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 2555. 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, supra; which was ordered to lie on the table.

SA 2556. Ms. STABENOW (for herself, Mr. CORNYN, and Mr. WHITEHOUSE) 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 2557. Ms. BALDWIN (for herself 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, supra; which was ordered to lie on the table.

SA 2558. Ms. BALDWIN (for herself and Mr. JOHNSON) 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 2559. Ms. MURKOWSKI (for herself 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, supra; which was ordered to lie on the table.

SA 2560. 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, supra; which was ordered to lie on the table.

SA 2561. 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, supra; which was ordered to lie on the table.

SA 2562. 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, supra; which was ordered to lie on the table.

SA 2563. 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, supra; which was ordered to lie on the table.

SA 2564. Mr. CARPER (for himself, Mr. INHOFE, Mr. WICKER, and Ms. DUCKWORTH) 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, supra.

SA 2565. 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, supra; which was ordered to lie on the table.

SA 2566. 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, supra; which was ordered to lie on the table.

SA 2567. Mrs. FEINSTEIN (for herself, Mr. BOOKER, Mr. VAN HOLLEN, Mr. PADILLA, and Mr. DURBIN) 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 2568. Mr. MORAN (for himself and Mr. LUJÁN) 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 2569. Mr. HOEVEN (for himself and Mr. PETERS) 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 2570. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) 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, supra.

SA 2571. Mr. BLUMENTHAL (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, supra; which was ordered to lie on the table.

SA 2572. Ms. HIRONO (for herself and Ms. KLOBUCHAR) 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 2573. 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, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2478. Mr. CARDIN (for himself, Mr. SCOTT of South Carolina, Mr. WICKER, Ms. CANTWELL, Ms. BALDWIN, and Mr. CORNYN) 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 appropriate place, insert the following:

DIVISION _____—MINORITY BUSINESS DEVELOPMENT

SEC. _____01. SHORT TITLE.

This division may be cited as the ''Minority Business Development Act of 2021''.

SEC. _____02. DEFINITIONS.

In this division:

(1) AGENCY.—The term ''Agency'' means the Minority Business Development Agency of the Department of Commerce.

(2) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) ELIGIBLE ENTITY.—Except as otherwise expressly provided, the term ''eligible entity''—

(A) means—

(i) a private sector entity;

(ii) a public sector entity; or

(iii) a Native entity; and

(B) includes an institution of higher education.

(4) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given the term ''agency'' in section 551 of title 5, United States Code.

(5) FEDERALLY RECOGNIZED AREA OF ECONOMIC DISTRESS.—The term ''federally recognized area of economic distress'' means—

(A) a HUBZone, as that term is defined in section 31(b) of the Small Business Act (15 U.S.C. 657a(b));

(B) an area that—

(i) has been designated as—

(I) an empowerment zone under section 1391 of the Internal Revenue Code of 1986; or

(II) a Promise Zone by the Secretary of Housing and Urban Development; or

(ii) is a low or moderate income area, as determined by the Department of Housing and Urban Development;

(C) a qualified opportunity zone, as that term is defined in section 1400Z–1 of the Internal Revenue Code of 1986; or

(D) any other political subdivision or unincorporated area of a State determined by the Under Secretary to be an area of economic distress.

(6) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) MBDA BUSINESS CENTER.—The term ''MBDA Business Center'' means a business center that—

(A) is established by the Agency; and

(B) provides technical business assistance to minority business enterprises consistent with the requirements of this division.

(8) MBDA BUSINESS CENTER AGREEMENT.—The term ''MBDA Business Center agreement'' means a legal instrument—

(A) reflecting a relationship between the Agency and the recipient of a Federal assistance award that is the subject of the instrument; and

(B) that establishes the terms by which the recipient described in subparagraph (A) shall operate an MBDA Business Center.

(9) MINORITY BUSINESS ENTERPRISE.—

(A) IN GENERAL.—The term ''minority business enterprise'' means a business enterprise—

(i) that is not less than 51 percent-owned by 1 or more socially or economically disadvantaged individuals; and

(ii) the management and daily business operations of which are controlled by 1 or more socially or economically disadvantaged individuals.

(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) may be construed to exclude a business enterprise from qualifying as a ''minority business enterprise'' under that subparagraph because of—

(i) the status of the business enterprise as a for-profit or not-for-profit enterprise; or

(ii) the annual revenue of the business enterprise.

(10) NATIVE ENTITY.—The term ''Native entity'' means—

(A) a Tribal Government;

(B) an Alaska Native village or Regional or Village Corporation, as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.);

(C) a Native Hawaiian organization, as that term is defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517);

(D) the Department of Hawaiian Home Lands; and

(E) the Office of Hawaiian Affairs.

(11) PRIVATE SECTOR ENTITY.—The term ''private sector entity''—

(A) means an entity that is not a public sector entity; and

(B) does not include—

(i) the Federal Government;

(ii) any Federal agency; or

(iii) any instrumentality of the Federal Government.

(12) PUBLIC SECTOR ENTITY.—The term ''public sector entity'' means—

(A) a State;

(B) an agency of a State;

(C) a political subdivision of a State;

(D) an agency of a political subdivision of a State; or

(E) a Native entity.

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

(14) SOCIALLY OR ECONOMICALLY DISADVANTAGED BUSINESS CONCERN.—The term ''socially or economically disadvantaged business concern'' means a for-profit business enterprise—

(A)(i) that is not less than 51 percent owned by 1 or more socially or economically disadvantaged individuals; or

(ii) that is socially or economically disadvantaged; or

(B) the management and daily business operations of which are controlled by 1 or more socially or economically disadvantaged individuals.

(15) SOCIALLY OR ECONOMICALLY DISADVANTAGED INDIVIDUAL.—

(A) IN GENERAL.—The term ''socially or economically disadvantaged individual'' means an individual who has been subjected to racial or ethnic prejudice or cultural bias (or the ability of whom to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities, as compared to others in the same line of business and competitive market area) because of the identity of the individual as a member of a group, without regard to any individual quality of the individual that is unrelated to that identity.

(B) PRESUMPTION.—In carrying out this division, the Under Secretary shall presume that the term ''socially or economically disadvantaged individual'' includes any individual who is—

(i) Black or African American;

(ii) Hispanic or Latino;

(iii) American Indian or Alaska Native;

(iv) Asian;

(v) Native Hawaiian or other Pacific Islander; or

(vi) a member of a group that the Agency determines under part 1400 of title 15, Code of Federal Regulations, as in effect on November 23, 1984, is a socially disadvantaged group eligible to receive assistance.

(16) SPECIALTY CENTER.—The term ''specialty center'' means an MBDA Business Center that provides specialty services focusing on specific business needs, including assistance relating to—

(A) capital access;

(B) Federal procurement;

(C) entrepreneurship;

(D) technology transfer; or

(E) any other area determined necessary or appropriate based on the priorities of the Agency.

(17) STATE.—The term ''State'' means—

(A) each of the States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) the United States Virgin Islands;

(E) Guam;

(F) American Samoa;

(G) the Commonwealth of the Northern Mariana Islands; and

(H) each Tribal Government.

(18) TRIBAL GOVERNMENT.—The term ''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 division pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(19) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Commerce for Minority Business Development, who is appointed as described in section _____3(b) to administer this division.

SEC. _____03. MINORITY BUSINESS DEVELOPMENT AGENCY.

(a) IN GENERAL.—There is within the Department of Commerce the Minority Business Development Agency.

(b) UNDER SECRETARY.—

(1) APPOINTMENT AND DUTIES.—The Agency shall be headed by the Under Secretary of Commerce for Minority Business Development, who shall—

(A) be appointed by the President, by and with the advice and consent of the Senate;

(B) except as otherwise expressly provided, be responsible for the administration of this division; and

(C) report directly to the Secretary.

(2) COMPENSATION.—

(A) IN GENERAL.—The Under Secretary shall be compensated at an annual rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5, United States Code.

(B) TECHNICAL AND CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking ''and Under Secretary of Commerce for Travel and Tourism'' and inserting ''Under Secretary of Commerce for Travel and Tourism, and Under Secretary of Commerce for Minority Business Development''.

(3) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Director of the Agency shall be deemed to be a reference to the Under Secretary.

(c) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes—

(1) the organizational structure of the Agency;

(2) the organizational position of the Agency within the Department of Commerce; and

(3) a description of how the Agency shall function in relation to the operations carried out by each other component of the Department of Commerce.

(d) OFFICE OF BUSINESS CENTERS.—

(1) ESTABLISHMENT.—There is established within the Agency the Office of Business Centers.

(2) DIRECTOR.—The Office of Business Centers shall be administered by a Director, who shall be appointed by the Under Secretary.

(e) OFFICES OF THE AGENCY.—

(1) IN GENERAL.—In addition to the regional offices that the Under Secretary is required to establish under paragraph (2), the Under Secretary shall establish such other offices within the Agency as are necessary to carry out this division.

(2) REGIONAL OFFICES.—

(A) IN GENERAL.—In order to carry out this division, the Under Secretary shall establish a regional office of the Agency for each of the regions of the United States, as determined by the Under Secretary.

(B) DUTIES.—Each regional office established under subparagraph (A) shall expand the reach of the Agency and enable the Federal Government to better serve the needs of minority business enterprises in the region served by the office, including by—

(i) understanding and participating in the business environment of that region;

(ii) working with—

(I) MBDA Business Centers that are located in that region;

(II) resource and lending partners of other appropriate Federal agencies that are located in that region; and

(III) Federal, State, and local procurement offices that are located in that region;

(iii) being aware of business retention or expansion programs that are specific to that region;

(iv) seeking out opportunities to collaborate with regional public and private programs that focus on minority business enterprises; and

(v) promoting business continuity and preparedness.

TITLE I—EXISTING INITIATIVES

Subtitle A—Market Development, Research, and Information

SEC. _____101. PRIVATE SECTOR DEVELOPMENT.

The Under Secretary shall, whenever the Under Secretary determines such action is necessary or appropriate—

(1) provide Federal assistance to minority business enterprises operating in domestic and foreign markets by making available to those business enterprises, either directly or in cooperation with private sector entities, including community-based organizations and national nonprofit organizations—

(A) resources relating to management;

(B) technological and technical assistance;

(C) financial, legal, and marketing services; and

(D) services relating to workforce development;

(2) encourage minority business enterprises to establish joint ventures and projects—

(A) with other minority business enterprises; or

(B) in cooperation with public sector entities or private sector entities, including community-based organizations and national

nonprofit organizations, to increase the share of any market activity being performed by minority business enterprises; and

(3) facilitate the efforts of private sector entities and Federal agencies to advance the growth of minority business enterprises.

SEC. _____102. PUBLIC SECTOR DEVELOPMENT.

The Under Secretary shall, whenever the Under Secretary determines such action is necessary or appropriate—

(1) consult and cooperate with public sector entities for the purpose of leveraging resources available in the jurisdictions of those public sector entities to promote the position of minority business enterprises in the local economies of those public sector entities, including by assisting public sector entities to establish or enhance—

(A) programs to procure goods and services through minority business enterprises and goals for that procurement;

(B) programs offering assistance relating to—

(i) management;

(ii) technology;

(iii) law;

(iv) financing, including accounting;

(v) marketing; and

(vi) workforce development; and

(C) informational programs designed to inform minority business enterprises located in the jurisdictions of those public sector entities about the availability of programs described in this section;

(2) meet with leaders and officials of public sector entities for the purpose of recommending and promoting local administrative and legislative initiatives needed to advance the position of minority business enterprises in the local economies of those public sector entities; and

(3) facilitate the efforts of public sector entities and Federal agencies to advance the growth of minority business enterprises.

SEC. _____103. RESEARCH AND INFORMATION.

(a) IN GENERAL.—In order to achieve the purposes of this division, the Under Secretary—

(1) shall—

(A) collect and analyze data, including data relating to the causes of the success or failure of minority business enterprises;

(B) conduct research, studies, and surveys of—

(i) economic conditions generally in the United States; and

(ii) how the conditions described in clause (i) particularly affect the development of minority business enterprises; and

(C) provide outreach, educational services, and technical assistance in, at a minimum, the 5 most commonly spoken languages in the United States to ensure that limited English proficient individuals receive culturally and linguistically appropriate access to the services and information provided by the Agency; and

(2) may perform an evaluation of programs carried out by the Under Secretary that are designed to assist the development of minority business enterprises.

(b) INFORMATION CLEARINGHOUSE.—The Under Secretary shall—

(1) establish and maintain an information clearinghouse for the collection and dissemination to relevant parties (including business owners and researchers) of demographic, economic, financial, managerial, and technical data relating to minority business enterprises; and

(2) take such steps as the Under Secretary may determine to be necessary and desirable to—

(A) search for, collect, classify, coordinate, integrate, record, and catalog the data described in paragraph (1); and

(B) in a manner that is consistent with section 552a of title 5, United States Code, protect the privacy of the minority business enterprises to which the data described in paragraph (1) relates.

Subtitle B—Minority Business Development Agency Business Center Program

SEC. _____111. DEFINITION.

In this subtitle, the term ''MBDA Business Center Program'' means the program established under section _____113.

SEC. _____112. PURPOSE.

The purpose of the MBDA Business Center Program shall be to create a national network of public-private partnerships that—

(1) assist minority business enterprises in—

(A) accessing capital, contracts, and grants; and

(B) creating and maintaining jobs;

(2) provide counseling and mentoring to minority business enterprises; and

(3) facilitate the growth of minority business enterprises by promoting trade.

SEC. _____113. ESTABLISHMENT.

(a) IN GENERAL.—There is established in the Agency a program—

(1) that shall be known as the MBDA Business Center Program;

(2) that shall be separate and distinct from the efforts of the Under Secretary under section _____101; and

(3) under which the Under Secretary shall make Federal assistance awards to eligible entities to operate MBDA Business Centers, which shall, in accordance with section _____114, provide technical assistance and business development services, or specialty services, to minority business enterprises.

(b) COVERAGE.—The Under Secretary shall take all necessary actions to ensure that the MBDA Business Center Program, in accordance with section _____114, offers the services described in subsection (a)(3) in all regions of the United States.

SEC. _____114. GRANTS AND COOPERATIVE AGREEMENTS.

(a) REQUIREMENTS.—An MBDA Business Center (referred to in this subtitle as a ''Center''), with respect to the Federal financial assistance award made to operate the Center under the MBDA Business Center Program—

(1) shall—

(A) provide to minority business enterprises programs and services determined to be appropriate by the Under Secretary, which may include—

(i) referral services to meet the needs of minority business enterprises; and

(ii) programs and services to accomplish the goals described in section _____101(1);

(B) develop, cultivate, and maintain a network of strategic partnerships with organizations that foster access by minority business enterprises to economic markets, capital, or contracts;

(C) continue to upgrade and modify the services provided by the Center, as necessary, in order to meet the changing and evolving needs of the business community;

(D) establish or continue a referral relationship with not less than 1 community-based organization; and

(E) collaborate with other Centers; and

(2) in providing programs and services under the applicable MBDA Business Center agreement, may—

(A) operate on a fee-for-service basis; or

(B) generate income through the collection of—

(i) client fees;

(ii) membership fees; and

(iii) any other appropriate fees proposed by the Center in the application submitted by the Center under subsection (e).

(b) TERM.—Subject to subsection (g)(3), the term of an MBDA Business Center agreement shall be not less than 3 years.

(c) FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—The amount of financial assistance provided by the Under Secretary under an MBDA Business Center agreement shall be not less than $250,000 for the term of the agreement.

(2) MATCHING REQUIREMENT.—

(A) IN GENERAL.—A Center shall match not less than ⅓ of the amount of the financial assistance awarded to the Center under the terms of the applicable MBDA Business Center agreement, unless the Under Secretary determines that a waiver of that requirement is necessary after a demonstration by the Center of a substantial need for that waiver.

(B) FORM OF FUNDS.—A Center may meet the matching requirement under subparagraph (A) by using—

(i) cash or in-kind contributions, without regard to whether the contribution is made by a third party; or

(ii) Federal funds received from other Federal programs.

(3) USE OF FINANCIAL ASSISTANCE AND PROGRAM INCOME.—A Center shall use—

(A) all financial assistance awarded to the Center under the applicable MBDA Business Center agreement to carry out subsection (a); and

(B) all income that the Center generates in carrying out subsection (a)—

(i) to meet the matching requirement under paragraph (2) of this subsection; and

(ii) if the Center meets the matching requirement under paragraph (2) of this subsection, to carry out subsection (a).

(d) CRITERIA FOR SELECTION.—The Under Secretary shall—

(1) establish criteria that—

(A) the Under Secretary shall use in determining whether to enter into an MBDA Business Center agreement with an eligible entity; and

(B) may include criteria relating to whether an eligible entity is located in—

(i) an area, the population of which is composed of not less than 51 percent socially or economically disadvantaged individuals, as determined in accordance with data collected by the Bureau of the Census;

(ii) a federally recognized area of economic distress; or

(iii) a State that is underserved with respect to the MBDA Business Center Program, as defined by the Under Secretary; and

(2) make the criteria and standards established under paragraph (1) publicly available, including—

(A) on the website of the Agency; and

(B) in each Notice of Funding Opportunity soliciting MBDA Business Center agreements.

(e) APPLICATIONS.—An eligible entity desiring to enter into an MBDA Business Center agreement shall submit to the Under Secretary an application that includes—

(1) a statement of—

(A) how the eligible entity will carry out subsection (a); and

(B) any experience or plans of the eligible entity with respect to—

(i) assisting minority business enterprises to—

(I) obtain—

(aa) large-scale contracts, grants, or procurements;

(bb) financing; or

(cc) legal assistance;

(II) access established supply chains; and

(III) engage in—

(aa) joint ventures, teaming arrangements, and mergers and acquisitions; or

(bb) large-scale transactions in global markets;

(ii) supporting minority business enterprises in increasing the size of the workforces of those enterprises, including,

with respect to a minority business enterprise that does not have employees, aiding the minority business enterprise in becoming an enterprise that has employees; and

(iii) advocating for minority business enterprises; and

(2) the budget and corresponding budget narrative that the eligible entity will use in carrying out subsection (a) during the term of the applicable MBDA Business Center agreement.

(f) NOTIFICATION.—If the Under Secretary grants an application of an eligible entity submitted under subsection (e), the Under Secretary shall notify the eligible entity that the application has been granted not later than 150 days after the last day on which an application may be submitted under that subsection.

(g) PROGRAM EXAMINATION; ACCREDITATION; EXTENSIONS.—

(1) EXAMINATION.—Not later than 180 days after the date of enactment of this Act, and biennially thereafter, the Under Secretary shall conduct a programmatic financial examination of each Center.

(2) ACCREDITATION.—The Under Secretary may provide financial support, by contract or otherwise, to an association, not less than 51 percent of the members of which are Centers, to—

(A) pursue matters of common concern with respect to Centers; and

(B) develop an accreditation program with respect to Centers.

(3) EXTENSIONS.—

(A) IN GENERAL.—The Under Secretary may extend the term under subsection (b) of an MBDA Business Center agreement to which a Center is a party, if the Center consents to the extension.

(B) FINANCIAL ASSISTANCE.—If the Under Secretary extends the term of an MBDA Business Center agreement under paragraph (1), the Under Secretary shall, in the same manner and amount in which financial assistance was provided during the initial term of the agreement, provide financial assistance under the agreement during the extended term of the agreement.

(h) MBDA INVOLVEMENT.—The Under Secretary may take actions to ensure that the Agency is substantially involved in the activities of Centers in carrying out subsection (a), including by—

(1) providing to each Center training relating to the MBDA Business Center Program;

(2) requiring that the operator and staff of each Center—

(A) attend—

(i) a conference with the Agency to establish the services and programs that the Center will provide in carrying out the requirements before the date on which the Center begins providing those services and programs; and

(ii) training provided under paragraph (1);

(B) receive necessary guidance relating to carrying out the requirements under subsection (a); and

(C) work in coordination and collaboration with the Under Secretary to carry out the MBDA Business Center Program and other programs of the Agency;

(3) facilitating connections between Centers and—

(A) Federal agencies other than the Agency, as appropriate; and

(B) other institutions or entities that use Federal resources, such as—

(i) small business development centers, as that term is defined in section 3(t) of the Small Business Act (15 U.S.C. 632(t));

(ii) women's business centers described in section 29 of the Small Business Act (15 U.S.C. 656);

(iii) eligible entities, as that term is defined in section 2411 of title 10, United States Code, that provide services under the program carried out under chapter 142 of that title; and

(iv) entities participating in the Hollings Manufacturing Extension Partnership Program established under section 25 of the National Institute of Standards and Technology Act (15 U.S.C. 278k);

(4) monitoring projects carried out by each Center; and

(5) establishing and enforcing administrative and reporting requirements for each Center to carry out subsection (a).

(i) REGULATIONS.—The Under Secretary shall issue and publish regulations that establish minimum standards regarding verification of minority business enterprise status for clients of entities operating under the MBDA Business Center Program.

SEC. _____115. MINIMIZING DISRUPTIONS TO EXISTING MBDA BUSINESS CENTER PROGRAM.

The Under Secretary shall ensure that each Federal assistance award made under the Business Centers program of the Agency, as is in effect on the day before the date of enactment of this Act, is carried out in a manner that, to the greatest extent practicable, prevents disruption of any activity carried out under that award.

SEC. _____116. PUBLICITY.

In carrying out the MBDA Business Center Program, the Under Secretary shall widely publicize the MBDA Business Center Program, including—

(1) on the website of the Agency;

(2) via social media outlets; and

(3) by sharing information relating to the MBDA Business Center Program with community-based organizations, including interpretation groups where necessary, to communicate in the most common languages spoken by the groups served by those organizations.

TITLE II—NEW INITIATIVES TO PROMOTE ECONOMIC RESILIENCY FOR MINORITY BUSINESSES

SEC. _____201. ANNUAL DIVERSE BUSINESS FORUM ON CAPITAL FORMATION.

(a) RESPONSIBILITY OF AGENCY.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Under Secretary shall conduct a Government-business forum to review the current status of problems and programs relating to capital formation by minority business enterprises.

(b) PARTICIPATION IN FORUM PLANNING.—The Under Secretary shall invite the heads of other Federal agencies, such as the Chairman of the Securities and Exchange Commission, the Secretary of the Treasury, and the Chairman of the Board of Governors of the Federal Reserve System, organizations representing State securities commissioners, representatives of leading minority chambers of commerce, not less than 1 certified owner of a minority business enterprise, business organizations, and professional organizations concerned with capital formation to participate in the planning of each forum conducted under subsection (a).

(c) PREPARATION OF STATEMENTS AND REPORTS.—

(1) REQUESTS.—The Under Secretary may request that any head of a Federal agency, department, or organization, including those described in subsection (b), or any other group or individual, prepare a statement or report to be delivered at any forum conducted under subsection (a).

(2) COOPERATION.—Any head of a Federal agency, department, or organization who receives a request under paragraph (1) shall, to the greatest extent practicable, cooperate with the Under Secretary to fulfill that request.

(d) TRANSMITTAL OF PROCEEDINGS AND FINDINGS.—The Under Secretary shall—

(1) prepare a summary of the proceedings of each forum conducted under subsection (a), which shall include the findings and recommendations of the forum; and

(2) transmit the summary described in paragraph (1) with respect to each forum conducted under subsection (a) to—

(A) the participants in the forum;

(B) Congress; and

(C) the public, through a publicly available website.

(e) REVIEW OF FINDINGS AND RECOMMENDATIONS; PUBLIC STATEMENTS.—

(1) IN GENERAL.—A Federal agency to which a finding or recommendation described in subsection (d)(1) relates shall—

(A) review that finding or recommendation; and

(B) promptly after the finding or recommendation is transmitted under subsection (d)(2)(C), issue a public statement—

(i) assessing the finding or recommendation; and

(ii) disclosing the action, if any, the Federal agency intends to take with respect to the finding or recommendation.

(2) JOINT STATEMENT PERMITTED.—If a finding or recommendation described in subsection (d)(1) relates to more than 1 Federal agency, the applicable Federal agencies may, for the purposes of the public statement required under paragraph (1)(B), issue a joint statement.

SEC. _____202. AGENCY STUDY ON ALTERNATIVE FINANCING SOLUTIONS.

(a) PURPOSE.—The purpose of this section is to provide information relating to alternative financing solutions to minority business enterprises, as those business enterprises are more likely to struggle in accessing, particularly at affordable rates, traditional sources of capital.

(b) STUDY AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Under Secretary shall—

(1) conduct a study on opportunities for providing alternative financing solutions to minority business enterprises; and

(2) submit to Congress, and publish on the website of the Agency, a report describing the findings of the study carried out under paragraph (1).

SEC. _____203. EDUCATIONAL DEVELOPMENT RELATING TO MANAGEMENT AND ENTREPRENEURSHIP.

(a) DUTIES.—The Under Secretary shall, whenever the Under Secretary determines such action is necessary or appropriate—

(1) promote the education and training of socially or economically disadvantaged individuals in subjects directly relating to business administration and management;

(2) encourage institutions of higher education, leaders in business and industry, and other public sector entities and private sector entities, particularly minority business enterprises, to—

(A) develop programs to offer scholarships and fellowships, apprenticeships, and internships relating to business to socially or economically disadvantaged individuals; and

(B) sponsor seminars, conferences, and similar activities relating to business for the benefit of socially or economically disadvantaged individuals;

(3) stimulate and accelerate curriculum design and improvement in support of development of minority business enterprises; and

(4) encourage and assist private institutions and organizations and public sector entities to undertake activities similar to the activities described in paragraphs (1), (2), and (3).

(b) PARREN J. MITCHELL ENTREPRENEURSHIP EDUCATION GRANTS.—

(1) DEFINITION.—In this subsection, the term ''eligible institution'' means an institution of higher education described in any of paragraphs (1) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(2) GRANTS.—The Under Secretary shall award grants to eligible institutions to develop and implement entrepreneurship curricula.

(3) REQUIREMENTS.—An eligible institution to which a grant is awarded under this subsection shall use the grant funds to—

(A) develop a curriculum that includes training in various skill sets needed by contemporary successful entrepreneurs, including—

(i) business management and marketing;

(ii) financial management and accounting;

(iii) market analysis;

(iv) competitive analysis;

(v) innovation;

(vi) strategic and succession planning;

(vii) marketing;

(viii) general management;

(ix) technology and technology adoption;

(x) leadership; and

(xi) human resources; and

(B) implement the curriculum developed under subparagraph (A) at the eligible institution.

(4) IMPLEMENTATION TIMELINE.—The Under Secretary shall establish and publish a timeline under which an eligible institution to which a grant is awarded under this section shall carry out the requirements under paragraph (3).

(5) REPORTS.—Each year, the Under Secretary shall submit to all applicable committees of Congress, and as part of the annual budget submission of the President under section 1105(a) of title 31, United States Code, a report evaluating the awarding and use of grants under this subsection during the fiscal year immediately preceding the fiscal year in which the report is submitted, which shall include, with respect to the fiscal year covered by the report—

(A) a description of each curriculum developed and implemented under each grant awarded under this section;

(B) the date on which each grant awarded under this section was awarded; and

(C) the number of eligible entities that were recipients of grants awarded under this section.

TITLE III—RURAL MINORITY BUSINESS CENTER PROGRAM

SEC. _____301. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Financial Services of the House of Representatives.

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

(A) a minority-serving institution; or

(B) a consortium of institutions of higher education that is led by a minority-serving institution.

(3) MBDA RURAL BUSINESS CENTER.—The term ''MBDA Rural Business Center'' means an MBDA Business Center that provides technical business assistance to minority business enterprises located in rural areas.

(4) MBDA RURAL BUSINESS CENTER AGREEMENT.—The term ''MBDA Rural Business Center agreement'' means an MBDA Business Center agreement that establishes the terms by which the recipient of the Federal assistance award that is the subject of the agreement shall operate an MBDA Rural Business Center.

(5) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means an institution described in any of paragraphs (1) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(6) RURAL AREA.—The term ''rural area'' has the meaning given the term in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)).

(7) RURAL MINORITY BUSINESS ENTERPRISE.—The term ''rural minority business enterprise'' means a minority business enterprise located in a rural area.

SEC. _____302. BUSINESS CENTERS.

(a) IN GENERAL.—The Under Secretary may establish MBDA Rural Business Centers.

(b) PARTNERSHIP.—

(1) IN GENERAL.—With respect to an MBDA Rural Business Center established by the Under Secretary, the Under Secretary shall establish the MBDA Rural Business Center in partnership with an eligible entity in accordance with paragraph (2).

(2) MBDA AGREEMENT.—

(A) IN GENERAL.—With respect to each MBDA Rural Business Center established by the Under Secretary, the Under Secretary shall enter into a cooperative agreement with an eligible entity that provides that—

(i) the eligible entity shall provide space, facilities, and staffing for the MBDA Rural Business Center;

(ii) the Under Secretary shall provide funding for, and oversight with respect to, the MBDA Rural Business Center; and

(iii) subject to subparagraph (B), the eligible entity shall match 20 percent of the amount of the funding provided by the Under Secretary under clause (ii), which may be calculated to include the costs of providing the space, facilities, and staffing under clause (i).

(B) LOWER MATCH REQUIREMENT.—Based on the available resources of an eligible entity, the Under Secretary may enter into a cooperative agreement with the eligible entity that provides that—

(i) the eligible entity shall match less than 20 percent of the amount of the funding provided by the Under Secretary under subparagraph (A)(ii); or

(ii) if the Under Secretary makes a determination, upon a demonstration by the eligible entity of substantial need, the eligible entity shall not be required to provide any match with respect to the funding provided by the Under Secretary under subparagraph (A)(ii).

(C) ELIGIBLE FUNDS.—An eligible entity may provide matching funds required under an MBDA Rural Business Center agreement with Federal funds received from other Federal programs.

(3) TERM.—The initial term of an MBDA Rural Business Center agreement shall be not less than 3 years.

(4) EXTENSION.—The Under Secretary and an eligible entity may agree to extend the term of an MBDA Rural Business Center agreement with respect to an MBDA Rural Business Center.

(c) FUNCTIONS.—An MBDA Rural Business Center shall—

(1) primarily serve clients that are—

(A) rural minority business enterprises; or

(B) minority business enterprises that are located more than 50 miles from an MBDA Business Center (other than that MBDA Rural Business Center);

(2) focus on—

(A) issues relating to—

(i) the adoption of broadband internet access service (as defined in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation), digital literacy skills, and e-commerce by rural minority business enterprises;

(ii) advanced manufacturing;

(iii) the promotion of manufacturing in the United States;

(iv) ways in which rural minority business enterprises can meet gaps in the supply chain of critical supplies and essential goods and services for the United States;

(v) improving the connectivity of rural minority business enterprises through transportation and logistics;

(vi) promoting trade and export opportunities by rural minority business enterprises;

(vii) securing financial capital;

(viii) facilitating entrepreneurship in rural areas; and

(ix) creating jobs in rural areas; and

(B) any other issue relating to the unique challenges faced by rural minority business enterprises; and

(3) provide education, training, and legal, financial, and technical assistance to minority business enterprises.

(d) APPLICATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Under Secretary shall issue a Notice of Funding Opportunity requesting applications from eligible entities that desire to enter into MBDA Rural Business Center agreements.

(2) CRITERIA AND PRIORITY.—In selecting an eligible entity with which to enter into an MBDA Rural Business Center agreement, the Under Secretary shall—

(A) select an eligible entity that demonstrates—

(i) the ability to collaborate with governmental and private sector entities to leverage capabilities of minority business enterprises through public-private partnerships;

(ii) the research and extension capacity to support minority business enterprises;

(iii) knowledge of the community that the eligible entity serves and the ability to conduct effective outreach to that community to advance the goals of an MBDA Rural Business Center;

(iv) the ability to provide innovative business solutions, including access to contracting opportunities, markets, and capital;

(v) the ability to provide services that advance the development of science, technology, engineering, and math jobs within minority business enterprises;

(vi) the ability to leverage resources from within the eligible entity to advance an MBDA Rural Business Center;

(vii) that the mission of the eligible entity aligns with the mission of the Agency;

(viii) the ability to leverage relationships with rural minority business enterprises; and

(ix) a referral relationship with not less than 1 community-based organization; and

(B) give priority to an eligible entity that—

(i) is located in a State or region that has a significant population of socially or economically disadvantaged individuals;

(ii) has a history of serving socially or economically disadvantaged individuals; or

(iii) in the determination of the Under Secretary, has not received an equitable allocation of land and financial resources under—

(I) the Act of July 2, 1862 (commonly known as the ''First Morrill Act'') (12 Stat. 503, chapter 130; 7 U.S.C. 301 et seq.); or

(II) the Act of August 30, 1890 (commonly known as the ''Second Morrill Act'') (26 Stat. 417, chapter 841; 7 U.S.C. 321 et seq.).

(3) CONSIDERATIONS.—In determining whether to enter into an MBDA Rural Business Center agreement with an eligible entity under this section, the Under Secretary shall consider the needs of the eligible entity.

SEC. _____303. REPORT TO CONGRESS.

Not later than 1 year after the date of enactment of this Act, the Under Secretary

shall submit to the appropriate congressional committees a report that includes—

(1) a summary of the efforts of the Under Secretary to provide services to minority business enterprises located in States that lack an MBDA Business Center, as of the date of enactment of this Act, and especially in those States that have significant minority populations; and

(2) recommendations for extending the outreach of the Agency to underserved areas.

SEC. _____304. STUDY AND REPORT.

(a) IN GENERAL.—The Under Secretary, in coordination with relevant leadership of the Agency and relevant individuals outside of the Department of Commerce, shall conduct a study that addresses the ways in which minority business enterprises can meet gaps in the supply chain of the United States, with a particular focus on the supply chain of advanced manufacturing and essential goods and services.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Under Secretary shall submit to the appropriate congressional committees a report that includes the results of the study conducted under subsection (a), which shall include recommendations regarding the ways in which minority business enterprises can meet gaps in the supply chain of the United States.

TITLE IV—MINORITY BUSINESS DEVELOPMENT GRANTS

SEC. _____401. GRANTS TO NONPROFIT ORGANIZATIONS THAT SUPPORT MINORITY BUSINESS ENTERPRISES.

