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117TH CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
117–74

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2662) TO AMEND THE INSPECTOR GENERAL ACT OF 1978, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3005) TO DIRECT THE JOINT COMMITTEE ON THE LIBRARY TO REPLACE THE BUST OF ROGER BROOKE TANEY IN THE OLD SUPREME COURT CHAMBER OF THE UNITED STATES CAPITOL WITH A BUST OF THURGOOD MARSHALL TO BE OBTAINED BY THE JOINT COMMITTEE ON THE LIBRARY AND TO REMOVE CERTAIN STATUES FROM AREAS OF THE UNITED STATES CAPITOL WHICH ARE ACCESSIBLE TO THE PUBLIC, TO REMOVE ALL STATUES OF INDIVIDUALS WHO VOLUNTARILY SERVED THE CONFEDERATE STATES OF AMERICA FROM DISPLAY IN THE UNITED STATES CAPITOL, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3684) TO AUTHORIZE FUNDS FOR FEDERAL-AID HIGHWAYS, HIGHWAY SAFETY PROGRAMS, AND TRANSIT PROGRAMS, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE RESOLUTION (H. RES. 503) ESTABLISHING THE SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STATES CAPITOL; AND FOR OTHER PURPOSES

JUNE 28, 2021.—Referred to the House Calendar and ordered to be printed

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Ms. SCANLON, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 504]

The Committee on Rules, having had under consideration House Resolution 504, by a record vote of 9 to 4, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2662, the IG Independence and Empowerment Act, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform or their designees. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Oversight and Reform now printed in the bill shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended.

The resolution provides that following debate, each further amendment printed in part A of this report not earlier considered as part of amendments en bloc pursuant to section 3 shall be considered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution provides that at any time after debate the chair of the Committee on Oversight and Reform or her designee may offer amendments en bloc consisting of further amendments printed in part A of this report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all points of order against the amendments printed in part A of the Rules Committee report or amendments en bloc described in section 3 of the resolution. The resolution provides one motion to recommit. The resolution provides for consideration of H.R. 3005, To direct the Joint Committee on the Library to replace the bust of Roger Brooke Taney in the Old Supreme Court Chamber of the United States Capitol with a bust of Thurgood Marshall to be obtained by the Joint Committee on the Library and to remove certain statues from areas of the United States Capitol which are accessible to the public, to remove all statues of individuals who voluntarily served the Confederate States of America from display in the United States Capitol, and for other purposes, under a closed rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on House Administration or their designees. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read.

The resolution waives all points of order against provisions in the bill. The resolution provides one motion to recommit. The resolution further provides for consideration of H.R. 3684, the INVEST in America Act. The resolution provides ninety minutes of general debate with sixty minutes equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their designees and thirty minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their designees.

The resolution waives all points of order against consideration of the bill. The resolution provides that in lieu of the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–8, modified by Rules Committee Print 117–9 and the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be consid-

ered as adopted and the bill, as amended, shall be considered as read.

The resolution waives all points of order against provisions in the bill, as amended.

The resolution provides one motion to recommit. The resolution provides for consideration of H.Res. 503, Establishing the Select Committee to Investigate the January 6th Attack on the United States Capitol, under a closed rule.

The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Rules or their designees.

The resolution waives all points of order against consideration of the resolution. The resolution provides that the resolution shall be considered as read.

The resolution provides that at any time through the legislative day of Thursday, July 1, 2021, the Speaker may entertain motions offered by the Majority Leader or a designee that the House suspend the rules with respect to multiple measures that were the object of motions to suspend the rules on the legislative days of June 28 or 29, 2021, and on which the yeas and nays were ordered and further proceedings postponed. The Chair shall put the question on any such motion without debate or intervening motion, and the ordering of the yeas and nays on postponed motions to suspend the rules with respect to such measures is vacated.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 2662, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions of H.R. 2662, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in part A of this report or against amendments en bloc described in section 3 of the resolution, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 3005 includes a waiver of clause 12 of rule XXI, which prohibits consideration of a bill pursuant to a special order of business reported by the Committee on Rules that has not been reported by a committee.

