SA 1666. Mr. CARPER (for himself, Mr. ALEXANDER, and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1667. Mr. NELSON of Nebraska (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1668. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1669. Mr. MCCAIN (for himself, Mr. REID, Mr. HELLER, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1670. Mr. CARPER (for himself, Mr. KIRK, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1671. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1672. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1673. Mr. LEAHY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1674. Mr. CASEY (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1675. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1676. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1677. Mr. SANDERS (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1678. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1679. Mrs. SHAHEEN (for herself, Ms. MURKOWSKI, Ms. COLLINS, Mr. LEVIN, Ms. KLOBUCHAR, Mr. SANDERS, Mr. BEGICH, Mr. LEAHY, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1680. Mr. BINGAMAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1681. Ms. COLLINS (for herself, Mr. BROWN of Massachusetts, Mr. LEVIN, Mr. KYL, Mr. AKAKA, and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1682. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1683. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1684. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1685. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1686. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1687. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1688. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1689. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1690. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1691. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1692. Mr. WYDEN (for himself, Mr. HOEVEN, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1693. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1694. Mr. BAUCUS (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1695. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1696. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 1633 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1697. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 1633 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1698. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1699. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1700. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1701. Mr. WHITEHOUSE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1702. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1703. Mr. WARNER (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1704. Mr. WARNER (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1705. Mr. BENNET (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1706. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1633 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1707. Mrs. GILLIBRAND (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1708. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1663. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

SEC. ___001. WAIVER OF FUEL REQUIREMENTS.

Section 211(c)(4)(C) of the Clean Air Act (42 U.S.C. 7545(c)(4)(C)) is amended—

(1) in clause (ii)(II), by inserting ''an unexpected problem with distribution or delivery equipment that is necessary for the transportation or delivery of fuel or fuel additives,'' after ''equipment failure,''; and

(2) by redesignating the second clause (v) (relating to the authority of the Administrator to approve certain State implementation plans) as clause (vi).

SEC. ___002. FUEL SYSTEM REQUIREMENTS HARMONIZATION STUDY.

Section 1509 of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 1083) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), by inserting ''biofuels,'' after ''oxygenated fuel'';

(B) in paragraph (2)—

(i) in subparagraph (B)—

(I) by redesignating clause (ii) as clause (iii);

(II) in clause (i), by striking ''and'' after the semicolon; and

(III) by inserting after clause (i) the following:

''(ii) the renewable fuels standard; and''; and

(ii) in subparagraph (G), by striking ''Tier II'' and inserting ''Tier III''; and

(2) in subsection (b)(1), by striking ''2008'' and inserting ''2014''.

SA 1664. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

In division D, at the end, add the following:

SEC. _____. ADDITIONAL TRANSFER TO HIGHWAY TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986, as amended by this Act, is amended by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

''(7) TRANSFER OF ADDITIONAL RESULTING REVENUES.—Out of money in the Treasury not otherwise appropriated, there are hereby appropriated to the Highway Trust Fund amounts equivalent to the increases in revenues received in the Treasury resulting from

the provisions of, and amendments made by division D of the Highway Investment, Job Creation, and Economic Growth Act of 2012, which are not otherwise subject to appropriation or transfer to the Highway Trust Fund.''.

SA 1665. Mr. CARPER (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 324, line 16, insert ''149(k),'' after ''148(h),''.

On page 325, line 10, strike ''and''.

On page 325, between lines 12 and 13, insert the following:

''(iii) the congestion mitigation and air quality performance plan; and

On page 325, line 13, strike ''(iii)'' and insert ''(iv)''.

SA 1666. Mr. CARPER (for himself, Mr. ALEXANDER and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 149(b)(1) of title 23, United States Code (as amended by section 11013), strike ''(G) if the project'' and all that follows through ''(H) if the Secretary'' and insert the following:

''(G) if the project involves the installation of battery charging or replacement facilities for electric-drive vehicles, or refueling facilities for alternative-fuel vehicles;

''(H) if the project or program shifts traffic demand to nonpeak hours or other transportation modes, increases vehicle occupancy rates, or otherwise reduces demand for roads through such means as telecommuting, ridesharing, carsharing, alternative work hours, and pricing; or

''(I) if the Secretary

SA 1667. Mr. NELSON of Nebraska (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 527, strike line 22 and all that follows through page 529, line 8, and insert the following:

''(2) REGIONAL UNIVERSITY TRANSPORTATION CENTERS.—

''(A) LOCATION OF REGIONAL CENTERS.—One regional university transportation center shall be located in each of the 10 Federal regions that comprise the Standard Federal Regions established by the Office of Management and Budget in the document entitled 'Standard Federal Regions' and dated April, 1974 (circular A–105).

''(B) SELECTION CRITERIA.—In conducting a competition under subsection (b), the Secretary shall provide grants to 10 recipients on the basis of—

''(i) the criteria described in subsection (b)(2);

''(ii) the location of the center within the Federal region to be served; and

''(iii) whether or not the institution (or, in the case of a consortium of institutions, the lead institution) demonstrates that the institution has a well-established, nationally recognized program in transportation research and education, as evidenced by—

''(I) for each of the preceding 5 years, not less than $2,000,000 in highway or public transportation research expenditures per year;

''(II) for each of the preceding 5 years, not less than 10 graduate degrees awarded in professional fields closely related to highways and public transportation per year; and

''(III) during the preceding 5 years, not less than 5 tenured or tenure-track faculty members who—

''(aa) specialize, on a full-time basis, in professional fields closely related to highways and public transportation; and

''(bb) as a group, have published a total of not less than 50 refereed journal publications on highway or public transportation research.

''(C) RESTRICTIONS.—For each fiscal year, a grant made available under this paragraph shall not exceed $3,500,000 for each recipient.

''(D) MATCHING REQUIREMENTS.—

''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

''(I) section 504(b) or 505 of title 23; and

''(II) subject to prior approval by the Secretary, a transportation-related grant from the National Science Foundation.

''(3) TIER 1 UNIVERSITY TRANSPORTATION CENTERS.—

''(A) IN GENERAL.—For each of fiscal years 2012 and 2013 and subject to subparagraph (B), the Secretary shall provide grants to not more than 15 recipients that the Secretary determines best meet the criteria described in subsection (b)(2).

''(B) RESTRICTIONS.—

''(i) IN GENERAL.—For each fiscal year, a grant made available under this paragraph shall not exceed $3,500,000 for each recipient.

''(ii) FOCUSED RESEARCH.—At least 2 of the recipients awarded a grant under this paragraph shall have expertise in, and focus research on, public transportation issues.

''(C) MATCHING REQUIREMENT.—

''(i) IN GENERAL.—As a condition of receiving a grant under this paragraph, a grant recipient shall match 100 percent of the amounts made available under the grant.

''(ii) SOURCES.—The matching amounts referred to in clause (i) may include amounts made available to the recipient under—

''(I) section 504(b) or 505 of title 23; and

''(II) subject to prior approval by the Secretary, a transportation-related grant from the National Science Foundation.

''(4) TIER 2 UNIVERSITY TRANSPORTATION CENTERS.—

SA 1668. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 469, after line 22, add the following:

SEC. 15____. INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.

Section 1216 of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note; 1212 Stat. 212) is amended by striking subsection (b).

SA 1669. Mr. MCCAIN (for himself, Mr. REID, Mr. HELLER, and Mr. KYL) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AIRCRAFT NOISE ABATEMENT.

(a) IN GENERAL.—Section 3 of Public Law 100–91 (16 U.S.C. 1a–1 note) is amended—

(1) in subsection (a)—

(A) by striking ''(a)'' and inserting the following:

''(a) FINDING.—''; and

(B) by inserting ''commercial air tour'' before ''aircraft'' each place such term appears; and

(2) in section (b)—

(A) in paragraph (1), by striking ''associated with aircraft''inserting ''associated with commercial air tour aircraft''; and

(B) in paragraph (2), by striking ''air traffic'' and inserting ''commercial air tour traffic''.

(b) SAVINGS PROVISIONS.—

(1) JURISDICTION OF NATIONAL AIRSPACE.—None of the environmental recommendations for commercial air tour operations required under section 3(b)(1) of Public Law 100–91 (16 U.S.C. 1a–1 note), including raising the flight-free zone altitude ceilings above the ceilings in effect on the date of the enactment of this Act, shall affect the management of the National Airspace System, as determined by the Administrator of the Federal Aviation Administration.

(2) EFFECT OF NEPA DETERMINATIONS.—None of the environmental thresholds, analyses, or impact determinations that are included in the environmental impact statement prepared by the National Park Service for the plan required under section 3(b)(2) of Public Law 100–91 shall have broader application or be given deference beyond the application of such Act.

(c) CONVERSION TO QUIET TECHNOLOGY AIRCRAFT.—

(1) IN GENERAL.—Not later than 15 years after the date of the enactment of this Act, all commercial air tour aircraft operating in the Grand Canyon National Park Special Flight Rules Area shall be required to fully convert to quiet aircraft technology (as determined in accordance with regulations in effect on the day before the date of the enactment of this Act).

(2) CONVERSION INCENTIVES.—Not later than 60 days after the date of the enactment of this Act, the Director of the National Park Service and the Administrator of the Federal Aviation Administration shall provide incentives for commercial air tour operators that convert to quiet aircraft technology (as determined in accordance with the regulations in effect on the day before the date of the enactment of this Act) before the date specified in paragraph (1), such as increasing the flight allocations for such operators on a net basis consistent with section 804 of the National Park Air Tours Management Act of 2000 (title VIII of Public Law 106–181).

(d) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the National Academy of Sciences shall conduct a review of the National Park Service's noise impact criteria and noise thresholds, and the mitigating impact of quiet technology aircraft in existence on the date of the enactment of this Act on the outdoor environment of Grand Canyon National Park.

SA 1670. Mr. CARPER (for himself, Mr. KIRK, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway

safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 469, after line 22, add the following:

SEC. 15___. REMOVAL OF FEDERAL PROGRAM LIMITATIONS.

(a) INNOVATIVE SURFACE TRANSPORTATION FINANCING METHODS.—

(1) VALUE PRICING PILOT PROGRAM.—Section 1012(b)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 149 note; 105 Stat. 1938) is amended in the second sentence by striking ''as many as 15 such State or local governments or public authorities'' and inserting ''States, local governments, and public authorities''.

(2) INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—Section 1216(b)(2) of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note; 112 Stat. 212) is amended—

(A) in the first sentence, by striking ''3'' and inserting ''10''; and

(B) by striking the second sentence.

(b) EXPRESS LANES DEMONSTRATION PROGRAM.—Section 1604(b)(2) of the SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1250) is amended in the matter preceding subparagraph (A)—

(1) by striking ''15''; and

(2) by striking ''2005 through 2009'' and inserting ''2012 through 2013''.

(c) INTERSTATE SYSTEM CONSTRUCTION TOLL PILOT PROGRAM.—Section 1604(c) of the SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1253) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (9) and (1) as paragraphs (1) and (2), respectively; and

(3) in paragraph (8), by striking ''the date of enactment of this Act'' and inserting ''the date of enactment of the MAP–21''.

SA 1671. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 141, lines 17 and 18, strike ''day before the date of enactment of the MAP-21,'' and insert ''date on which the eligible entity enters into a prime contract or agreement with a State to carry out a covered highway construction project (as defined in section 330(b)(2)),''.

On page 152, strike line 22 and insert the following:

''achieve the objectives of that section and ensure that the bid proceeding and award of the contract for any covered highway construction project carried out under that section will be—

''(I) made without regard to the particulate matter emission levels of the fleet of the eligible entity; and

''(II) consistent with existing requirements for full and open competition under section 112.

On page 443, strike lines 16 through 19 and insert the following:

''not meet current model year new engine standards for particulate matter for the applicable engine power group issued by the Environmental Protection Agency, on a covered highway construction project

On page 444, line 17, strike ''or''.

On page 444, at the end of line 19, insert ''or''.

On page 444, strike lines 18 through 20 and insert the following:

''(iv) an idle reduction control technology; or

''(v) any combination of the technologies listed in clauses (i) through (iv);

''(B) reduces particulate matter emission from covered''.

On page 446, strike lines 3 through 5 and insert the following:

''(C) EXCLUSIONS.—The term 'nonroad diesel equipment' does not include—

''(i) a locomotive or marine vessel; or

''(ii) any project with a total budgeted cost not to exceed $5,000,000 (which, notwithstanding any other provision of this section, may be excluded from the requirement to comply with this section by an applicable State or metropolitan planning organization).