(a) DEFINITION.—In this section, the term ''covered entity'' means a private nonprofit organization that—

(1) is described in paragraph (3), (4), (5), or (6) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

(2) can demonstrate that a primary activity of the organization is to provide services to minority business enterprises, whether through education, making grants or loans, or other similar activities.

(b) PURPOSE.—The purpose of this section is to make grants to covered entities to help those covered entities continue the necessary work of supporting minority business enterprises.

(c) DESIGNATION OF OFFICE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Under Secretary shall designate an office to make and administer grants under this section.

(2) CONSIDERATIONS.—In designating an office under paragraph (1), the Under Secretary shall ensure that the office designated has adequate staffing to carry out the responsibilities of the office under this section.

(d) APPLICATION.—A covered entity desiring a grant under this section shall submit to the Under Secretary an application at such time, in such manner, and containing such information as the Under Secretary may require.

(e) PRIORITY.—The Under Secretary shall, in carrying out this section, prioritize granting an application submitted by a covered entity that is located in a federally recognized area of economic distress.

(f) USE OF FUNDS.—A covered entity to which a grant is made under this section may use the grant funds to support the development, growth, or retention of minority business enterprises.

(g) PROCEDURES.—The Under Secretary shall establish procedures to—

(1) discourage and prevent waste, fraud, and abuse by applicants for, and recipients of, grants made under this section; and

(2) ensure that grants are made under this section to a diverse array of covered entities, which may include—

(A) covered entities with a national presence;

(B) community-based covered entities;

(C) covered entities with annual budgets below $1,000,000; or

(D) covered entities that principally serve low-income and rural communities.

(h) INSPECTOR GENERAL AUDIT.—Not later than 180 days after the date on which the Under Secretary begins making grants under this section, the Inspector General of the Department of Commerce shall—

(1) conduct an audit of grants made under this section, which shall seek to identify any discrepancies or irregularities with respect to those grants; and

(2) submit to Congress a report regarding the audit conducted under paragraph (1).

(i) UPDATES TO CONGRESS.—Not later than 90 days after the date on which the Under Secretary makes the designation required under subsection (c), and once every 30 days thereafter, the Under Secretary shall submit to Congress a report that contains—

(1) the number of grants made under this section during the period covered by the report; and

(2) with respect to the grants described in paragraph (1)—

(A) the geographic distribution of those grants by State and county;

(B) if applicable, demographic information with respect to the minority business enterprises served by the covered entities to which the grants were made; and

(C) information regarding the industries of the minority business enterprises served by the covered entities to which the grants were made.

TITLE V—MINORITY BUSINESS ENTERPRISES ADVISORY COUNCIL

SEC. _____501. PURPOSE.

The Under Secretary shall establish the Minority Business Enterprises Advisory Council (referred to in this title as the ''Council'') to advise and assist the Agency.

SEC. _____502. COMPOSITION AND TERM.

(a) COMPOSITION.—The Council shall be composed of 9 members of the private sector and 1 representative from each of not fewer than 10 Federal agencies that support or otherwise have duties that relate to business formation, including duties relating to labor development, monetary policy, national security, energy, agriculture, transportation, and housing.

(b) CHAIR.—The Under Secretary shall designate 1 of the private sector members of the Council as the Chair of the Council for a 1-year term.

(c) TERM.—The Council shall meet at the request of the Under Secretary and members shall serve for a term of 2 years. Members of the Council may be reappointed.

SEC. _____503. DUTIES.

(a) IN GENERAL.—The Council shall provide advice to the Under Secretary by—

(1) serving as a source of knowledge and information on developments in areas of the economic and social life of the United States that affect socially or economically disadvantaged business concerns;

(2) providing the Under Secretary with information regarding plans, programs, and activities in the public and private sectors that relate to socially or economically disadvantaged business concerns; and

(3) advising the Under Secretary regarding—

(A) any measures to better achieve the objectives of this division; and

(B) problems and matters the Under Secretary refers to the Council.

(b) CAPACITY.—Members of the Council shall not be compensated for service on the Council but may be allowed travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(c) TERMINATION.—Notwithstanding section 14 of the Federal Advisory Committee Act (5 U.S.C. App.), the Council shall terminate on the date that is 5 years after the date of enactment of this Act.

TITLE VI—FEDERAL COORDINATION OF MINORITY BUSINESS PROGRAMS

SEC. _____601. GENERAL DUTIES.

The Under Secretary may coordinate, as consistent with law, the plans, programs, and operations of the Federal Government that affect, or may contribute to, the establishment, preservation, and strengthening of socially or economically disadvantaged business concerns.

SEC. _____602. PARTICIPATION OF FEDERAL DEPARTMENTS AND AGENCIES.

The Under Secretary shall—

(1) consult with other Federal agencies and departments as appropriate to—

(A) develop policies, comprehensive plans, and specific program goals for the programs carried out under subtitle B of title I and title III;

(B) establish regular performance monitoring and reporting systems to ensure that goals established by the Under Secretary with respect to the implementation of this division are being achieved; and

(C) evaluate the impact of Federal support of socially or economically disadvantaged business concerns in achieving the objectives of this division;

(2) conduct a coordinated review of all proposed Federal training and technical assistance activities in direct support of the programs carried out under subtitle B of title I and title III to ensure consistency with program goals and to avoid duplication; and

(3) convene, for purposes of coordination, meetings of the heads of such Federal agencies and departments, or their designees, the programs and activities of which may affect or contribute to the carrying out of this division.

TITLE VII—ADMINISTRATIVE POWERS OF THE AGENCY; MISCELLANEOUS PROVISIONS

SEC. _____701. ADMINISTRATIVE POWERS.

(a) IN GENERAL.—In carrying out this division, the Under Secretary may—

(1) adopt and use a seal for the Agency, which shall be judicially noticed;

(2) hold hearings, sit and act, and take testimony as the Under Secretary may determine to be necessary or appropriate to carry out this division;

(3) acquire, in any lawful manner, any property that the Under Secretary determines to be necessary or appropriate to carry out this division;

(4) with the consent of another Federal agency, enter into an agreement with that Federal agency to utilize, with or without reimbursement, any service, equipment, personnel, or facility of that Federal agency;

(5) coordinate with the heads of the Offices of Small and Disadvantaged Business Utilization of Federal agencies;

(6) develop procedures under which the Under Secretary may evaluate the compliance of a recipient of assistance under this Act with the requirements of this Act;

(7) deobligate assistance provided under this Act to a recipient that has demonstrated an insufficient level of performance with respect to the assistance, or has engaged in wasteful or fraudulent spending; and

(8) provide that a recipient of assistance under this Act that has demonstrated an insufficient level of performance with respect to the assistance, or has engaged in wasteful or fraudulent spending, shall be ineligible to

receive assistance under this Act for a period determined by the Under Secretary, consistent with the considerations under section 180.865 of title 2, Code of Federal Regulations (or any successor regulation), beginning on the date on which the Under Secretary makes the applicable finding.

(b) USE OF PROPERTY.—

(1) IN GENERAL.—Subject to paragraph (2), in carrying out this division, the Under Secretary may, without cost (except for costs of care and handling), allow any public sector entity, or any recipient nonprofit organization, for the purpose of the development of minority business enterprises, to use any real or tangible personal property acquired by the Agency in carrying out this division.

(2) TERMS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS.—The Under Secretary may impose reasonable terms, conditions, reservations, and restrictions upon the use of any property under paragraph (1).

SEC. _____702. FEDERAL ASSISTANCE.

(a) IN GENERAL.—

(1) PROVISION OF FEDERAL ASSISTANCE.—To carry out sections _____101, _____102, and _____103(a), the Under Secretary may provide Federal assistance to public sector entities and private sector entities in the form of grants or cooperative agreements.

(2) NOTICE.—Not later than 120 days after the date on which amounts are appropriated to carry out this section, the Under Secretary shall, in accordance with subsection (b), broadly publish a statement regarding Federal assistance that will, or may, be provided under paragraph (1) during the fiscal year for which those amounts are appropriated, including—

(A) the actual, or anticipated, amount of Federal assistance that will, or may, be made available;

(B) the types of Federal assistance that will, or may, be made available;

(C) the manner in which Federal assistance will be allocated among public sector entities and private sector entities, as applicable; and

(D) the methodology used by the Under Secretary to make allocations under subparagraph (C).

(3) CONSULTATION.—The Under Secretary shall consult with public sector entities and private sector entities, as applicable, in deciding the amounts and types of Federal assistance to make available under paragraph (1).

(b) PUBLICITY.—In carrying out this section, the Under Secretary shall broadly publicize all opportunities for Federal assistance available under this section, including through the means required under section _____116.

SEC. _____703. RECORDKEEPING.

(a) IN GENERAL.—Each recipient of assistance under this division shall keep such records as the Under Secretary shall prescribe, including records that fully disclose, with respect to the assistance received by the recipient under this division—

(1) the amount and nature of that assistance;

(2) the disposition by the recipient of the proceeds of that assistance;

(3) the total cost of the undertaking for which the assistance is given or used;

(4) the amount and nature of the portion of the cost of the undertaking described in paragraph (3) that is supplied by a source other than the Agency;

(5) the return on investment, as defined by the Under Secretary; and

(6) any other record that will facilitate an effective audit with respect to the assistance.

(b) ACCESS BY GOVERNMENT OFFICIALS.—The Under Secretary, the Inspector General of the Department of Commerce, and the Comptroller General of the United States, or any duly authorized representative of any such individual, shall have access, for the purpose of audit, investigation, and examination, to any book, document, paper, record, or other material of the Agency or an MBDA Business Center.

SEC. _____704. REVIEW AND REPORT BY COMPTROLLER GENERAL.

Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a thorough review of the programs carried out under this division; and

(2) submit to Congress a detailed report of the findings of the Comptroller General of the United States under the review carried out under paragraph (1), which shall include—

(A) an evaluation of the effectiveness of the programs in achieving the purposes of this division;

(B) a description of any failure by any recipient of assistance under this division to comply with the requirements under this division; and

(C) recommendations for any legislative or administrative action that should be taken to improve the achievement of the purposes of this division.

SEC. _____705. BIANNUAL REPORTS; RECOMMENDATIONS.

(a) BIANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and 90 days after the last day of each odd-numbered year thereafter, the Under Secretary shall submit to Congress, and publish on the website of the Agency, a report of each activity of the Agency carried out under this division during the period covered by the report.

(b) RECOMMENDATIONS.—The Under Secretary shall periodically submit to Congress and the President recommendations for legislation or other actions that the Under Secretary determines to be necessary or appropriate to promote the purposes of this division.

SEC. _____706. SEPARABILITY.

If a provision of this division, or the application of a provision of this division to any person or circumstance, is held by a court of competent jurisdiction to be invalid, that judgment—

(1) shall not affect, impair, or invalidate—

(A) any other provision of this division; or

(B) the application of this division to any other person or circumstance; and

(2) shall be confined in its operation to—

(A) the provision of this division with respect to which the judgment is rendered; or

(B) the application of the provision of this division to each person or circumstance directly involved in the controversy in which the judgment is rendered.

SEC. _____707. EXECUTIVE ORDER 11625.

The powers and duties of the Agency shall be determined—

(1) in accordance with this division and the requirements of this division; and

(2) without regard to Executive Order 11625 (36 Fed. Reg. 19967; relating to prescribing additional arrangements for developing and coordinating a national program for minority business enterprise).

SEC. _____708. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Under Secretary $110,000,000 for each of fiscal years 2021 through 2025 to carry out this division, of which—

(1) a majority shall be used in each such fiscal year to carry out the MBDA Business Center Program under subtitle B of title I, including the component of that program relating to specialty centers; and

(2) $20,000,000 shall be used in each such fiscal year to carry out title III.

SA 2479. Mrs. MURRAY (for herself, Mr. DURBIN, Mrs. FEINSTEIN, Mr. PADILLA, Ms. CANTWELL, 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 2687, line 22, insert ''*Provided further*, That, from funds made available under this heading in this Act, the Secretary shall provide an additional 23 percent of total project costs for any project described in subsection (d) or (e) of section 5309 of title 49, United States Code, that has a Full Funding Grant Agreement that was entered into under such subsection (d) or (e) on or after January 1, 2017, and that has received an allocation of funding in any of fiscal years 2019, 2020, and 2021:'' after ''fiscal year 2023:''

SA 2480. Mr. LANKFORD (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 94, line 12, insert '', and including a project authorized by Congress to be carried out by the Secretary of the Army'' after ''corridor''.

On page 124, line 16, insert '', and including a project authorized by Congress to be carried out by the Secretary of the Army'' after ''crossing''.

On page 126, line 21, insert '', and including a project authorized by Congress to be carried out by the Secretary of the Army'' after ''crossing''.

On page 222, between lines 2 and 3, insert the following:

SEC. 11136. PAYMENTS ON FEDERAL-AID PROJECTS UNDERTAKEN BY A FEDERAL AGENCY.

Section 132 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking the subsection designation and heading and all that follows through ''In a case'' and inserting the following:

''(a) PROJECTS UNDERTAKEN BY A FEDERAL AGENCY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in a case''; and

(C) by adding at the end the following:

''(2) CERTAIN PROJECTS UNDERTAKEN BY THE SECRETARY OF THE ARMY.—

''(A) IN GENERAL.—Subject to subparagraphs (B) through (D), in a case in which a proposed project described in paragraph (10)

or (11) of section 149(b), clause (iii) or (iv) of section 167(h)(5)(B), or clause (vii) or (viii) of section 117(d)(1)(A) is to be undertaken by the Secretary of the Army in accordance with an agreement between a State and the Secretary of the Army, the State may—

''(i) direct the Secretary to transfer funds for the Federal share of the project directly to the Secretary of the Army; or

''(ii) make such deposit with, or payment to, the Secretary of the Army as is required to meet the obligation of the State under the agreement for the work undertaken or to be undertaken by the Secretary of the Army for the non-Federal share of the project.

''(B) ADMINISTRATION OF FUNDS.—Amounts transferred under subparagraph (A)(i) or deposited or paid under subparagraph (A)(ii)—

''(i) shall not be subject to the provisions of this title (other than this section); and

''(ii) shall be administered by the Secretary of the Army in accordance with the Water Resources Development Act of 1986 (33 U.S.C. 2201 et seq.).

''(C) FEDERAL AND NON-FEDERAL SHARE.—Notwithstanding section 120, funds transferred under subparagraph (A)(i) or deposited or paid under subparagraph (A)(ii) to the Secretary of the Army may be accepted and expended by the Secretary of the Army for the Federal and non-Federal share, respectively, of a project described in subparagraph (A).

''(D) SUPPLEMENT; NOT SUPPLANT.—Amounts transferred under subparagraph (A) shall supplement, and not supplant, funds otherwise made available to the Secretary of the Army.

''(E) MODERNIZATION ACTIVITIES.—Amounts that are transferred under subparagraph (A)(i) or deposited or paid under subparagraph (A)(ii) to the Secretary of the Army for a project involving modernization activities under section 159 of the Water Resources Development Act of 2020 (Public Law 116–260) shall not be eligible for reimbursement by the Secretary of the Army to the Secretary or to the State, respectively, to the extent such amounts are obligated by the Secretary of the Army for such project.''; and

(2) in subsection (b)—

(A) by striking ''described in subsection (a)'' and inserting ''described in paragraph (1) or (2) of subsection (a)''; and

(B) by striking ''under subsection (a)(2)'' and inserting ''under paragraph (1)(B) or (2)(A)(ii) of subsection (a)''.

SA 2481. Mr. PAUL 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 2700, strike line 17 and all that follows through page 2702, line 3.

SA 2482. Mr. WICKER (for himself and Mr. WARNOCK) 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. 270___. WILLIAM T. COLEMAN, JR., FEDERAL BUILDING.

(a) IN GENERAL.—The headquarters building of the Department located at 1200 New Jersey Avenue, SE, in Washington, DC, shall be known and designated as the ''William T. Coleman, Jr., Federal Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''William T. Coleman, Jr., Federal Building''.

SA 2483. Mr. CASEY 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 40701 of division D, strike subsection (c) and insert the following:

(c) COVERED ACTIVITIES.—

(1) IN GENERAL.—Grants under subsection (b)(1) shall only be used for activities described in—

(A) section 402(g)(6) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(6));

(B) subsections (a) and (b) of section 403 of that Act (30 U.S.C. 1233);

(C) section 410 of that Act (30 U.S.C. 1240); or

(D) section 413(d) of that Act (30 U.S.C.1242(d)).

(2) APPLICATION OF CERTAIN REQUIREMENTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, grants under subsection (b)(1) may be used for activities described in subparagraphs (A) and (D) of paragraph (1) without regard to whether the site of the activities is adjacent to a site that has been or will be reclaimed under paragraph (1) or (2) of section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)).

(B) ACID MINE DRAINAGE ABATEMENT AND TREATMENT.—Funds from a grant under subsection (b)(1) may be used for activities described in section 402(g)(6) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(6)) without regard to whether the activities are carried out within a qualified hydrologic unit (as defined in section 402(g)(6)(B) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(6)(B))).

SA 2484. 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.—Beginning on October 1, 2021, no amounts apportioned to a State under paragraphs (1) or (2) of section 104(b) may be spent in sanctuary jurisdictions.

''(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 2485. 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:

At the end, add the following:

DIVISION K—PROHIBITION ON USE OF FUNDS

SEC. _____01. PROHIBITION ON USE OF FUNDS.

No funds made available under this Act or an amendment made by this Act may be used for the Civilian Climate Corps established pursuant to Executive Order 14008 (86 Fed. Reg. 7619 (February 1, 2021); relating to tackling the climate crisis at home and abroad).

SA 2486. 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:

On page 2642, line 20, strike ''National Electric Vehicle Formula Program'' and insert ''National Electric Vehicle and Biofuel Infrastructure Formula Program''.

On page 2642, line 23, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2643, line 3, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2643, line 8, insert ''or biofuel infrastructure'' after ''infrastructure''.

On page 2643, line 9, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2643, line 22, insert ''*Provided further*, That of the funds distributed to each State under the previous proviso, each State may determine how to allocate such funds for electric vehicle charging infrastructure or biofuel infrastructure projects, respectively:'' after ''Code:''.

On page 2644, line 19, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2646, line 15, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

[On page 2646, line 20, insert ''or fueling'' after ''the charging''.]

On page 2646, line 21, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2646, line 25, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2647, line 8, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2647, line 14, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2647, line 24, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2648, line 1, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2648, line 5, insert ''or biofuel infrastructure'' after ''infrastructure''.

On page 2648, line 12, insert ''or biofuel infrastructure'' before the semicolon.

On page 2648, line 14, insert ''or biofuel infrastructure'' before the comma.

On page 2648, line 22, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2649, line 7, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2649, line 9, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2649, line 14, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2649, line 17, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2649, line 21, insert ''or biofuel infrastructure'' before the comma.

[On page 2649, line 25, insert ''or biofuel vehicle owners'' after ''owners''.]

[On page 2650, line 1, insert ''or biofuel vehicles'' after ''electric vehicles''.]

[On page 2650, line 2, insert ''or biofuel'' before ''required''.]

On page 2650, line 3, insert ''or biofuel fueling stations'' before the comma.

On page 2650, line 4, insert ''or biofuel fueling stations'' after ''charging stations''.

[On page 2650, line 5, insert ''or biofuel'' after ''electric''.]

On page 2650, line 6, insert ''or biofuel fueling stations'' after ''charging stations''.

[On page 2650, line 7, insert ''or biofuel'' after ''electric''.]

On page 2650, strike lines 13 and 14 and insert ''scenarios for electric and biofuel vehicles and electric vehicle charging stations or biofuel fueling stations: *Provided further*, That not later''.

On page 2650, line 22, insert ''or biofuel infrastructure'' before ''under''.

On page 2650, line 24, insert ''or biofuel infrastructure'' before ''under''.

On page 2651, line 6, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

On page 2651, line 8, insert ''or biofuel infrastructure'' before ''locations''.

[On page 2651, line 12, insert ''and biofuel infrastructure'' before ''corridors''.]

On page 2651, line 15, insert ''or biofuel infrastructure'' before ''to support''.

On page 2651, line 24, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

[On page 2651, line 25, insert ''and biofuel infrastructure'' before ''corridors''.]

On page 2652, line 21, insert ''or biofuel infrastructure'' after ''charging infrastructure''.

[On page 2654, line 4, insert ''or biofuel vehicle'' after ''electric vehicle''.]

[On page 2655, line 7, insert ''or biofuel fueling stations'' after ''stations''.]

[On page 2655, line 8, insert ''or biofuel fueling stations'' after ''stations''.]

[On page 2655, line 11, insert ''or biofuel fueling stations'' after ''stations''.]

SA 2487. Mr. SULLIVAN (for himself and Mr. WHITEHOUSE) 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 2477, line 12, of the amendment, insert '', including to establish the Marine Debris Foundation established by section 111(a) of the Save Our Seas 2.0 Act (33 U.S.C. 4211(a))'' after ''removal''.

SA 2488. Mr. SULLIVAN (for himself and Mr. WHITEHOUSE) 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 2598, line 14, strike ''302(a)'' and insert ''302''.

SA 2489. 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 A of title II of division B, add the following:

SEC. 22108. SENSE OF THE SENATE REGARDING TRANSFER OF AMTRAK FUNDS.

It is the sense of the Senate that, of the funds made available for Amtrak under this title for fiscal years 2022 through 2026—

(1) $1,000,000,000 of such funds should be transferred to the Secretary of Energy for uranium enrichment activities for each of fiscal years 2022 through 2026; and

(2) $300,000,000 of such funds should be transferred to the Secretary of Energy for lithium extraction or purification activities for each of fiscal years 2022 through 2026.

SA 2490. Mr. CRUZ (for himself, Mr. LUJÁN, Mr. CORNYN, 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 443, lines 4 and 5, strike ''in the first sentence by striking'' and insert the following: ''in the first sentence—

(1) by inserting ''clauses (i) and (iv) of subsection (c)(38)(A),'' after ''subsection (c)(37),''; and

(2) by striking

SA 2491. Ms. DUCKWORTH (for herself 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 in division I, insert the following:

SEC. ___. FEDERAL CHARTER FOR THE NATIONAL CENTER FOR THE ADVANCEMENT OF AVIATION.

(a) IN GENERAL.—Chapter 1 of Subtitle I of title 49, United States Code, is amended by adding at the end the following new section:

''SEC. 118. NATIONAL CENTER FOR THE ADVANCEMENT OF AVIATION.

''(a) FEDERAL CHARTER AND STATUS.—

''(1) IN GENERAL.—The National Center for the Advancement of Aviation (in this section referred to as the 'Center') is a Federally chartered entity. The Center is a private entity, not a department, agency, or instrumentality of the United States Government. Except as provided in subsection (f)(1), an officer or employee of the Center is not an officer or employee of the Federal Government.

''(2) PERPETUAL EXISTENCE.—Except as otherwise provided, the Center has perpetual existence.

''(b) GOVERNING BODY.—

''(1) IN GENERAL.—The Board of Directors (in this section referred to as the 'Board') is the governing body of the Center.

''(2) AUTHORITY AND POWERS.—

''(A) IN GENERAL.—The Board shall adopt a constitution, bylaws, regulations, policies, and procedures to carry out the purpose of the Center and may take any other action that it considers necessary (in accordance with the duties and powers of the Center) for the management and operation of the Center. The Board is responsible for the general policies and management of the Center and for the control of all funds of the Center.

''(B) POWERS OF BOARD.—The Board shall have the power to do the following:

''(i) Adopt and alter a corporate seal.

''(ii) Establish and maintain offices to conduct its activities.

''(iii) Enter into contracts.

''(iv) Acquire, own, lease, encumber, and transfer property as necessary and appropriate to carry out the purposes of the Center.

''(v) Publish documents and other publications in a publicly accessible manner.

''(vi) Incur and pay obligations.

''(vii) Make or issue grants and include any conditions on such grants in furtherance of the purpose and duties of the Center.

''(viii) Perform any other act necessary and proper to carry out the purposes of the Center as described in its constitution and bylaws or duties outlined in this section.

''(3) MEMBERSHIP OF THE BOARD.—

''(A) IN GENERAL.—The Board shall have 11 Directors as follows:

''(i) EX-OFFICIO MEMBERSHIP.—The following individuals, or their designees, shall serve as ex-officio members of the Board:

''(I) The Administrator of the Federal Aviation Administration.

''(II) The Director of the William J. Hughes Technical Center within the Federal Aviation Administration.

''(III) The Director of the Mike Monroney Aeronautical Center within the Federal Aviation Administration.

''(ii) APPOINTMENTS.—

''(I) IN GENERAL.—From among those members of the public who are highly respected and have knowledge and experience in the fields of aviation, finance, or academia—

''(aa) the Secretary of Transportation shall appoint 5 members to the Board;

''(bb) the Secretary of Defense shall appoint 1 member to the Board; and

''(cc) the Secretary of Veterans Affairs shall appoint 1 member to the Board.

''(II) TERMS.—The members appointed under subclause (I) shall serve for a term of 3 years and may be reappointed. To ensure subsequent appointments to the Board are staggered, of the 7 members first appointed under subclause (I), 2 shall be appointed for a term of 1 year, 2 shall be appointed for a term of 2 years, and 3 shall be appointed for a term of 3 years.

''(III) CONSIDERATION.—When considering whom to appoint to the Board, the Secretary of Transportation and Secretary of Defense shall ensure the overall composition of the Board remains balanced between and within the fields of aviation, finance, and academia.

''(iii) EXECUTIVE DIRECTOR.—The Executive Director of the Center shall be a member of the Board pursuant to paragraph (5)(D).

''(B) VACANCIES.—A vacancy on the Board shall be filled in the same manner as the initial appointment.

''(4) CHAIRMAN OF THE BOARD.—The Board shall choose a Chairman of the Board from among the members of the Board.

''(5) ADMINISTRATIVE MATTERS.—

''(A) MEETINGS.—

''(i) IN GENERAL.—The Board shall meet at the call of the Chair but not less than 2 times each year and may, as appropriate, conduct business by telephone or other electronic means.

''(ii) OPEN.—

''(I) IN GENERAL.—Except as provided in clause (II), a meeting of the Board shall be open to the public.

''(II) EXCEPTION.—A meeting, or any portion of a meeting, may be closed if the Board, in public session, votes to close the meeting because the matters to be discussed—

''(aa) relate solely to the internal personnel rules and practices of the Center;

''(bb) may result in disclosure of commercial or financial information obtained from a person that is privileged or confidential;

''(cc) may disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy; or

''(dd) are matters that are specifically exempted from disclosure by Federal or State law.

''(iii) PUBLIC ANNOUNCEMENT.—At least 1 week before a meeting, and as soon as practicable thereafter if there are any changes, the Board shall make a public announcement of the meeting that describes—

''(I) the time, place, and subject matter of the meeting;

''(II) whether the meeting is to be open or closed to the public; and

''(III) the name and appropriate contact information of a person who can respond to requests for information about the meeting.

''(iv) RECORD.—The Board shall keep a transcript of minutes from each Board meeting. Such transcript shall be made available to the public in an accessible format, except for portions of the meeting that are closed pursuant to subparagraph (A)(ii)(II).

''(B) QUORUM.—A majority of members of the Board shall constitute a quorum.

''(C) RESTRICTION.—No member of the Board shall participate in any proceeding, application, ruling or other determination, contract claim, scholarship award, controversy, or other matter in which the member, the member's employer or prospective employer, or the member's spouse, partner, or minor child has a direct financial interest. Any person who violates this subparagraph shall be subject to applicable Federal and State laws and may be fined not more than $10,000, imprisoned for not more than 2 years, or both.

''(D) EXECUTIVE DIRECTOR.—The Board shall appoint and fix the pay of an Executive Director of the Center (in this section referred to as the 'Executive Director') who shall also become a member of the Board. The Executive Director serves at the pleasure of the Board, under such terms and conditions as the Board shall establish and is subject to removal by the Board at its discretion. The Executive Director shall be responsible for the daily management and operation of the Center and for carrying out the purposes and duties of the Center. The Board shall designate to the Executive Director the authority to appoint additional personnel as the Board considers appropriate and necessary to carry out the purposes and duties of the Center.

''(c) PURPOSE OF THE CENTER.—The purpose of the Center is to provide a forum to facilitate collaboration and cooperation between aviation and aerospace private sector stakeholders, including general, business, and commercial aviation, education, labor, manufacturing, the Armed Forces, and other governmental, non-governmental, and international organizations, for the purpose of supporting and promoting civil and military aviation and aerospace in order to address the demands and challenges associated with ensuring a safe and vibrant national aviation system as identified by the Board. In furtherance of that purpose, the constitution and bylaws of the Center shall direct the Center to focus on the following:

''(1) The development and sustainability of a well-qualified, well-trained civil and military aviation and aerospace workforce.

''(2) The conduct of research and development of new aviation and aerospace training materials and products.

''(3) The coordination of the dissemination of grants for the development of aviation and aerospace oriented high school STEM education curriculum.

''(4) The facilitation of collaboration between institutions of higher education or other research institutions engaged in aviation, aerospace or related research or technical development, including those institutions designated as Centers of Excellence or Test Centers of the Federal Aviation Administration and aviation and aerospace stakeholders.

''(5) The engagement in other workforce development activities consistent with addressing the demands and challenges facing the aviation and aerospace industry.

''(d) DUTIES OF CENTER.—In order to accomplish the purpose described in subsection (c), the Center shall perform the following duties:

''(1) Support the development of aviation and aerospace education curricula, including syllabuses and lesson plans, for use by high schools, institutions of higher education, secondary education institutions, or technical training and vocational schools that are designed to prepare students to enter the aviation or aerospace workforce by becoming aircraft pilots, aerospace engineers, unmanned aircraft system operators, aviation maintenance technicians, or other aviation maintenance professionals, or to refresh the knowledge of pilots or any of the aforementioned individuals working in the aviation or aerospace sector.

''(2) Support the professional development of educators using the curriculum described in paragraph (1) and subparagraphs (A) and (B) of subsection (e)(1) by organizing symposiums designed to assist educators who are teaching or who wish to teach the aviation curriculum.

''(3) Promote aviation and aerospace employment opportunities generally, including building awareness of youth oriented aviation and aerospace programs (such as the Civil Air Patrol, Young Eagles program, and Reserve Officers Training Corps) and establishing scholarships, apprenticeships, or mentorship programs for individuals, including individuals in economically disadvantaged areas or individuals who are underrepresented in the aviation industry and who wish to pursue a career in an aviation- or aerospace-related field.

''(4) Support of Armed Forces personnel seeking to transition to a career in civil aviation or an aerospace related field through outreach, training, apprenticeships, or other means.

''(5) Serve as a central repository for publicly available economic data, safety data, and research efforts related to the aviation and aerospace sectors in order to make available to the public information that highlights the economic impact of aviation and aerospace and information that would improve the safety of aviation and aerospace. The Center shall periodically, as appropriate, publicize an analysis of such data in an accessible format. In particular, the Center shall coordinate with existing FAA Centers of Excellence to do the following:

''(A) Ensure research and development efforts conducted at Centers of Excellence of the Federal Aviation Administration are tracked, collected, and amplified across the aviation and aerospace community.

''(B) Provide a repository of pertinent recommendations or other action items from all Centers of Excellence for public review.

''(C) Serve as a collaborative forum for Centers of Excellence institution researchers, stakeholders, and other interested parties for the purpose of discussing research efforts.

''(6) Serve as a forum, through symposiums, conferences, and other means as appropriate, for cross-disciplinary collaboration among aviation and aerospace stakeholders to consider the near-term and long-term future of aviation and aerospace generally with respect to new training materials and products.

''(e) GRANTS.—

''(1) IN GENERAL.—In order to accomplish the purpose under subsection (c) and duties under subsection (d), the Center shall have the authority and ability to issue grants to organizations that have experience in, and knowledge of, creating, developing, and delivering or updating—

''(A) high school aviation curricula, including syllabuses and lesson plans, that are designed to prepare students to become aircraft pilots, aerospace engineers, unmanned aircraft system operators, aviation maintenance technicians, or other aviation maintenance professionals, or to refresh the knowledge of out-of-practice pilots or any of the aforementioned individuals; or

''(B) aviation curricula, including syllabuses and lesson plans, used at institutions of higher education, secondary education institutions, or by technical training and vocational schools, that are designed to prepare students to become aircraft pilots, aerospace engineers, unmanned aircraft system operators, or aviation maintenance technicians, or to refresh the knowledge of out-of-practice pilots or any of the aforementioned individuals.

''(2) LIMITATION.—No organization that receives a grant under this subsection shall sell or make a profit from the creation, development, delivery, or updating of aviation curricula.

''(f) ADMINISTRATIVE MATTERS OF THE CENTER.—

''(1) DETAILEES.—

''(A) IN GENERAL.—At the request of the Center, the head of any Federal agency or department may detail to the Center, on a reimbursable basis, any employee of the agency or department.

''(B) CIVIL SERVICE STATUS.—The detail of an employee under subparagraph (A) shall be without interruption or loss of civil service status or privilege.

''(2) NAMES AND SYMBOLS.—The Center may use proceeds derived from the Center's use of the exclusive right to use its name and seal, emblems, and badges incorporating such name as lawfully adopted by the Board of Directors in furtherance of the purpose and duties of the Center.

''(3) GIFTS, GRANTS, BEQUESTS, AND DEVISES.—The Center may accept, use, and dispose of gifts, grants, bequests, or devises of money, services, or property from any public or private source for the purpose of covering the costs incurred by the Center in furtherance of the purpose and duties of the Center.

''(4) VOLUNTARY SERVICES.—The Center may accept from any person voluntary services to be provided in furtherance of the purpose and duties of the Center.

''(g) RESTRICTIONS ON THE CENTER.—

''(1) PROFIT.—The Center may not engage in business activity for profit.

''(2) STOCKS AND DIVIDENDS.—The Center may not issue stock or declare or pay a dividend.

''(3) POLITICAL ACTIVITIES.—The Center shall be nonpolitical and may not provide financial aid or assistance to, or otherwise promote the candidacy of, an individual seeking elective public office. The Center may not engage in activities that are, directly, or indirectly, intended to be or likely to be perceived as advocating or influencing the legislative process.

