

117TH CONGRESS
1ST SESSION

S. 1765

To amend title 23, United States Code, to provide greater flexibility for multimodal freight improvements, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2021

Mr. INHOFE introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to provide greater flexibility for multimodal freight improvements, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Future of Freight Mo-
5 bility Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the national movement of freight is critical
9 to the economic growth of the United States, trans-
10 porting \$1,240,000,000,000 in goods each year, ac-

1 counting for nearly 6 percent of annual gross domes-
2 tic product in the United States;

3 (2) multimodal movement of freight, via road,
4 air, rail and water, is critical to the national com-
5 petitiveness of the United States, supporting every
6 sector of the United States economy by employing a
7 cohesive network to both distribute goods around the
8 country and deliver exports of the United States to
9 the rest of the world;

10 (3) the United States inland waterways system
11 moves more than 500,000,000,000 tons of water-
12 borne cargo every year, valued at over
13 \$130,000,000,000, and sustains over 65,000 jobs;

14 (4) the McClellan-Kerr Arkansas River Naviga-
15 tion System (referred to in this Act as the
16 “MKARNS”) moves more than \$4,000,000,000 in
17 critical commodities every year and supports more
18 than 56,000 jobs, driving economic growth and effi-
19 ciency for a 12-State region consisting of Oklahoma,
20 Arkansas, Kansas, Texas, Colorado, Montana, Ne-
21 braska, Minnesota, South Dakota, North Dakota,
22 Missouri, and Idaho;

23 (5) Congress authorized the Corps of Engineers
24 to deepen the MKARNS from 9 feet to 12 feet in

1 2003, and approximately 90 percent of the
2 MKARNS is already 12 feet deep; and

3 (6) in 2015, the Maritime Administration—

4 (A) designated the MKARNS as Marine
5 Highway Corridor M-40; and

6 (B) changed the status of the MKARNS
7 from a moderate to high-use waterway after wa-
8 terborne commerce increased.

9 **SEC. 3. FEDERAL-AID HIGHWAY PROGRAM.**

10 (a) **NATIONALLY SIGNIFICANT FREIGHT AND HIGH-**
11 **WAY PROJECTS.**—Section 117(d)(1)(A) of title 23, United
12 States Code, is amended—

13 (1) in clause (iii)(II), by striking “or” at the
14 end;

15 (2) in clause (iv), by striking “and” at the end
16 and inserting “or”; and

17 (3) by adding at the end the following:

18 “(v) a project on Marine Highway
19 Corridor M-40 in Arkansas and Oklahoma
20 on the Arkansas, Verdigris, and White Riv-
21 ers, if the Secretary determines that the
22 project—

23 “(I) is functionally connected to
24 the National Highway Freight Net-
25 work; and

1 “(II) is likely to reduce on-road
2 mobile source emissions; and”.

3 (b) CONGESTION MITIGATION AND AIR QUALITY IM-
4 PROVEMENT PROGRAM.—Section 149(b) of title 23,
5 United States Code, is amended—

6 (1) in paragraph (8)(B), by striking “or” at the
7 end;

8 (2) in paragraph (9), by striking the period at
9 the end and inserting “; or”; and

10 (3) by adding at the end the following:

11 “(10) if the project is a project on Marine
12 Highway Corridor M-40 in Arkansas and Oklahoma
13 on the Arkansas, Verdigris, and White Rivers that—

14 “(A) is functionally connected to the Fed-
15 eral-aid highway system; and

16 “(B) the Secretary determines is likely to
17 contribute to the attainment or maintenance of
18 a national ambient air quality standard.”.

19 (c) NATIONAL HIGHWAY FREIGHT PROGRAM.—Sec-
20 tion 167(i)(5)(B) of title 23, United States Code, is
21 amended—

22 (1) in clause (i), by striking “and” at the end;

23 (2) in clause (ii), by striking the period at the
24 end and inserting “; and”; and

25 (3) by adding at the end the following:

1 “(iii) on Marine Highway Corridor
2 M-40 in Arkansas and Oklahoma on the
3 Arkansas, Verdigris, and White Rivers, if
4 the Secretary determines that the
5 project—

6 “(I) is functionally connected to
7 the National Highway Freight Net-
8 work; and

9 “(II) is likely to reduce on-road
10 mobile source emissions.”.

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