113TH CONGRESS
2D SESSION

S. _____

To reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. BOXER (for herself, Mr. VITTER, Mr. CARPER, and Mr. BARRASSO) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "MAP–21 Reauthorization Act".

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

Sec. 1101. Authorization of appropriations.
Sec. 1102. Obligation ceiling.
Sec. 1103. Apportionment.
Sec. 1104. National highway performance program.
Sec. 1105. Federal share payable.
Sec. 1106. Surface transportation program.
Sec. 1107. Highway use tax evasion projects.
Sec. 1108. Bundling of bridge projects.
Sec. 1109. Flexibility for certain rural road and bridge projects.
Sec. 1110. Requirements for eligible bridge projects.
Sec. 1111. Construction of ferry boats and ferry terminal facilities.
Sec. 1112. Highway safety improvement program.
Sec. 1113. Data collection on unpaved roads.
Sec. 1114. Congestion mitigation and air quality improvement program.
Sec. 1115. Highway safety improvement program performance measure.
Sec. 1116. National freight program.
Sec. 1117. State freight advisory committees.
Sec. 1118. State freight plans.
Sec. 1119. Projects of national or regional significance.
Sec. 1120. Transportation alternatives.
Sec. 1121. Assessing policy and system financing alternatives.
Sec. 1122. Consolidation of programs.
Sec. 1123. State flexibility for national highway system modifications.
Sec. 1124. Department of Transportation performance measures.
Sec. 1125. American transportation awards.

Subtitle B—Highway Trust Fund Transparency and Accountability

Sec. 1201. Highway Trust Fund transparency and accountability.
Sec. 1202. Report on Highway Trust Fund administrative expenditures.

Subtitle C—Acceleration of Project Delivery

Sec. 1301. Categorical exclusion for projects of limited Federal assistance.
Sec. 1302. Programmatic agreement template.
Sec. 1303. Satisfaction of requirements for certain historic sites.
Sec. 1304. Initiation of environmental review process and elimination of duplicative reviews.
Sec. 1305. Accelerated decisionmaking in environmental reviews.
Sec. 1306. Integration of planning and environmental review.
Sec. 1307. Use of programmatic agreement.
Sec. 1308. Technical assistance for States.
Sec. 1309. Improvement of application of categorical exclusions for multimodal projects.

TITLE II—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

Sec. 2001. Transportation Infrastructure Finance and Innovation Act of 1998 amendments.
Sec. 2002. State infrastructure banks.
Sec. 2003. TIFIA loans for State infrastructure banks.

TITLE III—TECHNICAL CORRECTIONS TO MAP-21

Sec. 3001. Technical corrections.

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) DEPARTMENT.—The term ''Department'' means the Department of Transportation.

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

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 1101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, the national freight program under section 167 of that title, and to carry out section 134 of that title—

(A) $38,441,000,000 for fiscal year 2015;

(B) $39,173,000,000 for fiscal year 2016;

(C) $39,987,000,000 for fiscal year 2017;

(D) $40,842,000,000 for fiscal year 2018;

(E) $41,698,000,000 for fiscal year 2019; and

(F) $42,594,000,000 for fiscal year 2020.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, $1,000,000,000 for each of fiscal years 2015 through 2020.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code, $450,000,000 for each of fiscal years 2015 through 2020.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—For the Federal lands transportation program under section 203 of title 23, United States Code, $300,000,000 for each of fiscal years 2015 through 2020, of which $240,000,000 of the amount made available for each fiscal year shall be the amount for the Na-

tional Park Service and $30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code, $250,000,000 for each of fiscal years 2015 through 2020.

(4) PROJECTS OF NATIONAL OR REGIONAL SIGNIFICANCE PROGRAM.—For the projects of national or regional significance program under section 171 of title 23, United States Code, $400,000,000 for each of fiscal years 2015 through 2020.

(5) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, $190,000,000 for each of fiscal years 2015 through 2020.

(b) RESEARCH, TECHNOLOGY, AND EDUCATION AUTHORIZATIONS.—

(1) IN GENERAL.—The following sums are authorized to be appropriated:

(A) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out the highway re-

search and development program under section 503(b) of title 23, United States Code, $115,000,000 for each of fiscal years 2015 through 2020.

(B) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out the technology and innovation deployment program under section 503(c) of title 23, United States Code, $62,500,000 for each of fiscal years 2015 through 2020.

(C) TRAINING AND EDUCATION.—To carry out training and education under section 504 of title 23, United States Code, $24,000,000 for each of fiscal years 2015 through 2020.

(D) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out the intelligent transportation systems program under sections 512 through 518 of title 23, United States Code, $100,000,000 for each of fiscal years 2015 through 2020.

(E) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out the university transportation centers program under section 5505 of title 49, United States Code,

$72,500,000 for each of fiscal years 2015 through 2020.

(F) BUREAU OF TRANSPORTATION STATISTICS.—To carry out chapter 63 of title 49, United States Code, $26,000,000 for each of fiscal years 2015 through 2020.

(2) ADMINISTRATION.—The Federal Highway Administration shall administer the programs described in subparagraphs (D) through (F) of paragraph (1).

(c) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally-assisted surface transportation markets across the United States;

(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

(C) Congress has received and reviewed testimony and documentation of race and gen-

der discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—

(i) IN GENERAL.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(ii) EXCLUSIONS.—The term ''small business concern'' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economi-

cally disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under title I of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (2) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

(i) women;

(ii) socially and economically disadvantaged individuals (other than women); and

(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

(i) on-site visits;

(ii) personal interviews with personnel;

(iii) issuance or inspection of licenses;

(iv) analyses of stock ownership;

(v) listings of equipment;

(vi) analyses of bonding capacity;

(vii) listings of work completed;

(viii) examination of the resumes of principal owners;

(ix) analyses of financial capacity; and

(x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under title I of this Act and section 403 of title 23, United States Code, if the entity or person is prevented, in whole or in part, from complying with paragraph (2) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (2) is unconstitutional.

SEC. 1102. OBLIGATION CEILING.

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

(1) $40,907,000,000 for fiscal year 2015;

(2) $41,639,000,000 for fiscal year 2016;

(3) $42,453,000,000 for fiscal year 2017;

(4) $43,308,000,000 for fiscal year 2018;

(5) $44,164,000,000 for fiscal year 2019; and

(6) $45,060,000,000 for fiscal year 2020.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 and 2014, but only in an amount equal to $639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for each of fiscal years 2015 through 2020, only in an amount equal to $639,000,000 for each of those fiscal years).

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2015 through 2020, the Secretary shall—

(1) not distribute obligation authority provided by subsection (a) for the fiscal year for amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code;

(2) not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation authority provided by subsection (a) for the fiscal year, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) distribute the obligation authority provided by subsection (a), less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the national highway performance program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are ap-

portioned under title 23, United States Code, to all States for the fiscal year.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2015 through 2020—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141) and 104 of title 23, United States Code.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2015 through 2020, the Secretary shall distribute to the States any funds (excluding funds authorized for the pro-

gram under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 1103. APPORTIONMENT.

Section 104 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by striking ''Administration—'' and all that follows through the period at

the end and inserting "Administration $440,000,000 for each of fiscal years 2015 through 2020.";

(2) in subsection (b)—

(A) by inserting "the national freight program," after "highway safety improvement program,";

(B) in paragraphs (1), (2), and (3) by striking "paragraphs (4) and (5)" each place it appears and inserting "paragraphs (4), (5), and (6)";

(C) in paragraph (4) in the matter preceding subparagraph (A) by striking "determined for the State under subsection (c)" and inserting "remaining under subsection (c) after making amounts available in accordance with paragraph (6) for each of fiscal years 2015 through 2020";

(D) in paragraph (5) in the matter preceding subparagraph (A) by striking "determined for the State under subsection (c)" and inserting "remaining under subsection (c) after making amounts available in accordance with paragraph (6) for each of fiscal years 2015 through 2020"; and

(E) by adding at the end the following:

"(6) NATIONAL FREIGHT PROGRAM.—For the national freight program under section 167, the Secretary shall set aside from the amount determined under subsection (c) prior to distributing amounts under paragraphs (1) through (5)—

"(A) $400,000,000 for fiscal year 2016;

"(B) $800,000,000 for fiscal year 2017;

"(C) $1,200,000,000 for fiscal year 2018;

"(D) $1,600,000,000 for fiscal year 2019; and

"(E) $2,000,000,000 for fiscal year 2020."; and

(3) in subsection (c) by adding at the end the following:

"(3) FOR FISCAL YEARS 2015 THROUGH 2020.—

"(A) STATE SHARE.—For each of fiscal years 2015 through 2020, the amount for each State of combined apportionments for the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight

program under section 167, and to carry out section 134 shall be determined as follows:

"(i) INITIAL AMOUNT.—The initial amount for each State shall be determined by multiplying the total amount available for apportionment by the share for each State which shall be equal to the proportion that—

"(I) the amount of apportionments that the State received for fiscal year 2014; bears to

"(II) the amount of those apportionments received by all States for that fiscal year.

"(ii) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under clause (i) shall be adjusted to ensure that, for each State, the amount of combined apportionments for the programs shall not be less than 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

"(B) STATE APPORTIONMENT.—For each of fiscal years 2015 through 2020, on October 1, the Secretary shall apportion the sum authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, and to carry out section 134 in accordance with subparagraph (A).".

SEC. 1104. NATIONAL HIGHWAY PERFORMANCE PROGRAM.

Section 119(d)(2) of title 23, United States Code, is amended by adding at the end the following:

"(Q) Replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) of bridges on Federal-aid highways (other than on the National Highway System), except that a State may not obligate in excess of 10 percent of the

funds apportioned to the State under section 104(b)(1) for such purpose.''.

SEC. 1105. FEDERAL SHARE PAYABLE.

Section 120(c) of title 23, United States Code, is amended—

(1) in paragraph (1) in the first sentence—

(A) by inserting ''(including pedestrian hybrid beacons)'' after ''control signalization,'';

(B) by inserting ''roadway improvements that provide separation between pedestrians and motor vehicles (including medians and pedestrian crossing islands),'' after ''safety rest areas,''; and

(C) by inserting ''safe routes to schools,'' after ''crossing closure,''; and

(2) in paragraph (3)—

(A) in subparagraph (A)(ii) by inserting ''engineering, or design approaches,'' after ''technologies,''; and

(B) in subparagraph (B)—

(i) in clause (iv) by striking ''or'';

(ii) in clause (v) by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

"(vi) contracts for engineering and design services as described in section 112(b)(2).".

SEC. 1106. SURFACE TRANSPORTATION PROGRAM.

Section 133(b) of title 23, United States Code, is amended—

(1) in paragraph (10) by inserting ", including emergency evacuation plans" after "programs"; and

(2) by adding at the end the following:

"(27) Transportation research activities, including university transportation centers, under chapter 55 of title 49.".

SEC. 1107. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b)(2)(A) of title 23, United States Code, is amended by striking "and 2014" and inserting "through 2020".

SEC. 1108. BUNDLING OF BRIDGE PROJECTS.

(a) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the end the following:

"(j) BUNDLING OF BRIDGE PROJECTS.—

"(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

"(2) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means an entity eligible to carry out bridge projects under section 119 or 133.

"(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

"(A) eligible projects under section 119 or 133;

"(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

"(C) awarded to a single contractor pursuant to a contract for engineering and design or construction between the contractor and a State department of transportation.

"(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), an eligible bridge project included in a bundle under this subsection may be listed as—

"(A) 1 project for purposes of sections 134 and 135; and

"(B) a single project within the applicable bundle.

"(5) FINANCIAL CHARACTERISTICS.—

"(A) IN GENERAL.—Subject to subparagraph (B), projects bundled under this subsection shall have the same financial characteristics, including—

"(i) the same funding category or subcategory; and

"(ii) the same Federal share.

"(B) LIMITATION.—Notwithstanding section 126, at the request of an eligible entity, the Secretary may transfer from funds suballocated under section 133(d)(1)(A) the amount of funds for which 1 or more of the bundled projects is eligible such that the funds for the entire bundle of projects are in a single fund category.".

(b) TECHNICAL AMENDMENTS.—Section 120(c)(3)(B) of title 23, United States Code (as amended by section 1105(2)) is amended—

(1) in clause (v) by striking "or" at the end;

(2) in clause (vi) by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(vii) bundled projects, as described in section 144(j).".

