

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 7
OFFERED BY MR. CONNOLLY OF VIRGINIA**

Strike title III of the committee print and insert the following new title (and conform the table of contents accordingly):

1 **TITLE III—ACCELERATION OF**
2 **PROJECT DELIVERY**

3 **SEC. 3001. PROJECT DELIVERY INITIATIVE.**

4 (a) DECLARATION OF POLICY.—It is the policy of the
5 United States that—

6 (1) it is in the national interest for the Depart-
7 ment, State departments of transportation, transit
8 agencies, and all other recipients of Federal trans-
9 portation funds—

10 (A) to accelerate project delivery and re-
11 duce costs; and

12 (B) to ensure that the planning, design,
13 engineering, construction, and financing of
14 transportation projects is done in an efficient
15 and effective manner, promoting accountability
16 for public investments and encouraging greater
17 private sector involvement in project financing

1 and delivery while enhancing safety and pro-
2 tecting the environment;

3 (2) delay in the delivery of transportation
4 projects increases project costs, harms the economy
5 of the United States, and impedes the travel of the
6 people of the United States and the shipment of
7 goods for the conduct of commerce; and

8 (3) the Secretary shall identify and promote the
9 deployment of innovation aimed at reducing the time
10 and money required to deliver transportation
11 projects while enhancing safety and protecting the
12 environment.

13 (b) ESTABLISHMENT OF INITIATIVE.—

14 (1) IN GENERAL.—To advance the policy de-
15 scribed in subsection (a), the Secretary shall carry
16 out a project delivery initiative under this section.

17 (2) PURPOSES.—The purposes of the project
18 delivery initiative shall be—

19 (A) to develop and advance the use of best
20 practices to accelerate project delivery and re-
21 duce costs across all modes of transportation
22 and expedite the deployment of technology and
23 innovation;

24 (B) to implement provisions of law de-
25 signed to accelerate project delivery; and

1 (C) to select eligible projects for applying
2 experimental features to test innovative project
3 delivery techniques.

4 (3) ADVANCING THE USE OF BEST PRAC-
5 TICES.—

6 (A) IN GENERAL.—In carrying out the ini-
7 tiative under this section, the Secretary shall
8 identify and advance best practices to reduce
9 delivery time and project costs, from planning
10 through construction, for transportation
11 projects and programs of projects regardless of
12 mode and project size.

13 (B) ADMINISTRATION.—To advance the
14 use of best practices, the Secretary shall—

15 (i) engage interested parties, affected
16 communities, resource agencies, and other
17 stakeholders to gather information regard-
18 ing opportunities for accelerating project
19 delivery and reducing costs;

20 (ii) establish a clearinghouse for the
21 collection, documentation, and advance-
22 ment of existing and new innovative ap-
23 proaches and best practices;

24 (iii) disseminate information through
25 a variety of means to transportation stake-

1 holders on new innovative approaches and
2 best practices; and

3 (iv) provide technical assistance to as-
4 sist transportation stakeholders in the use
5 of flexibility authority to resolve project
6 delays and accelerate project delivery if
7 feasible.

8 (4) IMPLEMENTATION OF ACCELERATED
9 PROJECT DELIVERY.—The Secretary shall ensure
10 that the provisions of this subtitle designed to accel-
11 erate project delivery are fully implemented, includ-
12 ing—

13 (A) expanding eligibility of early acquisi-
14 tion of property prior to completion of environ-
15 mental review under the National Environ-
16 mental Policy Act of 1969 (42 U.S.C. 4321 et
17 seq.);

18 (B) allowing the use of the construction
19 manager or general contractor method of con-
20 tracting in the Federal-aid highway system; and

21 (C) establishing a demonstration program
22 to streamline the relocation process by permit-
23 ting a lump-sum payment for acquisition and
24 relocation if elected by the displaced occupant.

1 **SEC. 3002. CLARIFIED ELIGIBILITY FOR EARLY ACQUISITION ACTIVITIES PRIOR TO COMPLETION OF NEPA REVIEW.**

2
3
4 (a) IN GENERAL.—The acquisition of real property
5 in anticipation of a federally assisted or approved surface
6 transportation project that may use the property shall not
7 be prohibited prior to the completion of reviews of the sur-
8 face transportation project under the National Environ-
9 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if the
10 acquisition does not—

11 (1) have an adverse environmental effect; or

12 (2)(A) limit the choice of reasonable alter-
13 natives for the proposed project; or

14 (B) prevent the lead agency from making
15 an impartial decision as to whether to select an
16 alternative that is being considered during the
17 environmental review process.

18 (b) EARLY ACQUISITION OF REAL PROPERTY INTER-
19 ESTS FOR HIGHWAYS.—Section 108 of title 23, United
20 States Code, is amended—

21 (1) in the section heading by inserting “inter-
22 ests” after “real property”;

23 (2) in subsection (a) by inserting “interests”
24 after “real property” each place it appears; and

25 (3) in subsection (c)—

1 (A) in the subsection heading by striking
2 “rights-of-way” and inserting “real property in-
3 terests”;

4 (B) in paragraph (1)—

5 (i) in the matter preceding subpara-
6 graph (A) by inserting “at any time” after
7 “may be used”; and

8 (ii) in subparagraph (A)—

9 (I) by striking “rights-of-way”
10 the first place it appears and inserting
11 “real property interests”; and

12 (II) by striking “, if the rights-
13 of-way are subsequently incorporated
14 into a project eligible for surface
15 transportation program funds”; and

16 (C) by striking paragraph (2) and insert-
17 ing the following:

18 “(2) TERMS AND CONDITIONS.—

19 “(A) ACQUISITION OF REAL PROPERTY IN-
20 TERESTS.—

21 “(i) IN GENERAL.—Subject to the
22 other provisions of this section, prior to
23 completion of the review process for the
24 project required by the National Environ-
25 mental Policy Act of 1969 (42 U.S.C.

1 4321 et seq.), a public authority may carry
2 out acquisition of real property interests
3 that may be used for a project.