Although the resolution waives all points of order against provisions of H.R. 3005, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 3684 includes waivers of the following:

- Clause 3(d) of rule XIII, which requires the inclusion of a committee cost estimate in a committee report.
- Clause 10 of rule XXI, which prohibits consideration of a measure that has a net effect of increasing the deficit or reducing the surplus over the five- or 10-year period.
- Section 302(f) of the Congressional Budget Act, which prohibits consideration of legislation providing new budget authority in excess of a 302(a) or 302(b) allocation of such authority.

- Section 311 of the Congressional Budget Act, which prohibits consideration of legislation that would cause the level of total new budget authority for the first fiscal year to be exceeded, or would cause revenues to be less than the level of total revenues for the first fiscal year or for the total of that first fiscal year and the ensuing fiscal years for which allocations are provided, except when a declaration of war by the Congress is in effect.
- Section 401 of the Congressional Budget Act, which prohibits consideration of any bill that provides new authority to enter into contracts under which the United States is obligated to make outlays.

The waiver of all points of order against provisions of H.R. 3684, as amended, includes waivers of the following:

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

Although the resolution waives all points of order against consideration of H.Res. 503, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Although not required under clause 9 of rule XXI, the following is a list of congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI that are self-executed by the resolution. Although these projects were not reported out of committee, they comply with House rules and were subject to the rigorous vetting process put in place by the Committee on Transportation and Infrastructure.

Rules Committee Print 117–8

Project No. 731 (replacing the original Project No. 731): Rep. Rashida Tlaib, Joe Louis Greenway Phase One (Conrail 1/May Creek), Detroit, MI, $2,000,000. The project sponsor is the City of Detroit.

Project No. 1474: Rep. Lauren Underwood, Fox River Regional Trail: Hoover Forest Preserve-Fox River Bluffs Connecting Trail Segment, Yorkville, IL, $240,000. The project sponsor is Kendall County Forest Preserve District.

Amendment printed in Part B of this report:

Project No. 1475: Rep. Angie Craig, City of Red Wing Levee Road Realignment Project, Red Wing, MN, $3,124,521. The project sponsor is the City of Red Wing.

COMMITTEE VOTES

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

Rules Committee record vote No. 100

Motion by Mr. Cole to report an open rule for H.R. 3684 and H.R. 2662. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Nay	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 101

Motion by Mr. Cole to amend the rule to H.R. 3005 to make in order amendment #1, offered by Rep. Davis (IL), which revises the deadline for response by the Joint Committee on the Library to no later than 30 days after the AOC forwards the request to the JCL. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Nay	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 102

Motion by Mr. Burgess to amend the rule to H.R. 2662 to make in order and provide the appropriate waivers to amendment #3, offered by Rep. Burgess (TX), which replaces Titles I and III of the bill with language to require a detailed rationale to be provided to Congress prior to the removal of an IG and to allow a limited exception for the President to name a non-first assistant Inspector General as Acting Inspector General in the case of a vacancy, and makes the new IG subpoena power prospective. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Nay	Mr. Cole	Yea
Mr. Perlmutter	Nay	Mr. Burgess	Yea
Mr. Raskin	Nay	Mr. Reschenthaler	Yea
Ms. Scanlon	Nay	Mrs. Fischbach	Yea
Mr. Morelle	Nay		
Mr. DeSaulnier	Nay		
Ms. Ross	Nay		
Mr. Neguse	Nay		
Mr. McGovern, Chairman	Nay		

Rules Committee record vote No. 103

Motion by Ms. Scanlon to report the rule. Adopted: 9–4

Majority Members	Vote	Minority Members	Vote
Mrs. Torres	Yea	Mr. Cole	Nay
Mr. Perlmutter	Yea	Mr. Burgess	Nay
Mr. Raskin	Yea	Mr. Reschenthaler	Nay
Ms. Scanlon	Yea	Mrs. Fischbach	Nay
Mr. Morelle	Yea		
Mr. DeSaulnier	Yea		
Ms. Ross	Yea		
Mr. Neguse	Yea		
Mr. McGovern, Chairman	Yea		

SUMMARY OF THE AMENDMENTS TO H.R. 2662 IN PART A MADE IN ORDER

1. Axne (IA): Requiring more detailed rationale for firing an Inspector General. (10 minutes)

2. Bourdeaux (GA): Ensures Inspectors General receive training on the use of, and process for, the suspension or debarment of persons for eligibility for Federal contracts. (10 minutes)

3. Carter, Troy (LA): Increases the pay of IGs to ensure that senior advisors do not make more than the IGs they work for. (10 minutes)