SEC. 1109. FLEXIBILITY FOR CERTAIN RURAL ROAD AND BRIDGE PROJECTS.

(a) AUTHORITY.—The Secretary is authorized, upon request by a State, to exercise all existing flexibilities and exceptions from the requirements of title 23, United States Code, and other requirements administered by the Secretary, in whole or part, and otherwise provide additional flexibility or expedited processing with respect to such requirements, with respect to rural road and rural bridge projects eligible for funding under such title, pursuant to the provisions of this section.

(b) TYPES OF PROJECTS.—A rural road or rural bridge project under this section shall—

(1) be located in a county or parish that, based on the most recent decennial census, either—

(A) has a population density of 20 or fewer persons per square mile of land area; or

(B) is the county or parish that has the lowest population density of all counties or parishes in the State;

(2) be located within the operational right-of-way (as defined in section 1316(b) of MAP–21 (23

U.S.C. 109 note; Public Law 112–141) of an existing road or bridge; and

(3)(A) receive less than $5,000,000 of Federal funds; or

(B) have a total estimated cost of not more than $30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

(c) PROCESS TO ASSIST RURAL PROJECTS.—

(1) ASSISTANCE WITH FEDERAL REQUIREMENTS.—

(A) IN GENERAL.—For projects eligible under this section, the Secretary shall seek to provide, to the maximum extent practicable, regulatory relief and flexibility consistent with this section.

(B) EXCEPTIONS, EXEMPTIONS, AND ADDITIONAL FLEXIBILITY.—Exceptions, exemptions, and additional flexibility from regulatory requirements may be granted if, in the opinion of the Secretary—

(i) the project is not expected to have a significant adverse impact on the environment;

(ii) the project is not expected to have an adverse impact on safety; and

(iii) such assistance would be in the public interest for 1 or more reasons such as—

(I) reduced project costs;

(II) expedited construction, particularly in an area where the construction season is relatively short and not granting the waiver or additional flexibility could delay the project to a later construction season; or

(III) improved safety.

(2) MAINTAINING PROTECTIONS.—Nothing in this subsection—

(A) waives sections 113 or 138 of title 23, United States Code;

(B) supersedes, amends, or modifies—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(ii) any requirement of title 23, United States Code; or

(C) affects the responsibility of any Federal officer to comply with or enforce any such law or requirement.

SEC. 1110. REQUIREMENTS FOR ELIGIBLE BRIDGE PROJECTS.

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

(1) ELIGIBLE BRIDGE PROJECT.—The term ''eligible bridge project'' means a project for construction, alteration, or repair work on a bridge or overpass funded directly by, or provided other assistance through, the Federal Government.

(2) QUALIFIED TRAINING PROGRAM.—The term ''qualified training program'' means a training program that—

(A)(i) is certified by the Secretary of Labor; and

(ii) with respect to an eligible bridge project located in an area in which the Secretary of Labor determines that a training program does not exist, is registered with—

(I) the Department of Labor; or

(II) a State agency recognized by the Department of Labor for purposes of a Federal training program; or

(B) is a corrosion control, mitigation, and prevention personnel training program that is offered by an organization whose standards are

recognized and adopted in other Federal agencies or State departments of transportation.

(b) ELIGIBILITY REQUIREMENTS.—

(1) IN GENERAL.—Each contractor and subcontractor that carries out any aspect of an eligible bridge project described in paragraph (2) shall—

(A) before entering into the applicable contract, be certified by the Secretary or a State, in accordance with paragraph (4), as meeting the eligibility requirements described in paragraph (3); and

(B) remain certified as described in subparagraph (A) while carrying out the applicable aspect of the eligible bridge project.

(2) DESCRIPTION OF ASPECTS OF ELIGIBLE BRIDGE PROJECTS.—An aspect of an eligible bridge project referred to in paragraph (1) is—

(A) surface preparation or coating application on bridge steel of an eligible bridge project;

(B) removal of a lead-based or other hazardous coating from bridge steel of an existing eligible bridge project;

(C) shop painting of structural steel fabricated for installation on bridge steel of an eligible bridge project; and

(D) the design, application, installation, and maintenance of a cathodic protection system.

(3) REQUIREMENTS.—The eligibility requirements referred to in paragraph (1) are that a contractor or subcontractor shall—

(A) as determined by the Secretary—

(i) use corrosion mitigation and prevention methods to preserve relevant bridges and overpasses, taking into account—

(I) material selection;

(II) coating considerations;

(III) cathodic protection considerations;

(IV) design considerations for corrosion; and

(V) trained applicators;

(ii) use best practices—

(I) to prevent environmental degradation; and

(II) to ensure careful handling of all hazardous materials; and

(iii) demonstrate a history of employing industry-respected inspectors to ensure

funds are used in the interest of affected taxpayers; and

(B) demonstrate a history of compliance with applicable requirements of the Occupational Safety and Health Administration, as determined by the Secretary of Labor.

(4) STATE CONSULTATION.—In determining whether to certify a contractor or subcontractor under paragraph (1)(A), a State shall consult with engineers and other experts trained in accordance with a qualified training program specializing in corrosion control, mitigation, and prevention methods.

(c) OPTIONAL TRAINING PROGRAM.—As a condition of entering into a contract for an eligible bridge project, each contractor and subcontractor that performs construction, alteration, or repair work on a bridge or overpass for the eligible bridge project may provide, or make available, training, through a qualified training program, for each applicable craft or trade classification of employees that the contractor or subcontractor intends to employ to carry out aspects of eligible bridge projects as described in subsection (b)(2).

SEC. 1111. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 147 of title 23, United States Code, is amended—

(1) by redesignating subsections (a), (b), (c), (d), (e), (f), and (g) as subsections (b), (c), (d), (e), (f), (k), and (l), respectively;

(2) by inserting before subsection (b) (as redesignated by paragraph (1)) the following:

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

''(1) BOARDING.—

''(A) IN GENERAL.—The term 'boarding' means the initial boarding of a ferry by a passenger or vehicle at the initial terminal of departure.

''(B) EXCLUSIONS.—The term 'boarding' does not include boarding of a ferry by a passenger or vehicle at any subsequent terminal stop of the ferry.

''(2) FERRY ROUTE.—The term 'ferry route' means a permanent publicly controlled fixed route in accordance with section 129(c) from one terminal to the next terminal in one direction. A route which serves the opposite direction is considered a separate

route. For purposes of nautical miles reported, an alternative limited scheduled ferry route that is otherwise served regularly by other routes with multiple stops shall not be reported as a separate ferry route unless otherwise determined by the Secretary.

"(3) STATE.—The term 'State' means—

"(A) any of the 50 States;

"(B) the District of Columbia;

"(C) the Commonwealth of Puerto Rico;

"(D) Guam;

"(E) American Samoa;

"(F) the Commonwealth of the Northern Mariana Islands; and

"(G) the United States Virgin Islands."; and

(3) in subsection (b) (as redesignated by paragraph (1)) by striking "IN GENERAL" and inserting "PROGRAM";

(4) in subsection (d) (as redesignated by paragraph (1)) by striking "subsection (d)" and inserting "subsection (e)"; and

(5) by striking subsections (e) and (f) (as redesignated by paragraph (1)) and inserting the following:

"(e) FORMULA.—Of the amounts allocated pursuant to subsection (d)—

"(1) 35 percent shall be allocated among eligible entities in the proportion that—

"(A) the number of ferry passengers, including passengers in vehicles, carried by each ferry system in the most recent fiscal year; bears to

"(B) the number of ferry passengers, including passengers in vehicles, carried by all ferry systems in the most recent fiscal year;

"(2) 35 percent shall be allocated among eligible entities in the proportion that—

"(A) the number of vehicles carried by each ferry system in the most recent fiscal year; bears to

"(B) the number of vehicles carried by all ferry systems in the most recent fiscal year; and

"(3) 30 percent shall be allocated among eligible entities in the proportion that—

"(A) the total route nautical miles serviced by each ferry system; bears to

"(B) the total route nautical miles serviced by all ferry systems.

"(f) CERTAIN ROUTES.—For a ferry route that provides service between 2 States or a State and Canada, nautical miles for a route shall be reported by and assigned to the State of departure on the ferry route to the first destination of the ferry in the subsequent State or in Canada.

"(g) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

"(1) withdraw amounts allocated to an eligible entity under subsection (d) that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

"(2) in the subsequent fiscal year, redistribute those funds in accordance with the formula under subsection (e) among eligible entities for which no amounts were withdrawn under paragraph (1).

"(h) MINIMUM AMOUNT.—Notwithstanding subsection (d), a State with an eligible entity that meets the requirements of this section shall receive not less than $100,000 under this section for a fiscal year.

"(i) IMPLEMENTATION.—

"(1) DATA COLLECTION.—

"(A) NATIONAL FERRY DATABASE.—Amounts made available for a fiscal year under this section shall be allocated using the most re-

cent data available, as collected and imputed in accordance with the national ferry database established under section 1801(e) of the SAFETEA-LU (23 U.S.C. 129 note; Public Law 109–59).

"(B) ELIGIBILITY FOR FUNDING.—To be eligible to receive funds under subsection (d), data shall have been submitted in the most recent collection of data for the national ferry database under section 1801(e) of the SAFETEA-LU (23 U.S.C. 129 note; Public Law 109–59) for at least 1 ferry service within the State.

"(2) ADJUSTMENTS.—On review of the data submitted under paragraph (1)(B), the Secretary may make adjustments to the data as the Secretary determines necessary to correct misreported or inconsistent data.

"(j) 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 $75,000,000 for each fiscal year.".

(b) NATIONAL FERRY DATABASE.—Section 1801(e)(4) of the SAFETEA-LU (23 U.S.C. 129 note;

Public Law 109–59) is amended by striking subparagraph (D) and inserting the following:

"(D) make available, from the amounts made available for each fiscal year to carry out chapter 63 of title 49, not more than $500,000, to maintain the database.".

(c) CONFORMING AMENDMENTS.—Section 129(c) of title 23, United States Code, is amended—

(1) in the first sentence of paragraph (2) by inserting ", or on a public transit ferry eligible under chapter 53 of title 49" after "Interstate System";

(2) in paragraph (3)—

(A) by striking "(3) Such ferry" and inserting "(3)(A) Such ferry"; and

(B) by adding at the end the following:

"(B) Such Federal participation shall not involve the construction or purchase, for private ownership, a ferry boat, ferry terminal facility, or other eligible project under this section."; and

(3) by striking paragraph (6) and inserting the following:

"(6) The ferry service shall be maintained in accordance with section 116, and no ferry boat or ferry terminal with such Federal participation may be sold, leased, or otherwise disposed of, except in

accordance with part 18 of title 49, Code of Federal Regulations (including successor regulations). The Federal share of any proceeds from such a disposition shall be used for eligible purposes under this title.''.

SEC. 1112. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

Section 148(a)(4)(B) of title 23, United States Code, is amended—

(1) in the matter preceding clause (i), by striking '', but is not limited to,''; and

(2) by adding at the end the following:

''(xxv) An infrastructure safety project not described in clauses (i) through (xxiv).''.

SEC. 1113. DATA COLLECTION ON UNPAVED ROADS.

Section 148 of title 23, United States Code, is amended by adding at the end the following:

''(k) STATE OPTION TO EXTEND PERIOD FOR COLLECTION OF DATA REGARDING UNPAVED PUBLIC ROADS.—A State is hereby authorized, at the discretion of the State, to complete collection of fundamental data elements for the model inventory of roadway elements on public roads that are gravel roads or otherwise unpaved, by up to 5 years after the deadline otherwise established by the Secretary, at no penalty, if—

"(1) the State notifies the Secretary of the intent of the State to exercise the option; and

"(2) after the deadline otherwise established by the Secretary and until the State completes a collection of the required model inventory of roadway elements data for any unpaved public road, the State does not undertake a project under this section on that road.".

