

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2) TO AUTHORIZE FUNDS FOR FEDERAL-AID HIGHWAYS, HIGHWAY SAFETY PROGRAMS, AND TRANSIT PROGRAMS, AND FOR OTHER PURPOSES

JUNE 29, 2020.—Referred to the House Calendar and ordered to be printed

Mr. MORELLE, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 1028]

The Committee on Rules, having had under consideration House Resolution 1028, by a record vote of 8 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2, the Moving Forward Act, under a structured rule. The resolution provides two hours of general debate on the bill equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-54, modified by the amendment printed in Part A of this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. Section 2 of the resolution provides that following general debate, it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to offer an amendment en bloc consisting of the further amendments printed in part B of this report. The amendment en bloc shall be considered as read, shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Section 3 of the resolution provides that after consideration of the amendment en bloc described in section 2, it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to offer an amendment en bloc consisting of the further amendments printed

in part C of this report. The amendment en bloc shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Section 4 of the resolution provides that after consideration of the amendment en bloc described in section 3, it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to offer an amendment en bloc consisting of the further amendments printed in part D of this report. The amendment en bloc shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Section 5 of the resolution provides that after consideration of the amendment en bloc described in section 4, it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to offer an amendment en bloc consisting of the further amendments printed in part E of this report. The amendment en bloc shall be considered as read, shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Section 6 of the resolution provides that after consideration of the amendment en bloc described in section 5, it shall be in order for the chair of the Committee on Transportation and Infrastructure or his designee to offer an amendment en bloc consisting of the further amendments printed in part F of this report. The amendment en bloc shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Section 7 of the resolution provides that after consideration of the amendment en bloc described in section 6, it shall be in order for the ranking minority member of the Committee on Transportation and Infrastructure or his designee to offer an amendment en bloc consisting of the further amendments printed in part G of this report. The amendment en bloc shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Section 8 of the resolution provides that after consideration of the amendment en bloc described in section 7, each further amendment printed in part H of this report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. Section 9 of the resolution provides that prior to the

offering of an amendment en bloc pursuant to sections 2 through 7, the chair of the Committee on Transportation and Infrastructure or his designee may designate amendments that shall not be considered as part of the amendment en bloc. The resolution provides that any amendment designated pursuant to section 9 shall be in order after consideration of the further amendments printed in part H if offered by a Member designated in this report, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all points of order against amendments en bloc described in sections 2 through 7 and the further amendments described in sections 8 and 9. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 2 includes waivers of the following:

- Clause 3(d) of rule XIII, which requires the inclusion of a committee cost estimate in a committee report. A CBO cost estimate on H.R. 2 was not available at the time the Committee on Transportation and Infrastructure filed its report.
- Clause 3(e) of rule XIII, which requires the inclusion of a comparative print for a bill proposing to repeal or amend a statute.
- Clause 12(a)(1) of rule XXI, which prohibits consideration of a bill unless there is a searchable electronic comparative print that shows how the bill proposes to change current law.
- Clause 12(b) of rule XXI, which prohibits consideration of a bill unless there is a searchable electronic comparative print that shows how the text of the bill as proposed to be considered differs from the text of the bill as reported.
- Section 306 of the Congressional Budget Act, which prohibits consideration of legislation within the jurisdiction of the Committee on the Budget unless referred to or reported by the Budget Committee.

The waiver of all points of order against provisions in H.R. 2, as amended, includes waivers of the following:

- Clause 4 of rule XXI, which prohibits reporting a bill carrying an appropriation from a committee not having jurisdiction to report an appropriation.
- Clause 5(a) of rule XXI, which prohibits a bill carrying a tax or tariff measure from being reported by a committee not having jurisdiction to report tax or tariff measures.

Although the resolution waives all points of order against the amendments en bloc described in sections 2 through 7 of the resolution, the further amendments described in section 8, and the further amendments described in section 9, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 325

Motion by Mr. Cole to report an open rule. Defeated: 4–7

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres		Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Ms. Matsui	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 326

Motion by Mr. Cole to amend the rule to H.R. 2 to make in order amendment #150, offered by Rep. Garcia (CA), which reauthorizes Subtitle J of Title 3 of Public Law 114–322 through Fiscal Year 2028. Defeated: 4–7

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres		Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Ms. Matsui	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 327

Motion by Mr. Cole to amend the rule to H.R. 2 to make in order amendment #168, offered by Rep. Calvert (CA), which eliminates certain restrictions on constructing additional lanes and capacity on the National Highway System. Defeated: 4–7

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres		Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Ms. Matsui	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 328

Motion by Mr. Woodall to amend the rule to H.R. 2 to make in order amendment #192, offered by Rep. Davis (IL), which streamlines and consolidates the federal permitting process. Defeated: 4–7

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres		Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea

Majority Members	Vote	Minority Members	Vote
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Ms. Matsui	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 329

Motion by Mr. Burgess to amend the rule to H.R. 2 to make in order amendment #380, offered by Rep. Burgess (TX), which raises the threshold of covered projects under NEPA to \$1 billion and allows projects with marginal environmental impact to be excluded from NEPA review. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Ms. Matsui	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 330

Motion by Mrs. Lesko to amend the rule to H.R. 2 to make in order amendment #355, offered by Rep. Lesko (AZ), which ensures that states who issue driver licenses to illegal aliens do not receive federal highway funding. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Ms. Matsui	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 331

Motion by Mrs. Lesko to amend the rule to H.R. 2 to make in order amendment #356, offered by Rep. Lesko (AZ), which repeals the excise tax on heavy trucks and trailers through 2021. Defeated: 4–8

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Yea
Mrs. Torres	Nay	Mr. Woodall	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mrs. Lesko	Yea
Ms. Scanlon	Nay		
Mr. Morelle	Nay		
Ms. Shalala	Nay		
Ms. Matsui	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 332

Motion by Mr. Morelle to report the rule. Adopted: 8–4

Majority Members	Vote	Minority Members	Vote
Mr. Hastings		Mr. Cole	Nay
Mrs. Torres	Yea	Mr. Woodall	Nay
Mr. Perlmutter	Yea	Mr. Burgess	Nay
Mr. Raskin	Yea	Mrs. Lesko	Nay
Ms. Scanlon	Yea		
Mr. Morelle	Yea		
Ms. Shalala	Yea		
Ms. Matsui	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 2 IN PART A CONSIDERED AS
ADOPTED

1. DeFazio (OR): Adds a credit providing for an additional subsidy for green energy projects that conform to certain labor standards and adds required labor standards for projects financed with certain tax-preference bonds. Directs the Transportation Security Administration (TSA) to convert all covered employees and positions within TSA to the personnel management provisions of title 5, U.S.C., thereby ensuring that TSA employees are provided the same rights and civil service protections afforded most other Federal workers. Authorizes \$3.396 billion for VA construction and maintenance and applies the existing government-wide three percent goal for participation by service-disabled veteran owned small businesses to the minor construction and non-recurring maintenance allocations. Adds trailers to the list of vehicles that may be purchased with the funds authorized. Adds Davis Bacon requirements to the Housing Trust Fund, Capital Magnet Fund, and Flood Mitigation Assistance funding in the bill. Raises the cap on the Reforestation Trust Fund to \$60,000,000 per year to address United States Forest Service replanting needs. Makes certain changes to public outreach procedures for abandoned coal mine reclamation at the request of the states and restates existing law for Department of Energy technical assistance to states for reclaiming orphaned wells. Requires the Secretary of Transportation to enter into an agreement with the National Academies of Sciences to develop a long-term research agenda for the surface transportation system that would address integrating advanced technologies and innovation and requires the Secretary to establish a program for long-term, high-risk research. Provides authority to the Secretary to establish a program for the demonstration of advanced transportation technologies for local transportation organizations and transit agencies serving populations of 200,000 or less and reauthorizes a previously existing advisory council to facilitate receiving outside expertise. Amends Division G to insert Davis-Bacon requirements and clarifies prioritization of funding for broadband deployment policies, among other technical changes. Amends Division O, Agriculture Infrastructure Improvements, by doubling the current statutory deposit limit for the Reforestation Trust Fund, enabling additional reforestation activities on National Forest System lands, including tree planting, seeding, fertilization, and timber stand improvement. Deposits in the account are derived from tariffs on im-

ported wood products. Requires that the National Lifeline Verifier be hooked up to SNAP's National Accuracy Clearinghouse.

SUMMARY OF THE AMENDMENTS TO H.R. 2 IN PART B MADE IN ORDER EN BLOC

1. Adams (NC), Sewell (AL), Cooper (TN), Khanna (CA): Changes “minority institutions” (20 U.S.C. 1067k) to “historically black colleges and universities and other minority-serving institutions” (20 U.S.C. 1067q) and raises the minimum number of grants to those institutions from two to four.

2. Aguilar (CA), Rouda (CA): Amends the Gridlock Reduction Grant Program to ensures eligibility for transportation authorities that are non-traditional local governments or MPOs, yet are legally responsible for delivering transportation improvements.

3. Aguilar (CA), Takano (CA): Includes language to “reduce the environmental impacts of freight movement on the National Highway Freight Network, including local pollution” as a goal of the National Highway Freight Program. This language is intended to clarify that air pollution caused from vehicles idling at railway crossings is considered to be “local pollution”.

4. Brindisi (NY): Ensures that hybrid electric buses that make meaningful reductions to direct carbon emissions have a 90% cost share in the bus formula and bus competitive grant programs.

5. Cicilline (RI): Creates a Task Force to assess existing standards and test methods for the use of innovative materials in infrastructure, identify key barriers in the standards area that inhibit broader market adoption, and develop new methods and protocols, as necessary, to better evaluate innovative materials.

6. Crist (FL): Includes consultation with HHS in updating the national safety plan to include responses to pandemics and other public health crises.

7. Crist (FL): Ensures that CDC guidelines are taken into account in adding infectious diseases to the required issues that must be addressed in safety plans.

8. Cunningham (SC): Requires the vulnerability assessment done by Metropolitan Planning Organizations to include a review of how accessible health care and public health facilities are in an emergency situation and what improvements may be made to adequately facilitate safe passage and ensures that projects that reduce risks of disruption to critical infrastructure are given priority for Section 1202 funding.

9. Escobar (TX): Directs the Department of Transportation to conduct a study on the infrastructure state of colonias, including surface, transit, water, and broadband infrastructure of such colonias.

10. Escobar (TX): Creates a new \$10 million grant program for colonias to maintain a state of good repair for surface infrastructure in these communities.

11. Eshoo (CA), Matsui (CA), Costa (CA), Cisneros (CA): Adds charging speed and minimization of future upgrade costs as considerations for electric vehicle charging infrastructure grants.

12. Finkenauer (IA): Authorizes additional appropriations for the Rebuild Rural grant program in FY23 and FY24.

13. García, Jesús (IL), Schakowsky (IL): Requires that a study on how autonomous vehicles will impact transportation include sec-

ondary impacts on air quality and climate as well as energy consumption.

14. Jayapal (WA), Brownley (CA): Adds requirements to Section 1621 to study workforce, training and equity considerations as related to job creation that would result from federal investments in climate-resilient transportation infrastructure.

15. Jayapal (WA), Blumenauer (OR), Huffman (CA): Ensures that the national surface transportation system funding pilot promotes personal privacy for participants by (1) adding a consumer advocate to the advisory board to implement the program, (2) ensuring that the public awareness campaign to carry out the pilot includes information related to personal privacy and (3) adding that the report to Congress should include an analysis of how privacy for volunteer participants was maintained.

16. Keating (MA): Adds projects replacing, reconstructing or rehabilitating a high commuter corridor as a consideration for awarding a grant under H.R. 2. It also clarifies that the U.S. Army Corps of Engineers and the Bureau of Reclamation and Bureau of Land Management are eligible entities to receive funds.

17. Keating (MA): Clarifies federal land transportation facilities as “highways, bridges, or other transportation facilities” for which the maintenance responsibility is vested in the Federal Government.

18. Lamb (PA): Directs the Secretary to carry out a study on the operational and safety performance of small commercial vehicles used in interstate commerce.

19. Larsen, Rick (WA), Payne, Jr. (NJ): Directs GAO to study the capital investment needs of U.S. public ferries and whether federal funding programs are meeting those needs. The report would also examine the feasibility of including public ferries in DOT’s Conditions and Performance Report (C&P) and provide recommendations to Congress.

20. Levin, Andy (MI), Ocasio-Cortez (NY): Amends the EV Charging, Natural Gas Fueling, Propane Fueling and Hydrogen Fueling Infrastructure Grants by (1) Including environmental and environmental justice organizations on the list of relevant stakeholders; (2) Strengthening environmental justice protections and plans for renewable or zero emissions energy sources for charging and fueling infrastructure in the list of considerations for grant eligibility; (3) Directing the DOT to conduct a study on options for financing the placement of a national network of publicly available EV charging infrastructure along the National Highway System, and; (4) Directing the DOT to conduct a study to determine the maximum distance allowable between publicly available EV charging infrastructure such that a driver can drive across the National Highway System without running out of charging power.

21. Lewis (GA): Authorizes the use of surface transportation funds to build noise barriers for older residential communities along major roads.

22. Luria (VA): Incentivizes localities to build or expand transit to low-income areas or areas that do not have adequate access to public transportation.

23. Meng (NY): Requires a report on accessibility to public transportation for pregnant women.

24. Meng (NY): Requires as part of the National Transit Frontline Workforce Training Center training methods that would cater to the needs of diverse participants.

25. Meng (NY): Requires the race and ethnicity of officers who stop motor vehicles on highways, as well as the race/ethnicity of the driver.

26. Moore (WI): Requires the Office of Tribal Affairs to have and implement regular and meaningful consultation and collaboration with Tribes and Tribal officials as required by Executive Order 13175.

27. Morelle (NY): Requires Secretary of Transportation to create best practices for application of National Environmental Policy Act of 1969 to federally funded bus shelters to assist recipients of Federal funds in receiving exclusions permitted by law.

28. Murphy, Stephanie (FL), Soto (FL), Demings (FL): Directs USDOT to take action to improve the risk-based stewardship and oversight of recipients of Federal funds.

29. Napolitano (CA): Strikes Section 1604, the Balance Exchanges for Infrastructure Program title, from the bill.

30. Norcross (NJ): Amends Sec. 1614(B)(2) by adding labor organizations as a listed member of the working group on construction resources.

31. Omar (MN): Requires a report on barriers to public transportation faced by residents of Areas of Concentrated Poverty.

32. Peters (CA), Smith, Adam (WA), Jayapal (WA), Levin, Mike (CA): Ensures that projects submitted to the FTA Capital Investment Grants program can use ridership data collected before the COVID-19 outbreak and projections based on that data, if requested.

33. Porter (CA), Speier (CA), DeLauro (CT), Brownley (CA), Schakowsky (IL), Pressley (MA): Improves the health and safety of women drivers by identifying the impact that vehicle sizing, design, and safety measures have on women.

34. Ruiz (CA): Requires NHTSA to study the safety implications of equipping school buses with air conditioning to prevent heat-related illness and over-heating among students.

35. Schrier (WA): Waives FTA's spare ratio regulations for two years. The spare ratio regulations require that the number of spare buses in the active fleet for recipients operating 50 or more fixed-route revenue vehicles cannot exceed 20 percent of the number of vehicles operated in maximum fixed-route service.

36. Scott, Bobby (VA), Murphy, Stephanie (FL): Expresses a Sense of Congress that the Department of Transportation should utilize modeling and simulation technology to analyze federally funded highway and public transit projects to ensure that these projects will increase transportation capacity and safety, alleviate congestion, reduce travel time and environmental impact, and are as cost effective as practicable.

37. Speier (CA): Adjusts the definition of low-income individuals to include Federal Pell grant recipients for demonstration grants to support reduced fare transit.

38. Swalwell (CA), Maloney, Sean (NY): Strengthens limitations on financial assistance for state-owned enterprises by adding "exercising an option on a previously awarded contract" to section restricting the use of H.R. 2 funds.

39. Titus (NV): Amends Sec. 405 of Title 23 to ensure funding to implement child passenger safety programs in low-income and underserved populations in lower seat belt use rate states as defined in Sec. 405(b)(3)(B).

40. Titus (NV): Amends Sec. 405(h) of Title 23 to enhance NHTSA nonmotorized safety grants for bike and pedestrian safety programs and campaigns.

41. Tlaib (MI), Barragán (CA), Ocasio-Cortez (NY), Brownley (CA): Adds to the Climate Resilient Transportation Infrastructure Study a requirement to outline how Federal infrastructure planning, design, engineering, construction, operation, and maintenance impact the environment and public health of disproportionately exposed communities. A disproportionately exposed community is defined as a community in which climate change, pollution, or environmental destruction have exacerbated systemic racial, regional, social, environmental, and economic injustices by disproportionately affecting indigenous peoples, communities of color, migrant communities, deindustrialized communities, depopulated rural communities, the poor, low-income workers, women, the elderly, people experiencing homelessness, people with disabilities, people who are incarcerated, or youth.

42. Tlaib (MI): Requires an annual consultation between DOT and EPA to review all projects under the Community Climate program. The amendment also requires a one-time public comment solicitation prior to the first year of grants and before Charter Approval.

43. Torres, Norma (CA): Requires GAO to conduct a study of the impacts of vehicle miles traveled fee pilot programs.

44. Torres, Norma (CA): Reauthorizes the Transportation Equity Research program and requires other transportation equity studies.

45. Velázquez (NY): Requires that grantees applying for a demonstration grant under section 2503 plan for a public awareness campaign, and for such campaign to be available in languages other than English, to notify low-income individuals of the agency's ability to provide reduced fares. Clarifies that jurisdictions already with a low-income program for reduced fares in place are still eligible to participate in the grant program.

SUMMARY OF THE AMENDMENTS TO H.R. 2 IN PART C MADE IN ORDER EN BLOC

1. Cuellar (TX): Directs new highway-rail grade crossing grant program to specifically address projects involving grade crossing separations at international borders.

2. García, Jesús (IL), Carbajal (CA), Lynch (MA), Ocasio-Cortez (NY), Pressley (MA), Jayapal (WA): Expands COVID-19 protections to passenger and freight/cargo transportation workers across all modes.

3. Gottheimer (NJ): Requires DOT to publish a contingency plan for a shutdown of train travel in the North River Tunnel under the Hudson River.

4. Jackson Lee (TX): Requires a report from the FAA on those areas of the airport system that have not received any COVID-19 related funding and requires prioritizing of funding to these areas.

5. Jayapal (WA), Quigley (IL), Norton (DC), Lynch (MA), Smith, Adam (WA), Suozzi (NY), Pressley (MA), Brownley (CA), Speier

(CA), Rouda (CA), Beyer (VA), Raskin (MD): Increases set-aside from 4.5% to 5% for airport emission reduction projects, airplane noise mitigation and other airport projects that reduce the adverse effects of airport operations on the environment and surrounding communities.

6. Kaptur (OH), Ryan (OH): Expresses the sense of Congress disapproving of Amtrak's recent announcement drastically limiting daily long-distance train service to hundreds of communities across the nation.

7. Kilmer (WA): Amends Section 10103. Airport Resiliency Projects to include general aviation airports that are designated as a Federal staging area by the Federal Emergency Management Agency to accommodate critical emergency infrastructure in rural communities.

8. Lamb (PA): Directs the Army Corps of Engineers to lead the development and implementation of an interagency plan to prepare for and respond to climate change within the Ohio River Basin, based on their previous report.

9. Lawrence (MI): Requires a study on water affordability, including water rates, shutoffs, and the effectiveness of SRF funding for promoting affordable and equitable service. The study will also investigate any discriminatory practices of water and sewer service providers and any violations of civil rights and equal access to water and sewer service and will further assess the availability of data on water access and water shutoffs.

10. Lewis (GA): Codifies existing FAA rules about changes in airport sponsorship.

11. Lynch (MA): Requires the Secretaries of Transportation, Health and Human Services, and Homeland Security to establish an expert Joint Task Force to develop uniform federal safety guidelines and protect passengers and aviation employees against the impact of the coronavirus pandemic.

12. McNerney (CA), Harder (CA), Cox (CA), Thompson, Mike (CA), Costa (CA): Requires Amtrak to develop ridership and station staffing projections as part of its now required capital and operating projections.

13. Meng (NY): Requires the Federal Railroad Administration to prescribe regulations requiring rail coverings.

14. Morelle (NY): Adds "Buy America" provisions to the Railroad Rehabilitation & Improvement Financing (RRIF) title of HR 2 to cover rolling stock (trainsets).

15. Morelle (NY): Authorizes GAO study on the accessibility of FEMA's Public Assistance, Individual Assistance, and other relevant flood disaster assistance programs, with a focus on identifying barriers to access based on race, ethnicity, language, and income level.

16. Moulton (MA): Expands public benefits considered in cost-benefit analyses for Passenger Rail Improvement, Modernization, and Expansion (PRIME) Grants to include induced demand and regional and local economic gains, including increased competitiveness, productivity, efficiency, and economic development.

17. Moulton (MA): Grants the Federal Railroad Administration advance acquisition authority for rail projects receiving federal funds, just as is given to the Federal Highway Administration and the Federal Transit Administration. Advance acquisition will not

allow development on acquired right-of-way or adjacent real property interests prior to completing review and planning requirements.

18. Napolitano (CA), Lewis (GA), Scott, David (GA), Lowenthal (CA), Huffman (CA), Garamendi (CA), Rouda (CA), Schiff (CA): Overturns a 2014 FAA policy change and reestablishes previous FAA interpretation and enforcement that the restriction on the use of aviation fuel tax revenues for airport purposes applies to excise taxes and not general sales taxes.

19. Neguse (CO): Requires the Federal Railroad Administration to report to Congress on the Supplementary Safety Measures and Alternative Safety Measures researched by the Railroad Research and Development Program that can be used by communities to qualify for a Quiet Zone.

20. Neguse (CO): Authorizes a GAO study of the building codes and standards used by the Federal Emergency Management Agency—including an assessment of the status of building code adoption across states, tribes, and territories, the economic benefits to prioritizing resiliency, and an assessment of the building codes utilized by FEMA with recommendations for improvements to their utilization of codes and standards to prepare for climate change and impacts.

21. Panetta (CA): Permits an EDA grant recipient to repurpose funding from a revolving loan fund (RLF) after it has been lent out and repaid.

22. Perlmutter (CO): Authorizes funding for the US Geological Survey to support construction of a science facility conducting energy and minerals research.

23. Pressley (MA): Requires GAO to issue a report on the impact of transportation policies on marginalized communities, including fare evasion and speed enforcement camera policies, and make recommendations on ways to reduce any disproportionate impacts.

24. Quigley (IL): Requires GSA to incorporate strategies, features, and practices to reduce bird fatality resulting from collisions with public buildings which GSA owns, acquires, or alters.

25. Rouda (CA), Norton (DC): Establishes the Aviation Industry Assistance for Cleaner and Quieter Skies Voucher Program to provide incentives to enhance our domestic airline fleets and reduce emissions and noise.

26. Sherrill (NJ): Authorizes a GAO study that would recommend specific safety measures to reduce exposure to the SARS-CoV-2 virus on mass transportation systems, as well as technologies that can assist with the implementation of these safety measures, i.e. technologies that facilitate large-scale sanitation/decontamination and encourage social distancing.

27. Sherrill (NJ): Adds \$50 million to the credit risk premium subsidy for the Railroad Rehabilitation and Improvement Financing (RRIF) program, using \$50 million in funding originally authorized for the state-supported route subsidy.

28. Slotkin (MI): Strengthens Pipeline and Hazardous Materials Safety Administration (PHMSA) reporting and transparency requirements related to pipeline leaks, damage, or disruption

29. Smith, Adam (WA), Norton (DC), Quigley (IL), Peters (CA), Lynch (MA), Beyer (VA), Suozzi (NY), Pressley (MA), Raskin (MD): Requires the FAA and the EPA to work with the National Academy

of Sciences to conduct a national study on the characteristics, distributions, sources, and potential health effects of airborne ultrafine particles in airport adjacent communities.

30. Speier (CA), Huffman (CA), Garamendi (CA), Lofgren (CA), Thompson, Mike (CA): Increases the authorized amount of the San Francisco Bay Restoration grant program from \$25 million to \$50 million.

31. Torres Small, Xochitl (NM), Cuellar (TX), Haaland (NM), Vargas (CA), Luján (NM), Welch (VT), Grijalva (AZ): Authorizes \$100 million for infrastructure improvement projects at land ports of entry with significant total trade percentage growth in 2019.

32. Trone (MD): Establishes a pilot program to provide funding to states to incorporate wastewater testing for drugs at municipal wastewater treatment plants and to develop public health interventions to respond to the findings (amendment updated to reflect funding is subject to appropriations). This would allow public health departments to monitor drug consumption and detect new drug use more quickly and in a more specific geographic region than methods currently in use while preserving individual privacy.

33. Vargas (CA): States that the the California New River Restoration Act Authorizes the Environmental Protection Agency (EPA) Administrator to support projects recommended by the California-Mexico Border Relations Council. Additionally, the California New River Restoration Act of 2019 ensures that the EPA will consult with all the New River stakeholders on both sides of the border during the creation and implementation of the programs.

34. Waters (CA): Requires airport sponsors that receive supplemental funding for airports in FY 2021 to provide financial relief to airport concessionaires experiencing economic hardship and to show good faith efforts to provide relief to socially and economically disadvantaged businesses.

SUMMARY OF THE AMENDMENTS TO H.R. 2 IN PART D MADE IN ORDER
EN BLOC

1. Blunt Rochester (DE): Authorizes \$20 billion over 5 years, and \$84 million per year over 10 years for the administration of the program, in funding for states, federal buildings, and tribes to upgrade public building infrastructure, like hospitals and schools, making them more energy efficient and resilient. Funding will be delivered through three existing Department of Energy programs and will prioritize projects in environmental justice and low-income communities.

2. Blunt Rochester (DE): Authorizes \$250 million per year over 5 years for a competitive grant program at EPA that incentivizes ports to create and implement climate action plans to reduce GHG emissions and other air pollutants. The grants will be prioritized based on several factors: regional collaboration, engagement of EJ and near-port communities in developing the climate action plans, and utilizing zero emissions as a key strategy of the plan.

3. Brindisi (NY): Instructs the Office of Internet Connectivity and Growth to study the impact of monopolistic business practices by broadband service providers.

4. Brindisi (NY), Costa (CA): Requires the Office of Internet Connectivity and Growth to study the extent to which broadband

service providers utilizing federal programs are delivering the upload and download speeds required.

5. Craig (MN): Blocks the FCC from taking action on a dual Notice of Proposed Rulemaking and also annuls the FCC's Declaratory Rulemaking that seeks to block an ordinance that was adopted to give local residents more broadband competition.

6. Cunningham (SC): Ensures that hospital infrastructure projects that are related to natural disaster preparedness and flood mitigation are given priority alongside projects dealing with public health emergency preparedness or cybersecurity.

7. Cunningham (SC): Requires NOAA to conduct a study on wild fish in PFAS-contaminated waters and the risks of consuming such fish to humans and natural predators.

8. Dingell (MI): Establishes a Clean Energy and Sustainability Accelerator to bolster and expand a robust clean energy workforce, deploy emissions reduction technologies, and invest in low-carbon infrastructure projects as an independent non-profit capitalized with \$20 billion of federal funds spread over a six-year period. The Accelerator is also authorized to provide financial and technical support to state and local green banks in the United States.

9. Foster (IL): Includes language in the Grid Security and Modernization section that would require the Secretary of Energy to provide goals and objectives, cost targets, a multi-year strategy, and testing and validation requirements for energy storage. The language also includes a limitation on the total number of demonstration projects to focus on the most promising technologies.

10. Haaland (NM), Luján (NM), Schrier (WA), Gallego (AZ), Huffman (CA), Moore (WI), O'Halleran (AZ), Horn (OK): Postpones the FCC's 2.5 GHz Tribal Priority filing window deadline by 180 days that is set to close on August 3, 2020.

11. Hayes (CT), Cárdenas (CA): Doubles funding clean school bus programs under the Environmental Protection Agency and triple funding reserved for underserved and disadvantaged communities.

12. Krishnamoorthi (IL), Porter (CA): Requires booster seat labeling.

13. Levin, Andy (MI): Amends the pilot program to improve laboratory infrastructure to prioritize the reduction of wait times for COVID-19 test results.

14. Lipinski (IL): Requires NHTSA to issue a rule for motor vehicle bumpers and hoods to be designed to reduce the impact on vulnerable road users, including pedestrians and cyclists, in the event of a collision with a motor vehicle.

15. Luján (NM), Foster (IL), Watson Coleman (NJ), Scott, Bobby (VA), Lofgren (CA), Haaland (NM), Neguse (CO), Lee, Barbara (CA), Underwood (IL), Swalwell (CA), Johnson, Eddie Bernice (TX): Authorizes \$6 billion to address the significant deferred maintenance needs and to accelerate the modernization of the Department of Energy's national laboratory infrastructure.

16. Matsui (CA): Raises the Electric Vehicle Supply Equipment Rebate Program cap for eligible parties from \$75,000 to \$100,000 and lowers the minimum voltage level for qualifying Level 2 Charging Equipment from 240 volts to 208 volts.

17. Matsui (CA), Sarbanes (MD): Authorizes a program at the Department of Energy to deliver grants to utilities that partner with nonprofit tree-planting organizations to provide free or dis-

counted trees with the goal of reducing energy costs, reducing neighborhood temperatures, and promote local workforce development and community engagement.

18. Meng (NY): Creates a new \$5 million grant program to replace water fountains at public playgrounds and parks.

19. Moore (WI): Creates a research program at the EPA to support ongoing efforts to use wastewater surveillance to track trends and the prevalence of COVID-19.

20. Norcross (NJ): Creates a rebate program for energy efficiency upgrades.

21. Phillips (MN): Directs the GAO to conduct a study on broadband deployment to cities and towns with populations between 2,500 and 50,000.

22. Plaskett (VI): Provides for the equitable inclusion of the U.S. island territories within the meaning of the terms “high-poverty area” and “persistent poverty county”.

23. Plaskett (VI): Makes U.S. territories eligible for Safe Drinking Water Act assistance authorized for areas affected by natural disasters.

24. Porter (CA), Cárdenas (CA), Hayes (CT): Requires the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency to conduct a study on the effects of idling school buses and cars in school zones on children’s health.

25. Sablan (MP): Codifies the annual reservation of 1.5 percent of Safe Drinking Water Act SRF for the U.S. Territories included in annual appropriations legislation covering the DWSRF every year since FY 2010.

26. Slotkin (MI): Stipulates that receipt of a grant under the PFAS Infrastructure Grant Program in no way absolves the Department of Defense of their responsibilities relating to cleanup of PFAS.

27. Spanberger (VA): Requires GAO to conduct an evaluation and write a report on the efficacy of the FCC’s existing process for establishing, reviewing, and updating its speed thresholds for broadband service.

28. Takano (CA): Adds “battery storage technologies” for residential, industrial, and transportation applications.

SUMMARY OF THE AMENDMENTS TO H.R. 2 IN PART E MADE IN ORDER
EN BLOC

1. Babin (TX), Conaway (TX), Williams (TX), Bishop, Sanford (GA), Carter, John (TX), Abraham (LA), Weber (TX), Allen (GA), Flores (TX), Hice (GA), Cuellar (TX), Fletcher (TX), Palazzo (MS), Ferguson (GA): Authorizes the expansion and improvement of interstate 14.

2. Balderson (OH), Burgess (TX): Strikes “lane splitting” in Sec. 5304 and inserts descriptive language to better account for varying state laws.

3. Beyer (VA), Napolitano (CA), Katko (NY): Authorizes a study by GAO to determine the effectiveness of suicide barriers on physical structures other than bridges.

4. Brownley (CA), Pence (IN): Ensures the installation of protective devices and the replacement of functionally obsolete warning devices at railway-highway crossings are eligible under the rail grade crossing program.

5. Calvert (CA), Takano (CA): Establishes the Western Riverside County Wildlife Refuge.
6. Cohen (TN), Chabot (OH), Brownley (CA), Fitzpatrick (PA), Nadler (NY): Authorizes a study by GAO on the reporting of alcohol-impaired driving arrest and citation results into federal databases to facilitate the widespread identification of repeat impaired driving offenders.
7. Crawford (AR): Applies TIVSA protections to buses.
8. Cuellar (TX), Babin (TX), Fletcher (TX), Arrington (TX), Luján (NM): Adds a new section that provides I-27 Future Interstate Designation for Texas and New Mexico.
9. Dingell (MI), Fortenberry (NE), Raskin (MD): Adds the bipartisan natural infrastructure bill H.R. 3742, the Recovering America's Wildlife Act, which will enable States, Territories, and Tribes to complete habitat restoration and natural infrastructure projects, specified in Congressionally-mandated Wildlife Action Plans, to recover more than 12,000 wildlife, fish, and plant species of greatest conservation need, build recreational and educational infrastructure, and bolster community resilience through natural defenses.
10. García, Jesús (IL), Gallagher (WI): Amends parameters of the study on travel demand modeling described in section 1404 to account for induced demand and update antiquated models like "Level of Service."
11. Gianforте (MT): Permits the continued use of Pick-Sloan Missouri Basin Program project use power by the Kinsey Irrigation Company and the Sidney Water Users Irrigation District.
12. González-Colón, Jenniffer (PR): Makes Puerto Rico an eligible applicant location for the Bureau of Reclamation's WaterSMART Grants. Currently, Puerto Rico is the only territory and noncontiguous jurisdiction in the United States where these competitively-awarded water conservation and efficiency grants are not available.
13. González-Colón, Jenniffer (PR): Allows Puerto Rico to issue Commercial Driver's Licenses and also be eligible for Commercial Drivers License Improvement Program grant funding.
14. Graves, Garret (LA): Includes fishermen that have been impacted by unfair trade practices for consideration under Sec. 83101.
15. Grothman (WI): Allows the Secretary of Commerce or the Secretary of the Interior to consider the threat of invasive species before prescribing a fishway be constructed into a dam.
16. Hastings (FL), Mast (FL): Expands eligibility for the Surface Transportation Block Grant program to include rural roads that serve to transport agriculture products from farms or ranches to the marketplace.
17. Keller (PA), Thompson, Glenn (PA), Joyce, John (PA): Allows the Department of Transportation to award transit research, development and testing funds in a competitive manner.
18. Krishnamoorthi (IL), Gallagher (WI): Adds a grant program for states that ban non-navigational viewing.
19. Lowenthal (CA), Davis, Rodney (IL), Cohen (TN): Directs the Secretary of Transportation to issue a vehicle safety standard to require that new commercial motor vehicles are equipped with a universal electronic vehicle identifier.
20. McKinley (WV), Veasey (TX), Fletcher (TX), Sewell (AL), Schweikert (AZ), Peters (CA), Costa (CA), Miller (WV), Cisneros (CA), Horn (OK): Authorizes and provide funding for a DOE carbon

capture, utilization, and storage technology commercialization program and direct air capture technology prize program.

21. Rouda (CA), Huffman (CA), Katko (NY): Creates a grant program to support the modernization of the Nation's publicly owned treatment works to maintain reliable and affordable water quality infrastructure that addresses demand impacts, including resiliency, to improve public health and natural resources.

22. Ruiz (CA), Cook (CA), Barragán (CA), Calvert (CA): Provides authorization for construction of an access road to the Desert Sage Youth Wellness Center, the only IHS Youth Regional Treatment Center in California.

23. Sarbanes (MD), Scott, Bobby (VA), Wittman (VA), Harris (MD): Reauthorizes the Chesapeake Bay Gateways and Watertrails program.

24. Scott, Bobby (VA), Sarbanes (MD), Wittman (VA): Authorizes the U.S. Fish and Wildlife Service to establish a program to restore and protect the Chesapeake Bay watershed by investing in green infrastructure, habitat preservation, and ecosystem restoration to enhance community resilience, improve water quality, and increase recreational opportunities while also creating jobs and enhancing economic opportunities.

25. Walberg (MI), Burgess (TX): Adds the term "mode of transportation" to the criteria for collection of data on traffic stops.

26. Walden (OR): Temporarily waives certain limitations for purposes of pedestrian and bicycle safety improvements on the National Trail System in National Scenic Areas.

27. Welch (VT), McKinley (WV), Hayes (CT): Creates an online energy efficiency contractor training program. The amendment also makes improvements to the home energy efficiency rebate program already included in the committee text of the bill.

SUMMARY OF THE AMENDMENTS TO H.R. 2 IN PART F MADE IN ORDER
EN BLOC

1. Adams (NC), Sewell (AL), Cooper (TN): Supports HBCU infrastructure development by asking the Secretary of Education to comply with the GAO's recommendation that the Education Department analyze the potential benefits to HBCUs by modifying the terms of existing HBCU Capital Financing Program loans, as described in the GAO's report published on June 15, 2018 (GAO-18-455).

2. Axne (IA), Khanna (CA), Finkenauer (IA): Establishes a grant program for the purchase and preservation of manufactured housing communities as long term affordable housing.

3. Bonamici (OR), Cisneros (CA), Finkenauer (IA): Directs the Department of Labor to provide grants to partnerships that support paid work-based learning programs, including Registered Apprenticeships, and supportive services to improve worker training, retention, and advancement for individuals who have historically faced barriers to employment in targeted infrastructure industries.

4. Brownley (CA): Requires that medium- and heavy-duty vehicles purchased by the federal government are zero emission vehicles to the maximum extent feasible.

5. Cárdenas (CA), Murphy, Stephanie (FL): Encourages USPS, in its process of replacing its aging delivery vehicle fleet, to take all reasonable steps to ensure that its vehicles are equipped with cli-

mate control units to protect the health and safety of its mail carriers, especially those working in areas of the country that are subject to extreme temperatures.

6. Courtney (CT), Larson, John (CT), Lynch (MA): Ensures that the list of activities eligible for Community Development Block Grant funds from Division J of the bill include housing remediation due to iron sulfide or other minerals that cause housing degradation.

7. Gallego (AZ), Haaland (NM): Requires Tribal and Native Hawaiian consultation in the development of the State Digital Equity Capacity Grant Program and improves technical assistance for Tribes and Native Hawaiian organizations accessing the program.

8. García, Jesús (IL), Pressley (MA): Directs HUD to check public housing projects and federally assisted housing projects for lead pipes and issue grants to remove them.

9. Hastings (FL), Clarke, Yvette (NY): Requires the Comptroller General of the United States to study high-speed internet connectivity in Federally assisted housing, and requires the Secretary of the Department of Housing and Urban Development to submit a master plan to Congress for retrofitting these buildings and units as necessary to support broadband service.

10. Jayapal (WA): Ends the sunset date for the U.S. Interagency Council on Homelessness and makes procedural and functional changes to allow the Council to provide more guidance to federal agencies as to how agency policies impact persons experiencing homelessness and housing instability. Creates a new advisory council composed of people currently and formerly experiencing homelessness & groups representing people experiencing homelessness.

11. Jayapal (WA), Meng (NY): Requires GAO to issue a report on the housing infrastructure needs of populations at higher risk of homelessness, including people of color; LGBTQ persons; justice system-involved persons; foster and former foster youth; seniors; people with disabilities; survivors of domestic violence, sexual assault and intimate partner violence; and veterans. The report will recommend policy and practice changes by federal agencies to ensure housing infrastructure needs of those populations are better met.

12. Lowenthal (CA): Establishes a Water Reuse Interagency Working Group.

13. McCollum (MN): Applies Buy America requirements to the Community Development Block Grant program with exemption for housing development.

14. Neguse (CO), Perlmutter (CO): Directs GAO to complete a report every three years on the status of federal research facilities infrastructure, and strengthens current science infrastructure reporting requirements for the Office of Science and Technology Policy (OSTP) Director by requiring that they report to Congress not only the infrastructure improvements that are needed at federal research facilities, but also the estimated funding levels that are required to complete them.

15. Ocasio-Cortez (NY), Maloney, Carolyn (NY): Sets aside \$50,000,000 of funds for updating postal facilities to increase accessibility for disabled individuals, with a focus on facilities that are included in the National Register of Historic Places.

16. Ocasio-Cortez (NY): Repeals the Faircloth amendment which prohibits the construction of new public housing.
17. Omar (MN): Requires the Office of Internet Connectivity and Growth to conduct a study of the extent to which federal funds have expanded access to and adoption of broadband internet service by socially disadvantaged individuals.
18. Pressley (MA): Requires the Secretary of HUD to conduct a study on the effect of criminal history or involvement with the criminal legal system on access to private and assisted housing.
19. Ruiz (CA): Takes land into trust for the Agua Caliente Band of Cahuilla Indians.
20. Ruiz (CA): Includes Indian Country and areas with high Native American populations in the priority areas for broadband expansion under the Universal Service Fund.
21. Rush (IL): Establishes a nationwide energy-related industries workforce development program.
22. Soto (FL): Directs the Director of the United States Geological Survey to establish a program to map zones that are at greater risk of sinkhole formation.
23. Speier (CA): Amends the eligibility for the additional broadband benefit for low-income consumers to include households in which at least one member of the household has received a Federal Pell Grant in the most recent academic year.
24. Torres, Norma (CA): Triggers Treasury borrowing during recessions when the real interest rate is zero or lower to support infrastructure investments.
25. Velázquez (NY): Revises the distribution of funds under the Public Housing Capital Fund to ensure at least 50 percent of the funding is distributed according to formula. Also ensures that PHAs working in good faith effort to resolve urgent health and safety concerns remain eligible for funding awards.

SUMMARY OF THE AMENDMENTS TO H.R. 2 IN PART G MADE IN ORDER EN BLOC

1. Bost (IL): Precludes funding for programs under the Transportation Alternatives Program where lands are acquired through eminent domain. Exceptions made for projects carried out under the Safe Routes to Schools Program, those that necessary to assist the disabled with daily needs under the Americans with Disabilities Act.
2. Crawford (AR): Strikes full mega-project set-aside.
3. Fulcher (ID): Includes amended text of H.R. 2871, the Aquifer Recharge Flexibility Act.
4. Graves, Garret (LA): Requires the Secretary to certify that the actions in Sec. 82201 are more critical than the sustainability of the region responsible for generating the revenue.
5. Hice (GA): Strikes \$25 billion in unfunded vehicle purchases for the United States Postal Service.
6. LaMalfa (CA), Brady (TX), Wright (TX), Perry (PA): Strikes changes to credit risk premiums under 45 U.S.C. 822.
7. McKinley (WV), Cheney (WY), Gianforte (MT): Makes clarifying changes to Section 401 of the Federal Water Pollution Control Act to ensure appropriate compliance with applicable water quality requirements.

8. Stauber (MN): Eliminates duplicative 404 permitting requirements only if the state's 404 permitting standard is equal or higher than the federal governments.

SUMMARY OF THE AMENDMENTS TO H.R. 2 IN PART H MADE IN ORDER

1. Foxx (NC): Eliminates the requirement that all laborers and mechanics working on federal-aid highway and public transportation projects shall be paid wages at rates not less than the locally prevailing wage rate. (30 minutes)

2. Courtney (CT), Himes (CT), Hayes (CT), DeLauro (CT), Larson, John (CT): Aligns state and federal truck weight limits for agricultural products in the State of Connecticut on interstate highways. (10 minutes)

3. Tlaib (MI), Kildee (MI), Slotkin (MI), Cicilline (RI), Moore (WI): Adds \$4.5 billion per fiscal year for 5 years for comprehensive lead service line replacement projects. Priority will be given to entities serving disadvantaged communities and environmental justice communities (with significant representation of communities of color, low-income communities, or Tribal and indigenous communities, that experience, or are at risk of experiencing, higher or more adverse human health or environmental effects). (10 minutes)

PART A—TEXT OF AMENDMENT TO H.R. 2 CONSIDERED AS ADOPTED

Page 70, line 7, strike “(1) IN GENERAL.—” and run the text onto line 6.

Page 70, strike lines 12 through 20.

Page 75, beginning on line 14, strike “subparagraph (A)” and insert “paragraph (1)”.

Page 75, beginning on line 18, strike “paragraph” and insert “subsection”.

Page 101, line 8, insert a comma after “(D)”.

Page 103, line 18, strike “and” at the end.

Page 103, line 21, strike period and the closing quotation marks.

Page 103, after line 21, insert the following:

“(iv) from the amounts made available for a fiscal year for the urbanized areas formula grants under section 5307 of title 49, the amounts allocated for a fiscal year for the passenger ferry grant program under section 5307(h) of such title;

“(v) from the amounts made available for a fiscal year for the formula grants for rural areas under section 5311 of such title, the amounts allocated for a fiscal year for public transportation on Indian reservations;

“(vi) from the amounts made available for a fiscal year for the public transportation innovation program under section 5312 of such title—

“(I) the amounts allocated for the zero emission vehicle component assessment under section 5312(h) of such title; and

“(II) the amounts allocated for the transit cooperative research program under section 5312(i) of such title;

“(vii) from the amounts made available for a fiscal year for the technical assistance and workforce devel-

opment program of section 5314 of such title, the amounts allocated for the national transit institute under section 5314(c) of such title;

“(viii) from the amounts made available for a fiscal year for the bus and bus facilities program under section 5339 of such title, the amounts allocated for a fiscal year for the zero emission grants under section 5339(c) of such title;

“(ix) the amounts made available for growing States under section 5340(c) of such title; and

“(x) the amounts made available for high density states under section 5340(d) of such title.”;

(3) in subsection (d) by inserting “and section 5324 of title 49” after “section 125”;

Page 103, line 22, strike “(3)” and insert “(4)”.

Page 104, line 3, strike “(4)” and insert “(5)”.

Page 121, strike lines 3 and 4 and insert the following:

“(i) notification and justification of the deviation is provided to the Secretary and the State; and

Page 121, line 13, strike “approve” and insert “consider”.

Page 121, line 14, strike “project, multiple project, or”.

Page 146, line 3, strike the opening bracket.

Page 146, line 4, strike “toll” and insert “HOV”.

Page 146, line 6, strike “toll” and insert “HOV”.

Page 146, line 7, strike the closing bracket.

Page 162, line 18, strike “travel” and insert “transportation”.

Page 163, line 15, insert a comma after “features”.

Page 163, line 16, strike the comma after “agencies”.

Page 184, line 9, strike “PREDISASTER”.

Page 184, line 12, strike “predisaster mitigation program” and insert “hazard mitigation pilot program”.

Page 184, strike lines 15 through page 186, line 8 and insert the following:

(2) DISTRIBUTION OF FUNDS.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary for the pilot program established under this subsection.

“(B) CALCULATION.—Every 6 months, the Secretary shall calculate the total amount of outstanding eligible repair costs under the emergency relief program under this section, including the emergency relief backlog, for each State, territory, Tribal government, or other eligible entity.

“(C) DISTRIBUTION.—Any amounts made available under this subsection shall be distributed to each State, territory, Tribal government, or other eligible entity based on—

“(i) the ratio of the total amount of outstanding eligible repair costs as described under subparagraph (B); bears to

“(ii) the total amounts appropriated for the purposes described in this subsection.

“(D) LIMITATION.—The distribution described under subparagraph (C) shall not exceed 5 percent of the amount described in subparagraph (B).

“(3) ELIGIBLE ACTIVITIES.—Amounts made available under this subsection shall be used for protective features or other hazard mitigation activities that—

“(A) the Secretary determines are cost effective and that reduce the risk of, or increase the resilience to, future damage to existing assets as a result of natural disasters; and

“(B) are eligible under section 124.

Page 186, after line 20, insert the following:

“(5) SUNSET.—The authority provided under this subsection shall terminate on October 1, 2025.

Page 189, strike lines 8 through 11.

Page 206, strike lines 9 through 11.

Page 206, line 12, strike “(3)” and insert “(2)”.

Page 206, line 15, strike “(4)” and insert “(3)”.

Page 206, line 19, strike “(5)” and insert “(4)”.

Page 207, line 1, strike “(6)” and insert “(5)”.

Page 207, line 9, strike “(7)” and insert “(6)”.

Page 207, line 13, strike “(8)” and insert “(7)”.

Page 251, strike lines 3 through 10.

Page 265, line 8, strike “the funds” and insert “any funds”.

Page 306, line 17, strike “reducing” and insert “reduce”.

Beginning on page 311, strike line 23 and all that follows through page 312, line 6.

Page 333, beginning on line 9, strike “an urbanized area, as designated by the Bureau of the Census, with a population of not less than 1,000,000” and insert “a combined statistical area, as defined by the Office of Management and Budget, with a population of not less than 1,300,000”.

Page 363, line 11, strike “MPOS” and insert “MPOS”.

Page 363, line 12, strike “METROPOLITAN” and insert “METROPOLITAN”.

Page 381, strike lines 1 through 3 and insert the following:

(A) by striking “PERFORMANCE TARGET ACHIEVEMENT” in the heading and inserting “PERFORMANCE MANAGEMENT”;

Page 384, strike lines 6 through 8 and insert the following:

(1) by striking “PERFORMANCE TARGET ACHIEVEMENT” in the heading and inserting “PERFORMANCE MANAGEMENT”;

Page 385, after line 23, insert the following new subparagraph (and redesignate subsequent subparagraphs accordingly):

(C) the Bureau of Transportation Statistics;

Page 399, line 12, strike “or section,” and insert a comma.

Page 458, line 2, strike “modification” and insert “modernization”.

Page 467, strike lines 6 through 18 and insert the following:

SEC. 1612. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM FUNDING FLEXIBILITY.

(a) **IN GENERAL.**—Any funds made available to a State for the Appalachian development highway system program under subtitle IV of title 40, United States Code, before the date of enactment of this Act may be used, at the request of such State to the Secretary of Transportation, for the purposes described in section 133(b) of title 23, United States Code.

(b) **LIMITATION.**—The authority in subsection (a) may only be used by an Appalachian development highway system State if all

of the Appalachian development highway system corridors authorized by subtitle IV of title 40, United States Code, in such State, have been fully completed and are open to traffic prior to the State making a request to the Secretary as described in subsection (a).

Page 490, line 3, insert a comma after “natural gas”.

Page 490, line 4, insert a comma after “battery power”.

Page 492, strike line 20 and all that follows through line 2 on page 493.

Page 493, line 3, strike “1627” and insert “1626”.

Page 493, line 23, strike “intersection” and insert “intersections”.

Page 494, line 7, strike “1628” and insert “1627”.

Page 494, beginning on line 21, strike section 1629 of division B of the bill and insert such section at the end of title I of division E of the bill.

Page 496, beginning on line 18, strike section 1630 of division B of the bill and insert such section at the end of title I of division E of the bill.

Page 499, line 7, strike “1631” and insert “1628”.

Page 499, after line 22, insert the following:

SEC. 1629. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b)(2)(A) of title 23, United States Code, is amended by striking “2016 through 2020” and inserting “2022 through 2025”.

Page 499, after line 22, insert the following:

SEC. 1630. THE UNITED STATES OPPOSES CHILD LABOR.

It is the policy of the United States that funds authorized or made available by this Act, or the amendments made by this Act, should not be used to purchase products produced whole or in part through the use of child labor, as such term is defined in Article 3 of the International Labor Organization Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labor (December 2, 2000), or in violation of human rights.

Page 510, line 23, strike the closing quotation marks and the second period and insert the following:

“(g) LIMITATION ON FINANCIAL ASSISTANCE FOR STATE-OWNED ENTERPRISES.—

“(1) IN GENERAL.—Funds provided under this section may not be used in awarding a contract, subcontract, grant, or loan to an entity that is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

“(A) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of this Act;

“(B) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; and

“(C) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

“(2) EXCEPTION.—For purposes of paragraph (1), the term ‘otherwise related legally or financially’ does not include a minority relationship or investment.

“(3) INTERNATIONAL AGREEMENTS.—This subsection shall be applied in a manner consistent with the obligations of the United States under international agreements.”.

Page 519, line 24, strike “request.” and insert “request and, if a recipient of assistance under this chapter denies access to a private intercity or charter transportation operator based on the reasonable access standards, provide, in writing, the reasons for the denial.”.

Page 530, line 20, strike “travel” and insert “transportation”.

Page 532, strike line 24 and all that follows through page 533, line 3.

Page 533, line 4, strike “(B)” and insert “(A)”.

Page 533, line 7, strike “(C)” and insert “(B)”.

Page 533, line 10, strike “(D)” and insert “(C)”.

Page 533, line 12, strike “(E)” and insert “(D)”.

Page 534, line 3, strike “(F)” and insert “(E)”.

Page 534, beginning on line 17, strike “World Wide Web” and insert “internet”.

Page 538, beginning on line 20, strike “and related requirements under this section and section 135 of title 23”.

Page 541, line 22, strike “150(c)” and insert “150(d)”.

Page 549, strike line 17 and all that follows through line 22 on page 553.

Page 553, line 23, strike “2112” and insert “2111”.

Page 563, line 6, strike “80” and insert “70”.

Page 563, beginning on line 9, strike “be reduced by 25 percent if the recipient uses a third-party contract for a mobility on demand service” and insert “not exceed 90 percent for mobility on demand service operated exclusively by personnel employed by the recipient”.

Page 563, beginning on line 14, strike “be reduced by 25 percent” and insert “not exceed 90 percent”.

Page 563, line 16, insert “zero” before “carbon”.

Page 564, line 1, strike “substantial” and insert “meaningful”.

Page 564, line 22, strike “and” and insert “or”.

Page 566, line 3, strike “for purposes of” and insert “that operates under an exemption from testing requirements under”.

Page 566, line 13, strike “paragraph (2)” and insert “paragraphs (2) and (3)”.

Page 566, line 19, insert “unless the Secretary determines that such a waiver does not affect employment opportunities” before the semicolon.

Page 570, beginning on line 21, strike “are being carried out in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).” and insert “are—”.

Page 570, after line 23, insert the following:

“(1) being carried out in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); or

“(2) projects eligible under section 5310 that exceed the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).”.

Page 595, line 24, strike “5232(j)” and insert “5323(j)”.

Page 611, strike lines 10 through 12 and insert the following:

(6) in paragraph (8) by striking “3 fiscal years” and inserting “4 fiscal years” and by striking “3-fiscal-year period” and inserting “4-fiscal-year period”; and

Page 616, line 21, insert “and” at the end.

Page 618, line 1, strike “(6)” and insert “(7)”.

Page 618, line 5, strike “; and” at the end and insert a period.

Page 618, strike lines 6 through 15.

Page 618, line 19, strike “(8)” and insert “(9)”.

Page 630, line 10, strike “ladder” and insert “pathway”.

Page 630, line 12, insert “registered” before “apprenticeships”.

Page 631, line 9, insert “, skills, competencies, and recognized postsecondary credentials” after “standards”.

Page 631, beginning on line 13, strike “national systems of qualification and apprenticeship” and insert “recommendations and best practices for curriculum and recognized postsecondary credentials, including related instruction and on-the-job learning for registered apprenticeship programs”.

Page 631, line 20, insert “, competencies, and recognized postsecondary credentials” after “skills”.

Page 632, line 8, insert “and competencies” after “skills”.

Page 633, beginning on line 4, strike “partnerships” and insert “programs”.

Page 633, line 13, insert “, the Bureau of Labor Statistics, the Employment and Training Administration,” after “Administration”.

Page 634, line 12, insert “the Employment and Training Administration, including” before “the National”.

Page 635, line 7, strike the closing quotation marks and semicolon and insert the following:

“(iii) LIMITATION.—Any funds made available under this section that are used to fund an apprenticeship or apprenticeship program shall only be used for, or provided to, a registered apprenticeship program, including any funds awarded for the purposes of grants, contracts, or cooperative agreements, or the development, implementation, or administration, of an apprenticeship or an apprenticeship program.

“(E) DEFINITIONS.—In this paragraph:

“(i) CAREER PATHWAY.—The term ‘career pathway’ has the meaning given such term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(ii) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ‘recognized postsecondary credential’ has the meaning given such term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(iii) REGISTERED APPRENTICESHIP PROGRAM.—The term ‘registered apprenticeship program’ means an apprenticeship program registered with the Department of Labor or a Federally-recognized State Apprenticeship Agency and that complies with the requirements under parts 29 and 30 of title 29, Code of Federal Regulations, as in effect on January 1, 2019.”;

Page 635, line 24, strike the period and insert a semicolon.

Page 638, line 25, strike “duplicate, eliminate,” and insert “eliminate”.

Page 639, line 11, insert “5307, 5310, 5311, 5312, or” after “section”.

Page 640, line 7, insert “conventional” before “modes”.

Page 640, line 14, insert “conventional” before “modes”.

Page 641, beginning on line 19, strike “issuing” and all that follows through “such a vehicle” and insert “signing a contract for such service or procurement. A recipient shall provide employees copies of a request for a proposal related to an automated vehicle providing public transportation or mobility on demand services at the time such request is issued.”.

Page 643, after line 6, insert the following:

(e) SAVINGS CLAUSE.—Nothing in this section shall prohibit the use of funds for an eligible activity or pilot project of a covered recipient authorized under current law prior to the date of enactment of this Act.

Page 650, strike lines 3 through 5 and insert the following:

“(h) AWARD BASIS.—In awarding grants”.

Page 650, line 8, strike “(A)” and insert “(1)” and move lines 8 through 19 2 ems to the left.

Page 650, line 16, strike “))” and insert “))).”.

Page 650, line 20, strike “(B)” and insert “(2)” and move lines 20 through 23 2 ems to the left.

Page 677, line 8, strike “concurred” and insert “consulted”.

Page 696, line 11, insert “and State” after “Federal”.

Page 697, line 2, insert “, in coordination with project partners,” after “project”.

Page 697, line 5, strike “reduced” and insert “changes to”.

Page 697, strike line 7.

Page 697, line 8, strike “reduced healthcare expenditures” and insert “changes to healthcare expenditures provided by projects partners”.

Page 697, line 9, strike the period and insert “; and”.

Page 697, after line 9, insert the following:

“(iii) changes to health care metrics, including aggregate health outcomes provided by projects partners.”

Page 697, line 18, strike “integrate” and insert “coordinate”.

Page 698, after line 8, insert the following:

“(E) CONSULTATION.—In evaluating the performance metrics described in subparagraph (C), the Secretary shall consult with the Secretary of Health and Human Services.

Page 699, line 11, insert “, as described in paragraph (1)(B)(ii),” after “partners”.