4. Comer (KY): Strikes Titles I, III, and V of the bill. (10 minutes)

5. Malinowski (NJ): Provides an exception to the requirement that IGs provide notice 30 days before placing an IG on non-duty status if the IG poses a threat to the workplace or threatens an investigation. (10 minutes)

6. Torres, Ritchie (NY): Requires GAO to conduct a review and issue a report evaluating processes for investigating wrongdoing by Inspectors General, including processes of the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency and processes of Inspector General offices. (10 minutes)

SUMMARY OF THE AMENDMENT TO H.R. 3684 IN PART B CONSIDERED AS ADOPTED

1. DeFazio (OR): Makes technical changes to Divisions A, B, and D; amends the Territorial Highway Program to peg program funding to state apportionments; amends the federal share under the Federal Lands Access Program; further modifies rules on charter bus service; modifies Capital Investment Grants warrants and ratings adjustments; makes the federal share payable under the CMAQ program up to 100 percent for any project that benefits an environmental justice community; adds a provision on the relationship between labor and employment laws and motor carrier safety; provides certainty to engineering firms that received PPP loan forgiveness; and amends the Household Decentralized Wastewater program to ensure that projects are constructed by licensed and bonded contractors, in accordance with industry standards and state and local requirements.

PART A—TEXT OF AMENDMENTS TO H.R. 2662 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE AXNE OF IOWA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 6, after line 16, add the following new section (and amend the table of contents accordingly):

SEC. 103. REMOVAL OR TRANSFER REQUIREMENTS.

(a) REASONS FOR REMOVAL OR TRANSFER.—Section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by section 102, is further amended—

(1) in paragraph (1), by striking "reasons" and inserting "substantive rationale, including detailed and case-specific reasons,"; and

(2) by inserting at the end the following new paragraph:

"(3) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under paragraph (1), the written communication required under that paragraph shall—

"(A) identify each entity that is conducting, or that conducted, the inquiry; and

"(B) in the case of a completed inquiry, contain the findings made during the inquiry.".

(b) REASONS FOR REMOVAL OR TRANSFER FOR DESIGNATED FEDERAL ENTITIES.—Section 8G(e) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (2), by striking "reasons" and inserting "substantive rationale, including detailed and case-specific reasons,"; and

(2) by inserting at the end the following new paragraph:

"(3) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under paragraph (2), the written communication required under that paragraph shall—

"(A) identify each entity that is conducting, or that conducted, the inquiry; and

"(B) in the case of a completed inquiry, contain the findings made during the inquiry.".

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BOURDEAUX OF GEORGIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 34, line 1, strike "and" and insert ",".

Page 34, line 3, insert ", and on the use of and process for the suspension or debarment of persons for eligibility for Federal contracts" after "Council".

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CARTER OF LOUISIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 34, after line 3, insert the following (and amend the table of contents and redesignate the subsequent titles accordingly):

TITLE XII—EQUITABLE PAY FOR INSPECTORS GENERAL

SEC. 1201. EQUITABLE PAY FOR INSPECTORS GENERAL.

Section 3(e) of the Inspector General Act of 1978 (5 U.S.C. App) is amended by inserting after "3 percent" the following: "or the rate of pay that is equal to the highest rate of basic pay of any other employee of the Office of such Inspector General, whichever is higher".

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4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COMER OF KENTUCKY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 4, strike line 1 and all that follows through page 6, line 16.

Page 9, strike line 3 and all that follows through page 10, line 10.

Page 22, strike line 20 and all that follows through page 27, line 14.

Redesignate and renumber the remaining titles and sections and amend the table of contents accordingly.

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5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MALINOWSKI OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 7, line 4, strike "OFFICES" and insert "OFFICE".

Page 7, line 13, strike "ENTITIES" and insert "ENTITY".

