AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3684 OFFERED BY MR. DEFAZIO OF OREGON

Page 36, line 4, strike "; or" and insert a semicolon.

Page 36, line 10, strike the period and insert "; or".

Page 36, after line 10, add the following:

- 1 (C) to establish or enhance high-quality 2 bus service to community colleges and Minority 3 Serving Institutions, including Historically
- 4 Black Colleges and Universities.

Page 40, line 21, strike "Considerations" and insert "Criteria".

Page 41, line 3, insert "and" after the semicolon.

Page 41, beginning on line 6, strike ", a loss of non-Federal revenues that were intended to support the project".

Page 41, line 9, insert ", if a project meets one or both of the criteria in paragraph (2)" after "law".

Page 41, line 9, strike "may" and insert "shall".

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In section 104(b)(4)(A) of division A of the bill, insert ", education and workforce training," after "connections to jobs".

Page 46, line 19, insert ", or any subsequent report superseding such Committee Report," after "Committee Report".

Page 46, line 20, strike the comma and insert a period.

Page 193, after line 15, insert the following:

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

Page 268, line 13, add "and" at the end.

Page 276, line 17, strike "and" at the end.

Page 276, after line 17, insert the following (and redesignating the subsequent paragraph accordingly):

1	(5) in subsection (g) by inserting "or within the
2	scope of the applicable finding, determination, or en-
3	vironmental review decision made pursuant to au-
4	thority granted by the Secretary under section 330,
5	if applicable," before "regardless of the"; and

Page 276, line 18, insert "or within the scope of the applicable finding, determination, or environmental review decision made pursuant to authority granted by the Secretary under section 330, if applicable," after "4321 et seq.),".

Page 279, line 21, insert ", except for iron and steel," after "materials".

Page 281, line 8, insert "current" before "domestic availability".

Page 281, line 10, strike "supply chain for covered items." and insert "current supply chain for covered items; and".

Page 281, line 11, strike "market share of" and insert "demand, in relation to total United States demand from all sources, for".

Page 281, line 18, strike "; and" and insert a period.

Page 281, strike lines 19 through 21.

Page 282, line 3, insert "(except for iron and steel)" after "product".

Page 282, after line 7, insert the following (and redesignate the subsequent subsection accordingly):

- 1 (c) Iron and Steel.—This section, and the amend-
- 2 ments made by this section, shall not affect the require-
- 3 ments under section 634.410(b)(1)(ii) of title 23, Code of
- 4 Federal Regulations, with respect to iron and steel.

Page 282, line 19, strike "and" and insert "or".

Page 389, line 11, strike "STANDARDS AND".

Page 389, beginning on line 14, strike "develop standards and guidance" and insert "publish guidance for public comment".

Page 389, line 21, strike ", software,".

Page 414, line 8, strike "or 113".

Page 425, strike lines 8 through 11 and insert the following:

"(F) Whether the project would replace, reconstruct, or rehabilitate a commuter corridor (including a high-commuter corridor (as such term is defined in section 203(a)(6))) that is in poor condition.

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1 "(G) Whether the project would improve
2 the shared transportation corridor of a
3 multistate corridor.
Page 430, line 14, insert "in each fiscal year" after "\$5,000,000".
Page 435, line 23, strike "urbanized".
Page 435, line 24, strike "49,999" and insert "74,999".
Page 436, line 3, strike "not included in urbanized
areas" and insert "that are outside of an urbanized area
with a population greater than 74,999 individuals, as de-
termined by the Bureau of the Census".
Page 439, line 15, insert "in each fiscal year" after
"\$3,000,000".
Page 443, after line 21, insert the following (and re-
designate subsequent subparagraphs accordingly):
4 (A) by striking "Not later than" and in-
5 serting the following:
6 "(1) In general.—Not later than";
Page 444, line 2, strike "and".
Page 444, line 5, strike the semicolon and insert ";

and".

Page 444, after line 5, insert the following:

1	(D) by adding at the end the following:
2	"(2) Freight corridors.—Not later than 1
3	year after the date of enactment of the INVEST in
4	America Act, the Secretary shall designate national
5	electric vehicle charging and hydrogen fueling freight
6	corridors that identify the near- and long-term need
7	for, and the location of, electric vehicle charging and
8	hydrogen fueling infrastructure to support freight
9	and goods movement at strategic locations along
10	major national highways, the National Highway
11	Freight Network, and goods movement locations in-
12	cluding ports, intermodal centers, and warehousing
13	locations.";
	Page 450, line 13, strike "; and" and insert a semi-
colo	n.
	Page 450, after line 13, insert the following:
14	"(XI) the availability of onsite
15	amenities for vehicle operators, includ-
16	ing restrooms or food facilities; and

Page 450, line 14, strike "(XI)" and insert "(XII)".

Page 451, line 9, strike "Project requirements" and insert "Guidance".

Page 451, beginning on line 13, strike "develop standards and requirements" and insert "publish guidance for public comment".

Page 451, line 18, strike "software".

Page 460, line 6, strike the closing quotation mark and the period at the end.

Page 460, after line 6, insert the following:

- 1 "(n) Rural Set-Aside.—
- 2 "(1) IN GENERAL.—The Secretary shall set
- 3 aside not less than 10 percent of the amounts made
- 4 available to carry out this section for projects lo-
- 5 cated in rural areas.
- 6 "(2) Definition of Rural Area.—In this
- 7 subsection, the term 'rural area' means all areas of
- 8 a State or territory that are outside of an urbanized
- 9 area with a population greater than 74,999 individ-
- uals, as determined by the Bureau of the Census".

Page 465, line 2, insert "in each of fiscal years 2023 through 2026" after "\$5,000,000".

Page 474, line 24, insert ", including strategies to improve the operations of high-occupancy vehicle lanes" after "operations".

Page 474, line 25, insert "to improve connectivity and innovation" after "systems".

Page 475, line 13, insert ", including, value capture and transit-oriented development projects" after "Code".

Page 476, line 22, insert "utilizing eligible projects" before the period.

Page 487, line 18, strike ", not less than \$10,000,000 for fiscal years 2023 through 2026" and insert "for fiscal years 2023 through 2026, a total of not less than \$10,000,000".