On page 446, strike line 19 and insert the following:

''(c) CRITERIA ELIGIBLE ACTIVITIES.—For purposes of subsection (b)(3)(A):

On page 446, line 25, strike ''non-road'' and insert ''nonroad''.

On page 447, line 1, strike ''non-road'' and insert ''nonroad''.

On page 447, lines 4 through 5, strike ''day before the date of enactment of the MAP-21; and'' and insert ''date on which the eligible entity enters into a prime contract or agreement with a State to carry out a covered highway construction project; and''.

On page 447, strike line 10 and insert the following:

duction in particulate matter.

On page 447, line 14, insert ''or remanufactured'' after ''new''.

On page 447, line 16, strike ''non-road'' and insert ''nonroad''.

On page 447, line 17, strike ''non-road'' and insert ''nonroad''.

On page 447, lines 20 through 21, strike ''day before the date of enactment of the MAP-21; and'' and insert ''date on which the eligible entity enters into a prime contract or agreement with a State to carry out a covered highway construction project; and''.

On page 448, strike line 2 and insert the following:

particulate matter.

On page 448, line 4, strike ''on'' and insert ''using''.

On page 448, strike lines 8 through 14 and insert the following:

the condition that the replaced engine is returned to the supplier for remanufacturing to a more stringent set of engine emissions standards or for use as scrap; and.

On page 448, strike lines 15 through 20 and insert the following:

''(B) certified by the engine manufacturer as meeting a more stringent engine particulate matter emission standard for the applicable engine power group established by the Environmental Protection Agency than the engine particulate matter emission standard applicable to the replaced engine.

On page 449, line 2, strike ''non-road'' and insert ''nonroad''.

On page 449, line 3, strike ''non-road'' and insert ''nonroad''.

On page 449, lines 6 and 7, strike ''day before the date of enactment of the MAP-21; and'' and insert ''date on which the eligible entity enters into a prime contract or agreement with a State to carry out a covered highway construction project; and''.

On page 449, strike line 12 and insert the following:

''duction in particulate matter.

''(d) ELIGIBILITY FOR CREDITS.—

''(1) IN GENERAL.—A State may take credit in a State implementation plan for national ambient air quality standards for any emission reductions that result from the implementation of this section.

''(2) CREDITING.—An emission reduction described in paragraph (1) may be credited toward demonstrating conformity of State implementation plans and transportation plans.''.

On page 449, line 18, strike ''21 years'' and insert ''1 year''.

SA 1672. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 180, strike lines 17 through 23 and insert the following:

''(4) OTHER ELIGIBLE COSTS.—In addition to eligible project costs, a State may use funds apportioned under section 104(b)(5) for the necessary costs of—

''(A) conducting analyses and data collection;

''(B) developing and updating performance targets;

''(C) reporting to the Secretary to comply with subsection (i); or

''(D) carrying out diesel retrofits or alternative fuel projects defined under section 149 for class 8 vehicles.

On page 185, strike lines 3 and 4 and insert the following:

''(ii) the total freight tonnage and value of freight moved by all modes of transportation;

On page 186, line 10, strike ''or''.

On page 186, line 18, strike the period and insert ''; or''.

On page 186, between lines 18 and 19, insert the following:

''(3) carries a high volume of freight, as measured by total freight tonnage or total value of freight, compared to other rural roads in the State.

On page 187, strike lines 5 through 7 and insert the following:

''(B) an identification of highway bottlenecks on the national freight network that create significant freight congestion problems, based on a quantitative methodology developed by the Secretary for calculating the national economic significance of highway bottlenecks on the national freight network;

SA 1673. Mr. LEAHY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TRANSIT-ORIENTED CAR SHARING PROJECTS.

Section 5302 of title 49, United States Code, as amended by this Act, is amended—

(1) in paragraph (3)—

(A) in subparagraph (K)(ii), by striking ''or'' at the end;

(B) in subparagraph (L)(ii), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(M) transit-oriented car sharing.'';

(2) by redesignating paragraphs (20) and (21) as paragraphs (21) and (22), respectively; and

(3) by inserting after paragraph (19) the following:

''(20) TRANSIT-ORIENTED CAR SHARING.—The term 'transit-oriented car sharing', when used with respect to a project, means a project that—

''(A) is designed—

''(i) to achieve local, community-based environmental and social objectives by acquiring or contracting for equipment or a facility for use in providing cars through a membership based service that is available to all qualified drivers in a community, including expenses incidental to such acquisition and to the marketing of the service (including vehicle acquisition, insurance, and acquiring parking facilities);

''(ii) for use during a short time and for short-distance trips; and

''(iii) as an extension of a public transportation system;

''(B) provides accessible, low-cost vehicles serving many types of individuals; and

''(C) is transit-oriented and promotes walking, biking, and public transportation as primary methods of transportation.''.

SA 1674. Mr. CASEY (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 585, strike line 22 and all that follows through page 586, line 4, and insert the following:

''(1) defines a recommended implementation path for dedicated short-range communications technology and applications;

''(2) includes guidance on the relationship of the proposed deployment of dedicated short-range communications to the National ITS Architecture and ITS Standards; and

''(3) ensures competition by not preferencing the use of any particular frequency for vehicle to infrastructure operations.

SA 1675. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 491, strike lines 5 through 8 and insert the following:

''(XVII) studies on the effectiveness of fiber-based additives to improve the durability of surface transportation materials in various geographic regions

''(XVIII) studies of infrastructure resilience and other adaptation measures; and

''(XIX) maintenance of seismic

SA 1676. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 435, strike line 22 and all that follows through page 437, line 10, and insert the following:

(2) by striking subsection (e) and inserting the following:

''(e) EMERGENCY RELIEF.—The Federal share payable for any repair or reconstruction provided for by funds made available under section 125 for any project on a Federal-aid highway, including the Interstate System, shall not exceed the Federal share payable on a project on the system as provided in subsections (a) and (b), except that—

''(1) the Federal share payable for eligible emergency repairs to minimize damage, protect facilities, or restore essential traffic accomplished within 180 days after the actual occurrence of the natural disaster or catastrophic failure may amount to 100 percent of the cost of the repairs;

''(2) the Federal share payable for any repair or reconstruction of Federal land transportation facilities and tribal transportation facilities may amount to 100 percent of the cost of the repair or reconstruction;

''(3) the Secretary shall extend the time period in paragraph (1) taking into consideration any delay in the ability of the State to access damaged facilities to evaluate damage and the cost of repair; and

''(4) the Federal share payable for eligible permanent repairs to restore damaged facilities to predisaster condition may amount to 100 percent of the cost of the repairs if the eligible expenses incurred by the State due to natural disasters or catastrophic failures in a Federal fiscal year exceeds the annual apportionment of the State under section 104 for the fiscal year in which the disasters or failures occurred.'';

SA 1677. Mr. SANDERS (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 469, after line 22, insert the following:

SEC. 15____. WEATHERIZATION ASSISTANCE PROGRAM FOR LOW-INCOME PERSONS FORMULA.

Notwithstanding the Consolidated Appropriations Act, 2012 (Public Law 112–74) or any amendment made by that Act, the Secretary of Energy shall distribute amounts allocated for the Weatherization Assistance Program for Low-Income Persons established under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.) for fiscal year 2012 in accordance with the allocation formula in section 414(a) of that Act (42 U.S.C. 6864(a)) (as in effect on the day before the date of enactment of the Consolidated Appropriations Act, 2012 (Public Law 112–74)).

SA 1678. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. OPERATING COST OF EQUIPMENT AND FACILITIES FOR PUBLIC TRANSPORTATION SYSTEMS THAT OPERATE FEWER THAN 50 BUSES.

Section 5307(a)(2) of title 49, United States Code, as amended by this Act, is amended—

(1) in subparagraph (A), by striking ''75 or fewer'' and inserting ''a minimum of 50 buses and a maximum of 75'';

(2) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(3) by inserting before subparagraph (B), as so redesignated, the following:

''(A) for public transportation systems that operate fewer than 50 buses during peak service hours, in an amount not to exceed 100 percent of the share of the apportionment which is attributable to such systems within the urbanized area, as measured by vehicle revenue hours;''.

SA 1679. Mrs. SHAHEEN (for herself, Ms. MURKOWSKI, Ms. COLLINS, Mr. LEVIN, Ms. KLOBUCHAR, Mr. SANDERS, Mr. BEGICH, Mr. LEAHY, and Ms. STABENOW) submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 264, strike line 23 and all that follows through page 267, line 9, and insert the following:

''(5) SPECIAL RULES FOR SMALL METROPOLITAN PLANNING ORGANIZATIONS.—

''(A) IN GENERAL.—Subject to subparagraph (B), a metropolitan planning organization subject to this section and chapter 53 of title 49 (as in effect on the day before the date of enactment of the MAP-21) shall continue to be designated as a metropolitan planning organization subject to this section (as amended by that Act) if the metropolitan planning organization—

''(i) serves an urbanized area; and

''(ii) the population of the urbanized area is more than 50,000 individuals and less than 200,000 individuals.

''(B) EXCEPTION.—Subparagraph (A) shall not apply if the Governor and units of general purpose local government—

''(i) agree to terminate the designation described in subparagraph (A); and

''(ii) together represent at least 75 percent of the population described in subparagraph (A)(ii), based on the latest available decennial census conducted under section 141(a) of title 13, United States Code.

''(C) TREATMENT.—A metropolitan planning organization described in subparagraph (A) shall be treated, for purposes this section and chapter 53 of title 49 as a metropolitan planning organization that is subject to this section (as amended by the MAP-21).

On page 267, line 10, strike ''(8)'' and insert ''(6)''.

SA 1680. Mr. BINGAMAN (for himself, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 45, between lines 3 and 4, insert the following:

''(C) FURTHER ADJUSTMENT FOR PRIVATIZED HIGHWAYS.—

''(i) DEFINITION OF PRIVATIZED HIGHWAY.—In this subparagraph:

''(I) IN GENERAL.—The term 'privatized highway' means a highway that was formerly a publically operated toll road that is subject to an agreement giving a private entity—

''(aa) control over the operation of the highway; and

''(bb) ownership over the toll revenues collected from the operation of the highway.

''(II) EXCLUSION.—The term 'privatized highway' does not include any highway or toll road that was originally—

''(aa) financed and constructed using private funds; and

''(bb) operated by a private entity.

''(ii) ADJUSTMENT.—After making the adjustments to the apportionment of a State under subparagraphs (A) and (B), the Secretary shall further adjust the amount to be apportioned to the State by reducing the apportionment by an amount equal to the product obtained by multiplying—

''(I) the amount to be apportioned to the State, as so adjusted under those subparagraphs; and

''(II) the percentage described in clause (iii).

''(iii) PERCENTAGE.—The percentage referred to in clause (ii) is the percentage equal to the sum obtained by adding—

''(I) the product obtained by multiplying—

''(aa) ½; and

''(bb) the proportion that—

''(AA) the total number of lane miles on privatized highway lanes on National Highway System routes in a State; bears to

''(BB) the total number of all lane miles on National Highway System routes in the State; and

''(II) the product obtained by multiplying—

''(aa) ½; and

''(bb) the proportion that—

''(AA) the total number of vehicle miles traveled on privatized highway lanes on National Highway System routes in the State; bears to

''(BB) the total number of vehicle miles traveled on all lanes on National Highway System routes in the State.

SA 1681. Ms. COLLINS (for herself, Mr. BROWN of Massachusetts, Mr. LEVIN, Mr. KYL, Mr. AKAKA, and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. STUDY OF HEALTH EFFECTS OF BACKSCATTER X-RAY MACHINES.

(a) IN GENERAL.—The Under Secretary for Science and Technology in the Department of Homeland Security shall provide for the conduct of an independent study of the effects on human health caused by the use of backscatter x-ray machines at airline checkpoints operated by the Transportation Security Administration.

(b) REQUIREMENTS FOR STUDY.—

(1) CONDUCT.—The study required under subsection (a) shall be—

(A) initiated not later than 90 days after the date of the enactment of this Act;

(B) conducted by an independent laboratory selected by the Under Secretary, in consultation with the National Science Foundation, from among laboratories with expertise in the conduct of similar studies; and

(C) to the maximum extent practicable, consistent with standard evaluations of radiological medical equipment.

(2) TESTING EQUIPMENT.—In conducting the study, the laboratory shall, to the maximum extent practicable—

(A) use calibration testing equipment developed by the laboratory for purposes of study; and

(B) use commercially-available calibration testing equipment as a control.

