At the request of Mr. McCONNELL, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia’s internationally recognized borders.

S. RES. 165

At the request of Mr. CARDIN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Kentucky (Mr. McCONNELL) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 202

At the request of Mr. CONRAD, the name of the Senator from Massachusetts (Mr. BROWN) was added as a co-sponsor of S. Res. 202, a resolution designating June 27, 2011, as “National Post-Traumatic Stress Disorder Awareness Day”.

AMENDMENT NO. 421

AMENDMENT NO. 421

At the request of Mr. JOHANNES, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a co-sponsor of amendment No. 421 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 433

At the request of Ms. LANDRIEU, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a co-sponsor of amendment No. 433 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

AMENDMENT NO. 467

At the request of Ms. AYOTTE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a co-sponsor of amendment No. 467 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

At the request of Mrs. HUTCHISON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 468 intended to be proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

At the request of Mrs. FEINSTEIN, the names of the Senator from Virginia (Mr. WEBB), the Senator from Maine (Ms. COLLINS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 476 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. HUTCHISON (for herself and Mr. KYL):

S. 1213. A bill to amend title II of the Social Security Act to extend the solvency of the Social Security Trust Funds by increasing the normal and early retirement ages under the Social Security program and modifying the cost-of-living adjustments in benefits; to the Committee on Finance.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to add the text of the bill printed in the RECORD. There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “Defend and Save Social Security Act”.

SEC. 2. ADJUSTMENT TO NORMAL AND EARLY RETIREMENT AGE.

(a) In General.—Section 216(l) of the Social Security Act (42 U.S.C. 416(l)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by striking “2017” and inserting “2019”; and

(B) by striking subparagraphs (D) and (E) and inserting the following new subparagraphs:

‘‘(1) with respect to an individual who—

(i) attains age 62 after December 31, 2015, and before January 1, 2024, such individual’s early retirement age (as determined under paragraph (6)(A) for the quarter reduced (but not below zero) by 1 percentage point);’’;

‘‘(2) the term ‘early retirement age’ means—

‘‘(A) in the case of an old-age, wife’s, or husband’s insurance benefit, 60 years of age; or

‘‘(B) in the case of a widow’s or widower’s insurance benefit, 60 years of age.’’;

(2) by amending paragraph (3) to read as follows:

‘‘(3) With respect to an individual who attains early retirement age in the 5-year period consisting of the calendar years 2000 through 2004, the age increase factor shall be equal to two-twelths of the number of months in the period beginning with January 2000 and ending with December of the year in which the individual attains early retirement age; and

(4) by adding at the end the following new paragraph:

‘‘(B) the age increase factor shall be equal to three-twelths of the number of months in the period—

‘‘(A) beginning with January 2016 and ending with December of the year in which—

‘‘(i) for purposes of paragraphs (1)(D)(ii), the individual attains 60 years of age; or

‘‘(ii) for purposes of paragraph (2)(A)(i), the individual attains 60 years of age; or

‘‘(3) CONFORMING INCREASE IN NUMBER OF ELAPSED YEARS FOR PURPOSES OF DETERMINING PRIMARY INSURANCE AMOUNT.—Section 215(b)(2)(B)(ii) of such Act (42 U.S.C. 415(b)(2)(B)(ii)) is amended by striking “age 62” and inserting “early retirement age (or, in the case of an individual who receives a benefit described in section 216(l)(2)(B), 62 years of age)”.

SEC. 3. COST-OF-LIVING ADJUSTMENT.

Section 215(i) of the Social Security Act (42 U.S.C. 415(i)) is amended—

(1) in paragraph (1)(D), by inserting “subject to paragraph (6),” before “the term”;

(2) by adding at the end the following new paragraph:

‘‘(6) Subject to subparagraph (B), with respect to a base quarter or cost-of-living computation quarter in any calendar year after 2010, the term ‘CPI increase percentage’ means the percentage determined under paragraph (1)(D) for the quarter reduced (but not below zero) by 1 percentage point.