Page 510, line 10, strike "and".

Page 510, line 14, strike the period and insert "; and".

Page 510, after line 14, insert the following:

1	(4) ensuring any activities carried out under
2	this section—
3	(A) focus on improvements that will ben-
4	efit the populations impacted by or previously
5	displaced by the eligible facility; and
6	(B) emphasize equity by garnering commu-
7	nity engagement, avoiding future displacement,
8	and ensuring local participation in the planning
9	process.

Page 511, strike lines 3 through 5 and insert the following:

1 (2) Partnerships.—An eligible entity may 2 enter into an agreement with the following entities 3 to carry out the eligible activities under this section: 4 (A) A nonprofit organization. 5 (B) An institution higher education, as 6 such term is defined in section 101 of the High-7 er Education Act of 1965 (20 U.S.C. 1001), in-8 cluding historically black colleges and universities, defined as the term "Predominantly 9 Black institution" is defined in section 371(c) 10 11 of the Higher Education Act of 1965 (20 12 U.S.C. 1067q(c)).

Page 513, line 6, strike the semicolon and insert ", including—".

Page 513, after line 6, insert the following:

13	(i) building organizational or commu-
14	nity capacity to, and educating community
15	members on how to, engage in and con-
16	tribute to eligible planning activities de-
17	scribed in subsection $(c)(2)$;
18	(ii) identifying community needs and
19	desires for community improvements and

1	developing community driven solutions in
2	carrying out eligible planning activities de-
3	scribed in subsection $(e)(2)$;
4	(iii) conducting assessments of equity,
5	mobility and access, environmental justice,
6	affordability, economic opportunity, health
7	outcomes, and other local goals to be used
8	in carrying out eligible planning activities
9	described in subsection $(c)(2)$; and
10	(iv) forming a community advisory
11	board in accordance with subsection (d)(7);
mui	Page 513, line 21, insert "establishment of a com- nity land trust for" after "including".
	Page 515, line 9, strike "and".
	Page 515, line 16, strike the period and insert ";
and	".
	Page 515, after line 16, insert the following:
12	(iii) the activities would benefit popu-
13	lations impacted by or previously displaced
14	by an eligible facility.
	Page 515, strike line 22 through page 516, line 4.

Page 517, line 16, strike "and".

Page 518, line 8, strike "opportunities for" and insert "extent to which the grantee has plans for".

Page 518, line 9, insert "in place" after "development".

Page 519, line 2, strike "and".

Page 519, line 6, strike the period and insert "; and".

Page 519, after line 6, insert the following:

1	(xi) the extent to which the project
2	benefits populations impacted by or pre-
3	viously displaced by the eligible facility;
4	(C) ensure that the project has conducted
5	sufficient community engagement, such as the
6	activities described in subsection (c)(2)(B); and
7	(D) ensure that the jurisdiction in which
8	the eligible facility is located has an anti-dis-
9	placement policy or a community land trust in
10	place.

Page 520, line 11, insert ", including residents in the immediate vicinity of the project" after "community".

Page 520, after line 19, insert the following (and redesignate accordingly):

1	(C) DIVERSITY.—The community advisory
2	board shall be representative of the community
3	served by the project.
4	(e) Priorities.—In selecting recipients of planning
5	grants, capital construction grants, and technical assist-
6	ance under this section, the Secretary shall give priority
7	to—
8	(1) an application from a community that is
9	economically disadvantaged, including an environ-
10	mental justice community, an underserved commu-
11	nity, or a community located in an area of persistent
12	poverty (as such term is defined in section 101 of
13	title 23, United States Code); and
14	(2) an eligible entity that has—
15	(A) entered into a community benefits
16	agreement with representatives of the commu-
17	nity or formed a community advisory board
18	under paragraph (7) of subsection (d);
19	(B) demonstrated a plan for employing
20	residents in the area impacted by the activity or
21	project through targeted hiring programs; and
22	(C) demonstrated a plan for improving
23	transportation system access.

Page 521, after line 3, insert the following:

- 1 (h) Report.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to 3 the Committee on Transportation and Infrastructure of 4 the House of Representatives and the Committee on Envi-5 ronment and Public Works of the Senate a report that— 6 (1) identifies and creates an online mapping 7 tool showing any examples of potential projects to 8 remove eligible facilities, and assesses the potential 9 impacts of carrying out such projects; and 10 (2) assesses projects funded under subsection 11 (d) to provide best practices. Page 521, strike line 4 and insert the following:
- 12 (i) Definitions.—In this section:
- 13 (1) Eligible facility defined.—
 - Page 521, line 5, redesignate paragraph (1) as subparagraph (A).
 - Page 521, line 5, strike "In this section, the" and insert "The".
 - Page 521, line 11, redesignate paragraph (2) as subparagraph (B).
 - Page 521, line 11, strike "In this section, the" and insert "The".

Page 521, line 13, redesignate subparagraph (A) as clause (i).

Page 521, line 14, redesignate subparagraph (B) as clause (ii).

Page 521, line 15, redesignate subparagraph (C) as clause (iii).

Page 521, line 16, redesignate subparagraph (D) as clause (iv).

Page 521, line 17, redesignate subparagraph (E) as clause (v).

Page 521, after line 20, insert the following:

1	(2) COMMUNITY LAND TRUST.—The term
2	"community land trust" means a nonprofit organiza-
3	tion established or with the responsibility, as appli-
4	cable—
5	(A) to develop the real estate created by
6	the removal or capping of an eligible facility;
7	and
8	(B) to carry out anti-displacement or com-
9	munity development strategies, including—
10	(i) affordable housing preservation
11	and development;

1	(ii) homeownership and property im-
2	provement programs;
3	(iii) the development or rehabilitation
4	of park space or recreation facilities; and
5	(iv) community revitalization and eco-
6	nomic development projects.
7	(3) Anti-displacement policy.—The term
8	"anti-displacement policy" means a policy that limits
9	the displacement of low-income, disadvantaged, and
10	underserved communities from neighborhoods due to
11	new investments in housing, businesses, and infra-
12	structure.
	Page 603, line 24, strike "under this paragraph".
	Page 609, after line 8, insert the following:
13	(4) Consulting small municipalities.—The
14	Secretary shall ensure that the agencies of local gov-
15	ernments consulted under subparagraph (E) of para-
16	graph (1) include rural areas, specifically agencies of
17	local governments with populations less than 50,000.
	Page 641, after line 6, insert the following (and re-
des	signate the subsequent subparagraph accordingly):
18	(J) Professional surveying, mapping, and
19	geospatial organizations.