Page 700, line 4, insert “and State” after “Federal”.

Page 700, line 17, insert “preventing hospital admissions and” before “reducing”.

Page 700, line 21, insert “, in consultation with the Secretary of Health and Human Services” before the period.

Page 701, after line 9, insert the following:

“(I) CONSULTATION.—In evaluating the health care metrics described in subparagraph (F), the Secretary shall consult with the Secretary of Health and Human Services.

“(J) ANNUAL GRANTEE REPORT.—Each grantee shall submit a report, in coordination with the project partners of

such grantee, that includes an evaluation of the outcomes of the grant awarded to such grantee, including the performance measures.

Page 701, line 18, insert “in consultation with the Secretary of Health and Human Services” before the period.

Page 747, line 12, strike “electronic” and insert “digital”.

Page 747, line 17, strike “electronic” and insert “digital”.

Page 753, after line 16, insert the following:

SEC. 3014. REPORT ON MARIJUANA RESEARCH.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Attorney General and the Secretary of Health and Human Services, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the Department of Transportation website, a report and recommendations on—

(1) increasing and improving access, for scientific researchers studying impairment while driving under the influence of marijuana, to samples and strains of marijuana and products containing marijuana lawfully being offered to patients or consumers in a State on a retail basis;

(2) establishing a national clearinghouse to collect and distribute samples and strains of marijuana for scientific research that includes marijuana and products containing marijuana lawfully available to patients or consumers in a State on a retail basis;

(3) facilitating access, for scientific researchers located in States that have not legalized marijuana for medical or recreational use, to samples and strains of marijuana and products containing marijuana from such clearinghouse for purposes of research on marijuana-impaired driving; and

(4) identifying Federal statutory and regulatory barriers to the conduct of scientific research and the establishment of a national clearinghouse for purposes of facilitating research on marijuana-impaired driving.

(b) DEFINITION OF MARIJUANA.—In this section, the term “marijuana” has the meaning given such term in section 4008 of the FAST Act (Public Law 114–94).

Page 757, line 20, strike “both”.

Page 757, line 21, strike “and” and insert “or”.

Page 757, line 24, strike “and” and insert “or”.

Page 758, strike lines 1 through 8 and insert the following:

“(B) in which a State fails to report to the Administrator of the Federal Motor Carrier Safety Administration, during the previous fiscal year, the average number of days of delays for an initial commercial driver’s license skills test or retest within the State.”

Page 819, line 11, insert “energy efficient” before “truck”.

Page 819, line 14, insert “and does not result in increased cargo capacity in weight or volume” after “vehicle”.

Page 829, line 5, insert “and use” after “construction”.

Page 837, line 10, strike “6503(e)” and insert “6503(c)”.

Page 872, after line 24, insert the following:

SEC. 5110. STRATEGIC TRANSPORTATION RESEARCH AGENDA.

(a) IN GENERAL.—Subchapter 1 of chapter 55 of title 49, United States Code, as amended, is further amended by adding at the end the following:

“SEC. 5509. STRATEGIC TRANSPORTATION RESEARCH AGENDA.

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary shall enter into an agreement with the National Academies to undertake a study of the research needs of the surface transportation system to fully adapt and integrate advanced technologies and innovation. The focus areas of the study shall include—

- “(1) connected and autonomous technologies;
- “(2) incorporating safety-related technologies;
- “(3) addressing infrastructure resiliency;
- “(4) multimodal connectivity;
- “(5) data gathering of travel behavior, including the public’s short and long-term responses to transformational technologies;
- “(6) impacts of private-sector transportation product development on society and the traditional research enterprise;
- “(7) support for a public-sector culture of transportation innovation and acceleration of federally funded research into practice, codes, and standards; and
- “(8) fostering development of transportation educators and transportation professionals.

“(b) REPORT.—The agreement entered into under this section shall require the National Academies to submit to Congress a report containing the results of the study not later than 2 years after the date of enactment of this section.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$1,500,000 for fiscal year 2022.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

“5509. Strategic transportation research agenda.”.

SEC. 5111. ADVANCED TRANSPORTATION RESEARCH AND INNOVATION PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 55 of title 49, United States Code, as amended, is further amended by adding at the end the following:

“§ 5510. Advanced transportation research and innovation program.

“(a) ESTABLISHMENT.—The Secretary of Transportation shall establish an advanced transportation research and innovation program, to be administered by the Assistant Secretary of Research and Technology, to—

- “(1) support research that addresses the long-term barriers to development of advanced transportation technologies with the potential to meet the Nation’s long-term safety, competitiveness, and transportation goals;

“(2) support high-risk research and development to accelerate transformational transportation innovations and emerging technology development;

“(3) advance research and development that improves the resilience of regions of the United States to natural disasters, extreme weather, and the effects of climate change on modal and multimodal transportation and infrastructure;

“(4) leverage Federal interagency research mechanisms and the academic research enterprise;

“(5) educate and train students in science, technology, engineering, and mathematics fields to conduct research and standards development relevant to transportation technologies, materials, systems, operations, processes, and policies; and

“(6) fostering collaboration among federal researchers and academic researchers.

“(b) COLLABORATION.—

“(1) INTERAGENCY COLLABORATION.—In carrying out this section, the Secretary shall collaborate on, identify, and disseminate within the Department, as appropriate, advanced transportation research, development, and other activities of other Federal agencies, including the Office of Science and Technology Policy, the National Science Foundation, the Department of Energy, the National Institute of Standards and Technology, the Department of Homeland Security, the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, and the Department of Defense to ensure the Department’s research investments are making the best possible contribution to the Nation’s goals of public health and safety, economic prosperity, national security, environmental quality, and a diverse transportation workforce.

“(2) NON-GOVERNMENTAL COLLABORATION.—In carrying out this section, the Secretary shall collaborate with labor organizations, as appropriate.

“(c) RESEARCH GRANTS.—In carrying out this section, the Secretary may carry out the activities described under subsection (a) through—

“(1) competitive, merit-based basic research grants to individual investigators and teams of investigators; and

“(2) centers of excellence selected through a competitive, merit-based process.

“(d) APPLICATION.—

“(1) IN GENERAL.—An investigator, team of investigators, or an institution of higher education (or consortium thereof) seeking funding under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(2) RESEARCH CENTERS.—Each application under paragraph (1) from an institution of higher education (or consortium thereof) shall include a description of how the Center will promote multidisciplinary transportation research and development collaboration.

“(e) RESEARCH.—At a minimum, the Secretary shall award 75 percent of awards under this program to projects for basic research.

“(f) REVIEW.—Not later than September 30, 2025, the Secretary shall enter into an agreement with the National Academies to conduct a review of the research and activities carried out under this program and assess whether such activities are consistent with subsection (a). Members of the review panel shall represent, at a minimum, multimodal surface transportation researchers and practitioners.

“(g) REPORT.—Not later than 1 year after the date of enactment of the INVEST in America Act, and biennially thereafter, the Secretary shall provide to the Committee on Commerce, Science, and Transportation and Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives a report on implementation of the program under this section and research areas that the program will support.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2022 through 2025.”.

“(b) CONFORMING AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

“5510. Advanced transportation research and innovation program.”.

Page 904, line 14, strike “ladder” and insert “pathway”.

Page 915, after line 21, insert the following:

SEC. 5310. MULTIMODAL TRANSPORTATION DEMONSTRATION PROGRAM.

“(a) IN GENERAL.—Subchapter 1 of chapter 55 of title 49, United States Code is amended by adding at the end the following:

“SEC. 5511. MULTIMODAL TRANSPORTATION DEMONSTRATION PROGRAM.

“(a) ESTABLISHMENT.—The Secretary of Transportation may establish a pilot program for the demonstration of advanced transportation technologies for surface transportation modes in small- and mid-sized communities by providing grants to entities to achieve the purposes of the national transportation research and development program described in section 6503.

“(b) ELIGIBLE ACTIVITIES.—Activities eligible for funding under this section include data interoperability, mobility-on-demand, and micro-mobility projects to demonstrate first-mile transportation, last-mile transportation, and any other activity as determined appropriate by the Secretary.

“(c) JOINT INTERAGENCY FUNDING.—If determined appropriate by the Secretary, joint interagency funding for projects is authorized to support multimodal projects.

“(d) ELIGIBILITY.—Entities eligible to receive grants under this program include local transportation organizations and transit agencies serving a population of not more than 200,000 individuals, including communities of economic hardship and communities that experience transportation equity and accessibility issues.

“(e) APPLICATION.—

“(1) IN GENERAL.—An entity seeking funding under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(2) COLLABORATION.—Each application submitted under this section shall describe how the applying entity will collaborate, as appropriate, with institutions of higher education, State and local governments, regional transportation organizations, non-profit organizations, labor organizations, and private sector entities.

“(f) AUTHORIZATION.—There is authorized to be appropriated to carry out activities under this section \$30,000,000 for each of fiscal years 2022 through 2025.”.

“(b) CONFORMING AMENDMENT.—The analysis for chapter 55 of title 49, United States Code, is further amended by adding at the end the following:

“5511. Multimodal transportation demonstration program.”.

SEC. 5311. AUTOMATED COMMERCIAL VEHICLE REPORTING.

“(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall establish a repository for motor carriers, shippers, technology companies, and other entities to submit information to the Secretary on testing, demonstrations, or commercial operations of an automated commercial motor vehicle on public roads.

“(b) INFORMATION REQUIRED.—

“(1) SUBMISSIONS.—Prior to the performance of any tests, demonstrations, or commercial operations of automated commercial motor vehicles on public roads, the Secretary shall require an entity performing such tests, demonstrations, or commercial operations to provide the following information:

“(A) The name of the entity responsible for the operation of the automated commercial motor vehicles to be used in the test, demonstration, or commercial operation.

“(B) The make and model of such vehicle or vehicles.

“(C) The level of automation of such vehicle or vehicles, according to the standards described in subsection (e)(1).

“(D) The expected weight of such vehicle during the test, demonstration, or operation.

“(E) The Department of Transportation number or operating authority assigned to the entity described in subparagraph (A), if applicable.

“(F) The location of the testing, demonstration, or commercial operation, including the anticipated route of such vehicle, planned stops, and total anticipated miles traveled.

“(G) Any cargo or passengers to be transported in such vehicle or vehicles, including whether the entity is transporting such cargo or passengers under contract with another entity.

“(H) Documentation of training or certifications provided to any drivers, monitors, or others involved in the operation or control of the vehicle.

“(I) Any fatigue management plans or work hour limitations applicable to drivers or monitors.

“(J) Notices provided to local law enforcement, State departments of transportation, and related entities, if applicable.

“(K) Proof of insurance coverage.

(2) UPDATES.—If an entity responsible for the operation of an automated commercial motor vehicle submits incomplete or inaccurate information pursuant to subsection (d), the entity shall be given an opportunity to amend or correct the submission within a reasonable timeframe.

(3) NOTIFICATION.—Upon submission of the information under paragraph (1), the Secretary shall provide written notification acknowledging receipt of the information and acknowledging that the submitting entity will perform tests, demonstrations, or commercial operations on public roads, as applicable.

(c) PUBLIC AVAILABILITY OF INFORMATION.—

(1) IN GENERAL.—The Secretary shall make available information on the prevalence of, characteristics of, and geographic location of testing, demonstration, and commercial operations of automated commercial motor vehicles on a publicly accessible website of the Department of Transportation.

(2) PROTECTION OF INFORMATION.—Any data collected under subsection (b) and made publicly available pursuant to this subsection shall be made available in a manner that—

(A) precludes the connection of the data to any individual motor carrier, shipper, company, or other entity submitting data; and

(B) protects the privacy and confidentiality of individuals, operators, and entities submitting the data.

(d) CRASH DATA.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall require entities to submit information regarding safety incidents which occur during the testing, demonstration, or commercial operation of an automated commercial motor vehicle on public roads, including—

(A) injuries and fatalities involving the automated commercial motor vehicle;

(B) collisions or damage to persons or property as a result of an automated commercial motor vehicle test, demonstration, or commercial operation;

(C) any malfunction or issue with a safety critical element of an automated commercial motor vehicle which compromises the safety of the automated commercial motor vehicle or other road users; and

(D) the mode of transportation used by any road users involved in a safety critical incident, including general road users as defined under section 5304 of this Act.

(2) DATA AVAILABILITY.—The Secretary shall ensure that any entity described under this section that has a Department of Transportation number or operating authority from the Federal Motor Carrier Safety Administration—

(A) shall be subject to safety monitoring and oversight under the Compliance, Safety, and Accountability program of the Federal Motor Carrier Safety Administration; and

(B) shall be included when the Secretary restores the public availability of relevant safety data under such program under section 4202(b) of this Act.

(e) DEFINITIONS.—In this section:

(1) AUTOMATED COMMERCIAL MOTOR VEHICLE.—The term “automated commercial motor vehicle” means a commercial motor vehicle as such term is defined in section 31101 of title 49, United States Code, that is designed to be operated exclusively by a Level 3, Level 4, or Level 5 automated driving system for all trips according to the recommended practice standards published on June 15, 2018, by the Society of Automotive Engineers International (J3016_201806) or equivalent standards adopted by the Secretary with respect to automated motor vehicles, while operating on public roads.

(2) SAFETY CRITICAL ELEMENT.—The term “safety critical element” means both the hardware and software designed to prevent, limit, control, mitigate, or respond to a change in the vehicle’s environment thereby allowing the vehicle to prevent, avoid, or minimize a potential collision or other safety incident on an automated commercial motor vehicle.

Page 919, line 3, strike “\$17,500,000” and insert “\$17,500,000”.

Page 926, line 18, strike “(g)” and insert “(h)”.

Page 933, line 11, strike “subtitle III” and insert “subchapter I”.

Beginning on page 933, strike line 14 and all that follows through page 934, line 19.

Page 934, after line 19, insert the following:

SEC. 5504. ADVISORY COUNCIL ON TRANSPORTATION STATISTICS.

Section 6305 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “The Director” and all that follows to the period and inserting “Notwithstanding section 418 of the FAA Reauthorization Act of 2018 (Public Law 115–254), not later than 6 months after the date of enactment of the INVEST in America Act, the Director shall establish and consult with an advisory council on transportation statistics.”; and

(2) by striking subsection (d)(3).

Page 960, strike line 10 and all that follows through page 961, line 6 and insert the following:

(g) RULEMAKINGS.—

(1) IN GENERAL.—Any regulation authorizing the transportation of liquefied natural gas by rail tank car issued before the date of enactment of this Act shall be stayed until the Secretary conducts the evaluation, testing, and analysis required in subsections (a), (b), and (c), issues the report required by subsection (d), and the Comptroller General completes the evaluation and report required under subsection (f).

(2) PERMIT OR APPROVAL.—The Secretary of Transportation shall rescind any special permit or approval for the transportation of liquefied natural gas by rail tank car issued before the date of enactment of this Act.

Page 969, after line 25, insert the following:

(o) LIMITATION ON FINANCIAL ASSISTANCE FOR STATE-OWNED ENTERPRISES.—

(1) IN GENERAL.—Funds provided under this section and the amendments made by this section may not be used in awarding a contract, subcontract, grant, or loan to an entity that is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

(A) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of this Act;

(B) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; and

(C) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416).

(2) EXCEPTION.—For purposes of paragraph (1), the term “otherwise related legally or financially” does not include a minority relationship or investment.

(3) INTERNATIONAL AGREEMENTS.—This subsection shall be applied in a manner consistent with the obligations of the United States under international agreements.

Page 978, line 16, strike “related” and insert “relating”.

Page 980, strike lines 3 and 4 and insert the following:

(3) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:
Page 980, line 24, insert “and” after the semicolon.

Page 980, after line 24, insert the following:

(B) in paragraph (3) by striking “paragraph (1)(B)” and inserting “paragraph (1)(A)”;

Page 981, line 4, strike “subsections (k), (l), (m), and (n)” and insert “subsections (l), (m), (n), and (o)”.

Page 983, line 17, insert closing quotation marks and a period at the end.

Page 995, strike line 24 and all that follows through page 996, line 8, and insert the following:

(b) TIMING OF NEW BOARD REQUIREMENTS.—

(1) IN GENERAL.—The appointment and membership requirements under section 24302 of title 49, United States Code (as amended by this Act), shall apply to any member of the Board appointed pursuant to subsection (a)(1)(C) of such section who is appointed on or after the date of enactment of this Act.

(2) REAPPOINTMENT.—Any member described under paragraph (1) who is serving on such Board as of the date of enactment of this Act may be reappointed on or after such date of enactment, subject to the advice and consent of the Senate, if such member meets the requirements of such section.

(3) TERMINATION OF TERM.—The term of any member described under paragraph (1) who is serving on such Board as of the date of enactment of this Act who is not reappointed under paragraph (2) before the date that is 60 days after the date of enactment of this Act, shall cease on such date.

Page 1017, line 6, strike “related” and insert “relating”.

Page 1028, line 13, insert “the first place it appears” before the semicolon.

Page 1029, line 6, strike “24324” and insert “24325”.

Page 1030, line 3, insert closing quotation marks and a period after “necessary”.

Page 1030, in the material proposed to be inserted in the analysis for chapter 243 of title 49, United States Code, after line 6, strike “24324” and insert “24325”.

Page 1031, line 7, strike “24325” and insert “24326”.

Page 1032, in the material proposed to be inserted in the analysis for chapter 243 of title 49, United States Code, after line 6, strike “24325” and insert “24326”.

Page 1039, line 1, strike “subsections (d) and (e)” and insert “subsection (d)”.

Page 1039, line 16, strike “(1) CONTENTS.—” and run the text onto line 15.

Page 1040, line 1, strike “(A)” and insert “(1)” and move the text 2 ems to the left.

Page 1040, line 4, strike “(B)” and insert “(2)” and move the text 2 ems to the left.

Page 1040, line 5, strike “(i)” and insert “(A)” and move the text 2 ems to the left.

Page 1040, line 7, strike “(ii)” and insert “(B)” and move the text 2 ems to the left.

Page 1040, line 8, strike “(iii)” and insert “(C)” and move the text 2 ems to the left.

Page 1040, line 12, strike “(iv)” and insert “(D)” and move the text 2 ems to the left.

Page 1042, line 24, strike “State” and insert “States”.

Page 1068, line 23, strike “DB-60 air brake control valve” and insert “air brake control valve (defined in this section as an air brake control valve that was subject to the circular letter issued by the Association of American Railroads issued on October 25, 2013 (C-12027))”.

Page 1072, line 8, strike “subparagraph” and insert “paragraph”.

Page 1103, after line 5, insert the following:

SEC. 10105. MINORITY AND DISADVANTAGED BUSINESS SIZE STANDARDS.

Section 47113(a)(1) of title 49, United States Code, is amended to read as follows:

“(1) ‘small business concern’ has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632);”.

Page 1116, line 24, strike “less” and insert “more”.

Page 1188, after line 18, insert the following:

“(7) REQUIREMENTS.—For fiscal year 2020 and each fiscal year thereafter, the requirements of subchapter IV of chapter 31 of title 40, United States Code, shall apply to the construction of projects carried out in whole or in part with assistance made available by an entity loan fund authorized by this section.

Page 1203, strike lines 12 through 25 and insert the following:

“(B) REQUIREMENT.—The Secretary shall require recipients of assistance under this subsection (d) to comply with section 113(a) of title 23 with respect to all construction, alteration, installation, or repair work, in the same manner that recipients of assistance under chapter 1 of such title are required to comply with such section for construction work performed on highway projects on Federal-aid highways. With regard to the construction, alteration, or repair of vessels, the same requirements of such section shall apply regardless of whether the location of contract performance is known when bids for such work are solicited.

Page 1204, line 20, strike “80” and insert “70”.

Page 1206, strike line 7 and all that follows through page 1207, line 2.

Page 1207, line 3, strike “(8)” and insert “(7)”.

Page 1208, strike lines 11 through 15.

Page 1208, line 16, strike “(v)” and insert “(iv)”.

Page 1208, line 18, insert “Department of Labor approved or” before “State-approved”.

Page 1208, line 20, strike “(9)” and insert “(8)”.

Page 1209, line 22, strike “(10)” and insert “(9)”.

Page 1211, line 11, strike “(11)” and insert “(10)”.

Page 1212, line 19, strike “(12)” and insert “(11)”.

Page 1217, strike lines 11 through 20 and insert the following:

“(L) APPRENTICESHIP PROGRAM.—The term ‘apprenticeship program’ means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), including any requirement, standard, or rule promulgated under such Act, as such requirement, standard, or rule was in effect on December 30, 2019.

Page 1217, line 21, strike “(N)” and insert “(M)”.

Page 1218, line 1, strike “(O)” and insert “(N)”.

Page 1218, line 6, strike “(P)” and insert “(O)”.

Page 1229, strike line 20 and all that follows through page 1230, line 3, and insert the following (and redesignate succeeding subparagraphs accordingly):

(B) The Telecommunications Infrastructure Loans and Loan Guarantees, the Rural Broadband Access Loans and Loan Guarantees, the Substantially Underserved Trust Areas Provisions, the Community Connect Grant Program, and the Distance Learning and Telemedicine Grant Program of the Rural Utilities Service of the Department of Agriculture.

Page 1305, line 22, strike “Not” and insert “Notwithstanding section 11(x)(2)(C)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(x)(2)(C)(i)), not”.

Page 1305, line 25, insert “, to the maximum extent practicable,” before “between”.

Page 1329, strike line 8 and all that follows through page 1331, line 10, and insert the following:

“(4) FUNDS PRIORITY PREFERENCE.—There shall be a preference in a system of competitive bidding for projects that would expand access to broadband service in areas where at least 90 percent of the population has no access to broadband service or does not have access to broadband service offered with a download speed of at least 25 megabits per second, with an upload speed of at least 3 megabits per second, and with latency that is sufficiently low to allow real-time, interactive applications. Such projects shall be given priority in such system of competitive bidding over all other projects, regardless of how many preferences under paragraph (5) for which such other projects qualify.

“(5) FUNDS PREFERENCE.—There shall be a preference in a system of competitive bidding, as determined by the entity ad-

ministering the system of competitive bidding (either a State or the Commission), for any of the following projects:

“(A) Projects with at least 20 percent matching funds from non-Federal sources.

“(B) Projects that would expand access to broadband service on Tribal lands, as defined by the Commission.

“(C) Projects that would provide broadband service with higher speeds than those specified in subsection (d)(2), except in the case of funds awarded under subparagraph (A) of paragraph (3).

“(D) Projects that would expand access to broadband service in advance of the time specified in subsection (e)(5), except in the case of funds awarded under subparagraph (A) of paragraph (3).

“(E) Projects that would expand access to broadband service to persistent poverty counties or high-poverty areas at subsidized rates.

“(F) Projects that, at least until the date that is 10 years after the date of the enactment of this section, would provide broadband service with comparable speeds to those provided in areas that, on the day before such date of enactment, were not unserved areas, areas with low-tier service, or areas with mid-tier service, with minimal future investment.

“(G) Projects that would provide broadband service consistent with consumer preferences based on data and analysis conducted by the Commission.

“(H) Projects that would provide for the deployment of open-access broadband service networks.

Page 1411, after line 9, insert the following:

“(9) CONTRACTING REQUIREMENTS.—All laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration, or repair work carried out, in whole or in part, with a grant under this section shall be paid wages at rates not less than those prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards in this paragraph, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

Page 1446, beginning on line 14, strike “drunk driving detection prevention technology” and insert “advanced drunk driving prevention technology”.

Page 1447, line 21, insert “advanced” before “drunk”.

Page 1448, line 4, strike “(d)” and insert “(c)”.

Page 1448, line 10, insert “equal to and” after “level”.

Page 1544, beginning on line 13, strike “new subsections”.

Page 1544, strike lines 15 through 19.

Page 1544, line 20, strike “(g)” and insert “(f)”.

Page 1551, strike lines 7 through 15.

Page 1551, line 16, strike “(3)” and insert “(2)”.

Page 1618, line 24, strike “(d)” and insert “(e)”.

Page 1619, line 1, strike “ready” and insert “read”.

Page 1619, line 3, strike "(d)" and insert "(f)".

Page 1677, line 26, strike ";" and insert ";" or".

Page 1682, line 10, strike "(1) IN GENERAL.—".

Page 1682, strike lines 17 through 22.

Page 1682, line 23, strike "(3)" and insert "(2)".

Page 1684, line 15, strike the closing quotation marks and the second period.

Page 1684, after line 15, insert the following:

(4) APPLICABILITY OF DAVIS-BACON ACT.—

“(A) IN GENERAL.—The Secretary shall require that each entity applying for a grant for any capital project pursuant to paragraph (1), funded in whole or in part with funds made available under this subsection, shall include in such application written assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration or repair, as part of such project, shall be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code (commonly referred to (and referred to in this section) as the ‘Davis-Bacon Act’).

“(B) AUTHORITY TO ENFORCE.—With respect to the labor standards specified in the Davis-Bacon Act, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 Fed. Reg. 3176; 5 U.S.C. Appendix) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).”.

Page 1686, after line 14, insert the following:

(c) APPLICABILITY OF DAVIS-BACON ACT.—

(1) IN GENERAL.—The Secretary shall require that each State or political subdivision of a State applying for a grant, with respect to a project for the improvement, renovation, or modernization of infrastructure at clinical laboratories under this section, funded in whole or in part with funds made available under this section, shall include in such application written assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration, or repair, as part of such project, shall be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code (commonly referred to (and referred to in this section) as the “Davis-Bacon Act”).

(2) AUTHORITY TO ENFORCE.—With respect to the labor standards specified in the Davis-Bacon Act, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 Fed. Reg. 3176; 5 U.S.C. Appendix) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

Page 1686, line 15, strike "(c)" and insert "(d)".

Page 1687, after line 18, insert the following:

“(c) TRIBAL CONSULTATION.—The Secretary shall engage in consultation with Indian Tribes and Tribal organizations to receive guidance and recommendations from Tribal officials before initi-

ating any construction projects under this section on federally-operated facilities of the Service.”.

Page 1687, line 19, strike “(b)” and insert “(d)”.

Page 1688, line 12, strike “request,” and all that follows through “based on the request.” on line 15 and insert “request.”.

Page 1691, after line 5, insert the following:

(c) APPLICABILITY OF DAVIS-BACON ACT.—

(1) **IN GENERAL.**—The Secretary shall require that each qualified teaching health center or behavioral health care center applying for a grant, with respect to a project for the improvement, renovation, or modernization of infrastructure at a qualified teaching health center or behavior health care center under this section, funded in whole or in part with funds made available under this section, shall include in such application written assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alternation, or repair, as part of such project, shall be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code (commonly referred to (and referred to in this section) as the “Davis-Bacon Act”).

(2) **AUTHORITY TO ENFORCE.**—With respect to the labor standards specified in the Davis-Bacon Act, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 Fed. Reg. 3176; 5 U.S.C. Appendix) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

Page 1691, line 6, strike “(b)” and insert “(d)”.

Page 1691, after line 20, insert the following:

SEC. 40002. AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF VETERANS AFFAIRS.

(a) **IN GENERAL.**—There is authorized to be appropriated for the Department of Veterans Affairs \$3,396,000,000 to carry out subsection (b). Amounts appropriated pursuant to this section shall remain available for obligation or expenditure without fiscal year limitation.

(b) **USE OF AMOUNTS.**—The amount authorized to be appropriated under subsection (a) shall be used by the Secretary of Veterans Affairs as follows:

(1) \$750,000,000 for minor construction.

(2) \$750,000,000 for non-recurring maintenance.

(3) \$1,350,000,000 for major construction projects that are partially funded for fiscal year 2021.

(4) \$546,000,000 for grants under subchapter III of chapter 81 of title 38, United States Code.

(c) **CONTRACTING GOALS.**—The contracting goals under section 15(g)(1) and (2) of the Small Business Act (15 U.S.C. 644) shall apply to a contract entered into using amounts authorized to be appropriated under this section and used pursuant to subsection (b)(1) and (2).

Page 1692, line 11, strike “and other goods” and insert “trailers, and other goods”.

Page 1701, after line 11, add the following:

(d) STANDARDS.—

(1) IN GENERAL.—All laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration or repair work carried out, in whole or in part, with assistance made available through this section shall be paid wages at rates not less than those prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards in this paragraph, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

(2) EXCEPTION BASED ON NUMBER OF UNITS.—Paragraph (1) shall not apply to single-family homes or residential properties of less than 5 units.

(3) EXCEPTION FOR CERTAIN INDIVIDUALS.—Paragraph (1) shall not apply to any individual that—

(A) performs services for which the individual volunteered;

(B) does not receive compensation for such services or is paid expenses, reasonable benefits, or a nominal fee for such services; and

(C) is not otherwise employed at any time in the construction work.

Page 1702, after line 6, insert the following:

(c) APPLICABILITY OF DAVIS-BACON ACT.—

(1) IN GENERAL.—All laborers and mechanics employed by contractors and subcontractors in the performance of construction work financed in whole or in part with amounts made available pursuant to this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The preceding sentence shall apply to the rehabilitation of residential property only if such property contains not less than 12 units. The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276(c)).

(2) EXCEPTION.—Paragraph (1) shall not apply to any individual that—

(A) performs services for which the individual volunteered;

(B) does not receive compensation for such services or is paid expenses, reasonable benefits, or a nominal fee for such services; and

(C) is not otherwise employed at any time in the construction work.

Page 1706, after line 9, insert the following:

(c) APPLICABILITY OF DAVIS-BACON ACT.—

(1) IN GENERAL.—All laborers and mechanics employed by contractors and subcontractors in the performance of construction work financed in whole or in part with amounts made available pursuant to this section shall be paid wages at rates

not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The preceding sentence shall apply to the rehabilitation of residential property only if such property contains not less than 12 units. The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276(c)).

(2) EXCEPTION.—Paragraph (1) shall not apply to any individual that—

- (A) performs services for which the individual volunteered;
- (B) does not receive compensation for such services or is paid expenses, reasonable benefits, or a nominal fee for such services; and
- (C) is not otherwise employed at any time in the construction work.

Page 1742, beginning on line 15, strike “the International Green Construction Code” and insert “a nationally-recognized, consensus-based standard”.

Page 1768, strike “Sec. 81201. Findings.” and insert “Sec. 81201. Short title.”.

Page 1775, strike line 16 through page 1780, line 15 and insert the following:

SEC. 81201. SHORT TITLE.

This subtitle may be cited as the “Furthering Underutilized Technologies and Unleashing Responsible Expenditures for Western Water Infrastructure and Drought Resiliency Act” or the “FUTURE Western Water Infrastructure and Drought Resiliency Act”.

Page 1842, after line 10, insert the following:

“(iii) DESIGNATED DESALINATION PROJECT.—The term ‘designated desalination project’ means an eligible desalination project that—

“(I) is an ocean desalination project that uses a subsurface intake;

“(II) has a total estimated cost of \$80,000,000 or less; and

“(III) is designed to serve a community or group of communities that collectively import more than 75 percent of their water supplies.

Page 1842, line 21, insert “or a designated desalination project” after “project”.

Page 1842, line 25, insert “AND DESIGNATED DESALINATION PROJECTS” after “PROJECTS”.

Page 1843, line 25, insert “or a designated desalination project” after “rural desalination project”.

Page 1851, line 19, strike “communities—” and insert “communities address a significant decline in the quantity or quality of drinking water.”.

Page 1851, strike lines 20 through 24.

Page 1852, strike lines 15 through 16, (and redesignate subsequent paragraphs accordingly).

Page 1853, strike lines 12 through 16, and insert the following:

(1) where the decline in the quantity or quality of water poses the greatest threat to public health and safety;

Page 1854, lines 15 through 18, strike "grants provided under" through "disadvantaged communities." and insert "activities carried out under this section to help disadvantaged communities address a significant decline in the quantity or quality of drinking water".

Beginning on page 1888, strike line 20 and all that follows through page 1900, line 14, and update the table of contents accordingly.

Page 1920, line 23, strike "title" and insert "chapter".

Beginning on page 1965, strike line 20 and all that follows through page 1966, line 4, and update the table of contents accordingly.

Page 1971, strike lines 21 through 23.

Page 1972, line 1, strike "(2)" and insert "(1)".

Page 1972, line 4, strike "(3)" and insert "(2)".

Page 1972, line 6, strike "(4)" and insert "(3)".

Page 1972, strike lines 15 through 19.

Page 1972, line 20, strike "(d)" and insert "(c)".

Page 1972, line 24, strike "(e)" and insert "(d)".

Page 1972, line 23, strike the period at the end and insert "and share the national strategy with the Committee on Natural Resources, Committee on Agriculture, and Committee on Appropriations of the House of Representatives, and the Committee on Appropriations, Committee on Agriculture, Nutrition, and Forestry, and the Committee on Energy and Natural Resources of the Senate".

Page 1973, line 2, strike "2025" and insert "2023".

Page 1973, after line 2, insert the following:

Subtitle E—Long Bridge

SEC. 82501. AUTHORIZATION OF NATIONAL PARK SERVICE CONVEYANCES.

(a) On request of the State of Virginia or the District of Columbia, as applicable, the Secretary of the Interior (acting through the Director of the National Park Service) (referred to in this section as the "Secretary") may, subject to any terms and conditions that the Secretary determines to be necessary, convey to the State of Virginia or the District of Columbia, as applicable, any Federal land or interest in Federal land under the jurisdiction of the Secretary that is identified by the State of Virginia or the District of Columbia, as applicable, as necessary for the Long Bridge Project, which is a project consisting of improvements to the Long Bridge and related railroad infrastructure between Rosslyn (RO) Interlocking in Arlington, Virginia, and L'Enfant (LE) Interlocking near 10th Street SW in Washington, DC, the purpose of which is to expand commuter and regional passenger rail service and provide bicycle and pedestrian access crossings over the Potomac River.

(b) If any portion of the Federal land or interest in Federal land conveyed under subsection (a) is no longer being used for railroad purposes or recreational use, the portion of the Federal land or interest in the portion of the land shall revert to the Secretary, on a determination by the Secretary that the portion of the Federal

land has been remediated and restored to a condition determined to be satisfactory by the Secretary.

(c) The Secretary may permit the temporary use of any Federal land under the jurisdiction of the Secretary that is identified by the State of Virginia or the District of Columbia, as applicable, as necessary for the construction of the project described in subsection (a), subject to any terms and conditions determined to be necessary by the Secretary.

(d) Notwithstanding any other provision of law, the Secretary may recover from the State of Virginia or the District of Columbia, as applicable, all costs incurred by the Secretary in providing or procuring necessary services associated with a conveyance under subsection (a) or use authorized under subsection (c), with such amounts to remain available to the Secretary until expended, without further appropriation.

Page 1974, line 17, after "reefs," insert "or".

Page 1974, line 24, strike ";" or" and all that follows through page 1975, line 4, and insert a period.

Page 1975, line 20, strike "and" and insert "or".

Page 1976, strike lines 1 through 15.

Page 1976, line 16, strike "(g)" and insert "(f)".

Page 1976, line 20, strike "(h)" and insert "(g)".

Page 1977, beginning on line 2, strike ", the non-Federal interest for the water resources development project".

Page 1993, strike lines 3 through 5 and insert:

(A) a fish, wildlife, or plant species that is or was historically present in a particular ecosystem as a result of natural migratory or evolutionary processes, including subspecies and plant varieties; or

Page 1993, strike lines 6 through 11.

Page 1993, line 12, strike "(C)" and insert "(B)".

Page 1994, line 5, after "Agriculture" insert ", acting through the Chief of the Forest Service, concerning land contained within the National Forest System".

Page 2011, strike line 12 through page 2012, line 20 and run the text onto line 11 of page 2011.

Page 2035, line 15, strike "The Secretary of" and insert the following:

"(1) IN GENERAL.—The Secretary of

Page 2035, after line 21, insert the following:

"(2) ASSISTANCE.—The Secretary of Energy shall work with the States, through the Interstate Oil and Gas Compact Commission, to assist the States in quantifying and mitigating environmental risks of onshore orphaned or abandoned oil or gas wells on State and private land.

"(3) ACTIVITIES.—The program under paragraph (1) shall include—

"(A) mechanisms to facilitate identification, if feasible, of the persons currently providing a bond or other form of financial assurance required under State or Federal law for an oil or gas well that is orphaned or abandoned;

"(B) criteria for ranking orphaned or abandoned well sites based on factors such as public health and safety, potential environmental harm, and other land use priorities;

“(C) information and training programs on best practices for remediation of different types of sites; and

“(D) funding of State mitigation efforts on a cost-shared basis.”

Page 2047, line 21, after “project” insert “at minimum 30 days prior to submission to Office of Surface Mining Reclamation and Enforcement”.

Page 2047, line 22, strike “comment at” and insert “request”.

Page 2048, line 2, strike “of such meetings” and insert “of the proposed project 30 days prior to submission to Office of Surface Mining Reclamation and Enforcement and published notice of requested public meetings”.

Page 2056, strike line 17 through page 2057, line 7 and insert: “A State or Indian tribe may use up to 10 percent of its annual distribution under this section for the costs of administering this section consistent with existing practice under sections 401(c)(7) and 402(g)(1)(C) of the Surface Mining Control and Reclamation Act of 1977 and the Office of Surface Mining Reclamation and Enforcement Federal Assistance Manual.”.

Page 2057, after line 13, insert the following:

“(h) REGULATIONS AND GUIDELINES.—To the extent necessary to implement the provisions of this Act, the Secretary shall propose rules and/or develop guidelines not later than 90 days following enactment of the Act and shall publish them as final rules and/or guidelines not later than 90 days thereafter. Within 60 days following the adoption of any such final rules and/or guidelines, the Secretary shall distribute the funds under subsection (d). Furthermore, project proposals under this Act shall be initially reviewed, vetted and approved by OSMRE Field Offices within 45 days of receipt and authorizations to proceed shall be issued by the Field Office within 45 days of request by the State or Tribe.

Page 2057, line 14, strike “(h)” and insert “(i)”.

Page 2058, line 7, strike “(i)” and insert “(j)”.

Page 2107, after line 25, insert the following:

TITLE V—LABOR STANDARDS

SEC. 84701. LABOR STANDARDS.

Except as otherwise provided in this Act or the amendments made by this Act, and in a manner consistent with this Act or the amendments made by this Act, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by or through the Federal Government pursuant to any provision of this division (or an amendment made by such a provision) shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code, and with respect to the labor standards specified in this section the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

Page 2116, after line 6, insert the following:

“(D) APPLICATION OF DAVIS-BACON ACT REQUIREMENTS WITH RESPECT TO QUALIFIED INFRASTRUCTURE BONDS.—

Subchapter IV of chapter 31 of the title 40, United States Code, shall apply to projects financed with the proceeds of qualified infrastructure bonds.”.

Page 2116, strike lines 10 through page 2117, line 2, and insert the following:

(b) PAYMENTS MADE UNDER SECTION 6431A OF THE INTERNAL REVENUE CODE OF 1986.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting: “Payments made under section 6431A of the Internal Revenue Code of 1986” after the item related to Payment to Radiation Exposure Compensation Trust Fund.

Page 2124, line 19, strike “\$135” and insert “\$115”.

Page 2124, line 22, strike “\$402,220,000” and insert “\$353,775,000”.

Page 2133, strike lines 1 through 12, and insert the following:

SEC. 90108. CERTAIN WATER AND SEWAGE FACILITY BONDS EXEMPT FROM VOLUME CAP ON PRIVATE ACTIVITY BONDS.

(a) IN GENERAL.—Section 146(g) is amended by striking “and” at the end of paragraph (3), striking the period at the end of paragraph (4) and inserting “, and”, and inserting after paragraph (4) the following new paragraph:

“(5) any exempt facility bond issued as part of an issue described in paragraph (4) or (5) of section 142(a) if 95 percent or more of the net proceeds of such issue are to be used to provide facilities which—

“(A) will be used—

“(i) by a person who was, as of July 1, 2020, engaged in operation of a facility described in such paragraph, and

“(ii) to provide service within the area served by such person on such date (or within a county or city any portion of which is within such area), or

“(B) will be used by a successor in interest to such person for the same use and within the same service area as described in subparagraph (A).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of the enactment of this Act.

Page 2133, strike lines 18 through page 2134, line 2.

Page 2134, line 3, strike “(c)” and insert “(b)”.

Page 2134, after line 5, insert the following:

SEC. 90110. APPLICATION OF DAVIS-BACON ACT REQUIREMENTS WITH RESPECT TO CERTAIN EXEMPT FACILITY BONDS.

(a) IN GENERAL.—Section 142(b) is amended by adding at the end the following new paragraph:

“(3) APPLICATION OF DAVIS-BACON ACT REQUIREMENTS WITH RESPECT TO CERTAIN EXEMPT FACILITY BONDS.—If any proceeds of any issue are used for construction, alteration, or repair of any facility otherwise described in paragraph (4), (5), (15), or (16) of subsection (a), such facility shall be treated for purposes of subsection (a) as described in such paragraph only if each entity that receives such proceeds to conduct such construction, alteration, or repair agrees to comply with the provisions of

subchapter IV of chapter 31 of title 40, United States Code with respect to such construction, alteration, or repair.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to bonds issued after the date of the enactment of this Act.

Page 2152, strike lines 4 through 20, and insert the following:

(b) PAYMENTS MADE UNDER SECTION 6431B(B) OF THE INTERNAL REVENUE CODE OF 1986.—Section 255(h) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(h)) is amended by inserting: “Payments made under section 6431B(b) of the Internal Revenue Code of 1986” after the item related to Payments for Foster Care and Permanency.

Page 2152, line 21, strike “(b)” and insert “(c)”.

Page 2153, line 5, strike “(c)” and insert “(d)”.

Page 2168, after line 25, insert the following:

“(3) LABOR STANDARDS FOR ALL GRANTS.—The Secretary shall require that each entity, including grantees and subgrantees, that applies for an infrastructure grant for constructing, renovating, or improving child care facilities, including adapting, reconfiguring, or expanding such facilities, which is funded in whole or in part under this section, shall include in its application written assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration or repair, as part of such project, shall be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code (commonly referred to as the ‘Davis-Bacon Act’), and with respect to the labor standards specified in such subchapter the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 FR 3176; 5 U.S.C. Appendix) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).”.

Page 2169, line 1, strike “(3)” and insert “(4)”.

Page 2170, after line 4, insert the following:

“(5) LABOR STANDARDS FOR ALL GRANTS.—The Secretary of Health and Human Services shall require that each entity, including grantees and subgrantees, that applies for an infrastructure grant for constructing, renovating, or improving child care facilities, including adapting, reconfiguring, or expanding such facilities, which is funded in whole or in part under this section, shall include in its application written assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration or repair, as part of such project, shall be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of subtitle II of title 40, United States Code (commonly referred to as the ‘Davis-Bacon Act’), and with respect to the labor standards specified in such subchapter the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 FR 3176; 5 U.S.C. Appendix) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).”.

Page 2178, line 2, strike “taxable years beginning after” and insert “property placed in service after”.

Page 2240, strike lines 18 through page 2241, line 10, and insert the following:

“(4) SELECTION CRITERIA.—Selection criteria similar to those in subsection (d)(3) shall apply, except that in determining designations under this subsection, the Secretary, after consultation with the Secretary of Energy, shall—

“(A) require that applicants provide written assurances to the Secretary that all laborers and mechanics employed by contractors and subcontractors in the performance of construction, alteration or repair work on a qualifying advanced energy project shall be paid wages at rates not less than those prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code, and

“(B) give the highest priority to projects which—

“(i) manufacture (other than primarily assembly of components) property described in a subclause of subsection (c)(1)(A)(i) (or components thereof), and

“(ii) have the greatest potential for commercial deployment of new applications.”.

Page 2244, line 6, strike “45U” and insert “45V”.

Page 2244, line 14, strike “45U” and insert “45V”.

Page 2244, line 17, strike “45U” and insert “45V”.

Page 2244, line 21, strike “45U” and insert “45V”.

Page 2245, after line 13, insert the following:

SEC. 90443. LABOR STANDARDS FOR CERTAIN ENERGY JOBS.

(a) DEPARTMENT OF LABOR CERTIFICATION OF QUALIFIED ENTITIES.—

(1) DEFINITIONS.—In this subsection—

(A) APPLICABLE CONSTRUCTION PROJECT.—The term “applicable construction project” means, with respect to any entity—

(i) the installation of any qualified alternative fuel vehicle refueling property (as defined in section 30C(c) of the Internal Revenue Code of 1986),

(ii) the installation of any qualified energy property described in section 48D(a)(1) of such Code,

(iii) the installation of any qualified property referred to in paragraph (2) of section 48D(a) of such Code as part of any qualified investment credit facility described in such paragraph, and

(iv) the installation of any energy efficient commercial building property (as defined in section 179D(c)(1) of such Code).

(B) COVERED PROJECT LABOR AGREEMENT.—The term “covered project labor agreement” means a project labor agreement that—

(i) binds all contractors and subcontractors on the construction project through the inclusion of appropriate specifications in all relevant solicitation provisions and contract documents,

(ii) allows all contractors and subcontractors to compete for contracts and subcontracts without regard to whether they are otherwise a party to a collective bargaining agreement,

(iii) contains guarantees against strikes, lockouts, and other similar job disruptions,

(iv) sets forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the covered project labor agreement, and

(v) provides other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health.

(C) PROJECT LABOR AGREEMENT.—The term “project labor agreement” means a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project and is described in section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)).

(D) INSTALLATION INCLUDES ON-SITE CONSTRUCTION.—Any reference in this subsection to the installation of any property shall include the construction of such property if such construction is performed on the site where such property is installed.

(E) QUALIFIED ENTITY.—The term “qualified entity” means an entity that the Secretary of Labor certifies as a qualified entity in accordance with paragraph (2).

(F) REGISTERED APPRENTICESHIP PROGRAM.—The term “registered apprenticeship program” means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), including any requirement, standard, or rule promulgated under such Act, as such requirement, standard, or rule was in effect on December 30, 2019.

(2) CERTIFICATION OF QUALIFIED ENTITIES.—

(A) IN GENERAL.—The Secretary of Labor shall establish a process for certifying entities that submit an application under subparagraph (B) as qualified entities with respect to applicable construction projects for purposes of the amendments made by subsections (b), (c), and (d).

(B) APPLICATION PROCESS.—

(i) IN GENERAL.—An entity seeking certification as a qualified entity under this paragraph shall submit an application to the Secretary of Labor at such time, in such manner, and containing such information as the Secretary may reasonably require, including information to demonstrate compliance with the requirements under subparagraph (C).

(ii) REQUESTS FOR ADDITIONAL INFORMATION.—Not later than 1 year after receiving an application from an entity under clause (i)—

(I) the Secretary of Labor may request additional information from the entity in order to de-

termine whether the entity is in compliance with the requirements under subparagraph (C), and

(II) the entity shall provide such additional information.

(iii) DETERMINATION DEADLINE.—The Secretary of Labor shall make a determination on whether to certify an entity under this subsection not later than—

(I) in a case in which the Secretary requests additional information described in paragraph (2)(B)(ii), 1 year after the Secretary receives such additional information from the entity, or

(II) in a case that is not described in subclause (I), 1 year after the date on which the entity submits the application under clause (i).

(iv) PRECERTIFICATION REMEDIES.—The Secretary shall consider any corrective actions taken by an entity seeking certification under this paragraph to remedy an administrative merits determination, arbitral award or decision, or civil judgment identified under subparagraph (C)(iii) and shall impose as a condition of certification any additional remedies necessary to avoid further or repeated violations.

(C) LABOR STANDARDS REQUIREMENTS.—The Secretary of Labor shall require an entity, as a condition of certification under this subsection, to satisfy each of the following requirements—

(i) The entity shall ensure that all laborers and mechanics employed by contractors and subcontractors in the performance of any applicable construction project shall be paid wages at rates not less than those prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”).

(ii) In the case of any applicable construction project the cost of which exceeds \$25,000,000, the entity shall be a party to, or require contractors and subcontractors in the performance of such applicable construction project to consent to, a covered project labor agreement.

(iii) The entity, and all contractors and subcontractors in performance of any applicable construction project, shall represent in the application submitted under subparagraph (B) (and periodically thereafter during the performance of the applicable construction project as the Secretary of Labor may require) whether there has been any administrative merits determination, arbitral award or decision, or civil judgment, as defined in guidance issued by the Secretary of Labor, rendered against the entity in the preceding 3 years (or, in the case of disclosures after the initial disclosure, during such period as the Secretary of Labor may provide) for violations of—

- (I) the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.),
 - (II) the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.),
 - (III) the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.),
 - (IV) the National Labor Relations Act (29 U.S.C. 151 et seq.),
 - (V) subchapter IV of chapter 31 of title 40, United States Code (commonly known as the "Davis-Bacon Act"),
 - (VI) chapter 67 of title 41, United States Code (commonly known as the "Service Contract Act"),
 - (VII) Executive Order 11246 (42 U.S.C. 2000e note; relating to equal employment opportunity),
 - (VIII) section 503 of the Rehabilitation Act of 1973 (29 U.S.C. 793),
 - (IX) section 4212 of title 38, United States Code;
 - (X) the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.),
 - (XI) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.),
 - (XII) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.),
 - (XIII) the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.),
 - (XIV) Federal Government standards establishing a minimum wage for contractors, or
 - (XV) equivalent State laws, as defined in guidance issued by the Secretary of Labor.
- (iv) The entity, and all contractors and subcontractors in the performance of any applicable construction project, shall not require mandatory arbitration for any dispute involving a worker engaged in a service for the entity unless such worker is covered by a collective bargaining agreement that provides otherwise.
- (v) The entity, and all contractors and subcontractors in the performance of any applicable construction project, shall consider an individual performing any service in such performance as an employee (and not an independent contractor) of the entity, contractor, or subcontractor, respectively, unless—
- (I) the individual is free from control and direction in connection with the performance of the service, both under the contract for the performance of the service and in fact,
 - (II) the service is performed outside the usual course of the business of the entity, contractor, or subcontractor, respectively, and
 - (III) the individual is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in such service.
- (vi) The entity shall prohibit all contractors and subcontractors in the performance of any applicable con-

struction project from hiring employees through a temporary staffing agency unless the relevant State workforce agency certifies that temporary employees are necessary to address an acute, short-term labor demand.

(vii) The entity shall require all contractors, subcontractors, successors in interest of the entity, and other entities that may acquire the entity, in the performance or acquisition of any applicable construction project, to have an explicit neutrality policy on any issue involving the organization of employees of the entity, and all contractors and subcontractors in the performance of any applicable construction project, for purposes of collective bargaining.

(viii) The entity shall require all contractors and subcontractors to participate in a registered apprenticeship program for each skilled craft employed on any applicable construction project.

(ix) The entity, and all contractors and subcontractors in the performance of any applicable construction project, shall not request or otherwise consider the criminal history of an applicant for employment before extending a conditional offer to the applicant, unless—

(I) a background check is otherwise required by law,

(II) the position is for a Federal law enforcement officer (as defined in section 115(c)(1) of title 18, United States Code) position, or

(III) the Secretary of Labor, after consultation with the Secretary of Energy, certifies that precluding criminal history prior to the conditional offer would pose a threat to national security.

(D) DAVIS-BACON ACT.—The Secretary of Labor shall have, with respect to the labor standards described in subparagraph (C)(i), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

(E) PERIOD OF VALIDITY FOR CERTIFICATIONS.—A certification made under this subsection shall be in effect for a period of 5 years. An entity may reapply to the Secretary of Labor for an additional certification under this subsection in accordance with the application process under paragraph (2)(B).

(F) REVOCATION OF QUALIFIED ENTITY STATUS.—The Secretary of Labor may revoke the certification of an entity under this subsection as a qualified entity at any time in which the Secretary reasonably determines the entity is no longer in compliance with paragraph (2)(C).

(G) CERTIFICATION MAY COVER MORE THAN 1 SUBSTANTIALLY SIMILAR PROJECT.—The Secretary of Labor may make certifications under this paragraph which apply with respect to more than 1 project if the projects to which such certification apply are substantially similar projects which meet the requirements of this subsection. Such projects

shall be treated as a specific construction project for purposes of paragraph (1)(C).

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for fiscal year 2020 and each fiscal year thereafter.

(b) JOBS IN ENERGY CREDIT.—

(1) IN GENERAL.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 48C the following new section:

“SEC. 48D. JOBS IN ENERGY CREDIT.

“(a) INVESTMENT CREDIT FOR QUALIFIED PROPERTY.—For purposes of section 46, the jobs in energy credit for any taxable year is an amount equal to 10 percent of the basis of any qualified energy property placed in service by the taxpayer during such taxable year if the installation of such property is performed by a qualified entity with respect to such property.

“(b) QUALIFIED ENERGY PROPERTY.—For purposes of this section, the term ‘qualified energy property’ means—

- “(1) energy property (as defined in section 48(a)(3)), or
- “(2) qualified property which is part of a qualified investment credit facility (as defined in section 48(a)(5) without regard to clause (a)(5)(C)(iii)) which is originally placed in service after December 31, 2020.

“(c) QUALIFIED ENTITY.—For purposes of this section—

“(1) IN GENERAL.—The term ‘qualified entity’ means, with respect to the installation of any qualified energy property, an entity which is certified by the Secretary of Labor as being in compliance with all of the applicable requirements under section 90443(a) of the GREEN Act of 2020 with respect to such installation at all times during the period beginning on the date on which the installation of such property begins and ending on the date on which such property is placed in service.

“(2) CERTIFICATION OF FACILITY REQUIRED.—In the case of any qualified property referred to in subsection (b)(2), an entity shall be treated as a qualified entity with respect to the installation of such property only if the Secretary of Labor has certified that the construction of the qualified investment credit facility of which such qualified property is a part as being in compliance with all of the applicable requirements under section 90443(a) of the GREEN Act of 2020 for the period referred to in paragraph (1).

“(d) SPECIAL RULES.—

“(1) CERTAIN PROGRESS EXPENDITURE RULES MADE APPLICABLE.—Rules similar to the rules of subsections (c)(4) and (d) of section 46 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990) shall apply for purposes of subsection (a).

“(2) SPECIAL RULE FOR PROPERTY FINANCED BY SUBSIDIZED ENERGY FINANCING OR INDUSTRIAL DEVELOPMENT BONDS.—For purposes of subsection (a), rules similar to the rules of section 48(a)(4) shall apply for purposes of determining the basis of any qualified energy property.

“(3) INSTALLATION INCLUDES ON-SITE CONSTRUCTION.—Any reference in this section to the installation of any property

shall include the construction of such property if such construction is performed on the site where such property is installed.

“(4) RECAPTURE.—If the Secretary of Labor revokes the certification of a qualified entity with respect to the installation of any property, the tax imposed under this chapter on the taxpayer to whom the credit determined under this section is allowed shall be increased for the taxable year which includes the date of such revocation by an amount equal to the aggregate decrease in the credits allowed under section 38 for all prior taxable years which would have resulted solely from reducing to zero any credit determined under this section with respect to such property.

“(5) ELECTION NOT TO HAVE SECTION APPLY.—This section shall not apply with respect to any taxpayer for any taxable year if such taxpayer elects (at such time and in such manner as the Secretary may prescribe) not to have this section apply.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 46 of such Code is amended by striking “and” at the end of paragraph (5), by striking the period at the end of paragraph (6) and inserting “, and”, and by adding at the end the following new paragraph:

“(7) the jobs in energy credit.”.

(B) Section 49(a)(1)(C) of such Code is amended by striking “and” at the end of clause (iv), by striking the period at the end of clause (v) and inserting a comma, and by adding at the end the following new clause:

“(vi) the basis of any qualified energy property under section 48D.”.

(C) Section 50(a)(2)(E) of such Code is amended by striking “ or 48C(b)(2)” and inserting “48C(b)(2), or 48D(d)(1)”.

(D) The table of sections for subpart E of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 48C the following new item:

“Sec. 48D. Jobs in energy credit.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to periods after December 31, 2020, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the of 1990).

(c) INCREASE IN ENERGY EFFICIENT COMMERCIAL BUILDING DEDUCTION FOR INSTALLATION BY QUALIFIED ENTITIES.—

(1) IN GENERAL.—Section 179D(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

“(7) ADJUSTMENT FOR QUALIFIED ENTITIES.—In the case of any energy efficient commercial building property which was installed (within the meaning of section 48D(d)(3)) by an entity which is certified by the Secretary of Labor as being in compliance with all of the applicable requirements under section 90443(a) of the GREEN Act of 2020 with respect to such installation, subsection (b)(1)(A) shall be applied by substituting “\$3.20” for “\$3”.”.

(2) CONFORMING AMENDMENT.—Section 179D(d)(1)(A) of such Code is amended by inserting “(or, in the case of property to

which paragraph (7) applies, by substituting ‘\$1.07’ for ‘\$3.20’ in such paragraph)’ before the period at the end.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property placed in service after December 31, 2020.

(d) INCREASE IN ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY CREDIT FOR INSTALLATION BY QUALIFIED ENTITIES.—

(1) IN GENERAL.—Section 30C(a), as amended by the preceding provisions of this Act, is amended by striking “plus” at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting “, plus”, and by adding at the end the following new paragraph:

“(3) in the case of any qualified alternative fuel vehicle refueling property which was installed (within the meaning of section 48D(d)(3)) by an entity which is certified by the Secretary of Labor as being in compliance with all of the applicable requirements under section 90443(a) of the GREEN Act of 2020 with respect to such installation, 10 percent of the amount of costs taken into account under paragraph (1) with respect to such property.”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property placed in service after December 31, 2020.

Page 2256, line 4, strike “placed in service in taxable years” and insert “financed by an obligation issued in calendar years”.

Page 2257, strike lines 1 through 3, and insert “are placed in service by the taxpayer after January 20, 2020.”.

Page 2273, beginning on line 3, strike “the Secretary of Housing and Urban Development” and insert “housing credit agencies”.

Page 2274, line 13, strike “the qualified allocation plan of”.

Page 2304, line 20, insert “Alaska Native” before “village members”.

Page 2309, after line 24, insert the following:

DIVISION N—RIGHTS FOR TRANSPORTATION SECURITY OFFICERS

SEC. 91001. SHORT TITLE.

This division may be cited as the “Rights for Transportation Security Officers Act of 2020”.

SEC. 91002. DEFINITIONS.

