRETARIES OF ENERGY.

(a) IN GENERAL.—Section 203(a) of the Department of Energy Organization Act (42 U.S.C. 7133(a)) is amended—

(1) in the matter preceding paragraph (1), in the second sentence, by striking '', but are not limited to,''; and

(2) by adding at the end the following:

''(12) Energy emergency and energy security functions, including—

''(A) responsibilities with respect to infrastructure, cybersecurity, emerging threats, supply, and emergency planning, coordination, response, and restoration; and

''(B) on request of a State, local, or Tribal government or energy sector entity, and in consultation with other Federal agencies, as appropriate, provision of technical assistance, support, and response capabilities with respect to energy security threats, risks, and incidents.''.

(b) COORDINATION.—The Secretary of Energy shall ensure that the functions of the Secretary of Energy described in paragraph (12) of section 203(a) of the Department of Energy Organization Act (42 U.S.C. 7133(a)) are performed in coordination with relevant Federal agencies.

SA 2303. Mr. BARRASSO (for himself and Mr. CRUZ) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division I, add the following:

SEC. 90009. IMPOSITION OF SANCTIONS WITH RESPECT TO NORD STREAM 2.

(a) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the President shall—

(1) impose sanctions under subsection (b) with respect to—

(A) Nord Stream 2 AG or a successor entity;

(B) Matthias Warnig; and

(C) any other corporate officer of or principal shareholder with a controlling interest in Nord Stream 2 AG or a successor entity; and

(2) impose sanctions under subsection (c) with respect to—

(A) Nord Stream 2 AG or a successor entity; and

(B) Matthias Warnig.

(b) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE OF IDENTIFIED PERSONS AND CORPORATE OFFICERS.—

(1) IN GENERAL.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien described in subsection (a)(1) shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) BLOCKING OF PROPERTY OF IDENTIFIED PERSONS.—The President shall exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person described in subsection (a)(2) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under this section shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under this section shall not apply with respect to the admission of an alien to the United States if the admission of the alien is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—Notwithstanding any other provision of this section, the authorities and requirements to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(f) SUNSET.—The authority to impose sanctions under this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN.—The terms ''admission'' , ''admitted'' , and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person within the United States.

SA 2304. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—REBUILD AMERICA NOW

SEC. 71201. SHORT TITLE.

This title may be cited as the ''Rebuild America Now Act''.

Subtitle A—Environmental and Project Review Modernization

SEC. 71211. EXPANSION OF STATE RESPONSIBILITY FOR CATEGORICAL EXCLUSIONS.

Section 326 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''certain designated activities are included within classes of action identified in regulation by the Secretary that are'' and inserting ''any activity is included within a class of action identified in a regulation of the Secretary that is''; and

(B) in paragraph (2), by striking ''and only for types of activities specifically designated by the Secretary''; and

(2) in subsection (b)(1), by inserting ''(including the responsibility for making conformity determinations under the Clean Air Act (42 U.S.C. 7401 et seq.))'' after ''categorical exclusions''.

SEC. 71212. NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 REFORM.

(a) IN GENERAL.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is amended by adding at the end the following:

''TITLE III—INTERAGENCY COORDINATION RELATING TO PERMITTING

''SEC. 301. INTERAGENCY COORDINATION RELATING TO PERMITTING.

''(a) PREPARATION OF ENVIRONMENTAL DOCUMENTS.—An agency or other entity seeking approval of, or otherwise responsible for carrying out, a project (referred to in this section as the 'project sponsor'), may prepare an environmental impact statement or environmental assessment for the purpose of an environmental review in support of the project for approval by the lead agency of the project if, before the project sponsor takes any action or seeks any approval based on the environmental document, the lead agency—

''(1) provides oversight in the preparation of the environmental impact statement or environmental assessment;

''(2) independently evaluates the environmental impact statement or environmental assessment; and

''(3) approves, within a reasonable time, and adopts the environmental impact statement or environmental assessment.

''(b) ADOPTION AND USE OF ENVIRONMENTAL DOCUMENTS.—

''(1) ENVIRONMENTAL IMPACT STATEMENTS AND ASSESSMENTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the lead agency shall not prepare more than 1 environmental impact statement and 1 environmental assessment under this Act for a project.

''(B) EXCEPTIONS.—The limitation in subparagraph (A) shall not apply to—

''(i) a supplemental environmental document; or

''(ii) an environmental impact statement or environmental assessment prepared pursuant to a court order.

''(C) RECORD OF DECISION.—

''(i) IN GENERAL.—Except as provided in clause (ii), after the date on which the lead agency issues a record of decision for a project, the head of a Federal agency responsible for approving the project shall not rely on any environmental impact statement or environmental assessment prepared before that date.

''(ii) ENVIRONMENTAL DOCUMENT OF LEAD AGENCY.—Notwithstanding clause (i), the head of a Federal agency may rely on an environmental impact statement or environmental assessment prepared by the lead agency after the date on which the lead agency issues a record of decision for the project.

''(D) IMPACT ANALYSIS.—On request by a project sponsor, a lead agency may adopt, use, or rely on a secondary or cumulative impact analysis that is included in any environmental impact statement or environmental assessment for a project located in the geographical area that is the subject of the secondary or cumulative impact analysis, if the secondary or cumulative impact analysis provides information that is applicable to the project.

''(2) STATE ENVIRONMENTAL DOCUMENTS.—

''(A) ADOPTION.—

''(i) IN GENERAL.—On request by a project sponsor and subject to clause (ii), a lead agency may adopt as the environmental impact statement or environmental assessment for a project an environmental document prepared under State law, if the State law provides environmental protection and an opportunity for public involvement that is substantially similar to the environmental protection and opportunity for public involvement under this Act.

''(ii) SUPPLEMENTAL DOCUMENTS.—

''(I) IN GENERAL.—A lead agency shall prepare and publish a supplement to an environmental document referred to in clause (i) before adopting the State environmental document if the lead agency determines that—

''(aa) a significant change has been made to the project that is relevant for purposes of the environmental review by the lead agency; or

''(bb) there have been significant changes in circumstances or availability of information relevant to that environmental review.

''(II) PERIOD OF COMMENT.—For any supplemental document prepared and published under subclause (I), the lead agency may solicit comments from agencies and the public for a period of not more than 45 days beginning on the date of the publication.

''(B) OBLIGATION OF LEAD AGENCY.—The adoption of an environmental document by a lead agency under subparagraph (A)(i) satisfies the obligation of the lead agency to prepare an environmental impact statement or environmental assessment under this Act.

''(C) RECORD OF DECISION.—With respect to a project, the lead agency shall issue a record of decision or finding of no significant impact, as appropriate, based on—

''(i) the environmental document adopted under subparagraph (A)(i); and

''(ii) any supplemental document prepared under subparagraph (A)(ii).

''(3) CONTEMPORANEOUS PROJECTS.—The lead agency may adopt for a project an environmental impact statement or environmental assessment that resulted from an environmental review carried out for a similar project in geographical proximity to the project, if the lead agency—

''(A) determines that—

''(i) there is a reasonable likelihood that the project will have a similar environmental impact as the similar project; and

''(ii) during the 5-year period ending on the date on which the lead agency makes the determination, the similar project was subject to environmental review or similar State procedures; and

''(B) adopts the environmental impact statement or environmental assessment in accordance with paragraph (2)(A).

''(c) COOPERATING AGENCIES.—

''(1) IN GENERAL.—The lead agency of a project shall—

''(A) be responsible for designating or inviting, as applicable, cooperating agencies (within the meaning of section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this section)) in accordance with this subsection; and

''(B) provide to the head of each cooperating agency a notice of the designation or invitation in writing.

''(2) FEDERAL COOPERATING AGENCIES.—

''(A) IN GENERAL.—Except as provided in subparagraph (C), any Federal agency that is required to adopt the environmental impact statement or environmental assessment of the lead agency for a project shall—

''(i) be designated as a cooperating agency; and

''(ii) collaborate on the preparation of the environmental impact statement or environmental assessment.

''(B) NOTIFICATION.—The lead agency shall provide to the head of a Federal agency described in subparagraph (A) a written notice of designation under paragraph (1) that specifies a date by which the head of the Federal agency shall respond.

''(C) EXCEPTION.—Notwithstanding subparagraph (A), the head of a Federal agency may decline designation as a cooperation agency if, not later than the date specified by the lead agency under subparagraph (B), the head of the Federal agency informs the lead agency in writing that the Federal agency—

''(i) has no jurisdiction or authority with respect to the project;

''(ii) has no expertise or information relevant to the project; and

''(iii) does not intend to submit comments on the project.

''(3) OTHER COOPERATING AGENCIES.—

''(A) IN GENERAL.—The lead agency shall identify, as early as practicable in the environmental review for a project, any official or agency other than an agency described in paragraph (2) that may have an interest in the project, including—

''(i) the Governor of an affected State; and

''(ii) a local or tribal government.

''(B) INVITATION.—

''(i) IN GENERAL.—The lead agency shall provide a written invitation to any agency or official identified under subparagraph (A) to become a cooperating agency in the environmental review for the project.

''(ii) DEADLINE REQUIRED.—

''(I) IN GENERAL.—The invitation described in clause (i) shall include a deadline, not to exceed 30 days after the date on which the invitation is received, by which the invited agency or official shall accept or decline the invitation.

''(II) EXTENSION.—The lead agency may extend the deadline under subclause (I) only for good cause shown.

''(C) FAILURE TO RESPOND.—An agency or official that fails to respond to an invitation under subparagraph (B)(i) before the deadline under subparagraph (B)(ii) shall be considered to have declined the invitation for designation.

''(D) DESIGNATION.—The lead agency shall designate as a cooperating agency any agency or official that accepts an invitation under subparagraph (B).

''(4) EFFECT OF DECLINING COOPERATING AGENCY INVITATION.—An agency or official that declines a designation or invitation by the lead agency to be a cooperating agency for a project shall be precluded from—

''(A) submitting comments on any environmental impact statement or environmental assessment prepared for the project; and

''(B) taking any action to oppose, based on the environmental review, any permit, license, or approval relating to the project.

''(5) EFFECT OF DESIGNATION.—Designation as a cooperating agency under this subsection does not imply that the cooperating agency—

''(A) supports a proposed project; or

''(B) has jurisdiction over, or special expertise with respect to evaluation of, the project.

''(6) CONCURRENT REVIEWS.—The head of each Federal agency designated as a cooperating agency shall—

''(A) carry out the obligations of the Federal agency under other applicable law concurrently and in conjunction with the environmental review required for the applicable project under this Act; and

''(B) in accordance with the rules promulgated by the Council on Environmental Quality pursuant to section 71212(b)(1) of the Rebuild America Now Act, develop and carry out such rules, policies, and procedures as may be reasonably necessary to enable the Federal agency to ensure completion of the environmental review and environmental decisionmaking process in a timely, coordinated, and environmentally responsible manner.

''(7) COOPERATING AGENCY COMMENTS.—

''(A) IN GENERAL.—In providing comments on a project, a cooperating agency—

''(i) shall not provide comments on a subject matter that does not relate to the expertise and statutory authority of the cooperating agency, as expressly delegated by Congress; and

''(ii) shall identify in the comments of the cooperating agency the legal authority of the cooperating agency relating to the subject matter of the comments.

''(B) LEAD AGENCY.—A lead agency shall not carry out any action in response to, or include in any document prepared under this Act, any comment submitted by a cooperating agency that relates to a subject matter outside the expertise and authority of the cooperating agency.

''(d) INITIATION OF ENVIRONMENTAL REVIEW.—Not later than 45 days after the date on which a lead agency receives an application for a project from a project sponsor, the lead agency shall initiate an environmental review of the project.

''(e) ALTERNATIVES ANALYSIS.—

''(1) PARTICIPATION OF COOPERATING AGENCIES.—As early as practicable during the environmental review, but not later than the period during which the preparation of an environmental impact statement is required, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.

''(2) RANGE OF ALTERNATIVES.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), after completion of the participation of the cooperating agencies described in paragraph (1), the lead agency shall determine the range of alternatives for consideration in the environmental impact statement or environmental assessment for the project.

''(B) NO EVALUATION OF CERTAIN ALTERNATIVES.—The head of a Federal agency shall not evaluate an alternative that—

''(i) was identified during the participation period described in paragraph (1); and

''(ii)(I) was not accepted by the lead agency under subparagraph (A) for detailed evaluation in an environmental impact statement or environmental assessment; or

''(II)(aa) was evaluated by the lead agency; and

''(bb) was not selected for any environmental impact statement or environmental assessment for the project.

''(C) ONLY FEASIBLE ALTERNATIVES EVALUATED.—In the case of a project that is constructed, managed, funded, or carried out by a project sponsor that is not a Federal agency, the head of a Federal agency shall only evaluate an alternative that, consistent with the purpose of, and the need for, the project—

''(i) the project sponsor may feasibly carry out; and

''(ii) is technically and economically feasible, as determined by the head of the Federal agency.

''(3) METHODOLOGIES.—

''(A) IN GENERAL.—With respect to an alternative for a project, the lead agency shall, in collaboration with cooperating agencies at an appropriate time during the environmental review for the project, determine the methodologies to be used in, and the level of detail required for, the review.

''(B) DESCRIPTION REQUIRED.—The lead agency shall include in the environmental impact statement or environmental assessment for a project a description of—

''(i) the methodologies used in preparing the environmental impact statement or environmental assessment; and

''(ii) the means by which the methodologies were selected.

''(C) NO EVALUATION OF INAPPROPRIATE ALTERNATIVES.—In preparing an environmental impact statement or environmental assessment, a lead agency may omit from the environmental document a detailed evaluation of an alternative determined by the lead agency not to meet the purpose of, and need for, the project.

''(4) EMPLOYMENT ANALYSIS.—The evaluation of each alternative in an environmental impact statement or environmental assessment shall identify the potential effects of the alternative on employment, including—

''(A) potential short-term and long-term employment increases and reductions; and

''(B) shifts in employment.

''(f) COORDINATION PLAN AND SCHEDULING.—

''(1) IN GENERAL.—To facilitate the expeditious resolution of an environmental review, the lead agency shall establish and implement a coordination plan for public and agency participation in, and comment on, the environmental review for a project or category of projects.

''(2) SCHEDULE.—

''(A) IN GENERAL.—In developing the coordination plan described in paragraph (1), the lead agency shall consult with each cooperating agency and the project sponsor to develop a schedule for the completion of the environmental review that—

''(i) considers factors such as—

''(I) the responsibilities of the cooperating agencies under applicable law;

''(II) the resources available to the cooperating agencies;

''(III) the overall size and complexity of the project;

''(IV) the overall schedule for and cost of the project;

''(V) the sensitivity of the natural and historical resources that may be affected by the project; and

''(VI) the extent to which similar projects in geographical proximity to the project were recently subject to environmental review or similar State procedures; and

''(ii) includes the deadlines, consistent with subsection (g), for decisions under Federal law relating to the project, including decisions on the issuance or denial of a permit or license.

''(B) COMPLIANCE WITH SCHEDULE.—

''(i) IN GENERAL.—Each cooperating agency shall comply with—

''(I) the deadlines established in the schedule under subparagraph (A); and

''(II) in the case of a modification to the schedule under paragraph (4), any modified deadline.

''(ii) EFFECT OF NONCOMPLIANCE.—The lead agency shall disregard, and shall not respond to or include in any environmental impact statement or environmental assessment, any comment or information submitted or any finding made by a cooperating agency that is not in accordance with the deadline established in the schedule under subparagraph (A) or a modified deadline under paragraph (4).

''(iii) FAILURE TO OBJECT.—If a cooperating agency fails to object in writing to a lead agency decision, finding, or request for concurrence in accordance with the deadline established under law or by the lead agency, the cooperating agency shall be considered to have concurred in the decision, finding, or request.

''(3) CONSISTENCY WITH OTHER DEADLINES.—A schedule under paragraph (2) shall be consistent with any other relevant deadline under Federal law.

''(4) MODIFICATION OF SCHEDULE.—With respect to a schedule under paragraph (2), the lead agency may—

''(A) extend the schedule for good cause; and

''(B) shorten the schedule only with the concurrence of each cooperating agency.

''(5) DISSEMINATION.—With respect to a schedule under paragraph (2), the lead agency shall—

''(A) not later than 15 days after the date of completion or modification of schedule, provide a copy of the schedule and any modification to each cooperating agency and the project sponsor; and

''(B) make a copy of the schedule available to the public.

''(6) ROLE AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review for a project, the lead agency may take such actions as are necessary, within the authority of the lead agency, to facilitate the expeditious resolution of the environmental review.

''(g) DEADLINES.—

''(1) IN GENERAL.—The deadlines described in this subsection shall apply to any project subject to review under this Act and any decision under Federal law relating to the project, including the issuance or denial of a permit or license or any required finding.

''(2) ENVIRONMENTAL REVIEWS.—

''(A) ENVIRONMENTAL IMPACT STATEMENT PROJECTS.—The lead agency shall—

''(i) for a project that requires an environmental impact statement under Federal law (including regulations), issue the environmental impact statement by not later than 2 years after the earlier of—

''(I) the date on which the lead agency receives an application for the project from a project sponsor; and

''(II) the date on which a notice of intent to prepare an environmental impact statement is published in the Federal Register; and

''(ii) for a project for which the lead agency prepared an environmental assessment, and determined pursuant to that environmental assessment that an environmental impact statement is required, issue the environmental impact statement by not later than 2 years after the date of publication of the notice of intent to prepare an environmental impact statement in the Federal Register.

''(B) ENVIRONMENTAL ASSESSMENT PROJECTS.—For a project that requires an environmental assessment, the lead agency shall issue a finding of no significant impact or publish a notice of intent to prepare an environmental impact statement in the Federal Register by not later than 1 year after the earliest of—

''(i) the date on which the lead agency receives the project initiation request;

''(ii) the date on which the lead agency makes a decision to prepare an environmental assessment; and

''(iii) the date on which the lead agency sends out cooperating agency invitations.

''(C) EXTENSIONS.—

''(i) REQUIREMENTS.—Subject to clause (ii), the lead agency may extend a deadline under subparagraph (A) or (B) only—

''(I) if the lead agency, project sponsor, and each cooperating agency agree on a different deadline; or

''(II) for good cause.

''(ii) LIMITATION.—The lead agency shall not extend a deadline under subparagraph (A) or (B)—

''(I) in the case of a project that requires an environmental impact statement, by more than 1 year; and

''(II) in the case of a project that requires an environmental assessment, by more than 180 days.

''(3) ENVIRONMENTAL REVIEW COMMENTS.—The lead agency shall establish for each environmental impact statement and environmental assessment a comment period of not more than 30 days after the date on which the environmental impact statement or environmental assessment is made publicly available, unless—

''(A) the lead agency, project sponsor, and each cooperating agency agree on a different deadline; or

''(B) the lead agency extends the deadline for good cause.

''(4) DECISIONS PRIOR TO RECORD OF DECISION OR FINDING OF NO SIGNIFICANT IMPACT.—Notwithstanding any other provision of law, in the case of a project for which a Federal agency is required to approve or otherwise to take an action relating to a permit, license, or other similar application before the lead agency may issue a record of decision or finding of no significant impact, the head of the Federal agency shall approve or take the applicable action by not later than the earlier of—

''(A) the end of the 90-day period beginning on the date on which—

''(i) all other relevant Federal agency reviews relating to the project are complete; and

''(ii) the lead agency publishes a notice of the availability of the final environmental impact statement or issuance of other final environmental documents; and

''(B) the date that is otherwise required by law.

''(5) OTHER DECISIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), with respect to any approval or other action of a Federal agency relating to a project that is not subject to paragraph (4), each Federal agency shall make the approval or carry out the action by not later than the end of the 180-day period beginning on the date on which—

''(i) all other relevant agency reviews relating to the project are complete; and

''(ii) the lead agency issues a record of decision or finding of no significant impact.

''(B) EXTENSION.—

''(i) IN GENERAL.—Subject to clause (ii), the head of a Federal agency may extend the deadline referred to in subparagraph (A) for good cause, if the head of the Federal agency, the lead agency, and the project sponsor agree to extend the deadline.

''(ii) LIMITATION.—The head of a Federal agency shall not extend a deadline under clause (i) for a period longer than 1 year after the date on which the lead agency issues the record of decision or finding of no significant impact.

''(6) EFFECT OF NONCOMPLIANCE.—

''(A) IN GENERAL.—A permit, license, or other similar application for approval relating to a project that requires the approval or other action by a Federal agency shall be considered to be approved by the Federal agency if the head of the Federal agency fails to approve or otherwise take an action relating to the permit, license, or other similar application by the deadline described in paragraph (4) or (5).

''(B) DEADLINE FOR COMPLIANCE.—The head of the Federal agency shall act in accordance with the approval under subparagraph (A) by not later than 30 days after the applicable deadline described in paragraph (4) or (5).

''(C) FINAL AGENCY ACTION.—

''(i) IN GENERAL.—An approval under subparagraph (A) shall be considered to be a final agency action, which may not be reversed by any agency.

''(ii) REVIEW.—In any action under chapter 7 of title 5, United States Code, that seeks review of a final agency action under clause (i), a court may not set aside the action based on the action having been made final under that clause.

''(h) ISSUE IDENTIFICATION AND RESOLUTION.—

''(1) COOPERATION.—The lead agency and the cooperating agencies shall work in accordance with this subsection to identify and resolve any issue that may delay the completion of an environmental review or result in the denial of an approval required for the project under applicable law.

''(2) LEAD AGENCY RESPONSIBILITIES.—As early as practicable during the environmental review process, the lead agency shall

make available information (including information based on existing data sources, including geographic information systems) relating to the environmental, historic, and socioeconomic resources located in the project area and the general location of any alternative under consideration.

''(3) COOPERATING AGENCY RESPONSIBILITIES.—Based on information received from the lead agency, a cooperating agency shall identify, as early as practicable, any issue of concern relating to the potential environmental, historical, or socioeconomic impact of a project, including any issue that may substantially delay or prevent an agency from granting a permit or other approval required for the project.

''(4) ISSUE RESOLUTION.—

''(A) MEETING OF COOPERATING AGENCIES.—To resolve any issue that may delay the completion of an environmental review or result in the denial of an approval required for a project under applicable law, the lead agency shall promptly convene a meeting with the relevant cooperating agency and the project sponsor on request by a project sponsor at any time.

''(B) NOTICE THAT RESOLUTION CANNOT BE ACHIEVED.—If a resolution to an issue identified under paragraph (1) cannot be achieved by the date that is 30 days after the date on which a meeting is convened under subparagraph (A), and the lead agency determines that all information necessary to resolve the issue has been obtained, the lead agency shall—

''(i) notify—

''(I) each cooperating agency;

''(II) the project sponsor; and

''(III) the Council on Environmental Quality established by section 202 for further proceedings in accordance with section 204; and

''(ii) publish in the Federal Register a notice relating to the failure to achieve a resolution.

''(i) MERGING DOCUMENTS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, except as provided in paragraph (2), the lead agency of a project shall expeditiously develop a single document that consists of—

''(A) a final environmental impact statement relating to the project;

''(B) each record of decision relating to the project; and

''(C) the final decision of the Secretary of the Army with respect to the environmental review carried out by the Secretary, acting through the Chief of Engineers, relating to an application for a permit for the project under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344).

''(2) EXCEPTIONS.—Paragraph (1) shall not apply in any case in which—

''(A) the final environmental impact statement relating to the project makes a substantial change relating to an environmental or safety concern to a proposed action under the project; or

''(B) there exists a significant new circumstance or information relating to an environmental concern that affects such a proposed action or the impacts of the proposed action.

''(j) LIMITATIONS ON CLAIMS.—

''(1) FINAL AGENCY ACTIONS.—

''(A) IN GENERAL.—The deadline for filing a claim for judicial review of a final agency action is the date that is 180 days after the date of publication of a notice in the Federal Register announcing the record of decision for the action.

''(B) NEW INFORMATION.—A claim challenging a final agency action on the basis of information contained in a supplemental environmental impact statement shall be limited to a challenge on the basis of that information.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of a permit, license, or approval issued by a Federal agency for an action subject to this Act.

''(k) CATEGORIES OF PROJECTS.—The authority granted under this title may be exercised for—

''(1) any single project; or

''(2) any category of 2 or more projects related by project type, potential environmental impact, geographical location, or other similar project feature or characteristic.

''(l) EFFECTIVE DATE.—

''(1) IN GENERAL.—This title applies only to an environmental review or environmental decisionmaking process initiated after the date of enactment of this title.

''(2) APPLICABILITY OF DEADLINES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), in the case of a project for which an environmental review or environmental decisionmaking process is initiated before the date of enactment of this title, subsection (g) shall apply.

''(B) EXCEPTION.—Notwithstanding any other provision of this section, in determining a deadline under subsection (g), any applicable period of time shall be calculated as beginning on the date of enactment of this title.

''(m) APPLICABILITY.—Except as provided in subsection (n), this title applies to each project for which a Federal agency is required to carry out an environmental review or environmental decisionmaking process.

''(n) SAVINGS CLAUSE.—Nothing in this section supersedes, amends, or modifies—

''(1) section 134, 135, 139, 325, 326, or 327 of title 23, United States Code;

''(2) section 5303 or 5304 of title 49, United States Code; or

''(3) subtitle C of title I of division A of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 527) (or any amendment made by that subtitle).''.

(b) REGULATIONS.—

(1) COUNCIL ON ENVIRONMENTAL QUALITY.—Not later than 180 days after the date of enactment of this Act, the Council on Environmental Quality established by section 202 of the National Environmental Policy Act of 1969 (42 U.S.C. 4342) shall—

(A) amend the regulations contained in chapter V of title 40, Code of Federal Regulations (or successor regulations), to implement this section and the amendments made by this section; and

(B) by rule, designate each State with laws and procedures that satisfy the criteria under section 301(b)(2)(A) of the National Environmental Policy Act of 1969 (as added by subsection (a)).

(2) FEDERAL AGENCIES.—Not later than 120 days after the date on which the Council on Environmental Quality amends the regulations described in paragraph (1)(A), the head of each Federal agency that has promulgated regulations implementing the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall amend the regulations to implement this section and the amendments made by this section.

(c) LIMITATIONS ON CLAIMS UNDER FAST ACT.—Section 41007(a) of the FAST Act (42 U.S.C. 4370m–6(a)) is amended—

(1) in paragraph (1)(A), by striking ''2 years'' and inserting ''180 days''; and

(2) in paragraph (2)(B), by striking ''2 years'' and inserting ''180 days''.

SEC. 71213. DESIGNATION OF CATEGORICAL EXCLUSIONS FOR EMERGENCY PROJECTS AND STRUCTURALLY DEFICIENT INFRASTRUCTURE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(1) consult with the Administrator of the Federal Emergency Management Agency and the Secretary of the Army to identify communities that are imminently threatened from flooding or erosion; and

(2) designate as an action categorically excluded from the requirements relating to environmental assessments or environmental impact statements for purposes of section 771.117(c) of title 23, Code of Federal Regulations (or successor regulations), and section 1508.4 of title 40, Code of Federal Regulations (or successor regulations), any project—

(A) that is critical to the immediate safety of a threatened community identified under paragraph (1); or

(B) for the maintenance, repair, reconstruction, restoration, retrofitting, or replacement of an existing road, highway, bridge, tunnel, or other transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian and bicycle paths and bike lanes), if the project is to be completed in the same location, and with the same preexisting design, as the existing structure.

(b) REGULATIONS.—The Secretary shall promulgate such regulations as are necessary to carry out subsection (a) by not later than 150 days after the date of enactment of this Act.

SEC. 71214. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

Section 1317(1) of the MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in subparagraph (A), by striking ''$5,000,000'' and inserting ''$10,000,000''; and

(2) in subparagraph (B), by striking ''15 percent'' and inserting ''16 percent''.

SEC. 71215. SIMPLIFYING ENVIRONMENTAL DOCUMENTS.

(a) STATEMENT OF POLICY.—It is the policy of the United States that the purpose of requiring an environmental document relating to a project is only to ensure that the process of considering the effects of the project takes place before the occurrence of any significant Federal action to carry out the project.

(b) PAGE LIMITS.—

(1) IN GENERAL.—To facilitate public transparency and understanding of environmental documentation, an environmental document—

(A) shall—

(i) be sufficient to provide a reasonable consideration of the potential environmental effects and alternatives of a proposed project; and

(ii) reflect a thorough examination of the potential impacts of the project; but

(B) shall not exceed 300 pages without substantial justification.

(2) NOTICE AND COMMENT REQUIREMENTS.—

(A) IN GENERAL.—An agency may exceed the 300-page limit under paragraph (1)(B) if the agency provides to proponents of the applicable project a notice, and a period of not less than 30 days for comment, regarding the proposed exceedance.

(B) ELIGIBILITY TO COMMENT.—The opportunity to comment under subparagraph (A) shall not be provided to any individual or entity other than a proponent of the applicable project.

SEC. 71216. PERMITTEE BILL OF RIGHTS.

Section 101 of the National Environmental Policy Act of 1969 (42 U.S.C. 4331) is amended by adding at the end the following:

''(d) PERMITTEE BILL OF RIGHTS.—

''(1) STATEMENT OF POLICY.—It is the policy of the United States—

''(A) to use natural resources in a responsible manner to maximize value and utility, while protecting public health and welfare; and

''(B) that, therefore, in implementing a Federal permitting law, a Federal agency

should, to the maximum extent practicable, seek to issue permit decisions favorably.

''(2) DEFINITION OF FEDERAL PERMITTING LAW.—In this subsection:

''(A) IN GENERAL.—The term 'Federal permitting law' means any provision of Federal law pursuant to which a Federal agency may issue a permit.

''(B) INCLUSIONS.—The term 'Federal permitting law' includes—

''(i) the Toxic Substances Control Act (15 U.S.C. 2601 et seq.);

''(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(iii) the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.);

''(iv) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

''(v) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

''(vi) the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

''(vii) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

''(viii) the Clean Air Act (42 U.S.C. 7401 et seq.); and

''(ix) the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

''(3) APPLICANT AND PERMITTEE RIGHTS.—In any communication between a permittee or an applicant for a permit and a Federal agency relating to a determination of the agency pursuant to a Federal permitting law, the following shall apply:

''(A) Any decision relating to the applicable permit or application shall be issued—

''(i) within the applicable deadline; or

''(ii) at such other reasonable time as may be agreed to by the permittee or applicant and the Federal agency.

''(B) Each permittee and permit applicant shall have the right—

''(i) to assistance and prompt response in seeking from the Federal agency information regarding the regulatory and permit process;

''(ii) to request and receive—

''(I) a clear projected schedule of fees for the review and completion of the permit process; and

''(II) a clear, concise statement of the reasoning for a determination by the agency to reject a permit application;

''(iii) to know the exact deficiencies in a rejected application; and

''(iv) to a transparent and unbiased decision based on the submitted application and applicable Federal permitting law and regulatory requirements.''.

SEC. 71217. POLICY REVIEW UNDER CLEAN AIR ACT.

Section 309(a) of the Clean Air Act (42 U.S.C. 7609(a)) is amended by striking ''any (1) legislation proposed by any Federal department or agency, (2) newly authorized Federal projects for construction and any major Federal agency action (other than a project for construction) to which section 102(2)(C) of Public Law 91–190 applies, and (3) proposed regulations'' and inserting ''any legislation proposed by a Federal department or agency or proposed regulations''.

Subtitle B—Judicial Provisions

SEC. 71221. DEADLINE FOR FILING ENERGY-RELATED CAUSES OF ACTION.

(a) DEFINITIONS.—In this section:

(1) AGENCY ACTION.—The term ''agency action'' has the meaning given the term in section 551 of title 5, United States Code.

(2) ENERGY-RELATED CAUSE OF ACTION.—The term ''energy-related cause of action'' means a cause of action that—

(A) is filed on or after the date of enactment of this Act; and

(B) seeks judicial review of a final agency action to issue a permit, license, or other form of agency permission allowing—

(i) an individual or entity to conduct on Indian land or public land activities involving the exploration, development, production, or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity; or

(ii) an Indian tribe, or any organization of 2 or more entities at least 1 of which is an Indian tribe, to conduct activities involving the exploration, development, production, or transportation of oil, gas, coal, shale gas, oil shale, geothermal resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of the location at which those activities are carried out.

(3) INDIAN LAND.—

(A) IN GENERAL.—The term ''Indian land'' has the meaning given the term in section 2601 of the Energy Policy Act of 1992 (25 U.S.C. 3501).

(B) INCLUSION.—The term ''Indian land'' includes land owned by a Native Corporation under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(4) PUBLIC LAND.—The term ''public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(b) DEADLINE FOR FILING.—

(1) IN GENERAL.—An energy-related cause of action shall be filed by not later than 60 days after the date of publication of the applicable final agency action.

(2) PROHIBITION.—An energy-related cause of action that is not filed within the time period described in paragraph (1) shall be barred.

(c) DISTRICT COURT VENUE AND DEADLINE.—An energy-related cause of action shall be—

(1) brought in the United States District Court for the District of Columbia Circuit; and

(2) resolved—

(A) as expeditiously as practicable; and

(B) in any event, not later than the date that is 180 days after the date on which the energy-related cause of action is filed.

(d) APPELLATE REVIEW.—

(1) IN GENERAL.—An interlocutory order or final judgment, decree, or order of the district court in an energy-related cause of action may be reviewed by the United States Court of Appeals for the District of Columbia Circuit.

(2) REQUIREMENT.—The United States Court of Appeals for the District of Columbia shall resolve an appeal of an energy-related cause of action—

(A) as expeditiously as practicable; and

(B) in any event, not later than the date that is 180 days after the date on which the applicable interlocutory order or final judgment, decree, or order of the district court was issued.

(e) LIMITATION ON CERTAIN PAYMENTS.—Notwithstanding section 1304 of title 31, United States Code, no award may be made under section 504 of title 5, United States Code, or section 2412 of title 28, United States Code, and no amounts may be obligated or expended from the Claims and Judgment Fund of the Treasury to pay any fees or other expenses under those sections, to any person or party in an energy-related cause of action.

(f) LEGAL FEES.—

(1) DEFINITION OF ULTIMATELY PREVAIL.—In this subsection:

(A) IN GENERAL.—The term ''ultimately prevail'' means a final, enforceable judgment by a court of competent jurisdiction in favor of a party on at least 1 energy-related cause of action that is an underlying rationale for the preliminary injunction, administrative stay, or other relief requested by the party.

(B) EXCLUSION.—The term ''ultimately prevail'' does not include any situation in which the relevant final agency action is modified or amended by the issuing agency, unless the modification or amendment is required pursuant to—

(i) a final, enforceable judgment of the court; or

(ii) a court-ordered consent decree.

(2) AWARD.—

(A) IN GENERAL.—In any energy-related cause of action in which the plaintiff does not ultimately prevail, the court shall award to the defendant (including any intervenor-defendants), other than the United States, fees and other expenses incurred by that defendant in connection with the energy-related cause of action, unless the court finds that—

(i) the position of the plaintiff was substantially justified, in accordance with subparagraph (B); or

(ii) special circumstances make such an award unjust.

(B) SUBSTANTIALLY JUSTIFIED DETERMINATION.—Whether the position of the plaintiff was substantially justified for purposes of subparagraph (A)(i) shall be determined on the basis of the administrative record, as a whole, relating to the energy-related cause of action for which fees and other expenses are sought.

SEC. 71222. LIMITING SUE AND SETTLE PRACTICES.

(a) DEFINITIONS.—In this section:

(1) AGENCY; AGENCY ACTION.—The terms ''agency'' and ''agency action'' have the meanings given those terms under section 551 of title 5, United States Code.

(2) COVERED CIVIL ACTION.—The term ''covered civil action'' means a civil action—

(A) seeking to compel agency action;

(B) alleging that the agency is unlawfully withholding or unreasonably delaying an agency action relating to a regulatory action that would affect the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government; and

(C) brought under—

(i) chapter 7 of title 5, United States Code; or

(ii) any other statute authorizing such an action.

(3) COVERED CONSENT DECREE.—The term ''covered consent decree'' means—

(A) a consent decree entered into in a covered civil action; and

(B) any other consent decree that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government.

(4) COVERED CONSENT DECREE OR SETTLEMENT AGREEMENT.—The term ''covered consent decree or settlement agreement'' means a covered consent decree and a covered settlement agreement.

(5) COVERED SETTLEMENT AGREEMENT.—The term ''covered settlement agreement'' means—

(A) a settlement agreement entered into in a covered civil action; and

(B) any other settlement agreement that requires agency action relating to a regulatory action that affects the rights of—

(i) private persons other than the person bringing the action; or

(ii) a State, local, or tribal government.

(b) CONSENT DECREE AND SETTLEMENT REFORM.—

(1) PLEADINGS AND PRELIMINARY MATTERS.—

(A) IN GENERAL.—In any covered civil action, the agency against which the covered civil action is brought shall publish the notice of intent to sue and the complaint in a

readily accessible manner, including by making the notice of intent to sue and the complaint available in the Federal Register or online not later than 15 days after receiving service of the notice of intent to sue or complaint, respectively.

(B) ENTRY OF A COVERED CONSENT DECREE OR SETTLEMENT AGREEMENT.—A party may not make a motion for entry of a covered consent decree or to dismiss a civil action pursuant to a covered settlement agreement until after the end of proceedings in accordance with subparagraph (A) and paragraph (2)(B)(i).

(2) PUBLICATION OF AND COMMENT ON COVERED CONSENT DECREES OR SETTLEMENT AGREEMENTS.—

(A) IN GENERAL.—Not later than 60 days before the date on which a covered consent decree or settlement agreement is filed with a court, the agency seeking to enter the covered consent decree or settlement agreement shall publish in the Federal Register and online the proposed covered consent decree or settlement agreement.

(B) PUBLIC COMMENT.—

(i) IN GENERAL.—An agency seeking to enter a covered consent decree or settlement agreement shall accept public comment during the period described in subparagraph (A) on any issue relating to the matters alleged in the complaint in the applicable civil action or addressed or affected by the proposed covered consent decree or settlement agreement.

(ii) SUBMISSIONS TO COURT.—When moving that the court enter a proposed covered consent decree or settlement agreement or for dismissal pursuant to a proposed covered consent decree or settlement agreement, an agency shall inform the court of the statutory basis for the proposed covered consent decree or settlement agreement and its terms.

(3) REVIEW BY COURT.—

(A) IN GENERAL.—A court shall review the statutory basis for the proposed covered consent decree or settlement agreement and its terms de novo.

(B) REVIEW OF DEADLINES.—

(i) PROPOSED COVERED CONSENT DECREES.—For a proposed covered consent decree, a court shall not approve the covered consent decree unless the proposed covered consent decree allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(ii) PROPOSED COVERED SETTLEMENT AGREEMENTS.—For a proposed covered settlement agreement, a court shall ensure that the covered settlement agreement allows sufficient time and incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

Subtitle C—Natural Gas Pipeline Permitting Efficiency

SEC. 71231. REGULATORY APPROVAL OF NATURAL GAS PIPELINE PROJECTS.

Section 7 of the Natural Gas Act (15 U.S.C. 717f) is amended—

(1) in subsection (d)—

(A) by striking ''(d) Application for certificates'' and inserting the following:

''(d) APPLICATION REQUIREMENTS.—

''(1) IN GENERAL.—An application for a certificate of public convenience and necessity under this section''; and

(B) by adding at the end the following:

''(2) USE OF AERIAL SURVEY DATA TO SATISFY PRELIMINARY REQUIREMENTS.—A natural-gas company that submits to the Commission an application for a certificate of public convenience and necessity under this section to construct an interstate natural gas pipeline—

''(A) with respect to any preliminary requirement for that certification, may use aerial survey data to satisfy the preliminary requirement; but

''(B) with respect to each applicable nonpreliminary survey requirement for approval of the certification, shall achieve compliance with the requirement through such other means as the Commission may require.''; and

(2) by adding at the end the following:

''(i) REGULATORY APPROVAL OF NATURAL GAS PIPELINE PROJECTS.—

''(1) DEFINITION OF PREFILED PROJECT.—In this subsection, the term 'prefiled project' means a project for the siting, construction, expansion, or operation of a natural gas pipeline with respect to which a prefiling docket number has been assigned by the Commission pursuant to a prefiling process established by the Commission for the purpose of facilitating the formal application process for obtaining a certificate of public convenience and necessity.

''(2) DETERMINATION ON APPLICATIONS.—The Commission shall approve or deny an application for a certificate of public convenience and necessity for a prefiled project by not later than 1 year after the date of receipt of a completed application that is ready to be processed, as determined by the Commission by regulation.

''(3) OTHER FEDERAL AGENCIES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the head of the Federal department or agency responsible for issuing any license, permit, or other approval required under Federal law in connection with a prefiled project for which a certificate of public convenience and necessity is sought under this Act shall approve or deny the license, permit, or other approval by not later than 90 days after the date on which the Commission issues a final environmental document relating to the project.

''(B) EXTENSION.—

''(i) IN GENERAL.—The Commission may extend an applicable deadline under subparagraph (A) by not longer than an additional 30 days, if the head of the affected Federal department or agency demonstrates that—

''(I) the process of determining whether to approve or deny the applicable license, permit, or other approval cannot be completed by the applicable deadline; and

''(II) the department or agency therefore will be compelled to deny the license, permit, or approval.

''(ii) TECHNICAL ASSISTANCE.—In providing an extension under this subparagraph, the Commission may offer to the affected Federal department or agency such technical assistance as is necessary to address any condition preventing the completion of the review of the application for the license, permit, or other approval.

''(C) FAILURE TO ACT.—If a Federal department or agency described in subparagraph (A) fails to approve or deny a license, permit, or other approval by the deadline under subparagraph (A) or (B), as applicable—

''(i) the license, permit, or approval shall take effect on the date that is 30 days after the expiration of the deadline; and

''(ii) the Commission shall incorporate into the terms of the license, permit, or approval any conditions proffered by the Federal department or agency that the Commission does not determine to be inconsistent with any relevant environmental document.''.

SEC. 71232. RIGHTS-OF-WAY FOR PUBLIC UTILITIES.

Section 100902(a)(1)(A) of title 54, United States Code, is amended by striking ''and lines for the generation and distribution of electrical power'' and inserting ''lines for the generation and distribution of electrical power, and natural gas or petroleum product pipelines''.

Subtitle D—Transportation Conformity Reform

SEC. 71241. LIMITATIONS ON CERTAIN FEDERAL ASSISTANCE UNDER CLEAN AIR ACT.