Page 686, after line 6, insert the following:

1	SEC. 1635. TRANSPORTATION PLANNING ACTIVITIES.
2	The Secretary or Transportation shall take all rea-
3	sonable efforts to provide assistance for an Olympic or
4	Paralympic event, or a Special Olympics International
5	event, including the following:
6	(1) Planning activities of States and metropoli-
7	tan planning organizations and transportation
8	projects relating to an international Olympic or
9	Paralympic event, or a Special Olympics Inter-
10	national event, under sections 134 and 135 of title
11	23, United States Code.
12	(2) Developing intermodal transportation plans
13	necessary for the projects, in coordination with State
14	and local transportation agencies.
15	(3) Efforts to expedite review and comment by
16	the Department of Transportation on any required
17	submittals pertaining to an Olympic or Paralympic
18	event or a Special Olympics International event.
19	(4) Providing technical assistance.
20	SEC. 1636. BETTER UTILIZING INFRASTRUCTURE FOR
21	LASTING DEVELOPMENT OF VETERANS BUSI-
22	NESSES ACT.
23	(a) Definitions.—In this section, the following defi-
24	nitions apply:

1	(1) Small business concern.—The term
2	"small business concern" has the meaning given the
3	term in section 3 of the Small Business Act (15
4	U.S.C. 632).
5	(2) Veteran.—The term "veteran" has the
6	meaning given the term in section 101(2) of title 38,
7	United States Code.
8	(3) Veteran owned small business con-
9	CERN.—The term "veteran owned small business
10	concern" has the meaning given the term "small
11	business concern owned and controlled by veterans"
12	in section 3(q) of the Small Business Act (15 U.S.C.
13	632 (q)).
14	(b) Amounts for Veteran Owned Small Busi-
15	NESS CONCERNS.—Except to the extent that the Sec-
16	retary of Transportation determines otherwise, not less
17	than 3 percent of the amounts made available for any pro-
18	gram under titles I, II, V, and VII of this division and
19	section 403 of title 23, United States Code, shall be ex-
20	pended through veteran owned small business concerns.
21	(c) Uniform Criteria.—The Secretary shall estab-
22	lish minimum uniform criteria for use by State govern-
23	ments in certifying whether a concern qualifies as a vet-
24	eran owned small business concern for the purpose of this
25	section. Such criteria shall include a limit on the personal

- net worth of the veterans who own and control the small 2 business concern. 3 (d) Reporting.—The Secretary shall establish minimum requirements for use by State government in report-5 ing to the Secretary— 6 (1) information concerning veteran owned small 7 business concern awards, commitments, and achieve-8 ment; and 9 (2) such other information as the Secretary de-10 termined to be appropriate for the proper moni-11 toring of the veterans business enterprise program. 12 SEC. 1637. VEHICLE WEIGHT LIMITATIONS. 13 Section 127(i)(1)(A) of title 23, United States Code, is amended by inserting "an emergency or" before "a 14 15 major disaster". SEC. 1638. ROADWAY WORKER PROTECTION WORKING 17 GROUP. 18 (a) Establishment.—Not later than 180 days after 19 the date of enactment of this Act, the Secretary of Transportation shall establish a working group (in this section 20 21 referred to as the "Working Group") to review the meth-22 ods, practices, and technologies necessary to protect work-23 ers in roadway work zones.
- (b) Membership.—

1	(1) APPOINTMENT.—The Secretary shall ap-
2	point to the Working Group individuals with knowl-
3	edge and expertise in roadway safety.
4	(2) Representation.—The Working group
5	shall include at least one representative of each of
6	the following:
7	(A) State departments of transportation.
8	(B) Local governments or metropolitan
9	planning organizations.
10	(C) Temporary traffic control organiza-
11	tions.
12	(D) Roadway user organizations.
13	(E) Vehicle and commercial vehicle manu-
14	facturers.
15	(F) Labor organizations.
16	(G) Traffic safety organizations.
17	(H) Motor carrier and independent owner-
18	operator organizations.
19	(I) Law enforcement and first responder
20	organizations.
21	(J) Autonomous vehicle technology compa-
22	nies.
23	(K) Any other stakeholders that the Sec-
24	retary determines appropriate.

1	(3) Termination.—The Working Group shall
2	terminate 6 months after the date on which the Sec-
3	retary receives the report under subsection $(f)(1)$.
4	(c) Duties.—In carrying out the review required
5	under subsection (a), the Working Group shall—
6	(1) evaluate and analyze current work zone
7	safety and worker protection traffic control best
8	practices;
9	(2) identify causes of work zone injuries and fa-
10	talities;
11	(3) identify and evaluate technologies related to
12	vehicle interaction with work zones and workers in
13	work zones; and
14	(4) identify challenges for transportation con-
15	struction project sponsors regarding improving work
16	zone safety.
17	(d) Consultation.—In carrying out the review re-
18	quired under subsection (a), the Working Group shall con-
19	sult with—
20	(1) transportation construction contractor orga-
21	nizations;
22	(2) roadway and roadway safety equipment
23	manufacturer organizations;
24	(3) academic experts; and

1	(4) any other stakeholder the Working Group
2	determines appropriate.
3	(e) Reports.—
4	(1) Working group report.—Not later than
5	2 years after the date on which the Working Group
6	is established, the Working Group shall submit to
7	the Secretary a report that includes—
8	(A) the findings of the review required
9	under subsection (a), including a summary of
10	any comments received during the consultation
11	process under subsection (d); and
12	(B) recommendations on safety counter-
13	measures, technologies, programs and policies
14	for the Department of Transportation to im-
15	prove roadway work zone safety and practices.
16	(2) Report to congress.—Not later than 1
17	month after the date on which the Secretary receives
18	a report under paragraph (1), the Secretary shall
19	submit to the Committee on Transportation and In-
20	frastructure of the House of Representatives and the
21	Committee on Environment and Public Works of the
22	Senate a summary of the report.