For purposes of this division—

(1) the term “adjusted basic pay” means—

(A) the rate of pay fixed by law or administrative action for the position held by a covered employee before any deductions; and

(B) any regular, fixed supplemental payment for non-overtime hours of work creditable as basic pay for retirement purposes, including any applicable locality payment and any special rate supplement;

(2) the term “Administrator” means the Administrator of the Transportation Security Administration;

(3) the term “covered employee” means an employee who holds a covered position;

- (4) the term “covered position” means a position within the Transportation Security Administration;
- (5) the term “conversion date” means the date as of which paragraphs (1) through (4) of section 91003(c) take effect;
- (6) the term “2019 Determination” means the publication, entitled “Determination on Transportation Security Officers and Collective Bargaining”, issued on July 13, 2019, by Administrator David P. Pekoske;
- (7) the term “employee” has the meaning given such term by section 2105 of title 5, United States Code;
- (8) the term “Secretary” means the Secretary of Homeland Security; and
- (9) the term “TSA personnel management system” means any personnel management system established or modified under—
 - (A) section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note); or
 - (B) section 114(n) of title 49, United States Code.

SEC. 91003. CONVERSION OF TSA PERSONNEL.

(a) RESTRICTIONS ON CERTAIN PERSONNEL AUTHORITIES.—Notwithstanding any other provision of law, effective as of the date of the enactment of this division—

- (1) any TSA personnel management system in use for covered employees and covered positions on the day before such date of enactment, and any TSA personnel management policy, letters, guideline, or directive in effect on such day may not be modified;
- (2) no TSA personnel management policy, letter, guideline, or directive that was not established before such date issued pursuant to section 111(d) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) or section 114(n) of title 49, United States Code, may be established; and
- (3) any authority to establish or adjust a human resources management system under chapter 97 of title 5, United States Code, shall terminate with respect to covered employees and covered positions.

(b) PERSONNEL AUTHORITIES DURING TRANSITION PERIOD.—Any TSA personnel management system in use for covered employees and covered positions on the day before the date of enactment of this division and any TSA personnel management policy, letter, guideline, or directive in effect on the day before the date of enactment of this division shall remain in effect until the effective date under subsection (c).

(c) TRANSITION TO GENERAL PERSONNEL MANAGEMENT SYSTEM APPLICABLE TO CIVIL SERVICE EMPLOYEES.—Effective as of the date determined by the Secretary, but in no event later than 180 days after the date of the enactment of this division—

- (1) each provision of law cited in section 91002(9) is repealed;
- (2) any TSA personnel management policy, letter, guideline, and directive, including the 2019 Determination, shall cease to be effective;
- (3) any human resources management system established or adjusted under chapter 97 of title 5, United States Code, with respect to covered employees or covered positions shall cease to be effective; and

(4) covered employees and covered positions shall be subject to the provisions of title 5, United States Code.

(d) **SAFEGUARDS ON GRIEVANCES.**—In carrying out this division, the Secretary shall take such actions as are necessary to provide an opportunity to each covered employee with a grievance or disciplinary action (including an adverse action) pending within TSA on the date of enactment of this division or at any time during the transition period described in subsection (c) to have such grievance removed to proceedings pursuant to title 5, United States Code, or continued within TSA.

SEC. 91004. TRANSITION RULES.

(a) **NONREDUCTION IN PAY AND COMPENSATION.**—Under pay conversion rules as the Secretary may prescribe to carry out this division, a covered employee converted from a TSA personnel management system to the provisions of title 5, United States Code, pursuant to section 91002(c)(4) shall not be subject to any reduction in the rate of adjusted basic pay payable, or total compensation provided, to such covered employee.

(b) **PRESERVATION OF OTHER RIGHTS.**—In the case of each covered employee as of the conversion date, the Secretary shall take any actions necessary to ensure that—

(1) any annual leave, sick leave, or other paid leave accrued, accumulated, or otherwise available to a covered employee immediately before the conversion date shall remain available to the employee until used; and

(2) the Government share of any premiums or other periodic charges under chapter 89 of title 5, United States Code, governing group health insurance shall remain at least the same as was the case immediately before the conversion date.

(c) **GAO STUDY ON TSA PAY RATES.**—Not later than the date that is 9 months after the date of enactment of this division, the Comptroller General shall submit a report to Congress on the differences in rates of pay, classified by pay system, between Transportation Security Administration employees—

(1) with duty stations in the contiguous 48 States; and
 (2) with duty stations outside of such States, including those employees located in any territory or possession of the United States.

(d) **RULE OF CONSTRUCTION.**—During the transition period and after the conversion date, the Secretary shall ensure that the Transportation Security Administration continues to prevent the hiring of individuals who have been convicted of a sex crime, an offense involving a minor, a crime of violence, or terrorism.

SEC. 91005. CONSULTATION REQUIREMENT.

(a) **EXCLUSIVE REPRESENTATIVE.**—The labor organization certified by the Federal Labor Relations Authority on June 29, 2011, or successor labor organization shall be treated as the exclusive representative of full- and part-time non-supervisory TSA personnel carrying out screening functions under section 44901 of title 49, United States Code, and shall be the exclusive representative for such personnel under chapter 71 of title 5, United States Code, with full rights under such chapter. Any collective bargaining agreement covering such personnel on the date of enactment of this division shall remain in effect, consistent with subsection (d).

(b) CONSULTATION RIGHTS.—Not later than 7 days after the date of the enactment of this division, the Secretary shall consult with the exclusive representative for the personnel described in subsection (a) under chapter 71 of title 5, United States Code, on the formulation of plans and deadlines to carry out the conversion of covered employees and covered positions under this division. Prior to the conversion date, the Secretary shall provide (in writing) to such exclusive representative the plans for how the Secretary intends to carry out the conversion of covered employees and covered positions under this division, including with respect to such matters as—

- (1) the anticipated conversion date; and
- (2) measures to ensure compliance with sections 91003 and 91004.

(c) REQUIRED AGENCY RESPONSE.—If any views or recommendations are presented under subsection (b) by the exclusive representative, the Secretary shall consider the views or recommendations before taking final action on any matter with respect to which the views or recommendations are presented and provide the exclusive representative a written statement of the reasons for the final actions to be taken.

(d) SUNSET PROVISION.—The provisions of this section shall cease to be effective as of the conversion date.

SEC. 91006. NO RIGHT TO STRIKE.

Nothing in this division shall be considered—

- (1) to repeal or otherwise affect—
 - (A) section 1918 of title 18, United States Code (relating to disloyalty and asserting the right to strike against the Government); or
 - (B) section 7311 of title 5, United States Code (relating to loyalty and striking); or
- (2) to otherwise authorize any activity which is not permitted under either provision of law cited in paragraph (1).

SEC. 91007. RULE OF CONSTRUCTION WITH RESPECT TO CERTAIN CRIMES RELATING TO TERRORISM.

Nothing in this division may be construed to contradict chapter 113B of title 18, United States Code, including with respect to—

- (1) section 2332b (relating to acts of terrorism transcending national boundaries);
- (2) section 2339 (relating to harboring or concealing terrorists); and
- (3) section 2339A (relating to providing material support to terrorists).

SEC. 91008. REPORT BY GAO REGARDING TSA RECRUITMENT.

Not later than 1 year after the date of the enactment of this division, the Comptroller General of the United States shall submit to Congress a report on the efforts of the Transportation Security Administration regarding recruitment, including recruitment efforts relating to veterans and the dependents of veterans and members of the Armed Forces and the dependents of such members. Such report shall also include recommendations regarding how the Administration may improve such recruitment efforts.

SEC. 91009. SENSE OF CONGRESS.

It is the sense of Congress that the Transportation Security Administration's personnel system provides insufficient benefits and workplace protections to the workforce that secures the nation's transportation systems and that the Transportation Security Administration's workforce should be provided protections and benefits under title 5, United States Code.

SEC. 91010. ASSISTANCE FOR FEDERAL AIR MARSHAL SERVICE.

The Administrator of the Transportation Security Administration shall engage and consult with public and private entities associated with the Federal Air Marshal Service to address concerns regarding Federal Air Marshals related to the following:

- (1) Mental health.
- (2) Suicide rates.
- (3) Morale and recruitment.
- (4) Any other personnel issues the Administrator determines appropriate.

SEC. 91011. PROHIBITION ON CERTAIN SOCIAL MEDIA APPLICATION.

Beginning on the date of the enactment of this division, covered employees may not use or have installed on United States Government-issued mobile devices the social media video application known as "TikTok" or any successor application.

SEC. 91012. VETERANS HIRING.

The Secretary shall prioritize the hiring of veterans, including disabled veterans, and other preference eligible individuals, including widows and widowers of veterans, as defined in section 2108 of title 5, United States Code, for covered positions.

SEC. 91013. PREVENTION AND PROTECTION AGAINST CERTAIN ILLNESS.

The Administrator of the Transportation Security Administration, in coordination with the Director of Centers for Disease Control and Prevention and the Director of the National Institute of Allergy and Infectious Diseases, shall ensure that covered employees are provided proper guidance regarding prevention and protections against coronavirus, including appropriate resources.

DIVISION O—AGRICULTURE INFRASTRUCTURE IMPROVEMENTS

SEC. 92001. REFORESTATION TRUST FUND.

Section 303(b)(2) of Public Law 96–451 (16 U.S.C. 1606a(b)(2)) is amended by striking "\$30,000,000" and inserting "\$60,000,000".

DIVISION P—BUDGETARY EFFECTS

SEC. 93001. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of each division of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of each division of this Act shall not be entered on any PAYGO scorecard

maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

PART B—TEXT OF AMENDMENTS TO H.R. 2 MADE IN ORDER EN BLOC

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ADAMS OF NORTH CAROLINA OR HER DESIGNEE

Page 838, line 22, strike “2” and insert “4”.

Page 838, beginning on line 23, strike “minority institutions, as such term is defined in section 365 of the Higher Education Act of 1965 (20 U.S.C. 1067k)” and insert “historically black colleges and universities and other minority-serving institutions, as defined in section 371(a) of the Higher Education Act (20 U.S.C. 1067q)”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE AGUILAR OF CALIFORNIA OR HIS DESIGNEE

Page 333, line 16, strike “or”.

Page 333, after line 16, insert the following:

(4) a special purpose district or public authority with a transportation function, including a port authority; or

Page 333, line 17, strike “(4)” and insert “(5)”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE AGUILAR OF CALIFORNIA OR HIS DESIGNEE

Page 253, line 5, insert “, including local pollution derived from vehicles idling at railway crossings” after “pollution”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRINDISI OF NEW YORK OR HIS DESIGNEE

Page 611, line 5, insert “and hybrid electric buses, that make meaningful reductions in energy consumption and harmful emissions, including direct carbon emissions,” after “vehicles”.

Page 613, line 22, insert “and hybrid electric buses, that make meaningful reductions in energy consumption and harmful emissions, including direct carbon emissions,” before “shall not”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CICILLINE OF RHODE ISLAND OR HIS DESIGNEE

Page 872, after line 24, insert the following:

SEC. 5110. INTERAGENCY INNOVATIVE MATERIALS STANDARDS TASK FORCE.

(a) PURPOSES.—The purposes of this section shall be—

(1) to encourage the research, design, and use of innovative materials, in concert with traditional materials, and associated techniques in the construction and preservation of the domestic infrastructure network;

(2) to accelerate the deployment and extend the service life, improve the performance, and reduce the cost of infrastructure projects; and

(3) to improve the economy, resilience, maintainability, sustainability, and safety of the domestic infrastructure network.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall establish an Interagency Innovative Materials Standards Task Force (referred to in this section as the “Task Force”) composed of the heads of Federal agencies responsible for significant civil infrastructure projects, including the Administrator of the Federal Highway Administration.

(2) CHAIRPERSON.—The Director of the National Institute of Standards and Technology shall serve as Chairperson of the Task Force.

(c) DUTIES.—The Task Force shall coordinate and improve, with respect to infrastructure construction, retrofitting, rehabilitation, and other improvements—

- (1) Federal testing standards;
- (2) Federal design and use guidelines;
- (3) Federal regulations; and
- (4) other applicable standards and performance and sustainability metrics.

(d) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Task Force shall conduct, and submit to the appropriate committees of Congress a report that describes the results of, a study—

(A) to assess the standards and performance metrics for the use of innovative materials in infrastructure projects;

(B) to identify any barriers, regulatory or otherwise, relating to the standards described in subparagraph (A) that preclude the use of certain products or associated techniques; and

(C) to identify opportunities for the development of standardized designs and materials genome approaches that design and use innovative materials to reduce costs, improve performance and sustainability, and extend the service life of infrastructure assets.

(2) REPORT.—The report under paragraph (1) shall—

(A) identify any non-Federal entities or other organizations, including the American Association of State Highway and Transportation Officials, that develop relevant standards; and

(B) outline a strategy to improve coordination and information sharing between the entities described in subparagraph (A) and any relevant Federal agencies.

(e) IMPROVED COORDINATION.—Not later than 2 years after the date of enactment of this Act, the Task Force shall collaborate with any non-Federal entity identified under subsection (d)(2)(A)—

(1) to identify and carry out appropriate research, testing methods, and processes relating to the development and use of innovative materials;

(2) to develop new methods and processes relating to the development and use of innovative materials, as the applicable agency head determines to be necessary;

(3) to contribute to the development of standards, performance metrics, and guidelines for the use of innovative materials and approaches in civil infrastructure projects;

(4) to develop a plan for addressing potential barriers, regulatory or otherwise, identified in subsection (d)(1)(B); and

(5) to develop a plan for the development of standardized designs that use innovative materials to reduce costs, improve performance and sustainability, and extend the service life of infrastructure assets.

(f) INNOVATIVE MATERIAL DEFINED.—In this section, the term “innovative material”, with respect to an infrastructure project, includes those materials or combinations and processes for use of materials that enhance the overall service life, sustainability, and resiliency of the project or provide ancillary benefits relative to widely adopted state of practice technologies, as determined by the appropriate Secretary or agency head.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRIST OF FLORIDA OR HIS DESIGNEE

Page 635, after line 24, insert the following (and redesignate subsequent paragraphs accordingly):

(2) in subsection (b)(2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by adding at the end the following:

“(D) in consultation with the Secretary of the Department of Health and Human Services, precautionary and reactive actions required to ensure public and personnel safety and health during an emergency as defined in section 5324.”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRIST OF FLORIDA OR HIS DESIGNEE

Page 636, line 9, strike “and fatalities,” and insert “fatalities, and, consistent with guidelines by the Centers for Disease Control and Prevention, infectious diseases.”.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUNNINGHAM OF SOUTH CAROLINA OR HIS DESIGNEE

Page 166, line 1, strike “or national security functions” and insert “national security functions, or critical infrastructure”.

Page 168, line 24, insert “, access to health care and public health facilities,” after “evacuation”.

Page 172, line 13, insert “, access to health care and public health facilities,” after “evacuation”.

Page 175, line 21, insert “, access to health care and public health facilities,” after “evacuation”.

Page 179, line 3, insert “, access to health care and public health facilities,” after “evacuation”.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ESCOBAR OF TEXAS OR HER DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. STUDY ON COLONIAS.

(a) **IN GENERAL.**—The Secretary of Transportation shall carry out a study on the infrastructure state of colonias, including surface, transit, water, and broadband infrastructure of such colonias.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit 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 describing the results of the study under subsection (a), including any recommendations for congressional action on colonias.

(c) **COLONIAS DEFINED.**—In this section, the term “colonias” has the meaning given the term in section 509(f)(8) of the Housing Act of 1949 (42 U.S.C. 1479(f)(8)).

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ESCOBAR OF TEXAS OR HER DESIGNEE

At the end of division H, add the following:

SEC. _____. COLONIAS STATE OF GOOD REPAIR GRANT PROGRAM.

(a) **IN GENERAL.**—The Secretary of Transportation shall establish a state of good repair surface transportation grant program to provide grants that increase the state of good repair for surface infrastructure in and around colonias.

(b) **ELIGIBLE ENTITIES.**—The following entities are eligible to receive a grant under this section:

- (1) States.
- (2) Metropolitan planning organizations.
- (3) Units of local government.
- (4) Federal land management agencies.
- (5) Tribal governments.

(c) **COLONIA DEFINED.**—In this section, the term “colonia” means any identifiable community that—

(1) is in the State of Arizona, California, New Mexico, or Texas;

(2) is in the area of the United States within 150 miles of the border between the United States and Mexico, except that the term does not include any standard metropolitan statistical area that has a population exceeding 1,000,000;

(3) is determined to be a colonia on the basis of objective criteria, including lack of potable water supply, lack of adequate sewage systems, and lack of decent, safe, and sanitary housing; and

(4) was in existence as a colonia before November 28, 1990.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$10,000,000 for each of fiscal years 2022 through 2025 to carry out this section.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ESHOO OF CALIFORNIA OR HER DESIGNEE

Page 305, line 22, strike “or”.

Page 306, line 2, insert “or” at the end.

Page 306, after line 2, insert the following:

“(cc) to provide charging stations that support charging needs for current and future vehicles and minimize future upgrade costs;

Page 306, line 5, insert “, including faster charging speeds” before the semicolon.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FINKENAUER OF IOWA OR HER DESIGNEE

Page 157, after line 23, insert the following:

SEC. 1118. ADDITIONAL SUPPORT TO REBUILD RURAL COMMUNITIES.

To carry out section 1307 of this Act, there are authorized to be appropriated \$100,000,000 for fiscal year 2023 and \$50,000,000 for fiscal year 2024.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARCÍA OF ILLINOIS OR HIS DESIGNEE

Page 891, line 14, insert “systems” after “transportation”.

Page 891, line 16, insert “air quality and climate, energy consumption,” after “jobs.”

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JAYAPAL OF WASHINGTON OR HER DESIGNEE

Page 483, after line 7, insert the following:

(7) Labor and workforce needs to implement climate-resilient transportation infrastructure projects including new and emerging skills, training programs, competencies and recognized postsecondary credentials that may be required to adequately equip the workforce.

Page 484, line 19, strike “and”.

Page 484, line 25, strike the period and insert “; and”.

Page 484, after line 25, insert the following:

(9) the occupations, skillsets, training programs, competencies and recognized postsecondary credentials that will be needed to implement such climate-resilient transportation infrastructure projects, and how to ensure that any new jobs created by such projects ensure that priority hiring considerations are given to individuals facing barriers to employment, communities of color, low-income communities and tribal communities that face a disproportionate risk from climate change and have been excluded from job opportunities.

Page 486, line 2, strike “and”.

Page 486, line 4, strike the period and insert “; and”.

Page 486, after line 4, insert the following:

(J) representatives of labor unions that represent key trades and industries involved in infrastructure projects.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JAYAPAL OF WASHINGTON OR HER DESIGNEE

Page 925, line 4, strike “; and” and insert “with expertise in personal privacy”.

Page 925, line 6, strike the period and insert “; and”.

Page 925, after line 6, insert the following:

(F) consumer advocates.

Page 925, line 17, insert “, and information related to consumer privacy” before the period.

Page 927, line 15, strike “and”.

Page 927, line 19, strike the period and insert “; and”.

Page 927, after line 19, insert the following:

(4) how the personal privacy of volunteers was maintained.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KEATING OF MASSACHUSETTS OR HIS DESIGNEE

Page 279, after line 7, insert the following:

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

Page 287, line 24, insert “, including the Army Corps of Engineers, Bureau of Reclamation, and the Bureau of Land Management,” after “204”.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KEATING OF MASSACHUSETTS OR HIS DESIGNEE

Page 399, line 12, insert “, including the Army Corps of Engineers, Bureau of Reclamation, and the Bureau of Land Management,” after “204”.

Page 399, line 15, strike “Federal lands transportation facility” and insert “highway, bridge, or other transportation facility for which title and maintenance responsibility is vested in the Federal Government”.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMB OF PENNSYLVANIA OR HIS DESIGNEE

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

SEC. ____ . OPERATION OF SMALL COMMERCIAL VEHICLES STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall initiate a review of the prevalence of, characteristics of, and safe operation of commercial vehicles that have a gross vehicle weight rating or gross vehicle weight below 10,000 pounds, and are utilized in package delivery of goods moving in interstate commerce.

(b) INDEPENDENT RESEARCH.—If the Secretary decides to enter into a contract with a third party to perform the research required under subsection (a), the Secretary shall—

(1) solicit applications from research institutions that conduct objective, fact-based research to conduct the study; and

- (2) ensure that such third party does not have any financial or contractual ties with an entity engaged in interstate commerce utilizing commercial vehicles or commercial motor vehicles.
- (c) ENTITIES INCLUDED.—As part of the review, the Secretary shall collect information from a cross-section of companies that use fleets of such vehicles for package delivery in interstate commerce, including companies that—
- (1) directly perform deliveries; use contracted entities to perform work; and
 - (2) utilize a combination of direct deliveries and contract entities.
- (d) EVALUATION FACTORS.—The review shall include an evaluation of the following:
- (1) Fleet characteristics, including fleet structure, and vehicle miles traveled.
 - (2) Fleet management, including scheduling of deliveries and maintenance practices.
 - (3) Driver employment characteristics, including the basis of compensation and classification.
 - (4) How training, medical fitness, hours on duty, and safety of drivers is evaluated and overseen by companies, including prevention of occupational injuries and illnesses.
 - (5) Safety performance metrics, based on data associated with the included entities, including crash rates, moving violations, failed inspections, and other related data points.
 - (6) Financial responsibility and liability for safety or maintenance violations among companies, fleet managers, and drivers.
 - (7) Loading and unloading practices, and how package placement in the vehicle is determined.
 - (8) Other relevant information determined necessary by the Secretary in order to make recommendations under subsection (e).
- (e) REPORT AND RECOMMENDATIONS.—Upon completion of the review, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce of the Senate a report containing—
- (1) the findings of the Secretary on each of the factors in (d);
 - (2) a list of regulations applicable to commercial motor vehicles and commercial motor vehicle operators that are not applicable to commercial vehicle operations described in this section; and
 - (3) recommendations, based on the findings, on changes to laws or regulations at the Federal, State, or local level to promote safe operations and safe and fair working conditions for commercial vehicle operators.

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LARSEN
OF WASHINGTON OR HIS DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. GAO STUDY ON CAPITAL NEEDS OF PUBLIC FERRIES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the capital investment needs of United States public ferries and how Federal funding programs are meeting such needs.

(b) CONSIDERATIONS.—In carrying out the study under subsection (a), the Comptroller General shall examine the feasibility of including United States public ferries in the conditions and performance report of the Department of Transportation.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report describing the results of the study described in subsection (a), including any recommendations for how to include ferries in the conditions and performance report of the Department of Transportation.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEVIN OF MICHIGAN OR HIS DESIGNEE

Page 302, line 16, insert “environmental and environmental justice organizations,” after “organizations.”

Page 306, line 16, strike “and” at the end.

Page 306, line 24, strike “and” at the end.

Page 306, after line 24, insert the following:

“(vii) plans for the use of renewable energy sources or zero emissions energy sources for the charging or fueling infrastructure; and

“(viii) provide publicly available electric vehicle charging placement and construction in communities in which climate change, pollution, or environmental destruction have exacerbated systemic racial, regional, social, environmental, and economic injustices by disproportionately affecting indigenous peoples, communities of color, migrant communities, deindustrialized communities, depopulated rural communities, the poor low income workers, women, the elderly, the unhoused, individuals with disabilities, or youth; and”.

Page 312, line 6, strike the closing quotation marks and second period and insert the following:

“(9) STUDY BY THE NATIONAL ACADEMIES.—

“(A) IN GENERAL.—The Secretary shall seek to enter into an agreement with the National Academies for the Transportation Research Board of the National Academy of Sciences shall—

“(i) conduct a study on options for financing the placement of a national network of publicly available EV charging infrastructure along all eligible roads on the National Highway System that includes consideration of financial instruments and optimization of public-private partnerships; and

“(ii) conduct a study to determine the maximum distance allowable between publicly available EV charging infrastructure, such that—

“(I) a driver starting at any point along an eligible road on the National Highway System within

the continental United States can drive to any other point along an eligible road on the National Highway System without running out of a charging power; and

“(II) a driver starting at any point along an eligible road on the National Highway System within Hawaii, Alaska, or Puerto Rico can drive to any other point along an eligible road on the National Highway System within that same state or territory without running out of charging power.

“(B) SUBMISSION TO CONGRESS.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall submit to Congress the results of the studies commissioned under subparagraph (A).”.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS OF GEORGIA OR HIS DESIGNEE

Page 268, after line 14, insert the following:

SEC. 1217. NOISE BARRIERS.

(a) PERMITTING USE OF HIGHWAY TRUST FUND FOR CONSTRUCTION OF CERTAIN NOISE BARRIERS.—Section 339(b)(1) of the National Highway System Designation Act of 1995 (23 U.S.C. 109 note) is amended to read as follows:

“(1) GENERAL RULE.—No funds made available out of the Highway Trust Fund may be used to construct a Type II noise barrier (as defined by section 772.5(I) of title 23, Code of Federal Regulations) pursuant to subsections (h) and (I) of section 109 of title 23, United States Code, unless—

“(A) such a barrier is part of a project approved by the Secretary before November 28, 1995; or

“(B) such a barrier separates a highway or other noise corridor from a group of structures of which the majority of those closest to the highway or noise corridor—

“(i) are residential in nature; and
“(ii) either—

“(I) were constructed before the construction or most recent widening of the highway or noise corridor; or

“(II) are at least 10 years old.”.

(b) ELIGIBILITY FOR SURFACE TRANSPORTATION BLOCK GRANT FUNDS.—Section 133 of title 23, United States Code, is amended—

(1) in subsection (b) by adding at the end the following:

“(20) Planning, design, or construction of a Type II noise barrier (as described in section 772.5 of title 23, Code of Federal Regulations).”; and

(2) in subsection (c)(2) by inserting “and paragraph (20)” after “(11)”.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LURIA OF VIRGINIA OR HER DESIGNEE

Page 658, line 24, strike the first period through the second period and insert a period.

Page 658, after line 24, insert the following:

“(h) PRIORITY FOR LOW-INCOME AREAS.—In awarding grants under this section, the Secretary shall give priority to projects under this section that expand or build transit in low-income areas or that provide access to public transportation to low-income areas that do not have access to public transportation.”.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG OF NEW YORK OR HER DESIGNEE

At the end of division H insert the following:

SEC. 40002. ACCESSIBILITY OF PUBLIC TRANSPORTATION FOR PREGNANT WOMEN.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation shall submit to Congress a report that includes—

- (1) a description of the unique challenges that pregnant women face when riding public transportation; and
 - (2) an assessment of how accessible public transportation that receives Federal funds is for pregnant women.
-

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG OF NEW YORK OR HER DESIGNEE

Page 633, line 10, strike “and”.

Page 634, line 9, strike the period and insert “; and”.

Page 634, after line 9, insert the following:

“(IX) providing culturally competent training and educational programs to all who participate, regardless of gender, sexual orientation, or gender identity, including those with limited English proficiency, diverse cultural and ethnic backgrounds, and disabilities.”.

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG OF NEW YORK OR HER DESIGNEE

Page 718, line 15, after “the driver” insert the following: “and the officer”.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MOORE OF WISCONSIN OR HER DESIGNEE

Page 407, line 17, strike “; and” and insert a semicolon.

Page 407, line 22, strike “.” and insert “; and”.

Page 407, after line 22, insert the following:

“(F) ensure that Department programs have in place, implement, and enforce requirements and obligations for regular and meaningful consultation and collaboration with Tribes and Tribal officials under Executive Order 13175 and to serve as the primary advisor to the Secretary and other Department components regarding violations of those requirements.”.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MORELLE OF NEW YORK OR HIS DESIGNEE

Page 705, after line 6, insert the following:

SEC. 2917. BEST PRACTICES FOR THE APPLICATION OF NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 TO FEDERALLY FUNDED BUS SHELTERS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue best practices on the application of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to federally funded bus shelters to assist recipients of Federal funds in receiving exclusions permitted by law.

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MURPHY OF FLORIDA OR HER DESIGNEE

Page 118, after line 22, insert the following:

(d) IMPROVING RISK BASED STEWARDSHIP AND OVERSIGHT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall reference U.S. DOT Office of Inspector General Report No. ST2020035 and take the following actions to improve the risk based stewardship and oversight of the Department of Transportation:

(1) Update and implement Federal Highway Administration's (FHWA) guidance for risk-based project involvement to clarify the requirements for its project risk-assessment process, including expectations for conducting and documenting the risk assessment and criteria to guide the reevaluation of project risks.

(2) Identify and notify Divisions about sources of information that can inform the project risk-assessment process.

(3) Update and implement FHWA's guidance for risk-based project involvement to clarify how the link between elevated risks and associated oversight activities, changes to oversight actions, and the results of its risk-based involvement should be documented in project oversight plans.

(4) Develop and implement a process to routinely monitor the implementation and evaluate the effectiveness of FHWA's risk-based project involvement.

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NAPOLITANO OF CALIFORNIA OR HER DESIGNEE

Strike section 1604 of the bill (and redesignate the subsequent sections accordingly).

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NORCROSS OF NEW JERSEY OR HIS DESIGNEE

Page 469, after line 21, insert the following (and redesignate accordingly):

(G) Labor organizations.

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OMAR OF MINNESOTA OR HER DESIGNEE

Page 61, after line 18, insert the following:

SEC. 107. ACCESSIBILITY OF PUBLIC TRANSPORTATION FOR RESIDENTS OF AREAS OF CONCENTRATED POVERTY.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Transportation shall submit to Congress a report that includes—

- (1) a description of the unique challenges that residents of areas of concentrated poverty face when riding public transportation; and
 - (2) an assessment of how accessible public transportation that receives Federal funds is for residents of areas of concentrated poverty.
-

32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PETERS OF CALIFORNIA OR HIS DESIGNEE

Page 554, after line 8, insert the following:

SEC. 2113. HOLD HARMLESS.

Notwithstanding any other provision of law, for fiscal years 2021 and 2022, the Secretary of Transportation shall allow project sponsors, at the request of such sponsor, to submit ridership and service data and projections collected before January 20, 2020 and projections based on that data to determine project eligibility under section 5309 of title 49, United States Code.

33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PORTER OF CALIFORNIA OR HER DESIGNEE

Page 930, after line 7, insert the following (and redesignate accordingly):

- (2) To identify the impact that commercial vehicle sizing, design, and safety measures have on women in comparison to men, and to identify designs that may improve the health and safety of women drivers.
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34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUIZ OF CALIFORNIA OR HIS DESIGNEE

Page 801, after line 4, insert the following (and redesignate the subsequent subsection accordingly):

(e) **SCHOOL BUS TEMPERATURE SAFETY STUDY AND REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall study and issue a report on the safety implications of temperature controls in school buses. The study and report shall include—

- (1) an analysis of the internal temperature in school buses without air condition in weather between 80 and 110 degrees Fahrenheit;
- (2) the collection and analysis of data on temperature-related injuries to students, including heatstroke and dehydration;

- (3) the collection of data on how many public school districts currently operate buses without air conditioning; and
 - (4) recommendations for preventing heat related illnesses for children on school buses.
-

35. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCHRIER OF WASHINGTON OR HER DESIGNEE

Page 609, after line 13, insert the following:

SEC. 2308. SPARE RATIO WAIVER.

Section 5323 of title 49, United States Code, is further amended by adding at the end the following:

“(z) SPARE RATIO WAIVER.—The Federal Transit Administration shall waive spare ratio policies for rolling stock found in FTA Grant Management Requirements Circular 5010.1, FTA Circular 9030.1 providing Urbanized Area Formula Program guidance, and other guidance documents for 2 years from the date of enactment of this Act.”.

36. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCOTT OF VIRGINIA OR HIS DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. USE OF MODELING AND SIMULATION TECHNOLOGY.

It is the sense of Congress that the Department should utilize, to the fullest and most economically feasible extent practicable, modeling and simulation technology to analyze highway and public transportation projects authorized by this Act to ensure that these projects—

- (1) will increase transportation capacity and safety, alleviate congestion, and reduce travel time and environmental impacts; and
 - (2) are as cost effective as practicable.
-

37. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPEIER OF CALIFORNIA OR HER DESIGNEE

Page 628, line 22, strike “or” at the end.

Page 629, after line 2, insert the following:

(VII) a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a); or

38. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SWALWELL OF CALIFORNIA OR HIS DESIGNEE

Page 74, line 21, insert “or exercising an option on a previously awarded contract,” after “awarding”.

39. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TITUS OF NEVADA OR HER DESIGNEE

On Page 724, after line 2, insert the following (and redesignate subsequent paragraphs accordingly):

- (3) in subsection (b)(3) by adding at the end the following:
- “(C) MINIMUM AMOUNT.—A State that is eligible for funds under subparagraph (B), shall use a minimum of 10 percent of such funds to carry out the activities under paragraph (4)(A)(v).”;
-

40. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TITUS OF NEVADA OR HER DESIGNEE

Page 740, line 15, strike “and”.

Page 740, after line 15, insert the following:

- (8) by amending subsection (h)(4) to read as follows:

“(4) USE OF GRANT AMOUNTS.—Grant funds received by a State under this subsection may be used for the safety of pedestrians and bicyclists, including—

“(A) training of law enforcement officials on pedestrian and bicycle safety, State laws applicable to pedestrian and bicycle safety, and infrastructure designed to improve pedestrian and bicycle safety;

“(B) carrying out a program to support enforcement mobilizations and campaigns designed to enforce State traffic laws applicable to pedestrian and bicycle safety;

“(C) public education and awareness programs designed to inform motorists, pedestrians, and bicyclists about—

“(i) pedestrian and bicycle safety, including information on nonmotorized mobility and the important of speed management to the safety of pedestrians and bicyclists;

“(ii) the value of the use of pedestrian and bicycle safety equipment, including lighting, conspicuity equipment, mirrors, helmets and other protective equipment, and compliance with any State or local laws requiring their use;

“(iii) State traffic laws applicable to pedestrian and bicycle safety, including motorists’ responsibilities towards pedestrians and bicyclists; and

“(iv) infrastructure designed to improve pedestrian and bicycle safety; and

“(D) data analysis and research concerning pedestrian and bicycle safety; and”.

Page 740, line 16, strike “(8)” and insert “(9)”.

41. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TLAIB OF MICHIGAN OR HER DESIGNEE

Page 483, after line 7, insert the following:

(7) Outlining how Federal infrastructure planning, design, engineering, construction, operation, and maintenance impact the environment and public health of disproportionately exposed communities. For purposes of this paragraph, the term “disproportionately exposed communities” means a community in which climate change, pollution, or environmental destruction have exacerbated systemic racial, regional, social, environmental, and economic injustices by disproportionately affecting indigenous peoples, communities of color, migrant commu-

nities, deindustrialized communities, depopulated rural communities, the poor, low-income workers, women, the elderly, people experiencing homelessness, people with disabilities, people who are incarcerated, or youth.

42. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TLAIB OF MICHIGAN OR HER DESIGNEE

Page 319, line 22, strike the closing quotation marks and the second period.

Page 319, after line 22, insert the following:

“(m) PUBLIC COMMENT.—Prior to issuing the notice of funding opportunity for funding under this section for fiscal year 2022, the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall solicit public comment on the method of determining the significant reduction in greenhouse gas emissions required under subsection (e).

“(n) CONSULTATION.—Prior to making an award under this section in a given fiscal year, the Secretary shall consult with the Administrator of the Environmental Protection Agency to determine which projects are expected to yield a significant reduction in greenhouse gas emissions as required under subsection (e).”.

43. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TORRES OF CALIFORNIA OR HER DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. GAO STUDY ON PER-MILE USER FEE EQUITY.

(a) ESTABLISHMENT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall carry out a study on the impact of equity issues associated with per-mile user fee funding systems on the surface transportation system.

(b) CONTENTS.—The study under subsection (a) shall include the following with respect to per-mile user fee systems:

(1) The financial, social, and other impacts of per-mile user fee systems on individuals, including both men and women drivers, low-income individuals, and individuals of different races;

(2) The impact that access to alternative modes of transportation, including public transportation, has in carrying out per-mile user fee systems;

(3) The ability to access jobs and services, which may include healthcare facilities, child care, education and workforce training, food sources, banking and other financial institutions, and other retail shopping establishments;

(4) Equity issues for low-income individuals in urban and rural areas; and

(5) Any differing impacts on passenger vehicles and commercial vehicles.

(c) INCLUSIONS.—In carrying out the study under subsection (a), the Comptroller General shall include an analysis of the following programs:

- (1) The State surface transportation system funding pilot program under section 6020 of the FAST Act; and
 - (2) The national surface transportation system funding pilot under section 5402 of this Act.
- (d) REPORT.—Not later than 2 years after the date of the enactment after this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, and make publicly available, a report containing the results of the study under subsection (a), including recommendations for how to equitably implement per-mile user fee systems.
- (e) DEFINITIONS.—
- (1) PER-MILE USER FEE.—The term “per-mile user fee” means a revenue mechanism that—
 - (A) is applied to road users operating motor vehicles on the surface transportation system; and
 - (B) is based on the number of vehicle miles traveled by an individual road user.
 - (2) COMMERCIAL VEHICLE.—The term “commercial vehicle” has the meaning given the term commercial motor vehicle in section 31101 of title 49, United States Code.
- Page 925, line 4, strike “and” at the end.
 Page 925, line 6, strike the period at the end and insert “and”.
 Page 925, after line 6, insert the following:
 (F) advocacy groups focused on equity.
 Page 927, line 15, strike “and” at the end.
 Page 927, line 19, strike the period at the end and insert “; and”.
 Page 927, after line 19, insert the following:
 (4) equity effects of the pilot program, including the effects of the program on low-income commuters.
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**44. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TORRES
OF CALIFORNIA OR HER DESIGNEE**

Page 499, after line 22, add the following:

**SEC. 163. GAO REVIEW OF EQUITY CONSIDERATIONS AT STATE
DOTS.**

(a) REVIEW REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall undertake a review of the extent to which State departments of transportation have in place best practices, standards, and protocols designed to ensure equity considerations in transportation planning, project selection, and project delivery, including considerations of the diverse transportation needs of low-income populations, minority populations, women, and other diverse populations.

(b) EVALUATION.—After the completion of the review under subsection (a), the Comptroller General shall issue and make available on a publicly accessible Website a report detailing—

- (1) findings based on the review in subsection (a);
- (2) a comprehensive set of recommendations for State departments of transportation to improve equity considerations, which may include model legislation, best practices, or guidance; and

(3) any recommendations to Congress for additional statutory authority needed to support State department of transportation efforts to incorporate equity considerations into transportation planning, project selection, and project delivery.

(c) REPORT.—After completing the review and evaluation required under subsections (a) and (b), and not later than 2 years after the date of enactment of this Act, the Comptroller General shall make available on a publicly accessible Website, a report that includes—

(1) findings based on the review conducted under subsection (a);

(2) the outcome of the evaluation conducted under subsection (b);

(3) a comprehensive set of recommendations to improve equity considerations in the public transportation industry, including recommendations for statutory changes if applicable; and

(4) the actions that the Secretary of Transportation could take to effectively address the recommendations provided under paragraph (3).

Page 872, after line 24, add the following:

SEC. 511. TRANSPORTATION EQUITY RESEARCH PROGRAM.

(a) IN GENERAL.—The Secretary of Transportation shall carry out a transportation equity research program for research and demonstration activities that focus on the impacts that surface transportation planning, investment, and operations have on low-income populations, minority populations, women, and other underserved populations that may be dependent on public transportation. Such activities shall include research on surface transportation equity issues, the development of strategies to advance economic and community development in public transportation-dependent populations, and the development of training programs that promote the employment of low-income populations, minority populations, women, and other underserved populations on Federal-aid transportation projects constructed in their communities.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2022 through 2025.

(c) AVAILABILITY OF AMOUNTS.—Amounts made available to the Secretary to carry out this section shall remain available for a period of 3 years beginning after the last day of the fiscal year for which the amounts are authorized.

Page 934, after line 19, add the following:

SEC. 550. GAO REVIEW OF DISCRETIONARY GRANT PROGRAMS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Appropriations and Committee on Transportation and Infrastructure of the House of Representatives and the Committees on Environment and Public Works; Appropriations; Banking, Housing, and Urban Affairs; and Commerce, Science, and Transportation of the Senate a review of the extent to which the Secretary is considering the needs of and awarding funding through covered discretionary grant programs to projects that serve—

- (1) (A) low-income communities;
- (2) minority communities; and
- (3) populations that are underserved or have limited transportation choices, including women.

(b) RECOMMENDATIONS.—The Comptroller General shall include as part of the review under subsection (a) recommendations to the Secretary on possible means to improve consideration of projects that serve the unique needs of communities described in subsection (a)(1).

(c) DEFINITION OF COVERED DISCRETIONARY GRANT PROGRAM.—For purposes of this section, the term “covered discretionary grant programs” means the Projects of National and Regional Significance program under section 117 of title 23, the Community Transportation Investment Grant program under section 173 of such title, the Community Climate Innovation Grant program under section 172 of such title, and the grants for fueling and charging infrastructure under section 151 of such title.

45. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VELÁZQUEZ OF NEW YORK OR HER DESIGNEE

Page 626, after line 25, insert the following:

“(E) A plan for a public awareness campaign of the transit agency’s ability to provide reduced fares, including in foreign languages, based on—

“(i) data from the Bureau of the Census and be consistent with the local area demographics where the transit agency operates and will include the languages that are most prevalent and commonly requested for translation services; or

“(ii) qualitative and quantitative observation from community service providers including those that provide health and mental health services, social services, transportation, and other relevant social services.

Page 627, after line 19, insert the following:

“(7) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the eligibility of an applicant if a State, local, or Tribal governmental entity provides reduced fair transportation to low-income individuals.

Page 627, line 11, strike “(7)” and insert “(8)”.

Page 629, line 11, strike “(8)” and insert “(9)”.

PART C—TEXT OF AMENDMENTS TO H.R. 2 MADE IN ORDER EN BLOC

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUELLAR OF TEXAS OR HIS DESIGNEE

Page 1082, line 3, insert “the challenges of grade crossings located near international borders,” after “crossing closures.”

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARCÍA OF ILLINOIS OR HIS DESIGNEE

At the end of division H, add the following new section:

SEC. 40101. REQUIREMENTS FOR OWNERS AND OPERATORS OF EQUIPMENT OR FACILITIES USED BY PASSENGER OR FREIGHT TRANSPORTATION EMPLOYERS.

(a) **DEFINITIONS.**—In this section:

- (1) **AT-RISK EMPLOYEE.**—The term “at-risk employee” means an employee (including a Federal employee) or contractor of a passenger or freight transportation employer—
 - (A) whose job responsibilities involve interaction with—
 - (i) passengers;
 - (ii) the public; or
 - (iii) coworkers who interact with the public;
 - (B) who handles items which are handled or will be handled by the public; or
 - (C) who works in locations where social distancing and other preventative measures with respect to the Coronavirus Disease 2019 (COVID–19) are not possible.
- (2) **PASSENGER OR FREIGHT TRANSPORTATION EMPLOYER.**—The term “passenger or freight transportation employer” includes—
 - (A) the owner, charterer, managing operator, master, or other individual in charge of a passenger vessel (as defined in section 2101 of title 46, United States Code);
 - (B) an air carrier (as defined in section 40102 of title 49, United States Code);
 - (C) a commuter authority (as defined in section 24102 of title 49, United States Code);
 - (D) an entity that provides intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code);
 - (E) a rail carrier (as defined in section 10102 of title 49, United States Code);
 - (F) a regional transportation authority (as defined in section 24102 of title 49, United States Code);
 - (G) a provider of public transportation (as defined in section 5302 of title 49, United States Code);
 - (H) a provider of motorcoach services (as defined in section 32702 of the Motorcoach Enhanced Safety Act of 2012 (49 U.S.C. 31136 note; Public Law 112–141));
 - (I) a motor carrier that owns or operates more than 100 motor vehicles (as those terms are defined in section 390.5 of title 49, Code of Federal Regulations (or successor regulations));
 - (J) a sponsor, owner, or operator of a public-use airport (as defined in section 47102 of title 49, United States Code);
 - (K) a marine terminal operator (as defined in section 40102 of title 46, United States Code) and the relevant authority or operator of a port or harbor;
 - (L) the Transportation Security Administration, exclusively with respect to Transportation Security Officers; and
 - (M) a marine terminal operator (as defined in section 40102 of title 46, United States Code) and the relevant authority or operator of a port or harbor, or any other employer of individuals covered under section 2(3) of the Longshore and Harbor Workers’ Compensation Act (33 U.S.C. 902(3)).

(b) REQUIREMENTS.—For the purposes of responding to, or for purposes relating to operations during the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) related to the pandemic of SARS–CoV–2 or coronavirus disease 2019 (COVID–19), the Secretary shall require—

(1) the owners or operators of equipment, stations, or facilities used by passenger or freight transportation employers, as applicable—

(A) to clean, disinfect, and sanitize, in accordance with guidance issued by the Centers for Disease Control and Prevention, the equipment and facilities, including, as applicable—

- (i) buses;
- (ii) commercial motor vehicles;
- (iii) freight and passenger rail locomotives;
- (iv) freight and passenger rail cars;
- (v) vessels;
- (vi) airports;
- (vii) fleet vehicles used for the transportation of workers to job sites;
- (viii) aircraft, including the cockpit and the cabin; and
- (ix) other equipment and facilities;

(B) to ensure that stations and facilities, including enclosed facilities, owned, operated, and used by passenger or freight transportation employers, including facilities used for employee training or the performance of indoor or outdoor maintenance, repair, or overhaul work, are disinfected and sanitized frequently in accordance with guidance issued by the Centers for Disease Control and Prevention;

(C) to provide to at-risk employees—

- (i) masks or protective face coverings;
- (ii) gloves;
- (iii) hand sanitizer;
- (iv) sanitizing wipes with sufficient alcohol content; and

(v) training on the proper use of personal protective equipment and sanitizing equipment;

(D) to ensure that employees whose job responsibilities include the cleaning, disinfecting, or sanitizing described in subparagraph (A) or (B) are provided—

- (i) masks or protective face coverings;
- (ii) gloves;
- (iii) hand sanitizer; and
- (iv) sanitizing wipes with sufficient alcohol content;

(E) to establish guidelines, or adhere to any existing applicable guidelines, for notifying an employee of the owner or operator of a confirmed diagnosis of the Coronavirus Disease 2019 (COVID–19) with respect to any other employee of the owner or operator with whom the notified employee had physical contact or a physical interaction during the 48-hour period preceding the time at which the diagnosed employee developed symptoms;

(F) to require that passengers and cabin crew members wear masks or protective face coverings while in or using a passenger aircraft of an air carrier;

(G) to require each flight crew member to wear a mask or protective face covering while on board an aircraft and outside the flight deck; and

(H) ensure that each contractor of an owner or operator identified under this paragraph provides masks or protective face coverings, gloves, hand sanitizer, and sanitizing wipes with sufficient alcohol content, to employees of such contractor whose job responsibilities include the cleaning, disinfecting, or sanitizing described in subparagraph (A) or (B).

(2) an air carrier to submit to the Administrator of the Federal Aviation Administration a proposal to permit flight crew members to wear masks or protective face coverings in the flight deck, including a safety risk assessment with respect to that proposal.

(c) MARKET UNAVAILABILITY OF NECESSARY ITEMS.—

(1) NOTICE OF MARKET UNAVAILABILITY.—

(A) IN GENERAL.—If an owner or operator described in paragraph (1) of subsection (b) is unable to acquire 1 or more items necessary to comply with the requirements prescribed under that paragraph due to market unavailability of the items, the owner or operator shall—

(i) not later than 7 days after the date on which the owner or operator is unable to acquire each applicable item, submit to the Secretary a written notice explaining the efforts made and obstacles faced by the owner or operator to acquire that item; and

(ii) continue making efforts to acquire that item until the item is acquired.

(B) UPDATED NOTICE WITH RESPECT TO THE SAME ITEM.—If an owner or operator is unable to acquire an item described in a notice submitted under subparagraph (A) by the date described in paragraph (4)(B)(ii) with respect to the notice, the owner or operator may submit an updated notice with respect to that item.

(2) REASONABLE EFFORT DETERMINATION.—With respect to each notice submitted under paragraph (1), the Secretary shall determine whether the owner or operator submitting the notice has made reasonable efforts to acquire the item described in the notice.

(3) NOTICE OF COMPLIANCE.—Not later than 7 days after the date on which an owner or operator acquires an item described in a notice submitted by that owner or operator under paragraph (1) in a quantity sufficient to comply with the requirements prescribed under subsection (b)(1), the owner or operator shall submit to the Secretary a written notice of compliance with those requirements.

(4) LIST OF OWNERS AND OPERATORS MAKING REASONABLE EFFORTS TO ACQUIRE UNAVAILABLE ITEMS.—

(A) IN GENERAL.—The Secretary shall publish on a public website of the Department of Transportation a list that, with respect to each notice submitted to the Secretary

under paragraph (1) for which the Secretary has made a positive determination under paragraph (2)—

- (i) identifies the owner or operator that submitted the notice;
- (ii) identifies the item that the owner or operator was unable to acquire; and
- (iii) describes the reasonable efforts made by the owner or operator to acquire that item.

(B) REMOVAL FROM LIST.—The Secretary shall remove each entry on the list described in subparagraph (A) on the earlier of—

- (i) the date on which the applicable owner or operator submits to the Secretary a notice of compliance under paragraph (3) with respect to the item that is the subject of the entry; and
- (ii) the date that is 90 days after the date on which the entry was added to the list.

(d) PROTECTION OF CERTAIN FEDERAL AVIATION ADMINISTRATION EMPLOYEES.—

(1) IN GENERAL.—For the purposes of responding to, or for purposes relating to operations during the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) related to the pandemic of SARS-CoV-2 or coronavirus disease 2019 (COVID-19), in order to maintain the safe and efficient operation of the air traffic control system, the Administrator of the Federal Aviation Administration shall—

(A) provide any air traffic controller and airway transportation systems specialist of the Federal Aviation Administration with masks or protective face coverings, gloves, and hand sanitizer and wipes of sufficient alcohol content, and provide training on the proper use of personal protective equipment and sanitizing equipment;

(B) ensure that each air traffic control facility is cleaned, disinfected, and sanitized frequently in accordance with Centers for Disease Control and Prevention guidance; and

(C) provide any employee of the Federal Aviation Administration whose job responsibilities involve cleaning, disinfecting, and sanitizing a facility described in subparagraph (B) with masks or protective face coverings and gloves, and ensure that each contractor of the Federal Aviation Administration provides any employee of the contractor with those materials.

(2) SOURCE OF EQUIPMENT.—The items described in paragraph (1)(A) may be procured or provided under that paragraph through any source available to the Administrator of the Federal Aviation Administration.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOTTHEIMER OF NEW JERSEY OR HIS DESIGNEE

At the end of title I of division D, add the following:

SEC. 9107. NORTH RIVER TUNNEL SHUTDOWN CONTINGENCY ASSESSMENT.

Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall publish a report that explains—

(1) the contingency plan of the Department of Transportation, in coordination with other relevant Federal agencies, detailing a specific plan of action in the case of a shutdown of the North River Tunnel under the Hudson River and that addresses issues including ensuring commuters, tourists, and others will maintain the ability to travel between New Jersey and New York and throughout the region; and

(2) the contingency plan of the Department of Transportation, in coordination with other relevant Federal agencies, detailing a specific plan of action to ensure minimal disruption to, and negative impact on national security, the economy, public health, the environment, and property values.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JACKSON LEE OF TEXAS OR HER DESIGNEE

Page 499, after line 22, add the following:

SEC. _____. REPORT ON COVID-RELATED FUNDING FOR AVIATION SECTOR.

Not later than 45 days after the date of enactment of this Act, the Secretary of Transportation shall direct the Administrator of the Federal Aviation Administration to issue a report within 60 days to the House and Senate Committees of jurisdiction on specific sectors of the airport system of infrastructure that have yet to receive any COVID-related funding, and provide a plan for prioritizing these unfunded areas for the next round of funding.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JAYAPAL OF WASHINGTON OR HER DESIGNEE

Page 1098, line 7, strike “4.5 percent” and insert “5 percent”.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KAPTUR OF OHIO OR HER DESIGNEE

Page 1032, after line 19, insert the following:

SEC. 9221. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Amtrak received \$1,018,000,000 in aid from Congress as part of the CARES Act, to help Amtrak and its state partners respond to the drastic drop in demand caused by the coronavirus pandemic.

(2) The CARES Act also included a provision requiring that, for any employee who is furloughed as a result of the pandemic, Amtrak provide such employee the opportunity to return to the job as service ramps back up, thereby helping prevent the health crisis from being a reason to outsource work.

(3) Amtrak has requested additional funds to help it respond to the continued loss of passenger demand while also announc-

ing plans to permanently cut 20 percent of its workforce, which could hinder its ability to serve the Amtrak national passenger rail system, including its long-distance routes, now and in the future.

(4) Additionally, Amtrak recently announced its intention to eliminate daily service on most of its long-distance routes, leaving only one long-distance route to operate daily. These reductions are set to begin October 1, 2020.

(5) Estimates indicate the plan to decrease service would drastically impact as many as 461 stations.

(6) If the service disruptions are implemented, the passengers served by these long-distance trains would be disconnected from a critical transportation option, and these communities would lose important economic contributions generated by this service. These cuts would also impact the lives of Amtrak employees whose work contributes to the operation of these trains.

(7) Amtrak has not provided Congress, the public at large, or its workforce, sufficient notice or explanation of its plan to restore service to communities served by long-distance routes.

(b) SENSE OF CONGRESS.—Congress is concerned by the recent announcements from Amtrak that it intends to reduce its workforce and its daily long-distance train service and calls on Amtrak to provide assurance about the future of the passenger rail network and its employees.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KILMER OF WASHINGTON OR HIS DESIGNEE

Page 1101, line 17, insert “general aviation airport that is designated as a Federal staging area by the Federal Emergency Management Agency or a” before “nonhub”.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMB OF PENNSYLVANIA OR HIS DESIGNEE

At the end of title III of division G, add the following subtitle:

Subtitle E—Ohio River Basin

SEC. 33501. INTERAGENCY PLAN.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, in coordination with the head of each agency described in subsection (d), shall develop and issue an interagency plan for the agencies described in subsection (d) to assist States, Indian tribes, and communities in the Ohio River Basin in preparing for, and responding to, the effects of climate change, including by—

(1) informing such States, Indian tribes, and communities of existing Federal resources available to such States, Indian tribes, and communities, based on the analysis described in subsection (b)(2); and

(2) providing assistance through the Environmental Protection Agency's Smart Growth Program, the Federal Emergency Management Agency's Pre-Disaster Mitigation Grant Program, the Department of Housing and Urban Development's Community Development Block Grant program, the Economic Development Administration of the Department of Commerce, and the Department of Agriculture, to such States, Indian tribes, and communities to help them prepare for extreme weather, major floods, rising temperatures, and potential economic losses from such threats.

(b) DEVELOPMENT.—In developing the interagency plan under subsection (a), Secretary of the Army, acting through the Chief of Engineers, in coordination with the head of each agency described in subsection (d), shall—

(1) consult with States, Indian tribes, and communities in the Ohio River Basin that may be affected by climate change; and

(2) include in such interagency plan—

(A) identification of the particular needs of such States, Indian tribes, and communities in order for such States, Indian tribes, and communities to adequately prepare for, and respond to, the effects of climate change; and

(B) an analysis of—

(i) the availability of existing and potential Federal resources, including programs, grants, loans, and other assistance, that the agencies described in subsection (d) may provide to assist States, Indian tribes, and communities in the Ohio River Basin in preparing for, and responding to, the effects of climate change (including assistance in building or modernizing infrastructure), including—

(I) Corps of Engineers resources related to—

(aa) modernizing and hardening levees, floodwalls, and flood control projects for more extreme weather flooding events;

(bb) restoring wetlands so that such wetlands may absorb rain;

(cc) reconnecting floodplains to rivers in order to allow for natural flood storage;

(dd) developing a basin-wide water management plan, in collaboration with the Department of Agriculture, Tennessee Valley Authority, and water management agencies of the States in the Ohio River Basin; and

(ee) updating and modernizing operations manuals for dams and reservoirs operated by the Corps of Engineers to account for future water risks, precipitation, flow patterns, and usage;

(II) Environmental Protection Agency resources and Department of Agriculture resources related to modernizing drinking water and wastewater treatment and stormwater management;

(III) Department of Transportation resources related to raising or hardening critical transpor-

tation infrastructure that may be vulnerable to flooding;

(IV) United States Geological Survey resources and Environmental Protection Agency resources related to water quality and flow discharge monitoring and modeling; and

(V) Federal Emergency Management Agency resources related to updating and modernizing flood hazard maps to incorporate the latest science and future risk projections; and

(ii) the limitations of existing Federal resources that the agencies described in subsection (d) may so provide, including—

(I) the limitations of such resources in meeting the particular needs of such States, Indian tribes, and communities identified under subparagraph (A); and

(II) recommendations—

(aa) for Congress regarding any statutory changes regarding existing Federal programs, or additional Federal funding, that the agencies determine are necessary to assist such States, Indian tribes, and communities in preparing for, and responding to, the effects of climate change; and

(bb) for additional Federal, State, and local resources that the agencies determine are necessary to so assist such States, Indian tribes, and communities.

(c) PUBLICATION AND IMPLEMENTATION.—

(1) PUBLICATION.—Upon issuance of the interagency plan developed under subsection (a), the plan shall be published on the public internet website of—

(A) the Environmental Protection Agency;

(B) the Assistant Secretary of the Army for Civil Works; and

(C) the Great Lakes and Ohio River Division of the Corps of Engineers.

(2) DEADLINE.—Not later than 30 days after the interagency plan developed under subsection (a) is issued, each head of an agency described in subsection (d) shall implement such interagency plan.

(3) TECHNICAL ASSISTANCE.—In implementing the interagency plan developed under subsection (a), the heads of the agencies described in subsection (d) shall provide technical assistance and expertise to States, Indian tribes, and communities in the Ohio River Basin.

(d) AGENCIES DESCRIBED.—The agencies described in this subsection are as follows:

(1) The Corps of Engineers.

(2) The Environmental Protection Agency.