Section 176 of the Clean Air Act (42 U.S.C. 7506) is amended—

(1) in subsection (c)(1)—

(A) by striking the undesignated matter following clause (iii) of subparagraph (B); and

(B) in the fourth sentence, by striking ''Conformity to an implementation plan means—'' and inserting the following:

''(a) DEFINITION OF CONFORM.—

''(1) IN GENERAL.—In this section, the term 'conform', with respect to the status of an activity, project, program, or plan as determined under an applicable implementation plan, means that the activity, project, program, or plan—'';

(2) in subsection (a) (as so redesignated)—

(A) in paragraph (1) (as so redesignated)—

(i) by striking ''(A) conformity to'' and inserting the following:

''(A) achieves compliance with''; and

(ii) by striking ''(B) that such activities will'' and inserting the following:

''(B) will'';

(B) by moving the subsection (as so amended) to appear at the beginning of the section; and

(C) by adding at the end the following:

''(2) DETERMINATION ESTIMATES.—For purposes of paragraph (1), a determination regarding the conformity of an activity, project, program, or plan shall be based on the most recent estimates of the emissions of the activity, project, program, or plan, which shall be determined based on the most recent applicable population, employment, travel, and congestion estimates (as determined by the metropolitan planning organization or other agency authorized to make those estimates).'';

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(4) in subsection (b) (as so redesignated)—

(A) by striking the subsection designation and all that follows through ''No department'' in the first sentence and inserting the following:

''(b) REQUIREMENT OF CONFORMITY FOR FEDERAL ASSISTANCE.—

''(1) LIMITATIONS.—

''(A) FEDERAL AGENCIES.—No department'';

(B) in paragraph (1)(A) (as so redesignated)—

(i) in the first sentence, by striking ''it has'' and inserting ''the implementation plan has'';

(ii) in the third sentence, by striking ''The assurance of conformity to such an implementation plan'' and inserting the following:

''(C) RESPONSIBILITY FOR ASSURANCE.—The assurance of conformity to an implementation plan approved or promulgated under section 110''; and

(iii) in the second sentence, by striking ''No metropolitan'' and inserting the following:

''(B) METROPOLITAN PLANNING ORGANIZATIONS.—No metropolitan'';

(C) in paragraph (2)—

(i) in subparagraph (A), by striking ''of paragraph (1)(B)'' and inserting ''described in subsection (a)(1)(B)'';

(ii) in subparagraph (C)—

(I) in clause (i), by striking ''(i) such a project'' and inserting the following:

''(II)(aa) the project'';

(II) in clause (ii), by striking ''(ii) the design'' and inserting the following:

''(bb) the design'';

(III) in clause (iii), by striking ''(iii) the design'' and inserting the following:

''(cc) the design''; and

(IV) in the matter preceding clause (i), by striking ''only if it meets either the requirements of subparagraph (D) or the following requirements'' and inserting the following: ''only if—

''(I) the transportation project achieves compliance with all applicable requirements of clause (iv); or'';

(iii) in subparagraph (D), by striking ''subparagraph (C)'' and inserting ''clause (iii)'';

(iv) in subparagraph (E)—

(I) in clause (ii), by striking ''clause (i)'' and inserting ''subclause (I)''; and

(II) by redesignating clauses (i) through (iii) as subclauses (I) through (III), respectively, and indenting the subclauses appropriately;

(v) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively, and indenting the clauses appropriately; and

(vi) in the matter preceding clause (i) (as so redesignated)—

(I) in the third sentence, by striking ''In particular—'' and inserting the following:

''(C) ADDITIONAL REQUIREMENTS.—The additional requirements referred to in subparagraph (B)(i)(II) are that—'';

(II) in the second sentence—

(aa) by striking ''been found to conform to any applicable implementation plan in effect under this Act.'' and inserting the following: ''been determined—

''(I) to conform to an applicable implementation plan in effect under this Act (as determined in accordance with paragraph (4)(B)); and

''(II) to achieve compliance with all applicable additional requirements described in subparagraph (C).''; and

(bb) by striking ''No Federal'' and inserting the following:

''(B) CONFORMITY REQUIRED.—

''(i) IN GENERAL.—Subject to clause (ii), no Federal'';

(III) in the first sentence, by striking ''(2) Any'' and inserting the following:

''(2) TRANSPORTATION CONFORMITY.—

''(A) IN GENERAL.—Each''; and

(IV) in subparagraph (B) (as designated by subclause (II)(bb)), by adding at the end the following:

''(ii) APPLICABILITY.—The requirement described in clause (i) shall not apply—

''(I) to a transportation plan, program, or project carried out in an area designated under this Act as a marginal nonattainment or attainment-maintenance area; and

''(II) in an area that is not an area described in subclause (I), until the date that is 180 days after the date on which the Administrator approves the motor vehicle emissions budget contained in the State implementation plan applicable to the relevant transportation plan, program, or project.'';

(D) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), by adding ''and'' after the semicolon at the end; and

(II) by striking clause (iii); and

(ii) in subparagraph (B)—

(I) in clause (i), by striking ''enactment; and'' and all that follows through the end of the undesignated matter following clause (ii) and inserting ''enactment.''; and

(II) in the matter preceding clause (i), by striking ''projects—'' and all that follows through ''come from'' in clause (i) and inserting ''projects are carried out under'';

(E) in paragraph (4)—

(i) in subparagraph (B)—

(I) by striking ''The Administrator'' and inserting the following:

''(i) IN GENERAL.—Subject to clause (ii), the Administrator''; and

(II) by adding at the end the following:

''(ii) REQUIREMENTS.—The criteria and procedures promulgated pursuant to clause (i) shall—

''(I) be based on the most recently issued national ambient air quality standard for each applicable criteria pollutant; and

''(II) establish that conformity in the case of transportation plans, programs, and projects shall not be required—

''(aa) in any area designated under this Act as a marginal nonattainment or attainment-maintenance area; and

''(bb) with respect to any area that is not an area described in item (aa), until the date that is 180 days after the date on which the Administrator approves the motor vehicle emissions budget contained in the State implementation plan applicable to the relevant transportation plan, program, or project.'';

(ii) in subparagraph (D)—

(I) in clause (ii)—

(aa) in subclause (II), by striking ''paragraph (2)(E)'' and inserting ''paragraph (2)(C)(v)''; and

(bb) by indenting subclauses (I) and (II) appropriately;

(II) by indenting clauses (i) through (iii) appropriately; and

(III) by striking ''(D) The'' and inserting the following:

''(D) MINIMUM REQUIREMENTS.—The''; and

(iii) in subparagraph (F), by striking ''(F) Compliance'' and inserting the following:

''(F) TRAFFIC SIGNAL SYNCHRONIZATION PROJECTS.—Compliance'';

(F) by striking paragraphs (5) and (6);

(G) by redesignating paragraphs (7) through (9) as paragraphs (5) through (7), respectively;

(H) in subparagraph (A) of paragraph (5) (as so redesignated), by striking ''Each'' and inserting ''Subject to paragraph (2)(B)(ii)(II), each'';

(I) in paragraph (7) (as so redesignated), by striking ''If'' and inserting the following:

''(A) DEFINITION OF LAPSE.—In this paragraph, the term 'lapse', with respect to a conformity determination for a transportation plan or transportation improvement program, means that—

''(i) the conformity determination has expired; and

''(ii) as a result of that expiration, no currently conforming transportation plan or transportation improvement program exists.

''(B) LAPSES.—If''; and

(J) by striking paragraph (10); and

(5) in subsection (c) (as redesignated by paragraph (3))—

(A) in the second sentence, by striking ''This paragraph extends to, but is not limited to,'' and inserting the following:

''(2) APPLICABILITY.—The authority described in paragraph (1) includes any''; and

(B) by striking the subsection designation and all that follows through ''Federal Government'' and inserting the following:

''(c) PRIORITY.—

''(1) REQUIREMENT.—Each Federal department, agency, and instrumentality''.

SEC. 71242. STUDY ON TRANSPORTATION AIR QUALITY CONFORMITY UNDER CLEAN AIR ACT.

The Administrators of the Environmental Protection Agency, the Federal Highway Administration, and the Federal Transit Administration shall jointly enter into an arrangement with the National Academy of Sciences under which the Academy shall—

(1) conduct a study relating to transportation air quality conformity to evaluate the effectiveness of the conformity requirements under section 176 of the Clean Air Act (42 U.S.C. 7506) (as amended by section 71241); and

(2) provide to the Administrators recommendations for transportation conformity policy, including suggested legislative and regulatory changes relating to transportation planning and air quality.

Subtitle E—Increasing State Authority and Collaboration in Reviewing Transportation Projects

SEC. 71251. FEDERAL-STATE PROJECT AGREEMENTS.

Section 106(b) of title 23, United States Code, is amended by adding at the end the following:

''(3) NO FEDERAL APPROVAL FOR CERTAIN ACTIVITIES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law (including regulations), no approval of the Secretary shall be required under this section for any project described in subparagraph (B), subject to the condition that the project shall be carried out in accordance with all other applicable requirements under this title and title 49.

''(B) DESCRIPTION OF PROJECTS.—A project referred to in subparagraph (A) is any project—

''(i) carried out under—

''(I) a stewardship and oversight agreement; or

''(II) any other agreement under this section; and

''(ii) relating to—

''(I) the standard specifications of the applicable State transportation department;

''(II) the pavement design policy of the State transportation department;

''(III) any value engineering policies or procedures of the State transportation department;

''(IV) liquidated damage rates;

''(V) a quality assurance program of the State transportation department; or

''(VI) such other matter as the Secretary, in consultation with State transportation departments, determines to be appropriate.''.

SEC. 71252. PROJECT APPROVAL AND OVERSIGHT FOR HIGH RISK PROJECTS.

Section 106(c)(4) of title 23, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking ''shall not assign any responsibilities to a State for projects'' and inserting ''may assign to a State responsibility for a project in the State that''; and

(B) by inserting '', subject to the requirement that the project shall be carried out in accordance with all applicable requirements of an agreement between the Secretary and the State under this section'' before the period at the end; and

(2) in subparagraph (B), by striking ''The Secretary may define the high risk categories under this subparagraph on'' and inserting the following: ''For purposes of subparagraph (A), the Secretary—

''(A) shall establish high risk categories in collaboration with State transportation departments; and

''(B) may define the categories on''.

SEC. 71253. ADVANCE ACQUISITION OF REAL PROPERTY.

Section 108 of title 23, United States Code, is amended—

(1) in subsection (a)(1), by striking ''may make'' and inserting ''shall make'';

(2) in subsection (b), by striking ''(b) Federal'' and inserting the following:

''(b) MAXIMUM PARTICIPATION.—Federal'';

(3) in subsection (c)(3)—

(A) in the matter preceding subparagraph (A), by striking ''State demonstrates to the Secretary and the Secretary finds'' and inserting ''State ensures'';

(B) in subparagraph (F)—

(i) by inserting ''of 1969 (42 U.S.C. 4321 et seq.)'' after ''Policy Act'';

(ii) by striking ''this Act'' and inserting ''the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 1914)''; and

(iii) by inserting ''of 1973 (16 U.S.C. 1531 et seq.)'' after ''Species Act''; and

(C) in subparagraph (G), by striking ''the Secretary'' and inserting ''the State''; and

(4) in subsection (d)—

(A) in paragraph (2)—

(i) by striking ''a State'' each place it appears and inserting ''the State''; and

(ii) by striking ''The Secretary may'' and inserting ''On receipt of a request from a State, the Secretary shall'';

(B) in paragraph (3), in the matter preceding subparagraph (A), by striking '', with concurrence by the Secretary,''; and

(C) in paragraph (7)—

(i) by striking ''If'' and inserting the following:

''(A) IN GENERAL.—Subject to subparagraph (B), if''; and

(ii) by adding at the end the following:

''(B) EXTENSION.—On receipt of a request from a State, the Secretary shall delay the effective date of the offset against the apportionment of the State described in subparagraph (A) for such period as the Secretary determines to be appropriate, in accordance with applicable law (including regulations).''.

SEC. 71254. AGREEMENTS RELATING TO USE OF, AND ACCESS TO, RIGHTS-OF-WAY ON INTERSTATE SYSTEM.

Section 111 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in the fourth sentence—

(i) by striking ''Nothing'' and inserting the following:

''(4) EFFECT OF SECTION.—Nothing'';

(ii) by striking ''Interstate System (1) if such establishment (A) was'' and inserting the following: ''Interstate System, if—

''(A) the establishment—

''(i) was'';

(iii) by striking ''1960, (B) is owned by a State, and (C) is'' and inserting the following: ''1960;

''(ii) is owned by a State; and

''(iii) is''; and

(iv) by striking ''otherwise, and (2) if all'' and inserting the following: ''otherwise; and

''(B) all'';

(B) in the third sentence, by striking ''Such agreements may, however,'' and inserting the following:

''(3) USE OF AIRSPACE.—An agreement described in paragraph (1)(A) may'';

(C) in the second sentence, by striking ''Such agreements shall also contain a clause providing'' and inserting the following:

''(2) AUTOMOTIVE SERVICE STATIONS.—An agreement described in paragraph (1)(A) shall include a requirement'';

(D) by striking the subsection designation and heading and all that follows through ''All agreements between the Secretary and the'' in the first sentence and inserting the following:

''(a) REQUIREMENTS FOR AGREEMENTS.—

''(1) POINTS OF ACCESS AND EXIT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each agreement between the Secretary and a''; and

(E) in paragraph (1) (as so redesignated), by adding at the end the following:

''(B) TRANSFER OF AUTHORITY TO STATES.—On receipt of a request from a State transportation department, the Secretary shall transfer to the State transportation department the sole authority to approve the addition of a point of access to, or exit from, an applicable project on the Interstate System on approval by the State transportation department of a justification report under subsection (e).''; and

(2) in subsection (e), by striking ''Secretary may permit a State transportation department to approve the report'' and inserting ''Secretary, on receipt of a request from an affected State transportation department, shall transfer to the State transportation department in accordance with subsection (a)(1)(B) the sole authority to approve the addition of the applicable point of access to, or exit from, a relevant project on the Interstate System on approval by the State transportation department of the report''.

SA 2305. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40106(a)(2) of division D, in the matter preceding subparagraph (A), strike ''than—'' and all that follows through the period at the end of subparagraph (B) and insert ''than 500 kilovolts.''.

In section 40106(a)(4)(A) of division D, strike ''or replace an existing''.

In section 40106(d)(4)(A) of division D, strike clause (i) and insert the following:

(i) from the eligible entities that directly received the services provided by the facilitation activities under subsection (e)(1); or

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SA 2306. Mr. MARKEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 24216, add the following:

(c) RULEMAKING.—Not later than 2 years after the date on which the Administrator of the National Highway Traffic Safety Administration completes the study under subsection (b)(1), the Administrator shall issue a final rule to enhance the use by the National Highway Traffic Safety Administration of early warning reporting data to enhance safety.

SA 2307. Mr. MARKEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1037, lines 13 and 14, strike ''an advanced notice of proposed rulemaking'' and insert ''a final rule''.

On page 1037, lines 16 through 19, strike ''If the Secretary determines that a final rule is appropriate consistent with the considerations described in section 30111(b) of title 49, United States Code, in'' and insert ''In''.

SA 2308. Mr. MARKEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1046, strike lines 4 through 25 and insert the following:

(1) RULEMAKING.—

(A) IN GENERAL.—Not later than 2 years after the date of completion of the research under subsection (a), the Secretary shall issue a final rule requiring all new passenger motor vehicles with a gross vehicle weight rating of less than 10,000 pounds to be equipped with a driver monitoring system described in that subsection.

(B) DEADLINE.—The rule under subparagraph (A) shall take effect on September 1 of the first calendar year beginning after the date on which the Secretary issues the rule.

SA 2309. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 11515.

SA 2310. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 11514, strike subsection (d).

SA 2311. Ms. DUCKWORTH (for herself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. 230____. UNIVERSAL ELECTRONIC VEHICLE IDENTIFIER.

Not later than 2 years after the date of enactment of this Act, the Secretary 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.

SA 2312. Mr. COONS (for himself, Ms. MURKOWSKI, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2683, line 20, strike ''$10,250,000,000'' and insert ''$11,500,000,000''.

On page 2683, line 21, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.

On page 2683, line 23, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.

On page 2683, line 25, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.

On page 2684, line 1, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.

On page 2684, line 3, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.

On page 2684, line 24, strike ''and''.

On page 2685, line 4, strike the colon and insert ''; and''.

On page 2685, between lines 4 and 5, insert the following:

(4) $1,250,000,000 shall be to carry out passenger ferry grants under section 5307(h) of title 49, United States Code:

SA 2313. Mr. PADILLA (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. ____. ADVANCED AIR MOBILITY PLANNING GRANT PROGRAM.

(a) GRANTS.—

(1) IN GENERAL.—The Secretary is authorized to establish a program under which the Secretary awards planning grants to eligible entities to develop a comprehensive plan for the infrastructure that may be necessary to integrate advanced air mobility solutions into the National Airspace System.

(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to grant applications where an eligible entity partners with at least one other—

(A) transit agency, port authority, airport sponsor, or metropolitan planning organization;

(B) political subdivision of State, local, or Tribal governments in its region or geographic area; or

(C) not-for-profit research institution or institution of higher education with relevant experience working with industry on new technology and commercialization.

(3) MINIMUM ALLOCATION TO RURAL AREAS.—The Secretary shall ensure that at least 20 percent of amounts made available under subsection (c) are used to award grants to eligible entities located in a rural area.

(4) REQUIRED REPORT.—

(A) IN GENERAL.—Not later than 1 year after an eligible entity is awarded a grant under this section, the eligible entity shall submit to the Secretary and the Administrator a report that includes—

(i) recommendations for methods to ensure that advanced air mobility equitably connects users to existing transportation infrastructure, including multi-modal transportation centers, without compromising safety and efficiency of other facilities and airspace users;

(ii) a description of potential takeoff and landing locations at existing airports and heliports for low-, medium-, and high-volume operations;

(iii) a description of potential takeoff and landing locations at new vertiports for low-, medium-, and high-volume operations;

(iv) a plan for electric charging and other fueling infrastructure;

(v) a plan for community engagement, including consideration of the noise impact on communities;

(vi) recommendations for any zoning and permitting changes that would be necessary to implement advanced air mobility;

(vii) recommendations for any regional or national infrastructure improvements that may be necessary to enable advanced air mobility; and

(viii) other items determined appropriate by the Secretary.

(B) PUBLIC AVAILABILITY OF REPORT.—Each report submitted under subparagraph (A) shall be made available on a public internet website managed by the Administrator.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Aviation Administration.

(2) ADVANCED AIR MOBILITY.—The term ''advanced air mobility'' means an air transportation system that moves people and cargo between places using innovative aircraft designs (such as vertical take-off and landing (VTOL) and new technologies (such as electric or hybrid (fuel and electric) driven propulsion), which are integrated into existing airspace operation as well as operated in local, regional, interregional, rural, and urban environment, and which may include remotely piloted or autonomous aircraft.

(3) ADVANCED PROPULSION.—The term ''advanced propulsion'' means powered by electric, hydrogen, hybrid technology, or other propulsion technology, as defined by the Secretary.

(4) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State;

(B) a unit of local government;

(C) a metropolitan planning organization;

(D) a Tribal government;

(E) a political subdivision of a State or local government;

(F) a special purpose district or a public authority with a transportation function, including airport sponsors and port authorities; and

(G) a group of entities described in subparagraphs (A) through (F).

(5) HIGH-VOLUME OPERATIONS.—The term ''high-volume operations'' means more than 1,000 simultaneous advanced air mobility operations taking place in the relevant region or jurisdiction.

(6) LOW-VOLUME OPERATIONS.—The term ''low-volume operations'' means under 100 simultaneous advanced air mobility operations taking place in the relevant region or jurisdiction.

(7) MEDIUM-VOLUME OPERATIONS.—The term ''medium-volume operations'' means more than 100, but less than 1,000, simultaneous advanced air mobility operations taking place in the relevant region or jurisdiction.

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

(9) VERTIPORT.—The term ''vertiport'' means a landing and takeoff site that supports advanced air mobility operations.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section $12,500,000 for each of fiscal years 2022 and 2023.

SA 2314. Mr. PADILLA (for himself, Mr. BOOKER, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 126, strike line 17 and all that follows through page 127, line 3, and insert the following:

a national ambient air quality standard;

''(11) if the project is on a marine highway corridor, connector, or crossing designated by the Secretary under section 55601(c) of title 46 (including an inland waterway corridor, connector, or crossing) that—

''(A) is functionally connected to the Federal-aid highway system; and

''(B) the Secretary determines is likely to contribute to the attainment or maintenance of a national ambient air quality standard; or

''(12) the project or program of projects involves the deployment of hyperlocal air quality mobile monitoring systems primarily to monitor transportation-related emissions.'';

On page 130, strike lines 12 and 13 and insert the following

''(ii) an urbanized area with a population of 200,000 or fewer.

''(n) DEFINITION OF HYPERLOCAL AIR QUALITY MOBILE MONITORING SYSTEM.—In this section, the term 'hyperlocal air quality mobile monitoring system' means a method of monitoring and mapping ambient air quality and greenhouse gases and detecting the presence of pollutants using mobile vehicles that—

''(1) yields frequently repeated, ongoing measurements of pollutants and greenhouse gases at a block-level of resolution; and

''(2) identifies hotspots of persistent elevated levels of pollutants and greenhouse gases.''.

SA 2315. Mr. PADILLA (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and

transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 11101(b)(1), add at the end the following:

(H) NATIONAL SCENIC BYWAYS PROGRAM.—For the national scenic byways program under section 162 of title 23, United States Code—

(i) $55,000,000 for fiscal year 2022;

(ii) $60,000,000 for fiscal year 2023;

(iii) $65,000,000 for fiscal year 2024;

(iv) $70,000,000 for fiscal year 2025; and

(v) $75,000,000 for fiscal year 2026.

SA 2316. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 638, strike line 25 and all that follows through page 639, line 1, and insert the following:

scribed in subsection (b)(2);

''(H) a project or series of projects to reduce transportation emissions (including associated infrastructure improvements to support infill development and transit-oriented development and to increase nonmotorized trips), subject to the conditions that—

''(i) the project or series of projects shall directly improve the efficiency of existing surface transportation infrastructure, as determined by the Secretary; and

''(ii) the Federal share of the project or series of projects shall be used to fund only the elements of the project or series that provide public benefits; and

''(I) any other surface transportation in-

SA 2317. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. RESCISSION OF UNOBLIGATED AMERICAN RESCUE PLAN ACT FUNDS.

Effective on the date of enactment of this Act—

(1) the Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget, shall identify all unobligated balances of amounts made available under the American Rescue Plan Act of 2021 (Public Law 117–2), or an amendment made by that Act, excluding amounts made available for purposes of COVID–19 vaccinations or personal protective equipment; and

(2) all of such unobligated balances are rescinded.

SA 2318. Mr. HOEVEN (for himself and Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division H, insert the following:

SEC. ____. ELECTIVE PAYMENT FOR CARBON OXIDE SEQUESTRATION.

(a) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6431. ELECTIVE PAYMENT FOR CARBON OXIDE SEQUESTRATION.

''(a) ENERGY PROPERTY.—In the case of a taxpayer making an election (at such time and in such manner as the Secretary may provide) under this section with respect to any portion of a carbon oxide sequestration credit which would (without regard to this section) be determined under section 45Q with respect to such taxpayer, such taxpayer shall be treated as making a payment against the tax imposed by subtitle A for the taxable year equal to the amount of such portion.

''(b) TIMING.—The payment described in subsection (a) shall be treated as made on the later of the due date of the return of tax for such taxable year or the date on which such return is filed.

''(c) EXCLUSION FROM GROSS INCOME.—Gross income of the taxpayer shall be determined without regard to this section.

''(d) DENIAL OF DOUBLE BENEFIT.—Solely for purposes of section 38, in the case of a taxpayer making an election under this section, the carbon oxide sequestration credit determined under section 45Q shall be reduced by the amount of the portion of such credit with respect to which the taxpayer makes such election.''.

(b) SPECIAL RULE FOR PROCEEDS OF TRANSFERS FOR MUTUAL OR COOPERATIVE ELECTRIC COMPANIES.—Section 501(c)(12)(I) of the Internal Revenue Code of 1986 is amended by inserting ''or 6431(a)'' after ''section 45J(e)(1)''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 65 of such Code is amended by adding at the end the following new item:

''Sec. 6431. Elective payment for carbon oxide sequestration.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of enactment of this Act.

SA 2319. Mr. HOEVEN (for himself and Ms. SMITH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—FLEXIBLE FINANCING FOR RURAL UTILITIES

SEC. 71201. LOAN ADJUSTMENTS FOR CRITICAL RURAL UTILITY SERVICE PROVIDERS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the borrower of a qualified loan described in subsection (b) may submit to the Secretary of Agriculture (referred to in this section as the ''Secretary'') a request to adjust the interest rate or modify any other term of the qualified loan, which shall include a report summarizing how the adjustment or modification will assist the borrower in providing critical utility services to a rural community.

(b) QUALIFIED LOAN DESCRIBED.—A qualified loan referred to in subsection (a) is a loan made or guaranteed on or before the date of enactment of this Act under—

(1) section 4, 201, 305, 306, or 601 of the Rural Electrification Act of 1936 (7 U.S.C. 904, 922, 935, 936, 950bb); or

(2) the program carried out under the matter under the heading ''DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM'' in title I of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 118) (commonly known as the ''Broadband Initiatives Program'').

(c) ADJUSTMENT OF INTEREST RATE; MODIFICATION OF LOAN TERMS.—

(1) IN GENERAL.—On receipt by the Secretary of a request made under subsection (a) with respect to a loan, the Secretary, or the Secretary of the Treasury in the case of a loan owned by the Federal Financing Bank—

(A) in the case of a request for an interest rate adjustment, shall adjust the interest rate on the loan to the cost of funds to the Department of the Treasury for obligations of comparable maturity to the term remaining on the outstanding balance of the loan or other such higher rate as the borrower may request; and

(B) in the case of a request for a modification to a loan term other than the adjustment described in subparagraph (A), may use the authorities provided in sections 2, 201, 306C and 703 of the Rural Electrification Act of 1936 (7 U.S.C. 902, 922, 936c, 950cc–2) and section 331(b)(4) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981(b)(4)) to make such other modifications to the loan terms that the Secretary, in consultation with the Secretary of the Treasury in the case of a loan owned by the Federal Financing Bank, determines are necessary—

(i) to address changes in the financial position of the borrower due to the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19 (or any renewal of that declaration); and

(ii) to promote the financial sustainability of the borrower.

(2) EFFECTIVE DATE.—An adjustment or modification under subparagraph (A) or (B), respectively, of paragraph (1) shall apply—

(A) beginning on the first calendar day after the payment date immediately following the request; but

(B) not earlier than 30 days after the date of the request.

(d) NO FEES OR PENALTIES.—In carrying out this section, the Secretary, or the Secretary of the Treasury in the case of a loan owned by the Federal Financing Bank, shall not impose or collect any fee from, or impose any penalty on, a borrower.

(e) NOTICE.—Not later than 30 days after the date of enactment of this Act, the Secretary, in coordination with the Secretary of the Treasury, shall publish in the Federal Register a notice of the benefits available to borrowers under this section.

(f) APPROPRIATIONS; REIMBURSEMENTS.—

(1) IN GENERAL.—Out of any amounts in the Treasury not otherwise appropriated—

(A) there are appropriated to the Secretary such sums as are necessary, to remain available until December 31, 2021, for the cost of interest rate adjustments under subsection (c)(1)(A);

(B) there is appropriated to the Secretary $300,000,000, to remain available until December 31, 2021, for the cost of modifications under subsection (c)(1)(B); and

(C) there are appropriated to the Federal Financing Bank such sums as are necessary, to remain available until December 31, 2023, for the liquidation of residual intragovernmental amounts owed by the Federal Financing Bank in connection with qualified loans described in subsection (b) modified after the date of enactment of this Act.

(2) CALCULATION.—For purposes of paragraph (1)(C), the calculation of the sums necessary for the liquidation of residual intragovernmental amounts owed shall take into account all amounts otherwise transferred to the Federal Financing Bank for the qualified loans described in that paragraph.

(3) EMERGENCY DESIGNATION.—

(A) IN GENERAL.—The amounts provided by this section are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(B) DESIGNATION IN SENATE.—In the Senate, this section is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

SA 2320. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI of division H, add the following:

SEC. 806____. ADDITIONAL DEDUCTION FOR COST OF CERTAIN MATERIALS PURCHASED DIRECTLY FROM A DOMESTIC SMELTER OR PROCESSOR.

(a) FINDINGS.—Congress finds the following:

(1) It is in America's best interest to ensure a robust and secure domestic supply chain for U.S. manufacturers.

(2) The United States' increasing reliance on foreign sources of metals and minerals threatens our economic and national security while providing our geopolitical rivals, such as China and Russia, leverage over our economy.

(3) Incentivizing domestic mineral and metal production and the purchase of these materials will make our nation's supply chains more secure and resilient.

(b) DEDUCTION.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 181 the following new section:

"SEC. 182. ADDITIONAL DEDUCTION FOR COST OF CERTAIN MATERIALS PURCHASED DIRECTLY FROM A DOMESTIC SMELTER OR PROCESSOR.

''(a) IN GENERAL.—There shall be allowed as a deduction (in addition to any other deduction allowed under this chapter for the cost of specified domestically-produced materials) an amount equal to 10 percent of the cost of specified domestically-produced materials if such materials are acquired by the taxpayer directly from the domestic smelter or processor of such material.

''(b) SPECIFIED DOMESTICALLY-PRODUCED MATERIALS.—For purposes of this section—

''(1) IN GENERAL.—The term 'specified domestically-produced materials' means any of the following:

''(A) Any specified material which is a mine product that is smelted or processed in the United States.

''(B) Any specified material which is a mine tailings product which is beneficiated in the United States.

''(C) Any specified material which is metal or metal compound production which is—

''(i) reprocessed from slags or residues in the United States, or

''(ii) melted, sputtered, or otherwise produced in the United States.

''(D) Any specified material which is an alloy produced by melting together metals in the United States.

''(E) Any specified material which is a magnet which is sintered or bonded and magnetized in the United States.

''(2) SPECIFIED MATERIAL.—

''(A) IN GENERAL.—The term 'specified material' means minerals that are necessary—

''(i) for the national defense and national security requirements,

''(ii) for the energy infrastructure of the United States, including—

''(I) pipelines,

''(II) refining capacity,

''(III) electrical power generation and transmission, and

''(IV) renewable energy production,

''(iii) for community resiliency, coastal restoration, and ecological sustainability for the coastal United States,

''(iv) to support domestic manufacturing, agriculture, housing, telecommunications, healthcare, and transportation infrastructure, or

''(v) for the economic security of, and balance of trade in, the United States.

''(B) EXCEPTIONS.—Such term shall not include—

''(i) fuel minerals, including oil, natural gas, or any other fossil fuels,

''(ii) water, ice, or snow, or

''(iii) sand, stone, gravel, pumice, pumicite, cinders, or clay.

''(c) DOMESTIC SMELTER OR PROCESSOR.—For purposes of this section, the term 'domestic smelter or processor' means—

''(1) in the case of specified domestically-produced materials described in subsection (b)(1)(A), a person in the trade or business of smelting or processing such material,

''(2) in the case of specified domestically-produced materials described in subsection (b)(1)(B), a person in the trade or business of beneficiating such material,

''(3) in the case of specified domestically-produced materials described in subsection (b)(1)(C)(i), a person in the trade or business of reprocessing such material,

''(4) in the case of specified domestically-produced materials described in subsection (b)(1)(C)(ii), a person in the trade or business of melting, sputtering, or producing by melting together such materials,

''(5) in the case of specified domestically-produced materials described in subsection (b)(1)(D), a person in the trade or business of producing such material, and

''(6) in the case of specified domestically-produced materials described in subsection (b)(1)(E), a person in the trade or business of sintering or bonding such materials.''.

(c) CLERICAL AMENDMENT.—The table of sections for part VI of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 181 the following new item:

''Sec. 182. Additional deduction for cost of certain materials purchased directly from a domestic smelter or processor.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2321. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X of division D, add the following:

SEC. 410____. FUNDING LIMITATION.

(a) IN GENERAL.—Funding made available by this title shall only be made available for the application or deployment of established technologies with documented performance and an existing commercialization record in order to ensure the timely and desired outcome and performance of the activities funded by this title.

(b) TECHNOLOGY READINESS.—For purposes of determining whether a technology meets the criteria described in subsection (a), the technology readiness level of the technology shall be greater than or equal to 8, as defined by the Technology Readiness Assessment Guide of the Government Accountability Office (report number GAO-16-410G, dated August 2016).

SA 2322. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40321(b) of subtitle C of title III of division D, strike ''Committee on Energy and Natural Resources of the Senate'' and insert ''Committees on Energy and Natural Resources and Armed Services of the Senate''.

In section 40321(b) of subtitle C of title III of division D, insert '', Armed Services,'' after ''Energy and Commerce''.

In section 40321(c)(1) of subtitle C of title III of division D, in the matter preceding subparagraph (A), insert '', in consultation with the Department of Defense,'' after ''by the Department''.

In section 40321(c) of subtitle C of title III of division D, add at the end the following:

(6) A strategy for studying the use of small modular reactors and micro-reactors to power Department of Defense installations domestically.

SA 2323. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA

(for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I of division A, add the following:

SEC. 115___. HOV FACILITIES EXCEPTION FOR ACTIVE TRAFFIC MANAGEMENT STRATEGIES.

Section 166(b) of title 23, United States Code (as amended by section 11527), is amended—

(1) in paragraph (1), by striking ''through (5)'' and inserting ''through (7)''; and

(2) by adding at the end the following:

''(7) ACTIVE TRAFFIC MANAGEMENT STRATEGIES.—

''(A) DEFINITIONS.—In this paragraph:

''(i) ACTIVE TRAFFIC MANAGEMENT.—The term 'active traffic management' means the ability—

''(I) dynamically to manage traffic congestion based on prevailing and predicted traffic conditions; and

''(II) to maximize the effectiveness and efficiency of a HOV facility with respect to trip reliability.

''(ii) ACTIVE TRAFFIC MANAGEMENT STRATEGY.—The term 'active traffic management strategy' means a strategy implemented for purposes of active traffic management, including—

''(I) speed advisory controls;

''(II) dynamic lane assignment;

''(III) dynamic hard shoulder running; and

''(IV) adaptive ramp metering.

''(B) EXCEPTION.—A public authority operating a HOV facility may implement 1 or more active traffic management strategies to replace the HOV facility in any case in which, as determined by the public authority, research and analysis demonstrate that the active traffic management strategy will result in—

''(i) an improvement in overall safety; and

''(ii) reduction in traffic congestion.''.

SA 2324. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—CERTS ACT FUNDING

SEC. 71201. REALLOCATION OF FUNDING FOR CERTS ACT.

Notwithstanding any other provision of this Act (or an amendment made by this Act), the following amounts shall be reallocated to carry out the Coronavirus Economic Relief for Transportation Services Act (subtitle B of title IV of division N of Public Law 116–260; 134 Stat. 1182):

(1) $2,000,000,000 of the total amount authorized to be appropriated for Northeast Corridor grants under section 22101(a).

(2) $1,000,000,000 of the total amount authorized to be appropriated for National Network grants under section 22101(b).

(3) $1,000,000,000 of the total amount authorized to be appropriated for transit infrastructure grants of the Federal Transit Administration under title VIII of division J.

(4) $500,000,000 of the total amount authorized to be appropriated to carry out the clean school bus program under subsection (f) of section 741 of the Energy Policy Act of 2005 (42 U.S.C. 16091) (as amended by section 71101).

(5) $500,000,000 of the total amount authorized to be appropriated to carry out the electric or low-emitting ferry pilot program under section 71102(d).

SA 2325. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—FEDERALLY FUNDED PROJECTS AND ACTIVITIES NOT IN METROPOLITAN STATISTICAL AREAS

SEC. 71201. FEDERALLY FUNDED PROJECTS AND ACTIVITIES NOT IN METROPOLITAN STATISTICAL AREAS.

Notwithstanding any other provision of law, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and division A of subtitle III of title 54, United States Code (formerly known as the ''National Historic Preservation Act''), shall not apply to any project or activity that—

(1) is not located in a metropolitan statistical area (as defined by the Office of Management and Budget); and

(2) is carried out using Federal funds.

SA 2326. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. _____. APPLICATION OF NEPA AND NHPA TO COVERED COMMUNICATIONS PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(2) COMMUNICATIONS FACILITY.—The term ''communications facility'' includes—

(A) any wireless or wireline infrastructure for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds;

(B) any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets, associated with the provision of communications services; and

(C) any antenna or apparatus that—

(i) is designed for the purpose of emitting radio frequency;

(ii) is designed to be operated, or is operating, from a fixed location; and

(iii) is added to a tower, building, or other structure.

(3) COMMUNICATIONS SERVICE.—The term ''communications service'' means a service for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds.

(4) COVERED PROJECT.—The term ''covered project'' means a project that—

(A) is to be carried out within an area for which the President has declared a major disaster or an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(B) is to be carried out not later than 5 years after the date on which the President made the declaration; and

(C)(i) replaces a communications facility damaged by the disaster or emergency; or

(ii) makes improvements to a communications facility—

(I) that could reasonably be considered as necessary for recovery from the disaster or emergency; or

(II) to prevent or mitigate damage to the communications facility from a future disaster or emergency.

(b) NEPA CONSIDERATIONS.—The Commission shall treat a covered project as a class of action categorically excluded under section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation), from any requirement to prepare an environmental assessment or environmental impact statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(c) NATIONAL HISTORIC PRESERVATION CONSIDERATIONS.—Section 306108 of title 54, United States Code, shall not apply with respect to a covered project—

(1) for which the Commission is required to issue a permit; or

(2) that is otherwise subject to the jurisdiction of the Commission.

SA 2327. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2058, line 14, insert before ''from eligibility'' the following: '', except for municipal broadband providers that are prohibited by State law from offering broadband service in the applicable jurisdiction,''.

SA 2328. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2053, strike lines 12 through 16 and insert the following:

of such individuals; and

(5) broadband adoption, including programs to provide affordable internet-capable devices.

SA 2329. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2054, beginning on line 17, strike '', except that the'' and all that follows through ''project'' on line 23.

SA 2330. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 11519, strike subsection (b) and insert the following:

(b) IMPROVING THE EMERGENCY RELIEF PROGRAM.—Not later than 90 days after the date of enactment of this Act, the Secretary shall—

(1) establish categorical exclusions from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and necessary exemptions from the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) for emergency relief projects that are not located in metropolitan statistical areas (as defined by the Office of Management and Budget);

(2) 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) of title 23, United States Code);

(B) to identify procedures that States may use to incorporate resilience into emergency relief projects; and

(C) to encourage the use of Complete Streets design principles and consideration of access for moderate- and low-income families impacted by a declared disaster;

(3) develop best practices for improving the use of resilience in—

(A) the emergency relief program under section 125 of title 23, United States Code; 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 (3); and

(5) develop and implement a process to track—

(A) the consideration of resilience as part of the emergency relief program under section 125 of title 23, United States Code; and

(B) the costs of emergency relief projects.

SA 2331. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1318, line 3, strike ''The term'' and insert ''Except as otherwise expressly provided, the term''.

On page 1420, beginning on line 15, strike ''In this'' and all that follows through ''section'' on line 16, and insert ''Except as otherwise expressly provided, in this section''.

On page 1426, between lines 2 and 3, insert the following:

(h) NATIONAL BLOCKCHAIN IMPLEMENTATION POLICY PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) CRITICAL MINERAL.—The term ''critical mineral'' has the meaning given the term in Executive Order 13817 (30 U.S.C. 1601 note; relating to a Federal strategy to ensure secure and reliable supplies of critical minerals).

(B) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(C) PROGRAM.—The term ''Program'' means the National Blockchain Implementation Policy Program established by the Secretary under paragraph (2)(A).

(D) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(2) PROGRAM.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish in the Department of Commerce a program to be known as the National Blockchain Implementation Policy Program.

(B) REQUIREMENTS.—In carrying out the Program, the Secretary, acting in coordination with such Federal agencies, advisory councils, working groups, and subcommittees as the Secretary considers appropriate, shall—

(i) establish the goals, priorities, and metrics for a 5-year plan to accelerate the development of blockchain technology, and the applications for blockchain technology, in the United States;

(ii) monitor global regulatory developments to—

(I) assess the competitiveness of the United States with respect to the supply chain of critical minerals; and

(II) develop policy solutions in the United States with respect to the supply chain of critical minerals;

(iii) in order to achieve the purposes described in clause (i), pursue fundamental research, development, demonstration, and other activities with respect to blockchain technology;

(iv) invest in activities to develop a blockchain technology workforce pipeline;

(v) provide for interagency planning and coordination of research, development, demonstration, standards engagement, and other activities with respect to blockchain technology;

(vi) partner with private industry, institutions of higher education, and the National Laboratories to leverage knowledge and resources with respect to blockchain technology; and

(vii) leverage Federal investments regarding blockchain technology that are in existence, as of the date on which the Program is established, to advance the goals of the Program, including the purposes described in clause (i).

SA 2332. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ___. DEADLINE FOR AUTHORIZATION DECISIONS FOR MAJOR INFRASTRUCTURE PROJECTS.

(a) DEFINITIONS.—In this section:

(1) LEAD FEDERAL AGENCY.—The term ''lead Federal agency'' means the Federal agency that is responsible for navigating a major infrastructure project through environmental review and authorization processes.

(2) MAJOR INFRASTRUCTURE PROJECT.—The term ''major infrastructure project'' means an infrastructure project for which—

(A) multiple authorizations by Federal agencies will be required to proceed with construction;

(B) the lead Federal agency has determined that it will prepare an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) the project sponsor has identified the reasonable availability of funds sufficient to complete the project.

(b) DEADLINE FOR AUTHORIZATION DECISIONS.—Not later than 90 days after the date on which the head of a lead Federal agency issues a record of decision following the completion of an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), all Federal authorization decisions relating to the construction of a major infrastructure project shall be completed, on the condition that such final environmental impact statement includes an adequate level of detail to inform agency decisions pursuant to specific statutory authority and requirements.

(c) EXTENSION.—The head of a lead Federal agency may extend the deadline referred to in subsection (b) if the head of the lead Federal agency determines that—

(1) Federal law prohibits the Federal agency from issuing an approval or permit within the 90-day period;

(2) the project sponsor requests that the permit or approval follow a different timeline; or

(3) an extension would better promote completion of the environmental review and authorization process of the project.

SA 2333. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ___. USE OF PREVIOUS ENVIRONMENTAL STUDIES, ANALYSES, AND DECISIONS FOR CURRENT PROJECTS.

In carrying out requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a current project, a Federal agency may use an environmental study, analysis, or decision conducted in support of previous Federal, State, Tribal, or

local environmental reviews or authorization decisions.

SA 2334. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1065, line 17, insert ", motorcyclists," after "bicyclists".

SA 2335. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2639, strike line 6 and all that follows through page 2642, line 16, and insert the following:

(1) $27,500,000,000 shall be for a bridge replacement, rehabilitation, preservation, protection, and construction program, *Provided further*, That, except as otherwise provided under this paragraph, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That a project funded with funds made available under this paragraph shall be treated as a project on a Federal-aid highway: *Provided further*, That, of the funds made available under this paragraph for a fiscal year, 3 percent shall be set aside to carry out section 202(d) of title 23, United States Code: *Provided further*, That funds set aside under the preceding proviso to carry out section 202(d) of that title shall be in addition to funds otherwise made available to carry out that section and shall be administered as if made available under that section: *Provided further*, That for funds set aside under this paragraph to carry out section 202(d) of title 23, United States Code, the Federal share of the costs shall be 100 percent: *Provided further*, That up to ½ of 1 percent of the amounts made available under this paragraph in each fiscal year shall be for the administration and operations of the Federal Highway Administration: *Provided further*, That for the purposes of funds made available under this heading for a bridge replacement and rehabilitation program, (A) the term "State" means any of the 50 States or the District of Columbia; and (B) the term "qualifying State" means any State in which the percentage of total deck area of bridges classified as in poor condition in such State is at least 5 percent or in which the percentage of total bridges classified as in poor condition in such State is at least 5 percent: *Provided further*, That, of the funds made available under this heading for a bridge replacement and rehabilitation program, the Secretary shall reserve $300,000,000 for each State that does not meet the definition of a qualifying State: *Provided further*, That, after making the reservations under the preceding proviso, the Secretary shall distribute the remaining funds made available under this heading for a bridge replacement and rehabilitation program to each qualifying State by the proportion that the percentage of total deck area of bridges classified as in poor condition in such qualifying State bears to the sum of the percentages of total deck area of bridges classified as in poor condition in all qualifying States: *Provided further*, That for the bridge replacement and rehabilitation program, no qualifying State shall receive more than $1,200,000,000, each State shall receive an amount not less than $300,000,000, and after calculating the distribution of funds pursuant to the preceding proviso, any amount in excess of $1,200,000,000 shall be redistributed equally among each State that does not meet the definition of a qualifying State: *Provided further*, That funds provided to States that do not meet the definition of a qualifying State for the bridge replacement and rehabilitation program shall be (A) merged with amounts made available to such State under this paragraph; (B) available for activities eligible under this paragraph; and (C) administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That, except as provided in the preceding proviso, the funds made available under this heading for a bridge replacement and rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads: *Provided further*, That for purposes of this heading for the bridge replacement and rehabilitation program, the Secretary shall calculate the percentages of total deck area of bridges (including the percentages of total deck area classified as in poor and the percentages of total bridge counts (including the percentages of total bridges classified as in poor condition) based on the National Bridge Inventory as of December 31, 2018:

SA 2336. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV of division A, add the following:

SEC. ___. TRIBAL TRANSPORTATION.

(a) TRIBAL TRANSPORTATION PROGRAM.—

(1) IN GENERAL.—Section 202 of title 23, United States Code, is amended—

(A) in subsection (a)(9)(A), by striking "construction and improvement" and inserting "construction, improvement, and highway safety";

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking subparagraph (D) and inserting the following:

"(D) ADDITIONAL FACILITIES.—

"(i) IN GENERAL.—Not later than 270 days after the date of enactment of the Infrastructure Investment and Jobs Act, and not less frequently than every 3 years thereafter, the Secretary of the Interior shall publish in the Federal Register a notice requesting proposals from Indian tribes to include additional transportation facilities that are eligible for funding under the tribal transportation program in the inventory described in subparagraph (A), if those proposed additional facilities are included in the inventory in a uniform and consistent manner nationally.

"(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph—

"(I) prohibits the Secretary of the Interior from including in the inventory under subparagraph (A) additional transportation facilities more frequently than required under clause (i), including, as necessary, in response to a proposal from an eligible Indian tribe submitted during a period not described in the notice under clause (i); or

"(II) requires Indian tribes to submit proposals to the Secretary of the Interior in response to the notice required under clause (i)."; and

(II) by adding at the end the following:

"(F) PUBLIC AVAILABILITY.—The Secretary of the Interior shall ensure that all non-confidential information within the inventory described in subparagraph (A) is made available—

"(i) in a user-friendly manner on the public website of the Department of the Interior; and

"(ii) in a manner capable of being searched and downloaded by users of the public website of the Department of the Interior."; and

(ii) in paragraph (3)(B), in the matter preceding clause (i), by striking "fiscal year 2012" and inserting "the most recent fiscal year for which data is available";

(C) in subsection (c)—

(i) in paragraph (3)—

(I) in subparagraph (A), by striking "; and" at the end and inserting a period;

(II) by striking subparagraph (B); and

(III) in the matter preceding subparagraph (A), by striking "shall be—" and all that follows through "selected by" in subparagraph (A), and inserting "shall be selected by"; and

(ii) by adding at the end the following:

"(4) NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.—Notwithstanding any other provision of this section, amounts made available to Indian tribes under subsection (b)(3) may be used for planning and design activities related to applications for grants under the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act (23 U.S.C. 201 note; Public Law 114–94)."; and

(D) in subsection (e)(2), by striking "as appropriate," and inserting "subject to subsection (a)(9),".

(2) INSPECTOR GENERAL REVIEW.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Inspector General of the Department and the Inspector General of the Department of the Interior shall jointly begin an audit of the tribal transportation program under section 202 of title 23, United States Code (referred to in this subsection as the "program").

(B) REVIEW.—The audit under subparagraph (A) shall include—

(i) a review of the data collection and management processes used by the Secretary of the Interior in maintaining the national inventory of tribal transportation facilities under section 202(b)(1) of title 23, United States Code; and

(ii) a review of the administration of the program, including whether—

(I) funding under the program is distributed in a timely manner that is consistent with statutory and regulatory requirements; and

(II) the current procedures and practices used by the Secretary of the Interior to allocate funding for tribal transportation facilities (as defined in section 101(a) of title 23, United States Code) under the program are transparent and consistently applied.

(C) REPORT.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department and the Inspector General of the Department of the

Interior shall jointly submit a report describing the results of the audit under subparagraph (A) to—

(i) the Committee on Environment and Public Works of the Senate;

(ii) the Committee on Indian Affairs of the Senate;

(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

(iv) the Committee on Natural Resources of the House of Representatives.

