

amendment at the desk be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5181) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Preserving Rehabilitation Innovation Centers Act of 2016”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In the United States, there are an estimated 1,181 inpatient rehabilitation facilities. Among these facilities is a small group of inpatient rehabilitation institutions that are contributing to the future of rehabilitation care medicine, as well as to patient recovery, scientific innovation, and quality of life.

(2) This unique category of inpatient rehabilitation institutions treats the most complex patient conditions, such as traumatic brain injury, stroke, spinal cord injury, childhood disease, burns, and wartime injuries.

(3) These leading inpatient rehabilitation institutions are all not-for-profit or Government-owned institutions and serve a high volume of Medicare or Medicaid beneficiaries.

(4) These leading inpatient rehabilitation institutions have been recognized by the Federal Government for their contributions to cutting-edge research to develop solutions that enhance quality of care, improve patient outcomes, and reduce health care costs.

(5) These leading inpatient rehabilitation institutions help to improve the practice and standard of rehabilitation medicine across the Nation in urban, suburban, and rural communities by training physicians, medical students, and other clinicians, and providing care to patients from all 50 States.

(6) It is vital that these leading inpatient rehabilitation institutions are supported so they can continue to lead the Nation’s efforts to—

(A) advance integrated, multidisciplinary rehabilitation research;

(B) provide cutting-edge medical care to the most complex rehabilitation patients;

(C) serve as education and training facilities for the physicians, nurses, and other health professionals who serve rehabilitation patients;

(D) ensure Medicare and Medicaid beneficiaries receive state-of-the-art, high-quality rehabilitation care by developing and disseminating best practices and advancing the quality of care utilized by post-acute providers in all 50 States; and

(E) support other inpatient rehabilitation institutions in rural areas to help ensure access to quality post-acute care for patients living in these communities.

SEC. 3. STUDY AND REPORT RELATING TO THE COSTS INCURRED BY, AND THE MEDICARE PAYMENTS MADE TO, REHABILITATION INNOVATION CENTERS.

(a) IN GENERAL.—Section 1886(j) of the Social Security Act (42 U.S.C. 1395ww(j)) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following new paragraph:

“(8) STUDY AND REPORT RELATING TO THE COSTS INCURRED BY, AND THE MEDICARE PAY-

MENTS MADE TO, REHABILITATION INNOVATION CENTERS.—

“(A) STUDY.—The Secretary shall conduct a study to assess the costs incurred by rehabilitation innovation centers (as defined in subparagraph (C)) that are beyond the prospective rate for each of the following activities:

“(i) Furnishing items and services to individuals under this title.

“(ii) Conducting research.

“(iii) Providing medical training.

“(B) REPORT.—Not later than July 1, 2019, the Secretary shall submit to Congress a report containing the results of the study under subparagraph (A), together with recommendations for such legislation and administrative action as the Secretary determines appropriate.

“(C) REHABILITATION INNOVATION CENTER DEFINED.—

“(i) IN GENERAL.—In this paragraph, the term ‘rehabilitation innovation center’ means a rehabilitation facility that, determined as of the date of the enactment of this paragraph, is described in clause (ii) or clause (iii).

“(ii) NOT-FOR-PROFIT.—A rehabilitation facility described in this clause is a facility that—

“(I) is classified as a not-for-profit entity under the IRF Rate Setting File for the Correction Notice for the Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2012 (78 Fed. Reg. 59256);

“(II) holds at least one Federal rehabilitation research and training designation for research projects on traumatic brain injury, spinal cord injury, or stroke rehabilitation research from the Rehabilitation Research and Training Centers or the Rehabilitation Engineering Research Center at the National Institute on Disability and Rehabilitation Research at the Department of Education, based on such data submitted to the Secretary by a facility, in a form, manner, and time frame specified by the Secretary;

“(III) has a minimum Medicare case mix index of 1.1144 for fiscal year 2012 according to the IRF Rate Setting File described in subclause (I); and

“(IV) had at least 300 Medicare discharges or at least 200 Medicaid discharges in a prior year as determined by the Secretary.