(3) ELEMENTS.—In conducting the study, the laboratory shall, to the maximum extent practicable and consistent with recognized protocols for independent scientific testing—

(A) dismantle and evaluate one or more backscatter x-ray machine used at airline checkpoints operated by the Transportation Security Administration in order to determine—

(i) the placement of testing equipment so that radiation emission readings during the testing of such machines are as accurate as possible; and

(ii) how best to measure the dose emitted per scan;

(B) determine the failure rates and effects of use of such machines;

(C) include the use of alternative testing methods in the determination of levels of radiation exposure (such as an examination of enzyme levels after x-ray exposure to determine if there is a biological response to cellular damage caused by such an exposure);

(D) assess the fail-safe mechanisms of such machines in order to determine the optimal operating efficacy of such machines;

(E) ensure that any tests performed are replicable;

(F) obtain peer review of any tests performed; and

(G) meet such other requirements as the Under Secretary shall specify for purposes of the study.

(4) REPORT.—

(A) EVALUATION.—The Under Secretary shall provide for an independent panel, in consultation with the National Science Foundation, with expertise in conducting similar evaluations, to evaluate the data collected under the study to assess the health risks posed by backscatter x-ray machines to individuals and groups of people screened or affected by such machines, including—

(i) frequent air travelers;

(ii) employees of the Transportation Security Administration;

(iii) flight crews;

(iv) other individuals who work at an airport; and

(v) individuals with greater sensitivity to radiation, such as children, pregnant women, the elderly, and cancer patients.

(B) CONSIDERATIONS.—In conducting the evaluation under subparagraph (A), the panel shall—

(i) conduct a literature review of relevant clinical and academic literature; and

(ii) consider the risk of backscatter x-ray technology from a public health perspective in addition to the individual risk to each airline passenger.

(C) REPORTS.—

(i) PROGRESS REPORTS.—Not later than 90 days after the date of the enactment of this Act, and periodically thereafter until the final report is submitted pursuant to clause (ii), the Under Secretary shall submit a report to Congress that contains the preliminary findings of the study conducted under this subsection.

(ii) FINAL REPORT.—Not later than 90 days after the date on which the panel completes the evaluation required under this paragraph, the Under Secretary shall submit a report to Congress that contains the result of the study and evaluation conducted under this subsection.

(c) SIGNAGE REQUIREMENT RELATING TO BACKSCATTER X-RAY MACHINES.—The Administrator of the Transportation Security Administration shall ensure that large, easily readable signs or equivalent electronic displays are placed at the front of airline passenger check point queues where backscatter advanced imaging technology machines are used for screening to inform airline passengers, particularly passengers who may be sensitive to radiation exposure, that they may request to undergo alternative screening procedures instead of passing through a backscatter x-ray machine.

SA 1682. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 128, line 9, strike ''(2)'' and insert the following:

''(2) PRIORITY PROJECTS.—In selecting projects under paragraph (1), priority shall be given to projects that address safety improvement in areas with a high number of pedestrian accidents.

''(3)

SA 1683. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 157, line 8, strike ''reduction''.

SA 1684. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 602, between lines 3 and 4, insert the following:

''(3) COTERMINUS OBLIGATIONS.—Since a secured loan under section 603 constitutes Federal aid under this title, the obligations set forth in section 129 shall be coterminus with the successful repayment of such loan.

SA 1685. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AUTHORIZATION OF LOCAL RESIDENTIAL OR COMMUTER TOLL, USER FEE, OR FARE DISCOUNT PROGRAMS.

(a) PURPOSE.—The purpose of this section is to expressly authorize the establishment of programs that offer discounted transportation tolls, user fees, and fares for residents in specific geographic areas, as necessary or appropriate.

(b) AUTHORITY TO PROVIDE RESIDENTIAL OR COMMUTER TOLL, USER FEE, OR FARE DISCOUNT PROGRAMS.—

(1) IN GENERAL.—States, counties, municipalities, and multi-jurisdictional transportation authorities that operate or manage roads, highways, bridges, railroads, busses, ferries, or other transportation systems are authorized to establish programs that offer discounted transportation tolls, user fees, or other fares for residents of specific geographic areas in order to reduce or alleviate toll burdens imposed upon such residents.

(2) RETROACTIVE APPLICABILITY.—The authority set forth in paragraph (1) shall apply to residential or commuter toll, user fee, and fare discount programs established before, on, or after the date of the enactment of this Act.

(c) RULEMAKING WITH RESPECT TO THE STATE, LOCAL, OR AGENCY PROVISION OF TOLL, USER FEE, OR FARE DISCOUNT PROGRAMS TO LOCAL RESIDENTS OR COMMUTERS.—States, counties, municipalities, and multi-jurisdictional transportation authorities that operate or manage roads, highways, bridges, railroads, busses, ferries, or other transportation systems are authorized to enact such rules or regulations that may be necessary to establish the programs authorized under subsection (b).

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit or otherwise interfere with the authority, as of the date of the enactment of this Act, of States, counties, municipalities, and multi-jurisdictional transportation authorities that operate or manage roads, highways, bridges, railroads, busses, ferries, or other transportation systems.

SA 1686. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I of division C, add the following:

SEC. 31115. MAXIMUM HOUR REQUIREMENTS.

Section 13(b)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(b)(1)) is amended by inserting before the semicolon the following: '', except a driver of an 'over-the-road bus' (as defined in section 3038(a)(3) of the Transportation Equity Act for the 21st Century (Public Law 105–178; 49 U.S.C. 5310 note))''.

SA 1687. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISCLOSURE OF SAFETY PERFORMANCE RATINGS OF MOTORCOACH SERVICES AND OPERATIONS.

(a) IN GENERAL.—Subchapter I of chapter 141 of title 49, United States Code, is amended by adding at the end the following:

''§ 14105. Safety performance ratings of motorcoach services and operations

''(a) DEFINITIONS.—In this section:

''(1) MOTORCOACH.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'motorcoach' has the meaning given to the term 'over-the-road bus' in section 3038(a)(3) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note).

''(B) INCLUSIONS AND EXCLUSIONS.—The term 'motorcoach'—

''(i) includes a motor vehicle used to transport passengers that has a gross vehicle weight of at least 10,001 pounds; and

''(ii) does not include—

''(I) a bus used in public transportation that is provided by a State or local government; or

''(II) a school bus (as defined in section 30125(a)(1)), including a multifunction school activity bus.

''(2) MOTORCOACH SERVICES AND OPERATIONS.—The term 'motorcoach services and operations' means passenger transportation by a motorcoach for compensation.

''(b) RULEMAKING.—

''(1) IN GENERAL.—Not later than 1 year after the date on which the safety fitness determination rule is implemented, the Secretary shall require, by regulation—

''(A) each motor carrier that owns or leases 1 or more motorcoaches that transport passengers subject to the Secretary's jurisdiction under section 13501 to display prominently in each terminal of departure, on the motorcoach if the motorcoach does not depart from a terminal, and at all points of sale for such motorcoach services and operations, a simple and understandable letter grade rating system that allows motorcoach passengers to compare the safety performance of motorcoach operators; and

''(B) any person who sells tickets for motorcoach services and operations to display the letter grade rating system described in subparagraph (A) at all points of sale for such motorcoach services and operations.

''(2) ITEMS INCLUDED IN THE RULEMAKING.—In promulgating safety performance ratings for motorcoaches pursuant to the rulemaking required under paragraph (1), the Secretary shall consider—

''(A) the frequency with which safety performance ratings will be assigned and updated, which updates shall take place at least once per year;

''(B) the specific data elements and sources of information to be utilized in establishing and updating safety performance ratings for motorcoaches;

''(C) the need and extent to which safety performance ratings should be made available in languages other than English; and

''(D) penalties authorized under section 521.

''(3) INSUFFICIENT INSPECTIONS.—Any motor carrier for which insufficient safety data is available shall display a label warning of such insufficiency.

''(c) EFFECT ON STATE AND LOCAL LAW.—Nothing in this section may be construed to preempt a State, or a political subdivision of a State, from enforcing any requirements concerning the manner and content of consumer information provided by motor carriers that are not subject to the Secretary's jurisdiction under section 13501.''.

(b) CLERICAL AMENDMENT.—The analysis of chapter 141 of title 49, United States Code, is amended by inserting after the item relating to section 14104 the following:

''Sec. 14105. Safety performance ratings of motorcoach services and operations.''.

SA 1688. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CONTROLLING HELICOPTER NOISE POLLUTION IN RESIDENTIAL AREAS.

(a) RULEMAKING WITH RESPECT TO REDUCING HELICOPTER NOISE POLLUTION.—

(1) NEW YORK NORTH SHORE HELICOPTER ROUTE.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule in Docket No. FAA-2010-0302 (The New York North Shore Helicopter Route), without additional notice and comment. The final rule shall include—

(A) a requirement for helicopter operators to utilize the North Shore route, as charted, when operating in that area of Long Island, New York;

(B) a requirement for helicopter operations to enter and exit the west terminus of North Shore Helicopter Route over water at VPROK;

(C) appropriate safeguards for safety and operational necessity, including safeguards to avoid adverse effects on the safe and efficient use and management of the national airspace system; and

(D) penalties for failing to comply with the requirements described in subparagraph (A).

(2) LONG ISLAND SOUTH SHORE ROUTE.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a notice of proposed rulemaking to address helicopter noise on the South Shore of Long Island, New York. The proposed rule shall include—

(A) a requirement for helicopter operators to utilize the South Shore route, as charted, when operating in that area of Long Island, New York;

(B) an expansion of the existing route to include linkage east of Orient and Montauk Points to the North Shore Helicopter Route remaining over water;

(C) appropriate safeguards for safety and operational necessity, including safeguards to avoid adverse effects on the safe and efficient use and management of the national airspace system; and

(D) penalties for failing to comply with the requirements described in subparagraph (A).

(3) LOS ANGELES COUNTY FLIGHT PATHS.—Not later than 2 years after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall prescribe regulations for helicopter operations in Los Angeles County, California, that include requirements relating to the flight paths and altitudes associated with such operations to reduce helicopter noise pollution in residential areas, increase safety, and minimize commercial aircraft delays.

(b) EXCEPTIONS FOR EMERGENCY, LAW ENFORCEMENT, BROADCASTING AND MILITARY HELICOPTERS.—The rules required under subsection (a) shall provide exceptions for helicopter activity related to emergency, law enforcement, broadcast news gathering, or military activities..

(c) COMPLIANCE MONITORING.—For the 24 month period following the completion of the rulemakings required in subsection (a), the Administrator of the Federal Aviation Administration shall monitor compliance with the rulemakings required under subsection (a). This monitoring shall include both the route and altitude of helicopter operations.

(d) CONSULTATIONS.—In prescribing the regulations under subsection (a)(3), the Administrator of the Federal Aviation Administration shall make reasonable efforts to consult with local communities and local helicopter operators in order to develop regulations that meet the needs of local communities, helicopter operators, and the Federal Aviation Administration.

(e) REPORT TO CONGRESS.—Within 60 days of the conclusion of the compliance monitoring required in subsection (c), the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes, at minimum—

(1) the compliance rate of helicopter operations;

(2) the average altitude of helicopter operations;

(3) a comparison of North Shore and South Shore route use;

(4) analysis of season, time and day use of the helicopter operations; and

(5) analysis of impact to commercial aircraft arrival and departure flows.

SA 1689. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INTEROPERABILITY OF ELECTRONIC TOLL COLLECTION SYSTEMS.

(a) DEFINITIONS.—In this section:

(1) DEMONSTRATION PROGRAM AREA.—The term ''demonstration program area'' means the toll transportation facilities that are affiliated with the E-ZPass Interagency Group or located in States through which Interstate Highway 95 passes.

(2) ELECTRONIC TOLL COLLECTION.—the term ''electronic toll collection'' means the collection of tolls based on the identification and classification of vehicles through electronic systems.

(b) DEMONSTRATION PROGRAM.—Not later than 5 years after the date of the enactment of this Act, the operator of any electronic toll collection facility in the demonstration program area shall implement policies and procedures to enable customers with accounts in good standing with any other electronic toll collection system to electronically pass through its toll facilities within the demonstration program area.

(c) INTEROPERABLE ELECTRONIC TOLL COLLECTION SYSTEM.—Not later than 10 years after the date of the enactment of this Act, the operators of all toll transportation facilities located on highways constructed or maintained with financial assistance from the Highway Trust Fund shall jointly implement a comprehensive interoperable electronic toll collection system that—

(1) promotes interstate commerce;

(2) enhances public safety;

(3) improves mobility; and

(4) protects the environment.