''(4) DISTRIBUTION OF INCOME OR ASSETS.—The assets of the Center may not inure to the benefit of a member of the Board, or an officer or employee of the Center or be distributed to any person. This subsection does not prevent the payment of reasonable compensation to an officer, employee, or other person or reimbursement for actual and necessary expenses in amounts approved by the Board.

''(5) LOANS.—The Center may not make a loan to a member of the Board or an officer or employee of the Center.

''(6) NO CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The Center may not claim approval of Congress or of the authority of the United States for any of its activities.

''(h) ADVISORY COMMITTEE.—

''(1) IN GENERAL.—The Executive Director shall appoint members to an advisory committee subject to the approval by the Board. Members of the Board of the Center may not sit on the advisory committee.

''(2) MEMBERSHIP.—The advisory committee shall consist of 15 members who represent a balance of various aviation stakeholder groups. The advisory committee shall choose a Chairman and Vice Chairman of the advisory committee from among members of the advisory committee. Members of the advisory committee shall be appointed for a term of 5 years.

''(3) DUTIES.—The advisory committee shall—

''(A) provide recommendations to the Board on an annual basis regarding the priorities for the Center's activities;

''(B) provide advice to the Board on an ongoing basis regarding the appropriate powers of the Board to accomplish the purposes and duties of the Center;

''(C) provide data and information to the Center to aid the Center in carrying out its duties; and

''(D) nominate United States citizens for consideration by the Board to be honored by the Center for their work in promoting aviation or aviation education in the United States.

''(4) MEETINGS.—The provisions for meetings of the Board under subsection (c)(1) shall apply to meetings of the advisory committee.

''(i) WORKING GROUPS.—

''(1) IN GENERAL.—The Board may establish and appoint the membership of working groups for a time and for a specific reason as necessary and appropriate.

''(2) MEMBERSHIP.—Any working group established by the Board shall have members representing a balance of various aviation stakeholder groups. Once established, the membership of such working group shall choose a Chairman from among the members of the working group.

''(3) TERMINATION.—Any working group established by the Board under this subsection shall be constituted for a time period of not more than 3 years.

''(j) RECORDS OF ACCOUNTS.—The Center shall keep correct and complete records of accounts.

''(k) DUTY TO MAINTAIN TAX-EXEMPT STATUS.—The Center shall be operated in a manner and for purposes that qualify the Center for exemption from taxation under the Internal Revenue Code as an organization described in section 501(c)(3) of that Code.

''(l) ANNUAL REPORT.—The Center shall submit an annual report to Congress on the activities of the Center during the prior year.

''(m) FUNDING.—In order to carry out this section, notwithstanding any other provision of law, an amount equal to 5 percent of the interest from investment credited to the Airport and Airway Trust Fund shall be transferred annually as a direct lump sum payment on the first day of October to the Center to carry out this section and shall be available until expended without further act of appropriation.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 1 of subtitle 1 of title 49, United States Code, is amended by inserting after the item relating to section 117 the following:

''118. National Center for the Advancement of Aviation.''.

SA 2492. Mr. LANKFORD (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 17, insert ''*Provided further*, That in allocating funds under the previous proviso, the Secretary of the Army shall prioritize channel deepening projects:'' after ''projects:''.

On page 1738, line 25, insert '', including to be leveraged through performance contracting'' after ''expended''.

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

SEC. 408_____. REGENERATIVE GRAZING DATA COLLECTION.

(a) DEFINITIONS.—In this section:

(1) 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)); and

(B) National Forest System land.

(2) PROGRAM.—The term ''program'' means the pilot program established under subsection (b)(1).

(3) SECRETARIES.—The term ''Secretaries'' means the Secretary of Agriculture (acting through the Chief of the Forest Service) and the Secretary of the Interior (acting through the Director of the Bureau of Land Management), acting jointly.

(b) PILOT PROGRAM FOR USE OF REGENERATIVE GRAZING ON FEDERAL LAND TO MITIGATE THE EFFECTS OF CLIMATE CHANGE.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall establish a pilot program to study the effectiveness of using grazing on Federal land to mitigate the effects of climate change.

(2) REQUIREMENTS.—In carrying out the program, the Secretaries shall—

(A) identify—

(i) a standard set of practices to study, such as carbon beneficial practices in the conservation practice standards of the Natural Resources Conservation Service, that support conservation goals, including—

(I) silvopasture;

(II) practices that provide wildlife habitat benefits;

(III) practices that consider flexibility in season of use;
(IV) forage and biomass management;
(V) planned grazing; and
(VI) range monitoring; and
(ii) sufficient grazing allotments on a diverse mixture of ecosystems to identify how grazing is an effective tool to mitigate effects of climate change, including the ability to—
(I) improve soil health;
(II) sequester carbon;
(III) reduce wildfire risk; and
(IV) improve watershed resilience and biodiversity;
(B) in developing, implementing, and monitoring the program, consult with—
(i) relevant subject matter experts at the Forest Service;
(ii) relevant subject matter experts at the Bureau of Land Management;
(iii) the Chief of the Natural Resources Conservation Service;
(iv) the Director of the United States Geological Survey;
(v) ranchers and representatives of the ranching industry;
(vi) representatives from grazing districts, associations, or boards;
(vii) environmental and conservation nongovernmental organizations;
(viii) institutions of higher education; and
(ix) any other organization that the Secretaries determine to be appropriate.
(3) USE OF FUNDS.—Funds made available to carry out the program may be used for—
(A) the conduct of research activities;
(B) the provision of technical assistance to permittees; or
(C) the construction of infrastructure necessary for implementing and analyzing regenerative grazing.
(4) REPORT TO CONGRESS.—Not later than 180 days after the date on which the Secretaries determine that a sufficient quantity of data has been collected under the program, the Secretaries shall submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and make publicly available on the websites of the Department of Agriculture and the Department of the Interior a report on the findings and data derived from the program, including whether and the extent to which the use of regenerative grazing improved the ability to mitigate the impacts of climate change.
(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2021 through 2023, to remain available until expended.

SA 2493. Mr. COONS (for himself and Mrs. SHAHEEN) 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 1738, line 25, insert '', including to be leveraged through performance contracting'' after ''expended''.

SA 2494. Ms. LUMMIS (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 end of title VIII of division D, add the following:

SEC. 408_____. REGENERATIVE GRAZING DATA COLLECTION.

(a) DEFINITIONS.—In this section:
(1) 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)); and
(B) National Forest System land.
(2) PROGRAM.—The term ''program'' means the pilot program established under subsection (b)(1).
(3) SECRETARIES.—The term ''Secretaries'' means the Secretary of Agriculture (acting through the Chief of the Forest Service) and the Secretary of the Interior (acting through the Director of the Bureau of Land Management), acting jointly.
(b) PILOT PROGRAM FOR USE OF REGENERATIVE GRAZING ON FEDERAL LAND TO MITIGATE THE EFFECTS OF CLIMATE CHANGE.—
(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall establish a pilot program to study the effectiveness of using grazing on Federal land to mitigate the effects of climate change.
(2) REQUIREMENTS.—In carrying out the program, the Secretaries shall—
(A) identify—
(i) a standard set of practices to study, such as carbon beneficial practices in the conservation practice standards of the Natural Resources Conservation Service, that support conservation goals, including—
(I) silvopasture;
(II) practices that provide wildlife habitat benefits;
(III) practices that consider flexibility in season of use;
(IV) forage and biomass management;
(V) planned grazing; and
(VI) range monitoring; and
(ii) sufficient grazing allotments on a diverse mixture of ecosystems to identify how grazing is an effective tool to mitigate effects of climate change, including the ability to—
(I) improve soil health;
(II) sequester carbon;
(III) reduce wildfire risk; and
(IV) improve watershed resilience and biodiversity;
(B) in developing, implementing, and monitoring the program, consult with—
(i) relevant subject matter experts at the Forest Service;
(ii) relevant subject matter experts at the Bureau of Land Management;
(iii) the Chief of the Natural Resources Conservation Service;
(iv) the Director of the United States Geological Survey;
(v) ranchers and representatives of the ranching industry;
(vi) representatives from grazing districts, associations, or boards;
(vii) environmental and conservation nongovernmental organizations;
(viii) institutions of higher education; and
(ix) any other organization that the Secretaries determine to be appropriate.
(3) USE OF FUNDS.—Funds made available to carry out the program may be used for—
(A) the conduct of research activities;
(B) the provision of technical assistance to permittees; or
(C) the construction of infrastructure necessary for implementing and analyzing regenerative grazing.
(4) REPORT TO CONGRESS.—Not later than 180 days after the date on which the Secretaries determine that a sufficient quantity of data has been collected under the program, the Secretaries shall submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and make publicly available on the websites of the Department of Agriculture and the Department of the Interior a report on the findings and data derived from the program, including whether and the extent to which the use of regenerative grazing improved the ability to mitigate the impacts of climate change.
(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2021 through 2023, to remain available until expended.

SA 2495. Ms. KLOBUCHAR (for herself and 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 appropriate place in division H, insert the following:

SEC. _____. CREDIT FOR SALE OR BLENDING OF ETHANOL FUELS.

(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. CREDIT FOR SALE OR BLENDING OF ETHANOL FUELS.

''(a) IN GENERAL.—For purposes of section 38, the ethanol fuel credit determined under this section for any taxable year is an amount equal to—
''(1) in the case of an applicable taxpayer which is described in subsection (b)(1)(A)—
''(A) for each gallon of E15 blended by such taxpayer, 5 cents, and
''(B) for each gallon of fuel blended by such taxpayer which contains more than 15 volume percent ethanol, 10 cents, and
''(2) subject to subsection (c), in the case of an applicable taxpayer which is described in subsection (b)(1)(B)—
''(A) for each gallon of E15 sold by such taxpayer, 5 cents, and
''(B) for each gallon of fuel sold by such taxpayer which contains more than 15 volume percent ethanol, 10 cents.
''(b) DEFINITIONS.—For purposes of this section—
''(1) APPLICABLE TAXPAYER.—The term 'applicable taxpayer' means—
''(A) an oxygenate blender (as defined in section 1090.80 of title 40, Code of Federal Regulations), and
''(B) a retailer (as defined in paragraph (7) of section 101 of the Petroleum Marketing Practices Act (15 U.S.C. 2801)).
''(2) E15.—The term 'E15' means gasoline that is marketed and sold as E15 contains

more than 13 percent ethanol and no more than 15 percent ethanol by volume.

''(c) ELECTION.—

''(1) IN GENERAL.—

''(A) ELECTION BY OXYGENATE BLENDER.—Subsection (a)(1) shall apply with respect to any gallon of fuel described in such subsection only if the applicable taxpayer described in subsection (b)(1)(A) elects to have such subsection apply with respect to such gallon of fuel.

''(B) NOTIFICATION.—The applicable taxpayer described in subparagraph (A) shall provide notice of their election with respect to any gallon of fuel described in such subparagraph to any applicable taxpayer described in subsection (b)(1)(B) to which such fuel is sold, with such notice to be provided on or before the date of such sale.

''(2) CREDIT FOR RETAILER AVAILABLE ONLY IF NOT CLAIMED BY OXYGENATE BLENDER.—Subsection (a)(2) shall apply with respect to any gallon of fuel described in such subsection only if the applicable taxpayer described in subsection (b)(1)(A) has not elected (pursuant to paragraph (1)) to apply subsection (a)(1) with respect to such gallon of fuel.

''(d) REFUNDABLE CREDIT FOR SMALL RETAILERS.—For purposes of this title, in the case of a retailer with not greater than 5 retail locations at the close of the taxable year, the credit allowed under subsection (a)(2) for such taxable year shall be treated as a credit allowable under subpart C (and not allowable under this subpart) for such taxable year.

''(e) TRANSFER OF CREDIT.—

''(1) IN GENERAL.—Subject to such regulations or other guidance as the Secretary determines necessary or appropriate, if, with respect to the credit allowed under subsection (a) for any taxable year, the applicable taxpayer elects the application of this subsection for such taxable year with respect to all (or any portion specified in such election) of such credit, the eligible entity specified in such election, and not the applicable taxpayer, shall be treated as the taxpayer for purposes of this title with respect to such credit (or such portion thereof).

''(2) ELIGIBLE ENTITY.—For purposes of this subsection, the term 'eligible entity' means any person within the supply chain for fuel described in such section (a).''.

(b) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of the Internal Revenue Code of 1986 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 credit for sale or blending of ethanol fuels under section 45U to which subsection (d) of such section does not apply.''.

(c) CONFORMING AMENDMENT.—The table of sections for 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 item:

''Sec. 45U. Credit for sale or blending of ethanol fuels.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel blended or sold after December 31, 2021.

SA 2496. 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 331, between lines 23 and 24, insert the following:

''(3) REGIONAL INNOVATION PILOT.—

''(A) IN GENERAL.—In addition to eligible projects under paragraphs (1) and (2), a metropolitan planning organization may use amounts suballocated under subsection (e) for innovative strategies to reduce transportation emissions, including associated infrastructure improvements that will increase the share of nonmotorized trips and improve the efficiency of existing surface transportation infrastructure to address carbon reduction.

''(B) NOTICE.—Not later than 120 days after the date of enactment of the Surface Transportation Reauthorization Act of 2021, the Secretary shall provide notice and guidance for interested metropolitan planning organizations to participate in activities under subparagraph (A).

''(C) EXCLUSION.—In carrying out activities under subparagraph (A), a metropolitan planning organization may not use amounts made available to carry out that subparagraph for a project that increases net capacity for vehicular travel.

SA 2497. 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 338, between lines 7 and 8, insert the following:

''(7) SELECTION OF PROJECTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the applicable metropolitan planning organization shall determine the programming and expenditure of amounts that a State is required to obligate under clauses (i) and (ii) of paragraph (1)(A).

''(B) STATE ROLE.—The State may ensure that projects selected by a metropolitan planning organization under subparagraph (A) are eligible projects under this section.

SA 2498. Mr. WYDEN (for himself, Ms. LUMMIS, Mr. TOOMEY, 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:

On page 2437, strike lines 9 through 21 and insert the following:

(d) RULE OF CONSTRUCTION.—

(1) DEFINITION OF BROKER.—Nothing in this section or the amendments made by this section shall be construed to create any inference that a person described in section 6045(c)(1)(D) of the Internal Revenue Code of 1986, as added by this section, includes any person solely engaged in the business of—

(A) validating distributed ledger transactions,

(B) selling hardware or software for which the sole function is to permit a person to control private keys which are used for accessing digital assets on a distributed ledger, or

(C) developing digital assets or their corresponding protocols for use by other persons, provided that such other persons are not customers of the person developing such assets or protocols.

(2) BROKERS AND TREATMENT OF DIGITAL ASSETS.—Nothing in this section or the amendments made by this section shall be construed to create any inference, for any period prior to the effective date of such amendments, with respect to—

(A) whether any person is a broker under section 6045(c)(1) of the Internal Revenue Code of 1986, or

(B) whether any digital asset is property which is a specified security under section 6045(g)(3)(B) of such Code.

SEC. 80604. SENSE OF CONGRESS.

It is the sense of Congress that nothing in the amendments made by section 80603 shall be construed to have any effect on the Securities Act of 1933 (15 U.S.C. 77a et seq.) or the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.).

SEC. 80605. TERMINATION OF EMPLOYEE RETENTION CREDIT FOR EMPLOYERS SUBJECT TO CLOSURE DUE TO COVID–19.

SA 2499. Mr. KELLY (for himself, Ms. SINEMA, Ms. ROSEN, Ms. CORTEZ MASTO, 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:

On page 2621, line 3, insert after ''2026:'' the following: ''*Provided further*, That for funds made available under this heading in this Act for planning, preparation, or design of eligible projects, the Secretary may consider whether the project will provide new or improved Interstate highway connections between not less than 2 metropolitan areas with a population of not less than 500,000:''.

SA 2500. Mr. GRASSLEY (for himself and Ms. KLOBUCHAR) 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 F, add the following:

TITLE VI—STATE FUNDING UNDER RURAL UTILITIES SERVICE PROGRAMS

SEC. 60601. STATE FUNDING UNDER RURAL UTILITIES SERVICE PROGRAMS.

(a) ELIGIBILITY OF PROJECTS THAT RECEIVE STATE FUNDING.—Title VII of the Rural Electrification Act of 1936 (7 U.S.C. 950cc et seq.)

is amended by adding at the end the following:

"SEC. 704. ELIGIBILITY OF PROJECTS THAT RECEIVE STATE FUNDING.

''In administering any broadband or telecommunications program, the Secretary, acting through the Administrator of the Rural Utilities Service, shall not determine that a project is ineligible for funding because the project has received funding from a State.''.

(b) STATE FUNDS TO SATISFY MATCHING REQUIREMENTS.—

(1) IN GENERAL.—Subject to paragraph (2), for purposes of any matching funds requirement under any program administered by the Secretary of Agriculture, acting through the Administrator of the Rural Utilities Service, an applicant for funding under that program may use funds received from a State program (including funds received by a State from the Federal Government) to satisfy the matching funds requirement.

(2) SUNSET.—This subsection shall cease to be effective on October 1, 2023.

SA 2501. 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 2485, line 13, strike ''$11,615,000,000'' and insert ''$16,615,000,000''.

On page 2489, line 22, insert ''*Provided further*, That of the amount provided under this heading in this Act, $5,000,000,000, to remain available until expended, shall be for South Florida ecosystem restoration: *Provided further*, That the amounts made available for South Florida ecosystem restoration shall be appropriated from amounts in the Treasury not otherwise appropriated:'' after ''in this Act:''.

SA 2502. 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:

On page 31, strike lines 12 through 17.

Beginning on page 547, strike line 17 and all that follows through page 550, line 11, and insert the following:

(e) CONFORMING AMENDMENT.—Section 167 of title

SA 2503. 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:

On page 31, strike lines 1 through 5.

On page 31, line 6, strike ''(D)'' and insert ''(C)''.

On page 31, line 12, strike ''(E)'' and insert ''(D)''.

Beginning on page 386, strike line 1 and all that follows through page 392, line 9.

SA 2504. 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:

In division F, strike title III.

SA 2505. 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:

On page 748 of the amendment, between lines 2 and 3, insert the following:

(3) includes—

(A) a cost-benefit analysis of the use of Amtrak to cross the northern border, relative to other non-government subsidized options; and

(B) an explanation for why any United States taxpayer dollars should be used to fund transportation in a foreign country.

(C) the amount of money the extension would lose annually.

SA 2506. 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 division J, insert the following:

SEC. _____. (a) Except as provided in subsection (b), none of the funds made available by this Act may be used to transport an alien (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))) who is unlawfully present in the United States and who—

(1) has not been tested for COVID–19 during the preceding 10-day period;

(2) has not been fully vaccinated against COVID–19; or

(3) has symptoms of COVID-19.

(b) Funds made available by this Act may be used to transport an alien described in subsection (a) for purposes of removal or deportation.

SA 2507. Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, 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:

In section 41202(b) of division D, strike paragraph (2) and insert the following:

(2) ELECTION; SUBMISSION OF RESULTS.—Section 102(b)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)(1)) is amended—

(A) in subparagraph (A), by striking ''and August 1'' and inserting ''and September 30''; and

(B) by adding at the end the following:

''(E) ELECTION FOR FISCAL YEAR 2021.—Notwithstanding subparagraph (A), for fiscal year 2021, the election described in that subparagraph shall be made at the discretion of each affected county by September 30, 2021 (or as soon thereafter as the Secretary concerned determines is practicable), in accordance with paragraph (2), and transmitted to the Secretary concerned by the Governor of each eligible State.''.

(3) DURATION OF ELECTION.—Section 102(b)(2)(A) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)(2)(A)) is amended, in the first sentence, by striking ''to receive a share of the 25-percent payment or 50-percent payment, as applicable,''.

(4) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—Section 102(d)(3) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)) is amended by adding at the end the following:

''(E) ELECTION FOR FISCAL YEAR 2021.—Notwithstanding subparagraph (A), for fiscal year 2021, the Governor of each eligible State shall notify the Secretary concerned of an election by an eligible county under this subsection not later than September 30, 2021 (or as soon thereafter as the Secretary concerned determines is practicable).''.

(5) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''2020'' and inserting ''2023''.

SA 2508. Mr. CRAPO (for himself, Mr. WYDEN, Mr. MERKLEY, 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:

At the end of division G, add the following:

TITLE XII—FOREST MANAGEMENT FOR RURAL STABILITY

SEC. 71201. SHORT TITLE.

This title may be cited as the ''Forest Management for Rural Stability Act''.

SEC. 71202. FEDERAL CHARTER FOR FOREST AND REFUGE COUNTY FOUNDATION AND ESTABLISHMENT OF NATURAL RESOURCES PERMANENT FUND.

(a) FEDERAL CHARTER FOR FOREST AND REFUGE COUNTY FOUNDATION.—Subtitle III of title 36, United States Code, is amended by inserting after chapter 3001 the following:

"CHAPTER 3002—FOREST AND REFUGE COUNTY FOUNDATION

"§ 300201. Definitions

''In this chapter:

''(1) AGENCY HEAD.—The term 'agency head' means—

''(A) the Secretary of the Treasury;

''(B) the Chief of the Forest Service;

''(C) the Director of the Bureau of Land Management; and

''(D) the Director of the United States Fish and Wildlife Service.

''(2) BOARD.—The term 'Board' means the Board of Directors of the Corporation.

''(3) CHAIRPERSON.—The term 'Chairperson' means the Chairperson of the Board.

''(4) CORPORATION.—The term 'Corporation' means the Forest and Refuge County Foundation established by section 300202.

''(5) COUNTY PAYMENT; FULL FUNDING AMOUNT; STATE PAYMENT.—The terms 'county payment', 'full funding amount', and 'State payment' have the meanings given those terms in section 3 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102).

''(6) ELIGIBLE COUNTY.—

''(A) IN GENERAL.—The term 'eligible county' means—

''(i) a county that is eligible for a payment under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.), with respect to an account established by paragraph (1) or (2) of section 300207(b); or

''(ii) a county that is eligible for a payment under section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), with respect to the account established by section 300207(b)(3).

''(B) EXCLUSION.—The term 'eligible county' does not include a county that has elected to opt out of distributions from the Fund under section 300207(e)(4)(A).

''(7) FUND.—The term 'Fund' means the Natural Resources Permanent Fund established by section 300207(a).

''(8) HIGHEST HISTORIC PAYMENT.—The term 'highest historic payment' means—

''(A) with respect to the Forest Service Account of the Fund, an amount equal to the total amount of State payments received under section 101(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111(a)) for fiscal year 2008 (as adjusted to reflect changes during the period beginning on October 1, 2008, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor); and

''(B) with respect to the Bureau of Land Management Account of the Fund, an amount equal to the total amount of county payments received under section 101(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111(b)) for fiscal year 2006 (as adjusted to reflect changes during the period beginning on October 1, 2006, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor).

''(9) MANAGER.—The term 'manager' means the manager of investments employed by the Board pursuant to section 300205(c)(3).

''(10) RESOURCE ADVISORY COMMITTEE.—The term 'resource advisory committee' means—

''(A) a resource advisory committee established under section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125) (as in effect on the day before the date of enactment of this chapter); and

''(B) an advisory council established pursuant to section 309(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739(a)).

''(11) SECRETARY CONCERNED.—The term 'Secretary concerned' means—

''(A) the Secretary of Agriculture, with respect to the account established by section 300207(b)(1); and

''(B) the Secretary of the Interior, with respect to an account established by paragraph (2) or (3) of section 300207(b).

"§ 300202. Establishment

''There is established a federally chartered, nonprofit corporation, to be known as the 'Forest and Refuge County Foundation', which shall be incorporated in the State of Oregon.

"§ 300203. Status and applicable laws

''(a) NON-FEDERAL ENTITY.—The Corporation is not—

''(1) a department, agency, or instrumentality of the United States Government; or

''(2) subject to title 31.

''(b) LIABILITY.—The United States Government shall not be liable for the actions or inactions of the Corporation.

''(c) NONPROFIT CORPORATION.—The Corporation shall have and maintain the status of the Corporation as a nonprofit corporation exempt from taxation under the Internal Revenue Code of 1986.

"§ 300204. Board of Directors

''(a) AUTHORITY.—The powers of the Corporation shall be vested in a Board of Directors that governs the Corporation.

''(b) MEMBERSHIP.—

''(1) COMPOSITION.—The Board shall be composed of 11 members, of whom—

''(A) 3 shall be appointed by the Chief of the Forest Service;

''(B) 2 shall be appointed by the Director of the Bureau of Land Management; and

''(C) 6 shall be appointed by the Secretary of the Treasury.

''(2) QUALIFICATIONS.—In making appointments under paragraph (1), the agency heads shall—

''(A) appoint members who represent the various regions of the United States; and

''(B) ensure that the membership of the Board is—

''(i) apolitical; and

''(ii) fairly balanced in terms of—

''(I) the points of view represented; and

''(II) the functions to be performed by the Board, by appointing—

''(aa) 3 members who are county elected officials, as of the date of appointment of the members, of whom—

''(AA) 1 shall be an elected official of a county that contains Federal land described in section 3(7)(A) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102(7)(A));

''(BB) 1 shall be an elected official of a county that contains Federal land described in section 3(7)(B) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102(7)(B)); and

''(CC) 1 shall be an elected official of a county that is eligible for a payment under section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c));

''(bb) 1 member to represent rural economic development interests;

''(cc) 6 members with expert experience in fund management or finance; and

''(dd) 1 member to represent education interests.

''(3) PROHIBITION.—A member of the Board, other than a member described in paragraph (2)(B)(ii)(II)(aa), shall not hold an office, position, or employment in any political party.

''(4) DATE.—The appointments of the members of the Board shall be made not later than 90 days after the date of enactment of this chapter.

''(c) CHAIRPERSON.—

''(1) IN GENERAL.—The Chairperson of the Board shall be selected from among the members of the Board by a majority vote of the members.

''(2) TERM OF SERVICE.—The Chairperson of the Board—

''(A) shall serve for a term of not longer than 4 years; and

''(B) may be reelected to serve an additional term, subject to the condition that the Chairperson may serve for not more than 2 consecutive terms.

''(d) TERMS.—

''(1) IN GENERAL.—The term of the members of the Board shall be 6 years, except that the agency heads shall designate staggered terms for the members initially appointed to the Board.

''(2) REAPPOINTMENT.—A member of the Board may be reappointed to serve an additional term, subject to the condition that the member may serve for not more than 2 consecutive terms.

''(e) VACANCY.—A vacancy on the Board shall be filled—

''(1) by not later than 90 days after the date on which the vacancy occurs; and

''(2) in the manner in which the original appointment was made.

''(f) TRANSITIONS.—Any member of the Board may continue to serve after the expiration of the term for which the member was appointed or elected until a qualified successor has been appointed or elected.

''(g) MEETINGS AND QUORUM.—

''(1) MEETINGS.—

''(A) IN GENERAL.—The Board shall meet—

''(i) not less frequently than once each calendar year; and

''(ii)(I) at the call of—

''(aa) the Chairperson; or

''(bb) 3 or more members; or

''(II) as otherwise provided in the bylaws of the Corporation.

''(B) INITIAL MEETING.—Not later than 150 days after the date of enactment of this chapter, the Board shall hold an initial meeting of the Board.

''(2) QUORUM.—A quorum of the Board, consisting of a majority of the members of the Board, shall be required to conduct any business of the Board.

''(3) APPROVAL OF BOARD ACTIONS.—Except as otherwise provided, the threshold for approving Board actions shall be as set forth in the bylaws of the Corporation.

''(h) REIMBURSEMENT OF EXPENSES.—

''(1) IN GENERAL.—A voting member of the Board—

''(A) shall serve without pay; but

''(B) subject to paragraph (2), may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by the member in the performance of duties for the Corporation.

''(2) MAXIMUM AMOUNT.—The amount of reimbursement under paragraph (1)(B) may not exceed the amount that would be authorized under section 5703 of title 5 for the payment

of expenses and allowances for an individual employed intermittently in the Federal Government service.

"§ 300205. Bylaws and duties

''(a) IN GENERAL.—The Board shall adopt, and may amend, the bylaws of the Corporation.

''(b) BYLAWS.—The bylaws of the Corporation shall include, at a minimum—

''(1) the duties and responsibilities of the Board; and

''(2) the operational procedures of the Corporation.

''(c) DUTIES AND RESPONSIBILITIES OF BOARD.—The Board shall be responsible for actions of the Corporation, including—

''(1)(A) employing individuals at the Corporation to provide investment management services; or

''(B) retaining the services of investment management services providers;

''(2) employing individuals at the Corporation to provide accounting and administrative services;

''(3) employing a manager of investments to manage the amounts authorized to be invested by the Board in accordance with subsection (d);

''(4) entering into a contract with 1 or more banking or trust entities to act as the custodian of the assets of the Fund; and

''(5) engaging other appropriate professional service providers to support the Board and the employees of the Board in carrying out the duties and responsibilities of the Board under this chapter.

''(d) AUTHORITY OF MANAGER.—Subject to the direction of the Board, the manager shall have control over the amounts under the jurisdiction of the Board in the same manner as if the manager owned those amounts.

"§ 300206. Authority of Corporation

''Except as otherwise provided in this chapter, the Corporation, acting through the manager, shall have the authority—

''(1) to manage the Fund;

''(2) to make investments of amounts in the Fund under section 300207(d);

''(3) to make distributions from the Fund under section 300207(e)(2); and

''(4) to review certifications submitted by participating counties under section 303(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7143(a)).

"§ 300207. Establishment of Natural Resources Permanent Fund

''(a) ESTABLISHMENT.—There is established within the Corporation a permanent fund, to be known as the 'Natural Resources Permanent Fund', consisting of—

''(1) amounts deposited in the accounts under subsection (b);

''(2) amounts deposited by an eligible county or State under subsection (c)(1);

''(3) amounts credited to the Fund under subsection (d)(3); and

''(4) amounts appropriated to the Fund under paragraph (1) of subsection (i), subject to paragraph (2) of that subsection.

''(b) ACCOUNTS.—Within the Fund, there are established the following accounts:

''(1) The Forest Service Account, consisting of the amounts transferred under section 71203(b)(2) of the Forest Management for Rural Stability Act.

''(2) The Bureau of Land Management Account, consisting of the amounts transferred under subsections (c)(2) and (d)(2) of section 71203 of the Forest Management for Rural Stability Act.

''(3) The United States Fish and Wildlife Service Account, consisting of the amounts transferred under section 71203(e)(2) of the Forest Management for Rural Stability Act.

''(4) The Voluntary County Savings Account, consisting of voluntary contributions of additional funds transferred under subsection (c)(2)(A)(i).

''(c) VOLUNTARY CONTRIBUTIONS OF ADDITIONAL FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Corporation may at any time accept from eligible counties and States voluntary contributions of amounts to be deposited in the Fund, for investment by the Corporation, in accordance with this chapter.

''(2) LIMITATION.—Any amounts contributed under paragraph (1)—

''(A) shall be—

''(i) transferred to the Voluntary County Savings Account; and

''(ii) maintained within a segregated account in that Account for each contributing county; and

''(B) may only be distributed to the eligible county or State that deposited the amounts, in accordance with this chapter and paragraph (3).

''(3) DISTRIBUTIONS.—Distributions to an eligible county or a State under paragraph (2)(B)—

''(A) shall be made by not later than 30 days after the date of receipt of a written request of the applicable eligible county or State;

''(B) shall not be subject to any restrictions or limitations associated with distributions made from an account established by paragraph (1), (2), or (3) of subsection (b); and

''(C) may only be used for a governmental purpose that complies with the budget laws of the applicable State.

''(d) INVESTMENTS OF FUND.—

''(1) INVESTMENT POLICY.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this chapter, the Board shall develop an investment policy for the investment of amounts in the Fund.

''(B) REQUIREMENT.—For purposes of the investment policy developed under subparagraph (A), the Corporation shall—

''(i) seek to achieve at least a 5-percent rate of return on investments of the Fund, net of inflation; and

''(ii) adopt asset management strategies that are consistent with the standard of care established under the Uniform Prudent Management of Institutional Funds Act of 2007 (D.C. Code 44–1631 et seq.).

''(C) PERIODIC UPDATES.—The Corporation shall—

''(i) not less frequently than annually, review the investment policy developed under subparagraph (A); and

''(ii) based on a review conducted under clause (i), modify the investment policy as the Corporation determines to be appropriate.

''(2) INVESTMENT SERVICES.—For purposes of investing amounts in the Fund, the Corporation may—

''(A) employ individuals at the Corporation to provide investment management services; or

''(B) retain the services of investment management services providers.

''(3) INCOME.—Income from any investments of amounts from an account within the Fund shall be credited to the applicable account within the Fund.

''(e) EXPENDITURES FROM FUND.—

''(1) AVAILABILITY OF FUNDS.—Beginning in fiscal year 2024, for each fiscal year, the Corporation shall make available for distribution in accordance with this subsection 4.5 percent of amounts in each account within the Fund established by paragraph (1), (2), or (3) of subsection (b), as determined by the Corporation, based on—

''(A) for fiscal years 2024, 2025, and 2026, the average fiscal year-end balance of the applicable account; and

''(B) thereafter, the average fiscal year-end balance of the applicable account during the 3-year period preceding the date of the determination.

''(2) DISTRIBUTIONS.—

''(A) FOREST SERVICE ACCOUNT AND BUREAU OF LAND MANAGEMENT ACCOUNT.—

''(i) IN GENERAL.—Beginning in fiscal year 2024, for each fiscal year, of the amounts in each of the Forest Service and the Bureau of Land Management Accounts within the Fund available for distribution for the fiscal year, as determined under paragraph (1)—

''(I) 85 percent shall be used to make payments to eligible States and eligible counties in accordance with title I of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111 et seq.) and clause (ii); and

''(II) 15 percent shall be used to make payments to eligible States and eligible counties in accordance with title III of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7141 et seq.).

''(ii) CALCULATION AND DISTRIBUTION OF AUTHORIZED PAYMENTS.—

''(I) AVAILABILITY.—Not later than 14 days after the beginning of each fiscal year, the Corporation shall submit to the Secretary concerned a description of the amount available in each of the Forest Service and the Bureau of Land Management Accounts within the Fund available to make payments for the fiscal year, as determined under paragraph (1), to—

''(aa) eligible States under subsection (a) of section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111), with respect to the Forest Service Account; and

''(bb) eligible counties under subsection (b) of that section, with respect to the Bureau of Land Management Account.

