

AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 9603 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 9306 of the bill.



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

In section 7001(c) of the bill, strike the matter proposed to be inserted as section 603(b) of title 23, United States Code, and insert the following:

1 “(8) NON-FEDERAL SHARE.—The proceeds of a
2 secured loan under the TIFIA program may not be
3 used for any non-Federal share of project costs re-
4 quired under this title or chapter 53 of title 49, if
5 the loan is repayable from non-Federal funds.”.



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike subtitle D of title V of division B of the bill.



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike title VI of division B of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1211 of the bill.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3684
OFFERED BY MR. PERRY OF PENNSYLVANIA**

Page 214, line 5, strike “and (10)” and insert “and (9)”.

Page 214, line 9, strike “and (10)” and insert “and (9)”.

Page 214, line 14, strike “and (10)” and insert “and (9)”.

Page 215, line 24, strike “(10)” and insert “(9)”.

Page 218, line 13, strike “and (10)” and insert “and (9)”.

Page 218, strike lines 14 through 18 (and redesignate accordingly).

Page 395, strike line 1 and all that follows through page 400, line 24 (and redesignate accordingly).



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1214 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1216 of the bill.



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1303 of the bill.



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 102(a)(2)(A)(ii)(II) of the bill and re-designate subclause clause (I) of section 102(a)(2)(A)(ii) as clause (ii) of section 102(a)(2)(A).



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1304 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1311 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1619 of the bill.



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 9104 of the bill and insert the following:

1 **SEC. 9104. RAILROAD REHABILITATION AND IMPROVE-**
2 **MENT FINANCING.**

3 Section 502(b) of the Railroad Revitalization and
4 Regulatory Reform Act of 1976 (45 U.S.C. 822(b)) is
5 amended by adding at the end the following:

6 “(4) NON-FEDERAL SHARE.—The proceeds of a
7 direct loan or loan guarantee under this section may
8 not be used for any non-Federal share of project
9 costs required under this title or chapter 53 of title
10 49, United States Code, if the loan is repayable from
11 non-Federal funds.”.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 3010 of the bill.



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 4308 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 5102 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 9102 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 9104 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1108 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1109 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1118 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1119 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 1312 of the bill.



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

At the end of title VII of division B of the bill, add the following:

1 **SEC. 7__ . PROHIBITION ON USE OF TIFIA FUNDS FOR**
2 **ELECTRIC VEHICLES AND ELECTRIC VEHI-**
3 **CLE INFRASTRUCTURE.**

4 Section 602(a) of title 23, United States Code, is
5 amended by adding at the end the following:

6 “(11) ELIMINATION OF ELECTRIC VEHICLE
7 AND ELECTRIC VEHICLE INFRASTRUCTURE.—
8 Projects relating to electric vehicles and infrastruc-
9 ture, including a project to improve or construct
10 electric vehicles, electric vehicle supply chains, charg-
11 ing ports, batteries, or electric heat pumps, shall not
12 be eligible for assistance under the TIFIA pro-
13 gram.”.



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

At the end of subtitle F of title I of division B of the bill, add the following:

1 **SEC. ____ . PROHIBITIONS ON CONSTRUCTION CONTRACTS.**

2 (a) PROHIBITION.—

3 (1) GENERAL RULE.—The Secretary of Trans-
4 portation, and any construction manager acting on
5 behalf of the Secretary with respect to any construc-
6 tion contract awarded pursuant to this Act, or the
7 amendments made by this Act, or obligation of
8 funds pursuant to such a contract, shall not, in the
9 contracts bid specifications, project agreements, or
10 other controlling documents—

11 (A) require or prohibit a bidder, offeror,
12 contractor, or subcontractor from entering into,
13 or adhering to, agreements with 1 or more
14 labor organizations, with respect to that con-
15 struction project or another related construction
16 project; or

17 (B) otherwise discriminate against or give
18 preference to a bidder, offeror, contractor, or

1 subcontractor because such bidder, contractor
2 or subcontractor—

3 (i) becomes a signatory, or otherwise
4 adheres to, an agreement with 1 or more
5 labor organizations with respect to that
6 construction project or another related
7 construction project; or

8 (ii) refuses to become a signatory, or
9 otherwise adhere to, an agreement with 1
10 or more labor organizations with respect to
11 that construction project or another related
12 construction project.