SA 1690. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 403(b)(1) of title 23, United States Code, as amended by section 31103 of this bill, strike subparagraph (D) and insert the following:

''(D) the development of technologies to detect drug impaired drivers; and

''(E) the effect of State laws on any aspects, activities, or programs described in subparagraphs (A) through (D).

SA 1691. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 487, line 12, insert ''and bridge'' after ''highway''.

On page 489, line 22, insert ''and bridge'' after ''highway''.

SA 1692. Mr. WYDEN (for himself, Mr. HOEVEN, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CREDIT TO HOLDERS OF TRIP BONDS.

(a) SHORT TITLE.—This section may be cited as the ''Transportation and Regional Infrastructure Project Bonds Act of 2012'' or ''TRIP Bonds Act''.

(b) IN GENERAL.—Subpart I of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 54G. TRIP BONDS.

''(a) TRIP BOND.—For purposes of this subpart, the term 'TRIP bond' means any bond issued as part of an issue if—

''(1) 100 percent of the available project proceeds of such issue are to be used for expenditures incurred after the date of the enactment of this section for 1 or more qualified projects pursuant to an allocation of such proceeds to such project or projects by a State infrastructure bank,

''(2) the bond is issued by a State infrastructure bank and is in registered form (within the meaning of section 149(a)),

''(3) the State infrastructure bank designates such bond for purposes of this section,

''(4) the term of each bond which is part of such issue does not exceed 30 years,

''(5) the issue meets the requirements of subsection (e),

''(6) the State infrastructure bank certifies that the State meets the State contribution requirement of subsection (h) with respect to such project, as in effect on the date of issuance, and

''(7) the State infrastructure bank certifies the State meets the requirement described in subsection (i).

''(b) QUALIFIED PROJECT.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified project' means the capital improvements to any transportation infrastructure project of any governmental unit or other person, including roads, bridges, rail and transit systems, ports, and inland waterways proposed and approved by a State infrastructure bank, but does not include costs of operations or maintenance with respect to such project.

''(2) CERTAIN FEDERAL PROJECTS.—Such term may include the Federal share or portion thereof, of a congressionally authorized project where all environmental studies have been completed and the United States Army Corps of Engineers Chief's Report has been completed successfully.

''(c) APPLICABLE CREDIT RATE.—In lieu of section 54A(b)(3), for purposes of section 54A(b)(2), the applicable credit rate with respect to an issue under this section is the rate equal to an average market yield (as of the day before the date of sale of the issue) on outstanding long-term corporate debt obligations (determined in such manner as the Secretary prescribes).

''(d) LIMITATION ON AMOUNT OF BONDS DESIGNATED.—

''(1) IN GENERAL.—The maximum aggregate face amount of bonds which may be designated under subsection (a) by any State infrastructure bank shall not exceed the TRIP bond limitation amount allocated to such bank under paragraph (3).

''(2) NATIONAL LIMITATION AMOUNT.—There is a TRIP bond limitation amount for each calendar year. Such limitation amount is—

''(A) $10,000,000,000 for 2013,

''(B) $15,000,000,000 for 2014, and

''(C) except as provided in paragraph (4), zero thereafter.

''(3) ALLOCATIONS TO STATES.—The TRIP bond limitation amount for each calendar year shall be allocated by the Secretary among the States such that each State is allocated 2 percent of such amount.

''(4) CARRYOVER OF UNUSED ISSUANCE LIMITATION.—If for any calendar year the TRIP bond limitation amount under paragraph (2) exceeds the amount of TRIP bonds issued during such year, such excess shall be carried forward to 1 or more succeeding calendar years as an addition to the TRIP bond limitation amount under paragraph (2) for such succeeding calendar year and until used by issuance of TRIP bonds.

''(e) SPECIAL RULES RELATING TO EXPENDITURES.—

''(1) IN GENERAL.—An issue shall be treated as meeting the requirements of this subsection if, as of the date of issuance, the State infrastructure bank reasonably expects—

''(A) at least 100 percent of the available project proceeds of such issue are to be spent for 1 or more qualified projects within the 5-year expenditure period beginning on such date,

''(B) to incur a binding commitment with a third party—

''(i) to spend at least 10 percent of the proceeds of such issue, or

''(ii) to commence construction,

with respect to such projects within the 12-month period beginning on such date, and

''(C) to proceed with due diligence to complete such projects and to spend the proceeds of such issue.

''(2) RULES REGARDING CONTINUING COMPLIANCE AFTER 5-YEAR DETERMINATION.—To the extent that less than 100 percent of the available project proceeds of such issue are expended by the close of the 5-year expenditure period beginning on the date of issuance, the State infrastructure bank shall redeem all of the nonqualified bonds within 90 days after the end of such period. For purposes of this paragraph, the amount of the nonqualified bonds required to be redeemed shall be determined in the same manner as under section 142.

''(f) RECAPTURE OF PORTION OF CREDIT WHERE CESSATION OF COMPLIANCE.—If any bond which when issued purported to be a TRIP bond ceases to be such a bond, the State infrastructure bank shall pay to the United States (at the time required by the Secretary) an amount equal to the sum of—

''(1) the aggregate of the credits allowable under section 54A with respect to such bond (determined without regard to section 54A(c)) for taxable years ending during the calendar year in which such cessation occurs and each succeeding calendar year ending with the calendar year in which such bond is redeemed by the bank, and

''(2) interest at the underpayment rate under section 6621 on the amount determined under paragraph (1) for each calendar year for the period beginning on the first day of such calendar year.

''(g) TRIP BONDS TRUST ACCOUNTS.—

''(1) IN GENERAL.—The following amounts shall be held in a TRIP Bonds Trust Account by each State infrastructure bank:

''(A) The proceeds from the sale of all bonds issued by such bank under this section.

''(B) The investment earnings on proceeds from the sale of such bonds.

''(C) 2 percent of the amount described in paragraph (2).

''(D) The amounts described in subsection (h).

''(E) Any earnings on any amounts described in subparagraph (A), (B), (C), or (D).

''(2) APPROPRIATION OF REVENUES.—There is hereby transferred to each TRIP Bonds Trust Account an amount equal to 2 percent of the lesser of—

''(A) the revenues resulting from the imposition of fees pursuant to section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) for fiscal years beginning after September 30, 2021, or

''(B) $25,000,000,000.

''(3) USE OF FUNDS.—Amounts in each TRIP Bonds Trust Account may be used only to pay costs of qualified projects and redeem TRIP bonds, except that amounts withdrawn from the TRIP Bonds Trust Account to pay costs of qualified projects may not exceed the proceeds from the sale of TRIP bonds described in subsection (a)(1).

''(4) USE OF REMAINING FUNDS IN TRIP BONDS TRUST ACCOUNT.—Upon the redemption of all TRIP bonds issued by the State infrastructure bank under this section, any remaining amounts in the TRIP Bonds Trust Account held by such bank shall be available to pay the costs of any qualified project in such State.

''(5) APPLICABILITY OF FEDERAL LAW.—The requirements of any Federal law, including titles 23, 40, and 49 of the United States Code, which would otherwise apply to projects to

which the United States is a party or to funds made available under such law and projects assisted with those funds shall apply to—

''(A) funds made available under each TRIP Bonds Trust Account for similar qualified projects, other than contributions required under subsection (h), and

''(B) similar qualified projects assisted through the use of such funds.

''(6) INVESTMENT.—Subject to subsections (e) and (f), it shall be the duty of the State infrastructure bank to invest in investment grade obligations such portion of the TRIP Bonds Trust Account held by such Bank as is not, in the judgment of such bank, required to meet current withdrawals. To the maximum extent practicable, investments should be made in securities that support infrastructure investment at the State and local level.

''(h) STATE CONTRIBUTION REQUIREMENTS.—

''(1) IN GENERAL.—For purposes of subsection (a)(6), the State contribution requirement of this subsection is met with respect to any qualified project if the State infrastructure bank has received for deposit into the TRIP Bonds Trust Account held by such bank from 1 or more States, not later than the date of issuance of the bond, the first of 10 equal annual installments constituting one-tenth of the contributions of not less than 20 percent (or such smaller percentage as determined under title 23, United States Code, for such State) of the cost of the qualified project.

''(2) STATE CONTRIBUTIONS MAY NOT INCLUDE FEDERAL FUNDS.—For purposes of this subsection, State contributions shall not be derived, directly or indirectly, from Federal funds, including any transfers from the Highway Trust Fund under section 9503.

''(i) UTILIZATION OF UPDATED CONSTRUCTION TECHNOLOGY FOR QUALIFIED PROJECTS.—For purposes of subsection (a)(7), the requirement of this subsection is met if the appropriate State agency relating to the qualified project is utilizing updated construction technologies.

''(j) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) STATE INFRASTRUCTURE BANK.—

''(A) IN GENERAL.—The term 'State infrastructure bank' means a State infrastructure bank established under section 610 of title 23, United States Code, and includes a joint venture among 2 or more State infrastructure banks.

''(B) SPECIAL AUTHORITY.—Notwithstanding any other provision of law, a State infrastructure bank shall be authorized to perform any of the functions necessary to carry out the purposes of this section, including the making of direct grants to qualified projects from available project proceeds of TRIP bonds issued by such bank.

''(2) CREDITS MAY BE TRANSFERRED.—Nothing in any law or rule of law shall be construed to limit the transferability of the credit or bond allowed by this section through sale and repurchase agreements.

''(3) PROHIBITION ON USE OF HIGHWAY TRUST FUND.—Notwithstanding any other provision of law, no funds derived from the Highway Trust Fund established under section 9503 shall be used to pay for credits under this section.''.

(c) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 54A(d) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''or'' at the end of subparagraph (D),

(B) by inserting ''or'' at the end of subparagraph (E),

(C) by inserting after subparagraph (E) the following new subparagraph:

''(F) a TRIP bond,'', and

(D) by inserting ''(paragraphs (3), (4), and (6), in the case of a TRIP bond)'' after ''and (6)''.

(2) Subparagraph (C) of section 54A(d)(2) 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 '', and'', and by adding at the end the following new clause:

''(vi) in the case of a TRIP bond, a purpose specified in section 54G(a)(1).''.

(d) CLERICAL AMENDMENT.—The table of sections for subpart I of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 54G. TRIP bonds.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after December 31, 2012.

(f) EXTENSION OF CUSTOMS USER FEES.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by adding at the end the following:

''(E)(i) Notwithstanding subparagraph (A), fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on October 1, 2021, and ending on October 1, 2029.

''(ii) Notwithstanding subparagraph (B)(i), fees may be charged under paragraphs (1) through (8) of subsection (a) during the period beginning on October 1, 2021, and ending on October 1, 2029.''.

SA 1693. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 4 and all that follows through the end of the bill and, at the appropriate place, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Transportation Empowerment Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States;

(2) that objective has been attained, and the Interstate System connecting all States is near completion;

(3) each State has the responsibility of providing an efficient transportation network for the residents of the State;

(4) each State has the means to build and operate a network of transportation systems, including highways, that best serves the needs of the State;

(5) each State is best capable of determining the needs of the State and acting on those needs;

(6) the Federal role in highway transportation has, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the Federal Government's perceptions of what is best for the States;

(7) the Federal Government has used the Federal motor fuels tax revenues to force all States to take actions that are not necessarily appropriate for individual States;

(8) the Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities;

(9) Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars on projects, programs, and activities that the States would not otherwise undertake; and

(10) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) PURPOSES.—The purposes of this Act are—

(1) to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government;

(2) to preserve Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(3) to preserve the responsibility of the Department of Transportation for—

(A) design, construction, and preservation of transportation facilities on Federal public land;

(B) national programs of transportation research and development and transportation safety; and

(C) emergency assistance to the States in response to natural disasters;

(4) to eliminate to the maximum extent practicable Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of Federal and State transportation facilities; and

(5) with respect to transportation activities carried out by States, local governments, and the private sector, to encourage—

(A) competition among States, local governments, and the private sector; and

(B) innovation, energy efficiency, private sector participation, and productivity.

SEC. 3. LIMITATION ON EXPENDITURES.

Notwithstanding any other provision of law, if the Secretary of Transportation determines for any fiscal year that the aggregate amount required to carry out transportation programs and projects under this Act and amendments made by this Act exceeds the estimated aggregate amount in the Highway Trust Fund available for those programs and projects for the fiscal year, each amount made available for such a program or project shall be reduced by the pro rata percentage required to reduce the aggregate amount required to carry out those programs and projects to an amount equal to that available for those programs and projects in the Highway Trust Fund for the fiscal year.

SEC. 4. FUNDING FOR CORE HIGHWAY PROGRAMS.