Page 700, line 15, strike "and" at the end.

Page 700, after line 15, insert the following (and redesignate the subsequent subparagraph accordingly):

	22
1	(B) in subparagraph (M) strike "; or" and
2 ins	ert a semicolon;
Page 700	, strike lines 19 through 20 and insert the
following:	
3	(ii) by striking "(as defined in section
4	5339(c)) or facilities." and inserting "or
5	facilities; or"; and
Page 700,	after line 20, insert the following:
6	(D) by adding at the end the following:
7	"(O) the employment of forensic consult-
8 ant	es, cybersecurity experts, or third-party pene-
9 tra	tion testers to identify, evaluate, test, and
10 pat	ch ransomware attack vulnerabilities."; and
Page 710	, strike lines 1 through 2 and insert the
following:	
11	(B) in clause (ii) by striking "and vehicle
12 elec	ctronics." and inserting "cybersecurity and
13 mit	tigating the threat of ransomware, and vehi-
14 cle	electronics; and"; and
	, after line 6, insert the following (and resubsequent paragraphs accordingly):

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(2) in subsection (a)(2)—

	20
1	(A) by redesignating subparagraphs (H)
2	and (I) as subparagraphs (I) and (J), respec-
3	tively; and
4	(B) by inserting after subparagraph (G)
5	the following:
6	"(H) cybersecurity and mitigating the
7	threat of ransomware;";
	Page 783, line 2, strike "as".
	Page 758, line 17, strike "and" at the end.
	Page 758, after line 21, insert the following:
8	(C) add at the end the following:
9	"(3) Meaningful connections.—All projects
10	funded under this subsection shall directly serve, or
11	make meaningful scheduled connections to, the na-
12	tional intercity bus network."; and
	Page 801, beginning on line 1, strike "with a goal
of i	identifying skills gaps, retraining existing workers"
and	insert "by identifying skills gaps, training needs, and
retr	raining needs of the existing workers of such appli-
can	t''.
	Page 801, line 4, strike "avoiding" and insert

"avoids".

Page 806, line 15, strike the closing quotation mark and the period at the end.

Page 806, after line 15, insert the following:

- 1 "(4) PRIORITIZATION.—In making grants 2 under this subsection, the Secretary shall prioritize 3 applications that jointly fund training as part of a 4 vehicle procurement application under subsection
- 5 (c).".

Page 812, after line 2, insert the following:

- 6 "(H) Projected impact on the ability of
- 7 students to access education or workforce train-
- 8 ing programs.

Page 814, line 16, strike "or" at the end.

Page 814, line 24, strike the period and insert "; or".

Page 814, after line 24, insert the following:

- 9 "(iii) that is a low-income veteran or
- member of the military.

Page 837, line 22, insert "a" before "program".

Page 843, after line 24, insert the following new section:

1 SEC. 2607. RESILIENT PUBLIC TRANSPORTATION STUDY.

- 2 (a) Study.—The Secretary of Transportation shall
- 3 conduct a study on resilience planning and innovative re-
- 4 silience strategies for public transportation and shared
- 5 mobility.
- 6 (b) Contents.—In carrying out the study under
- 7 subsection (a), the Secretary shall assess—
- 8 (1) best practices for making public transpor-
- 9 tation more resilient to external shocks, such as
- pandemics and natural hazards; and
- 11 (2) new materials and technologies that may
- improve the resilience of public transportation and
- shared mobility, including innovative transit vehicles,
- 14 emerging electric vehicle chassis platforms, and
- smart air quality control systems.
- 16 (c) Partnerships.—In carrying out the study under
- 17 subsection (a), the Secretary shall consult with institutions
- 18 of higher education, as such term is defined in section 101
- 19 of the Higher Education Act of 1965 (20 U.S.C. 1001),
- 20 academic experts, and nonprofit organizations with exper-
- 21 tise in engineering, travel behavior, artificial intelligence,
- 22 policy analysis, planning, public healthy and safety, and
- 23 social and racial equity.
- 24 (d) Report.—Not later than 1 year after the date
- 25 of enactment of this Act, the Secretary shall submit to
- 26 the Committee on Transportation and Infrastructure of

- 1 the House of Representatives and the Committee on Com-
- 2 merce, Science, and Transportation of the Senate a report
- 3 containing the results of the study conducted under sub-
- 4 section (a).

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Page 877, line 19, insert ", or that the annual operating cost of the proposed project does not exceed 5 percent of the annual cost to operate and maintain the overall public transportation system of the applicant" after "project".

Page 900, after line 12, insert the following:

SEC. 2919. DISPOSITION OF ROLLING STOCK TO IMPROVE

- 6 AIR QUALITY GOALS.
- 7 Section 5334 of title 49, United States Code, is fur-
- 8 ther amended by adding at the end the following:
- 9 "(m) Disposition of Rolling Stock to Meet Air
- 10 Quality Goals.—
- 11 "(1) IN GENERAL.—If a recipient, or sub-
- recipient, for assistance under this chapter disposes
- of rolling stock with a current market value, or pro-
- ceeds from the disposition of such rolling stock, ac-
- 15 quired under this chapter at least in part with such
- assistance, before such rolling stock has reached its
- useful life, the Secretary may allow the recipient, or
- subrecipient, to use the proceeds attributable to the

1	Federal share of such rolling stock calculated under
2	paragraph (3) for capital projects under section
3	5307, 5310, or 5311 without need for repayment of
4	the Federal financial interest.
5	"(2) Covered rolling stock.—This sub-
6	section shall only apply to rolling stock disposed
7	of—
8	"(A) which are replaced by rolling stock
9	that will help improve attainment of air quality
10	goals compared to the rolling stock being re-
11	placed;
12	"(B) for which the recipient is located in
13	an area that is designated as a nonattainment
14	area for particulate matter under section
15	107(d) of the Clean Air Act (42 U.S.C.
16	7407(d)).
17	"(3) Calculation of federal share at-
18	TRIBUTABLE.—The proceeds attributable to the
19	Federal share of rolling stock described in para-
20	graph (1) shall be calculated by multiplying—
21	"(A) the current market value of, or the
22	proceeds from the disposition of, such asset;
23	and