SEC. 1114. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

Section 149 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i)(I) by inserting "in the designated nonattainment area" before the semicolon;

(B) in paragraph (3) by inserting "or maintenance" after "attainment"; and

(C) in paragraph (4) by striking "is likely to contribute to the attainment of a national ambient air quality standard" and inserting "is likely to contribute to the area's attainment or maintenance of a national ambient air quality standard";

(2) in subsection (d)—

(A) in paragraph (2)(A) in the matter preceding clause (i) by inserting ''would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or'' before ''is eligible under''; and

(B) in paragraph (3) by inserting '', in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP–21,'' after ''the Secretary shall modify''; and

(3) in subsection (g)(3)—

(A) by striking ''States and metropolitan'' and inserting the following:

''(A) IN GENERAL.—States and metropolitan''; and

(B) by adding at the end the following:

''(B) USE OF PRIORITY FUNDING.—To the maximum extent practicable, PM2.5 priority funding shall be utilized on the most cost-effective projects and programs that are proven to reduce directly-emitted fine particulate matter.''.

SEC. 1115. HIGHWAY SAFETY IMPROVEMENT PROGRAM PERFORMANCE MEASURE.

Section 150(c)(4)(B) of title 23, United States Code, is amended by inserting ''for both motorized and non-motorized transportation'' before the period at the end.

SEC. 1116. NATIONAL FREIGHT PROGRAM.

Section 167 of title 23, United States Code, is amended to read as follows:

''§ 167. National freight program

''(a) POLICY.—It is the policy of the United States to improve the condition and performance of the national freight network to ensure that the national freight network provides the foundation for the United States to compete in the global economy and achieve each goal described in subsection (b).

''(b) GOALS.—The goals of the national freight program are—

''(1) to invest in infrastructure improvements and to implement operational improvements on our Nation's highways that—

''(A) strengthen the contribution of the national freight network to the economic competitiveness of the United States;

''(B) reduce congestion and relieve bottlenecks in the freight transportation system;

"(C) reduce the cost of freight transportation;

"(D) improve the reliability of freight transportation; and

"(E) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

"(2) to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;

"(3) to improve the state of good repair of the national freight network;

"(4) to use advanced technology to improve the safety and efficiency of the national freight network;

"(5) to incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national freight network;

"(6) to improve the efficiency and productivity of the national freight network; and

"(7) to reduce the environmental impacts of freight.

"(c) ESTABLISHMENT OF A NATIONAL HIGHWAY FREIGHT NETWORK.—

"(1) IN GENERAL.—The Secretary shall establish a national highway freight network in accordance with this section to assist States in strategically directing resources toward improved system performance for efficient movement of freight on highways.

"(2) NETWORK COMPONENTS.—The national highway freight network shall consist of—

"(A) the primary highway freight network, as designated by the Secretary under subsection (d) (referred to in this section as the 'primary highway freight network') as most critical to the movement of freight;

"(B) the portions of the Interstate System not designated as part of the primary highway freight network;

"(C) critical rural freight corridors established under subsection (e);

"(D) critical urban freight corridors established under subsection (f); and

"(E) National Highway System intermodal connectors.

"(d) DESIGNATION OF PRIMARY HIGHWAY FREIGHT NETWORK.—

"(1) INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT NETWORK.—

"(A) DESIGNATION.—Not later than 1 year after the date of enactment of the MAP–21 Reauthorization Act , subject to paragraph (2), the Secretary shall designate a primary highway freight network—

"(i) based on an inventory of national freight volume conducted by the Administrator of the Federal Highway Administration, in consultation with stakeholders, including system users, transport providers, metropolitan planning organizations, and States; and

"(ii) that shall be comprised of not more than 27,000 centerline miles of existing roadways that are most critical to the movement of freight.

"(B) FACTORS FOR DESIGNATION.—In designating the primary highway freight network, the Secretary shall consider—

"(i) the origins and destinations of freight movement in, to, and from the United States;

"(ii) the total freight tonnage and value of freight moved via highways;

"(iii) the percentage of annual average daily truck traffic in the annual average daily traffic on principal arterials;

"(iv) the annual average daily truck traffic on principal arterials;

"(v) land and maritime ports of entry;

"(vi) access to energy exploration, development, installation, or production areas;

"(vii) the significance of goods movement, including consideration of points of origin, destination, and linking components of the global and domestic supply chains;

"(viii) proximity of access to other freight intermodal facilities, including rail, air, water, and pipelines;

"(ix) population centers;

"(x) significant freight bottlenecks, as identified by the Administrator of the Federal Highway Administration; and

"(xi) network connectivity.

"(2) ADDITIONAL MILES ON PRIMARY HIGHWAY FREIGHT NETWORK.—In addition to the miles initially designated under paragraph (1)—

"(A) the Secretary may increase the number of miles designated as part of the primary highway freight network by not more than 3,000 additional centerline miles of roadways (which may include existing or planned roads) critical to the future efficient movement of goods on the primary highway freight network; and

"(B) each State may increase the number of miles designated as part of the primary highway freight network in that State by not more than 10 percent of the miles designated in that State under paragraph (1) if the additional miles—

"(i) close gaps between primary highway freight network segments;

"(ii) establish first- and last-mile connections of the primary highway freight network critical to the efficient movement of goods, including ports, international border crossings, airports, intermodal facilities, railyards, logistics centers, warehouses, and agricultural facilities; or

"(iii) designate critical emerging freight routes.

"(3) STATE FLEXIBILITY FOR DESIGNATION OF MILES ON THE PRIMARY HIGHWAY FREIGHT NETWORK.—Each State that increases the number of miles on the primary highway freight network under paragraph (2) shall—

"(A) consider nominations for such additional miles from metropolitan planning organizations within the State;

"(B) ensure that the additional miles are consistent with the freight plan of the State;

"(C) review the primary highway freight network of the State designated under paragraphs (1) and (2) and redesignate miles in a manner that is consistent with paragraph (4); and

"(D) submit to the Secretary a list of the additional miles added under this subsection.

"(4) REDESIGNATION OF PRIMARY HIGHWAY FREIGHT NETWORK.—

"(A) IN GENERAL.—Beginning on the date that is 5 years after the designation of the primary highway freight network and every 5 years thereafter, using the designation factors described in paragraph (1), the Secretary shall redesignate the primary highway freight net-

work (including any additional mileage added to the primary highway freight network under paragraph (2) as of the date on which the redesignation process is initiated).

"(B) CONSIDERATIONS.—In redesignating the primary highway freight network, to the maximum extent practicable, the Secretary shall rely on measurable data to assess the significance of goods movement, including consideration of points of origin, destination, and linking components of the United States global and domestic supply chains.

"(e) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate a road within the borders of the State as a critical rural freight corridor if the road—

"(1) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (FHWA vehicle class 8 to 13);

"(2) provides access to energy exploration, development, installation, or production areas;

"(3) connects the primary highway freight network, a roadway described in paragraph (1) or (2),

or Interstate System to facilities that handle more than—

"(A) 50,000 20-foot equivalent units per year; or

"(B) 500,000 tons per year of bulk commodities;

"(4) provides access to—

"(A) a grain elevator or other regionally significant agricultural facility; or

"(B) an intermodal transfer facility;

"(5) connects to an international port of entry;

"(6) provides access to significant air, rail, water, or other freight facilities in the State; or

"(7) is, in the determination of the State, vital to improving the efficient movement of freight of importance to the economy of the State.

"(f) CRITICAL URBAN FREIGHT CORRIDORS.—A State, or a city or a metropolitan planning organization in coordination with the State, may designate a road within the borders of the State as a critical urban freight corridor if the road—

"(1) connects an intermodal facility to—

"(A) the primary highway freight network;

"(B) the Interstate system; or

"(C) an intermodal facility;

"(2) is located within a corridor of a route on the primary highway freight network and provides alternative highway options important to goods movement;

"(3) serves a major freight generator, logistic center, or manufacturing and warehouse industrial land; or

"(4) is important to the movement of freight within the region, as determined by the State, city, or metropolitan planning organization.

"(g) NATIONAL FREIGHT STRATEGIC PLAN.—

"(1) INITIAL DEVELOPMENT OF NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 3 years after the date of enactment of the MAP–21 Reauthorization Act , the Secretary shall, in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders, develop and post on the public website of the Department of Transportation a national freight strategic plan that includes—

"(A) an assessment of the condition and performance of the national freight network;

"(B) an identification of highway bottlenecks on the national freight network that cre-

ate significant freight congestion problems, based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

"(i) information from the Freight Analysis Framework of the Federal Highway Administration; and

"(ii) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

"(C) forecasts of freight volumes for the 10- and 20-year period beginning in the year during which the plan is issued based on the most recent data available;

"(D) an identification of major trade gateways and national freight corridors that connect major population centers, trade gateways, and other major freight generators for current and forecasted traffic and freight volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

"(E) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transpor-

tation performance (including opportunities for overcoming the barriers);

"(F) an identification of routes providing access to energy exploration, development, installation, or production areas;

"(G) best practices for improving the performance of the national freight network;

"(H) best practices to mitigate the impacts of freight movement on communities;

"(I) a process for addressing multistate projects and encouraging jurisdictions to collaborate;

"(J) identification of locations or areas with high crash rates or congestion involving freight traffic, and strategies to address those issues; and

"(K) strategies to improve freight intermodal connectivity.

"(2) UPDATES TO NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 5 years after the date of completion of the first national freight strategic plan under paragraph (1), and every 5 years thereafter, the Secretary shall update and repost on the public website of the Department of Transportation a revised national freight strategic plan.

"(h) HIGHWAY FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the MAP–21 Reauthorization Act and biennially thereafter, the Secretary shall prepare and submit to Congress a report that describes the conditions and performance of the national highway freight network in the United States.

"(i) TRANSPORTATION INVESTMENT DATA AND PLANNING TOOLS.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of the MAP–21 Reauthorization Act , the Secretary shall—

"(A) begin development of new tools and improve existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

"(i) methodologies for systematic analysis of benefits and costs on a national and regional basis;

"(ii) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, environmental

sustainability, and system condition in the project selection process;

"(iii) improved methods for data collection and trend analysis;

"(iv) encouraging public-private partnerships to carry out data sharing activities while maintaining the confidentiality of all proprietary data; and

"(v) other tools to assist in effective transportation planning;

"(B) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

"(C) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

"(2) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to

develop, improve, and implement the tools and collect the data described in paragraph (1).

"(j) USE OF APPORTIONED FUNDS.—

"(1) IN GENERAL.—A State shall obligate funds apportioned to the State under section 104(b)(6) to improve the movement of freight on the national highway freight network.

"(2) PRIMARY HIGHWAY FREIGHT NETWORK FUNDING.—For each fiscal year, of the funds apportioned to a State under section 104(b)(6), the State shall obligate for projects on the primary highway freight network an amount that is not less than the proportion that—

"(A) the total mileage in the State designated as primary highway freight network; bears to

"(B) the sum of—

"(i) the total mileage in the State designated as primary highway freight network; and

"(ii) the total mileage in the State on the Interstate system that is not designated as part of the primary highway freight network.

"(3) FREIGHT PLANNING.—Notwithstanding any other provision of law, effective 2 years after the date of enactment of the MAP–21 Reauthorization Act , a State may not obligate funds apportioned to the State under section 104(b)(6) unless the State has—

"(A) established a freight advisory committee in accordance with section 1117 of MAP–21 (23 U.S.C. 167 note; 126 Stat. 472); and

"(B) developed a freight plan in accordance with section 1118 of MAP–21 (23 U.S.C. 167 note; 126 Stat. 473).

"(k) ELIGIBILITY.—

"(1) IN GENERAL.—Except as provided in this subsection, for a project to be eligible for funding under this section, a State shall provide information to the Secretary describing the improvement made by the project to the efficient movement of freight on the national highway freight network and how the project is consistent with the freight investment plan included in the freight plan of the State.

"(2) MULTIMODAL PROJECTS.—A State may obligate not more than 10 percent of the total apportionment to the State under section 104(b)(6) for

projects within the boundaries of public and private freight rail, maritime projects, and intermodal facilities, but shall only include surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into and out of the facility.

"(3) ELIGIBLE PROJECTS.—Funds apportioned to the State under section 104(b)(6) for the national highway freight program may be obligated to carry out 1 or more of the following:

"(A) Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.

"(B) Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.

"(C) Intelligent transportation systems and other technology to improve the flow of freight.

"(D) Efforts to reduce the environmental impacts of freight.

"(E) Environmental and community mitigation of freight.

"(F) Railway-highway grade separation.

"(G) Geometric improvements to interchanges and ramps.