4 “(ii) REQUIREMENTS.—An acquisition
5 under clause (i) may be authorized by
6 project agreement and is eligible for Fed-
7 eral-aid reimbursement as a project ex-
8 pense if the Secretary finds that the acqui-
9 sition—

10 “(I) will not cause any significant
11 adverse environmental impact;

12 “(II) will not limit the choice of
13 reasonable alternatives for the project
14 or otherwise influence the decision of
15 the Secretary on any approval re-
16 quired for the project;

17 “(III) does not prevent the lead
18 agency from making an impartial de-
19 cision as to whether to accept an al-
20 ternative that is being considered in
21 the environmental review process;

22 “(IV) is consistent with the State
23 transportation planning process under
24 section 135;

1 “(V) complies with other applica-
2 ble Federal laws (including regula-
3 tions);

4 “(VI) will be acquired through
5 negotiation, without the threat of con-
6 demnation; and

7 “(VII) will not result in a reduc-
8 tion or elimination of benefits or as-
9 sistance to a displaced person re-
10 quired by the Uniform Relocation As-
11 sistance and Real Property Acquisi-
12 tion Policies Act of 1970 (42 U.S.C.
13 4601 et seq.) and title VI of the Civil
14 Rights Act of 1964 (42 U.S.C. 2000d
15 et seq.).

16 “(B) DEVELOPMENT.—Real property in-
17 terests acquired under this subsection may not
18 be developed in anticipation of a project until
19 all required environmental reviews for the
20 project have been completed.

21 “(C) REIMBURSEMENT.—If Federal-aid re-
22 imbursement is made for real property interests
23 acquired early under this section and the real
24 property interests are not subsequently incor-
25 porated into a project eligible for surface trans-

1 portation funds within the time allowed by sub-
2 section (a)(2), the Secretary shall offset the
3 amount reimbursed against funds apportioned
4 to the State.

5 “(D) OTHER CONDITIONS.—The Secretary
6 may establish such other conditions or restric-
7 tions on acquisitions as the Secretary deter-
8 mines to be appropriate.”.

9 **SEC. 3003. EFFICIENCIES IN CONTRACTING.**

10 (a) **AUTHORITY.**—Section 112(b) of title 23, United
11 States Code, is amended by adding at the end the fol-
12 lowing:

13 “(4) **CONSTRUCTION MANAGER; GENERAL CON-**
14 **TRACTOR.**—

15 “(A) **PROCEDURE.**—

16 “(i) **IN GENERAL.**—A contracting
17 agency may award a 2-phase contract to a
18 construction manager or general contractor
19 for preconstruction and construction serv-
20 ices.

21 “(ii) **PRECONSTRUCTION PHASE.**—In
22 the preconstruction phase of a contract
23 under this subparagraph, the construction
24 manager shall provide the contracting
25 agency with advice relating to scheduling,

1 work sequencing, cost engineering,
2 constructability, cost estimating, and risk
3 identification.

4 “(iii) AGREEMENT TO PRICE.—

5 “(I) IN GENERAL.—Prior to the
6 start of the second phase of a contract
7 under this subparagraph, the owner
8 and the construction manager may
9 agree to a price for the construction
10 of the project or a portion of the
11 project.

12 “(II) RESULT.—If an agreement
13 is reached, the construction manager
14 shall become the general contractor
15 for the construction of the project at
16 the negotiated schedule and price.

17 “(B) SELECTION.—A contract shall be
18 awarded to a construction manager or general
19 contractor under this paragraph using a com-
20 petitive selection process under which the con-
21 tract is awarded on the basis of—

22 “(i) qualifications;

23 “(ii) experience;

24 “(iii) best value; or

1 “(iv) any other combination of factors
2 considered appropriate by the contracting
3 agency.

4 “(C) TIMING.—

5 “(i) IN GENERAL.—Prior to the com-
6 pletion of the environmental review process
7 required under section 102 of the National
8 Environmental Policy Act of 1969 (42
9 U.S.C. 4332), a contracting agency may
10 issue requests for proposals, proceed with
11 the award of the first phase of construc-
12 tion manager or general contractor con-
13 tract, and issue notices to proceed with
14 preliminary design, to the extent that those
15 actions do not limit any reasonable range
16 of alternatives.

17 “(ii) NEPA PROCESS.—

18 “(I) IN GENERAL.—A con-
19 tracting agency shall not proceed with
20 the award of the second phase, and
21 shall not proceed, or permit any con-
22 sultant or contractor to proceed, with
23 final design or construction until com-
24 pletion of the environmental review
25 process required under section 102 of

1 the National Environmental Policy
2 Act of 1969 (42 U.S.C. 4332).

3 “(II) REQUIREMENT.—The Sec-
4 retary shall require that a contract in-
5 clude appropriate provisions to ensure
6 achievement of the objectives of sec-
7 tion 102 of the National Environ-
8 mental Policy Act of 1969 (42 U.S.C.
9 4332) and compliance with other ap-
10 plicable Federal laws and regulations
11 occurs.

12 “(iii) SECRETARIAL APPROVAL.—
13 Prior to authorizing construction activities,
14 the Secretary shall approve—

15 “(I) the estimate of the con-
16 tracting agency for the entire project;
17 and

18 “(II) any price agreement with
19 the general contractor for the project
20 or a portion of the project.

21 “(iv) TERMINATION PROVISION.—The
22 Secretary shall require a contract to in-
23 clude an appropriate termination provision
24 in the event that a no-build alternative is
25 selected.”.

1 (b) REGULATIONS.—The Secretary shall promulgate
2 such regulations as are necessary to carry out the amend-
3 ment made by subsection (a).

4 (c) EFFECT ON EXPERIMENTAL PROGRAM.—Nothing
5 in this section or the amendment made by this section af-
6 fects the authority to carry out, or any project carried out
7 under, any experimental program concerning construction
8 manager risk that is being carried out by the Secretary
9 as of the date of enactment of this Act.

10 **SEC. 3004. INNOVATIVE PROJECT DELIVERY METHODS.**

11 (a) DECLARATION OF POLICY.—

12 (1) IN GENERAL.—Congress declares that it is
13 in the national interest to promote the use of inno-
14 vative technologies and practices that increase the
15 efficiency of construction of, improve the safety of,
16 and extend the service life of highways and bridges.

17 (2) INCLUSIONS.—The innovative technologies
18 and practices described in paragraph (1) include
19 state-of-the-art intelligent transportation system
20 technologies, elevated performance standards, and
21 new highway construction business practices that
22 improve highway safety and quality, accelerate
23 project delivery, and reduce congestion related to
24 highway construction.