“(iii) GOVERNMENT-OWNED.—A rehabilitation facility described in this clause is a facility that—

“(I) is classified as a Government-owned institution under the IRF Rate Setting File described in clause (ii)(I);

“(II) holds at least one Federal rehabilitation research and training designation for research projects on traumatic brain injury, spinal cord injury, or stroke rehabilitation research from the Rehabilitation Research and Training Centers, the Rehabilitation Engineering Research Center, or the Model Spinal Cord Injury Systems at the National Institute on Disability and Rehabilitation Research at the Department of Education, based on such data submitted to the Secretary by a facility, in a form, manner, and time frame specified by the Secretary;

“(III) has a minimum Medicare case mix index of 1.1144 for 2012 according to the IRF Rate Setting File described in clause (ii)(I); and

“(IV) has a Medicare disproportionate share hospital (DSH) percentage of at least 0.6300 according to the IRF Rate Setting File described in clause (ii)(I).”.

The bill (S. 1168), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AUTHORIZING THE USE OF POST-9/11 EDUCATIONAL ASSISTANCE

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of S. 3021 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3021) to amend title 38, United States Code, to authorize the use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning.

There being no objection, the Senate proceeded to consider the bill.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Inhofe-Blumenthal substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5182) in the nature of a substitute was agreed to.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The bill (S. 3021), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ESSENTIAL TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL ASSESSMENT ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 436, H.R. 710.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 710) to require the Secretary of Homeland Security to prepare a comprehensive security assessment of the transportation security card program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Essential Transportation Worker Identification Credential Assessment Act”.

SEC. 2. COMPREHENSIVE SECURITY ASSESSMENT OF THE TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL PROGRAM.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall commission a 2-phase comprehensive assessment of the effectiveness of the Transportation Worker Identification Credential Program (referred to in this section as the “TWIC Program” under section 70105 of title 46, United States Code) at enhancing security and reducing security risks for facilities and vessels regulated pursuant to chapter 701 of title 46, United States Code.

(b) **LOCATION.**—The assessment commissioned pursuant to subsection (a) shall be conducted by a national laboratory or a university-based center within the Department of Homeland Security centers of excellence network.

(c) **CONTENTS.**—The assessment commissioned pursuant to subsection (a) shall include—

(1) in phase 1, a review of the credentialing process, including—

(A) the appropriateness of vetting standards;

(B) whether the fee structure adequately reflects the current costs of vetting; and

(C) whether there is unnecessary overlap between other transportation security credentials;

(2) in phase 2, which shall follow the implementation of the TWIC reader rule—

(A) an evaluation of the extent to which the TWIC Program, as implemented, addresses known or likely security risks in the maritime environment; and

(B) the technology, business process, and operational impacts of the use of the transportation worker identification credentials and TWIC readers in the maritime environment;

(3) an evaluation of the extent to which deficiencies identified by the Comptroller General have been addressed; and

(4) a cost-benefit analysis of the TWIC Program, as implemented.

(d) **CORRECTIVE ACTION PLAN; PROGRAM REFORMS.**—If, as part of the assessment submitted by the Secretary under subsection (a), the Secretary identifies a deficiency in effectiveness of the TWIC Program, the Secretary, not later than 120 days after such submission, shall submit a corrective action plan to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) responds to findings of the assessment commissioned under this section;

(2) includes an implementation plan with benchmarks;

(3) may include programmatic reforms, revisions to regulations, or proposals for legislation; and

(4) shall be considered in any rulemaking by the Department of Homeland Security relating to the TWIC Program.

(e) **INSPECTOR GENERAL REVIEW.**—If a corrective action plan is required under subsection (d), the Inspector General of the Department of Homeland Security, not later than 120 days after the submission of such plan, shall—

(1) review the extent to which such plan implements—

(A) recommendations issued by the national laboratory or university-based center of excellence, as applicable, in the assessment submitted under subsection (a); and

(B) recommendations issued by the Comptroller General before the date of the enactment of this Act; and

(2) notify the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives about the responsiveness of such plan to such recommendations.