(a) IN GENERAL.—

(1) FUNDING.—For the purpose of carrying out title 23, United States Code, the following sums are authorized to be appropriated out of the Highway Trust Fund:

(A) INTERSTATE MAINTENANCE PROGRAM.—For the Interstate maintenance program under section 119 of title 23, United States

Code, $5,200,000,000 for fiscal year 2014, $5,280,000,000 for fiscal year 2015, $5,360,000,000 for fiscal year 2016, $5,440,000,000 for fiscal year 2017, and $5,520,000,000 for fiscal year 2018.

(B) EMERGENCY RELIEF.—For emergency relief under section 125 of that title, $100,000,000 for each of fiscal years 2014 through 2018.

(C) INTERSTATE BRIDGE PROGRAM.—For the Interstate bridge program under section 144 of that title, $2,527,000,000 for fiscal year 2014, $2,597,000,000 for fiscal year 2015, $2,667,000,000 for fiscal year 2016, $2,737,000,000 for fiscal year 2017, and $2,807,000,000 for fiscal year 2018.

(D) FEDERAL LANDS HIGHWAYS PROGRAM.—

(i) INDIAN RESERVATION ROADS.—For Indian reservation roads under section 204 of that title, $470,000,000 for fiscal year 2014, $510,000,000 for fiscal year 2015, $550,000,000 for fiscal year 2016, $590,000,000 for fiscal year 2017, and $630,000,000 for fiscal year 2018.

(ii) PUBLIC LANDS HIGHWAYS.—For public lands highways under section 204 of that title, $300,000,000 for fiscal year 2014, $310,000,000 for fiscal year 2015, $320,000,000 for fiscal year 2016, $330,000,000 for fiscal year 2017, and $340,000,000 for fiscal year 2018.

(iii) PARKWAYS AND PARK ROADS.—For parkways and park roads under section 204 of that title, $255,000,000 for fiscal year 2014, $270,000,000 for fiscal year 2015, $285,000,000 for fiscal year 2016, $300,000,000 for fiscal year 2017, and $315,000,000 for fiscal year 2018.

(iv) REFUGE ROADS.—For refuge roads under section 204 of that title, $32,000,000 for each of fiscal years 2014 through 2018.

(E) HIGHWAY SAFETY PROGRAMS.—

(i) IN GENERAL.—For highway safety programs under section 402 of that title, $170,000,000 for each of fiscal years 2014 through 2018.

(ii) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For highway safety research and development under section 403 of that title, $35,000,000 for each of fiscal years 2014 through 2018.

(F) SURFACE TRANSPORTATION RESEARCH.—For cooperative agreements with nonprofit research organizations to carry out applied pavement research under section 502 of that title, $200,000,000 for each of fiscal years 2014 through 2018.

(G) ADMINISTRATIVE EXPENSES.—For administrative expenses incurred in carrying out the programs referred to in subparagraphs (A) through (F), $92,890,000 for fiscal year 2014, $95,040,000 for fiscal year 2015, $97,190,000 for fiscal year 2016, $99,340,000 for fiscal year 2017, and $101,490,000 for fiscal year 2018.

(2) TRANSFERABILITY OF FUNDS.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) TRANSFERABILITY OF FUNDS.—

''(1) IN GENERAL.—To the extent that a State determines that funds made available under this title to the State for a purpose are in excess of the needs of the State for that purpose, the State may transfer the excess funds to, and use the excess funds for, any surface transportation (including mass transit and rail) purpose in the State.

''(2) ENFORCEMENT.—If the Secretary determines that a State has transferred funds under paragraph (1) to a purpose that is not a surface transportation purpose as described in paragraph (1), the amount of the improperly transferred funds shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year that begins after the date of the determination.''.

(3) FEDERAL-AID SYSTEM.—Section 103(a) of title 23, United States Code, is amended by striking ''systems are the Interstate System and the National Highway System'' and inserting ''system is the Interstate System''.

(4) INTERSTATE MAINTENANCE PROGRAM.—Section 104(b) of title 23, United States Code, is amended by striking paragraph (4) and inserting the following:

''(4) INTERSTATE MAINTENANCE COMPONENT.—For each of fiscal years 2014 through 2018, for the Interstate maintenance program under section 119, 1 percent to the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands and the remaining 99 percent apportioned as follows:

''(A)(i) For each State with an average population density of 20 persons or fewer per square mile, and each State with a population of 1,500,000 persons or fewer and with a land area of 10,000 square miles or less, the greater of—

''(I) a percentage share of apportionments equal to the percentage for the State described in clause (ii); or

''(II) a share determined under subparagraph (B).

''(ii) The percentage referred to in clause (i)(I) for a State for a fiscal year shall be the percentage calculated for the State for the fiscal year under section 105(b) of title 23, United States Code.

''(B) For each State not described in subparagraph (A), a share of the apportionments remaining determined in accordance with the following formula:

''(i) ⅓ in the ratio that the total rural lane miles in each State bears to the total rural lane miles in all States with an average population density greater than 20 persons per square mile and all States with a population of more than 1,500,000 persons and with a land area of more than 10,000 square miles.

''(ii) ⅓ in the ratio that the total rural vehicle miles traveled in each State bears to the total rural vehicle miles traveled in all States described in clause (i).

''(iii) ⅔ in the ratio that the total urban lane miles in each State bears to the total urban lane miles in all States described in clause (i).

''(iv) ⅔ in the ratio that the total urban vehicle miles traveled in each State bears to the total urban vehicle miles traveled in all States described in clause (i).

''(v) ⅜ in the ratio that the total diesel fuel used in each State bears to the total diesel fuel used in all States described in clause (i).''.

(5) INTERSTATE BRIDGE PROGRAM.—Section 144 of title 23, United States Code, is amended—

(A) in subsection (d)—

(i) by inserting ''on the Federal-aid system or described in subsection (c)(3)'' after ''highway bridge'' each place it appears; and

(ii) by inserting ''on the Federal-aid system or described in subsection (c)(3)'' after ''highway bridges'' each place it appears;

(B) in the second sentence of subsection (e)—

(i) in paragraph (1), by adding ''and'' at the end;

(ii) in paragraph (2), by striking the comma at the end and inserting a period; and

(iii) by striking paragraphs (3) and (4);

(C) in the first sentence of subsection (k), by inserting ''on the Federal-aid system or described in subsection (c)(3)'' after ''any bridge'';

(D) in subsection (l)(1), by inserting ''on the Federal-aid system or described in subsection (c)(3)'' after ''construct any bridge''; and

(E) in the first sentence of subsection (m), by inserting ''for each of fiscal years 1991 through 2013,'' after ''of law,''.

(6) NATIONAL DEFENSE HIGHWAYS.—Section 311 of title 23, United States Code, is amended—

(A) in the first sentence, by striking ''under subsection (a) of section 104 of this title'' and inserting ''to carry out this section''; and

(B) by striking the second sentence.

(7) FEDERALIZATION AND DEFEDERALIZATION OF PROJECTS.—Notwithstanding any other provision of law, beginning on October 1, 2013—

(A) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project unless and until a State expends Federal funds for the construction portion of the project;

(B) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project solely by reason of the expenditure of Federal funds by a State before the construction phase of the project to pay expenses relating to the project, including for any environmental document or design work required for the project; and

(C)(i) a State may, after having used Federal funds to pay all or a portion of the costs of a highway construction or improvement project, reimburse the Federal Government in an amount equal to the amount of Federal funds so expended; and

(ii) after completion of a reimbursement described in clause (i), a highway construction or improvement project described in that clause shall no longer be considered to be a Federal highway construction or improvement project.

(8) REPORTING REQUIREMENTS.—No reporting requirement, other than a reporting requirement in effect as of the date of enactment of this Act, shall apply on or after October 1, 2013, to the use of Federal funds for highway projects by a public-private partnership.

(b) EXPENDITURES FROM HIGHWAY TRUST FUND.—

(1) EXPENDITURES FOR CORE PROGRAMS.—Section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), by striking ''Surface Transportation Extension Act of 2011, Part II'' and inserting ''Transportation Empowerment Act'';

(B) in paragraph (1), by striking ''April 1, 2012'' and inserting ''October 1, 2018'';

(C) in paragraphs (3)(A)(i), (4)(A), and (5), by striking ''April 1, 2012'' each place it appears and inserting ''October 1, 2020''; and

(D) in paragraph (2), by striking ''January 1, 2013'' and inserting ''July 1, 2021''.

(2) AMOUNTS AVAILABLE FOR CORE PROGRAM EXPENDITURES.—Section 9503 of such Code is amended by adding at the end the following:

''(g) CORE PROGRAMS FINANCING RATE.—For purposes of this section—

''(1) IN GENERAL.—Except as provided in paragraph (2)—

''(A) in the case of gasoline and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(i), the core programs financing rate is—

''(i) after September 30, 2013, and before October 1, 2014, 18.3 cents per gallon,

''(ii) after September 30, 2014, and before October 1, 2015, 9.6 cents per gallon,

''(iii) after September 30, 2015, and before October 1, 2016, 6.4 cents per gallon,

''(iv) after September 30, 2016, and before October 1, 2017, 5.0 cents per gallon, and

''(v) after September 30, 2017, 3.7 cents per gallon, and

''(B) in the case of kerosene, diesel fuel, and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(iii), the core programs financing rate is—

''(i) after September 30, 2013, and before October 1, 2014, 24.3 cents per gallon,

''(ii) after September 30, 2014, and before October 1, 2015, 12.7 cents per gallon,

''(iii) after September 30, 2015, and before October 1, 2016, 8.5 cents per gallon,

''(iv) after September 30, 2016, and before October 1, 2017, 6.6 cents per gallon, and

''(v) after September 30, 2017, 5.0 cents per gallon.

''(2) APPLICATION OF RATE.—In the case of fuels used as described in paragraph (3)(C), (4)(B), and (5) of subsection (c), the core programs financing rate is zero.''.

(c) TERMINATION OF TRANSFERS TO MASS TRANSIT ACCOUNT.—Section 9503(e)(2) of the Internal Revenue Code of 1986 is amended by inserting '', and before October 1, 2013'' after ''March 31, 1983''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section take effect on October 1, 2013.

(2) CERTAIN EXTENSIONS.—The amendments made by subsection (b)(1) shall take effect on April 1, 2012.

SEC. 5. INFRASTRUCTURE SPECIAL ASSISTANCE FUND.

(a) BALANCE OF CORE PROGRAMS FINANCING RATE DEPOSITED IN FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(h) ESTABLISHMENT OF INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—

''(1) CREATION OF FUND.—There is established in the Highway Trust Fund a separate fund to be known as the 'Infrastructure Special Assistance Fund' consisting of such amounts as may be transferred or credited to the Infrastructure Special Assistance Fund as provided in this subsection or section 9602(b).

''(2) TRANSFERS TO INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—On the first day of each fiscal year, the Secretary, in consultation with the Secretary of Transportation, shall determine the excess (if any) of—

''(A) the sum of—

''(i) the amounts appropriated in such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to the core programs financing rate for such year, plus

''(ii) the amounts appropriated in such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to taxes under sections 4051, 4071, and 4481 for such year, over

''(B) the amount appropriated under subsection (c) for such fiscal year,

and shall transfer such excess to the Infrastructure Special Assistance Fund.

''(3) EXPENDITURES FROM INFRASTRUCTURE SPECIAL ASSISTANCE FUND.—

''(A) TRANSITIONAL ASSISTANCE.—

''(i) IN GENERAL.—Except as provided in clause (iii), during fiscal years 2014 through 2017, $1,000,000,000 in the Infrastructure Special Assistance Fund shall be available to States for transportation-related program expenditures.

''(ii) STATE SHARE.—Each State is entitled to a share of the amount specified in clause (i) determined in the following manner:

''(I) Multiply the percentage of the amounts appropriated in the latest fiscal year for which such data are available to the Highway Trust Fund under subsection (b) which is attributable to taxes paid by highway users in the State, by the amount specified in clause (i). If the result does not exceed $15,000,000, the State's share equals $15,000,000. If the result exceeds $15,000,000, the State's share is determined under subclause (II).

''(II) Multiply the percentage determined under subclause (I), by the amount specified in clause (i) reduced by an amount equal to $15,000,000 times the number of States the share of which is determined under subclause (I).

''(iii) DISTRIBUTION OF REMAINING AMOUNT.—If after September 30, 2017, a portion of the amount specified in clause (i) remains, the Secretary, in consultation with the Secretary of Transportation, shall, on October 1, 2017, apportion the portion among the States using the percentages determined under clause (ii)(I) for such States.

