AMENDMENT TO RULES COMMITTEE
PRINT 117–8
OFFERED BY M___. ____________

Page 42, beginning on line 4, strike “the required non-Federal share” and insert “20 percent”.

In the table contained in section 107(e) of the bill, in the third column of the item numbered 204, strike “lameda” and insert “Alameda”.

At the end of the table contained in section 107(e) of the bill, add a new item as follows:

(1) In the first column, add the appropriate table number.

(2) In the second column, insert the project name as “City of Red Wing Levee Road Realignment Project”.

(3) In the third column, insert the city as “Red Wing”.

(4) In the fourth column, insert the State/Territory as “MN”.

(5) In the fifth column, insert the amount as “$3,124,521”.
Page 208, line 20, strike “paragraph (21)” and insert “paragraph (22)”.

Page 212, line 14, strike “paragraph (36)” and insert “paragraph (39)”.

Page 254, line 18, strike “INNOVATIVE PROJECT DELIVERY”.

Page 256, after line 5, insert the following (and redesignate the subsequent subsection accordingly):

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

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

Page 280, line 24, strike “research” and insert “study”.
Page 281, strike line 18 and insert the following:

(1) Establishment of requirements.—

(A) in general.—The

Page 281, line 20, insert “by” after “amendment made”.

Page 281, after line 24, insert the following:

(B) Considerations.—The regulations issued pursuant to subparagraph (A) shall—

(i) ensure the continued availability of construction materials to carry out projects under title 23, United States Code;

(ii) include authority for the Secretary to waive the applicability of the requirement under section 313(a) of title 23, United States Code, to procure domestic construction materials if the study conducted under subsection (c)(1) determines that the domestic supply of construction materials is insufficient to meet the demand for activities covered under section 313 of title 23, United States Code; and

(iii) provide for efficient and timely—

(I) project delivery for project sponsors; and
(II) administration for the Secretary.

(C) Final rule.—The regulations issued pursuant to subparagraph (A) shall not be finalized until the study under subsection (c) has been completed and considered by the Secretary in the rulemaking process under such subparagraph.

Page 282, line 7, insert “that are less than 100 percent and” before “that increase”.

Page 282, strike lines 10 through 11 and insert the following:

(C) shall take into consideration the study conducted under subsection (c), including any potential—

(i) disruption in the supply of construction materials to any State or isolated geographic region; and

(ii) impacts on the price of covered items.

Page 282, beginning on line 14, strike “requirements” and insert “regulations”.

Page 282, line 16, strike “RESEARCH” and insert “STUDY”.
Page 282, line 18, strike “research” and insert “study”.

Page 283, line 1, strike “research” and insert “study”.

Page 283, strike lines 3 through 15 and insert the following:

(A) the current domestic availability of covered items of sufficient and reasonably available quantity and of a satisfactory quality (including any specific impacts in a State or isolated geographic region, as applicable) necessary to meet the demand for activities covered under section 313 of title 23, United States Code;

(B) the current supply chain for covered items including the impacts of extracting, refining, manufacturing, and transporting domestically available covered items;

(C) anticipated impacts to the environment, public health, and safety from transportation of domestically available covered items;

(D) the estimated demand, in relation to total domestic demand from all sources, for covered items from—
(i) procurement under the Federal-aid highway program;

(ii) procurement under other programs administered by the Secretary of Transportation; and

(iii) other Federal procurement; and

(E) the delivery cost differential of domestic covered items, as compared to non-domestic alternatives, including any specific impacts in a State or isolated geographic region, as applicable.

Page 283, after line 15, insert the following (and redesignate the subsequent paragraphs accordingly):

(3) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Secretary completes the study in paragraph (1), the Inspector General of the Department of Transportation shall—

(A) review the extent to which the study under paragraph (1) addresses the considerations under paragraph (2); and

(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Environment and Public Works of the Senate a report on the findings of the review under subparagraph (A).
Page 284, beginning on line 3, strike “This section, and the amendments made by this section” and insert “Subsections (b) and (c)”.

Page 284, after line 6, insert the following (and redesignate the subsequent subsection accordingly):

(e) Construction Materials Defined.—In this section, the term “construction materials” has the meaning given such term in section 313 of title 23, United States Code.

Page 298, line 9, strike “resilience;” and insert “resilience”.

Page 341, line 2, strike “104(b)” and insert “104(b).”.

Page 388, line 25, strike “carsharing” and insert “carsharing,.”.

Page 393, line 17, insert “and sections 137 and 142” after “(a) or (b)”.