''(II) CALCULATION.—Not later than 14 days after the date on which the Corporation submits the information under subclause (I), based on the information provided under that subclause and the amounts otherwise available to the Secretary concerned for the fiscal year to make payments to eligible counties under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.), as determined by the Secretary concerned, the Secretary concerned shall, based on the formulas for authorized payments established under that Act, calculate and submit to the Corporation the authorized payment amount for each eligible county, including—

''(aa) the amount of the authorized payment for each eligible county to be paid from the applicable account in the Fund; and

''(bb) the amount of the authorized payment to be paid for each eligible county using amounts made available under section 402 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7152).

''(III) DISTRIBUTION.—Subject to subparagraphs (C) and (D), not later than 40 days after the date on which the Secretary concerned submits the information to the Corporation under subclause (II)—

''(aa) the Corporation shall—

''(AA) distribute from the Forest Service Account within the Fund to States, for redistribution to the eligible counties, the amount of the authorized payment to be paid to eligible counties within the State under section 101(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111(a)), as determined under subclause (II)(aa), to be used for the purposes authorized under title I or III of that Act (16 U.S.C. 7111 et seq.);

''(BB) distribute from the Bureau of Land Management Account within the Fund to the eligible counties the amount of the authorized payment to be paid to eligible counties under section 101(b) of the Secure Rural

Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111(b)), as determined under subclause (II)(aa), to be used for the purposes authorized under title I or III of that Act (16 U.S.C. 7111 et seq.); and

''(CC) submit to the Secretary concerned a description of the amounts distributed under subitems (AA) and (BB); and

''(bb) except as provided in subparagraph (C)(ii)(II), the Secretary concerned shall pay to eligible counties, and to the State for redistribution to eligible counties, the amount of the authorized payments under subclause (II)(bb).

''(B) UNITED STATES FISH AND WILDLIFE SERVICE ACCOUNT.—

''(i) IN GENERAL.—Beginning in fiscal year 2024, for each fiscal year, amounts in the United States Fish and Wildlife Service Account within the Fund available for distribution for the fiscal year, as determined under paragraph (1), shall be used to make payments to eligible counties, in accordance with section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)) and clause (ii).

''(ii) CALCULATION AND DISTRIBUTION OF AUTHORIZED PAYMENTS.—

''(I) AVAILABILITY.—Not later than 14 days after the beginning of each fiscal year, the Corporation shall submit to the Secretary concerned a description of the amount available in United States Fish and Wildlife Service Account within the Fund available to make authorized payments to eligible counties for the fiscal year under section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), as determined under paragraph (1).

''(II) CALCULATION.—Not later than 14 days after the date on which the Corporation submits the information under subclause (I), based on the information provided under that subclause and the amounts otherwise available to the Secretary concerned for the fiscal year to make payments to eligible counties under section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), as determined by the Secretary concerned, the Secretary concerned shall, based on the formulas for authorized payments established under that Act, calculate and submit to the Corporation the authorized payment amount for each eligible county, including—

''(aa) the amount of the authorized payment for each eligible county to be paid from the United States Fish and Wildlife Service Account within the Fund; and

''(bb) the amount of the authorized payment to be paid for each eligible county using amounts made available under section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)).

''(III) DISTRIBUTION.—Subject to subparagraphs (C) and (D), not later than 40 days after the date on which the Secretary concerned submits the information to the Corporation under subclause (II)—

''(aa) the Corporation shall—

''(AA) distribute from the United States Fish and Wildlife Service Account within the Fund to the eligible counties the amount of the authorized payment to be paid from that Account to eligible counties, as determined under subclause (II)(aa), to be used for the purposes authorized under section 401(c)(5)(C) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)(5)(C)); and

''(BB) submit to the Secretary concerned a description of the amounts distributed under subitem (AA); and

''(bb) except as provided in subparagraph (C)(ii)(II), the Secretary concerned shall pay to the eligible counties the amount to be paid for eligible counties under subclause (II)(bb).

''(C) MINIMUM PAYMENT AMOUNT.—

''(i) IN GENERAL.—Notwithstanding subparagraphs (A) and (B), the minimum amount of a payment to be distributed to a State or eligible county under subitem (AA) or (BB) of subparagraph (A)(ii)(III)(aa) or subparagraph (B)(ii)(III)(aa)(AA) for a fiscal year shall be the amount of the payment authorized to be made to the State or eligible county for fiscal year 2017 under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) or section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), as applicable (as adjusted to reflect changes during the period beginning on October 1, 2017, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor).

''(ii) OBLIGATION OF SECRETARY.—The Secretary concerned—

''(I) shall only make a payment to a State or eligible county under subparagraph (A)(ii)(III)(bb) or (B)(ii)(III)(bb) for a fiscal year if the Secretary concerned determines that the amount of the payment to be distributed from the Fund to the State or eligible county under subitem (AA) or (BB) of subparagraph (A)(ii)(III)(aa) or subparagraph (B)(ii)(III)(aa)(AA) is less than the minimum payment amount required under clause (i); and

''(II) if the Secretary concerned determines that the amount of a payment to be distributed to a State or eligible county under subitem (AA) or (BB) of subparagraph (A)(ii)(III)(aa) or subparagraph (B)(ii)(III)(aa)(AA) would exceed the minimum payment amount required under clause (i), shall not make the payment otherwise required under subparagraph (A)(ii)(III)(bb) or (B)(ii)(III)(bb), as applicable, for the fiscal year.

''(D) MAXIMUM PAYMENT AMOUNT.—

''(i) IN GENERAL.—Notwithstanding subparagraphs (A) and (B), in any case in which the total amount of payments to be distributed by the Corporation to States or eligible counties, as applicable, from an account within the Fund for a fiscal year, as calculated under subparagraph (A)(ii)(II)(aa) or (B)(ii)(II)(aa), as applicable, would exceed the applicable highest historic payment, the Corporation shall reduce the total amount to be distributed under subitem (AA) or (BB) of subparagraph (A)(ii)(III)(aa) or subparagraph (B)(ii)(III)(aa)(AA), as applicable, to the amount of the applicable highest historic payment.

''(ii) EFFECT OF MEETING MAXIMUM.—For any fiscal year for which amounts in the Fund are sufficient to ensure that each State and eligible county receives from an account within the Fund for a fiscal year, as calculated under subparagraph (A)(ii)(II)(aa) or (B)(ii)(II)(aa), as applicable, distributions equal to the applicable highest historic payment, such that the distributions from the account are reduced under clause (i), the States and eligible counties shall receive, in addition to those payments from the Fund, any payments authorized for the State or eligible county under—

''(I) the sixth paragraph under the heading 'FOREST SERVICE' in the Act of May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (commonly known as the 'Weeks Law') (36 Stat. 963, chapter 186; 16 U.S.C. 500);

''(II) subsection (a) of title II of the Act of August 28, 1937 (50 Stat. 875, chapter 876; 43 U.S.C. 2605);

''(III) the first section of the Act of May 24, 1939 (53 Stat. 753, chapter 144; 43 U.S.C. 2621); or

''(IV) section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)).

''(3) ADMINISTRATIVE EXPENSES.—

''(A) IN GENERAL.—Beginning in fiscal year 2024, for each fiscal year, of the total amounts in the Fund, there shall be made available to the Corporation from the Fund for the payment of administrative expenses described in subparagraph (B)—

''(i) if the total amounts in the Fund as of the date of the determination is not less than $100,000,000, an amount equal to the lesser of—

''(I) an amount equal to not more than 0.5 percent of the total amounts in the Fund, as of that date; and

''(II) $30,000,000 (as adjusted to reflect changes during the period beginning on October 1, 2021, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor); and

''(ii) if the total amounts in the Fund as of the date of the determination is less than $100,000,000, an amount equal to not more than 1.0 percent of the total amounts in the Fund, as of that date.

''(B) USE.—Amounts made available for administrative expenses under subparagraph (A) may be used by the Corporation—

''(i) to ensure that amounts in Fund are managed in a manner consistent with the asset management strategies adopted under subsection (d)(1);

''(ii) to pay other administrative costs relating to the Fund, including the costs of managing the Fund, conducting audits of the Fund, and complying with reporting requirements relating to the Fund; and

''(iii) to reimburse members of the Board for actual and necessary traveling and subsistence expenses, in accordance with section 300204(h).

''(4) ELECTIONS TO OPT OUT AND OPT IN.—

''(A) OPTING OUT.—

''(i) IN GENERAL.—Not later than October 1, 2026, a county described in clause (i) or (ii) of section 300201(6)(A) may make a 1-time election to opt out of distributions from the Fund under this chapter by submitting to the Secretary concerned a written notice of the election.

''(ii) EFFECT.—Subject to subparagraph (B), an election under clause (i) to opt out of distributions from the Fund shall be applicable for—

''(I) the fiscal year during which the notice under that clause is submitted; and

''(II) each subsequent fiscal year.

''(iii) NO EFFECT ON OTHER PAYMENTS.—An election by a county to opt out of distributions from the Fund under clause (i) shall not affect the eligibility of the county to receive any payment authorized for the county under—

''(I) the sixth paragraph under the heading 'FOREST SERVICE' in the Act of May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (commonly known as the 'Weeks Law') (36 Stat. 963, chapter 186; 16 U.S.C. 500);

''(II) subsection (a) of title II of the Act of August 28, 1937 (50 Stat. 875, chapter 876; 43 U.S.C. 2605);

''(III) the first section of the Act of May 24, 1939 (53 Stat. 753, chapter 144; 43 U.S.C. 2621); or

''(IV) section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)).

''(iv) TREATMENT.—A county described in clause (i) or (ii) of section 300201(6)(A) that has not submitted to the Secretary concerned a written notice of an election to opt out of distributions from the Fund under clause (i) shall be deemed to have opted in to those distributions.

''(B) NOTICE TO OPT IN.—A county that has elected to opt out of distributions from the Fund under subparagraph (A) may opt back in to the distributions for all subsequent fiscal years by submitting to the Secretary concerned, by not later than the date that is 2 years after the date on which the county submits the written notice under subparagraph (A)(i), a notice of the intent of the county to opt back in.

''(f) REPORTS.—

''(1) QUARTERLY REPORTS.—Not later than 90 days after the date of enactment of this chapter and every 90 days thereafter, the Corporation shall submit to the Secretary of the Treasury a quarterly report that describes, with full transparency, for the period covered by report—

''(A) the assets of the Fund, including a description of the investment policy used for the Fund; and

''(B) the performance of investments in the Fund.

''(2) ANNUAL REPORT.—Annually, the Corporation shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, and make publically available in an online searchable database in a machine-readable format, a report describing the activities of the Corporation for the period covered by the report, including, at a minimum, information relating to—

''(A) the growth of the Fund; and

''(B) applicable sources of revenue.

''(g) ANNUAL AUDITS.—Not later than 1 year after the date of enactment of this chapter and annually thereafter, the Inspector General of the Department of the Treasury shall conduct an audit of the Fund.

''(h) OVERSIGHT.—The Inspector General of the Department of the Treasury shall conduct periodic reviews of the exercise by the Corporation of the fiduciary and statutory duties of the Corporation.

''(i) FUNDING.—

''(1) IN GENERAL.—Beginning in fiscal year 2022, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Fund 110 percent of such sums as are necessary to ensure that the required minimum payment amounts under subsection (e)(2)(C)(i) can be provided.

''(2) ALLOCATION AMONG ACCOUNTS.—The amounts appropriated to the Fund under paragraph (1) shall be allocated among the Forest Service Account, the Bureau of Land Management Account, and the United States Fish and Wildlife Service Account in a manner that ensures that—

''(A) the amount allocated to the Forest Service Account is determined in accordance with the ratio that—

''(i) the total amount of State payments under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) for fiscal year 2017; bears to

''(ii) an amount equal to the sum of—

''(I) the full funding amount for the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) for fiscal year 2017; and

''(II) the total amount of payments to counties under section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), for fiscal year 2017;

''(B) the amount allocated to the Bureau of Land Management Account is determined in accordance with the ratio that—

''(i) the total amount of county payments under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) for fiscal year 2017; bears to

''(ii) an amount equal to the sum of—

''(I) the full funding amount for the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) for fiscal year 2017; and

''(II) the total amount of payments to counties under section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), for fiscal year 2017; and

''(C) the amount allocated to the United States Fish and Wildlife Service Account is determined in accordance with the ratio that—

''(i) the total amount of payments to counties under section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)) for fiscal year 2017; bears to

''(ii) an amount equal to the sum of—

''(I) the full funding amount for the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.) for fiscal year 2017; and

''(II) the total amount of payments to counties under section 401(c) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), for fiscal year 2017.

''(j) AGENCY REPORTING.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this chapter and annually thereafter, the Secretary of Agriculture and the Secretary of the Interior shall submit to the Corporation information describing activities on Federal land described in subparagraphs (A) and (B), respectively, of section 3(7) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102(7)), on a county-by-county basis, for the period covered by the report, including information regarding—

''(A) timber sales and associated acres treated, volumes sold and harvested, and revenues generated, including, at a minimum—

''(i) commercial treatment; and

''(ii) precommercial thinning;

''(B) stewardship projects, including, at a minimum—

''(i) commercial treatment;

''(ii) prescribed fire; and

''(iii) precommercial thinning;

''(C) road work;

''(D) reforestation and associated acres treated, including, at a minimum—

''(i) commercial treatment;

''(ii) prescribed fire; and

''(iii) precommercial thinning;

''(E) habitat created;

''(F) culverts replaced; and

''(G) miles of stream restoration.

''(2) PUBLICATION.—Promptly after receipt of the information under paragraph (1), the Corporation shall make the information publically available in an online searchable database in a machine-readable format.''.

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle III of title 36, United States Code, is amended by inserting after the item relating to chapter 3001 the following:

''3002. Forest and Refuge County Foundation 300201''. .....

SEC. 71203. TRANSFER OF AMOUNTS TO FUND.

(a) DEFINITION OF ELIGIBLE NONELECTING COUNTY.—In this section, the term ''eligible nonelecting county'' means—

(1) in subsections (b), (c), and (d), a county that—

(A) is eligible for a payment under the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.); and

(B) has not elected to opt out of distributions from the Natural Resources Permanent Fund under section 300207(e)(4)(A) of title 36, United States Code; and

(2) in subsection (e), a county that—

(A) is eligible for a payment under section 401(c) of the Act of June 15, 1935 (commonly known as the ''Refuge Revenue Sharing Act'') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)); and

(B) has not elected to opt out of distributions from the Natural Resources Permanent Fund under section 300207(e)(4)(A) of title 36, United States Code.

(b) SUSPENSION OF PAYMENTS UNDER ACT OF MAY 23, 1908, AND ACT OF MARCH 1, 1911.—Except as provided in section 300207(e)(2)(D)(ii) of title 36, United States Code, for fiscal year 2024 and each fiscal year thereafter—

(1) all payments authorized for eligible nonelecting counties under the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (commonly known as the ''Weeks Law'') (36 Stat. 963, chapter 186; 16 U.S.C. 500), shall be suspended; and

(2) the Secretary of the Treasury shall transfer to the Forest Service Account within the Natural Resources Permanent Fund established by section 300207(b)(1) of title 36, United States Code, amounts equal to the amounts that would have otherwise been distributed as payments to eligible nonelecting counties under the sixth paragraph under the heading ''FOREST SERVICE'' in the Act of May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (commonly known as the ''Weeks Law'') (36 Stat. 963, chapter 186; 16 U.S.C. 500).

(c) SUSPENSION OF PAYMENTS UNDER ACT OF AUGUST 28, 1937.—Except as provided in section 300207(e)(2)(D)(ii) of title 36, United States Code, for fiscal year 2024 and each fiscal year thereafter—

(1) all payments authorized for eligible nonelecting counties under subsection (a) of title II of the Act of August 28, 1937 (50 Stat. 875, chapter 876; 43 U.S.C. 2605), shall be suspended; and

(2) the Secretary of the Treasury shall transfer to the Bureau of Land Management Account within the Natural Resources Permanent Fund established by section 300207(b)(2) of title 36, United States Code, amounts equal to the amounts that would have otherwise been distributed as payments to eligible nonelecting counties under subsection (a) of title II of the Act of August 28, 1937 (50 Stat. 875, chapter 876; 43 U.S.C. 2605).

(d) SUSPENSION OF PAYMENTS UNDER ACT OF MAY 24, 1939.—Except as provided in section 300207(e)(2)(D)(ii) of title 36, United States Code, for fiscal year 2024 and each fiscal year thereafter—

(1) all payments authorized for eligible nonelecting counties under the first section of the Act of May 24, 1939 (53 Stat. 753, chapter 144; 43 U.S.C. 2621), shall be suspended; and

(2) the Secretary of the Treasury shall transfer to the Bureau of Land Management Account within the Natural Resources Permanent Fund established by section 300207(b)(2) of title 36, United States Code, amounts equal to the amounts that would have otherwise been distributed as payments to eligible nonelecting counties under the

first section of the Act of May 24, 1939 (53 Stat. 753, chapter 144; 43 U.S.C. 2621).

(e) SUSPENSION OF PAYMENTS UNDER REFUGE REVENUE SHARING ACT.—Except as provided in section 300207(e)(2)(D)(ii) of title 36, United States Code, for fiscal year 2024 and each fiscal year thereafter—

(1) all payments authorized for eligible nonelecting counties under section 401(c) of the Act of June 15, 1935 (commonly known as the ''Refuge Revenue Sharing Act'') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), shall be suspended; and

(2) the Secretary of the Treasury shall transfer to the United States Fish and Wildlife Service Account within the Natural Resources Permanent Fund established by section 300207(b)(3) of title 36, United States Code, amounts equal to the amounts that would have otherwise been distributed as payments to eligible nonelecting counties under section 401(c) of the Act of June 15, 1935 (commonly known as the ''Refuge Revenue Sharing Act'') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)).

SEC. 71204. AMENDMENTS TO SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.

(a) DEFINITIONS.—Section 3 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102) is amended—

(1) in paragraph (1)(B), by striking ''and paragraph (8)(A)'';

(2) in paragraph (2)—

(A) in subparagraph (A)(ii)—

(i) by inserting ''of'' before ''acres''; and

(ii) by inserting ''described in paragraph (7)(A)'' after ''Federal land''; and

(B) in subparagraph (B)(ii), by striking ''and paragraph (9)(B)(i)'';

(3) in paragraph (4)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) has not elected to opt out of distributions from the Natural Resources Permanent Fund under section 300207(e)(4)(A) of title 36, United States Code.'';

(4) by striking paragraphs (8) and (9) and inserting the following:

''(8) 50-PERCENT ADJUSTED SHARE.—The term '50-percent adjusted share' means the quotient obtained by dividing—

''(A) the number equal to the total of all 50-percent payments received by an eligible county during the eligibility period; by

''(B) the number equal to the sum of all 50-percent payments received by all eligible counties during the eligibility period.'';

(5) in paragraph (11) (as amended by section 41202(a))—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F)—

(i) by striking ''fiscal year 2021 and each fiscal year thereafter'' and inserting ''each of fiscal years 2021 through 2023''; and

(ii) by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(G) for fiscal year 2024 and each fiscal year thereafter—

''(i) for purposes of the calculations under section 101(a), an amount equal to the greater of—

''(I) the amount distributed from the Forest Service Account within the Natural Resources Permanent Fund under section 300207(e)(2)(A) of title 36, United States Code; and

''(II) the total amount of all State payments for fiscal year 2017 (as adjusted to reflect changes during the period beginning on October 1, 2017, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor); and

''(ii) for purposes of the calculations under section 101(b), an amount equal to the greater of—

''(I) the amount distributed from the Bureau of Land Management Account within the Natural Resources Permanent Fund under section 300207(e)(2)(A) of title 36, United States Code; and

''(II) the total amount of all county payments for fiscal year 2017 (as adjusted to reflect changes during the period beginning on October 1, 2017, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor).'';

(6) in paragraph (12)—

(A) in subparagraph (A), by inserting ''containing Federal land described in paragraph (7)(A)'' after ''eligible county''; and

(B) in subparagraph (B), by inserting ''containing Federal land described in paragraph (7)(A)'' after ''eligible counties''; and

(7) by redesignating paragraphs (10) through (17) as paragraphs (9) through (16), respectively.

(b) PERMANENT AUTHORIZATION; SOURCE OF PAYMENT AMOUNTS.—

(1) CALCULATION OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) (as amended by section 41202(b)(1)) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking ''of fiscal years'' and all that follows through ''the Secretary of Agriculture'' and inserting ''fiscal year, the Secretary of Agriculture''; and

(B) in subsection (b), in the matter preceding paragraph (1), by striking ''of fiscal years'' and all that follows through ''the Secretary of the Interior'' and inserting ''fiscal year, the Secretary of the Interior''.

(2) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''through fiscal year 2023'' after ''second fiscal year thereafter''; and

(ii) by adding at the end the following:

''(E) FISCAL YEAR 2024 AND THEREAFTER.—For fiscal year 2024 and each fiscal year thereafter—

''(i) the election otherwise required by subparagraph (A) shall not apply; and

''(ii) each affected county shall receive payments in accordance with chapter 3002 of title 36, United States Code, unless the affected county elects to opt out of distributions under section 300207(e)(4)(A) of that title.'';

(B) in paragraph (2)(B), by striking ''through fiscal year 2015 and for each of fiscal years 2017 through 2020''; and

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

''(3) SOURCE OF PAYMENT AMOUNTS.—

''(A) IN GENERAL.—With respect to an eligible State or eligible county that has not elected to opt out of distributions under section 300207(e)(4)(A) of title 36, United States Code, the payment under this section for a fiscal year shall be derived from—

''(i) distributions to be paid under section 300207(e)(2)(A)(ii)(III)(aa) of title 36, United States Code; and

''(ii) to the extent that amounts made available under clause (i) are insufficient, any amounts that are appropriated to carry out this Act, to be distributed in accordance with section 300207(e)(2)(A)(ii)(III)(bb) of title 36, United States Code.

''(B) EXCEPTION.—An eligible State or eligible county that has elected to opt out of distributions under section 300207(e)(4)(A) of title 36, United States Code—

''(i) shall not receive any payment under this section; and

''(ii) may receive payments only under, as applicable—

''(I) the sixth paragraph under the heading 'FOREST SERVICE' in the Act of May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (commonly known as the 'Weeks Law') (36 Stat. 963, chapter 186; 16 U.S.C. 500);

''(II) subsection (a) of title II of the Act of August 28, 1937 (50 Stat. 875, chapter 876; 43 U.S.C. 2605); and

''(III) the first section of the Act of May 24, 1939 (53 Stat. 753, chapter 144; 43 U.S.C. 2621).''.

(3) NOTIFICATION OF ELECTION.—Section 102(d)(1) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(1)) is amended—

(A) in subparagraph (A), by striking ''subparagraph (D)'' and inserting ''subparagraphs (D) and (G)''; and

(B) by adding at the end the following:

''(G) FISCAL YEAR 2024 AND THEREAFTER.—For fiscal year 2024 and each fiscal year thereafter—

''(i) the allocation of funds required under subparagraph (A) shall not be required;

''(ii) of the amounts received for the fiscal year—

''(I) 85 percent shall be expended in the same manner in which the 25-percent payments or 50-percent payments, as applicable, are required to be expended; and

''(II) 15 percent shall be expended on county projects in accordance with title III; and

''(iii) the elections otherwise required by subparagraphs (B), (C), and (D), or considered to be made under paragraph (3)(B), as applicable, shall not apply or be required for payments made for the fiscal year.''.

(4) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) (as amended by section 41202(b)(2)) is amended—

(A) by striking ''and for each'' and inserting '', for each''; and

(B) by inserting '', and for fiscal year 2024 and each fiscal year thereafter'' before the period at the end.

(5) TERMINATION OF AUTHORITY.—Title III of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7141 et seq.) is amended by striking section 305 (as redesignated by section 41202(g)(1)).

(c) REPEAL OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) IN GENERAL.—Title II of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121 et seq.) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) Section 102(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)) is amended—

(i) in paragraph (1)—

(I) in subparagraph (B)—

(aa) by striking clause (i);

(bb) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(cc) in clause (ii) (as so redesignated), by striking ''clauses (i) and (ii)'' and inserting ''clause (i)'';

(II) in subparagraph (C)—

(aa) by striking clause (i);

(bb) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(cc) in clause (ii) (as so redesignated), by striking ''clauses (i) and (ii)'' and inserting ''clause (i)''; and

(III) in subparagraphs (E) and (F), by striking ''paragraph (3)(B)'' each place it appears and inserting ''paragraph (2)(B)'';

(ii) by striking paragraph (2);

(iii) by redesignating paragraph (3) as paragraph (2); and

(iv) in subparagraph (B)(ii) of paragraph (2) (as so redesignated), by inserting ''(as in effect on the day before the date of enactment of the Forest Management for Rural Stability Act)'' after ''204(a)(5)''.

(B) Section 302(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(b)) is amended—

(i) in paragraph (1), by striking ''; and'' at the end and inserting a period;

(ii) in the matter preceding paragraph (1), by striking ''shall—'' and all that follows through ''publish'' in paragraph (1) and inserting ''shall publish''; and

(iii) by striking paragraph (2).

(C) Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et seq.) is amended by striking section 403 (16 U.S.C. 7153) and inserting the following:

''SEC. 403. TREATMENT OF FUNDS.

''Funds made available under section 402 shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.''.

(D) Section 603(b)(1)(C)(ii)(II) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591b(b)(1)(C)(ii)(II)) is amended by inserting ''(as in effect on the day before the date of enactment of the Forest Management for Rural Stability Act'') before the period at the end.

(E) Section 4003(b)(2)(B)(ii) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(b)(2)(B)(ii)) is amended by striking ''500 note)'' and inserting ''7125) (as in effect on the day before the date of enactment of the Forest Management for Rural Stability Act)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection are effective on October 1, 2024.

(d) USE OF FUNDS.—Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) (as amended by section 41202(e)) is amended—

(1) in paragraph (2)(A), by striking ''on Federal land'';

(2) in paragraph (4), by striking ''and'' at the end;

(3) in paragraph (5)(B), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(6) for job training or job creation activities;

''(7) for projects approved by—

''(A) a resource advisory committee (as defined in section 300201 of title 36, United States Code); or

''(B) a forest collaborative;

''(8) for natural resource conservation projects;

''(9) for forest health treatments;

''(10) for economic development activities;

''(11) for transportation infrastructure projects on county road systems that serve Federal land;

''(12) to plan, develop, or carry out projects on Federal land that—

''(A) are consistent with applicable Federal laws (including regulations) and forest plans;

''(B) create private sector jobs, generate county revenue, or provide merchantable forest products; and

''(C) may include—

''(i) forest health treatments;

''(ii) implementation of work under a Master Stewardship Agreement;

''(iii) implementation of work under a good neighbor agreement (as defined in section 8206(a) of the Agricultural Act of 2014 (16 U.S.C. 2113a(a))); or

''(iv) forest road replacement, rehabilitation, or reconstruction; or

''(13) to provide or expand access to—

''(A) broadband telecommunications services at local schools; or

''(B) the technology and connectivity necessary for students to use a digital learning tool at or outside of a local school campus.''.

(e) CERTIFICATION.—Section 303 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7143) is amended—

(1) in subsection (a), by striking ''February 1'' and all that follows through ''Secretary concerned'' and inserting ''February 1 of each calendar year beginning after a calendar year during which not less than $35,000 of county funds were expended by a participating county, the appropriate official of the participating county shall submit to the Forest and Refuge County Foundation established by section 300202 of title 36, United States Code,''; and

(2) in subsection (b)—

(A) by striking ''Secretary concerned shall'' and inserting ''Forest and Refuge County Foundation shall''; and

(B) by striking ''Secretary concerned determines'' and inserting ''Foundation determines''.

(f) FUNDING.—Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et seq.) is amended by striking section 402 (16 U.S.C. 7152) and inserting the following:

''SEC. 402. FUNDING.

''(a) IN GENERAL.—On October 1 of each fiscal year, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary concerned such sums as are necessary to carry out this Act, to remain available until expended.

''(b) RECEIPT AND ACCEPTANCE.—The Secretary concerned shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subsection (a), without further appropriation.''.

SEC. 71205. TIMELINE FOR RESOURCE ADVISORY COMMITTEE EXPENDITURES.

(a) DEFINITIONS.—In this section:

(1) PARTICIPATING COUNTY; PROJECT FUNDS.—The terms ''participating county'' and ''project funds'' have the meanings given those terms in section 201 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121) (as in effect on the day before the date of enactment of this Act).

(2) RESOURCE ADVISORY COMMITTEE.—The term ''resource advisory committee'' means a resource advisory committee (as defined in section 201 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7121) (as in effect on the day before the date of enactment of this Act)).

(3) SECRETARY CONCERNED.—The term ''Secretary concerned'' has the meaning given the term in section 3 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102).

(b) TIMELINE.—Notwithstanding any other provision of law, if a resource advisory committee has any unobligated project funds available on the date described in section 207(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7127(a)) (as in effect on the day before the date of enactment of this Act), those project funds—

(1) shall remain available for obligation until the date that is 2 years after the date on which the resource advisory committee has a quorum; and

(2) shall not be obligated except in accordance with a project proposal that—

(A) is submitted by the resource advisory committee to the Secretary concerned in accordance with section 203 of that Act (16 U.S.C. 7123) (as in effect on the day before the date of enactment of this Act); and

(B) is approved by the Secretary concerned in accordance with section 204 of that Act (16 U.S.C. 7124) (as in effect on the day before the date of enactment of this Act).

(c) RETURN OF UNOBLIGATED FUNDS.—Any project funds that remain unobligated after the date that is 2 years after the date on which the applicable resource advisory committee has a quorum shall be returned to the Treasury of the United States.

SEC. 71206. FUNDING FOR REFUGE REVENUE SHARING ACT.

(a) SOURCE OF PAYMENTS TO COUNTIES.—Section 401(c) of the Act of June 15, 1935 (commonly known as the ''Refuge Revenue Sharing Act'') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), is amended adding at the end the following:

''(6) SOURCE OF PAYMENTS TO COUNTIES.—Notwithstanding any other provision of this section, for fiscal year 2024 and each fiscal year thereafter, with respect to counties that have not elected to opt out of distributions under section 300207(e)(4)(A) of title 36, United States Code, instead of making the payments to the applicable counties required under paragraphs (1) and (2) from the fund, the payments shall be derived from—

''(A) distributions to be paid under section 300207(e)(2)(B)(ii)(III)(aa)(AA) of title 36, United States Code; and

''(B) to the extent that amounts made available under subparagraph (A) are insufficient, any amounts that are appropriated under subsection (d), to be distributed in accordance with section 300207(e)(2)(B)(ii)(III)(bb) of title 36, United States Code.''.

(b) FUNDING.—Section 401 of the Act of June 15, 1935 (commonly known as the ''Refuge Revenue Sharing Act'') (49 Stat. 383, chapter 261; 16 U.S.C. 715s), is amended by striking subsection (d) and inserting the following:

''(d) FUNDING FOR PAYMENTS.—

''(1) IN GENERAL.—On October 1 of each fiscal year, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary such sums as are necessary to make payments under paragraphs (1) and (2) of subsection (c) to counties, after taking into account—

''(A) amounts in the fund available for the payments for the fiscal year; and

''(B) amounts made available for payments from the National Resources Permanent Fund established by section 300207(a) of title 36, United States Code, for the fiscal year.

''(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.''.

SEC. 71207. EXEMPTION OF CERTAIN PAYMENTS FROM SEQUESTRATION.

(a) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting after ''Payments to Social Security Trust Funds (28–0404–0–1–651).'' the following:

''Payments to States and eligible counties from the National Resources Permanent Fund established by section 300207(a) of title 36, United States Code.''.

(b) APPLICABILITY.—The amendment made by this section shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

SEC. 71208. CALCULATION OF CERTAIN PAYMENTS UNDER THE PAYMENTS IN LIEU OF TAXES PROGRAM.

Section 6903(b) of title 31, United States Code, is amended by adding at the end the following:

''(3) For purposes of calculating payments under this subsection, a payment to a unit of general local government from the Natural Resources Permanent Fund established by section 300207(a) of title 36 shall be treated as follows:

''(A) Payments from the Forest Service Account established under section 300207(b)(1) of title 36 shall be treated as payments made pursuant to the sixth paragraph under the heading 'FOREST SERVICE' in the Act of May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (commonly known as the 'Weeks Law') (36 Stat. 963, chapter 186; 16 U.S.C. 500).

''(B) Payments made from the Bureau of Land Management Account established under section 300207(b)(2) of title 36 shall be treated as payments made pursuant to subsection (a) of title II of the Act of August 28, 1937 (50 Stat. 875, chapter 876; 43 U.S.C. 2605).

''(C) Payments made from the United States Fish and Wildlife Account established under section 300207(b)(3) of title 36 shall be treated the same as payments made pursuant to section 401(c)(2) of the Act of June 15, 1935 (commonly known as the 'Refuge Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)(2)).''.

SA 2509. Mr. BOOKER (for himself, Mr. CARPER, 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:

At the end of the amendment, add the following:

DIVISION ____—ENVIRONMENTAL JUSTICE GRANT PROGRAMS

SEC. ___. ENVIRONMENTAL JUSTICE GRANT PROGRAMS.

(a) ENVIRONMENTAL JUSTICE GRANTS.—The Administrator of the Environmental Protection Agency is authorized to carry out—

(1) the Environmental Justice Small Grants Program and the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program, as those programs are in existence on the date of enactment of this Act; and

(2) the Community Action for a Renewed Environment grant programs I and II, as in existence on January 1, 2012.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the programs described in subsection (a)—

(1) $50,000,000 for fiscal year 2022; and

(2) such sums as may be necessary for each fiscal year thereafter.

SA 2510. 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:

Strike section 11315 of division A.
Strike section 11317 of division A.
Strike section 11318 of division A.
Strike section 40206 of division D.
Strike section 40806 of division D.
Strike section 40807 of division D.