Page 7, after line 21, insert the following:

(c) EXCEPTION TO REQUIREMENT TO SUBMIT COMMUNICATION RELATING TO CERTAIN CHANGES IN STATUS.—

(1) COMMUNICATION RELATING TO CHANGE IN STATUS OF INSPECTOR GENERAL OF OFFICE.—Section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by section 102(1), is further amended—

(A) in paragraph (1), by striking "If" and inserting "Except as provided in paragraph (3), if"; and

(B) by adding at the end the following:

"(3) If an Inspector General is placed on paid or unpaid non-duty status, the President may submit the communication described in paragraph (1) to Congress later than 30 days before the Inspector General is placed on paid or unpaid non-duty status, but in any case not later than the date on which the placement takes effect, if—

"(A) the President determines that a delay in placing the Inspector General on paid or unpaid non-duty status would—

"(i) pose a threat to the Inspector General or others;

"(ii) result in the destruction of evidence relevant to an investigation; or

"(iii) result in loss of or damage to Government property;

"(B) in the communication, the President includes—

"(i) a specification of which clause the President relied on to make the determination under subparagraph (A);

"(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

"(iii) if the President relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

"(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.

"(4) The President may not place an Inspector General on paid or unpaid non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (1) unless the President—

"(A) determines that not placing the Inspector General on paid or unpaid non-duty status would—

"(i) pose a threat to the Inspector General or others;

"(ii) result in the destruction of evidence relevant to an investigation; or

"(iii) result in loss of or damage to Government property; and

"(B) on or before the date on which the placement takes effect, submits to the Committee in the House of Representatives and the Committee in the Senate that has jurisdiction over the Inspector General involved, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a written communication that contains the following information—

"(i) a specification of which clause under subparagraph (A) the President relied on to make the determination under such subparagraph;

"(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

"(iii) if the President relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

"(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.".

(2) COMMUNICATION RELATING TO CHANGE IN STATUS OF INSPECTOR GENERAL OF DESIGNATED FEDERAL ENTITY.—Section 8G(e) of the Inspector General Act Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in paragraph (1), by striking "If" and inserting "Except as provided in paragraph (3), if"; and

(B) by adding at the end the following:

"(3) If an Inspector General is placed on paid or unpaid non-duty status, the head of a designated Federal entity may submit the communication described in paragraph (1) to Congress later than 30 days before the Inspector General is placed on paid or unpaid non-duty status, but in any case not later than the date on which the placement takes effect, if—

"(A) the head determines that a delay in placing the Inspector General on paid or unpaid non-duty status would—

"(i) pose a threat to the Inspector General or others;

"(ii) result in the destruction of evidence relevant to an investigation; or

"(iii) result in loss of or damage to Government property;

"(B) in the communication, the head includes—

"(i) a specification of which clause under subparagraph (A) the head relied on to make the determination under such subparagraph;

"(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

"(iii) if the head relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

"(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.

"(4) The head may not place an Inspector General on paid or unpaid non-duty status during the 30-day period preceding the date on which the Inspector General is removed or transferred under paragraph (1) unless the head—

"(A) determines that not placing the Inspector General on paid or unpaid non-duty status would—

"(i) pose a threat to the Inspector General or others;

"(ii) result in the destruction of evidence relevant to an investigation; or

"(iii) result in loss of or damage to Government property; and

"(B) on or before the date on which the placement takes effect, submits to the Committee in the House of Representatives and the Committee in the Senate that has jurisdiction over the Inspector General involved, the Committee on Oversight and Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, a written communication that contains the following information—

"(i) a specification of which clause under subparagraph (A) the head relied on to make the determination under such subparagraph;

"(ii) the substantive rationale, including detailed and case-specific reasons, for such determination;

"(iii) if the head relied on an inquiry to make such determination, an identification of each entity that is conducting, or that conducted, such inquiry; and

"(iv) if an inquiry described in clause (iii) is completed, the findings of that inquiry.".

Page 7, strike line 22 and all that follows through line 24 and insert the following:

(d) APPLICATION.—The amendments made by this section shall apply with respect to removals, transfers, and changes of status occurring on or after the date that is 30 days after the date of the enactment of this Act.

Page 29, line 20, strike "ESTABLISHMENT" and insert "OFFICE".

Page 30, line 10, strike "is" and insert ", as amended by section 202(c)(2), is further".

Page 30, line 12, strike "(3)" and insert "(5)".

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6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE TORRES OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 34, after line 3, insert the following (and amend the table of contents and redesignate the subsequent titles accordingly):

TITLE XII—REPORT

SEC. 1201. GAO REVIEW AND REPORT.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall—

(1) conduct a review that evaluates the effectiveness of the processes of the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency, and the processes of Offices of Inspector General, respectively, for ensuring that Inspectors General—

(A) are held accountable through the investigation of allegations of wrongdoing, including allegations of misconduct, abuse of authority, or other malfeasance, that are made against such Inspectors General; and

(B) meet relevant standards for integrity and independence;

(2) identify recommendations with respect to—

(A) enhancing accountability for Inspectors General; and

(B) ensuring that Inspectors General meet relevant standards for integrity and independence; and

(3) issue a report—

(A) on the results of the review required by paragraph (l); and

(B) that contains any recommendations identified under paragraph (2).