(3) COMPTROLLER GENERAL REVIEW.—

(A) IN GENERAL.—The Comptroller General of the United States (referred to in this paragraph as the ''Comptroller General'') shall initiate an audit of the program.

(B) REVIEW.—The audit under subparagraph (A) shall include an examination of—

(i) the funding formula of the program under section 202(b)(3) of title 23, United States Code, including key decisions made over time that have affected the methods used to determine tribal shares of program funds;

(ii) whether, for purposes of allocating funding under section 202 of title 23, United States Code, the allocation methodology under subpart D of part 1000 of title 24, Code of Federal Regulations (as in effect on the date of enactment of this Act), provides an accurate and reliable estimate of tribal population;

(iii) potential alternatives to the methodology described in clause (ii) for purposes of allocating funding under section 202 of title 23, United States Code;

(iv) how the Secretary of the Interior ensures that—

(I) the program is consistently administered; and

(II) program decisions are transparently and consistently made; and

(v) the potential effects of having the program administered solely by the Secretary of the Interior or the Secretary.

(C) REPORT.—Not later than 540 days after the date of enactment of this Act, the Comptroller General shall submit a report describing the results of the audit under subparagraph (A) to—

(i) the Committee on Environment and Public Works of the Senate;

(ii) the Committee on Indian Affairs of the Senate;

(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

(iv) the Committee on Natural Resources of the House of Representatives.

(4) OBLIGATION LIMITATIONS.—Notwithstanding section 1102(a) of the FAST Act (23 U.S.C. 104 note; Public Law 114–94) or any other provision of law providing a limitation on obligations for Federal-aid highway and highway safety construction programs for a fiscal year, amounts made available to carry out the tribal transportation program under section 202 of title 23, United States Code, for a fiscal year shall not be subject to the obligation limitation for that fiscal year.

(b) TRANSPORTATION FACILITY ELIGIBILITY.—

(1) DEFINITIONS.—In this subsection:

(A) INVENTORY.—The term ''inventory'' means the national inventory of tribal transportation facilities under section 202(b) of title 23, United States Code.

(B) PROPOSED ROAD.—The term ''proposed road'' means a proposed road or facility (as defined in section 170.5 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act)) that is a road, including a primary access route (as defined in that section).

(2) DEADLINE.—Not later than 180 days after the date of enactment of this Act, and not less frequently than every 3 years thereafter, the Secretary and the Secretary of the Interior shall require each Indian Tribe that intends to include a proposed road in the inventory to complete and submit for approval the documentation and other information required under section 170.443(a) of title 25, Code of Federal Regulations (as in effect on November 6, 2019), for the proposed road.

(3) REPORT.—

(A) IN GENERAL.—Not later than 180 days after each deadline described in paragraph (2), the Secretary of the Interior shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the proposed roads approved to be included in the inventory.

(B) REQUIREMENTS.—Each report under subparagraph (A) shall include, for each Indian reservation, Alaska Native village, or other recognized Indian community (including former Indian reservations in the State of Oklahoma)—

(i) the mileage of proposed roads included in the inventory before the deadline described in paragraph (2);

(ii) the mileage of proposed roads approved to be included in the inventory on the basis of the documentation and other information submitted under paragraph (2); and

(iii) an estimate, based on the documentation and other information submitted under paragraph (2), of the construction and maintenance costs of the proposed roads described in clause (ii).

(c) TRIBAL HIGHWAY SAFETY PARTNERSHIPS.—Section 402 of title 23, United States Code, is amended—

(1) in subsection (b)(1)(C), by striking ''by'' and inserting ''by, or on behalf of,''; and

(2) in subsection (h)(2)—

(A) by striking ''Notwithstanding'' and inserting the following:

''(A) IN GENERAL.—Notwithstanding''; and

(B) by adding at the end the following:

''(B) COOPERATION.—In accordance with section 202(a)(9)(A), an Indian tribe may use amounts described in subparagraph (A) in cooperation with States, counties, and other local subdivisions for highway safety purposes.''.

(d) NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.—Section 1123 of the FAST Act (23 U.S.C. 201 note; Public Law 114–94) is amended—

(1) in subsection (c)(3), by inserting ''for a project that is to be carried out by an eligible entity that is not an Indian tribe,'' before ''having an''; and

(2) in subsection (g)(1)—

(A) by striking ''shall be up to'' and inserting the following: ''shall be—

''(A) for a project carried out by an Indian tribe, up to 100 percent; and

''(B) for a project not described in subparagraph (A), up to''.

(e) TRIBAL TRANSPORTATION ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall establish within the Bureau of Indian Affairs a committee, to be known as the ''Tribal Transportation Advisory Committee'' (referred to in this subsection as the ''Committee''), which shall replace the Tribal Transportation Program Coordinating Committee established under sections 170.135 through 170.137 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Committee shall be composed of—

(i) the Secretary of the Interior (or a designee);

(ii) representatives of a diverse group of Indian Tribes, including—

(I) not fewer than 1 tribal representative from each region of the Bureau of Indian Affairs; and

(II) not more than 3 tribal representatives from any 1 region of the Bureau of Indian Affairs;

(iii) State and local representatives;

(iv) not fewer than 1 representative of the Bureau of Indian Affairs;

(v) not fewer than 1 representative of the Department; and

(vi) other members, as determined to be appropriate by the Secretary of the Interior in consultation with the Committee.

(B) APPOINTMENT.—The Secretary of the Interior shall appoint each member of the Committee.

(C) CHAIRPERSON.—The Secretary of the Interior (or a designee) shall serve as chairperson of the Committee.

(3) TERMS.—Except for the Secretary of the Interior, each member of the Committee shall serve for a term of 3 years.

(4) VACANCIES.—Any vacancy occurring in the membership of the Committee—

(A) shall be filled in the same manner as the original appointment was made; and

(B) shall not affect the power of the remaining members to carry out the duties of the Committee.

(5) DUTIES.—

(A) IN GENERAL.—The Committee shall—

(i) regularly provide advice to the Secretary of the Interior on and, subject to the discretion of the Committee, study issues relating to tribal transportation, including—

(I) the tribal transportation program under section 202 of title 23, United States Code, including—

(aa) the funding formula used to determine tribal shares under the tribal transportation program; and

(bb) the national tribal transportation facility inventory established under subsection (b)(1) of that section;

(II) the road maintenance program managed by the Bureau of Indian Affairs;

(III) grants awarded to Indian tribes for public transportation using amounts made available under section 5311(c)(1) of title 49, United States Code;

(IV) transportation safety within tribal reservations, including—

(aa) traffic safety; and

(bb) safety partnerships with Federal, State, and local authorities;

(V) the availability of transportation funding in the event of a natural disaster; and

(VI) any other policies or procedures related to tribal transportation, as determined by the Committee; and

(ii) carry out the duties of the Tribal Transportation Program Coordinating Committee established under sections 170.135 through 170.137 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(B) BEST PRACTICES AND RECOMMENDATIONS.—The Committee may, on a periodic basis, develop and present to the Secretary of the Interior best practices and recommendations regarding the issues described in subclauses (I) through (VI) of subparagraph (A)(i).

(C) SUBCOMMITTEES.—The Committee may establish any subcommittees necessary to carry out the duties of the Committee.

(6) REPORT TO CONGRESS.—Not later than 180 days after receiving any recommendations from the Committee under paragraph (5)(B), the Secretary of the Interior shall submit to the relevant committees of Congress a report describing those recommendations.

(7) FEDERAL ADVISORY COMMITTEE ACT.—Except as otherwise provided in this section, the Federal Advisory Committee Act (5

U.S.C. App.) shall apply to the Committee and each subcommittee of the Committee.

(8) DETAIL OF FEDERAL EMPLOYEES.—

(A) IN GENERAL.—On request of the Committee, the Secretary of the Interior may detail, with or without reimbursement, any of the personnel of the Department of the Interior or, in consultation with the Secretary, the Department, to the Committee to assist the Committee in carrying out the duties of the Committee.

(B) CIVIL SERVICE STATUS.—Any detail of a Federal employee under subparagraph (A) shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee being detailed.

(9) PAYMENT AND EXPENSES.—

(A) COMPENSATION.—Members of the Committee shall serve without pay.

(B) TRAVEL EXPENSES.—Each member of the Committee shall receive, for a meeting called by the Secretary of the Interior, travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(10) TERMINATION.—The Committee, including subcommittees of the Committee, shall terminate on the date that is 10 years after the date of enactment of this Act.

SA 2337. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FEDERAL SHARE.

Notwithstanding any other provision of law, the Federal share of the cost of any project or activity carried out with amounts made available under any division of this Act shall not exceed 50 percent.

SA 2338. Mr. SCOTT of Florida (for himself, Mr. JOHNSON, Mr. TUBERVILLE, and Mrs. BLACKBURN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INCREASES IN INFLATION.

(a) IN GENERAL.—None of the funds made available by this Act may be disbursed or obligated unless the Congressional Budget Office certifies, not later than 45 days after the date of enactment of this Act, that such funds would not result in an increase in any fiscal year to the baseline forecast for the Consumer Price Index, All Urban Consumers in the most recent 10-year economic outlook publication of the Congressional Budget Office.

(b) RESULT OF INCREASE.—If the Congressional Budget Office does not make the certification under subsection (a), the funds shall be transferred to the general fund of the Treasury to be used only for deficit reduction.

SA 2339. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1297, strike lines 1 through 3 and insert the following:

''(e) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.

''(f) REDUCTIONS IN TRANSIT FUNDING.—

''(1) REQUIRED REDUCTIONS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, if the Secretary determines during a fiscal year that, as compared to the previous fiscal year, a State or local governmental authority that receives funding under this chapter from the Secretary has reduced spending on public safety or law enforcement activities, the Secretary shall reduce the amount of the unobligated funding received by the State or local governmental authority from amounts made available under subsection (a) by a percentage equal to the percentage by which the State or local governmental authority reduced the spending on public safety and law enforcement activities.

''(B) ROLLOVER.—If there are insufficient unobligated amounts described in subparagraph (A) to make the full reduction required under that paragraph during a fiscal year, the Secretary shall, notwithstanding any other provision of law, reduce the amounts received by the State or local governmental authority from amounts made available under subsection (a) during the succeeding fiscal year in an amount necessary to make the full reduction required under that subparagraph for the previous fiscal year.

''(2) USE OF WITHHELD FUNDS.—Amounts not made available to a State or local governmental authority as a result of a reduction under paragraph (1) shall be deposited in the Treasury and used for Federal budget deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt in such manner as the Secretary of the Treasury considers appropriate.''.

SA 2340. Mr. DAINES (for himself, Mr. PADILLA, Mr. HOEVEN, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—OTHER MATTERS

SEC. 71201. MAINTENANCE OF CLASSIFICATION OF CERTAIN AIRPORTS FOR FISCAL YEARS 2022 AND 2023.

(a) IN GENERAL.—Section 47114(c)(1) of title 49, United States Code, is amended by adding at the end the following:

''(K) SPECIAL RULE ON CLASSIFICATION FOR FISCAL YEARS 2022 AND 2023.—Notwithstanding section 47102 and subparagraph (A), and subject to subparagraph (J), for fiscal years 2022 and 2023, the Secretary shall classify an airport as a primary nonhub airport if that airport was a primary nonhub airport for fiscal year 2021.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of division L of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

SA 2341. Ms. KLOBUCHAR (for herself, Mrs. FISCHER, Mr. ROUNDS, Mr. MORAN, Ms. ERNST, Mr. GRASSLEY, Ms. DUCKWORTH, Mr. MARSHALL, Mr. DURBIN, Mr. THUNE, Ms. SMITH, Mr. SASSE, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION ____—MISCELLANEOUS

SEC. ____001. ETHANOL WAIVER.

(a) REID VAPOR PRESSURE LIMITATION.—Section 211(h) of the Clean Air Act (42 U.S.C. 7545(h)) is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting ''or more'' after ''10 percent''; and

(B) in subparagraph (C), by striking ''additional alcohol or''; and

(2) in paragraph (5)(A), by inserting ''or more'' after ''10 percent''.

(b) EXISTING WAIVERS.—Section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) is amended—

(1) by striking ''The Administrator, upon'' and inserting the following:

''(A) The Administrator, upon''; and

(2) by adding at the end the following:

''(B) A fuel or fuel additive that has been granted a waiver under subparagraph (A) prior to January 1, 2017, and meets all of the conditions of that waiver, other than the waiver's limits for Reid Vapor Pressure, may be introduced into commerce if the fuel or fuel additive meets all other applicable Reid Vapor Pressure requirements.''.

SA 2342. Mr. KELLY (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ACCELERATING RURAL BROADBAND DEPLOYMENT ACT.

(a) SHORT TITLE.—This section may be cited as the ''Accelerating Rural Broadband Deployment Act''.

(b) ACCESS TO FEDERAL RIGHTS-OF-WAY FOR BUILD OUT OF BROADBAND SERVICE.—

(1) DEFINITIONS.—In this subsection:

(A) BROADBAND SERVICE.—The term ''broadband service'' means—

(i) any service that has the capacity to transmit data to enable users or devices to originate and receive high-quality voice, data, graphics, and video;

(ii) any service by wire or radio that provides the capability to transmit data to, and receive data from, all or substantially all internet endpoints—

(I) including any capabilities that are incidental to, and enable the operation of, the service; and

(II) excluding dial-up internet access service; or

(iii) any service that is the functional equivalent of a service described in clause (i) or (ii).

(B) EXECUTIVE AGENCY.—The term ''Executive agency''—

(i) has the meaning given the term in section 105 of title 5, United States Code; and

(ii) does not include the Department of Defense, except for the Army Corps of Engineers.

(C) RIGHT-OF-WAY OWNED BY THE FEDERAL GOVERNMENT.—The term ''right-of-way owned by the Federal Government'' means a right-of-way held by a Federal agency across land owned by another person or entity.

(2) ACCESS.—

(A) IN GENERAL.—If an Executive agency, a State, a political subdivision or agency of a State, an Indian tribal government, or a person, firm, or organization requests access to a right-of-way owned by the Federal Government, or an instrumentality thereof, or to a structure owned by the Federal Government, or an instrumentality thereof, in any right-of-way, in order to place, construct, modify, or operate facilities for the provision of broadband service, the Executive agency having control of the right-of-way or structure in the right-of-way may grant to the applicant, on behalf of the Federal Government, a license of occupancy authorizing the deployment of all equipment required to deploy broadband service.

(B) DURATION.— A license of occupancy issued under this subsection shall be issued with a duration of not less than 30 years and may be renewed for additional periods of like duration.

(C) APPLICATION FEE.—Each Executive agency shall establish an application fee to be paid upon submission of a request for access under subparagraph (A).

(D) LICENSE FEE.—

(i) IN GENERAL.—Subject to clause (ii), each Executive agency shall establish an annual license fee for a license of occupancy issued under this paragraph.

(ii) FEE CALCULATION.—The fee established under clause (i) shall be—

(I) not more than the costs of the Executive agency directly related to processing a license of occupancy application and maintaining or managing the right-of-way or an occupied structure in the right-of-way; and

(II) objectively reasonable.

(iii) ADJUSTMENTS.— An annual license fee established under this subparagraph may be adjusted, not more frequently than once every 6 years, to reflect changes in the costs of the Executive agency, as calculated in accordance with clause (ii), upon renewal of such license.

(E) CONSULTATIONS.—

(i) FEDERAL OWNED LAND.—In the case of a Federal Government-owned right-of-way or structure located in a right-of-way located on Federal land, the Executive agency having control of the right-of-way or structure shall consult with the owner of the Federal land on whether to approve a request for a license under this paragraph.

(ii) TRIBAL LAND.—In the case of a Federal Government-owned right-of-way or structure located in a right-of-way located on Tribal land or held by the Federal Government for the benefit of an Indian Tribe, the Executive agency having control of the right-of-way or structure shall consult and receive consent from the Indian Tribe, as otherwise required by law, before determining whether to approve a request for a license under this paragraph.

(F) AUTOMATIC DENIAL.—In the case of a request for access under subparagraph (A) by a person, firm, or organization, the Executive agency having control of the right-of-way shall deny the request if the person, firm, or organization is determined by the head of the Executive agency to—

(i) be a risk to national security under the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601 et seq.); or

(ii) otherwise pose a threat to national security.

(G) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to exempt an Executive agency from the requirements of division A of subtitle III of title 54, United States Code, or the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) TIMELY CONSIDERATION OF APPLICATIONS.—

(A) IN GENERAL.—Not later than 180 days after the date on which an Executive agency receives a completed application under paragraph (2), the Executive agency shall—

(i) on behalf of the Federal Government, grant the application, grant the application subject to conditions, or deny the application; and

(ii) notify the applicant of the decision of the Executive agency under clause (i).

(B) EXPLANATION OF DENIAL.—If an Executive agency denies an application under this subsection, the Executive agency shall notify the applicant in writing of such denial, which shall—

(i) be supported by substantial evidence contained in a written record; and

(ii) include a clear statement of the reasons for the denial.

(C) PUBLIC RELEASE OF RECORD.—The written record described in subparagraph (B)(i) shall be made available to the public—

(i) on the date on which the written notification is provided to the applicant under subparagraph (B); and

(ii) in a manner consistent with section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') and other related provisions of law.

(D) AUTOMATIC GRANT OF REQUEST.—If an Executive agency fails to act on a request received under paragraph (2) by the end of the 180-day period described in subparagraph (A), the application shall be considered granted.

(4) REQUIREMENT.—Any regulation issued by an Executive agency governing management of access to a Federal right-of-way or Federal structure in a right-of-way under this section shall—

(A) be competitively and technologically neutral; and

(B) apply to all providers of broadband service on a competitively neutral and nondiscriminatory basis.

(5) EXECUTIVE AGENCY WEBSITE REQUIREMENTS.—The head of each Executive agency shall make publicly available on the website of the Executive agency, in a manner that is consistent with subchapter I of chapter 35 of title 44, United States Code, the following:

(A) The name or unique identifier of each entity submitting an application under paragraph (2) with respect to which the Executive agency is the Executive agency having control over the applicable right-of-way or structure in the right-of-way.

(B) The date on which each application described in subparagraph (A) was submitted to the Executive agency.

(C) The status of each application described in subparagraph (A), including—

(i) if the application has been granted, any accompanying information, including the period during which the applicant will have access to the applicable right-of-way or structure;

(ii) if the application has been granted subject to conditions, any accompanying information, including the conditions that the applicant is required to satisfy in order for the Executive agency to grant the application; and

(iii) if the application has been denied, the written record and statement required under paragraph (3)(B).

SA 2343. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 442, strike lines 24 and 25 and insert the following:

Route 22 in the vicinity of Holly Springs, Mississippi.

''(99) 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.''.

On page 443, line 8, strike ''and subsection (c)(97)'' and insert '', subsection (c)(97), and subsection (c)(99)''.

On page 443, line 14, insert ''The route referred to in subsection (c)(99) is designated as Interstate Route I–14, and the State of Louisiana shall erect signs, as appropriate and as approved by the Secretary, identifying such route as future Interstate Route I–14.'' after ''I–365.''.

SA 2344. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2168, strike line 14 and all that follows through page 2169, line 8, and insert the following:

(5) EXTENSIONS.—At the request of an eligible entity, the Assistant Secretary may extend the buildout deadline under paragraph (2) by not more than 1 year if the eligible entity certifies that—

(A) the eligible entity has a plan for use of the middle mile grant;

(B) the project to build out middle mile infrastructure is underway; or

(C) extenuating circumstances require an extension of time to allow completion of the project to build out middle mile infrastructure.

SA 2345. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2491, between lines 16 and 17, insert the following:

SOUTH FLORIDA ECOSYSTEM RESTORATION

For an additional amount for South Florida ecosystem restoration, $5,000,000,000, to remain available until expended: *Provided*, That the amounts made available under this heading in this Act shall be used to undertake work authorized to be carried out by law: *Provided further*, That the amounts made available under this heading in this Act shall be appropriated from amounts in the Treasury not otherwise appropriated: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, and to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 2346. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII of division D, insert the following:

SEC. 412____. PROHIBITION ON CLEAN ENERGY MANDATES.

No Federal agency may establish a clean energy mandate if the clean energy mandate would result in higher energy prices for taxpayers or small businesses in the United States.

SA 2347. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. 90_____. FUNDING FOR EVACUATION ROUTES.

Notwithstanding any other provision of this Act, of the total amount of funds made available for each fiscal year to carry out this Act and the amendments made by this Act, 5 percent shall be used to carry out eligible projects on roads classified by 1 or more States as hurricane or other natural disaster evacuation routes.

SA 2348. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In title VII of division B, add at the end the following:

SEC. 27005. REPORT ON NATIONAL CENTER OF EXCELLENCE FOR LIQUEFIED NATURAL GAS.

Section 111(c)(1) of the PIPES Act of 2020 (Public Law 116–260) is amended, in the matter preceding subparagraph (A), by striking ''18 months'' and inserting ''1 year''.

SA 2349. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. ____. USE OF CERTAIN FUNDS.

(a) USE OF FUNDS.—Notwithstanding any other provision of law, any amount made available to a State or local governmental entity under any COVID–19 relief legislation, including any amendment made by any such legislation, that remains unobligated after September 30, 2021, may be used by such State or local government for any purpose, including infrastructure, subject to subsection (b).

(b) RESTRICTIONS.—

(1) APPLICATION OF CERTAIN RESTRICTIONS.—Any amount appropriated pursuant to any COVID–19 relief legislation, including any amendment made by any such legislation, shall be subject to the requirements contained in Public Law 116–260 for funds for programs authorized under sections 330 through 340 of the Public Health Service Act (42 U.S.C. 254b through 256).

(2) UNDERFUNDED STATE PENSION PLANS.—No amounts described in subsection (a) may be used to fund an underfunded State pension plan

(c) COVID–19 RELIEF LEGISLATION.—For purposes of this section, the term ''COVID–19 relief legislation'' includes—

(1) the Families First Coronavirus Response Act (Public Law 116–127);

(2) the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136);

(3) the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116-139);

(4) the Consolidated Appropriations Act, 2021 (Public Law 116–260); and

(5) the American Rescue Plan Act of 2021 (Public Law 117–2).

SA 2350. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 24220.

SA 2351. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 22212.

SA 2352. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV of division B, add the following:

SEC. 241____. SAFETY INCENTIVES TO PREVENT OPERATION OF MOTOR VEHICLES BY INTOXICATED PERSONS.

Section 163(e) of title 23, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) FISCAL YEAR 2022 AND THEREAFTER.—

''(A) RESERVATION OF FUNDS.—On October 1, 2021, and each October 1 thereafter, if a State is, or includes a political subdivision that is, a sanctuary jurisdiction, the Secretary shall withhold an amount equal to 10 percent of the amounts to be apportioned to the State on that date under each of paragraphs (1) and (2) of section 104(b).

''(B) DEFINITION OF SANCTUARY JURISDICTION.—

''(i) IN GENERAL.—Except as provided under subparagraph (ii), for purposes of this paragraph, the term 'sanctuary jurisdiction' means any State or political subdivision of a State that has in effect a statute, ordinance, policy, or practice that prohibits or restricts any government entity or official from—

''(I) sending, receiving, maintaining, or exchanging with any Federal, State, or local government entity information regarding the citizenship or immigration status (lawful or unlawful) of an individual who is convicted of violating laws that prohibit the operation of motor vehicles by intoxicated persons; or

''(II) complying with a request lawfully made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer for, or notify about the release of, an individual who is convicted of violating laws that prohibit the operation of motor vehicles by intoxicated persons.

''(ii) EXCEPTION.—A State or political subdivision of a State shall not be deemed a sanctuary jurisdiction based solely on the State or political subdivision having a policy under which officials of the State or political subdivision will not share information regarding, or comply with a request made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer regarding, an individual who comes forward as a victim or a witness to a criminal offense.''.

SA 2353. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ENSURING DISCLOSURE OF ADVOCACY BY FEDERAL OFFICERS AND EMPLOYEES FOR RESTRICTING ACCESS TO MATERIAL POSTED BY INFORMATION CONTENT PROVIDERS.

(a) RESTRICTION.—None of the amounts made available under this Act or an amendment made by this Act may be expended by an agency, office, or other establishment within the executive or legislative branch of the Federal Government if an officer or employee of the agency, office, or other establishment violates subparagraph (A), (B), or (C) of subsection (b)(2).

(b) REQUIRED DISCLOSURES.—

(1) DEFINITIONS.—In this subsection:

(A) INFORMATION CONTENT PROVIDER; INTERACTIVE COMPUTER SERVICE.—The terms ''information content provider'' and ''interactive computer service'' have the meanings given the terms in section 230 of the Communications Act of 1934 (47 U.S.C. 230).

(B) LEGITIMATE LAW ENFORCEMENT PURPOSE.—The term ''legitimate law enforcement purpose'' means for the purpose of investigating a criminal offense by a law enforcement agency that is within the lawful authority of that agency.

(C) NATIONAL SECURITY PURPOSE.—The term ''national security purpose'' means a purpose that relates to—

(i) intelligence activities;

(ii) cryptologic activities related to national security;

(iii) command and control of military forces;

(iv) equipment that is an integral part of a weapon or weapons system; or

(v) the direct fulfillment of military or intelligence missions.

(2) DISCLOSURES.—

(A) IN GENERAL.—Except as provided in subparagraph (C), any officer or employee in the executive or legislative branch shall disclose and, in the case of a written communication, make available for public inspection, on a public website in accordance with subparagraph (D), any communication by that officer or employee with a provider of an interactive computer service regarding action or potential action by the provider to restrict access to or the availability of, bar or limit access to, or decrease the dissemination or visibility to users of, material posted by another information content provider, whether the action is or would be carried out manually or through use of an algorithm or other automated or semi-automated process.

(B) TIMING.—The disclosure required under subparagraph (A) shall be made not later than 7 days after the date on which the communication is made.

(C) LEGITIMATE LAW ENFORCEMENT AND NATIONAL SECURITY PURPOSES.—

(i) IN GENERAL.—Any communication for a legitimate law enforcement purpose or national security purpose shall be disclosed and, in the case of a written communication, made available for inspection, to each House of Congress.

(ii) TIMING.—The disclosure required under clause (i) shall be made not later than 60 days after the date on which the communication is made.

(iii) RECEIPT.—Upon receipt, each House shall provide copies to the chairman and ranking member of each standing committee with jurisdiction under the rules of the Senate or the House of Representatives regarding the subject matter to which the communication pertains. Such information shall be deemed the property of such committee and may not be disclosed except—

(I) in accordance with the rules of the committee;

(II) in accordance with the rules of the Senate and the House of Representatives; and

(III) as permitted by law.

(D) WEBSITE.—

(i) LEGISLATIVE BRANCH.—The Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives shall designate a single location on an internet website where the disclosures and communications of employees and officers in the legislative branch shall be published in accordance with subparagraph (A).

(ii) EXECUTIVE BRANCH.—The Director of the Office of Management and Budget shall designate a single location on an internet website where the disclosures and communications of employees and officers in the executive branch shall be published in accordance with subparagraph (A).

(E) NOTICE.—The Sergeant at Arms of the Senate, the Sergeant at Arms of the House of Representatives, and the Director of the Office of Management and Budget shall take reasonable steps to ensure that each officer and employee of the legislative branch and executive branch, as applicable, is informed of the duties imposed by this paragraph.

(F) CONFLICTS OF INTEREST.—Any person who is a former officer or employee of the executive branch of the United States (including any independent agency) or any person who is a former officer or employee of the legislative branch or a former Member of Congress, who personally and substantially participated in any communication under subparagraph (A) while serving as an officer, employee, or Member of Congress, shall not, within 2 years after any such communication under subparagraph (A) or 1 year after termination of his or her service as an officer, employee, or Member of Congress, whichever is later, knowingly make, with the intent to influence, any communication to or appearance before any officer or employee of any department, agency, court, or court-martial of the United States, on behalf of any person with which the former officer or employee personally and substantially participated in such communication under subparagraph (A).

(G) PENALTIES.—Any person who violates subparagraph (A), (B), (C), or (F) shall be punished as provided in section 216 of title 18, United States Code.

SA 2354. Mr. VAN HOLLEN (for himself, Mr. ROUNDS, Ms. ERNST, and Mr. KELLY) proposed an amendment to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; as follows:

At the end of title II of division A, add the following:

SEC. 12_____. 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.

SA 2355. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROHIBITION ON USE OF FUNDS.

Notwithstanding any other provision of this Act, none of the funds appropriate or

otherwise made available under this Act may be provided to any State in which the governor of such State has been found, by the relevant State or Federal authorities, to have sexually harassed employees while holding the position of governor.

SA 2356. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2059, between lines 9 and 10, insert the following:

(C) PRIORITY FOR PROJECTS THAT USE COMPONENTS FROM DOMESTICALLY MANUFACTURED SOURCES.—In addition to the prioritization required under subparagraph (A), an eligible entity, in awarding subgrants for the deployment of a broadband network using grant funds received under this section, as authorized under subsection (f)(1), shall give priority to projects that incorporate broadband componentry, including radio frequency integrated circuits, from domestically manufactured sources.

SA 2357. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408___. FOREST SERVICE HIRE AUTHORITY.

Section 12518 of the Agriculture Improvement Act of 2018 (16 U.S.C. 1725b) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking the period at the end and inserting a semicolon;

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated)—

(i) by striking ''Land'' and inserting ''Lands''; and

(ii) by striking ''applies to a former resource assistant'' and inserting the following: ''applies to—

''(1) a former resource assistant''; and

(D) by adding at the end the following:

''(2) except as provided in paragraph (1), a former participant in the Public Lands Corps program established by section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723) who—

''(A) successfully fulfilled the requirements of a qualified candidate and program participation; and

''(B) earned a high school diploma or equivalent diploma of completion, or completed a workforce development training program; and

''(3) a graduate of a Civilian Conservation Center program described in section 147(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197(d)) who successfully completed a training program focused on forestry, wildland firefighting, or another topic relating to the mission of the Forest Service.''; and

(2) in subsection (c)—

(A) by striking the period at the end and inserting a semicolon;

(B) by striking ''date on which the candidate'' and inserting the following: ''date on which—

''(1) in the case of a qualified candidate described in subsection (b)(1), the candidate''; and

(C) by adding at the end the following:

''(2) in the case of a qualified candidate described in subsection (b)(2), the later of—

''(A) the candidate successfully fulfilled the requirements described in subsection (b)(2)(A); or

''(B) the candidate earned a diploma or competed a program described in subsection (b)(2)(B); or

''(3) in the case of a qualified candidate described in subsection (b)(3), the candidate graduated from the Civilian Conservation Center.''.

SA 2358. Ms. ROSEN (for herself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, line 22, insert ''wildfires,'' after ''flooding,''.

SA 2359. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2463, line 13, insert ''notwithstanding any other provision of law, if local matching funds are required for a project for which amounts made available under this paragraph in this Act are provided and the total Federal contribution to the project does not exceed $25,000,000, the local matching funds required for the project may not exceed 10 percent of the total cost of the project: *Provided further*, That'' after ''That''.

SA 2360. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408___. PERMANENT REAUTHORIZATION OF COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM.

Section 4003(f)(6) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(6)) is amended by striking ''for each of fiscal years 2019 through 2023'' and inserting ''for fiscal year 2021 and each fiscal year thereafter''.

SA 2361. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2463, line 12, strike ''$500,000,000,'' and insert ''$1,000,000,000,''.

SA 2362. Mr. WYDEN (for himself, Mrs. MURRAY, Mr. PETERS, Mr. PADILLA, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—STATE AND LOCAL DIGITAL SERVICE

SEC. _____1. SHORT TITLE.

This title may be cited as the ''State and Local Digital Service Act of 2021''.

SEC. _____2. DEFINITIONS.

In this title—

(1) the term ''Administrator'' means the Administrator of General Services;

(2) the term ''digital service agreement'' means a grant awarded or a cooperative agreement or memorandum of agreement entered into under section _____3;

(3) the term ''digital service team'' means a team of employees of an eligible applicant that extends existing software development capacity and directly supports and improves service delivery, focusing on user-centered design and development practices through the use of modern product development techniques, such as—

(A) user research and design;

(B) incremental and iterative outcome driven delivery practices; and

(C) procurement and funding practices for software development that rely on outcome-driven, modular contracts;

(4) the term ''eligible applicant'' means a State, eligible tribal government, or unit of local government, or any instrument thereof;

(5) the term ''eligible tribal government'' means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131);

(6) the term ''specialized or technical services'' means statistical and other studies and compilations, development projects, technical tests and evaluations, technical information, training activities, surveys, reports,

documents, products, platforms, and other similar services;

(7) the term ''State'' has the meaning given that term in section 549(a) of title 40, United States Code;

(8) the term ''underserved or disadvantaged community'' means—

(A) a low-income community;

(B) a community of color;

(C) a Tribal community;

(D) a rural community;

(E) aging individuals;

(F) individuals with disabilities;

(G) individuals with a language barrier, including individuals who—

(i) are English learners; or

(ii) have low levels of literacy;

(H) veterans; or

(I) any other community that the Administrator determines is disproportionately vulnerable to, or bears a disproportionate burden of, any combination of economic, social, environmental, or climate stressors; and

(9) the term ''unit of local government'' means a city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

SEC. _____3. DIGITAL SERVICE AGREEMENT.

(a) IN GENERAL.—The Administrator, in consultation with the Administrator of the United States Digital Service, shall establish a Digital Service Agreement Program, under which the Administrator shall award grants to, or enter into cooperative agreements or memoranda of agreements with, eligible applicants in accordance with the requirements of this section for the purpose of planning, establishing, or supporting a digital service team or supporting digital services collaboration between digital service teams to improve the delivery of government assistance through digital services.

(b) DIGITAL SERVICE AGREEMENT CRITERIA.—In considering whether to execute a digital service agreement under this section, the Administrator shall consider—

(1) evidence of significant executive support from the eligible applicant for the establishment of digital service teams and a commitment to modernizing government technology and service delivery;

(2) evidence of the ability and commitment of the eligible applicant to ensure sustainment of digital service teams after the end of the digital services agreement, including financial resources and any administrative changes that may be necessary;

(3) the extent to which the eligible applicant may be able, and is committed, to adopting innovative procurement and service design practices;

(4) whether the eligible applicant would be otherwise unable to establish or support digital service teams without a digital service agreement;

(5) the extent to which the establishment of digital service teams by the eligible applicant is likely to lead to improvements in service delivery related to Federal programs;

(6) to the extent applicable, whether an eligible applicant intends to support a collaborative agreement under subsection (c);

(7) whether the eligible applicant will prioritize the use of more than 50 percent of the amounts received under a digital service agreement for salary and benefits of the members of the digital service team; and

(8) any other criteria determined by the Administrator and included in a notice of funding availability made available in advance to all eligible applicants.

(c) COLLABORATIVE AGREEMENTS.—The Administrator may execute a digital service agreement with 1 or more eligible applicants, in accordance with the criteria established in subsection (b), for the purpose of supporting collaborative service delivery projects across jurisdictional boundaries.

(d) PLANNING SUPPORT.—In addition to the digital service agreement criteria under subsection (b), the Administrator shall, to the greatest extent possible, minimize the burden on eligible applicants in the development of proposals for a digital service agreement, including by providing direct technical assistance to eligible applicants in the preparation applications for digital service agreements.

(e) SUPPLEMENT NOT SUPPLANT.—Any awards made as part of a digital service agreement with an eligible applicant shall supplement, not supplant, other Federal, State, local, or Tribal funds that are available to the eligible applicant to carry out activities described in this section.

(f) LIMITATIONS.—

(1) TERM.—A digital service agreement shall have a term of not longer than 5 years, unless the Administrator determines that a longer term is warranted to ensure significant return on investment or the adoption of innovative practices to meet the requirements of the eligible applicant.

(2) AMOUNT.—A digital service agreement may not exceed $10,000,000, unless the Administrator determines that a greater amount is likely to provide a significant return on investment or the adoption of innovative practices to meet the requirements of the eligible applicant.

(3) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before the Administrator executes or modifies a digital services agreement that would result in a term in excess of the maximum term specified under paragraph (1) or exceed the maximum amount specified under paragraph (2), the Administrator shall submit to the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and Committee on Oversight and Reform of the House of Representatives notice and an explanation of the reasons for the determinations by the Administrator.

(g) MATCHING REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of an activity carried out using amounts received under a digital service agreement for establishing or supporting a digital service team shall be not more than 90 percent.

(2) WAIVER.—Upon application by an eligible applicant, the Administrator may waive the requirement under paragraph (1) if the Administrator determines that the eligible applicant demonstrates financial need.

(h) SET ASIDES.—

(1) IN GENERAL.—From amounts made available in a fiscal year to carry out the Digital Service Agreement Program under this section, the Administrator shall reserve not more than 5 percent for the implementation and administration of the program, which shall include—

(A) providing assistance to eligible applicants to prepare applications for digital service agreements in accordance with subsection (d);

(B) upon request of an eligible applicant whose application is successful, providing technical support and assistance to support the execution of a digital services agreement;

(C) assisting eligible applicants in preparing and submitting reports required under section _____4; and

(D) conducting outreach to eligible applicants regarding opportunities to apply for digital service agreements.

(2) ELIGIBLE TRIBAL GOVERNMENTS.—From amounts made available in a fiscal year to carry out the Digital Service Agreement Program under this section, the Administrator is encouraged to use not less than 10 percent for digital service agreements with eligible tribal governments.

(i) CONSULTATION AND PUBLIC ENGAGEMENT.—In carrying out this title, the Administrator shall conduct ongoing collaboration and consultation with—

(1) the Administrator of the United States Digital Service;

(2) State agencies and governors of States (or equivalent officials);

(3) national, State, local, and Tribal organizations that have digital service teams or that have particular experience with providing digital services for underserved or disadvantaged communities;

(4) researchers, academics, and philanthropic organizations;

(5) industry stakeholders that have demonstrated experience in designing, developing, and supporting digital services team and modern technology service delivery projects on behalf of public sector clients; and

(6) other agencies, organizations, entities, and community stakeholders as determined appropriate by the Administrator.

(j) SPENDING LIMITATIONS.—An eligible applicant may use amounts received under a digital service agreement for salaries and benefits of members of a digital service team and other costs related to establishing or ensuring the capacity and continuity of a digital service team.

SEC. _____4. REPORTING AND EVALUATION.

(a) IN GENERAL.—The Administrator shall require quarterly progress reports from eligible applicants awarded or entering into a digital service agreement, and shall make a publicly available dashboard of service delivery metrics, performance measures, and progress under the terms and conditions of any digital service agreements.

(b) REPORTS TO CONGRESS.—The Administrator shall, on an annual basis, submit to the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and the Committee on Oversight and Reform of the House of Representatives a report on the Digital Service Agreement Program, which shall include the following:

(1) A description of digital service agreements executed under the Digital Service Agreement Program, including the following:

(A) The cost and scope of each digital service agreement, including the type of agreement awarded or entered into and information regarding compliance with the matching requirements under section _____3(g).

(B) The names of each eligible applicant that, as of the date of the report, has a digital services agreement that is in effect, including identifying whether the eligible applicant is an eligible tribal government, a territory of the United States, or an underserved or disadvantaged community.

(C) An analysis of common characteristics regarding the full allocation of digital services agreements in effect.

(D) An accounting of the expenditure of funds received by an eligible applicant under a digital services agreement and the cost to the Federal Government to administer the Digital Services Agreement Program under this title.

(2) Information regarding successes of, failures of, lessons learned by, opportunities for improvement for, or recommendations related to the Digital Service Agreement Program or eligible applicants.

(3) Any additional information determined necessary by the Administrator.

SEC. _____5. STATE USE OF FEDERAL RESOURCES.

(a) GENERAL.—In addition to the authority provided by section _____3, the Administrator may provide an eligible applicant specialized or technical services on a reimbursable or non-reimbursable basis.

(b) PROHIBITION ON FEDERAL MANDATE.—The Administrator may not require, as a condition of a digital service agreement, the use of any Federal service, program, or resources other than as necessary to plan, establish, or support a digital service under this title.

SEC. _____6. AUTHORIZATION OF APPROPRIATIONS.

(a) AGREEMENTS.—There are authorized to be appropriated to the Administrator to carry out this title $100,000,000 for each of fiscal years 2022 through 2028.

(b) AMOUNTS FOR AUDIT AND OVERSIGHT.—There are authorized to be appropriated to the Inspector General of the General Services Administration $1,000,000 for the first fiscal year during which digital service agreements are awarded or entered into, and each of the 7 fiscal years thereafter, for audits and oversight of funds made available to carry out this title.

(c) AVAILABILITY.—Amounts made available pursuant to subsections (a) and (b) shall remain available until expended.

SA 2363. Mr. BENNET (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408_____. JOINT CHIEFS LANDSCAPE RESTORATION PARTNERSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CHIEFS.—The term ''Chiefs'' means the Chief of the Forest Service and the Chief of the Natural Resources Conservation Service.

(2) ELIGIBLE ACTIVITY.—The term ''eligible activity'' means an activity—

(A) to reduce the risk of wildfire;

(B) to protect water quality and supply; or

(C) to improve wildlife habitat for at-risk species.

(3) PROGRAM.—The term ''program'' means the Joint Chiefs Landscape Restoration Partnership program established under subsection (b)(1).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(5) WILDLAND-URBAN INTERFACE.—The term ''wildland-urban interface'' has the meaning given the term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a Joint Chiefs Landscape Restoration Partnership program to improve the health and resilience of forest landscapes across National Forest System land and State, Tribal, and private land.

(2) ADMINISTRATION.—The Secretary shall administer the program by coordinating eligible activities conducted on National Forest System land and State, Tribal, or private land across a forest landscape to improve the health and resilience of the forest landscape by—

(A) assisting producers and landowners in implementing eligible activities on eligible private or Tribal land using the applicable programs and authorities administered by the Chief of the Natural Resources Conservation Service under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), not including the conservation reserve program established under subchapter B of chapter 1 of subtitle D of that title (16 U.S.C. 3831 et seq.); and

(B) conducting eligible activities on National Forest System land or assisting landowners in implementing eligible activities on State, Tribal, or private land using the applicable programs and authorities administered by the Chief of the Forest Service.

(c) SELECTION OF ELIGIBLE ACTIVITIES.—The appropriate Regional Forester and State Conservationist shall jointly submit to the Chiefs on an annual basis proposals for eligible activities under the program.

(d) EVALUATION CRITERIA.—In evaluating and selecting proposals submitted under subsection (c), the Chiefs shall consider—

(1) criteria including whether the proposal—

(A) reduces wildfire risk in a municipal watershed or the wildland-urban interface;

(B) was developed through a collaborative process with participation from diverse stakeholders;

(C) increases forest workforce capacity or forest business infrastructure and development;

(D) leverages existing authorities and non-Federal funding;

(E) provides measurable outcomes; or

(F) supports established State and regional priorities; and

(2) such other criteria relating to the merits of the proposals as the Chiefs determine to be appropriate.

(e) OUTREACH.—The Secretary shall provide—

(1) public notice on the websites of the Forest Service and the Natural Resources Conservation Service describing—

(A) the solicitation of proposals under subsection (c); and

(B) the criteria for selecting proposals in accordance with subsection (d); and

(2) information relating to the program and activities funded under the program to States, Indian Tribes, units of local government, and private landowners.

(f) EXCLUSIONS.—An eligible activity may not be carried out under the program—

(1) in a wilderness area or designated wilderness study area;

(2) in an inventoried roadless area;

(3) on any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited; or

(4) in an area in which the eligible activity would be inconsistent with the applicable land and resource management plan.

(g) ACCOUNTABILITY.—

(1) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report providing recommendations to Congress relating to the program, including a review of—

(A) funding mechanisms for the program;

(B) staff capacity to carry out the program;

(C) privacy laws applicable to the program;

(D) data collection under the program;

(E) monitoring and outcomes under the program; and

(F) such other matters as the Secretary considers to be appropriate.

(2) ADDITIONAL REPORTS.—For each of fiscal years 2022 and 2023, the Chiefs shall submit to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate and the Committee on Agriculture and the Committee on Appropriations of the House of Representatives a report describing projects for which funding is provided under the program, including the status and outcomes of those projects.

(h) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available to the Secretary to carry out the program, there is authorized to be appropriated to the Secretary to carry out the program $90,000,000 for each of fiscal years 2022 and 2023.

(2) DURATION OF AVAILABILITY.—Funds made available under paragraph (1) shall remain available until expended.

(3) DISTRIBUTION OF FUNDS.—Of the funds made available under paragraph (1)—

(A) not less than 40 percent shall be allocated to carry out eligible activities through the Natural Resources Conservation Service;

(B) not less than 40 percent shall be allocated to carry out eligible activities through the Forest Service; and

(C) the remaining funds shall be allocated by the Chiefs to the Natural Resources Conservation Service or the Forest Service—

(i) to carry out eligible activities; or

(ii) for other purposes, such as technical assistance, project development, or local capacity building.

SA 2364. Mr. CARDIN (for himself and Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1579, strike line 21 and all that follows through page 1589, line 15, and insert the following:

SEC. 40323. ZERO-EMISSION NUCLEAR POWER PRODUCTION CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45U. ZERO-EMISSION NUCLEAR POWER PRODUCTION CREDIT.

''(a) AMOUNT OF CREDIT.—For purposes of section 38, the zero-emission nuclear power production credit for any taxable year is an amount equal to the amount by which—

''(1) the product of—

''(A) 1.5 cents, multiplied by

''(B) the kilowatt hours of electricity—

''(i) produced by the taxpayer at a qualified nuclear power facility, and

''(ii) sold by the taxpayer or an affiliate of the taxpayer to an unrelated person during the taxable year, exceeds

''(2) the reduction amount for such taxable year.