"(H) Truck-only lanes.

"(I) Climbing and runaway truck lanes.

"(J) Adding or widening of shoulders.

"(K) Truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note; Public Law 112-141).

"(L) Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.

"(M) Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.

"(N) Traffic signal optimization including synchronized and adaptive signals.

"(O) Work zone management and information systems.

"(P) Highway ramp metering.

"(Q) Electronic cargo and border security technologies that improve truck freight movement.

"(R) Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.

"(S) Additional road capacity to address highway freight bottlenecks.

"(T) A highway project, other than a project described in subparagraphs (A) through (S), to improve the flow of freight on the national highway freight network.

"(U) Any other surface transportation project to improve the flow of freight into and out of a facility described in paragraph (2), subject to the limitation of that paragraph.

"(4) OTHER ELIGIBLE COSTS.—In addition to the eligible projects identified in paragraph (3), a State may use funds apportioned under section 104(b)(6) for—

"(A) carrying out diesel retrofit or alternative fuel projects defined in section 149 for class 8 vehicles; and

"(B) the necessary costs of—

"(i) conducting analyses and data collection;

"(ii) developing and updating performance targets to carry out this section; and

"(iii) reporting to the Secretary to comply with section 150.

"(5) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

"(l) STATE PERFORMANCE TARGETS.—If the Secretary determines that a State has not met or made significant progress toward meeting the performance targets of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, until the date on which the Secretary determines that the State has met (or has made significant progress towards meeting) the State performance targets, the State shall submit to the Secretary, on a biennial basis, a freight performance improvement plan that includes—

"(1) an identification of significant freight system trends, needs, and issues within the State;

"(2) a description of the freight policies and strategies that will guide the freight-related transportation investments of the State;

"(3) an inventory of freight bottlenecks within the State and a description of the ways in which the State is allocating funds to improve those bottlenecks; and

"(4) a description of the actions the State will undertake to meet the performance targets of the State.

"(m) STUDY OF MULTIMODAL PROJECTS.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall submit to Congress—

"(1) a study of freight projects identified in State freight plans under section 1118 of MAP–21 (23 U.S.C. 167 note; Public Law 112–141); and

"(2) an evaluation of multimodal freight projects included in the State freight plans, or otherwise identified by States, that are unable to be funded under this section due to the limitation under subsection (k)(2).".

SEC. 1117. STATE FREIGHT ADVISORY COMMITTEES.

Section 1117(a) of MAP–21 (23 U.S.C. 167 note; Public Law 112–141) is amended—

(1) by striking ''The Secretary shall encourage each State to establish'' and inserting ''Each State shall establish''; and

(2) by striking ''representatives of'' and inserting ''all modes of freight transportation active in the State, including airports, highways, rail,''.

SEC. 1118. STATE FREIGHT PLANS.

Section 1118 of MAP–21 (23 U.S.C. 167 note; Public Law 112–141) is amended—

(1) in subsection (a) by striking ''The Secretary shall encourage each State to develop a'' and inserting ''Each State shall develop a''; and

(2) in subsection (b)—

(A) in paragraph (5) by striking ''and'' at the end;

(B) in paragraph (6) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(7) consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay; and

''(8) a freight investment plan that includes a list of priority projects and describes how funds made available under section 167 of title 23, United States Code, would be invested and matched.''; and

(3) by striking subsection (c) and inserting the following:

"(c) RELATIONSHIP TO LONG-RANGE PLAN.—

"(1) INCORPORATION.—A freight plan described in subsection (a) may be developed separately from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23, United States Code.

"(2) FISCAL CONSTRAINT.—The priority freight investment plan component of a freight plan shall include a project, or an identified phase of a project, only if funding for completion of the project can reasonably be anticipated to be available for the project within the time period identified in the freight investment plan.

"(d) PLANNING PERIOD.—The freight plan shall address a 10-year forecast period.

"(e) UPDATES.—

"(1) IN GENERAL.—A State shall update the freight plan not less frequently than once every 5 years.

"(2) FREIGHT INVESTMENT PLAN.—A State may update the freight investment plan more frequently than required under paragraph (1).".

SEC. 1119. PROJECTS OF NATIONAL OR REGIONAL SIGNIFICANCE.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

"§ 171. Projects of national or regional significance

''(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program in accordance with this section to provide grants for projects that will have a significant impact on a region or the Nation.

''(b) PURPOSE OF PROGRAM.—The purpose of the projects of national or regional significance program shall be to assist in funding critical high-cost surface transportation infrastructure projects that are difficult to complete with existing Federal, State, local, and private funds and that will provide 1 or more of the following benefits:

''(1) Generate national or regional economic benefits and increase the global economic competitiveness of the United States.

''(2) Reduce congestion and the impacts of congestion.

''(3) Improve roadways vital to national energy security.

''(4) Improve the efficiency, reliability, and affordability of the movement of freight.

''(5) Improve transportation safety.

"(6) Improve existing and designated future Interstate System routes.

"(7) Improve the movement of people through improving rural connectivity and metropolitan accessibility.

"(c) DEFINITIONS.—In this section, the following definitions apply:

"(1) ELIGIBLE APPLICANT.—The term 'eligible applicant' means—

"(A) a State (or a group of States);

"(B) a local government;

"(C) a tribal government (or a consortium of tribal governments);

"(D) a transit agency;

"(E) a public authority;

"(F) a port authority;

"(G) a political subdivision of a State or local government; or

"(H) a multistate or multijurisdictional group of entities described in subparagraphs (A) through (G).

"(2) ELIGIBLE PROJECT.—The term 'eligible project' means a surface transportation project or a program of integrated surface transportation

projects closely related in the function the projects perform that—

"(A) is a capital project that is eligible for Federal financial assistance under—

"(i) this title; or

"(ii) chapter 53 of title 49; and

"(B) has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

"(i) $350,000,000; and

"(ii)(I) for a project located in a single State, 30 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year;

"(II) for a project located in a single rural State with a population density of 50 or fewer persons per square mile based on the most recent decennial census, 15 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year; or

"(III) for a project located in more than 1 State, 75 percent of the amount of Federal-aid highway funds apportioned to

the participating State that has the largest apportionment for the most recently completed fiscal year.

"(3) ELIGIBLE PROJECT COSTS.—The term 'eligible project costs' means the costs of—

"(A) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities;

"(B) construction, reconstruction, rehabilitation, and acquisition of real property (including land related to the project and improvements to land), environmental mitigation, construction contingencies, acquisition of equipment directly related to improving system performance, and operational improvements; and

"(C) the subsidy amount (as defined in section 601(a)) and administrative costs of projects eligible for credit assistance under chapter 6, if the Secretary determines that the unobligated balances of amounts made available to carry out the TIFIA program (as defined in section 601(a)) are insufficient to meet the

needs of the TIFIA program for that fiscal year.

"(4) RURAL AREA.—The term 'rural area' means an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.

"(5) RURAL STATE.—The term 'rural State' means a State that has a population density of 50 or fewer persons per square mile, based on the most recent decennial census.

"(d) SOLICITATIONS AND APPLICATIONS.—

"(1) GRANT SOLICITATIONS.—The Secretary shall conduct a transparent and competitive national solicitation process to select eligible projects for funding under this section.

"(2) APPLICATIONS.—

"(A) IN GENERAL.—An eligible applicant seeking a grant under this section shall submit to the Secretary an application in such form, at such time, and containing such information as the Secretary determines necessary.

"(B) CONTENTS.—Each application submitted under this paragraph shall include data on the most recent system performance and estimated system improvements that will result

from completion of the eligible project, including projections for improvements 5, 10, and 20 years after completion of the project.

"(C) RESUBMISSION OF APPLICATIONS.—An eligible applicant whose project is not selected by the Secretary for funding under this section may resubmit an application in a subsequent solicitation.

"(e) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

"(1) IN GENERAL.—The Secretary may select a project for funding under this section only if the Secretary determines that the project—

"(A) is consistent with the national goals described in section 150(b);

"(B) will significantly improve the performance of the national surface transportation network, nationally or regionally;

"(C) is based on the results of preliminary engineering;

"(D) is consistent with the long-range statewide transportation plan;

"(E) cannot be readily and efficiently completed without Federal financial assistance;

"(F) is justified based on the ability of the project to achieve 1 or more of the following:

"(i) Generate national economic benefits that reasonably exceed the costs of the project.

"(ii) Reduce long-term congestion, including impacts on a national, regional, and State-wide basis.

"(iii) Increase the speed, reliability, and accessibility of the movement of people or freight.

"(iv) Improve transportation safety, including reducing transportation accident and serious injuries and fatalities; and

"(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

"(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Secretary shall consider the extent to which the project—

"(A) leverages Federal investment by encouraging non-Federal contributions to the

project, including contributions from public-private partnerships;

"(B) is able to begin construction within 18 months of being selected;

"(C) incorporates innovative project delivery and financing where practical;

"(D) helps maintain or protect the environment;

"(E) improves roadways vital to national energy security;

"(F) improves or upgrades designated future Interstate System routes;

"(G) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project; and

"(H) helps to improve mobility and accessibility.

"(f) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Secretary shall take measures to ensure, to the maximum extent practicable—

"(1) an equitable geographic distribution of amounts; and

"(2) an appropriate balance in addressing the needs of rural and urban communities.

"(g) FUNDING REQUIREMENTS.—

"(1) IN GENERAL.—The amount of a grant under this section shall not exceed $50,000,000.

"(2) RURAL PROJECTS.—Not less than 20 percent of the amounts made available for a fiscal year under this section shall be for eligible projects located in rural areas or in rural States.

"(3) RESERVATION OF FUNDS.—The Secretary shall reserve for projects eligible to receive grant assistance under this title (other than projects otherwise eligible under chapter 53 of title 49 or described in section 167(k)(2)) not less than 80 percent of the amount made available for a fiscal year to carry out this section.

"(4) STATE CAP.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section may be awarded to projects in a single State.

"(h) GRANT REQUIREMENTS.—

"(1) APPLICABILITY OF PLANNING REQUIREMENTS.—The programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

"(2) DETERMINATION OF APPLICABLE MODAL REQUIREMENTS.—If an eligible project that receives

a grant under this section has a crossmodal component, the Secretary—

"(A) shall determine the predominant modal component of the project; and

"(B) may apply the applicable requirements of that predominant modal component to the project.

"(i) REPORT TO THE SECRETARY.—For each project funded under this section, the project sponsor shall reassess system performance and submit to the Secretary a report not later than 5, 10, and 20 years after completion of the project to assess whether the project outcomes have met preconstruction projections.

"(j) NOTIFICATION AND REPORTS.—

"(1) CONGRESSIONAL NOTIFICATION, APPROVAL, AND DISCLOSURE.—

"(A) NOTIFICATION.—At least 30 days before notifying an applicant of selection of a project for funding under this section, the Secretary shall notify, in writing, the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the proposed selection along with a description

of the reasons for selecting the project, based on the criteria described in subsection (e).

"(B) CONGRESSIONAL APPROVAL.—The Secretary may not make any obligation or commitment to fund a project under this section if Congress enacts a joint resolution disapproving funding for the project before the last day of the 30-day period described in subparagraph (A).

"(C) PUBLIC REPORT.—The Secretary shall make available on the website of the Department at the end of each fiscal year an annual report that lists each project that has received assistance under this section during that fiscal year.

"(2) COMPTROLLER GENERAL.—

"(A) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the establishment, solicitation, selection, and justification process with respect to the funding of projects under this section.

"(B) REPORT.—Not later than 1 year after the initial awarding of funding under this section, the Comptroller General of the United States shall submit to the Committee on Envi-

ronment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

"(i) the process by which each project was selected;

"(ii) the criteria used for the selection of each project; and

"(iii) the justification for the selection of each project based on the criteria described in subsection (e).

"(3) INSPECTOR GENERAL.—

"(A) ASSESSMENT.—The Inspector General of the Department shall conduct an assessment of the establishment, solicitation, selection, and justification process with respect to the funding of projects under this section.

"(B) INITIAL REPORT.—Not later than 2 years after the initial awarding of funding under this section, the Inspector General of the Department shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a

report that describes the initial results of the assessment conducted under subparagraph (A).