(f) **TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL RULES.**—

(1) **IN GENERAL.**—The Secretary of Homeland Security may not issue additional rules relating to the issuance of transportation worker identification credentials or the use of TWIC readers until—

(A) the Inspector General of the Department of Homeland Security notifies the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that the submission under subsection (d) is responsive to the recommendations of the Inspector General; and

(B) the Secretary issues an updated list of TWIC readers that are compatible with active transportation worker security credentials.

(2) **LIMITATION ON APPLICATION.**—Paragraph (1) shall not apply with respect to any final rule issued pursuant to the notice of proposed rule-making on Transportation Worker Identification Credential (TWIC)-Reader Requirements published by the Coast Guard on March 22, 2013 (78 Fed. Reg. 17781).

(g) **INSPECTOR GENERAL OVERSIGHT.**—Not later than 18 months after the date of the issuance of the corrective action plan under subsection (d), and every 6 months thereafter during the 3-year period following the date of the issuance of the first report under this subsection, the Inspector General shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that describes implementation of such plan.

SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out this Act and the amendments made by this Act, and this Act and such amendments shall be carried out using amounts otherwise available for such purpose.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Thune substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 5183) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute.)

Strike all after the enacting clause and insert the following:

SECTION 1. TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL SECURITY CARD PROGRAM IMPROVEMENTS AND ASSESSMENT.

(a) **CREDENTIAL IMPROVEMENTS.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Administrator of the Transportation Security Administration shall commence actions, consistent with section 70105 of title 46, United States Code, to improve the Transportation Security Administration's process for vetting individuals with access to secure areas of vessels and maritime facilities.

(2) **REQUIRED ACTIONS.**—The actions described under paragraph (1) shall include—

(A) conducting a comprehensive risk analysis of security threat assessment procedures, including—

(i) identifying those procedures that need additional internal controls; and

(ii) identifying best practices for quality assurance at every stage of the security threat assessment;

(B) implementing the additional internal controls and best practices identified under subparagraph (A);

(C) improving fraud detection techniques, such as—

(i) by establishing benchmarks and a process for electronic document validation;

(ii) by requiring annual training for Trusted Agents; and

(iii) by reviewing any security threat assessment-related information provided by

Trusted Agents and incorporating any new threat information into updated guidance under subparagraph (D);

(D) updating the guidance provided to Trusted Agents regarding the vetting process and related regulations;

(E) finalizing a manual for Trusted Agents and adjudicators on the vetting process; and

(F) establishing quality controls to ensure consistent procedures to review adjudication decisions and terrorism vetting decisions.

(3) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall submit a report to Congress that evaluates the implementation of the actions described in paragraph (1).

(b) **COMPREHENSIVE SECURITY ASSESSMENT OF THE TRANSPORTATION SECURITY CARD PROGRAM.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary of Homeland Security shall commission an assessment of the effectiveness of the transportation security card program (referred to in this section as “Program”) required under section 70105 of title 46, United States Code, at enhancing security and reducing security risks for facilities and vessels regulated under chapter 701 of that title.

(2) **LOCATION.**—The assessment commissioned under paragraph (1) shall be conducted by a research organization with significant experience in port or maritime security, such as—

(A) a national laboratory;

(B) a university-based center within the Science and Technology Directorate's centers of excellence network; or

(C) a qualified federally-funded research and development center.

(3) **CONTENTS.**—The assessment commissioned under paragraph (1) shall—

(A) review the credentialing process by determining—

(i) the appropriateness of vetting standards;

(ii) whether the fee structure adequately reflects the current costs of vetting;

(iii) whether there is unnecessary redundancy or duplication with other Federal- or State-issued transportation security credentials; and

(iv) the appropriateness of having varied Federal and State threat assessments and access controls;

(B) review the process for renewing applications for Transportation Worker Identification Credentials, including the number of days it takes to review application, appeal, and waiver requests for additional information; and

(C) review the security value of the Program by—

(i) evaluating the extent to which the Program, as implemented, addresses known or likely security risks in the maritime and port environments;

(ii) evaluating the potential for a non-biometric credential alternative;

(iii) identifying the technology, business process, and operational impacts of the use of the transportation security card and transportation security card readers in the maritime and port environments;

(iv) assessing the costs and benefits of the Program, as implemented; and

(v) evaluating the extent to which the Secretary of Homeland Security has addressed the deficiencies in the Program identified by the Government Accountability Office and the Inspector General of the Department of Homeland Security before the date of enactment of this Act.