1 (b) FEDERAL SHARE.—Section 120(c) of title 23,
2 United States Code, is amended by adding at the end the
3 following:

4 “(3) INNOVATIVE PROJECT DELIVERY.—

5 “(A) IN GENERAL.—Except as provided in
6 subparagraph (C), the Federal share payable on
7 account of a project or activity carried out with
8 funds apportioned under paragraph (1), (2), or
9 (5) of section 104(b) may, at the discretion of
10 the State, be up to 100 percent for any such
11 project, program, or activity that the Secretary
12 determines—

13 “(i) contains innovative project deliv-
14 ery methods that improve work zone safety
15 for motorists or workers and the quality of
16 the facility;

17 “(ii) contains innovative technologies,
18 manufacturing processes, financing, or
19 contracting methods that improve the qual-
20 ity, extend the service life, or decrease the
21 long-term costs of maintaining highways
22 and bridges;

23 “(iii) accelerates project delivery while
24 complying with other applicable Federal
25 laws (including regulations) and not caus-

1 ing any significant adverse environmental
2 impact; or

3 “(iv) reduces congestion related to
4 highway construction.

5 “(B) EXAMPLES.—Projects, programs, and
6 activities described in subparagraph (A) may
7 include the use of—

8 “(i) prefabricated bridge elements and
9 systems and other technologies to reduce
10 bridge construction time;

11 “(ii) innovative construction equip-
12 ment, materials, or techniques, including
13 the use of in-place recycling technology
14 and digital 3-dimensional modeling tech-
15 nologies;

16 “(iii) innovative contracting methods,
17 including the design-build and the con-
18 struction manager-general contractor con-
19 tracting methods;

20 “(iv) intelligent compaction equip-
21 ment; or

22 “(v) contractual provisions that offer
23 a contractor an incentive payment for early
24 completion of the project, program, or ac-
25 tivity, subject to the condition that the in-

1 centives are accounted for in the financial
2 plan of the project, when applicable.

3 “(C) LIMITATIONS.—

4 “(i) IN GENERAL.—In each fiscal
5 year, a State may use the authority under
6 subparagraph (A) for up to 10 percent of
7 the combined apportionments of the State
8 under paragraphs (1), (2), and (5) of sec-
9 tion 104(b).

10 “(ii) FEDERAL SHARE INCREASE.—
11 The Federal share payable on account of a
12 project or activity described in subpara-
13 graph (A) may be increased by up to 5
14 percent of the total project cost.”.

15 **SEC. 3005. ASSISTANCE TO AFFECTED STATE AND FEDERAL**
16 **AGENCIES.**

17 Section 139(j) of title 23, United States Code, is
18 amended by adding at the end the following:

19 “(6) MEMORANDUM OF UNDERSTANDING.—
20 Prior to providing funds approved by the Secretary
21 for dedicated staffing at an affected Federal agency
22 under paragraphs (1) and (2), the affected Federal
23 agency and the State agency shall enter into a
24 memorandum of understanding that establishes the

1 projects and priorities to be addressed by the use of
2 the funds.”.

3 **SEC. 3006. APPLICATION OF CATEGORICAL EXCLUSIONS**
4 **FOR MULTIMODAL PROJECTS.**

5 (a) IN GENERAL.—Section 304 of title 49, United
6 States Code, is amended to read as follows:

7 **“§ 304. Application of categorical exclusions for**
8 **multimodal projects**

9 “(a) DEFINITIONS.—In this section:

10 “(1) COOPERATING AUTHORITY.—The term ‘co-
11 operating authority’ means a Department of Trans-
12 portation operating authority that is not the lead au-
13 thority.

14 “(2) LEAD AUTHORITY.—The term ‘lead au-
15 thority’ means a Department of Transportation op-
16 erating administration or secretarial office that—

17 “(A) is the lead authority over a proposed
18 multimodal project; and

19 “(B) has determined that the components
20 of the project that fall under the modal exper-
21 tise of the lead authority—

22 “(i) satisfy the conditions for a cat-
23 egorical exclusion under the National Envi-
24 ronmental Policy Act of 1969 (42 U.S.C.

1 4321 et seq.) implementing regulations or
2 procedures of the lead authority; and

3 “(ii) do not require the preparation of
4 an environmental assessment or an envi-
5 ronmental impact statement under that
6 Act.

7 “(3) MULTIMODAL PROJECT.—The term
8 ‘multimodal project’ has the meaning given the term
9 in section 139(a) of title 23.

10 “(b) EXERCISE OF AUTHORITIES.—The authorities
11 granted in this section may be exercised for a multimodal
12 project, class of projects, or program of projects that are
13 carried out under this title.

14 “(c) APPLICATION OF CATEGORICAL EXCLUSIONS
15 FOR MULTIMODAL PROJECTS.—When considering the en-
16 vironmental impacts of a proposed multimodal project, a
17 lead authority may apply a categorical exclusion des-
18 ignated under the implementing regulations or procedures
19 of a cooperating authority for other components of the
20 project, on the conditions that—

21 “(1) the multimodal project is funded under 1
22 grant agreement administered by the lead authority;

23 “(2) the multimodal project has components
24 that require the expertise of a cooperating authority

1 to assess the environmental impacts of the compo-
2 nents;

3 “(3) the component of the project to be covered
4 by the categorical exclusion of the cooperating au-
5 thority has independent utility;

6 “(4) the cooperating authority, in consultation
7 with the lead authority, follows National Environ-
8 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
9 implementing regulations or procedures and deter-
10 mines that a categorical exclusion under that Act
11 applies to the components; and

12 “(5) the lead authority has determined that—

13 “(A) the project, using the categorical ex-
14 clusions of the lead and cooperating authorities,
15 does not individually or cumulatively have a sig-
16 nificant impact on the environment; and

17 “(B) extraordinary circumstances do not
18 exist that merit further analysis and docu-
19 mentation in an environmental impact state-
20 ment or environmental assessment required
21 under the National Environmental Policy Act of
22 1969 (42 U.S.C. 4321 et seq.).

23 “(d) MODAL COOPERATION.—

24 “(1) IN GENERAL.—A cooperating authority
25 shall provide modal expertise to a lead authority

1 with administrative authority over a multimodal
2 project on such aspects of the project in which the
3 cooperating authority has expertise.

4 “(2) USE OF CATEGORICAL EXCLUSION.—In a
5 case described in paragraph (1), the 1 or more cat-
6 egorical exclusions of a cooperating authority may be
7 applied by the lead authority once the cooperating
8 authority reviews the project on behalf of the lead
9 authority and determines the project satisfies the
10 conditions for a categorical exclusion under the Na-
11 tional Environmental Policy Act of 1969 (42 U.S.C.
12 4321 et seq.) implementing regulations or proce-
13 dures of the cooperating authority and this sec-
14 tion.”.