SA 2511. Mr. BLUMENTHAL (for himself, Mr. MARKEY, Mr. MURPHY, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Ms. WARREN, and 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 2672, line 10, strike ''$6,000,000,000'' and insert ''$16,000,000,000''.
On page 2672, line 13, strike ''$1,200,000,000''and insert ''$3,200,000,000''.
On page 2672, line 15, strike ''$1,200,000,000''and insert ''$3,200,000,000''.
On page 2672, line 16, strike ''$1,200,000,000''and insert ''$3,200,000,000''.
On page 2672, line 18, strike ''$1,200,000,000''and insert ''$3,200,000,000''.
On page 2672, line 20, strike ''$1,200,000,000''and insert ''$3,200,000,000''.
On page 2681, line 5, strike ''$36,000,000,000'' and insert ''$56,000,000,000''.
On page 2681, line 7, strike ''$7,200,000,000'' and insert ''$11,200,000,000''.
On page 2681, line 9, strike ''$7,200,000,000'' and insert ''$11,200,000,000''.
On page 2681, line 11, strike ''$7,200,000,000'' and insert ''$11,200,000,000''.
On page 2681, line 12, strike ''$7,200,000,000'' and insert ''$11,200,000,000''.
On page 2681, line 14, strike ''$7,200,000,000'' and insert ''$11,200,000,000''.
On page 2681, line 18, strike ''$24,000,000,000'' and insert ''$44,000,000,000''.

SA 2512. Mr. MERKLEY (for himself 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 end of subtitle A of title I of division A, add the following:

SEC. 111_____. FEDERAL GRANTS FOR PEDESTRIAN AND BIKE SAFETY IMPROVEMENTS.

(a) DEFINITIONS.—In this section:

(1) COVERED PUBLIC AUTHORITY.—The term ''covered public authority'' means a public authority with jurisdiction over a toll facility located within—

(A) a National Scenic Area; and

(B) the National Trail System.

(2) NATIONAL SCENIC AREA.—The term ''National Scenic Area'' means an area of the National Forest System federally designated as a National Scenic Area in recognition of the outstanding natural, scenic, and recreational values of the area.

(3) NATIONAL TRAIL SYSTEM.—The term ''National Trail System'' means an area described in section 3 of the National Trails System Act (16 U.S.C. 1242).

(4) PUBLIC AUTHORITY; TOLL FACILITY.—The terms ''public authority'' and ''toll facility'' have the meanings such terms would have if such terms were included in chapter 1 of title 23, United States Code.

(b) EXEMPTION FROM CERTAIN REQUIREMENTS.—Notwithstanding any provision of title 23, United States Code, or any regulation issued by the Secretary, section 129(a)(3) of that title shall not apply to a covered public authority that receives funding under that title for pedestrian and bike safety improvements.

(c) NO TOLL.—A covered public authority may not charge a toll, fee, or other levy for the use of an improvement described in subsection (b).

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—A covered public authority shall be eligible for an exemption under subsection (b) during the 10-year period beginning on the date of enactment of this Act.

(2) APPLICABILITY OF EXEMPTION.—Any exemption granted under section this shall remain in effect after the effective date described in paragraph (1).

SA 2513. 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 1663, line 7, strike ''**ELECTRIC VEHICLES**'' and insert ''**AUTOMOBILES**''.

On page 1663, lines 11 and 12, strike ''electric vehicles'' and insert ''internal combustion engine vehicles, including oil exploration and drilling''.

SA 2514. Mr. MERKLEY (for himself 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:

In paragraph (1) of the matter under the heading ''STATE AND TRIBAL ASSISTANCE GRANTS'' under the heading ''ENVIRONMENTAL PROTECTION AGENCY'' in title VI of division J, strike the second and third provisos and insert ''*Provided further*, That funds provided under this paragraph in this Act shall not be subject to the matching or cost share requirements of sections 602(b)(2), 602(b)(3), or 202 of the Federal Water Pollution Control Act: *Provided further*, That, notwithstanding the requirements of section 603(d) of the Federal Water Pollution Control Act, for the funds provided under this paragraph in this Act, each State shall use not less than 50 percent of the amount of its capitalization grants to provide additional subsidization to eligible recipients in the form

of assistance agreements with 100 percent forgiveness of principal or grants, or any combination of these:''.

In paragraph (2) of the matter under the heading ''STATE AND TRIBAL ASSISTANCE GRANTS'' under the heading ''ENVIRONMENTAL PROTECTION AGENCY'' in title VI of division J, strike the second and third provisos and insert ''*Provided further*, That funds provided under this paragraph in this Act shall not be subject to the matching or cost share requirements of section 1452(e) of the Safe Drinking Water Act: *Provided further*, That, notwithstanding the requirements of section 1452(f) of the Safe Drinking Water Act, for the funds provided under this paragraph in this Act, each State shall use not less than 50 percent of the amount of its capitalization grants to provide additional subsidization to eligible recipients in the form of assistance agreements with 100 percent forgiveness of principal or grants, or any combination of these:''.

In paragraph (3) of the matter under the heading ''STATE AND TRIBAL ASSISTANCE GRANTS'' under the heading ''ENVIRONMENTAL PROTECTION AGENCY'' in title VI of division J, strike the third proviso and insert ''*Provided further*, That funds provided under this paragraph in this Act deposited into Drinking Water State Revolving Funds shall be provided to eligible recipients as assistance agreements with 100 percent principal forgiveness or as grants (or a combination of these):''.

SA 2515. Mr. MERKLEY (for himself and Ms. MURKOWSKI) 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 2585, line 6, strike ''three'' and insert ''four''.

On page 2587, line 3, strike ''three'' and insert ''four''.

On page 2589, line 2, strike ''three'' and insert ''four''.

On page 2590, line 15, strike ''three'' and insert ''four''.

On page 2592, line 6, strike ''three'' and insert ''four''.

On page 2597, line 4, strike ''three'' and insert ''five''.

On page 2616, line 24, insert ''Federal'' before ''salaries,''.

SA 2516. Mr. COONS (for himself, Mr. SCOTT of South Carolina, Mr. WARNOCK, Mr. TILLIS, Mr. BOOKER, and 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 end of division A, add the following:

TITLE V—IGNITE HBCU EXCELLENCE ACT

SEC. 15001. SHORT TITLE.

This title may be cited as the ''Institutional Grants for New Infrastructure, Technology, and Education for HBCU Excellence Act'' or the ''IGNITE HBCU Excellence Act''.

SEC. 15002. GRANTS FOR THE LONG-TERM IMPROVEMENT OF HBCUS.

(a) IN GENERAL.—The Secretary shall award grants to eligible entities, on a competitive basis, to support long-term improvements to the facilities of such entities in accordance with this title.

(b) APPLICATION.—To be considered for a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

(1) to the extent possible, the information necessary for the Secretary to make the determinations under subsection (c);

(2) a description of the projects that such eligible entity plans to carry out with the grant, and how such projects will advance the long-term goals of the entity; and

(3) an explanation of how such projects will reduce risks to the health, welfare, and safety of students, staff, administrators, faculty, researchers, and guests at such eligible entity.

(c) PRIORITY.—In awarding grants under this section, the Secretary—

(1) shall give priority to eligible entities that—

(A) demonstrate the greatest need to improve campus facilities, as determined by a comparison of factors identified by the Secretary, which may include—

(i) consideration of threats posed by the proximity of such facilities to toxic sites;

(ii) the vulnerability of such facilities to natural disasters and environmental risks;

(iii) the median age of such facilities, including the facilities that such eligible entities will use grant funds to improve;

(iv) the extent to which student enrollment exceeds physical and instructional capacity;

(v) the condition of major systems in such facilities such as heating, ventilation, air conditioning, electrical, water, and sewer systems;

(vi) the condition of roofs, windows, and doors of such facilities;

(vii) other critical health and safety conditions;

(viii) the number and condition of facilities in significant disrepair; and

(ix) the total amount of deferred maintenance of such facilities;

(B) demonstrate the most limited capacity to raise funds for the long-term improvement of campus facilities, as determined by an assessment of—

(i) the current and historic ability of the eligible entity to raise funds for construction, renovation, modernization, and major repair projects for campus;

(ii) whether the eligible entity has been able to issue bonds or receive other funds to support school construction projects; and

(iii) the bond rating of the eligible entity;

(C) enroll the highest percentages of students who are eligible to receive a Federal Pell Grant under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.), and whose families qualify for other Federal need-based aid;

(D) are public institutions facing declining State support or investment; or

(E) demonstrate an effort to seek support from public and private entities for projects carried out with a grant awarded under this title; and

(2) may give priority to eligible entities—

(A) that lack access to high-speed broadband and will use the grant funds to improve access to high-speed broadband sufficient to support digital learning in accordance with section 15003(a)(6); or

(B) at which the highest degree that is predominantly awarded to students is an associate's degree.

(d) GEOGRAPHIC DISTRIBUTION.—The Secretary shall ensure that grants under this section are awarded to eligible entities in a manner that reflects the geographic distribution of such entities in the United States.

(e) TECHNICAL ASSISTANCE.—The Secretary, directly or by grant or contract, may provide technical assistance to eligible entities to prepare the entities to qualify, apply for, and maintain a grant, under this title.

(f) RELATIONSHIP TO HBCU CAPITAL FINANCING PROGRAM.—

(1) IN GENERAL.—The Secretary may take into consideration whether an eligible entity has received a loan under a loan agreement made under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.) when—

(A) reviewing grant applications under this section;

(B) determining priority under subsection (c); and

(C) determining the amount awarded for a grant under this title.

(2) PRIORITY.—With respect to paragraph (1)(B), the Secretary may—

(A) determine that an eligible entity should not receive priority under subsection (c) if such entity has received a loan under a loan agreement made under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.); and

(B) determine that an eligible entity should receive higher priority under subsection (c) if such entity has not received a loan under a loan agreement made under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.).

SEC. 15003. GRANT USES.

(a) PERMITTED USES.—Except as provided in subsection (b), an eligible entity that receives a grant under this title shall use such grant funds to carry out at least one of the following activities:

(1) Construct, modernize, renovate, or retrofit the campus facilities of such entity, which may include—

(A) providing for the improvement of existing, or the establishment of new, instructional program spaces, laboratories, or research facilities relating to fields of science, technology, engineering, the arts, mathematics, health, agriculture, education, medicine, law, and other disciplines;

(B) constructing or improving roads or other transportation infrastructure on campus, for which the eligible entity is responsible;

(C) establishing or improving the use of campus facilities for the purpose of community-based partnerships that provide students and community members with academic, health, career, and social services; and

(D) preserving facilities with historic significance, and facilities that house historic or cultural artifacts.

(2) Purchase or modernize vehicle fleets owned and operated by such entity that are used primarily for the purpose of facilitating campus accessibility and student academic activities.

(3) Carry out major repairs to the facilities or other physical plants of such entity, including deferred maintenance projects.

(4) Acquire and install academic and residential furniture, fixtures, and instructional research-related equipment and technology in the campus facilities of such entity.

(5) For the purpose of facilitating the construction of new campus facilities funded with a grant under this title—

(A) purchase or otherwise acquire title to land to serve as a permanent site for such facilities; and

(B) to the extent that other public or private funds are insufficient—

(i) prepare land for the construction of such facilities; and

(ii) pay other preconstruction costs relating to the development of such facilities.

(6) Install or extend the life and usability of basic systems and components of campus facilities, which may include—

(A) high-speed broadband internet infrastructure sufficient to support digital and technology-based learning;

(B) high-capacity, middle-mile broadband networks, and campus-wide broadband networks, including 5G and future network generations;

(C) fiber, cyber, and telecommunications infrastructure, including small cells;

(D) heating, ventilation, and air conditioning (HVAC) or other indoor air quality systems;

(E) support for last-mile service for rural campuses when other means of providing this support is unavailable; and

(F) other infrastructure to support the success of operations and other digital and technology needs.

(7) Strengthen the safety and security of the campus of such entity by improving or utilizing design elements, principles, and technology that—

(A) guarantee layers of security throughout the such campus; and

(B) uphold the function of such campus as a learning and teaching environment.

(8) Reduce current or anticipated overcrowding in the campus facilities.

(9) Ensure that the building envelopes of the campus facilities—

(A) protect occupants and interiors of such facilities from natural elements; and

(B) are structurally sound and secure.

(10) Improve energy and water efficiency to lower the costs of energy and water consumption in campus facilities.

(11) With respect to campus facilities, reduce or eliminate the presence of—

(A) toxins and chemicals, including mercury, radon, polychlorinated biphenyls, lead, and asbestos;

(B) mold and mildew;

(C) rodents and pests; or

(D) biological, radiological, and other waste related to research.

(12) Ensure the safety of drinking water at the tap and water used for meal preparation in campus facilities, which may include testing of the potability of water at the tap for the presence of lead and other contaminants.

(13) Bring campus facilities into compliance with applicable fire, health, and safety codes and regulations.

(14) Make existing campus facilities accessible to individuals with disabilities through compliance with—

(A) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

(B) section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

(b) PROHIBITED USES.—An eligible entity that receives a grant under this title may not use such grant funds for—

(1) payment of routine and predictable maintenance costs, minor repairs, and utility bills;

(2) any facility that is—

(A) primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public;

(B) primarily used for or associated with sectarian instruction or religious worship; or

(3) the purchase or support of any communications equipment or service (as defined in section 9 of the Secure and Trusted Networks Act of 2019 (47 U.S.C. 1608)) that poses a risk to national security.

(c) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use a grant received under this title only to supplement the level of Federal, State, and local public funds that would, in the absence of such grant, be made available for the activities supported by the grant, and not to supplant such funds.

(d) ENCOURAGING PARTNERSHIPS.—The Secretary shall encourage partnerships between eligible entities and public and private entities to—

(1) provide additional funding; and

(2) assist in carrying out the activities under this title.

SEC. 15004. REQUIREMENTS FOR HAZARD-RESISTANCE AND ENERGY AND WATER CONSERVATION.

An eligible entity that receives a grant under this title shall ensure that any new construction, modernization, or renovation project carried out with such grant funds meets or exceeds the following requirements:

(1) Requirements for such projects set forth in the most recent published edition of a nationally recognized, consensus-based model building code.

(2) Requirements for such projects set forth in the most recent published edition of a nationally recognized, consensus-based model energy conservation code.

(3) Performance criteria under the WaterSense program, established under section 324B of the of the Energy Policy and Conservation Act (42 U.S.C. 6294b), applicable to such projects within a nationally recognized, consensus-based model code.

SEC. 15005. USE OF SMALL BUSINESS CONCERNS.

In carrying out projects funded with a grant under this title, an eligible entity shall seek to procure contracts from small business concerns owned and controlled by veterans (including service-disabled veterans), qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women.

SEC. 15006. RESERVATION FOR ADMINISTRATIVE AND OTHER ACTIVITIES.

(a) RESERVATION.—An eligible entity that receives a grant under this title may reserve a total of not more than five percent of the amount of such grant to—

(1) develop the facilities master plan required under subsection (b);

(2) carry out activities to—

(A) protect the health of students, staff, administrators, faculty, researchers, and guests during the construction or modernization of the campus facilities of such entity; and

(B) mitigate excessive noise caused by activities carried out under this title;

(3) pay personnel to carry out administrative work relating to the grant program; and

(4) pay other reasonable administrative costs associated with the grant program.

(b) FACILITIES MASTER PLAN.—

(1) IN GENERAL.—Not later than 180 days after receiving a grant under this title, an eligible entity shall submit to the Secretary a comprehensive 10-year facilities master plan.

(2) ELEMENTS.—The facilities master plan required under paragraph (1) shall include, with respect to the eligible entity submitting such plan, a description of—

(A) the extent to which the campus facilities—

(i) meet the educational needs of students; and

(ii) support the educational mission and vision of such entity;

(B) the physical condition of the campus facilities;

(C) the current health, safety, and environmental conditions of the campus facilities, including—

(i) indoor air quality;

(ii) the presence of hazardous and toxic substances and chemicals on or near such facilities;

(iii) the safety of drinking water at the tap and water used for meal preparation, including the level of lead and other contaminants in such water;

(iv) energy and water efficiency;

(v) excessive noise in academic spaces; and

(vi) other health, safety, and environmental conditions that would impact the health, safety, and learning ability of students;

(D) the actual and anticipated impact of current and future student enrollment levels (as of the date of application) on the design of current and future campus facilities, as well as the financial implications of such enrollment levels;

(E) the dollar amount and percentage of funds such entity will dedicate to capital construction projects, including—

(i) any funds in the budget of such entity that will be dedicated to such projects; and

(ii) any funds not in such budget that will be dedicated to such projects, including any funds available to the eligibility entity as the result of a bond issue or the Historically Black College and University Capital Financing Program under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.); and

(F) the dollar amount and percentage of funds such entity will dedicate to the maintenance and operation of campus facilities, including—

(i) any funds in the budget of such entity that will be dedicated to the maintenance and operation of such facilities; and

(ii) any funds not in the budget of such entity that will be dedicated to the maintenance and operation of such facilities.

(3) CONSULTATION.—In developing the facilities master plan, the eligible entity demonstrate that it conducted meaningful consultation with diverse stakeholders, which may include—

(A) staff and other institutional leaders;

(B) custodial and maintenance staff;

(C) emergency first responders;

(D) campus facilities directors;

(E) students and families;

(F) community residents, including those directly affected by actions undertaken as a result of utilizing grant funds;

(G) government entities;

(H) local charitable foundations;

(I) local employers;

(J) Indian Tribes, as applicable; and

(K) other such individuals and entities.

SEC. 15007. HBCU CAPITAL FINANCING LOAN DISBURSEMENT AND FORGIVENESS.

(a) IN GENERAL.—Each time an institution of higher education receives a disbursement of a loan amount under a covered closed loan agreement, the Secretary shall repay—

(1) the outstanding balance of principal, interest, fees, and costs on such loan amount (as of the date of such disbursement) under the covered closed loan agreement; and

(2) any reimbursement (including reimbursements of escrow and return of fees and deposits) relating to the covered closed loan agreement that are usual and customary when the loan is paid off by the institution.

(b) COVERED CLOSED LOAN AGREEMENT.—In this section, the term ''covered closed loan agreement'' means each of the following:

(1) A closed loan agreement—

(A) executed before the date of enactment of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(B) made under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.); and

(C) that provides for loan amounts that have not been disbursed as of the date of enactment of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(2) A closed loan agreement—

(A) authorized under section 3512 of the CARES Act (20 U.S.C. 1001 note); and

(B) made for the deferment of balances that have not been disbursed as of the date of enactment of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

SEC. 15008. REPORTS.

(a) DEPARTMENT OF EDUCATION REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this title, and annually thereafter, the Secretary shall submit to the appropriate congressional committees a report on the projects carried out with grant funds awarded under this title.

(2) ELEMENTS.—The report required under paragraph (1) shall include—

(A) with respect to projects carried out by eligible entities with grant funds awarded under this title, an assessment of—

(i) the types of such projects;

(ii) the square footage of the improvements made by such projects, disaggregated by—

(I) total square footage; and

(II) square footage per each eligible entity;

(iii) the total cost of each such project;

(iv) the cost described in clause (iii), disaggregated by the cost of—

(I) planning;

(II) design;

(III) construction;

(IV) site purchase; and

(V) improvements;

(v) the geographic distribution of such projects; and

(vi) the demographic composition of the student population served by such projects, disaggregated by—

(I) race and ethnicity; and

(II) the number and percentage of students enrolled at such entities who are eligible to receive a Federal Pell Grant under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.);

(B) an evaluation of a sample of grant recipients, selected by the Secretary taking into account size and geographic location of each grantee, to determine how such recipients are using the grant and the effectiveness of the activities carried out with the grant; and

(C) an analysis of compliance with the requirement in section 15003(c).

(b) COMPTROLLER GENERAL STUDY REPORT.—

(1) STUDY REQUIRED.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the implementation of the grant program under this title.

(2) ELEMENTS.—The study conducted under paragraph (1) shall include—

(A) an examination of program implementation challenges; and

(B) an assessment of whether any changes are needed to make grants under this title more accessible to eligible entities with fiscal challenges to help them raise capital for infrastructure projects.

(3) REPORT.—After the completion of the study under paragraph (1), the Comptroller General shall submit to the appropriate congressional committees a report on the results of the study, including any recommendations to the Secretary for improvements to the implementation of the grant program under this title.

SEC. 15009. DEFINITIONS.

In this title:

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

(A) a part B institution, as such term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)); or

(B) a Historically Black Graduate Professional School identified in section 326(e) of such Act (20 U.S.C. 1063b(e)).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(3) STATE.—The term ''State'' has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

SEC. 15010. EFFECTIVE DATE.

This title shall take effect on the date of enactment of this Act.

SEC. 15011. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title for each of fiscal years 2022 through 2027.

SA 2517. 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 40801 of division D and insert the following:

SEC. 40801. FOREST SERVICE LEGACY ROAD AND TRAIL REMEDIATION PROGRAM.

(a) ESTABLISHMENT.—Public Law 88–657 (16 U.S.C. 532 et seq.) (commonly known as the ''Forest Roads and Trails Act'') is amended by adding at the end the following:

''SEC. 8. FOREST SERVICE LEGACY ROAD AND TRAIL REMEDIATION PROGRAM.

''(a) ESTABLISHMENT.—The Secretary shall establish the Forest Service Legacy Road and Trail Remediation Program (referred to in this section as the 'Program').

''(b) ACTIVITIES.—In carrying out the Program, the Secretary shall, taking into account foreseeable changes in weather and hydrology—

''(1) restore passages for fish and other aquatic species by—

''(A) improving, repairing, or replacing culverts and other infrastructure; and

''(B) removing barriers, as the Secretary determines appropriate, from the passages;

''(2) prepare previously closed National Forest System roads for long-term storage, in accordance with subsections (c)(1) and (d), in a manner that—

''(A) prevents motor vehicle use, as appropriate to conform to route designations;

''(B) prevents the roads from damaging adjacent resources, including aquatic and wildlife resources;

''(C) reduces or eliminates the need for road maintenance; and

''(D) preserves the roads for future use;

''(3) decommission previously closed National Forest System roads and trails in accordance with subsections (c)(1) and (d);

''(4) relocate National Forest System roads and trails—

''(A) to increase resilience to extreme weather events, flooding, and other natural disasters; and

''(B) to respond to changing resource conditions and public input;

''(5) convert National Forest System roads to National Forest System trails, while allowing for continued use for motorized and nonmotorized recreation, to the extent the use is compatible with the management status of the road or trail;

''(6) decommission temporary roads—

''(A) that were constructed before the date of enactment of this section—

''(i) for emergency operations; or

''(ii) to facilitate a resource extraction project;

''(B) that were designated as a temporary road by the Secretary; and

''(C)(i) in violation of section 10(b) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1608(b)), on which vegetation cover has not been reestablished; or

''(ii) that have not been fully decommissioned; and

''(7) carry out projects on National Forest System roads, trails, and bridges to improve resilience to extreme weather events, flooding, or other natural disasters.

''(c) PROJECT SELECTION.—

''(1) PROJECT ELIGIBILITY.—

''(A) IN GENERAL.—The Secretary may only fund under the Program a project described in paragraph (2) or (3) of subsection (b) if the Secretary previously and separately—

''(i) solicited public comment for changing the management status of the applicable National Forest System road or trail—

''(I) to close the road or trail to access; and

''(II) to minimize impacts to natural resources; and

''(ii) has closed the road or trail to access as described in clause (i)(I).

''(B) REQUIREMENT.—Each project carried out under the Program shall be on a National Forest System road or trail, except with respect to a project carried out on a watershed for which the Secretary has entered into a cooperative agreement under section 323 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011a).

''(2) ANNUAL SELECTION OF PROJECTS FOR FUNDING.—The Secretary shall—

''(A) establish a process for annually selecting projects for funding under the Program, consistent with the requirements of this section;

''(B) solicit and consider public input regionally in the ranking of projects for funding under the Program;

''(C) give priority for funding under the Program to projects that would—

''(i) protect or improve water quality in public drinking water source areas;

''(ii) restore the habitat of a threatened, endangered, or sensitive fish or wildlife species; or

''(iii) maintain future access to the adjacent area for the public, contractors, permittees, or firefighters; and

''(D) publish on the website of the Forest Service—

''(i) the selection process established under subparagraph (A); and

''(ii) a list that includes a description and the proposed outcome of each project funded under the Program in each fiscal year.

''(d) IMPLEMENTATION.—In implementing the Program, the Secretary shall ensure that—

''(1) the system of roads and trails on the applicable unit of the National Forest System—

''(A) is adequate to meet any increasing demands for timber, recreation, and other uses;

''(B) provides for intensive use, protection, development, and management of the land under principles of multiple use and sustained yield of products and services;

''(C) does not damage, degrade, or impair adjacent resources, including aquatic and wildlife resources, to the extent practicable;

''(D) reflects long-term funding expectations; and

''(E) is adequate for supporting emergency operations, such as evacuation routes during wildfires, floods, and other natural disasters; and

''(2) all projects funded under the Program are consistent with any applicable forest plan or travel management plan.

''(e) SAVINGS CLAUSE.—A decision to fund a project under the Program shall not affect any determination made previously or to be made in the future by the Secretary with regard to road or trail closures.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Agriculture to carry out section 8 of Public Law 88–657 (commonly known as the ''Forest Roads and Trails Act'') $250,000,000 for the period of fiscal years 2022 through 2026.

SA 2518. Mr. CORNYN (for himself 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 division C, insert the following:

SEC. 300___. URBANIZED AREAS.

(a) EXTENSION OF TREATMENT OF URBANIZED AREAS.—Section 21101 of division B of the Bipartisan Budget Act of 2018 (Public Law 115–123; 132 Stat. 103) is amended by striking ''and 2020'' and inserting ''2020, 2021, and 2022''.

(b) CENSUS DISCRETION.—Section 5324 of title 49, United States Code (as amended by section 30011), is amended by adding at the end the following:

''(g) CENSUS DISCRETION.—

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

''(A) DISASTER-RELATED POPULATION DECREASE.—The term 'disaster-related population decrease', with respect to an urbanized area, means that—

''(i) the population of the urbanized area decreases to be less than 50,000 individuals, as determined in a decennial census after the decennial census in which the area was designated as an urbanized area; and

''(ii) the decrease described in clause (i) is a result of a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

''(B) URBANIZED AREA.—The term 'urbanized area' means an area designated in a decennial census as an urbanized area by the Secretary of Commerce.

''(2) ELECTION.—On request by the Governor of a State in which an urbanized area that experiences a disaster-related population decrease is located, the Secretary may elect for the purposes of this chapter, including for purposes of making apportionments under this chapter, to continue to treat the area as an urbanized area with the same population and land area as the area had in the most recent decennial census in which it was designated as an urbanized area by the Secretary of Commerce.''.

SA 2519. 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:

On page 231, line 3, insert '', including how the decision of the State to continue to accept Federal Pandemic Unemployment Compensation under section 2104 of the CARES Act (15 U.S.C. 9023) has impacted the workforce'' after ''State''.

SA 2520. 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:

On page 2126, strike lines 5 through 12 and insert the following:

(1) $10,000,000 for the award of grants under subsection (c)(3), which shall remain available until expended;

(2) for the award of grants under subsection (d)—

(A) $50,000,000 for fiscal year 2022; and

(B) $60,000,000 for each of fiscal years 2023 through 2026; and

On page 2143, line 6, strike ''$250,000,000'' and insert ''$60,000,000''.

Beginning on page 2471, strike line 20 and all that follows through page 2473, line 9, and insert the following:

DIGITAL EQUITY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Digital Equity'', $600,000,000, to remain available until expended, for competitive grants as authorized under sections 60304 and 60305 of division F of this Act: *Provided*, That of the amount provided under this heading in this Act—

(1) $120,000,000, to remain available until expended, shall be made available for fiscal year 2022, of which $10,000,000 is for the award of grants under section 60304 (c)(3) of division F of this Act, $50,000,000 is for the award of grants under section 60304(d) of division F of this Act, and $60,000,000 is for the award of grants under section 60305 of division F of this Act;

(2) $120,000,000, to remain available until expended, shall be made available for fiscal year 2023, of which $60,000,000 is for the award of grants under section 60304(d) of division F of this Act and $60,000,000 is for the award of grants under section 60305 of division F of this Act;

(3) $120,000,000, to remain available until expended, shall be made available for fiscal year 2024, of which $60,000,000 is for the award of grants under section 60304(d) of division F of this Act and $60,000,000 is for the award of grants under section 60305 of division F of this Act;

(4) $120,000,000, to remain available until expended, shall be made available for fiscal year 2025, of which $60,000,000 is for the award of grants under section 60304(d) of division F of this Act and $60,000,000 is for the award of grants under section 60305 of division F of this Act; and

(5) $120,000,000, to remain available until expended, shall be made available for fiscal year 2026, of which $60,000,000 is for the award of grants under section 60304(d) of division F of this Act and $60,000,000 is for the award of grants under section 60305 of division F of this Act:

SA 2521. 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:

After section 2, insert the following:

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—A provision described in subsection (b), including an amendment made by such provision, shall not take effect until the head of the relevant Federal agency certifies that the provision and the amendments made by that provision would not increase the reliance of the United States on foreign nations for critical resources, including cobalt, copper, nickel, lithium, manganese, or graphite.

(b) PROVISIONS DESCRIBED.—The provisions referred to in subsection (a) are the following:

(1) Section 11109.
(2) Section 11129.
(3) Section 11401.
(4) Section 11403.
(5) Section 25005.
(6) Section 25006.
(7) Section 40107.
(8) Section 40112.
(9) Section 40207.
(10) Section 40431.
(11) Any appropriations made available under division J for electric vehicles or electric vehicle charging infrastructure.

SA 2522. 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 end of subtitle E of title III of division D, add the following:

SEC. 403_____. KEYSTONE XL AUTHORIZATION.

(a) AUTHORIZATION.—TransCanada Keystone Pipeline, L.P., may construct, connect, operate, and maintain the pipeline facilities at the international border of the United States and Canada at Phillips County, Montana, for the import of oil from Canada to the United States described in the Presidential Permit of March 29, 2019 (84 Fed. Reg. 13101).

(b) NO PRESIDENTIAL PERMIT REQUIRED.—No Presidential permit (or similar permit) under Executive Order 13867 (3 U.S.C. 301 note; relating to the issuance of permits with respect to facilities and land transportation crossings at the international boundaries of the United States), Executive Order 12038 (42 U.S.C. 7151 note; relating to the transfer of certain functions to the Secretary of Energy), Executive Order 10485 (15 U.S.C. 717b note; relating to the performance of functions respecting electric power and

natural gas facilities located on United States borders), or any other Executive order shall be required for the construction, connection, operation, or maintenance of the pipeline facilities described in subsection (a).

SA 2523. 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:

On page 2149, lines 11 and 12, strike ''sex, gender identity, sexual orientation,''.

SA 2524. 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 division I, insert the following:

SEC. ___. RESTRICTIONS ON THE USE OF FUNDING.

Notwithstanding any other provision of law, none of the funds made available by this Act, including any amendments made by this Act, may be used to issue vaccine passports, vaccines passes, or other standardized documentation for the purpose of certifying an individual's COVID–19 vaccination status to a third party, or to otherwise publish or share any individual's COVID–19 vaccination record or similar health information.

SA 2525. 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:

Strike section 40105 of division D.

SA 2526. 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 end of section 90007, add the following:

(i) SHUTTERED VENUE OPERATOR GRANTS.—All unobligated balances from amounts made available under the heading ''Small Business Administration—Shuttered Venue Operators'' and under section 5005(a) of the American Rescue Plan Act (Public Law 117–2) to carry out 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) are permanently rescinded.

SA 2527. Ms. WARREN (for herself, Ms. HIRONO, Ms. KLOBUCHAR, Mr. MARKEY, Ms. SMITH, Ms. ROSEN, Ms. CORTEZ MASTO, Mr. WYDEN, Mr. BOOKER, Ms. BALDWIN, Mr. SCHATZ, 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 appropriate place in division F, insert the following:

SEC. ___. ESTABLISHMENT OF NEW 2.5 GHZ TRIBAL PRIORITY WINDOW.

(a) COMMISSION DEFINED.—In this section, the term ''Commission'' means the Federal Communications Commission.

(b) NEW TRIBAL PRIORITY WINDOW.—The Commission shall—

(1) not later than 30 days after the date of enactment of this Act, establish a new Tribal priority window for the 2.5 gigahertz band, under the same terms and conditions as the Tribal priority window established in the Report and Order in the matter of Transforming the 2.5 GHz Band adopted by the Commission on July 10, 2019 (FCC 19–62), for any portions of the band—

(A) that remain available for assignment in accordance with that Report and Order; and

(B) for which the Commission did not receive an application during the Tribal priority window established in that Report and Order; and

(2) accept applications in the new window established under paragraph (1) during the period that—

(A) begins on the date on which the window is established; and

(B) ends on the date that is 180 days after the date on which the window is established, or such later date as the Commission considers appropriate.

(c) EXCEPTION FROM CERTAIN PROCEDURAL REQUIREMENTS.—To the extent that the Commission determines that section 553 of title 5, United States Code, chapter 6 of that title (commonly known as the ''Regulatory Flexibility Act''), subchapter I of chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), or any other provision of law would prevent the Commission from establishing the new Tribal priority window by the date required under paragraph (1) of subsection (b) or from beginning to accept applications in that window as required under paragraph (2)(A) of that subsection, that provision shall not apply to any action taken by the Commission, or any rule or order issued by the Commission, to establish that window or to begin accepting applications in that window (as the case may be).

SA 2528. 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 2593, line 21, insert ''*Provided further*, That the limitation in the preceding proviso shall not apply to amounts made available under this paragraph in this Act that the Environmental Protection Agency provides as grants or contracts to external entities that provide technical assistance, outreach, and engagement:'' after ''administration:''.

SA 2529. 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 1461, lines 23 and 24, strike ''**AND RECYCLING**''.