PART B—TEXT OF AMENDMENT TO H.R. 3684 CONSIDERED AS ADOPTED

Page 42, beginning on line 4, strike "the required non-Federal share" and insert "20 percent".

In the table contained in section 107(c) of the bill, in the third column of the item numbered 204, strike "lameda" and insert "Alameda".

At the end of the table contained in section 107(c) of the bill, add a new item as follows:

(1) In the first column, add the appropriate table number.

(2) In the second column, insert the project name as "City of Red Wing Levee Road Realignment Project".

(3) In the third column, insert the city as "Red Wing".

(4) In the fourth column, insert the State/Territory as "MN".

(5) In the fifth column, insert the amount as "$3,124,521".

Page 208, line 20, strike "paragraph (21)" and insert "paragraph (22)".

Page 212, line 14, strike "paragraph (36)" and insert "paragraph (39)".

Page 254, line 18, strike "INNOVATIVE PROJECT DELIVERY".

Page 256, after line 5, insert the following (and redesignate the subsequent subsection accordingly):

(b) ENVIRONMENTAL JUSTICE COMMUNITIES.—Section 120(c) of title 23, United States Code, is amended by adding at the end the following:

"(4) ENVIRONMENTAL JUSTICE COMMUNITIES.—The Federal share payable on account of a project, program, or activity carried out with funds apportioned under section 104(b)(5) may be increased by up to 10 percent, up to 100 percent of the total project cost of any such project, program, or activity that the Secretary determines benefits an environmental justice community through reducing adverse environmental exposures that may disproportionately impact such communities.".

Page 280, line 24, strike "research" and insert "study".

Page 281, strike line 18 and insert the following:

(1) ESTABLISHMENT OF REQUIREMENTS.

(A) IN GENERAL.—The

Page 281, line 20, insert "by" after "amendment made".

Page 281, after line 24, insert the following:

(B) CONSIDERATIONS.—The regulations issued pursuant to subparagraph (A) shall—

(i) ensure the continued availability of construction materials to carry out projects under title 23, United States Code;

(ii) include authority for the Secretary to waive the applicability of the requirement under section 313(a) of title 23, United States Code, to procure domestic construction materials if the study conducted under subsection (c)(l) determines that the domestic supply of construction materials is insufficient to meet the demand for activities covered under section 313 of title 23, United States Code; and

(iii) provide for efficient and timely—

(I) project delivery for project sponsors; and

(II) administration for the Secretary.

(C) FINAL RULE.—The regulations issued pursuant to subparagraph (A) shall not be finalized until the study under subsection (c) has been completed and considered by the Secretary in the rulemaking process under such subparagraph.

Page 282, line 7, insert "that are less than 100 percent and" before "that increase".

Page 282, strike lines 10 through 11 and insert the following:

(C) shall take into consideration the study conducted under subsection (c), including any potential—

(i) disruption in the supply of construction materials to any State or isolated geographic region; and

(ii) impacts on the price of covered items.

Page 282, beginning on line 14, strike "requirements" and insert "regulations".

Page 282, line 16, strike "RESEARCH" and insert "STUDY".

Page 282, line 18, strike "research" and insert "study".

Page 283, line 1, strike "research" and insert "study".

Page 283, strike lines 3 through 15 and insert the following:

(A) the current domestic availability of covered items of sufficient and reasonably available quantity and of a satisfactory quality (including any specific impacts in a State or isolated geographic region, as applicable) necessary to meet the demand for activities covered under section 313 of title 23, United States Code;

(B) the current supply chain for covered items including the impacts of extracting, refining, manufacturing, and transporting domestically available covered items;

(C) anticipated impacts to the environment, public health, and safety from transportation of domestically available covered items;

(D) the estimated demand, in relation to total domestic demand from all sources, for covered items from—

(i) procurement under the Federal-aid highway program;

(ii) procurement under other programs administered by the Secretary of Transportation; and

(iii) other Federal procurement; and

(E) the delivery cost differential of domestic covered items, as compared to non-domestic alternatives, including any specific impacts in a State or isolated geographic region, as applicable.