15 (b) CONFORMING AMENDMENT.—The item relating
16 to section 304 in the analysis for title 49, United States
17 Code, is amended to read as follows:

“304. Application of categorical exclusions for multimodal projects.”.

18 **SEC. 3007. STATE ASSUMPTION OF RESPONSIBILITIES FOR**
19 **CATEGORICAL EXCLUSIONS.**

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

22 (1) by striking subsection (d) and inserting the
23 following:

24 “(d) TERMINATION.—

1 (A) in paragraph (1) by striking “pilot”;

2 and

3 (B) in paragraph (2)—

4 (i) in subparagraph (B) by striking
5 clause (ii) and inserting the following:

6 “(ii) the Secretary may not assign—

7 “(I) any responsibility imposed
8 on the Secretary by section 134 or
9 135; or

10 “(II) responsibility for any con-
11 formity determination required under
12 section 176 of the Clean Air Act (42
13 U.S.C. 7506).”; and

14 (ii) by adding at the end the fol-
15 lowing:

16 “(F) LEGAL FEES.—A State assuming the
17 responsibilities of the Secretary under this sec-
18 tion for a specific project may use funds appor-
19 tioned to the State under section 104(b)(2) for
20 attorneys fees directly attributable to eligible
21 activities associated with the project.”;

22 (3) in subsection (b)—

23 (A) by striking paragraph (1);

1 (B) by redesignating paragraphs (2)
2 through (5) as paragraphs (1) through (4), re-
3 spectively; and

4 (C) in subparagraph (A) of paragraph (3)
5 (as so redesignated) by striking “(2)” and in-
6 serting “(1)”;

7 (4) in subsection (c)—

8 (A) in paragraph (3)(D) by striking the
9 period at the end and inserting a semicolon;
10 and

11 (B) by adding at the end the following:

12 “(4) require the State to provide to the Sec-
13 retary any information the Secretary considers nec-
14 essary to ensure that the State is adequately car-
15 rying out the responsibilities assigned to the State;

16 “(5) require the Secretary—

17 “(A) after a period of 5 years, to evaluate
18 the ability of the State to carry out the respon-
19 sibility assumed under this section;

20 “(B) if the Secretary determines that the
21 State is not ready to effectively carry out the
22 responsibilities the State has assumed, to re-
23 evaluate the readiness of the State every 3
24 years, or at such other frequency as the Sec-
25 retary considers appropriate, after the initial 5-

1 year evaluation, until the State is ready to as-
2 sume the responsibilities on a permanent basis;
3 and

4 “(C) once the Secretary determines that
5 the State is ready to permanently assume the
6 responsibilities of the Secretary, not to require
7 any further evaluations; and

8 “(6) require the State to provide the Secretary
9 with any information, including regular written re-
10 ports, as the Secretary may require in conducting
11 evaluations under paragraph (5).”;

12 (5) by striking subsection (g);

13 (6) by redesignating subsections (h) and (i) as
14 subsections (g) and (h), respectively; and

15 (7) in subsection (h) (as so redesignated)—

16 (A) by striking paragraph (1);

17 (B) by redesignating paragraph (2) as
18 paragraph (1); and

19 (C) by inserting after paragraph (1) (as so
20 redesignated) the following:

21 “(2) TERMINATION BY THE STATE.—The State
22 may terminate the participation of the State in the
23 program at any time by providing to the Secretary
24 a notice by not later than the date that is 90 days
25 before the date of termination, and subject to such

1 terms and conditions as the Secretary may pro-
2 vide.”.

3 (b) CONFORMING AMENDMENT.—The item relating
4 to section 327 in the analysis of title 23, United States
5 Code, is amended to read as follows:

“327. Surface transportation project delivery program.”.

6 **SEC. 3009. CATEGORICAL EXCLUSION FOR PROJECTS WITH-**
7 **IN THE RIGHT-OF-WAY.**

8 (a) IN GENERAL.—Not later than 30 days after the
9 date of enactment of this Act, the Secretary shall publish
10 a notice of proposed rulemaking for a categorical exclusion
11 that meets the definitions (as in effect on that date) of
12 section 1508.4 of title 40, Code of Federal Regulations,
13 and section 771.117 of title 23, Code of Federal Regula-
14 tions, for a project (as defined in section 101(a) of title
15 23, United States Code)—

16 (1) that is located solely within the right-of-way
17 of an existing highway, such as new turn lanes and
18 bus pull-offs;

19 (2) that does not include the addition of a
20 through lane or new interchange; and

21 (3) for which the project sponsor demonstrates
22 that the project—

23 (A) is intended to improve safety, alleviate
24 congestion, or improve air quality; or

1 (B) would improve or maintain pavement
2 or structural conditions or achieve a state of
3 good repair.

4 (b) NOTICE.—Not later than 60 days after the date
5 of enactment of this Act, the Secretary shall publish a no-
6 tice of proposed rulemaking to further define and imple-
7 ment subsection (a) within subsection (c) or (d) of section
8 771.117 of title 23, Code of Federal Regulations (as in
9 effect on the date of enactment of the MAP-21).

10 **SEC. 3010. PROGRAMMATIC AGREEMENTS AND ADDI-**
11 **TIONAL CATEGORICAL EXCLUSIONS.**

12 (a) IN GENERAL.—Not later than 60 days after the
13 date of enactment of this Act, the Secretary shall—

14 (1) survey the use by the Department of Trans-
15 portation of categorical exclusions in transportation
16 projects since 2005;

17 (2) publish a review of the survey that includes
18 a description of—

19 (A) the types of actions categorically ex-
20 cluded; and

21 (B) any requests previously received by the
22 Secretary for new categorical exclusions; and

23 (3) solicit requests from State departments of
24 transportation, transit authorities, metropolitan

1 planning organizations, or other government agen-
2 cies for new categorical exclusions.

3 (b) NEW CATEGORICAL EXCLUSIONS.—Not later
4 than 120 days after the date of enactment of this Act,
5 the Secretary shall publish a notice of proposed rule-
6 making to propose new categorical exclusions received by
7 the Secretary under subsection (a), to the extent that the
8 categorical exclusions meet the criteria for a categorical
9 exclusion under section 1508.4 of title 40, Code of Federal
10 Regulations and section 771.117(a) of title 23, Code of
11 Federal Regulations (as those regulations are in effect on
12 the date of the notice).