	28
1	"(B) the Federal share percentage for the
2	acquisition of such asset at the time of acquisi-
3	tion of such asset.".
	Page 909, line 19, strike "and" at the end.
	Page 909, after line 19, insert the following (and re-
d	esignate the subsequent paragraph accordingly):
4	(4) State highway safety offices; and
	Page 913, strike lines 19 through 25 and insert the
fe	ollowing:
5	"(2) Reduce instances of distracted driving.
6	"(3) Reduce instances of speeding by drivers.
	Page 951, after line 2, insert the following:
7	SEC. 3016. REPORT ON IMPAIRED DRIVING.
8	Not later than 2 years after the date of enactment
9	of this Act, the Secretary of Transportation, in consulta-
10	tion with the heads of appropriate Federal agencies, State
11	highway safety offices, State toxicologists, traffic safety
12	advocates, and other interested parties, shall submit to the
13	Committee on Commerce, Science, and Transportation of
14	the Senate and the Committee on Transportation and In-

frastructure of the House of Representatives a report that,

16 using the National Safety Council model guidelines for

17 toxicology testing—

1	(1) identifies any barriers that States encounter
2	in submitting the alcohol and drug toxicology results
3	to the Fatality Analysis Reporting System;
4	(2) provides recommendations on how to ad-
5	dress any barriers identified under paragraph (1);
6	(3) provides further steps that the Secretary,
7	acting through the Administrator of the National
8	Highway Traffic Safety Administration, shall take to
9	assist States in improving—
10	(A) toxicology testing in cases of motor ve-
11	hicle crashes; and
12	(B) the reporting of alcohol and drug toxi-
13	cology results in cases of motor vehicle crashes.
14	SEC. 3017. IMPAIRED DRIVING COUNTERMEASURE.
15	(a) Sense of Congress.—It is the sense of Con-
16	gress that—
17	(1) a priority should be placed on creating
18	State systems, programs, and processes that improve
19	impaired driving detection in cases in which alcohol,
20	drugs, and especially multiple substances are in-
21	volved;
22	(2) States and communities should have access
23	to a broader range of countermeasures, technologies,
24	and resources to address multiple substance im-
25	paired driving; and

1	(3) increased Federal funding should be made
2	available for efforts to improve public safety through
3	the approaches described in paragraphs (1) and (2).
4	(b) Purpose.—The purpose of this section is to in-
5	crease national investment in, and maximize the use of,
6	innovative programs and technologies to eliminate multiple
7	substance impaired driving.
8	(c) Impaired Driving Countermeasures.—Sec-
9	tion 405(d) of title 23, United States Code, is amended—
10	(1) in paragraph (4)—
11	(A) in subparagraph (B)—
12	(i) by striking clause (iii) and insert-
13	ing the following:
14	"(iii)(I) court support of high-visibility
15	enforcement efforts;
16	"(II) hiring criminal justice profes-
17	sionals, including law enforcement officers,
18	prosecutors, traffic safety resource pros-
19	ecutors, judges, judicial outreach liaisons,
20	and probation officers;
21	"(III) training and education of the
22	criminal justice professionals described in
23	subclause (II) to assist those professionals
24	in preventing impaired driving and han-
25	dling impaired driving cases, including by

1	providing compensation to a law enforce-
2	ment officer to replace a law enforcement
3	officer who is—
4	"(aa) receiving such drug rec-
5	ognition expert training; or
6	"(bb) participating as an instruc-
7	tor in such drug recognition expert
8	training; and
9	"(IV) establishing driving while
10	intoxicated courts;";
11	(ii) by striking clauses (v) and (vi)
12	and inserting the following:
13	"(v) improving—
14	"(I) blood alcohol concentration
15	screening and testing;
16	"(II) the detection of potentially
17	impairing drugs, including through
18	the use of oral fluid as a specimen;
19	and
20	"(III) reporting relating to the
21	testing and detection described in sub-
22	clauses (I) and (II);
23	"(vi)(I) paid and earned media in sup-
24	port of high-visibility enforcement efforts;

1	(Π) conducting initial and con-
2	tinuing—
3	"(aa) standardized field sobriety
4	training, advanced roadside impaired
5	driving enforcement training, and
6	drug recognition expert training for
7	law enforcement; and
8	"(bb) law enforcement phle-
9	botomy training; and
10	"(III) to purchase equipment to carry
11	out impaired driving enforcement activities
12	authorized by this subsection;";
13	(iii) in clause (ix), by striking "and"
14	at the end;
15	(iv) in clause (x), by striking the pe-
16	riod at the end and inserting "; and"; and
17	(v) by adding at the end the following:
18	"(xi) testing and implementing pro-
19	grams and purchasing technologies to bet-
20	ter identify, monitor, or treat impaired
21	drivers, including—
22	"(I) oral fluid screening tech-
23	nologies;
24	"(II) electronic warrant pro-
25	grams;

1	"(III) equipment to increase the
2	scope, quantity, quality, and timeli-
3	ness of forensic toxicology chemical
4	testing;
5	"(IV) case management software
6	to support the management of im-
7	paired driving offenders; and
8	"(V) technology to monitor im-
9	paired driving offenders."; and
10	(B) in subparagraph (C)—
11	(i) in the second sentence, by striking
12	"Medium-range" and inserting the fol-
13	lowing:
14	"(ii) Medium-range and high-
15	RANGE STATES.—Subject to clause (iii),
16	medium-range";
17	(ii) in the first sentence, by striking
18	"Low-range" and inserting the following:
19	"(i) Low-range states.—Subject to
20	clause (iii), low-range"; and
21	(iii) by adding at the end the fol-
22	lowing:
23	"(iii) All states.—
24	"(I) Reporting of impaired
25	DRIVING CRIMINAL JUSTICE INFORMA-

1

2

TION.—A State may use grant funds

for any expenditure designed to in-

3	crease the timely and accurate report-
4	ing of crash information, including
5	electronic crash reporting systems
6	that allow accurate real-time or near
7	real-time uploading of crash informa-
8	tion, and impaired driving criminal
9	justice information to Federal, State,
10	and local databases.
11	"(II) Impaired driving coun-
12	TERMEASURES.—A State may use
13	grant funds for any expenditure to re-
14	search or evaluate impaired driving
15	countermeasures."; and
16	(2) in paragraph (7)(A), in the matter pre-
17	ceding clause (i), by inserting "or local" after "au-
18	thorizes a State".
	Page 961, after line 10, insert the following (and re-
de	esignate subsequent paragraphs accordingly):
19	(8) Information on the use of driver safety ap-
20	plications, if applicable.
21	(9) Information on work-related injury and ill-

22

ness data of drivers.