(4) **DEADLINES.**—The assessment commissioned under paragraph (1) shall be completed not later than 1 year after the date on which the assessment is commissioned.

(5) SUBMISSION TO CONGRESS.—Not later than 60 days after the date that the assessment is completed, the Secretary of Homeland Security shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives the results of the assessment commissioned under this subsection.

(c) CORRECTIVE ACTION PLAN; PROGRAM REFORMS.—If the assessment commissioned under subsection (b) identifies a deficiency in the effectiveness of the Program, the Secretary of Homeland Security, not later than 60 days after the date on which the assessment is completed, shall submit a corrective action plan to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) responds to findings of the assessment;

(2) includes an implementation plan with benchmarks;

(3) may include programmatic reforms, revisions to regulations, or proposals for legislation; and

(4) shall be considered in any rulemaking by the Department of Homeland Security relating to the Program.

(d) INSPECTOR GENERAL REVIEW.—If a corrective action plan is submitted under subsection (c), the Inspector General of the Department of Homeland Security shall—

(1) not later than 120 days after the date of such submission, review the extent to which such plan implements the requirements under subsection (c); and

(2) not later than 18 months after the date of such submission, and annually thereafter for 3 years, submit a report to the congressional committees set forth in subsection (c) that describes the progress of the implementation of such plan.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 710), as amended, was passed.

TRIBAL INFRASTRUCTURE AND ROADS ENHANCEMENT AND SAFETY ACT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 378, S. 1776.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1776) to enhance tribal road safety, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tribal Infrastructure and Roads Enhancement and Safety Act” or “TIRES Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) INDIAN RESERVATION.—The term “Indian reservation” has the meaning given the term

“reservation” in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452).

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 3. APPLICATION OF CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.

(a) CATEGORICAL EXCLUSIONS.—

(1) IN GENERAL.—Effective on the date of enactment of this Act, a highway project, including projects administered by the Bureau of Indian Affairs, located on a road eligible for assistance under section 202 of title 23, United States Code, is deemed to be an action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), if the project—

(A) qualifies for categorical exclusion under—

(i) MAP-21 (Public Law 112-141; 126 Stat. 405) or an amendment made by that Act; or

(ii) section 771.117 of title 23, Code of Federal Regulations (or successor regulations); or

(B) would meet those requirements if the project sponsor were a State agency.

(2) MAP-21 CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.—Section 1317 of MAP-21 (23 U.S.C. 109 note; 126 Stat. 550) is amended—

(A) in paragraph (1)(B), by striking “; and” and inserting a period;

(B) beginning in the matter preceding paragraph (1), by striking “Not later than” and all that follows through “(1) designate” and inserting the following:

“(a) DESIGNATION OF CATEGORICAL EXCLUSIONS.—

“(1) IN GENERAL.—Subject to paragraph (2), not later than 180 days after the date of enactment of this Act, the Secretary shall designate”;

(C) in paragraph (2)—

(i) by striking “paragraph (1)” and inserting “subsection (a)”;

(ii) by striking “(2) not later than” and inserting the following:

“(b) REGULATIONS.—The Secretary shall, not later than”;

(D) in subsection (a) (as designated by subparagraph (B)), by adding at the end the following:

“(2) APPLICATION OF CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.—With respect to a project described in paragraph (1) that is located on a road eligible for assistance under section 202 of title 23, United States Code, for the first full fiscal year after the date of enactment of the TIRES Act, and each fiscal year thereafter, the amount referred to in paragraph (1)(A) shall be adjusted to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”.