13 (c) ADDITIONAL ACTIONS.—The Secretary shall issue
14 a proposed rulemaking to move the following types of ac-
15 tions from subsection (d) of section 771.117 of title 23,
16 Code of Federal Regulations (as in effect on the date of
17 enactment of this Act), to subsection (e) of that section,
18 to the extent that such movement complies with the cri-
19 teria for a categorical exclusion under section 1508.4 of
20 title 40, Code of Federal Regulations (as in effect on the
21 date of enactment of this Act):

22 (1) Modernization of a highway by resurfacing,
23 restoration, rehabilitation, reconstruction, adding
24 shoulders, or adding auxiliary lanes (including park-
25 ing, weaving, turning, and climbing).

1 (2) Highway safety or traffic operations im-
2 provement projects, including the installation of
3 ramp metering control devices and lighting.

4 (3) Bridge rehabilitation, reconstruction, or re-
5 placement or the construction of grade separation to
6 replace existing at-grade railroad crossings.

7 (d) PROGRAMMATIC AGREEMENTS.—

8 (1) IN GENERAL.—The Secretary shall seek op-
9 portunities to enter into programmatic agreements
10 with the States that establish efficient administra-
11 tive procedures for carrying out environmental and
12 other required project reviews.

13 (2) INCLUSIONS.—Programmatic agreements
14 authorized under paragraph (1) may include agree-
15 ments that allow a State to determine on behalf of
16 the Federal Highway Administration whether a
17 project is categorically excluded from the prepara-
18 tion of an environmental assessment or environ-
19 mental impact statement under the National Envi-
20 ronmental Policy Act of 1969 (42 U.S.C. 4321 et
21 seq.).

22 (3) DETERMINATIONS.—An agreement de-
23 scribed in paragraph (2) may include determinations
24 by the Secretary of the types of projects categori-
25 cally excluded (consistent with section 1508.4 of title

1 (1) the final environmental impact statement
2 makes substantial changes to the proposed action
3 that are relevant to environmental or safety con-
4 cerns; or

5 (2) there are significant new circumstances or
6 information relevant to environmental concerns and
7 that bear on the proposed action or the impacts of
8 the proposed action.

9 **SEC. 3012. MEMORANDA OF AGENCY AGREEMENTS FOR**
10 **EARLY COORDINATION.**

11 (a) IN GENERAL.—It is the sense of Congress that—

12 (1) the Secretary and other Federal agencies
13 with relevant jurisdiction in the environmental re-
14 view process should cooperate with each other and
15 other agencies on environmental review and project
16 delivery activities at the earliest practicable time to
17 avoid delays and duplication of effort later in the
18 process, head off potential conflicts, and ensure that
19 planning and project development decisions reflect
20 environmental values; and

21 (2) such cooperation should include the develop-
22 ment of policies and the designation of staff that ad-
23 vise planning agencies or project sponsors of studies
24 or other information foreseeably required for later

1 Federal action and early consultation with appro-
2 priate State and local agencies and Indian tribes.

3 (b) TECHNICAL ASSISTANCE.—If requested at any
4 time by a State or local planning agency, the Secretary
5 and other Federal agencies with relevant jurisdiction in
6 the environmental review process, shall, to the extent prac-
7 ticable and appropriate, as determined by the agencies,
8 provide technical assistance to the State or local planning
9 agency on accomplishing the early coordination activities
10 described in subsection (d).

11 (c) MEMORANDUM OF AGENCY AGREEMENT.—If re-
12 quested at any time by a State or local planning agency,
13 the lead agency, in consultation with other Federal agen-
14 cies with relevant jurisdiction in the environmental review
15 process, may establish memoranda of agreement with the
16 project sponsor, State, and local governments and other
17 appropriate entities to accomplish the early coordination
18 activities described in subsection (d).

19 (d) EARLY COORDINATION ACTIVITIES.—Early co-
20 ordination activities shall include, to the maximum extent
21 practicable, the following:

22 (1) Technical assistance on identifying potential
23 impacts and mitigation issues in an integrated fash-
24 ion.

1 (2) The potential appropriateness of using plan-
2 ning products and decisions in later environmental
3 reviews.

4 (3) The identification and elimination from de-
5 tailed study in the environmental review process of
6 the issues that are not significant or that have been
7 covered by prior environmental reviews.

8 (4) The identification of other environmental
9 review and consultation requirements so that the
10 lead and cooperating agencies may prepare, as ap-
11 propriate, other required analyses and studies con-
12 currently with planning activities.

13 (5) The identification by agencies with jurisdic-
14 tion over any permits related to the project of any
15 and all relevant information that will reasonably be
16 required for the project.

17 (6) The reduction of duplication between re-
18 quirements under the National Environmental Policy
19 Act of 1969 (42 U.S.C. 4321 et seq.) and State and
20 local planning and environmental review require-
21 ments, unless the agencies are specifically barred
22 from doing so by applicable law.

23 (7) Timelines for the completion of agency ac-
24 tions during the planning and environmental review
25 processes.

1 (8) Other appropriate factors.

2 **SEC. 3013. ACCELERATED DECISIONMAKING.**

3 Section 139(h) of title 23, United States Code, is
4 amended by striking paragraph (4) and inserting the fol-
5 lowing:

6 “(4) INTERIM DECISION ON ACHIEVING ACCEL-
7 ERATED DECISIONMAKING.—

8 “(A) IN GENERAL.—Not later than 30
9 days after the close of the public comment pe-
10 riod on a draft environmental impact statement,
11 the Secretary may convene a meeting with the
12 project sponsor, lead agency, resource agencies,
13 and any relevant State agencies to ensure that
14 all parties are on schedule to meet deadlines for
15 decisions to be made regarding the project.

16 “(B) DEADLINES.—The deadlines referred
17 to in subparagraph (A) shall be those estab-
18 lished under subsection (g), or any other dead-
19 lines established by the lead agency, in con-
20 sultation with the project sponsor and other rel-
21 evant agencies.

22 “(C) FAILURE TO ASSURE.—If the rel-
23 evant agencies cannot provide reasonable assur-
24 ances that the deadlines described in subpara-
25 graph (B) will be met, the Secretary may ini-

1 tiate the issue resolution and referral process
2 described under paragraph (5) and before the
3 completion of the record of decision.

4 “(5) ACCELERATED ISSUE RESOLUTION AND
5 REFERRAL.—

6 “(A) AGENCY ISSUE RESOLUTION MEET-
7 ING.—

8 “(i) IN GENERAL.—A Federal agency
9 of jurisdiction, project sponsor, or the Gov-
10 ernor of a State in which a project is lo-
11 cated may request an issue resolution
12 meeting to be conducted by the lead agen-
13 cy.