''(b) DEFINITIONS.—

''(1) QUALIFIED NUCLEAR POWER FACILITY.—For purposes of this section, the term 'qualified nuclear power facility' means any nuclear facility—

''(A) which is owned by the taxpayer and which uses nuclear energy to produce electricity, and

''(B) which is not an advanced nuclear power facility, as defined in subsection (d)(1) of section 45J, or which has not received an allocation under subsection (b) of such section.

''(2) REDUCTION AMOUNT.—

''(A) IN GENERAL.—For purposes of this section, the term 'reduction amount' means, with respect to any qualified nuclear power facility for any taxable year, the amount equal to the lesser of—

''(i) the amount determined under subsection (a)(1), or

''(ii) the amount equal to 80 percent of the excess of—

''(I) subject to subparagraph (B), the gross receipts from any electricity produced by such facility and sold to an unrelated person during such taxable year (at rates established or approved by a State or political subdivision thereof, any agency or instrumentality of the United States, or a public service or public utility commission or other similar body of any State or political subdivision thereof, in the case of any property described in section 168(i)(10)), over

''(II) the amount equal to the product of—

''(aa) 2.5 cents, multiplied by

''(bb) the amount determined under subsection (a)(1)(B).

''(B) TREATMENT OF CERTAIN RECEIPTS.—

''(i) IN GENERAL.—The amount determined under subparagraph (A)(ii)(I) shall include any amount received by the taxpayer during the taxable year with respect to the qualified nuclear power facility from a zero-emission credit program unless the amount received by the taxpayer is subject to reduction—

''(I) by the full amount of the credit determined under this section, or

''(II) by any lesser amount if such amount entirely offsets the amount received from a zero-emission credit program.

''(ii) ZERO-EMISSION CREDIT PROGRAM.—For purposes of this subparagraph, the term 'zero-emission credit program' means any State or local government program that provides payments to a qualified nuclear power facility for, in whole or in part, the zero-emission, zero-carbon, or air quality attributes of any portion of the electricity produced by such facility.

''(3) ELECTRICITY.—For purposes of this section (with the exception of subsection (d)(3)), the term 'electricity' means the energy produced by a qualified nuclear power facility from the conversion of nuclear fuel into electric power.

''(c) ELECTION FOR DIRECT PAYMENT.—

''(1) IN GENERAL.—In the case of a taxpayer making an election (at such time and in such manner as the Secretary may provide) under this subsection with respect to any portion of the credit which would (without regard to this subsection) be determined under subsection (a) with respect to such taxpayer, such taxpayer shall be treated as making a payment against the tax imposed by subtitle A for the taxable year equal to the amount of such portion.

''(2) CERTAIN ENTITIES TREATED AS TAXPAYERS.—For purposes of the credit under subsection (a)—

''(A) any State utility with a service obligation, as such terms are defined in section 217 of the Federal Power Act (as in effect on the date of the enactment of this subsection),

''(B) any mutual or cooperative electric company described in section 501(c)(12) or section 1381(a)(2)(C), and

''(C) an Indian tribal government (as defined in section 139E(c)(1)),

shall be treated as a taxpayer, but only if such entity makes the election under this subsection.

''(3) TIMING.—The payment described in paragraph (1) shall be treated as made on the later of the due date of the return of tax for the taxable year or the date on which such return is filed.

''(4) EXCLUSION FROM GROSS INCOME.—Gross income of the taxpayer shall be determined without regard to this subsection.

''(5) DENIAL OF DOUBLE BENEFIT.—Solely for purposes of section 38, in the case of a taxpayer making an election under this subsection, the credit determined under subsection (a) shall be reduced by the amount of the portion of such credit with respect to which the taxpayer makes such election.

''(d) OTHER RULES.—

''(1) INFLATION ADJUSTMENT.—The 1.5 cent amount in subsection (a)(1)(A) and the 2.5 cent amount in subsection (b)(2)(A)(ii)(II)(aa) shall each be adjusted by multiplying such amount by the inflation adjustment factor (as determined under section 45(e)(2) by substituting 'calendar year 2020' for 'calendar year 1992' in subparagraph (B) thereof) for the calendar year in which the sale occurs. If any amount as increased under the preceding sentence is not a multiple of 0.1 cent, such amount shall be rounded to the nearest multiple of 0.1 cent.

''(2) SPECIAL RULES.—Rules similar to the rules of paragraphs (1), (3), (4), and (5) of section 45(e) shall apply for purposes of this section.

''(3) PHASEOUT OF CREDIT.—If the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electricity production in the United States for a calendar year are equal to or less than 50 percent of the annual greenhouse gas emissions from electricity production in the United States for calendar year 2020, the amount of the credit determined under the subsection (a) shall be reduced by an amount equal to the product of—

''(A) the amount of credit determined under the subsection (a), as determined before application of this paragraph, multiplied by

''(B) an amount (expressed as a percentage) equal to twice the percentage amount that the percentage determined by the Secretary pursuant to this paragraph exceeds 50 percent.

''(e) RECAPTURE.—

''(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Energy and the Secretary of Labor, shall, by regulations, provide for recapturing the benefit of any credit allowable under subsection (a) for any taxable year if the Secretary determines that—

''(A) any contractor or subcontractor has failed to pay a laborer or mechanic employed by the contractor or subcontractor in the performance of any construction, repair, alteration, or maintenance with respect to the qualified nuclear power facility during such taxable year wages at rates not less than the rates prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code,

''(B) any such contractor or subcontractor has failed to make the records required under paragraph (2) available to the Secretary for the purposes described in such paragraph, or

''(C) any contractor or subcontractor has failed to satisfy the requirements under subsection (f) during such taxable year.

''(2) INVESTIGATION.—Upon receipt of a complaint or its own initiative, the Secretary, in consultation with the Secretary of Energy and the Secretary of Labor, shall request and review the payroll records of contractors and subcontractors engaged in the performance of any construction, repair, alteration, or maintenance with respect to a qualified nuclear power facility, and interview individuals employed by such contractors and subcontractors, to determine whether the requirements of paragraph (1)(A) and (1)(C) have been met.

''(3) ADMINISTRATION AND ENFORCEMENT.—With respect to the administration and enforcement of the standards in paragraph (1)(A) and (1)(C), the Secretary of Labor shall 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.

''(f) USE OF QUALIFIED APPRENTICES.—

''(1) IN GENERAL.—All contractors and subcontractors engaged in the performance of construction, repair, alteration, or maintenance with respect to the qualified nuclear power facility shall, subject to paragraph (2), ensure that not less than 15 percent of the total labor hours of such work be performed by qualified apprentices.

''(2) APPRENTICE-TO-JOURNEYWORKER RATIO.—The requirement under paragraph (1) shall be subject to any applicable requirements for apprentice-to-journeyworker ratios of the Department of Labor or the applicable State apprenticeship agency.

''(3) PARTICIPATION.—Each contractor and subcontractor who employs 4 or more individuals to perform construction, repair, alteration, or maintenance with respect to the qualified nuclear power facility shall employ 1 or more qualified apprentices to perform such work.

''(4) EXCEPTION.—Notwithstanding any other provision in this subsection, this section shall not apply in the case of a taxpayer who—

''(A) demonstrates a lack of availability of qualified apprentices in the geographic area of the construction, repair, alteration, or maintenance; and

''(B) makes a good faith effort, and its contractors and subcontractors make a good faith effort, to comply with the requirements of this subsection.

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

''(A) LABOR HOURS.—The term 'labor hours'—

''(i) means the total number of hours devoted to the performance of construction, repair, alteration, or maintenance by employees of the contractor or subcontractor; and

''(ii) excludes any hours worked by—

''(I) foremen;

''(II) superintendents;

''(III) owners; or

''(IV) persons employed in a bona fide executive, administrative, or professional capacity (within the meaning of those terms in part 541 of title 29, Code of Federal Regulations).

''(B) QUALIFIED APPRENTICE.—The term 'qualified apprentice' means an individual who is an employee of the contractor or subcontractor and who is participating in a registered apprenticeship program, as defined in section 3131(e)(3)(B).

''(g) TERMINATION.—This section shall not apply to taxable years beginning after the earlier of—

''(1) the date as of which the Secretary determines that the aggregate of the credits allowed under subsection (a) to all taxpayers in all taxable years exceeds $6,000,000,000, or

''(2) December 31, 2030.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (32), by striking ''plus'' at the end,

(B) in paragraph (33), by striking the period at the end and inserting '', plus'', and

(C) by adding at the end the following new paragraph:

''(34) the zero-emission nuclear power production credit determined under section 45U(a).''.

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45U. Zero-emission nuclear power production credit.''.

(c) REPORT.—Not later than January 1, 2024, the Comptroller General of the United States shall submit to Congress a report with respect to the credits allowed for qualified nuclear power facilities under section 45U of the Internal Revenue Code of 1986 (as added by subsection (a)), which shall include—

(1) an evaluation of the effectiveness of the credits allowed under such section in regards to ensuring grid reliability while avoiding emissions of carbon dioxide, nitrogen oxides, sulfur oxides, particulate matter, and hazardous air pollutants;

(2) a quantification of the ratepayer savings achieved as a result of the credits allowed under such section; and

(3) any recommendations to renew or expand the credits allowed under such section.

(d) EFFECTIVE DATE.—This section shall apply to electricity produced and sold after December 31, 2020, in taxable years beginning after such date.

SA 2365. Mr. PETERS (for himself, Mr. ROUNDS, Mr. WARNER, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In subtitle B of title I of division D, strike ''consultation'' each place it appears and insert ''coordination''.

In section 219A(d)(1) of the Federal Power Act (as added by section 40123 of subtitle B of title I of division D), strike ''consultation'' and insert ''coordination''.

SA 2366. Mr. LUJÁN (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 24220, add at the end the following:

(f) EFFECT.—Subject to paragraphs (1) and (2) of subsection (e), nothing in paragraph (3) of that subsection limits the applicability of a requirement to meet the deadline established under subsection (c).

SA 2367. Ms. WARREN (for herself, Mr. MARKEY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 11101(a)(5), in the matter preceding subparagraph (A), strike ''(5) NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.—For nationally significant freight and highway projects under section 117'' and inserting ''(5) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.—For projects of national and regional significance under section 117''

Strike section 11110 and insert the following:

SEC. 11110. 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 defined in section 22901 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 that receives a grant under this section may use the 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 those 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 United States 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 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 for 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.—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 5323(j), 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 for 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 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.''.

On page 586, lines 8 and 9, strike '', including multimodal freight grants established under section 117 of title 23''.

On page 2625, lines 19 and 20, strike ''the nationally significant freight and highways projects under section 117'' and insert ''projects of national and regional significance under section 117''.

On page 2656, line 25, strike ''Nationally Significant Freight and Highway Projects'' and insert ''projects of national and regional significance''.

SA 2368. Ms. WARREN (for herself, Mr. MARKEY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 203, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

''(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 scientific forecasts 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.''.

SA 2369. Mr. BOOKER (for himself, Mr. MARKEY, and Ms. SMITH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. 3_____. 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 population 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;

(C) an environmental justice community; and

(D) any other community that the Secretary determines to be appropriate.

(3) 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.

(4) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State;

(B) a political subdivision of a State (including a city or a county) that represents or otherwise serves an urban area or a rural area;

(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)) that represents or otherwise serves an urban area or a rural area; or

(E) a metropolitan planning organization (as defined in section 134(b) of title 23, United States Code).

(5) 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, a disproportionate burden of adverse human health or environmental effects.

(6) 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.

(7) PROGRAM.—The term ''program'' means the Transit to Trails Grant Program established under subsection (b)(1).

(8) RURAL AREA.—The term ''rural area'' means a community that is not an urban area.

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

(10) 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) offers rides available to the public.

(B) INCLUSIONS.—The term ''transportation connector'' includes microtransits, bus lines, bus rails, light rail, rapid transits, or personal rapid transits.

(11) URBAN AREA.—The term ''urban area'' means a community that—

(A) is densely developed;

(B) has residential, commercial, and other nonresidential areas; and

(C)(i) is an urbanized area with a population of 50,000 or more; or

(ii) is an urban cluster with a population of—

(I) not less than 2,500; and

(II) not more than 50,000.

(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 coastal 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 transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities and Federal or non-Federal public land, inland and coastal waters, parkland, and 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.

(iii) CONSULTATION; APPROVAL OR DISAPPROVAL.—The Secretary shall, with respect to each project proposal submitted under this subparagraph, as appropriate—

(I) consult with the government of each State in which the proposed project is to be conducted;

(II) after taking into consideration any comments resulting from the consultation under subclause (I), approve or disapprove the proposal; and

(III) provide written notification of the approval or disapproval to—

(aa) the individual or entity that submitted the proposal; and

(bb) each State consulted under subclause (I).

(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 coastal waters, parkland, monuments, or recreational opportunities;

(ii) use low- or zero-emission vehicles;

(iii) provide free or discounted rates for low-income riders of transportation connectors;

(iv) provide opportunities for youth engagement;

(v) give employment preference to individuals living in the community in which the project is carried out;

(vi) are carried out in—

(I) a community of color;

(II) a low-income community;

(III) a Tribal or Indigenous community; or

(IV) a rural community;

(vii) would capitalize on existing established public-private partnerships; and

(viii) comply with applicable provisions of 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 develop, by rule, transportation planning procedures for projects conducted under the program that are consistent with metropolitan and statewide planning processes.

(B) REQUIREMENTS.—All projects carried out under the program shall be developed in cooperation with States and metropolitan planning organizations.

(4) ADA COMPLIANCE.—The Secretary shall ensure that all new transportation connectors and routes developed under the program are accessible to people with disabilities in accordance with accessibility specifications for transportation vehicles under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(5) STAKEHOLDER ENGAGEMENT.—In carrying out the program, the Secretary shall—

(A) meaningfully engage with relevant stakeholders, particularly—

(i) impacted community members;

(ii) transportation partners;

(iii) existing potential passengers of the transportation connectors;

(iv) Indian Tribes and Tribal representatives; and

(v) faith-based and community-based organizations; and

(B) ensure that the input of the stakeholders described in subparagraph (A) is central to the determination of new transportation connectors and routes.

(6) NON-FEDERAL CONTRIBUTIONS.—

(A) IN GENERAL.—The Federal share of the cost of an eligible project provided a grant under the program shall not exceed 80 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project provided a grant under the program may be in the form of in-kind contributions.

(7) 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 coastal 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.

(8) GRANT AMOUNT.—A grant provided under the program shall be—

(A) not less than $25,000; and

(B) not more than $500,000.

(9) 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.

(10) PUBLIC INFORMATION.—The Secretary shall ensure that current schedules and routes for transportation systems developed after the receipt of a grant under the program are available to the public, including on a website maintained by the recipient of a grant.

(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 are authorized to be appropriated to carry out this section—

(1) $10,000,000 for each of fiscal years 2022 and 2023;

(2) $20,000,000 for each of fiscal years 2024 and 2025; and

(3) $40,000,000 for fiscal year 2026.

SA 2370. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 312, line 10, insert '', including with respect to power levels and charging speed, and minimizing the time to charge or refuel current and anticipated vehicles'' before the semicolon at the end.

SA 2371. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 67, strike line 10 and insert the following:

metropolitan planning organizations.

''(5) AREAS OF PERSISTENT POVERTY.—The Federal share payable on account of a project, program, or activity carried out in an area of persistent poverty (as term is defined under section 6702 of title 49) with funds apportioned under section 104(b) of this title or made available under chapter 53 of title 49 may be increased by up to 5 percent, up to 100 percent of the total project cost of any such project, program, or activity.''.

SA 2372. Mr. CARDIN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 71103(a)(2) of title XI of division G, strike subparagraph (B) and insert the following:

(B) serves rural areas.

In section 71103(b) of title XI of division G, strike ''funds to States to provide such basic essential ferry service.'' and inserting the following: ''funds to—

(1) States to provide such basic essential ferry service; and

(2) units of local government to support eligible activities, as determined by the Secretary under subsection (c), that are carried out by private ferry operators within the jurisdiction of the unit of local government.

In section 71103(c) of title XI of division G, strike ''for the provision of funds to States'' and insert ''for the provision of funds to, and use of funds by, States and units of local government''.

In section 71103(e) of title XI of division G, insert ''or unit of local government'' after ''State'' each place it appears.

SA 2373. Mr. KAINE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 203, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

''(t) STATE OF GOOD REPAIR.—

''(1) IN GENERAL.—Before the Secretary approves any project funded, in whole or in part, with funds apportioned pursuant to section 104(b) that will result in new through travel lanes for single occupancy vehicles, excluding auxiliary lanes and high occupancy vehicle toll lanes pursuant to section 166, the State or project sponsor shall—

''(A) demonstrate progress in achieving a state of good repair as required by the State's asset management plan under section 119(e) of this title;

''(B) demonstrate 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; and

''(III) the construction of a non-single occupancy passenger vehicle project that improves freight movement; and

''(C) have a public plan for maintaining and operating the new asset while continuing progress of the State or project sponsor in achieving a state of good repair under subparagraph (A).

''(2) BENEFIT-COST ANALYSIS.—In carrying out paragraph (1)(B)(ii), the Secretary shall establish a process for analyzing the cost and benefits of projects under that paragraph, ensuring that—

''(A) the benefit-cost analysis includes a calculation of all the benefits addressed in the performance measures established under section 150;

''(B) the benefit-cost analysis includes a consideration of the total maintenance cost of an asset over the lifecycle of the asset; and

''(C) the State demonstrates that any transportation demand modeling used to calculate the benefit-cost analysis is based on retrospective analysis of the accuracy of past forecasting and calibration to real-word conditions or has a documented record of accuracy.

''(3) SAVINGS CLAUSE.—The provisions of this subsection shall not apply to any project that is fully funded in an adopted State transportation improvement program as of the date of enactment of this subsection.''.

SA 2374. Mr. BOOKER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1300, strike line 18 and insert the following:

114–94) were not utilized.

''(12) ADDITIONAL ELIGIBLE ENTITIES.—A State or local governmental authority may be considered an eligible recipient for purposes of paragraph (1) if the State or local governmental authority seeks a grant for the public transportation share of a capital project relating to a bus-related facility, including a facility that is used for public transportation and intercity bus services.'';

SA 2375. Ms. ERNST submitted an amendment intended to be proposed by her to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF FUNDS.

An awardee or subawardee carrying out a program, project, or activity that is, in whole or in part, carried out using funds provided by the Department of Energy or the Department of Transportation shall clearly state, to the extent possible, in any statement, press release, request for proposals, bid solicitation, or other document describing the program, project, or activity, other than a communication containing not more than 280 characters—

(1) the percentage of the total costs of the program, project, or activity that will be financed with funds provided by the Department of Energy or the Department of Transportation;

(2) the dollar amount of the funds provided by the Department of Energy or the Department of Transportation made available for the program, project, or activity; and

(3) the percentage of the total costs of, and dollar amount for, the program, project, or activity that will be financed by nongovernmental sources.

SA 2376. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 697, strike line 15 and all that follows through page 698, line 7, and insert the following:

(a) NORTHEAST CORRIDOR.—There are authorized to be appropriated to the Secretary for grants to Amtrak for activities associated with the Northeast Corridor the following amounts:

(1) For fiscal year 2022, $1,270,000,000.
(2) For fiscal year 2023, $800,000,000.
(3) For fiscal year 2024, $900,000,000.
(4) For fiscal year 2025, $1,000,000,000.
(5) For fiscal year 2026, $1,100,000,000.

(b) NATIONAL NETWORK.—There are authorized to be appropriated to the Secretary for grants to Amtrak for activities associated with the National Network the following amounts:

(1) For fiscal year 2022, $1,300,000,000.
(2) For fiscal year 2023, $1,200,000,000.
(3) For fiscal year 2024, $1,450,000,000.
(4) For fiscal year 2025, $1,700,000,000.
(5) For fiscal year 2026, $2,000,000,000.

At the end of subtitle C of title III of division D, add the following:

SEC. 40324. AUTHORIZATION OF APPROPRIATION FOR URANIUM ENRICHMENT ACTIVITIES.

There are authorized to be appropriated to the Secretary $1,000,000,000 for each of the fiscal years 2022 through 2026 for uranium enrichment activities.

On page 1450, between lines 8 and 9, insert the following:

(g) AUTHORIZATION OF APPROPRIATION FOR LITHIUM EXTRACTION OR PURIFICATION ACTIVITIES.—There are authorized to be appropriated to the Secretary $300,000,000 for each of the fiscal years 2022 through 2026 for lithium extraction or purification activities.

SA 2377. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 60504.

SA 2378. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1209, line 9, strike ''illegal''.

SA 2379. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2397, strike line 9 and all that follows through page 2399, line 10.

Beginning on page 2691, strike line 13 and all that follows through page 2692, line 24.

SA 2380. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2095, strike lines 18 through 20.

On page 2149, lines 11 and 12, strike ''gender identity, sexual orientation,''.

SA 2381. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2349, strike lines 10 through 21 and insert the following: ''and access and report the findings of the review to the Director of the Office of Management and Budget, the Secretary of Defense, and the Secretary of State.

(2) REVIEW OF RECIPROCAL PROCUREMENT MEMORANDA OF UNDERSTANDING.—The Made in America Director shall review reciprocal procurement memoranda of understanding entered into after the date of the enactment of this Act between the Department of Defense and its counterparts in foreign governments to assess whether domestic entities will have equal access under

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SA 2382. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2149, lines 11 and 12, strike ''sex, gender identity, sexual orientation,''.

SA 2383. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2695, lines 4 and 5, strike ''for 'Port Infrastructure Development Program' '' and insert ''to carry out the port infrastructure development program under section 50302(c) of title 46, United States Code''.

Beginning on page 2695, strike ''*Pro-*'' on line 16 and all that follows through page 2696, line 22.

SA 2384. Mr. DAINES (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2438, between lines 12 and 13, insert the following:

SEC. 80605. LIMITATION ON DEDUCTION FOR QUALIFIED CONSERVATION CONTRIBUTIONS MADE BY PASS-THROUGH ENTITIES.

(a) IN GENERAL.—Section 170(h) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) LIMITATION ON DEDUCTION FOR QUALIFIED CONSERVATION CONTRIBUTIONS MADE BY PASS-THROUGH ENTITIES.—

''(A) IN GENERAL.—A contribution by a partnership (whether directly or as a distributive share of a contribution of another partnership) shall not be treated as a qualified conservation contribution for purposes of this section if the amount of such contribution exceeds 2.5 times the sum of each partner's relevant basis in such partnership.

''(B) RELEVANT BASIS.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'relevant basis' means, with respect to any partner, the portion of such partner's modified basis in the partnership which is allocable (under rules similar to the rules of section 755) to the portion of the real property with respect to which the contribution described in subparagraph (A) is made.

''(ii) MODIFIED BASIS.—The term 'modified basis' means, with respect to any partner, such partner's adjusted basis in the partnership as determined—

''(I) immediately before the contribution described in subparagraph (A),

''(II) without regard to section 752, and

''(III) by the partnership after taking into account the adjustments described in subclauses (I) and (II) and such other adjustments as the Secretary may provide.

''(C) EXCEPTION FOR CONTRIBUTIONS OUTSIDE 3-YEAR HOLDING PERIOD.—Subparagraph (A) shall not apply to any contribution which is made at least 3 years after the latest of—

''(i) the last date on which the partnership that made such contribution acquired any portion of the real property with respect to which such contribution is made,

''(ii) the last date on which any partner in the partnership that made such contribution acquired any interest in such partnership, and

''(iii) if the interest in the partnership that made such contribution is held through one or more partnerships—

''(I) the last date on which any such partnership acquired any interest in any other such partnership, and

''(II) the last date on which any partner in any such partnership acquired any interest in such partnership.

''(D) EXCEPTION FOR FAMILY PARTNERSHIPS.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply with respect to any contribution made by any partnership if substantially all of the partnership interests in such partnership are held, directly or indirectly, by an individual and members of the family of such individual.

''(ii) MEMBERS OF THE FAMILY.—For purposes of this subparagraph, the term 'members of the family' means, with respect to any individual—

''(I) the spouse of such individual, and

''(II) any individual who bears a relationship to such individual which is described in subparagraphs (A) through (G) of section 152(d)(2).

''(E) APPLICATION TO OTHER PASS-THROUGH ENTITIES.—Except as may be otherwise provided by the Secretary, the rules of this paragraph shall apply to S corporations and other pass-through entities in the same manner as such rules apply to partnerships.

''(F) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this paragraph, including regulations or other guidance—

''(i) to require reporting, including reporting related to tiered partnerships and the modified basis of partners, and

''(ii) to prevent the avoidance of the purposes of this paragraph.''.

(b) APPLICATION OF ACCURACY-RELATED PENALTIES.—

(1) IN GENERAL.—Section 6662(b) of the Internal Revenue Code of 1986 is amended by inserting after paragraph (9) the following new paragraph:

''(10) Any disallowance of a deduction by reason of section 170(h)(7).''.

(2) TREATMENT AS GROSS VALUATION MISSTATEMENT.—Section 6662(h)(2) of such Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) any disallowance of a deduction described in subsection (b)(10).''.

(3) NO REASONABLE CAUSE EXCEPTION.—Section 6664(c)(2) of such Code is amended by inserting ''or to any disallowance of a deduction described in section 6662(b)(10)'' before the period at the end.

(4) APPROVAL OF ASSESSMENT NOT REQUIRED.—Section 6751(b)(2)(A) of such Code is amended by striking ''subsection (b)(9)'' and inserting ''paragraph (9) or (10) of subsection (b)''.

(c) APPLICATION OF STATUTE OF LIMITATIONS ON ASSESSMENT AND COLLECTION.—

(1) EXTENSION FOR CERTAIN ADJUSTMENTS MADE UNDER PRIOR LAW.—In the case of any disallowance of a deduction by reason of section 170(h)(7) of the Internal Revenue Code of 1986 (as added by this section) or any penalty imposed under section 6662 of such Code with respect to such disallowance, section 6229(d)(2) of such Code (as in effect before its repeal) shall be applied by substituting ''2 years'' for ''1 year''.

(2) EXTENSION FOR LISTED TRANSACTIONS.—Any contribution described in section 170(h)(7)(A) of the Internal Revenue Code of 1986 (as added by this section) shall be treated for purpose of sections 6501(c)(10) and 6235(c)(6) of such Code as a transaction specifically identified by the Secretary on December 23, 2016, as a tax avoidance transaction for purposes of section 6011 of such Code.

(d) APPLICATION TO CERTAIN TRANSACTIONS DISALLOWED UNDER OTHER PROVISIONS OF LAW.—In the case of any disallowance of a deduction under section 170 of the Internal Revenue Code of 1986 with respect a transaction described in Internal Revenue Service Notice 2017-10 with respect to a taxable year ending before the date of the enactment of this Act, such disallowance shall be treated for purposes of section 6662(b)(10) of such Code (as added by this section) and subsection (c)(1) as being by reason of section 170(h)(7) of such Code (as added by this section).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to contributions made after December 23, 2016, in taxable years ending after such date.

(2) CERTIFIED HISTORIC STRUCTURES.—In the case of contributions the conservation purpose (as defined in section 170(h)(4) of the Internal Revenue Code of 1986) of which is the preservation of a certified historic structure (as defined in section 170(h)(4)(C) of such Code), the amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2018.

(3) NO INFERENCE.—No inference is intended as to the appropriate treatment of contributions made in taxable years ending on or before the date specified in paragraph (1) or (2), whichever is applicable, or as to any activity not described in section 170(h)(7) of the Internal Revenue Code of 1986, as added by this section.

SA 2385. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division I, add the following:

SEC. 90009. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF ENTRY.

(a) IN GENERAL.—The President shall—

(1) pursuant to the Act of August 1, 1914 (38 Stat. 623, chapter 223; 19 U.S.C. 2), designate each airport described in subsection (b) as a port of entry; and

(2) terminate the application of the user fee requirement under section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b) with respect to the airport.

(b) AIRPORTS DESCRIBED.—An airport described in this subsection is an airport that—

(1) is a primary airport (as defined in section 47102 of title 49, United States Code);

(2) is located not more than 30 miles from the northern or southern international land border of the United States;

(3) is associated, through a formal, legal instrument, including a valid contract or governmental ordinance, with a land border crossing or a seaport not more than 30 miles from the airport; and

(4) through such association, meets the numerical criteria considered by U.S. Customs and Border Protection for establishing a port of entry, as set forth in—

(A) Treasury Decision 82–37 (47 Fed. Reg. 10137; relating to revision of customs criteria for establishing ports of entry and stations), as revised by Treasury Decisions 86–14 (51 Fed. Reg. 4559) and 87–65 (52 Fed. Reg. 16328); or

(B) any successor guidance or regulation.

SA 2386. Mr. RISCH (for himself, Ms. CORTEZ MASTO, and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. 90_____. CYBERSECURITY COOPERATIVE MARKETPLACE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(2) COVERED INDUSTRY SECTORS.—The term ''covered industry sectors'' means the following industry sectors:

(A) Accommodation and food services.

(B) Agriculture.

(C) Construction.

(D) Healthcare and social assistance.

(E) Retail and wholesale trade.

(F) Transportation and warehousing.

(G) Entertainment and recreation.

(H) Finance and insurance.

(I) Manufacturing.

(J) Information and telecommunications.

(K) Any other industry sector that the Administrator determines to be relevant.

(3) COVERED VENDOR.—The term ''covered vendor'' means a vendor of cybersecurity products and services, including cybersecurity risk insurance.

(4) CYBERSECURITY.—The term ''cybersecurity'' means—

(A) the art of protecting networks, devices, and data from unauthorized access or criminal use; and

(B) the practice of ensuring the confidentiality, integrity, and availability of information.

(5) CYBERSECURITY THREAT.—The term ''cybersecurity threat'' means the possibility of a malicious attempt to infiltrate, damage, disrupt, or destroy computer networks or systems.

(6) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given the term in section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(b) CYBERSECURITY COOPERATIVE MARKETPLACE PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Director of the National Institute of Standards and Technology, shall establish a program to assist small business concerns with purchasing cybersecurity products and services.

(2) DUTIES.—In carrying out the program established under paragraph (1), the Administrator shall—

(A) educate small business concerns about the types of cybersecurity products and services that are specific to each covered industry sector; and

(B) provide outreach to covered vendors and small business concerns to encourage use of the cooperative marketplace described in paragraph (3).

(3) COOPERATIVE MARKETPLACE FOR PURCHASING CYBERSECURITY PRODUCTS AND SERVICES.—The Administrator shall—

(A) establish and maintain a website that—

(i) is free to use for small business concerns and covered vendors; and

(ii) provides a cooperative marketplace that facilitates the creation of mutual agreements under which small business concerns cooperatively purchase cybersecurity products and services from covered vendors; and

(B) determine whether each covered vendor and each small business concern that participates in the marketplace described in subparagraph (A) is legitimate, as determined by the Administrator.

(4) SUNSET.—This subsection ceases to be effective on September 30, 2024.

(c) GAO STUDY ON AVAILABLE FEDERAL CYBERSECURITY INITIATIVES.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study that identifies any improvements that could be made to Federal initiatives that—

(A) train small business concerns how to avoid cybersecurity threats; and

(B) are in effect on the date on which the Comptroller General commences the study.

(2) 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 Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that contains the results of the study required under paragraph (1).

SA 2387. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr.

TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. _____. GAO REVIEWS.

(a) REPORT TO COMMITTEES.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States 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 a report that analyzes, for the 20-year period preceding the date of enactment of this Act—

(1) the total amount spent by the Federal Government regarding the deployment of broadband, without regard to whether the source of that funding was appropriated amounts, user-generated fees, or any other source; and

(2) the total amount spent by State and local governments regarding the deployment of broadband, without regard to whether the source of that funding was appropriated amounts, user-generated fees, or any other source.

(b) ANNUAL ANALYSIS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Comptroller General of the United States shall conduct a review of, for the year covered by the review—

(A) the total amount spent by the Federal Government, and State and local governments, regarding the deployment of broadband, without regard to whether the source of that funding was appropriated amounts, user-generated fees, or any other source;

(B) the return on investment with respect to the investment described in subparagraph (A); and

(C) which Federal programs and agencies have engaged in activities regarding the deployment of broadband.

(2) PUBLIC AVAILABILITY.—The Comptroller General of the United States shall make the results of each review conducted under paragraph (1) publicly available in an easily accessible electronic format.

SA 2388. Mr. CRUZ (for himself, Mr. BARRASSO, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 80201.

SA 2389. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON EXECUTIVE AGENCIES ACTING IN CONTRAVENTION OF EXECUTIVE ORDER 13950.

(a) DEFINITIONS.—

(1) EO 13950.—The term ''EO 13950'' means Executive Order 13950 (5 U.S.C. 4103 note; relating to combating race and sex stereotyping).

(2) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given the term in section 105 of title 5, United States Code.

(b) FINDINGS.—Congress finds the following:

(1) On September 22, 2020, President Trump issued EO 13950.

(2) EO 13950 was designed ''to promote economy and efficiency in Federal contracting, to promote unity in the Federal workforce, and to combat offensive and anti-American race and sex stereotyping and scapegoating''.

(3) Specifically, EO 13950, among other things, prohibited Federal agencies from teaching, advocating, acting upon, or promoting in any training to agency employees certain divisive concepts, such as concepts that include a teaching or belief that ''(1) one race or sex is inherently superior to another race or sex; (2) the United States is fundamentally racist or sexist; (3) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (4) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; (5) members of one race or sex cannot and should not attempt to treat others without respect to race or sex; (6) an individual's moral character is necessarily determined by his or her race or sex; (7) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (8) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or (9) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race''.

(4) EO 13950 further required that diversity and inclusion efforts of Federal agencies must ''first and foremost, encourage agency employees not to judge each other by their color, race, ethnicity, sex, or any other characteristic protected by Federal law''.

(5) EO 13950 was issued soon after the Director of the Office of Management and Budget, Russell Vought, issued a September 4, 2020, memorandum (referred to in this section as the ''September 4, 2020, memorandum'') in which he explained that—

(A) millions of taxpayer dollars have been spent on training Federal employees to ''believe divisive, anti-American propaganda'';

(B) training sessions have taught that ''virtually all White people contribute [or benefit from] to racism''; and

(C) training sessions have claimed that ''there is racism embedded in the belief that America is the land of opportunity or the belief that the most qualified person should receive a job''.

(6) In the September 4, 2020, memorandum, Director Vought further explained that the trainings described in paragraph (5) ''not only run counter to the fundamental beliefs for which our Nation has stood since its inception, but they also engender division and resentment within the Federal workforce''.

(7) EO 13950 and the September 4, 2020, memorandum stood as a direct rebuke of so-called ''critical race theory''.

(8) Critical race theory, according to Heritage Foundation visiting fellow Chris Rufo (referred to in this section as ''Rufo''), is ''the idea that the United States is a fundamentally racist country and that all of the institutions, including the law, culture, business, the economy are all designed to maintain white supremacy''.

(9) Critical race theory is, at its core, anti-American, discriminatory, and based on Marxist ideology.

(10) Critical race theory relies on a Marxist analytical framework, viewing society in terms of the oppressed and the oppressor, and instills a defeatist mentality in the individuals that critical race theory casts as the oppressed.

(11) Critical race theory's objective is the destruction and replacement of Western Enlightenment Liberalism with a Marxist-influenced government.

(12) Critical race theory intentionally seeks to undermine capitalism and western values, such as property rights, free speech, and the very concept of Lockean natural rights.

(13) At the Department of Homeland Security, Rufo explained, trainers ''insisted that statements such as 'America is the land of opportunity,' 'Everybody can succeed in this society, if they work hard enough,' and 'I believe the most qualified person should get the job' are racist and harmful''.

(14) At a training session at the National Credit Union Administration, diversity trainer Howard Ross taught that ''It is irrefutable that [American society] is a system based on racism'' and ''good and decent [White] people . . . support the status quo [of] a system of systematized racism''.

(15) According to Rufo, employees of the Department of the Treasury and Federal financial agencies attended a series of events at which diversity trainer Howard Ross taught employees that all White individuals in the United States are complicit in White supremacy ''by automatic response to the ways we're taught Whiteness includes White privilege and White supremacy''.

(16) Martin Luther King, Jr., in his ''I have a dream speech'' said, ''I look to a day when people will not be judged by the color of their skin, but by the content of their character''.

(17) By teaching that certain individuals, by virtue of inherent characteristics, are inherently flawed, critical race theory contradicts the basic principle upon which the United States was founded that all men and women are created equal.

(18) The teachings of critical race theory stand in contrast to the overarching goal of the Civil Rights Act of 1964 (42 U.S.C. 2000A et seq.) to prevent discrimination on the basis of race, color, or national origin in the United States.

(19) Critical race theory seeks to portray the United States not as a united Nation of individuals, families, and communities striving for a common purpose, but rather a Nation of many victimized groups based on sex, race, national origin, and gender.

(20) Critical race theory, and its emphasis on predetermining the thoughts, beliefs, and actions of an individual, flouts the guarantee of Constitution of the United States of equal protection under the law to all men and women.

(21) On January 20, 2021, President Joe Biden issued Executive Order 13985 (86 Fed. Reg. 7009; relating to advancing racial equity and support for underserved communities through the Federal Government) (referred to in this section as ''EO 13985''), which revoked EO 13950.

(22) The people of the United States should defend the civil rights of all people and seek

to eliminate racism wherever it exists. Critical race theory and its propagation within the Federal Government through EO 13985 desecrates this paramount pursuit to eliminate racism.

(c) PROHIBITION.—No Executive agency may act in contravention of EO 13950, except as EO 13950 relates to contractors and grant recipients.

(d) LIMITATION ON FUNDS.—An Executive agency or any other recipient of Federal funds may not use Federal funds to teach or advance the idea, or otherwise award any grant or subgrant using Federal funds to any Executive agency, entity, or individual that teaches or otherwise advances the idea, that—

(1) one race is inherently superior or inferior to another race;

(2) an individual or a group of individuals, by virtue of the race of the individual or group of individuals—

(A) is superior or inferior to another individual, or a group of individuals, who is of a different race;

(B) bears responsibility or moral culpability for the actions committed by other individuals who are of the same race as the individual or group of individuals; or

(C) is inherently racist or oppressive, whether consciously or unconsciously;

(3) the race of an individual or a group of individuals is determinative of the moral worth of the individual or group of individuals;

(4) the United States is a fundamentally racist country; or

(5) the founding documents of the United States, including the Declaration of Independence and the Constitution of the United States, are fundamentally racist documents.

SA 2390. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division I, add the following:

SEC. 90009. RESTRICTION OF FUNDING FOR LOCAL EDUCATIONAL AGENCIES THAT DO NOT HAVE IN-PERSON INSTRUCTION.

Notwithstanding any other provision of this Act, or an amendment made by this Act, no funds shall be provided under this Act, or an amendment made by this Act, to a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) if any public elementary school or secondary school served by such agency does not provide, in the 2021–2022 school year, 5-day-a-week, in-classroom instruction for the students enrolled in the school in the same manner as 5-day-a-week, in-classroom instruction for the students enrolled in the school was provided in the 2018–2019 school year.

SA 2391. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 304, between lines 3 and 4, insert the following:

SEC. 11320. LIMITATIONS ON CLAIMS.

(a) IN GENERAL.—Section 139(l) of title 23, United States Code, is amended by striking ''150 days'' each place it appears and inserting ''90 days''.

(b) CONFORMING AMENDMENTS.—

(1) Section 330(e) of title 23, United States Code, is amended—

(A) in paragraph (2)(A), by striking ''150 days'' and inserting ''90 days''; and

(B) in paragraph (3)(B)(i), by striking ''150 days'' and inserting ''90 days''.

(2) Section 24201(a)(4) of title 49, United States Code, is amended by striking ''of 150 days''.

On page 2304, strike line 15.

On page 2305, between lines 19 and 20, insert the following:

(C) in paragraph (4)(A), by striking ''or (C)'' and inserting ''or (D)''; and

On page 2305, strike lines 21 through 23 and insert the following:

(A) in subparagraph (A)—

(i) by striking ''coordination'' and inserting ''coordinated''; and

(ii) by striking ''subparagraph (C)'' and inserting ''subparagraph (D)'';

(B) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively;

(C) by inserting after subparagraph (A) the following:

''(B) NOTICE OF INTENT AND SCOPING.—

''(i) IN GENERAL.—The permitting timetable under subparagraph (A) shall require that not later than 5 business days after the Coordinated Project Plan is required to be established under paragraph (1)(A), the lead agency shall publish in the Federal Register a notice of intent to prepare the relevant environmental document required by NEPA.

''(ii) ENVIRONMENTAL IMPACT STATEMENTS.—If the relevant environmental document required by NEPA is an environmental impact statement, the notice of intent required under clause (i) and the permitting timetable under subparagraph (A) shall provide for a public scoping period of not longer than 60 days, which shall begin not later than 30 days after the date on which the notice of intent is published.'';

(D) in clause (i) of subparagraph (E) (as so redesignated)—

On page 2306, line 11, strike ''and'' at the end.

On page 2306, strike line 15 and insert the following:

(iv) in subclause (IV) (as so redesignated), by striking ''subparagraph (B)'' and inserting ''subparagraph (C)''; and

(E) in subparagraph (G) (as so redesignated)—

On page 2306, strike line 19.

On page 2306, between lines 21 and 22, insert the following:

(III) by striking ''subparagraph (D)'' and inserting ''subparagraph (E)''; and

On page 2307, line 12, strike the period at the end and insert ''; and''.

On page 2307, between lines 12 and 13, insert the following:

(F) in clause (iii) of subparagraph (H) (as so redesignated), by striking ''subparagraph (F)'' and inserting ''subparagraph (G)''.

On page 2310, strike lines 23 and 24 and insert the following:

(4) by redesignating subsection (f) as subsection (h); and

On page 2311, strike lines 3 through 7 and insert the following:

''(f) FINAL ENVIRONMENTAL IMPACT STATEMENT.—

''(1) INCORPORATION OF COMMENTS AND PUBLICATION OF FINAL ENVIRONMENTAL IMPACT STATEMENT.—Subject to paragraph (2)(C), not later than 30 days after the date on which the public comment period for a draft environmental impact statement under subsection (d) ends, the lead agency shall—

''(A) incorporate any necessary changes; and

''(B) approve, adopt, and publish the final environmental impact statement.

''(2) PREPARATION BY PROJECT SPONSOR.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, an environmental impact statement for a covered project shall not be considered legally insufficient solely because the draft environmental impact statement was prepared by, or under the supervision of, the project sponsor, if the lead agency—

''(i) furnishes guidance and participates in the preparation of the environmental impact statement;

''(ii) independently evaluates the environmental impact statement; and

''(iii) approves and adopts the environmental impact statement.

''(B) APPROVAL AND ADOPTION OF DRAFT STATEMENT.—If the lead agency approves and adopts a draft environmental impact statement described in subparagraph (A), the lead agency shall publish the draft environmental impact statement for public comment not later than 30 days after the date on which the lead agency receives the draft environmental impact statement.

''(C) RESUBMISSION.—If the lead agency determines that a draft environmental impact statement described in subparagraph (A) is legally insufficient or deficient in a respect that could affect the decision of a lead agency or a cooperating agency, the lead agency shall, not later than 30 days after the date on which the agency receives the draft environmental impact statement—

''(i) indicate all deficiencies in the draft environmental impact statement to the project sponsor for remediation; and

''(ii) allow the project sponsor to resubmit the draft detailed statement in accordance with subparagraph (B).

''(D) SAVINGS PROVISION.—The procedures under this paragraph shall not relieve any agency of—

''(i) any responsibility for the scope, objectivity, or content of an environmental impact statement; or

''(ii) any other responsibility under NEPA.

''(g) RECORD OF DECISION.—When an environmental impact statement is prepared, Federal agencies shall, to the maximum extent practicable, issue a record of decision not later than 90 days after the date on which the final environmental impact statement is issued.''.

On page 2311, line 20, strike ''and'' at the end.

On page 2311, strike lines 21 through 23 and insert the following:

(2) in subsection (b), in the matter preceding paragraph (1), by striking ''In addition'' and inserting ''Subject to subsection (c), in addition'';

(3) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively;

(4) by inserting after subsection (b) the following:

''(c) PRELIMINARY INJUNCTIVE RELIEF IN NEPA ACTIONS.—In the case of an action pertaining to an environmental review conducted under NEPA, a court shall not issue a temporary restraining order or preliminary injunction against an agency or a project sponsor in connection with the review or authorization of a covered project unless the court, in the discretion of the court, determines that—

''(1) the environmental review has failed substantially and materially to comply with the requirements of NEPA; and

''(2) the failure described in paragraph (1) cannot be cured by supplementing the environmental document or other mitigation and monitoring measures.''; and

(5) in subsection (f) (as so redesignated), in the matter preceding paragraph (1), by striking ''this section'' and inserting ''this title''.

SA 2392. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division H, insert the following:

TITLE VII—DISASTER MITIGATION

SEC. 80701. SHORT TITLE.

This title may be cited as the ''SHELTER Act''.

SEC. 80702. NONREFUNDABLE PERSONAL CREDIT FOR DISASTER MITIGATION EXPENDITURES.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 25D the following new section:

''SEC. 25E. DISASTER MITIGATION EXPENDITURES.

''(a) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 25 percent of the qualified disaster mitigation expenditures made by the taxpayer during such taxable year.

''(b) MAXIMUM CREDIT.—

''(1) IN GENERAL.—Subject to paragraph (2), the credit allowed under subsection (a) for any taxable year shall not exceed $5,000.

''(2) PHASEOUT.—

''(A) IN GENERAL.—The amount under paragraph (1) for the taxable year shall be reduced (but not below zero) by an amount which bears the same ratio to the amount under such paragraph as—

''(i) the amount (not less than zero) equal to the adjusted gross income of the taxpayer for such taxable year minus $84,200, bears to

''(ii) $40,800.