Page 1037, line 13, insert "and deployment" before "of materials".

Page 1037, line 13, strike "reduce or" and insert "capture, absorb, adsorb, reduce, or".

Page 1037, beginning on line 20, strike "reduce or" and insert "capture, absorb, adsorb, reduce, or".

Page 1037, line 23, strike "reduce or" and insert "capture, absorb, adsorb, reduce, or".

Page 1037, line 24, strike "and".

Page 1038, line 2, strike "reduce or" and insert "capture, absorb, adsorb, reduce, or".

Page 1038, line 3, strike the period and insert "; and".

Page 1038, after line 3, insert the following:

1	"(D) in coordination with standards-set-
2	ting organizations, such as the American Asso-
3	ciation of State Highway and Transportation
4	Officials, carrying out research on—
5	"(i) the extent to which existing state
6	materials procurement standards enable
7	the deployment of materials proven to most

1	effectively reduce or sequester greenhouse
2	gas emissions;
3	"(ii) opportunities for States to adapt
4	procurement standards to more frequently
5	procure materials proven to most effec-
6	tively reduce or sequester greenhouse gas
7	emissions; and
8	"(iii) how to support or incentivize
9	States to adapt procurement standards to
10	incorporate more materials proven to most
11	effectively reduce or sequester greenhouse
12	gas emissions.

Page 1038, line 13, strike "reduce or" and insert "capture, absorb, adsorb, reduce, or".

Page 1040, line 24, strike "reduce or" and insert "capture, absorb, adsorb, reduce, or".

Page 1041, line 24, strike "means a" and insert the following:

"(A) a

Page 1042, line 2, strike the closing quotation mark and the second period and insert "; and".

Page 1042, after line 2, insert the following:

1	"(B) a State department of transpor-
2	tation.".
	Page 1076, after line 6, add the following:
3	SEC. 5112. INTEGRATED PROJECT DELIVERY.
4	(a) In General.—The Secretary of Transportation
5	shall seek to enter into an agreement with the National
6	Academy of Sciences to support and carry out a study of
7	the effectiveness of integrated project delivery in delivering
8	large infrastructure projects.
9	(b) Contents.—
10	(1) Areas of study.—The study shall—
11	(A) identify best practices for surface
12	transportation project delivery with a focus on
13	delivery of large or complex projects;
14	(B) determine whether there are any regu-
15	latory requirements that limit the use of inte-
16	grated project delivery and the purpose of such
17	regulations; and
18	(C) analyze the effectiveness of integrated
19	project delivery compared to traditional project
20	delivery methods, including an analysis of out-
21	comes related to safety, cost effectiveness, envi-
22	ronmental impacts, and on-time project deliv-
23	ery.

1	(2) Methods.—In carrying out the study, the
2	National Academy of Sciences shall consult with en-
3	tities with experience managing, administering, or
4	implementing integrated project delivery projects.
5	(c) Report.—Not later than 1 year after the comple-
6	tion of the study under subsection (a), the Secretary shall
7	publish a report on the results of the study under this
8	section.
9	SEC. 5113. ACCELERATED IMPLEMENTATION AND DEPLOY-
10	MENT OF ADVANCED DIGITAL CONSTRUC-
11	TION MANAGEMENT SYSTEMS.
12	Section 503(c) of title 23, United States Code, is
13	amended by adding at the end the following:
14	"(5) Accelerated implementation and de-
15	PLOYMENT OF ADVANCED DIGITAL CONSTRUCTION
16	MANAGEMENT SYSTEMS.—
17	"(A) IN GENERAL.—The Secretary shall,
18	to the extent practicable, under the technology
19	and innovation deployment program established
20	under paragraph (1), promote, support, and
21	document the application of advanced digital
22	construction management systems, practices,
23	performance, and benefits.
24	"(B) Goals.—The goals of promoting the
25	accelerated implementation and deployment of

1	advanced digital construction management sys-
2	tems established under subparagraph (A) shall
3	include—
4	"(i) accelerated State and local gov-
5	ernment adoption of advanced digital con-
6	struction management systems applied
7	throughout the project delivery process (in-
8	cluding through the design and engineer-
9	ing, construction, and operations phases)
10	that—
11	"(I) maximize interoperability
12	with other systems, products, tools, or
13	applications;
14	"(II) boost productivity;
15	"(III) manage complexity and
16	risk;
17	"(IV) reduce project delays and
18	cost overruns;
19	"(V) enhance safety and quality;
20	and
21	"(VI) support sustainable design
22	and construction;
23	"(ii) more timely and productive infor-
24	mation-sharing among stakeholders
25	through digital collaboration platforms

1	that connect workflows, teams, and data
2	and reduced reliance on paper to manage
3	construction processes and deliverables;
4	"(iii) deployment of digital manage-
5	ment systems that enable and leverage the
6	use of digital technologies on construction
7	sites by contractors;
8	"(iv) the development and deployment
9	of best practices for use in digital con-
10	struction management;
11	"(v) increased technology adoption
12	and deployment by States and units of
13	local government that enables project spon-
14	sors—
15	"(I) to integrate the adoption of
16	digital management systems and tech-
17	nologies in contracts; and
18	"(II) to weigh the cost of
19	digitization and technology in setting
20	project budgets;
21	"(vi) technology training and work-
22	force development to build the capabilities
23	of project managers and sponsors that en-
24	ables States and units of local govern-
25	ment—