"(C) FINAL REPORT.—Not later than 4 years after the initial awarding of funding under this section, the Inspector General of the Department shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a final report that describes the findings of the Inspector General of the Department with respect to the assessment conducted under subparagraph (A).".

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

"171. Projects of national or regional significance.".

SEC. 1120. TRANSPORTATION ALTERNATIVES.

Section 213 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by striking "of fiscal years 2013 and 2014" and inserting "fiscal year";

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A) by striking "50" and inserting "66.67"; and

(ii) in subparagraph (B)—

(I) by striking ''50'' and inserting ''33.33''; and

(II) by inserting ''to any eligible entity'' after ''obligated''; and

(B) in paragraph (4)(B)—

(i) in clause (vi) by striking ''and'';

(ii) by redesignating clause (vii) as clause (viii); and

(iii) by inserting after clause (vi) the following:

''(vii) a nonprofit entity responsible for the administration of local transportation safety programs; and''; and

(3) by adding at the end the following:

''(h) ANNUAL REPORTS.—Each State or metropolitan planning organization responsible for carrying out the requirements under this section shall submit to the Secretary an annual report describing—

''(1) the number of project applications received for each fiscal year, including—

''(A) the estimated cost of each project for which an application is received;

''(B) the aggregate value of the projects for which applications are received;

"(C) for each project, the proposed cost share of the project sponsor; and

"(D) for each project, identification of the type of project to be carried out, as described in subsection (b); and

"(2) the number of projects selected for funding for each fiscal year, including—

"(A) the cost of each selected project;

"(B) the cost share for each selected project;

"(C) the type of each selected project, as described in subsection (b); and

"(D) the aggregate value of projects selected.

"(i) EXPEDITING INFRASTRUCTURE PROJECTS.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall develop regulations or guidance relating to the implementation of this section that encourages the use of the programmatic approaches to environmental reviews, expedited procurement techniques, and other best practices to facilitate productive and timely expenditure for projects that are small, low-impact, and constructed within an existing built environment.

"(2) STATE PROCESSES.—The Secretary shall work with State departments of transportation to ensure that any regulation or guidance developed under paragraph (1) is consistently implemented by States and the Federal Highway Administration to avoid unnecessary delays in implementing projects and to ensure the effective use of Federal dollars.".

SEC. 1121. ASSESSING POLICY AND SYSTEM FINANCING ALTERNATIVES.

Section 503(b) of title 23, United States Code, is amended by inserting at the end the following:

"(9) ASSESSING POLICY AND SYSTEM FINANCING ALTERNATIVES.—

"(A) IN GENERAL.—The Secretary shall carry out a research and innovation program to explore alternative transportation revenue mechanisms that preserve a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

"(B) OBJECTIVES.—In carrying out this paragraph, the Secretary shall carry out research and development activities—

"(i) to direct a coordinated research and development program to study remaining uncertainties relating to the design, ac-

ceptance, and implementation of 3 or more future sustainable alternative transportation revenue mechanisms;

''(ii) to define the functionality of 3 or more user-based alternative revenue mechanisms;

''(iii) to conduct or promote research activities to demonstrate and test such user-based alternative revenue mechanisms, including field trials, by partnering with individual States, groups of States, or other appropriate entities to conduct such research;

''(iv) to conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and provide information on possible approaches;

''(v) to provide recommendations regarding adoption and implementation of such user-based alternative revenue mechanisms; and

''(vi) to reduce the administrative cost of any potential alternative revenue mechanisms.

"(C) CONTENTS.—Research and technology activities carried out under this paragraph may include partnering with and providing grant funding to individual States, groups of States, or other appropriate entities to conduct research that addresses—

"(i) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of an alternative revenue mechanism;

"(ii) the protection of personal privacy;

"(iii) the utilization of independent and private third-party vendors to collect fees and operate the alternative revenue mechanism;

"(iv) equity concerns, including the impacts of the alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;

"(v) ease of compliance for different users of the transportation system;

"(vi) the reliability of technology used to implement the alternative revenue mechanism;

"(vii) the flexibility and choices with alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

"(viii) the cost of administering the alternative revenue mechanism; and

"(ix) the ability of the administering entity to audit and enforce user compliance.

"(D) ADVISORY COUNCIL.—

"(i) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, the Secretary, in consultation with the Secretary of the Treasury, shall establish and lead a Surface Transportation Revenue Alternatives Advisory Council (hereinafter referred to as 'the Council') to inform the selection and evaluation of alternative revenue mechanisms.

"(ii) MEMBERSHIP.—

"(I) IN GENERAL.—The members of the Council shall—

"(aa) be appointed by the Secretary; and

"(bb) include, at a minimum—

"(AA) representation with experience in alternative revenue mechanisms from the Department of Transportation, the Department of the Treasury, and not less than 2 State departments of transportation;

"(BB) representation from applicable users of the surface transportation system; and

"(CC) are appropriate technology and public privacy experts.

"(II) GEOGRAPHIC CONSIDERATIONS.—The Secretary shall consider geographic diversity when selecting members under this clause.

"(iii) FUNCTIONS.—Not later than 1 year after the date on which the Council is

established, the Council shall, at a minimum—

"(I) define the functionality of 3 or more alternative revenue mechanisms;

"(II) identify technological, administrative, institutional, privacy, and other issues that are—

"(aa) associated with the alternative revenue mechanisms; and

"(bb) may be researched through research activities;

"(III) conduct public outreach to identify and assess questions and concerns about the alternative revenue mechanisms for future evaluation through research activities;

"(IV) provide recommendations to the Secretary on the process and criteria used for selecting research activities under subparagraph (C); and

"(V) conduct periodic evaluations of the research activities that have re-

ceived assistance under this paragraph from the Secretary.

"(E) BIENNIAL REPORTS.—Not later than 2 years after the date of enactment of this paragraph, and every 2 years thereafter until the completion of the research activities, the Secretary shall submit to the Secretary of the Treasury, the Committee on Finance and the Committee on Environment and Public Works of the Senate, and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report with findings on the progress of the research activities.

"(F) FINAL REPORT.—On the completion of the research activities, the Secretary and the Secretary of the Treasury shall submit to the Committee on Finance and the Committee on Environment and Public Works of the Senate and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the findings and any recommendations.

"(G) FUNDING.—

"(i) IN GENERAL.—Of the amounts made available for administrative expenses under section 104(a), not less than 4 percent shall be used to carry out this paragraph.

"(ii) USER-BASED ALTERNATIVE REVENUE MECHANISMS.—Of the amounts made available to carry out this paragraph, not more than 40 percent shall be used to carry out 1 of the user-based alternative revenue mechanisms.".

SEC. 1122. CONSOLIDATION OF PROGRAMS.

Section 1519(a) of MAP–21 (Public Law 112–141; 126 Stat. 574) is amended in the matter preceding paragraph (1) by striking "fiscal years 2013 and 2014" and inserting "fiscal years 2013 through 2020".

SEC. 1123. STATE FLEXIBILITY FOR NATIONAL HIGHWAY SYSTEM MODIFICATIONS.

(a) NATIONAL HIGHWAY SYSTEM FLEXIBILITY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance relating to working with State departments of transportation that request assistance from the division offices of the Federal Highway Administration—

(1) to review roads classified as principal arterials within the State that were added to the National Highway System as of October 1, 2012, in order to comply with section 103 of title 23, United States Code; and

(2) to identify any functional classification changes needed to rural and urban principal arterials.

(b) ADMINISTRATIVE ACTIONS.—The Secretary shall direct each division office of the Federal Highway Administration to work with the applicable State departments of transportation that have requested assistance under this section—

(1) to assist in the review of roads pursuant to the guidance issued under subsection (a);

(2) to expeditiously review and facilitate requests from States to reclassify roads classified as principal arterials; and

(3) to work with States that request that certain roads be withdrawn from the National Highway System in a manner consistent with section 103(b)(3)(B) of title 23, United States Code, to carry out that withdrawal if the inclusion of that road on the National Highway System is not con-

sistent with the needs and priorities of the community or region through which the road exists.

(c) NHS MODIFICATION REGULATIONS.—The Secretary shall—

(1) review the National Highway System modification process described in appendix D of part 470 of title 23, Code of Federal Regulations (or successor regulations); and

(2) take any actions necessary to ensure that a process exists for a State to submit a request to the Secretary to modify the National Highway System by withdrawing a road from the National Highway System.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes a description of—

(1) each request for reclassification of National Highway System roads;

(2) the status of each request; and

(3) if applicable, the justification for the denial of the request by the Secretary.

(e) MODIFICATIONS TO NHS.—Section 103(b)(3)(A) of title 23, United States Code, is amended—

(1) in the matter preceding clause (i) by inserting ''or the withdrawal of a road from that system'' after ''intermodal terminal''; and

(2) in clause (ii)—

(A) by striking ''(ii) enhances'' and inserting ''(ii)(I) enhances'';

(B) by striking period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(II) in the case of the withdrawal of a road, is reasonable and appropriate.''.

SEC. 1124. DEPARTMENT OF TRANSPORTATION PERFORMANCE MEASURES.

(a) PERFORMANCE MEASURES.—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with other Federal agencies with responsibility for the review and approval of projects funded under title 23, United States Code, shall establish a program to measure and report on—

(1) the progress made toward aligning Federal reviews of projects funded under title 23, United States Code, and the improvement of project delivery associated with those projects; and

(2) as applicable, the effectiveness of the Department in achieving the goals described in section 150(b) of title 23, United States Code, through discretionary programs.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, and biennially thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the outcome of the evaluation under subsection (a).

(c) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department of Transportation shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the outcome of the evaluation under subsection (a).

SEC. 1125. AMERICAN TRANSPORTATION AWARDS.

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

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' includes—

(A) a State;

(B) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); and

(C) a metropolitan planning organization.

(2) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a competitive grant program to support best practices that promote progress, innovation, and efficiency for surface transportation programs within State departments of transportation and metropolitan planning organizations.

(c) PURPOSE OF PROGRAM.—The purpose of the program shall be to reward entities for the implementation of policies and procedures that—

(1) support a performance-based transportation program;

(2) improve efficiency of and reduce the cost and time to construct surface transportation projects;

(3) enhance connectivity and accessibility to move people and goods; and

(4) adopt practices that improve the safety of and extend the service life of highways and bridges.

(d) APPLICATION.—

(1) IN GENERAL.—An eligible entity may submit to the Secretary an application for a grant under this section.

(2) CONTENTS.—The application—

(A) shall indicate how the eligible entity has achieved 1 or more of the purposes listed in subsection (c); and

(B) may include information regarding how the eligible entity has adopted or implemented 1 or more best practices that meet those purposes, including by—

(i) demonstrating fiscal responsibility by delivering Federal highway projects under budget or ahead of schedule;

(ii) establishing and making strong progress towards achieving performance

targets pursuant to section 150(d) of title 23, United States Code;

(iii) utilizing innovative management techniques and practices that enhance the effective movement of people, goods, and services;

(iv) increasing transportation efficiency;

(v) improving safety, accessibility, and aiding traffic management;

(vi) extending the service life of highways and bridges;

(vii) integrating transportation investment decisions with a planning process that takes into account economic development;

(viii) adopting laws, policies, rules, and regulations or committing resources for practices that have been demonstrated to reduce transportation-related fatalities and injuries;

(ix) reducing project delivery times; and

(x) delivering transportation projects that improve accessibility while providing

effective and efficient transportation options, as appropriate for the community.

(e) EVALUATION CRITERIA.—In awarding a grant under this section, the Secretary shall consider the extent to which the application—

(1) demonstrates performance in implementing the best practices listed in subsection (d)(2)(B);

(2) promotes the national goals described in section 150(b) of title 23, United States Code; and

(3) highlights how the eligible entity has efficiently utilized Federal transportation funding to maintain and improve Federal highways within the respective jurisdiction of the eligible entity.

(f) ELIGIBLE ACTIVITIES.—Amounts made available to carry out this section shall be used for capital or planning expenses for projects eligible for funding under title 23, United States Code, or chapter 53 of title 49, United States Code.

(g) LIMITATION.—The amount of a grant under this section shall be not more than $10,000,000.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $125,000,000 for each of fiscal years 2016 through 2020, to remain available until expended.

(i) APPLICABILITY OF REQUIREMENTS.—Amounts made available under this section shall be administered as if such funds were apportioned under chapter 1 of title 23, United States Code.