‘‘(B) The reduction under subparagraph (A) shall apply only for purposes of determining the amount of this subsection and not for purposes of determining the amount of, or any increases in, benefits under other
provisions of law which operate by reference to increases in benefits under this title.”.

By Mr. WARNER:

S. 1223. A bill to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. WARNER. Mr. President, I rise today to introduce an important new piece of legislation—the Digital Accountability and Transparency Act, or DATA Act.

Sine I have been in Washington, I have been frustrated by the lack of transparency and useful spending information to help inform the decision-making process. Our taxpayers deserve to clearly see how their tax dollars are spent.

As Chairman of the Budget Committee’s Task Force on Government Performance, I have been working to improve the outcomes and results of our Federal investments.

Last year, we passed the Government Performance and Results Modernization Act to more frequently track government spending to help reduce overlap and duplication. Today, I will introduce the DATA Act to help bring a new level of transparency to our Federal spending.

I want to start by acknowledging the work of the administration and the Recovery Accountability and Transparency Board—this legislation was built off the important work they have been leading to reduce waste for the Recovery Act investments.

Under Vice President BIDEN’s leadership, supported by the Recovery Board Chairman Earl Devaney—they have established a new standard for government accountability. The results are impressive.

Out of more than 200,000 Recovery Act fund recipients—there are only 7 recipients that have not filed their required financial reports.

I also need to mention the leadership at the Office of Management and Budget—including director Jack Lew and our chief performance officer Jeff Zients. OMB led the charge with the Recovery Board to ensure the accountability of the Recovery Act funds and have made transparency an important goal government-wide.

The administration, the Recovery Board and OMB have proved that transparency and useful spending information is critical.

First, this legislation will require recipients of Federal funds and government agencies to report spending data into one transparent online portal. Much like they did for Recovery Act funds.

This data will be analyzed and compared proactively in order to identify and prevent waste, fraud and abuse before it happens. There are tremendous opportunities to reduce improper payments by applying the Recovery Board’s fraud prevention tactics to the entire Federal Government.

This legislation will also create a new Board to oversee transparency efforts and set consistent standards for data across the Federal Government. Board membership will be comprised of a select group that will include senior OMB officials, agency Deputy Secretaries and Inspectors General.

All this information will be made publicly available so the American people can track taxpayer funds more closely.

This legislation will create a new structure that could help coordinate and reduce duplicative reporting requirements and burdens felt by many governments, nonprofits and businesses.

Finally, this legislation is an example of how Washington should work. It builds off the work of the administration and the Recovery Board, the work of Chairman DARRELL ISSA in the House and now with the introduction of this legislation in the Senate.

Working together in a bipartisan way, we will have the strongest proposal that is poised to change the way the government does business.

I must thank Chairman DARRELL ISSA of California for his leadership on developing this legislation. He has been working tirelessly on improving transparency for years—even starting a House Caucus on Transparency to rally his colleagues on the subject.

I am pleased to be his partner in offering this legislation.

I look forward to working with my colleagues in the Senate and with the administration to make refinements to this legislation and to move forward with this bill.

By Mr. FRANKEN (for himself and Mr. BLUMENTHAL):

S. 1223. A bill to address voluntary location tracking of electronic communications devices, and for other purposes; to the Committee on the Judiciary.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1223

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “Location Privacy Protection Act of 2011”.

SEC. 2. DEFINITION. In this Act, the term “geolocation information” has the meaning given that term in section 2713 of title 18, United States Code, as added by the Act.

SEC. 3. VOLUNTARY LOCATION TRACKING OF ELECTRONIC COMMUNICATIONS DEVICES.