(3) The National Oceanic and Atmospheric Administration.

(4) The Department of the Interior.

(5) The Department of Agriculture.

(6) The Department of Transportation.

- (7) The Federal Emergency Management Agency.
- (8) The United States Geological Survey.
- (9) The Department of Housing and Urban Development.
- (10) The Department of Commerce.

SEC. 33502. REPORT ON IMPACTS OF CLIMATE CHANGE ON ELECTRIC UTILITIES.

Not later than 90 days after the date of enactment of this Act, the Secretary of Energy shall publish, on the public internet website of the Department of Energy, a report that includes—

- (1) an analysis of—
 - (A) the potential vulnerabilities of electric utilities that are located in, or serve electric consumers in, the Ohio River Basin, to climate change and extreme weather; and
 - (B) the impacts of climate change and extreme weather on such electric utilities; and
- (2) recommendations and technical assistance, as appropriate, to assist such electric utilities in preparing for climate change and extreme weather.

SEC. 33503. DEFINITION.

In this subtitle, the term “Ohio River Basin” means the Ohio River Basin as identified in the Corps of Engineers’ study titled “Ohio River Basin—Formulating Climate Change Mitigation/Adaptation Strategies through Regional Collaboration with the ORB Alliance” (May 2017).

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAWRENCE OF MICHIGAN OR HER DESIGNEE

Page 1854, after line 18, insert the following:

(g) REPORT ON AFFORDABILITY, DISCRIMINATION, AND CIVIL RIGHTS VIOLATIONS, AND DATA COLLECTION.—

(1) STUDY.—

(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study on water and sewer services, in accordance with this subsection.

(B) AFFORDABILITY.—In conducting the study under paragraph (1), the Comptroller shall study water affordability nationwide, including—

(i) rates for water and sewer services, increases in such rates during the ten-year period preceding such study, and water service disconnections due to unpaid water service charges; and

(ii) the effectiveness of funding under section 1452 of the Safe Drinking Water Act and under section 601 of the Federal Water Pollution Control Act for promoting affordable, equitable, transparent, and reliable water and sewer service.

(C) DISCRIMINATION AND CIVIL RIGHTS.—In conducting the study under paragraph (1), the Comptroller, in collaboration with the Civil Rights Division of the Department of Justice, shall study—

(i) discriminatory practices of water and sewer service providers; and

(ii) violations by such service providers that receive Federal assistance of civil rights under title VI of the Civil Rights Act of 1964 with regard to equal access to water and sewer services.

(D) DATA COLLECTION.—In conducting the study under paragraph (1), the Comptroller shall collect information, assess the availability of information, and evaluate the methodologies used to collect information, related to—

- (i) people living without water or sewer services;
- (ii) water service disconnections due to unpaid water service charges, including disconnections experienced by households containing children, elderly persons, disabled persons, chronically ill persons, or other vulnerable populations; and
- (iii) disparate effects, on the basis of race, gender, or socioeconomic status, of water service disconnections and the lack of public water service.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller shall submit to Congress a report that contains—

- (A) the results of the study conducted under subsection (a)(1); and
- (B) recommendations for utility companies, Federal agencies, and States relating to such results.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEWIS OF GEORGIA OR HIS DESIGNEE

Page 1103, after line 5, insert the following:

SEC. 10105. CHANGES IN AIRPORT SPONSORSHIP OR OPERATIONS.

Section 44706 of title 49, United States Code, is amended—

- (1) by redesignating subsection (f) as subsection (h); and
- (2) by inserting after subsection (e) the following:

“(f) CHANGE OF AIRPORT SPONSORSHIP OR OPERATIONS.—

“(1) UNDISPUTED CHANGE OF AIRPORT SPONSORSHIP OR OPERATIONS.—Except as provided for in paragraph (2), for a proposed transfer of the sponsorship or operations of an airport to a new sponsor or operator, the Administrator shall issue an airport operating certificate to a new sponsor or operator if—

“(A) the holder of the airport operating certificate for such airport consents to the transfer of sponsorship or operations; and

“(B) the new sponsor or operator satisfies all requirements for obtaining a certificate under this section.

“(2) DISPUTED CHANGE OF AIRPORT SPONSORSHIP OR OPERATIONS.—For a proposed transfer of the sponsorship or operations of an airport to a new sponsor or operator for which the holder of the airport operating certificate disputes such transfer, the Administrator shall issue an airport operating certificate to the new sponsor if the new sponsor or operator satisfies all requirements for obtaining a certificate under this section and the dispute is resolved by—

“(A) the issuance of a final, non-appealable judicial decision requiring a change of sponsorship or operations; or

“(B) the issuance of a consent letter between the holder of an airport operating certificate and a new sponsor or operator.

“(g) REIMBURSEMENT OF AIRPORT INVESTMENT.—After a change in sponsorship or operations under subsection (f), the new airport sponsor or operator shall reimburse the previous holder of an airport operating certificate for investments made by such holder that have not been fully recouped as of the change in airport sponsorship or operations and such reimbursement shall be consistent with all policies and procedures of the Federal Aviation Administration.”.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LYNCH OF MASSACHUSETTS OR HIS DESIGNEE

At the end of division E, add the following:

SEC. _____. JOINT TASK FORCE ON AIR TRAVEL.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation, the Secretary of Homeland Security, and the Secretary of Health and Human Services shall establish a Joint Task Force on Air Travel During and After the COVID–19 Public Health Emergency (in this section referred to as the “Joint Task Force”).

(b) DUTIES.—

(1) IN GENERAL.—The Joint Task Force shall develop recommended requirements, plans, and guidelines to address the health, safety, security, and logistical issues relating to the continuation of air travel during the COVID–19 Public Health Emergency, and with respect to the resumption of full operations at airports and increased passenger air travel after the COVID–19 Public Health Emergency ends. The Joint Task Force shall develop, at a minimum, recommended requirements, plans, and guidelines, as appropriate, with respect to each of the applicable periods described in paragraph (2) for—

(A) reforming airport, air carrier, security, and other passenger air travel-related operations, including passenger queuing, passenger security screening, boarding, deplaning, and baggage handling procedures, as a result of—

(i) current and anticipated changes to passenger air travel during the COVID–19 Public Health Emergency and after that emergency ends; and

(ii) anticipated changes to passenger air travel as a result of the projected seasonal recurrence of the coronavirus;

(B) mitigating the public health and economic impacts of the COVID–19 Public Health Emergency and the projected seasonal recurrence of the coronavirus on airports and passenger air travel, including through the use of personal protective equipment for passengers and employees, the implementation of strategies to promote overall passenger and employee safety, and the accommodation of social distancing, as necessary;

(C) addressing the privacy and civil liberty concerns created by passenger health screenings, contact-tracing, or any other process for monitoring the health of individuals engaged in health travel; and

(D) operating procedures to manage future public health crises affecting air travel.

(2) APPLICABLE PERIODS.—For purposes of paragraph (1), the applicable periods are the following:

(A) The period beginning with the date of the first meeting of the Joint Task Force and ending with the date on which the COVID–19 Public Health Emergency ends.

(B) The 1-year period beginning on the day after the period described in subparagraph (A) ends.

(c) REQUIREMENTS.—

(1) IN GENERAL.—In developing the recommended requirements, plans, and guidelines under subsection (b), and prior to including them in the final report required under subsection (f)(2), the Joint Task Force shall—

(A) consider the consensus recommendations of the Advisory Committee established under subsection (e);

(B) conduct cost-benefit evaluations;

(C) consider funding constraints; and

(D) use risk-based decision-making.

(2) INTERNATIONAL CONSULTATION.—The Joint Task Force shall consult, as practicable, with relevant international entities and operators, including the International Civil Aviation Organization, towards the goal of maximizing the harmonization of recommended requirements, plans, and guidelines for air travel during and after the COVID–19 Public Health Emergency.

(d) MEMBERSHIP.—

(1) CHAIR.—The Secretary of Transportation (or the Secretary's designee) shall serve as the Chair of the Joint Task Force.

(2) VICE CHAIR.—The Secretary of Health and Human Services (or the Secretary's designee) shall serve as Vice Chair of the Joint Task Force.

(3) OTHER MEMBERS.—In addition to the Chair and Vice Chair, the members of the Joint Task Force shall include representatives of the following:

(A) The Department of Transportation.

(B) The Department of Homeland Security.

(C) The Department of Health and Human Services.

(D) The Federal Aviation Administration.

(E) The Transportation Security Administration.

(F) United States Customs and Border Protection.

(G) The Centers for Disease Control and Prevention.

(H) The Occupational Safety and Health Administration.

(I) The National Institute for Occupational Safety and Health.

(J) The Pipeline and Hazardous Materials Safety Administration.

(K) The Department of State.

(L) The Environmental Protection Agency.

(e) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Not later than 15 days after the date on which the Joint Task Force is established under subsection (a), the Secretary of Transportation, in consultation with the Secretary of Homeland Security and the Secretary of Health and Human Services, shall establish a Joint Federal Advisory Committee to advise the Joint Task Force (in this section referred to as the “Advisory Committee”).

(2) MEMBERSHIP.—The members of the Advisory Committee shall include representatives of the following:

(A) Airport operators designated by the Secretary of Transportation in consultation with the Secretary of Homeland Security.

(B) Air carriers designated by the Secretary of Transportation in consultation with the Secretary of Homeland Security.

(C) Aircraft and aviation manufacturers designated by the Secretary of Transportation.

(D) Labor organizations representing aviation industry workers, including pilots, flight attendants, maintenance, mechanics, air traffic controllers, and safety inspectors, designated by the Secretary of Transportation.

(E) Public health experts designated by the Secretary of Health and Human Services.

(F) Consumers and air passenger rights organizations designated by the Secretary of Transportation in consultation with the Secretary of Homeland Security.

(G) Privacy and civil liberty organizations designated by the Secretary of Homeland Security.

(H) Manufacturers and integrators of air passenger screening and identity verification technologies designated by the Secretary of Homeland Security.

(I) Trade associations representing air carriers, including, major air carriers, low cost carriers, regional air carriers, cargo air carriers, and foreign air carriers, designated by the Secretary of Transportation in consultation with the Secretary of Homeland Security.

(J) Trade associations representing airport operators designated by the Secretary of Transportation in consultation with the Secretary of Homeland Security.

(3) VACANCIES.—Any vacancy in the membership of the Advisory Committee shall not affect its responsibilities, but shall be filled in the same manner as the original appointment and in accordance with the Federal Advisory Committee Act (5 U.S.C. App.).

(4) DUTIES.—

(A) IN GENERAL.—The Advisory Committee shall develop and submit policy recommendations to the Joint Task Force regarding the recommended requirements, plans, and guidelines to be developed by the Joint Task Force under subsection (b).

(B) PUBLICATION.—Not later than 14 days after the date on which the Advisory Committee submits policy recommendations to the Joint Task Force in accordance with subparagraph (A), the Secretary of Transportation shall

publish the policy recommendations on a publicly accessible website.

(5) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee shall not receive any compensation from the Federal Government by reason of their service on the Advisory Committee.

(f) BRIEFINGS AND REPORTS.—

(1) PRELIMINARY BRIEFINGS.—As soon as practicable, but not later than 6 months after the establishment of the Joint Task Force, the Joint Task Force shall begin providing preliminary briefings for Congress on the status of the development of the recommended requirements, plans, and guidelines under subsection (b). The preliminary briefings shall include interim versions, if any, of the Joint Task Force's recommendations.

(2) FINAL REPORT.—

(A) DEADLINE.—As soon as practicable, but not later than 18 months after the date of enactment of this Act, the Joint Task Force shall submit to Congress a final report.

(B) CONTENT.—The final report under subparagraph (A) shall include the following:

(i) All of the recommended requirements, plans, and guidelines developed by the Joint Task Force.

(ii) A description of any actions taken by the Federal Government as a result of such recommendations.

(g) TERMINATION.—The Joint Task Force and Advisory Committee shall terminate 30 days after the date on which the Joint Task Force submits the final report required under subsection (f)(2).

(h) DEFINITION.—In this section, the term “COVID–19 Public Health Emergency” means the public health emergency first declared on January 31, 2020, by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID–19 and includes any renewal of such declaration pursuant to such section 319.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCNERNEY OF CALIFORNIA OR HIS DESIGNEE

Page 1003, line 16, strike “operating and capital forecasting” and insert “operation, ridership, capital forecasting, station staffing projections.”

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG OF NEW YORK OR HER DESIGNEE

Page 947, after line 7, insert the following:

SEC. 6011. RAIL COVERING.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Railroad Administration shall issue such regulations as are necessary to require municipal waste transported by rail to be completely covered while in transit, including while being held, delayed, or transferred.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MORELLE OF NEW YORK OR HIS DESIGNEE

Page 986, line 18, strike the closing quotation marks and the final period and insert the following:

“(o) BUY AMERICA.—

“(1) IN GENERAL.—In awarding direct loans or loan guarantees under this section, the Secretary shall require each recipient to comply with section 22905(a) of title 49, United States Code.

“(2) SPECIFIC COMPLIANCE.—Notwithstanding paragraph (1), the Secretary shall require—

“(A) Amtrak to comply with section 24305(f) of title 49, United States Code; and

“(B) a commuter authority (as defined in section 24102 of title 49, United States Code), as applicable, to comply with section 5320 of title 49, United States Code.”.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MORELLE OF NEW YORK OR HIS DESIGNEE

Page 1714, after line 2, insert the following new section:

SEC. 60016. GAO STUDY OF FLOOD DISASTER ASSISTANCE INEQUITIES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the accessibility of the Federal Emergency Management Agency's Public Assistance, Individual Assistance, and other relevant flood disaster assistance programs and shall identify barriers to access based on race, ethnicity, language, and income level. The study shall identify inequities in—

(1) the Agency's core mission of response;

(2) the Agency's core mission of recovery; and

(3) the Agency's implementation of the Public Assistance and Individual Assistance programs.

(b) REPORT.—Not later than the expiration of the 1-year period beginning on the date of the enactment of this Act, the Comptroller General shall submit a report to the Congress setting forth the results and conclusions of the study under subsection (a).

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MOULTON OF MASSACHUSETTS OR HIS DESIGNEE

Page 972, line 17, strike “and”.

Page 972, strike lines 18 through 19 and insert the following:

“(iv) the ability to meet existing, anticipated, or induced passenger or service demand; and

“(v) projected effects on regional and local economies along the corridor, including increased competitiveness, productivity, efficiency, and economic development;

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MOULTON OF MASSACHUSETTS OR HIS DESIGNEE

Page 990, after line 5, insert the following:

SEC. 9107. ADVANCE ACQUISITION.

(a) IN GENERAL.—Chapter 242 of title 49, United States Code, is amended by inserting the following after section 24202:

“SEC. 24203. ADVANCE ACQUISITION.

“(a) RAIL CORRIDOR PRESERVATION.—The Secretary may allow a recipient of a grant under chapter 229 for a passenger rail project to acquire right-of-way and adjacent real property interests before or during the completion of the environmental reviews for a project that may use such property interests if the acquisition is otherwise permitted under Federal law.

“(b) CERTIFICATION.—Before authorizing advance acquisition under this section, the Secretary shall verify that—

“(1) the recipient has authority to acquire the real property interest;

“(2) the acquisition of the real property interest—

“(A) is for a transportation purpose;

“(B) will not cause significant adverse environmental impact;

“(C) will not limit the choice of reasonable alternatives for the proposed project or otherwise influence the decision of the Secretary on any approval required for the project;

“(D) does not prevent the lead agency from making an impartial decision as to whether to accept an alternative that is being considered;

“(E) complies with other applicable Federal laws and regulations; and

“(F) will not result in elimination or reduction of benefits or assistance to a displaced person required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq).

“(c) ENVIRONMENTAL REVIEWS.—

“(1) COMPLETION OF NEPA REVIEW.—Before authorizing Federal funding for an acquisition of a real property interest, the Secretary shall complete all review processes otherwise required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303), and Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) with respect to the acquisition.

“(2) TIMING OF DEVELOPMENT ACQUISITION.—A real property interest acquired under subsection (a) may not be developed in anticipation of the proposed project until all required environmental reviews for the project have been completed.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 242 of title 49, United States Code, is amended by inserting after the item relating to section 24202 the following new item:

“Sec. 24203. Advance acquisition.”

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NAPOLITANO OF CALIFORNIA OR HER DESIGNEE

Page 499, after line 6, insert the following:

SEC. 1631. USE OF REVENUES.

(a) WRITTEN ASSURANCES ON USE OF REVENUE.—Section 47107(b) of title 49, United States Code, is amended—

- (1) in each of paragraphs (1) and (2) by striking “local taxes” and inserting “local excise taxes”;
- (2) in paragraph (3) by striking “State tax” and inserting “State excise tax”; and
- (3) by adding at the end the following:

“(4) This subsection does not apply to State or local general sales taxes nor to State or local generally applicable sales taxes.”.

(b) RESTRICTION ON USE OF REVENUES.—Section 47133 of title 49, United States Code, is amended—

- (1) in subsection (a) in the matter preceding paragraph (1) by striking “Local taxes” and inserting “Local excise taxes”;
- (2) in subsection (b)(1) by striking “local taxes” and inserting “local excise taxes”;
- (3) in subsection (c) by striking “State tax” and inserting “State excise tax”; and
- (4) by adding at the end the following:

(d) LIMITATION ON APPLICABILITY.—This subsection does not apply to—

- “(1) State or local general sales taxes; or
- “(2) State or local generally applicable sales taxes.”.

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NEGUSE
OF COLORADO OR HIS DESIGNEE

Page 1094, after line 24, insert the following:

SEC. 9558. REPORT ON SUPPLEMENTARY SAFETY MEASURES REQUIRED FOR QUIET ZONES.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Railroad Administration shall—

- (1) submit to Congress a report on the additional Supplementary Safety Measures and Alternative Safety Measures researched by the Railroad Research and Development program of the Federal Railroad Administration that can be used to qualify for a Quiet Zone or Partial Quiet Zone; and
- (2) include in the report submitted under paragraph (1)-
 - (A) a summary of the Supplementary Safety Measures and Alternative Safety Measures that communities have requested approval from the Federal Railroad Administrator to implement; and
 - (B) an explanation for why such requests were not granted.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NEGUSE
OF COLORADO OR HIS DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. CLIMATE RESILIENCY REPORT BY GAO.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and every 5 years thereafter, the Comptroller General shall evaluate and issue a report to Congress on the economic benefits, including avoided impacts on property and life, of the use

of model, consensus-based building codes, standards, and provisions that support resilience to climate risks and impacts, including—

- (1) flooding;
- (2) wildfires;
- (3) hurricanes;
- (4) heat waves;
- (5) droughts;
- (6) rises in sea level; and
- (7) extreme weather.

(b) REPORT ISSUES.—The report required under subsection (a) shall include the following:

- (1) Assesses the status of adoption of building codes, standards, and provisions within the States, territories, and tribes at the State or jurisdictional level; including whether the adopted codes meet or exceed the most recent published edition of a national, consensus-based model code.
- (2) Analysis of the extent to which pre-disaster mitigation measures provide benefits to the nation and individual States, territories and tribes, including—
 - (A) an economic analysis of the benefits to the design and construction of new resilient infrastructure;
 - (B) losses avoided, including economic losses, number of structures (buildings, roads, bridges), and injuries and deaths by utilizing building codes and standards that prioritize resiliency; and
 - (C) an economic analysis of the benefits to using hazard resistant building codes in rebuilding and repairing infrastructure following a disaster.
- (3) An assessment of the building codes and standards referenced or otherwise currently incorporated into Federal policies and programs, including but not limited to grants, incentive programs, technical assistance and design and construction criteria, administered by the Federal Emergency Management Agency (FEMA), and—
 - (A) the extent to which such codes and standards contribute to increasing climate resiliency;
 - (B) Recommendations for how FEMA could improve their use of codes and standards to prepare for climate change and address resiliency in housing, public buildings, and infrastructure such as roads and bridges; and
 - (C) how FEMA could increase efforts to support the adoption of hazard resistant codes by the States, territories, and tribes.
- (4) Recommendations for FEMA on how to better incorporate climate resiliency into efforts to rebuild after natural disasters.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PANETTA OF CALIFORNIA OR HIS DESIGNEE

Page 1691, after line 20, insert the following:

SEC. 40. REVOLVING LOAN FUND FLEXIBILITY.

Section 209(d) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149(d)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5); and

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

“(3) REVOLVING LOAN FUND REPURPOSING.—

“(A) IN GENERAL.—A grantee of revolving loan funds may, upon request, transfer any funds that have been repaid to a revolving loan fund under this section to any other project eligible to receive funding under this section.

“(B) ELIGIBILITY.—To be eligible to transfer revolving loan funds under this paragraph, a grantee shall have more cash available for lending than the average cash available for lending in the EDA region in which such grantee is located.

“(C) DISCRETION.—The Secretary shall retain the discretion to approve or deny a transfer request under this paragraph.

“(D) CASH AVAILABLE FOR LENDING DEFINED.—In this paragraph, the term ‘cash available for lending’ means the revolving loan fund cash available for lending net of the committed revolving loan fund cash.”.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PERLMUTTER OF COLORADO OR HIS DESIGNEE

Page 1691, after line 20, insert the following:

SEC. 40002. AUTHORIZATION FOR SCIENCE CENTER CONSTRUCTION.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the United States Geological Survey \$166,800,000 to fund, through a cooperative agreement with an academic partner, the design, construction, and tenant build-out of a facility to support energy and minerals research and appurtenant associated structures.

(b) AGREEMENTS.—The United States Geological Survey will retain ownership of the facility and associated structures once constructed and is authorized to enter into agreements with, and to collect and spend funds or in-kind contributions from, academic, Federal, State, or other facility tenants on facility planning, design, maintenance, operation, or facility improvement costs during the life of the facility.

(c) LEASE.—The Director of the United States Geological Survey is authorized to enter into a lease or other agreement with the academic partner, at no cost to the United States, for that partner to provide land on which to construct the facility for a minimum term of not less than 99 years.

(d) REPORTS.—The Director of the United States Geological Survey shall submit annual reports on the science center constructed and the authorities utilized under this section to the appropriate congressional committees.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PRESSLEY OF MASSACHUSETTS OR HER DESIGNEE

At the end of division H of the bill, add the following:

SEC. 400. GAO STUDY ON THE IMPACT OF TRANSPORTATION POLICIES ON MARGINALIZED COMMUNITIES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study to identify the impact of certain transportation policies on people based on their race, ethnicity, nationality, age, disability status, and gender identity, including—

(1) data on fare evasion policies, including—

(A) the number of people stopped for suspected fare evasion by transit law enforcement officers or transit agency personnel, aggregated by tract, as designated by the Bureau of the Census;

(B) the race, ethnicity, nationality, age, disability status, and gender identity of people stopped by law enforcement officers or transit agency personnel and provided a citation or summons for suspected fare evasion;

(C) an analysis on the dollar amount, organized by transit station, of—

(i) fines issued as penalty for fare evasion citations to individuals by race, ethnicity, nationality, age, disability status, and gender identity;

(ii) fare revenue lost due to fare evasion; and

(iii) fare evasion fines collected by transit agency, law enforcement, or other entity; and

(D) the number of complaints filed against law enforcement officers or transit agency personnel while enforcing fare evasion policies;

(2) data on speed enforcement cameras, including—

(A) the location of speed enforcement cameras and the demographics of the location of such region by tract, as designated by the Bureau of the Census, including race, ethnicity, nationality, and median income;

(B) the original intent for placement of the speed enforcement camera, whether to address a specific safety concern or otherwise;

(C) the affiliated policy for enforcement, whether automated enforcement, in-person ticketing, or otherwise; and

(D) the dollar amount of fines to drivers by speed enforcement camera location; and

(3) any other transportation policy that may have a disproportionate impact on low-income communities and communities of color.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House of Representatives a report on the results of the study conducted under subsection (a), including—

(1) any disproportionate impacts of transportation policies on marginalized communities; and

(2) recommendations on ways to reduce such disproportionate impacts.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE QUIGLEY OF ILLINOIS OR HIS DESIGNEE

At the end of division H, insert the following:

SEC. 40002. USE OF BIRD-SAFE FEATURES, PRACTICES, AND STRATEGIES IN PUBLIC BUILDINGS.

(a) IN GENERAL.—Chapter 33 of title 40, United States Code, is amended by adding at the end the following:

“§ 3319. Use of bird-safe features, practices, and strategies in public buildings

“(a) CONSTRUCTION, ALTERATION, AND ACQUISITION OF PUBLIC BUILDINGS.—The Administrator of General Services shall incorporate, to the extent practicable, features, practices, and strategies to reduce bird fatality resulting from collisions with public buildings for each public building—

“(1) constructed;

“(2) acquired; or

“(3) of which more than 50 percent of the facade is substantially altered (in the opinion of the Commissioner of Public Buildings).

“(b) DESIGN GUIDE.—The Administrator shall develop a design guide to carry out subsection (a) that includes the following:

“(1) Features for reducing bird fatality resulting from collisions with public buildings throughout all construction phases, taking into account the number of each such bird fatality that occurs at different types of public buildings.

“(2) Methods and strategies for reducing bird fatality resulting from collisions with public buildings during the operation and maintenance of such buildings, including installing interior, exterior, and site lighting.

“(3) Best practices for reducing bird fatality resulting from collisions with public buildings, including—

“(A) a description of the reasons for adopting such practices; and

“(B) an explanation for the omission of a best practice identified pursuant to subsection (c).

“(c) IDENTIFYING BEST PRACTICES.—To carry out subsection (b)(3), the Administrator may identify best practices for reducing bird fatality resulting from collisions with public buildings, including best practices recommended by—

“(1) Federal agencies with expertise in bird conservation;

“(2) nongovernmental organizations with expertise in bird conservation; and

“(3) representatives of green building certification systems.

“(d) DISSEMINATION OF DESIGN GUIDE.—The Administrator shall disseminate the design guide developed pursuant to subsection (b) to all Federal agencies, subagencies, and departments with independent leasing authority from the Administrator.

“(e) UPDATE TO DESIGN GUIDE.—The Administrator shall, on a regular basis, update the design guide developed pursuant to subsection (b) with respect to the priorities of the Administrator for reducing bird fatality resulting from collisions with public buildings.

“(f) EXEMPT BUILDINGS.—This section shall not apply to—

“(1) any building or site listed, or eligible for listing, on the National Register of Historic Places;

“(2) the White House and the grounds of the White House;

“(3) the Supreme Court building and the grounds of the Supreme Court; or

“(4) the United States Capitol and any building on the grounds of the Capitol.

“(g) CERTIFICATION.—Not later than October 1 of each fiscal year, the Administrator, acting through the Commissioner, shall certify to Congress that the Administrator uses the design guide developed pursuant to subsection (b) for each public building described in subsection (a).

“(h) REPORT.—Not later than October 1 of each fiscal year, the Administrator shall submit to Congress a report that includes—

“(1) the certification under subsection (g); and

“(2) to the extent practicable, the number of each such bird fatality that occurred as a result of a collision with the public buildings occupied by the respective head of each Federal agency.”.

“(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of title 40, United States Code, is amended by adding at the end the following new item:

“3319. Use of bird-safe features, practices, and strategies in public buildings.”.

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROUDA OF CALIFORNIA OR HIS DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. AVIATION INDUSTRY ASSISTANCE FOR CLEANER AND QUIETER SKIES VOUCHER PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish and carry out a program, to be known as the “Aviation Industry Assistance for Cleaner and Quieter Skies Voucher Program”, under which the Secretary shall issue electronic vouchers to air carriers, subject to the specifications set forth in subsection (d), to offset the purchase or cost of a lease of eligible new aircraft in exchange for commitments from such air carriers to decommission certain currently used aircraft and sell such aircraft for recycling of parts or disposal.

(b) APPLICATION.—To be eligible for the program established under subsection (a), an air carrier shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a description of a currently used aircraft of the air carrier.

(c) PROGRAM REQUIREMENTS.—

(1) LIST OF ELIGIBLE AIRCRAFT.—In carrying out the program established under subsection (a), the Secretary, in consultation with the Administrator, shall prepare, maintain, publicize, and make available through a publicly available website, lists of—

(A) applicable currently used aircraft;

(B) eligible aircraft for purchase or lease; and

(C) registered aircraft recycling firms eligible to purchase currently used aircraft under this section.

(2) COMMITMENT REQUIREMENT.—In carrying out the program established under subsection (a), the Secretary shall issue such regulations as are necessary to establish requirements for an air carrier to purchase or lease an eligible aircraft described in subsection (a), including a timing requirement for the purchase of such, and decommissioning and selling of ap-

plicable currently used aircraft of the air carrier for recycling of parts or disposal, except as provided in subsection (f)(2).

(d) **VALUE OF VOUCHERS.**—The Secretary may determine the value of each voucher, not to exceed \$10,000,000, based on the difference in emissions between the currently used aircraft being decommissioned and sold and the eligible aircraft being purchased or leased. In determining the value of each voucher, the Secretary shall also consider if such eligible aircraft also include noise reduction, including whether such aircraft meet Stage 5 standards. In addition, the Secretary shall consider seat capacity and typical stage length of both the currently used aircraft being decommissioned and sold and the eligible aircraft being purchased or leased in determining the value of the voucher.

(e) **REGULATIONS.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue such regulations as are necessary to carry out this section, including a requirement that a voucher may be used only to pay a new aircraft order, not an order placed (even if not filled) before the date of enactment of this Act.

(f) **REGISTRATION.**—

(1) **IN GENERAL.**—The Secretary shall register aircraft recycling firms eligible to purchase currently used aircraft under this section and establish requirements and procedures for the recycling of parts or disposal of such aircraft to ensure that such aircraft are taken out of service and not used to develop other aircraft with higher greenhouse gas emissions.

(2) **EXCEPTION.**—Notwithstanding paragraph (1), in the case of an emergency declared by the Secretary or a national emergency declared by the President, the Secretary may temporarily waive the provisions of such paragraph that prevent the use of aircraft taken out of service pursuant to this section for the purposes of responding to such emergency or national emergency.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to carry out the program established under this section \$1,000,000,000 and such sums shall remain available until expended.

(h) **DEFINITIONS.**—In this section the following definitions apply:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **AIR CARRIER.**—The term “air carrier” has the meaning given such term in section 40102 of title 49, United States Code.

(3) **CURRENTLY USED AIRCRAFT.**—The term “currently used aircraft” means

(A) aircraft in the bottom 25 percent of the air carrier’s aircraft fleet in terms of fuel efficiency per seat; and

(B) aircraft that have been in service for at least 1,500 hours in the previous calendar year.

(4) **ELIGIBLE AIRCRAFT.**—The term “eligible aircraft” means aircraft that must be new and considered by the Secretary highly fuel-efficient with some consideration given to their noise impact.

(5) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHERRILL OF NEW JERSEY OR HER DESIGNEE

Page 1691, after line 20, insert the following:

SEC. 40002. GAO STUDY.

- (a) SENSE OF CONGRESS.—It is the sense of Congress that—
- (1) mass transit and civilian airlines have an essential role in keeping the United States moving;
 - (2) while the COVID-19 pandemic has devastated the industry, transit agencies and companies are leading the way in implementing safety measures and exploring new technologies to protect essential workers who continue to rely on our bus and rail systems;
 - (3) Congress can support the transportation sector by authorizing a GAO study that would recommend specific safety measures to reduce exposure to the SARS-CoV-2 virus on mass transportation systems, as well as technologies that can assist with the implementation of such safety measures, including technologies that facilitate large-scale sanitation and decontamination and encourage social distancing; and
 - (4) implementation of such safety measures and technologies will help the transportation sector be more resilient in the face of future pandemics.
- (b) STUDY.—The Comptroller General of the United States shall carry out a study to—
- (1) research and recommend specific measures that civilian transit companies and agencies (including rail, airlines, and buses) should implement to improve the safety of passengers and crew;
 - (2) research and recommend technologies being developed within and outside the United States Government, including the Department of Defense and National Aeronautics and Space Administration, that can be transitioned to the civilian transportation sector; and
 - (3) study technologies that—
 - (A) provide an alternative to decontamination with chemical solutions which is labor intensive, and has material compatibility and corrosion concerns;
 - (B) decontaminate crevices and hard to reach areas that can be missed with other technologies;
 - (C) minimize personnel exposure to the contaminated aircraft to personnel required for set-up; and
 - (D) allow timely decontamination (under 3 hours) to return the bus, train, or aircraft to operational status.
- (c) REPORT.—Not later than 3 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study required under subsection (b).
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27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SHERRILL OF NEW JERSEY OR HER DESIGNEE

Page 962, line 12, strike “\$3,500,000,000” and insert “\$3,450,000,000”.
 Page 962, line 13, strike “\$3,300,000,000” and insert “\$3,250,000,000”.
 Page 962, line 14, strike “\$3,100,000,000” and insert “\$3,050,000,000”.
 Page 962, line 15, strike “\$2,900,000,000” and insert “\$2,850,000,000”.
 Page 962, line 16, strike “\$2,900,000,000” and insert “\$2,850,000,000”.
 Page 963, line 2, strike “\$300,000,000” and insert “\$250,000,000”.
 Page 965, line 12, strike “\$130,000,000” and insert “\$180,000,000”.
 Page 985, line 20, strike “\$125,000,000” and insert “\$175,000,000”.

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SLOTKIN OF MICHIGAN OR HER DESIGNEE

Page 961, after line 15, insert the following:

SEC. 8204. PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION REPORTING TRANSPARENCY REQUIREMENTS.

The Secretary of Transportation shall ensure that the Pipeline and Hazardous Materials Safety Administration shares with all relevant stakeholders, including State and local governments, all materials and information received, reviewed, or produced related to pipeline leaks, damage, or disruption, as soon as possible.

29. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF WASHINGTON OR HIS DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. AIRBORNE ULTRAFINE PARTICLE STUDY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration, jointly with the Administrator of the Environmental Protection Agency, shall enter into an agreement with an eligible institution of higher education to conduct a study examining airborne ultrafine particles and their effect on human health.

(b) SCOPE OF STUDY.—The study conducted under subsection (a) shall—

- (1) summarize the relevant literature and studies done on airborne ultrafine particles worldwide;
- (2) focus on large hub commercial airports in—
 - (A) Seattle;
 - (B) Boston;
 - (C) Chicago;
 - (D) New York;
 - (E) the Northern California Metroplex;
 - (F) Phoenix;
 - (G) the Southern California Metroplex;

- (H) the District of Columbia; and
 - (I) Atlanta;
- (3) examine airborne ultrafine particles and their effect on human health, including—
 - (A) characteristics of UFPs present in the air;
 - (B) spatial and temporal distributions of UFP concentrations;
 - (C) primary sources of UFPs;
 - (D) the contribution of aircraft and airport operations to the distribution of UFP concentrations when compared to other sources;
 - (E) potential health effects associated with elevated UFP exposures, including outcomes related to cardiovascular disease, respiratory infection and disease, degradation of neurocognitive functions, and other health effects, that have been considered in previous studies; and
 - (F) potential UFP exposures, especially to susceptible and vulnerable groups;
 - (4) identify measures, including the use of sustainable aviation fuels, intended to reduce emissions from aircraft and airport operations and assess potential effects on emissions related to UFPs; and
 - (5) identifies information gaps related to understanding relationships between UFP exposures and health effects, contributions of aviation-related emissions to UFP exposures, and the effectiveness of mitigation measures.
- (c) **ELIGIBILITY.**—An institution of higher education is eligible to conduct the study if the institution—
 - (1) is located in one of the areas identified in subsection (b);
 - (2) applies to the Administrator of the Federal Aviation Administration in a timely fashion;
 - (3) demonstrates to the satisfaction of the Administrator that the institution is qualified to conduct the study;
 - (4) agrees to submit to the Administrator, not later than 2 years after entering into an agreement under subsection (a), the results of the study, including any source materials used; and
 - (5) meets such other requirements as the Administrator determines necessary.
 - (d) **COORDINATION.**—The Administrator may coordinate with the Administrator of the Environmental Protection Agency, the Secretary of Health and Human Services, and any other agency head whom the Administrator deems appropriate to provide data and other assistance necessary for the study.
 - (e) **REPORT.**—Not later than 180 days after submission of the results of the study by the institution of higher education, the Administrator shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the study including the results of the study submitted under subsection (c)(4) by the institution of higher education.

(f) DEFINITION.—In this Act, the terms “ultrafine particle” and “UFP” mean particles with diameters less than or equal to 100 nanometers.

30. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPEIER OF CALIFORNIA OR HER DESIGNEE

Page 1143, line 15, strike “\$25,000,000” and insert “\$50,000,000”.

31. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TORRES SMALL OF NEW MEXICO OR HER DESIGNEE

At the end of division H, add the following:

SEC. 400. LAND PORT OF ENTRY INFRASTRUCTURE MODERNIZATION.

There is authorized to be appropriated from the general fund of the Treasury for fiscal year 2021 \$100,000,000 to the Administrator of General Services for the necessary expenses for the construction, repair, upgrades, and maintenance necessary to fulfill the backlog of port infrastructure improvement projects at land ports of entry that experienced no less than 5 percent growth in total trade in the year of 2019, according to data produced by the Bureau of the Census.

32. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TRONE OF MARYLAND OR HIS DESIGNEE

Page 1220, after line 11, insert the following:

TITLE VI—OTHER MATTERS

SEC. 26001. WASTEWATER DRUG TESTING PILOT PROGRAM.

(a) ESTABLISHMENT.—The Administrator of the Environmental Protection Agency shall establish a pilot program to provide funding to States to incorporate wastewater testing for drugs at municipal wastewater treatment plants in order to monitor drug consumption and detect new drug use more quickly and in a more specific geographic region than methods currently in use.

(b) SELECTION.—In carrying out the pilot program established under subsection (a), the Administrator shall, subject to appropriations, select 5 States to each receive \$1,000,000 in each of fiscal years 2022 through 2024 to provide funding to municipal wastewater treatment plants to incorporate testing for drugs into their routine wastewater testing protocol.

(c) REQUIREMENTS.—A State receiving funds pursuant to the pilot program shall—

- (1) provide funding to municipal wastewater treatment plants to collect and test water samples;
- (2) facilitate a partnership between local health departments and municipal wastewater treatment plants; and
- (3) provide not less than 10 percent of the funds to applicable local health departments to develop public health interventions to respond to drug use in the community, as indicated by testing results.

(d) ANALYSES.—A State receiving funds pursuant to the pilot program may use a portion of the funding to have test results analyzed, including to develop estimates of how many doses of a drug have been consumed and to track results over time. The State shall report such analyses to the local and State health departments and to the Centers for Disease Control and Prevention.

(e) REPORTS.—

(1) STATE REPORTS.—Not later than 90 days after the end of the pilot program, each State that received funds shall submit a report to the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives, the Committees on Health, Education, Labor, and Pensions and Environment and Public Works of the Senate, and the Centers for Disease Control and Prevention that includes each year's final budget, an explanation of how the program was established, what information the wastewater testing provided and whether findings were in line with other drug surveillance strategies, the usefulness of testing as an evaluation strategy for policy change and public health interventions, challenges encountered, and recommendations for responsible data use and maintaining privacy.

(2) CDC REPORT.—Not later than 180 days after the end of the pilot program, the Centers for Disease Control and Prevention shall submit a report to Congress analyzing the reports submitted under paragraph (1) and detailing best practices for implementing wastewater testing and using the results to inform public health interventions.

(f) RESTRICTIONS.—

(1) COLLECTION.—A State receiving funds pursuant to the pilot program may not use such funds to collect water samples from any location other than a municipal wastewater treatment plant.

(2) DISCLOSURE.—Analyses of samples collected pursuant to this section may not be disclosed to any entity other than the applicable State and local health departments and the Centers for Disease Control and Prevention.

(3) REPORTS.—Any information relating to sample analyses included in a report submitted under subsection (e) shall not be made public.

33. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VARGAS
OF CALIFORNIA OR HIS DESIGNEE

Page 1220, after line 11, insert the following:

TITLE VI—NEW RIVER RESTORATION

SEC. 26001. SHORT TITLE.

This title may be cited as the “California New River Restoration Act of 2020”.

SEC. 26002. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) MEXICAN.—The term “Mexican” refers to the Federal, State, and local governments of the United Mexican States.

(3) NEW RIVER.—The term “New River” means that portion of the New River, California, that flows north within the United States from the border of Mexico through Calexico, California, passes through the Imperial Valley, and drains into the Salton Sea.

(4) PROGRAM.—The term “program” means the California New River restoration program established under section 26003.

(5) RESTORATION AND PROTECTION.—The term “restoration and protection” means the conservation, stewardship, and enhancement of habitat for fish and wildlife to preserve and improve ecosystems and ecological processes on which they depend.

SEC. 26003. CALIFORNIA NEW RIVER RESTORATION PROGRAM ESTABLISHMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a program to be known as the “California New River restoration program”.

(b) DUTIES.—In carrying out the program, the Administrator shall—

(1) implement projects, plans, and initiatives for the restoration and protection of the New River that are supported by the California-Mexico Border Relations Council, in consultation with applicable management entities, including representatives of the Calexico New River Committee, the California-Mexico Border Relations Council, the New River Improvement Project Technical Advisory Committee, the Federal Government, State and local governments, and regional and nonprofit organizations;

(2) undertake activities that—

(A) support the implementation of a shared set of science-based restoration and protection activities identified in accordance with paragraph (1);

(B) target cost-effective projects with measurable results; and

(C) maximize conservation outcomes with no net gain of Federal full-time equivalent employees; and

(3) provide grants and technical assistance in accordance with section 26004.

(c) COORDINATION.—In establishing the program, the Administrator shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Secretary of the Interior;

(B) the Secretary of Agriculture;

(C) the Secretary of Homeland Security;

(D) the Administrator of General Services;

(E) the Commissioner of U.S. Customs and Border Protection;

(F) the Commissioner of the International Boundary Water Commission; and

(G) the head of any other applicable agency;

(2) the Governor of California;

(3) the California Environmental Protection Agency;

- (4) the California State Water Resources Control Board;
 - (5) the California Department of Water Resources;
 - (6) the Colorado River Basin Regional Water Quality Control Board;
 - (7) the Imperial Irrigation District; and
 - (8) other public agencies and organizations with authority for the planning and implementation of conservation strategies relating to the New River.
- (d) PURPOSES.—The purposes of the program include—
- (1) coordinating restoration and protection activities, among Mexican, Federal, State, local, and regional entities and conservation partners, relating to the New River; and
 - (2) carrying out coordinated restoration and protection activities, and providing for technical assistance relating to the New River—
 - (A) to sustain and enhance fish and wildlife habitat restoration and protection activities;
 - (B) to improve and maintain water quality to support fish and wildlife, as well as the habitats of fish and wildlife;
 - (C) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;
 - (D) to improve opportunities for public access to, and recreation in and along, the New River consistent with the ecological needs of fish and wildlife habitat;
 - (E) to maximize the resilience of natural systems and habitats under changing watershed conditions;
 - (F) to engage the public through outreach, education, and citizen involvement, to increase capacity and support for coordinated restoration and protection activities relating to the New River;
 - (G) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities; and
 - (H) to provide technical assistance to carry out restoration and protection activities relating to the New River.

SEC. 26004. GRANTS AND ASSISTANCE.

(a) IN GENERAL.—In carrying out the program, the Administrator shall provide grants and technical assistance to State and local governments, nonprofit organizations, and institutions of higher education, to carry out the purposes of the program.

(b) CRITERIA.—The Administrator, in consultation with the organizations described in section 26003(c), shall develop criteria for providing grants and technical assistance under this section to ensure that such activities accomplish one or more of the purposes identified in section 26003(d)(2).

(c) COST SHARING.—

(1) FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is provided under this section shall not exceed 55 percent of the total cost of the activity, as determined by the Administrator.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project for which a grant is provided under this section

may be provided in the form of an in-kind contribution of services or materials that the Administrator determines are integral to the activity carried out using assistance authorized by this title.

(d) REQUIREMENTS.—Sections 513 and 608 of the Federal Water Pollution Control Act (33 U.S.C. 1372; 1388) shall apply to the construction of any project or activity carried out, in whole or in part, under this title in the same manner those sections apply to a treatment works for which a grant is made available under the Federal Water Pollution Control Act.

(e) ADMINISTRATION.—The Administrator may enter into an agreement to manage the implementation of this section with the North American Development Bank or a similar organization that offers grant management services.

SEC. 26005. ANNUAL REPORTS.

Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to Congress a report on the implementation of this title, including a description of each project that has received funding under this title and the status of all such projects that are in progress on the date of submission of the report.

34. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA OR HER DESIGNEE

Page 1101, after line 10, insert the following:

(j) RELIEF TO AIRPORT CONCESSIONS.—An airport sponsor shall use at least 2 percent of any funds received under subsection (a)(1) to provide financial relief to airport concessionaires experiencing economic hardship. With respect to funds under subsection (a)(1), airport sponsors must also show good faith efforts to provide relief to small business concerns owned and controlled by socially and economically disadvantaged businesses, as such terms are defined under section 47113 of title 49, United States Code.

PART D—TEXT OF AMENDMENTS TO H.R. 2 MADE IN ORDER EN BLOC

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLUNT ROCHESTER OF DELAWARE OR HER DESIGNEE

Page 1677, after line 16, insert the following:

Subtitle E—Open Back Better

SEC. 33501. SHORT TITLE.

This subtitle may be cited as the “Open Back Better Act of 2020”.

SEC. 33502. FACILITIES ENERGY RESILIENCY.

(a) DEFINITIONS.—In this section:

(1) COVERED PROJECT.—The term “covered project” means a building project at an eligible facility that—

(A) increases—

(i) resiliency, including—

(I) public health and safety;

(II) power outages;

- (III) natural disasters;
 - (IV) indoor air quality; and
 - (V) any modifications necessitated by the COVID-19 pandemic;
 - (ii) energy efficiency;
 - (iii) renewable energy; and
 - (iv) grid integration; and
 - (B) may have combined heat and power and energy storage as project components.
- (2) **EARLY CHILDHOOD EDUCATION PROGRAM.**—The term “early childhood education program” has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).
- (3) **ELEMENTARY SCHOOL.**—The term “elementary school” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).
- (4) **ELIGIBLE FACILITY.**—The term “eligible facility” means a public facility, as determined by the Secretary, including—
- (A) a public school, including an elementary school and a secondary school;
 - (B) a facility used to operate an early childhood education program;
 - (C) a local educational agency;
 - (D) a medical facility;
 - (E) a local or State government building;
 - (F) a community facility;
 - (G) a public safety facility;
 - (H) a day care center;
 - (I) an institution of higher education;
 - (J) a public library; and
 - (K) a wastewater treatment facility.
- (5) **ENVIRONMENTAL JUSTICE COMMUNITY.**—The term “environmental justice community” means a community with significant representation of communities of color, low income communities, or Tribal and indigenous communities, that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects.
- (6) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).
- (7) **LOCAL EDUCATIONAL AGENCY.**—The term “local educational agency” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).
- (8) **LOW INCOME.**—The term “low income”, with respect to a household, means an annual household income equal to, or less than, the greater of—
- (A) 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and
 - (B) 200 percent of the Federal poverty line.
- (9) **LOW INCOME COMMUNITY.**—The term “low income community” means a census block group in which not less than 30 percent of households are low income.

(10) SECONDARY SCHOOL.—The term “secondary school” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(11) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(12) STATE.—The term “State” has the meaning given the term in section 3 of the Energy Policy and Conservation Act (42 U.S.C. 6202).

(13) STATE ENERGY PROGRAM.—The term “State Energy Program” means the State Energy Program established under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(14) TRIBAL ORGANIZATION.—

(A) IN GENERAL.—The term “tribal organization” has the meaning given the term in section 3765 of title 38, United States Code.

(B) TECHNICAL AMENDMENT.—Section 3765(4) of title 38, United States Code, is amended by striking “section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(l))” and inserting “section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)”.

(b) STATE PROGRAMS.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall distribute grants to States under the State Energy Program, in accordance with the allocation formula established under that Program, to implement covered projects.

(2) USE OF FUNDS.—

(A) IN GENERAL.—Subject to subparagraph (B), grant funds under paragraph (1) may be used for technical assistance, project facilitation, and administration.

(B) TECHNICAL ASSISTANCE.—A State may use not more than 10 percent of grant funds received under paragraph (1) to provide technical assistance for the development, facilitation, management, oversight, and measurement of results of covered projects implemented using those funds.

(C) ENVIRONMENTAL JUSTICE AND OTHER COMMUNITIES.—To support communities adversely impacted by the COVID-19 pandemic, a State shall use not less than 40 percent of grant funds received under paragraph (1) to implement covered projects in environmental justice communities or low income communities.

(D) PRIVATE FINANCING.—A State receiving a grant under paragraph (1) shall—

(i) to the extent practicable, leverage private financing for cost-effective energy efficiency, renewable energy, resiliency, and other smart-building improvements, such as by entering into an energy service performance contract; but

(ii) maintain the use of grant funds to carry out covered projects with more project resiliency, public health, and capital-intensive efficiency and emission reduction components than are typically available through private energy service performance contracts.

(E) GUIDANCE.—In carrying out a covered project using grant funds received under paragraph (1), a State shall, to the extent practicable, adhere to guidance developed by the Secretary pursuant to the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 115) relating to distribution of funds, if that guidance will speed the distribution of funds under this subsection.

(3) NO MATCHING REQUIREMENT.—Notwithstanding any other provision of law, a State receiving a grant under paragraph (1) shall not be required to provide any amount of matching funding.

(4) REPORT.—Not later than 1 year after the date on which grants are distributed under paragraph (1), and each year thereafter until the funds appropriated pursuant to paragraph (5) are no longer available, the Secretary shall submit a report on the use of those funds (including in the communities described in paragraph (2)(C)) to—

(A) the Subcommittee on Energy and Water Development of the Committee on Appropriations of the Senate;

(B) the Subcommittee on Energy and Water Development and Related Agencies of the Committee on Appropriations of the House of Representatives;

(C) the Committee on Energy and Natural Resources of the Senate; and

(D) the Committee on Energy and Commerce of the House of Representatives.

(5) FUNDING.—In addition to any amounts made available to the Secretary to carry out the State Energy Program, there is authorized to be appropriated to the Secretary \$18,000,000,000 to carry out this subsection, to remain available until September 30, 2025.

(6) SUPPLEMENT, NOT SUPPLANT.—Funds made available under paragraph (5) shall supplement, not supplant, any other funds made available to States for the State Energy Program or the weatherization assistance program established under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.).

(c) FEDERAL ENERGY MANAGEMENT PROGRAM.—

(1) IN GENERAL.—Beginning 60 days after the date of enactment of this Act, the Secretary shall use funds appropriated pursuant to paragraph (4) to provide grants under the AFFECT program under the Federal Energy Management Program of the Department of Energy to implement covered projects.

(2) PRIVATE FINANCING.—A recipient of a grant under paragraph (1) shall—

(A) to the extent practicable, leverage private financing for cost-effective energy efficiency, renewable energy, resiliency, and other smart-building improvements, such as by entering into an energy service performance contract; but

(B) maintain the use of grant funds to carry out covered projects with more project resiliency, public health, and capital-intensive efficiency and emission reduction components than are typically available through private energy service performance contracts.

(3) REPORT.—Not later than 1 year after the date on which grants are distributed under paragraph (1), and each year thereafter until funds appropriated pursuant to paragraph (4) are no longer available, the Secretary shall submit a report on the use of those funds to—

- (A) the Subcommittee on Energy and Water Development of the Committee on Appropriations of the Senate;
- (B) the Subcommittee on Energy and Water Development and Related Agencies of the Committee on Appropriations of the House of Representatives;
- (C) the Committee on Energy and Natural Resources of the Senate; and
- (D) the Committee on Energy and Commerce of the House of Representatives.

(4) FUNDING.—In addition to any amounts made available to the Secretary to carry out the AFFECT program described in paragraph (1), there is authorized to be appropriated to the Secretary \$500,000,000 to carry out this subsection, to remain available until September 30, 2025.

(d) TRIBAL ORGANIZATIONS.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary, acting through the head of the Office of Indian Energy, shall distribute funds made available under paragraph (3) to tribal organizations to implement covered projects.

(2) REPORT.—Not later than 1 year after the date on which funds are distributed under paragraph (1), and each year thereafter until the funds made available under paragraph (3) are no longer available, the Secretary shall submit a report on the use of those funds to—

- (A) the Subcommittee on Energy and Water Development of the Committee on Appropriations of the Senate;
- (B) the Subcommittee on Energy and Water Development and Related Agencies of the Committee on Appropriations of the House of Representatives;
- (C) the Committee on Energy and Natural Resources of the Senate; and
- (D) the Committee on Energy and Commerce of the House of Representatives.

(3) FUNDING.—There is authorized to be appropriated to the Secretary \$1,500,000,000 to carry out this subsection, to remain available until September 30, 2025.

(e) USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS.—

(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds made available by or pursuant to this section may be used for a covered project unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.

(2) EXCEPTIONS.—The requirement under paragraph (1) shall be waived by the head of the relevant Federal department or agency in any case or category of cases in which the head of the relevant Federal department or agency determines that—

- (A) adhering to that requirement would be inconsistent with the public interest;

- (B) the iron, steel, and manufactured goods needed for the project are not produced in the United States—
 - (i) in sufficient and reasonably available quantities; and
 - (ii) in a satisfactory quality; or
- (C) the inclusion of iron, steel, and relevant manufactured goods produced in the United States would increase the overall cost of the project by more than 25 percent.
- (3) WAIVER PUBLICATION.—If the head of a Federal department or agency makes a determination under paragraph (2) to waive the requirement under paragraph (1), the head of the Federal department or agency shall publish in the Federal Register a detailed justification for the waiver.
- (4) INTERNATIONAL AGREEMENTS.—This subsection shall be applied in a manner consistent with the obligations of the United States under all applicable international agreements.

(f) WAGE RATE REQUIREMENTS.—

- (1) IN GENERAL.—Notwithstanding any other provision of law, all laborers and mechanics employed by contractors and subcontractors on projects funded directly or assisted in whole or in part by the Federal Government pursuant to this section shall be paid wages at rates not less than those prevailing on projects of a similar character in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”).
- (2) AUTHORITY.—With respect to the labor standards specified in paragraph (1), the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

SEC. 33503. PERSONNEL.

- (a) IN GENERAL.—To carry out section 33502, the Secretary shall hire within the Department of Energy—
 - (1) not less than 300 full-time employees in the Office of Energy Efficiency and Renewable Energy;
 - (2) not less than 100 full-time employees, to be distributed among—
 - (A) the Office of General Counsel;
 - (B) the Office of Procurement Policy;
 - (C) the Golden Field Office;
 - (D) the National Energy Technology Laboratory; and
 - (E) the Office of the Inspector General; and
 - (3) not less than 20 full-time employees in the Office of Indian Energy.
- (b) TIMELINE.—Not later than 60 days after the date of enactment of this Act, the Secretary shall—
 - (1) hire all personnel under subsection (a); or
 - (2) certify that the Secretary is unable to hire all personnel by the date required under this subsection.
- (c) CONTRACT HIRES.—
 - (1) IN GENERAL.—If the Secretary makes a certification under subsection (b)(2), the Secretary may hire on a contract basis not more than 50 percent of the personnel required to be hired under subsection (a).

(2) DURATION.—An individual hired on a contract basis under paragraph (1) shall have an employment term of not more than 1 year.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$84,000,000 for each of fiscal years 2021 through 2031.

(e) REPORT.—Not later than 60 days after the date of enactment of this Act, and annually thereafter for 2 years, the Secretary shall submit a report on progress made in carrying out subsection (a) to—

(1) the Subcommittee on Energy and Water Development of the Committee on Appropriations of the Senate;

(2) the Subcommittee on Energy and Water Development and Related Agencies of the Committee on Appropriations of the House of Representatives;

(3) the Committee on Energy and Natural Resources of the Senate; and

(4) the Committee on Energy and Commerce of the House of Representatives.

**2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BLUNT
ROCHESTER OF DELAWARE OR HER DESIGNEE**

Page 1547, after line 5, insert the following new chapter:

CHAPTER 10—CLIMATE ACTION PLANNING FOR PORTS

SEC. 33191. GRANTS TO REDUCE GREENHOUSE GAS EMISSIONS AT PORTS.

(a) GRANTS.—The Administrator of the Environmental Protection Agency may award grants to eligible entities—

(1) to implement plans to reduce greenhouse gas emissions at one or more ports or port facilities within the jurisdictions of the respective eligible entities; and

(2) to develop climate action plans described in subsection (b)(2).

(b) APPLICATION.—

(1) IN GENERAL.—To seek a grant under this section, an eligible entity shall submit an application to the Administrator of the Environmental Protection Agency at such time, in such manner, and containing such information and assurances as the Administrator may require.

(2) CLIMATE ACTION PLAN.—At a minimum, each such application shall contain—

(A) a detailed and strategic plan, to be known as a climate action plan, that outlines how the eligible entity will develop and implement climate change mitigation or adaptation measures through the grant; or

(B) a request pursuant to subsection (a)(2) for funding for the development of a climate action plan.

(3) REQUIRED COMPONENTS.—A climate action plan under paragraph (2) shall demonstrate that the measures proposed to be implemented through the grant—

(A) will reduce greenhouse gas emissions at the port or port facilities involved pursuant to greenhouse gas emission reduction goals set forth in the climate action plan;

(B) will reduce other air pollutants at the port or port facilities involved pursuant to criteria pollutant emission reduction goals set forth in the climate action plan;

(C) will implement emissions accounting and inventory practices to determine baseline emissions and measure progress; and

(D) will ensure labor protections for workers employed directly at the port or port facilities involved, including by—

(i) demonstrating that implementation of the measures proposed to be implemented through the grant will not result in a net loss of jobs at the port or port facilities involved;

(ii) ensuring that laborers and mechanics employed by contractors and subcontractors on construction projects to implement the plan will be paid wages not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor under sections 3141 through 3144, 3146, and 3147 of title 40, United States Code; and

(iii) requiring any projects initiated to carry out the plan with total capital costs of \$1,000,000 or greater to utilize a project labor agreement and not impact any preexisting project labor agreement.