Subtitle B—Highway Trust Fund Transparency and Accountability

SEC. 1201. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

"(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.—

"(1) DATA COLLECTION.—Not later than 180 days after the end of each fiscal year, the Secretary shall compile and make available in a user-friendly manner on the public website of the Department of Transportation data on the amounts made available under this title for that fiscal year.

"(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall ensure that the data made available on the public website of the Department of Transportation—

"(A) is updated regularly to reflect the most recent status of obligations, expenditures,

and Federal-aid projects, to the maximum extent practicable;

"(B) can be searched and downloaded by users of the website;

"(C) is organized by State and, to the maximum extent practicable, project;

"(D) categorizes the project as—

"(i) a pavement widening project;

"(ii) a pavement improvement project;

"(iii) a new road construction project;

"(iv) a new bridge construction project;

"(v) a bridge improvement project; or

"(vi) a bridge replacement project;

"(E) identifies the location of project, including whether the project is located in an urbanized or rural area;

"(F) identifies the 1 or more programs from which the amounts were obligated; and

"(G) includes comprehensive data, organized by fiscal year, that includes—

"(i) the total amount obligated, organized by State, during the preceding fiscal year;

"(ii) the balance, as of September 30 of the preceding fiscal year, of the unobligated apportionment under this section, organized by State and fiscal year;

"(iii) the balance of the unobligated amounts available for expenditure at the discretion of the Secretary under this chapter for the fiscal year;

"(iv) the amount obligated for each Federal-aid highway program during the preceding fiscal year;

"(v) the percentage of the total amount of obligations for the preceding fiscal year under each Federal-aid highway program that is from the Highway Trust Fund;

"(vi) the percentage of the total amount of obligations for the preceding fiscal year made from the Highway Account of the Highway Trust Fund used for construction and rehabilitation;

"(vii) the rate of obligation of the amounts apportioned or set aside under this section, organized by—

"(I) program;

"(II) funding category or sub-category;

"(III) type of improvement;

"(IV) State; and

"(V) sub-State geographical area, including urbanized and rural areas, on the basis of the population of each such area; and

"(viii) the average cost and time associated with preparing the environmental review documents required for projects that received funding from the Highway Account of the Highway Trust Fund during the preceding fiscal year that require—

"(I) a categorical exclusion;

"(II) an environmental assessment; or

"(III) an environmental impact statement.".

(b) CONFORMING AMENDMENT.—Section 1503 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended by striking subsection (c).

SEC. 1202. REPORT ON HIGHWAY TRUST FUND ADMINISTRATIVE EXPENDITURES.

(a) INITIAL REPORT.—Not later than 150 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing the administrative expenses of the Federal Highway Administration funded from the Highway Trust Fund during the 3 most recently completed fiscal years.

(b) UPDATES.—Not later than 5 years after the date on which the report is submitted under subsection (a) and every 5 years thereafter, the Comptroller General of the United States shall submit to Congress a report that updates the information provided in the report under that subsection for the applicable 5-year period.

(c) INCLUSIONS.—A report submitted under subsection (a) or (b) shall include a description of—

(1) the types of administrative expenses in programs and offices funded by the Highway Trust Fund;

(2) how administrative expenses are tracked and monitored;

(3) what controls are in place to ensure that funding for administrative expenses are being used as efficiently as practicable; and

(4) what flexibility the Department of Transportation has to reallocate amounts from the High-

way Trust Fund between full-time equivalent employees and other functions.

Subtitle C—Acceleration of Project Delivery

SEC. 1301. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

Section 1317(1) of MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in subparagraph (A) by inserting ''(as adjusted each fiscal year to reflect changes for the 12-month period ending the preceding November 30 in the National Highway Construction Cost Index)'' after ''$5,000,000''; and

(2) in subparagraph (B) by inserting ''(as adjusted each fiscal year to reflect changes for the 12-month period ending the preceding November 30 in the National Highway Construction Cost Index)'' after ''$30,000,000''.

SEC. 1302. PROGRAMMATIC AGREEMENT TEMPLATE.

Section 1318 of MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended by adding at the end the following:

''(e) PROGRAMMATIC AGREEMENT TEMPLATE.—

''(1) IN GENERAL.—The Secretary shall develop a template programmatic agreement described in

subsection (d) that provides for efficient and adequate procedures for evaluating Federal actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

"(2) USE OF TEMPLATE.—The Secretary—

"(A) on receipt of a request from the Governor of a State, shall use the template programmatic agreement developed under paragraph (1) in carrying out this section; and

"(B) on consent of the applicable State, may modify the template as necessary to address the unique needs and characteristics of the State.

"(3) OUTCOME MEASUREMENTS.—The Secretary shall establish a method to verify that actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection), are evaluated and documented in a consistent manner by the Governor of any State that uses the template programmatic agreement under this subsection.".

SEC. 1303. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.

(a) TITLE 23 AMENDMENT.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

"(c) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

"(1) IN GENERAL.—The Secretary shall—

"(A) align, to the maximum extent practicable, the requirements of this section with the requirements of—

"(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and the regulations promulgated pursuant to that Act; and

"(ii) section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and the regulations promulgated pursuant to that section; and

"(B) coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation to establish procedures that will satisfy the requirements of the provisions of law (including regulations) referred to in subparagraph (A) by not

later than 90 days after the date of enactment of this subsection.

"(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

"(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that no feasible or prudent alternative exists to avoid use of an historic site, the Secretary may—

"(i) include that determination in the analysis;

"(ii) provide a notice of the determination to—

"(I) each applicable State historic preservation officer and tribal historic preservation officer;

"(II) the Executive Director of the Advisory Council on Historic Preservation (if the Council is participating in a relevant consultation process under section 106 of the National Historic Preservation Act (16 U.S.C. 470f)); and

"(III) the Secretary of the Interior; and

"(iii) request from each individual described in clause (ii) a concurrence that the determination is sufficient to satisfy the requirement of subsection (a)(1).

"(B) ACTION ON CONCURRENCE.—If each individual described in subparagraph (A)(ii) provides a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

"(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

"(i) included in the record of decision or finding of no significant impact of the Secretary; and

"(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

"(3) ALIGNING HISTORICAL REVIEWS.—

"(A) IN GENERAL.—If the Secretary and the individuals described in paragraph (2)(A)(ii) concur that no feasible and prudent

alternative exists as described in paragraph (2), the Secretary may provide to each individual described in paragraph (2)(A)(ii) a notice of the intent of the Secretary to satisfy the requirements of subsection (a)(2) through the consultation requirements of section 106 of the National Historic Preservation Act (16 U.S.C. 470f)).

"(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 106 of the National Historic Preservation Act (16 U.S.C. 470f)).".

(b) TITLE 49 AMENDMENT.—Section 303 of title 49, United States Code, is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking "subsection (d)" and inserting "subsections (d) and (e)"; and

(2) by adding at the end the following:

"(e) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

"(1) IN GENERAL.—The Secretary shall—

"(A) align, to the maximum extent practicable, the requirements of this section with the requirements of—

"(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and the regulations promulgated pursuant to that Act; and

"(ii) section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and the regulations promulgated pursuant to that section; and

"(B) coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation to establish procedures that will satisfy the requirements of the provisions of law (including regulations) referred to in subparagraph (A) by not later than 90 days after the date of enactment of this subsection.

"(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

"(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that no feasible or pru-

dent alternative exists to avoid use of an historic site, the Secretary may—

"(i) include that determination in the analysis;

"(ii) provide a notice of the determination to—

"(I) each applicable State historic preservation officer and tribal historic preservation officer;

"(II) the Executive Director of the Advisory Council on Historic Preservation (if the Council is participating in a relevant consultation process under section 106 of the National Historic Preservation Act (16 U.S.C. 470f)); and

"(III) the Secretary of the Interior; and

"(iii) request from each individual described in clause (ii) a concurrence that the determination is sufficient to satisfy the requirement of subsection (c)(1).

"(B) ACTION ON CONCURRENCE.—If each individual described in subparagraph (A)(ii) provides a concurrence requested under sub-

paragraph (A)(iii), no further analysis under subsection (c)(1) shall be required.

"(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

"(i) included in the record of decision or finding of no significant impact of the Secretary; and

"(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

"(3) ALIGNING HISTORICAL REVIEWS.—

"(A) IN GENERAL.—If the Secretary and the individuals described in paragraph (2)(A)(ii) concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to each individual described in paragraph (2)(A)(ii) a notice of the intent of the Secretary to satisfy the requirements of subsection (c)(2) through the consultation requirements of section 106 of the

National Historic Preservation Act (16 U.S.C. 470f)).

"(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (c)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 106 of the National Historic Preservation Act (16 U.S.C. 470f)).".

SEC. 1304. INITIATION OF ENVIRONMENTAL REVIEW PROCESS AND ELIMINATION OF DUPLICATIVE REVIEWS.

Section 139 of title 23, United States Code, is amended—

(1) in subsection (e)—

(A) in paragraph (1), by inserting "(including any additional information that the project sponsor considers to be important to initiate the process for the proposed project)" after "location of the proposed project"; and

(B) by adding at the end the following:

"(3) REVIEW OF APPLICATION.—Not later than 45 days after the date on which an application is re-

ceived by the Secretary under this subsection, the Secretary shall provide to the project sponsor a written response that, as applicable—

"(A) describes the determination of the Secretary—

"(i) to initiate the environmental review process, including a timeline and an expected date for the publication in the Federal Register of the relevant notice of intent; or

"(ii) to decline the application, including an explanation of the reasons for that decision; or

"(B) requests additional information regarding, and provides to the project sponsor an accounting, regarding what is necessary to initiate the environmental review process."; and

(2) in subsection (f)(4), by adding at the end the following:

"(E) REDUCTION OF DUPLICATION.—

"(i) IN GENERAL.—In carrying out this paragraph, the head of a Federal agency shall reduce duplication, to the maximum extent practicable, between—

"(I) the evaluation of alternatives under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

"(II) the evaluation of alternatives in the metropolitan transportation planning process or by a State transportation department or local transportation agency pursuant to State law relating to the environmental review process.

"(ii) CONSIDERATION OF ALTERNATIVES.—The head of a Federal agency may eliminate from detailed consideration an alternative proposed in an environmental impact statement regarding a project if, as determined by the head of the Federal agency—

"(I) the Federal lead agency provided to the State transportation department or local transportation agency guidance regarding analysis of alternatives during the metropolitan transportation planning process, including guidance on the requirements

under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other requirements of Federal law necessary for approval of the project;

''(II) the applicable metropolitan planning process or State or local transportation agency environmental review process included an opportunity for public review and comment;

''(III) the State transportation department or local transportation agency rejected the alternative after considering public comments;

''(IV) the Federal lead agency independently reviewed the alternative evaluation approved by the State transportation department or local transportation agency; and

''(V) the Federal lead agency, in consultation with any Federal agency with jurisdiction over a permit or approval required for a project, has determined that the alternative to be

eliminated from consideration is not necessary for—

"(aa) compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

"(bb) any permit or approval under any other Federal law.".

SEC. 1305. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 139 of title 23, United States Code, is amended by adding at the end the following:

"(n) ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.—

"(1) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations regarding why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the

draft statement, subject to the conditions that the errata sheets shall—

"(A) cite the sources, authorities, or reasons that support the position of the lead agency; and

"(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

"(2) INCORPORATION.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

"(A) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

"(B) there are significant new circumstances or information relevant to environmental concerns and that bear on the proposed action or the impacts of the proposed action.".

(b) REPEAL.—Section 1319 of MAP–21 (42 U.S.C. 4332a) is repealed.

SEC. 1306. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

Section 168 of title 23, United States Code, is amended—

(1) in subsection (c)(1)—

(A) by redesignating subparagraphs (C) through (E) as subparagraphs (E) through (G), respectively;

(B) in subparagraph (B), by inserting ''general travel corridor or'' before ''modal choice''; and

(C) by inserting after subparagraph (B) the following:

''(C) the purpose and the need for the proposed action;

''(D) preliminary screening of alternatives and elimination of unreasonable alternatives;''; and

(2) in subsection (d)—

(A) in paragraph (9), by inserting ''and is incorporated in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the MAP–21 Reauthorization Act)'' before the period at the end; and

(B) by adding at the end the following:

"(11) The planning product is sufficient to meet the requirements for a permit or approval under applicable Federal law.".