Beginning on page 1462, strike line 3 and all that follows through page 1463, line 18 and insert the following:

(A) property designed to be used to produce energy from the sun, water, wind, geothermal or hydrothermal (as those terms are defined in section 612 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17191)) resources, or enhanced geothermal systems (as defined in that section);

(B) fuel cells, microturbines, or energy storage systems and components;

(C) electric grid modernization equipment or components;

(D) property designed to produce energy conservation technologies (including for residential, commercial, and industrial applications);

(E)(i) light-, medium-, or heavy-duty electric or fuel cell vehicles, electric or fuel cell locomotives, electric or fuel cell maritime vessels, or electric or fuel cell planes;

(ii) technologies, components, and materials of those vehicles, locomotives, maritime vessels, or planes; and

(iii) charging or refueling infrastructure associated with those vehicles, locomotives, maritime vessels, or planes; and

(F)(i) hybrid vehicles with a gross vehicle weight rating of not less than 14,000 pounds; and

(ii) technologies, components, and materials for those vehicles.

On page 1465, lines 2 and 3, strike ''or recycling facility for the production or recycling, as applicable,'' and inserting ''facility for the production''.

On page 1465, strike lines 12 through 21 and insert the following:

(I) low- or zero-carbon process heat systems;

(II) technology relating to energy efficiency in industrial processes; or

(III) any other industrial technology that significantly reduces greenhouse gas emissions, as determined by the Secretary;

SA 2530. Mr. BROWN (for himself, Mr. CASSIDY, and Mr. CASEY) 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. NEGOTIATIONS WITH RESPECT TO IMPORTATION OF GRAIN-ORIENTED ELECTRICAL STEEL FOR USE IN THE PRODUCTION OF ELECTRIC GRID TRANSFORMERS.

(a) IN GENERAL.—The United States Trade Representative shall immediately seek to enter into negotiations with Canada and Mexico to ensure that—

(1) the national security of the United States is not impaired by the importation into the United States of grain-oriented electrical steel in the form of core parts, cores, or laminations for use in the production of electric grid transformers; and

(2) Canada and Mexico are not being used as pass-through countries for other countries engaged in the dumping (as defined in section 771 of the Tariff Act of 1930 (19 U.S.C. 1677)) of such steel.

(b) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until the date described in paragraph (2), the Trade Representative shall submit to Congress a report on the status of the negotiations described in subsection (a).

(2) DATE DESCRIBED.—The date described in this paragraph is the date on which the President certifies to Congress that Canada and Mexico have agreed to measures that will prevent the importation in the United States of grain-oriented electrical steel in the form of core parts, cores, or laminations from impairing the national security of the United States.

SA 2531. Mr. CRUZ (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:

In section 11104, strike subsection (c) and insert the following:

(c) ADJUSTMENTS TO CERTAIN STATE APPORTIONMENT AMOUNTS.—Section 104 of title 23, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) CALCULATION OF AMOUNTS.—

''(1) STATE SHARE.—For fiscal year 2022 and each fiscal year thereafter, the amount for each State of combined apportionments for the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national highway freight program under section 167, the carbon reduction program under section 175, to carry out subsection (c) of the PROTECT program under section 176, and to carry out section 134 shall be determined as follows:

''(A) INITIAL AMOUNT.—The initial amount for each State shall be determined by multiplying the total amount available for apportionment by the share for each State, which shall be equal to the proportion that—

''(i) the amount of apportionments that the State received for fiscal year 2012; bears to

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

''(B) ADJUSTMENTS TO AMOUNTS.—

''(i) IN GENERAL.—The initial amounts resulting from the calculation under subparagraph (A) shall be adjusted to ensure that, for each State, the amount of combined apportionments for the programs shall not be less than an amount equal to—

''(I) 95 percent of the applicable percentage; multiplied by

''(II) the total amount of funds available for apportionment.

''(ii) APPLICABLE PERCENTAGE.—For purposes of this subparagraph, the applicable percentage shall be an amount, expressed as a percentage, equal to the quotient of—

''(I) the estimated tax payments attributable to highway users in the State that were paid into the Highway Trust Fund (other than the Mass Transit Account) for the most recent fiscal year for which data are available; divided by

''(II) the estimated total tax payments attributable to users in all States that were paid into the Highway Trust Fund (other than the Mass Transit Account) for that fiscal year.

''(2) STATE APPORTIONMENT.—On October 1 of each fiscal year described in paragraph (1), the Secretary shall apportion the sum authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation block grant program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national highway freight program under section 167, the carbon reduction program under section 175, to carry out subsection (c) of the PROTECT program under section 176, and to carry out section 134 in accordance with paragraph (1).''.

SA 2532. Ms. HASSAN (for herself 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 appropriate place, insert the following:

SEC. _____. SAVING FEDERAL FUNDS BY AUTHORIZING CHANGES TO THE COMPOSITION OF CIRCULATING COINS.

(a) IN GENERAL.—Section 5112 of title 31, United States Code, is amended by adding at the end the following:

''(bb) COMPOSITION OF CIRCULATING COINS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, and subject to the other provisions of this subsection, the Director of the United States Mint (referred to in this subsection as the 'Director'), in consultation with the Secretary, may modify the metallic composition of circulating coins to a new metallic composition (including by prescribing reasonable manufacturing tolerances with respect to those coins) if a study and analysis conducted by the United States Mint, including solicitation of input, including input on acceptor tolerances and requirements, from industry stakeholders who could be affected by changes in the composition of circulating coins, indicates that the modification will—

''(A) reduce costs incurred by the taxpayers of the United States;

''(B) be seamless, which shall mean the same diameter and weight as United States coinage being minted on the date of enactment of this subsection and that the coins will work interchangeably in most coin acceptors using electromagnetic signature technology; and

''(C) have as minimal an adverse impact as possible on the public and stakeholders.

''(2) NOTIFICATION TO CONGRESS.—On the date that is at least 90 legislative days before the date on which the Director begins making a modification described in paragraph (1), the Director shall submit to Congress notice that—

''(A) provides a justification for the modification, including the support for that modification in the study and analysis required under paragraph (1) with respect to the modification;

''(B) describes how the modification will reduce costs incurred by the taxpayers of the United States;

''(C) certifies that the modification will be seamless, as described in paragraph (1)(B); and

''(D) certifies that the modification will have as minimal an adverse impact as possible on the public and stakeholders.

''(3) CONGRESSIONAL AUTHORITY.—The Director may begin making a modification proposed under this subsection not earlier than the date that is 90 legislative days after the date on which the Director submits to Congress the notice required under paragraph (2) with respect to that modification, unless Congress, during the period of 90 legislative days beginning on the date on which the Director submits that notice—

''(A) finds that the modification is not justified in light of the information contained in that notice; and

''(B) enacts a joint resolution of disapproval of the proposed modification.

''(4) PROCEDURES.—For purpose of paragraph (3)—

''(A) a joint resolution of disapproval is a joint resolution the matter after the resolving clause of which is as follows: 'That Congress disapproves the modification submitted by the Director of the United States Mint.'; and

''(B) the procedural rules in the House of Representatives and the Senate for a joint resolution of disapproval described in that paragraph shall be the same as provided for a joint resolution of disapproval under chapter 8 of title 5.''.

(b) DETERMINATION OF BUDGETARY EFFECTS.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this section, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SA 2533. Mr. PETERS (for himself and Mr. LUJÁN) 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 of title IV of division B, add at the end the following:

(f) SHORT TITLE.—This section may be cited as the ''Honoring Abbas Family Legacy to Terminate Drunk Driving Act'' or the ''HALT Drunk Driving Act''.

SA 2534. Mr. SCOTT of South Carolina 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 96, line 23, strike ''and'' at the end.

On page 97, strike line 3 and insert the following:

State has been awarded a grant under this section; and

''(7) prioritizing projects on high priority corridors designated under section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2032; 133 Stat. 3018).'';

SA 2535. Mr. SHELBY (for himself, Mr. WICKER, Mr. INHOFE, Mr. ROUNDS, 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:

At the end of division J, add the following:

TITLE X

DEPARTMENT OF DEFENSE

GENERAL PROVISIONS—INFRASTRUCTURE FUNDING

REDUCTION OF BACKLOG OF FACILITY INFRASTRUCTURE PROJECTS

SEC. 1001. For an additional amount for ''Defense Infrastructure Fund'', $4,000,000,000, of which $1,300,000,000 shall be for each of the Departments of the Army, the Navy, and the Air Force, and $100,000,000 shall be for the Defense Health Agency, to remain available until September 30, 2026, to reduce the backlog of facility infrastructure maintenance projects of the Department of Defense: *Provided*, That any project carried out with amounts provided in this section shall comply with the requirements under section 2811 of title 10, United States Code: *Provided further*, That such amount is designated by 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 (2 U.S.C. 901(b)).

MODERNIZATION OF TEST AND TRAINING RANGES OF DEPARTMENT OF DEFENSE

SEC. 1002. For an additional amount for ''Defense Infrastructure Fund'', $4,000,000,000, to remain available until September 30, 2032, to modernize the test and training ranges of the Department of Defense, including projects included in the report required under section 2806 of the Military Construction Authorization Act for Fiscal Year 2018 (Division B of Public Law 115–91; 10 U.S.C. 222a note) for test and evaluation activities: *Provided*, That such amount is designated by 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 (2 U.S.C. 901(b)).

REMEDIATION OF PERFLUORALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES

SEC. 1003. For an additional amount for ''Defense Infrastructure Fund'', $1,500,000,000, to remain available until September 30, 2026, to remediate perfluoralkyl substances and polyfluoroalkyl substances at installations owned by the Department of Defense: *Provided*, That such amount is designated by 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 (2 U.S.C. 901(b)).

HIGH-PRIORITY MILITARY CONSTRUCTION REQUIREMENTS

SEC. 1004. For an additional amount for ''Defense Infrastructure Fund'', $2,000,000,000, to remain available until September 30, 2026, to meet high-priority military construction requirements: *Provided*, That such amount is designated by 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 (2 U.S.C. 901(b)).

DEPOT MODERNIZATION

SEC. 1005. For an additional amount for ''Defense Infrastructure Fund'', $4,500,000,000, to remain available until September 30, 2032, for depot modernization: *Provided*, That such amount is designated by 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 (2 U.S.C. 901(b)).

AMMUNITION PLANT MODERNIZATION

SEC. 1006. For an additional amount for ''Defense Infrastructure Fund'', $2,500,000,000, to remain available until September 30, 2026, to modernize ammunition plants: *Provided*, That such amount is designated by 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 (2 U.S.C. 901(b)).

FIFTH-GENERATION WIRELESS NETWORKING TECHNOLOGIES

SEC. 1007. For an additional amount for ''Defense Infrastructure Fund'', $2,500,000,000, to remain available until September 30, 2026, to provide fifth-generation wireless networking technologies to installations owned by the Department of Defense: *Provided*, That such amount is designated by 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 (2 U.S.C. 901(b)).

NAVY AND COAST GUARD SHIPYARD INFRASTRUCTURE IMPROVEMENT

SEC. 1008. (a) APPROPRIATION.—

(1) IN GENERAL.—For an additional amount for ''Defense Infrastructure Fund'', $25,350,000,000, to remain available until expended, to improve, in accordance with subsection (b), the Navy and Coast Guard shipyard infrastructure of the United States.

(2) SUPPLEMENT NOT SUPPLANT.—Amounts appropriated under paragraph (1) shall supplement and not supplant other amounts appropriated or otherwise made available for the purpose described in paragraph (1).

(3) EMERGENCY DESIGNATION.—The amount appropriated under paragraph (1) is designated by 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 (2 U.S.C. 901(b)).

(b) USE OF FUNDS.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of Defense shall make the amounts appropriated under subsection (a) directly available to the Secretary of the Navy and the Secretary of Homeland Security for obligation and expenditure in accordance with paragraph (2).

(2) ALLOCATION OF FUNDS.—The amounts appropriated under subsection (a) shall be allocated as follows:

(A) $21,000,000,000 for Navy public shipyard facilities, dock, dry dock, capital equipment improvements, and dredging efforts needed by such shipyards.

(B) $2,000,000,000 for Navy private new construction shipyard facilities, dock, dry dock, capital equipment improvements, and dredging efforts needed by such shipyards.

(C) $2,000,000,000 for Navy private repair shipyard facilities, dock, dry dock, capital equipment improvements, and dredging efforts needed by such shipyards.

(D) $350,000,000, which shall be transferred to the Department of Homeland Security, for Coast Guard Yard facilities, dock, dry dock, capital equipment improvements, and dredging efforts needed by the shipyard.

(3) PROJECTS IN ADDITION TO OTHER CONSTRUCTION PROJECTS.—Construction projects undertaken using amounts appropriated under subsection (a) shall be in addition to and separate from any military construction program authorized by any Act to authorize appropriations for a fiscal year for military activities of the Department of Defense and for military construction.

(c) DEFINITIONS.—In this section:

(1) COAST GUARD YARD.—The term ''Coast Guard Yard'' means the Coast Guard Yard in Baltimore, Maryland.

(2) NAVY PUBLIC SHIPYARD.—The term ''Navy public shipyard'' means the following:

(A) The Norfolk Naval Shipyard, Virginia.

(B) The Pearl Harbor Naval Shipyard, Hawaii.

(C) The Portsmouth Naval Shipyard, Maine.

(D) The Puget Sound Naval Shipyard, Washington.

(3) NAVY PRIVATE NEW CONSTRUCTION SHIPYARD.—The term ''Navy private new construction shipyard''—

(A) means any shipyard in which one or more combatant or support vessels included in the most recent plan submitted under section 231 of title 10, United States Code, are being built or are planned to be built; and

(B) includes vendors and suppliers of the shipyard building or planning to build a combatant or support vessel.

(4) NAVY PRIVATE REPAIR SHIPYARD.—The term ''Navy private repair shipyard''—

(A) means any shipyard that performs or is planned to perform maintenance or modernization work on a combatant or support vessel included in the most recent plan submitted under section 231 of title 10, United States Code; and

(B) includes vendors and suppliers of the shipyard performing or planning to perform maintenance or modernization work on a combatant or support vessel.

DEFENSE ACTIVITIES OF DEPARTMENT OF ENERGY

SEC. 1009. For an additional amount for ''Defense Infrastructure Fund'', $3,850,000,000, which shall be transferred to the Secretary of Energy, to remain available until September 30, 2026, for construction of enabling infrastructure at Los Alamos National Laboratory, construction of training facilities at Los Alamos National Laboratory and the Savannah River Site, general enabling infrastructure at the National Nuclear Security Administration, decommissioning and decontamination of equipment contaminated by PF–4, demolition of equipment at the Mixed-Oxide Fuel Fabrication Facility, design work for lithium and tritium facilities, and deferred maintenance at the National Nuclear Security Administration: *Provided*, That such amount is designated by 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 (2 U.S.C. 901(b)).

TRANSFER OF FUNDS

SEC. 1010. Amounts provided in this title may be transferred by the Secretary of Defense from the Defense Infrastructure Fund to the appropriate service account for the same purpose as the funds were appropriated. Such transfers shall not be taken into account for purposes of the limitations on transfers included in a National Defense Authorization Act or a Defense Appropriations Act for a fiscal year.

SPENDING PLANS

SEC. 1011. (a) DEPARTMENT OF DEFENSE.—Not later than 30 days before the beginning of any fiscal year in which amounts appropriated under sections 1001 through 1008 will be spent, the Secretary of Defense shall submit to the congressional defense committees a spending plan for such amounts, set forth by line number, sub-activity group, and program element number.

(b) DEPARTMENT OF ENERGY.—Not later than 30 days before the beginning of any fiscal year in which amounts appropriated under section 1009 will be spent, the Secretary of Energy shall submit to the congressional defense committees a spending plan for such amounts, set forth by congressional control.

(c) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this section, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SA 2536. 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 end of title XII of division D, add the following:

SEC. 412___. GULF OF MEXICO OUTER CONTINENTAL SHELF REVENUES.

(a) DEFINITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—Section 102(9)(A) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(1) in clause (i)(II), by striking ''and'' after the semicolon;

(2) in clause (ii)—

(A) in the matter preceding subclause (I), by striking ''fiscal year 2017 and each fiscal year thereafter'' and inserting ''each of fiscal years 2017 through 2021''; and

(B) in subclause (III), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) in the case of fiscal year 2022 and each fiscal year thereafter, all rentals, royalties, bonus bids, and other sums due and payable to the United States received on or after October 1, 2021, from leases entered into on or after October 1, 2000 for—

''(I) the 181 Area;

''(II) the 181 South Area; and

''(III) the 2002–2007 planning area.''.

(b) DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—

(1) IN GENERAL.—Section 105(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(A) in paragraph (1), by striking ''50'' and inserting ''37.5''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''50'' and inserting ''62.5'';

(ii) in subparagraph (A), by striking ''75'' and inserting ''80''; and

(iii) in subparagraph (B), by striking ''25'' and inserting ''20''.

(2) LIMITATIONS ON AMOUNT OF DISTRIBUTED QUALIFIED OUTER CONTINENTAL SHELF REVENUES.—Section 105(f) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by adding ''and'' after the semicolon;

(ii) in subparagraph (B), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (C); and

(B) in paragraph (2), by striking ''2055'' and inserting ''2021''.

(c) EXEMPTION OF CERTAIN PAYMENTS FROM SEQUESTRATION.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting after ''Payments to Social Security Trust Funds (28–0404–0–1–651).'' the following:

''Payments to States pursuant to section 105(a)(2)(A) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432; 43 U.S.C. 1331 note) (014–5535–0–2–302).''.

(2) APPLICABILITY.—The amendment made by this subsection shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

SA 2537. 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 in division I, insert the following:

SEC. _____. RESTORING TRAVEL AT THE UNITED STATES-CANADA BORDER.

(a) IN GENERAL.—Not later than 10 days after the date of the enactment of this Act, the Secretary of Homeland Security shall expand the list of permitted essential travel into the United States at land ports of entry along the United States-Canada border to include the following categories:

(1) An individual traveling to visit a member, who is a United States citizen or permanent resident, of the immediate or extended family of such individual.

(2) An individual traveling to visit property, including boats, within the United States owned or leased by such individual.

(3) An individual traveling to the United States to attended business meetings or site-visits.

(4) An individual traveling directly to a United States airport to board a flight to a United States or international destination.

(b) PLAN FOR FULL REOPENING.—Not later than 20 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to Congress and begin implementation of a plan to fully restore non-essential travel into the United States at land ports of entry along the United States-Canada border.

(c) APPLICABILITY.—This section applies to only those restrictions (and the related relief sought in accordance with this section) in place pursuant to section 318(b)(2) of the Tariff Act of 1930 (19 U.S.C. 1318(b)(2)) at land ports of entry along the United States-Canada border due to the COVID–19 public health emergency as in effect on the date of the enactment of this Act.

SA 2538. Ms. ROSEN (for herself and Mr. YOUNG) 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 782, line 24, insert ''owned or'' after ''privately''.

SA 2539. 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 section 40803 of division D, add the following:

(l) WILDFIRE AIR QUALITY MONITORING IN RURAL COMMUNITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall award grants to eligible communities to purchase nonregulatory, portable air sensors that would complement, but not replace, existing regulatory air quality programs and requirements.

(2) PRIORITY.—In awarding grants under paragraph (1), the Administrator of the Environmental Protection Agency shall give priority to—

(A) remote and rural communities—

(i) that do not have regulatory air sensors; or

(ii) in which air quality monitoring is absent or limited; and

(B) communities affected by wildfires and wildfire smoke.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection.

SA 2540. 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:

On page 1614, line 19, insert ''hardrock mining,'' before ''or coal mining''.

On page 1616, strike lines 1 through 9 and insert the following:

(d) CONSULTATION.—The Secretary shall consult with the Director of the Office of Surface Mining Reclamation and Enforcement and the Administrator of the Environmental Protection Agency, acting through the Office of Brownfields and Land Revitalization—

(1) to determine whether it is necessary to promulgate regulations or issue guidance in order to prioritize and expedite the siting of clean energy projects on current and former mine land sites; and

(2) to convene utilities, nonprofit organizations, researchers, and other stakeholders—

(A) to explore the most effective avenues available to address transmission and distribution system upgrades needed to develop the sites described in paragraph (1); and

(B) to identify and evaluate current barriers to clean energy development, including mine closure plans and reclamation requirements, and recommend revisions to such requirements that can facilitate clean energy deployment on mine sites while protecting the environment.

On page 1617, between lines 6 and 7, insert the following:

SEC. 40344. RE-POWERING AMERICA'S LAND INITIATIVE.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall establish the RE-Powering America's Land Initiative as a program within the Environmental Protection Agency in order to encourage the development of clean energy projects on current and former mine land and brownfield sites.

(b) REQUIREMENTS.—In carrying out the program under subsection (a), the Administrator shall—

(1) inform eligible entities applying for a multipurpose brownfield grant of the option to develop a clean energy project on a brownfield site;

(2) provide technical and programmatic assistance to eligible entities, including data mapping, solar siting, and feasibility studies;

(3) integrate parcel-level, spatially explicit data into the existing Re-Powering inventory of mine land and brownfield sites to facilitate and streamline identification and evaluation of suitable sites; and

(4) engage with States and local entities to promote awareness of the program.

SA 2541. Mr. BRAUN (for himself and Mr. SCHATZ) 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 C, add the following:

SEC. 3_____. AFFORDABLE HOUSING INCENTIVES IN CAPITAL INVESTMENT GRANTS.

Section 5309 of title 49, United States Code (as amended by section 30005(a)), is amended—

(1) in subsection (g)—

(A) in paragraph (2)(B)—

(i) in clause (i) by striking ''; and'' and inserting a semicolon;

(ii) in clause (ii) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) allow a weighting of up to five percentage points greater to the criteria relating to economic development under subsection (d)(2)(A)(iii) or (e)(2)(A)(iv), as applicable, and up to five percentage points lesser to the lowest scoring criteria under either such subsection, if the applicant demonstrates substantial effort to preserve or encourage affordable housing near the project by—

''(I) providing documentation of policies that allow for the approval of multi-family housing, single room occupancy units, and accessory dwelling units without a discretionary review process;

''(II) providing local capital sources for transit-oriented development; or

''(III) other methods, as determined appropriate by the Secretary.'';

(B) in paragraph (3)—

(i) in subparagraph (C) by striking ''and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

''(D) in the case of a warrant that applies to the criteria relating to economic development under subsection (d)(2)(A)(iii) or (e)(2)(A)(iv), the applicant that requests the use of such warrant has completed and submitted a housing feasibility assessment; and''; and

(C) by adding at the end the following:

''(9) DEFINITION.—In this subsection, the term 'housing feasibility assessment' means an analysis of the physical, legal, and financial viability of developing additional housing along a project corridor.''; and

(2) in subsection (l)(4)—

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

(B) in subparagraph (C) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(D) from grant proceeds distributed under section 103 of the Housing and Community Development Act of 1974 (42 U.S.C. 5303) or section 201 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141), except that—

''(i) such proceeds are used in conjunction with the planning or development of affordable housing; and

''(ii) such affordable housing is located within one-half of a mile of a new defined station.''.

SA 2542. Mr. MARKEY (for himself 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:

In section 40401 of division D, strike subsection (d).

SA 2543. Mr. CORNYN (for himself, Mr. PADILLA, Ms. BALDWIN, Mr. CASEY, Mr. TILLIS, Ms. CORTEZ MASTO, Ms. CANTWELL, Mr. KENNEDY, Ms. LUMMIS, Mr. WICKER, Mrs. MURRAY, 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:

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 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.—Subject to subparagraph (C), notwithstanding any other provision of law, a State, territory, or Tribal government receiving a payment under this section or a transfer pursuant to section 603(c)(4) may use funds provided under such payment or transfer for projects described in subparagraph (B), including—

''(i) in the case of a project described in clause (i), (xiv), (xv), or (xviii) 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 (xv) 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 that receives a grant under section 117 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 124 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(iv) A project eligible under section 133 of title 23, United States Code.

''(v) An activity to carry out section 134 of title 23, United States Code.

''(vi) A project eligible under section 148 of title 23, United States Code.

''(vii) A project eligible under section 149 of title 23, United States Code.

''(viii) A project eligible under section 165 of title 23, United States Code.

''(ix) A project eligible under section 167 of title 23, United States Code.

''(x) A project eligible under section 173 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xi) A project eligible under section 202 of title 23, United States Code.

''(xii) A project eligible under section 203 of title 23, United States Code.

''(xiii) A project eligible under section 204 of title 23, United States Code.

''(xiv) 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').

''(xv) A project that receives credit assistance under the TIFIA program under chapter 6 of title 23, United States Code.

''(xvi) A project that furthers the completion of a designated route of the Appalachian Development Highway System under section 14501 of title 40, 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 5309 of title 49, United States Code.

''(xix) A project that receives a grant under section 5311 of title 49, United States Code.

''(xx) A project that receives a grant under section 5337 of title 49, United States Code.

''(xxi) A project that receives a grant under section 5339 of title 49, United States Code.

''(xxii) A project that receives a grant under section 6703 of title 49, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xxiii) 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.).

''(xxiv) A project eligible under the bridge replacement, rehabilitation, preservation, protection, and construction program under paragraph (1) under the heading 'HIGHWAY INFRASTRUCTURE PROGRAM' under the heading 'FEDERAL HIGHWAY ADMINISTRATION' under the heading 'DEPARTMENT OF TRANSPORTATION' under title VIII of division J of the Infrastructure Investment and Jobs Act.

''(C) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—Subject to clause (ii), the total amount that a State, territory, or Tribal government may use from a payment made under this section or a transfer pursuant to section 603(c)(4) for uses described in subparagraph (A) shall not exceed 25 percent of such payment or transfer.

''(ii) WAIVER OF LIMITATION.—At the request of a State, territory, or Tribal government, the Secretary may allow the State, territory, or Tribal government to use up to 50 percent of a payment made under this section or a transfer pursuant to section 603(c)(4) for a use described in subparagraph (A) if any of the following criteria are met (as determined by the Secretary):

''(I) The projects involved are of significant economic importance to the State, territory, or Tribal government.

''(II) The projects involved would enhance employment opportunities for the State, territory, or Tribal government.

''(III) The projects involved would enhance the health and safety of the public.

''(IV) The projects involved would enhance protections for the environment.

''(V) The projects involved would enhance the capacity of the metropolitan city, State, territory, or Tribal government to respond to the COVID–19 crisis.

''(VI) The State, territory, or Tribal government suffered a reduction in revenue (as determined under the interim final rule issued by the Secretary on May 17, 2021, entitled 'Coronavirus State and Local Fiscal Recovery Funds' (86 Fed. Reg. 26786)) of greater than 10 percent in calendar year 2020.

''(iii) LIMITATION ON OPERATING EXPENSES.—Funds provided under a payment made under this section or a transfer pursuant to section 603(c)(4) shall not be used for operating expenses of a project described in clauses (xvii) through (xxi) of subparagraph (B).

''(iv) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) the requirements of section 60102 of the Infrastructure Investment and Jobs Act shall apply to funds provided under a payment made under this section or transferred pursuant to section 603(c)(4) that are used for a project described in clause (xxiii) of subparagraph (B) that relates to broadband infrastructure; and

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section or transferred pursuant to section 603(c)(4) that are used for projects described in subparagraph (B).

''(D) AVAILABILITY.—Funds provided under a payment made under this section or transferred pursuant to section 603(c)(4) 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, 2026.''; and

(2) 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.—Subject to subparagraph (B), 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 projects described in subparagraph (B) of section 602(c)(4), including—

''(i) in the case of a project described in clause (i), (xiv), (xv), or (xviii) 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 (xv) of that subparagraph, to repay a loan provided under the program described in that clause.

''(B) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—Subject to clause (ii), the total amount that a metropolitan city, nonentitlement unit of local government, or county may use from a payment made under this section for uses described in subparagraph (A) shall not exceed 25 percent of such payment.

''(ii) WAIVER OF LIMITATION.—At the request of a metropolitan city, nonentitlement unit of local government, or county, the Secretary may allow the metropolitan city, nonentitlement unit of local government, or county to use up to 50 percent of a payment made under this section for uses described in subparagraph (A) if any of the following criteria are met (as determined by the Secretary):

''(I) The projects involved are of significant economic importance to the metropolitan city, nonentitlement unit of local government, or county.

''(II) The projects involved would enhance employment opportunities for the metropolitan city, nonentitlement unit of local government, or county.

''(III) The projects involved would enhance the health and safety of the public.

''(IV) The projects involved would enhance protections for the environment.

''(V) The projects involved would enhance the capacity of the metropolitan city, nonentitlement unit of local government, or county to respond to the COVID–19 crisis.

''(VI) The metropolitan city, nonentitlement unit of local government, or county suffered a reduction in revenue (as determined under the interim final rule issued by the Secretary on May 17, 2021, entitled 'Coronavirus State and Local Fiscal Recovery Funds' (86 Fed. Reg. 26786)) of greater than 10 percent in calendar year 2020.

''(iii) 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 (xvii) through (xxi) of section 602(c)(4)(B).

''(iv) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) 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 (xxiii) of section 602(c)(4)(B) that relates to broadband infrastructure; and

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section that are used for projects described in section 602(c)(4)(B).

''(C) 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, 2026.''.

(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) DEPARTMENT OF THE TREASURY ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the unobligated balances from amounts made available to the Secretary of the Treasury (referred to in this subsection as the ''Secretary'') for administrative expenses pursuant to the provisions specified in paragraph (2) shall be available to the Secretary (in addition to any other appropriations provided for such purpose) for any administrative expenses of the Department of the Treasury determined by the Secretary to be necessary to respond to the coronavirus emergency, including any expenses necessary to implement any provision of—

(A) the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136);

(B) division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(C) the American Rescue Plan Act (Public Law 117–2); or

(D) title VI of the Social Security Act (42 U.S.C. 801 et seq.).

(2) PROVISIONS SPECIFIED.—The provisions specified in this paragraph are the following:

(A) Sections 4003(f) and 4112(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(B) Section 421(f)(2) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(C) Sections 3201(a)(2)(B), 3206(d)(1)(A), and 7301(b)(5) of the American Rescue Plan Act of 2021 (Public Law 117–2).

(D) Section 602(a)(2) of the Social Security Act (42 U.S.C. 802(a)(2)).

SA 2544. Mr. LANKFORD (for himself, Mr. DAINES, Mr. INHOFE, Mr. SASSE, Ms. ERNST, and Mr. BRAUN) 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 2090, strike line 7 and all that follows through page 2150, line 13.

SA 2545. 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 division J, insert the following:

SEC. _____. (a) Except as provided in subsection (c), none of the funds made available by this Act may be used to transport an alien described in subsection (b) from a location at which the alien is held in the custody of the Secretary of Homeland Security, or other Federal or State custody, to a location at which the alien would be paroled or otherwise released from such custody.

(b) An alien described in this subsection is an alien (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))) who—

(1) is unlawfully present in the United States; and

(2)(A)(i) has not been tested for COVID–19 during the preceding 10-day period; or

(ii) has been tested for COVID–19 during the preceding 10-day period and received a positive test result;

(B) has not been fully vaccinated against COVID–19; or

(C) has symptoms of COVID–19.

(c) Funds made available by this Act may be used to transport an alien described in subsection (b) for purposes of removal or deportation.

SA 2546. 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:

Beginning on page 2322, strike line 16 and all that follows through page 2323, line 4, and insert the following:

(B) in the case of manufactured products, that—

(i) the manufactured product was manufactured in the United States;

(ii) the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 75 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and

(iii) in case of electronic products, the cost of the components of the electronic product mined, produced, or manufactured in the United States is greater than 80 percent of the total cost of all components of the electronic product; and

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SA 2547. Mr. BLUMENTHAL (for himself, Mr. WARNER, Mr. KAINE, 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 in division I, insert the following:

SEC. 90_____. GRANTS FOR CERTAIN MINOR LEAGUE BASEBALL CLUBS.

(a) IN GENERAL.—The Administrator shall, subject to the availability of appropriations, make covered grants to eligible entities in accordance with this section.

(b) AUTHORITY.—The Associate Administrator for the Office of Disaster Assistance of the Small Business Administration shall coordinate and formulate policies relating to the administration of covered grants.

(c) CERTIFICATION OF NEED.—An eligible entity applying for a covered grant shall submit a good faith certification that the uncertainty of current economic conditions makes necessary the grant to support the ongoing operations of the eligible entity.

(d) MULTIPLE BUSINESS ENTITIES.—The Administrator shall treat each eligible entity as an independent, non-affiliated entity for the purposes of this section.

(e) GRANT TERMS.—

(1) NUMBER OF GRANTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an eligible entity may receive only 1 covered grant.

(B) SUPPLEMENTAL GRANT.—The Administrator may make a second covered grant to an eligible entity if, as of June 30, 2021, the gross revenues of such eligible entity for calendar year 2021 as of such date are not more than 30 percent of the gross revenues of such eligible entity for the corresponding period of 2019, or, if the gross revenues of the eligible entity were negatively impacted by a natural disaster or weather disruption in 2019, not more than 30 percent of the average gross revenues of the eligible entity during the first 6 months of 2016, 2017, and 2018, due to the COVID–19 pandemic.

(2) AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a covered grant shall be in an amount equal to the lesser of—

(i) the amount equal to 45 percent of the gross revenues of the eligible entity for 2019, or, if the gross revenues of the eligible entity were negatively impacted by a natural disaster or weather disruption in 2019, equal to 45 percent of the average annual gross revenues of the eligible entity over the 3-year period from 2016 through 2018, which shall include the gross revenues of all subsidiaries and other related entities that are consolidated with the gross revenues of the eligible entity in a financial statement prepared in accordance with generally accepted accounting principles for such eligible entity for such year; or

(ii) $10,000,000.

(B) SUPPLEMENT GRANT AMOUNT.—A covered grant made pursuant to paragraph (1)(B) shall be in an amount equal to 50 percent of the first covered grant received by the eligible entity.

(3) GRANT AGGREGATE MAXIMUM.—The total amount of covered grants received by an eligible entity may not exceed $10,000,000.

(4) USE OF FUNDS.—

(A) TIMING.—

(i) EXPENSES INCURRED.—

(I) IN GENERAL.—Except as provided in subclause (II), amounts received under a covered grant may only be used for expenses incurred during the period beginning on March 1, 2020 and ending on December 31, 2021.

(II) EXTENSION FOR SUPPLEMENTAL GRANTS.—If an eligible entity receives a grant under paragraph (1)(B), amounts received under a covered grant may be used for costs incurred during the period beginning on March 1, 2020 and ending September 30, 2022.

(ii) EXPENDITURE.—

(I) IN GENERAL.—Except as provided in subclause (II), an eligible entity shall return to the Administrator any amounts received under a covered grant that are not expended on or before the date that is 1 year after the date of disbursement of the covered grant.