''(B) JOINT RETURN.—For purposes of determining the amount of any reduction under subparagraph (A) for any taxable year, if a joint return was filed for such taxable year, each of the dollar amounts under such subparagraph shall be doubled.

''(C) INFLATION ADJUSTMENT.—In the case of any taxable year after 2022, each of the dollar amounts under subparagraph (A) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2021' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

''(D) ROUNDING.—If any reduction determined under subparagraph (A) or (B) is not a multiple of $50, or any increase under subparagraph (C) is not a multiple of $50, such amount shall be rounded to the nearest multiple of $50.

''(c) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED DISASTER MITIGATION EXPENDITURE.—

''(A) IN GENERAL.—The term 'qualified disaster mitigation expenditure' means an expenditure relating to a qualified dwelling unit—

''(i) for property to—

''(I) improve the strength of a roof deck attachment,

''(II) create a secondary water barrier to prevent water intrusion or mitigate against potential water intrusion from wind-driven rain,

''(III) improve the durability, impact resistance (not less than class 3 or 4 rating), or fire resistance (not less than class A rating) of a roof covering,

''(IV) brace gable-end walls,

''(V) reinforce the connection between a roof and supporting wall,

''(VI) protect openings from penetration by wind-borne debris,

''(VII) protect exterior doors and garages from natural hazards,

''(VIII) complete measures contained in the publication of the Federal Emergency Management Agency entitled 'Wind Retrofit Guide for Residential Buildings' (P–804),

''(IX) elevate the qualified dwelling unit, as well as utilities, machinery, or equipment, above the base flood elevation or other applicable minimum elevation requirement,

''(X) seal walls in the basement of the qualified dwelling unit using waterproofing compounds, or

''(XI) protect propane tanks or other external fuel sources,

''(ii) to install—

''(I) check valves to prevent flood water from backing up into drains,

''(II) flood vents, breakaway walls or open lattice for homes located in V zones,

''(III) a stormwater drainage system or improve an existing system,

''(IV) natural or nature-based features for flood control, including living shorelines,

''(V) roof coverings, sheathing, flashing, roof and attic vents, eaves, or gutters that conform to ignition-resistant construction standards,

''(VI) wall components for wall assemblies that conform to ignition-resistant construction standards,

''(VII) a wall-to-foundation anchor or connector, or a shear transfer anchor or connector,

''(VIII) wood structural panel sheathing for strengthening cripple walls,

''(IX) anchorage of the masonry chimney to the framing,

''(X) prefabricated lateral resisting systems,

''(XI) a standby generator system consisting of a standby generator and an automatic transfer switch,

''(XII) a storm shelter that meets the design and construction standards established by the International Code Council and the National Storm Shelter Association (ICC–500), or a safe room that satisfies the criteria contained in—

''(aa) the publication of the Federal Emergency Management Agency entitled 'Safe Rooms for Tornadoes and Hurricanes' (P–361), or

''(bb) the publication of the Federal Emergency Management Agency entitled 'Taking Shelter from the Storm' (P–320),

''(XIII) a lightning protection system,

''(XIV) exterior walls, doors, windows, or other exterior dwelling unit elements that conform to ignition-resistant construction standards,

''(XV) exterior deck or fence components that conform to ignition-resistant construction standards,

''(XVI) structure-specific water hydration systems, including fire mitigation systems such as interior and exterior sprinkler systems,

''(XVII) water capture and delivery systems to accommodate drought events or to decrease water use, including the design of such systems,

''(XVIII) flood openings for fully enclosed areas below the lowest floor of the dwelling unit,

''(XIX) lateral bracing for wall elements, foundation elements, and garage doors or other large openings to resist seismic loads, or

''(XX) automatic shutoff valves for water and gas lines, or

''(iii) for services or equipment to—

''(I) create buffers around the qualified dwelling unit through the removal or reduction of flammable vegetation, including vertical clearance of tree branches,

''(II) create buffers around the dwelling unit through—

''(aa) the removal of exterior deck or fence components or ignition-prone landscape features, or

''(bb) replacement of the components or features described in item (aa) with components or features that conform to ignition-resistant construction standards,

''(III) perform fire maintenance procedures identified by the Federal Emergency Management Agency or the United States Forest Service, including fuel management techniques such as creating fuel and fire breaks,

''(IV) gather and analyze water and weather data to better understand the local climate and drought history,

''(V) replace flammable vegetation with less flammable species, or

''(VI) determine the risk of natural disasters which may occur in the area in which the qualified dwelling unit is located, or

''(iv) for property relating to satisfying the standards required for receipt of a FORTIFIED designation from the Insurance Institute for Business and Home Safety, provided that the qualified dwelling unit receives such designation following installation of such property.

''(B) EXCEPTION.—The term 'qualified disaster mitigation expenditure' shall not include any expenditure or portion thereof which is paid, funded, or reimbursed by a Federal, State, or local government entity, or any political subdivision, agency, or instrumentality thereof.

''(2) QUALIFIED DWELLING UNIT.—The term 'qualified dwelling unit' means a dwelling unit which is—

''(A) located—

''(i) in the United States or in a territory of the United States, and

''(ii) in an area—

''(I) in which a Federal disaster declaration has been made within the preceding 10-year period, or

''(II) which is adjacent to an area described in subclause (I), and

''(B) used as a residence by the taxpayer.

''(d) LIMITATION.—

''(1) IN GENERAL.—In the case of an expenditure described in clause (i) or (ii) of subsection (c)(1)(A), such expenditure shall be taken into account in determining the qualified disaster mitigation expenditures made by the taxpayer during the taxable year only if the onsite preparation, assembly, or original installation of the property with respect to which such expenditure is made has been completed in a manner that is deemed to be in compliance with the latest published editions of relevant consensus-based codes, specifications, and standards or any more restrictive Federal, State, or local floodplain management standards and consistent with floodplain management regulations for the local jurisdiction in which the qualified dwelling unit is located.

''(2) LATEST PUBLISHED EDITIONS.—The term 'latest published editions' means, with respect to relevant consensus-based codes, specifications, and standards, either of the 2 most recently published editions.

''(e) LABOR COSTS.—For purposes of this section, expenditures for labor costs properly allocable to the onsite preparation, assembly, or original installation of the property described in clause (i) or (ii) of subsection (c)(1)(A) shall be taken into account in determining the qualified disaster mitigation expenditures made by the taxpayer during the taxable year.

''(f) INSPECTION COSTS.—For purposes of this section, expenditures for the cost of any inspection required under subsection (d) which is properly allocable to the inspection of the preparation, assembly, or installation of the property described in clause (i) or (ii) of subsection (c)(1)(A) shall be taken into account in determining the qualified disaster mitigation expenditures made by the taxpayer during the taxable year.

''(g) DOCUMENTATION.—Any taxpayer claiming the credit under this section shall provide the Secretary with adequate documentation regarding the specific qualified disaster mitigation expenditures made by the taxpayer during the taxable year, as well as such other information or documentation as the Secretary may require.''.

(b) CONFORMING AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 25D the following new item:

''Sec. 25E. Disaster mitigation expenditures.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SEC. 80703. BUSINESS-RELATED CREDIT FOR DISASTER MITIGATION.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 45T the following new section:

''SEC. 45U. DISASTER MITIGATION CREDIT.

''(a) GENERAL RULE.—For purposes of section 38, the disaster mitigation credit determined under this section for any taxable year is an amount equal to 25 percent of the qualified disaster mitigation expenditures made by the taxpayer during the taxable year.

''(b) MAXIMUM CREDIT.—

''(1) IN GENERAL.—Subject to paragraph (2), the amount of the credit determined under subsection (a) for any taxable year shall not exceed $5,000.

''(2) PHASEOUT.—

''(A) IN GENERAL.—The amount under paragraph (1) for the taxable year shall be reduced (but not below zero) by an amount which bears the same ratio to the amount under such paragraph as—

''(i) the amount (not less than zero) equal to the average gross receipts of the taxpayer over the 3 preceding taxable years minus $5,000,000, bears to

''(ii) $5,000,000.

''(B) INFLATION ADJUSTMENT.—In the case of any taxable year after 2022, each of the dollar amounts under subparagraph (A) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2021' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

''(C) ROUNDING.—If any reduction determined under subparagraph (A) is not a multiple of $50, or any increase under subparagraph (B) is not a multiple of $50, such amount shall be rounded to the nearest multiple of $50.

''(c) QUALIFIED DISASTER MITIGATION EXPENDITURE.—For purposes of this section, the term 'qualified disaster mitigation expenditure' has the same meaning given such term under paragraph (1) of section 25E(c), except that 'place of business' shall be substituted for 'qualified dwelling unit' each place it appears in such paragraph.

''(d) SPECIAL RULES.—Rules similar to the rules of subsections (d) through (g) of section 25E shall apply for purposes of this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) of such Code is amended by striking ''plus'' at the end of paragraph (32), by striking the period at the end of paragraph (33) and inserting '', plus'', and by adding at the end the following new paragraph:

''(34) the disaster mitigation credit determined under section 45U(a).''.

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 45T the following new item:

''Sec. 45U. Disaster mitigation credit.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SA 2393. Ms. CORTEZ MASTO (for herself and Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 102(f)(1)(C) of title 49, United States Code (as added by section 14009(2)), strike ''and'' at the end.

In section 102(f)(1) of title 49, United States Code (as added by section 14009(2)), redesignate subparagraph (D) as subparagraph (E).

In section 102(f)(1) of title 49, United States Code (as added by section 14009(2)), insert after subparagraph (C) the following:

''(D) to provide technical assistance to Indian Tribes and Tribal organizations with respect to the financing of Tribal transportation projects across Federal programs; and

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SA 2394. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. 250___. RESEARCH AND DEVELOPMENT STRATEGIC PLAN.

(a) IN GENERAL.—Section 6503 of title 49, United States Code (as amended by section 25014), is amended—

(1) in subsection (c)(1)—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) in subparagraph (G), by striking the semicolon at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(H) developing and maintaining a diverse workforce in transportation sectors;''; and

(2) by adding at the end the following:

''(e) DEFINITIONS.—In this section:

''(1) INTELLIGENT TRANSPORTATION TECHNOLOGY.—The term 'intelligent transportation technology' means an operational system of various technologies that, when combined and managed, improve the operating capabilities and safety of the overall transportation system.

''(2) TRANSPORTATION SECTOR.—The term 'transportation sector' means an industry sector that is involved in construction, manufacturing, maintenance, operation, inspection, logistics, design, or engineering with respect to transportation equipment, materials, technologies, including intelligent transportation technologies, or infrastructure relating to surface, transit, railway, aviation, and maritime transportation.''.

(b) CONFORMING AMENDMENTS.—Section 5505 of title 49, United States Code (as amended by section 25017) is amended—

(1) in subsection (a)(2)(C), by striking ''subparagraphs (A) through (G) of section 6503(c)(1)'' and inserting ''subparagraphs (A) through (H) of section 6503(c)(1)'';

(2) in subsection (b)(4)(A), by striking ''subparagraphs (A) through (G) of section 6503(c)(1)'' and inserting ''subparagraphs (A) through (H) of section 6503(c)(1)''; and

(3) in subsection (c)(3)(E)(i), by striking ''subparagraphs (A) through (G) of section 6503(c)(1)'' and inserting ''subparagraphs (A) through (H) of section 6503(c)(1)''.

SEC. 250___. EMERGING TECHNOLOGIES IN THE TRANSPORTATION WORKFORCE.

(a) EMERGING TECHNOLOGIES RECOMMENDATION EFFORTS.—To the maximum extent practicable, the Secretary shall implement certain recommendations of the Comptroller General of the United States identified in the report entitled ''Automated Technologies: DOT Should Take Steps to Ensure Its Workforce Has Skills Needed to Oversee Safety'' and dated December 2020, including by—

(1) carrying out efforts to identify all cybersecurity occupations across the Department, and incorporating the occupations relating to overseeing the cybersecurity of automated technologies into the workforce planning efforts of the Department;

(2) assessing skill gaps in key occupations that are involved in overseeing the safety of automated technologies and implementing strategies to close those gaps;

(3) not less frequently than annually, measuring the progress of strategies implemented to close the skill gaps described in paragraph (2) and ensuring other modal administrations of the Department offer training to close those gaps;

(4) collecting and analyzing information on the effectiveness of recruiting strategies, including special payment authorities, in attracting employees of the Department to occupations that oversee the safety of automated technologies; and

(5) sharing the effective recruiting strategies described in paragraph (4) with other modal administrations of the Department.

(b) EMERGING TECHNOLOGIES COORDINATION EFFORT.—At a minimum, the Office of Research, Development, and Technology of the Department, the Chief Information Officer of the Department, and the Intelligent Transportation Systems Joint Program Office of the Department shall coordinate—

(1) to establish a curriculum and leverage existing Department workforce programs to ensure the recruitment and training of cybersecurity and privacy technical experts to assist any modal administration of the Department in overseeing the effectiveness and safety of emerging technologies; and

(2) to use the efforts carried out by the Secretary under subsection (a) to provide a growing workforce for transportation providers in the United States that is adept in the curriculum and workforce programs described in paragraph (1).

SA 2395. Ms. CORTEZ MASTO (for herself, Mr. PADILLA, Mrs. FEINSTEIN, and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408_____. REAUTHORIZATION OF THE LAKE TAHOE RESTORATION ACT.

(a) COOPERATIVE AUTHORITIES.—Section 4(f) of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2353; 130 Stat. 1783) is amended by striking ''4 fiscal years following the date of enactment of the Water Resources Development Act of 2016'' and inserting ''period beginning on the date of enactment of this subsection and ending on the date described in section 10(a)''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 10(a) of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2357; 130 Stat. 1789) is amended by striking ''for a period'' and all that follows through the period at the end and inserting '', to remain available until September 30, 2034.''.

SA 2396. Ms. CORTEZ MASTO (for herself, Mr. CORNYN, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2633, line 16, insert after ''appropriations:'' the following: ''*Provided further*, That of the amounts made available under this heading in this Act, $5,000,000 for each of fiscal years 2022 through 2026 shall be made available to eligible airports, for grants, directed through the Department of Transportation Human Trafficking Prevention Coordinator to address human trafficking awareness, education, and prevention efforts, including by coordinating human trafficking prevention efforts across multimodal transportation operations within a community and accomplishing the best practices and recommendations provided by the Department of Transportation Advisory Committee on Human Trafficking:''.

On page 2685, line 15, insert after ''this Act:'' the following: ''*Provided further*, That of the amounts made available under this heading in this Act, $5,000,000 for each of fiscal years shall be made available to eligible operators, for grants, directed through the Department of Transportation Human Trafficking Prevention Coordinator to address human trafficking awareness, education, and prevention efforts, including by coordinating human trafficking prevention efforts across multimodal transportation operations within a community and accomplishing the best practices and recommendations provided by the Department of Transportation Advisory Committee on Human Trafficking:''.

SA 2397. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 305, strike lines 16 and 17 and insert the following:

update and redesignate the corridors under subsection (a).

''(3) TRAVEL AND TOURISM CORRIDORS.—In carrying out a redesignation under paragraph (1) or (2), the Secretary shall designate national electric vehicle charging and hydrogen fueling corridors that identify the near- and long-term need for, and the location of, electric vehicle charging and hydrogen fueling infrastructure to support long-haul interstate and interregional transportation of passengers for tourism, commercial, and recreational activities, including—

''(A) corridors identified in the national travel and tourism infrastructure strategic plan under section 1431(e) of the FAST Act (49 U.S.C. 301 note; Public Law 114–94);

''(B) corridors serving major tourism attractions, such as national parks, monuments, national historic sites, national seashores, national lakeshores, national recreation areas, State parks, beaches, ski resorts, convention centers, and amusement parks;

''(C) roads designated as national scenic byways, as described in section 162(a) of title 23, United States Code; and

''(D) culturally significant places, such as National Heritage Areas and National Historic Landmarks; and

''(E) corridors that expand rural tourism attractions and surrounding communities.'';

On page 2651, on lines 15 through 20, strike ''at strategic locations along major national highways, the National Highway Freight Network established under section 167 of title 23, United States Code, and goods movement locations including ports, intermodal centers, and warehousing locations'' and insert ''and long-haul interstate and interregional transportation of passengers for tourism, commercial, and recreational activities at strategic locations along major national highways, the National Highway Freight Network established under section 167 of title 23, United States Code, and corridors serving major tourism and recreational destinations and facilities, corridors identified in the national travel and tourism infrastructure strategic plan established under section 1431(e) of the FAST Act (49 U.S.C. 301 note; Public Law 114–94) and goods movement locations including ports, inter modal centers, and warehousing locations''.

SA 2398. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, strike line 21 and insert the following:

''(24) Projects to enhance travel and tourism and mitigate impacts on communities, including infrastructure improvements, intelligent transportation systems and signage, and strategies to support increased seasonal travel, accommodate future growth along major corridors for long-haul travel, improve the safety, efficiency, and reliability of long-haul travel, and enhance connectivity between and among modes of transportation and major destinations.

''(25) 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; Public Law 114–94).'';

On page 125, strike lines 8 through 12 and insert the following:

section (d) and (m)(1)(B)(ii)'';

(B) in paragraph (1)(A)(ii), by striking ''subsection (h)'' and inserting ''subsection (i)'';

(C) 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'';

(D) in paragraph (8)—

On page 126, line 8, strike ''(D)'' and insert ''(E)''.

On page 126, line 17, strike ''or''.

On page 127, strike line 3 and insert the following:

a national ambient air quality standard; or

''(12) if the project or program mitigates seasonal or temporary traffic congestion from long-haul travel or tourism.'';

On page 247, between lines 14 and 15, insert the following:

SEC. 11207. NATIONAL GOALS.

Section 150(b) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(2) by striking paragraph (5) and inserting the following:

''(5) FREIGHT MOVEMENT.—To improve the National Highway Freight Network and strengthen the ability of rural communities to access national and international trade markets.

''(6) ECONOMIC VITALITY.—To support local and regional economic development and increased tourism, recreational, and business travel.''.

On page 489, after line 23, insert the following:

SEC. 11530. RAISE GRANT PROGRAM.

Notwithstanding any other provision of law, in selecting projects to receive grants under the national infrastructure investments program of the Department (commonly known as ''Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants''), the Secretary shall evaluate the extent to which each eligible project provides significant benefits to a State, a metropolitan area, a region, or the United States, including the extent to which the eligible project—

(1) improves the safety of transportation facilities and systems;

(2) improves the condition of existing transportation facilities and systems;

(3) contributes to economic competitiveness over the medium- to long-term, including by increasing travel and tourism; and

(4) improves access to and between transportation facilities and systems.

On page 764, strike lines 2 and 3 and insert the following:

emissions.

''(17) A capital project to increase access to a travel or tourist destination.'';

(3) in subsection (e)(3)—

(A) by striking ''may include the effects'' and inserting the following: ''may include—

''(A) local and regional economic development;

''(B) increased travel and tourism;

''(C) increased mobility between modes;

''(D) the effects''; and

(B) by striking ''the ability'' and all that follows and inserting the following: ''and the ability to meet existing or anticipated demand; and

''(E) any other benefits.''; and

(4) in subsection (h), by adding at the end the

SA 2399. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408_____. WESTERN WILDFIRE SUPPORT.

(a) DEFINITIONS.—In this section:

(1) CONGRESSIONAL COMMITTEES.—The term ''congressional committees'' means—

(A) the Committee on Energy and Natural Resources and the Committee on Appropriations of the Senate; and

(B) the Committee on Natural Resources and the Committee on Appropriations of the House of Representatives.

(2) FEDERAL LAND.—The term ''Federal land'' means—

(A) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702));

(B) units of the National Park System;

(C) units of the National Wildlife Refuge System;

(D) land held in trust by the United States for the benefit of Indian Tribes or members of an Indian Tribe; and

(E) land in the National Forest System.

(3) NATIONAL FOREST SYSTEM.—

(A) IN GENERAL.—The term ''National Forest System'' has the meaning given the term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(B) EXCLUSION.—The term ''National Forest System'' does not include—

(i) the national grasslands and land utilization projects administered under title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.); or

(ii) National Forest System land east of the 100th meridian.

(4) SECRETARIES.—The term ''Secretaries'' means—

(A) the Secretary of the Interior; and

(B) the Secretary of Agriculture.

(5) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of the Interior, in the case of Federal land under the jurisdiction of the Secretary of the Interior; and

(B) the Secretary of Agriculture, in the case of Federal land under the jurisdiction of the Secretary of Agriculture.

(b) PREPARATION.—

(1) FIREFIGHTING ACCOUNTS.—

(A) ESTABLISHMENT OF ACCOUNTS.—There are established in the Treasury of the United States the following accounts:

(i) The Firefighting Operations account for the Department of Agriculture.

(ii) The Firefighting Operations account for the Department of the Interior.

(B) BUDGET ACTIVITIES WITHIN ACCOUNTS.—The following activities shall be specified for funding within each Firefighting Operations account established by subparagraph (A):

(i) Ground-based firefighting operations.

(ii) Aircraft use in firefighting operations.

(C) AUTHORIZATION OF APPROPRIATIONS.—

(i) GROUND-BASED FIREFIGHTING OPERATIONS.—

(I) DEPARTMENT OF AGRICULTURE.—There is authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter to the account established by subparagraph (A)(i) not more than $3,000,000,000 for ground-based firefighting operations.

(II) DEPARTMENT OF THE INTERIOR.—There is authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter to the account established by subparagraph (A)(ii) not more than $1,000,000,000 for ground-based firefighting operations.

(ii) AIRCRAFT USE IN FIREFIGHTING OPERATIONS.—There is authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter to the accounts established by subparagraph (A), a total amount of not more than $500,000,000 for aircraft use in firefighting operations.

(D) PRESIDENTIAL BUDGET REQUESTS.—For fiscal year 2023 and each fiscal year thereafter, each Secretary concerned shall submit through the budget request of the President and in accordance with subparagraph (C), a request for amounts in the Wildland Fire Management appropriation account of the Secretary concerned to carry out the activities described in subparagraph (E).

(E) AUTHORIZED ACTIVITIES.—

(i) IN GENERAL.—The Secretaries shall use amounts provided to the respective accounts established under subparagraph (A) as follows:

(I) The Secretary of Agriculture shall use amounts appropriated under subparagraph (C)(i)(I) to carry out management activities for active wildfires through the Forest Service, except that none of the amounts may be used for the operation of aircraft.

(II) The Secretary of the Interior shall use amounts appropriated under subparagraph (C)(i)(II) to carry out management activities for active wildfires, except that none of the amounts may be used for the operation of aircraft.

(III) The Secretary concerned shall use amounts appropriated under subparagraph (C)(ii) to acquire, by contract or purchase, and use aircraft, including unmanned aerial systems, for operations relating to wildland fires.

(ii) LIMITATION.—The Secretary concerned shall not use to carry out any activity authorized by clause (i)(III) amounts appropriated to accounts of the Secretary concerned other than amounts in the accounts established by subparagraph (A) specified for activities described in subparagraph (B)(ii).

(F) ACCOUNTING REPORTS.—

(i) IN GENERAL.—Each Secretary concerned shall submit to the congressional committees monthly accounting reports regarding the amounts that have been obligated and expended under this paragraph during the preceding month of the applicable fiscal year.

(ii) INCLUSIONS.—Each report under clause (i) shall include a description of, with respect to the period covered by the report—

(I) Federal ground-based equipment costs;

(II) Federal aircraft use costs;

(III) Federal personnel costs;

(IV) on-incident and off-incident support costs; and

(V) funding allocated from the Wildland Fire Management account of the Secretary concerned to pay for administrative costs.

(iii) REQUIREMENTS.—Each report under clause (i) shall be prepared in accordance with applicable national fire plan reporting procedures.

(2) REIMBURSEMENT FOR WILDFIRES CAUSED BY MILITARY TRAINING.—

(A) REIMBURSEMENT REQUIRED.—The Secretary of Defense shall, on application by a State or Federal agency, reimburse the State or Federal agency for the reasonable costs of the State or Federal agency for services provided in connection with fire suppression as a result of a fire caused by military training or other actions carried out by the Armed Forces or employees of the Department of Defense.

(B) LIMITATION.—Services reimbursable under subparagraph (A) shall be limited to services proximately related to the fire for which reimbursement is sought.

(C) APPLICATION.—Each application from a State or Federal agency for reimbursement for costs under subparagraph (A) shall provide an itemized request of the services covered by the application, including the costs of the services.

(D) FUNDS.—Reimbursements under subparagraph (A) shall be made from amounts authorized to be appropriated to the Department of Defense for operation and maintenance.

(3) STRATEGIC WILDLAND FIRE MANAGEMENT PLANNING.—

(A) IN GENERAL.—Not later than September 30, 2024, the Secretary concerned shall, in accordance with this paragraph, establish a series of spatial fire management plans.

(B) USE OF EXISTING PLANS.—To comply with this paragraph, the Secretary concerned may use a fire management plan in existence on the date of enactment of this Act.

(C) UPDATES.—To be valid, a spatial fire management plan established under this paragraph shall not be in use for longer than the 10-year period beginning on the date on which the plan is established.

(D) SUB-UNIT PLANS.—The Secretary concerned shall establish a spatial fire management plan for each unit of Federal land with more than 10 acres of burnable vegetation under the jurisdiction of the Secretary concerned.

(E) CONTENTS.—For each spatial fire management plan established under this paragraph, the Secretary concerned shall—

(i) base the plans on a landscape-scale risk assessment that includes—

(I) risks to firefighters;

(II) risks to communities;

(III) risks to highly valuable resources; and

(IV) other relevant considerations determined by the Secretary concerned;

(ii) include direction, represented in spatial form, from land management plans and resource management plans;

(iii) in coordination with States, delineate potential wildland fire operational delineations that—

(I) identify potential control locations; and

(II) specify the places in which firefighters will not be sent because of the presence of unacceptable risk, including areas determined by the Secretary concerned as—

(aa) exceeding a certain slope;

(bb) containing too high of a volume of hazardous fuels, under certain weather conditions; or

(cc) containing other known hazards;

(iv) include a determination of average severe fire weather for the plan area;

(v) include prefire planning provisions;

(vi) include a plan for postfire activities that—

(I) would better enable a Burned Area Emergency Response Team working on a large fire incident to address emergency stabilization and erosion quickly; and

(II) specifies ways in which the Burned Area Emergency Response Team would seek to prevent the proliferation of invasive species in working on the large fire incident; and

(vii) include, at a minimum, any other requirement determined to be necessary by the Secretary concerned.

(F) CONSISTENCY WITH MANAGEMENT PLANS.—The spatial fire management plans established under this paragraph shall be consistent with the fire management objectives and land management objectives in the applicable land management plan or resource management plan.

(G) REVISIONS TO LAND MANAGEMENT PLANS AND RESOURCE MANAGEMENT PLANS.—A revision to a land management plan or resource management plan shall consider fire ecology and fire management in a manner that facilitates the issuance of direction for an incident response.

(H) ENGAGEMENT DURING LAND MANAGEMENT PLANNING.—A supervisory employee of the Department of the Interior or the Department of Agriculture that is funded through a Firefighting Operations account established under paragraph (1) shall participate directly in the creation or revision of an applicable land management plan or resource management plan to incorporate an assessment, protocol, or plan developed under this section into the planning process.

(4) ACCOUNTS TO ASSIST COMMUNITIES IN PLANNING AND PREPARING FOR WILDFIRES.—

(A) ESTABLISHMENT OF ACCOUNTS.—There are established in the Treasury of the United States the following accounts:

(i) The Community-Supported Land-Use Planning Assistance account for the Department of Agriculture.

(ii) The Community-Supported Land-Use Planning Assistance account for the Department of the Interior.

(B) BUDGET ACTIVITIES WITHIN ACCOUNTS.—The following activities shall be specified for funding within each Community-Supported Land-Use Planning Assistance account established by subparagraph (A):

(i) The Firewise Program operated by the National Fire Protection Association.

(ii) Community wildfire protection programs.

(iii) The Fire-Adapted Communities Learning Network.

(iv) Vegetation management by communities.

(C) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter for the accounts established by subparagraph (A) such sums as are necessary to carry out this paragraph, not to exceed $200,000,000.

(D) PRESIDENTIAL BUDGET REQUESTS.—For fiscal year 2023 and each fiscal year thereafter, each Secretary concerned shall submit through the budget request of the President and in accordance with subparagraph (C), a request for amounts in the Wildland Fire Management appropriation account of the Secretary concerned to carry out the activities described in subparagraph (B).

(E) AUTHORIZED ACTIVITIES.—The Secretary concerned shall use amounts in the accounts established by subparagraph (A) as follows:

(i) With respect to amounts appropriated for the activity described in subparagraph (B)(i), the Secretary concerned may—

(I) cosponsor the Firewise Program; and

(II) support the expansion of the Firewise Communities/USA Recognition Program to additional at-risk communities.

(ii) With respect to amounts appropriated for the activity described in subparagraph(B)(ii), the Secretary concerned may provide assistance to at-risk communities to establish and revise—

(I) a community wildfire protection plan (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511)); or

(II) a community evacuation plan.

(iii) With respect to amounts appropriated for the activity described in subparagraph (B)(iii), the Secretary concerned shall establish a small grant program to address local hazard reduction on Federal, State, or private land, subject to the conditions that—

(I) a grant provided under the program—

(aa) may be awarded to an organization in an at-risk community to address, in a sole instance, a hazardous fuel in a specific location, including piling and burning, and implementing a prescribed fire on private land;

(bb) shall not exceed $20,000; and

(cc) shall require cost-sharing assistance in an amount equal to not less than 10 percent of the amount of the grant;

(II) the work identified for funding under the grant shall be accomplished by a team composed of, at a minimum—

(aa) a private citizen;

(bb) a representative of a nonprofit organization; and

(cc) a local fire department, including a volunteer fire department;

(III) to be eligible for a grant under the program, a strategic plan outlining the means by which the applicant will address a hazardous fuel shall be submitted to the Secretary concerned; and

(IV) on completion of a grant project, the grant recipient shall—

(aa) submit to the Secretary concerned a report; and

(bb) participate in training another grant recipient during the following fiscal year.

(iv) With respect to amounts appropriated for the activity described in subparagraph (B)(iv), the Secretary concerned may provide cost-sharing assistance for the establishment and operation of a local program in an at-risk community to assist homeowners in the disposal of brush and slash generated by hazard reduction activities.

(5) COMMUNITY SUPPORT DURING DISASTER RESPONSE.—

(A) IN GENERAL.—The Secretaries shall establish a program to train and certify a citizen who wishes to be able to volunteer to assist the Secretaries during a wildland fire incident.

(B) SERVICE.—

(i) IN GENERAL.—The Secretaries shall establish several categories of service for each manner in which a volunteer certified under this paragraph may provide assistance.

(ii) DIRECT SUPPRESSION OF WILDLAND FIRES.—No volunteer certified under this paragraph may engage in an operation to directly suppress a wildland fire.

(iii) DIRECTION.—A volunteer under this paragraph shall—

(I) report to a designee of an incident commander prior to providing any assistance on a wildland fire; and

(II) operate continuously under the direction of the designee while providing assistance on a wildland fire.

(C) CERTIFICATION.—

(i) CRITERIA.—

(I) IN GENERAL.—The Secretaries shall certify volunteers to provide assistance for each category of service established under subparagraph (B).

(II) ESTABLISHMENT OF CRITERIA.—The Secretaries shall establish criteria for a volunteer to be certified for each category of service.

(III) ATTENDANCE.—Attendance at training conducted under clause (ii) shall be 1 of the criteria established under subclause (II).

(IV) ASSESSMENT.—The Secretaries shall assess the knowledge, skills, or abilities, of a person prior to certifying a person to become a volunteer.

(ii) TRAINING.—

(I) IN GENERAL.—The Secretaries shall regularly conduct training for citizens who desire to be certified as volunteers.

(II) CONTENT.—The training shall include, at a minimum, a safety component in an effort to minimize inherent threats to volunteers and maximize the safety of a volunteer, to the maximum extent practicable, as a volunteer provides assistance on a wildland fire.

(III) FREQUENCY.—The Secretaries shall offer, at a minimum, 1 training session in each State with significant wildfire risk, not less than every 2 years.

(iii) IDENTIFICATION.—

(I) IN GENERAL.—On the certification of a volunteer, the Secretary concerned shall provide to the volunteer a means of identification as a volunteer.

(II) DISPLAY.—A volunteer certified under this paragraph shall display, continuously while assisting in a wildland fire, the means of identification.

(c) WILDFIRE DETECTION AND SUPPRESSION SUPPORT.—

(1) WILDFIRE DETECTION EQUIPMENT.—To the extent practicable, the Secretary concerned shall—

(A) expedite the placement of wildfire detection equipment, such as sensors, cameras, and other relevant equipment, in areas at risk of wildfire;

(B) expand the use of satellite data to assist wildfire response; and

(C) expedite any permitting required by the Secretary concerned for the installation, maintenance, or removal of wildfire detection equipment.

(2) GRANT PROGRAM FOR SLIP-ON TANK UNITS.—

(A) IN GENERAL.—The Secretaries shall establish a program to award to an eligible State or unit of local government each year grants to acquire slip-on tank and pump units (referred to in this paragraph as ''slip-on units'') for a surge capacity of resources for fire suppression.

(B) ELIGIBILITY.—

(i) IN GENERAL.—To be eligible to receive a grant under this paragraph, a State or unit of local government shall—

(I) submit an application at such time, in such manner, and containing such information as the Secretaries may require; and

(II) contribute non-Federal funds in accordance with clause (ii).

(ii) COST-SHARE REQUIREMENTS.—The non-Federal share of the cost of acquiring slip-on units using a grant under this paragraph shall be not less than 25 percent.

(C) USE OF FUNDS.—

(i) IN GENERAL.—Grants awarded under this paragraph shall be used only for the acquisition of not fewer than 30 slip-on units.

(ii) RESTRICTIONS.—A recipient of a grant under this paragraph—

(I) shall be responsible for the cost of the maintenance and use of the slip-on units; and

(II) may not use grant funds for a cost described in subclause (I).

(D) REQUIREMENTS FOR OPERATION OF SLIP-ON UNITS.—A recipient of a grant under this paragraph shall—

(i) in maintaining and storing the slip-on units—

(I) store and mount a slip-on unit on a vehicle only during—

(aa) a period of extreme fire danger; or

(bb) an active wildland fire;

(II) designate a vehicle and personnel to be used with each slip-on unit;

(III) make any necessary modification to a designated vehicle to ensure compatibility with the use of the slip-on unit;

(IV) train designated personnel to use the slip-on unit;

(V) ensure designated personnel possess elementary wildland fire management skills, including post-fire-front structure-protection tactics; and

(VI) maintain each slip-on unit in good, usable condition for a period of not fewer than 20 years;

(ii) during a large, active wildland fire—

(I) staff each designated vehicle equipped with a slip-on unit with—

(II) a person designated under clause (i)(II); and

(III) a trained firefighter, regardless of whether the trained firefighter is paid, volunteer, or off-duty but paid;

(iii) organize each designated vehicle equipped with a slip-on unit into a team with other designated vehicles under the direction of a qualified task force leader; and

(iv) use each designated vehicle equipped with a slip-on unit primarily for the purpose of following behind the wildland fire front—

(I) to prevent homes from igniting; and

(II) to alert fire engines of structures that have ignited; and

(v) comply with any other requirements determined to be necessary by the Secretaries, including any minimum requirements for a slip-on unit and any additional required equipment.

(3) ASSISTANCE TO STATES FOR OPERATION OF AIR TANKERS.—The Secretary concerned may provide funding to States to enable States to operate not more than 50 single-engine air tankers if—

(A) the single-engine air tanker is government-owned and contractor-operated or government-owned and government-operated;

(B) a State receiving funding for a single-engine air tanker under this paragraph shares the cost with the Secretary of the acquisition and operation of the aircraft; and

(C) the single-engine air tanker—

(i) shall be used for initial attack; and

(ii) shall not be used for large fire aviation support.

(4) RESEARCH AND DEVELOPMENT OF UNMANNED AIRCRAFT SYSTEM FIRE APPLICATIONS.—

(A) DEFINITIONS.—In this paragraph:

(i) COVERED UNMANNED AIRCRAFT TEST RANGE.—The term ''covered unmanned aircraft test range'' means a test range that is approved of or designated by the Administrator of the Federal Aviation Administration for the testing of unmanned aircraft systems, as required under section 44803 of title 49, United States Code.

(ii) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system of the Federal Aviation Administration.

(B) JOINT FIRE SCIENCE PROGRAM.—The Secretary of the Interior shall, acting through the Joint Fire Science Program, work with covered unmanned aircraft test ranges to carry out research and development of unmanned aircraft system fire applications.

(C) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior such sums as are necessary to carry out this paragraph.

(5) STUDY ON EFFECTS OF DRONE INCURSIONS ON WILDFIRE SUPPRESSION.—

(A) DEFINITIONS.—In this paragraph:

(i) DRONE.—The term ''drone'' means an unmanned aircraft system owned by a private individual or entity.

(ii) DRONE INCURSION.—The term ''drone incursion'' means the operation of a drone within any airspace for which the Administrator of the Federal Aviation Administration has issued a temporary flight restriction because of a wildfire.

(iii) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(B) STUDY REQUIRED.—The Secretary, in consultation with the Secretary of Agriculture, acting through the Chief of the Forest Service, shall conduct a study on the effects of drone incursions on wildfire suppression with respect to land managed by the Department of the Interior or the Department of Agriculture.

(C) STUDY CONTENTS.—In conducting the study required under subparagraph (B), the Secretary shall—

(i) determine, for each of the 5 most recent calendar years—

(I) the number of occurrences in which a drone incursion interfered with wildfire suppression; and

(II) the effect of each occurrence described in subclause (I) on—

(aa) the length of time required to achieve complete suppression;

(bb) the effectiveness of aerial firefighting responses; and

(cc) the amounts expended by the Federal Government; and

(ii) evaluate the feasibility and effectiveness of various actions to prevent drone incursions, including—

(I) the use of reasonable force to disable, damage, or destroy a drone;

(II) the seizure of a drone, including seizure with a net device; and

(III) the dissemination of educational materials relating to the effects of drone incursions on wildfire suppression.

(D) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing—

(i) the findings of the study required under subparagraph (B); and

(ii) any recommendations of the Secretary relating to those findings.

(6) STUDY ON WILDFIRE DETECTION EQUIPMENT AND INTEGRATION OF ARTIFICIAL INTELLIGENCE TECHNOLOGIES.—

(A) IN GENERAL.—The Secretaries shall conduct a study on—

(i) the effectiveness and limitations on the deployment and application of each wildfire detection equipment technology with respect to detection, confirmation, geolocation, predictability of wildfire spread, suppression resource management, post-fire forensics, and surface rehabilitation;

(ii) how each technology described in clause (i), with proper and timely deployment and use, can provide for the most effective and efficient means of dealing with the threat and the reality of wildland fires;

(iii) the integration of artificial intelligence with real-time imagery and weather data provided by wildfire detection equipment technology; and

(iv) how the integration of artificial intelligence described in clause (iii) can enhance the value of each wildfire detection equipment technology, individually and collectively.

(B) SUBMISSION AND PUBLIC AVAILABILITY.—Not later than 2 years after the date of enactment of this Act, the Secretaries shall submit to the congressional committees and make publicly available the results of the study conducted under subparagraph (A).

(d) POST-FIRE RECOVERY SUPPORT.—

(1) FUNDING FOR ONLINE GUIDES FOR POST-FIRE ASSISTANCE.—

(A) USE OF SERVICES OF OTHER AGENCIES.—Section 201(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131(a)) is amended—

(i) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(ii) by adding at the end the following:

''(8) post-disaster assistance.''.

(B) FUNDING FOR ONLINE GUIDES FOR ASSISTANCE.—Section 201 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131) is amended by adding at the end the following:

''(e) FUNDING FOR ONLINE GUIDES FOR ASSISTANCE.—

''(1) IN GENERAL.—The Administrator of the Federal Emergency Management Agency may enter into a cooperative agreement to provide funding to a State agency established under subsection (c) to establish and operate a website to provide information relating to post-fire recovery funding and resources to a community or an individual impacted by a wildland fire.

''(2) MANAGEMENT.—A website created under this subsection shall be—

''(A) managed by the State agency; and

''(B) suitable for the residents of the State of the State agency.

''(3) CONTENT.—The Administrator may enter into a cooperative agreement to establish a website under this subsection only to provide 1 or more of the following:

''(A) A list of Federal, State, and local sources of post-fire recovery funding or assistance that may be available to a community after a wildfire.

''(B) A list of Federal, State, and local sources of post-fire recovery funding or assistance that may be available to an individual impacted by a wildfire.

''(C) A technical guide that lists and explains the costs and benefits of alternatives available to a community to mitigate the impacts of wildfire and prepare for potential flooding.

''(4) COOPERATION.—A State agency that enters into a cooperative agreement under this subsection shall cooperate with the Secretary of the Interior, the Secretary of Agriculture, and the Administrator of the Federal Emergency Management Agency in developing a website under this subsection.

''(5) UPDATES.—A State agency that receives funding to establish a website under this subsection shall update the website not less than once every 6 years.''.

(2) LONG-TERM BURNED AREA RECOVERY ACCOUNT.—

(A) ESTABLISHMENT OF ACCOUNT.—There is established in the Treasury of the United States the Long-Term Burned Area Recovery account for the Department of Agriculture.

(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter for the account established by subparagraph (A) such sums as are necessary to carry out the activities described in subparagraph (D), not to exceed $100,000,000.

(C) PRESIDENTIAL BUDGET REQUESTS.—For fiscal year 2023 and each fiscal year thereafter, the Secretary of Agriculture shall submit through the budget request of the President and in accordance with subparagraph (B), a request for amounts in the Wildland Fire Management appropriation account to carry out the activities described in subparagraph (D).

(D) AUTHORIZED ACTIVITIES.—The Secretary of Agriculture shall use amounts in the account established by subparagraph (A) for rehabilitation projects—

(i) that begin not earlier than 1 year after the date on which the wildfire was contained;

(ii) that are—

(I) scheduled to be completed not later than 3 years after the date on which the wildfire was contained; and

(II) located at sites impacted by wildfire on non-Federal or Federal land;

(iii) that restore the functions of an ecosystem or protect life or property; and

(iv) not less than 10 percent of the total costs of which are paid for with non-Federal funds.

(E) PRIORITIZATION OF FUNDING.—The Secretary of Agriculture shall prioritize, on a nationwide basis, projects for which funding requests are submitted under this paragraph, based on—

(i) downstream effects on water resources; and

(ii) public safety.

(3) PRIZE FOR WILDFIRE-RELATED INVASIVE SPECIES REDUCTION.—Section 7001(d) of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 742b note; Public Law 116–9) is amended—

(A) by striking ''paragraph (8)(A)'' each place it appears and inserting ''paragraph (9)(A)'';

(B) by striking ''paragraph (8)(B)'' each place it appears and inserting ''paragraph (9)(B)'';

(C) by redesignating paragraph (8) as paragraph (9);

(D) by inserting after paragraph (7) the following:

''(8) THEODORE ROOSEVELT GENIUS PRIZE FOR MANAGEMENT OF WILDFIRE-RELATED INVASIVE SPECIES.—

''(A) DEFINITIONS.—In this paragraph:

''(i) BOARD.—The term 'Board' means the Management of Wildfire-Related Invasive Species Technology Advisory Board established by subparagraph (C)(i).

''(ii) PRIZE COMPETITION.—The term 'prize competition' means the Theodore Roosevelt Genius Prize for the management of wildfire-related invasive species established under subparagraph (B).

''(B) AUTHORITY.—Not later than 180 days after the date of enactment of the _____ Act, the Secretary shall establish under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the 'Theodore Roosevelt Genius Prize for the management of wildfire-related invasive species'—

''(i) to encourage technological innovation with the potential to advance the mission of the National Invasive Species Council with respect to the management of wildfire-related invasive species; and

''(ii) to award 1 or more prizes annually for a technological advancement that manages wildfire-related invasive species.

''(C) ADVISORY BOARD.—

''(i) ESTABLISHMENT.—There is established an advisory board, to be known as the 'Management of Wildfire-Related Invasive Species Technology Advisory Board'.

''(ii) COMPOSITION.—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

''(I) invasive species;

''(II) biology;

''(III) technology development;

''(IV) engineering;

''(V) economics;

''(VI) business development and management;

''(VII) wildfire; and

''(VIII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

''(iii) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

''(I) select a topic;

''(II) issue a problem statement;

''(III) advise the Secretary regarding any opportunity for technological innovation to manage wildfire-related invasive species; and

''(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian Tribes, private entities, and research institutions with expertise or interest relating to the management of wildfire-related invasive species.

''(iv) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition, the Board shall consult widely with Federal and non-Federal stakeholders, including—

''(I) 1 or more Federal agencies with jurisdiction over the management of invasive species;

''(II) 1 or more Federal agencies with jurisdiction over the management of wildfire;

''(III) 1 or more State agencies with jurisdiction over the management of invasive species;

''(IV) 1 or more State agencies with jurisdiction over the management of wildfire;

''(V) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the management of invasive species; and

''(VI) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of wildfire-related invasive species.

''(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (9)(A).

''(D) ADMINISTRATION BY THE NATIONAL INVASIVE SPECIES COUNCIL.—The Secretary, acting through the Director of the National Invasive Species Council, shall administer the prize competition.

''(E) JUDGES.—

''(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

''(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

''(F) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

''(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

''(ii) a description of the 1 or more annual winners of the prize competition; and

''(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the 1 or more winners of the prize competition was selected.