1	"(I) to better manage projects
2	using advance digital construction
3	management technologies; and
4	"(II) to properly measure and re-
5	ward technology adoption across
6	projects of the State or unit of local
7	government;
8	"(vii) development of guidance to as-
9	sist States in updating regulations of the
10	State to allow project sponsors and con-
11	tractors—
12	"(I) to report data relating to the
13	project in digital formats; and
14	"(II) to fully capture the effi-
15	ciencies and benefits of advanced dig-
16	ital construction management systems
17	and related technologies;
18	"(viii) reduction in the environmental
19	footprint of construction projects using ad-
20	vanced digital construction management
21	systems resulting from elimination of con-
22	gestion through more efficient projects;
23	"(ix) development of more sustainable
24	infrastructure that is designed to be more
25	resilient to climate impacts, constructed

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1	with less material waste and made with
2	more low-emissions construction materials;
3	and
4	"(x) enhanced worker and pedestrian
5	safety resulting from increased trans-
6	parency.".
	Page 1083, strike lines 8 through 9 and insert the
follo	owing:
7	(C) in clause (vii)—
8	(i) by inserting "increasing job oppor-
9	tunities," after "performance,"; and
10	(ii) by striking "; or" and inserting a
11	semicolon;
"ac	Page 1083, line 11, insert "the deployment" after celerate".
afte	Page 1083, line 12, insert "the safe deployment" or "prepare for".
	Page 1083, strike lines 19 through 21 and insert the
follo	owing:
12	(A) in clause (ii)—
13	(i) in subclause (II)(aa) by striking
14	"congestion" and inserting "congestion
15	and delays, greenhouse gas emissions";

1	(ii) in subclause (III) by inserting
2	"economic," after "mobility,"; and
3	(iii) in subclause (IV) by inserting
4	"organizations representing the surface
5	transportation workforce," after "lead-
6	ers,"; and

Page 1085, line 16, strike the closing quotation mark and the semicolon.

Page 1085, after line 16, insert the following:

7	"(vi) Workforce partnerships.—
8	In awarding a grant under this paragraph,
9	the Secretary shall consider, to the extent
10	practicable, any demonstrated partnership
11	of the applicant with representatives of the
12	surface transportation workforce.";

Page 1085, after line 17, insert the following (and redesignate the subsequent subparagraphs accordingly):

13 (A) in clause (iv) by inserting "consistent 14 with section 5312 of title 49" after "systems";

Page 1086, line 4, strike "or".

Page 1086, line 9, strike the first period and all that follows through the second period and insert "; or".

Page 1086, after line 9, insert the following:

1	"(xi) retrofitting dedicated short-
2	range communications technology deployed
3	as part of an existing pilot program to cel-
4	lular vehicle-to-everything technology.";
	Page 1088, line 2, insert ", workers," after "users".
	Page 1127, line 21, strike "technology".
	Page 1159, after line 17, insert the following:
5	SEC. 6008. TRANSPORTATION EQUITY ADVISORY COM-
6	MITTEE.
7	(a) Establishment.—
8	(1) In general.—Not later than 120 days
9	after the date of enactment of this Act, the Sec-
10	retary of Transportation shall establish an advisory
11	committee, to be known as the Transportation Eq-
12	uity Committee (referred to in this section as the
13	"Committee"), regarding comprehensive and inter-
14	disciplinary issues related to transportation equity
15	from a variety of stakeholders in transportation
16	planning, design, research, policy, and advocacy.
17	(2) Purpose of the advisory committee.—
18	The Committee established under paragraph (1)
19	shall provide independent advice and recommenda-
20	tions to the Secretary on transportation equity, in-

I	cluding developing a strategic plan with rec-
2	ommendations to the Secretary on national transpor-
3	tation metrics and the effect on such factors as eco-
4	nomic development, connectivity, and public engage-
5	ment.
6	(b) Duties.—The Committee shall evaluate the work
7	of the Department of Transportation in connecting people
8	to economic and related forms of opportunity and revi-
9	talize communities in carrying out its strategic, research,
10	technological, regulatory, community engagement, and
11	economic policy activities related to transportation and op-
12	portunity. Decisions directly affecting implementation of
13	transportation policy remain with the Secretary.
14	(c) Membership.—
15	(1) In General.—The Secretary shall appoint
16	an odd number of members of not less than 9 but
17	not more than 15 members (with a quorum con-
18	sisting of a majority of members rounded up to the
19	nearest odd number), to include balanced represen-
20	tation from academia, community groups, industry
21	and business, non-governmental organizations, State
22	and local governments, federally recognized Tribal
23	Governments, advocacy organizations, and indige-
24	nous groups with varying points of view.

1	(2) Broad representation.—To the extent
2	practicable, members of the Committee shall reflect
3	a variety of backgrounds and experiences, geo-
4	graphic diversity, including urban, rural, tribal, ter-
5	ritories, and underserved and marginalized commu-
6	nities throughout the country, and individuals with
7	expertise in related areas such as housing, health
8	care, and the environment.
9	(3) Replacement for non-active members
10	.—The Secretary may remove a non-active member
11	who misses 3 consecutive meetings and appoint a re-
12	placement to service for the period of time set forth
13	in paragraph (5).
14	(4) Meetings.—The Committee shall meet not
15	less than 2 times each year with not more than 9
16	months between meetings at a reasonable time, in a
17	place accessible to the public, and in a room large
18	enough to accommodate the Committee members,
19	staff, and reasonable number of interested members
20	of the public. The room in which the Committee
21	meets shall be large enough to accommodate at least
22	100 and shall be compliant with the Americans with
23	Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
24	(5) Term.—Each member of the Committee
25	shall serve a 2-year term with not more than 2 con-

- 1 secutive term reappointments, but may continue 2 service until a replacement is appointed. (6) Support.—The Office of the Under Sec-3 4 retary for Policy of the Department of the Depart-5 ment of Transportation shall provide necessary 6 funding, logistics, and administrative support for the 7 Committee. 8 (d) APPLICATION OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Com-10 mittee established under this section, with the exception 11 of section 14 of such Act. 12 SEC. 6009. SENSE OF CONGRESS. 13 It is the sense of the Congress that walking, bicycling, 14 and public transportation are complementary modes of 15 transportation, and that pedestrian and bicycle pathways 16 and related improvements within the right-of-way of public transportation are an appropriate use of the right-of-way 17 18 for the benefit of the public, do not exceed the reasonable use of the right-of-way, and every effort should be made 19 20 to support the development and safe operation of such pe-21 destrian and bicycle pathways.
 - Page 1166, line 3, strike "and" at the end.