13 (2) RULE OF CONSTRUCTION.—Nothing in
14 paragraph (1) shall be construed to prohibit a con-
15 tractor or subcontractor from voluntarily entering
16 into an agreement described in such paragraph.

17 (b) RECIPIENTS OF GRANTS AND OTHER ASSIST-
18 ANCE.—The Secretary shall not award grants, provide fi-
19 nancial assistance, or enter into cooperative agreements
20 for construction projects pursuant to this Act, until the
21 Secretary ensures that—

22 (1) the bid specifications, project agreements,
23 or other controlling documents for such construction
24 projects of a recipient of a grant or financial assist-
25 ance, or by the parties to a cooperative agreement,

1 do not contain any of the requirements or prohibi-
2 tions described in subparagraph (A) or (B) of sub-
3 section (a)(1); or
4 (2) the bid specifications, project agreements,
5 or controlling documents for such construction
6 projects of a construction manager acting on behalf
7 of a recipient or party described in paragraph (1),
8 do not contain any of the requirements or prohibi-
9 tions described in subparagraph (A) or (B) of sub-
10 section (a)(1).



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

At the end of subtitle F of title I of division B of the bill, add the following:

1 **SEC. ____ . LABOR STANDARDS.**

2 Section 5333 of title 49, United States Code, is
3 amended—

4 (1) in subsection (a) by striking “(a) PRE-
5 VAILING WAGES REQUIREMENT.—”; and

6 (2) by striking subsection (b).

In section 2101(b) of the bill, strike paragraph (3)
(and redesignate accordingly).



AMENDMENT

OFFERED BY MR. PERRY OF PENNSYLVANIA

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

1 **SEC. 1120. PROHIBITION ON CONSTRUCTION CONTRACTS.**

2 (a) IN GENERAL.—Chapter 1 of title 23, United
3 States Code, is amended by inserting after section 156 the
4 following:

5 **“§ 157. Prohibition on construction contracts**

6 “(a) PROHIBITION.—

7 “(1) GENERAL RULE.—The Secretary of Trans-
8 portation, and any construction manager acting on
9 behalf of the Secretary with respect to any construc-
10 tion contract awarded pursuant to this chapter or
11 chapter 2, or obligation of funds pursuant to such
12 a contract, shall not, in the contracts bid specifica-
13 tions, project agreements, or other controlling docu-
14 ments—

15 “(A) require or prohibit a bidder, offeror,
16 contractor, or subcontractor from entering into,
17 or adhering to, an agreement with a labor orga-
18 nization to remain neutral during a union orga-
19 nizing campaign; or

1 “(B) otherwise discriminate against or give
2 preference to a bidder, offeror, contractor, or
3 subcontractor because such bidder, contractor,
4 or subcontractor—

5 “(i) becomes a signatory, or otherwise
6 adheres to, an agreement with a labor or-
7 ganization to remain neutral during a
8 union organizing campaign; or

9 “(ii) refuses to become a signatory, or
10 otherwise adhere to, an agreement with a
11 labor organization to remain neutral dur-
12 ing a union organizing campaign.

13 “(2) RULE OF CONSTRUCTION.—Nothing in
14 paragraph (1) shall be construed to prohibit a con-
15 tractor or subcontractor from voluntarily entering
16 into an agreement described in such paragraph.

17 “(b) RECIPIENTS ON GRANTS AND OTHER ASSIST-
18 ANCE.—The Secretary shall not award grants, provide fi-
19 nancial assistance, or enter into cooperative agreements
20 for construction projects pursuant to this chapter or chap-
21 ter 2 , until the Secretary ensures that—

22 “(1) the bid specifications, project agreements,
23 or other controlling documents for such construction
24 projects of a recipient of a grant or financial assist-
25 ance, or by the parties to a cooperative agreement,

1 do not contain any of the requirements or prohibi-
2 tions described in subparagraph (A) or (B) of sub-
3 section (a)(1); or

4 “(2) the bid specifications, project agreements,
5 or controlling documents for such construction
6 projects of a construction manager acting on behalf
7 of a recipient or party described in paragraph (1),
8 do not contain any of the requirements or prohibi-
9 tions described in subparagraph (A) or (B) of sub-
10 section (a)(1).”.

11 (b) CONFORMING AMENDMENT.—The analysis for
12 chapter 1 of title 23, United States Code, is amended by
13 inserting after section 156 the following new item:

“157. Prohibition on construction contracts.”.