''(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2026.''; and

(E) in paragraph (9) (as so redesignated)—

(i) in subparagraph (A), in the matter preceding clause (i), by striking ''or (7)(C)(i)'' and inserting ''(7)(C)(i), or (8)(C)(i)''; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''or (7)(D)(i)'' and inserting ''(7)(D)(i), or (8)(D)(i)''; and

(II) in clause (i)(VII), by striking ''and (7)(E)'' and inserting ''(7)(E), and (8)(E)''.

SA 2400. Ms. CANTWELL (for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 699, line 25, strike ''section 22306'' and insert ''section 22308''.

On page 721, line 14, strike ''category'' and insert ''categories''.

On page 797, lines 20 and 21, strike ''section 22210'' and insert ''section 22910''.

SA 2401. Ms. CANTWELL (for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 953, strike lines 1 through 16 and insert the following:

(iv) in subparagraph (D), by striking '', State, local, or private'';

(v) in subparagraph (E)—

(I) by striking ''for the fiscal year preceding the fiscal year to which the plan applies,''; and

(II) by striking ''the previous year's highway safety plan'' and inserting ''the most recently submitted highway safety plan''; and

(vi) in subparagraph (F), by striking ''additional'';

On page 1025, line 13, strike ''40'' and insert ''25''.

SA 2402. Mrs. GILLIBRAND (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. GAO STUDY ON THE IMPACT OF DRUNK DRIVING CHILD ENDANGERMENT LAWS.

(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 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—

(A) State laws to determine best practices, comparing State laws in which driving drunk with a child is classified as a felony versus a misdemeanor; and

(B) 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, increased prevention and family support services, and coordination with child protective services.

SA 2403. Mr. MERKLEY (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408___. FOREST SERVICE HIRE AUTHORITY.

Section 12518 of the Agriculture Improvement Act of 2018 (16 U.S.C. 1725b) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking the period at the end and inserting a semicolon;

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated)—

(i) by striking ''Land'' and inserting ''Lands''; and

(ii) by striking ''applies to a former resource assistant'' and inserting the following: ''applies to—

''(1) a former resource assistant''; and

(D) by adding at the end the following:

''(2) except as provided in paragraph (1), a former participant in the Public Lands Corps program established by section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723) who—

''(A) successfully fulfilled the requirements of a qualified candidate and program participation; and

''(B) earned a high school diploma or equivalent diploma of completion, or completed a workforce development training program; and

''(3) a graduate of a Civilian Conservation Center program described in section 147(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197(d)) who successfully completed a training program focused on forestry, wildland firefighting, or another topic relating to the mission of the Forest Service.''; and

(2) in subsection (c)—

(A) by striking the period at the end and inserting a semicolon;

(B) by striking ''date on which the candidate'' and inserting the following: ''date on which—

''(1) in the case of a qualified candidate described in subsection (b)(1), the candidate''; and

(C) by adding at the end the following:

''(2) in the case of a qualified candidate described in subsection (b)(2), the later of—

''(A) the candidate successfully fulfilled the requirements described in subsection (b)(2)(A); or

''(B) the candidate earned a diploma or competed a program described in subsection (b)(2)(B); or

''(3) in the case of a qualified candidate described in subsection (b)(3), the candidate graduated from the Civilian Conservation Center.''.

SA 2404. Mr. SULLIVAN (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2697, line 3, strike the period and insert the following: '': *Provided further*, That in awarding funds under this heading, the Maritime Administration may consider the needs of the Strategic Seaport Program, with an emphasis on infrastructure rated in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1985).''.

SA 2405. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. APPLICATION OF NEPA AND NHPA TO COVERED COMMUNICATIONS EQUIPMENT OR SERVICES.

(a) NEPA EXEMPTION.—A covered project shall not be subject to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(b) NATIONAL HISTORIC PRESERVATION ACT EXEMPTION.—A covered project shall not be considered an undertaking under section 300320 of title 54, United States Code.

(c) COVERED PROJECT DEFINED.—In this section, the term ''covered project'' means a project to permanently remove covered communications equipment or services (as defined in section 9 of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1608)) and to replace such covered communications equipment or services with communications equipment or services that are not covered communications equipment or services (as so defined).

SA 2406. Mrs. BLACKBURN (for herself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2675, line 21, strike the period and insert the following: '': *Provided further*, That, notwithstanding any other provision of this Act, of the amounts made available under this heading, $1,000,000,000 shall be made available to the Secretary of Homeland Security to construct a wall along the international border between the United States and Mexico.''.

SA 2407. Mrs. BLACKBURN (for herself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI of division G, add the following:

Subtitle C—Cybersecurity and Blockchain Technology

SEC. 70621. INTERAGENCY COORDINATION ON CYBERSECURITY AND BLOCKCHAIN TECHNOLOGY.

(a) DEFINITIONS.—In this section—

(1) the term ''appropriate agency heads'' means—

(A) the Secretary of Homeland Security;

(B) the Attorney General;

(C) the Director of the Federal Bureau of Investigation;

(D) the Director of the Financial Crimes Enforcement Network; and

(E) the Director of the Office of Foreign Assets Control;

(2) the term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Financial Services of the House of Representatives;

(E) the Committee on Homeland Security of the House of Representatives; and

(F) the Permanent Select Committee on Intelligence of the House of Representatives;

(3) the term ''digital asset'' has the meaning given the term in section 6045(g)(3)(D) of the Internal Revenue Code of 1986, as added by section 80603(b)(1)(B) of title VI of division H of this Act;

(4) the term ''digital asset analytics tool'' means a software tool that conducts data analytics of a digital asset using information appended to a distributed ledger; and

(5) the term ''Executive agency'' has the meaning given the term in section 105 of title 5, United States Code.

(b) REQUIRED ACTIVITIES.—Not later than 180 days after the date of enactment of this Act, the appropriate agency heads, in coordination with the head of each Executive agency responsible for United States critical infrastructure sectors, as determined by the Secretary of Homeland Security, shall jointly—

(1) develop interagency agreement on the common capabilities of digital asset analytics tools to detect, track, and analyze risks relating to illicit activity;

(2) develop interagency agreement on the limitations of digital asset analytics tools and suggested approaches for improvement;

(3) engage with financial institutions involved in digital asset activities relating to best practices for use of digital asset analytics tools, emerging risks, and coordination with law enforcement;

(4) develop a comprehensive interagency strategy for effectively reducing illicit activity relating to digital assets, while protecting the responsible adoption and use of digital assets and distributed ledger technology; and

(5) develop recommendations for statutory or regulatory amendments that are necessary to carry out paragraph (4), as well as additional Executive agency positions or resources required to carry out paragraph (4).

(c) REPORT.—Not later than 210 days after the date of enactment of this Act, the appropriate agency heads shall jointly submit to the appropriate congressional committees a report, which may contain a classified annex, on the activities described in subsection (b).

SA 2408. Ms. CORTEZ MASTO (for herself and Ms. SMITH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division H, insert the following:

SEC. _____. EXEMPT FACILITY BONDS FOR ZERO-EMISSION VEHICLE INFRASTRUCTURE.

(a) IN GENERAL.—Section 142 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (a)—

(A) in paragraph (14), by striking ''or'' at the end,

(B) in paragraph (15), by striking the period at the end and inserting '', or'', and

(C) by adding at the end the following new paragraph:

''(16) zero-emission vehicle infrastructure.'', and

(2) by adding at the end the following new subsection:

''(n) ZERO-EMISSION VEHICLE INFRASTRUCTURE.—

''(1) IN GENERAL.—For purposes of subsection (a)(16), the term 'zero-emission vehicle infrastructure' means any property (not including a building and its structural components) if such property is—

''(A) made available for use by members of the general public, and

''(B) used to charge or fuel zero-emissions vehicles, but only if the property is located at the point where the vehicles are charged or fueled.

''(2) INCLUSION OF UTILITY SERVICE CONNECTIONS.—The term 'zero-emission vehicle infrastructure' shall include any utility service connections, utility panel upgrades, or contributions in aid of construction (as described in section 118) which are required for the charging or fueling of zero-emissions vehicles.

''(3) ZERO-EMISSIONS VEHICLE.—

''(A) IN GENERAL.—The term 'zero-emissions vehicle' means—

''(i) a zero-emission vehicle as defined in section 88.102–94 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subsection), or

''(ii) a vehicle that, under any possible operational modes and conditions, produces zero exhaust emissions of—

''(I) any criteria pollutant for which there are national ambient air quality standards under section 109 of the Clean Air Act (42 U.S.C. 7409) or precursor pollutant, or

''(II) any greenhouse gas.

''(B) GREENHOUSE GAS.—For purposes of this paragraph, the term 'greenhouse gas' means any of the following:

''(i) Carbon dioxide.

''(ii) Methane.

''(iii) Nitrous oxide.

''(iv) Hydrofluorocarbons.

''(v) Perfluorocarbons.

''(vi) Sulfur hexafluoride.

''(4) ZERO-EMISSIONS VEHICLE INFRASTRUCTURE LOCATED WITHIN OTHER FACILITIES OR PROJECTS.—For purposes of subsection (a), any zero-emission vehicle infrastructure located within—

''(A) a facility or project described in subsection (a), or

''(B) an area adjacent to a facility or project described in subsection (a) that primarily serves vehicles traveling to or from such facility or project,

shall be treated as described in the paragraph in which such facility or project is described.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after December 31, 2021.

SA 2409. Mr. CORNYN (for himself, Mr. PADILLA, Ms. BALDWIN, Mrs. MURRAY, Mr. KELLY, Ms. LUMMIS, Mr. WICKER, Ms. HASSAN, Ms. CORTEZ MASTO, Mr. LUJÁN, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. ____. AUTHORITY TO USE CORONAVIRUS RELIEF FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended—

(1) in section 601(d)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and adjusting the margins accordingly;

(B) by striking ''A State, Tribal government, and unit of local government'' and inserting the following:

''(1) IN GENERAL.—A State, Tribal government, and unit of local government''; and

(C) by adding at the end the following new paragraph:

''(2) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a State, Tribal government, or unit of local government may use funds provided under a payment made under this section for a project described in subparagraph (B), including—

''(i) in the case of a project described in clause (xi), (xii), or (xiii) of that subparagraph, to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project described in clause (xiii) of that subparagraph, to repay a loan provided under the program described in that clause.

''(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

''(i) A project eligible under section 133 of title 23, United States Code.

''(ii) A project eligible under section 119 of title 23, United States Code.

''(iii) A project eligible under section 148 of title 23, United States Code.

''(iv) A project eligible under section 167 of title 23, United States Code.

''(v) A project eligible under section 149 of title 23, United States Code.

''(vi) An activity to carry out section 134 of title 23, United States Code.

''(vii) A project eligible under section 202 of title 23, United States Code.

''(viii) A project eligible under section 203 of title 23, United States Code.

''(ix) A project eligible under section 204 of title 23, United States Code.

''(x) A project eligible under section 165 of title 23, United States Code.

''(xi) A project that receives a grant under section 117 of title 23, United States Code.

''(xii) A project that receives a grant under the program for national infrastructure investments (commonly known as the 'Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program').

''(xiii) A project that receives credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

''(xiv) A project that receives a grant under section 5309 of title 49, United States Code.

''(xv) A project that receives a grant under section 5337 of title 49, United States Code.

''(xvi) A project that receives a grant under section 5339 of title 49, United States Code.

''(xvii) A project that receives a grant under section 5307 of title 49, United States Code.

''(xviii) A project that receives a grant under section 5311 of title 49, United States Code.

''(xix) A project that receives a grant under section 6703 of title 49, United States Code, as added by section 21203 of the Infrastructure Investment and Jobs Act.

''(xx) A project carried out using funds made available under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

''(C) NON-FEDERAL SHARE.—Notwithstanding any other provision of law, in the case of a project described in clauses (i) through (x) of subparagraph (B) that is carried out with funds provided under a payment made under this section, the State, Tribal government, or unit of local government shall not be required to provide a non-Federal share.

''(D) LIMITATION; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xiv) through (xviii) of subparagraph (B).

''(ii) APPLICATION OF REQUIREMENTS TO CDBG BROADBAND PROJECTS.—The requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used for a project described in clause (xx) of subparagraph (B) that relates to broadband infrastructure.

''(E) AVAILABILITY.—Funds provided under a payment made under this section to a State, Tribal government, or unit of local government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no

amount of such funds may be expended after September 30, 2028.'';

(2) in section 602—

(A) in subsection (a)(1), by inserting ''(except as provided in subsection (c)(4))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)''; and

(ii) by adding at the end the following new paragraph:

''(4) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a State, territory, or Tribal government receiving a payment under this section may use funds provided under such payment for a project described in subparagraph (B), including—

''(i) in the case of a project described in clause (xi), (xii), or (xiii) of that subparagraph, to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project described in clause (xiii) of that subparagraph, to repay a loan provided under the program described in that clause.

''(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

''(i) A project eligible under section 133 of title 23, United States Code.

''(ii) A project eligible under section 119 of title 23, United States Code.

''(iii) A project eligible under section 148 of title 23, United States Code.

''(iv) A project eligible under section 167 of title 23, United States Code.

''(v) A project eligible under section 149 of title 23, United States Code.

''(vi) An activity to carry out section 134 of title 23, United States Code.

''(vii) A project eligible under section 202 of title 23, United States Code.

''(viii) A project eligible under section 203 of title 23, United States Code.

''(ix) A project eligible under section 204 of title 23, United States Code.

''(x) A project eligible under section 165 of title 23, United States Code.

''(xi) A project that receives a grant under section 117 of title 23, United States Code.

''(xii) A project that receives a grant under the program for national infrastructure investments (commonly known as the 'Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program').

''(xiii) A project that receives credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

''(xiv) A project that receives a grant under section 5309 of title 49, United States Code.

''(xv) A project that receives a grant under section 5337 of title 49, United States Code.

''(xvi) A project that receives a grant under section 5339 of title 49, United States Code.

''(xvii) A project that receives a grant under section 5307 of title 49, United States Code.

''(xviii) A project that receives a grant under section 5311 of title 49, United States Code.

''(xix) A project that receives a grant under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

''(C) NON-FEDERAL SHARE.—Notwithstanding any other provision of law, in the case of a project described in clauses (i) through (x) of subparagraph (B) that is carried out with funds provided under a payment made under this section, the State, territory, or Tribal government shall not be required to provide a non-Federal share.

''(D) LIMITATION; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xiv) through (xviii) of subparagraph (B).

''(ii) APPLICATION OF REQUIREMENTS TO CDBG BROADBAND PROJECTS.—The requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used for a project described in clause (xx) of subparagraph (B) that relates to broadband infrastructure.

''(E) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2028.''; and

(3) in subsection 603—

(A) in subsection (a), by inserting ''(except as provided in subsection (c)(5))'' after ''December 31, 2024''; and

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraphs (3) and (4)'' and inserting ''paragraphs (3), (4), and (5)''; and

(ii) by adding at the end the following new paragraph:

''(5) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a metropolitan city, nonentitlement unit of local government, or county receiving a payment under this section may use funds provided under such payment for a project described in subparagraph (B), including—

''(i) in the case of a project described in clause (xi), (xii), or (xiii) of that subparagraph, to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project described in clause (xiii) of that subparagraph, to repay a loan provided under the program described in that clause.

''(B) PROJECTS DESCRIBED.—A project referred to in subparagraph (A) is any of the following:

''(i) A project eligible under section 133 of title 23, United States Code.

''(ii) A project eligible under section 119 of title 23, United States Code.

''(iii) A project eligible under section 148 of title 23, United States Code.

''(iv) A project eligible under section 167 of title 23, United States Code.

''(v) A project eligible under section 149 of title 23, United States Code.

''(vi) An activity to carry out section 134 of title 23, United States Code.

''(vii) A project eligible under section 202 of title 23, United States Code.

''(viii) A project eligible under section 203 of title 23, United States Code.

''(ix) A project eligible under section 204 of title 23, United States Code.

''(x) A project eligible under section 165 of title 23, United States Code.

''(xi) A project that receives a grant under section 117 of title 23, United States Code.

''(xii) A project that receives a grant under the program for national infrastructure investments (commonly known as the 'Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program').

''(xiii) A project that receives credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

''(xiv) A project that receives a grant under section 5309 of title 49, United States Code.

''(xv) A project that receives a grant under section 5337 of title 49, United States Code.

''(xvi) A project that receives a grant under section 5339 of title 49, United States Code.

''(xvii) A project that receives a grant under section 5307 of title 49, United States Code.

''(xviii) A project that receives a grant under section 5311 of title 49, United States Code.

''(xix) A project that receives a grant under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

''(C) NON-FEDERAL SHARE.—Notwithstanding any other provision of law, in the case of a project described in clauses (i) through (x) of subparagraph (B) that is carried out with funds provided under a payment made under this section, the metropolitan city, nonentitlement unit of local government, or county shall not be required to provide a non-Federal share.

''(D) LIMITATION; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section shall not be used for operating expenses of a project described in clauses (xiv) through (xviii) of subparagraph (B).

''(ii) APPLICATION OF REQUIREMENTS TO CDBG BROADBAND PROJECTS.—The requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section that are used for a project described in clause (xx) of subparagraph (B) that relates to broadband infrastructure.

''(E) AVAILABILITY.—Funds provided under a payment made under this section to a metropolitan city, nonentitlement unit of local government, or county shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2028.''.

(b) TECHNICAL AMENDMENTS.—Sections 602(c)(3) and 603(c)(3) of title VI of the Social Security Act (42 U.S.C. 802(c)(3), 803(c)(3)) are each amended by striking ''paragraph (17) of''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in—

(1) in the case of the amendments made by subsection (a)(1), the enactment of the CARES Act (Public Law 116–136); and

(2) in the case of the amendments made by paragraphs (2) and (3) of subsection (a) and subsection (b), the enactment of the American Rescue Plan Act of 2021 (Public Law 117–2).

SA 2410. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FUNDS TO ENFORCE MASK MANDATES.

None of the amounts made available under any division of this Act, including an amendment made by any division of this Act, may

be used for the enforcement of a requirement to wear a mask or face covering on any mode of public transportation.

SA 2411. Mr. MARSHALL (for himself, Ms. ERNST, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

TITLE XII—AGRICULTURAL TRADE

SEC. 71201. SHORT TITLE.

This title may be cited as the ''Exposing Agricultural Trade Suppression Act''.

SEC. 71202. PROHIBITION AGAINST INTERFERENCE BY STATE AND LOCAL GOVERNMENTS WITH PRODUCTION OR MANUFACTURE OF ITEMS IN OTHER STATES.

(a) DEFINITION OF AGRICULTURAL PRODUCTS.—In this section, the term ''agricultural products'' has the meaning given the term in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626).

(b) PROHIBITION.—Consistent with the Commerce Clause of section 8 of article I of the Constitution of the United States, the government of a State or a unit of local government within a State shall not impose a standard or condition on the production or manufacture of any agricultural products sold or offered for sale in interstate commerce if—

(1) the production or manufacture occurs in another State; and

(2) the standard or condition is in addition to the standards and conditions applicable to the production or manufacture pursuant to—

(A) Federal law; and

(B) the laws of the State and unit of local government in which the production or manufacture occurs.

SEC. 71203. FEDERAL CAUSE OF ACTION TO CHALLENGE STATE REGULATION OF INTERSTATE COMMERCE.

(a) DEFINITION OF AGRICULTURAL PRODUCTS.—In this section, the term ''agricultural products'' has the meaning given the term in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626).

(b) PRIVATE RIGHT OF ACTION.—A person, including a producer, a transporter, a distributer, a consumer, a laborer, a trade association, the Federal Government, a State government, or a unit of local government, that is affected by a regulation of a State or unit of local government that regulates any aspect of 1 or more agricultural products that are sold in interstate commerce, including any aspect of the method of production, or any means or instrumentality through which 1 or more agricultural products are sold in interstate commerce may bring an action in the appropriate court to invalidate that regulation and seek damages for economic loss resulting from that regulation.

(c) PRELIMINARY INJUNCTION.—On a motion of the plaintiff in an action brought under subsection (b), the court shall issue a preliminary injunction to preclude the applicable State or unit of local government from enforcing the regulation at issue until such time as the court enters a final judgment in the case, unless the State or unit of local government proves by clear and convincing evidence that—

(1) the State or unit of local government is likely to prevail on the merits at trial; and

(2) the injunction would cause irreparable harm to the State or unit of local government.

(d) STATUTE OF LIMITATIONS.—No action shall be maintained under this section unless the action is commenced not later than 10 years after the cause of action arose.

(e) JURISDICTION.—A person described in subsection (b) may bring an action under that subsection in—

(1) the district court of the United States for the judicial district in which the person—

(A) is affected by a regulation described in that subsection; or

(B) resides, operates, or does business; or

(2) any other appropriate court otherwise having jurisdiction.

SA 2412. Mrs. BLACKBURN (for herself and Mr. HAGERTY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. 90_____. ADDING SERVICE AND SUPPORT COMPANIES TO THE SHUTTERED VENUE OPERATORS GRANT PROGRAM.

(a) IN GENERAL.—Section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''a service and support company,'' after ''theatre operator,'';

(II) in clause (i)—

(aa) in the matter preceding subclause (I), by inserting ''the service and support company,'' after ''theatre operator,''; and

(bb) in subclause (I), by inserting ''a service and support company,'' after ''theatre operator,'';

(III) in clause (ii)—

(aa) in subclause (III), by striking ''and'' at the end;

(bb) in subclause (IV), by adding ''and'' at the end; and

(cc) by adding at the end the following:

''(V) the service and support company is or intends to resume the services and activities described in paragraph (11);''; and

(IV) in clause (vi), by inserting ''the service and support company,'' after ''theatre operator,'' each place that term appears; and

(ii) in subparagraph (B), by inserting ''service and support company,'' after ''theatre operator,'' each place that term appears; and

(B) by adding at the end the following:

''(11) SERVICE AND SUPPORT COMPANY.—The term 'service and support company'—

''(A) means an individual or entity—

''(i) that is assigned a North American Industry Classification System code of 532490, 541410, 541420, 541430, 541490, 561920, 711190, or 711320, as appears on the most recent income tax filing or on the application for a loan under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)) of the individual or entity, if applicable; and

''(ii) that—

''(I)(aa) as a principal business activity, provide stages, lighting, sound, casts, or other support for live performing arts events; and

''(bb) for which not less than 70 percent of the earned revenue generated through providing the support described in item (aa) is for live performing arts events organized, promoted, produced, managed, or hosted by an eligible person or entity described in paragraph (1)(A)(iii); or

''(II)(aa) showcases performers or pre-packaged productions to potential buyers; and

''(bb) for which not less than 70 percent of the earned revenue generated through showcasing performers or pre-packaged productions described in item (aa) is for live performing arts events—

''(AA) organized, promoted, produced, managed, or hosted by an eligible person or entity described in paragraph (1)(A)(iii); or

''(BB) hosted in a hotel or convention center facility;

''(B) includes an individual or entity described in subparagraph (A) that—

''(i) operates for profit;

''(ii) is a nonprofit organization;

''(iii) is government-owned; or

''(iv) is a corporation, limited liability company, or partnership or operated as a sole proprietorship; and

''(C) does not include—

''(i) an individual or entity described in subparagraph (A) that—

''(I) employs more than 250 full-time employees; or

''(II) is registered or operates outside of the United States; or

''(ii) an entity that is majority owned or controlled by an entity that is an issuer, the securities of which are listed on a national securities exchange under section 6 of the Securities Exchange Act of 1934 (15 U.S.C. 78f).''; and

(2) in subsection (b)(2)(B), by adding at the end the following:

''(iii) PRIORITY FOR AWARDS TO SERVICE AND SUPPORT COMPANIES.—

''(I) FIRST PRIORITY IN AWARDING GRANTS.—During the initial 14-day period during which service and support companies are eligible to receive a grant under this paragraph, in making awards to those companies, the Administrator shall only award grants to those companies with revenue during the period beginning on April 1, 2020 and ending on December 31, 2020, that is not more than 10 percent of the revenue of the company during the period beginning on April 1, 2019 and ending on December 31, 2019, due to the COVID–19 pandemic.

''(II) SECOND PRIORITY IN AWARDING GRANTS.—During the 14-day period immediately following the14-day period described in clause (i), in making awards to service and support companies under this paragraph, the Administrator shall only award grants to those companies with revenue, during the period beginning on April 1, 2020 and ending on December 31, 2020, that is not more than 30 percent of the revenue of the company during the period beginning on April 1, 2019 and ending on December 31, 2019, due to the COVID–19 pandemic.''.

(b) TRANSFER OF AMOUNTS FROM CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS TO SHUTTERED VENUE OPERATORS PROGRAM.—

(1) RESCISSION.—Of the unobligated balances of amounts appropriated under sections 602(a)(1) and 603(a) of the Social Security Act (as added by section 9901 of the American Rescue Plan Act of 2021 (Public Law 117–2)) on the date of enactment of this Act, $4,000,000,000 is rescinded, provided that amounts shall be rescinded from the unobligated balance of amounts appropriated under such section 602(a)(1) first, and amounts shall then be rescinded from the unobligated balance of amounts appropriated under such

section 603(a) only if the unobligated balance of amounts appropriated under such section 602(a)(1) is less than $4,000,000,000.

(2) APPROPRIATION.—There is appropriated for an additional amount, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2021, an amount equal to the amount rescinded under paragraph (1), to remain available until December 31, 2021, under the heading ''Small Business Administration—Shuttered Venue Operators'', to make grants to service and support companies under section 324 of the Economic Aid to Hard Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116-260), as amended by subsection (a).

(c) PROCESSING PREVIOUSLY DENIED APPLICATIONS.—If a service and support company, as defined in paragraph (11) of section 324(a) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), as added by subsection (a), was denied a grant under such section before the date of enactment of this Act due to lack of eligibility but, as a result of the amendments made by subsection (a), is eligible for a grant under such section, the Administrator of the Small Business Administration shall reconsider and process the application of the service and support company.

(d) REGULATIONS.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue regulations to carry out this Act and the amendments made by this Act without regard to the notice requirements under section 553(b) of title 5, United States Code.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator of the Small Business Administration should—

(1) issue guidance to ensure that entities whose principal business is to provide services and support to the live events industry remain eligible for the program established under section 324 of the Economic Aid to Hard Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260); and

(2) distribute funds appropriated for that program not later than 120 days after the date of enactment of this Act.

SA 2413. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2553, line 5, strike ''$585,000,000'' and insert ''$510,000,000''.

On page 2553, line 8, strike '', of which'' and all that follows through ''established:'' on line 12 and insert '': *Provided further*, That no funds made available under this Act shall be used for the breach or removal of a Federal or non-Federal dam:''.

On page 2611, line 10, strike ''$360,000,000'' and insert ''$350,000,000''.

On page 2611, line 11, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 13, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 15, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 17, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 19, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2612, line 6, insert ''and'' after the semicolon.

On page 2612, line 10, strike ''; and'' and insert a period.

On page 2612, strike lines 11 through 13.

SA 2414. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1816, strike lines 1 through 12 and insert the following:

(2) $285,000,000 shall be made available to provide to States and Indian Tribes for implementing restoration projects on Federal land pursuant to good neighbor agreements entered into under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) or agreements entered into under section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)), of which—

(A) $40,000,000 shall be made available to the Secretary of the Interior; and

(B) $245,000,000 shall be made available to the Secretary of Agriculture;

SA 2415. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1816, strike lines 1 through 12 and insert the following:

(2) $285,000,000 shall be made available to provide to States and Indian Tribes for implementing restoration projects on Federal land pursuant to good neighbor agreements entered into under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) or agreements entered into under section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)), of which—

(A) $40,000,000 shall be made available to the Secretary of the Interior; and

(B) $245,000,000 shall be made available to the Secretary of Agriculture;

On page 2553, line 5, strike ''$585,000,000'' and insert ''$510,000,000''.

On page 2553, line 8, strike '', of which'' and all that follows through ''established:'' on line 12 and insert '': *Provided further*, That no funds made available under this Act shall be used for the breach or removal of a Federal or non-Federal dam:''.

On page 2611, line 10, strike ''$360,000,000'' and insert ''$350,000,000''.

On page 2611, line 11, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 13, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 15, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 17, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2611, line 19, strike ''$72,000,000'' and insert ''$70,000,000''.

On page 2612, line 6, insert ''and'' after the semicolon.

On page 2612, line 10, strike ''; and'' and insert a period.

On page 2612, strike lines 11 through 13.

SA 2416. Mrs. HYDE-SMITH submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division E, insert the following:

SEC. 501____. EMERGENCY WATER INFRASTRUCTURE IMPROVEMENTS.

(a) ADDITIONAL ENVIRONMENTAL INFRASTRUCTURE AUTHORITY.—Section 219(f)(167) of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835; 113 Stat. 335; 121 Stat. 1263) is amended by striking ''$25,000,000'' and inserting ''$47,000,000''.

(b) SAFE DRINKING WATER INFRASTRUCTURE.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE STATE.—The term ''eligible State'' means a State—

(i) for which the President has declared not fewer than 5 major disasters under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(ii) in which public water systems suffered major damage, as determined by the Administrator, from Winter Storms Uri and Viola.

(B) ELIGIBLE SYSTEM.—The term ''eligible system'' means a public water system that has been subject to an emergency administrative order pursuant to section 1431 of the Safe Drinking Water Act (42 U.S.C. 300i) during calendar year 2020.

(C) PUBLIC WATER SYSTEM.—The term ''public water system'' has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(2) STATE REVOLVING LOAN FUND ASSISTANCE.—

(A) IN GENERAL.—Notwithstanding any other provision of law, an eligible system shall be—

(i) considered a disadvantaged community for purposes of subsection (d) of section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12); and

(ii) eligible to receive the additional subsidization described in paragraph (1) of that subsection, including the forgiveness of principal described in that paragraph.

(B) AUTHORIZATION.—An eligible State may use funds made available under a capitalization grant provided under paragraph (3) to provide the additional subsidization described in subparagraph (A)(ii) to an eligible system within the eligible State to address contaminants in drinking water, which may include the repair and replacement of water distribution system components.

(3) DRINKING WATER STATE REVOLVING FUNDS.—

(A) APPROPRIATION.—There is appropriated to the Administrator, out of any funds of the Treasury not otherwise appropriated, $150,000,000 to provide additional capitalization grants to eligible States pursuant to section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for the purposes described in paragraph (2)(B), to remain available until expended.

(B) INTENDED USE PLANS.—Not later than 30 days after the date on which an eligible

State submits to the Administrator a revised intended use plan under section 1452(b) of the Safe Drinking Water Act (42 U.S.C. 300j–12(b)) that includes information with respect to projects described in paragraph (2)(B) to be funded using amounts made available in a capitalization grant pursuant to subparagraph (A), the Administrator shall make a capitalization grant to the eligible State in such amount as is necessary to fund the projects described in the revised intended use plan.

(C) REQUIREMENT.—Of the funds provided to an eligible State in a capitalization grant made pursuant to subparagraph (A), the eligible State may use not more than 15 percent to provide assistance to an eligible system for the purposes of purchasing and installing new water meters and modernizing billing systems.

(4) NONDUPLICATION OF WORK.—An activity carried out using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

(c) ECONOMIC ADJUSTMENT ASSISTANCE GRANTS FOR DRINKING WATER INFRASTRUCTURE.—Of the amounts made available under the heading ''ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS'' under the heading ''ECONOMIC DEVELOPMENT ADMINISTRATION'' under title II of division B of the CARES Act (Public Law 116–136; 134 Stat. 510), or for grants for economic development assistance under the heading ''ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS'' under the heading ''ECONOMIC DEVELOPMENT ADMINISTRATION'' under title I of division B of the Consolidated Appropriations Act, 2021 (Public Law 116–260), that are unobligated on the date of enactment of this Act, the Secretary of Commerce shall provide not less than $25,000,000 to eligible systems (as defined in subsection (b)(1)) to address contaminants in drinking water.

SA 2417. Ms. LUMMIS (for herself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division D, add the following:

TITLE XIII—RURAL BROADBAND PERMITTING EFFICIENCY

SEC. 41301. SHORT TITLE.

This title may be cited as the ''Rural Broadband Permitting Efficiency Act of 2021''.

SEC. 41302. DEFINITIONS.

In this title:

(1) BROADBAND PROJECT.—The term ''broadband project'' means an installation by a broadband provider of wireless or broadband infrastructure, including but not limited to, copper lines, fiber optic lines, communications towers, buildings, or other improvements on Federal land.

(2) BROADBAND PROVIDER.—The term ''broadband provider'' means a provider of wireless or broadband infrastructure that enables a user to originate and receive high-quality voice, data, graphics, and video telecommunications.

(3) INDIAN LANDS.—The term ''Indian Lands'' means—

(A) any land owned by an Indian Tribe, located within the boundaries of an Indian reservation, pueblo, or rancheria; or

(B) any land located within the boundaries of an Indian reservation, pueblo, or rancheria, the title to which is held—

(i) in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

(ii) by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

(iii) by a dependent Indian community.

(4) INDIAN TRIBE.—The term ''Indian Tribe'' means a federally recognized Indian Tribe.

(5) OPERATIONAL RIGHT-OF-WAY.—The term ''operational right-of-way'' means all real property interests (including easements) acquired for the construction or operation of a project, including the locations of the roadway, bridges, interchanges, culverts, drainage, clear zone, traffic control signage, landscaping, copper and fiber optic lines, utility shelters, poles, and broadband infrastructure as installed by broadband providers, and any rest areas with direct access to a controlled access highway or the National Highway System.

(6) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to land managed by the Department of the Interior (including land held in trust for an Indian Tribe).

SEC. 41303. STATE OR TRIBAL PERMITTING AUTHORITY.

(a) IN GENERAL.—The Secretary concerned shall establish (or in the case where both Department of the Interior and National Forest System land would be affected, shall jointly establish) a voluntary program under which any State or Indian Tribe may offer, and the Secretary concerned may agree, to enter into a memorandum of understanding to allow for the State or Indian Tribe to prepare environmental analyses required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the permitting of broadband projects within an operational right-of-way on National Forest System land, land managed by the Department of the Interior, and Indian Lands. Under such a memorandum of understanding, an Indian Tribe or State may volunteer to cooperate with the signatories to the memorandum in the preparation of the analyses required under the National Environmental Policy Act of 1969.

(b) ASSUMPTION OF RESPONSIBILITIES.—

(1) IN GENERAL.—In entering into a memorandum of understanding under this section, the Secretary concerned may assign to the State or Indian Tribe, and the State or Indian Tribe may agree to assume, all or part of the responsibilities of the Secretary concerned for environmental analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) STATE OR INDIAN TRIBE RESPONSIBILITY.—

(A) IN GENERAL.—A State or Indian Tribe that assumes any responsibility under paragraph (1) shall be subject to the same procedural and substantive requirements as would apply if the responsibility were carried out by the Secretary concerned.

(B) EFFECT OF ASSUMPTION OF RESPONSIBILITY.—A State or Indian Tribe that assumes any responsibility, including financial responsibility, under paragraph (1) shall be solely responsible and solely liable for carrying out, in lieu of the Secretary concerned, the responsibilities assumed under that paragraph until the date on which the program is terminated under subsection (g).

(C) ENVIRONMENTAL REVIEW.—A State or Indian Tribe that assumes any responsibility under paragraph (1) shall comply with the environmental review procedures under parts 1500–1508 of title 40, Code of Federal Regulations (or successor regulations), and the regulations of the Secretary concerned.

(3) FEDERAL RESPONSIBILITY.—Any responsibility of the Secretary concerned described in paragraph (1) that is not explicitly assumed by the State or Indian Tribe in the memorandum of understanding shall remain the responsibility of the Secretary concerned.

(c) OFFER AND NOTIFICATION.—A State or Indian Tribe that intends to offer to enter into a memorandum of understanding under this section shall provide to the Secretary concerned notice of the intent of the State or Indian Tribe not later than 90 days before the date on which the State or Indian Tribe submits a formal written offer to the Secretary concerned.

(d) TRIBAL CONSULTATION.—Within 90 days of entering into any memorandum of understanding with a State, the Secretary concerned shall initiate consultation with relevant Indian Tribes.

(e) MEMORANDUM OF UNDERSTANDING.—A memorandum of understanding entered into under this section shall—

(1) be executed by the Governor or the Governor's designee, or in the case of an Indian Tribe, by an officer designated by the governing body of the Indian Tribe;

(2) be for a term not to exceed 10 years;

(3) be in such form as the Secretary concerned may prescribe;

(4) provide that the State or Indian Tribe—

(A) agrees to assume all or part of the responsibilities of the Secretary concerned described in subsection (b)(1);

(B) expressly consents, including through the adoption of express waivers of sovereign immunity, on behalf of the State or Indian Tribe, to accept the jurisdiction of the Federal courts for the compliance, discharge, and enforcement of any responsibility of the Secretary concerned assumed by the State or Indian Tribe;

(C) certify that State laws and regulations, with respect to States, or Tribal laws and regulations, with respect to Indian Tribes, are in effect that—

(i) authorize the State or Indian Tribe to take the actions necessary to carry out the responsibilities being assumed; and

(ii) are comparable to section 552 of title 5, United States Code, including providing that any decision regarding the public availability of a document under the State laws is reviewable by a court of competent jurisdiction;

(D) agrees to maintain the financial resources necessary to carry out the responsibilities being assumed;

(E) agrees to provide to the Secretary concerned any information the Secretary concerned considers necessary to ensure that the State or Indian Tribe is adequately carrying out the responsibilities assigned to and assumed by the State or Indian Tribe;

(F) agrees to return revenues generated from the use of public lands authorized under this section to the United States annually, in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(G) agrees to send a copy of all authorizing documents to the United States for proper notation and recordkeeping;

(5) prioritize and expedite any analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under the memorandum of understanding;

(6) not be granted to a State on Indian Lands without the consent of the relevant Indian Tribe, which consent may be withdrawn at any time before the work under the

memorandum of understanding is complete; and

(7) not be granted to an Indian Tribe on State lands without the consent of the relevant State.

(f) LIMITATION.—Nothing in this section permits a State or Indian Tribe to assume—

(1) any rulemaking authority of the Secretary concerned under any Federal law; and

(2) Federal Government responsibilities for government-to-government consultation with Indian Tribes.

(g) TERMINATION.—

(1) TERMINATION BY THE SECRETARY.—The Secretary concerned may terminate the participation of any State or Indian Tribe in the program established under this section if—

(A) the Secretary concerned determines that the State or Indian Tribe is not adequately carrying out the responsibilities assigned to and assumed by the State or Indian Tribe;

(B) the Secretary concerned provides to the State or Indian Tribe—

(i) notification of the determination of noncompliance; and

(ii) a period of at least 30 days during which to take such corrective action as the Secretary concerned determines is necessary to comply with the applicable agreement; and

(C) the State or Indian Tribe, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary concerned.

(2) TERMINATION BY THE STATE OR INDIAN TRIBE.—A State or Indian Tribe may terminate the participation of the State or Indian Tribe in the program established under this section at any time by providing to the Secretary concerned a notice of intent to terminate by not later than the date that is 90 days before the date of termination.

(3) TERMINATION OF MEMORANDUM OF UNDERSTANDING WITH STATE OR INDIAN TRIBE.—A State or an Indian Tribe may terminate a joint memorandum of understanding under this section at any time by providing to the Secretary concerned a notice of intent to terminate by no later than the date that is 90 days before the date of termination.

SEC. 41304. FEDERAL BROADBAND PERMIT COORDINATION.

(a) ESTABLISHMENT.—The Secretary concerned shall establish a broadband permit streamlining team comprised of qualified staff under subsection (b)(4) in each State or regional office that has been delegated responsibility for issuing permits for broadband projects.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary concerned, in consultation with the National Conference of State Historic Preservation Officers and the National Tribal Historic Preservation Officers Association, shall enter into a memorandum of understanding to carry out this section with—

(A) the Secretary of Agriculture or of the Interior, as appropriate;

(B) the Director of the Bureau of Indian Affairs; and

(C) the Director of the United States Fish and Wildlife Service.

(2) PURPOSE.—The purpose of the memorandum of understanding under paragraph (1) is to coordinate and expedite permitting decisions for broadband projects.

(3) STATE OR TRIBAL PARTICIPATION.—The Secretary concerned may request that the Governor of any State or the officer designated by the governing body of the Indian Tribe with one or more broadband projects be a party to the memorandum of understanding under paragraph (1).

(4) DESIGNATION OF QUALIFIED STAFF.—

(A) IN GENERAL.—Not later than 30 days after the date of entrance into the memorandum of understanding under paragraph (1), the head of each Federal agency that is a party to the memorandum of understanding (other than the Secretary concerned) may, if the head of the Federal agency determines it to be appropriate, designate to each State or regional office an employee of that Federal agency with expertise in regulatory issues relating to that Federal agency, including, as applicable, particular expertise in—

(i) planning under the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.) and planning under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(ii) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(iii) consultation and the preparation of biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536).

(B) DUTIES.—Each employee designated under subparagraph (A) shall—

(i) be responsible for any issue relating to any broadband project within the jurisdiction of the State or regional office under the authority of the Federal agency from which the employee is assigned;

(ii) participate as part of the team of personnel working on one or more proposed broadband projects, including planning and environmental analyses; and

(iii) serve as the designated point of contact with any applicable State or Indian Tribe that assumes any responsibility under section 41303(b)(1) relating to any issue described in clause (i).

SEC. 41305. EFFECT.

(a) IN GENERAL.—Nothing in this title or a memorandum of understanding entered into under section 41303 terminates, waives, modifies, or reduces the trust responsibility of the United States to Indian Tribes or individual Indians.

(b) REQUIREMENT.—In carrying out this title, the Secretary concerned shall act in good faith in upholding the trust responsibility of the United States to Indian Tribes or individual Indians.

SA 2418. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2637, line 15, strike ''$47,272,000,000'' and insert ''$55,772,000,000''.

On page 2637, line 18, strike ''$9,454,400,000'' and insert ''$11,154,400,000''.

On page 2637, line 20, strike ''$9,454,400,000'' and insert ''$11,154,400,000''.

On page 2637, line 22, strike ''$9,454,400,000'' and insert ''$11,154,400,000''.

On page 2637, line 24, strike ''$9,454,400,000'' and insert ''$11,154,400,000''.

On page 2638, line 1, strike ''$9,454,400,000'' and insert ''$11,154,400,000''.

On page 2639, line 6, strike ''$27,500,000,000'' and insert ''$36,000,000,000''.

On page 2681, line 5, strike ''$36,000,000,000'' and insert ''$27,500,000,000''.

SA 2419. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2465, line 7, strike ''$2,000,000,000'' and insert ''$5,000,000,000''.

On page 2465, line 13, strike ''$1,926,000,000'' and insert ''$4,926,000,000''.

On page 2619, line 25, strike ''$12,500,000,000'' and insert ''$14,000,000,000''.

On page 2620, line 4, strike ''$7,500,000,000'' and insert ''$9,000,000,000''.

On page 2620, line 7, strike ''$1,000,000,000'' and insert ''$1,100,000,000''.

On page 2620, line 9, strike ''$1,000,000,000'' and insert ''$1,100,000,000''.

On page, line 11, strike ''$1,000,000,000'' and insert ''$1,100,000,000''.

On page 2620, line 13, strike ''$1,000,000,000'' and insert ''$1,100,000,000''.

On page 2620, line 15, strike ''$1,000,000,000'' and insert ''$1,100,000,000''.

On page 2620, line 19, strike ''$1,500,000,000''and insert ''$1,700,000,000''.

On page 2620, line 21, strike ''$1,500,000,000''and insert ''$1,700,000,000''.

On page 2620, line 23, strike ''$1,500,000,000''and insert ''$1,700,000,000''.

On page 2620, line 25, strike ''$1,500,000,000''and insert ''$1,700,000,000''.

On page 2621, line 2, strike ''$1,500,000,000''and insert ''$1,700,000,000''.

On page 2637, line 15, strike ''$47,272,000,000'' and insert ''$48,772,000,000''.

On page 2637, line 18, strike $9,454,400,000'' and insert ''$9,754,400,000''.

On page 2637, line 20, strike $9,454,400,000'' and insert ''$9,754,400,000''.

On page 2637, line 22, strike $9,454,400,000'' and insert ''$9,754,400,000''.

On page 2637, line 24, strike $9,454,400,000'' and insert ''$9,754,400,000''.

On page 2638, line 1, strike $9,454,400,000'' and insert ''$9,754,400,000''.

On page 2657, line 3, strike ''$9,235,000,000'' and insert ''$10,735,000,000''.

Beginning on page 2672, strike line 5 and all that follows through page 2675, line 21.

SA 2420. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2619, line 25, strike ''12,500,000,000'' and insert ''$20,500,000,000''.

On page 2620, line 4, strike ''$7,500,000,000'' and insert ''$15,500,000,000''.

On page 2620, line 7, strike ''$1,000,000,000'' and insert ''$1,500,000,000''.

On page 2620, line 9, strike ''$1,000,000,000'' and insert ''$1,500,000,000''.

On page 2620, line 11, strike ''$1,000,000,000'' and insert ''$1,500,000,000''.

On page 2620, line 13, strike ''$1,000,000,000'' and insert ''$1,500,000,000''.

On page 2620, line 15, strike ''$1,000,000,000'' and insert ''$1,500,000,000''.

On page 2620, line 19, strike ''$1,500,000,000''and insert ''$2,600,000,000''.

On page 2620, line 21, strike ''$1,500,000,000''and insert ''$2,600,000,000''.

On page 2620, line 23, strike ''$1,500,000,000''and insert ''$2,600,000,000''.

On page 2620, line 25, strike ''$1,500,000,000''and insert ''$2,600,000,000''.

On page 2621, line 2, strike ''$1,500,000,000''and insert ''$2,600,000,000''.

On page 2676, line 6, strike ''$16,000,000,000'' and insert ''$8,000,000,000''.

On page 2676, line 9, strike ''$3,200,000,000'' and insert ''$1,600,000,000''.