14 “(ii) ACTION BY LEAD AGENCY.—The
15 lead agency shall convene an issue resolu-
16 tion meeting under clause (i) with the rel-
17 evant participating agencies and the
18 project sponsor, including the Governor
19 only if the meeting was requested by the
20 Governor, to resolve issues that could—

21 “(I) delay completion of the envi-
22 ronmental review process; or

23 “(II) result in denial of any ap-
24 provals required for the project under
25 applicable laws.

1 “(iii) DATE.—A meeting requested
2 under this subparagraph shall be held by
3 not later than 21 days after the date of re-
4 ceipt of the request for the meeting, unless
5 the lead agency determines that there is
6 good cause to extend the time for the
7 meeting.

8 “(iv) NOTIFICATION.—On receipt of a
9 request for a meeting under this subpara-
10 graph, the lead agency shall notify all rel-
11 evant participating agencies of the request,
12 including the issue to be resolved, and the
13 date for the meeting.

14 “(v) DISPUTES.—If a relevant partici-
15 pating agency with jurisdiction over an ap-
16 proval required for a project under applica-
17 ble law determines that the relevant infor-
18 mation necessary to resolve the issue has
19 not been obtained and could not have been
20 obtained within a reasonable time, but the
21 lead agency disagrees, the resolution of the
22 dispute shall be forwarded to the heads of
23 the relevant agencies for resolution.

24 “(vi) CONVENTION BY LEAD AGEN-
25 CY.—A lead agency may convene an issue

1 resolution meeting under this subsection at
2 any time without the request of the Fed-
3 eral agency of jurisdiction, project sponsor,
4 or the Governor of a State.

5 “(B) ELEVATION OF ISSUE RESOLU-
6 TION.—

7 “(i) IN GENERAL.—If issue resolution
8 is not achieved by not later than 30 days
9 after the date of a relevant meeting under
10 subparagraph (A), the Secretary shall no-
11 tify the lead agency, the heads of the rel-
12 evant participating agencies, and the
13 project sponsor (including the Governor
14 only if the initial issue resolution meeting
15 request came from the Governor) that an
16 issue resolution meeting will be convened.

17 “(ii) REQUIREMENTS.—The Secretary
18 shall identify the issues to be addressed at
19 the meeting and convene the meeting not
20 later than 30 days after the date of
21 issuance of the notice.

22 “(C) REFERRAL OF ISSUE RESOLUTION.—

23 “(i) REFERRAL TO COUNCIL ON ENVI-
24 RONMENTAL QUALITY.—

1 “(I) IN GENERAL.—If resolution
2 is not achieved by not later than 30
3 days after the date of an issue resolu-
4 tion meeting under subparagraph (B),
5 the Secretary shall refer the matter to
6 the Council on Environmental Qual-
7 ity.

8 “(II) MEETING.—Not later than
9 30 days after the date of receipt of a
10 referral from the Secretary under sub-
11 clause (I), the Council on Environ-
12 mental Quality shall hold an issue res-
13 olution meeting with the lead agency,
14 the heads of relevant participating
15 agencies, and the project sponsor (in-
16 cluding the Governor only if an initial
17 request for an issue resolution meet-
18 ing came from the Governor).

19 “(ii) REFERRAL TO THE PRESI-
20 DENT.—If a resolution is not achieved by
21 not later than 30 days after the date of the
22 meeting convened by the Council on Envi-
23 ronmental Quality under clause (i)(II), the
24 Secretary shall refer the matter directly to
25 the President.

1 “(6) FINANCIAL TRANSFER PROVISIONS.—

2 “(A) IN GENERAL.—A Federal agency of
3 jurisdiction over an approval required for a
4 project under applicable laws shall complete any
5 required approval on an expeditious basis using
6 the shortest existing applicable process.

7 “(B) FAILURE TO DECIDE.—

8 “(i) IN GENERAL.—If an agency de-
9 scribed in subparagraph (A) fails to render
10 a decision under any Federal law relating
11 to a project that requires the preparation
12 of an environmental impact statement or
13 environmental assessment, including the
14 issuance or denial of a permit, license, or
15 other approval by the date described in
16 clause (ii), the agency shall transfer from
17 the applicable office of the head of the
18 agency, or equivalent office to which the
19 authority for rendering the decision has
20 been delegated by law, to the agency or di-
21 vision charged with rendering a decision
22 regarding the application, by not later than
23 1 day after the applicable date under
24 clause (ii), and once each week thereafter

1 until a final decision is rendered, subject to
2 subparagraph (C)—

3 “(I) \$20,000 for any project for
4 which an annual financial plan under
5 section 106(i) is required; or

6 “(II) \$10,000 for any other
7 project requiring preparation of an
8 environmental assessment or environ-
9 mental impact statement.

10 “(ii) DESCRIPTION OF DATE.—The
11 date referred to in clause (i) is the later
12 of—

13 “(I) the date that is 180 days
14 after the date on which an application
15 for the permit, license, or approval is
16 complete; and

17 “(II) the date that is 180 days
18 after the date on which the Federal
19 lead agency issues a decision on the
20 project under the National Environ-
21 mental Policy Act of 1969 (42 U.S.C.
22 4321 et seq.).

23 “(C) LIMITATIONS.—

24 “(i) IN GENERAL.—No transfer of
25 funds under subparagraph (B) relating to

1 an individual project shall exceed, in any
2 fiscal year, an amount equal to 1 percent
3 of the funds made available for the appli-
4 cable agency office.

5 “(ii) FAILURE TO DECIDE.—The total
6 amount transferred in a fiscal year as a re-
7 sult of a failure by an agency to make a
8 decision by an applicable deadline shall not
9 exceed an amount equal to 5 percent of the
10 funds made available for the applicable
11 agency office for that fiscal year.

12 “(D) TREATMENT.—The transferred funds
13 shall only be available to the agency or division
14 charged with rendering the decision as addi-
15 tional resources, pursuant to subparagraph (F).

16 “(E) NO FAULT OF AGENCY.—A transfer
17 of funds under this paragraph shall not be
18 made if the agency responsible for rendering
19 the decision certifies that—

20 “(i) the agency has not received nec-
21 essary information or approvals from an-
22 other entity, such as the project sponsor,
23 in a manner that affects the ability of the
24 agency to meet any requirements under
25 State, local, or Federal law; or

1 “(ii) significant new information or
2 circumstances, including a major modifica-
3 tion to an aspect of the project, requires
4 additional analysis for the agency to make
5 a decision on the project application.