(4) OTHER COMPONENTS.—In addition to the components required by paragraph (3), a climate action plan under paragraph (2) shall demonstrate that the measures proposed to be implemented through the grant will do at least 2 of the following:

(A) Improve energy efficiency at a port or port facility, including by using—

(i) energy-efficient vehicles, such as hybrid, low-emission, or zero-emission vehicles;

(ii) energy efficient cargo-handling, harbor vessels, or storage facilities such as energy-efficient refrigeration equipment;

(iii) energy-efficient lighting;

(iv) shore power; or

(v) other energy efficiency improvements.

(B) Deploy technology or processes that reduce idling of vehicles at a port or port facility.

(C) Reduce the direct emissions of greenhouse gases and other air pollutants with a goal of achieving zero emissions, including by replacing and retrofitting equipment (including vehicles onsite, cargo-handling equipment, or harbor vessels) at a port or port facility.

(5) PROHIBITED USE.—An eligible entity may not use a grant provided under this section—

(A) to purchase fully automated cargo handling equipment;

(B) to build, or plan to build, terminal infrastructure that is designed for fully automated cargo handling equipment;

- (C) to purchase, test, or develop highly automated trucks, chassis, or any related equipment that can be used to transport containerized freight; or
 - (D) to utilize any independent contractor, independent owner-operator, or other entity that does not use employees to perform any work on the port or port facilities.
- (6) COORDINATION WITH STAKEHOLDERS.—In developing a climate action plan under paragraph (2), an eligible entity shall—
 - (A) identify and collaborate with stakeholders who may be affected by the plan, including local environmental justice communities and other near-port communities;
 - (B) address the potential cumulative effects of the plan on stakeholders when those effects may have a community-level impact; and
 - (C) ensure effective advance communication with stakeholders to avoid and minimize conflicts.
- (c) PRIORITY.—In awarding grants under this section, the Administrator of the Environmental Protection Agency shall give priority to applicants proposing—
 - (1) to strive for zero emissions as a key strategy within the grantee's climate action plan under paragraph (2);
 - (2) to take a regional approach to reducing greenhouse gas emissions at ports;
 - (3) to collaborate with near-port communities to identify and implement mutual solutions to reduce air pollutants at ports or port facilities affecting such communities, with emphasis given to implementation of such solutions in near-port communities that are environmental justice communities;
 - (4) to implement activities with off-site benefits, such as by reducing air pollutants from vehicles, equipment, and vessels at sites other than the port or port facilities involved; and
 - (5) to reduce localized health risk pursuant to health risk reduction goals that are set within the grantee's climate action plan under paragraph (2).
- (d) MODEL METHODOLOGIES.—The Administrator of the Environmental Protection Agency shall—
 - (1) develop model methodologies which grantees under this section may choose to use for emissions accounting and inventory practices referred to in subsection (b)(3)(C); and
 - (2) ensure that such methodologies are designed to measure progress in reducing air pollution at near-port communities.
- (e) DEFINITIONS.—In this section:
 - (1) The term “Administrator” means the Administrator of the Environmental Protection Agency.
 - (2) The term “cargo-handling equipment” includes—
 - (A) ship-to-shore container cranes and other cranes;
 - (B) container-handling equipment; and
 - (C) equipment for moving or handling cargo, including trucks, reachstackers, toploaders, and forklifts.
 - (3) The term “eligible entity” means—
 - (A) a port authority;
 - (B) a State, regional, local, or Tribal agency that has jurisdiction over a port authority or a port;
 - (C) an air pollution control district; or

(D) a private entity (including any nonprofit organization) that—

(i) applies for a grant under this section in collaboration with an entity described in subparagraph (A), (B), or (C); and

(ii) owns, operates, or uses a port facility, cargo equipment, transportation equipment, related technology, or a warehouse facility at a port or port facility.

(4) The term “environmental justice community” means a community with significant representation of communities of color, low-income communities, or Tribal and indigenous communities, that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects.

(5) The term “harbor vessel” includes a ship, boat, lighter, or maritime vessel designed for service at and around harbors and ports.

(6) The term “inland port” means a logistics or distribution hub that is located inland from navigable waters, where cargo, such as break-bulk cargo or cargo in shipping containers, is processed, stored, and transferred between trucks, rail cars, or aircraft.

(7) The term “port” includes an inland port.

(8) The term “stakeholder”—

(9) The term “stakeholder” means residents, community groups, businesses, business owners, labor unions, commission members, or groups from which a near-port community draws its resources that—

(A) have interest in the climate action plan of a grantee under this section; or

(B) can affect or be affected by the objectives and policies of such a climate action plan.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—To carry out this section, there is authorized to be appropriated \$250,000,000 for each of fiscal years 2021 through 2025.

(2) DEVELOPMENT OF CLIMATE ACTION PLANS.—In addition to the authorization of appropriations in paragraph (1), there is authorized to be appropriated for grants pursuant to subsection (a)(2) to develop climate action plans \$50,000,000 for fiscal year 2021, to remain available until expended.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRINDISI OF NEW YORK OR HIS DESIGNEE

Page 1239, strike lines 10 and 11 and insert the following:

(G) How competition impacts the price of broadband service, including the impact of monopolistic business practices by broadband service providers.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BRINDISI OF NEW YORK OR HIS DESIGNEE

Page 1236, after line 19, insert the following:

(E) The extent to which residents of the United States that received broadband service as a result of Federal broadband service support programs and the Universal Service Fund programs received such service at the download and upload speeds required by such programs.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRAIG OF MINNESOTA OR HER DESIGNEE

Page 1400, after line 2, insert the following:

(c) **REPEAL OF DECLARATORY RULING AND PROHIBITION ON USE OF NPRM.**—The Notice of Proposed Rulemaking and Declaratory Ruling in the matter of improving competitive broadband access to multiple tenant environments and petition for preemption of Article 52 of the San Francisco Police Code filed by the Multifamily Broadband Council that was adopted by the Commission on July 10, 2019 (FCC 19-65), shall have no force or effect and the Commission may not rely on such Notice of Proposed Rulemaking to satisfy the requirements of section 553 of title 5, United States Code, for adopting, amending, revoking, or otherwise modifying any rule (as defined in section 551 of such title) of the Commission.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUNNINGHAM OF SOUTH CAROLINA OR HIS DESIGNEE

Page 1678, line 10, after “public health emergency preparedness” insert “, natural disaster emergency preparedness, flood mitigation.”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUNNINGHAM OF SOUTH CAROLINA OR HIS DESIGNEE

Page 1886, after line 16, insert the following:

SEC. 81238. REPORT ON FISH THAT INHABIT WATERS THAT CONTAIN PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) **IN GENERAL.**—The Administrator of the National Oceanic and Atmospheric Administration, in coordination with the Director of the United States Fish and Wildlife Service, the Administrator of the Environmental Protection Agency, the Director of the Centers for Disease Control and Prevention, and the Director of the United States Geological Survey, shall submit to Congress a report on the impact of waters that contain perfluoroalkyl or polyfluoroalkyl substances on fish that—

- (1) inhabit such waters; and
- (2) are used for recreation or subsistence.

(b) **CONTENT.**—The report required by subsection (a) shall include information on the following:

(1) The concentration of perfluoroalkyl and polyfluoroalkyl substances in fish that inhabit waters that contain such substances.

(2) The health risks posed to persons who frequently consume fish that inhabit waters that contain perfluoroalkyl or polyfluoroalkyl substances.

(3) The risks to natural predators of fish that inhabit waters that contain perfluoroalkyl or polyfluoroalkyl substances, including dolphins.

(4) Measures that can be taken to mitigate the risks described in paragraphs (2) and (3).

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DINGELL OF MICHIGAN OR HER DESIGNEE

Page 1547, after line 5, insert the following new chapter:

CHAPTER 10—CLEAN ENERGY AND SUSTAINABILITY ACCELERATOR

SEC. 33191. CLEAN ENERGY AND SUSTAINABILITY ACCELERATOR.

Title XVI of the Energy Policy Act of 2005 (Public Law 109–58, as amended) is amended by adding at the end the following new subtitle:

“Subtitle C—Clean Energy and Sustainability Accelerator

“SEC. 1621. DEFINITIONS.

“In this subtitle:

“(1) ACCELERATOR.—The term ‘Accelerator’ means the Clean Energy and Sustainability Accelerator established under section 1622.

“(2) BOARD.—The term ‘Board’ means the Board of Directors of the Accelerator.

“(3) CHIEF EXECUTIVE OFFICER.—The term ‘chief executive officer’ means the chief executive officer of the Accelerator.

“(4) CLIMATE-IMPACTED COMMUNITIES.—The term ‘climate-impacted communities’ includes—

“(A) communities of color, which include any geographically distinct area the population of color of which is higher than the average population of color of the State in which the community is located;

“(B) communities that are already or are likely to be the first communities to feel the direct negative effects of climate change;

“(C) distressed neighborhoods, demonstrated by indicators of need, including poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration;

“(D) low-income communities, defined as any census block group in which 30 percent or more of the population are individuals with low income;

“(E) low-income households, defined as a household with annual income equal to, or less than, the greater of—

“(i) an amount equal to 80 percent of the median income of the area in which the household is located, as reported by the Department of Housing and Urban Development; and

“(ii) 200 percent of the Federal poverty line; and

“(F) rural areas, which include any area other than—

“(i) a city or town that has a population of greater than 50,000 inhabitants; and

“(ii) any urbanized area contiguous and adjacent to a city or town described in clause (i).

“(5) CLIMATE RESILIENT INFRASTRUCTURE.—The term ‘climate resilient infrastructure’ means any project that builds or enhances infrastructure so that such infrastructure—

“(A) is planned, designed, and operated in a way that anticipates, prepares for, and adapts to changing climate conditions; and

“(B) can withstand, respond to, and recover rapidly from disruptions caused by these climate conditions.

“(6) ELECTRIFICATION.—The term ‘electrification’ means the installation, construction, or use of end-use electric technology that replaces existing fossil-fuel-based technology.

“(7) ENERGY EFFICIENCY.—The term ‘energy efficiency’ means any project, technology, function, or measure that results in the reduction of energy use required to achieve the same level of service or output prior to the application of such project, technology, function, or measure, or substantially reduces greenhouse gas emissions relative to emissions that would have occurred prior to the application of such project, technology, function, or measure.

“(8) FUEL SWITCHING.—The term ‘fuel switching’ means any project that replaces a fossil-fuel-based heating system with an electric-powered system or one powered by biomass-generated heat.

“(9) GREEN BANK.—The term ‘green bank’ means a dedicated public or nonprofit specialized finance entity that—

“(A) is designed to drive private capital into market gaps for low- and zero-emission goods and services;

“(B) uses finance tools to mitigate climate change;

“(C) does not take deposits;

“(D) is funded by government, public, private, or charitable contributions; and

“(E) invests or finances projects—

“(i) alone; or

“(ii) in conjunction with other investors.

“(10) QUALIFIED PROJECTS.—The terms ‘qualified projects’ means the following kinds of technologies and activities that are eligible for financing and investment from the Clean Energy and Sustainability Accelerator, either directly or through State and local green banks funded by the Clean Energy and Sustainability Accelerator:

“(A) Renewable energy generation, including the following:

“(i) Solar.

“(ii) Wind.

“(iii) Geothermal.

“(iv) Hydropower.

“(v) Ocean and hydrokinetic.

“(vi) Fuel cell.

“(B) Building energy efficiency, fuel switching, and electrification.

- “(C) Industrial decarbonization.
 - “(D) Grid technology such as transmission, distribution, and storage to support clean energy distribution, including smart-grid applications.
 - “(E) Agriculture and forestry projects that reduce net greenhouse gas emissions.
 - “(F) Clean transportation, including the following:
 - “(i) Battery electric vehicles.
 - “(ii) Plug-in hybrid electric vehicles.
 - “(iii) Hydrogen vehicles.
 - “(iv) Other zero-emissions fueled vehicles.
 - “(v) Related vehicle charging and fueling infrastructure.
 - “(G) Climate resilient infrastructure.
 - “(H) Any other key areas identified by the Board as consistent with the mandate of the Accelerator as described in section 1623.
- “(11) RENEWABLE ENERGY GENERATION.—The term ‘renewable energy generation’ means electricity created by sources that are continually replenished by nature, such as the sun, wind, and water.

“SEC. 1622. ESTABLISHMENT.

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of this subtitle, there shall be established a nonprofit corporation to be known as the ‘Clean Energy and Sustainability Accelerator’.

“(b) LIMITATION.—The Accelerator shall not be an agency or instrumentality of the Federal Government.

“(c) FULL FAITH AND CREDIT.—The full faith and credit of the United States shall not extend to the Accelerator.

“(d) NONPROFIT STATUS.—The Accelerator shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

“SEC. 1623. MANDATE.

“The Accelerator shall make the United States a world leader in combating the causes and effects of climate change through the rapid deployment of mature technologies and scaling of new technologies by maximizing the reduction of emissions in the United States for every dollar deployed by the Accelerator, including by—

“(1) providing financing support for investments in the United States in low- and zero-emissions technologies and processes in order to rapidly accelerate market penetration;

“(2) catalyzing and mobilizing private capital through Federal investment and supporting a more robust marketplace for clean technologies, while avoiding competition with private investment;

“(3) enabling climate-impacted communities to benefit from and afford projects and investments that reduce emissions;

“(4) providing support for workers and communities impacted by the transition to a low-carbon economy;

“(5) supporting the creation of green banks within the United States where green banks do not exist; and

“(6) causing the rapid transition to a clean energy economy without raising energy costs to end users and seeking to lower costs where possible.

“SEC. 1624. FINANCE AND INVESTMENT DIVISION.

“(a) IN GENERAL.—There shall be within the Accelerator a finance and investment division, which shall be responsible for—

“(1) the Accelerator’s greenhouse gas emissions mitigation efforts by directly financing qualifying projects or doing so indirectly by providing capital to State and local green banks;

“(2) originating, evaluating, underwriting, and closing the Accelerator’s financing and investment transactions in qualified projects;

“(3) partnering with private capital providers and capital markets to attract coinvestment from private banks, investors, and others in order to drive new investment into underpenetrated markets, to increase the efficiency of private capital markets with respect to investing in greenhouse gas reduction projects, and to increase total investment caused by the Accelerator;

“(4) managing the Accelerator’s portfolio of assets to ensure performance and monitor risk;

“(5) ensuring appropriate debt and risk mitigation products are offered; and

“(6) overseeing prudent, noncontrolling equity investments.

“(b) PRODUCTS AND INVESTMENT TYPES.—The finance and investment division of the Accelerator may provide capital to qualified projects in the form of—

“(1) senior, mezzanine, and subordinated debt;

“(2) credit enhancements including loan loss reserves and loan guarantees;

“(3) aggregation and warehousing;

“(4) equity capital; and

“(5) any other financial product approved by the Board.

“(c) STATE AND LOCAL GREEN BANK CAPITALIZATION.—The finance and investment division of the Accelerator shall make capital available to State and local green banks to enable such banks to finance qualifying projects in their markets that are better served by a locally based entity, rather than through direct investment by the Accelerator.

“(d) INVESTMENT COMMITTEE.—The debt, risk mitigation, and equity investments made by the Accelerator shall be—

“(1) approved by the investment committee of the Board; and

“(2) consistent with an investment policy that has been established by the investment committee of the Board in consultation with the risk management committee of the Board.

“SEC. 1625. START-UP DIVISION.

“There shall be within the Accelerator a Start-up Division, which shall be responsible for providing technical assistance and start-up funding to States and other political subdivisions that do not have green banks to establish green banks in those States and political subdivisions, including by working with relevant stakeholders in those States and political subdivisions.

“SEC. 1626. ZERO-EMISSIONS FLEET AND RELATED INFRASTRUCTURE FINANCING PROGRAM.

“Not later than 1 year after the date of establishment of the Accelerator, the Accelerator shall explore the establishment of a program to provide low- and zero-interest loans, up to 30 years in length, to any school, metropolitan planning organization, or non-profit organization seeking financing for the acquisition of zero-emissions vehicle fleets or associated infrastructure to support zero-emissions vehicle fleets.

“SEC. 1627. PROJECT PRIORITIZATION AND REQUIREMENTS.

“(a) EMISSIONS REDUCTION MANDATE.—In investing in projects that mitigate greenhouse gas emissions, the Accelerator shall maximize the reduction of emissions in the United States for every dollar deployed by the Accelerator.

“(b) ENVIRONMENTAL JUSTICE PRIORITIZATION.—

“(1) IN GENERAL.—In order to address environmental justice needs, the Accelerator shall, as applicable, prioritize the provision of program benefits and investment activity that are expected to directly or indirectly result in the deployment of projects to serve, as a matter of official policy, climate-impacted communities.

“(2) MINIMUM PERCENTAGE.—The Accelerator shall ensure that over the 30-year period of its charter 20 percent of its investment activity is directed to serve climate-impacted communities.

“(c) CONSUMER PROTECTION.—

“(1) PRIORITIZATION.—Consistent with mandate under section 1623 to maximize the reduction of emissions in the United States for every dollar deployed by the Accelerator, the Accelerator shall prioritize qualified projects according to benefits conferred on consumers and affected communities.

“(2) CONSUMER CREDIT PROTECTION.—The Accelerator shall ensure that any residential energy efficiency or distributed clean energy project in which the Accelerator invests directly or indirectly complies with the requirements of the Consumer Credit Protection Act (15 U.S.C. 1601 et seq.), including, in the case of a financial product that is a residential mortgage loan, any requirements of title I of that Act relating to residential mortgage loans (including any regulations promulgated by the Bureau of Consumer Financial Protection under section 129C(b)(3)(C) of that Act (15 U.S.C. 1639c(b)(3)(C))).

“(d) LABOR.—

“(1) IN GENERAL.—The Accelerator shall ensure that laborers and mechanics employed by contractors and subcontractors in construction work financed directly by the Accelerator will be paid wages not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor under sections 3141 through 3144, 3146, and 3147 of title 40, United States Code.

“(2) PROJECT LABOR AGREEMENT.—The Accelerator shall ensure that projects financed directly by the Accelerator with total capital costs of \$100,000,000 or greater utilize a project labor agreement.

“SEC. 1628. BOARD OF DIRECTORS.

“(a) IN GENERAL.—The Accelerator shall operate under the direction of a Board of Directors, which shall be composed of 7 members.

“(b) INITIAL COMPOSITION AND TERMS.—

“(1) SELECTION.—The initial members of the Board shall be selected as follows:

“(A) APPOINTED MEMBERS.—Three members shall be appointed by the President, with the advice and consent of the Senate, of whom no more than two shall belong to the same political party.

“(B) ELECTED MEMBERS.—Four members shall be elected unanimously by the 3 members appointed and confirmed pursuant to subparagraph (A).

“(2) TERMS.—The terms of the initial members of the Board shall be as follows:

“(A) The 3 members appointed and confirmed under paragraph (1)(A) shall have initial 5-year terms.

“(B) Of the 4 members elected under paragraph (1)(B), 2 shall have initial 3-year terms, and 2 shall have initial 4-year terms.

“(c) SUBSEQUENT COMPOSITION AND TERMS.—

“(1) SELECTION.—Except for the selection of the initial members of the Board for their initial terms under subsection (b), the members of the Board shall be elected by the members of the Board.

“(2) DISQUALIFICATION.—A member of the Board shall be disqualified from voting for any position on the Board for which such member is a candidate.

“(3) TERMS.—All members elected pursuant to paragraph (1) shall have a term of 5 years.

“(d) QUALIFICATIONS.—The members of the Board shall collectively have expertise in—

“(1) the fields of clean energy, electric utilities, industrial decarbonization, clean transportation, resiliency, and agriculture and forestry practices;

“(2) climate change science;

“(3) finance and investments; and

“(4) environmental justice and matters related to the energy and environmental needs of climate-impacted communities.

“(e) RESTRICTION ON MEMBERSHIP.—No officer or employee of the Federal or any other level of government may be appointed or elected as a member of the Board.

“(f) QUORUM.—Five members of the Board shall constitute a quorum.

“(g) BYLAWS.—

“(1) IN GENERAL.—The Board shall adopt, and may amend, such bylaws as are necessary for the proper management and functioning of the Accelerator.

“(2) OFFICERS.—In the bylaws described in paragraph (1), the Board shall—

“(A) designate the officers of the Accelerator; and

“(B) prescribe the duties of those officers.

“(h) VACANCIES.—Any vacancy on the Board shall be filled through election by the Board.

“(i) INTERIM APPOINTMENTS.—A member elected to fill a vacancy occurring before the expiration of the term for which the predecessor of that member was appointed or elected shall serve for the remainder of the term for which the predecessor of that member was appointed or elected.

“(j) REAPPOINTMENT.—A member of the Board may be elected for not more than 1 additional term of service as a member of the Board.

“(k) CONTINUATION OF SERVICE.—A member of the Board whose term has expired may continue to serve on the Board until the date on which a successor member is elected.

“(l) CHIEF EXECUTIVE OFFICER.—The Board shall appoint a chief executive officer who shall be responsible for—

“(1) hiring employees of the Accelerator;

“(2) establishing the 2 divisions of the Accelerator described in sections 1624 and 1625; and

“(3) performing any other tasks necessary for the day-to-day operations of the Accelerator.

“(m) ADVISORY COMMITTEE.—

“(1) ESTABLISHMENT.—The Accelerator shall establish an advisory committee (in this subsection referred to as the ‘advisory committee’), which shall be composed of not more than 13 members appointed by the Board on the recommendation of the president of the Accelerator.

“(2) MEMBERS.—Members of the advisory committee shall be broadly representative of interests concerned with the environment, production, commerce, finance, agriculture, forestry, labor, services, and State Government. Of such members—

“(A) not fewer than 3 shall be representatives of the small business community;

“(B) not fewer than 2 shall be representatives of the labor community, except that no 2 members may be from the same labor union;

“(C) not fewer than 2 shall be representatives of the environmental nongovernmental organization community, except that no 2 members may be from the same environmental organization;

“(D) not fewer than 2 shall be representatives of the environmental justice nongovernmental organization community, except that no 2 members may be from the same environmental organization;

“(E) not fewer than 2 shall be representatives of the consumer protection and fair lending community, except that no 2 members may be from the same consumer protection or fair lending organization; and

“(F) not fewer than 2 shall be representatives of the financial services industry with knowledge of and experience in financing transactions for clean energy and other sustainable infrastructure assets.

“(3) MEETINGS.—The advisory committee shall meet not less frequently than once each quarter.

“(4) DUTIES.—The advisory committee shall—

“(A) advise the Accelerator on the programs undertaken by the Accelerator; and

“(B) submit to the Congress an annual report with comments from the advisory committee on the extent to which the Accelerator is meeting the mandate described in section 1623, including any suggestions for improvement.

“(n) CHIEF RISK OFFICER.—

“(1) APPOINTMENT.—Subject to the approval of the Board, the chief executive officer shall appoint a chief risk officer from among individuals with experience at a senior level in financial risk management, who—

“(A) shall report directly to the Board; and

“(B) shall be removable only by a majority vote of the Board.

“(2) DUTIES.—The chief risk officer, in coordination with the risk management and audit committees established under section 1631, shall develop, implement, and manage a comprehensive process for identifying, assessing, monitoring, and limiting risks to the Accelerator, including the overall portfolio diversification of the Accelerator.

“SEC. 1629. ADMINISTRATION.

“(a) CAPITALIZATION.—

“(1) IN GENERAL.—To the extent and in the amounts provided in advance in appropriations Acts, the Secretary of Energy shall transfer to the Accelerator—

“(A) \$10,000,000,000 on the date on which the Accelerator is established under section 1622; and

“(B) \$2,000,000,000 on October 1 of each of the 5 fiscal years following that date.

“(2) AUTHORIZATION OF APPROPRIATIONS.—For purposes of the transfers under paragraph (1), there are authorized to be appropriated—

“(A) \$10,000,000,000 for the fiscal year in which the Accelerator is established under section 1622; and

“(B) \$2,000,000,000 for each of the 5 succeeding fiscal years.

“(b) CHARTER.—The Accelerator shall establish a charter, the term of which shall be 30 years.

“(c) OPERATIONAL FUNDS.—To sustain operations, the Accelerator shall manage revenue from financing fees, interest, repaid loans, and other types of funding.

“(d) REPORT.—The Accelerator shall submit on a quarterly basis to the relevant committees of Congress a report that describes the financial activities, emissions reductions, and private capital mobilization metrics of the Accelerator for the previous quarter.

“(e) RESTRICTION.—The Accelerator shall not accept deposits.

“(f) COMMITTEES.—The Board shall establish committees and subcommittees, including—

“(1) an investment committee; and

“(2) in accordance with section 1630—

“(A) a risk management committee; and

“(B) an audit committee.

“SEC. 1630. ESTABLISHMENT OF RISK MANAGEMENT COMMITTEE AND AUDIT COMMITTEE.

“(a) IN GENERAL.—To assist the Board in fulfilling the duties and responsibilities of the Board under this subtitle, the Board shall establish a risk management committee and an audit committee.

“(b) DUTIES AND RESPONSIBILITIES OF RISK MANAGEMENT COMMITTEE.—Subject to the direction of the Board, the risk management committee established under subsection (a) shall establish policies for and have oversight responsibility for—

- “(1) formulating the risk management policies of the operations of the Accelerator;
- “(2) reviewing and providing guidance on operation of the global risk management framework of the Accelerator;
- “(3) developing policies for—
 - “(A) investment;
 - “(B) enterprise risk management;
 - “(C) monitoring; and
 - “(D) management of strategic, reputational, regulatory, operational, developmental, environmental, social, and financial risks; and
- “(4) developing the risk profile of the Accelerator, including—
 - “(A) a risk management and compliance framework; and
 - “(B) a governance structure to support that framework.

“(c) DUTIES AND RESPONSIBILITIES OF AUDIT COMMITTEE.—Subject to the direction of the Board, the audit committee established under subsection (a) shall have oversight responsibility for—

- “(1) the integrity of—
 - “(A) the financial reporting of the Accelerator; and
 - “(B) the systems of internal controls regarding finance and accounting;
- “(2) the integrity of the financial statements of the Accelerator;
- “(3) the performance of the internal audit function of the Accelerator; and
- “(4) compliance with the legal and regulatory requirements related to the finances of the Accelerator.

“SEC. 1631. OVERSIGHT.

“(a) EXTERNAL OVERSIGHT.—The inspector general of the Department of Energy shall have oversight responsibilities over the Accelerator.

“(b) REPORTS AND AUDIT.—

“(1) ANNUAL REPORT.—The Accelerator shall publish an annual report which shall be transmitted by the Accelerator to the President and the Congress.

“(2) ANNUAL AUDIT OF ACCOUNTS.—The accounts of the Accelerator shall be audited annually. Such audits shall be conducted in accordance with generally accepted auditing standards by independent certified public accountants who are certified by a regulatory authority of the jurisdiction in which the audit is undertaken.

“(3) ADDITIONAL AUDITS.—In addition to the annual audits under paragraph (2), the financial transactions of the Accelerator for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited by the Government Accountability Office in accordance with such

rules and regulations as may be prescribed by the Comptroller General of the United States.

“SEC. 1632. MAXIMUM CONTINGENT LIABILITY.

“The maximum contingent liability of the Accelerator that may be outstanding at any time shall be not more than \$70,000,000,000 in the aggregate.”.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOSTER OF ILLINOIS OR HIS DESIGNEE

In section 33114(b), strike paragraph (2) and insert the following:

(2) ADDITIONAL REQUIREMENTS.—In establishing the program under paragraph (1), the Secretary shall—

(A) identify and coordinate across all relevant program offices throughout the Department of Energy key areas of existing and future research with respect to a portfolio of technologies and approaches;

(B) adopt long-term cost, performance, and demonstration targets for different types of energy storage systems and for use in a variety of regions, including rural areas;

(C) incorporate considerations of sustainability, sourcing, recycling, reuse, and disposal of materials, including critical elements, in the design of energy storage systems;

(D) identify energy storage duration needs;

(E) analyze the need for various types of energy storage to improve electric grid resilience and reliability; and

(F) support research and development of advanced manufacturing technologies that have the potential to improve United States competitiveness in energy storage manufacturing.

(3) ESTABLISHMENT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish within the Office of Electricity of the Department of Energy a research, development, and demonstration program of grid-scale energy storage systems, in accordance with this subsection.

(B) GOALS, PRIORITIES, COST TARGETS.—The Secretary shall develop goals, priorities, and cost targets for the program.

(4) STRATEGIC PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a 10-year strategic plan for the program.

(B) CONTENTS.—The strategic plan submitted under subparagraph (A) shall—

(i) identify Department of Energy programs that—

(I) support the research and development activities described in paragraph (5) and the demonstration projects under paragraph (3) under subsection (e); and

(II)(aa) do not support the activities or projects described in subclause (I); but

(bb) are important to the development of grid-scale energy storage systems and the mission of the Office of Electricity of the Department of Energy, as determined by the Secretary; and

(ii) include expected timelines for—

(I) the accomplishment of relevant objectives under current programs of the Department of Energy relating to grid-scale energy storage systems; and

(II) the commencement of any new initiatives within the Department of Energy relating to grid-scale energy storage systems to accomplish those objectives.

(C) UPDATES TO PLAN.—Not less frequently than once every 2 years, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives an updated 10-year strategic plan, which shall identify, and provide a justification for, any major deviation from a previous strategic plan submitted under this paragraph.

(5) RESEARCH AND DEVELOPMENT.—In carrying out the program, the Secretary shall focus research and development activities on developing cost effective energy storage systems that—

(A)(i) to balance day-scale needs, are capable of highly flexible power output for not less than 6 hours; and

(ii) have a lifetime of—

(I) not less than 8,000 cycles of discharge at full output; and

(II) 20 years of operation;

(B)(i) can provide power to the electric grid for durations of approximately 10 to 100 hours; and

(ii) have a lifetime of—

(I) not less than 1,500 cycles of discharge at full output; and

(II) 20 years of operation; and

(C) can store energy over several months and address seasonal scale variations in supply and demand.

(6) COST TARGETS.—Cost targets developed by the Secretary under paragraph (3)(B) shall—

(A) be for energy storage costs across all types of energy storage technology; and

(B) include technology costs, installation costs, balance of services costs, and soft costs.

(7) TESTING AND VALIDATION.—The Secretary shall support the standardized testing and validation of energy storage systems under the program through collaboration with 1 or more National Laboratories, including the development of methodologies to independently validate energy storage technologies by performance of energy storage systems on the electric grid, including when appropriate, testing of application-driven charge and discharge protocols.

(8) TARGET UPDATES; SUBTARGETS.—Not less frequently than once every 5 years during the 10-year period beginning on the date of enactment of this section, the Secretary shall—

- (A) revise the cost targets developed under paragraph (3)(B) to be more stringent, based on—
 - (i) a technology-neutral approach that considers all types of energy storage deployment scenarios, including individual technologies, technology combination use profiles, and integrated control system applications;
 - (ii) input from a variety of stakeholders;
 - (iii) the inclusion and use of existing infrastructure; and
 - (iv) the ability to optimize the integration of intermittent renewable energy generation technology and distributed energy resources; and
- (B) establish cost subtargets for technologies and applications relating to the energy storage systems described in paragraph (5), taking into consideration—
 - (i) electricity market prices; and
 - (ii) the goal of being cost-competitive in specific markets for electric grid products and services.

In section 33114(e), add at the end the following:

(3) DEMONSTRATION PROJECTS.—

(A) IN GENERAL.—Not later than September 30, 2023, under the program, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not more than 5 grid-scale energy storage system demonstration projects.

(B) OBJECTIVES.—Each demonstration project carried out under subparagraph (A) shall be designed to further the development of the energy storage systems described in subsection (b)(5).

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HAALAND OF NEW MEXICO OR HER DESIGNEE

Page 1417, after line 7, insert the following:

Subtitle G—Extension of 2.5 GHz Rural Tribal Priority Window

SEC. 31701. EXTENSION OF 2.5 GHZ RURAL TRIBAL PRIORITY WINDOW.

The Commission shall extend the Rural Tribal Priority Window established for the 2.5 gigahertz band in the Public Notice released by the Commission on December 2, 2019 (DA 19-1226), by not less than 180 days.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HAYES OF CONNECTICUT OR HER DESIGNEE

Page 1619, line 7, strike “\$65,000,000” and insert “\$130,000,000”.
Page 1619, line 8, strike “\$15,000,000” and insert “\$45,000,000”.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KRISHNAMOORTHI OF ILLINOIS OR HIS DESIGNEE

Insert after section 32006 the following new section (and redesignate the succeeding sections and conform the table of contents accordingly):

SEC. 32007. CHILD RESTRAINT SYSTEMS.

(a) **LABELING REQUIREMENT.**—Not later than 180 days after the date of enactment of this section, the Administrator of the National Highway Traffic Safety Administration shall revise Federal motor vehicle safety standard 213 prescribed under section 30111 of title 49, United States Code, to require that booster seat child restraint systems (those used in motor vehicles, as defined under such standard) contain a clear and conspicuous label, on both the packaging of such system and attached to such system the following labels:

(1) A label stating the following: “For use of children who are over 40 lbs and four years old or older”.

(2) A label stating the following: “Strongly recommended children use this seat only when they reach either the height or weight limit for a child harness car seat as indicated by the manufacturer”.

(3) On the harness package, a label stating the following: “To prevent possible child injury or death it is important to delay the transition from a 5-point harness seat to a booster seat as long as possible, until the child reaches the harness’ weight or height limits as set by the manufacturer”.

(b) **SEMI-ANNUAL REPORTING REQUIREMENT ON SIDE IMPACT CRASHES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until the promulgation of the final rule relating to the protection of children seated in child restraint systems during side impact crashes required under section 31501(a) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30127 note), the Administrator of the National Highway Traffic Safety Administration shall submit to Congress and make publicly available on the website of the Administration a report regarding the current status of such rule.

(2) **MATTERS TO BE INCLUDED.**—Each report required by paragraph (1) shall include, at a minimum, the following:

(A) The current expected timeline for the promulgation of such rule.

(B) Any technical or administrative challenges delaying the promulgation of such rule.

(C) Any new financial resources or legislative authorities necessary to promulgate such rule.

(D) The number of children injured or killed in side impact crashes while restrained in a 5-point harness or booster seat between the date of the enactment of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141) and the date of the report.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEVIN OF MICHIGAN OR HIS DESIGNEE

Page 1685, line 1, insert “and the reduction of wait times for results” after “capacity”.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LIPINSKI OF ILLINOIS OR HIS DESIGNEE

On page 1459, insert at the end the following new section:

“§ 32007. Motor vehicle pedestrian and cyclist protection

“(a) RULEMAKING.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Transportation, through the Administrator of the National Highway Traffic Safety Administration, shall issue a final rule that—

“(1) establishes standards for the hood and bumper areas of motor vehicles, including passenger cars, multipurpose passenger vehicles, trucks, and buses with a gross vehicle weight rating of 4,536 kilograms (10,000 pounds) or less, in order to reduce the number of injuries and fatalities suffered by vulnerable road users, including pedestrians and cyclists, who are struck by such vehicles; and

“(2) considers the protection of vulnerable pedestrian and cycling populations, including children and older adults, and people with disabilities.

“(b) COMPLIANCE.—The rule issued under subsection (a) shall require full compliance with minimum performance standards established by the Secretary not later than 2 years after the date on which the final rule is issued.”.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LUJÁN OF NEW MEXICO OR HIS DESIGNEE

In the appropriate place, insert the following new section:

SEC. _____. NATIONAL LABS RESTORATION AND MODERNIZATION.

“(a) IN GENERAL.—The Secretary of Energy shall fund projects described in subsection (b) as needed to address deferred maintenance, critical infrastructure needs, and modernization of National Laboratories.

“(b) USE OF FUNDS.—The projects described in this subsection are the following:

“(1) Priority deferred maintenance projects, including facilities maintenance and refurbishment of research laboratories, administrative and support buildings, utilities, roads, power plants and any other critical infrastructure, as determined by the Secretary of Energy.

“(2) Lab modernization projects, including core infrastructure needed to support emerging science missions with new and specialized requirements and to maintain safe, efficient, reliable, and environmentally responsible operations, as determined by the Secretary of Energy.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of the fiscal years 2021 to 2025 \$1,200,000,000; whereas not less than one sixth of what is appro-

priated must be stewarded by the Department of Energy Office of Science.

(d) SUBMISSION TO CONGRESS.—The Secretary of the Energy shall submit to the Committee on Appropriations and the Committee on Science, Space and Technology of the House of Representatives and to the Committee on Appropriations and the Committee on Energy and Natural Resources of the Senate, with the annual budget submission of the President for each year through fiscal year 2025, a list of projects for which the Secretary will provide funding under this section, including a description of each such project.

(e) NATIONAL LABORATORY.—In this section, the term ‘‘National Laboratory’’ has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MATSUI OF CALIFORNIA OR HER DESIGNEE

Page 1635, line 1, strike ‘‘\$75,000’’ and insert ‘‘\$100,000’’.

Page 1640, line 18, strike ‘‘240’’ and insert ‘‘208’’.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MATSUI OF CALIFORNIA OR HER DESIGNEE

In division G, at the end of subtitle B of title III, add the following:

CHAPTER 5—TARGETED RESIDENTIAL TREE-PLANTING

SEC. 33261. DEFINITIONS.

As used in this chapter:

(1) The term ‘‘nonprofit tree-planting organization’’ means any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)), that is exempt from taxation under section 501(a) of such Code (26 U.S.C. 501(a)), which exists, in whole or in part, to—

- (A) expand urban and residential tree cover;
- (B) distribute young trees for planting;
- (C) increase awareness of the environmental and energy-related benefits of trees;
- (D) educate the public about proper tree planting, care, and maintenance strategies; or
- (E) carry out any combination of the foregoing activities.

(2) The term ‘‘retail power provider’’ means any entity authorized under applicable State or Federal law to generate, distribute, or provide retail electricity, natural gas, or fuel oil service.

(3) The term ‘‘Secretary’’ means the Secretary of Energy.

(4) The term ‘‘State’’ means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

SEC. 33262. GRANT PROGRAM.

(a) AUTHORITY.—The Secretary shall establish a grant program to provide financial assistance to retail power providers to support

the establishment of new, or continued operation of existing, targeted residential tree-planting programs.

(b) COOPERATION.—In carrying out the grant program established pursuant to subsection (a), the Secretary may cooperate with, and provide assistance for such cooperation to, State foresters or equivalent State officials or Indian Tribes.

(c) REQUIREMENTS FOR TREE-PLANTING PROGRAMS.—In order to qualify for assistance under the grant program established pursuant to subsection (a), a retail power provider shall, in accordance with this chapter, establish and operate, or continue operating, a targeted residential tree-planting program that meets each of the following requirements:

(1) The program shall provide free or discounted shade-providing or wind-reducing trees to residential consumers. If providing free and discounted trees under the program, priority for free trees shall be given to areas where the average annual income is below the regional median.

(2) The program shall either provide trees to plant to—

(A) provide maximum amounts of shade during summer intervals when residences are exposed to the most sun intensity; or

(B) provide maximum amounts of wind protection during fall and winter intervals when residences are exposed to the most wind intensity.

(3) The program shall use the best available science to create, as needed, and utilize tree-siting guidelines which dictate where the optimum tree species are best planted in locations that ensure adequate root development and that achieve maximum reductions in consumer energy demand while causing the least disruption to public infrastructure, considering overhead and underground facilities. Such guidelines shall—

(A) include the species and minimum size of trees that are mostly likely to result in a successful tree planting; and

(B) outline the minimum distance required—

(i) between the trees that are being planted; and

(ii) between such trees and building foundations, air conditioning units, driveways and walkways, property fences, preexisting utility infrastructure, septic systems, swimming pools, and other infrastructure as determined appropriate; and

(C) ensure that trees planted under the tree-planting program near existing power lines will not interfere with energized electricity distribution lines when mature.

(4) The program shall provide that no new trees will be planted under or adjacent to high-voltage electric transmission lines without prior consultation with the retail power provider with jurisdiction over such transmission lines.

(5) The program shall provide tree recipients with tree planting and tree care instruction and education prior to or in conjunction with delivery of free or discounted trees.

(6) The program shall provide for engagement and collaboration with community members that will be affected by the program.

(7) The program shall provide tree care assistance for trees planted under the program for a period of time, to be determined by the retail power provider, in consultation with the nonprofit tree-planting organization, local municipal government, or conservation district with which the retail power provider has entered into an agreement described in subsection (e) and the applicable local technical advisory committee established pursuant to subsection (f), to ensure long-term survival of the trees.

(8) The program has been certified by the Secretary that it is designed to achieve the requirements set forth in paragraphs (1) through (7). In designating criteria for such certification, the Secretary shall collaborate with the Forest Service's Urban and Community Forestry Program, and may consult with the Administrator of the Environmental Protection Agency, to ensure that such criteria are consistent with such requirements.

(d) NEW PROGRAM FUNDING SHARE.—The Secretary shall ensure that no less than 30 percent of the funds made available under this chapter are distributed to retail power providers that—

(1) have not previously established or operated a targeted residential tree-planting program that meets the requirements described in subsection (c); or

(2) are operating a targeted residential tree-planting program that meets the requirements described in subsection (c) which was established no more than three years prior to the date of enactment of this Act.

(e) AGREEMENTS BETWEEN RETAIL POWER PROVIDERS AND NONPROFIT TREE-PLANTING ORGANIZATIONS.—

(1) GRANT AUTHORIZATION.—The Secretary may provide assistance under the grant program established pursuant to subsection (a) only to a retail power provider that has entered into a binding legal agreement with a nonprofit tree-planting organization.

(2) CONDITIONS OF AGREEMENT.—An agreement between a retail power provider and a nonprofit tree-planting organization described in paragraph (1) shall set forth conditions under which such nonprofit tree-planting organization shall carry out a targeted residential tree-planting program that is established or operated by the retail power provider. Such conditions—

(A) shall require the nonprofit tree-planting organization to participate in a local technical advisory committee in accordance with subsection (f); and

(B) may require the nonprofit tree-planting organization to—

(i) coordinate volunteer recruitment to assist with the physical act of planting trees in residential locations under the tree-planting program;

(ii) support a workforce development program that trains a local workforce and assists with job-placement;

(iii) undertake a public awareness campaign to educate local residents about the benefits, cost savings, and availability of free trees;

(iv) establish education and information campaigns to encourage recipients of trees under the tree-plant-

ing program to maintain their trees over the long term;

(v) serve as the point of contact for existing and potential residential participants who have questions or concerns regarding the tree-planting program;

(vi) require recipients of trees under the tree-planting program to sign agreements committing to voluntary stewardship and care of provided trees; and

(vii) monitor and report on the survival, growth, overall health, and estimated energy savings of trees provided under the tree-planting program up until the end of their establishment period, which shall be no less than 5 years.

(3) LACK OF NONPROFIT TREE-PLANTING ORGANIZATION.—If a nonprofit tree-planting organization does not exist or operate within the area served by a retail power provider applying for assistance under this section, the requirements of this section shall apply to binding legal agreements entered into by such retail power provider and one of the following entities:

(A) A local municipal government with jurisdiction over the urban or suburban forest.

(B) A conservation district.

(f) TECHNICAL ADVISORY COMMITTEES.—

(1) CONDITION.—In order to qualify for assistance under the grant program established pursuant to subsection (a), a retail power provider shall agree to consult with the nonprofit tree-planting organization, local municipal government, or conservation district with which the retail power provider has entered into an agreement described in subsection (e) and State foresters or equivalent State officials to establish a local technical advisory committee described in paragraph (2) not later than 30 days after receiving such assistance.

(2) DESCRIPTION.—A local technical advisory committee shall provide advice to, and consult with, a retail power provider and nonprofit tree-planting organization, local municipal government, or conservation district regarding the applicable targeted residential tree-planting program. The advisory committee may—

(A) design and adopt an approved plant list for the tree-planting program that emphasizes the use of hardy, noninvasive tree species and, where geographically appropriate, the use of native or low water-use shade trees, or both;

(B) design and adopt planting, installation, and maintenance specifications and create a process for inspection and quality control for the tree-planting program;

(C) assist in developing long-term care and maintenance instructions for recipients of trees under the tree-planting program;

(D) assist the retail power provider and nonprofit tree-planting organization, local municipal government, or conservation district, as appropriate, with public outreach and education regarding the tree-planting program;

(E) assist in establishing a procedure for monitoring and collection of data on tree health, tree survival, and energy

conservation benefits generated by the tree-planting program;

(F) provide guidelines and recommendations for establishing or supporting existing workforce development programs as part of, and for prioritizing local hiring under, a tree-planting program; and

(G) assist the retail power provider in maintaining and compiling information regarding the tree-planting program for purposes of the reports described in subsection (i)(1).

(3) COMPENSATION.—Individuals serving on a local technical advisory committee shall not receive compensation for their service.

(4) COMPOSITION.—Local technical advisory committees shall be composed of representatives from public, private, and non-governmental organizations with expertise in demand-side energy efficiency management, urban forestry, arboriculture, or landscape architecture, and shall be composed of the following:

(A) Up to 4 persons, but no less than one person, representing the retail power provider receiving assistance under this section.

(B) Up to 4 persons, but no less than one person, representing the nonprofit tree-planting organization that has entered into an agreement described in subsection (e) with the retail power provider to carry out the applicable targeted residential tree-planting program.

(C) Up to 3 persons representing local nonprofit conservation or environmental organizations. Preference shall be given to those organizations which are organized under section 501(c)(3) of the Internal Revenue Code of 1986, and which have demonstrated expertise engaging the public in energy conservation, energy efficiency, or green building practices or a combination thereof. No single organization may be represented by more than one individual under this subparagraph.

(D) Up to 2 persons representing a local affordable housing agency, affordable housing builder, or community development corporation.

(E) Up to 3, but no less than one, persons representing local city or county government for each municipality where a targeted residential tree-planting program will take place and at least one of these representatives shall be the city or county forester, city or county arborist, conservation district forester or functional equivalent.

(F) Up to one person representing the local government agency responsible for management of roads, sewers, and infrastructure, including public works departments, transportation agencies, or equivalents.

(G) Up to 2 persons representing the nursery and landscaping industry.

(H) Up to 2 persons, but no less than one person, representing State foresters, landscape architects, or equivalent State officials.

(I) Up to 3 persons representing the research community or academia with expertise in natural resources or energy management issues.

(5) CHAIRPERSON.—

(A) IN GENERAL.—Each local technical advisory committee shall elect a chairperson to preside over committee meetings, act as a liaison to governmental and other outside entities, and direct the general operation of the committee.

(B) ELIGIBILITY.—Only committee representatives under paragraph (4)(A) or paragraph (4)(B) shall be eligible to act as a local technical advisory committee chairperson.

(6) CREDENTIALS.—At least one of the members of each local technical advisory committee shall be certified with one or more of the following credentials:

(A) Certified Arborist, International Society of Arboriculture.

(B) Certified Forester, Society of American Foresters.

(C) Certified Arborist Municipal Specialist, International Society of Arboriculture.

(D) Certified Arborist Utility Specialist, International Society of Arboriculture.

(E) Board Certified Master Arborist, International Society of Arboriculture.

(F) Licensed landscape architect, American Society of Landscape Architects.

(g) COST SHARE PROGRAM.—

(1) FEDERAL SHARE.—The Federal share of support for any targeted residential tree-planting program funded under this section shall not exceed 50 percent of the cost of such program and shall be provided on a matching basis.

(2) NON-FEDERAL SHARE.—The non-Federal share of such costs may be paid or contributed by any governmental or non-governmental entity other than from funds derived directly or indirectly from an agency or instrumentality of the United States.

(h) COMPETITIVE GRANT PROCEDURES.—Not later than 90 days after the date of enactment of this Act, after notice and opportunity for comment, the Secretary shall establish procedures for a public, competitive grants process through which retail power providers may apply for assistance under this section.

(i) REPORTS.—

(1) TO THE SECRETARY.—Not later than 1 year after receiving assistance under the grant program established pursuant to subsection (a), and each subsequent year for the duration of the grant, each such recipient shall submit to the Secretary a report describing the results of the activities funded by such assistance, including as applicable—

(A) the number of trees planted under the applicable targeted residential tree-planting program;

(B) the benefits of the applicable targeted residential tree-planting program to the local community;

(C) any barriers to planting trees as part of the applicable targeted residential tree-planting program; and

(D) any other information the Secretary considers appropriate.

(2) TO CONGRESS.—Not later than 3 years after providing assistance under the grant program established pursuant to sub-

section (a), and each year after, the Secretary shall submit to Congress a report that includes—

- (A) the number of applications for assistance under the program received and funded, annually;
- (B) the number of trees planted under the targeted residential tree-planting programs for which assistance is provided under the program;
- (C) the benefits of such tree-planting programs, including those related to climate change, energy savings, and stormwater runoff;
- (D) any barriers to planting trees in communities;
- (E) recommendations for improving the grant program; and
- (F) any other information the Secretary considers appropriate.

SEC. 33263. PUBLIC RECOGNITION INITIATIVE.

- (a) **ARBOR CITY OF AMERICA.**—The Secretary shall annually—
 - (1) designate a city, municipality, community, or other area as the Secretary determines appropriate, as the “Arbor City of America” to recognize superior efforts in increasing tree canopy coverage and assisting residents in reducing energy costs through tree planting; and
 - (2) provide funding to such city, municipality, community, or other area to carry out projects that increase green infrastructure or green spaces within such city, municipality, community, or other area.
- (b) **PROCEDURES.**—Not later than 90 days after the date of enactment of this Act, after notice and opportunity for comment, the Secretary shall establish procedures for carrying out this section.

SEC. 33264. NONDUPLICITY.

Nothing in this chapter shall be construed to supersede, duplicate, cancel, or negate the programs or authorities provided under section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105).

SEC. 33265. AUTHORIZATION OF APPROPRIATIONS.

For each of fiscal years 2021 through 2025, there are authorized to be appropriated \$5,000,000 to carry out this chapter, of which \$250,000 shall be used to provide funding to the applicable city, municipality, community, or other area designated under section 33263 as the Arbor City of America for such year for projects described in such section.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MENG OF NEW YORK OR HER DESIGNEE

Page 1464, after line 17, insert the following:

Subchapter C—Other Matters

SEC. 33105. DRINKING WATER FOUNTAIN REPLACEMENT IN PUBLIC PLAYGROUNDS AND PARKS.

- (a) **IN GENERAL.**—Part F of the Safe Drinking Water Act (42 U.S.C. 300j–21 et seq.) is amended by adding at the end the following:

“SEC. 1466. DRINKING WATER FOUNTAIN REPLACEMENT IN PUBLIC PLAYGROUNDS AND PARKS.

“(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Administrator shall establish a grant program to provide assistance to States and municipalities for the replacement, in playgrounds or parks owned by States or municipalities, of drinking water fountains manufactured prior to 1988.

“(b) USE OF FUNDS.—Funds awarded under the grant program—

“(1) shall be used to pay the costs of replacement of drinking water fountains in playgrounds or parks owned by a State or municipality receiving such funds; and

“(2) may be used to pay the costs of monitoring and reporting of lead levels in the drinking water of playgrounds or parks owned by a State or municipality receiving such funds, as determined appropriate by the Administrator.

“(c) PRIORITY.—In awarding funds under the grant program, the Administrator shall give priority to projects and activities that benefit an underserved community or a disadvantaged community.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2020 through 2025”.

(b) DEFINITIONS.—Section 1461 of the Safe Drinking Water Act (42 U.S.C. 300j-21) is amended by adding at the end the following:

“(8) DISADVANTAGED COMMUNITY.—The term ‘disadvantaged community’ has the meaning given such term in section 1452(d)(3).

“(9) PLAYGROUND OR PARK.—The term ‘playground or park’ means an indoor or outdoor park, building, site, or other facility, including any parking lot appurtenant thereto, that is intended for recreation purposes.

“(10) UNDERSERVED COMMUNITY.—The term ‘underserved community’ has the meaning given such term in section 1459A.”.

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MOORE OF WISCONSIN OR HER DESIGNEE

Page 1220, after line 11, insert the following:

TITLE VI—OTHER MATTERS

SEC. 26001. COVID-19 WASTEWATER SURVEILLANCE RESEARCH PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) Wastewater surveillance of COVID-19 is a rapidly evolving area of research that holds great promise as an early, cost-effective, unbiased community-level indicator of the presence of COVID-19.

(2) Use of wastewater surveillance to assess increasing trends in the occurrence of COVID-19, especially in early detection, has been successfully demonstrated, however, additional research may help shed light on other areas where this tool can be helpful in providing useful information to public health and elected officials responding to the COVID-19 pandemic.

(b) GRANTS.—The Administrator of the Environmental Protection Agency shall establish a program to award research grants to eligible entities to investigate the use of wastewater surveillance of the genetic signal of SARS CoV-2 as an indicator of the distribution of COVID-19 in communities.

(c) ELIGIBLE ENTITIES.—Entities eligible to receive a grant under this section include wastewater utilities (including those that receive funding through a State water pollution control revolving fund established pursuant to title VI of the Federal Water Pollution Control Act), institutions of higher education, and public-private consortia focused on water research and technology.

(d) REQUIREMENTS.—In carrying out subsection (b), the Administrator, in consultation with wastewater officials and public health officials, shall—

(1) develop recommendations for—

(A) sample plan design, sample collection, and sample preservation; and

(B) consistent data collection practices and documentation that would allow data comparability;

(2) support greater coordination in research to help better understand and address knowledge gaps;

(3) support effective communication with the public, public health officials, elected officials, wastewater professionals, and the media, on the results of any wastewater surveillance for tracking trends relating to COVID-19; and

(4) carry out such other activities as the Administrator determines appropriate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for fiscal years 2021 and 2022 such sums as may be necessary to carry out this section.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NORCROSS OF NEW JERSEY OR HIS DESIGNEE

Page 1610, after line 24, insert the following:

CHAPTER 5—INDUSTRIAL ENERGY SAVINGS

SEC. 33261. REBATE PROGRAM FOR ENERGY EFFICIENT ELECTROTECHNOLOGIES.

(a) DEFINITIONS.—In this section:

(1) ENERGY EFFICIENT ELECTROTECHNOLOGY.—The term “energy efficient electrotechnology” means—

(A) any electric technology that, when used instead of a fossil fuel-fired technology in an industrial process results in—

(i) energy efficiency, or production efficiency, gains; or

(ii) environmental benefits; or

(B) any electric technology that, when used instead of a fossil fuel-fired technology in an industrial application results in—

(i) improvements in on-site logistics or material handling; and

(ii) energy efficiency gains and environmental benefits.

(2) QUALIFIED ENTITY.—The term “qualified entity” means an industrial or manufacturing facility, commercial building, or a utility or energy service company.

(3) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a program to provide rebates in accordance with this section.

(c) REBATES.—The Secretary may provide a rebate under the program established under subsection (b) to the owner or operator of a qualified entity for expenditures made by the owner or operator of the qualified entity for an energy efficient electrotechnology that is used to replace a fossil fuel-fired technology.

(d) REQUIREMENTS.—To be eligible to receive a rebate under this section, the owner or operator of a qualified entity shall submit to the Secretary an application demonstrating—

(1) that the owner or operator of the qualified entity purchased an energy efficient electrotechnology;

(2) the energy efficiency gains, production efficiency gains, and environmental benefits, as applicable, resulting from use of the energy efficient electrotechnology—

(A) as measured by a qualified professional or verified by the energy efficient electrotechnology manufacturer, as applicable; or

(B) as determined by the Secretary;

(3) that the fossil fuel-fired technology replaced by the energy efficient electrotechnology has been permanently decommissioned and scrapped; and

(4) that all laborers and mechanics who were involved in the installation or maintenance, or construction or renovation to support such installation or maintenance, of the energy efficient electrotechnology, or the decommissioning and scrapping of the fossil fuel-fired technology replaced by the energy efficient electrotechnology, and who were employed by the owner or operator of the qualified entity, or contractors or subcontractors at any tier thereof, were paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the “Davis-Bacon Act”).

(e) LIMITATION.—The Secretary may not provide a rebate under the program established under subsection (b) to an owner or operator of a qualified entity for expenditures made by the owner or operator of the qualified entity for an energy efficient electrotechnology that is used to replace a fossil fuel-fired technology if the Secretary determines that such expenditures were necessary for the owner or operator to comply with Federal or State law.

(f) AUTHORIZED AMOUNT OF REBATE.—The amount of a rebate provided under this section shall be not less than 30 percent, and not more than 50 percent, of the overall cost of the energy efficient electrotechnology, including installation costs.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2020 through 2024.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PHILLIPS OF MINNESOTA OR HIS DESIGNEE

Page 439, after line 19, insert the following:

(e) GAO STUDY.—The Comptroller General of the United States shall conduct a study on the deployment of broadband infrastructure to cities and counties with a population of not less than 2,500 and not more than 50,000.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PLASKETT OF VIRGIN ISLANDS OR HER DESIGNEE

Page 1350, line 19, after “this section.” insert the following: “In the case of a territory or possession of the United States in which no such data is collected from the American Community Survey of the Bureau of the Census as of the year before the date of the enactment of this section, such term includes a census tract with a poverty rate of at least 20 percent, as measured by the 2010 Island Areas Decennial Census of the Bureau of the Census.”

Page 1351, line 13, after “available.” insert the following: “In the case of a territory or possession of the United States, such term includes any county equivalent area in Puerto Rico with a poverty rate of at least 20 percent, as determined in each of the 1990 and 2000 decennial censuses and in the most recent 5-year data series available from the American Community Survey of the Bureau of the Census as of the year before the date of the enactment of this section, or any other territory or possession of the United States with a poverty rate of at least 20 percent, as determined in each of the 1990, 2000, and 2010 Island Areas Decennial Censuses of the Bureau of the Census.”

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PLASKETT OF VIRGIN ISLANDS OR HER DESIGNEE

Page 1464, after line 17, insert the following:

Subtitle C—Other Matters

SEC. 33105. ASSISTANCE FOR AREAS AFFECTED BY NATURAL DISASTERS.