(II) EXTENSION FOR SUPPLEMENTAL GRANTS.—If an eligible entity receives a grant under paragraph (1)(B), the eligible entity shall return to the Administrator any amounts received under any covered grant that are not expended on or before the date that is 18 months after the date of disbursement of the first covered grant received by the eligible entity.

(B) ALLOWABLE EXPENSES.—An eligible entity may use amounts received under a covered grant for—

(i) payroll costs;

(ii) payments on any covered rent obligation or other obligation to a public entity from whom the primary venue of the eligible entity is leased or licensed;

(iii) any covered utility payment;

(iv) payments of interest or principal due on any covered mortgage obligation;

(v) payments of interest or principal due on any indebtedness or debt instrument incurred in the ordinary course of business that is a liability of the eligible entity and was in place or incurred prior to February 15, 2020;

(vi) covered worker protection expenditures;

(vii) payments made to independent contractors, as reported on Form-1099 MISC, not to exceed a total of $100,000 in annual compensation for any individual employee of an independent contractor; and

(viii) other ordinary and necessary business expenses, including—

(I) maintenance expenses;

(II) administrative costs, including fees and licensing costs;

(III) State and local taxes and fees;

(IV) operating leases in effect as of February 15, 2020;

(V) payments required for insurance on any insurance policy;

(VI) settling existing debts with vendors; and

(VII) advertising, production, transportation, and capital expenditures relating to the primary venue of the eligible entity or events held at such venue, except that a grant under this section may not be used primarily for such expenditures.

(C) PROHIBITED EXPENSES.—An eligible entity may not use amounts received under a grant under this section—

(i) to purchase real estate;

(ii) for payments of interest or principal for loans originated after February 15, 2020;

(iii) to invest or re-lend funds;

(iv) for contributions or expenditures to, or on behalf of, any political party, party committee or candidate for elective office; or

(v) for any other use as may be reasonably prohibited by the Administrator.

(f) INCREASED OVERSIGHT.—The Administrator shall increase oversight of eligible entities receiving covered grants, which may include the following:

(1) DOCUMENTATION.—Additional documentation requirements that are consistent with the eligibility and other requirements under this section, including requiring an eligible entity that receives a grant under this section to retain records that document compliance with the requirements for grants under this section—

(A) with respect to employment records, for the 4-year period following receipt of the grant; and

(B) with respect to other records, for the 3-year period following receipt of the grant.

(2) REVIEWS OF USE.—Reviews of the use of the grant proceeds by an eligible entity to ensure the compliance with requirements established under this section and by the Administrator, including that the Administrator may—

(A) review and audit grants under this section; and

(B) in the case of fraud of other material noncompliance with respect to a grant under this section—

(i) require repayment of misspent funds; or

(ii) pursue legal action to collect funds.

(g) OVERSIGHT AND AUDIT PLAN.—

(1) IN GENERAL.—Not later than 45 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives an audit plan that details—

(A) the policies and procedures of the Administrator for conducting oversight and audits of covered grants; and

(B) the metrics that the Administrator shall use to determine which covered grants will be audited pursuant to subsection (f).

(2) REPORT.—Not later than 60 days after the date of enactment of this Act, and each month thereafter until the date that is 1 year after the date on which all amounts appropriated to make covered grants have been expended, the Administrator 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 on the oversight and audit activities of the Administrator under this subsection, which shall include—

(A) the total number of covered grants approved and disbursed;

(B) the total amount of covered grants received by each eligible entity;

(C) the number of active investigations and audits of covered grants;

(D) the number of completed reviews and audits of covered grants, including a description of any findings of fraud or other material non-compliance; and

(E) any substantial changes made to the oversight and audit plan submitted under paragraph (1).

(h) TAX TREATMENT OF COVERED LOANS.—

(1) IN GENERAL.—For the purposes of the Internal Revenue Code of 1986—

(A) no covered grant shall be included in the gross income of the eligible entity that receives such covered grant;

(B) no deduction shall be denied, no tax attribute shall be reduced, and no basis increase shall be denied, by reason of the exclusion from gross income provided by subparagraph (A); and

(C) in the case of a partnership or S corporation that receives such a covered grant—

(i) any amount excluded from income by reason of subparagraph (A) shall be treated as tax exempt income for purposes of sections 705 and 1366 of the Internal Revenue Code of 1986; and

(ii) the Secretary of the Treasury (or the Secretary's delegate) shall prescribe rules for determining a partner's distributive share of any amount described in clause (i) for purposes of section 705 of the Internal Revenue Code of 1986.

(2) APPLICABILITY.—Paragraph (1) shall apply to taxable years ending after the date of enactment of this Act.

(i) FUNDING.—Notwithstanding any provision of covered law, from any funds appropriated under such a law that have not been obligated as of the date of enactment of this Act and are no longer being used to carry out the activities under such a law, the remaining funds or $550,000,000, whichever is greater, but in any case not more than $550,000,000, shall be allocated to the Administrator to carry out this section, of which not more than $50,000,000 shall be allocated to Independent Professional Baseball Clubs.

(j) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(2) COVERED GRANTS.—The term ''covered grant'' means a grant made under this section to an eligible entity.

(3) COVERED LAW.—The term ''covered law'' means—

(A) the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116–123);

(B) the Families First Coronavirus Response Act (Public Law 116–127);

(C) the CARES Act (Public Law 116–136);

(D) the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116–139; 134 Stat. 620);

(E) division M or N of the Consolidated Appropriations Act, 2021 (Public Law 116–260); or

(F) the American Rescue Plan Act of 2021 (Public Law 117–2).

(4) COVERED MORTGAGE OBLIGATION; COVERED RENT OBLIGATION; COVERED UTILITY PAYMENT; COVERED WORKER PROTECTION EXPENDITURE.—The terms ''covered mortgage obligation'', ''covered rent obligation'', ''covered utility payment'', and ''covered worker protection expenditure'' have the meanings given those terms in section 7A(a) of the Small Business Act (15 U.S.C. 636m(a)).

(5) ELIGIBLE ENTITY.—The term ''eligible entity'' means any Minor League Baseball Club or Independent Professional Baseball Club that meets the following requirements:

(A) The Minor League Baseball Club or Independent Professional Baseball Club was operating in the ordinary course of business on February 29, 2020.

(B) The gross revenues of the Minor League Baseball Club or Independent Professional Baseball Club in calendar year 2020 were not more than 25 percent of the gross revenues of the Minor League Baseball Club or Independent Professional Baseball Club in calendar year 2019, or, if the gross revenues of the Minor League Baseball Club or Independent Professional Baseball Club were negatively impacted by a natural disaster or weather disruption in 2019, not more than 25 percent of the average annual gross revenues of the Minor League Baseball Club or Independent Professional Baseball Club over the 3-year period from 2016 through 2018, as determined by the Administrator using the accrual method of accounting and excluding any amounts received any amounts received under the CARES Act (15 U.S.C. 9001 et seq.), an amendment to such Act, the Consolidated Appropriations Act, 2021 (Public Law 116–260), or any subsequent COVID Relief package.

(C) At the time the Minor League Baseball Club or Independent Professional Baseball Club submits the certification required under subsection (c), the Minor League Baseball Club or Independent Professional Baseball Club is open, or intends to reopen, for the primary purpose of conducting baseball games.

(D) The Minor League Baseball Club or Independent Professional Baseball Club is not majority owned, directly or indirectly, by Major League Baseball, a Major League Baseball Club, or one or more persons who have a greater than 10 percent ownership interest in a Major League Baseball Club.

(6) INDEPENDENT PROFESSIONAL BASEBALL CLUB.—The term ''Independent Professional Baseball Club'' means a professional baseball team, including a professional baseball team that is a corporation, limited liability company, or a partnership or operated as a sole proprietorship, that—

(A) operates for profit or as a nonprofit organization;

(B) is located in the United States; and

(C) as of February 29, 2020, was a member of—

(i) the American Association of Professional Baseball;

(ii) the Atlantic League of Professional Baseball;

(iii) the Canadian American Association of Professional Baseball;

(iv) the Empire Professional Baseball League;

(v) the Frontier League;

(vi) the Pacific Association of Professional Baseball Clubs;

(vii) the Pecos League of Professional Baseball Clubs;

(viii) the United Shore Professional Baseball League; or

(ix) the Western League.

(7) MINOR LEAGUE BASEBALL CLUB.—The term ''Minor League Baseball Club'' means a

professional baseball team, including a professional baseball team that is a corporation, limited liability company, or a partnership or operated as a sole proprietorship, that—

(A) operates for profit or as a nonprofit organization;

(B) is located in the United States; and

(C)(i) as of February 29, 2020, was a member of a league that was a member of the National Association of Professional Baseball Leagues, Inc.; or

(ii) has been offered and is operating or has agreed to operate under—

(I) a Player Development License granted by MLB Professional Development Leagues, LLC; or

(II) a license granted by Appalachian League, Inc.

(8) PAYROLL COSTS.—The term ''payroll costs'' has the meaning given the term in section 7(a)(36)(A) of the Small Business Act (15 U.S.C. 636(a)(36)(A)).

SA 2548. Mr. BENNET (for himself and Mr. HOEVEN) 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 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.—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) ADDITIONAL FUNDS.—In addition to the funds described in paragraph (1), the Secretary may obligate available funds from accounts used to carry out the existing Joint Chiefs' Landscape Restoration Partnership prior to the date of enactment of this Act to carry out the Program.

(3) DURATION OF AVAILABILITY.—Funds made available under paragraph (1) shall remain available until expended.

(4) 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 2549. Mr. CASEY 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—QUALIFIED COMMUNITY COLLEGE BONDS

SEC. 80701. SHORT TITLE.

This title may be cited as the ''Community College Infrastructure Act of 2021''.

SEC. 80702. TAX CREDIT FOR QUALIFIED COMMUNITY COLLEGE BONDS.

(a) IN GENERAL.—Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after subpart G the following new subpart:

''Subpart H—Qualified Community College Bonds

''SEC. 54. QUALIFIED COMMUNITY COLLEGE BONDS.

''(a) QUALIFIED COMMUNITY COLLEGE BONDS.—For purposes of this subchapter, the term 'qualified community college bond' means any bond issued as part of an issue if—

''(1) 95 percent of the available project proceeds of such issue are to be used for a qualified purpose with respect to a qualified community college,

''(2) the bond is issued by a State or local government in consultation with the jurisdictions of which such college is located, and

''(3) the issuer—

''(A) designates such bond for purposes of this section, and

''(B) certifies that it has the written approval of the governing body for such bond issuance.

''(b) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—

''(1) NATIONAL LIMITATION.—There is a national community college bond limitation of $400,000,000 for each calendar year.

''(2) ALLOCATION OF LIMITATION.—

''(A) IN GENERAL.—The national community college bond limitation for a calendar year shall be allocated by the Secretary

among the States on the basis of their respective populations of individuals below the poverty line (as defined by the Office of Management and Budget).

''(B) LIMITATION PER STATE.—For purposes of subparagraph (A), a State may not receive an allocation of more than 5 percent of the national community college bond limitation in any calendar year.

''(C) ALLOCATIONS TO GOVERNING BODIES.—

''(i) IN GENERAL.—The limitation amount allocated to a State under subparagraph (A) shall be allocated by the State to the appropriate governing bodies within such State.

''(ii) PRIORITY FOR ALLOCATIONS.—

''(I) LARGEST METROPOLITAN STATISTICAL AREA.—For purposes of this subparagraph, the State education agency shall, as applicable, ensure that the governing body for a proposed qualified community college which will serve the residents of the largest metropolitan statistical area within such State which does not contain an institution described in subsection (c)(2)(A) receives an allocation equal to the lesser of—

''(aa) one-third of the total allocation to the State under subparagraph (A), or

''(bb) the allocation amount requested by such governing body.

''(II) ADDITIONAL PRIORITIES FOR ALLOCATION.—For purposes of making allocations under this subparagraph, the State education agency shall give priority to any governing body which has or will have—

''(aa) a partnership, including a dual or concurrent enrollment program (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), with local high schools,

''(bb) a partnership with four-year institutions of higher education, including a credit-transfer agreement or articulation agreement (as defined in section 486A(a) of the Higher Education Act of 1965 (20 U.S.C. 1093a(a))), for students at the qualified community college, or

''(cc) a partnership with a State workforce development board established under section 101 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

''(3) DESIGNATION SUBJECT TO LIMITATION AMOUNT.—The maximum aggregate face amount of bonds issued during any calendar year which may be designated under subsection (a) with respect to any qualified community college shall not exceed the limitation amount allocated to the governing body of such college under paragraph (2)(C) for such calendar year.

''(4) CARRYOVER OF UNUSED LIMITATION.—

''(A) IN GENERAL.—If for any calendar year—

''(i) the limitation amount for any State, exceeds

''(ii) the amount of bonds issued during such year which are designated under subsection (a) with respect to qualified community colleges within such State,

the limitation amount for such State for the following calendar year shall be increased by the amount of such excess.

''(B) LIMITATION ON CARRYOVER.—Any carryover of a limitation amount may be carried only to the first 2 years following the unused limitation year. For purposes of the preceding sentence, a limitation amount shall be treated as used on a first-in first-out basis.

''(C) ALLOCATION OF UNUSED CARRYOVER AMOUNT.—

''(i) IN GENERAL.—Any unused carryover amount of a State for any calendar year shall be assigned to the Secretary for allocation among qualified States for the succeeding calendar year, with such allocations to be in addition to the amounts allocated pursuant to paragraph (2)(A).

''(ii) FORMULA FOR ALLOCATION.—The amount allocated under this subparagraph to a qualified State for any calendar year shall be the amount determined by the Secretary to bear the same ratio to the aggregate unused carryover amounts of all States for the preceding calendar year as such State's population for the calendar year bears to the population of all qualified States for the calendar year. For purposes of the preceding sentence, population shall be determined in accordance with section 146(j).

''(iii) DEFINITIONS.—For purposes of this subparagraph:

''(I) UNUSED CARRYOVER AMOUNT.—The term 'unused carryover amount' means the amount of any carryover of a limitation amount allocated to a State which has expired pursuant to subparagraph (B).

''(II) QUALIFIED STATE.—The term 'qualified State' means, with respect to any calendar year, a State—

''(aa) which allocated its limitation amount for the preceding calendar year to governing bodies within such State (as described in paragraph (2)(C)), and

''(bb) for which a request is made (not later than May 1 of the calendar year) to receive an allocation under this subparagraph.

''(c) DEFINITIONS.—For purposes of this section:

''(1) GOVERNING BODY.—The term 'governing body' means—

''(A) the board of trustees or other governing organization of a qualified community college, or

''(B) a State or local government (or any political subdivision thereof), or any combination of school districts or municipalities, which participate or propose to participate in the establishment and operation of a qualified community college.

''(2) QUALIFIED COMMUNITY COLLEGE.—

''(A) IN GENERAL.—The term 'qualified community college' means a public institution of higher education—

''(i) at which the highest degree that is predominantly awarded to students is an associate's degree (including 2-year tribally controlled colleges under section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c) and public 2-year State institutions of higher education),

''(ii) which is or will be established by and operated under the supervision of a governing body in conjunction with the State and local governments whose residents will be served by such institution, and

''(iii) which is located within a qualified area.

''(B) QUALIFIED AREA.—For purposes of this paragraph, the term 'qualified area' means—

''(i) a city or metropolitan statistical area for which there is no institution described in subparagraph (A)(i) within a 40-mile radius,

''(ii) a county which—

''(I) does not contain any institution described in such subparagraph, or

''(II) has an unemployment rate equal to or greater than 110 percent of the national average (as determined by the Secretary of Labor based on the most recent available data), and

''(iii) a low-income community (as defined in section 45D(e)).

''(3) QUALIFIED PURPOSE.—The term 'qualified purpose' means—

''(A) establishing and operating a qualified community college,

''(B) expanding an existing qualified community college to a qualified area,

''(C) constructing, rehabilitating, repairing, upgrading, enhancing, or expanding any facility owned or to be used by a qualified community college to carry out the educational purposes (including instructional and research purposes) of such college,

''(D) providing equipment for use by students at a qualified community college,

''(E) investing in online resources or broadband access projects to deliver qualified community college services to qualified areas, or developing course materials for education to be provided by a qualified community college, provided that such uses do not collectively account for more than 10 percent of the amount allocated under subsection (b)(2)(C) to the governing body for such college,

''(F) training professors and other school personnel at a qualified community college, provided that such use does not account for more than 5 percent of the amount allocated under subsection (b)(2)(C) to the governing body for such college, and

''(G) constructing, rehabilitating, repairing, upgrading, enhancing, or expanding any on-campus facility to be used by a qualified community college to provide childcare to students and staff, provided that such use does not account for more than 10 percent of the amount allocated under subsection (b)(2)(C) to the governing body for such college.

''(d) APPLICATION OF CERTAIN LABOR STANDARDS TO PROJECTS FINANCED WITH QUALIFIED COMMUNITY BONDS.—

''(1) IN GENERAL.—Each laborer and mechanic employed by a contractor or subcontractor in the performance of construction, alteration, or repair work financed in whole, or in part, with the proceeds of any qualified community college bond issued after the date of enactment of the Community College Infrastructure Act of 2021 shall be paid wages at rates not less than those prevailing on work 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.

''(2) AUTHORITY.—The Secretary of Labor shall have, with respect to the labor standards described in paragraph (1), 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.''.

(b) CONFORMING AMENDMENT.—The table of subparts for part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to subpart G the following:

''SUBPART H—QUALIFIED COMMUNITY COLLEGE BONDS''.

SEC. 80703. CREDIT TO HOLDERS AND ISSUERS OF QUALIFIED COMMUNITY COLLEGE BONDS.

(a) ALLOWANCE OF CREDIT.—

(1) IN GENERAL.—Section 54A of the Internal Revenue Code of 1986, as in effect on the day before repeal by Public Law 115–97, is revived.

(2) CREDIT LIMITED TO QUALIFIED COMMUNITY COLLEGE BONDS.—Section 54A(d) of such Code is amended—

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

''(1) QUALIFIED TAX CREDIT BOND.—The term 'qualified tax credit bond' means a qualified community college bond which is part of an issue that meets requirements of paragraphs (2), (3), (4), (5), and (6).'', and

(B) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) QUALIFIED PURPOSE.—For purposes of this paragraph, the term 'qualified purpose' means a purpose specified in section 54(c)(3).''.

(b) CREDIT ALLOWED TO ISSUER.—

(1) IN GENERAL.—Section 6431 of the Internal Revenue Code of 1986, as in effect on the day before repeal by Public Law 115–97, is revived.

(2) CONFORMING AMENDMENTS.—

(A) Section 6431(f) of such Code, as revived by paragraph (1), is amended by striking

paragraphs (2) and (3) and inserting the following:

''(2) SPECIFIED TAX CREDIT BOND.—For purposes of this subsection, the term 'specified tax credit bond' means any qualified tax credit bond (as defined in section 54A(d)(1)) if the issuer of such bond makes an irrevocable election to have this subsection apply.''.

(B) Subparagraph (A) of section 6211(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''and 6428A'' and inserting ''6428A, and 6431''.

SEC. 80704. GREEN BUILDING PRACTICES.

(a) IN GENERAL.—In carrying out a new construction or renovation project using any available project proceeds from the issuance of any qualified community college bond (as defined in subsection (a) of section 54 of the Internal Revenue Code of 1986), a governing body (as defined in subsection (c)(1) of such section) shall use, of those proceeds, not less than the applicable percentage described in subsection (b) for construction or renovation that is certified, verified, or consistent with the applicable provisions of—

(1) the Leadership in Energy and Environmental Design green building rating standard of the United States Green Building Council;

(2) the Living Building Challenge green building certification program developed by the International Living Future Institute;

(3) a green building rating program developed by the Collaborative for High-Performance Schools that is designated as CHPS Verified; or

(4) a green building program that—

(A) has standards that are equivalent to or more stringent than the standards of a program described in paragraph (1), (2), or (3);

(B) is adopted by the State or another jurisdiction with authority over the local educational agency; and

(C) includes a verifiable method to demonstrate compliance with the program.

(b) APPLICABLE PERCENTAGE DESCRIBED.—The applicable percentage referred to in subsection (a) is—

(1) for fiscal year 2022, 60 percent;

(2) for fiscal year 2023, 70 percent;

(3) for fiscal year 2024, 80 percent;

(4) for fiscal year 2025, 90 percent; and

(5) for each of fiscal years 2026 through 2031, 100 percent.

SEC. 80705. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED PRODUCTS.

(a) IN GENERAL.—A governing body (as defined in subsection (c)(1) of section 54 of the Internal Revenue Code of 1986) that receives covered funds shall ensure that any iron, steel, and manufactured products used in projects carried out with such funds are produced in the United States.

(b) WAIVER AUTHORITY.—

(1) IN GENERAL.—The Secretary may waive the requirement of subsection (a) if the Secretary determines that—

(A) applying subsection (a) would be inconsistent with the public interest;

(B) iron, steel, and manufactured products produced in the United States are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality; or

(C) using iron, steel, and manufactured products produced in the United States will increase the cost of the overall project by more than 25 percent.

(2) PUBLICATION.—Before issuing a waiver under paragraph (1), the Secretary shall publish in the Federal Register a detailed written explanation of the waiver determination.

(c) CONSISTENCY WITH INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(d) DEFINITIONS.—In this section:

(1) COVERED FUNDS.—The term ''covered funds'' means any available project proceeds from the issuance of any qualified community college bond (as defined in section 54(a) of the Internal Revenue Code of 1986).

(2) MANUFACTURED PRODUCT.—The term ''manufactured product'' means any construction material or end product (as such terms are defined in part 25.003 of the Federal Acquisition Regulation) that is not an iron or steel product, including—

(A) electrical components; and

(B) non-ferrous building materials, including aluminum and polyvinylchloride (PVC), glass, fiber optics, plastic, wood, masonry, rubber, manufactured stone, any other nonferrous metals, and any unmanufactured construction material.

(3) PRODUCED IN THE UNITED STATES.—The term ''produced in the United States'' means the following:

(A) When used with respect to a manufactured product, the product was manufactured in the United States and the cost of the components of such product that were mined, produced, or manufactured in the United States exceeds 60 percent of the total cost of all components of the product.

(B) When used with respect to iron or steel products, or an individual component of a manufactured product, all manufacturing processes for such iron or steel products or components, from the initial melting stage through the application of coatings, occurred in the United States, except that the term does not include—

(i) steel or iron material or products manufactured abroad from semi-finished steel or iron from the United States; and

(ii) steel or iron material or products manufactured in the United States from semi-finished steel or iron of foreign origin.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

SEC. 80706. EFFECTIVE DATE.

The amendments made by this title shall apply to obligations issued after the date of the enactment of this Act.

SA 2550. Mr. OSSOFF (for himself and Mr. WHITEHOUSE) 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) FEDERAL LAND.—The term 'Federal land' means any land or interest in land owned by the United States.

''(B) INDIAN LAND.—The term 'Indian land' means—

''(i) land within the limits of an Indian reservation; or

''(ii) land over which an Indian Tribe exercises governmental power and that is—

''(I) held in trust by the United States for the benefit of any Indian tribe or individual Indian; or

''(II) held by an Indian Tribe or individual Indian subject to restriction by the United States against alienation.

''(C) 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.

''(D) 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, 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) a renewable energy generation facility;

''(II) electrical transmission and distribution infrastructure; and

''(III) 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)(D)(ii) within a right-of-way on a Federal-aid highway.

''(4) EXCLUSION.—Paragraph (3) shall not apply to a utility facility on Federal land or Indian land.

''(5) SAVINGS PROVISION.—Nothing in this subsection alters or affects any prohibition relating to commercial activity under section 111(a).'';

(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.—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 2551. 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 1200, strike line 9, and all that follows through page 1202, line 10, and insert the following:

Subtitle B—Cannabidiol and Marihuana Research Expansion

SEC. 25101. SHORT TITLE.

This subtitle may be cited as the ''Cannabidiol and Marihuana Research Expansion Act''.

SEC. 25102. DEFINITIONS.

In this subtitle—

(1) the term ''appropriately registered'' means that an individual or entity is registered under the Controlled Substances Act (21 U.S.C. 801 et seq.) to engage in the type of activity that is carried out by the individual or entity with respect to a controlled substance on the schedule that is applicable to cannabidiol or marihuana, as applicable;

(2) the term ''cannabidiol'' means—

(A) the substance, cannabidiol, as derived from marihuana that has a delta-9-tetrahydrocannabinol level that is greater than 0.3 percent; and

(B) the synthetic equivalent of the substance described in subparagraph (A);

(3) the terms ''controlled substance'', ''dispense'', ''distribute'', ''manufacture'', ''marihuana'', and ''practitioner'' have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802), as amended by this subtitle;

(4) the term ''covered institution of higher education'' means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that—

(A)(i) has highest or higher research activity, as defined by the Carnegie Classification of Institutions of Higher Education; or

(ii) is an accredited medical school or an accredited school of osteopathic medicine; and

(B) is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.);

(5) the term ''drug'' has the meaning given the term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1));

(6) the term ''medical research for drug development'' means medical research that is—

(A) a preclinical study or clinical investigation conducted in accordance with section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or otherwise permitted by the Department of Health and Human Services to determine the potential medical benefits of marihuana or cannabidiol as a drug; and

(B) conducted by a covered institution of higher education, practitioner, or manufacturer that is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.); and

(7) the term ''State'' means any State of the United States, the District of Columbia, and any territory of the United States.

CHAPTER 1—REGISTRATIONS FOR MARIHUANA RESEARCH

SEC. 25121. MARIHUANA RESEARCH APPLICATIONS.

Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) by striking ''(f) The Attorney General'' and inserting ''(f)(1) The Attorney General'';

(3) by striking ''Registration applications'' and inserting the following:

''(2)(A) Registration applications'';

(4) by striking ''Article 7'' and inserting the following:

''(3) Article 7''; and

(5) by inserting after paragraph (2)(A), as so designated, the following:

''(B)(i) The Attorney General shall register a practitioner to conduct research with marihuana if—

''(I) the applicant's research protocol—

''(aa) has been reviewed and allowed—

''(AA) by the Secretary of Health and Human Services under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i));

''(BB) by the National Institutes of Health or another Federal agency that funds scientific research; or

''(CC) pursuant to sections 1301.18 and 1301.32 of title 21, Code of Federal Regulations, or any successors thereto; and

''(II) the applicant has demonstrated to the Attorney General that there are effective procedures in place to adequately safeguard against diversion of the controlled substance for legitimate medical or scientific use pursuant to section 25125 of the Cannabidiol and Marihuana Research Expansion Act, including demonstrating that the security measures are adequate for storing the quantity of marihuana the applicant would be authorized to possess.

''(ii) The Attorney General may deny an application for registration under this subparagraph only if the Attorney General determines that the issuance of the registration would be inconsistent with the public interest. In determining the public interest, the Attorney General shall consider the factors listed in—

''(I) subparagraphs (B) through (E) of paragraph (1); and

''(II) subparagraph (A) of paragraph (1), if the applicable State requires practitioners conducting research to register with a board or authority described in such subparagraph (A).

''(iii)(I) Not later than 60 days after the date on which the Attorney General receives a complete application for registration under this subparagraph, the Attorney General shall—

''(aa) approve the application; or

''(bb) request supplemental information.

''(II) For purposes of subclause (I), an application shall be deemed complete when the applicant has submitted documentation showing that the requirements under clause (i) are satisfied.

''(iv) Not later than 30 days after the date on which the Attorney General receives supplemental information as described in clause (iii)(I)(bb) in connection with an application described in this subparagraph, the Attorney General shall approve or deny the application.

''(v) If an application described in this subparagraph is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.''.

SEC. 25122. RESEARCH PROTOCOLS.

(a) IN GENERAL.—Paragraph (2)(B) of section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)), as amended by section 25121 of this Act, is further amended by adding at the end the following:

''(vi)(I) If the Attorney General grants an application for registration under clause (i), the registrant may amend or supplement the research protocol without reapplying if the registrant does not change—

''(aa) the quantity or type of drug;

''(bb) the source of the drug; or

''(cc) the conditions under which the drug is stored, tracked, or administered.

''(II)(aa) If a registrant under clause (i) seeks to change the type of drug, the source of the drug, or conditions under which the drug is stored, tracked, or administered, the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

''(bb) A registrant may proceed with an amended or supplemental research protocol described in item (aa) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (aa).

''(cc) The Attorney General may only object to an amended or supplemental research protocol under this subclause if additional security measures are needed to safeguard against diversion or abuse.

''(dd) If a registrant under clause (i) seeks to address additional security measures identified by the Attorney General under item (cc), the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

''(ee) A registrant may proceed with an amended or supplemental research protocol described in item (dd) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (dd).

''(III)(aa) If a registrant under clause (i) seeks to change the quantity of marihuana needed for research and the change in quantity does not impact the factors described in item (bb) or (cc) of subclause (I) of this clause, the registrant shall notify the Attorney General via registered mail or using an electronic means permitted by the Attorney General.

''(bb) A notification under item (aa) shall include—

''(AA) the Drug Enforcement Administration registration number of the registrant;

''(BB) the quantity of marihuana already obtained;

''(CC) the quantity of additional marihuana needed to complete the research; and

''(DD) an attestation that the change in quantity does not impact the source of the drug or the conditions under which the drug is stored, tracked, or administered.

''(cc) The Attorney General shall ensure that—

''(AA) any registered mail return receipt with respect to a notification under item (aa) is submitted for delivery to the registrant providing the notification not later than 3 days after receipt of the notification by the Attorney General; and

''(BB) notice of receipt of a notification using an electronic means permitted under item (aa) is provided to the registrant providing the notification not later than 3 days after receipt of the notification by the Attorney General.

''(dd)(AA) On and after the date described in subitem (BB), a registrant that submits a notification in accordance with item (aa) may proceed with the research as if the change in quantity has been approved on such date, unless the Attorney General notifies the registrant of an objection described in item (ee).

''(BB) The date described in this subitem is the date on which a registrant submitting a notification under item (aa) receives the registered mail return receipt with respect to the notification or the date on which the registrant receives notice that the notification using an electronic means permitted under item (aa) was received by the Attorney General, as the case may be.

''(ee) A notification submitted under item (aa) shall be deemed to be approved unless the Attorney General, not later than 10 days after receiving the notification, explicitly objects based on a finding that the change in quantity—

''(AA) does impact the source of the drug or the conditions under which the drug is stored, tracked, or administered; or

''(BB) necessitates that the registrant implement additional security measures to safeguard against diversion or abuse.

''(IV) Nothing in this clause shall limit the authority of the Secretary of Health and Human Services over requirements related to research protocols, including changes in—

''(aa) the method of administration of marihuana;

''(bb) the dosing of marihuana; and

''(cc) the number of individuals or patients involved in research.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out the amendment made by this section.

SEC. 25123. APPLICATIONS TO MANUFACTURE MARIHUANA FOR RESEARCH.

(a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsections (c) through (k) as subsections (d) through (l), respectively;

(2) by inserting after subsection (b) the following:

''(c)(1)(A) As it relates to applications to manufacture marihuana for research purposes, if the Attorney General places a notice in the Federal Register to increase the number of entities registered under this Act to manufacture marihuana to supply appropriately registered researchers in the United States, the Attorney General shall, not later than 60 days after the date on which the Attorney General receives a completed application—

''(i) approve the application; or

''(ii) request supplemental information.

''(B) For purposes of subparagraph (A), an application shall be deemed complete when the applicant has submitted documentation showing each of the following:

''(i) The requirements designated in the notice in the Federal Register are satisfied.

''(ii) The requirements under this Act are satisfied.

''(iii) The applicant will limit the transfer and sale of any marihuana manufactured under this subsection—

''(I) to researchers who are registered under this Act to conduct research with controlled substances in schedule I; and

''(II) for purposes of use in preclinical research or in a clinical investigation pursuant to an investigational new drug exemption under 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)).

''(iv) The applicant will transfer or sell any marihuana manufactured under this subsection only with prior, written consent for the transfer or sale by the Attorney General.

''(v) The applicant has completed the application and review process under subsection (a) for the bulk manufacture of controlled substances in schedule I.

''(vi) The applicant has established and begun operation of a process for storage and handling of controlled substances in schedule I, including for inventory control and monitoring security in accordance with section 25125 of the Cannabidiol and Marihuana Research Expansion Act.

''(vii) The applicant is licensed by each State in which the applicant will conduct operations under this subsection, to manufacture marihuana, if that State requires such a license.

''(C) Not later than 30 days after the date on which the Attorney General receives supplemental information requested under subparagraph (A)(ii) with respect to an application, the Attorney General shall approve or deny the application.

''(2) If an application described in this subsection is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.'';

(3) in subsection (h)(2), as so redesignated, by striking ''subsection (f)'' each place it appears and inserting ''subsection (g)'';

(4) in subsection (j)(1), as so redesignated, by striking ''subsection (d)'' and inserting ''subsection (e)''; and

(5) in subsection (k), as so redesignated, by striking ''subsection (f)'' each place it appears and inserting ''subsection (g)''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(A) in section 102 (21 U.S.C. 802)—

(i) in paragraph (16)(B)—

(I) in clause (i), by striking ''or'' at the end;

(II) by redesignating clause (ii) as (iii); and

(III) by inserting after clause (i) the following:

''(ii) the synthetic equivalent of hemp-derived cannabidiol that contains less than 0.3 percent tetrahydrocannabinol; or'';

(ii) in paragraph (52)(B)—

(I) by striking ''303(f)'' each place it appears and inserting ''303(g)''; and

(II) in clause (i), by striking ''(d), or (e)'' and inserting ''(e), or (f)''; and

(iii) in paragraph (54), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(B) in section 302(g)(5)(A)(iii)(I)(bb) (21 U.S.C. 822(g)(5)(A)(iii)(I)(bb)), by striking ''303(f)'' and inserting ''303(g)'';

(C) in section 304 (21 U.S.C. 824), by striking ''303(g)(1)'' each place it appears and inserting ''303(h)(1)'';

(D) in section 307(d)(2) (21 U.S.C. 827(d)(2)), by striking ''303(f)'' and inserting ''303(g)'';

(E) in section 309A(a)(2) (21 U.S.C. 829a(a)(2)), in the matter preceding subparagraph (A), by striking ''303(g)(2)'' and inserting ''303(h)(2)'';

(F) in section 311(h) (21 U.S.C. 831(h)), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(G) in section 401(h)(2) (21 U.S.C. 841(h)(2)), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(H) in section 403(c)(2)(B) (21 U.S.C. 843(c)(2)(B)), by striking ''303(f)'' and inserting ''303(g)''; and

(I) in section 512(c)(1) (21 U.S.C. 882(c)(1)) by striking ''303(f)'' and inserting ''303(g)''.