SEC. 1307. USE OF PROGRAMMATIC AGREEMENT.

Section 169(f) of title 23, United States Code, is amended—

(1) by striking "may use" and inserting "shall give substantial weight to"; and

(2) by inserting "or other Federal environmental law" before the period at the end.

SEC. 1308. TECHNICAL ASSISTANCE FOR STATES.

Section 326 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after paragraph (1) the following:

"(2) ASSISTANCE TO STATES.—On request of a Governor of a State, the Secretary shall provide to the State technical assistance, training, or other support relating to—

"(A) assuming responsibility under subsection (a);

"(B) developing a memorandum of understanding under this subsection; or

"(C) addressing a responsibility in need of corrective action under subsection (d)(1)(B)."; and

(2) in subsection (d) by striking paragraph (1) and inserting the following:

"(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—

"(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

"(B) the Secretary provides to the State—

"(i) a notification of the determination of noncompliance; and

"(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

"(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action re-

garding an inadequacy identified under subparagraph (A); and

"(C) the State, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.".

SEC. 1309. IMPROVEMENT OF APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.

Section 304 of title 49, United States Code, is amended as follows:

(1) Subsection (a)(1) is amended—

(A) by striking "operating authority" and inserting "operating administration or secretarial office";

(B) by inserting "has expertise but" before "is not the lead"; and

(C) by inserting "proposed multimodal" before "project".

(2) Subsection (a)(2) is amended to read as follows:

"(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has

the lead responsibility for a proposed multimodal project.''.

(3) Subsection (a)(3) is amended by striking ''has the meaning given the term in section 139(a) of title 23'' and inserting ''means an action by the Department of Transportation that involves expertise of one or more Department of Transportation operating administrations or secretarial office''.

(4) Subsection (b) is amended by striking ''under this title'' and inserting ''by the Secretary''.

(5) Subsection (c) is amended—

(A) by striking ''a categorical exclusion designated under the implementing regulations or'' and inserting ''categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing'';

(B) by striking ''other components of the'' and inserting ''a proposed multimodal'';

(C) by amending paragraphs (1) and (2) to read as follows:

''(1) the lead authority makes a preliminary determination on the applicability of a categorical exclusion to a proposed multimodal project and notifies

the cooperating authority of its intent to apply the cooperating authority categorical exclusion;

''(2) the cooperating authority does not object to the lead authority's preliminary determination of its applicability;'';

(D) by amending paragraph (3) by inserting ''the lead authority determines that'' at the beginning, and ''proposed multimodal'' before ''project to be covered''; and

(E) by amending paragraph (4) to read as follows:

''(4) the lead authority, with the concurrence of the cooperative authority—

''(A) follows implementing regulations or procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(B) determines that the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(C) determines that extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environ-

mental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and''.

(6) Subsection (d) is amended to read as follows:

''(d) COOPERATIVE AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

TITLE II—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

SEC. 2001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

(a) DEFINITIONS.—Section 601(a) of title 23, United States Code, is amended—

(1) by striking paragraph (10) and inserting the following:

''(10) MASTER CREDIT AGREEMENT.—The term 'master credit agreement' means an agreement to extend credit assistance for a program of related projects secured by a common security pledge (which shall receive an investment grade rating from a rating agency prior to the Secretary entering into such

master credit agreement), or for a single project covered under section 602(b)(2) that would—

"(A) make contingent commitments of 1 or more secured loans or other Federal credit instruments at future dates, subject to—

"(i) the availability of future funds being made available to carry out this chapter; and

"(ii) the satisfaction of all of the conditions for the provision of credit assistance under this chapter, including section 603(b)(1);

"(B) establish the maximum amounts and general terms and conditions of the secured loans or other Federal credit instruments;

"(C) identify the 1 or more dedicated non-Federal revenue sources that will secure the repayment of the secured loans or secured Federal credit instruments;

"(D) provide for the obligation of funds for the secured loans or secured Federal credit instruments after all requirements have been met for the projects subject to the master credit agreement, including—

"(i) completion of an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

"(ii) compliance with such other requirements as are specified in this chapter, including sections 602(c) and 603(b)(1); and

"(iii) the availability of funds to carry out this chapter; and

"(E) require that contingent commitments result in a financial close and obligation of credit assistance not later than 3 years after the date of entry into the master credit agreement, or release of the commitment, unless otherwise extended by the Secretary.";

(2) in paragraph (12)—

(A) in subparagraph (C) by striking "and" at the end;

(B) in subparagraph (D)(iv) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

"(E) a project to improve or construct public infrastructure that is located within walking distance of, and accessible to, a fixed guideway transit facility, passenger rail station, intercity bus station, or intermodal facility, including transportation, public utility, and capital projects described in section 5302(3)(G)(v) of title 49, and related infrastructure; and

"(F) a project for the acquisition of plant and wildlife habitat pursuant to a conservation plan that—

"(i) has been approved by the Secretary of the Interior pursuant to section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539); and

"(ii) in the judgment of the Secretary, would mitigate the environmental impacts of transportation infrastructure projects otherwise eligible for assistance under this chapter."; and

(3) by striking paragraph (15) and inserting the following:

"(15) RURAL INFRASTRUCTURE PROJECT.—The term 'rural infrastructure project' means a surface infrastructure project located in an area that is

outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.''.

(b) ELIGIBLE PROJECT COSTS.—Section 602(a)(5)(B) of title 23, United States Code, is amended—

(1) by striking ''(B) INTELLIGENT TRANSPORTATION SYSTEM PROJECTS.—In the case'' and inserting the following:

''(B) EXCEPTIONS.—

''(i) INTELLIGENT TRANSPORTATION SYSTEMS.—In the case''; and

(2) by adding at the end the following:

''(ii) TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—In the case of a project described in section 601(a)(12)(E), eligible project costs shall be reasonably anticipated to be equal to or exceed $10,000,000.''.

(c) MASTER CREDIT AGREEMENTS.—Section 602(b) of title 23, United States Code is amended by striking paragraph (2) and inserting the following:

''(2) MASTER CREDIT AGREEMENTS.—

''(A) PROGRAM OF RELATED PROJECTS.—The Secretary may enter into a master credit

agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.

"(B) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects in a fiscal year, and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year during which additional funds are available to receive credit assistance.".

(d) PROGRAM ADMINISTRATION.—Section 605 of title 23, United States Code, is amended by adding at the end the following:

"(f) ASSISTANCE TO SMALL PROJECTS.—The Secretary shall use not less than $2,000,000 of administrative funding per year in lieu of fees collected under subsection (b) for projects under this chapter with a total project cost of less than $75,000,000.".

(e) FUNDING.—Section 608(a)(6) of title 23, United States Code, is amended by striking "0.50" and inserting "0.75".

SEC. 2002. STATE INFRASTRUCTURE BANKS.

Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1) by striking subparagraph (A) and inserting the following:

"(A) 10 percent of the funds apportioned to the State for each of fiscal years 2015 through 2020 under each of sections 104(b)(1), 104(b)(2), and 104(b)(6); and";

(B) in paragraph (2) by striking "2005 through 2009" and inserting "2015 through 2020";

(C) in paragraph (3), by striking "2005 through 2009" and inserting "2015 through 2020"; and

(D) in paragraph (5), by striking "section 133(d)(3)" and inserting "section 133(d)(1)"; and

(2) in subsection (k), by striking "2005 through 2009" and inserting "2015 through 2020".

SEC. 2003. TIFIA LOANS FOR STATE INFRASTRUCTURE BANKS.

(a) TIFIA LOANS.—Chapter 6 of title 23, United States Code, is amended by adding at the end the following:

"§ 611. TIFIA loans for State infrastructure banks

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

''(1) LETTER OF INTEREST.—The term 'letter of interest' means a letter submitted by a potential State infrastructure bank applicant prior to an application for credit assistance in a format prescribed by the Secretary on the website of the TIFIA program that—

''(A) outlines the proposed financial plan, including the requested credit assistance; and

''(B) provides information regarding satisfaction of other eligibility requirements of the TIFIA program.

''(2) LIMITED BUYDOWN.—The term 'limited buydown' means a buydown of the interest rate by the obligor if the interest rate has increased between—

''(A) the date on which an application acceptable to the Secretary is submitted; and

''(B) the date on which the Secretary executes the secured loan.

''(3) OBLIGOR.—The term 'obligor' means a State infrastructure bank established under section 610 that is primarily liable for payment of the principal of or interest on a secured loan.

"(4) SECURED LOAN.—The term 'secured loan' means a direct loan or other debt obligation issued by an obligor and funded by the Secretary in connection with the capitalization or deposit into a State infrastructure bank established under section 610.

"(5) SENIOR OBLIGATION.—Except as provided in subsection (i), the term 'senior obligation' means any note, bond, debenture, or other debt obligation issued by an obligor, other than a secured loan, that is secured by the dedicated revenue sources that also secure the secured loan and that is senior in right of payment to the secured loan.

"(6) STATE INFRASTRUCTURE BANK OBLIGATION.—The term 'State infrastructure bank obligation' means any note, bond, debenture, or other debt obligation issued by a State infrastructure bank, other than a secured loan, that is secured by the dedicated revenue sources that also secure the secured loan.

"(7) SUBSIDY AMOUNT.—The term 'subsidy amount' means the amount of budget authority sufficient to cover the estimated long-term cost to the Federal Government of a secured loan—

"(A) calculated on a net present value basis; and

"(B) excluding administrative costs and any incidental effects on governmental receipts or outlays in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

"(b) ESTABLISHMENT.—The Secretary may set aside up to 10 percent of the funds made available to carry out the TIFIA program under this chapter (excluding the amount set aside under section 608(a)(3)) to provide credit assistance for the capitalization of, or deposit into, a State infrastructure bank established under section 610.

"(c) ELIGIBILITY.—

"(1) LETTER OF INTEREST.—To apply for credit assistance under this section, a State infrastructure bank shall submit a letter of interest prior to submission of a formal application for a secured loan.

"(2) CREDITWORTHINESS.—

"(A) IN GENERAL.—To be eligible for a secured loan under this section, a State infrastructure bank shall satisfy applicable creditworthiness standards, which, at a minimum, shall include—

"(i) adequate coverage requirements to ensure repayment;

"(ii) an investment grade rating from at least 2 rating agencies on debt senior to the secured loan; and

"(iii) a rating from at least 2 rating agencies on the secured loan, subject to the condition that, with respect to clause (ii), if the total amount of the senior debt and the secured loan is less than $75,000,000, 1 rating agency opinion for each of the senior debt and secured loan shall be sufficient.

"(B) SENIOR DEBT.—Notwithstanding subparagraph (A), in a case in which the secured loan is the senior debt of the State infrastructure bank—

"(i) if the secured loan is for an amount that equals or exceeds $75,000,000, the secured loan shall be required to receive an investment grade rating from at least 2 rating agencies; and

"(ii) if the secured loan is for an amount less than $75,000,000, the secured loan shall be required to receive an investment grade rating from at least 1 rating agency.

"(3) DEDICATED REVENUE SOURCES.—The secured loan shall be repayable from pledged revenues not affected by the performance of any loans made by the State infrastructure bank receiving the Federal credit assistance, such as a tax-backed revenue pledge.

"(d) PRELIMINARY RATING OPINION LETTER.—After the submission of a letter of interest and prior to the submission of an application, upon request of the Secretary, each State infrastructure bank seeking a secured loan under this section shall provide a preliminary rating opinion letter from at least 1 rating agency—

"(1) indicating that the senior debt of the State infrastructure bank, which may be the secured loan, has the potential to achieve an investment-grade rating; and

"(2) including a preliminary rating opinion on the secured loan.

"(e) APPLICATION PROCESS.—

"(1) IN GENERAL.—The Secretary shall establish a rolling application process to carry out this section.

"(2) SUBMISSION.—A State infrastructure bank seeking a secured loan under this section shall submit to the Secretary an application in such form, at

such time, and containing such information as the Secretary determines to be necessary.

"(f) APPLICATION PROCESSING PROCEDURES.—

"(1) NOTICE OF COMPLETE APPLICATION.—Not later than 30 days after the date of receipt of an application under this section, the Secretary shall provide to the applicant a written notice informing the applicant whether—

"(A) the application is complete; or

"(B) additional information or materials are needed to complete the application.