''(B) ADDITIONAL EXPENDITURES FROM FUND.—

''(i) IN GENERAL.—Amounts in the Infrastructure Special Assistance Fund, in excess of the amount specified in subparagraph (A)(i), shall be available, as provided by appropriation Acts, to the States for any surface transportation (including mass transit and rail) purpose in such States, and the Secretary shall apportion such excess amounts among all States using the percentages determined under clause (ii)(I) for such States.

''(ii) ENFORCEMENT.—If the Secretary determines that a State has used amounts under clause (i) for a purpose which is not a surface transportation purpose as described in clause (i), the improperly used amounts shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year which begins after the date of the determination.''.

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2013.

SEC. 6. RETURN OF EXCESS TAX RECEIPTS TO STATES.

(a) IN GENERAL.—Section 9503(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(6) RETURN OF EXCESS TAX RECEIPTS TO STATES FOR SURFACE TRANSPORTATION PURPOSES.—

''(A) IN GENERAL.—On the first day of each of fiscal years 2014, 2015, 2016, and 2017, the Secretary, in consultation with the Secretary of Transportation, shall—

''(i) determine the excess (if any) of—

''(I) the amounts appropriated in such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to the taxes described in paragraphs (1) and (2) thereof (after the application of paragraph (4) thereof) over the sum of—

''(II) the amounts so appropriated which are equivalent to—

''(aa) such amounts attributable to the core programs financing rate for such year, plus

''(bb) the taxes described in paragraphs (3)(C), (4)(B), and (5) of subsection (c), and

''(ii) allocate the amount determined under clause (i) among the States (as defined in section 101(a) of title 23, United States Code) for surface transportation (including mass transit and rail) purposes so that—

''(I) the percentage of that amount allocated to each State, is equal to

''(II) the percentage of the amount determined under clause (i)(I) paid into the Highway Trust Fund in the latest fiscal year for which such data are available which is attributable to highway users in the State.

''(B) ENFORCEMENT.—If the Secretary determines that a State has used amounts under subparagraph (A) for a purpose which is not a surface transportation purpose as described in subparagraph (A), the improperly used amounts shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year which begins after the date of the determination.''.

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2013.

SEC. 7. REDUCTION IN TAXES ON GASOLINE, DIESEL FUEL, KEROSENE, AND SPECIAL FUELS FUNDING HIGHWAY TRUST FUND.

(a) REDUCTION IN TAX RATE.—

(1) IN GENERAL.—Section 4081(a)(2)(A) of the Internal Revenue Code of 1986 is amended—

(A) in clause (i), by striking ''18.3 cents'' and inserting ''3.7 cents''; and

(B) in clause (iii), by striking ''24.3 cents'' and inserting ''5.0 cents''.

(2) CONFORMING AMENDMENTS.—

(A) Section 4081(a)(2)(D) of such Code is amended—

(i) by striking ''19.7 cents'' and inserting ''4.1 cents'', and

(ii) by striking ''24.3 cents'' and inserting ''5.0 cents''.

(B) Section 6427(b)(2)(A) of such Code is amended by striking ''7.4 cents'' and inserting ''1.5 cents''.

(b) ADDITIONAL CONFORMING AMENDMENTS.—

(1) Section 4041(a)(1)(C)(iii)(I) of the Internal Revenue Code of 1986 is amended by striking ''7.3 cents per gallon (4.3 cents per gallon after March 31, 2012)'' and inserting ''1.4 cents per gallon (zero after September 30, 2020)''.

(2) Section 4041(a)(2)(B)(ii) of such Code is amended by striking ''24.3 cents'' and inserting ''5.0 cents''.

(3) Section 4041(a)(3)(A) of such Code is amended by striking ''18.3 cents'' and inserting ''3.7 cents''.

(4) Section 4041(m)(1) of such Code is amended—

(A) in subparagraph (A), by striking ''April 1, 2012'' and inserting ''October 1, 2020,'';

(B) in subparagraph (A)(i), by striking ''9.15 cents'' and inserting ''1.8 cents'';

(C) in subparagraph (A)(ii), by striking ''11.3 cents'' and inserting ''2.3 cents''; and

(D) by striking subparagraph (B) and inserting the following:

''(B) zero after September 30, 2020.''.

(5) Section 4081(d)(1) of such Code is amended by striking ''4.3 cents per gallon after March 31, 2012'' and inserting ''zero after September 30, 2020''.

(6) Section 9503(b) of such Code is amended—

(A) in paragraphs (1) and (2), by striking ''April 1, 2012'' both places it appears and inserting ''October 1, 2020'';

(B) in the heading of paragraph (2), by striking ''APRIL 1, 2012'' and inserting ''OCTOBER 1, 2020'';

(C) in paragraph (2), by striking ''after March 31, 2012, and before January 1, 2013'' and inserting ''after September 30, 2020, and before July 1, 2021''; and

(D) in paragraph (6)(B), by striking ''April 1, 2012'' and inserting ''October 1, 2018''.

(c) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before October 1, 2017, tax has been imposed under section 4081 of the Internal Revenue Code of 1986 on any liquid; and

(B) on such date such liquid is held by a dealer and has not been used and is intended for sale;

there shall be credited or refunded (without interest) to the person who paid such tax (in this subsection referred to as the ''taxpayer'') an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on such date.

(2) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this subsection unless—

(A) claim therefor is filed with the Secretary of the Treasury before April 1, 2018; and

(B) in any case where liquid is held by a dealer (other than the taxpayer) on October 1, 2017—

(i) the dealer submits a request for refund or credit to the taxpayer before January 1, 2018; and

(ii) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(3) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this subsection with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(4) DEFINITIONS.—For purposes of this subsection, the terms ''dealer'' and ''held by a dealer'' have the respective meanings given to such terms by section 6412 of such Code; except that the term ''dealer'' includes a producer.

(5) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 and sections 6206 and 6675 of such Code shall apply for purposes of this subsection.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to fuel removed after September 30, 2017.

(2) CERTAIN CONFORMING AMENDMENTS.—The amendments made by subsections (b)(1), (b)(4), (b)(5), and (b)(6) shall apply to fuel removed after September 30, 2011.

SEC. 8. REPORT TO CONGRESS.

Not later than 180 days after the date of enactment of this Act, after consultation with the appropriate committees of Congress, the Secretary of Transportation shall submit a report to Congress describing such technical and conforming amendments to titles 23 and 49, United States Code, and such technical and conforming amendments to other laws, as are necessary to bring those titles and other laws into conformity with the policy embodied in this Act and the amendments made by this Act.

SEC. 9. EFFECTIVE DATE CONTINGENT ON CERTIFICATION OF DEFICIT NEUTRALITY.

(a) PURPOSE.—The purpose of this section is to ensure that—

(1) this Act will become effective only if the Director of the Office of Management and Budget certifies that this Act is deficit neutral;

(2) discretionary spending limits are reduced to capture the savings realized in devolving transportation functions to the State level pursuant to this Act; and

(3) the tax reduction made by this Act is not scored under pay-as-you-go and does not inadvertently trigger a sequestration.

(b) EFFECTIVE DATE CONTINGENCY.—Notwithstanding any other provision of this Act, this Act and the amendments made by this Act shall take effect only if—

(1) the Director of the Office of Management and Budget (referred to in this section as the ''Director'') submits the report as required in subsection (c); and

(2) the report contains a certification by the Director that, based on the required estimates, the reduction in discretionary outlays resulting from the reduction in contract authority is at least as great as the reduction in revenues for each fiscal year through fiscal year 2018.

(c) OMB ESTIMATES AND REPORT.—

(1) REQUIREMENTS.—Not later than 5 calendar days after the date of enactment of this Act, the Director shall—

(A) estimate the net change in revenues resulting from this Act for each fiscal year through fiscal year 2018;

(B) estimate the net change in discretionary outlays resulting from the reduction in contract authority under this Act for each fiscal year through fiscal year 2018;

(C) determine, based on those estimates, whether the reduction in discretionary outlays is at least as great as the reduction in revenues for each fiscal year through fiscal year 2018; and

(D) submit to Congress a report setting forth the estimates and determination.

(2) APPLICABLE ASSUMPTIONS AND GUIDELINES.—

(A) REVENUE ESTIMATES.—The revenue estimates required under paragraph (1)(A) shall be predicated on the same economic and technical assumptions and scorekeeping guidelines that would be used for estimates made pursuant to section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

(B) OUTLAY ESTIMATES.—The outlay estimates required under paragraph (1)(B) shall be determined by comparing the level of discretionary outlays resulting from this Act with the corresponding level of discretionary outlays projected in the baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907).

(d) CONFORMING ADJUSTMENT TO DISCRETIONARY SPENDING LIMITS.—On compliance with the requirements specified in subsection (b), the Director shall adjust the adjusted discretionary spending limits for each fiscal year through fiscal year 2013 under section 601(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 665(a)(2)) by the estimated reductions in discretionary outlays under subsection (c)(1)(B).

(e) PAYGO INTERACTION.—On compliance with the requirements specified in subsection (b), no changes in revenues estimated to result from the enactment of this Act shall be counted for the purposes of section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

SA 1694. Mr. BAUCUS (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 40201 and insert the following:

SEC. 40201. TEMPORARY INCREASE IN SMALL ISSUER EXCEPTION TO TAX-EXEMPT INTEREST EXPENSE ALLOCATION RULES FOR FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—Subparagraph (G) of section 265(b)(3) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''2009 or 2010'' in clause (i) and inserting ''2009, 2010, 2012, or the period beginning after December 31, 2012, and before July 1, 2013'',

(2) by striking ''2009 or 2010'' each place it appears in clauses (ii) and (iii) and inserting ''2009, 2010, or the period beginning after June 30, 2012, and before July 1, 2013'', and

(3) by striking ''2009 AND 2010'' in the heading and inserting ''2009, 2010, 2012, AND 2013''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after June 30, 2012.

SA 1695. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

In division D, on page 232, strike lines 1 through 5 and insert the following:

''(G) target areas with high rates of unemployment;

''(H) address current or projected workforce shortages in areas that require technical expertise; and

''(I) carry out programs that work with community colleges with experience in developing activities eligible for assistance under subsection (a).

SA 1696. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 1633 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 189, between lines 24 and 25, insert the following:

''(8) DATA REPORTING REQUIREMENTS.—A public transportation service provider that receives assistance under this section or section 5311 for a fiscal year shall report to the Secretary—

''(A) the number of vehicles purchased during the fiscal year using such assistance; and

''(B) the number of rides provided during the fiscal year that are attributable to such assistance.

SA 1697. Mr. KOHL submitted an amendment intended to be proposed to amendment SA 1633 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 195, line 15, after ''agencies'' insert the following: '', including any transportation activities carried out by the recipient using a grant under title III of the Older Americans Act of 1965 (42 U.S.C. 3021 et seq.)''.

SA 1698. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PRIVATE OPERATORS OF INTERCITY BUS SERVICE.

Section 5311(h)(3) of title 49, United States Code, as amended by this Act, is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) in the case of operating costs of connecting rural intercity bus feeder service funded under subsection (f)(1)(E), may be derived from the costs of intercity bus service provided by a private operator, if—

''(i) the project includes both feeder service and a connecting unsubsidized intercity route segment; and

''(ii) the private operator agrees in writing to the use of its unsubsidized costs as an in-kind match.''.

SA 1699. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, line 19, insert ''(other than amounts suballocated to metropolitan areas and other areas of the State under 133(d))'' after ''104(b)(2)''.

On page 70, line 25, insert ''(other than amounts suballocated to metropolitan areas and other areas of the State under 133(d))'' after ''104(b)(2)''.

On page 127, line 18, insert ''(other than amounts suballocated to metropolitan areas and other areas of the State under 133(d))'' after ''104(b)(2)''.

SA 1700. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HIGH-SPEED RAIL EQUIPMENT.

The Secretary of Transportation shall not preclude the use of Federal funds made available to purchase rolling stock to purchase any equipment used for ''high-speed rail'' (as defined in section 26106(b)(4) of title 49, United States Code) that otherwise complies with applicable Federal standards, including safety, Buy America, and environmental standards.

SA 1701. Mr. WHITEHOUSE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, between lines 15 and 16, insert the following:

''(4) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.—

''(A) APPROPRIATION.—

''(i) IN GENERAL.—Notwithstanding any other provision of law, on October 1, 2012, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary for the cost of the projects of national and regional significance program under section 1118 $1,000,000,000, to remain available until expended.

''(ii) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under clause (i), without further appropriation.

''(B) OFFSET.—

''(i) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

'' '(E) OVERSEAS CONTINGENCY AND RELATED ACTIVITIES.—

'' '(i) CAP ADJUSTMENT.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for overseas contingency and related activities for that fiscal year, but not to exceed the amounts specified in clause (ii), the adjustments for that fiscal year shall be the additional new budget authority provided in that Act for the activities for that fiscal year.