(2) Section 1008(c) of the Controlled Substances Import and Export Act (21 U.S.C. 958(c)) is amended—

(A) in paragraph (1), by striking ''303(d)'' and inserting ''303(e)''; and

(B) in paragraph (2)(B), by striking ''303(h)'' and inserting ''303(i)''.

(3) Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended—

(A) in section 520E–4(c) (42 U.S.C. 290bb–36d(c)), by striking ''303(g)(2)(B)'' and inserting ''303(h)(2)(B)''; and

(B) in section 544(a)(3) (42 U.S.C. 290dd–3(a)(3)), by striking ''303(g)'' and inserting ''303(h)''.

(4) Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended—

(A) in section 1833(bb)(3)(B) (42 U.S.C. 1395l(bb)(3)(B)), by striking ''303(g)'' and inserting ''303(h)'';

(B) in section 1834(o)(3)(C)(ii) (42 U.S.C. 1395m(o)(3)(C)(ii)), by striking ''303(g)'' and inserting ''303(h)''; and

(C) in section 1866F(c)(3)(C) (42 U.S.C. 1395cc–6(c)(3)(C)), by striking ''303(g)'' and inserting ''303(h)''.

(5) Section 1903(aa)(2)(C)(ii) of the Social Security Act (42 U.S.C. 1396b(aa)(2)(C)(ii)) is amended by striking ''303(g)'' each place it appears and inserting ''303(h)''.

SEC. 25124. ADEQUATE AND UNINTERRUPTED SUPPLY.

On an annual basis, the Attorney General shall assess whether there is an adequate and uninterrupted supply of marihuana, including of specific strains, for research purposes.

SEC. 25125. SECURITY REQUIREMENTS.

(a) IN GENERAL.—An individual or entity engaged in researching marihuana or its components shall store it in a securely locked, substantially constructed cabinet.

(b) REQUIREMENTS FOR OTHER MEASURES.—Any other security measures required by the Attorney General to safeguard against diversion shall be consistent with those required for practitioners conducting research on other controlled substances in schedules I and II in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) that have a similar risk of diversion and abuse.

SEC. 25126. PROHIBITION AGAINST REINSTATING INTERDISCIPLINARY REVIEW PROCESS FOR NON-NIH-FUNDED RESEARCHERS.

The Secretary of Health and Human Services may not—

(1) reinstate the Public Health Service interdisciplinary review process described in the guidance entitled ''Guidance on Procedures for the Provision of Marijuana for Medical Research'' (issued on May 21, 1999); or

(2) require another review of scientific protocols that is applicable only to research on marihuana or its components.

CHAPTER 2—DEVELOPMENT OF FDA-APPROVED DRUGS USING CANNABIDIOL AND MARIHUANA

SEC. 25141. MEDICAL RESEARCH ON CANNABIDIOL.

Notwithstanding any provision of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.), chapter 81 of title 41, United States Code, or any other Federal law, an appropriately registered covered institution of higher education, a practitioner, or a manufacturer may manufacture, distribute, dispense, or possess marihuana or cannabidiol if the marihuana or cannabidiol is manufactured, distributed, dispensed, or possessed, respectively, for purposes of medical research for drug development or subsequent commercial production in accordance with section 25142.

SEC. 25142. REGISTRATION FOR THE COMMERCIAL PRODUCTION AND DISTRIBUTION OF FOOD AND DRUG ADMINISTRATION-APPROVED DRUGS.

The Attorney General shall register an applicant to manufacture or distribute cannabidiol or marihuana for the purpose of commercial production of a drug containing or derived from marihuana that is approved by the Secretary of Health and Human Services under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), in accordance with the applicable requirements under subsection (a) or (b) of section 303 of the Controlled Substances Act (21 U.S.C. 823).

SEC. 25143. IMPORTATION OF CANNABIDIOL FOR RESEARCH PURPOSES.

The Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) is amended—

(1) in section 1002(a) (21 U.S.C. 952(a))—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2)(C), by inserting ''and'' after ''uses,''; and

(C) inserting before the undesignated matter following paragraph (2)(C) the following:

''(3) such amounts of marihuana or cannabidiol (as defined in section 25102 of the Cannabidiol and Marihuana Research Expansion Act) as are—

''(A) approved for medical research for drug development (as such terms are defined in section 25102 of the Cannabidiol and Marihuana Research Expansion Act), or

''(B) necessary for registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.),''; and

(2) in section 1007 (21 U.S.C. 957), by amending subsection (a) to read as follows:

''(a)(1) Except as provided in paragraph (2), no person may—

''(A) import into the customs territory of the United States from any place outside thereof (but within the United States), or import into the United States from any place outside thereof, any controlled substance or list I chemical, or

''(B) export from the United States any controlled substance or list I chemical,

unless there is in effect with respect to such person a registration issued by the Attorney General under section 1008, or unless such person is exempt from registration under subsection (b).

''(2) Paragraph (1) shall not apply to the import or export of marihuana or cannabidiol (as defined in section 25102 of the Cannabidiol and Marihuana Research Expansion Act) that has been approved for—

''(A) medical research for drug development authorized under section 25141 of the Cannabidiol and Marihuana Research Expansion Act; or

''(B) use by registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).''.

CHAPTER 3—DOCTOR-PATIENT RELATIONSHIP

SEC. 25161. DOCTOR-PATIENT RELATIONSHIP.

It shall not be a violation of the Controlled Substances Act (21 U.S.C. 801 et seq.) for a State-licensed physician to discuss—

(1) the currently known potential harms and benefits of marihuana derivatives, including cannabidiol, as a treatment with the legal guardian of the patient of the physician if the patient is a child; or

(2) the currently known potential harms and benefits of marihuana and marihuana derivatives, including cannabidiol, as a treatment with the patient or the legal guardian of the patient of the physician if the patient is a legal adult.

CHAPTER 4—FEDERAL RESEARCH

SEC. 25181. FEDERAL RESEARCH.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in coordination with the Director of the National Institutes of Health and the heads of other relevant Federal agencies, shall submit to the Caucus on International Narcotics Control, the Committee on the Judiciary, and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on the Judiciary of the House of Representatives a report on—

(1) the potential therapeutic effects of cannabidiol or marihuana on serious medical conditions, including intractable epilepsy;

(2) the potential effects of marihuana, including—

(A) the effect of increasing delta-9-tetrahydrocannabinol levels on the human body and developing adolescent brains; and

(B) the effect of various delta-9-tetrahydrocannabinol levels on cognitive abilities, such as those that are required to operate motor vehicles or other heavy equipment; and

(3) the barriers associated with researching marihuana or cannabidiol in States that have legalized the use of such substances, which shall include—

(A) recommendations as to how such barriers might be overcome, including whether public-private partnerships or Federal-State research partnerships may or should be implemented to provide researchers with access to additional strains of marihuana and cannabidiol; and

(B) recommendations as to what safeguards must be in place to verify—

(i) the levels of tetrahydrocannabinol, cannabidiol, or other cannabinoids contained in products obtained from such States is accurate; and

(ii) that such products do not contain harmful or toxic components.

(b) ACTIVITIES.—To the extent practicable, the Secretary of Health and Human Services, either directly or through awarding grants, contacts, or cooperative agreements, shall expand and coordinate the activities of the National Institutes of Health and other relevant Federal agencies to better determine the effects of cannabidiol and marihuana, as outlined in the report submitted under paragraphs (1) and (2) of subsection (a).

Subtitle C—GAO Study

SEC. 25201. GAO STUDY ON IMPROVING THE EFFICIENCY OF TRAFFIC SYSTEMS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall carry out, and submit to Congress a report describing the results of, a study on the potential societal benefits of improving the efficiency of traffic systems.

SA 2552. Mrs. MURRAY (for herself and 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 2386, line 17, strike ''or in part''.

SA 2553. Mr. HEINRICH (for himself, Mr. MORAN, and Mr. LUJÁN) 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:

TITLE ____—CHAMPIONING APPRENTICESHIPS FOR NEW CAREERS AND EMPLOYEES IN TECHNOLOGY

SEC. _____1. SHORT TITLE.

This title may be cited as the ''Championing Apprenticeships for New Careers and Employees in Technology Act'' or the ''CHANCE in TECH Act''.

SEC. _____2. CONGRESSIONAL FINDINGS.

Congress finds the following:

(1) During any given 90-day period there can be more than 500,000 information technology job openings in the United States.

(2) Employment in the technology sector is growing twice as fast as employment in the United States.

(3) Jobs in the technology sector tend to provide higher pay and better benefits than other jobs and have been more resilient to economic downturn than jobs available in other private sector industries.

(4) Information technology skills are transferrable across nearly all industries.

(5) Exceptional education and on-the-job training programs exist and should be scaled to meet the demands of the modern technology workforce.

(6) Adoption of existing employer-driven intermediary models, such as ApprenticeshipUSA under the Department of Labor, will help grow the information technology workforce.

(7) Career pathway education should start in high school through pathways and programs of study that align with local and regional employer needs.

(8) Preparing a student for a job in the technology sector is essential to the growth and competitiveness of the economy in the United States in the 21st Century.

(9) Nearly 800,000 information technology workers will retire between 2017 and 2024.

(10) According to the Bureau of Labor Statistics, in May 2020, the median annual wage for computer and information technology occupations was $91,250, which was higher than the median annual wage for all occupations of $41,950.

SEC. _____3. TECHNOLOGY APPRENTICESHIP CONTRACTS.

(a) IN GENERAL.—The Secretary of Labor (referred to in this section as ''the Secretary'') shall enter into contracts with industry intermediaries for the purpose of promoting the development of and access to apprenticeships in the technology sector, from amounts appropriated under subsection (e).

(b) ELIGIBILITY.—To be eligible to be awarded a contract under this section, an industry intermediary shall submit an application to the Secretary, at such time and in such a manner as may be required by the Secretary, that identifies proposed activities designed to further the purpose described in subsection (a).

(c) SELECTION.—The Secretary shall award contracts under this section based on competitive criteria to be prescribed by the Secretary.

(d) CONTRACTOR ACTIVITIES.—An industry intermediary that is awarded a contract under this section may only use the funds made available through such contract to carry out activities designed to further the purpose described in subsection (a), including—

(1) facilitating the provision and development of apprenticeships in the technology sector through collaborations with public and private entities that provide job-related instruction, such as on-the-job training, pre-apprenticeship training, and technical training;

(2) encouraging entities to establish such apprenticeships;

(3) identifying, assessing, and training applicants for such apprenticeships who are—

(A) enrolled in high school;

(B) enrolled in an early college high school that focuses on education in STEM subjects;

(C) individuals aged 18 years or older who meet appropriate qualification standards; or

(D) enrolled in pre-apprenticeship or apprenticeship training initiatives that allow adults to concurrently increase academic and workforce skills through proven, evidence-based models that connect all learning to the specific apprenticeship involved and significantly accelerate completion of preparation for the apprenticeship; and

(4) tracking the progress of such applicants who participate in such apprenticeships.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

the Secretary such sums as may be necessary for the purposes of carrying out this section.

SEC. _____4. CHANCE IN TECH AWARDS FOR 21ST CENTURY SCHOOLS.

(a) AWARDS AUTHORIZED.—The Secretary of Education may issue awards, to be known as ''CHANCE in TECH Awards for 21st Century Schools'', to schools (referred to in this section as ''covered schools'') that—

(1) are secondary schools or junior or community colleges; and

(2) demonstrate high achievement in providing students necessary skills to compete in the 21st century workforce.

(b) CRITERIA.—In selecting a covered school for an award under subsection (a), the Secretary shall take into account—

(1) the availability of STEM, career and technical education, and computer technology courses at the covered school;

(2) State academic assessments, as described in section 111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)), of students at the covered school in STEM subjects;

(3) any coordination between the covered school and local and regional employers in the technology sector for the purpose of providing work-based learning programs such as apprenticeships and internships; and

(4) the availability of individualized plans provided by the covered school to students relating to postsecondary education or training, career paths, and financial aid.

SEC. _____5. FUNDING.

(a) FISCAL YEAR 2021.—Amounts made available to the Secretary of Labor under the Department of Labor Appropriations Act, 2021 to carry out the Act referred to in section _____6(1) may be used to carry out this title.

(b) SUBSEQUENT YEARS.—There are authorized to be appropriated to carry out this title such sums as may be necessary for fiscal year 2022 and each subsequent fiscal year.

SEC. _____6. DEFINITIONS.

In this title:

(1) APPRENTICESHIP.—The term ''apprenticeship'' means an apprenticeship registered under the Act of August 16, 1937 (commonly known as the ''National Apprenticeship Act''; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

(2) CAREER AND TECHNICAL EDUCATION.—The term ''career and technical education'' has the meaning given such term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(3) EARLY COLLEGE HIGH SCHOOL.—The term ''early college high school'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) HIGH SCHOOL.—The term ''high school'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) INDUSTRY INTERMEDIARY.—The term ''industry intermediary'' means an entity that—

(A) in order to accelerate apprenticeship program development and helps establish new apprenticeship partnerships at the national, State, or regional level, serves as a conduit between an employer and an entity, such as—

(i) an industry partner;

(ii) the Department of Labor; and

(iii) a State agency responsible for workforce development programs;

(B) demonstrates a capacity to work with employers and other key partners to identify workforce trends and foster public-private funding to establish new apprenticeship programs; and

(C) is an entity such as—

(i) a business;

(ii) a consortium of businesses;

(iii) a business-related nonprofit organization, including industry associations and business federations;

(iv) a private organization functioning as a workforce intermediary for the express purpose of serving the needs of businesses, including community-based nonprofit service providers and industry-aligned training providers; or

(v) a consortium of any of the entities described in clauses (i) through (iv).

(6) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(7) JUNIOR OR COMMUNITY COLLEGE.—The term ''junior or community college'' has the meaning given the term in section 312(f) of the Higher Education Act of 1965 (20 U.S.C. 1058(f)).

(8) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(10) STATE EDUCATIONAL AGENCY.—The term ''State educational agency'' has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(11) STEM.—The term ''STEM'' means science, technology, engineering, and mathematics.

(12) TECHNOLOGY SECTOR.—The term ''technology sector'' means the industry sector involved in the design or development of hardware, software, or security of digital data.

SA 2554. 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 2022, line 15, strike ''$42,450,000,000'' and insert ''$52,450,000,000''.

On page 2024, line 9, strike ''10 percent'' and insert ''15 percent''.

On page 2470, line 10, strike ''$42,450,000,000'' and insert ''$52,450,000,000''.

SA 2555. 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:

On page 1816, line 24, insert ''and watershed scale'' after ''cross-boundary''.

On page 1838, line 10, insert ''and watershed'' before ''storage''.

On page 1842, line 9, insert '', restoration, and maintenance'' after ''management''.

On page 1847, line 9, insert ''**AND WATERSHED**'' after ''**GROUNDWATER**''.

On page 1847, line 19, insert ''implementation,'' before ''and construction''.

On page 1848, line 9, insert '', groundwater storage,'' after ''surface water''.

On page 1851, line 7, insert ''watershed function,'' after ''benefits,''.

SA 2556. Ms. STABENOW (for herself, Mr. CORNYN, and Mr. WHITEHOUSE) 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, add the following:

SEC. 111___. CORROSION PREVENTION FOR BRIDGES.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE BRIDGE PROJECT.—The term ''applicable bridge project'' means a project for construction, replacement, rehabilitation, maintenance, or protection, other than de minimis work, as determined by the applicable State department of transportation, on a bridge project assisted under title 23, United States Code.

(2) CERTIFIED CONTRACTOR.—The term ''certified contractor'' means a contracting or subcontracting firm that has been certified by a third party organization recognized industry-wide that evaluates the capability of the contractor or subcontractor to properly perform 1 or more specified aspects of an applicable bridge project described in subsection (b)(2).

(3) QUALIFIED TRAINING PROGRAM.—The term ''qualified training program'' means a training program in corrosion control, mitigation, and prevention that is—

(A) offered or accredited by an organization that sets industry corrosion standards; or

(B) an industrial coatings applicator training program—

(i) registered under the Act of August 16, 1937 (commonly known as the ''National Apprenticeship Act''; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); and

(ii) that meets the standards of subpart A of part 29 and part 30 of title 29, Code of Federal Regulations (or successor regulations).

(b) APPLICABLE BRIDGE PROJECTS.—

(1) QUALITY CONTROL.—A certified contractor shall carry out aspects of an applicable bridge project described in paragraph (2).

(2) ASPECTS OF APPLICABLE BRIDGE PROJECTS.—Aspects of an applicable bridge project referred to in paragraph (1) include—

(A) surface preparation or coating application on steel or rebar, and other passive forms of corrosion prevention of rebar, such as galvanic anodes, of an applicable bridge project;

(B) removal of a lead-based or other hazardous coating from steel of an existing applicable bridge project; and

(C) shop painting of structural steel or rebar fabricated for installation on an applicable bridge project.

(3) CORROSION MANAGEMENT SYSTEM.—A State department of transportation shall—

(A) implement a corrosion management system that utilizes industry-recognized standards and corrosion mitigation and prevention methods to address—

(i) surface preparation;
(ii) protective coatings;
(iii) materials selection;
(iv) cathodic protection;
(v) corrosion engineering;
(vi) personnel training; and
(vii) best practices in environmental protection to prevent environmental degradation and uphold public health; and

(B) require a certified contractor, for the purpose of carrying out aspects of applicable bridge projects described in paragraph (2), to employ a substantial number of individuals that are trained and certified by a qualified training program as meeting the ANSI/NACE Number 13/SSPC–ACS–1 standard (or a successor standard).

(4) CERTIFICATION.—For an applicable bridge project that includes an aspect described in paragraph (2), a State department of transportation shall only accept bids from a certified contractor that presents written proof that the certification of the contractor meets the relevant SSPC–QP standards (or successor standards).

(c) TRAINING PROGRAM.—As a condition of entering into a contract for an applicable bridge project, each certified contractor shall provide training for each individual who is not a certified coating applicator but that the certified contractor employs to carry out aspects of applicable bridge projects described in subsection (b)(2).

SA 2557. Ms. BALDWIN (for herself 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:

In the eighth proviso under the heading ''DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM'' under the heading ''RURAL UTILITIES SERVICE'' under the heading ''RURAL DEVELOPMENT PROGRAMS'' under the heading ''DEPARTMENT OF AGRICULTURE'' in title I of division J, strike ''electric cooperatives'' and insert ''pole owners''.

SA 2558. Ms. BALDWIN (for herself and Mr. JOHNSON) 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 H, add the following:

SEC. 810____. PAYMENT TO CERTAIN INDIVIDUALS WHO DYE FUEL.

(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 subsection:

''SEC. 6433. DYED FUEL.

''(a) IN GENERAL.—If a person establishes to the satisfaction of the Secretary that such person meets the requirements of subsection (b) with respect to diesel fuel or kerosene, then the Secretary shall pay to such person an amount (without interest) equal to the tax described in subsection (b)(2)(A) with respect to such diesel fuel or kerosene.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—A person meets the requirements of this subsection with respect to diesel fuel or kerosene if such person removes from a terminal eligible indelibly dyed diesel fuel or kerosene.

''(2) ELIGIBLE INDELIBLY DYED DIESEL FUEL OR KEROSENE DEFINED.—The term 'eligible indelibly dyed diesel fuel or kerosene' means diesel fuel or kerosene—

''(A) with respect to which a tax under section 4081 was previously paid (and not credited or refunded), and

''(B) which is exempt from taxation under section 4082(a).

''(c) CROSS REFERENCE.—For civil penalty for excessive claims under this section, see section 6675.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 6206 of the Internal Revenue Code of 1986 is amended—

(A) by striking ''or 6427'' each place it appears and inserting ''6427, or 6433'', and

(B) by striking ''6420 and 6421'' and inserting ''6420, 6421, and 6433''.

(2) Section 6430 of such Code is amended—

(A) by striking ''or'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting ''or'', and by adding at the end the following new paragraph:

''(4) which are removed as eligible indelibly dyed diesel fuel or kerosene under section 6433.''.

(3) Section 6675 of such Code is amended—

(A) in subsection (a), by striking ''or 6427 (relating to fuels not used for taxable purposes)'' and inserting ''6427 (relating to fuels not used for taxable purposes), or 6433 (relating to eligible indelibly dyed fuel)'', and

(B) in subsection (b)(1), by striking ''6421, or 6427,'' and inserting ''6421, 6427, or 6433''.

(4) 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. 6433. Dyed fuel.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to eligible indelibly dyed diesel fuel or kerosene removed on or after the date that is 180 days after the date of the enactment of this section.

SA 2559. Ms. MURKOWSKI (for herself 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 1592, strike lines 6 through 13 and insert the following:

''(2) is placed in service on or after the date of enactment of this section;

''(3) meets the requirements of subclauses (I) and (III) of section 242(b)(1)(B)(ii); and

''(4)(A) is in compliance with all applicable Federal, Tribal, and State requirements; or

''(B) would be constructed or brought into compliance with the requirements described in subparagraph (A) as a result of the capital improvements or investment carried out using an incentive payment under this section.

On page 1593, line 15, insert ''subject to subsection (c),'' before ''environmental''.

On page 1594, between lines 8 and 9, insert the following:

''(c) CONDITION.—Incentive payments may only be made for environmental improvements under subsection (b)(3) on the condition that the improvements, including any related physical or operational changes, have been authorized under applicable Federal, State, and Tribal permitting or licensing processes that include appropriate mitigation conditions arising from consultation and environmental review under the processes.

On page 1594, line 9, strike ''(c)'' and insert ''(d)''.

On page 1594, line 18, strike ''(d)'' and insert ''(e)''.

SA 2560. 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 11102 and insert the following:

SEC. 11102. OBLIGATION LIMITATION.

(a) GENERAL LIMITATION.—Subject to subsection (d) and notwithstanding any other provision of law, for each fiscal year, the obligations for Federal-aid highway and highway safety construction programs shall not exceed the net highway receipts most recently estimated by the Secretary of the Treasury for that fiscal year under section 9503(d)(1)(B) of the Internal Revenue Code of 1986.

(b) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each fiscal year, the Secretary—

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

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

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

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

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

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

(3) shall determine the proportion that—

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

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs, less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary

under this division and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

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

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

(5) shall distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned under sections 202 and 204 of title 23, United States Code) in the proportion that—

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

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

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (b), the Secretary shall, after August 1 of each fiscal year—

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

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP-21 (Public Law 112–141)) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under chapter 5 of title 23, United States Code.

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

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

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

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (b) for each fiscal year, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

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

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

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

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

At the end of division C, add the following:

SEC. 3_____. OBLIGATION LIMITATION.

Section 5338 of title 49, United States Code (as amended by section 30017), is amended by adding at the end the following:

''(f) OBLIGATION LIMITATION.—Notwithstanding subsection (a) or any other provision of law, for each fiscal year, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by subsection (a) and any other provision of law shall not exceed the net mass transit receipts most recently estimated for that fiscal year by the Secretary of the Treasury under section 9503(e)(4) of the Internal Revenue Code of 1986.''.

SA 2561. 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 2065, strike line 13 and all that follows through ''(6)'' on page 2071, line 1, and insert the following:

(B) shall deploy the broadband network and begin providing broadband service to each customer that desires broadband service not later than 4 years after the date on which the entity receives the subgrant, except that an eligible entity may extend the deadline under this subparagraph if—

(i) the eligible entity has a plan for use of the grant funds;

(ii) the construction project is underway; or

(iii) extenuating circumstances require an extension of time to allow the project to be completed;

(C) for any project that involves laying fiber optic cables or conduit underground or along a roadway, shall include interspersed conduit access points at regular and short intervals;

(D) may use the subgrant to deploy broadband infrastructure in or through any area required to reach interconnection points or otherwise to ensure the technical feasibility and financial sustainability of a project providing broadband service to an unserved location, underserved location, or eligible community anchor institution;

(E) once the network has been deployed, shall provide public notice, online and through other means, of that fact to the locations and areas to which broadband service has been provided and share the public notice with the eligible entity that awarded the subgrant;

(F) shall carry out public awareness campaigns in service areas that are designed to highlight the value and benefits of broadband service in order to increase the adoption of broadband service by consumers; and

(G) if the entity is no longer able to provide broadband service to the locations covered by the subgrant at any time, shall sell the network capacity at a reasonable, wholesale rate on a nondiscriminatory basis to other broadband service providers or public sector entities.

(5)

SA 2562. 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:

At the end of division F, add the following:

TITLE VI—NO DUPLICATION OF FUNDING FOR BROADBAND INFRASTRUCTURE

SEC. 60601. NO DUPLICATION OF FUNDING FOR BROADBAND INFRASTRUCTURE.

None of the amounts made available under this division or an amendment made by this division may be awarded for the construction, operation, or upgrading of broadband infrastructure to serve customers in an area that is served by a broadband provider that receives funds under another Federal broadband program.

SA 2563. 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:

At the end of division F, add the following:

TITLE VI—NO OVERBUILDING CAUSED BY DUPLICATION WITH UNIVERSAL SERVICE SUPPORT OR OTHER FEDERAL BROADBAND FUNDS

SEC. 60601. NO OVERBUILDING CAUSED BY DUPLICATION WITH UNIVERSAL SERVICE SUPPORT OR OTHER FEDERAL BROADBAND FUNDS.

The Assistant Secretary of Commerce for Communications and Information may not award amounts under this division or an amendment made by this division if the Federal Communications Commission determines that the award would likely lead to overbuilding by a recipient of—

(1) universal service support; or

(2) amounts provided under another Federal program for the provision of broadband internet access service.

SA 2564. Mr. CARPER (for himself, Mr. INHOFE, Mr. WICKER, and Ms. DUCKWORTH) 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:

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 2565. 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 1051, strike line 21 and insert the following:

(c) EFFECTIVE DATE.—The rule required under subsection (b) shall become effective on September 1 of the first calendar year beginning after the date on which the Secretary issues that rule.

(d) PERIODIC REVIEW.—Nothing in this section pre-

SA 2566. 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 24214, strike subsection (c) and insert the following:

(c) RULEMAKING.—

(1) REQUIREMENT.—Not later than 1 year after the date on which the Secretary issues the notice required under subsection (a), the Secretary shall issue a final rule to update hood and bumper standards for motor vehicles (as defined in section 30102(a) of title 49, United States Code).

(2) DEADLINE.—The rule issued under paragraph (1) shall become effective on September 1 of the first calendar year beginning after the date on which the Secretary issues that rule.

SA 2567. Mrs. FEINSTEIN (for herself, Mr. BOOKER, Mr. VAN HOLLEN, Mr. PADILLA, and Mr. DURBIN) 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 2186, between lines 14 and 15, insert the following:

(f) AGGREGATION PERMITTED.—Section 904(b) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), as amended by subsection (a) of this section, is amended by adding at the end the following:

''(16) AGGREGATION PERMITTED.—Not later than 90 days after the date of enactment of this paragraph, the Commission shall adopt rules providing that—

''(A) a unit of local government may pay a participating provider on behalf of an eligible household for an internet service offering, in lieu of the participating provider applying a monthly discount to the amount charged to the eligible household; and

''(B) the Commission will reimburse a unit of local government for amounts paid to a participating provider as described in subparagraph (A) in the same manner as the Commission would have reimbursed the participating provider for applying a monthly discount to the amount charged to the eligible household, subject to the applicable maximum amount of the affordable connectivity benefit under paragraph (7).''.

SA 2568. Mr. MORAN (for himself and Mr. LUJÁN) 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 519, line 11, insert ''and rural commuters'' after ''commuters''.

SA 2569. Mr. HOEVEN (for himself and Mr. PETERS) 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 1099, strike lines 22 through 24 and insert the following:

activity;

(C) to purchase or lease a license plate reader; or

(D) to purchase, lease, or operate an unmanned aircraft system manufactured by an entity domiciled in the People's Republic of China or subject to influence or control by the Government of the People's Republic of China or the Communist Party of the People's Republic of China (or a subsidiary or affiliate of such an entity).

SA 2570. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) 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 appropriate place in division B, insert the following:

SEC. _____. LIMOUSINE COMPLIANCE WITH FEDERAL SAFETY STANDARDS.

(a) LIMOUSINE STANDARDS.—

(1) SAFETY BELT AND SEATING SYSTEM STANDARDS FOR LIMOUSINES.—Not later than 2 years after the date of enactment of this Act, the Secretary shall prescribe a final rule that—

(A) amends Federal Motor Vehicle Safety Standard Numbers 208, 209, and 210 to require to be installed in limousines on each designated seating position, including on side-facing seats—

(i) an occupant restraint system consisting of integrated lap-shoulder belts; or

(ii) an occupant restraint system consisting of a lap belt, if an occupant restraint system described in clause (i) does not meet the need for motor vehicle safety; and

(B) amends Federal Motor Vehicle Safety Standard Number 207 to require limousines to meet standards for seats (including side-facing seats), seat attachment assemblies, and seat installation to minimize the possibility of failure by forces acting on the seats, attachment assemblies, and installations as a result of motor vehicle impact.

(2) REPORT ON RETROFIT ASSESSMENT FOR LIMOUSINES.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that assesses the feasibility, benefits, and costs with respect to the application of any requirement established under paragraph (1) to a limousine introduced into interstate commerce before the date on which the requirement takes effect.

(b) MODIFICATIONS OF CERTAIN VEHICLES.—The final rule prescribed under subsection

(a)(1) and any standards prescribed under subsection (b) or (c) of section 23015 shall apply to a person modifying a passenger motor vehicle (as defined in section 32101 of title 49, United States Code) that has already been purchased by the first purchaser (as defined in section 30102(b) of that title) by increasing the wheelbase of the vehicle to make the vehicle a limousine.

(c) APPLICATION.—The requirements of this section apply notwithstanding section 30112(b)(1) of title 49, United States Code.

SA 2571. Mr. BLUMENTHAL (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:

On page 1099, beginning on line 22, strike ''or'' and all that follows through line 24, and insert the following:

(C) to purchase or lease a license plate reader; or

(D) to purchase, lease, or operate an unmanned aircraft system (as defined in section 44801 of title 49, United States Code) manufactured by—

(i) an entity domiciled in the People's Republic of China; or

(ii) an entity, or a subsidiary or affiliate of an entity, that is subject to influence or control by—

(I) the Government of the People's Republic of China; or

(II) the Chinese Communist Party.

SA 2572. Ms. HIRONO (for herself and Ms. KLOBUCHAR) 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 RESEARCH FACILITIES INFRASTRUCTURE

SEC. 71201. FUNDING FOR AGRICULTURAL RESEARCH FACILITIES AND RESEARCH FACILITIES OF THE AGRICULTURAL RESEARCH SERVICE.

(a) DEFINITIONS.—In this section:

(1) AGRICULTURAL RESEARCH FACILITY.—The term ''agricultural research facility'' has the meaning given the term in section 2 of the Research Facilities Act (7 U.S.C. 390).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(b) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary for the period of fiscal years 2022 through 2026, out of any money in the Treasury not otherwise appropriated, $12,500,000,000, to remain available until expended, to carry out this section, of which the Secretary shall use—

(1) $11,500,000,000 to carry out the competitive grant program established under section 4 of the Research Facilities Act (7 U.S.C. 390b) to provide to agricultural research facilities the Federal share of the costs of the construction, alteration, acquisition, modernization, renovation, or remodeling of—

(A) the agricultural research facilities; or

(B) the equipment of the agricultural research facilities necessary for conducting agricultural research; and

(2) $1,000,000,000 to provide direct payments to research facilities of the Agricultural Research Service for the purpose of addressing deferred maintenance, with priority given to the most critical structures, in accordance with the Agricultural Research Service Capital Investment Strategy dated April 23, 2012.

(c) SECRETARIAL WAIVER.—Notwithstanding section 3(c)(2)(A) of the Research Facilities Act (7 U.S.C. 390a(c)(2)(A), in carrying out subsection (b)(1), the Secretary, on a case-by-case basis, as the Secretary determines to be appropriate, may provide that the Federal share of the costs described in that subsection is up to 100 percent of those costs.

(d) EQUITABLE DISTRIBUTION.—

(1) IN GENERAL.—In awarding grants under the program described in paragraph (1) of subsection (b) using amounts made available by that subsection, the Secretary, to the maximum extent practicable, shall ensure—

(A) an equitable geographic distribution of funds;

(B) an equitable distribution of funds to diverse institutions; and

(C) an equitable distribution of funds to agricultural research facilities of various sizes.

(2) REQUIREMENT.—Of the amounts made available by subsection (b) to carry out paragraph (1) of that subsection, not more than 20 percent may be provided for projects in any 1 State each fiscal year.

SA 2573. 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) FEDERAL LAND.—The term 'Federal land' means any land or interest in land owned by the United States.

''(B) INDIAN LAND.—The term 'Indian land' means—

''(i) land located within the boundaries of—

''(I) an Indian reservation, pueblo, or rancheria; or

''(II) a former reservation within Oklahoma; and

''(ii) land not located within the boundaries of an Indian reservation, pueblo, or rancheria—

''(I) the title to which is held in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

''(II) the title to which is held by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

''(III) the title to which is held by a dependent Indian community.

''(C) 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.

''(D) 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, 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) a renewable energy generation facility;

''(II) electrical transmission and distribution infrastructure; and

''(III) 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)(D)(ii) within a right-of-way on a Federal-aid highway.

''(4) EXCLUSION.—Paragraph (3) shall not apply to a utility facility on Federal land or Indian land.

''(5) SAVINGS PROVISION.—Nothing in this subsection alters or affects any prohibition relating to commercial activity under section 111(a).'';

(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.—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.''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. PETERS. Mr. President, I have 6 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, August 4, 2021, at 10 a.m., to conduct a hearing on nominations.