6 “(F) TREATMENT OF FUNDS.—

7 “(i) IN GENERAL.—Funds transferred
8 under this paragraph shall supplement re-
9 sources available to the agency or division
10 charged with making a decision for the
11 purpose of expediting permit reviews.

12 “(ii) AVAILABILITY.—Funds trans-
13 ferred under this paragraph shall be avail-
14 able for use or obligation for the same pe-
15 riod that the funds were originally author-
16 ized or appropriated, plus 1 additional fis-
17 cal year.

18 “(iii) LIMITATION.—The Federal
19 agency with jurisdiction for the decision
20 that has transferred the funds pursuant to
21 this paragraph shall not reprogram funds
22 to the office of the head of the agency, or
23 equivalent office, to reimburse that office
24 for the loss of the funds.

1 “(G) AUDITS.—In any fiscal year in which
2 any Federal agency transfers funds pursuant to
3 this paragraph, the Inspector General of that
4 agency shall—

5 “(i) conduct an audit to assess com-
6 pliance with the requirements of this para-
7 graph; and

8 “(ii) not later than 120 days after the
9 end of the fiscal year during which the
10 transfer occurred, submit to the Committee
11 on Environment and Public Works of the
12 Senate and any other appropriate congres-
13 sional committees a report describing the
14 reasons why the transfers were levied, in-
15 cluding allocations of resources.

16 “(H) EFFECT OF PARAGRAPH.—Nothing
17 in this paragraph affects or limits the applica-
18 tion of, or obligation to comply with, any Fed-
19 eral, State, local, or tribal law.

20 “(I) AUTHORITY FOR INTRA-AGENCY
21 TRANSFER OF FUNDS.—The requirement pro-
22 vided under this paragraph for a Federal agen-
23 cy to transfer or reallocate funds of the Federal
24 agency in accordance with subparagraph
25 (B)(i)—

1 “(i) shall be treated by the Federal
2 agency as a requirement and authority
3 consistent with any applicable original law
4 establishing and authorizing the agency;
5 but

6 “(ii) does not provide to the Federal
7 agency the authority to require or deter-
8 mine the intra-agency transfer or realloca-
9 tion of funds that are provided to or are
10 within any other Federal agency.

11 “(7) EXPEDIENT DECISIONS AND REVIEWS.—
12 To ensure that Federal environmental decisions and
13 reviews are expeditiously made—

14 “(A) adequate resources made available
15 under this title shall be devoted to ensuring
16 that applicable environmental reviews under the
17 National Environmental Policy Act of 1969 (42
18 U.S.C. 4321 et seq.) are completed on an expe-
19 ditious basis and that the shortest existing ap-
20 plicable process under that Act is implemented;
21 and

22 “(B) the President shall submit to the
23 Committee on Transportation and Infrastruc-
24 ture of the House of Representatives and the
25 Committee on Environment and Public Works

1 of the Senate, not less frequently than once
2 every 120 days after the date of enactment of
3 the MAP–21, a report on the status and
4 progress of the following projects and activities
5 funded under this title with respect to compli-
6 ance with applicable requirements under the
7 National Environmental Policy Act of 1969 (42
8 U.S.C. 4321 et seq.):

9 “(i) Projects and activities required to
10 prepare an annual financial plan under
11 section 106(i).

12 “(ii) A sample of not less than 5 per-
13 cent of the projects requiring preparation
14 of an environmental impact statement or
15 environmental assessment in each State.”.

16 **SEC. 3014. ENVIRONMENTAL PROCEDURES INITIATIVE.**

17 (a) ESTABLISHMENT.—For grant programs under
18 which funds are distributed by formula by the Department
19 of Transportation, the Secretary shall establish an initia-
20 tive to review and develop consistent procedures for envi-
21 ronmental permitting and procurement requirements.

22 (b) REPORT.—The Secretary shall publish the results
23 of the initiative described in subsection (a) in an electroni-
24 cally accessible format.

1 **SEC. 3015. ALTERNATIVE RELOCATION PAYMENT DEM-**
2 **ONSTRATION PROGRAM.**

3 (a) PAYMENT DEMONSTRATION PROGRAM.—

4 (1) IN GENERAL.—Except as otherwise pro-
5 vided in this section, for the purpose of identifying
6 improvements in the timeliness of providing reloca-
7 tion assistance to persons displaced by Federal or
8 federally assisted programs and projects, the Sec-
9 retary may allow not more than 5 States to partici-
10 pate in an alternative relocation payment demonstra-
11 tion program under which payments to displaced
12 persons eligible for relocation assistance pursuant to
13 the Uniform Relocation Assistance and Real Prop-
14 erty Acquisition Policies Act of 1970 (42 U.S.C.
15 4601 et seq.) (including implementing regulations),
16 are calculated based on reasonable estimates and
17 paid in advance of the physical displacement of the
18 displaced person.

19 (2) TIMING OF PAYMENTS.—Relocation assist-
20 ance payments for projects carried out under an ap-
21 proved State demonstration program may be pro-
22 vided to the displaced person at the same time as
23 payments of just compensation for real property ac-
24 quired for the program or project of the State.

1 (3) COMBINING OF PAYMENTS.—Payments for
2 relocation and just compensation may be combined
3 into a single unallocated amount.

4 (b) CRITERIA.—

5 (1) IN GENERAL.—After public notice and an
6 opportunity to comment, the Secretary shall adopt
7 criteria for carrying out the alternative relocation
8 payment demonstration program.

9 (2) CONDITIONS.—

10 (A) IN GENERAL.—Conditions for State
11 participation in the demonstration program
12 shall include the conditions described in sub-
13 paragraphs (B) through (E).

14 (B) MEMORANDUM OF AGREEMENT.—A
15 State wishing to participate in the demonstra-
16 tion program shall be required to enter into a
17 memorandum of agreement with the Secretary
18 that includes provisions relating to—

19 (i) the selection of projects or pro-
20 grams within the State to which the alter-
21 native relocation payment process will be
22 applied;

23 (ii) program and project-level moni-
24 toring;

25 (iii) performance measurement;

1 (iv) reporting; and

2 (v) the circumstances under which the
3 Secretary may terminate the demonstra-
4 tion program of the State before the end of
5 the program term.

6 (C) TERM OF DEMONSTRATION PRO-
7 GRAM.—Except as provided in subparagraph
8 (B)(v), the demonstration program of the State
9 may continue for up to 3 years after the date
10 on which the Secretary executes the memo-
11 randum of agreement.