Section 2020 of America’s Water Infrastructure Act of 2018 (Public Law 115–270) is amended—

- (1) in subsection (b)(1), by striking “subsection (e)(1)” and inserting “subsection (f)(1);”
- (2) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively;
- (3) by inserting after subsection (b) the following:

“(c) ASSISTANCE FOR TERRITORIES.—The Administrator may use funds made available under subsection (f)(1) to make grants to Guam, the Virgin Islands, American Samoa, and the Northern

Mariana Islands for the purposes of providing assistance to eligible systems to restore or increase compliance with national primary drinking water regulations.”; and

- (4) in subsection (f), as so redesignated—
 - (A) in the heading, by striking “STATE REVOLVING FUND CAPITALIZATION”; and
 - (B) in paragraph (1)—
 - (i) in the matter preceding subparagraph (A), by inserting “and to make grants under subsection (c) of this section,” before “to be available”; and
 - (ii) in subparagraph (A), by inserting “or subsection (c), as applicable” after “subsection (b)(1)”.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PORTER OF CALIFORNIA OR HER DESIGNEE

Page 1619, after line 23, insert the following:

SEC. 33312. STUDY ON IMPACT OF AIR POLLUTION FROM VEHICLES IDLING IN SCHOOL ZONES.

Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services and the Administrator of the Environmental Protection Agency, acting jointly, shall—

- (1) complete a study on the impacts on the health of children related to the emission of air pollutants from school buses and other vehicles idling in school zones; and
- (2) submit a report to the Congress on the results of such study.

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SABLAN OF NORTHERN MARIANA ISLANDS OR HIS DESIGNEE

Page 1464, after line 17, insert the following:

Subchapter C—Other Matters

SEC. 33105. ALLOTMENTS FOR TERRITORIES.

Section 1452(j) of the Safe Drinking Water Act (42 U.S.C. 300j–12(j)) is amended by striking “0.33 percent” and inserting “1.5 percent”.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SLOTKIN OF MICHIGAN OR HER DESIGNEE

Page 1462, after line 3, insert the following:

“(e) NO EFFECT ON CLEANUP RESPONSIBILITY.—Receipt by a community water system of a grant under this section shall have no effect on any responsibility of the Department of Defense relating to the cleanup of the applicable PFAS.”

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPANBERGER OF VIRGINIA OR HER DESIGNEE

Page 1321, after line 9, insert the following:

SEC. 31207. GAO REPORT.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Agriculture of the House of Representatives, the Committee on Transportation and Infrastructure of the House of the Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that evaluates the process used by the Commission for establishing, reviewing, and updating the upload and download broadband internet access speed thresholds, including—

- (1) how the Commission reviews and updates broadband internet access speed thresholds;
- (2) whether the Commission considers future broadband internet access speed needs when establishing broadband internet access speed thresholds, including whether the Commission considers the need, or the anticipated need, for higher upload or download broadband internet access speeds in the five-year period and the ten-year period after the date on which a broadband speed threshold is to be established; and
- (3) how the Commission considers the impacts of changing uses of the internet in establishing, reviewing, or updating broadband internet access speed thresholds, including—
 - (A) the proliferation of internet-based business;
 - (B) working remotely and running a business from home;
 - (C) video teleconferencing;
 - (D) distance learning;
 - (E) in-house web hosting; and
 - (F) cloud data storage.

28. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TAKANO OF CALIFORNIA OR HIS DESIGNEE

Page 1543, line 18, insert “, including battery storage technologies,” after “Energy storage technologies”.

PART E—TEXT OF AMENDMENTS TO H.R. 2 MADE IN ORDER EN BLOC

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BABIN OF TEXAS OR HIS DESIGNEE

Page 61, after line 7, insert the following:

SEC. _____. HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.

(a) IDENTIFICATION.—

(1) CENTRAL TEXAS CORRIDOR.—Section 1105(c)(84) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended to read as follows:

“(84) The Central Texas Corridor, including the route—
“(A) commencing in the vicinity of Texas Highway 338 in Odessa, Texas, running eastward generally following Interstate Route 20, connecting to Texas Highway 158 in the vicinity of Midland, Texas, then following Texas Highway

158 eastward to United States Route 87 and then following United States Route 87 southeastward, passing in the vicinity of San Angelo, Texas, and connecting to United States Route 190 in the vicinity of Brady, Texas;

“(B) commencing at the intersection of Interstate Route 10 and United States Route 190 in Pecos County, Texas, and following United States Route 190 to Brady, Texas;

“(C) following portions of United States Route 190 eastward, passing in the vicinity of Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, Woodville, and Jasper, to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing and including a loop generally encircling Bryan/College Station, Texas;

“(D) following United States Route 83 southward from the vicinity of Eden, Texas, to a logical connection to Interstate Route 10 at Junction, Texas;

“(E) following United States Route 69 from Interstate Route 10 in Beaumont, Texas, north to United States Route 190 in the vicinity of Woodville, Texas;

“(F) following United States Route 96 from Interstate Route 10 in Beaumont, Texas, north to United States Route 190 in the vicinity of Jasper, Texas; and

“(G) following United States Route 190, State Highway 305, and United States Route 385 from Interstate Route 10 in Pecos County, Texas to Interstate 20 at Odessa, Texas.”.

(2) CENTRAL LOUISIANA CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by adding at the end the following:

“(91) The Central Louisiana Corridor commencing at the logical terminus of Louisiana Highway 8 at the Sabine River Bridge at Burrs Crossing and generally following portions of Louisiana Highway 8 to Leesville, Louisiana, and then eastward on Louisiana Highway 28, passing in the vicinity of Alexandria, Pineville, Walters, and Archie, to the logical terminus of United States Route 84 at the Mississippi River Bridge at Vidalia, Louisiana.”.

(3) CENTRAL MISSISSIPPI CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991, as amended by this Act, is further amended by adding at the end the following:

“(92) The Central Mississippi Corridor, including the route—

“(A) commencing at the logical terminus of United States Route 84 at the Mississippi River and then generally following portions of United States Route 84 passing in the vicinity of Natchez, Brookhaven, Monticello, Prentiss, and Collins, to Interstate 59 in the vicinity of Laurel, Mississippi, and continuing on Interstate Route 59 north to Interstate Route 20 and on Interstate Route 20 to the Mississippi-Alabama State Border; and

“(B) commencing in the vicinity of Laurel, Mississippi, running south on Interstate Route 59 to United States Route 98 in the vicinity of Hattiesburg, connecting to United States Route 49 south then following United States

Route 49 south to Interstate Route 10 in the vicinity of Gulfport and following Mississippi Route 601 southerly terminating near the Mississippi State Port at Gulfport.”.

(4) MIDDLE ALABAMA CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991, as amended by this Act, is further amended by adding at the end the following:

“(93) The Middle Alabama Corridor including the route—

“(A) beginning at the Alabama-Mississippi Border generally following portions of I-20 until following a new interstate extension paralleling United States Highway 80 specifically:

“(B) crossing Alabama Route 28 near Coatopa, Alabama, traveling eastward crossing United States Highway 43 and Alabama Route 69 near Selma, Alabama, traveling eastwards closely paralleling United States Highway 80 to the south crossing over Alabama Routes 22, 41, and 21, until its intersection with I-65 near Hope Hull, Alabama;

“(C) continuing east along the proposed Montgomery Outer Loop south of Montgomery, Alabama where it would next join with I-85 east of Montgomery, Alabama;

“(D) continuing along I-85 east bound until its intersection with United States Highway 280 near Opelika, Alabama or United States Highway 80 near Tuskegee, Alabama;

“(E) generally following the most expedient route until intersecting with existing United States Highway 80 (JR Allen Parkway) through Phenix City until continuing into Columbus, Georgia.”.

(5) MIDDLE GEORGIA CORRIDOR.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991, as amended by this Act, is further amended by adding at the end the following:

“(94) The Middle Georgia Corridor including the route—

“(A) beginning at the Alabama-Georgia Border generally following the Fall Line Freeway from Columbus Georgia to Augusta, Georgia specifically:

“(B) travelling along United States Route 80 (JR Allen Parkway) through Columbus, Georgia and near Fort Benning, Georgia, east to Talbot County, Georgia where it would follow Georgia Route 96, then commencing on Georgia Route 49C (Fort Valley Bypass) to Georgia Route 49 (Peach Parkway) to its intersection with Interstate route 75 in Byron, Georgia;

“(C) continuing north along Interstate Route 75 through Warner Robins and Macon, Georgia where it would meet Interstate Route 16. Following Interstate 16 east it would next join United States Route 80 and then onto State Route 57;

“(D) commencing with State Route 57 which turns into State Route 24 near Milledgeville, Georgia would then bypass Wrens, Georgia with a newly constructed bypass. After the bypass it would join United States Route 1 near Fort Gordon into Augusta, Georgia where it will terminate at Interstate Route 520.”.

(b) INCLUSION OF CERTAIN SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended in the first sentence—

- (1) by inserting “subsection (c)(84),” after “subsection (c)(83);” and
- (2) by striking “and subsection (c)(90)” and inserting “subsection (c)(90), subsection (c)(91), subsection (c)(92), subsection (c)(93), and subsection (c)(94).”

(c) DESIGNATION.—Section 1105(e)(5)(C) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by striking “The route referred to in subsection (c)(84) is designated as Interstate Route I-14.” and inserting “The route referred to in subsection (c)(84)(A) is designated as Interstate Route I-14 North. The route referred to in subsection (c)(84)(B) is designated as Interstate Route I-14 South. The Bryan/College Station, Texas loop referred to in subsection (c)(84) is designated as Interstate Route I-214. The routes referred to in subparagraphs (C), (D), (E), (F), and (G) of subsection (c)(84) and in subsections (c)(91), (c)(92), (c)(93), and (c)(94) are designated as Interstate Route I-14.”

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BALDERSON OF OHIO OR HIS DESIGNEE

Page 894, line 17, strike “lane splitting” and insert “operating between lanes of slow or stopped traffic”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BEYER OF VIRGINIA OR HIS DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. STUDY ON EFFECTIVENESS OF SUICIDE PREVENTION NETS AND BARRIERS FOR STRUCTURES OTHER THAN BRIDGES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study to identify—

- (1) the types of structures, other than bridges, that attract a high number of individuals attempting suicide-by-jumping;
- (2) the characteristics that distinguish structures identified under paragraph (1) from similar structures that do not attract a high number of individuals attempting suicide-by-jumping;
- (3) the types of nets or barriers that are effective at reducing suicide-by-jumping with respect to the structures identified under paragraph (1);
- (4) methods of reducing suicide-by-jumping with respect to the structures identified under paragraph (1) other than nets and barriers;
- (5) quantitative measures of the effectiveness of the nets and barriers identified under paragraph (3);
- (6) quantitative measures of the effectiveness of the additional methods identified under paragraph (4);
- (7) the entities that typically install the nets and barriers identified under paragraph (3); and
- (8) the costs of the nets and barriers identified under paragraph (3).

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure and the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study conducted under subsection (a).

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWNLEY OF CALIFORNIA OR HER DESIGNEE

Page 192, strike lines 14 through 16 and insert the following:

“(B) Construction or installation of protective devices (including replacement of functionally obsolete protective devices) at railway-highway crossings.”

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CALVERT OF CALIFORNIA OR HIS DESIGNEE

At the end of title II of division L, add the following:

Subtitle A—Western Riverside County Wildlife Refuge.

SEC. 82501. ESTABLISHMENT.

The Secretary of the Interior (in this subtitle referred to as the “Secretary”), acting through the U.S. Fish and Wildlife Service, shall establish as a national wildlife refuge the lands, waters, and interests therein acquired under section 82504. The national wildlife refuge shall be known as the Western Riverside County National Wildlife Refuge (in this subtitle referred to as the “Wildlife Refuge”).

SEC. 82502. PURPOSE.

The purpose of the Wildlife Refuge shall be—

- (1) to conserve, manage, and restore wildlife habitats for the benefit of present and future generations of Americans;
- (2) to conserve species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or the California Endangered Species Act (California Fish and Game Code 2050-2068), or which is a covered species under the Western Riverside County Multiple Species Habitat Conservation Plan;
- (3) to support the recovery and protection of threatened and endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and
- (4) to provide for wildlife habitat connectivity and migratory corridors within the Western Riverside County Multiple Species Habitat Conservation Plan Area.

SEC. 82503. NOTIFICATION OF ESTABLISHMENT.

The Secretary shall publish notice of the establishment of the Wildlife Refuge in the Federal Register.

SEC. 82504. BOUNDARIES.

(a) IN GENERAL.—The Secretary shall include within the boundaries of the Wildlife Refuge the lands and waters within the Western Riverside County Multiple Species Habitat Conservation Plan Area (as depicted on maps and described in the Final Western Riverside County Multiple Species Habitat Conservation Plan dated June 17, 2003) that are owned by the Federal government, a State, or a political subdivision of a State on the date of enactment.

SEC. 82505. ADMINISTRATION.

(a) IN GENERAL.—Upon the establishment of the Wildlife Refuge and thereafter, the Secretary shall administer all federally owned lands, waters, and interests in the Wildlife Refuge in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) and this subtitle. The Secretary may use such additional statutory authority as may be available to the Secretary for the conservation, management, and restoration of fish and wildlife and natural resources, the development of compatible wildlife dependent outdoor recreation opportunities, and the facilitation of fish and wildlife interpretation and education as the Secretary considers appropriate to carry out the purposes of this subtitle and serve the objectives of the Western Riverside County Multiple Species Habitat Conservation Plan.

(b) COOPERATIVE AGREEMENTS REGARDING NON-FEDERAL LANDS.—The Secretary may enter into cooperative agreements with the State of California, any political subdivision thereof, or any other person—

(1) for the management, in a manner consistent with this subtitle and the Western Riverside County Multiple Species Habitat Conservation Plan, of lands that are owned by such State, subdivision, or other person and located within the boundaries of the Wildlife Refuge;

(2) to promote public awareness of the natural resources of the Western Riverside County Multiple Species Habitat Conservation Plan Area; or

(3) to encourage public participation in the conservation of those resources.

SEC. 82506. ACQUISITION AND TRANSFERS OF LANDS AND WATERS FOR WILDLIFE REFUGE.

(a) ACQUISITIONS.—The Secretary shall acquire by donation, purchase with appropriated funds, or exchange the lands and water, or interest therein (including conservation easements), within the boundaries of the Wildlife Refuge, except that the lands, water, and interests therein owned by the State of California and its political subdivisions may be acquired only by donation.

(b) TRANSFERS.—

(1) IN GENERAL.—The head of any Federal department or agency, including any agency within the Department of the Interior, that has jurisdiction of any Federal property located within the boundaries of the Wildlife Refuge as described by this subtitle shall, not later than 1 year after the date of the enactment of this Act, submit to the Secretary an assessment of the suitability of such property for inclusion in the Wildlife Refuge.

(2) ASSESSMENT.—Any assessment under paragraph (1) shall include—

- (A) parcel descriptions and best existing land surveys for such property;
 - (B) a list of existing special reservations, designations, or purposes of the property;
 - (C) a list of all known or suspected hazardous substance contamination of such property, and any facilities, surface water, or groundwater on such property;
 - (D) the status of withdrawal of such property from—
 - (i) the Mineral Leasing Act; and
 - (ii) the General Mining Act of 1872; and
 - (E) a recommendation as to whether such property is or is not suitable for inclusion in the Wildlife Refuge.
- (3) INCLUSION IN WILDLIFE REFUGE.—
- (A) IN GENERAL.—The Secretary shall, not later than 60 days after receiving an assessment submitted pursuant to paragraph (1), determine if the property described in such assessment is suitable for inclusion in the Wildlife Refuge.
 - (B) TRANSFER.—If the Secretary determines the property in an assessment submitted under paragraph (1) is suitable for inclusion in the Wildlife Refuge, the head of the Federal department or agency that has jurisdiction of such property shall transfer such property to the administrative jurisdiction of the Secretary for the purposes of this subtitle.
 - (4) PROPERTY UNSUITABLE FOR INCLUSION.—Property determined by the Secretary to be unsuitable for inclusion in the Wildlife Refuge based on an assessment submitted under paragraph (1) shall be subsequently transferred to the Secretary for purposes of this subtitle by the head of the department or agency that has jurisdiction of such property if such property becomes suitable for inclusion in the Wildlife Refuge as determined by the Secretary in consultation with the head of the department or agency that has jurisdiction of such property.
 - (5) PUBLIC ACCESS.—If property transferred to the Secretary under this subsection allows for public access at the time of transfer, such access shall be maintained unless such access—
 - (A) would be incompatible with the purposes of the Wildlife Refuge;
 - (B) would jeopardize public health or safety; or
 - (C) must be limited due to emergency circumstances.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COHEN OF TENNESSEE OR HIS DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. COMPTROLLER GENERAL STUDY ON NATIONAL DUI REPORTING.

- (a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the reporting of alcohol-impaired driving arrest and citation results into Federal databases to facilitate the widespread identification of repeat impaired driving offenders.
- (b) INCLUSIONS.—The study conducted under subsection (a) shall include a detailed assessment of—

(1) the extent to which State and local criminal justice agencies are reporting alcohol-impaired driving arrest and citation results into Federal databases;

(2) barriers on the Federal, State, and local levels to the reporting of alcohol-impaired driving arrest and citation results into Federal databases, as well as barriers to the use of those systems by criminal justice agencies;

(3) Federal, State, and local resources available to improve the reporting of alcohol-impaired driving arrest and citation results into Federal databases;

(4) recommendations for policies and programs to be carried out by the National Highway Traffic Safety Administration; and

(5) recommendations for programs and grant funding to be authorized by Congress.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRAWFORD OF ARKANSAS OR HIS DESIGNEE

Page 607, line 7, strike “Section” and insert “(b) SPECIAL RULE.—Section”.

Page 607, after line 6, insert the following:

(a) CERTIFICATION.—Section 5323(u)(4) of title 49, United States Code, is amended—

(1) in the heading of subparagraph (A) by striking “RAIL”; and

(2) by adding at the end the following:

“(C) NONRAIL ROLLING STOCK.—Notwithstanding subparagraph (B) of paragraph (5), as a condition of financial assistance made available in a fiscal year under section 5339, a recipient shall certify in that fiscal year that the recipient will not award any contract or subcontract for the procurement of rolling stock for use in public transportation with a rolling stock manufacturer described in paragraph (1).”

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUELLAR OF TEXAS OR HIS DESIGNEE

Page 499, after line 22, insert the following:

SEC. 1632. FUTURE INTERSTATE DESIGNATION AND OPERATION.

Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 is amended by inserting “subclauses (I) through (IX) of subsection (c)(38)(A)(i), subsection (c)(38)(A)(iv),” after “subsection (c)(37).”

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DINGELL OF MICHIGAN OR HER DESIGNEE

At the end of title III of division L, add the following:

CHAPTER 4—**Subchapter A—Natural Infrastructure for Wildlife Conservation and Restoration****SEC. 83411. SHORT TITLE.**

This subchapter may be cited as the “Recovering America’s Wildlife Act”.

SEC. 83412. WILDLIFE CONSERVATION AND RESTORATION SUB-ACCOUNT.

(a) IN GENERAL.—Section 3 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b) is amended—

(1) in subsection (a), by striking “\$50,000,000 in fiscal year 2001” in paragraph (2) and inserting “\$1,397,000,000 in fiscal years 2021 through 2025”; and

(2) in subsection (c), by redesignating paragraphs (2) and (3) as paragraphs (9) and (10); and

(3) in subsection (c), by striking paragraph (1) and inserting the following:

“(1) ESTABLISHMENT OF SUBACCOUNT.—

“(A) IN GENERAL.—There is established in the fund a subaccount to be known as the ‘Wildlife Conservation and Restoration Subaccount’ (referred to in this section as the ‘Subaccount’).

“(B) AVAILABILITY.—Amounts in the Subaccount shall be available upon appropriation, for each fiscal year, for apportionment in accordance with this Act.

“(C) DEPOSITS INTO SUBACCOUNT.—For fiscal years 2021 through 2025, the Secretary of the Treasury shall transfer \$1,300,000,000 upon appropriation from the general fund of the treasury each fiscal year to the fund for deposit in the Subaccount.

“(2) SUPPLEMENT NOT SUPPLANT.—Amounts transferred to the Subaccount shall supplement, but not replace, existing funds available to the States from—

“(A) the funds distributed pursuant to the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777 et seq.); and

“(B) the fund.

“(3) INNOVATION GRANTS.—

“(A) IN GENERAL.—The Secretary shall distribute 10 percent of funds from the Subaccount through a competitive grant program to State fish and wildlife departments, the District of Columbia fish and wildlife department, fish and wildlife departments of territories, or to regional associations of fish and wildlife departments (or any group composed of more than 1 such entity).

“(B) PURPOSE.—Such grants shall be provided for the purpose of catalyzing innovation of techniques, tools, strategies, or collaborative partnerships that accelerate, expand, or replicate effective and measurable recovery efforts for species of greatest conservation need and species listed under the Endangered Species Act of 1973 (15 U.S.C. 1531 et seq.) and the habitats of such species.

“(C) REVIEW COMMITTEE.—The Secretary shall appoint a review committee comprised of—

“(i) a State Director from each regional association of State fish and wildlife departments;

“(ii) the head of a department responsible for fish and wildlife management in a territory; and

“(iii) four individuals representing four different nonprofit organizations each of which is actively participating in carrying out wildlife conservation restoration activities using funds apportioned from the Sub-account.

“(D) SUPPORT FROM UNITED STATES FISH AND WILDLIFE SERVICE.—The United States Fish and Wildlife Service shall provide any personnel or administrative support services necessary for such Committee to carry out its responsibilities under this Act.

“(E) EVALUATION.—Such committee shall evaluate each proposal submitted under this paragraph and recommend projects for funding. The committee shall give preference to solutions that accelerate the recovery of species identified as priorities through regional scientific assessments of species of greatest conservation need.

“(4) USE OF FUNDS.—Funds apportioned from the Sub-account—

“(A) shall be used to implement the Wildlife Conservation Strategy of a State, territory, or the District of Columbia, as required under 16 U.S.C. 669c(d), by carrying out, revising, or enhancing existing wildlife and habitat conservation and restoration programs and developing and implementing new wildlife conservation, restoration, and natural infrastructure resilience programs and partnerships to recover and manage species of greatest conservation need and the key habitats and plant community types essential to the conservation of those species as determined by the appropriate State fish and wildlife department;

“(B) shall be used to develop, revise, and enhance the Wildlife Conservation Strategy of a State, territory, or the District of Columbia, as may be required by this Act;

“(C) shall be used to assist in the recovery of species found in the State, territory, or the District of Columbia that are listed as endangered species, threatened species, candidate species or species proposed for listing, or species petitioned for listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or under State law;

“(D) may be used for wildlife conservation education and wildlife-associated recreation projects and infrastructure, especially in historically underserved communities;

“(E) may be used to manage a species of greatest conservation need whose range is shared with another State, territory, Indian Tribe, or foreign government and for the conservation of the habitat of such species;

“(F) may be used to manage, control, and prevent invasive species, disease, and other risks to species of greatest conservation need; and

“(G) may be used for law enforcement activities that are directly related to the protection and conservation of a spe-

cies of greatest conservation need and the habitat of such species.

“(5) MINIMUM REQUIRED SPENDING FOR ENDANGERED SPECIES RECOVERY.—Not less than an average of 15 percent over a 5-year period of amounts apportioned to a State, territory, or the District of Columbia from the Subaccount shall be used for purposes described in paragraph (4)(C). The Secretary may reduce the minimum requirement of a State, territory, or the District of Columbia on an annual basis if the Secretary determines that the State, territory, or the District of Columbia is meeting the conservation and recovery needs of all species described in paragraph (4)(C).

“(6) PUBLIC ACCESS TO PRIVATE LANDS NOT REQUIRED.—Funds apportioned from the Subaccount shall not be conditioned upon the provision of public access to private lands, waters, or holdings.

“(7) REQUIREMENTS FOR MATCHING FUNDS.—

“(A) For the purposes of the non-Federal fund matching requirement for a wildlife conservation or restoration program or project funded by the Subaccount, a State, territory, or the District of Columbia may use as matching non-Federal funds—

“(i) funds from Federal agencies other than the Department of the Interior and the Department of Agriculture;

“(ii) donated private lands and waters, including privately owned easements;

“(iii) in circumstances described in subparagraph (B), revenue generated through the sale of State hunting and fishing licenses; and

“(iv) other sources consistent with part 80 of title 50, Code of Federal Regulations, in effect on the date of enactment of the Recovering America’s Wildlife Act of 2019.

“(B) Revenue described in subparagraph (A)(iii) may only be used to fulfill the requirements of such non-Federal fund matching requirement if—

“(i) no Federal funds apportioned to the State fish and wildlife department of such State from the Wildlife Restoration Program or the Sport Fish Restoration Program have been reverted because of a failure to fulfill such non-Federal fund matching requirement by such State during the previous 2 years; and

“(ii) the project or program being funded benefits the habitat of a hunted or fished species and a species of greatest conservation need.

“(C) No State, territory or the District of Columbia shall be required to provide non-Federal matching funds for this program through fiscal year 2025.

“(8) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) SPECIES OF GREATEST CONSERVATION NEED.—The term ‘species of greatest conservation need’ may be fauna or flora, and may include terrestrial, aquatic, marine, and invertebrate species that are of low population, declining,

rare, or facing threats and in need of conservation attention, as determined by each State fish and wildlife department, with respect to funds apportioned to such State.

“(B) PARTNERSHIPS.—The term ‘partnerships’ may include, but are not limited to, collaborative efforts with Federal agencies, State agencies, local agencies, Indian Tribes, nonprofit organizations, academic institutions, industry groups, and private individuals to implement a State’s Wildlife Conservation Strategy.

“(C) TERRITORY AND TERRITORIES.—The terms ‘territory’ and ‘territories’ mean the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

“(D) WILDLIFE.—The term ‘wildlife’ means any species of wild, freeranging fauna, including fish, and also any fauna in captive breeding programs the object of which is to reintroduce individuals of a depleted indigenous species into previously occupied range.”.

(b) ALLOCATION AND APPORTIONMENT OF AVAILABLE AMOUNTS.—Section 4 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669c) is amended—

(1) by redesignating the second subsection (c), relating to the apportionment of the Wildlife Conservation and Restoration Account, and subsection (d) as subsections (d) and (e) respectively;

(2) in subsection (d), as redesignated—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “to the District of Columbia and to the Commonwealth of Puerto Rico, each” and inserting “To the District of Columbia”;

(ii) in subparagraph (B), by striking “to Guam” and inserting “To Guam”;

(iii) in subparagraph (B), by striking “not more than one-fourth of one percent” and inserting “not less than one-third of one percent”

(iv) by adding at the end the following:

“(C) To the Commonwealth of Puerto Rico, a sum equal to not less than 1 percent thereof.”;

(B) in paragraph (2)(A), as redesignated—

(i) by amending clause (i) to read as follows:

“(i) one-half of which is based on the ratio to which the land and water area of such State bears to the total land and water area of all such States.”;

(ii) in clause (ii), by striking “two-thirds” and inserting “one-quarter”; and

(iii) by adding at the end the following:

“(iii) one-quarter of which is based upon the ratio to which the number of species listed as endangered or threatened under the Endangered Species Act of 1973 (15 U.S.C. 1531 et seq.) in such State bears to the total number of such species listed in all such States.”;

(C) by amending paragraph (2)(B) to read as follows:

“(B) The amounts apportioned under this paragraph shall be adjusted equitably so that no such State, unless otherwise des-

ignated, shall be apportioned a sum which is less than one percent or more than five percent of the amount available for apportionment under—

- “(i) paragraph (2)(A)(i) of this section;
- “(ii) paragraph (2)(A)(ii) of this section; and
- “(iii) the overall amount available for section (2)(A).

“(C) States that include plants among their species of greatest conservation need and in the conservation planning and habitat prioritization efforts of their Wildlife Conservation Strategy shall receive an additional 5 percent of their apportioned amount.”;

(D) in paragraph (3), by striking “3 percent” and inserting “1.85 percent”;

(3) by amending subsection (e)(4)(B), as redesignated, to read as follows:

“(B) Not more than an average of 15 percent over a 5-year period of amounts apportioned to each State under this section for a State’s wildlife conservation and restoration program may be used for wildlife conservation education and wildlife-associated recreation.”; and

(4) by adding at the end following:

“(f) MINIMIZATION OF PLANNING AND REPORTING.—Nothing in this Act shall be interpreted to require a State to create a comprehensive strategy related to conservation education or outdoor recreation.

“(g) ACCOUNTABILITY.—Not more than one year after the date of enactment of the Recovering America’s Wildlife Act of 2019 and every three years thereafter, each State fish and wildlife department shall submit a three-year work plan and budget for implementing its Wildlife Conservation Strategy and a report describing the results derived from activities accomplished under paragraph (4) during the previous three years to—

- “(1) the Committee on Environment and Public Works of the Senate;
- “(2) the Committee on Natural Resources of the House of Representatives; and
- “(3) the United States Fish and Wildlife Service.”.

SEC. 83413. TECHNICAL AMENDMENTS.

(a) DEFINITIONS.—Section 2 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a) is amended—

- (1) by striking paragraph (5);
- (2) by redesignating paragraphs (6) through (9) as paragraphs (5) through (8), respectively; and
- (3) in paragraph (6), as redesignated by paragraph (2), by inserting “Indian Tribes, academic institutions,” before “wildlife conservation organizations”.

(b) CONFORMING AMENDMENTS.—The Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669a et seq.) is amended—

- (1) in section 3—
 - (A) in subsection (a)—
 - (i) by striking “(1) An amount equal to” and inserting “An amount equal to”; and
 - (ii) by striking paragraph (2);
 - (B) in subsection (c)—

- (i) in paragraph (9), as redesignated by section 101(a)(1), by striking “or an Indian tribe”; and
- (ii) in paragraph (10), as redesignated by section 101(a)(1), by striking “Wildlife Conservation and Restoration Account” and inserting “Subaccount”; and
- (C) in subsection (d), by striking “Wildlife Conservation and Restoration Account” and inserting “Subaccount”;
- (2) in section 4 (16 U.S.C. 669c)—
 - (A) in subsection (d), as redesignated—
 - (i) in the heading, by striking “ACCOUNT” and inserting “SUBACCOUNT”; and
 - (ii) by striking “Account” each place it appears and inserting “Subaccount”; and
 - (B) in subsection (e)(1), as redesignated, by striking “Account” and inserting “Subaccount”; and
 - (3) in section 8 (16 U.S.C. 669g), in subsection (a), by striking “Account” and inserting “Subaccount”.

SEC. 83414. SAVINGS CLAUSE.

The Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669 et seq.) is amended—

- (1) by redesignating section 13 as section 15; and
- (2) by inserting after section 12 the following:

“SEC. 13. SAVINGS CLAUSE.

“Nothing in this Act shall be construed to enlarge or diminish the authority, jurisdiction, or responsibility of a State to manage, control, or regulate fish and wildlife under the law and regulations of the State on lands and waters within the State, including on Federal lands and waters.

“SEC. 14. STATUTORY CONSTRUCTION WITH RESPECT TO ALASKA.

“If any conflict arises between any provision of this Act and any provision of the Alaska National Interest Lands Conservation Act (Public Law 46–487, 16 U.S.C. 3101 et seq.), then the provision in the Alaska National Interest Lands Conservation Act shall prevail.”.

Subchapter B—Natural Infrastructure for Tribal Wildlife Conservation and Restoration

SEC. 83421. INDIAN TRIBES.

(a) **DEFINITIONS.**—In this section—

- (1) **ACCOUNT.**—The term “Account” means the Tribal Wildlife Conservation and Restoration Account established by subsection (c)(1).
- (2) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).
- (3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.
- (4) **TRIBAL SPECIES OF GREATEST CONSERVATION NEED.**—The term “Tribal species of greatest conservation need” means any species identified by an Indian Tribe as requiring conservation management because of declining population, habitat loss, or other threats, or because of their biological or cultural importance to such Tribe.

(5) WILDLIFE.—The term “wildlife” means—

(A) any species of wild flora or fauna including fish and marine mammals;

(B) flora or fauna in a captive breeding, rehabilitation, and holding or quarantine program, the object of which is to reintroduce individuals of a depleted indigenous species into previously occupied range or to maintain a species for conservation purposes; and

(C) does not include game farm animals.

(b) TRIBAL WILDLIFE CONSERVATION AND RESTORATION ACCOUNT.—

(1) IN GENERAL.—There is established in the Treasury an account to be known as the “Tribal Wildlife Conservation and Restoration Account”.

(2) AVAILABILITY.—Amounts in the Account shall be available for each fiscal year upon appropriation for apportionment in accordance with this title.

(3) DEPOSITS.—For fiscal year 2021 through 2025, the Secretary of the Treasury shall transfer \$97,500,000 upon appropriation to the Account.

(c) DISTRIBUTION OF FUNDS TO INDIAN TRIBES.—Each fiscal year, the Secretary of the Treasury shall deposit funds into the Account and distribute such funds through a noncompetitive application process according to guidelines, and criteria, and reporting requirements determined by the Secretary of the Interior, acting through the Director of the Bureau of Indian Affairs, in consultation with Indian Tribes. Such funds shall remain available until expended.

(d) WILDLIFE MANAGEMENT RESPONSIBILITIES.—The distribution guidelines and criteria described in subsection (d) shall be based, in part, upon Indian Tribes’ wildlife management responsibilities.

(e) USE OF FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may distribute funds from the Account to an Indian Tribe for any of the following purposes:

(A) To develop, carry out, revise, or enhance wildlife conservation and restoration programs to manage Tribal species of greatest conservation need and the habitats of such species as determined by the Indian Tribe.

(B) To assist in the recovery of species listed as an endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(C) For wildlife conservation education and wildlife-associated recreation projects and infrastructure.

(D) To manage a Tribal species of greatest conservation need and the habitat of such species, the range of which may be shared with a foreign country, State, or other Indian Tribe.

(E) To manage, control, and prevent invasive species as well as diseases and other risks to wildlife.

(F) For law enforcement activities that are directly related to the protection and conservation of wildlife.

(G) To develop, revise, and implement comprehensive wildlife conservation strategies and plans for such Tribe.

(H) For the hiring and training of wildlife conservation and restoration program staff.

(2) CONDITIONS ON THE USE OF FUNDS.—

(A) REQUIRED USE OF FUNDS.—In order to be eligible to receive funds under subsection (d), a Tribe's application must include a proposal to use funds for at least one of the purposes described in subparagraphs (A) and (B) of paragraph (1).

(B) IMPERILED SPECIES RECOVERY.—In distributing funds under this section, the Secretary shall distribute not less than 15 percent of the total funds distributed to proposals to fund the recovery of a species, subspecies, or distinct population segment listed as a threatened species, endangered species, or candidate species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or Tribal law.

(C) LIMITATION.—In distributing funds under this section, the Secretary shall distribute not more than 15 percent of all funds distributed under this section for the purpose described in paragraph (1)(C).

(f) NO MATCHING FUNDS REQUIRED.—No Indian Tribe shall be required to provide matching funds to be eligible to receive funds under this Act.

(g) PUBLIC ACCESS NOT REQUIRED.—Funds apportioned from the Tribal Wildlife Conservation and Restoration Account shall not be conditioned upon the provision of public or non-Tribal access to Tribal or private lands, waters, or holdings.

(h) ADMINISTRATIVE COSTS.—Of the funds deposited under subsection (c)(3) for each fiscal year, not more than 3 percent shall be used by the Secretary for administrative costs.

(i) SAVINGS CLAUSE.—Nothing in this Act shall be construed as modifying or abrogating a treaty with any Indian Tribe, or as enlarging or diminishing the authority, jurisdiction, or responsibility of an Indian Tribe to manage, control, or regulate wildlife.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARCÍA OF ILLINOIS OR HIS DESIGNEE

Page 389, line 25, insert “, and make recommendations for developing and utilizing transportation and traffic demand models with a demonstrated record of accuracy” before the period.

Page 390, line 13, insert “, including an analysis of the level of accuracy of forecasts and possible reasons for large discrepancies” before the semicolon.

Page 392, after line 14, insert the following:

(5) WORKING WITH AFFECTED COMMUNITIES.—In carrying out this section, the Secretary shall consult with, and collect data and input from, representatives of—

- (A) the Department of Transportation;
- (B) State departments of transportation;
- (C) metropolitan planning organizations;
- (D) local governments;
- (E) providers of public transportation;
- (F) nonprofit entities related to transportation, including safety, cycling, disability, and equity groups; and
- (G) any other stakeholders, as determined by the Secretary.

Page 392, after line 24, insert the following:

- (d) UPDATE GUIDANCE AND REGULATIONS.—The Secretary shall—
 - (1) update Department of Transportation guidance and procedures to utilize best practices documented throughout the Federal program; and
 - (2) ensure that best practices included in the report are incorporated into appropriate regulations as such regulations are updated.
 - (e) CONTINUING IMPROVEMENT.—The Secretary shall set out a process to repeat the study under this section every 2 years as part of the conditions and performance report, including—
 - (1) progress in the accuracy of model projections;
 - (2) further recommendations for improvement; and
 - (3) further changes to guidance, regulation, and procedures required for the Department of Transportation to adopt best practices.
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11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GIANFORTE OF MONTANA OR HIS DESIGNEE

Page 1907, after line 24, insert the following:

SEC. 81253. CONTINUED USE OF PICK-SLOAN MISSOURI BASIN PROGRAM PROJECT USE POWER BY THE KINSEY IRRIGATION COMPANY AND THE SIDNEY WATER USERS IRRIGATION DISTRICT.

- (a) FINDINGS.—Congress finds that—
 - (1) the Act of May 18, 1938 (52 Stat. 403, chapter 250; 16 U.S.C. 833 et seq.), authorized the completion, maintenance, and operation of the Fort Peck project;
 - (2) section 2 of that Act (52 Stat. 404, chapter 250; 16 U.S.C. 833a) authorized and directed the Bureau of Reclamation—
 - (A) to transmit and sell electric energy generated by the Fort Peck project; and
 - (B) “to interconnect the Fort Peck project with either private or with other Federal projects and publicly owned power systems now or hereafter constructed.”;
 - (3) section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665)—
 - (A) authorized the Missouri River Basin Project, now known as the “Pick-Sloan Missouri Basin Program” (referred to in this section as the “Program”);
 - (B) approved the comprehensive plan for the Program set forth in Senate Document 191 and House Document 475, as revised and coordinated by Senate Document 247, 78th Congress;
 - (C) established a permanent administration for the development of the Missouri River Basin; and
 - (D) incorporated the Fort Peck project as part of the Program;
 - (4) in 1946, the Bureau of Reclamation entered into project use power contracts to provide the Kinsey Irrigation Company and the predecessor of the Sidney Water Users Irrigation District electrical service under the authority of the Act of May 18, 1938 (52 Stat. 403, chapter 250; 16 U.S.C. 833 et seq.);

(5) since 1946, the Bureau of Reclamation has approved 9 modifications to the project use power contracts between the Bureau of Reclamation, the Kinsey Irrigation Company, and the Sidney Water Users Irrigation District;

(6) the project use power contracts in effect on the date of enactment of this Act provide electric service to the Kinsey Irrigation Company and the Sidney Water Users Irrigation District at the Program rate of 2.5 mills per kilowatt-hour, including wheeling, through 2020; and

(7) the Kinsey Irrigation Company and the Sidney Water Users Irrigation District have reasonably relied on the authority of the Act of May 18, 1938 (52 Stat. 403, chapter 250; 16 U.S.C. 833 et seq.), and the fact that the Bureau of Reclamation has treated the Kinsey Irrigation Company and the Sidney Water Users Irrigation District as irrigation pumping units of the Program for more than 74 years.

(b) AUTHORIZATION.—Notwithstanding any other provision of law and subject to subsection (c), the Secretary of the Interior (acting through the Commissioner of Reclamation) shall continue to treat the irrigation pumping units known as the “Kinsey Irrigation Company” in Custer County, Montana, and the “Sidney Water Users Irrigation District” in Richland County, Montana, or any successor to the Kinsey Irrigation Company or Sidney Water Users Irrigation District, as irrigation pumping units of the Program for the purposes of wheeling, administration, and payment of project use power.

(c) LIMITATION.—The quantity of power to be provided to the Kinsey Irrigation Company and the Sidney Water Users Irrigation District (including any successor to the Kinsey Irrigation Company or the Sidney Water Users Irrigation District) under subsection (b) may not exceed the maximum quantity of power provided to the Kinsey Irrigation Company and the Sidney Water Users Irrigation District under the applicable contract for electric service in effect on the date of enactment of this Act.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GONZÁLEZ-COLÓN OF PUERTO RICO OR HER DESIGNEE

Page 1913, after line 18, insert the following:

SEC. 81314. PUERTO RICO WATERSMART GRANTS ELIGIBILITY.

(a) SHORT TITLE.—This section may be cited as the “Puerto Rico WaterSMART Grants Eligibility Act”.

(b) WATERSMART GRANTS AND AGREEMENTS.—Section 9504 of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10364) is amended in subsection (a)(2)(A)—

- (1) in clause (ii), by striking “or”;
 - (2) in clause (iii), by striking “and” and inserting “or”; and
 - (3) by inserting after clause (iii), the following:
- “(iv) Puerto Rico; and”.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GONZÁLEZ-COLÓN OF PUERTO RICO OR HER DESIGNEE

Page 797, after line 5, insert the following:

SEC. 4310. APPLICATION OF COMMERCIAL MOTOR VEHICLE SAFETY.

(a) **DEFINITION.**—Section 31301(14) of title 49, United States Code, is amended—

- (1) by striking “and” and inserting a comma; and
- (2) by inserting “, and Puerto Rico” before the period.

(b) **IMPLEMENTATION.**—The Administrator of the Federal Motor Carrier Safety Administration shall work with the Commonwealth of Puerto Rico on obtaining full compliance with chapter 313 of title 49, United States Code, and regulations adopted under that chapter.

(c) **GRACE PERIOD.**—Notwithstanding section 31311(a) of title 49, United States Code, during a 5-year period beginning on the date of enactment of this Act, the Commonwealth of Puerto Rico shall not be subject to a withholding of an apportionment of funds under paragraphs (1) and (2) of section 104(b) of title 23, United States Code, for failure to comply with any requirement under section 31311(a) of title 49, United States Code.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAVES OF LOUISIANA OR HIS DESIGNEE

On page 1975, line 16, after “fishing vessel” insert “or employ a fisherman that has been significantly impacted by unfair methods of competition or other actions from foreign governments, as determined by the United States Trade Representative, to supplant domestic seafood production or fish products;”.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GROTHMAN OF WISCONSIN OR HIS DESIGNEE

Page 1540, after line 17, insert the following:

SEC. 33178. CONSIDERATION OF INVASIVE SPECIES.

Section 18 of the Federal Power Act (16 U.S.C. 811) is amended by inserting “In prescribing a fishway, the Secretary of Commerce or the Secretary of the Interior, as appropriate, shall consider the threat of invasive species.” before “The license applicant and any party to the proceeding shall be entitled to a determination on the record.”.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS OF FLORIDA OR HIS DESIGNEE

Page 198, line 12, strike the closing quotation marks and the semicolon and insert the following:

“(20) roads in rural areas that primarily serve to transport agricultural products from a farm or ranch to a marketplace.”;

Page 205, strike lines 12 through 21 and insert the following:

(8) in subsection (g)—

(A) in the heading by striking “5,000” and inserting “50,000”; and

(B) in paragraph (1), by striking subsection (d)(1)(A)(ii) and all that follows through the period at the end and inserting “clauses (iii) and (iv) of subsection (d)(1)(A) for each fiscal year may be obligated on roads functionally classi-

fied as rural minor collectors or local roads or on critical rural freight corridors designated under section 167(e).".

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KELLER OF PENNSYLVANIA OR HIS DESIGNEE

Page 674, after line 2, insert the following:

SEC. 2806. PUBLIC TRANSPORTATION INNOVATION.

Section 5312(h)(2) of title 49, United States Code, is amended by striking subparagraph (G).

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KRISHNAMOORTHI OF ILLINOIS OR HIS DESIGNEE

Page 731, line 22, strike "(B) and (C)" and insert "(B), (C), and (D)".

Page 732, after line 14, insert the following:

"(D) TEXTING WHILE DRIVING.—Notwithstanding subparagraphs (B) and (C), a State shall be allocated 25 percent of the amount calculated under subparagraph (A) if such State has enacted and is enforcing a law that prohibits a driver from viewing a personal wireless communication device, except for the purpose of navigation.".

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LOWENTHAL OF CALIFORNIA OR HIS DESIGNEE

Page 934, after line 19, insert the following:

SEC. _____. UNIVERSAL ELECTRONIC IDENTIFIER.

Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a final motor vehicle safety standard that requires a commercial motor vehicle manufactured after the effective date of such standard to be equipped with a universal electronic vehicle identifier that—

- (1) identifies the vehicle to roadside inspectors for enforcement purposes;
- (2) does not transmit personally identifiable information regarding operators; and
- (3) does not create an undue cost burden for operators and carriers.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE

In division G, at the end of subtitle A of title III, add the following:

CHAPTER 10—CARBON CAPTURE UTILIZATION AND STORAGE

SEC. 33191. SUPPORTING CARBON CAPTURE UTILIZATION AND STORAGE.

(a) REPEAL OF CLEAN COAL POWER INITIATIVE.—Subtitle A of title IV of the Energy Policy Act of 2005 (42 U.S.C. 15961 et seq.) is repealed.

(b) FOSSIL ENERGY OBJECTIVES.—Section 961(a) of the Energy Policy Act of 2005 (42 U.S.C. 16291(a)) is amended by adding at the end the following:

“(8) Improving the conversion, use, and storage of carbon dioxide from fossil fuels.

“(9) Lowering greenhouse gas emissions across the fossil fuel cycle to the maximum extent possible, including emissions from all fossil fuel production, generation, delivery, and utilization.

“(10) Preventing, predicting, monitoring, and mitigating the unintended leaking of methane, carbon dioxide, and other fossil fuel-related emissions into the atmosphere.

“(11) Reducing water use, improving water reuse, and minimizing the surface and subsurface environmental impact of the development of unconventional domestic oil and natural gas resources.

“(12) Developing carbon removal and utilization technologies, products, and methods that result in net reductions in greenhouse gas emissions, including direct air capture and storage and carbon use and reuse for commercial application.”

(c) CARBON CAPTURE AND UTILIZATION TECHNOLOGY COMMERCIALIZATION PROGRAM.—

(1) ESTABLISHMENT.—The Secretary of Energy shall establish a carbon capture and utilization technology commercialization program to significantly improve the efficiency, effectiveness, cost, and environmental performance of fossil fuel-fired facilities.

(2) INCLUSIONS.—The program shall include funding for—

(A) front end engineering design studies for commercial demonstration projects for at least 3 types of advanced carbon capture technology and at least 1 type of direct air capture technology;

(B) commercial demonstration of advanced carbon capture technology projects intended to produce a standard design specification for up to 5 demonstrations of a particular technology type;

(C) commercial demonstration of direct air capture technology projects intended to produce a standard design specification for up to 5 demonstrations of a particular technology type; and

(D) commercialization projects of large-scale carbon dioxide storage sites in saline geological formations that are designed to accept at least 10,000,000 tons per year of carbon dioxide, including activities exploring, categorizing, and developing storage sites and necessary pipeline infrastructure.

(3) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for activities—

- (i) under paragraph (2)(A), \$100,000,000 for each of fiscal years 2021 through 2025, and such sums as may be necessary for fiscal years 2026 through 2030;
- (ii) under paragraph (2)(B), \$1,500,000,000 for each of fiscal years 2021 through 2025, and such sums as may be necessary for fiscal years 2026 through 2030;
- (iii) under paragraph (2)(C), \$250,000,000 for each of fiscal years 2021 through 2025, and such sums as may be necessary for fiscal years 2026 through 2030; and
- (iv) under paragraph (2)(D), \$500,000,000 for each of fiscal years 2021 through 2025, and such sums as may be necessary for fiscal years 2026 through 2030.

(B) COST SHARING.—Federal grants under this section shall be limited as follows:

- (i) For activities under paragraph (2)(A), the Secretary shall provide not more than 80 percent of project funds.
- (ii) For activities under any of subparagraphs (B) through (D) of paragraph (2), the Secretary shall provide not more than 50 percent of project funds.

(d) DIRECT AIR CAPTURE TECHNOLOGY PRIZE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) QUALIFIED CARBON DIOXIDE.—

- (i) IN GENERAL.—The term “qualified carbon dioxide” means any carbon dioxide that—
 - (I) is captured directly from the ambient air; and
 - (II) is measured at the source of capture and verified at the point of disposal, injection, or utilization.

(ii) INCLUSION.—The term “qualified carbon dioxide” includes the initial deposit of captured carbon dioxide used as a tertiary injectant.

(iii) EXCLUSION.—The term “qualified carbon dioxide” does not include carbon dioxide that is recaptured, recycled, and reinjected as part of the enhanced oil and natural gas recovery process.

(B) QUALIFIED DIRECT AIR CAPTURE FACILITY.—

(i) IN GENERAL.—Subject to clause (ii), the term “qualified direct air capture facility” means any facility that—

- (I) uses carbon capture equipment to capture carbon dioxide directly from the ambient air; and
- (II) captures more than 10,000 metric tons of qualified carbon dioxide annually.

(ii) EXCLUSION.—The term “qualified direct air capture facility” does not include any facility that captures carbon dioxide—

- (I) that is deliberately released from naturally occurring subsurface springs; or
- (II) using natural photosynthesis.

(2) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Secretary of Energy, in consulta-

tion with the Administrator of the Environmental Protection Agency, shall establish a direct air capture prize program designed to significantly reward development, demonstration, and deployment of direct air capture technologies.

(3) DIRECT AIR CAPTURE PRIZE PROGRAM.—

(A) AWARDS.—Under the prize program, the Secretary shall provide financial awards in a competitive setting equally for each ton of qualified carbon dioxide captured by a qualified direct air capture facility until appropriated funds are expended. The prize per metric ton shall not exceed—

- (i) \$180 for qualified carbon dioxide captured and stored in saline storage formations;
- (ii) a lesser amount as determined by the Secretary for qualified carbon dioxide captured and stored in conjunction with enhanced oil recovery operations; or
- (iii) a lesser amount as determined by the Secretary for qualified carbon dioxide captured and utilized in any activity consistent with section 45Q(f)(5) of the Internal Revenue Code of 1986 (26 U.S.C. 45Q(f)(5)).

(B) ADMINISTRATION.—

(i) REQUIREMENTS.—Not later than 1 year after the date of enactment of this section, the Administrator, in consultation with the Secretary, shall submit requirements for qualifying metric tons of carbon dioxide. In carrying out this clause, the Administrator shall develop specific requirements for—

- (I) the process of applying for prizes; and
- (II) the demonstration of performance of approved projects.

(ii) DETERMINATION.—For purposes of determining the amount of metric tons of qualified carbon dioxide eligible for prizes under clause (i), the amount shall be equal to the net metric tons of carbon dioxide removal demonstrated by the recipient, subject to the requirements set forth by the Administrator under such clause.

(C) SCHEDULE OF PAYMENT.—The Secretary shall award prizes on an annual basis to qualified direct air capture facilities for metric tons of qualified carbon dioxide captured and verified at the point of disposal, injection, or utilization.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection \$200,000,000 for the period of fiscal years 2021 through 2025, and \$400,000,000 for the period of fiscal years 2026 through 2030, to remain available until expended.

(e) INCREASED FUNDING FOR INJECTION WELL PERMITTING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—For activities involved in the permitting by the Administrator of the Environmental Protection Agency of Class VI wells for the injection of carbon dioxide for the purpose of geologic sequestration in accordance with the requirements of the Safe Drinking Water Act (42 U.S.C. 300f et seq.) and regulations promulgated thereunder by the Administrator on December 10, 2010 (75 Fed.

Reg. 77230), there are authorized to be appropriated \$5,000,000 for each of fiscal years 2021 through 2025, and such sums as may be necessary for fiscal years 2026 through 2030.

(2) STATE PERMITTING PROGRAMS.—

(A) GRANTS.—The Administrator shall provide grants to States that receive program approval for permitting Class VI wells for the injection of carbon dioxide pursuant to section 1422 of the Safe Drinking Water Act (42 U.S.C. 300h-1), for the purpose of defraying State expenses related to the establishment and operation of such State permitting programs.

(B) AUTHORIZATION OF APPROPRIATIONS.—For State grants described in subparagraph (A), there are authorized to be appropriated \$50,000,000 for the period of fiscal years 2021 through 2025, and such sums as may be necessary for fiscal years 2026 through 2030.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROUDA OF CALIFORNIA OR HIS DESIGNEE

Page 1220, after line 11, insert the following:

TITLE VI—OTHER MATTERS

SEC. 26001. SMART WATER INFRASTRUCTURE INVESTMENT GRANTS.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

“SEC. 222. SMART WASTEWATER INFRASTRUCTURE TECHNOLOGY.

“(a) POLICY.—It is the policy of the United States to support the modernization of the Nation’s publicly owned treatment works to maintain reliable and affordable water quality infrastructure that addresses demand impacts, including resiliency to improve public health and natural resources.

“(b) GRANTS.—

“(1) GRANTS TO TREATMENT WORKS.—The Administrator shall make direct grants to owners and operators of publicly owned treatment works for planning, design, construction, and operations training of—

“(A) intelligent wastewater collection systems and stormwater management operations, including technologies that rely on—

“(i) real-time monitoring, embedded intelligence, and predictive maintenance capabilities that improve the energy efficiency, reliability, and resiliency of wastewater pumping systems;

“(ii) real-time sensors that provide continuous monitoring of wastewater collection system water quality to support the optimization of stormwater and wastewater collection systems, with a priority for water quality impacts; and

“(iii) the use of artificial intelligence and other intelligent optimization tools that reduce operational costs, including operational costs relating to energy consumption and chemical treatment; and

“(B) innovative and alternative combined sewer and stormwater control projects, including groundwater banking, that rely upon real-time data acquisition to support predictive aquifer recharge through water reuse and stormwater management capabilities.

“(2) RURAL COMMUNITIES SET-ASIDE.—Of amounts appropriated pursuant to subsection (h), the Administrator use not more than 20 percent to make grants to communities with populations not greater than 10,000.

“(c) COST-SHARE.—The non-Federal share of the costs of an activity carried out using a grant under subsection (b) shall be 25 percent.

“(d) EXCEPTION.—The Administrator may waive the cost-share requirement of subsection (c) if the Administrator determines such cost-share would be financially unreasonable due to a community’s ability to comply with such cost-share requirement.

“(e) PROGRAM IMPLEMENTATION.—

“(1) GUIDANCE.—Not later than 30 days after the date of enactment of this section, the Administrator shall issue guidance to owners and operators of publicly owned treatment works on how to apply for assistance.

“(2) DECISION ON APPLICATIONS.—The Administrator shall make a determination of whether to make a grant to an applicant within 30 days of receipt of an application. In the case that the Administrator determines an application is deficient, the applicant shall be advised of any such deficiencies and provided the opportunity to resubmit the application.

“(3) DISBURSEMENT.—A grant shall be made not later than 60 days after the date on which the Administrator approves an application.

“(f) COMPLIANCE WITH BUY AMERICA.—The requirements of section 608 shall apply to funds granted under this section.

“(g) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Administrator shall submit to Congress a report describing projects funded under this section, results in improving the resiliency of publicly owned treatment works, and recommendations to improve the achievement of the program’s policy. For purposes of the first report to Congress, the Administrator shall report on the program’s implementation, including a description of projects approved and those disapproved. In providing such information, the Administrator shall detail the reasons that a project was not awarded assistance.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$500,000,000 to carry out this section, to remain available until expended.”.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUIZ OF CALIFORNIA OR HIS DESIGNEE

After section 34105, insert the following:

SEC. 34106. ACCESS ROAD FOR DESERT SAGE YOUTH WELLNESS CENTER.

(a) ACQUISITION OF LAND.—

(1) AUTHORIZATION.—The Secretary of Health and Human Services, acting through the Director of the Indian Health Service, is authorized to acquire, from willing sellers, the land in Hemet, California, upon which is located a dirt road known as “Best Road”, beginning at the driveway of the Desert Sage Youth Wellness Center at Faure Road and extending to the junction of Best Road and Sage Road.

(2) COMPENSATION.—The Secretary shall pay fair market value for the land authorized to be acquired under paragraph (1). Fair market value shall be determined—

(A) using Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) by an appraiser acceptable to the Secretary and the owners of the land to be acquired.

(3) ADDITIONAL RIGHTS.—In addition to the land referred to in paragraph (1), the Secretary is authorized to acquire, from willing sellers, land or interests in land as reasonably necessary to construct and maintain the road as required by subsection (b).

(b) CONSTRUCTION AND MAINTENANCE OF ROAD.—

(1) CONSTRUCTION.—After the Secretary acquires the land pursuant to subsection (a), the Secretary shall construct on that land a paved road that is generally located over Best Road to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California.

(2) MAINTENANCE.—The Secretary—

(A) shall maintain and manage the road constructed pursuant to paragraph (1); or

(B) enter into an agreement with Riverside County, California, to own, maintain and manage the road constructed pursuant to paragraph (1).

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SARBANES OF MARYLAND OR HIS DESIGNEE

Insert the following at the end of title III of division L:

CHAPTER 4—MISCELLANEOUS

SEC. 83501 REAUTHORIZATION OF CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK.

Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (54 U.S.C. 320101 note; Public Law 105–312) is amended by striking “2019” and inserting “2025”.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SCOTT OF VIRGINIA OR HIS DESIGNEE

At the end of division H, add the following:

SEC. 40002. DEFINITIONS.

In this division:

(1) CHESAPEAKE BAY AGREEMENTS.—The term “Chesapeake Bay agreements” means the formal, voluntary agreements—

(A) executed to achieve the goal of restoring and protecting the Chesapeake Bay watershed ecosystem and the

living resources of the Chesapeake Bay watershed ecosystem; and

(B) signed by the Chesapeake Executive Council.

(2) CHESAPEAKE BAY PROGRAM.—The term “Chesapeake Bay program” means the program directed by the Chesapeake Executive Council in accordance with the Chesapeake Bay agreements.

(3) CHESAPEAKE BAY WATERSHED.—The term “Chesapeake Bay watershed” means the region that covers—

(A) the Chesapeake Bay;

(B) the portions of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia that drain into the Chesapeake Bay; and

(C) the District of Columbia.