(a) In General.—Chapter 121 of title 18, United States Code, is amended by adding at the end the following:

“2713. Voluntary location tracking of electronic communications devices

“(a) Definitions.—In this section—

“(1) the term ‘covered entity’ means a non-governmental individual or entity engaged in the business, in or affecting interstate or foreign commerce, of offering or providing a service to electronic communications devices, including, but not limited to, offering or providing electronic communications service, remote computing service, or geolocation information service;

“(2) the term ‘electronic communications devices’ means any device;

“(A) enables access to, or use of, an electronic communications system, electronic communication service, remote computing service, or geolocation information service; and

“(B) is designed or intended to be carried by or on the person of an individual or travel with the individual, including, but not limited to, a vehicle the individual drives;

“(3) the term ‘express authorization’ means express affirmative consent after receiving clear and prominent notice that—

“(A) is displayed by the electronic communications device, separate and apart from any final end user license agreement, privacy policy, terms of use page, or similar document; and

“(B) provides information regarding—

“(i) what geolocation information will be collected; and

“(ii) the specific nongovernmental entities to which the geolocation information may be disclosed;

“(4) the term ‘geolocation information’—

“(A) means any information—

“(i) concerning the location of an electronic communications device that is in whole in or part generated by or derived from the operation or use of the electronic communications device; and

“(B) may be used to identify or approximate the location of the electronic communications device or the individual that is using the device; and

“(5) the term ‘geolocation information service’ means the provision of a location positioning service or other mapping, locational, or directional information service.

“(b) Collection or Disclosure of Geolocation Information.—

“(1) In General.—Except as provided in paragraph (2), a covered entity may not knowingly collect, receive, record, obtain, or disclose to a nongovernmental individual or entity the geolocation information from an electronic communications device without the express authorization of the individual that is using the electronic communications device.

“(2) Exceptions.—A covered entity may knowingly collect, receive, record, obtain, or disclose to a nongovernmental individual or entity the geolocation information from an electronic communications device without the express authorization of the individual that is using the electronic communications device if the covered entity has a good faith belief that the collection, receipt, recording, obtaining, or disclosure—

“(A) is necessary to locate a minor child or provide fire, medical, public safety, or other emergency services;

“(B) is for the sole purpose of transmitting the geolocation information to the individual or another authorized recipient, including another third party authorized under this subparagraph; or

“(C) expressly required by statute, regulation, or appropriate judicial process.
SEC. 4. GEOLOCATION INFORMATION USED IN INTERSTATE DOMESTIC VIOLENCE OR STALKING.

(a) In General.—Chapter 119A of title 18, United States Code, is amended—

(1) by redesignating section 2266 as section 2266A;

(2) by inserting after section 2265 the following:

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8 22666. Geolocation information used in interstate domestic violence or stalking

(a) Offenses; Unauthorized Disclosure of Geolocation Information in Aid of Interstate Domestic Violence or Stalking.—A covered entity that—

(1) knowingly and willfully discloses geolocation information about an individual to another individual;

(2) knew that a violation of section 2261, 2261A, or 2262 would result from the disclosure; and

(3) intends to aid in a violation of section 2261, 2261A, or 2262 as a result of the disclosure, shall be punished as provided in subsection (b).

(b) Penalties.—A covered entity that violates subsection (a) shall be fined not more than $250,000, or imprisoned for not more than 2 years, or both.
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on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes the results of the study conducted under subsection (a).

SEC. 7. GEOLOCATION CRIME REPORTING CENTER.
(a) IN GENERAL.—The Attorney General, acting through the Director of the Federal Bureau of Investigation, and in conjunction with the Director of the Bureau of Justice Assistance, shall create a mechanism using the Internet Crime Complaint Center to register complaints of crimes the conduct of which was aided by use of geolocation information.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Attorney General, acting through the Director of the Bureau of Justice Assistance, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—
(1) discusses the information obtained using the mechanism created under subsection (a);
(2) evaluates the potential risks that the widespread availability of geolocation information poses in increasing crimes against person and property;
(3) describes programs of State and municipal governments intended to reduce these risks; and
(4) makes recommendations on measures that could be undertaken by Congress to reduce or eliminate these risks.

SEC. 8. NATIONAL GEOLOCATION CURRICULUM DEVELOPMENT.
The Attorney General shall develop a national education curriculum for use by State and local law enforcement agencies, judicial educators, and victim service providers to ensure a uniform level of victim advocacy. State and local law enforcement personnel have access to information about relevant laws, practices, procedures, and policies for investigating and prosecuting the misuse of geolocation information.