"(2) APPROVAL OR DENIAL OF APPLICATION.—Not later than 60 days after the date of issuance of the written notice under paragraph (1), the Secretary shall provide to the State infrastructure bank a written notice informing the applicant whether the Secretary has approved or disapproved the application.

"(g) AGREEMENTS.—

"(1) RISK ASSESSMENT.—Before entering into an agreement under this section, the Secretary, in consultation with the Director of the Office of Management and Budget, shall determine an appropriate capital reserve subsidy amount for each secured

loan, taking into account each preliminary rating opinion letter received under subsection (d).

"(2) SECURED LOANS.—Credit assistance provided under this section shall be provided through an agreement entered into between the Secretary and a State infrastructure bank for a secured loan, the proceeds of which shall be used for the capitalization of, or deposit into, the TIFIA account of a State infrastructure bank established under section 610.

"(3) TERMS AND LIMITATIONS.—

"(A) IN GENERAL.—A secured loan under this section shall be on such terms and conditions and contain such covenants, representations, warranties, and requirements (including requirements for audits) as the Secretary determines to be appropriate.

"(B) INTEREST RATE.—Except as provided in subparagraph (C), the interest rate on a secured loan under this section shall be not less than the yield on United States Treasury securities of a similar maturity to the maturity of the secured loan on the date of execution of the secured loan agreement.

"(C) LIMITED BUYDOWNS.—

"(i) IN GENERAL.—Subject to clause (ii), an obligor shall be entitled to buy down the interest rate of a secured loan under this section through a limited buydown.

"(ii) LIMITATION.—A limited buydown may not lower the interest rate of a secured loan by more than the lesser of—

"(I) 1½ percentage points (150 basis points); and

"(II) the amount of the increase in the interest rate.

"(4) MATURITY DATE.—The final maturity date of a secured loan under this section shall not be later than 35 years after the date on which the Secretary executes the secured loan.

"(h) USE OF SECURED LOANS.—

"(1) IN GENERAL.—For each fiscal year, credit assistance provided to an obligor under this section shall be in an amount that is not less than $25,000,000, but not more than $100,000,000.

"(2) USE OF FUNDS.—Subject to subparagraph (B), a State infrastructure bank receiving credit assistance under this section shall—

"(A) deposit those amounts into the TIFIA account of the State infrastructure bank; and

"(B) use such credit assistance for projects eligible under section 610.

"(i) NONSUBORDINATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the secured loan shall not be subordinated to the claims of any holder of senior obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

"(2) PREEXISTING INDENTURE.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall waive the requirement under paragraph (1) for a State infrastructure bank that has outstanding senior obligations under a preexisting indenture if the secured loan is rated in the A category or higher.

"(B) RESTRICTION.—If the Secretary waives the nonsubordination requirement under this paragraph—

"(i) the maximum credit subsidy to be paid by the Federal Government shall be

not more than 10 percent of the principal amount of the secured loan; and

"(ii) the obligor shall be responsible for paying the remainder of the subsidy cost, if any.

"(j) FEES.—The Secretary may establish fees at a level sufficient to cover all or a portion of the costs to the Federal Government of making a secured loan under this section.

"(k) REPAYMENT.—

"(1) SCHEDULE.—The Secretary shall establish a repayment schedule for each secured loan under this section based on the projected cash flow from the dedicated repayment sources.

"(2) COMMENCEMENT.—Scheduled loan repayments of principal or interest on a secured loan under this section shall commence not later than 5 years after the date on which the Secretary executes the secured loan.

"(3) DEFERRED PAYMENTS.—

"(A) IN GENERAL.—If, at any time after the date on which the Secretary executed the secured loan, the revenues pledged to pay the scheduled loan repayments of principal and interest on the secured loan are not sufficient to

make such payments, the Secretary may, subject to subparagraph (C), allow the obligor to add unpaid principal and interest to the outstanding balance of the secured loan.

"(B) INTEREST.—Any payment deferred under subparagraph (A) shall—

"(i) continue to accrue interest in accordance with subsection (g)(3)(B) until fully repaid; and

"(ii) be scheduled to be amortized over the remaining term of the loan.

"(C) CRITERIA.—

"(i) IN GENERAL.—Any payment deferral under subparagraph (A) shall be contingent on the obligor meeting criteria established by the Secretary.

"(ii) REPAYMENT STANDARDS.—The criteria established pursuant to clause (i) shall include standards for reasonable assurance of repayment.

"(4) PREPAYMENT.—

"(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the State infrastructure bank obligations and se-

cured loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing State infrastructure bank obligations may be applied annually to prepay the secured loan without penalty.

"(B) USE OF PROCEEDS OF REFINANCING.—The secured loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.

"(l) SALE OF SECURED LOANS.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary may sell to another entity or reoffer into the capital markets a secured loan if the Secretary determines that the sale or reoffering can be made on favorable terms.

"(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the written consent of the obligor.".

(b) CONFORMING AMENDMENTS.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

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

"(4) TIFIA ACCOUNT.—

"(A) IN GENERAL.—Subject to subsection (j), the Secretary may permit a State entering into a cooperative agreement under this section to establish a State infrastructure bank to deposit into the TIFIA account of the bank funds received under section 611.

"(B) TREATMENT OF ACCOUNT.—Federal funds deposited into the TIFIA account shall constitute a capitalization secured loan for the TIFIA account of the State infrastructure bank.

"(C) LIMITATION.—Amounts in the TIFIA account shall be used only to carry out projects eligible for assistance under chapter 1 of this title or chapter 53 of title 49."; and

(2) in subsection (f), by inserting ", except that funds in the TIFIA account of a State infrastructure bank established under this section may be used only for projects with reasonably anticipated eligible

project costs of not less than $5,000,000 but not more than $50,000,000'' before the period at the end.

(c) CONFORMING AMENDMENT.—The analysis for chapter 6 of title 23, United States Code, is amended by adding at the end the following:

''611. TIFIA loans for State infrastructure banks.''.

TITLE III—TECHNICAL CORRECTIONS TO MAP-21

SEC. 3001. TECHNICAL CORRECTIONS.

(a) Section 101(a)(29) of title 23, United States Code, is amended—

(1) in subparagraph (B) by inserting a comma after ''disabilities''; and

(2) in subparagraph (F)(i) by striking ''133(b)(11)'' and inserting ''133(b)(14)''.

(b) Section 119 of title 23, United States Code, is amended—

(1) in subsection (d)(1)(A) by striking ''mobility,'' and inserting ''congestion reduction, system reliability,''; and

(2) in subsection (e)(7)—

(A) by striking ''this paragraph'' and inserting ''section 150(e)''; and

(B) by inserting ''under that section'' after ''next report submitted''.

(c) Section 120 of title 23, United States Code, is amended—

(1) in subsection (c)(3)—

(A) in subparagraph (A) by striking ''paragraph (1), (2), or (5)'' and inserting ''paragraph (1) or (2)''; and

(B) in subparagraph (C)(i) by striking ''paragraphs (1), (2), and (5)'' and inserting ''paragraphs (1) and (2)''; and

(2) in subsection (e)(2) by striking ''Federal land access transportation facilities'' and inserting ''other federally owned roads that are open to public travel''.

(d) Section 126(b)(1) of title 23, United States Code, is amended by striking ''133(d)'' and inserting ''133(d)(1)(A)''.

(e) Section 127(a)(3) of title 23, United States Code, is amended by striking ''118(b)(2)'' and inserting ''118(b)''.

(f) Section 129(a)(5)(B) of title 23, United States Code, is amended by striking ''the Federal-aid system'' and inserting ''Federal-aid highways''.

(g) Section 133 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1)(A)(ii) by striking "greater than 5,000" and inserting "of 5,000 or more"; and

(B) in paragraph (3)—

(i) by striking "paragraph (1)(A)(ii)" and inserting "paragraph (1)(A)(iii)"; and

(ii) by striking "greater than 5,000 and less than 200,000" and inserting "of 5,000 to 200,000";

(2) in subsection (f)(1) by striking "104(b)(3)" and inserting "104(b)(2)";

(3) in subsection (g)(2)(A) by striking "subsection (d)" and inserting "subsection (d)(1)(A)"; and

(4) in subsection (h)(1) by striking "subsection (d)(1)(A)(iii)" and inserting "subsection (d)(1)(A)(ii)".

(h) Section 134 of title 23, United States Code, is amended—

(1) in subsection (i)(8) by striking "(2)(C)" each place it appears and inserting "(2)(E)";

(2) in subsection (l)—

(A) in paragraph (1) by inserting a period at the end; and

(B) in paragraph (2)(D) by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(3) in subsection (n)(1) by striking ''chapter 53 of title,'' and inserting ''chapter 53 of title 49,''; and

(4) in subsection (p) by striking ''set aside under section 104(f)'' and inserting ''apportioned under section 104(b)(5)''.

(i) Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A) by striking ''the natural condition of the bridge'' and inserting ''their natural condition''; and

(2) in subsection (k)(2) (as redesignated by section 1108(a)(1)) by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

(j) Section 148 of title 23, United States Code, is amended—

(1) in subsection (a)(4)(B)(xx) by striking ''for safety purposes''; and

(2) in subsection (i) in the matter preceding paragraph (1) by striking ''performance targets'' each place it appears and inserting ''safety performance targets''.

(k) Section 149 of title 23, United States Code, is amended—

(1) in subsection (d)(2)—

(A) in subparagraph (A)(i) by striking ''(excluding the amount of funds reserved under paragraph (l))''; and

(B) in subparagraph (B)(i) by striking ''MAP–21t'' and inserting ''MAP–21'';

(2) in subsection (g)(2)(B) by striking ''later that'' and inserting ''later than'';

(3) in subsection (l)(1)(B) by inserting ''air quality and traffic congestion'' before ''performance targets''; and

(4) in subsection (m) by striking ''104(b)(2)'' and inserting ''104(b)(4)''.

(l) Section 150(c)(3)(B) of title 23, United States Code, is amended by striking the semicolon at the end and inserting a period.

(m) Section 153(h)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (3)'' and inserting ''paragraphs (1), (2), and (4)''.

(n) Section 163(f)(2) of title 23, United States Code, is amended by striking ''118(b)(2)'' and inserting ''118(b)''.

(o) Section 202(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(i) by inserting ''(a)(6),'' after ''subsections''; and

(2) in subparagraph (C)(ii)(IV) by striking ''(III).]'' and inserting ''(III).''.

(p) Section 203(b)(1) of title 23, United States Code, is amended by striking ''2011'' and inserting ''2012''.

(q) Section 213 of title 23, United States Code, is amended—

(1) in subsection (c)(1)(A)(ii) by striking ''greater than 5,000'' and inserting ''of 5,000 or more''; and

(2) in subsection (e) by striking ''this chapter'' and inserting ''chapter 1''.

(r) Section 217(a) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(4)''.

(s) Section 504(a)(4) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

(t) Section 515 of title 23, United States Code, is amended by striking ''this chapter'' each place it appears and inserting ''sections 512 through 518''.

(u) Section 518(a) of title 23, United States Code, is amended by inserting ''a report'' after ''House of Representatives''.

(v) Section 608(a)(2) of title 23, United States Code, is amended by inserting ''of'' after ''504(f)''.

(w) Section 6302(b)(3)(B)(vi)(III) of title 49, United States Code, is amended by striking ''6310'' and inserting ''6309''.

(x) Section 1102 of MAP–21 (23 U.S.C. 104 note; 126 Stat. 416) is amended—

(1) in subsection (b)(10) by striking ''2011'' and inserting ''2012''; and

(2) in subsection (c)(5) by striking ''section 204'' and inserting ''sections 202 and 204''.

(y) Section 1301(l)(3) of SAFETEA–LU (23 U.S.C. 101 note; 126 Stat. 493) is amended—

(1) in subparagraph (A)(i) by striking ''complied'' and inserting ''compiled''; and

(2) in subparagraph (B) by striking ''paragraph (1)'' and inserting ''subparagraph (A)''.

(z) Section 51001(a)(1) of the Transportation Research and Innovative Technology Act of 2012 (126 Stat. 864) is amended by striking ''sections 503(b), 503(d), and 509'' and inserting ''section 503(b)''.