12 (D) DISPLACED PERSONS.—

13 (i) IN GENERAL.—Displaced persons
14 affected by a project included in the dem-
15 onstration program of the State shall be
16 informed in writing in a format that is
17 clear and easily understandable that the
18 relocation payments that the displaced per-
19 sons receive under the demonstration pro-
20 gram may be higher or lower than the
21 amount that the displaced persons would
22 receive under the standard relocation as-
23 sistance process.

24 (ii) ALTERNATIVE PROCESS.—Dis-
25 placed persons shall be informed—

1 (I) of the right of the displaced
2 persons not to participate in the dem-
3 onstration program; and

4 (II) that the alternative reloca-
5 tion payment process can be used only
6 if the displaced person agrees in writ-
7 ing.

8 (iii) ASSISTANCE.—The displacing
9 agency shall provide any displaced person
10 who elects not to participate in the dem-
11 onstration program with relocation assist-
12 ance in accordance with the Uniform Relo-
13 cation Assistance and Real Property Ac-
14 quisition Policies Act of 1970 (42 U.S.C.
15 4601 et seq.) (including implementing reg-
16 ulations).

17 (E) OTHER DISPLACEMENTS.—

18 (i) IN GENERAL.—If other Federal
19 agencies plan displacements in or adjacent
20 to a demonstration program project area
21 within the same time period as the project
22 acquisition and relocation actions of the
23 demonstration program, the Secretary
24 shall adopt measures to protect against in-
25 consistent treatment of displaced persons.

1 (ii) INCLUSION.—Measures described
2 in clause (i) may include a determination
3 that the demonstration program authority
4 may not be used on a particular project.

5 (c) REPORT.—

6 (1) IN GENERAL.—The Secretary shall submit
7 to Congress—

8 (A) at least every 18 months after the date
9 of enactment of this Act, a report on the
10 progress and results of the demonstration pro-
11 gram; and

12 (B) not later than 1 year after all State
13 demonstration programs have ended, a final re-
14 port.

15 (2) REQUIREMENTS.—The final report shall in-
16 clude an evaluation by the Secretary of the merits
17 of the alternative relocation payment demonstration
18 program, including the effects of the demonstration
19 program on—

20 (A) displaced persons and the protections
21 afforded to displaced persons by the Uniform
22 Relocation Assistance and Real Property Acqui-
23 sition Policies Act of 1970 (42 U.S.C. 4601 et
24 seq.);

1 (B) the efficiency of the delivery of Fed-
2 eral-aid highway projects and overall effects on
3 the Federal-aid highway program; and

4 (C) the achievement of the purposes of the
5 Uniform Relocation Assistance and Real Prop-
6 erty Acquisition Policies Act of 1970 (42
7 U.S.C. 4601 et seq.).

8 (d) LIMITATION.—The authority of this section may
9 be used only on projects funded under title 23, United
10 States Code, in cases in which the funds are administered
11 by the Federal Highway Administration.

12 (e) AUTHORITY.—The authority of the Secretary to
13 approve an alternate relocation payment demonstration
14 program for a State terminates on the date that is 3 years
15 after the date of enactment of this Act

16 **SEC. 3016. REVIEW OF FEDERAL PROJECT AND PROGRAM**
17 **DELIVERY.**

18 (a) COMPLETION TIME ASSESSMENTS AND RE-
19 PORTS.—

20 (1) IN GENERAL.—For projects funded under
21 title 23, United States Code, the Secretary shall
22 compare—

23 (A)(i) the completion times of categorical
24 exclusions, environmental assessments, and en-

1 vironmental impact statements initiated after
2 calendar year 2005; to

3 (ii) the completion times of categorical
4 exclusions, environmental assessments, and
5 environmental impact statements initiated
6 during a period prior to calendar year
7 2005; and

8 (B)(i) the completion times of categorical
9 exclusions, environmental assessments, and en-
10 vironmental impact statements initiated during
11 the period beginning on January 1, 2005, and
12 ending on the date of enactment of this Act; to

13 (ii) the completion times of categorical
14 exclusions, environmental assessments, and
15 environmental impact statements initiated
16 after the date of enactment of this Act.

17 (2) REPORT.—The Secretary shall submit to
18 the Committee on Transportation and Infrastructure
19 of the House of Representatives and the Committee
20 on Environment and Public Works of the Senate a
21 report—

22 (A) not later than 1 year after the date of
23 enactment of this Act that—

24 (i) describes the results of the review
25 conducted under paragraph (1)(A); and

1 (ii) identifies any change in the timing
2 for completions, including the reasons for
3 any such change and the reasons for
4 delays in excess of 5 years; and

5 (B) not later than 5 years after the date
6 of enactment of this Act that—

7 (i) describes the results of the review
8 conducted under paragraph (1)(B); and

9 (ii) identifies any change in the timing
10 for completions, including the reasons for
11 any such change and the reasons for
12 delays in excess of 5 years.

13 (b) ADDITIONAL REPORT.—Not later than 2 years
14 after the date of enactment of this Act, the Secretary shall
15 submit to the Committee on Transportation and Infra-
16 structure of the House of Representatives and the Com-
17 mittee on Environment and Public Works of the Senate
18 a report on the types and justification for the additional
19 categorical exclusions granted under the authority pro-
20 vided under sections 1309 and 1310.

21 (c) GAO REPORT.—The Comptroller General of the
22 United States shall—

23 (1) assess the reforms carried out under sec-
24 tions 1301 through 1315 (including the amendments
25 made by those sections); and

1 (2) not later than 5 years after the date of en-
2 actment of this Act, submit to the Committee on
3 Transportation and Infrastructure of the House of
4 Representatives and the Committee on Environment
5 and Public Works of the Senate a report that de-
6 scribes the results of the assessment.

7 (d) INSPECTOR GENERAL REPORT.—The Inspector
8 General of the Department of Transportation shall—

9 (1) assess the reforms carried out under sec-
10 tions 1301 through 1315 (including the amendments
11 made by those sections); and

12 (2) submit to the Committee on Transportation
13 and Infrastructure of the House of Representatives
14 and the Committee on Environment and Public
15 Works of the Senate—

16 (A) not later than 2 years after the date
17 of enactment of this Act, an initial report of the
18 findings of the Inspector General; and

19 (B) not later than 4 years after the date
20 of enactment of this Act, a final report of the
21 findings.

Strike subtitle C of title VIII of the committee print
and redesignate the following subtitles accordingly (and
conform the table of contents accordingly).