By Mr. DURBIN:
S. 1230. A bill to secure public investments in transportation infrastructure; to the Committee on Commerce, Science, and Transportation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Protecting Taxpayers in Transportation Asset Transfers Act”.

SEC. 2. DEFINITIONS.
In this Act:
(1) ASSET TRANSACTION.—The term “asset transaction” means—
(A) an agreement for a public transportation asset; or
(B) a contract for the sale or lease of a public transportation asset between the State or local government with jurisdiction over the public transportation asset and a private individual or entity.
(2) CONCESSION AGREEMENT.—The term “concession agreement” means an agreement entered into by a private individual or entity and a State or local government with jurisdiction over a public transportation asset to convey to the private individual or entity the right to manage, operate, and maintain the public transportation asset for a specific period of time in exchange for the authorization to collect a toll or other user fee from a person for each use of the public transportation asset during that period.

(2) RELEASE OF LIENS.—The Secretary shall determine the amount that is required to be paid for the release of a Federal lien on a public transportation asset under this paragraph, taking into account, at a minimum—
(i) the total amount of Federal funds that have been expended to construct, maintain, or upgrade the public transportation asset; and
(ii) the amount of Federal funding received by a State or local government based on inclusion of the public transportation asset in calculations using Federal funding formulas or for Federal block grants.

(iii) the reasonable depreciation of the public transportation asset, including the amount of Federal funds described in clause (i) that may be offset by that depreciation;

(iv) the loss of Federal tax revenue from bonds related to, and the tax consequences of depreciation of, the public transportation asset.

(3) AGREEMENTS.—
(A) IN GENERAL.—As a condition of any new or renewed asset transaction for a public transportation asset—
(i) the private individual or entity seeking the asset transaction shall enter into an agreement with the Secretary, which shall be incorporated into the terms of the asset transaction, under which the private individual or entity agrees—
(I) to pay to the Secretary the amount determined by the Secretary under subparagraph (B); and
(II) to provide an estimate of the revenue the transportation asset will produce for the private entity during the lease or sale period; and
(ii) the State or local government or other public sponsor seeking the asset transaction for the public transportation asset pays the Secretary an amount determined by the Secretary under subparagraph (B); and
(iii) the Secretary certifies that the required agreements described in paragraph (3) have been signed, and the terms of the agreements incorporated into the terms of the asset transaction, for the public transportation asset.

(B) DETERMINATION OF REPAYMENT AMOUNT.—The Secretary shall determine the amount that is required to be paid for the release of a Federal lien on a public transportation asset under this paragraph, taking into account, at a minimum—
(i) the total amount of Federal funds that have been expended to construct, maintain, or upgrade the public transportation asset; and
(ii) the amount of Federal funding received by a State or local government based on inclusion of the public transportation asset in calculations using Federal funding formulas or for Federal block grants;

(iii) the reasonable depreciation of the public transportation asset, including the amount of Federal funds described in clause (i) that may be offset by that depreciation;

(iv) the loss of Federal tax revenue from bonds related to, and the tax consequences of depreciation of, the public transportation asset.

(3) AGREEMENTS.—
(A) IN GENERAL.—As a condition of any new or renewed asset transaction for a public transportation asset—
(i) the private individual or entity seeking the asset transaction shall enter into an agreement with the Secretary, which shall be incorporated into the terms of the asset transaction, under which the private individual or entity agrees—
(I) to pay to the Secretary the amount determined by the Secretary under subparagraph (B); and
(II) to provide an estimate of the revenue the transportation asset will produce for the private entity during the lease or sale period; and
(ii) the State or local government or other public sponsor seeking the asset transaction for the public transportation asset pays the Secretary an amount determined by the Secretary under subparagraph (B); and
(iii) the Secretary certifies that the required agreements described in paragraph (3) have been signed, and the terms of the agreements incorporated into the terms of the asset transaction, for the public transportation asset.