(4) CHESAPEAKE EXECUTIVE COUNCIL.—The term “Chesapeake Executive Council” means the council comprised of—

(A) the Governors of each of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia;

(B) the Mayor of the District of Columbia;

(C) the Chair of the Chesapeake Bay Commission; and

(D) the Administrator of the Environmental Protection Agency.

(5) CHESAPEAKE WILD PROGRAM.—The term “Chesapeake WILD program” means the nonregulatory program established by the Secretary under section 40003(a).

(6) GRANT PROGRAM.—The term “grant program” means the Chesapeake Watershed Investments for Landscape Defense grant program established by the Secretary under section 40004(a).

(7) RESTORATION AND PROTECTION ACTIVITY.—The term “restoration and protection activity” means an activity carried out for the conservation, stewardship, and enhancement of habitat for fish and wildlife—

(A) to preserve and improve ecosystems and ecological processes on which the fish and wildlife depend; and

(B) for use and enjoyment by the public.

(8) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

SEC. 40003. PROGRAM ESTABLISHMENT.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a nonregulatory program, to be known as the “Chesapeake Watershed Investments for Landscape Defense program”.

(b) PURPOSES.—The purposes of the Chesapeake WILD program include—

(1) coordinating restoration and protection activities among Federal, State, local, and regional entities and conservation partners throughout the Chesapeake Bay watershed;

(2) engaging other agencies and organizations to build a broader range of partner support, capacity, and potential funding for projects in the Chesapeake Bay watershed;

(3) carrying out coordinated restoration and protection activities, and providing for technical assistance, throughout the Chesapeake Bay watershed—

(A) to sustain and enhance restoration and protection activities;

(B) to improve and maintain water quality to support fish and wildlife, habitats of fish and wildlife, and drinking water for people;

(C) to sustain and enhance water management for volume and flood damage mitigation improvements to benefit fish and wildlife habitat;

(D) to improve opportunities for public access and recreation in the Chesapeake Bay watershed consistent with the ecological needs of fish and wildlife habitat;

(E) to facilitate strategic planning to maximize the resilience of natural ecosystems and habitats under changing watershed conditions;

(F) to utilize green infrastructure or natural infrastructure best management practices to enhance fish and wildlife habitat;

(G) to engage the public through outreach, education, and citizen involvement to increase capacity and support for coordinated restoration and protection activities in the Chesapeake Bay watershed;

(H) to sustain and enhance vulnerable communities and fish and wildlife habitat;

(I) to conserve and restore fish, wildlife, and plant corridors; and

(J) to increase scientific capacity to support the planning, monitoring, and research activities necessary to carry out coordinated restoration and protection activities.

(c) DUTIES.—In carrying out the Chesapeake WILD program, the Secretary shall—

(1) draw on existing plans for the Chesapeake Bay watershed, or portions of the Chesapeake Bay watershed, including the Chesapeake Bay agreements, and work in consultation with applicable management entities, including Chesapeake Bay program partners, such as the Federal Government, State and local governments, the Chesapeake Bay Commission, and other regional organizations, as appropriate, to identify, prioritize, and implement restoration and protection activities within the Chesapeake Bay watershed;

(2) adopt a Chesapeake Bay watershed-wide strategy that—

(A) supports the implementation of a shared set of science-based restoration and protection activities developed in accordance with paragraph (1); and

(B) targets cost-effective projects with measurable results; and

(3) establish the grant program in accordance with section 40004.

(d) COORDINATION.—In establishing the Chesapeake WILD program, the Secretary shall consult, as appropriate, with—

(1) the heads of Federal agencies, including—

(A) the Administrator of the Environmental Protection Agency;

- (B) the Administrator of the National Oceanic and Atmospheric Administration;
- (C) the Chief of the Natural Resources Conservation Service;
- (D) the Chief of Engineers;
- (E) the Director of the United States Geological Survey;
- (F) the Secretary of Transportation;
- (G) the Chief of the Forest Service; and
- (H) the head of any other applicable agency;
- (2) the Governors of each of the States of Delaware, Maryland, New York, Pennsylvania, Virginia, and West Virginia and the Mayor of the District of Columbia;
- (3) fish and wildlife joint venture partnerships; and
- (4) other public agencies and organizations with authority for the planning and implementation of conservation strategies in the Chesapeake Bay watershed.

SEC. 40004. GRANTS AND TECHNICAL ASSISTANCE.

(a) CHESAPEAKE WILD GRANT PROGRAM.—To the extent that funds are made available to carry out this section, the Secretary shall establish and carry out, as part of the Chesapeake WILD program, a voluntary grant and technical assistance program, to be known as the “Chesapeake Watershed Investments for Landscape Defense grant program”, to provide competitive matching grants of varying amounts and technical assistance to eligible entities described in subsection (b) to carry out activities described in section 40003(b).

(b) ELIGIBLE ENTITIES.—The following entities are eligible to receive a grant and technical assistance under the grant program:

- (1) A State.
- (2) The District of Columbia.
- (3) A unit of local government.
- (4) A nonprofit organization.
- (5) An institution of higher education.
- (6) Any other entity that the Secretary determines to be appropriate in accordance with the criteria established under subsection (c).

(c) CRITERIA.—The Secretary, in consultation with officials and entities described in section 40003(d), shall establish criteria for the grant program to help ensure that activities funded under this section—

- (1) accomplish 1 or more of the purposes described in section 40003(b); and
- (2) advance the implementation of priority actions or needs identified in the Chesapeake Bay watershed-wide strategy adopted under section 40003(c)(2).

(d) COST SHARING.—

(1) DEPARTMENT OF THE INTERIOR SHARE.—The Department of the Interior share of the cost of a project funded under the grant program shall not exceed 50 percent of the total cost of the project, as determined by the Secretary.

(2) NON-DEPARTMENT OF THE INTERIOR SHARE.—

(A) IN GENERAL.—The non-Department of the Interior share of the cost of a project funded under the grant program may be provided in cash or in the form of an in-kind contribution of services or materials.

(B) OTHER FEDERAL FUNDING.—Non-Department of the Interior Federal funds may be used for not more than 25 percent of the total cost of a project funded under the grant program.

(e) ADMINISTRATION.—The Secretary may enter into an agreement to manage the grant program with an organization that offers grant management services.

SEC. 40005. REPORTING.

Not later than 180 days after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report describing the implementation of sections 40002 through 40006 of this Act, including a description of each project that has received funding under this Act.

SEC. 40006. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out sections 40002 through 40006 of this Act.

(b) SUPPLEMENT, NOT SUPPLANT.—Funds made available under subsection (a) shall supplement, and not supplant, funding for other activities conducted by the Secretary in the Chesapeake Bay watershed.

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALBERG OF MICHIGAN OR HIS DESIGNEE

Page 718, line 15, strike “race and ethnicity” and insert “race, ethnicity, and mode of transportation”.

26. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WALDEN OF OREGON OR HIS DESIGNEE

Page 157, after line 23, insert the following:

SEC. 1118. FEDERAL GRANTS FOR PEDESTRIAN AND BIKE SAFETY IMPROVEMENTS.

(a) IN GENERAL.—Notwithstanding any provision of title 23, United States Code, or any regulation issued by the Secretary of Transportation, section 129(a)(3) of such title shall not apply to a covered public authority that receives funding under such title for pedestrian and bike safety improvements.

(b) NO TOLL.—A covered public authority may not charge a toll, fee, or other levy for use of such improvements.

(c) EFFECTIVE DATE.—A covered public authority shall be eligible for the exemption under subsection (a) for 10 years after the date of enactment of this Act. Any such exemption granted shall remain in effect after the effective date described in this section.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED PUBLIC AUTHORITY.—The term “covered public authority” means a public authority with jurisdiction over a toll facility located within both—

- (A) a National Scenic Area; and
- (B) the National Trail System.

(2) NATIONAL SCENIC AREA.—The term “National Scenic Area” means an area of the National Forest System federally

designated as a National Scenic Area in recognition of the outstanding natural, scenic, and recreational values of the area.

(3) NATIONAL TRAIL SYSTEM.—The term “National Trail System” means an area described in section 3 of the National Trails System Act (16 U.S.C. 1242).

(4) PUBLIC AUTHORITY; TOLL FACILITY.—The terms “public authority” and “toll facility” have the meanings such terms would have if such terms were included in chapter 1 of title 23, United States Code.

27. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WELCH OF VERMONT OR HIS DESIGNEE

In subtitle B of title III of division G, strike subchapter A of chapter 1 and insert the following:

Subchapter A—HOPE for HOMES

SEC. 33201. DEFINITIONS.

In this subchapter:

(1) CONTRACTOR CERTIFICATION.—The term “contractor certification” means an industry recognized certification that may be obtained by a residential contractor to advance the expertise and education of the contractor in energy efficiency retrofits of residential buildings, including—

- (A) a certification provided by—
 - (i) the Building Performance Institute;
 - (ii) the Air Conditioning Contractors of America;
 - (iii) the National Comfort Institute;
 - (iv) the North American Technician Excellence;
 - (v) RESNET;
 - (vi) the United States Green Building Council; or
 - (vii) Home Innovation Research Labs; and

(B) any other certification the Secretary determines appropriate for purposes of the Home Energy Savings Retrofit Rebate Program.

(2) CONTRACTOR COMPANY.—The term “contractor company” means a company—

(A) the business of which is to provide services to residential building owners with respect to HVAC systems, insulation, air sealing, or other services that are approved by the Secretary;

(B) that holds the licenses and insurance required by the State in which the company provides services; and

(C) that provides services for which a partial system rebate, measured performance rebate, or modeled performance rebate may be provided pursuant to the Home Energy Savings Retrofit Rebate Program.

(3) ENERGY AUDIT.—The term “energy audit” means an inspection, survey, and analysis of the energy use of a building, including the building envelope and HVAC system.

(4) HOME.—The term “home” means a residential dwelling unit in a building with no more than 4 dwelling units that—

- (A) is located in the United States;

- (B) was constructed before the date of enactment of this Act; and
- (C) is occupied at least 6 months out of the year.
- (5) HOME ENERGY SAVINGS RETROFIT REBATE PROGRAM.—The term “Home Energy Savings Retrofit Rebate Program” means the Home Energy Savings Retrofit Rebate Program established under section 33203.
- (6) HOMEOWNER.—The term “homeowner” means the owner of an owner-occupied home or a tenant-occupied home.
- (7) HOME VALUATION CERTIFICATION.—The term “home valuation certification” means the following home assessments:
 - (A) Home Energy Score.
 - (B) PEARL Certification.
 - (C) National Green Building Standard.
 - (D) LEED.
 - (E) Any other assessment the Secretary determines to be appropriate.
- (8) HOPE QUALIFICATION.—The term “HOPE Qualification” means the qualification described in section 33202B.
- (9) HOPE TRAINING CREDIT.—The term “HOPE training credit” means a HOPE training task credit or a HOPE training supplemental credit.
- (10) HOPE TRAINING TASK CREDIT.—The term “HOPE training task credit” means a credit described in section 33202A(a).
- (11) HOPE TRAINING SUPPLEMENTAL CREDIT.—The term “HOPE training supplemental credit” means a credit described in section 33202A(b).
- (12) HVAC SYSTEM.—The term “HVAC system” means a system—
 - (A) consisting of a heating component, a ventilation component, and an air-conditioning component; and
 - (B) which components may include central air conditioning, a heat pump, a furnace, a boiler, a rooftop unit, and a window unit.
- (13) MEASURED PERFORMANCE REBATE.—The term “measured performance rebate” means a rebate provided in accordance with section 33203B and described in subsection (e) of that section.
- (14) MODELED PERFORMANCE REBATE.—The term “modeled performance rebate” means a rebate provided in accordance with section 33203B and described in subsection (d) of that section.
- (15) MODERATE INCOME.—The term “moderate income” means, with respect to a household, a household with an annual income that is less than 80 percent of the area median income, as determined annually by the Department of Housing and Urban Development.
- (16) PARTIAL SYSTEM REBATE.—The term “partial system rebate” means a rebate provided in accordance with section 33203A.
- (17) SECRETARY.—The term “Secretary” means the Secretary of Energy.
- (18) STATE.—The term “State” includes—
 - (A) a State;
 - (B) the District of Columbia;

- (C) the Commonwealth of Puerto Rico;
- (D) Guam;
- (E) American Samoa;
- (F) the Commonwealth of the Northern Mariana Islands;
- (G) the United States Virgin Islands; and
- (H) any other territory or possession of the United States.

(19) STATE ENERGY OFFICE.—The term “State energy office” means the office or agency of a State responsible for developing the State energy conservation plan for the State under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322).

PART 1—HOPE TRAINING

SEC. 33202. NOTICE FOR HOPE QUALIFICATION TRAINING AND GRANTS.

Not later than 30 days after the date of enactment of this Act, the Secretary, acting through the Director of the Building Technologies Office of the Department of Energy, shall issue a notice that includes—

- (1) criteria established under section 33202A for approval by the Secretary of courses for which credits may be issued for purposes of a HOPE Qualification;
- (2) a list of courses that meet such criteria and are so approved; and
- (3) information on how individuals and entities may apply for grants under this part.

SEC. 33202A. COURSE CRITERIA.

(a) HOPE TRAINING TASK CREDIT.—

(1) CRITERIA.—The Secretary shall establish criteria for approval of a course for which a credit, to be known as a HOPE training task credit, may be issued, including that such course—

- (A) is equivalent to at least 30 hours in total course time;
- (B) is accredited by the Interstate Renewable Energy Council or is determined to be equivalent by the Secretary;
- (C) is, with respect to a particular job, aligned with the relevant National Renewable Energy Laboratory Job Task Analysis, or other credentialing program foundation that helps identify the necessary core knowledge areas, critical work functions, or skills, as approved by the Secretary;
- (D) has established learning objectives; and
- (E) includes, as the Secretary determines appropriate, an appropriate assessment of such learning objectives that may include a final exam, to be proctored on-site or through remote proctoring, or an in-person field exam.

(2) INCLUDED COURSES.—The Secretary shall approve one or more courses that meet the criteria described in paragraph (1) for training related to—

- (A) contractor certification;
- (B) energy auditing or assessment;
- (C) home energy systems (including HVAC systems);
- (D) insulation installation and air leakage control;

(E) health and safety regarding the installation of energy efficiency measures or health and safety impacts associated with energy efficiency retrofits; and

(F) indoor air quality.

(b) HOPE TRAINING SUPPLEMENTAL CREDIT CRITERIA.—The Secretary shall establish criteria for approval of a course for which a credit, to be known as a HOPE training supplemental credit, may be issued, including that such course provides—

(1) training related to—

(A) small business success, including management, home energy efficiency software, or general accounting principles;

(B) the issuance of a home valuation certification;

(C) the use of wifi-enabled technology in an energy efficiency upgrade; or

(D) understanding and being able to participate in the Home Energy Savings Retrofit Rebate Program; and

(2) as the Secretary determines appropriate, an appropriate assessment of such training that may include a final exam, to be proctored on-site or through remote proctoring, or an in-person field exam.

(c) EXISTING APPROVED COURSES.—The Secretary may approve a course that meets the applicable criteria established under this section that is approved by the applicable State energy office or relevant State agency with oversight authority for residential energy efficiency programs.

(d) IN-PERSON AND ONLINE TRAINING.—An online course approved pursuant to this section may be conducted in-person, but may not be offered exclusively in-person.

SEC. 33202B. HOPE QUALIFICATION.

(a) ISSUANCE OF CREDITS.—

(1) IN GENERAL.—The Secretary, or an entity authorized by the Secretary pursuant to paragraph (2), may issue—

(A) a HOPE training task credit to any individual that completes a course that meets applicable criteria under section 33202A; and

(B) a HOPE training supplemental credit to any individual that completes a course that meets the applicable criteria under section 33202A.

(2) OTHER ENTITIES.—The Secretary may authorize a State energy office implementing an authorized program under subsection (b)(2), an organization described in section 33202C(b), and any other entity the Secretary determines appropriate, to issue HOPE training credits in accordance with paragraph (1).

(b) HOPE QUALIFICATION.—

(1) IN GENERAL.—The Secretary may certify that an individual has achieved a qualification, to be known as a HOPE Qualification, that indicates that the individual has received at least 3 HOPE training credits, of which at least 2 shall be HOPE training task credits.

(2) STATE PROGRAMS.—The Secretary may authorize a State energy office to implement a program to provide HOPE Qualifications in accordance with this part.

SEC. 33202C. GRANTS.

(a) IN GENERAL.—The Secretary shall, to the extent amounts are made available in appropriations Acts for such purposes, provide grants to support the training of individuals toward the completion of a HOPE Qualification.

(b) PROVIDER ORGANIZATIONS.—

(1) IN GENERAL.—The Secretary may provide a grant of up to \$20,000 under this section to an organization to provide training online, including establishing, modifying, or maintaining the online systems, staff time, and software and online program management, through a course that meets the applicable criteria established under section 33202A.

(2) CRITERIA.—In order to receive a grant under this subsection, an organization shall be—

(A) a nonprofit organization;

(B) an educational institution; or

(C) an organization that has experience providing training to contractors that work with the weatherization assistance program implemented under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.) or equivalent experience, as determined by the Secretary.

(3) ADDITIONAL CERTIFICATIONS.—In addition to any grant provided under paragraph (1), the Secretary may provide an organization up to \$5,000 for each additional course for which a HOPE training credit may be issued that is offered by the organization.

(c) CONTRACTOR COMPANY.—The Secretary may provide a grant under this section of \$1,000 per employee to a contractor company, up to a maximum of \$10,000, to reimburse the contractor company for training costs for employees, and any home technology support needed for an employee to receive training pursuant to this section. Grant funds provided under this subsection may be used to support wages of employees during training.

(d) TRAINEES.—The Secretary may provide a grant of up to \$1,000 under this section to an individual who receives a HOPE Qualification.

(e) STATE ENERGY OFFICE.—The Secretary may provide a grant under this section to a State energy office of up to \$25,000 to implement an authorized program under section 33202B(b).

SEC. 33202D. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this part \$500,000,000 for the period of fiscal years 2021 through 2025, to remain available until expended.

PART 2—HOME ENERGY SAVINGS RETROFIT REBATE PROGRAM

SEC. 33203. ESTABLISHMENT OF HOME ENERGY SAVINGS RETROFIT REBATE PROGRAM.

The Secretary shall establish a program, to be known as the Home Energy Savings Retrofit Rebate Program, to—

(1) provide rebates in accordance with section 33203A; and

(2) provide grants to States to carry out programs to provide rebates in accordance with section 33203B.

SEC. 33203A. PARTIAL SYSTEM REBATES.

(a) **AMOUNT OF REBATE.**—In carrying out the Home Energy Savings Retrofit Rebate Program, and subject to the availability of appropriations for such purpose, the Secretary shall provide a homeowner a rebate, to be known as a partial system rebate, of, except as provided in section 33203C, up to—

(1) \$800 for the purchase and installation of insulation and air sealing within a home of the homeowner; and

(2) \$1,500 for the purchase and installation of insulation and air sealing within a home of the homeowner and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, of such home.

(b) **SPECIFICATIONS.**—

(1) **COST.**—The amount of a partial system rebate provided under this section shall, except as provided in section 33203C, not exceed 30 percent of cost of the purchase and installation of insulation and air sealing under subsection (a)(1), or the purchase and installation of insulation and air sealing and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, under subsection (a)(2). Labor may be included in such cost but may not exceed—

(A) in the case of a rebate under subsection (a)(1), 50 percent of such cost; and

(B) in the case of a rebate under subsection (a)(2), 25 percent of such cost.

(2) **REPLACEMENT OF AN HVAC SYSTEM, THE HEATING COMPONENT OF AN HVAC SYSTEM, OR THE COOLING COMPONENT OF AN HVAC SYSTEM.**—In order to qualify for a partial system rebate described in subsection (a)(2)—

(A) any HVAC system, heating component of an HVAC system, or cooling component of an HVAC system installed shall be Energy Star Most Efficient certified;

(B) installation of such an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, shall be completed in accordance with standards specified by the Secretary that are at least as stringent as the applicable guidelines of the Air Conditioning Contractors of America that are in effect on the date of enactment of this Act;

(C) if ducts are present, replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system shall include duct sealing; and

(D) the installation of insulation and air sealing shall occur within 6 months of the replacement of the HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system.

(c) **ADDITIONAL INCENTIVES FOR CONTRACTORS.**—In carrying out the Home Energy Savings Retrofit Rebate Program, the Secretary may provide a \$250 payment to a contractor per home for which—

(1) a partial system rebate is provided under this section for the installation of insulation and air sealing, or installation of insulation and air sealing and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, by the contractor;

(2) the applicable homeowner has signed and submitted to the Secretary a release form made available pursuant to section 33203E(b) authorizing the contractor access to information in the utility bills of the homeowner; and

(3) the contractor inputs, into the Department of Energy's Building Performance Database—

(A) the energy usage for the home for the 12 months preceding, and the 24 months following, the installation of insulation and air sealing or installation of insulation and air sealing and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system;

(B) a description of such installation or installation and replacement; and

(C) the total cost to the homeowner for such installation or installation and replacement.

(d) PROCESS.—

(1) FORMS; REBATE PROCESSING SYSTEM.—Not later than 90 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, shall—

(A) develop and make available rebate forms required to receive a partial system rebate under this section;

(B) establish a Federal rebate processing system which shall serve as a database and information technology system that will allow homeowners to submit required rebate forms; and

(C) establish a website that provides information on partial system rebates provided under this section, including how to determine whether particular measures qualify for a rebate under this section and how to receive such a rebate.

(2) SUBMISSION OF FORMS.—In order to receive a partial system rebate under this section, a homeowner shall submit the required rebate forms, and any other information the Secretary determines appropriate, to the Federal rebate processing system established pursuant to paragraph (1).

(e) FUNDING.—

(1) LIMITATION.—For each fiscal year, the Secretary may not use more than 50 percent of the amounts made available to carry out this part to carry out this section.

(2) ALLOCATION.—The Secretary shall allocate amounts made available to carry out this section for partial system rebates among the States using the same formula as is used to allocate funds for States under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

SEC. 33203B. STATE ADMINISTERED REBATES.

(a) FUNDING.—In carrying out the Home Energy Savings Retrofit Program, and subject to the availability of appropriations for such purpose, the Secretary shall provide grants to States to

carry out programs to provide rebates in accordance with this section.

(b) STATE PARTICIPATION.—

(1) PLAN.—In order to receive a grant under this section a State shall submit to the Secretary an application that includes a plan to implement a State program that meets the minimum criteria under subsection (c).

(2) APPROVAL.—Not later than 60 days after receipt of a completed application for a grant under this section, the Secretary shall either approve the application or provide to the applicant an explanation for denying the application.

(c) MINIMUM CRITERIA FOR STATE PROGRAMS.—Not later than 6 months after the date of enactment of this Act, the Secretary shall establish and publish minimum criteria for a State program to meet to qualify for funding under this section, including—

(1) that the State program be carried out by the applicable State energy office or its designee;

(2) that a rebate be provided under a State program only for a home energy efficiency retrofit that—

(A) is completed by a contractor who meets minimum training requirements and certification requirements set forth by the Secretary;

(B) includes installation of one or more home energy efficiency retrofit measures for a home that together are modeled to achieve, or are shown to achieve, a reduction in home energy use of 20 percent or more from the baseline energy use of the home;

(C) does not include installation of any measure that the Secretary determines does not improve the thermal energy performance of the home, such as a pool pump, pool heater, spa, or EV charger; and

(D) includes, after installation of the applicable home energy efficiency retrofit measures, a test-out procedure conducted in accordance with guidelines issued by the Secretary of such measures to ensure—

(i) the safe operation of all systems post retrofit; and

(ii) that all improvements are included in, and have been installed according to—

(I) manufacturers installation specifications; and

(II) all applicable State and local codes or equivalent standards approved by the Secretary;

(3) that the State program utilize—

(A) for purposes of modeled performance rebates, modeling software approved by the Secretary for determining and documenting the baseline energy use of a home and the reductions in home energy use resulting from the implementation of a home energy efficiency retrofit; and

(B) for purposes of measured performance rebates, methods and procedures approved by the Secretary for determining and documenting the baseline energy use of a home and the reductions in home energy use resulting from the implementation of a home energy efficiency retrofit, including methods and procedures for use of advanced metering infrastructure, weather-normalized data,

- and open source standards, to measure such baseline energy use and such reductions in home energy use;
- (4) that the State program include implementation of a quality assurance program—
- (A) to ensure that home energy efficiency retrofits are achieving the stated level of energy savings, that efficiency measures were installed correctly, and that work is performed in accordance with procedures developed by the Secretary, including through quality-control inspections for a portion of home energy efficiency retrofits completed by each applicable contractor; and
 - (B) under which a quality-control inspection of a home energy efficiency retrofit is performed by a quality assurance provider who—
 - (i) is independent of the contractor for such retrofit; and
 - (ii) will confirm that such contractor is a contractor who meets minimum training requirements and certification requirements set forth by the Secretary;
- (5) that the State program include requirements for a homeowner, contractor, or rebate aggregator to claim a rebate, including that the homeowner, contractor, or rebate aggregator submit any applicable forms approved by the Secretary to the State, including a copy of the certificate provided by the applicable contractor certifying projected or measured reduction of home energy use;
- (6) that the State program may include requirements for an entity to be eligible to serve as a rebate aggregator to facilitate the delivery of rebates to homeowners or contractors;
- (7) that the State program include procedures for a homeowner to transfer the right to claim a rebate to the contractor performing the applicable home energy efficiency retrofit or to a rebate aggregator that works with the contractor; and
- (8) that the State program provide that a homeowner, contractor, or rebate aggregator may claim more than one rebate under the State program, and may claim a rebate under the State program after receiving a partial system rebate under section 33203A, provided that no 2 rebates may be provided with respect to a home using the same baseline energy use of such home.
- (d) MODELED PERFORMANCE REBATES.—
- (1) IN GENERAL.—In carrying out a State program under this section, a State may provide a homeowner, contractor, or rebate aggregator a rebate, to be known as a modeled performance rebate, for an energy audit of a home and a home energy efficiency retrofit that is projected, using modeling software approved by the Secretary, to reduce home energy use by at least 20 percent.
 - (2) AMOUNT.—
 - (A) IN GENERAL.—Except as provided in section 33203C, and subject to subparagraph (B), the amount of a modeled performance rebate provided under a State program shall be equal to 50 percent of the cost of the applicable energy audit of a home and home energy efficiency retrofit, includ-

ing the cost of diagnostic procedures, labor, reporting, and modeling.

(B) LIMITATION.—Except as provided in section 33203C, with respect to an energy audit and home energy efficiency retrofit that is projected to reduce home energy use by—

(i) at least 20 percent, but less than 40 percent, the maximum amount of a modeled performance rebate shall be \$2,000; and

(ii) at least 40 percent, the maximum amount of a modeled performance rebate shall be \$4,000.

(e) MEASURED PERFORMANCE REBATES.—

(1) IN GENERAL.—In carrying out a State program under this section, a State may provide a homeowner, contractor, or rebate aggregator a rebate, to be known as a measured performance rebate, for a home energy efficiency retrofit that reduces home energy use by at least 20 percent as measured using methods and procedures approved by the Secretary.

(2) AMOUNT.—

(A) IN GENERAL.—Except as provided in section 33203C, and subject to subparagraph (B), the amount of a measured performance rebate provided under a State program shall be equal to 50 percent of the cost, including the cost of diagnostic procedures, labor, reporting, and energy measurement, of the applicable home energy efficiency retrofit.

(B) LIMITATION.—Except as provided in section 33203C, with respect to a home energy efficiency retrofit that is measured as reducing home energy use by—

(i) at least 20 percent, but less than 40 percent, the maximum amount of a measured performance rebate shall be \$2,000; and

(ii) at least 40 percent, the maximum amount of a measured performance rebate shall be \$4,000.

(f) COORDINATION OF REBATE AND EXISTING STATE-SPONSORED OR UTILITY-SPONSORED PROGRAMS.—A State that receives a grant under this section is encouraged to work with State agencies, energy utilities, nonprofits, and other entities—

(1) to assist in marketing the availability of the rebates under the applicable State program;

(2) to coordinate with utility or State managed financing programs;

(3) to assist in implementation of the applicable State program, including installation of home energy efficiency retrofits; and

(4) to coordinate with existing quality assurance programs.

(g) ADMINISTRATION AND OVERSIGHT.—

(1) REVIEW OF APPROVED MODELING SOFTWARE.—The Secretary shall, on an annual basis, list and review all modeling software approved for use in determining and documenting the reductions in home energy use for purposes of modeled performance rebates under subsection (d). In approving such modeling software each year, the Secretary shall ensure that modeling software approved for a year will result in modeling of energy efficiency gains for any type of home energy efficiency retrofit that is at least as substantial as the modeling of energy

efficiency gains for such type of home energy efficiency retrofit using the modeling software approved for the previous year.

(2) OVERSIGHT.—If the Secretary determines that a State is not implementing a State program that was approved pursuant to subsection (b) and that meets the minimum criteria under subsection (c), the Secretary may, after providing the State a period of at least 90 days to meet such criteria, withhold grant funds under this section from the State.

SEC. 33203C. SPECIAL PROVISIONS FOR MODERATE INCOME HOUSEHOLDS.

(a) CERTIFICATIONS.—The Secretary shall establish procedures for certifying that the household of a homeowner is moderate income for purposes of this section.

(b) PERCENTAGES.—Subject to subsection (c), for households of homeowners that are certified pursuant to the procedures established under subsection (a) as moderate income the—

(1) amount of a partial system rebate under section 33203A shall not exceed 60 percent of the applicable purchase and installation costs described in section 33203A(b)(1); and

(2) amount of—

(A) a modeled performance rebate under section 33203B provided shall be equal to 80 percent of the applicable costs described in section 33203B(d)(2)(A); and

(B) a measured performance rebate under section 33203B provided shall be equal to 80 percent of the applicable costs described in section 33203B(e)(2)(A).

(c) MAXIMUM AMOUNTS.—For households of homeowners that are certified pursuant to the procedures established under subsection (a) as moderate income the maximum amount—

(1) of a partial system rebate—

(A) under section 33203A(a)(1) for the purchase and installation of insulation and air sealing within a home of the homeowner shall be \$1600; and

(B) under section 33203A(a)(2) for the purchase and installation of insulation and air sealing within a home of the homeowner and replacement of an HVAC system, the heating component of an HVAC system, or the cooling component of an HVAC system, of such home, shall be \$3,000;

(2) of a modeled performance rebate under section 33203B for an energy audit and home energy efficiency retrofit that is projected to reduce home energy use as described in—

(A) section 33203B(d)(2)(B)(i) shall be \$4,000; and

(B) section 33203B(d)(2)(B)(ii) shall be \$8,000; and

(3) of a measured performance rebate under section 33203B for a home energy efficiency retrofit that reduces home energy use as described in—

(B) section 33203B(e)(2)(B)(i) shall be \$4,000; and

(C) section 33203B(e)(2)(B)(ii) shall be \$8,000.

(d) OUTREACH.—The Secretary shall establish procedures to—

(1) provide information to households of homeowners that are certified pursuant to the procedures established under subsection (a) as moderate income regarding other programs and resources relating to assistance for energy efficiency upgrades of homes, including the weatherization assistance program im-

plemented under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.); and

(2) refer such households, as applicable, to such other programs and resources.

SEC. 33203D. EVALUATION REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act and annually thereafter until the termination of the Home Energy Savings Retrofit Rebate Program, the Secretary shall submit to Congress a report on the use of funds made available to carry out this part.

(b) CONTENTS.—Each report submitted under subsection (a) shall include—

(1) how many home energy efficiency retrofits have been completed during the previous year under the Home Energy Savings Retrofit Rebate Program;

(2) an estimate of how many jobs have been created through the Home Energy Savings Retrofit Rebate Program, directly and indirectly;

(3) a description of what steps could be taken to promote further deployment of energy efficiency and renewable energy retrofits;

(4) a description of the quantity of verifiable energy savings, homeowner energy bill savings, and other benefits of the Home Energy Savings Retrofit Rebate Program;

(5) a description of any waste, fraud, or abuse with respect to funds made available to carry out this part; and

(6) any other information the Secretary considers appropriate.

SEC. 33203E. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall provide such administrative and technical support to contractors, rebate aggregators, States, and Indian Tribes as is necessary to carry out this part.

(b) INFORMATION COLLECTION.—The Secretary shall establish, and make available to a homeowner, or the homeowner's designated representative, seeking a rebate under this part, release forms authorizing access by the Secretary, or a designated third-party representative to information in the utility bills of the homeowner with appropriate privacy protections in place.

SEC. 33203F. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this part \$1,200,000,000 for each of fiscal years 2021 through 2025, to remain available until expended.

(b) TRIBAL ALLOCATION.—Of the amounts made available pursuant to subsection (a) for a fiscal year, the Secretary shall work with Indian Tribes and use 2 percent of such amounts to carry out a program or programs that as close as possible reflect the goals, requirements, and provisions of this part, taking into account any factors that the Secretary determines to be appropriate.

PART 3—GENERAL PROVISIONS

SEC. 33204. APPOINTMENT OF PERSONNEL.

Notwithstanding the provisions of title 5, United States Code, regarding appointments in the competitive service and General

Schedule classifications and pay rates, the Secretary may appoint such professional and administrative personnel as the Secretary considers necessary to carry out this subchapter.

SEC. 33204A. MAINTENANCE OF FUNDING.

Each State receiving Federal funds pursuant to this subchapter shall provide reasonable assurances to the Secretary that it has established policies and procedures designed to ensure that Federal funds provided under this subchapter will be used to supplement, and not to supplant, State and local funds.

PART F—TEXT OF AMENDMENTS TO H.R. 2 MADE IN ORDER EN BLOC

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ADAMS OF NORTH CAROLINA OR HER DESIGNEE

Page 2147, after line 25, insert the following new section:

SEC. 90114. EXAMINING LOAN MODIFICATIONS TO THE HBCU CAPITAL FINANCING PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Secretary of Education shall report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate the results of an analysis to determine the potential benefits and costs of offering loan modifications under the HBCU Capital Financing Program under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.) as described in the report entitled “Action Needed to Improve Participation in Education’s HBCU Capital Financing Program” published by Government Accountability Office in June 2018 (GAO-18-455).

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE AXNE OF IOWA OR HER DESIGNEE

Page 1714, after line 2, insert the following new section:

SEC. 60016. GRANT PROGRAM FOR MANUFACTURED HOUSING PRESERVATION.

(a) **AUTHORITY.**—The Secretary of Housing and Urban Development shall establish a grant program under this section and, to the extent amounts are made available pursuant to subsection (j), make grants under such program to eligible entities under subsection (b) for acquiring and preserving manufactured housing communities.

(b) **ELIGIBLE ENTITIES.**—A grant under this section may be made only to entities that meet such requirements as the Secretary shall establish to ensure that any entity receiving a grant has the capacity to acquire and preserve housing affordability in such communities, including—

- (1) a nonprofit organization, including land trusts;
- (2) a public housing agency or other State or local government agency;
- (3) an Indian tribe (as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) or an agency of an Indian tribe;

(4) a resident organization in which homeowners are members and have open and equal access to membership; or

(5) such other entities as the Secretary determines will maintain housing affordability in manufactured housing communities.

(c) USE OF GRANT AMOUNTS.—Amounts from a grant under this section may be used only for—

(1) the acquisition and preservation of manufactured housing communities;

(2) such acquisition and preservation, together with costs for making improvements to common areas and community property for acquired manufactured housing communities; or

(3) the demolition, removal, and replacement of dilapidated homes from a manufactured housing community.

(d) PRESERVATION; AFFORDABILITY; OWNERSHIP.—A grant under this section may be made only if the Secretary determines that the grantee will enter into such binding agreements as the Secretary considers sufficient to ensure that—

(1) the manufactured housing community acquired using such grant amounts—

(A) will be maintained as a manufactured housing community for a period that begins upon the making of such grant and has a duration not shorter than 20 years;

(B) will be managed in a manner that benefits the residents and maintains their quality of life for a period not shorter than 20 years;

(C) will, for a period not shorter than 20 years, be subject to limitations on annual increases in rents for lots for manufactured homes in such community either through resident control over increases or, if owned by a party other than the residents, as the Secretary considers appropriate to ensure continued affordability and maintenance of the property, but not in any case annually to exceed the percentage that is equal to the percentage increase for the immediately preceding year in the Consumer Price Index for All Urban Consumers (CPI-U) plus 7 percent, and such rents will comply with any applicable State laws;

(D) will be owned by an entity described in subsection (b) for a period not shorter than 20 years; and

(E) has not been the primary beneficiary of a grant under this section during the preceding 5 years; and

(2) if in the determination of the Secretary the provisions of the agreement have not been met, the grant shall be repaid.

(e) AMOUNT.—The amount of any grant under this section may not exceed the lesser of—

(1) \$1,000,000; or

(2) the amount that is equal to \$20,000 multiplied by the number of manufactured home lots in the manufactured housing community for which the grant is made.

(f) MATCHING FUNDS.—The Secretary shall require a grantee of grant under this section to provide non-Federal matching funds for use only for the same purposes for which the grant is used in an amount equal or exceeding the amount of the grant provided to the grantee. Such non-Federal matching funds may be provided by

State, tribal, local, or private resources and may be a grant or loan, in cash or in-kind.

(g) APPLICATIONS; SELECTION.—

(1) APPLICATIONS.—The Secretary shall provide for eligible entities under subsection (b) to apply for grants under this section, and shall require such applications to contain such assurances as the Secretary may require regarding the availability of matching funds sufficient to comply with subsection (f) and any organizational documents regarding the manufactured housing community for which the grant is made, as may be required by the State in which such community is located. The Secretary shall accept applications on a rolling basis and approve or deny each application within 20 business days of receipt in order to facilitate market-based transactions by an applicant.

(2) SELECTION.—The Secretary shall establish criteria for selection of applicants to receive grants under this section, which criteria shall—

(A) give priority to grantees who would use such grant amounts to carry out activities under subsection (c) within areas having a high concentration of low-, very low-, or extremely low-income families (as such terms are defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b));

(B) give priority to grants for the benefit of communities that have not received a grant under this section during the preceding 10 years; and

(C) ensure that not more than 40 percent of grant funds for any fiscal year are awarded to entities identified in subsection (b)(5).

(h) REPORTS.—

(1) IN GENERAL.—The Secretary shall submit a report annually regarding the grant program under this section to Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, and shall make each such report publicly available on the website of the Department of Housing and Urban Development. The first such report shall be made for the first fiscal year in which any grants are made under this section and a report shall be made for each fiscal year in which a grantee is subject to the requirements under subparagraph (d)(1)(A).

(2) CONTENTS.—Each such report shall include, for the fiscal year covered by the report—

(A) a description of the grants made under the program, including identification of what type of eligible entity under subsection (b) each grantee is;

(B) for each manufactured home community for which a grant under this section is made, identification of—

(i) the number of manufactured home units in the community at the time of the grant;

(ii) the lot rents in the community at such time; and

(iii) if a manufactured home community was purchased using grant amounts, the purchase price of the community;

(C) summary information identifying the total applications received for grants under this section and total grant funding sought, disaggregated by the types of eligible entities under subsection (b) of the applicants; and

(D) an analysis of the effectiveness of the program, including identification of changes to the number of units and lot rents in communities for which a grant was made, any significant upgrades made to the communities, demographic changes in communities, and, if any community is sold during the period covered under subsection (d), the sale price of the community.

(i) **DEFINITIONS.**—For purposes of this section, the following definitions shall apply:

(1) **MANUFACTURED HOME.**—The term “manufactured home” means a structure, transportable in one or more sections, that—

(A) in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site is 320 square feet or more;

(B) is built on a permanent chassis and designed to be used as a dwelling (with or without a permanent foundation when connected to required utilities) and includes plumbing, heating, air conditioning, and electrical systems; and

(C) in the case of a structure manufactured after June 15, 1976, is certified as meeting the Manufactured Home Construction and Safety Standards issued under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.) by the Department of Housing and Urban Development and displays a label of such certification on the exterior of each transportable section.

Such term shall not include any self-propelled recreational vehicle.

(2) **MANUFACTURED HOUSING COMMUNITY.**—The term “manufactured housing community” means a community comprised primarily of manufactured homes used primarily for residential purposes.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Housing and Urban Development.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for grants under this section \$100,000,000 for each of fiscal years 2021 through 2025, of which not more than 5 percent may be used for administration and oversight.

(k) **REGULATIONS.**—The Secretary shall issue any regulations necessary to carry out this section.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BONAMICI OF OREGON OR HER DESIGNEE

Page 1691, after line 10, insert the following:

TITLE I—NATIONAL SCENIC BYWAYS PROGRAM.

At the end of division H, insert the following:

TITLE II—BUILDING U.S. INFRASTRUCTURE BY LEVERAGING DEMANDS FOR SKILLS (BUILDS)

SEC. 40101. DEFINITIONS.

(1) IN GENERAL.—In this title, except as otherwise provided in this title, the terms have the meanings given the terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(2) APPRENTICESHIP, APPRENTICESHIP PROGRAM.—The term “apprenticeship” or “apprenticeship program” means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), including any requirement, standard, or rule promulgated under such Act, as such requirement, standard, or rule was in effect on December 30, 2019.

(3) CTE TERMS.—The terms “area career and technical education school”, “articulation agreement”, “career guidance and academic counseling”, “credit transfer agreement”, “early college high school”, “high school”, “program of study”, “Tribal educational agency”, and “work-based learning” have the meanings given the terms in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(4) EDUCATION AND TRAINING PROVIDER.—

(A) IN GENERAL.—The term “education and training provider” means an entity listed in subparagraph (B) that provides academic curriculum and instruction related to targeted infrastructure industries.

(B) ENTITIES.—An entity described in this subparagraph is as follows:

(i) An area career and technical education school, early college high school, or high school providing career and technical education programs of study.

(ii) An Indian Tribe, Tribal organization, or Tribal educational agency.

(iii) A minority-serving institution (as described in any of paragraphs (1) through (7) of section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))).

(iv) A provider of adult education and literacy activities under the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.);

(v) A local agency administering plans under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.), other than section 112 or part C of that title (29 U.S.C. 732, 741);

(vi) A related instruction provider for an apprenticeship program.

(vii) A public institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(viii) A provider included on the list of eligible providers of training services described in section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d)).

(ix) A consortium of entities described in any of clauses (i) through (viii).

(5) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) an industry or sector partnership;

(B) a State board or State workforce development agency, or a local board or local workforce development agency;

(C) an eligible institution, or a consortium thereof;

(D) an Indian Tribe, Tribal organization, or Tribal educational agency;

(E) a labor organization or joint-labor management organization; or

(F) a qualified intermediary.

(6) NONTRADITIONAL POPULATION.—The term “nontraditional population” means a group of individuals (such as a group of individuals from the same gender or race) the members of which comprise fewer than 25 percent of the individuals employed in a targeted infrastructure industry.

(7) QUALIFIED INTERMEDIARY.—

(A) IN GENERAL.—The term “qualified intermediary” means an entity that demonstrates an expertise—

(i) in engaging in the partnerships described in subparagraph (B); and

(ii) serving participants and employers of programs funded under this title by—

(I) connecting employers to programs funded under this title;

(II) assisting in the design and implementation of such programs, including curriculum development and delivery of instruction;

(III) providing professional development activities such as training to mentors;

(IV) connecting students or workers to programs funded under this title;

(V) developing and providing personalized support for individuals participating in programs funded under this title, including by partnering with organizations to provide access to or referrals for supportive services and financial advising; or

(VI) providing services, resources, and supports for development, delivery, expansion, or improvement of programs funded under this title.

(B) REQUIRED PARTNERSHIPS.—In carrying out activities under this title, the qualified intermediary shall act in partnerships with—

(i) industry or sector partnerships, including establishing a new industry or sector partnership or expanding an existing industry or sector partnership;

(ii) partnerships among employers, joint labor-management organizations, labor organizations, community-based organizations, State or local workforce development boards, education and training providers, social service organizations, economic development organizations, Indian Tribes or Tribal organizations, or one-stop operators, or one-stop partners, in the State workforce development system; or

(iii) partnerships among one or more of the entities described in clauses (i) and (ii).

(8) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(9) TARGETED INFRASTRUCTURE INDUSTRY.—The term “targeted infrastructure industry” means an industry, including the transportation (including surface, transit, aviation, maritime, or railway transportation), construction, energy (including the deployment of renewable and clean energy, energy efficiency, transmission, and battery storage), information technology, or utilities industry to be served by a grant, contract, or cooperative agreement under this title.

SEC. 40102. GRANTS AUTHORIZED.

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Transportation, the Secretary of Energy, the Secretary of Commerce, the Secretary of Education, and the Chief of Engineers and Commanding General of the Army Corps of Engineers, shall award, on a competitive basis, grants, contracts, or cooperative agreements to eligible entities to plan and implement activities to achieve the strategic objectives described in section 40104(b) with respect to a targeted infrastructure industry identified in the application submitted under section 40103 by such eligible entities.

(b) TYPES OF AWARDS.—A grant, contract, or cooperative agreement awarded under this title may be in the form of—

(1) an implementation grant, contract, or cooperative agreement, for entities seeking an initial grant under this title; or

(2) a renewal grant, contract, or cooperative agreement for entities that have already received an implementation grant, contract, or cooperative agreement under this title.

(c) DURATION.—Each grant awarded under this title shall be for a period not to exceed 3 years.

(d) AMOUNT.—The amount of a grant, contract, or cooperative agreement awarded under this title may not exceed—

(1) for an implementation grant, contract, or cooperative agreement, \$2,500,000; and

(2) for a renewal grant, contract, or cooperative agreement, \$1,500,000.

(e) AWARD BASIS.—

(1) GEOGRAPHIC DIVERSITY.—The Secretary shall award funds under this title in a manner that ensures geographic diversity (such as urban and rural distribution) in the areas in which activities will be carried out using such funds.

(2) PRIORITY FOR AWARDS.—In awarding funds under this title, the Secretary shall give priority to eligible entities that—

- (A) in the case of awarding implementation grants, contracts, or cooperative agreements—
 - (i) demonstrate long-term sustainability of a program or activity funded under this title;
 - (ii) will serve a high number or high percentage of nontraditional populations and individuals with barriers to employment; and
 - (iii) will provide a non-Federal share of the cost of the activities; and
- (B) in the case of awarding renewal grants, contracts, or cooperative agreements—
 - (i) meet the criteria established in subparagraph (A); and
 - (ii) have demonstrated ability to meet the—
 - (I) strategic objectives of the implementation grant, contract or cooperative agreement described in section 40103(b)(4); and
 - (II) meet or exceed the requirements of the evaluations and progress reports described in section 40104(f).

SEC. 40103. APPLICATION.

- (a) IN GENERAL.—An eligible entity desiring a grant, contract, or cooperative agreement under this title shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including the contents described in subsection (b).
- (b) CONTENTS.—An application submitted under this title shall contain, at a minimum—
 - (1) a description of the entities engaged in activities funded under the grant, including—
 - (A) evidence of the eligible entity's capacity to carry out activities to achieve the strategic objectives described in section 40104(b); and
 - (B) identification, and expected participation and responsibilities of each key stakeholder in the targeted infrastructure industry described in section 40104(b)(1) with which the eligible entity will partner to carry out such activities;
 - (2) a description of the targeted infrastructure industry to be served by the eligible entity with funds received under this title, and a description of how such industry was identified, including—
 - (A) the quantitative data and evidence that demonstrates the demand for employment in such industry in the geographic area served by the eligible entity under this title; and
 - (B) a description of the local, State, or federally funded infrastructure projects with respect to which the eligible entity anticipates engaging the partners described in paragraph (1)(B);
 - (3) a description of the workers that will be targeted or recruited by the eligible entity, including—
 - (A) how recruitment activities will target nontraditional populations to improve the percentages of nontraditional

- populations employed in targeted infrastructure industries; and
- (B) a description of potential barriers to employment for targeted workers, and a description of strategies that will be used to help workers overcome such barriers;
- (4) a description of the strategic objectives described in section 40104(b) that the eligible entity intends to achieve concerning the targeted infrastructure industry and activities to be carried out as described in section 40104, including—
- (A) a timeline for progress towards achieving such strategic objectives;
 - (B) a description of the manner in which the eligible entity intends to make sustainable progress towards achieving such strategic objectives; and
 - (C) assurances the eligible entity will provide performance measures for measuring progress towards achieving such strategic objectives, as described in section 40104(f);
- (5) a description of the recognized postsecondary credentials that the eligible entity proposes to prepare individuals participating in activities under this title for, which shall—
- (A) be nationally or regionally portable and stackable;
 - (B) be related to the targeted infrastructure industry that the eligible entity proposes to support; and
 - (C) be aligned to a career pathway and work-based learning opportunity, such as an apprenticeship program or a pre-apprenticeship program articulating to an apprenticeship program;
- (6) a description of the Federal and non-Federal resources, available under provisions of law other than this title, that will be leveraged in support of the partnerships and activities under this title; and
- (7) a description of how the eligible entity or the education and training provider in partnership with such eligible entity under this title will establish or implement plans to be included on the list of eligible providers of training services described in section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d)).

SEC. 40104. ELIGIBLE ACTIVITIES.

(a) IN GENERAL.—An eligible entity receiving funds under this title shall carry out activities described this section to achieve the strategic objectives identified in the entity's application under section 40103, including the objectives described in subsection (b).

(b) STRATEGIC OBJECTIVES.—The activities to be carried out with the funds awarded under this title shall be designed to achieve strategic objectives, including the following:

(1) Recruiting key stakeholders (such as employers, labor organizations, local boards, and education and training providers, economic development agencies, and as applicable, qualified intermediaries) in the targeted infrastructure industry to establish or expand industry and sector partnerships for the purpose of—

(A) assisting the eligible entity in carrying out the activities described in subsection (a); and

(B) convening with the eligible entity in a collaborative structure that supports the sharing of information and

best practices for supporting the development of a diverse workforce to support the targeted infrastructure industry.

(2) Identifying the training needs of the State or local area in the targeted infrastructure industry, including—

(A) needs for skills critical to competitiveness and innovation in the industry;

(B) needs of the apprenticeship programs or other paid work-based learning programs supported by the funds; and

(C) the needed establishment, expansion, or revisions of career pathways and academic curriculum in the targeted infrastructure industries to establish talent pipelines for such industry.

(3) Identifying and quantifying any disparities or gaps in employment of nontraditional populations in the targeted infrastructure industries and establishing or expanding strategies to close such gaps.

(4) Supporting the development of consortia of education and training providers receiving assistance under this title to align curricula, recognized postsecondary credentials, and programs to the targeted infrastructure industry needs and the credentials described in section 40103(b)(5), particularly for high-skill, high-wage or in-demand industry sectors or occupations related to the targeted infrastructure industry.

(5) Providing information on activities carried out with such funds to the State and local board and the State agency carrying out the State program under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), including staff of the agency that provide services under such Act, to enable the State agency to inform recipients of unemployment compensation or the employment and training opportunities that may be offered through such activities.

(6) Establishing or expanding partnerships with employers in industry or sector partnerships to attract potential workers from a diverse jobseeker base, including individuals with barriers to employment and nontraditional populations, by identifying any such barriers through analysis of the labor market data and recruitment strategies, and implementing strategies to help such workers overcome such barriers and increase diversity in the targeted infrastructure industries.

(c) PLANNING ACTIVITIES.—An eligible entity receiving a planning grant, contract, or cooperative agreement under this title shall use not more than \$250,000 of such funds to carry out planning activities during the first year of the grant, contract, or agreement period, which may include—

(1) establishing or expanding industry or sector partnerships described in subsection (b)(1);

(2) conducting outreach to local labor organizations, employers, industry associations, education and training providers, economic development organizations, and qualified intermediaries, as applicable;

(3) recruiting individuals for participation in programs assisted with funds under this title, including individuals with barriers to employment and nontraditional populations;

(4) establishing or expanding paid work-based learning opportunities, including apprenticeship programs or programs articulating to apprenticeship programs;

(5) establishing or implementing plans for any education and training provider receiving funding under this title to be included on the list of eligible providers of training services described in section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d));

(6) establishing or implementing plans for awarding academic credit or providing for academic alignment towards credit pathways for programs or programs of study assisted with funds under this title, including academic credit for industry recognized credentials, competency-based education, work-based learning, or apprenticeship programs;

(7) making available open, searchable, and comparable information on the recognized postsecondary credentials awarded under such programs, including the related skills or competencies and related employment and earnings outcomes;

(8) conducting an evaluation of workforce needs in the local area; or

(9) career pathway and curriculum development or expansion, program establishment, and acquiring equipment necessary to support activities permitted under this section.

(d) **EMPLOYER ENGAGEMENT.**—An eligible entity receiving funds under this title shall use the grant funds to provide services to engage employers in efforts to achieve the strategic objectives identified in the partnership's application under section 40103(b)(4), such as—

(1) navigating the registration process for a sponsor of an apprenticeship program;

(2) connecting the employer with an education and training provider, to support the development of curriculum for work-based learning opportunities, including the related instruction for apprenticeship programs;

(3) providing training to incumbent workers to serve as trainers or mentors to individuals participating in a work-based learning program funded under this title;

(4) subsidizing the wages and benefits for individuals participating in activities or programs funded under this title for a period of not more than 6 months for employers demonstrating financial need, including due to COVID–19; and

(5) recruiting for employment or participation in programs funded under this title, including work-based learning programs, including—

(A) individuals participating in programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.), or the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(B) recipients of assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(C) recipients of assistance through the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

- (D) individuals with a barrier to employment; or
- (E) nontraditional populations in the targeted infrastructure industry served by such funds.

(e) PARTICIPANT SUPPORTS.—The eligible entity receiving funds under this title shall use the grant funds to provide services to support the success of individuals participating in a program supported under this title, which shall include—

- (1) in coordination with the State or local board—
 - (A) training services as described in section 134(c)(3) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)(3));
 - (B) career services as described in section 134(c)(2) of such Act; and
 - (C) supportive services, such as child care and transportation;
- (2) providing access to necessary supplies, materials, technological devices, or required equipment, attire, and other supports necessary to participate in such programs or to start employment;
- (3) job placement assistance, including in paid work-based learning opportunities which may include apprenticeship programs, or employment at the completion of a program provided by an education and training provider;
- (4) providing career awareness activities, such as career guidance and academic counseling; and
- (5) services to ensure individuals served by funds under this title maintain employment after the completion of a program funded under this title for at least 12 months, including through the continuation of services described under paragraphs (1) through (4) as applicable continuation of services described under paragraphs (1) through (4).

(f) EVALUATION AND PROGRESS REPORTS.—Not later than 1 year after receiving a grant under this title, and annually thereafter, the eligible entity receiving the grant shall submit a report to the Secretary and the Governor of the State that the eligible entity serves, that—

- (1) describes the activities funded under this title;
- (2) evaluates the progress the eligible entity has made towards achieving the strategic objectives identified under section 40103(b)(4); and
- (3) evaluates the levels of performance achieved by the eligible entity for training participants with respect to the performance indicators under section 116(b)(2)(A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)) for all such workers, disaggregated by each population specified in section 3(24) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(24)) and by race, ethnicity, sex, and age.

(g) ADMINISTRATIVE COSTS.—An eligible partnership may use not more than 5 percent of the funds awarded through a grant, contract, or cooperative agreement under this title for administrative expenses in carrying out this section.

SEC. 40105. ADMINISTRATION BY THE SECRETARY.

(a) IN GENERAL.—The Secretary may use not more than 2 percent of the amount appropriated under section 40106 for each fiscal year for administrative expenses to carry out this title, including

the expenses of providing the technical assistance and oversight activities under subsection (b).

(b) TECHNICAL ASSISTANCE; OVERSIGHT.—The Secretary shall provide technical assistance and oversight to assist the eligible entities in applying for and administering grants awarded under this title.

SEC. 40106. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title such sums as may be necessary for fiscal year 2021 and each of the succeeding 4 fiscal years.

SEC. 40107. SPECIAL RULE.

Any funds made available under this title that are used to fund an apprenticeship or apprenticeship program shall only be used for, or provided to, an apprenticeship or apprenticeship program that meets the definition of such term in section 40101 of this title, including any funds awarded for the purposes of grants, contracts, or cooperative agreements, or the development, implementation, or administration, of an apprenticeship or an apprenticeship program.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWNLEY OF CALIFORNIA OR HER DESIGNEE

Page 1658, after line 14, insert the following:

(1) in subsection (a), by adding at the end the following:
 “(3) The Secretary, in consultation with the Administrator of General Services, shall ensure that in acquiring medium- and heavy-duty vehicles for a Federal fleet, a Federal entity shall acquire zero emission vehicles to the maximum extent feasible.”;

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CÁRDENAS OF CALIFORNIA OR HIS DESIGNEE

At the end of section 50002, add the following:

(g) SENSE OF CONGRESS.—It is the sense of Congress that, as the Postal Service replaces or upgrades its fleet of delivery vehicles, the Postal Service should take all reasonable steps to ensure that its vehicles are equipped with climate control units to protect the health and safety of its mail carriers, especially those working in areas of the country that are subject to extreme temperatures.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COURTNEY OF CONNECTICUT OR HIS DESIGNEE

Page 1707, line 11, strike “or”.

Page 1707, after line 11, insert the following:

(3) activities designed to preserve existing housing by remediation of iron sulfide or other minerals causing housing degradation; or

Page 1707, line 12, strike “(3)” and insert “(4)”.

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GALLEG
OF ARIZONA OR HIS DESIGNEE

Page 1232, after line 10, insert the following (and redesignate the succeeding paragraphs accordingly):

- (14) NATIVE HAWAIIAN ORGANIZATION.—The term “Native Hawaiian organization” means any organization—
 (A) that serves the interests of Native Hawaiians;
 (B) in which Native Hawaiians serve in substantive and policymaking positions;
 (C) that has as a primary and stated purpose the provision of services to Native Hawaiians; and
 (D) that is recognized for having expertise in Native Hawaiian affairs, digital connectivity, or access to broadband service.