Page 393, line 18, insert “limited commercial activities for” after “155,”.

Page 436, line 22, strike “paragraph” and insert “subsection”.

Page 436, line 22, strike “paragraph” and insert “subsection”.

Page 436, line 22, strike “paragraph” and insert “subsection”.

Page 436, line 22, strike “paragraph” and insert “subsection”. 
Page 536, line 15, strike “paragraphs (2)” and insert “paragraph (2)”.

Page 574, strike lines 9 through 13 and insert the following:

“(A) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(A) of the INVEST in America Act for fiscal year 2023;

“(B) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(B) of the INVEST in America Act for fiscal year 2024;

“(C) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(C) of the INVEST in America Act for fiscal year 2025; and

“(D) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(D) of the INVEST in America Act for fiscal year 2026.”;

Page 595, strike lines 4 through 5 and insert the following:

(a) IN GENERAL.—Section 204(a) of title 23, United States Code, is amended—
Page 596, after line 8, insert the following:

(b) **Federal Share.**—Section 201(b)(7)(B) of title 23, United States Code, is amended by striking “determined in accordance with section 120”, and inserting “up to 100 percent”.

Page 653, after line 8, insert the following (and redesignate accordingly):

(2) **Indian Tribes.**—The term “Indian Tribes” has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

Page 664, line 15, insert a comma after “low-income communities”.

Page 699, line 2, strike “101(a)(16)(C), as amended,” and insert “101(a)(17)(C), as redesignated by section 1103(1)(A) of this Act,”.

Page 699, strike lines 12 through 15 and insert the following:

(B) in the paragraph heading, by striking “Federal Highway Administration” and inserting “AN OPERATING ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION”.

Page 705, after line 3, add the following:

SEC. 1640. CREDIT ADJUSTMENTS FOR PAYCHECK PROTECTION PROGRAM LOAN FORGIVENESS UNDER HIGHWAY AND PUBLIC TRANSPORTATION PROJECT COST REIMBURSEMENT CONTRACTS.

(a) IN GENERAL.—Notwithstanding section 112 of title 23, United States Code, a covered contractor shall only make credit adjustments to the indirect cost rate applied to such contractor to reflect the portion of loan forgiveness attributable to the receipt of Federal funds. For purposes of this section, beginning on the date on which the credit attributable to Federal funds is recovered fully, no further indirect cost rate credit shall be applied or otherwise provided.

(b) COVERED CONTRACTOR DEFINED.—For purposes of this section, the term “covered contractor” means a contractor or subcontractor at any tier that—

(1) provides architectural and engineering services under a federally-funded Federal-aid highway program or Federal lands highway program cost reimbursement contract under title 23, United States Code;

(2) received loan forgiveness in accordance with section 1106 of the Coronavirus Aid, Relief, and
Economic Security Act (Public Law 116–136), for a loan provided under paragraph (36) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)); and (3) applied such loan proceeds to indirect costs that were reimbursed, in whole or in part, with Federal funds.

Page 721, line 12, strike “30” and insert “15”.

Page 721, line 16, strike “and” at the end.

Page 721, line 19, strike the period and insert “; and”.

Page 721, after line 19, insert the following:

“(v) limited to the service area in which the recipient provides regularly scheduled public transportation service.

Page 747, line 6, strike “in carrying” and insert “In carrying”.

Page 863, line 16, strike “(4)” and insert “(5)”.

Page 874, line 12, strike “and/or” and insert “or”.

Page 875, line 24, insert “up to” before “5”.

Page 876, line 1, insert “or land use” before “criterion”.
Page 876, line 1, insert “up to” before “5 percentage”.

Page 876, line 16, insert “or land use” after “development”.

Page 1003, after line 7, insert the following:

SEC. 4208. REVIEW OF LABOR LAWS.

(a) REGISTRATION.—Section 13902(a)(1)(A) of title 49, United States Code, is amended—

(1) in clause (v) by striking “and” at the end;

(2) in clause (vi) by striking the semicolon and inserting “; and”; and

(3) by adding at the end the following:

“(vii) applicable labor and employment laws and regulations, including wage and hour and workplace safety laws and regulations, relevant to the safe operation of a motor carrier;”.

(b) AGENCY REVIEW.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation and the Secretary of Labor shall initiate a process to—

(1) review the relationship between labor and employment laws and regulations and motor carrier
safety laws and regulations, including hours of service rules;

(2) evaluate labor and employment laws and regulations likely to be relevant to the safe operation of a motor carrier;

(3) assess the availability of datasets, gaps in available data, and opportunities to gather and share useful data to better understand the relationship between labor and employment laws and regulations and the safety performance of a motor carrier; and

(4) assess the feasibility of utilizing available data, including data on violations of labor and employment laws and regulations, to improve the Secretary’s safety oversight of a motor carrier.