(B) DETERMINATION OF REPAYMENT AMOUNT.—The Secretary shall determine the amount that is required to be paid for the release of a Federal lien on a public transportation asset under this paragraph, taking into account, at a minimum—
(i) the total amount of Federal funds that have been expended to construct, maintain, or upgrade the public transportation asset; and
(ii) the amount of Federal funding received by a State or local government based on inclusion of the public transportation asset in calculations using Federal funding formulas or for Federal block grants;

(iii) the reasonable depreciation of the public transportation asset, including the amount of Federal funds described in clause (i) that may be offset by that depreciation;

(iv) the loss of Federal tax revenue from bonds related to, and the tax consequences of depreciation of, the public transportation asset.

SEC. 3. PROGRAM TO SECURE PUBLIC INVESTMENTS IN TRANSPORTATION INFRASTRUCTURE.
(a) EMBRACE.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program under which a Federal lien shall be attached to a public transportation asset, including any agreement authorized under the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 122 Stat. 4907) or an amendment made by that Act.

(b) REQUIREMENTS.—
(1) IN GENERAL.—A public transportation asset to which a lien is attached under subsection (a) may not be the subject of any asset transaction unless—
(A) the lien is released in accordance with paragraph (2); and
(B) the private individual or entity seeking the asset transaction enters into an agreement with the Secretary described in paragraph (3)(A)(ii); and
(ii) the State or local government or other public sponsor seeking the asset transaction enters into an agreement with the Secretary described in paragraph (3)(A)(iii).

(ii) the Secretary publishes a disclosure in accordance with subsection (a)(1); and
(iii) the State or local government seeking the asset transaction provides for public notice and an opportunity to comment on the proposed asset transaction.

(ii) the State or local government or other public sponsor seeking the asset transaction for the public transportation asset pays the Secretary an amount determined by the Secretary under subparagraph (B); and
(iii) the Secretary certifies that the required agreements described in paragraph (3) have been signed, and the terms of the agreements incorporated into the terms of the asset transaction, for the public transportation asset.

(2) RELEASE OF LIENS.—The Secretary shall determine the amount that is required to be paid for the release of a Federal lien on a public transportation asset under this paragraph, taking into account, at a minimum—
(i) the total amount of Federal funds that have been expended to construct, maintain, or upgrade the public transportation asset; and
(ii) the amount of Federal funding received by a State or local government based on inclusion of the public transportation asset in calculations using Federal funding formulas or for Federal block grants;

(iii) the reasonable depreciation of the public transportation asset, including the amount of Federal funds described in clause (i) that may be offset by that depreciation;