'' '(ii) LEVELS.—The levels for overseas contingency and related activities specified in this subparagraph for fiscal year 2013 is $127,658,000,000 in budget authority.'.

''(ii) BREACH.—Section 251(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)) is amended by striking paragraph (2) and inserting the following:

'' '(2) ELIMINATING A BREACH.—

'' '(A) IN GENERAL.—Each nonexempt account within a category shall be reduced by a dollar amount calculated by multiplying the enacted level of sequesterable budgetary resources in that account by the uniform percentage necessary to eliminate a breach within that category.

'' '(B) OVERSEAS CONTINGENCIES.—Any amount of budget authority for overseas contingency operations and related activities for fiscal year 2013 in excess of the level established in subsection (b)(2)(E) shall be counted in determining whether a breach has occurred in the security category and the nonsecurity category on a proportional basis to the total spending for overseas contingency operations in the security category and the nonsecurity category.'.

''(iii) CONFORMING AMENDMENT.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by striking subparagraph (A) and inserting the following:

'' '(A) EMERGENCY APPROPRIATIONS.—If, for any fiscal year, appropriations for discretionary accounts are enacted that Congress designates as emergency requirements in law on an account by account basis and the President subsequently so designates, the adjustment shall be the total of such appropriations in discretionary accounts designated as emergency requirements.'.

SA 1702. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONSTRUCTION EQUIPMENT AND VEHICLES.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, as amended by this Act, is amended by adding at the end the following:

''§ 5341. Construction equipment and vehicles

''(a) IN GENERAL.—In accordance with the obligation process established pursuant to section 149(j)(4) of title 23, a State shall expend amounts required to be obligated for this section to install diesel emission control technology on covered equipment, with an engine that does not meet current model year new engine standards for particulate matter for the applicable engine power group issued by the Environmental Protection Agency, on a covered public transportation construction project within a $PM_{2.5}$ nonattainment or maintenance area.

''(b) DEFINITIONS.—In this section, the following definitions apply:

''(1) COVERED EQUIPMENT.—The term 'covered equipment' means any nonroad diesel equipment or on-road diesel equipment that is operated on a covered public transportation construction project for not less than 80 hours over the life of the project.

''(2) COVERED PUBLIC TRANSPORTATION CONSTRUCTION PROJECT.—The term 'covered public transportation construction project'—

''(A) means a public transportation construction project carried out under this chapter, or any other Federal law, which is funded in whole or in part with Federal funds; and

''(B) does not include any project with a total budgeted cost not to exceed $5,000,000 (which, notwithstanding any other provision of this section, may be excluded from the requirement to comply with this section by an applicable State or metropolitan planning organization).

''(3) DIESEL EMISSION CONTROL TECHNOLOGY.—The term 'diesel emission control technology' means a technology that—

''(A) is—

''(i) a diesel exhaust control technology;

''(ii) a diesel engine upgrade;

''(iii) a diesel engine repower;

''(iv) an idle reduction control technology; or

''(v) any combination of the technologies listed in clauses (i) through (iv);

''(B) reduces particulate matter emission from covered equipment by—

''(i) not less than 85 percent control of any emission of particulate matter; or

''(ii) the maximum achievable reduction of any emission of particulate matter; and

''(C) is installed on and operated with the covered equipment while the equipment is operated on a covered public transportation construction project and that remains operational on the covered equipment for the useful life of the control technology or equipment.

''(4) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity (including a subcontractor of the entity) that has entered into a prime contract or agreement with a State to carry out a covered public transportation construction project.

''(5) NONROAD DIESEL EQUIPMENT.—

''(A) IN GENERAL.—The term 'nonroad diesel equipment' means a vehicle, including covered equipment, that is—

''(i) powered by a nonroad diesel engine of not less than 50 horsepower; and

''(ii) not intended for highway use.

''(B) INCLUSIONS.—The term 'nonroad diesel equipment' includes a backhoe, bulldozer, compressor, crane, excavator, generator, and similar equipment.

''(C) EXCLUSIONS.—The term 'nonroad diesel equipment' does not include a locomotive or marine vessel.

''(6) ON-ROAD DIESEL EQUIPMENT.—The term 'on-road diesel equipment' means any self-propelled vehicle that—

''(A) operates on diesel fuel;

''(B) is designed to transport persons or property on a street or highway; and

''(C) has a gross vehicle weight rating of at least 14,000 pounds.

''(7) $PM_{2.5}$ NONATTAINMENT OR MAINTENANCE AREA.—The term '$PM_{2.5}$ nonattainment or maintenance area' means a nonattainment or maintenance area designated under section 107(d)(6) of the Clean Air Act (42 U.S.C. 7407(d)(6)).

''(c) CRITERIA ELIGIBLE ACTIVITIES.—For purposes of subsection (b)(3)(A):

''(1) DIESEL EXHAUST CONTROL TECHNOLOGY.—For a diesel exhaust control technology, the technology shall be—

''(A) installed on a diesel engine or vehicle;

''(B) included in the list of verified or certified technologies for nonroad vehicles and nonroad engines (as defined in section 216 of the Clean Air Act (42 U.S.C. 7550)) published pursuant to subsection (f)(2) of section 149 of title 23, as in effect on the date on which the eligible entity enters into a prime contract or agreement with a State to carry out a covered public transportation construction project; and

''(C) certified by the installer as having been installed in accordance with the specifications included on the list referred to in subparagraph (B) for achieving a reduction in particulate matter.

''(2) DIESEL ENGINE UPGRADE.—For a diesel engine upgrade, the upgrade shall be performed on an engine that is—

''(A) rebuilt using new or remanufactured components that collectively appear as a system in the list of verified or certified technologies for nonroad vehicles and nonroad engines (as defined in section 216 of the Clean Air Act (42 U.S.C. 7550)) published

pursuant to subsection (f)(2) of section 149 of title 23, as in effect on the date on which the eligible entity enters into a prime contract or agreement with a State to carry out a covered public transportation construction project; and

''(B) certified by the installer to have been installed in accordance with the specifications included on the list referred to in subparagraph (A) for achieving a reduction in particulate matter.

''(3) DIESEL ENGINE REPOWER.—For a diesel engine repower, the repower shall be conducted using a new or remanufactured diesel engine that is—

''(A) installed as a replacement for an engine used in the existing equipment, subject to the condition that the replaced engine is returned to the supplier for remanufacturing to a more stringent set of engine emissions standards or for use as scrap; and

''(B) certified by the engine manufacturer as meeting a more stringent engine particulate matter emission standard for the applicable engine power group established by the Environmental Protection Agency, than the engine particulate matter emission standard applicable to the replaced engine.

''(4) IDLE REDUCTION CONTROL TECHNOLOGY.—For an idle reduction control technology, the technology shall be—

''(A) installed on a diesel engine or vehicle;

''(B) included in the list of verified or certified technologies for nonroad vehicles and nonroad engines (as defined in section 216 of the Clean Air Act (42 U.S.C. 7550)) published pursuant to subsection (f)(2) of section 149, as in effect on the date on which the eligible entity enters into a prime contract or agreement with a State to carry out a covered public transportation construction project; and

''(C) certified by the installer as having been installed in accordance with the specifications included on the list referred to in subparagraph (B) for achieving a reduction in particulate matter.

''(d) ELIGIBILITY FOR CREDITS.—

''(1) IN GENERAL.—A State may take credit in a State implementation plan for national ambient air quality standards for any emission reductions that result from the implementation of this section.

''(2) CREDITING.—An emission reduction described in paragraph (1) may be credited toward demonstrating conformity of State implementation plans and transportation plans.''.

(b) SAVINGS CLAUSE.—Nothing in this section modifies or otherwise affects any authority or restrictions established under the Clean Air Act (42 U.S.C. 7401 et seq.).

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works and the Committee on Banking, Housing, and Urban Affairs of the Senate a report that describes the manners in which section 5341 of title 49, United States Code (as added by subsection (a)) has been implemented, including the quantity of covered equipment serviced under those sections and the costs associated with servicing the covered equipment.

(2) INFORMATION FROM STATES.—The Secretary shall require States and recipients, as a condition of receiving amounts under this Act or under the provisions of any amendments made by this Act, to submit to the Secretary any information that the Secretary determines necessary to complete the report under paragraph (1).

(d) TECHNICAL AMENDMENT.—The analysis for chapter 53 of title 49, United States Code, as amended by this Act, is amended by adding at the end the following:

''5341. Construction equipment and vehicles.''.

SA 1703. Mr. WARNER (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PUBLIC-PRIVATE PARTNERSHIP EXPERIMENTAL PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Federal Transit Administration;

(2) the term ''eligible project'' means a project carried out using funding under chapter 53 of title 49, United States Code;

(3) the term ''eligible recipient'' means a recipient of funding under chapter 53 of title 49, United States Code; and

(4) the term ''experimental program'' means the public-private partnership experimental program established under subsection (b).

(b) PUBLIC-PRIVATE PARTNERSHIP EXPERIMENTAL PROGRAM.—

(1) PROGRAM ESTABLISHED.—The Administrator shall establish a 6-year public-private partnership experimental program to encourage eligible recipients to carry out tests and experimentation in the project development process that are designed to—

(A) attract private investment in eligible projects; and

(B) increase project management flexibility and innovation, improve efficiency, allow for timely project implementation, and create new revenue streams.

(2) IMPLEMENTATION OF PROGRAM.—The experimental program shall—

(A) except as provided in paragraph (5), identify any provisions of chapter 53 of title 49, United States Code, and any regulations or practices thereunder, that impede greater use of public-private partnerships and private investment in eligible projects; and

(B) develop procedures and approaches that—

(i) address the impediments described in subparagraph (A), in a manner similar to the Special Experimental Project Number 15 of the Federal Highway Administration (commonly referred to as ''SEP–15''); and

(ii) protect the public interest and any public investment in eligible projects.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the termination of the experimental program, the Administrator shall submit to Congress a report on the status of the experimental program.

(4) RULEMAKING.—Not later than 180 days after the date of enactment of this Act, the Administrator shall issue rules to carry out the experimental program.

(5) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to allow the Administrator to waive any requirement under—

(A) section 5333 of title 49, United States Code; or

(B) any other provision of Federal law not described in paragraph (2)(A).

SA 1704. Mr. WARNER (for himself and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. RECEIPTS FROM PRIVATE PROVIDERS OF PUBLIC TRANSPORTATION ELIGIBLE FOR LOCAL SHARE PILOT PROGRAM.

(a) PILOT PROGRAM.—The Secretary of Transportation (referred to in this section as the ''Secretary'') shall establish a pilot program under which the non-Government share of the cost of a capital project carried out by a recipient of funding under section 5307 or 5311 of title 49, United States Code, as amended by this Act, may include an amount equal to the amount that a private provider of public transportation receives from providing public transportation service in the service area of the recipient that is in excess of the operating costs of the service provided, if the rolling stock used to provide the service—

(1) has been privately acquired; and

(2) has not been acquired using any Government capital assistance.

(b) OVERSIGHT.—Each recipient that participates in the pilot program established under subsection (a) shall demonstrate that—

(1) the recipient has provided appropriate oversight of the provision of service by the private provider of public transportation; and

(2) a lack of readily available non-Government funding has limited the expansion of service provided by the recipient.

(c) APPLICATION.—An application for participation in the pilot program established under subsection (a) shall—

(1) be submitted by a designated recipient on behalf of a recipient; and

(2) include a certification that the recipient meets the requirements under subsection (b).

(d) REPORT.—Not later than September 30, 2013, the Secretary shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that at a minimum shall include a description of—

(1) any new or expanded services that would not have been provided without pilot program established under subsection (a);

(2) the cost effectiveness of any services described in paragraph (1);

(3) the amount of private capital added to the national public transportation system and the impact on job growth from that private capital;

(4) the effect of participation in the pilot program established under subsection (a) on other public transportation services; and

(5) any other information that the Secretary determines is necessary.

SA 1705. Mr. BENNET (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CREDIT FACILITY FOR TRANSIT-ORIENTED DEVELOPMENT.

(a) CREDIT FACILITY ESTABLISHED.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE IMPROVEMENT.—The term ''eligible improvement'' means an infrastructure improvement that—

(i) is located within the station area of an eligible project;

(ii) has a total project cost of not less than $10,000,000; and

(iii) includes—

(I) the rehabilitation or construction of a street, a transit station, structured parking, a walkway, a bikeway; or

(II) an activity described in section 5302(3)(G)(v) of title 49, United States Code, as amended by this Act.