(c) REPORT.—No later than 18 months after initiation of the process under subsection (b), the Secretary of Transportation and Secretary of Labor shall submit to Congress a report containing—

(1) the findings of the process undertaken under subsection (b);

(2) any proposed actions to be taken by either the Secretary of Transportation or the Secretary of Labor as a result of such findings; and

(3) any recommendations to Congress to implement such proposed actions.
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(d) UPDATES.—Following completion of the agency review under subsection (b), the Secretary of Transportation may initiate a rulemaking addressing the periodic monitoring of information to ensure compliance with section 13902(a)(1)(A)(vii) of title 49, United States Code, including any required documentation that a motor carrier is required to submit.

Page 1043, beginning on line 12, strike “, benefits, and costs associated with” and insert “of”.

Page 1056, line 9, insert “that provides a single point of data, such as the vehicle identification number,” after “identifier”.

Page 1056, line 10, strike “to roadside inspectors”.

Page 1056, line 11, insert “compliance, inspection, or” after “for”.

Page 1125, beginning on line 13, strike “INTERAGENCY INNOVATIVE MATERIALS STANDARDS TASK FORCE” and insert “INTERAGENCY INNOVATIVE MATERIALS STANDARDS TASK FORCE”.

Page 1126, beginning on line 8, strike “Interagency Innovative Materials Standards Task Force” and insert “Interagency innovative materials standards task force”. 
Page 1147, after line 20, insert the following (and redesignate accordingly):

“(G) a representative from academia;

Page 1147, after line 22, insert the following (and redesignate the subsequent subparagraphs accordingly):

(E) in subparagraph (K) by striking “; and” and inserting a period;

Page 1147, line 24, strike “subparagraph (H)” and insert “subparagraph (I)”.

Page 1185, line 21, insert “data” after “include”.

Page 1185, beginning on line 21, insert a comma after “interoperability”.

Page 1227, line 12, insert “Administration” after “Safety”.

Page 1270, line 15, strike “may” and insert “shall”.

Page 1402, after line 16, insert the following:

SEC. 9520. FRA SAFETY INSPECTOR AND SPECIALIST REVIEW.

(a) REVIEW.—The Administrator of the Federal Railroad Administration shall review the position descriptions and pay grades of railroad safety inspection per-
sonnel and railroad safety specialists employed by the Office of Railroad Safety.

(b) CONTENTS OF REVIEW.—The review under subsection (a) shall—

(1) consider whether the descriptions of the positions described in subsection (a) accurately reflect the scope of work and duties of the personnel and specialists described in such subsection, including any technological advancements that impact the scope of work and duties;

(2) compare the pay grades of such positions to the pay grades of personnel employed by other Department of Transportation agencies and the National Transportation Safety Board who have scopes of work and duties comparable to those of railroad safety inspection personnel and railroad safety specialists; and

(3) assess whether the Administration experiences difficulty in recruiting or retaining such personnel and specialists and identify the reasons for such difficulty.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on
Commerce, Science, and Transportation of the Senate a report that—

(1) summarizes the findings of the review required by this section;

(2) describes how the Administration plans to update the position descriptions of such personnel and specialists to accurately reflect the scope of work and duties, including any technological advancements that impact the scope of work and duties; and

(3) describes how pay grades may be updated to retain and recruit such personnel and specialists.

At the end of division D, add the following:

SEC. 9608. EXTENSION.

Section 1246 of the Disaster Recovery Reform Act of 2018 is amended—

(1) by striking “3 years” and inserting “4 1/2 years”; and

(2) by inserting “and every 3 months thereafter,” before “the Administrator shall”.

Page 1524, line 20, strike “under subsection (h)” and insert “under subsection (i)”.

Page 1525, insert after subsection (e) the following (and redesignate the subsequent subsections accordingly):
“(f) RULEMAKING.—Not later than 180 days after the date of enactment of this section, the Administrator shall issue a rule requiring that, with respect to any decentralized wastewater treatment system constructed pursuant to this section or section 603(c)—

“(1) such system complies with any applicable State and local requirements;

“(2) such system complies with any applicable American National Standard approved by the American National Standards Institute; and

“(3) the design and construction of such system is carried out by persons or entities licensed and bonded, by the State in which such system is constructed, to carry out such design and construction.