(b) ADMINISTRATION.—The Secretary may issue guidance or rules for the administration of this section.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The categorical exclusions described in subsection (a), and the amendments made by subsection (a), take effect on the date of enactment of this Act.

(2) FAILURE OF SECRETARY TO ACT.—The failure of the Secretary to promulgate any final regulations or guidance shall not affect the qualification for the categorical exclusions described in subsection (a).

SEC. 4. STREAMLINING FOR TRIBAL PUBLIC SAFETY PROJECTS WITHIN EXISTING OPERATIONAL RIGHTS-OF-WAY.

Section 1316 of MAP-21 (23 U.S.C. 109 note; 126 Stat. 549) is amended—

(1) in subsection (b)—

(A) by striking “(b) DEFINITION OF AN OPERATIONAL RIGHT-OF-WAY.—In this section, the” and inserting the following:

“(b) DEFINITIONS.—In this section:

“(1) OPERATIONAL RIGHT-OF-WAY.—

“(A) IN GENERAL.—The”;

(B) by adding at the end the following:

“(B) INCLUSION.—For purposes of subparagraph (A), if a real property interest on an Indian reservation has not been formally designated an operational right-of-way, an Indian tribe may determine the scope and boundaries of that real property interest as an operational right-of-way, subject to the approval of the Bureau of Indian Affairs and the Secretary.

“(2) TRIBAL PUBLIC SAFETY PROJECT.—

“(A) IN GENERAL.—The term ‘tribal public safety project’ means a project subject to this section that—

“(i) corrects or improves a hazardous road location or feature; or

“(ii) addresses a highway safety problem.

“(B) INCLUSIONS.—The term ‘tribal public safety project’ includes a project for 1 or more of the following:

“(i) An intersection safety improvement.

“(ii) Pavement and shoulder widening, including addition of a passing lane to remedy an unsafe condition.

“(iii) Installation of a rumble strip or other warning device, if the rumble strip or other warning device does not adversely affect the safety or mobility of bicyclists, pedestrians, or the disabled.

“(iv) Installation of a skid-resistant surface at an intersection or other location with a high frequency of accidents.

“(v) An improvement for pedestrian or bicyclist safety or safety of the disabled.

“(vi) Construction of any project for the elimination of hazards at a railway-highway crossing that is eligible for funding under section 130 of title 23, United States Code, including the separation or protection of grades at railway-highway crossings.

“(vii) Construction of a railway-highway crossing safety feature, including installation of protective devices.

“(viii) The conduct of a model traffic enforcement activity at a railway-highway crossing.

“(ix) Construction of a traffic calming feature.

“(x) Elimination of a roadside obstacle.

“(xi) Improvement of highway signage and pavement markings.

“(xii) Installation of a priority control system for emergency vehicles at signalized intersections.

“(xiii) Installation of a traffic control or other warning device at a location with high accident potential.

“(xiv) Safety-conscious planning.

“(xv) Improvements in the collection and analysis of crash data.

“(xvi) Planning integrated interoperable emergency communications equipment, operational activities, or traffic enforcement activities, including police assistance, relating to workzone safety.

“(xvii) Installation of guardrails, barriers, including barriers between construction work zones and traffic lanes for the safety of motorists and workers, and crash attenuators.

“(xviii) The addition or retrofitting of structures or other measures to eliminate or reduce accidents involving vehicles and wildlife.

“(xix) Installation and maintenance of signs, including fluorescent, yellow-green signs, at pedestrian-bicycle crossings and in school zones.

“(xx) Construction and yellow-green signs at pedestrian-bicycle crossings and in school zones.

“(xxi) Construction and operational improvements on high-risk rural roads.

“(xxii) Any other project that the Secretary determines qualifies.”;

(2) by redesignating subsections (a) and (b) as subsections (b) and (a), respectively, and moving the subsections so as to appear in alphabetical order;

(3) in subsection (b) (as so redesignated), in the subsection heading, by striking “IN GENERAL” and inserting “DESIGNATION”; and