On page 2676, line 11, strike ''$3,200,000,000'' and insert ''$1,600,000,000''.

On page 2676, line 12, strike ''$3,200,000,000'' and insert ''$1,600,000,000''.

On page 2676, line 14, strike ''$3,200,000,000'' and insert ''$1,600,000,000''.

On page 2676, line 16, strike ''$3,200,000,000'' and insert ''$1,600,000,000''.

SA 2421. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2022, line 15, strike ''$42,450,000,000'' and insert ''$47,450,000,000''.

On page 2025, strike lines 1 through 8 and insert the following:

(A) except as provided in subparagraphs (B) and (C) of this paragraph, $200,000,000 shall be allocated to each State;

(B) $100,000,000 shall be allocated to each of the District of Columbia and the Commonwealth of Puerto Rico; and

(C) $100,000,000 shall be allocated to, and divided equally among, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

On page 2470, line 10, strike ''$42,450,000,000'' and insert ''$47,450,000,000''.

On page 2681, line 5, strike ''$36,000,000,000'' and insert ''$31,000,000,000''.

On page 2681, line 7, strike ''$7,200,000,000'' and insert ''$6,200,000,000''.

On page 2681, line 9, strike ''$7,200,000,000'' and insert ''$6,200,000,000''.

On page 2681, line 11, strike ''$7,200,000,000'' and insert ''$6,200,000,000''.

On page 2681, line 12, strike ''$7,200,000,000'' and insert ''$6,200,000,000''.

On page 2681, line 14, strike ''$7,200,000,000'' and insert ''$6,200,000,000''.

On page 2681, line 18, strike ''$24,000,000,000'' and insert ''$20,666,666,667''.

SA 2422. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2465, line 7, strike ''$2,000,000,000'' and insert ''$4,000,000,000''.

On page 2465, line 13, strike ''$1,926,000,000'' and insert ''$3,926,000,000''.

On page 2683, line 20, strike ''$10,250,000,000'' and insert ''$8,250,000,000''.

On page 2683, line 21, strike ''$2,050,000,000'' and insert ''$1,650,000,000''.

On page 2683, line 23, strike ''$2,050,000,000'' and insert ''$1,650,000,000''.

On page 2683, line 25, strike ''$2,050,000,000'' and insert ''$1,650,000,000''.

On page 2684, line 1, strike ''$2,050,000,000'' and insert ''$1,650,000,000''.

On page 2684, line 3, strike ''$2,050,000,000'' and insert ''$1,650,000,000''.

SA 2423. Mr. RISCH (for himself, Mrs. FEINSTEIN, and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1848, line 7, strike ''2,000'' and insert ''5''.

SA 2424. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FUNDING ALLOCATIONS.

Notwithstanding any other provision of law—

(1) in the case of any amounts made available under any division of this Act, including an amendment made by any division of this Act, that are apportioned to States by formula, the amounts shall be apportioned to States on a per capita basis using the most up to date estimates from the Bureau of the Census; and

(2) in the case of any amounts made available under any division of this Act, including an amendment made by any division of this Act, that are made available to States and other entities through discretionary grants and other financial assistance, in providing those amounts, the applicable head of the Federal agency shall apportion those amounts on the State per capita basis referred to in paragraph (1).

SA 2425. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. 9_____. REQUIREMENT FOR THE REALIZATION OF REVENUE.

Notwithstanding any other provision of any division of this Act—

(1) the total amount made available under this Act, including amendments made by a division of this Act, may not exceed the total amount of revenue collected or realized under this division and division H (including amendments made by those divisions); and

(2) the amounts made available under this Act, including amendments made by a division of this Act, shall be reduced proportionally based on the amount of revenue collected or realized as described in paragraph (1).

SA 2426. Mr. RUBIO (for himself and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2010, line 6, insert ''pursuant to section 516(b)(1)'' after ''assessment''.

On page 2010, line 11, insert ''pursuant to section 516(b)(1)'' after ''assessment''.

On page 2010, line 14, insert ''to the Administrator'' after ''appropriated''.

On page 2010, strike line 16 and insert the following: available until expended.

''(c) FUNDING.—Each fiscal year, a State may reserve up to 0.5 percent of the sums allotted to the State under this title for the fiscal year to carry out activities under section 516(b)(1)(B).''.

On page 2014, between lines 10 and 11, insert the following:

SEC. 502___. REPORTS TO CONGRESS.

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 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;''.

SA 2427. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division G, insert the following:

SEC. _____. MAKING DAYLIGHT SAVING TIME PERMANENT.

(a) REPEAL OF TEMPORARY PERIOD FOR DAYLIGHT SAVING TIME.—Section 3 of the Uniform Time Act of 1966 (15 U.S.C. 260a) is hereby repealed.

(b) ADVANCEMENT OF STANDARD TIME.—

(1) IN GENERAL.—The second sentence of subsection (a) of the first section of the Act of March 19, 1918 (commonly known as the ''Calder Act'') (15 U.S.C. 261), is amended—

(A) by striking ''4 hours'' and inserting ''3 hours'';

(B) by striking ''5 hours'' and inserting ''4 hours'';

(C) by striking ''6 hours'' and inserting ''5 hours'';

(D) by striking ''7 hours'' and inserting ''6 hours'';

(E) by striking ''8 hours'' and inserting ''by 7 hours'';

(F) by striking ''9 hours'' and inserting ''8 hours'';

(G) by striking ''10 hours;'' and inserting ''9 hours;'';

(H) by striking ''11 hours'' and inserting ''10 hours''; and

(I) by striking ''10 hours.'' and inserting ''11 hours.''.

(2) STATE EXEMPTION.—The first section of the Act of March 19, 1918 (commonly known as the ''Calder Act'') (15 U.S.C. 261) is further amended by—

(A) redesignating subsection (b) as subsection (c); and

(B) inserting after subsection (a) the following:

''(b) STANDARD TIME FOR CERTAIN STATES AND AREAS.—The standard time for a State that has exempted itself from the provisions of section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)), as in effect on the day before the date of the enactment of the Infrastructure Investment and Jobs Act, pursuant to such section or an area of a State that has exempted such area from such provisions pursuant to such section shall be, as such State considers appropriate—

''(1) the standard time for such State or area, as the case may be, pursuant to subsection (a) of this section; or

''(2) the standard time for such State or area, as the case may be, pursuant to subsection (a) of this section as it was in effect on the day before the date of the enactment of the Infrastructure Investment and Jobs Act.''.

(3) CONFORMING AMENDMENT.—The first section of the Act of March 19, 1918 (commonly known as the ''Calder Act'') (15 U.S.C. 261) is further amended, in the second sentence, by striking ''Except as provided in section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)), the'' and inserting ''Except as provided in subsection (b),''.

SA 2428. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

DIVISION ____—REGULATIONS RELATING TO THE TAKING OF DOUBLE-CRESTED CORMORANTS

SEC. ____. REGULATIONS RELATING TO THE TAKING OF DOUBLE-CRESTED CORMORANTS.

(a) FORCE AND EFFECT.—

(1) IN GENERAL.—Subject to subsection (b), sections 21.47 and 21.48 of title 50, Code of Federal Regulations (as in effect on January 1, 2016), shall have the force and effect of law.

(2) PUBLIC NOTICE.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (referred to in this section as the ''Secretary''), shall notify the public of the authority provided by paragraph (1) in a manner determined to be appropriate by the Secretary.

(b) SUNSET.—The authority provided by subsection (a)(1) shall terminate on the effective date of a regulation promulgated by the Secretary after the date of enactment of this Act to control depredation of double-crested cormorant populations.

(c) RULE OF CONSTRUCTION.—Nothing in this section limits the authority of the Secretary to promulgate regulations relating to the taking of double-crested cormorants under any other law.

SA 2429. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In division I, strike sections 90001, 90004, and 90006.

SA 2430. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1873, between lines 19 and 20, insert the following:

SEC. 410____. MILESTONE-BASED FUSION DEVELOPMENT PROGRAM.

There are authorized to be appropriated to the Secretary to carry out activities under section 307(i) of the Department of Energy Research and Innovation Act (42 U.S.C. 18645(i))—

(1) $140,000,000 for fiscal year 2022;

(2) $200,000,000 for fiscal year 2023;

(3) $325,000,000 for fiscal year 2024;

(4) $200,000,000 for fiscal year 2025; and

(5) $ 135,000,000 for fiscal year 2026.

On page 2528, line 14, strike ''$21,456,000,000'' and insert ''$22,456,000,000''.

On page 2534, line 17, insert ''*Provided further*, That of the amount provided under this heading in this Act and in addition to amounts otherwise made available for this purpose, $1,000,000,000 shall be to carry out the Milestone-Based Fusion Development Program under section 307(i) of the Department of Energy Research and Innovation Act (42 U.S.C. 18645(i)):'' after ''2026:''.

SA 2431. Mrs. FEINSTEIN (for herself, Mr. BURR, and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2427, between lines 10 and 11, insert the following:

SEC. 80505. EXCLUSION OF AMOUNTS RECEIVED FROM STATE-BASED CATASTROPHE LOSS MITIGATION PROGRAMS.

(a) IN GENERAL.—Section 139 of the Internal Revenue Code of 1986 is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) STATE-BASED CATASTROPHE LOSS MITIGATION PROGRAMS.—

''(1) IN GENERAL.—Gross income shall not include any amount received by an individual as a qualified catastrophe mitigation payment under a program established by—

''(A) a State,

''(B) a political subdivision or instrumentality thereof,

''(C) a joint powers authority, or

''(D) an entity created by State law to ensure the availability of an adequate market of last resort for essential property insurance, over which a State agency or State department of insurance has regulatory oversight,

for the purpose of making such payments.

''(2) QUALIFIED CATASTROPHE MITIGATION PAYMENT.—For purposes of this section, the term 'qualified catastrophe mitigation payment' means any amount which is received by the owner of any property to make improvements to such property for the sole purpose of reducing the damage that would be done to such property by a windstorm, earthquake, or wildfire.

''(3) NO INCREASE IN BASIS.—Rules similar to the rules of subsection (g)(3) shall apply in the case of this subsection.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 139(d) is amended by striking ''and qualified'' and inserting '', qualified catastrophe mitigation payments, and qualified''.

(2) Section 139(i) (as redesignated by subsection (a)) is amended by striking ''or qualified'' and inserting '', qualified catastrophe mitigation payment, or qualified''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SA 2432. Mrs. GILLIBRAND (for herself, Mr. MARKEY, Ms. WARREN, Mr. BLUMENTHAL, Mr. DURBIN, Mr. MERKLEY, Mr. PADILLA, Mr. CASEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to

amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II of division E, insert the following:

SEC. 502____. CLEAN WATER ACT EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS AND WATER QUALITY CRITERIA FOR PFAS.

(a) DEFINITIONS.—In this section:

(1) 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).

(2) 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(h)).

(3) PERFLUOROALKYL SUBSTANCE.—The term ''perfluoroalkyl substance'' means a chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(4) 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.

(5) 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).

(6) 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).

(b) 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(a)(1)) 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 (33 U.S.C. 1251 et seq.), for the discharge (including a discharge into a publicly owned treatment works) of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of such substances.

(c) 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.

(d) 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.

(e) 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.

SA 2433. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. _____. TRANSFER AND REDEMPTION OF ABANDONED SAVINGS BONDS.

Section 3105 of title 31, United States Code, is amended by adding at the end the following:

''(f)(1) Notwithstanding any other Federal law, the ownership of an applicable savings bond may be transferred pursuant to a valid judgment of escheatment vesting a State with title to the bond. Nothing in this section, or in any regulation promulgated by the Secretary to implement this section, may be construed to preempt State law providing for, or governing the escheatment of, applicable savings bonds.

''(2) The Secretary shall recognize an order of a court of competent jurisdiction that vests title to an applicable savings bond with a State, regardless of whether the State has possession of such bond if the State provides the Secretary with a certified copy of such order.

''(3)(A) If a State has title or is seeking to obtain title through a judicial proceeding to an applicable savings bond, the Secretary shall provide to the State, upon request, the serial number of such bond, and any reasonably available records or information—

''(i) relating to the purchase or ownership of such bond, including any transactions involving such bond; or

''(ii) which may provide other identifying information relating to such bond.

''(B) Any records or information provided to a State pursuant to subparagraph (A) shall be considered sufficient to enable the State to redeem the applicable savings bond for full value, regardless whether the bond is lost, stolen, destroyed, mutilated, defaced, or otherwise not in the State's possession.

''(4)(A) Subject to subparagraph (C), a State may redeem and receive payment for an applicable savings bond for which the State has title pursuant to the same procedures established pursuant to regulations which are available for payment or redemption of a savings bond by any owner of such bond.

''(B) The Secretary may not prescribe any regulation which prevents or prohibits a State from obtaining title to an applicable savings bond or redeeming such bond pursuant to the procedures described in subparagraph (A).

''(C) In the case of an applicable savings bond which is lost, stolen, destroyed, mutilated, defaced, or otherwise not in the possession of the State, if the State has requested records and information under paragraph (3)(A), any applicable period of limitation for payment or redemption of such bond shall not begin to run against the State until the date on which the Secretary has provided the State with the records and information described in such paragraph.

''(5) If the United States Government makes payment to a State for an applicable savings bond pursuant to paragraph (4)—

''(A) that State shall attempt to locate the original owner of each such bond registered with an address in that State pursuant to the same standards and requirements as exist under that State's abandoned property rules and regulations;

''(B) except as provided in subparagraph (C), the United States Government shall not retain any further obligation or liability relating to such bond, including any obligation or liability with respect to the registered owner of such bond (as described in paragraph (6));

''(C) should a State that receives payment for an applicable savings bond pursuant to paragraph (4) fail to make payment to a registered owner of such bond (as described in paragraph (6)(B)) after presentment of a valid claim of ownership pursuant to that State's abandoned property rules and regulations, such owner may then seek redemption of their bond through the Secretary or any paying agent authorized by the United States Government to make payments to redeem such bonds, and it shall be paid; and

''(D) where the United States Government has made payment of an applicable savings bond under subparagraph (C), the respective State shall indemnify the United States for payments made on such bond.

''(6) For purposes of this subsection, the term 'applicable savings bond' means any United States savings bond that—

''(A) matured on or before December 31, 2017;

''(B) is registered to an owner with a last known address within a State claiming title under a valid escheatment order entered after December 31, 2012, and before January 2026; and

''(C) has not been redeemed by such owner.''.

SA 2434. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr.

SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 507, lines 4 and 5, strike ''and the Federal System Funding Alternative Advisory Board established under section 13002(g)(1)''.

On page 507, lines 11 and 12, strike ''and the national pilot program under section 13002''.

On page 508, lines 1 and 2, strike ''to the national pilot program under section 13002 or''.

Strike section 13002.

SA 2435. Mr. GRASSLEY (for himself and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, insert the following:

TITLE XII—ANTI-FRAUD AMENDMENTS ACT

SEC. 71201. SHORT TITLE.

This title may be cited as the ''Anti-Fraud Amendments Act''.

Subtitle A—False Claims Procedures

SEC. 71201. FALSE CLAIMS PROCEDURE.

(a) PROVING MATERIALITY.—Section 3729 of title 31, United States Code, is amended by adding at the end the following:

''(e) PROVING MATERIALITY.—

''(1) IN GENERAL.—In an action under this section, the Government or relator may establish materiality by a preponderance of the evidence.

''(2) REBUTTAL.—A defendant may rebut evidence of materiality under paragraph (1) only by clear and convincing evidence that the Government regards the matter as immaterial.''.

(b) COSTS.—Section 3731 of title 31, United States Code, is amended by adding at the end the following:

''(f) If the Government elects not to intervene in an action brought under section 3730(b), the court shall, upon a motion by the Government, order the requesting party to pay the Government's expenses, including costs and attorneys' fees, for responding to the party's discovery requests, unless the party can demonstrate that the information sought is relevant and proportionate to the needs of the case.''.

SEC. 71202. RIGHTS OF THE PARTIES TO QUI TAM ACTIONS.

Section 3730(c)(2)(A) of title 31, United States Code, is amended by inserting before the period at the end the following: '', at which the Government shall have the burden of demonstrating reasons for dismissal, and the qui tam plaintiff shall have the opportunity to show that the reasons are fraudulent, arbitrary and capricious, or contrary to law''.

SEC. 71203. POST-EMPLOYMENT WHISTLEBLOWER RETALIATION.

Section 3730(h)(1) of title 31, United States Code, is amended by inserting ''current or former'' after ''Any''.

SEC. 71204. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the effectiveness of the False Claims Act (31 U.S.C. 3729 et seq.) during the time period beginning on the date of enactment of the False Claims Amendments Act of 1986 (Public Law 99–562; 100 Stat. 3153) and ending on the date of enactment of this Act, which shall include—

(1) a description of the benefits and challenges of enforcement efforts under the False Claims Act (31 U.S.C. 3729 et seq.); and

(2) information on the amounts recovered by the Government under the False Claims Act since the date of enactment of the False Claims Amendments Act of 1986 (Public Law 99–562; 100 Stat. 3153).

SEC. 71205. APPLICABILITY.

The amendments made by sections 71201, 71202, and 71203 of this Act shall apply to any case under the False Claims Act (31 U.S.C. 3729 et seq.) that is—

(1) filed on or after the date of enactment of this Act; or

(2) pending on the date of enactment of this Act.

Subtitle B—Administrative False Claims

SEC. 71211. ADMINISTRATIVE FALSE CLAIMS.

(a) CHANGE IN SHORT TITLE.—

(1) IN GENERAL.—Subtitle B of title VI of the Omnibus Budget Reconciliation Act of 1986 (Public Law 99–509; 100 Stat. 1934) is amended—

(A) in the subtitle heading, by striking ''**Program Fraud Civil Remedies**'' and inserting ''**Administrative False Claims**''; and

(B) in section 6101 (31 U.S.C. 3801 note), by striking ''Program Fraud Civil Remedies Act of 1986'' and inserting ''Administrative False Claims Act''.

(2) REFERENCES.—Any reference to the Program Fraud Civil Remedies Act of 1986 in any provision of law, regulation, map, document, record, or other paper of the United States shall be deemed a reference to the Administrative False Claims Act.

(b) REVERSE FALSE CLAIMS.—Chapter 38 of title 31, United States Code, is amended—

(1) in section 3801(a)(3), by amending subparagraph (C) to read as follows:

''(C) made to an authority which has the effect of concealing or improperly avoiding or decreasing an obligation to pay or transmit property, services, or money to the authority.''; and

(2) in section 3802(a)(3)—

(A) by striking ''An assessment'' and inserting ''(A) Except as provided in subparagraph (B), an assessment''; and

(B) by adding at the end the following:

''(B) In the case of a claim described in section 3801(a)(3)(C), an assessment shall not be made under the second sentence of paragraph (1) in an amount that is more than double the value of the property, services, or money that was wrongfully withheld from the authority.''.

(c) INCREASING DOLLAR AMOUNT OF CLAIMS.—Section 3803(c) of title 31, United States Code, is amended—

(1) in paragraph (1) by striking ''$150,000'' each place that term appears and inserting ''$1,000,000''; and

(2) by adding at the end the following:

''(3) ADJUSTMENT FOR INFLATION.—The maximum amount in paragraph (1) shall be adjusted for inflation in the same manner and to the same extent as civil monetary penalties under the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. 2461 note).''.

(d) RECOVERY OF COSTS.—Section 3806(g)(1) of title 31, United States Code, is amended to read as follows:

''(1)(A) Except as provided in paragraph (2)—

''(i) any amount collected under this chapter shall be credited first to reimburse the authority or other Federal entity that expended costs in support of the investigation or prosecution of the action, including any court or hearing costs; and

''(ii) amounts reimbursed under clause (i) shall—

''(I) be deposited in—

''(aa) the appropriations account of the authority or other Federal entity from which the costs described in subparagraph (A) were obligated;

''(bb) a similar appropriations account of the authority or other Federal entity; or

''(cc) if the authority or other Federal entity expended nonappropriated funds, another appropriate account; and

''(II) remain available until expended.

''(B) Any amount remaining after reimbursements described in subparagraph (A) shall be deposited as miscellaneous receipts in the Treasury of the United States.''.

(e) SEMIANNUAL REPORTING.—Section 5(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (4), by striking ''and'' at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

''(5) information relating to cases under chapter 38 of title 31, United States, including—

''(A) the number of reports submitted by investigating officials to reviewing officials under section 3803(a)(1) of title 31, United States Code;

''(B) actions taken in response to reports described in subparagraph (A), which shall include statistical tables showing—

''(i) pending cases;

''(ii) resolved cases;

''(iii) the average length of time to resolve each case;

''(iv) the number of final agency decisions that were appealed to a district court of the United States or a higher court; and

''(v) if the total number of cases in a report is greater than 2—

''(I) the number of cases that were settled; and

''(II) the total penalty or assessment amount recovered in each case, including through a settlement or compromise; and

''(C) instances in which the reviewing official declined to proceed on a case reported by an investigating official; and''.

(f) INCREASING EFFICIENCY OF DOJ PROCESSING.—Title 31, United States Code, is amended—

(1) in section 3803(j)—

(A) by inserting ''(1)'' before ''The reviewing''; and

(B) by adding at the end the following:

''(2) A reviewing official shall notify the Attorney General in writing not later than 30 days before entering into any agreement to compromise or settle allegations of liability under section 3802 of this title and before the date on which the reviewing official is permitted to refer allegations of liability to a presiding officer under subsection (b).''; and

(2) in section 3812—

(A) in the section heading, by striking ''**Prohibition against delegation**'' and inserting ''**Delegation authority**''; and

(B) by striking '', shall not be delegated to, or carried out by,'' and inserting ''may be delegated to''.

(g) REVISION OF DEFINITION OF HEARING OFFICIALS.—

(1) IN GENERAL.—Chapter 38 of title 31, United States Code, is amended—

(A) in section 3801(a)(7)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B)(vii), by adding ''or'' at the end; and

(iii) by adding at the end the following:

''(C) a member of the board of contract appeals pursuant to section 7105 of title 41, if the authority does not employ an available presiding officer under subparagraph (A);''; and

(B) in section 3803(d)(2)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B)—

(I) by striking ''the presiding'' and inserting ''(i) in the case of a referral to a presiding officer described in subparagraph (A) or (B) of section 3801(a)(7), the presiding'';

(II) in clause (i), as so designated, by adding ''or'' at the end; and

(III) by adding at the end the following:

''(ii) in the case of a referral to a presiding officer described in subparagraph (C) of section 3801(a)(7)—

''(I) the reviewing official shall submit a copy of the notice required by under paragraph (1) and of the response of the person receiving such notice requesting a hearing—

''(aa) to the board of contract appeals that has jurisdiction over matters arising from the agency of the reviewing official pursuant to section 7105(e)(1) of title 41; or

''(bb) if the Chair of the board of contract appeals declines to accept the referral, to any other board of contract appeals; and

''(II) the reviewing official shall simultaneously mail, by registered or certified mail, or shall deliver, notice to the person alleged to be liable under section 3802 that the referral has been made to an agency board of contract appeals with an explanation as to where the person may obtain the relevant rules of procedure promulgated by the board.''; and

(iii) by adding at the end the following:

''(C) in the case of a hearing conducted by a presiding officer described in subparagraph (C) of section 3801(a)(7)—

''(i) the presiding officer shall conduct the hearing according to the rules and procedures promulgated by the board of contract appeals; and

''(ii) the hearing shall not be subject to the provisions in subsection (g)(2), (h), or (i).''.

(2) AGENCY BOARDS.—Section 7105(e) of title 41, United States Code, is amended—

(A) in paragraph (1), by adding at the end the following:

''(E) ADMINISTRATIVE FALSE CLAIMS ACT.—

''(i) IN GENERAL.—The boards described in subparagraphs (B), (C), and (D) shall have jurisdiction to hear any case referred to a board of contract appeals under section 3803(d) of title 31.

''(ii) DECLINING REFERRAL.—If the Chair of a board described in subparagraph (B), (C), or (D) determines that accepting a case under clause (i) would prevent adequate consideration of other cases being handled by the board, the Chair may decline to accept the referral.''; and

(B) in paragraph (2), by inserting ''or, in the event that a case is filed under chapter 38 of title 31, any relief that would be available to a litigant under that chapter'' before the period at the end.

(3) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, each authority head, as defined in section 3801 of title 31, United States Code, and each board of contract appeals of a board described in subparagraphs (B), (C), and (D) of section 7105(e) of title 41, United States Code, shall amend procedures regarding proceedings as necessary to implement the amendments made by this subsection.

(h) REVISION OF LIMITATIONS.—Section 3808 of title 31, United States Code, is amended by striking subsection (a) and inserting the following:

''(a) A notice to the person alleged to be liable with respect to a claim or statement shall be mailed or delivered in accordance with section 3803(d)(1) of this title not later than the later of—

''(1) 6 years after the date on which the violation of section 3802 of this title is committed; or

''(2) 3 years after the date on which facts material to the action are known or reasonably should have been known by the authority head, but in no event more than 10 years after the date on which the violation is committed.''.

(i) DEFINITIONS.—Section 3801 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (8), by striking ''and'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(10) 'material' has the meaning given the term in section 3729(b) of this title; and

''(11) 'obligation' has the meaning given the term in section 3729(b) of this title.''; and

(2) by adding at the end the following:

''(d) For purposes of subsection (a)(10), materiality shall be determined in the same manner as under section 3729 of this title.''.

(j) PROMULGATION OF REGULATIONS.—Not later than 180 days after the date of enactment of this Act, each authority head, as defined in section 3801 of title 31, United States Code, shall—

(1) promulgate regulations and procedures to carry out this subtitle and the amendments made by this subtitle; and

(2) review and update existing regulations and procedures of the authority to ensure compliance with this subtitle and the amendments made by this subtitle.

SA 2436. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII of division B, add the following:

SEC. 27005. REPORT ON CERTAIN USES OF FEDERAL FUNDS.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT PROVIDED FUNDS.—The term ''Department provided funds'' means—

(A) amounts provided by the Department as financial assistance or pursuant to a financial assistance agreement; and

(B) amounts provided by the Department to any employee of the Department, including wages, benefits, and any other compensation.

(2) FINANCIAL ASSISTANCE.—The term ''financial assistance'' includes grants, subgrants, contracts, cooperative agreements, and any other form of financial assistance.

(3) REPORTABLE NONWORKING TIME.—The term ''reportable nonworking time'' means any time—

(A) during which an employee is not working; and

(B) for which the employee receives from the Department or an individual or entity employing the employee standby pay or any other form of payment or compensation from Department provided funds.

(b) REPORTS.—

(1) ANNUAL REPORT TO THE SECRETARY.—Not later than 60 days after the last day of each fiscal year, each individual or entity that receives Department provided funds under this Act or any other law during that fiscal year shall submit to the Secretary a report describing all reportable nonworking time of the employees of the individual or entity during that fiscal year, including, with respect to each project associated with that reportable nonworking time—

(A) the name and location of the project;

(B) the number of employees compensated for reportable nonworking time;

(C) the reason why each such employee was not working;

(D) the quantity of reportable nonworking time for which each such employee was compensated; and

(E) the amount of Department provided funds expended to compensate each such employee for reportable nonworking time.

(2) ANNUAL REPORT TO CONGRESS.—Not later than 90 days after the last day of each fiscal year, the Secretary shall submit to Congress a report describing—

(A) the information submitted to the Secretary under paragraph (1); and

(B) all reportable nonworking time of the employees of the Department during that fiscal year, including information pertaining to—

(i) each of the matters described in subparagraphs (B) through (E) of paragraph (1); and

(ii) if the reportable nonworking time is associated with a project, the name and location of the project.

(c) GUIDANCE.—Not later than 120 days after the date of enactment of this Act, the Secretary, in consultation with the Director of the Office of Management and Budget, shall issue guidance to assist individuals and entities in determining whether an employee—

(1) is not working for purposes of subsection (a)(3)(A); and

(2) has received payment or compensation from Department provided funds for purposes of subsection (a)(3)(B).

SA 2437. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2092, strike line 18 and all that follows through page 2093, line 10, and insert the following:

(8) COVERED POPULATIONS.—The term ''covered populations''—

(A) means—

(i) individuals who live in covered households;

(ii) aging individuals;

(iii) incarcerated individuals, other than individuals who are incarcerated in a Federal correctional facility;

(iv) veterans;

(v) individuals with disabilities;

(vi) individuals with a language barrier, including individuals who—

(I) are English learners; and

(II) have low levels of literacy;

(vii) individuals who are members of a racial or ethnic minority group; and

(viii) individuals who primarily reside in a rural area; and

(B) does not include aliens who are not lawfully present in the United States.

SA 2438. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1475, between lines 22 and 23, insert the following:

(D) conducting activities to demonstrate and scale up existing technologies and methods for recycling critical minerals at commercial scale, including materials used in computer hard drives;

On page 1475, line 23, strike ''(D)'' and insert ''(E)''.

On page 1476, line 3, strike ''(E)'' and insert ''(F)''.

On page 1476, line 7, strike ''(F)'' and insert ''(G)''.

On page 1476, line 11, strike ''(G)'' and insert ''(H)''.

On page 1476, line 14, strike ''(H)'' and insert ''(I)''.

SA 2439. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40211(a) of division D, strike paragraphs (3) through (6) and insert the following:

(3) identifies areas in which the Department can effectively utilize the technical expertise of the Department to support the workforce activities of other Federal agencies; and

(4) develops plans to support and retrain displaced and unemployed energy sector workers.

In section 40211(b) of division D, strike paragraph (2) and insert the following:

(2) REQUIREMENT.—The Board shall include not more than 2 representatives of a labor organization with significant energy experience, each of whom shall be nominated by a national labor federation.

In section 40211(b)(3) of division D, strike subparagraphs (D) through (F) and insert the following:

(D) energy workforce development or apprenticeship programs of States or units of local government; or

(E) relevant organized labor organizations.

In section 40211(c)(1), strike subparagraph (C) and insert the following:

(C) identify ways in which the Department and National Laboratories can—

(i) increase outreach to institutions of higher education;

(ii) increase outreach to displaced and unemployed energy sector workers; and

(iii) make resources available to provide training to displaced and unemployed energy sector workers to reenter the energy workforce; and

In section 40211, strike subsection (e) and insert the following:

(e) OUTREACH TO VETERANS AND DISPLACED AND UNEMPLOYED ENERGY WORKERS.—In developing the strategy under subsection (a), the Board shall—

(1) give special consideration to increasing outreach to institutions of higher education, veterans, and displaced and unemployed energy workers;

(2) make resources available to—

(A) institutions that serve veterans, with the objective of increasing the number veterans in the energy industry by ensuring that veterans have the credentials and training necessary to secure careers in the energy industry; and

(B) institutions that serve displaced and unemployed energy workers to increase the number of individuals trained for jobs in the energy industry;

(3) encourage the energy industry to improve the opportunities for students of higher education institutions, veterans, and displaced and unemployed energy workers to participate in internships, preapprenticeships, apprenticeships, and cooperative work-study programs in the energy industry; and

(4) work with the National Laboratories to increase the participation of students, veterans, and displaced and unemployed energy workers in internships, fellowships, training programs, and employment at the National Laboratories.

SA 2440. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike title II of division H.

SA 2441. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 90005.

SA 2442. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. 23_____. EXEMPTIONS FOR COVERED FARM VEHICLES.

Section 32934 of MAP–21 (49 U.S.C. 31136 note; Public Law 112–141) is amended—

(1) in subsection (a), by adding at the end the following:

''(6) Any requirement relating to registration under section 31134 of title 49, United States Code, including any requirement relating to a USDOT number under that section.

''(7) Any requirement relating to registration under the unified carrier registration agreement (as defined in section 14504a(a) of title 49, United States Code).'';

(2) in subsection (b)—

(A) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in paragraph (2), by striking ''Paragraph (1)'' and inserting ''Subparagraph (A)'';

(C) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(D) by inserting before subparagraph (A) (as so designated) the following:

''(1) FEDERAL TRANSPORTATION FUNDING.—'';

and

(E) by adding at the end the following:

''(2) IFTA REQUIREMENTS.—A covered farm vehicle and the individual operating that covered farm vehicle shall be exempt from any requirement relating to a license under the International Fuel Tax Agreement (as defined in section 31701 of title 49, United States Code).''; and

(3) in subsection (c)(1)(B), by striking ''26,001'' each place it appears and inserting ''36,001''.

SA 2443. Mr. CARDIN (for himself, Ms. MURKOWSKI, Mr. SULLIVAN, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

SEC. 90_____. SMALL BUSINESS CONTRACTING.

(a) DEFINITIONS.—In this section—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term ''covered procurement'' means a procurement that the Administrator determines—

(A) is in a quantity or of an estimated dollar value which makes the participation of a small business concern as a prime contractor unlikely;

(B) in the case of a procurement for construction, seeks to bundle or consolidate discrete construction projects; or

(C) is a solicitation that consolidates procurement requirements for goods or services, 1 or more of which were previously provided or performed by a small business concern for any Federal agency, into a solicitation of offers for a single contract, agreement, or order that is likely to be unsuitable for award to a small business concern; and

(3) the terms ''Federal agency'' and ''small business concern'' have the meanings given

those terms in section 3 of the Small Business Act (15 U.S.C. 632); and

(4) the term ''procurement center representative'' means—

(A) a procurement center representative as described in section 15(l) of the Small Business Act (15 U.S.C. 644(l)); or

(B) if a procurement center representative described in subparagraph (A) is not assigned to the procuring activity, the Office of Government Contracting of the Administration serving the area of the procuring activity.

(b) EXPANDING SURETY BOND PROGRAM.—Section 411(a)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amended—

(1) in subparagraph (A), by striking ''$6,500,000'' and inserting ''$10,000,000''; and

(2) by amending subparagraph (B) to read as follows:

''(B) The Administrator may guarantee a surety under subparagraph (A) for a total work order or contract entered into by a Federal agency in an amount that does not exceed $20,000,000.''.

(c) LARGE AND SMALL PRIME CONTRACT OPPORTUNITIES.—

(1) NOTICE TO PROCUREMENT CENTER REPRESENTATIVES.—Not later than 30 days before issuing a solicitation for a proposed covered procurement, and concurrent with other processing steps required before issuing the solicitation, a Federal agency shall provide to the procurement center representative of the Federal agency the following:

(A) A copy of the proposed covered procurement.

(B) A statement explaining, as applicable to the proposed covered procurement:

(i) Why the proposed covered procurement cannot be divided into smaller quantities, lots, or tasks to permit offers on less than the total requirement.

(ii) Why delivery schedules cannot be established on a realistic basis that will encourage the participation of small business concerns in a manner consistent with the actual requirements of the Federal agency.

(iii) Why the proposed covered procurement cannot be offered to increase the likelihood of the participation of small business concerns.

(iv) In the case of a proposed covered procurement for construction, why the proposed covered procurement cannot be offered as separate, discrete projects.

(v) Why the Federal agency has determined that consolidating contract requirements is necessary and justified.

(2) ALTERNATIVES TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—Not later than 15 days after the date on which a procurement center representative receives a statement described in paragraph (1)(B) with respect to a proposed covered procurement, and if the procurement center representative determines that the proposed covered procurement will make the participation of small business concerns as prime contractors unlikely, the procurement center representative shall recommend to the Federal agency 1 or more alternative procurement methods for increasing prime contracting opportunities for small business concerns.

(3) FAILURE TO AGREE ON AN ALTERNATIVE PROCUREMENT METHOD.—

(A) IN GENERAL.—If a procurement center representative proposes 1 or more alternative procurement methods to a Federal agency under paragraph (2) and the procurement center representative and the Federal agency are unable to agree on an alternative procurement method, the Administrator shall submit the matter to the head of the appropriate Federal agency, who shall adopt the recommended alternative procurement method proposed by the Administrator unless such head issues a determination that the benefit of the proposed covered procurement as compared to the alternative procurement method exceeds the harm to small business concerns.

(B) NONDELEGABLE.—The duties and authorities of the head of a Federal agency under subparagraph (A) may not be delegated.

(d) CONTRACT CAP AMOUNTS AND SOLE SOURCE AWARD AUTHORITY.—

(1) QUALIFIED HUBZONE SMALL BUSINESS CONCERNS.—Section 31(c)(2)(A) of the Small Business Act (15 U.S.C. 657a(c)(2)(A)) is amended to read as follows:

''(A) SOLE SOURCE CONTRACTS.—A contracting officer may award a sole source contract under this section to any qualified HUBZone small business concern if—

''(i) the qualified HUBZone small business concern is determined to be a responsible contractor with respect to performance of the contract opportunity;

''(ii) the contracting officer does not have a reasonable expectation that 2 or more qualified HUBZone small business concerns will submit offers for the contracting opportunity;

''(iii) the anticipated award price of the contract (including options and options periods) will not exceed—

''(I) $10,000,000 in the case of a contract opportunity assigned a North American Industry Classification System code for manufacturing; or

''(II) $8,000,000 in the case of any other contract opportunity; and

''(iv) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.''.

(2) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36(c) of the Small Business Act (15 U.S.C. 657f(c)) is amended to read as follows:

''(c) SOLE SOURCE CONTRACTS.—A contracting officer may award a sole source contract under this section to any small business concern owned and controlled by service-disabled veterans if—

''(1) the concern is determined to be a responsible contractor with respect to performance of the contract opportunity;

''(2) the contracting officer does not have a reasonable expectation that 2 or more small business concerns owned and controlled by service-disabled veterans will submit offers for the contracting opportunity;

''(3) the anticipated award price of the contract (including options and options periods) will not exceed—

''(A) $10,000,000, in the case of a contract opportunity assigned a North American Industry Classification System code for manufacturing; or

''(B) $8,000,000, in the case of any other contract opportunity; and

''(4) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.''.

(3) CERTAIN SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended—

(A) by amending paragraph (7) to read as follows:

''(7) AUTHORITY FOR SOLE SOURCE CONTRACTS FOR ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—A contracting officer may award a sole source contract under this subsection to any small business concern owned and controlled by women described in paragraph (2)(A) and certified under paragraph (2)(E) if—

''(A) the concern is determined to be a responsible contractor with respect to performance of the contract opportunity;

''(B) the contracting officer does not have a reasonable expectation that 2 or more small business concerns owned and controlled by women described in paragraph (2)(A) will submit offers for the contracting opportunity;

''(C) the anticipated award price of the contract (including options and options periods) will not exceed—

''(i) $10,000,000, in the case of a contract opportunity assigned a North American Industry Classification System code for manufacturing; or

''(ii) $8,000,000, in the case of all other contract opportunities; and

''(D) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.''; and

(B) by amending paragraph (8) to read as follows:

''(8) AUTHORITY FOR SOLE SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN IN SUBSTANTIALLY UNDERREPRESENTED INDUSTRIES.—A contracting officer may award a sole source contract under this subsection to any small business concern owned and controlled by women certified under paragraph (2)(E) that is in an industry in which small business concerns owned and controlled by women are substantially underrepresented (as determined by the Administrator under paragraph (3)) if—

''(A) the concern is determined to be a responsible contractor with respect to performance of the contract opportunity;

''(B) the contracting officer does not have a reasonable expectation that 2 or more small business concerns owned and controlled by women that are certified under paragraph (2)(E) and are in an industry that has received a waiver under paragraph (3) will submit offers for the contract opportunity;

''(C) the anticipated award price of the contract (including options and options periods) will not exceed—

''(i) $10,000,000, in the case of a contract opportunity assigned a North American Industry Classification System code for manufacturing; or

''(ii) $8,000,000, in the case of any other contract opportunity; and

''(D) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.''.

(4) 8(a) CONTRACTS.—Section 8(a)(1)(D)(i) of the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)) is amended by striking subclause (II) and inserting the following:

''(II) the anticipated award price of the contract (including options and options periods) will exceed—

''(aa) $10,000,000 in the case of a contract opportunity assigned a North American Industry Classification System code for manufacturing; or

''(bb) $8,000,000 in the case of any other contract opportunity.''.

(e) GOVERNMENTWIDE CONTRACTING GOALS.—Section 15(g)(1)(A) of the Small Business Act (15 U.S.C. 644(g)(1)(A)) is amended—

(1) in clause (i), by striking ''23 percent'' and inserting ''25 percent'';

(2) in clause (ii), by striking ''3 percent'' and inserting ''5 percent'';

(3) in clause (iii), by striking ''3 percent'' and inserting ''4 percent'';

(4) in clause (iv), by striking ''at not less than'' and all that follows and inserting the following: ''at not less than—

''(I) 11 percent of the total value of all prime contract and subcontract awards for fiscal year 2022;

''(II) 12 percent of the total value of all prime contract and subcontract awards for fiscal year 2023;

''(III) 13 percent of the total value of all prime contract and subcontract awards for fiscal year 2024;

''(IV) 15 percent of the total value of all prime contract and subcontract awards for fiscal year 2025 and each fiscal year thereafter.''; and

(5) in clause (v), by striking ''at not less than'' and all that follows and inserting the following: ''at not less than—

''(I) 6 percent of the total value of all prime contract and subcontract awards for each of fiscal years 2022 and 2023; and

''(II) 7 percent of the total value of all prime contract and subcontract awards for fiscal year 2024 and each fiscal year thereafter.''.

(f) REPEAL OF BONA FIDE OFFICE RULE.—

(1) IN GENERAL.—Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended by striking paragraph (11).

(2) CONFORMING AMENDMENTS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(A) in section 8(a) (15 U.S.C. 637(a))—

(i) in paragraph (9)(B)(iv), by striking ''paragraph (21)(B)'' and inserting ''paragraph (20)(B)''; and

(ii) by redesignating paragraphs (12) through (21) as paragraphs (11) through (20), respectively;

(B) in section 15(h)(2)(E)(v) (15 U.S.C. 644(h)(2)(E)(v)), in the matter preceding subclause (I), by striking ''section 8(a)(13)'' and inserting ''section 8(a)(12)''; and

(C) in section 31(b)(2)(D)(i) (15 U.S.C. 657a(b)(2)(D)(i)), by striking ''section 8(a)(15)'' and inserting ''section 8(a)(14)''.

(g) 8(a) WAIVERS.—Section 8(a)(20) of the Small Business Act (15 U.S.C. 637(a)(20)), as redesignated subsection (f)(2) of this section, is amended—

(1) in subparagraph (A), in the first sentence, by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (F)'';

(2) in subparagraph (B)—

(A) by striking clause (iii); and

(B) by redesignating clauses (iv) and (v) as clauses (iii) and (iv), respectively;

(3) by striking subparagraph (C) and inserting the following:

''(C) The Administrator may waive the requirements of subparagraph (A) if, in the case of clauses (i), (ii), and (iii) of subparagraph (B), the Administrator is requested to do so prior to the actual relinquishment of ownership or control.''; and

(4) by adding at the end the following:

''(F) If a contract or ownership and control of the concern that initially received a contract awarded pursuant to this subsection passes to another small business concern that is an eligible Program Participant, the requirements of subparagraph (A), including the termination described in the second sentence of that subparagraph, shall not apply.''.

(h) INTERIM RULES.—Not later than 90 days after the date of enactment of this Act, the Administrator may issue rules, including interim final rules, as necessary to carry out this section and the amendments made by this section.

SA 2444. Mrs. GILLIBRAND (for herself, Mr. MERKLEY, Mr. DURBIN, Mr. BOOKER, Mr. SANDERS, Mr. PADILLA, Mr. MARKEY, Ms. WARREN, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

Subtitle F—Apprenticeship Utilization, Respectful Workplaces, and Mandatory Supportive Services

SEC. 11601. APPRENTICESHIP UTILIZATION.

(a) DEFINITIONS.—In this section:

(1) APPRENTICESHIP EMPLOYMENT GOAL.—The term ''apprenticeship employment goal'' means the utilization of qualified apprentices for—

(A) not less than 15 percent of the total labor hours used for construction activities for a project; or

(B) in any case where a higher qualified apprentice utilization is locally stipulated by a labor agreement or local requirement, the stipulated higher amount or percentage.

(2) COVERED GRANT.—The term ''covered grant'' means a grant under section 117 or 173 of title 23, United States Code.

(3) QUALIFIED APPRENTICE.—The term ''qualified apprentice'' means an employee participating in a registered apprenticeship program.

(4) REGISTERED APPRENTICESHIP PROGRAM.—The term ''registered apprenticeship program'' means 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 (commonly known as the ''National Apprenticeship Act''; 50 Stat. 664, chapter 663; (29 U.S.C. 50 et seq.)); and

(B) satisfies the requirements of subpart A of part 29 and part 30 of title 29, Code of Federal Regulations or any successor regulations.

(b) REQUIREMENT.—

(1) CERTIFICATION REQUIREMENT.—To be eligible to receive a covered grant, each applicant shall include in a grant application a certification that the applicant will ensure that any contractor or subcontractor utilized in carrying out activities with the covered grant—

(A) meets or exceeds the apprenticeship employment goal;

(B) to the extent practicable, employs qualified apprentices from traditionally underrepresented populations in meeting or exceeding the apprenticeship employment goal; and

(C) notwithstanding any local-hire goals that apply, makes best efforts to meet project-wide, annually updated participation goals set by the applicant for the percentage of total work-hours that are performed at apprentice-level and journey-level by historically underrepresented populations; and

(D) tracks ongoing progress toward the participation goals described in subparagraphs (A) and (C).

(2) EXCEPTIONS.—The Secretary may adjust the requirements under paragraph (1) for an applicant for a covered grant if the applicant provides documentary evidence that—

(A) demonstrates a lack of availability of qualified apprentices in a specific geographic area; and

(B) makes a good faith effort to comply with the requirements.