Page 1166, line 4, insert "in paragraph (1)" before "by striking".

Page 1166, line 5, strike the semicolon and insert "; and".

Page 1166, after line 5, insert the following:

- 1 (C) in paragraph (4) by striking
- 2 "\$1,000,000" and inserting "\$2,000,000";

Page 1177, after line 6, insert the following (and redesignate the subsequent subsection accordingly):

- 3 "(e) Rule of Construction.—Nothing in this sec-
- 4 tion shall be construed—
- 5 "(1) to affect any provision, limitation, or pro-
- 6 hibition with respect to the transportation of a speci-
- 7 fied lithium battery in effect as of the date of enact-
- 8 ment of this section; or
- 9 "(2) to authorize transportation of any such
- 10 battery if such transportation is not already author-
- ized as of the date of enactment of this section.

Page 1178, line 16, add a period at the end.

Page 1185, line 19, strike "20171" and insert "22912".

Page 1372, line 15, strike "an entity" and insert "a railroad carrier".

Page 1300, after line 13, insert the following (and redesignate subsequent sections accordingly):

1	SEC. 9401. SENSE OF CONGRESS REGARDING COMMUTER
2	RAIL LIABILITY INSURANCE.
3	(a) FINDINGS.—Congress finds the following:
4	(1) Prior to the COVID-19 pandemic, 32 com-
5	muter railroads across the United States safely car-
6	ried passengers on more than 500,000,000 trips
7	each year.
8	(2) Commuter rail is a \$9,900,000,000 industry
9	that creates and supports more than 200,000 public-
10	and private-sector jobs, and continues to grow.
11	(3) Most commuter rail agencies are required to
12	maintain liability insurance up to statutory liability
13	limits.
14	(4) Commuter rail agencies face significant ob-
15	stacles to finding and obtaining liability insurance.
16	(5) Only a handful of insurers offer this cov-
17	erage, and a significant percentage of the railroad li-
18	ability insurance marketplace is provided by foreign
19	companies.
20	(6) The number of insurers in the American
21	and foreign markets willing to even offer potential
22	capacity for this coverage has drastically decreased
23	over the past several years, and, regardless of cost.

1 it is becoming extremely difficult for commuter rail-2 roads to obtain the needed coverage. 3 (7) Despite the exceptional safety record of 4 commuter railroads and recent full compliance with 5 positive train control, a 2021 survey of the American 6 Public Transportation Association's commuter rail 7 agencies revealed that there has been a 60 percent 8 increase in premium costs over the last 3 years. 9 (8) The increase in premiums is largely due to 10 factors outside the control of the commuter rail in-11 dustry, including major forest fires, hurricanes, and 12 insurers exiting the market. 13 (9) The cost of liability insurance severely im-14 pacts the operating budgets of many commuter rail 15 agencies and potentially affects their ability to offer 16 these critical public transportation services. 17 (b) Sense of Congress.—It is the sense of Con-18 gress that Congress should address the capacity and cost 19 issues associated with the commuter rail liability insurance 20 market and consider establishing a commuter rail insur-21 ance program within the Department of Transportation. Page 1344, line 17, strike "and" at the end.

Page 1344, after line 17, insert the following (and redesignate the subsequent paragraph accordingly):

1	"(2) shall give priority to projects that provide	
2	direct benefits to socially disadvantaged individuals	
3	(as such term is defined in section 22906(b)); and	
	Page 1383, after the matter following line 3, add the	
following:		
4	SEC. 9606. RAIL RESEARCH AND DEVELOPMENT CENTER	
5	OF EXCELLENCE.	
6	Section 20108 of title 49, United States Code, is	
7	amended by adding at the end the following:	
8	"(d) Rail Research and Development Center	
9	OF EXCELLENCE.—	
10	"(1) CENTER OF EXCELLENCE.—The Secretary	
11	may provide a grant to an entity described in para-	
12	graph (2) to establish a Center of Excellence to ad-	
13	vance research and development that improves the	
14	safety, efficiency, and reliability of passenger and	
15	freight rail transportation.	
16	"(2) Eligibility.—An institution of higher	
17	education (as defined in section 101 of the Higher	
18	Education Act of 1965 (20 U.S.C. 1002)) or a con-	
19	sortium of nonprofit institutions of higher education	
20	shall be eligible to receive a grant under this sub-	
21	section.	
22	"(3) Selection Criteria.—In awarding a	
23	grant under this subsection, the Secretary may—	

1	"(A) give preference to an applicant with
2	strong past performance related to rail re-
3	search, education, and workforce development
4	activities;
5	"(B) consider the extent to which the ap-
6	plicant would involve public passenger and pri-
7	vate and public freight railroad operators; and
8	"(C) consider the regional and national im-
9	pacts of the applicant's proposal.
10	"(4) Use of funds.—Amounts awarded under
11	this subsection may be used to establish and operate
12	the Center of Excellence described in paragraph (1)
13	and for research, evaluation, education, and work-
14	force development and training efforts related to
15	safety, environmental sustainability, and reliability
16	of rail transportation, including—
17	"(A) rolling stock;
18	"(B) positive train control;
19	"(C) human factors, systems design, or fa-
20	tigue;
21	"(D) rail infrastructure;
22	"(E) shared corridors;
23	"(F) grade crossings;
24	"(G) rail systems maintenance;
25	"(H) network resiliency;

1	"(I) programs to train railroad workers in
2	needed skills; and
3	"(J) the development of programs or part-
4	nerships to raise awareness of railroad employ-
5	ment opportunities, in coordination with the
6	Federal Railroad Administration.
7	"(5) Federal share.—The Federal share of
8	the cost of an activity carried out with a grant under
9	this subsection shall be 50 percent.".