(B) ELIGIBLE PROJECT.—The term ''eligible project'' has the same meaning as in subsection (b).

(C) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(2) IN GENERAL.—The Secretary may make or guarantee a loan for an eligible improvement, at any time before or after the eligible project relating to the eligible improvement begins revenue service.

(3) PRIORITY.—In making and guaranteeing loans under this subsection, the Secretary shall give priority to eligible improvements that—

(A) facilitate increased transit ridership and the preservation or creation of long-term affordable housing units; and

(B) are carried out by metropolitan planning organizations, or members of the policy board thereof, that have developed metropolitan transportation plans under section 5303(i)(3) of title 49, United States Code, as amended by this Act.

(4) TERMS AND CONDITIONS.—The Secretary shall establish terms and conditions for loans and loan guarantees under this subsection that are consistent with the terms and conditions established under chapter 6 of title 23, United States Code.

(b) FUNDING.—Notwithstanding section 5338(a) of title 49, United States Code, as amended by this Act—

(1) of amounts made available under paragraph (1) of such section 5338(a), $20,000,000 for each of fiscal years 2012 and 2013 shall be available to carry out subsection (a) of this section; and

(2) the amounts described in paragraph (2) of such section 5338(a) shall be reduced by $20,000,000 on a pro rata basis.

SA 1706. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 1633 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of page 477, add the following:

SEC. 32114. PROGRAM TO IMPROVE AVAILABILITY OF COMMERCIAL DRIVER'S LICENSES TO MEMBERS OF ARMED FORCES.

(a) STATE ACCEPTANCE OF TESTING OF MEMBERS OF ARMED FORCES BY SECRETARY OF DEFENSE FOR PURPOSES OF ISSUANCE OF COMMERCIAL DRIVER'S LICENSES.—Section 3131, as amended by section 32205 and 32303 of this Act, is further amended by adding at the end the following:

''(25) The State shall accept as proof of compliance by an applicant for a commercial driver's license with any knowledge or skills test required under paragraph (1) or (2) or under any provision of law of the State, evidence that the applicant—

''(A) is a member of the Armed Forces; and

''(B) has passed a knowledge or skills test administered by the Secretary of Defense and approved by the Secretary of Transportation for purposes of this paragraph.''.

(b) EXEMPTION FROM SINGLE LICENSE REQUIREMENT.—Section 31302 is amended—

(1) by striking ''No individual'' and inserting the following:

''(a) IN GENERAL.—No individual'';

(2) in subsection (a), as designated by paragraph (1), by striking ''An individual'' and inserting the following:

''(b) CUMULATIVE NUMBER OF LICENSES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an individual''; and

(3) in subsection (b), as designated by paragraph (2), by adding at the end the following:

''(2) MEMBERS OF ARMED FORCES.—An individual who is a member of the Armed Forces operating a commercial motor vehicle may have a driver's license issued by the Secretary of Defense in addition to a commercial driver's license issued by a State.''.

(c) EXEMPTION FROM ALCOHOL AND CONTROLLED SUBSTANCES TESTING.—Section 31306(b)(1) is amended by adding at the end the following:

''(C) The regulations required by subparagraph (A) shall exempt members of the Armed Forces from any requirements relating to testing for alcohol or controlled substances.''.

(d) MODIFICATION OF RESIDENCY REQUIREMENT.—Paragraph (12) of section 31311(a) is amended—

(1) by striking ''except that, under regulations'' and inserting the following: ''except that—

''(A) under regulations''; and

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(B) the State may issue a commercial driver's license to an individual who—

''(i) operates or will operate a commercial motor vehicle;

''(ii) is a member of the Armed Forces; and

''(iii) is not domiciled in the State, but who's permanent duty station is located in the State.''.

(e) FEDERAL AND STATE WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 3 months after the date of the enactment of this Act, the Secretary shall, in consultation with the Secretary of Defense and in cooperation with the States, establish a working group to assist members of the Armed Forces to obtain commercial driver's licenses.

(2) DUTIES.—The working group established under paragraph (1) shall, at a minimum—

(A) discuss implementation of this section and the amendments made by this section; and

(B) submit to the Secretary such recommendations for legislative or regulatory action as the working group considers advisable to improve the availability of commercial driver's licenses to members of the Armed Forces.

SA 1707. Mrs. GILLIBRAND (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 559, between lines 10 and 11, insert the following:

SEC. 2214. UNIVERSITY RENEWABLE TRANSPORTATION FUELS PROGRAM.

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

''§ 5507. University renewable transportation fuels program

''(a) DEFINITIONS.—In this section:

''(1) CENTER.—The term 'center' means a regional university center of excellence established under this section.

''(2) LAND-GRANT COLLEGES AND UNIVERSITIES.—The term 'land-grant colleges and universities' has the meaning given the term in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103).

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(b) PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary shall make competitively awarded grants under this section to nonprofit institutions of higher education to establish a consortium of land-grant colleges and universities to conduct a national program of research on biobased transportation fuels through 5 regional university centers of excellence.

''(2) ROLE OF CENTERS.—The role of the centers shall be—

''(A) to assist in meeting the needs of the United States for secure transportation fuels that are economically viable and environmentally sustainable;

''(B) to conduct research to support the movement and use of biobased transportation fuels, including research on—

''(i) biobased-transportation fuel feedstocks;

''(ii) feedstock preparation and transportation technologies;

''(iii) conversion and distribution technologies; and

''(iv) transportation infrastructure;

''(C) to enhance national energy and transportation security through the development, distribution, and implementation of biobased energy technologies;

''(D) to promote diversification in and the environmental sustainability of biomass feedstock production in the United States through biobased transportation fuels and product technologies;

''(E) to promote economic diversification in rural areas of the United States through biobased transportation fuels and product technologies; and

''(F) to enhance the efficiency of biobased transportation research and development programs through improved coordination and collaboration between the Department of Transportation, other appropriate Federal agencies, and land-grant colleges and universities.

''(3) DUTIES OF CENTERS.—A center established for a region described in subsection (c)(2)(B) shall—

''(A) provide research leadership and support collaboration among the land-grant universities and colleges within the region;

''(B) manage a peer-reviewed competitive grant program in the region that engages the land-grant colleges and universities in the region to address national priorities in the context of the biogeographic and environmental conditions, and transportation infrastructure, in the region; and

''(C) operate the program of research on biobased transportation fuels established under this section in the region.

''(c) GRANTS FROM SECRETARY TO NONPROFIT INSTITUTIONS OF HIGHER EDUCATION.—

''(1) APPLICATIONS.—To receive a grant under this section, a nonprofit institution of higher education shall submit to the Secretary an application that is in such form and contains such information as the Secretary may require.

''(2) GENERAL SELECTION CRITERIA.—

''(A) IN GENERAL.—Except as otherwise provided in this section, the Secretary shall award grants under this section in nonexclusive candidate topic areas established by the Secretary that address the research priorities described in section 503 of title 23.

''(B) REGIONS.—The Secretary shall establish a national consortium of 5 regional university centers of excellence, with a center established within, and collaborating with land-grant colleges and universities in, each of the following regions:

''(i) NORTH-CENTRAL CENTER OF EXCELLENCE.—A north-central research center for the region composed of the States of Illinois, Indiana, Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

''(ii) NORTHEASTERN CENTER OF EXCELLENCE.—A northeastern research center for the region composed of the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia.

''(iii) SOUTH-CENTRAL CENTER OF EXCELLENCE.—A south-central research center for the region composed of the States of Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

''(iv) SOUTHEASTERN CENTER OF EXCELLENCE.—A southeastern research center for the region composed of the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

''(v) WESTERN CENTER OF EXCELLENCE.—

''(I) IN GENERAL.—A western research center for the region composed of the States of Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and the States and insular areas covered by the subcenter described in subclause (II).

''(II) WESTERN INSULAR PACIFIC SUBCENTER.—Within the western research center established under subclause (I), a western insular Pacific research subcenter for the region of Alaska, Hawaii, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

''(C) CRITERIA.—The Secretary, in coordination with the Administrator of the Federal Highway Administration and the Administrator of the Federal Transit Administration, shall select each recipient of a grant under subsection (b) and this subsection through a competitive process based on the assessment of the Secretary of—

''(i)(I) the demonstrated leadership within the field of biobased transportation fuel research;

''(II) demonstrated experience in the conduct and management of research on biobased transportation fuel feedstocks; and

''(III) demonstrated experience in working with multiple Federal agencies;

''(ii) demonstrated experience in awarding and managing not less than $7,000,000 over a period of at least 5 years in competitive grant expenditures provided to land-grant colleges and universities, and institutions partnering with land-grant colleges and universities to conduct research and education programs in the area of biobased transportation fuels and biobased products that have the potential to reduce the cost of production of biobased fuel production through high-value coproducts;

''(iii) a demonstrated history of working with other land-grant colleges and universities within the applicable region in the conduct and implementation of field work on biobased transportation fuel feedstocks;

''(iv) a demonstrated history of collaborative efforts to collect and use natural resource and feedstock data for incorporation into geographic information systems and decisionmaking models;

''(v) a history of and working access to biobased feedstock production research stations in each State of the applicable region;

''(vi) the demonstrated ability of the recipient to disseminate results and promote the implementation of transportation research and education programs through national or regional education and outreach programs; and

''(vii) the demonstrated commitment of the recipient to the use of peer review principles and other research best practices in the selection, management, and dissemination of research projects.

''(3) SELECTION.—Not later than 1 year after the date of enactment of the MAP–21, the Secretary, in conjunction with the Administrator of the Federal Highway Administration and the Federal Transit Administration, shall—

''(A) select nonprofit institutions of higher education to receive grants under subsection (b) and this section; and

''(B) make grant amounts available to the selected recipients.

''(d) USE OF GRANTS BY UNIVERSITY CENTERS OF EXCELLENCE AND SUBCENTER.—

''(1) IN GENERAL.—A university center of excellence or subcenter established for a region under subsection (c) shall use 75 percent of the funds made to provide competitive grants to entities that are—

''(A) eligible to receive grants under subsection (b)(7) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(7)); and

''(B) located in the region.

''(2) ACTIVITIES.—Grants made under this subsection shall be used by the grant recipient to conduct, in a manner consistent with the purposes of this section, multiinstitutional and multistate research, extension, and education programs on technology development implementation.

''(3) ADMINISTRATION.—

''(A) PEER AND MERIT REVIEW.—In making grants under this subsection, a research center or subcenter shall—

''(i) seek and accept proposals for grants;

''(ii) determine the relevance and merit of proposals through a system of scientific peer review; and

''(iii) award grants on the basis of merit, quality, and relevance to advancing the purposes of this section.

''(B) TERM.—A grant awarded by a research center or subcenter shall have a term that does not exceed 5 years.

''(C) MATCHING FUNDS REQUIRED.—As a condition of receiving a grant under this subsection, the research center or subcenter shall require that not less than 20 percent of the cost of an activity described in paragraph (2) be matched with funds (including in-kind contributions) from a non-Federal source.

''(4) RESEARCH, EXTENSION AND EDUCATIONAL ACTIVITIES.—A university center of excellence or subcenter shall use the remainder of the grant funds, after application of paragraph (1), to conduct a regional research, extension, and educational program in a manner consistent with the purposes of this section.

''(5) PLANNING COORDINATION.—Grant funds made available under this subsection may be used to carry out planning coordination under this subsection.

''(6) MAXIMUM GRANT.—The amount of a grant made to a recipient for a fiscal year under this subsection shall not exceed $6,000,000.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $30,000,000 for each of fiscal years 2012 and 2013.''.

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

''Sec. 5507. University renewable transportation fuels program.''.

SA 1708. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MOTORCOACH SAFETY STUDY.

(a) STUDY.—Not later than 3 months after the date of the enactment of this Act, the Secretary shall award a competitive research grant to a qualified, independent research institution to conduct a comprehensive research study of the safe operation of motorcoaches that—

(1) uses naturalistic driving data equipment; and

(2) focuses on driver fatigue, driver distraction, hours of service, and other areas determined by the Secretary to be necessary.

(b) REPORT.—Not later than 9 months after the date on which the research grant is awarded pursuant to subsection (a), the Secretary shall submit a report containing the results of the study conducted under subsection (a) to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, March 6, 2012, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the President's Proposed Budget for fiscal year 2013 for the Forest Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, room 304 of the Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to Jake_McCook@energy.senate.gov.

For further information, please contact please contact Scott Miller (202) 224–5488 or Jake McCook (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 16, 2012, at 9:30 a.m.

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