(iv) the loss of Federal tax revenue from bonds related to, and the tax consequences of depreciation of, the public transportation asset.
represent a better public and financial ben-
(b) any impacts on other public transpor-
(c) the determination of the repayment
(d) the use of funds by Secretary.
(e) regulations.
(f) report to Congress.
(g) authorization of appropriations.
SEC. 4. BUDGETARY EFFECTS.
the Secretary shall promulgate such regu-
(i) provides for public notice and an oppor-
(ii) pays to the Secretary the new amount
calculated by the Secretary pursuant to sub-
paragraph (B) required for renewal,
(iii) enters into a new agreement in accord-
with paragraph (3) for the renewal.
(c) AMTRAK.—
(1) IN GENERAL.—Subject to paragraph (2), the Secretary may permit a private indi-
vidual or entity to enter into an asset trans-
action covering all or any portion of the fa-
cilities and equipment of the National Rail-
road Passenger Corporation (referred to in
this subsection as “Amtrak”).
(2) CONDITIONS.—A private individual or en-
tity that seeks to enter into an asset trans-
described in paragraph (1) shall agree—
(A) to enter into an agreement described in
subsection (b)(3) with the Secretary covering
the asset transaction; and
(B) to pay to the Secretary an amount equal
to the amount of Federal funds pro-
vided for Amtrak during the period of
year 1971 through the fiscal year in which
an agreement described in subsection (b)(3) cov-
ering the asset transaction is entered into,
as adjusted by, as determined by the Sec-
(1) the reasonable depreciation of the por-
ton of Amtrak facilities and equipment cov-
yered by the agreement, including that
amount of Federal funds provided for Am-
trak that may be offset by that depreciation;
(II) the interest in the public transpor-
tation asset covered by the asset
transaction;—
(2) U.S. MILITARY.—Subject to paragraph (2), the Secretary may permit a private
individual or entity to enter into an asset trans-
action covering any public transportation asset
covered by the asset transaction; and
(3) RENALISATION OF ASSET TRANSACTION.—An
asset transaction that expires or terminates
may be renewed only if—
(A) the Secretary—
(i) calculates a new repayment amount
under paragraph (2)(A)(i) or (5)(B)(ii) of sub-
section (b) or subsection (c)(2)(B) shall be
available to the Secretary, with
further appropriation and to remain
available until expended, for transportation
projects and activities in the same transpor-
tation mode as the mode of the public trans-
portation asset for which the payment was
received.
(e) regulations.
(ii) takes into consideration the impact of a
renewed asset transaction on nearby public trans-
portation assets; and
(iii) publishes a new disclosure for the
renewed agreement in accordance with para-
graph (d) before it
(B) the State or local government seeking to
renew the asset transaction—
(i) provides for public notice and an oppor-
tunity to comment on the proposed renewal;
(ii) pays to the Secretary the new amount
calculated by the Secretary pursuant to sub-
paragraph (B) required for renewal,
(iii) enters into a new agreement in accord-
ance with paragraph (3) for the renewal.
(c) AMTRAK.—
(1) IN GENERAL.—Subject to paragraph (2), the Secretary may permit a private indi-
vidual or entity to enter into an asset trans-
action covering all or any portion of the fa-
cilities and equipment of the National Rail-
road Passenger Corporation (referred to in
this subsection as “Amtrak”).
(2) CONDITIONS.—A private individual or en-
tity that seeks to enter into an asset trans-
described in paragraph (1) shall agree—
(A) to enter into an agreement described in
subsection (b)(3) with the Secretary covering
the asset transaction; and
(B) to pay to the Secretary an amount equal
to the amount of Federal funds pro-
vided for Amtrak during the period of
year 1971 through the fiscal year in which
an agreement described in subsection (b)(3) cov-
ering the asset transaction is entered into,
as adjusted by, as determined by the Sec-
(1) the reasonable depreciation of the por-
ton of Amtrak facilities and equipment cov-
yered by the agreement, including that
amount of Federal funds provided for Am-
trak that may be offset by that depreciation;
(II) the interest in the public transpor-
tation asset covered by the asset
transaction;—
(2) U.S. MILITARY.—Subject to paragraph (2), the Secretary may permit a private
individual or entity to enter into an asset trans-
action covering any public transportation asset
covered by the asset transaction; and
(3) RENALISATION OF ASSET TRANSACTION.—An
asset transaction that expires or terminates
may be renewed only if—
(A) the Secretary—
(i) calculates a new repayment amount
under paragraph (2)(A)(i) or (5)(B)(ii) of sub-
section (b) or subsection (c)(2)(B) shall be
available to the Secretary, with
further appropriation and to remain
available until expended, for transportation
projects and activities in the same transpor-
tation mode as the mode of the public trans-
portation asset for which the payment was
received.
(e) regulations.
(ii) takes into consideration the impact of a
renewed asset transaction on nearby public trans-
portation assets; and
(iii) publishes a new disclosure for the
renewed agreement in accordance with para-
graph (d) before it
(B) the State or local government seeking to
renew the asset transaction—
(i) provides for public notice and an oppor-
tunity to comment on the proposed renewal;
(ii) pays to the Secretary the new amount
calculated by the Secretary pursuant to sub-
paragraph (B) required for renewal,
(iii) enters into a new agreement in accord-
ance with paragraph (3) for the renewal.