Page 1243, after line 20, insert the following:

- (3) TRIBAL AND NATIVE HAWAIIAN CONSULTATION AND ENGAGEMENT.—In establishing the Program under paragraph (1), the Assistant Secretary shall conduct robust, interactive, pre-decisional, transparent consultation with Indian Tribes and Native Hawaiian organizations.

Page 1269, line 5, strike “; and” and insert a semicolon.

Page 1269, after line 7, insert the following:

- (D) providing assistance specific to Indian Tribes, tribally designated entities, and Native Hawaiian organizations, including—

(i) conducting annual outreach to Indian Tribes and Native Hawaiian organizations on the availability of technical assistance for applying for or otherwise participating in the Program;

(ii) providing technical assistance at the request of any Indian Tribe, tribally designated entity, or Native Hawaiian organization that is applying for or participating in the Program in order to facilitate the fulfillment of any applicable requirements in subsections (c) and (d); and

(iii) providing additional technical assistance at the request of any Indian Tribe, tribally designated entity, or Native Hawaiian organization that is applying for or participating in the Program to improve the development or implementation of a Digital Equity plan, such as—

(I) assessing all Federal programs that are available to assist the Indian Tribe, tribally designated entity, or Native Hawaiian organization in meeting the goals of a Digital Equity plan;

(II) identifying all applicable Federal, State, and Tribal statutory provisions, regulations, policies, and procedures that the Assistant Secretary determines are necessary to adhere to for the deployment of broadband service;

(III) identifying obstacles to the deployment of broadband service under a Digital Equity plan, as well as potential solutions; or

(IV) identifying activities that may be necessary to the success of a Digital Equity plan, including digital literacy training, technical support, privacy and cybersecurity expertise, and other end-user technology needs; and

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARCÍA OF ILLINOIS OR HIS DESIGNEE

Page 1714, after line 2, insert the following new section:

SEC. 60016. LEAD ABATEMENT FOR FAMILIES.

(a) **IDENTIFICATION OF LEAD WATER SERVICE LINES.**—

(1) **REVIEW.**—The Secretary of Housing and Urban Development, in consultation with public housing agencies, owners of other federally assisted housing, and the Administrator of the Environmental Protection Administration shall, not later than the expiration of the 24-month period beginning upon the date of the enactment of this Act, undertake and complete a review of all public housing projects and all other federally assisted housing projects to identify any such projects for which the source of potable water is a lead-based water service pipe or pipes.

(2) **REPORT.**—Upon completion of the review required under paragraph (1), the Secretary shall submit a report to the Congress setting forth the results of the review and identifying any projects for which the source of potable water is a lead-based water service pipe or pipes.

(b) **GRANT AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary may make grants to public housing agencies and owners of other federally assisted housing to cover the eligible costs of removing and replacing lead-based water service pipes for housing projects identified pursuant to the review under subsection (a).

(2) **ELIGIBLE COSTS.**—Amounts from a grant under this subsection may be used only for costs of removing and replacing a lead-based water service pipe for a housing project.

(3) **ASSURANCES.**—The Secretary shall require each public housing agency and owner of other federally assisted housing receiving a grant under this subsection for a housing project to make such assurances and enter into such agreements as the Secretary considers necessary to ensure that—

(A) the lead-based water service pipes for the project that will be removed and replaced using such grant amounts are identified; and

(B) all work to remove and replace such pipes is completed before the expiration of the 24-month period beginning upon the initial availability to the agency or owner of such grant amounts.

(4) **LIMITATION ON AMOUNTS.**—The amount of grant under this subsection with respect to a housing project may not exceed the estimate of the Secretary of the full cost of removing and replacing the lead-based water service pipes for the project identified pursuant to paragraph (3)(A).

(c) FINAL REPORT.—Upon the expiration of the 6-year period beginning on the date of the enactment of this Act, the Secretary shall submit to the Congress a report identifying the housing projects for which lead-based water service pipes were removed and replaced using grants under subsection (b) and analyzing the effectiveness of the program for such grants.

(d) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) HOUSING PROJECT.—The term “housing project” means a public housing project or a project that is other federally assisted housing.

(2) OTHER FEDERALLY ASSISTED HOUSING.—The term “other federally assisted housing” has the meaning given the term “federally assisted housing” in section 683 of the Housing and Community Development Act of 1992 (42 U.S.C. 13641), except that such term does not include any public housing project described in paragraph (2)(A) of such section.

(3) LEAD-BASED WATER SERVICE PIPE.—The term “lead-based water service pipe” means, with respect to a housing project, a pipe or other conduit that—

(A) is used to supply potable water for the housing project from outside the project; and

(B) does not satisfy the definition of “lead-free” established under section 1417 of the Safe Drinking Water Act (42 U.S.C. 300g–6).

(4) PUBLIC HOUSING.—The term “public housing” has the meaning given such term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(5) SECRETARY.—The term “Secretary” means the Secretary of Housing and Urban Development.

(e) REGULATIONS.—The Secretary, after consultation with the Administrator of the Environmental Protection Administration, may issue any regulations necessary to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for grants under subsection (b)—

(1) \$90,000,000 for fiscal year 2021;

(2) \$80,000,000 for fiscal year 2022; and

(3) \$80,000,000 for fiscal year 2023.

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HASTINGS OF FLORIDA OR HIS DESIGNEE

At the end of division J, add the following:

SEC. 60015. COMPTROLLER GENERAL REPORT ON HIGH-SPEED INTERNET CONNECTIVITY IN FEDERALLY-ASSISTED HOUSING.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on broadband service in Federally-assisted housing.

(b) CONTENTS.—The report required under subsection (a) shall include—

(1) an analysis of Federally-assisted housing units that have access to broadband service and the number of such units that do not have access to broadband service, disaggregated by State, county, and congressional district, that includes geo-

graphic information and any Federal agency responsible for such units;

(2) an analysis of which such units are not currently capable of supporting broadband service deployment and would require retrofitting to support broadband service deployment, disaggregated by State, county, and congressional district, that includes geographic information and any Federal agency responsible for such units;

(3) an analysis of the estimated costs and timeframe necessary for retrofitting buildings to achieve 100 percent access to broadband service;

(4) an analysis of the challenges to more widespread deployment of broadband service, including the comparative markets dynamics to expansion in rural areas and low-income urban areas, and the challenges to pursuing retrofits to achieve 100 percent access to broadband service;

(5) descriptions of lessons learned from previous retrofitting actions;

(6) an evaluation of the ConnectHome pilot program of the Secretary of Housing and Urban Development; and

(7) recommendations for Congress for achieving 100 percent access to broadband service in Federally-assisted housing.

(c) DEFINITIONS.—In this section:

(1) BROADBAND SERVICE.—The term “broadband service” has the meaning given the term “broadband internet access service” in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

(2) FEDERALLY-ASSISTED HOUSING.—In this section, the term “Federally-assisted housing” means any single-family or multi-family housing that is assisted under a program administered by the Secretary of Housing and Urban Development or the Secretary of Agriculture.

SEC. 60016. MASTER PLAN FOR BROADBAND CONNECTIVITY IN FEDERALLY-ASSISTED HOUSING.

(a) IN GENERAL.—The Secretary of Housing and Urban Development, in consultation with other relevant heads of Federal agencies, shall develop a master plan for achieving retrofitting Federally-assisted housing to support broadband service. The Secretary shall submit such plan to Congress not later than 18 months after the date of the enactment of this Act.

(b) DEFINITIONS.—In this section, the terms “broadband service” and “Federally-assisted housing” have the meanings given in section 60015.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JAYAPAL OF WASHINGTON OR HER DESIGNEE

Page 1714, after line 2, insert the following new section:

SEC. 60016. UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS.

(a) REPEAL OF TERMINATION.—Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) is amended—

(1) by striking section 209 (42 U.S.C. 11319); and

- (2) by redesignating sections 207 and 208 (42 U.S.C. 11317, 11318) as sections 208 and 209, respectively.
- (b) FUNCTIONS.—Section 203 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11313) is amended—
- (1) in subsection (a)—
 - (A) in paragraph (12), by striking “and” at the end;
 - (B) in paragraph (13), by striking the period at the end and inserting a semicolon; and
 - (C) by adding at the end the following new paragraphs:
 - “(14) rely on evidence-based practices;
 - “(15) identify and promote successful practices, including the Housing First strategy and the permanent supportive housing model; and
 - “(16) prioritize addressing disparities faced by members of a population at higher risk of homelessness, including by issuing reports and making recommendations to agencies.”; and
 - (2) in subsection (b)—
 - (A) in paragraph (1), by inserting “and” after the semi-colon;
 - (B) in paragraph (2), by striking the period at the end and inserting “; and”; and
 - (C) by adding at the end the following new paragraph:
 - “(3) make formal reports and recommendations to Federal agencies, which shall include comments on how proposed regulatory changes would impact persons experiencing homelessness, housing instability, or who are cost-burdened.”.
- (c) ADVISORY BOARD.—
- (1) IN GENERAL.—Title II of the McKinney-Vento Homeless Assistance Act is amended by inserting after section 206 (42 U.S.C. 11316) the following new section:
- “SEC. 207. ADVISORY BOARD.**
- “(a) ESTABLISHMENT.—There is established an advisory board for the Council.
- “(b) MEMBERSHIP.—
- “(1) COMPOSITION.—The advisory board shall be composed of not less than 20 individuals, selected in accordance with paragraph (3) from nominees proposed pursuant to paragraph (2), as follows:
- “(A) Not less than 10 members shall be individuals who are homeless or experiencing housing instability, or were so during the 5 calendar years preceding appointment to the advisory board or who have been so in the last 5 calendar years.
- “(B) Not less than 8 members shall be individuals who are members of, or advocate on behalf of, or both, a population at higher risk of homelessness, including such transgender and gender non-conforming persons, Asian, Black, Latino, Native American, Native Hawaiian, Pacific Islander, and other communities of color, youth in or formerly in the foster care system, and justice-system involved youth and adults.
- “(2) NOMINATION.—Nominees for members of the advisory board shall be proposed by any grantee or subgrantee under this Act.

“(3) SELECTION.—Advisory Board members shall be selected as follows:

“(A) At least 5 members shall be selected by the majority party members of the Committee on Financial Services of the House of Representatives and 5 members shall be selected by the minority party members of such committee.

“(B) At least 5 members shall be selected by the majority party members of the Committee on Banking, Housing, and Urban Affairs of the Senate and 5 members shall be selected by the minority party members of such committee.

“(4) TERMS.—Members of the advisory board shall serve terms of 2 years.

“(c) FUNCTIONS.—The advisory board shall review the work of the Council, make recommendations regarding how the Council can most effectively pursue the goal of ending homelessness, and raise specific points of concern with members of the Council who represent Federal agencies.

“(d) MEETINGS.—The advisory board shall meet not less often than twice each year.

“(e) COUNCIL MEETINGS.—The Council shall meet regularly and not less often than once a year with the advisory board and shall provide timely written responses to recommendations, proposals, and concerns issued by the advisory board.

“(f) CHAIRMAN.—The position of Chairman of the advisory board shall be filled by an individual who is a current or former member of the advisory board, is nominated by at least two members of the advisory board, and is confirmed by a vote of not less than 75 percent of the members of the advisory board.

“(g) COMPENSATION.—Any amounts made available for administrative costs of the Council may be used for costs of travel or online access to meetings for participation by members of the advisory board in board meetings, and for per diem compensation to advisory board members for board meetings.

“(h) RULE OF CONSTRUCTION.—The agencies implementing this Act shall construe this Act in a manner that facilitates and encourage the full participation of advisory board members and shall consider the barriers faced by persons experiencing homelessness and shall endeavor to overcome such barriers to participation.”.

(2) REPRESENTATION OF CHAIRMAN ON COUNCIL.—Section 202(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11312(a)) is amended—

(A) by redesignating paragraph (22) as paragraph (21); and

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

“(22) The chairman of the advisory board established by section 207.”.

(d) DIRECTOR.— Subsection (a) of section 204 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11314(a)) is amended—

(1) by striking “(a) DIRECTOR.—The Council shall appoint an Executive Director, who shall be” and inserting the following:

“(a) DIRECTOR.—

“(1) IN GENERAL.—The chief executive officer of the Council shall be the Executive Director, who shall be appointed in accordance with paragraph (2) and”; and

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

“(1) PROCESS FOR APPOINTMENT.—A vacancy in the position of Executive Director shall be filled by an individual nominated and appointed to such position by the Council, except that the Council may not appoint any nominee who is not confirmed by approval of 75 percent of the aggregate of all members of the Council and the advisory board under section 207 pursuant to an election in which each such member’s vote is given identical weight. If the Council is unable to agree on an Executive Director, the chairperson of the advisory council shall act as interim Executive Director.”.

(e) DEFINITIONS.—Section 207 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11317) is amended by adding at the end the following new paragraphs:

“(3) The term ‘Housing First’ means, with respect to addressing homelessness, an approach to quickly and successfully connect individuals and families experiencing homelessness to permanent and affordable housing opportunities and appropriate services without preconditions and low or no barriers to entry, including barriers relating to sobriety, treatment, work requirements, and service participation requirements.

“(4) The term ‘permanent supportive housing’ means housing that provides—

“(A) indefinite leasing or rental assistance; and

“(B) non-mandatory, culturally competent supportive services to assist persons to achieve housing stability and maintain their health and well-being.

“(5)(A) The term ‘population at higher risk of homelessness’ means a group of persons that is defined by a common characteristic and that has been found to experience homelessness, housing instability, or to be cost-burdened at a rate higher than that of the general public.

“(B) Information that may be used in demonstrating such a higher rate includes data generated by the Federal Government, by State or municipal governments, by peer-reviewed research, and by organizations having expertise in working with or advocating on behalf of homeless, housing unstable, or cost-burdened groups.

“(C) Such term shall include populations for which such higher rate has already been demonstrated, including Asian, Black, Latino, Native American, Native Hawaiian, Pacific Islander and other communities of color; persons with disabilities, including mental health disabilities, elderly persons, foster and former foster youth; LGBTQ persons, gender non-binary and gender non-conforming persons, justice system-involved persons, and veterans.”.

(f) CONFORMING AMENDMENT.—The table of contents in section 101(b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 note) is amended by striking the items relating to sections 209 and 210 and inserting the following:

“Sec. 209. Encouragement of State involvement.”.

11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE JAYAPAL OF WASHINGTON OR HER DESIGNEE

Page 1714, after line 2, insert the following new section:

SEC. 60016. GAO STUDY OF HOUSING NEEDS OF POPULATIONS AT HIGHER RISK OF HOMELESSNESS.

(a) IN GENERAL.—No later than the expiration of the 1-year period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall identify and analyze the housing infrastructure needs of populations at higher risk of homelessness, and shall submit a report to the Congress recommending regulatory, policy, and practice changes that would ensure that Federal agencies better reduce and prevent homelessness and housing instability faced by populations at higher risk of homelessness.

(b) POPULATION AT HIGHER RISK OF HOMELESSNESS.—

(1) IN GENERAL.—For purposes of this section, the term “population at higher risk of homelessness” means a group of persons that is defined by a common characteristic and that has been found to experience homelessness, housing instability, or to be cost-burdened at a rate higher than that of the general public.

(2) HIGHER RATE.—Information that may be used in demonstrating such a higher rate includes data generated by the Federal Government, by State or municipal governments, by peer-reviewed research, and by organizations having expertise in working with or advocating on behalf of homeless, housing unstable, or cost-burdened groups.

(3) INCLUDED POPULATIONS.—Such term shall include populations for which such higher rate has already been demonstrated, including Asian, Black, Latino, Native American, Native Hawaiian, Pacific Islander and other communities of color; persons with disabilities, including mental health disabilities, elderly persons, foster and former foster youth; LGBTQ persons, gender non-binary and gender non-conforming persons, justice system-involved persons, survivors of domestic violence, sexual assault, and other intimate partner violence, and veterans.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LOWENTHAL OF CALIFORNIA OR HIS DESIGNEE

Page 1677, after line 16, insert the following:

Subtitle E—Other Matters

SEC. 33501. WATER REUSE INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”), shall establish a Water Reuse Interagency Working Group (referred to in this section as the “Working Group”).

(b) PURPOSE.—The purpose of the Working Group is to develop and coordinate actions, tools, and resources to advance water reuse across the United States, including through the implementation of a National Water Reuse Action Plan that creates opportunities for water reuse in the mission areas of each of the Federal agencies

included in the Working Group under subsection (c) (referred to in this section as the "Action Plan").

- (c) CHAIRPERSON; MEMBERSHIP.—The Working Group shall be—
 - (1) chaired by the Administrator; and
 - (2) comprised of senior representatives from such Federal agencies as the Administrator determines to be appropriate.
- (d) DUTIES OF THE WORKING GROUP.—In carrying out this section, the Working Group shall—
 - (1) with respect to water reuse, leverage the expertise of industry, the research community, nongovernmental organizations, and government;
 - (2) seek to foster water reuse as an important component of integrated water resources management;
 - (3) conduct an assessment of new opportunities to advance water reuse and annually update the Action Plan with new actions, as necessary, to pursue those opportunities;
 - (4) seek to coordinate Federal programs and policies to support the adoption of water reuse;
 - (5) consider how each Federal agency can explore and identify opportunities to support water reuse through the programs and activities of that Federal agency; and
 - (6) consult, on a regular basis, with representatives of relevant industries, the research community, and nongovernmental organizations.
- (e) REPORT.—Not less frequently than once every 2 years, the Administrator shall submit to Congress a report on the activities and findings of the Working Group.
- (f) SUNSET.—
 - (1) IN GENERAL.—Subject to paragraph (2), the Working Group shall terminate on the date that is 6 years after the date of enactment of this Act.
 - (2) EXTENSION.—The Administrator may extend the date of termination of the Working Group under paragraph (1).

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
MCCOLLUM OF MINNESOTA OR HER DESIGNEE

Page 1714, after line 2, insert the following:

SEC. 60016. BUY AMERICA REQUIREMENTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT ACTIVITIES.

Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended by adding at the end the following:

"SEC. 5323. BUY AMERICA.

"(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall not obligate any funds authorized to be appropriated for any project authorized under this title and administered by the Secretary, unless steel, iron, manufactured products, and construction materials used in such project are produced in the United States.

"(b) INAPPLICABILITY.—Subsection (a) shall not apply to the development of any housing, including single-family and multifamily housing.

“(c) WAIVER.—The Secretary may waive the requirements of subsection (a) if the Secretary finds—

“(1) that such requirements would be inconsistent with the public interest;

“(2) that products described in subsection (a) are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

“(3) that inclusion of domestic material will increase the cost of the overall project by more than 25 percent.

“(d) NOTICE.—Not later than 15 days before making a determination regarding a waiver described in subsection (b), the Secretary shall provide notification and an opportunity for public comment on the request for such waiver.

“(e) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.”.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NEGUSE OF COLORADO OR HIS DESIGNEE

AMENDMENT TO RULES COMMITTEE PRINT 116-54

OFFERED BY MR. NEGUSE OF COLORADO

Page 1691, after line 20, insert the following:

SEC. 40002. REPORTING REQUIREMENTS RELATING TO FEDERAL RESEARCH INFRASTRUCTURE.

(a) IN GENERAL.—Section 1007(c)(1) of the America COMPETES Act (42 U.S.C. 6619(c)(1)) is amended by 5 inserting “and funding for research infrastructure” after 6 “research infrastructure”.

(b) GAO REPORT.—Not later than 1 year after the 8 date of enactment of this Act and every 3 years thereafter, 9 the Comptroller General of the United States shall submit 10 to Congress a report that includes—

(1) an assessment of the current state of Federal science facilities and related infrastructure, including with respect to climate control systems, the functionality of equipment and the usage of such equipment, the quality of buildings in which such facilities are housed (including the resiliency of such buildings to changes in climate, weather, and natural surroundings), and the safety of the materials 19 used in construction of facilities;

(2) an identification of the facilities in most critical need of repair or renovation;

(3) the estimated costs of completing such repairs or renovations; and

(4) an evaluation of whether facility occupancy 6 is sufficient to meet agency demands.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OCASIO-CORTEZ OF NEW YORK OR HER DESIGNEE

Page 1692, line 14, insert “and \$50,000,000 shall be for updating postal facilities to increase accessibility for disabled individuals,

with a focus on such facilities that are included in the National Register of Historic Places" after "vehicles".

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OCASIO-CORTEZ OF NEW YORK OR HER DESIGNEE

Page 1714, after line 2, insert the following new section:

SEC. 60016. REPEAL OF FAIRCLOTH AMENDMENT.

Section 9(g) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)) is amended by striking paragraph (3) (relating to limitation on new construction).

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE OMAR OF MINNESOTA OR HER DESIGNEE

Page 1241, after line 18, insert the following new section:

SEC. 31107. STUDY AND RECOMMENDATIONS TO CONNECT SOCIALLY DISADVANTAGED INDIVIDUALS.

(a) IN GENERAL.—Not later than 12 months after the date of the enactment of this act, the Office of Internet Connectivity and Growth, in consultation with the Commission and the Rural Utility Service of the Department of Agriculture, shall, after public notice and an opportunity for comment, conduct a study to assess the extent to which Federal funds for broadband internet access services, including the Universal Service Fund programs and other Federal broadband service support programs, have expanded access to and adoption of broadband internet access service by socially disadvantaged individuals as compared to individuals who are not socially disadvantaged individuals.

(b) REPORT AND PUBLICATION.—

(1) SUBMISSION.—Not later than 18 months after the date of the enactment of this Act, the Office of Internet Connectivity and Growth shall submit a report on the results of the study under subsection (a) to—

(A) the Committee on Energy & Commerce in the House of Representatives;

(B) the Committee on Commerce, Science and Transportation of the Senate; and

(C) each agency administering a program evaluated by such report.

(2) PUBLIC PUBLICATION.—Contemporaneously with submitting the report required by paragraph (1), the Office of Internet Connectivity and Growth shall publish such report on the public facing website of—

(A) the National Telecommunications and Information Administration;

(B) the Commission; and

(C) the Rural Utility Service of the Department of Agriculture.

(3) RECOMMENDATIONS.—The report required by paragraph (1) shall include recommendations with regard to how Federal funds for the Universal Service Fund programs and Federal broadband service support programs may be dispersed in an a manner that better expands access to and adoption of

broadband internet access service by socially disadvantaged individuals as compared to individuals who are not socially disadvantaged individuals.

(c) **SOCIALLY DISADVANTAGED INDIVIDUAL.**—In this section, the term “socially disadvantaged individual” has the meaning given that term in section 8 of the Small Business Act (15 U.S.C. 637).

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PRESSLEY OF MASSACHUSETTS OR HER DESIGNEE

Page 1714, after line 2, insert the following new section:

SEC. 60016. STUDY OF EFFECTS OF CRIMINAL HISTORY ON ACCESS TO HOUSING.

Not later than the expiration of the 2-year period beginning on the date of the enactment of this Act, the Secretary of Housing and Urban Development shall—

(1) conduct and complete a study on the effects of criminal history or involvement with the criminal legal system on access to private and assisted housing, taking into consideration demographic information, type of housing, socio-economic status, geography, nature of the offense, and other relevant factors allowing greater understanding of the impact of criminal history on access to housing; and

(2) submit to the Congress a report setting forth the findings of the study, which shall be disaggregated according to the factors considered pursuant to paragraph (1).

19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUIZ OF CALIFORNIA OR HIS DESIGNEE

Page 1973, after line 2, insert the following:

Subtitle E—Tribal Land To Trust

SECTION 82501. LANDS TO BE TAKEN INTO TRUST.

(a) **IN GENERAL.**—The approximately 2,560 acres of land owned by the Agua Caliente Band of Cahuilla Indians, numbered 16, 21, 27, and 29 and generally depicted as “BLM Exchange Lands (2,560 Acres)” on the map titled “ACBCI/BLM LAND EXCHANGE” is hereby taken into trust for the benefit of the Agua Caliente Band of Cahuilla Indians.

(b) **LANDS PART OF RESERVATION.**—Lands taken into trust by this section shall be part of the Tribe’s reservation and shall be administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for an Indian tribe.

(c) **GAMING PROHIBITED.**—Lands taken into trust by this section for the benefit of the Agua Caliente Band of Cahuilla Indians shall not be eligible for gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUIZ OF CALIFORNIA OR HIS DESIGNEE

Page 1352, after line 22, insert the following:

SEC. 31302. UNIVERSAL SERVICE IN INDIAN COUNTRY AND AREAS WITH HIGH POPULATIONS OF INDIAN PEOPLE.

Section 254(b)(3) of the Communications Act of 1934 (47 U.S.C. 254(b)(3)) is amended by inserting “and in Indian country (as defined in section 1151 of title 18, United States Code) and areas with high populations of Indian (as defined in section 19 of the Act of June 18, 1934 (Chapter 576; 48 Stat. 988; 25 U.S.C. 5129)) people” after “high cost areas”.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE RUSH OF ILLINOIS OR HIS DESIGNEE

At the end of title III of division G, add the following new subtitle:

Subtitle E—Energy Workforce Development

CHAPTER 1—OFFICE OF ECONOMIC IMPACT, DIVERSITY, AND EMPLOYMENT

SEC. 33501. NAME OF OFFICE.

(a) IN GENERAL.—Section 211 of the Department of Energy Organization Act (42 U.S.C. 7141) is amended—

(1) in the section heading, by striking “MINORITY ECONOMIC IMPACT” and inserting “ECONOMIC IMPACT, DIVERSITY, AND EMPLOYMENT”; and

(2) in subsection (a), by striking “Office of Minority Economic Impact” and inserting “Office of Economic Impact, Diversity, and Employment”.

(b) CONFORMING AMENDMENT.—The table of contents for the Department of Energy Organization Act is amended by amending the item relating to section 211 to read as follows:

“Sec. 211. Office of Economic Impact, Diversity, and Employment.”

SEC. 33502. ENERGY WORKFORCE DEVELOPMENT PROGRAMS.

Section 211 of the Department of Energy Organization Act (42 U.S.C. 7141) is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

“(f) The Secretary, acting through the Director, shall establish and carry out the programs described in sections 33511 and 33512 of the Moving Forward Act.”

SEC. 33503. AUTHORIZATION.

Subsection (h) of section 211 of the Department of Energy Organization Act (42 U.S.C. 7141), as redesignated by section 33502 of this Act, is amended by striking “not to exceed \$3,000,000 for fiscal year 1979, not to exceed \$5,000,000 for fiscal year 1980, and not to exceed \$6,000,000 for fiscal year 1981. Of the amounts so appropriated each fiscal year, not less than 50 percent shall be available

for purposes of financial assistance under subsection (e).” and inserting “\$100,000,000 for each of fiscal years 2020 through 2024.”.

CHAPTER 2—ENERGY WORKFORCE DEVELOPMENT

SEC. 33511. ENERGY WORKFORCE DEVELOPMENT.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Director of the Office of Economic Impact, Diversity, and Employment, shall establish and carry out a comprehensive, nationwide program to improve education and training for jobs in energy-related industries, including manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries, in order to increase the number of skilled workers trained to work in such energy-related industries, including by—

(1) encouraging underrepresented groups, including religious and ethnic minorities, women, veterans, individuals with disabilities, unemployed energy workers, and socioeconomically disadvantaged individuals to enter into the science, technology, engineering, and mathematics (in this section referred to as “STEM”) fields;

(2) encouraging the Nation’s educational institutions to equip students with the skills, mentorships, training, and technical expertise necessary to fill the employment opportunities vital to managing and operating the Nation’s energy-related industries;

(3) providing students and other candidates for employment with the necessary skills and certifications for skilled, semi-skilled, and highly skilled jobs in such energy-related industries;

(4) strengthening and more fully engaging Department of Energy programs and laboratories in carrying out the Department’s Minorities in Energy Initiative; and

(5) to the greatest extent possible, collaborating with and supporting existing State workforce development programs to maximize program efficiency.

(b) PRIORITY.—In carrying out the program established under subsection (a), the Secretary shall prioritize the education and training of underrepresented groups for jobs in energy-related industries.

(c) DIRECT ASSISTANCE.—In carrying out the program established under subsection (a), the Secretary shall provide direct assistance (including financial assistance awards, technical expertise, and internships) to educational institutions, local workforce development boards, State workforce development boards, nonprofit organizations, labor organizations, and apprenticeship programs. The Secretary shall distribute such direct assistance in a manner proportional to the needs of, and demand for jobs in, energy-related industries, consistent with information obtained under subsections (e)(3) and (i).

(d) CLEARINGHOUSE.—In carrying out the program established under subsection (a), the Secretary shall establish a clearinghouse to—

(1) maintain and update information and resources on training programs for jobs in energy-related industries, including

manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries; and

(2) act as a resource for educational institutions, local workforce development boards, State workforce development boards, nonprofit organizations, labor organizations, and apprenticeship programs that would like to develop and implement training programs for such jobs.

(e) **COLLABORATION AND REPORT.**—In carrying out the program established under subsection (a), the Secretary—

(1) shall collaborate with educational institutions, local workforce development boards, State workforce development boards, nonprofit organizations, labor organizations, apprenticeship programs, and energy-related industries;

(2) shall encourage and foster collaboration, mentorships, and partnerships among industry, local workforce development boards, State workforce development boards, nonprofit organizations, labor organizations, and apprenticeship programs that currently provide effective training programs for jobs in energy-related industries and educational institutions that seek to establish these types of programs in order to share best practices and approaches that best suit local, State, and national needs; and

(3) shall collaborate with the Bureau of Labor Statistics, the Department of Commerce, the Bureau of the Census, and energy-related industries to—

(A) develop a comprehensive and detailed understanding of the workforce needs of such energy-related industries, and job opportunities in such energy-related industries, by State and by region; and

(B) publish an annual report on job creation in the energy-related industries described in subsection (i)(2).

(f) **GUIDELINES FOR EDUCATIONAL INSTITUTIONS.**—

(1) **IN GENERAL.**—In carrying out the program established under subsection (a), the Secretary, in collaboration with the Secretary of Education, the Secretary of Commerce, the Secretary of Labor, and the National Science Foundation, shall develop voluntary guidelines or best practices for educational institutions to help provide graduates with the skills necessary for jobs in energy-related industries, including manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries.

(2) **INPUT.**—The Secretary shall solicit input from energy-related industries in developing guidelines or best practices under paragraph (1).

(3) **ENERGY EFFICIENCY AND CONSERVATION INITIATIVES.**—The guidelines or best practices developed under paragraph (1) shall include grade-specific guidelines for teaching energy efficiency technology, manufacturing efficiency technology, community energy resiliency, and conservation initiatives to educate students and families.

(4) **STEM EDUCATION.**—The guidelines or best practices developed under paragraph (1) shall promote STEM education in educational institutions as it relates to job opportunities in energy-related industries.

(g) OUTREACH TO MINORITY-SERVING INSTITUTIONS.—In carrying out the program established under subsection (a), the Secretary shall—

- (1) give special consideration to increasing outreach to minority-serving institutions;
- (2) make resources available to minority-serving institutions with the objective of increasing the number of skilled minorities and women trained for jobs in energy-related industries, including manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries;
- (3) encourage energy-related industries to improve the opportunities for students of minority-serving institutions to participate in industry internships and cooperative work-study programs; and
- (4) partner with the Department of Energy laboratories to increase underrepresented groups' participation in internships, fellowships, traineeships, and employment at all Department of Energy laboratories.

(h) OUTREACH TO DISPLACED AND UNEMPLOYED ENERGY WORKERS.—In carrying out the program established under subsection (a), the Secretary shall—

- (1) give special consideration to increasing outreach to employers and job trainers preparing displaced and unemployed energy workers for emerging jobs in energy-related industries, including manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries;
- (2) make resources available to institutions serving displaced and unemployed energy workers with the objective of increasing the number of individuals trained for jobs in energy-related industries, including manufacturing, engineering, construction, and retrofitting jobs in such energy-related industries; and
- (3) encourage energy-related industries to improve opportunities for displaced and unemployed energy workers to participate in industry internships and cooperative work-study programs.

(i) GUIDELINES TO DEVELOP SKILLS FOR AN ENERGY INDUSTRY WORKFORCE.—In carrying out the program established under subsection (a), the Secretary shall, in collaboration with energy-related industries—

- (1) identify the areas with the greatest demand for workers in each such industry; and
- (2) develop guidelines for the skills necessary for work in the following energy-related industries:
 - (A) Energy efficiency industry, including work in energy efficiency, conservation, weatherization, retrofitting, or as inspectors or auditors.
 - (B) Renewable energy industry, including work in the development, engineering, manufacturing, and production of renewable energy from renewable energy sources (such as solar, hydropower, wind, or geothermal energy).
 - (C) Community energy resiliency industry, including work in the installation of rooftop solar, in battery storage, and in microgrid technologies.
 - (D) Fuel cell and hydrogen energy industry.

(E) Manufacturing industry, including work as operations technicians, in operations and design in additive manufacturing, 3-D printing, and advanced composites and advanced aluminum and other metal alloys, industrial energy efficiency management systems, including power electronics, and other innovative technologies.

(F) Chemical manufacturing industry, including work in construction (such as welders, pipefitters, and tool and die makers) or as instrument and electrical technicians, machinists, chemical process operators, engineers, quality and safety professionals, and reliability engineers.

(G) Utility industry, including work in the generation, transmission, and distribution of electricity and natural gas, such as utility technicians, operators, lineworkers, engineers, scientists, and information technology specialists.

(H) Alternative fuels industry, including work in biofuel development and production.

(I) Pipeline industry, including work in pipeline construction and maintenance or work as engineers or technical advisors.

(J) Nuclear industry, including work as scientists, engineers, technicians, mathematicians, or security personnel.

(K) Oil and gas industry, including work as scientists, engineers, technicians, mathematicians, petrochemical engineers, or geologists.

(L) Coal industry, including work as coal miners, engineers, developers and manufacturers of state-of-the-art coal facilities, technology vendors, coal transportation workers and operators, or mining equipment vendors.

(j) ENROLLMENT IN TRAINING AND APPRENTICESHIP PROGRAMS.—In carrying out the program established under subsection (a), the Secretary shall work with industry, local workforce development boards, State workforce development boards, nonprofit organizations, labor organizations, and apprenticeship programs to help identify students and other candidates, including from underrepresented communities such as minorities, women, and veterans, to enroll into training and apprenticeship programs for jobs in energy-related industries.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2020 through 2024.

SEC. 33512. ENERGY WORKFORCE GRANT PROGRAM.

(a) PROGRAM.—

(1) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary, acting through the Director of the Office of Economic Impact, Diversity, and Employment, shall establish and carry out a program to provide grants to eligible businesses to pay the wages of new and existing employees during the time period that such employees are receiving training to work in the renewable energy sector, energy efficiency sector, or grid modernization sector.

(2) GUIDELINES.—Not later than 60 days after the date of enactment of this Act, the Secretary, in consultation with stakeholders, contractors, and organizations that work to advance existing residential energy efficiency, shall establish guidelines

to identify training that is eligible for purposes of the program established pursuant to paragraph (1).

(b) **ELIGIBILITY.**—To be eligible to receive a grant under the program established under subsection (a) or a business or labor management organization that is directly involved with energy efficiency or renewable energy technology, or working on behalf of any such business, shall provide services related to—

- (1) renewable electric energy generation, including solar, wind, geothermal, hydropower, and other renewable electric energy generation technologies;
- (2) energy efficiency, including energy-efficient lighting, heating, ventilation, and air conditioning, air source heat pumps, advanced building materials, insulation and air sealing, and other high-efficiency products and services, including auditing and inspection;
- (3) grid modernization or energy storage, including smart grid, microgrid and other distributed energy solutions, demand response management, and home energy management technology; or
- (4) fuel cell and hybrid fuel cell generation.

(c) **USE OF GRANTS.**—An eligible business with—

- (1) 20 or fewer employees may use a grant provided under the program established under subsection (a) to pay up to—
 - (A) 45 percent of an employee's wages for the duration of the training, if the training is provided by the eligible business; and
 - (B) 90 percent of an employee's wages for the duration of the training, if the training is provided by an entity other than the eligible business;
- (2) 21 to 99 employees may use a grant provided under the program established under subsection (a) to pay up to—
 - (A) 37.5 percent of an employee's wages for the duration of the training, if the training is provided by the eligible business; and
 - (B) 75 percent of an employee's wages for the duration of the training, if the training is provided by an entity other than the eligible business; and
- (3) 100 employees or more may use a grant provided under the program established under subsection (a) to pay up to—
 - (A) 25 percent of an employee's wages for the duration of the training, if the training is provided by the eligible business; and
 - (B) 50 percent of an employee's wages for the duration of the training, if the training is provided by an entity other than the eligible business.

(d) **PRIORITY FOR TARGETED COMMUNITIES.**—In providing grants under the program established under subsection (a), the Secretary shall give priority to eligible businesses that—

- (1) recruit employees—
 - (A) from the communities that the businesses serve; and
 - (B) that are minorities, women, persons who are or were foster children, persons who are transitioning from fossil energy sector jobs, or veterans; and
- (2) provide trainees with the opportunity to obtain real-world experience.

(e) LIMIT.—An eligible business may not receive more than \$100,000 under the program established under subsection (a) per fiscal year.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$70,000,000 for each of fiscal years 2020 through 2024.

SEC. 33513. DEFINITIONS.

In this subtitle:

(1) APPRENTICESHIP.—The term “apprenticeship” means an apprenticeship registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

(2) EDUCATIONAL INSTITUTION.—The term “educational institution” means an elementary school, secondary school, or institution of higher education.

(3) ELEMENTARY SCHOOL AND SECONDARY SCHOOL.—The terms “elementary school” and “secondary school” have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) ENERGY-RELATED INDUSTRY.—The term “energy-related industry” includes each of the energy efficiency, renewable energy, chemical manufacturing, utility, alternative fuels, pipeline, nuclear energy, oil, gas, and coal industries.

(5) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(6) LABOR ORGANIZATION.—The term “labor organization” has the meaning given such term in section 2 of the National Labor Relations Act (29 U.S.C. 152).

(7) LOCAL WORKFORCE DEVELOPMENT BOARD.—The term “local workforce development board” means a local board, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(8) MINORITY-SERVING INSTITUTION.—The term “minority-serving institution” means an institution of higher education that is of one of the following:

(A) Hispanic-serving institution (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5))).

(B) Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

(C) Alaska Native-serving institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b))).

(D) Native Hawaiian-serving institution (as defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b))).

(E) Predominantly Black Institution (as defined in section 318(b) of the Higher Education Act of 1965 (20 U.S.C. 1059e(b))).

(F) Native American-serving nontribal institution (as defined in section 319(b) of the Higher Education Act of 1965 (20 U.S.C. 1059f(b))).

(G) Asian American and Native American Pacific Islander-serving institution (as defined in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b))).

(9) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(10) STATE WORKFORCE DEVELOPMENT BOARD.—The term “State workforce development board” means a State board, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SOTO OF FLORIDA OR HIS DESIGNEE

Page 2107, after line 25, insert the following:

Subtitle G.—Sinkhole Hazard Identification

SEC. 84701. SINKHOLE HAZARD IDENTIFICATION.

(a) PROGRAM.—The Director of the United States Geological Survey shall establish a program to—

(1) study the short-term and long-term mechanisms that cause sinkholes, including extreme storm events, prolonged droughts causing shifts in water management practices, aquifer depletion, and other major changes in water use; and

(2) develop maps that depict zones that are at greater risk of sinkhole formation.

(b) REVIEW OF MAPS.—Once during each 5-year period, or more often as the Director of the United States Geological Survey determines is necessary, the Director shall assess the need to revise and update the maps developed under this section.

(c) WEBSITE.—The Director of the United States Geological Survey shall establish and maintain a public website that displays the maps developed under this section and other relevant information critical for use by community planners and emergency managers.

23. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SPEIER OF CALIFORNIA OR HER DESIGNEE

Page 1303, line 14, strike “; or” and insert a semicolon.

Page 1303, line 22, strike the period at the end and insert “; or”.

Page 1303, after line 22, insert the following:

(D) at least one member of the household has received a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) in the most recent academic year.

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TORRES OF CALIFORNIA OR HER DESIGNEE

In division H, add at the end the following:

SEC. 40002. AMERICAN INFRASTRUCTURE OPPORTUNITY BONDS.

Chapter 31 of title 31, United States Code, is amended—

(1) by adding at the end the following new subchapter:

“SUBCHAPTER III—AMERICAN INFRASTRUCTURE OPPORTUNITY BONDS

“§ 3131. Issuance of American Infrastructure Opportunity Bonds and use of proceeds

“(a) ISSUANCE OF BONDS.—If the Secretary of the Treasury determines that the real rate is equal to zero percent or less, the Secretary shall—

“(1) issue Government bonds with a face value of \$20,000,000,000; and

“(2) deposit amounts equivalent to the proceeds from such issuance into the Highway Trust Fund, of which 20 percent shall be deposited into the Mass Transit Account established under section 9503(e) of the Internal Revenue Code of 1986.

“(b) DEFINITIONS.—For purposes of this section:

“(1) FEDERAL INTEREST RATE.—The term ‘Federal interest rate’ means the current market yields on outstanding marketable obligations of the United States with remaining periods to maturity of approximately 1 year, as determined by the Secretary of the Treasury.

“(2) INFLATION RATE.—The term ‘inflation rate’ means the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor with respect to the previous calendar month.

“(3) REAL RATE.—The term ‘real rate’ means—

“(A) the Federal interest rate, minus

“(B) the inflation rate.”; and

(2) in the analysis for such chapter, by adding at the end the following:

“SUBCHAPTER III—AMERICAN INFRASTRUCTURE OPPORTUNITY BONDS

“3131. Issuance of American Infrastructure Opportunity Bonds and use of proceeds.”

25. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE VELÁZQUEZ OF NEW YORK OR HER DESIGNEE

Page 1698, lines 12 and 13, strike “35 percent and not more than 75” and insert “50”.

Page 1698, strike “including” in line 18 and all that follows through line 21, and insert the following: “which shall not exclude public housing agencies working in good faith to resolve urgent health and safety concerns based on written notification of violations from the Department of Environmental Protection, Department of Justice, or Department of Housing and Urban Development.”.

PART G—TEXT OF AMENDMENTS TO H.R. 2 MADE IN ORDER EN BLOC

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOST OF ILLINOIS OR HIS DESIGNEE

Page 210, strike lines 13 through page 213, line 5 and insert the following:

“(3) ELIGIBLE PROJECTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), funds set aside under this subsection may be obligated for any of the following projects or activities:

“(i) Construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, including sidewalks, bicycle infrastructure, pedestrian and bicycle signals, traffic calming techniques, lighting and other safety-related infrastructure, and transportation projects to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

“(ii) Construction, planning, and design of infrastructure-related projects and systems that will provide safe routes for nondrivers, including children, older adults, and individuals with disabilities to access daily needs.

“(iii) Conversion and use of abandoned railroad corridors for trails for pedestrians, bicyclists, or other nonmotorized transportation users.

“(iv) Construction of turnouts, overlooks, and viewing areas.

“(v) Community improvement activities, including—

“(I) inventory, control, or removal of outdoor advertising;

“(II) historic preservation and rehabilitation of historic transportation facilities;

“(III) vegetation management practices in transportation rights-of-way to improve roadway safety, prevent against invasive species, and provide erosion control; and

“(IV) archaeological activities relating to impacts from implementation of a transportation project eligible under this title.

“(vi) Any environmental mitigation activity, including pollution prevention and pollution abatement activities and mitigation to address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff, including activities described in sections 328(a) and 329.

“(vii) Projects and strategies to reduce vehicle-caused wildlife mortality related to, or to restore and maintain connectivity among terrestrial or aquatic habitats affected by, a transportation facility otherwise eligible for assistance under this subsection.

“(viii) The recreational trails program under section 206.

“(ix) The safe routes to school program under section 211.

“(x) Activities in furtherance of a vulnerable road user assessment described in section 148.

“(xi) Any other projects or activities described in section 101(a)(29) or section 213, as such sections were in

effect on the day before the date of enactment of the FAST Act (Public Law 114–94).

(B) PROHIBITION AGAINST EMINENT DOMAIN.—

“(i) IN GENERAL.—Funds set aside under this subsection may not be obligated for any project or activity that includes the exercise of eminent domain authority to carry out such project or activity.

“(ii) EXCEPTION .—Notwithstanding clause (i), funds reserved under this subsection may be obligated for a project or activity that includes the exercise of eminent domain authority if such project or activity is—

“(I) described in section 101(a)(29)(B), as in effect on the day before the date of enactment of the FAST Act (Public Law 114–94);

“(II) an acquisition necessary to achieve compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq); or

“(III) described in the safe routes to school program under section 211.”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRAWFORD OF ARKANSAS OR HIS DESIGNEE

Page 981, strike lines 8 through 11.

Page 981, line 12, strike “(j)” and insert “(i)”.

Page 982, line 21, strike “(k)” and insert “(j)”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FULCHER OF IDAHO OR HIS DESIGNEE

Page 1920, after line 19, insert the following:

SEC. 81324. AQUIFER RECHARGE FLEXIBILITY.

(a) **SHORT TITLE.**—This section may be cited as the “Aquifer Recharge Flexibility Act”.

(b) **DEFINITIONS.**—In this section:

(1) **BUREAU.**—The term “Bureau” means the Bureau of Reclamation.

(2) **COMMISSIONER.**—The term “Commissioner” means the Commissioner of Reclamation.

(3) **ELIGIBLE LAND.**—The term “eligible land”, with respect to a Reclamation project, means land that—

(A) is authorized to receive water under State law; and

(B) shares an aquifer with land located in the service area of the Reclamation project.

(4) **NET WATER STORAGE BENEFIT.**—The term “net water storage benefit” means an increase in the volume of water that is—

(A) stored in 1 or more aquifers; and

(B)(i) available for use within the authorized service area of a Reclamation project; or

(ii) stored on a long-term basis to avoid or reduce groundwater overdraft.

(5) RECLAMATION FACILITY.—The term “Reclamation facility” means each of the infrastructure assets that are owned by the Bureau at a Reclamation project.

(6) RECLAMATION PROJECT.—The term “Reclamation project” means any reclamation or irrigation project, including incidental features thereof, authorized by Federal reclamation law or the Act of August 11, 1939 (commonly known as the “Water Conservation and Utilization Act”) (53 Stat. 1418, chapter 717; 16 U.S.C. 590y et seq.), or constructed by the United States pursuant to such law, or in connection with which there is a repayment or water service contract executed by the United States pursuant to such law, or any project constructed by the Secretary through the Bureau for the reclamation of land.

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

(c) FLEXIBILITY TO ALLOW GREATER AQUIFER RECHARGE IN WESTERN STATES.—

(1) USE OF RECLAMATION FACILITIES.—

(A) IN GENERAL.—The Commissioner may allow the use of excess capacity in Reclamation facilities for aquifer recharge of non-Reclamation project water, subject to applicable rates, charges, and public participation requirements, on the condition that—

(i) the use—

(I) shall not be implemented in a manner that is detrimental to—

(aa) any power service or water contract for the Reclamation project; or

(bb) any obligations for fish, wildlife, or water quality protection applicable to the Reclamation project;

(II) shall be consistent with water quality guidelines for the Reclamation project;

(III) shall comply with all applicable—

(aa) Federal laws; and

(bb) policies of the Bureau; and

(IV) shall comply with all applicable State laws and policies; and

(ii) the non-Federal party to an existing contract for water or water capacity in a Reclamation facility consents to the use of the Reclamation facility under this subsection.

(B) EFFECT ON EXISTING CONTRACTS.—Nothing in this subsection affects a contract—

(i) in effect on the date of enactment of this Act; and

(ii) under which the use of excess capacity in a Bureau conveyance facility for carriage of non-Reclamation project water for aquifer recharge is allowed.

(2) AQUIFER RECHARGE ON ELIGIBLE LAND.—

(A) IN GENERAL.—Subject to subparagraphs (C) and (D), the Secretary may contract with a holder of a water service or repayment contract for a Reclamation project to allow the contractor, in accordance with applicable State laws and policies—

(i) to directly use water available under the contract for aquifer recharge on eligible land; or

(ii) to enter into an agreement with an individual or entity to transfer water available under the contract for aquifer recharge on eligible land.

(B) AUTHORIZED PROJECT USE.—The use of a Reclamation facility for aquifer recharge under subparagraph (A) shall be considered an authorized use for the Reclamation project if requested by a holder of a water service or repayment contract for the Reclamation facility.

(C) MODIFICATIONS TO CONTRACTS.—The Secretary may contract with a holder of a water service or repayment contract for a Reclamation project under subparagraph (A) if the Secretary determines that a new contract or contract amendment described in that paragraph is—

(i) necessary to allow for the use of water available under the contract for aquifer recharge under this subsection;

(ii) in the best interest of the Reclamation project and the United States; and

(iii) approved by the contractor that is responsible for repaying the cost of construction, operations, and maintenance of the facility that delivers the water under the contract.

(D) REQUIREMENTS.—The use of Reclamation facilities for the use or transfer of water for aquifer recharge under this subsection shall be subject to the requirements that—

(i) the use or transfer shall not be implemented in a manner that materially impacts any power service or water contract for the Reclamation project;

(ii) before the use or transfer, the Secretary shall determine that the use or transfer—

(I) results in a net water storage benefit for the Reclamation project; or

(II) contributes to the recharge of an aquifer on eligible land; and

(iii) the use or transfer complies with all applicable—

(I) Federal laws and policies; and

(II) interstate water compacts.

(3) CONVEYANCE FOR AQUIFER RECHARGE PURPOSES.—The holder of a right-of-way, easement, permit, or other authorization to transport water across public land administered by the Bureau of Land Management may transport water for aquifer recharge purposes without requiring additional authorization from the Secretary where the use does not expand or modify, other than the timing of use, the operation of the right-of-way, easement, permit, or other authorization across public land.

(4) EFFECT.—Nothing in this section creates, impairs, alters, or supersedes a Federal or State water right.

(5) EXEMPTION.—This Act shall not apply to the State of California.

(6) STATE-LED ADVISORY GROUP.—The Secretary may participate in any State-led collaborative, multi-stakeholder advisory

group created in any watershed the purpose of which is to monitor, review, and assess aquifer recharge activities.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAVES OF LOUISIANA OR HIS DESIGNEE

On page 1968, after line 16, insert the following:

(c) PRESERVING THE SUSTAINABILITY OF THE FUNDING SOURCE.— The Secretary shall not award grants to eligible entities for the projects in subsection (a) until the Secretary certifies that the actions in subsection (a) are more nationally significant than the ecological restoration and sustainability of the region (including adjacent coastal areas) responsible for producing such revenue as defined by the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HICE OF GEORGIA OR HIS DESIGNEE

Page 1692, line 1, strike “**ZERO-EMISSION POSTAL FLEET AND**”.

Page 1692, strike line 4 and all that follows through page 1694, line 23.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LAMALFA OF CALIFORNIA OR HIS DESIGNEE

Page 984, strike line 16 and all that follows through page 985, line 2 (and redesignate subsequent clauses accordingly).

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MCKINLEY OF WEST VIRGINIA OR HIS DESIGNEE

Page 1137, after line 10, insert the following:

SEC. 22117. CERTIFICATION.

Section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by inserting “by the applicant” after “any discharge”; and

(II) by inserting “as a result of the federally licensed or permitted activity” after “into the navigable waters”;

(ii) in the second sentence, by striking “activity” and inserting “discharge”;

(iii) in the third sentence, by striking “applications” each place it appears and inserting “requests”;

(iv) in the fifth sentence, by striking “act on” and inserting “grant or deny”; and

(v) by inserting after the fourth sentence the following: “The certifying State, interstate agency, or Administrator shall publish the requirements for certifi-

cation that meet the applicable provisions of sections 301, 302, 303, 306, and 307. The decision to grant or deny a request shall be based only on the applicable provisions of sections 301, 302, 303, 306, and 307 and the grounds for a decision shall be set forth in writing to the applicant.”;

(B) in paragraph (2)—

(i) in the second sentence—

(I) by striking “such a discharge” and inserting “a discharge made into the navigable waters by the applicant as described in paragraph (1)”;

(II) by inserting “receipt of the” before “notice”; and

(III) by striking “of application for such Federal license or permit” and inserting “under the preceding sentence”;

(ii) in the third sentence—

(I) by striking “such discharge” and inserting “any discharge made into the navigable waters by the applicant as described in paragraph (1)”; and

(II) by striking “any water quality requirement” and inserting “the applicable provisions of sections 301, 302, 303, 306, and 307”;

(iii) in the fifth sentence, by striking “insure compliance with applicable water quality requirements.” and inserting “ensure any discharge into the navigable waters by the applicant as described in paragraph (1) will comply with the applicable provisions of sections 301, 302, 303, 306, and 307.”; and

(iv) by striking the first sentence and inserting “Not later than 90 days after receipt of a request for certification, the certifying State, interstate agency, or Administrator shall identify in writing all specific additional materials or information that are necessary to make a final decision on a request for certification. On receipt of a request for certification, the certifying State or interstate agency, as applicable, shall immediately notify the Administrator of the request.”;

(C) in paragraph (3)—

(i) in the first sentence, by striking “there will be compliance” and inserting “a discharge made into the navigable waters by the applicant as described in paragraph (1) will comply”; and

(ii) in the second sentence—

(I) by striking “section” and inserting “the applicable provisions of sections”; and

(II) by striking “or 307 of this Act” and inserting “and 307”;

(D) in paragraph (4)—

(i) in the first sentence, by striking “applicable effluent limitations” and all that follows through the period at the end and inserting “any discharge made by the applicant into the navigable waters as described in paragraph (1) will not violate the applicable provisions of sections 301, 302, 303, 306, and 307.”;

(ii) in the second sentence, by striking “will violate applicable effluent limitations or other limitations or other water quality requirements such Federal” and inserting “will result in a discharge made into the navigable waters by the applicant as described in paragraph (1) that violates the applicable provisions of sections 301, 302, 303, 306, and 307, the Federal”; and

(iii) in the third sentence—

(I) by striking “such facility or activity” and inserting “a discharge made by the applicant into the navigable waters as described in paragraph (1)”; and

(II) by striking “section 301, 302, 303, 306, or 307 of this Act” and inserting “sections 301, 302, 303, 306, and 307”; and

(E) in paragraph (5)—

(i) by striking “such facility or activity has been operated in” and inserting “any discharge made by the applicant into the navigable waters as described in paragraph (1) is in”; and

(ii) by striking “section 301, 302, 303, 306, or 307 of this Act” and inserting “sections 301, 302, 303, 306, and 307”; and

(2) in subsection (d), by striking “assure that any applicant for a Federal license or permit will comply with any applicable” and inserting the following: “ensure that any discharge made by the applicant into the navigable waters as described in subsection (a)(1) shall comply with the applicable provisions of sections 301, 302, 303, 306, and 307. Any limitations or requirements in the preceding sentence shall become a condition on any Federal license or permit subject to the provisions of this section.

“(e) DEFINITION OF APPLICABLE PROVISIONS OF SECTIONS 301, 302, 303, 306, AND 307.—In this section, the term ‘applicable provisions of sections 301, 302, 303, 306, and 307’ means, as applicable; and

(3) in subsection (e) (as so redesignated)—

(A) by striking “with”;

(B) by striking “other appropriate”; and

(C) by striking “set forth” and all that follows through the period at the end and inserting “implementing water quality criteria under section 303 necessary to support the specified designated use or uses of the receiving navigable water.”.

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE STAUBER OF MINNESOTA OR HIS DESIGNEE

Page 1137, after line 10, insert the following:

SEC. 22117. PERMITS FOR DREDGED OR FILL MATERIAL.

Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended by adding at the end the following:

“(u) EXCEPTION TO PERMITTING REQUIREMENT.—Notwithstanding any other provision of this section, any person issued a permit by

a State for the discharge of dredged or fill material which complies with the requirements of subparagraphs (A) through (H) of subsection (h)(1) shall not be required to obtain a permit under this section.”.

PART H—TEXT OF AMENDMENTS TO H.R. 2 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOXX OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 30 MINUTES

At the end of division H, add the following new section:

SEC. _____. PREVAILING RATE OF WAGE REQUIREMENTS.

(a) **REPEALS.**—The following provisions are repealed:

(1) Section 113 of title 23, United States Code (and the item relating to such section in the analysis for chapter 1 of such title).

(2) Section 5333(a) of title 49, United States Code.

(b) **APPLICABILITY.**—

(1) **EFFECTIVE DATE.**—Subject to paragraph (2), the amendments made by this section shall take effect on the 31st day following the date of enactment of this Act.

(2) **EXISTING CONTRACTS.**—The amendments made by this section shall not affect any contract in existence on the date of enactment of this Act or made pursuant to an invitation for bids outstanding on such date of enactment.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COURTNEY OF CONNECTICUT OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 499, after line 22, insert the following:

SEC. 1632. VEHICLE WEIGHT LIMITATIONS.

Section 127(a) of title 23, United States Code, is amended by adding at the end the following:

“(14) With respect to the State of Connecticut, laws and regulations in effect on October 1, 2013, shall be applicable for the purposes of this subsection.”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TLAIB OF MICHIGAN OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1464, after line 17, insert the following:

SEC. 33105. COMPREHENSIVE LEAD SERVICE LINE REPLACEMENT.

Section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j–19b) is amended—

(1) in subsection (d)—

(A) by striking “\$60,000,000” and inserting “\$4,500,000,000”; and

(B) by striking “2021” and inserting “2025”; and

(2) by adding at the end the following:

“(f) **COMPREHENSIVE LEAD REDUCTION PROJECTS.**—

“(1) **GRANTS.**—The Administrator shall make grants available to eligible entities for comprehensive lead reduction projects that, notwithstanding any other provision in this section, pay to fully replace all lead service lines served by the eli-

gible entity, irrespective of the ownership of the service line and without requiring a contribution to the cost of replacement of any portion of the service line by any individual homeowner.

“(2) PRIORITY.—In making grants under paragraph (1), the Administrator shall give priority to eligible entities serving disadvantaged communities, consistent with subsection (b)(3), and environmental justice communities (with significant representation of communities of color, low-income communities, or Tribal and indigenous communities, that experience, or are at risk of experiencing, higher or more adverse human health or environmental effects).

“(3) NO COST-SHARING.—The Federal share of the cost of a project carried out pursuant to this subsection shall be 100 percent.”.