(c) REGULATIONS.—The Secretary, in collaboration with the Secretary of Labor, as appropriate, may issue such regulations or other guidance, forms, instructions, and publications as may be necessary or appropriate to carry out the requirements and oversight of this section, including—

(1) penalties for noncompliance with the requirement of subsection (b)(1)(A);

(2) reporting requirements for recipients of covered grants; and

(3) guidance on—

(A) setting participation goals under subsection (b)(1)(C) that take into account the proportion of individuals in each population in the relevant recruitment area that are qualified for the apprenticeship or trade; and

(B) ensuring that the participation goals under subsection (b)(1)(C) do not supersede any higher goals otherwise required by law, contract, or policy.

(d) 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 use of qualified apprentices for projects carried out with covered grants that includes—

(1) the total number of labor hours fulfilled by qualified apprentices and historically underrepresented populations;

(2) the total number of qualified apprentices and historically underrepresented populations employed;

(3) the total number of covered grant recipients that met or exceeded the apprenticeship employment goal and the goals for the percentage of total workhours performed by historically underrepresented populations under subsection (b)(1)(C);

(4) best practices used by covered grant recipients that met or exceeded the apprenticeship employment goal and the goals for the percentage of total workhours performed by historically underrepresented populations under subsection (b)(1)(C); and

(5) a summary of agency oversight of the fulfillment of certification terms under this section by covered grant recipients.

(e) PUBLIC TRANSPARENCY.—

(1) IN GENERAL.—At the end of each fiscal year, the Secretary shall make available on a public website information on the use of qualified apprentices in the preceding fiscal year for each covered grant program, including—

(A) the total number of covered grant applicants that certified that the covered grant applicant would be able to meet or exceed the apprenticeship employment goal under subsection (b);

(B) the total number of covered grants provided for applicants described in subparagraph (A); and

(C) for each covered grant provided, data on the progress of the grant recipient toward meeting the requirement under subsection (b)(1)(A) and achieving participation goals under subsection (b)(1).

(2) PROGRESS DATA.—The Secretary shall make the information described in paragraph (1)(C) available on a public website on a monthly basis.

SEC. 11602. RESPECTFUL WORKPLACES.

(a) IN GENERAL.—Notwithstanding any other provision of law, a contractor or subcontractor used in carrying out a project or activity that receives funds under section 117 or 173 of title 23, United States Code, shall—

(1) make best efforts to institute respectful workplace policies; and

(2) provide effective, ongoing workplace training to create safe, respectful work sites that are free from bullying, hazing, discrimination, or harassment.

(b) COORDINATION.—The Secretary shall coordinate as necessary with the Secretary of Labor to promote that contractors and subcontractors described in subsection (a) comply with that subsection.

SEC. 11603. MANDATORY SUPPORTIVE SERVICES.

Section 140 of title 23, United States Code, is amended by adding at the end the following:

''(e) MANDATORY SUPPORTIVE SERVICES.—

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

''(A) ELIGIBLE INDIVIDUAL.—

''(i) IN GENERAL.—The term 'eligible individual' means an individual described in clause (ii) that—

''(I) is participating in a project under this title; and

''(II) can demonstrate a need for supportive services, as determined by the State department of transportation.

''(ii) INDIVIDUALS DESCRIBED.—An individual referred to in clause (i) is—

''(I) a participant in a pre-apprenticeship or apprenticeship-readiness program;

''(II) an apprentice; or

''(III) a worker in a construction trade on a project under this title.

''(B) SUPPORTIVE SERVICE.—The term 'supportive service' means—

''(i) a pre-apprenticeship or apprenticeship-readiness program that has a written agreement with one or more registered apprenticeship programs (as defined in section 11601 of the Infrastructure Investment and Jobs Act);

''(ii) transportation;

''(iii) child care and dependent care;

''(iv) housing;

''(v) food and nutrition services;

''(vi) health and mental health care support, including substance use disorder treatment;

''(vii) access to the internet;

''(viii) needs-related payments;

''(ix) tools;

''(x) workwear;

''(xi) retention services (including support groups, mentoring, or peer networking); and

''(xii) support to pay the costs of application fees and other costs of entering registered apprenticeship programs (as defined in section 11601 of the Infrastructure Investment and Jobs Act) and required pre-employment training.

''(2) AUTHORIZATION.—The Secretary, in cooperation with the Secretary of Labor and any other Federal agency, State agency, authority, association, institution, Indian Tribe or Tribal organization, for-profit or nonprofit corporation, and any other organization or person, shall establish and carry out a program to provide supportive services to eligible individuals in order to increase State-wide capacity to provide opportunities for underrepresented groups to work in infrastructure project construction jobs, with a special emphasis on maximizing opportunities for women, people of color, and individuals with barriers to employment.

''(3) STATE OBLIGATION.—For fiscal year 2023 and each fiscal year thereafter, a State shall obligate not less than ½ of 1 percent of the amounts apportioned to the State under section 104(b) for supportive services for eligible individuals.

''(4) NONAPPLICABILITY OF TITLE 41.—Section 6101 of title 41 shall not apply to contracts and agreements made under the authority granted to the Secretary under this subsection.''.

SA 2445. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division I, add the following:

SEC. 90009. PROHIBITION ON RECONCILIATION.

On and after the date of enactment of this Act, in the Senate and the House of Representatives, it shall not be in order to consider a bill or joint resolution reported pursuant to reconciliation instructions included pursuant to section 310 of the Congressional Budget Act of 1974 (2 U.S.C. 641) in a concurrent resolution on the budget for fiscal year 2022.

SA 2446. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, strike line 5 and insert the following:

(2) in subsection (l)—

(A) by striking paragraph (2);

(B) by striking the subsection designation and all that follows through ''In determining'' in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

''(l) ACCOMMODATING UTILITY FACILITIES IN THE RIGHT-OF-WAY.—

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

''(A) RIGHT-OF-WAY.—The term 'right-of-way' means any real property, or interest therein, acquired, dedicated, or reserved for the construction, operation, and maintenance of a highway.

''(B) UTILITY FACILITY.—

''(i) IN GENERAL.—The term 'utility facility' means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, that directly or indirectly serves the public.

''(ii) INCLUSIONS.—The term 'utility facility' includes—

''(I) alternative fueling infrastructure;

''(II) a renewable energy generation facility;

''(III) electrical transmission and distribution infrastructure; and

''(IV) broadband infrastructure and conduit.

''(2) ACCOMMODATION.—In determining''; and

(C) by adding at the end the following:

''(3) STATE APPROVAL.—A State, on behalf of the Secretary, may approve accommodating a utility facility described in paragraph (1)(B)(ii) within a right-of-way on a Federal-aid highway.'';

(3) in subsection (o)—

On page 202, line 23, strike ''(3)'' and insert ''(4)''.

On page 203, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

''(t) VEGETATION MANAGEMENT.—Notwithstanding any other provision of law, States are encouraged to implement, or to enter into partnerships to implement, vegetation management practices, such as increased mowing heights and planting native grasses and pollinator-friendly habitats, along a right-of-way on a Federal-aid highway, if the implementation of those practices—

''(1) is in the public interest; and

''(2) will not impair the highway or interfere with the free and safe flow of traffic.''.

SA 2447. Mr. CARPER (for himself, Mr. INHOFE, Mr. WICKER, and Ms. DUCKWORTH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2486, line 14, strike ''*Provided*'' and all that follows through ''proviso:'' on line 21 and insert the following: ''*Provided further*, That of the amount provided under this heading in this Act, $2,500,000,000 shall be for construction, replacement, rehabilitation, and expansion of inland waterways projects: *Provided further*, That section 102(a) of the Water Resources Development Act of 1986 (Public Law 99–662; 33 U.S.C. 2212(a)) and section 109 of the Water Resources Development Act of 2020 (Public Law 116–260; 134 Stat. 2624) shall not apply to the extent that such projects are carried out using funds provided in the preceding proviso: *Provided further*, That in using such funds referred to in the preceding proviso, the Secretary shall give priority to projects included in the Capital Investment Strategy of the Corps of Engineers:''.

On page 2487, lines 9 through 11, strike ''or section 1135 of the Water Resources Development Act of 1986 (Public Law 99–662; 33 U.S.C. 2309a),'' and insert ''section 1135 of the Water Resources Development Act of 1986 (Public Law 99–662; 33 U.S.C. 2309a), or section 165(a) of division AA of the Consolidated Appropriations Act, 2021 (Public Law 116–260),''.

On page 2489, line 3, insert ''*Provided further*, That the amounts provided in the preceding proviso do not limit the Secretary of the Army, acting through the Chief of Engineers, from allotting additional funds from the amounts provided under this title in this Act for additional shore protection projects:'' after ''2024:''.

On page 2489, line 9, insert ''*Provided further*, That in selecting projects under the previous proviso, the Secretary of the Army shall prioritize projects with overriding life-safety benefits: *Provided further*, That of the funds in the proviso preceding the preceding proviso, the Secretary of the Army shall, to the maximum extent practicable, prioritize projects in the work plan that directly benefit economically disadvantaged communities, and may take into consideration prioritizing projects that benefit areas in which the percentage of people that live in poverty or identify as belonging to a minority group is greater than the average such percentage in the United States, based on data from the Bureau of the Census:'' after ''purpose:''.

On page 2496, between lines 2 and 3, insert the following:

GENERAL PROVISIONS—CORPS OF ENGINEERS

SEC. 300. For projects that are carried out with funds under this heading, the Secretary of the Army and the Director of the Office of Management and Budget shall consider other factors in addition to the benefit-cost ratio

when determining the economic benefits of projects that benefit disadvantaged communities.

SA 2448. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2153, line 6, insert ''satellites,'' after ''fiber,''.

SA 2449. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1799, strike line 13 and all that follows through page 1800, line 10, and insert the following:

(15) $300,000,000 shall be made available for post-fire restoration activities that are implemented not later than 3 years after the date that a wildland fire is contained, of which—

(A) $125,000,000 shall be made available to the Secretary of the Interior; and

(B) $175,000,000 shall be made available to the Secretary of Agriculture;

On page 1800, line 11, strike ''(17)'' and insert ''(16)''.

On page 1800, line 17, strike ''(18)'' and insert ''(17)''.

On page 1816, strike lines 1 through 12 and insert the following:

(2) $300,000,000 shall be made available to provide to States and Indian Tribes for implementing restoration projects on Federal land pursuant to good neighbor agreements entered into under section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) or agreements entered into under section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)), of which—

(A) $60,000,000 shall be made available to the Secretary of the Interior; and

(B) $240,000,000 shall be made available to the Secretary of Agriculture;

On page 2568, line 12, strike ''$905,000,000'' and insert ''$925,000,000''.

On page 2568, line 15, strike ''$337,000,000'' and insert ''$341,000,000''.

On page 2568, line 17, strike ''$142,000,000'' and insert ''$146,000,000''.

On page 2568, line 18, strike ''$142,000,000'' and insert ''$146,000,000''.

On page 2568, line 20, strike ''$142,000,000'' and insert ''$146,000,000''.

On page 2568, line 22, strike ''$142,000,000'' and insert ''$146,000,000''.

On page 2570, line 19, strike ''$1,055,000,000'' and insert ''$980,000,000''.

On page 2570, line 23, strike ''$327,000,000'' and insert ''$312,000,000''.

On page 2570, line 25, strike ''$182,000,000'' and insert ''$167,000,000''.

On page 2608, line 17, strike ''$2,115,000,000'' and insert ''$2,095,000,000''.

On page 2608, line 21, strike ''$587,000,000'' and insert ''$583,000,000''.

On page 2608, line 23, strike ''$382,000,000'' and insert ''$378,000,000''.

On page 2613, line 18, strike ''$696,200,000'' and insert ''$771,200,000''.

On page 2613, line 23, strike ''$552,200,000'' and insert ''$567,200,000''.

On page 2613, line 24, strike ''$36,000,000'' and insert ''$51,000,000''.

On page 2614, line 1, strike $36,000,000 and insert ''$51,000,000''.

On page 2614, line 3, strike ''$36,000,000'' and insert ''$51,000,000''.

On page 2614, line 4, strike ''$36,000,000'' and insert ''$51,000,000''.

SA 2450. Mr. BARRASSO (for himself, Mr. TESTER, Mr. DAINES, Mr. THUNE, and Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of division A, add the following:

SEC. 112___. EXEMPTIONS FOR LOW POPULATION DENSITY STATES.

Section 150 of title 23, United States Code, is amended by adding at the end the following:

''(f) EXEMPTIONS FOR LOW POPULATION DENSITY STATES.—

''(1) IN GENERAL.—The Secretary shall grant, on the election of and in consultation with a State, an exemption from 1 or more of the requirements described in paragraph (2)(A) if the State—

''(A) is on the list of eligible States under paragraph (5) for the applicable performance period; and

''(B) provides a written notice of the election that includes an explanation under paragraph (4)(A).

''(2) REQUIREMENTS DESCRIBED.—

''(A) STATE REQUIREMENTS.—The requirements from which a State described in paragraph (1) may elect an exemption are—

''(i) requirements established under subclauses (IV) and (V) of subsection (c)(3)(A)(ii);

''(ii) requirements established under subsection (c)(5)(A);

''(iii) requirements established under subsection (c)(6); and

''(iv) targeting, data, reporting, or administrative requirements established under subsections (d) and (e) that are related to a requirement described in clause (i), (ii), or (iii) from which the State elects to receive an exemption.

''(B) METROPOLITAN PLANNING ORGANIZATION REQUIREMENTS.—A metropolitan planning organization with a metropolitan planning area that is located entirely within a State that is exempt shall be exempt from the requirements under section 134(h)(2)(B) that relate to each measure described in subparagraph (A) from which the State of the metropolitan planning organization is exempt.

''(3) TERM.—An exemption applied under paragraph (1) —

''(A) shall be in effect until the date that is 4 years after the date on which the performance period promulgated by the Secretary under subsection (d) in effect at the time the exemption is applied ends; and

''(B) may be renewed by the State for an additional 4-year term at the end of each performance period if, in accordance with paragraph (4)—

''(i) the State submits another written explanation; and

''(ii) the State continues to be included on the list of eligible States under paragraph (5).

''(4) NOTIFICATION OF ELECTION OF EXEMPTION.—

''(A) IN GENERAL.—To be eligible to make an election under paragraph (1), not later than September 1 of the calendar year preceding the calendar year in which the next performance period promulgated by the Secretary under subsection (d) begins, a State described in that paragraph—

''(i) shall submit to the Secretary—

''(I) identification of the 1 or more requirements described in paragraph (2)(A) for which an exemption is elected; and

''(II) a written notice that includes an explanation advising the Secretary that the State is not experiencing significant performance issues on the surface transportation system of the State with respect to each requirement referred to in subclause (I); and

''(ii) may submit to the Secretary any other information or material that the State chooses to include in the notice.

''(B) SPECIAL RULE.—Notwithstanding the deadline described in subparagraph (A), a State described in paragraph (1) may submit a notice under subparagraph (A) at any time before September 1, 2022.

''(5) ELIGIBLE STATES.—

''(A) IN GENERAL.—Not later than 60 days after the date of enactment of this subsection and thereafter, on each September 1 of the calendar year 2 years prior to the calendar year in which the next performance period promulgated by the Secretary under subsection (d) begins, the Secretary shall publish a list of States that may elect to receive an exemption from a requirement described in paragraph (2)(A).

''(B) INCLUSIONS.—The Secretary shall include on the list under subparagraph (A)—

''(i) any State that—

''(I) has a population per square mile of area that is less than the population per square mile of area of the United States, based on the latest available Bureau of the Census data at the time the Secretary publishes the list;

''(II) does not include an urbanized area with a population of over 200,000 within the State; and

''(III) has no repeated delays or other persistent impediments to travel reliability on the portions of the National Highway System in the State that the Secretary determines to be excessive; and

''(ii) based on the latest available Bureau of the Census data at the time the Secretary publishes the list, any State that—

''(I) has a population density of less than 15 persons per square mile of area; and

''(II) does not include an urbanized area with a population of over 200,000.

''(6) NATIONAL REPORTING.—

''(A) ELIGIBLE STATES.—For each State included on the list of eligible States under paragraph (5), 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 on the status of traffic congestion, travel reliability, truck travel reliability, and any other relevant performance metrics on the portions of the National Highway System in the State, including any delays or impediments that the Secretary determines to be excessive.

''(B) EXEMPT STATES.—For each eligible State under paragraph (5) that elects to receive an exemption under paragraph (1), the Secretary shall—

''(i) 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 on the results of performance measures for all exemptions applied to that State under this subsection; and

''(ii) make publicly available as part of the State performance dashboard on the Department of Transportation website information on the performance of the State with respect to any requirements from which the State is exempt.''.

SA 2451. Mr. MORAN (for himself, Mrs. MURRAY, and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ANNUITY SUPPLEMENT.

Section 8421a(c) of title 5, United States Code, is amended—

(1) by striking ''as an air traffic'' and inserting the following: ''as an—

''(1) air traffic'';

(2) in paragraph (1), as so designated, by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(2) air traffic controller pursuant to a contract made with the Secretary of Transportation under section 47124 of title 49.''.

SA 2452. Mr. JOHNSON (for himself, Ms. BALDWIN, and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I of division A, insert the following:

SEC. 111_____. STOP MOTORCYCLE CHECKPOINT FUNDING.

Section 4007 of the FAST Act (23 U.S.C. 153 note; Public Law 114–94) 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 to profile or stop any motorcycle operator or motorcycle passenger using as a factor the clothing or mode of transportation of the operator or passengers.''.

SA 2453. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40121(b)(1) of subtitle B of title I of division D, in the matter preceding subparagraph (A), insert ''to develop and organize, based on the recommendations of the National Infrastructure Advisory Council and the Cyberspace Solarium Commission, a pilot Critical Infrastructure Command Center or Joint Collaboration Environment to facilitate and enable public-private partnerships to carry out relevant functions, including'' after ''carry out a program''.

SA 2454. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 30005 in division C, add the following:

(c) FEDERAL SHARE ADJUSTMENTS.—

(1) IN GENERAL.—In addition to amounts made available under section 5338 of title 49, United States Code, there are authorized to be appropriated for fiscal year 2022 such sums as are necessary to increase the Federal share, at the request of a project sponsor, of a new fixed guideway capital project, a core capacity improvement project, or a small start project (as those terms are defined in section 5309(a) of that title) that—

(A) is not open to revenue service; and

(B) has received an allocation of funding in any of fiscal years 2019, 2020, and 2021.

(2) CRITERIA.—In allocating amounts made available under paragraph (1) to projects described in that subsection, the Secretary of Transportation shall take into consideration the extent to which a project sponsor demonstrates a need for a higher Federal share, including the extent to which—

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

(B) the project sponsor has experienced, as a result of the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19, a loss of revenue that would otherwise be used by the project sponsor to provide the non-Federal share for the project.

(3) ADJUSTMENT.—Notwithstanding any other provision of law, if the project sponsor of a project described in subsection (a) meets 1 or both of the criteria described in subsection (b), the Secretary of Transportation shall increase the Federal share of the project by not more than 30 percent, up to a maximum of Federal share of 80 percent.

(4) AMOUNT.—Amounts made available under this section shall be provided to a project described in subsection (a) notwithstanding the limitation of any calculation of the maximum amount of Federal financial assistance that may be provided to that project.

SA 2455. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2699, between lines 19 and 20, insert the following:

SEC. 804. (a) FAA OUTREACH TO COMMUNITY AND ELECTED OFFICIALS WHEN PROPOSING NEW OR MODIFIED FLIGHT PROCEDURES.—In order to avoid having to subsequently modify products and services developed as a part of the NextGen Performance Based Navigation (PBN) Implementation Process—FAA Order JO7100.41A, the Administrator of the Federal Aviation Administration shall comply with the requirements of this section.

(b) NOTIFICATION TO OFFICIALS.—The Administrator shall notify the public of any proposed new PBN flight procedure or flight procedure change affecting airspace at altitudes below 18,000 feet. This notification shall be made not later than 30 days after the date of the entry of the procedure into the FAA Performance Based Navigation IFP Gateway to the elected governing body of each of the cities and counties within 5 miles of such a proposed new or modified flight procedure, to any Member of Congress whose district is within 5 miles of such a proposed new or modified flight procedure, and to any Aviation Roundtable whose jurisdictional area is within 5 miles of such a proposed new or modified flight procedure.

(c) NOTIFICATION CONTENTS.—Notification shall be made with sufficient specificity for an official to determine if such new or modified flight procedure being processed is likely to affect constituents of such official and shall include—

(1) name of flight procedure;

(2) name of the proponent of the flight procedure;

(3) whether the flight procedure is a new or modified procedure and, if modified, the changes being proposed;

(4) name of existing procedure if the procedure substantially replaces an existing procedure;

(5) approximate flight path including latitude and longitude of the proposed procedure overlaid on a satellite map such as Google Earth or similar;

(6) approximate altitudes of proposed flight path; and

(7) contact person to provide additional information.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) AVIATION ROUNDTABLE.—The term ''Aviation Roundtable'' means an organization designed to address community concerns over a sustained period of time regarding aircraft operations often associated with a nearby airport.

(2) FAA ORDER JO7100.41A.—The term ''FAA Order JO7100.41A'' means FAA Order JO7100.41A and any other successor versions of such Order.

(3) FLIGHT PROCEDURE.—The term ''flight procedure'' means a preplanned Instrument Flight Rules (IFR) procedure published for pilot use, in graphic or textual format, that provides obstruction clearance from the terminal area to the en route structure (departure) or from the en route structure to the terminal area (arrival).

(4) IFP.—The term ''IFP'' means instrument flight procedure.

(5) INSTRUMENT FLIGHT PROCEDURES GATEWAY.—The term ''Instrument Flight Procedures Gateway'' means a centralized instrument flight procedures data portal providing, among others, current IFPs under Development or Amendments with Tentative Publication Date and Status.

(6) ELECTED GOVERNING BODY.—The term ''elected governing body'' means a municipal body having legislative and administrative powers, such as passing ordinances and appropriating funds, such as a City Council, Town Council, County Board of Supervisors, or similar.

(7) PBN.—The term ''PBN'' means performance based navigation.

SA 2456. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2656, line 7, insert ''*Provided further*, That notwithstanding section 111(a) or (b) of title 23, United States Code, or the fee limitations in sections 137 or 142 of such title, the Secretary shall permit limited commercial activities for charging of electric vehicles on rights-of-way of any Federal-aid highway, including highways on the Interstate System, including in: (1) a rest area; or (2) a fringe or corridor parking facility, including a park and ride facility: *Provided further*, That, for purposes of this paragraph in this Act, limited commercial activities for charging of electric vehicles at rest areas described in the preceding proviso may be located as follows: (1) except as otherwise provided in this proviso, a State may permit such limited commercial activity unless it is located within 5 travel miles of an existing facility that is located no more than 1 mile from the Interstate and that, as determined by the Secretary, provides substantially the same services to the public in sufficient capacity at the time such determination is made; (2) if a State demonstrates to the Secretary that there is insufficient capacity providing substantially the same services to the public at an existing facility located no more than 1 mile from the Interstate and within 5 travel miles of a rest area, the Secretary may authorize the State to permit limited commercial activities for charging of electric vehicles within any distance of the existing facility; and (3) for purposes of this proviso, the type and amount of the electric vehicle service provided, including whether available technology meets current and projected needs, are relevant to a demonstration of sufficient capacity: *Provided further*, That nothing in the preceding two provisos 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 paragraph in this Act:'' after ''proviso:''.

SA 2457. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40101(a)(2) of division D, strike subparagraphs (F) and (G) and insert the following:

(F) a fuel supplier;

(G) a community choice aggregator; and

(H) any other relevant entity, as determined by the Secretary.

SA 2458. Mr. LUJÁN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2520, line 5, insert ''*Provided further*, That $31,500,000 of the amounts made available under this heading shall be used for highway improvements on the routes to and from the Waste Isolation Pilot Plant, including to make payments to the State of New Mexico for such improvements pursuant to section 15 of the Waste Isolation Pilot Plant Land Withdrawal Act (Public Law 102–579; 106 Stat. 4791):'' after ''fiscal year:''.

SA 2459. Mr. LUJÁN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII of division D, insert the following:

SEC. 412___. NATIONAL LABORATORY BIOTECHNOLOGY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) EERE.—The term ''EERE'' means the Office of Energy Efficiency and Renewable Energy of the Department.

(2) NNSA.—The term ''NNSA'' means the National Nuclear Security Administration.

(3) OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE.—The term ''Office of Intelligence and Counterintelligence'' means the Office of Intelligence and Counterintelligence of the Department.

(4) OFFICE OF SCIENCE.—The term ''Office of Science'' means the Office of Science of the Department.

(5) PROGRAM.—The term ''Program'' means the National Laboratory Biotechnology Program established under subsection (b)(1).

(6) WORKING GROUP.—The term ''working group'' means the working group established under subsection (b)(2).

(b) NATIONAL LABORATORY BIOTECHNOLOGY PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish a National Laboratory Biotechnology Program to integrate the resources of the Department, including the Office of Science, the Office of Intelligence and Counterintelligence, the EERE, and the NNSA, to provide research, development, test and evaluation, and response capabilities to respond to—

(A) biological disasters and emergencies;

(B) long-term biotechnology threats and hazards impacting national security;

(C) emerging and re-emerging diseases; and

(D) any remaining threats posed by COVID–19.

(2) WORKING GROUP.—To carry out the Program, the Secretary shall establish a working group, which shall comprise appropriate leadership from the Office of Science, the NNSA, and the National Laboratories.

(3) FUNCTIONS.—The working group shall—

(A) oversee the development and operation of major research activities of the Program;

(B) identify Department programs and elements that will participate in the research and development activities of the Program;

(C) establish a formal process to engage the capabilities of the National Laboratories, including identifying a National Laboratory to be a coordinator for each research project carried out under the Program;

(D) collaborate with the directors of research directorates of the Department, directors of National Laboratories, and other senior Department officials, as appropriate, to gain greater access to top researchers and new and potentially transformative ideas;

(E) periodically review and recommend updates as necessary to Program policies and guidelines for the development and operation of major research activities, including by taking into consideration how those updates fit into the broader Federal response framework;

(F)(i) disperse funds to entities participating in activities under the Program; and

(ii) conduct periodic reviews to adjust funding allocations in response to changing biological disasters and emergencies, biotechnology threats, biodefense needs, or emerging and re-emerging diseases;

(G) enable access to broad scientific and technical expertise and resources that will lead to the deployment of innovative products, including through—

(i) research and development, including proof of concept, technical development, and compliance testing activities; and

(ii) early-stage product development, including through—

(I) computational modeling and simulation;

(II) molecular structural determination;

(III) genomic sciences;

(IV) epidemiological and logistics support;

(V) knowledge discovery infrastructure and scalable protected data;

(VI) advanced manufacturing to address supply chain bottlenecks;

(VII) new capabilities for testing of clinical and nonclinical samples;

(VIII) understanding environmental fate and transport of viruses; and

(IX) discovery of potential therapeutics through computation and molecular structure determination;

(H) support unclassified and classified research that harnesses the capabilities of the National Laboratories to address advanced biological threats of national security significance through assessments and research and development programs that—

(i) support the near- and long-term biodefense needs of the United States;

(ii) support the national security community in reducing uncertainty and risk;

(iii) enable greater access to top researchers and new and potentially transformative ideas for biodefense of human, animal, plant, environment, and infrastructure assets (including physical, cyber, and economic infrastructure); and

(iv) enable access to broad scientific and technical expertise and resources that will

lead to the development and deployment of innovative biodefense assessments and solutions, including through—

(I) the accessing, monitoring, and evaluation of biological threats to reduce risk, including through analysis and prioritization of gaps and vulnerabilities across open-source and classified data;

(II) development of scientific and technical roadmaps—

(aa) to address gaps and vulnerabilities;

(bb) to inform analyses of technologies; and

(cc) to accelerate the application of unclassified research to classified applications; and

(III) demonstration activities to enable deployment, including—

(aa) threat signature development and validation;

(bb) automated anomaly detection using artificial intelligence and machine learning;

(cc) fate and transport dynamics for priority scenarios;

(dd) data curation, access, storage, and security at scale; and

(ee) risk assessment tools;

(I) provide access to scientific user facilities and collaboration facilities with advanced or unique equipment, services, materials, and other resources to perform research and testing;

(J) establish a short-term exchange program under the Program for National Laboratory staff and management to build connections and awareness across the National Laboratory system;

(K) support technology transfer and related activities; and

(L) promote access and development across the Federal Government and to United States industry, including startup companies, of early applications of the technologies, innovations, and expertise beneficial to the public that are derived from Program activities.

(4) STRENGTHENING INSTITUTIONAL RESEARCH AND PRIVATE PARTNERSHIPS.—

(A) IN GENERAL.—The working group shall, to the maximum extent practicable, promote cooperative research and development activities under the Program, including collaboration between appropriate industry and academic institutions to promote innovation and knowledge creation.

(B) ACCESSIBILITY OF INFORMATION.—The working group shall develop, maintain, and publicize information on scientific user facilities and capabilities supported by laboratories of the Department for combating biotechnology threats, which shall be accessible for use by individuals from academic institutions and industry.

(C) ACADEMIC PARTICIPATION.—The working group shall, to the maximum extent practicable—

(i) conduct outreach about internship opportunities relating to activities under the Program primarily to institutions of higher education and minority-serving institutions of higher education;

(ii) encourage the development of research collaborations between research-intensive universities and the institutions described in clause (i); and

(iii) provide traineeships at the institutions described in clause (i) to graduate students who pursue a masters or doctoral degree in an academic field relevant to research advanced under the Program.

(5) EVALUATION AND PLAN.—

(A) IN GENERAL.—Not less frequently than biennially, the Secretary shall—

(i) evaluate the activities carried out under the Program; and

(ii) develop a strategic research plan under the Program, which shall be made publicly available and submitted to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(B) CLASSIFIED INFORMATION.—If the strategic research plan developed under subparagraph (A)(ii) contains classified information, the plan—

(i) shall be made publicly available and submitted to the committees of Congress described in subparagraph (A)(ii) in an unclassified format; and

(ii) may, as part of the submission to those committees of Congress only, include a classified annex containing any sensitive or classified information, as necessary.

(6) INTERAGENCY COLLABORATION.—The working group may collaborate with the Secretary of Homeland Security, the Secretary of Health and Human Services, the Secretary of Defense, the Secretary of Agriculture, the Director, and the heads of other appropriate Federal departments and agencies to advance biotechnology research and development under the Program.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, to remain available until expended—

(A) $30,000,000 for fiscal year 2022;

(B) $40,000,000 for fiscal year 2023;

(C) $45,000,000 for fiscal year 2024; and

(D) $50,000,000 for each of fiscal years 2025 and 2026.

SA 2460. Mr. LUJÁN (for himself, Mr. PADILLA, Mr. BOOKER, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. BLUMENTHAL, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 60506 and insert the following:

SEC. 60506. DIGITAL REDLINING.

(a) STATEMENT OF POLICY.—It is the policy of the United States that, insofar as technically feasible—

(1) subscribers should benefit from equal access to broadband internet access service within the service area of a provider of such service;

(2) the term ''equal access'', for purposes of this section, means the equal opportunity to subscribe to an offered service that provides comparable speeds, capacities, latency, and other quality of service metrics in a given area, for comparable terms and conditions; and

(3) the Commission should take steps to ensure that all people of the United States benefit from equal access to broadband internet access service.

(b) ADOPTION OF RULES.—Not later than 2 years after the date of enactment of this Act, the Commission shall adopt final rules to promote equal access to broadband internet access service, including— taking into account the issue of technical feasibility presented by that objective, including—

(1) identifying what constitutes digital redlining;

(2) identifying necessary steps for the Commissions to take to eliminate digital redlining; and

(3) preventing discrimination of access based on income level, race, ethnicity, color, religion, or national origin.

(c) FEDERAL POLICIES.—The Commission and the Attorney General shall ensure that Federal policies promote equal access to robust broadband internet access service by prohibiting deployment discrimination based on—

(1) the income level of an area;

(2) the predominant race or ethnicity composition of an area; or

(3) other factors the Commission determines to be relevant based on the findings in the record developed from the rulemaking under subsection (b).

(d) MODEL STATE AND LOCAL POLICIES.—The Commission shall develop model policies and best practices that can be adopted by States and localities to ensure that broadband internet access service providers do not engage in digital redlining.

(e) COMPLAINTS.—

(1) IN GENERAL.—The Commission shall revise its public complaint process to accept complaints from consumers or other members of the public that relate to digital redlining.

(2) REPORTS.—The Commission shall publish an annual report regarding complaints that the Commission has received under paragraph (1) that identifies—

(A) each provider of broadband internet access service that have been the subject of a complaint;

(B) the status of each complaint; and

(C) any action taken by the Commission in response to a complaint.

SA 2461. Mr. MARSHALL (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of division D add the following:

SEC. 40128. FRAUD AND RELATED ACTIVITY IN CONNECTION WITH CRITICAL INFRASTRUCTURE.

Section 1030(c) of title 18, United States Code, is amended—

(1) in paragraph (4)(G)(ii), by striking the period at the end and inserting ''; or''; and

(2) by inserting after paragraph (4) the following:

''(5) a fine under this title and imprisonment for not less than 30 years or for life, in the case of an offense that involves critical infrastructure (as defined in subsection (e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e))).''.

SA 2462. Mr. MARKEY (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION ___—IMPLEMENTATION

SEC. ___00001. IMPLEMENTATION.

Each Federal agency implementing a provision of this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act) shall implement the provision or amendment—

(1) in a manner consistent with the best available scientific assessments of global climate change; and

(2) to achieve appropriate greenhouse gas emission reductions.

SA 2463. Mr. MARKEY (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, at the following:

DIVISION __—REQUIRED REPORT

SEC. ___0001. REPORT.

Not later than 18 months after the date of enactment of this Act, the Chair of the Council on Environmental Quality, in consultation with the Federal agencies carrying out the provisions of this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act) and the head of any other relevant Federal agency (as determined by the President), shall submit to Congress a report that describes—

(1) the actual and estimated climate and economic benefits of full implementation of this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act);

(2) how implementation of, and funding provided under, this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act) will help the United States reach the climate goals of the United States; and

(3) any gaps in the Federal regulatory framework and funding programs in existence on the date of enactment of this Act that need to be modified to put the United States on a pathway to achieve net-zero emissions of greenhouse gases by not later than 2050.

SA 2464. Mr. PETERS (for himself, Mr. ROUNDS, Mr. PORTMAN, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40121(b)(1) of subtitle B of title I of division D, in the matter preceding subparagraph (A), strike ''consultation with the Secretary of Homeland Security and'' and insert ''coordination with the Secretary of Homeland Security and in consultation with''.

In section 40121(c) of subtitle B of title I of division D, in the matter preceding paragraph (1), strike ''consultation with the Secretary of Homeland Security and'' and insert ''coordination with the Secretary of Homeland Security and in consultation with''.

In section 40122(b) of subtitle B of title I of division D, strike ''consultation with the Secretary of Homeland Security and'' and insert ''coordination with the Secretary of Homeland Security and in consultation with''.

In section 40122(c) of subtitle B of title I of division D, in the matter preceding paragraph (1), strike ''consultation with the Secretary of Homeland Security and'' and insert ''coordination with the Secretary of Homeland Security and in consultation with''.

In section 40124(b) of subtitle B of title I of division D, strike ''consultation with the Secretary of Homeland Security,'' and insert ''coordination with the Secretary of Homeland Security and in consultation with''.

In section 40125(b)(1) of subtitle B of title I of division D, in the matter preceding subparagraph (A), strike ''consultation with the Secretary of Homeland Security and'' and insert ''coordination with the Secretary of Homeland Security and in consultation with''.

In section 40125(d)(1) of subtitle B of title I of division D, in the matter preceding subparagraph (A), strike ''consultation'' and insert ''coordination''.

SA 2465. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of division A, add the following:

SEC. 11207. NATIONAL GOALS AND PERFORMANCE 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) CARBON REDUCTION PROGRAM.—For the purposes of carrying out section 175, 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) IMPROVING TARGETS.—

''(A) IN GENERAL.—A State shall establish an improving target for the measures described under paragraph (7) of subsection (c).

''(B) IMPROVING TARGET DEFINED.—In this paragraph, the term 'improving target' means a target that represents an improvement over baseline conditions for a particular measure.

''(4) PERFORMANCE TARGET ACHIEVEMENT.—In the case of a State that fails to make significant progress toward meeting the targets established under subsection (c)(7), the Secretary shall limit the ability of that State to apply the authority under section 126 with respect to funds apportioned under section 104(b)(7).'';

(4) in subsection (e), in the matter preceding paragraph (1)—

(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) SAVINGS CLAUSE.—The requirement under subsection (d)(3) 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 this section.''.

SA 2466. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 80603.

SA 2467. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division I, add the following:

SEC. 90009. REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF REAL ESTATE PURCHASES OR LEASES NEAR MILITARY INSTALLATIONS OR MILITARY AIRSPACE.

(a) INCLUSION IN DEFINITION OF COVERED TRANSACTION.—Section 721(a)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking ''; and'' and inserting a semicolon;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) any transaction described in subparagraph (B)(vi) that is proposed, pending, or completed on or after the date of the enactment of the Protecting Military Installations and Ranges Act of 2021.''; and

(2) in subparagraph (B), by adding at the end the following:

''(vi) Notwithstanding clause (ii) or subparagraph (C), the purchase or lease by, or a concession to, a foreign person of private or public real estate—

''(I) that is located in the United States and within—

''(aa) 100 miles of a military installation (as defined in section 2801(c)(4) of title 10, United States Code); or

''(bb) 50 miles of—

''(AA) a military training route (as defined in section 183a(h) of title 10, United States Code);

''(BB) airspace designated as special use airspace under part 73 of title 14, Code of Federal Regulations (or a successor regulation), and managed by the Department of Defense;

''(CC) a controlled firing area (as defined in section 1.1 of title 14, Code of Federal Regulations (or a successor regulation)) used by the Department of Defense; or

''(DD) a military operations area (as defined in section 1.1 of title 14, Code of Federal Regulations (or a successor regulation)); and

''(II) if the foreign person is owned or controlled by, is acting for or on behalf of, or receives subsidies from—

''(aa) the Government of the Russian Federation;

''(bb) the Government of the People's Republic of China;

''(cc) the Government of the Islamic Republic of Iran; or

''(dd) the Government of the Democratic People's Republic of Korea.''.

(b) MANDATORY UNILATERAL INITIATION OF REVIEWS.—Section 721(b)(1)(D) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(1)(D)) is amended—

(1) in clause (iii), by redesignating subclauses (I), (II), and (III) as items (aa), (bb), and (cc), respectively, and by moving such items, as so redesignated, 2 ems to the right;

(2) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), respectively, and by moving such subclauses, as so redesignated, 2 ems to the right; and

(3) by striking ''Subject to'' and inserting the following:

''(i) IN GENERAL.—Subject to''; and

(4) by adding at the end the following:

''(ii) MANDATORY UNILATERAL INITIATION OF CERTAIN TRANSACTIONS.—The Committee shall initiate a review under subparagraph (A) of a covered transaction described in subsection (a)(4)(B)(vi).''.

(c) CERTIFICATIONS TO CONGRESS.—Section 721(b)(3)(C)(iii) of the Defense Production Act of 1950 (50 U.S.C. 4565(b)(3)(C)(iii)) is amended—

(1) in subclause (IV), by striking ''; and'' and inserting a semicolon;

(2) in subclause (V), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(VI) with respect to covered transactions described in subsection (a)(4)(B)(vi), to the members of the Senate from the State in which the military installation, military training route, special use airspace, controlled firing area, or military operations area is located, and the member from the Congressional District in which such installation, route, airspace, or area is located.''.

(d) LIMITATION ON APPROVAL OF ENERGY PROJECTS RELATED TO REVIEWS CONDUCTED BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

(1) REVIEW BY SECRETARY OF DEFENSE.—Section 183a of title 10, United States Code, is amended—

(A) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively; and

(B) by inserting after subsection (e) the following new subsection (f):

''(f) SPECIAL RULE RELATING TO REVIEW BY COMMITTEE ON FOREIGN INVESTMENT OF THE UNITED STATES.—(1) If, during the period during which the Department of Defense is reviewing an application for an energy project filed with the Secretary of Transportation under section 44718 of title 49, the purchase, lease, or concession of real property on which the project is planned to be located is under review or investigation by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), the Secretary of Defense—

''(A) may not complete review of the project until the Committee concludes action under such section 721 with respect to the purchase, lease, or concession; and

''(B) shall notify the Secretary of Transportation of the delay.

''(2) If the Committee on Foreign Investment in the United States determines that the purchase, lease, or concession of real property on which an energy project described in paragraph (1) is planned to be located threatens to impair the national security of the United States and refers the purchase, lease, or concession to the President for further action under section 721(d) of the Defense Production Act of 1950 (50 U.S.C. 4565(d)), the Secretary of Defense shall—

''(A) find under subsection (e)(1) that the project would result in an unacceptable risk to the national security of the United States; and

''(B) transmit that finding to the Secretary of Transportation for inclusion in the report required under section 44718(b)(2) of title 49.''.

(2) REVIEW BY SECRETARY OF TRANSPORTATION.—Section 44718 of title 49, United States Code, is amended—

(A) by redesignating subsection (h) as subsection (i); and

(B) by inserting after subsection (g) the following new subsection:

''(h) SPECIAL RULE RELATING TO REVIEW BY COMMITTEE ON FOREIGN INVESTMENT OF THE UNITED STATES.—The Secretary of Transportation may not issue a determination pursuant to this section with respect to a proposed structure to be located on real property the purchase, lease, or concession of which is under review or investigation by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) until—

''(1) the Committee concludes action under such section 721 with respect to the purchase, lease, or concession; and

''(2) the Secretary of Defense—

''(A) issues a finding under section 183a(e) of title 10; or

''(B) advises the Secretary of Transportation that no finding under section 183a(e) of title 10 will be forthcoming.''.

SA 2468. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2675, line 21, strike the period and insert the following: '': *Provided further*, That, notwithstanding any other provision of this Act, of the amounts made available under this heading and under the heading 'National Network Grants to the National Railroad Passenger Corporation' in this Act, $150,000,000 shall be made available to the Secretary of Defense to modify or improve the infrastructure necessary to expedite the deployment of heavy armored divisions and associated equipment from United States military installations to naval ports by rail.''.

SA 2469. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 40436 of subtitle C of title IV of division D and insert the following:

SEC. 40436. STUDY ON IMPACT OF FORCED LABOR IN CHINA ON THE ELECTRIC VEHICLE SUPPLY CHAIN.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary, in coordination with the Secretary of State and the Secretary of Commerce, shall study, and submit to Congress a report describing, the impact of forced labor in China on the electric vehicle supply chain.

(b) PROHIBITION.—Notwithstanding any other provision of law and subject to subsection (c), no funds shall be expended for the purchase or import of—

(1) significant goods, wares, articles, or merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of the People's Republic of China to be used for the production of electric vehicles; or

(2) electric vehicles that incorporate, or are otherwise produced using, items described in paragraph (1).

(c) EXPIRATION OF PROHIBITION.—The prohibition described in subsection (b) shall expire on a date not earlier than the date on which—

(1) the report required by subsection (a) is submitted, if that report concludes that forced labor in China does not have a significant impact on the electric vehicle supply chain; and

(2) the Secretary certifies to the relevant committees of Congress that the report submitted under subsection (a) accurately assesses the impact of forced labor in China on the electric vehicle supply chain.

SA 2470. Ms. SINEMA (for herself and Mr. KAINE) submitted an amendment intended to be proposed to amendment

SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division B, insert the following:

SEC. 23_____. FEDERAL AUTHORITY OVER INTRASTATE TRANSPORTATION.

Section 14501(c)(2)(C) of title 49, United States Code, is amended by striking ''performed without the prior consent or authorization of the owner or operator of the motor vehicle''.

SA 2471. Mr. ROUNDS (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2486, line 14, strike ''*Provided*'' and all that follows through ''proviso:'' on line 21 and insert the following: ''*Provided further*, That of the amount provided under this heading in this Act, $2,500,000,000 shall be for construction, replacement, rehabilitation, and expansion of inland waterways projects: *Provided further*, That section 102(a) of the Water Resources Development Act of 1986 (Public Law 99–662; 33 U.S.C. 2212(a)) and section 109 of the Water Resources Development Act of 2020 (Public Law 116–260; 134 Stat. 2624) shall not apply to the extent that such projects are carried out using funds provided in the preceding proviso:''.

SA 2472. Mr. ROUNDS (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2627, line 19, insert ''*Provided further*, That the Secretary of Transportation shall prioritize air traffic control facilities over 60 years of age and with over 300,000 total terminal operations handled in fiscal year 2019:'' after ''contract tower program:''.

SA 2473. Mr. ROUNDS (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2489, line 9, insert ''*Provided further*, That in selecting projects under the previous proviso, the Secretary of the Army shall prioritize projects with overriding life-safety benefits:'' after ''purpose:''.

SA 2474. Mr. ROUNDS (for Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 11312, add the following:

(c) CATEGORICAL EXCLUSION DETERMINATION PROCESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the process for determining whether a project qualifies for a categorical exclusion under section 771.117 of title 23, Code of Federal Regulations (or successor regulations).

(2) REQUIREMENT.—The revised process under paragraph (1) shall minimize the period of review and quantity of paperwork required to make a determination described in that paragraph.

SA 2475. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 40106 of subtitle A of title I of division D.

SA 2476. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, strike lines 12 through 24 and insert the following:

''(3) ELIGIBLE PROJECTS.—Funds set aside under this subsection may be obligated for repair of deficient bridges or other highway projects designated by a state as high priority safety projects.'';

SA 2477. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2631, line 7, insert ''*:Provided further*, That funds made available under this paragraph may be used for projects to improve, construct, and rehabilitate aircraft hangars'' after ''this Act''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have 12 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 9:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 10 a.m., to conduct an oversight hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 10 a.m., to conduct a hearing nominations.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 12 p.m., to conduct a hearing nominations.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 10 a.m., to conduct a hearing.