14 **SEC. 1121. CONSTRUCTION CONTRACT PROHIBITIONS.**

15 (a) PROHIBITION.—

16 (1) GENERAL RULE.—The Secretary of Trans-
17 portation, and any construction manager acting on
18 behalf of the Secretary with respect to any construc-
19 tion contract awarded pursuant to this Act, or obli-
20 gation of funds pursuant to such a contract, shall
21 not, in the contracts bid specifications, project
22 agreements, or other controlling documents—

23 (A) require or prohibit a bidder, offeror,
24 contractor, or subcontractor from entering into,
25 or adhering to, an agreement with a labor orga-

1 nization to remain neutral during a union orga-
2 nizing campaign; or

3 (B) otherwise discriminate against or give
4 preference to a bidder, offeror, contractor, or
5 subcontractor because such bidder, contractor,
6 or subcontractor—

7 (i) becomes a signatory, or otherwise
8 adheres to, an agreement with a labor or-
9 ganization to remain neutral during a
10 union organizing campaign; or

11 (ii) refuses to become a signatory, or
12 otherwise adhere to, an agreement with a
13 labor organization to remain neutral dur-
14 ing a union organizing campaign.

15 (2) RULE OF CONSTRUCTION.—Nothing in
16 paragraph (1) shall be construed to prohibit a con-
17 tractor or subcontractor from voluntarily entering
18 into an agreement described in such paragraph.

19 (b) RECIPIENTS ON GRANTS AND OTHER ASSIST-
20 ANCE.—The Secretary shall not award grants, provide fi-
21 nancial assistance, or enter into cooperative agreements
22 for construction projects pursuant to this Act, until the
23 Secretary ensures that—

24 (1) the bid specifications, project agreements,
25 or other controlling documents for such construction

1 projects of a recipient of a grant or financial assist-
2 ance, or by the parties to a cooperative agreement,
3 do not contain any of the requirements or prohibi-
4 tions described in subparagraph (A) or (B) of sub-
5 section (a)(1); or
6 (2) the bid specifications, project agreements,
7 or controlling documents for such construction
8 projects of a construction manager acting on behalf
9 of a recipient or party described in paragraph (1),
10 do not contain any of the requirements or prohibi-
11 tions described in subparagraph (A) or (B) of sub-
12 section (a)(1).



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 4404 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 5111 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 5202 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 5302 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 9304 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 9601 of the bill.



AMENDMENT
OFFERED BY MR. PERRY OF PENNSYLVANIA

Strike section 9602 of the bill.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3684
OFFERED BY MR. PERRY OF PENNSYLVANIA**

At the end of title III of division D of the bill, add
the following:

1 **SEC. ____ . RESTRICTION ON PROVISION OF LOAN OR LOAN**
2 **GUARANTEE FOR CERTAIN HIGH-SPEED RAIL**
3 **PROJECTS.**

4 Notwithstanding any other provision of law, the Sec-
5 retary of Transportation may not enter into a contract
6 or cooperative agreement, issue a letter of intent or a let-
7 ter of commitment, make a grant, or provide a direct loan
8 or loan guarantee or line of credit for a high-speed rail
9 project that uses rolling stock or equipment unless the
10 rolling stock or equipment complies with the tier III safety
11 standards in part 238 of title 49, Code of Federal Regula-
12 tions.



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3684
OFFERED BY MR. PERRY OF PENNSYLVANIA**

Strike section 2101 of the bill (and redesignate subsequent sections accordingly).



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3684
OFFERED BY MR. PERRY OF PENNSYLVANIA**

Beginning on page 14, strike line 22 and all that follows through page 15, line 3.

Page 693, strike lines 15-19 (and redesignate any subsequent subsections accordingly).

Beginning on page 874, strike line 2 and all that follows through page 886, line 17 (and redesignate any subsequent sections accordingly).



**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3684
OFFERED BY MR. PERRY OF PENNSYLVANIA**

Page 1178, beginning on line 1, strike “the following” and all that follows through “fiscal year 2026, \$2,900,000,000.” and insert “for fiscal year 2022, \$2,500,000,000.”.

Page 1178, beginning on line 11, strike “the following amounts:” and all that follows through “fiscal year 2026, \$3,900,000,000” and insert “for fiscal year 2022, \$3,500,000,000.”.