Page 283, after line 15, insert the following (and redesignate the subsequent paragraphs accordingly):

(3) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Secretary completes the study in paragraph (1), the Inspector General of the Department of Transportation shall—

(A) review the extent to which the study under paragraph (1) addresses the considerations under paragraph (2); and

(B) submit to the Committee on Transportation and Infrastructure of the House of Representatives and Committee on Environment and Public Works of the Senate a report on the findings of the review under subparagraph (A).

Page 284, beginning on line 3, strike "This section, and the amendments made by this section" and insert "Subsections (b) and (c)".

Page 284, after line 6, insert the following (and redesignate the subsequent subsection accordingly):

(e) CONSTRUCTION MATERIALS DEFINED.—In this section, the term "construction materials" has the meaning given such term in section 313 of title 23, United States Code.

Page 298, line 9, strike "resilience;" and insert "resilience".

Page 341, line 2, strike "104(b)" and insert "104(b).".

Page 388, line 25, strike "carsharing" and insert "carsharing,".

Page 393, line 17, insert "and sections 137 and 142" after "(a) or (b)".

Page 393, line 18, insert "limited commercial activities for" after "155,".

Page 436, line 22, strike "paragraph" and insert "subsection".

Page 536, line 15, strike "paragraphs (2)" and insert "paragraph (2)".

Page 574, strike lines 9 through 13 and insert the following:

"(A) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(A) of the INVEST in America Act for fiscal year 2023;

"(B) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(B) of the INVEST in America Act for fiscal year 2024;

"(C) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(C) of the INVEST in America Act for fiscal year 2025; and

"(D) an amount equivalent to 0.002 of the amount made available under section 1101(a)(1)(D) of the INVEST in America Act for fiscal year 2026.";

Page 595, strike lines 4 through 5 and insert the following:

(a) IN GENERAL.—Section 204(a) of title 23, United States Code, is amended—

Page 596, after line 8, insert the following:

(b) FEDERAL SHARE.—Section 201(b)(7)(B) of title 23, United States Code, is amended by striking "determined in accordance with section 120", and inserting "up to 100 percent".

Page 653, after line 8, insert the following (and redesignate accordingly):

(2) INDIAN TRIBES.—The term "Indian Tribes" has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

Page 664, line 15, insert a comma after "low-income communities".

Page 699, line 2, strike "101(a)(16)(C), as amended," and insert "101(a)(17)(C), as redesignated by section 1103(1)(A) of this Act,".

Page 699, strike lines 12 through 15 and insert the following:

(B) in the paragraph heading, by striking "FEDERAL HIGHWAY ADMINISTRATION" and inserting "AN OPERATING ADMINISTRATION OF THE DEPARTMENT OF TRANSPORTATION".

Page 705, after line 3, add the following:

SEC. 1640. CREDIT ADJUSTMENTS FOR PAYCHECK PROTECTION PROGRAM LOAN FORGIVENESS UNDER HIGHWAY AND PUBLIC TRANSPORTATION PROJECT COST REIMBURSEMENT CONTRACTS.

(a) IN GENERAL.—Notwithstanding section 112 of title 23, United States Code, a covered contractor shall only make credit adjustments to the indirect cost rate applied to such contractor to reflect the portion of loan forgiveness attributable to the receipt of Federal funds. For purposes of this section, beginning on the date on which the credit attributable to Federal funds is recovered fully, no further indirect cost rate credit shall be applied or otherwise provided.

(b) COVERED CONTRACTOR DEFINED.—For purposes of this section, the term "covered contractor" means a contractor or subcontractor at any tier that—

(1) provides architectural and engineering services under a federally-funded Federal-aid highway program or Federal lands highway program cost reimbursement contract under title 23, United States Code;

(2) received loan forgiveness in accordance with section 1106 of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136), for a loan provided under paragraph (36) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)); and

(3) applied such loan proceeds to indirect costs that were reimbursed, in whole or in part, with Federal funds.

Page 721, line 12, strike "30" and insert "15".
Page 721, line 16, strike "and" at the end.
Page 721, line 19, strike the period and insert "; and".
Page 721, after line 19, insert the following:

"(v) limited to the service area in which the recipient provides regularly scheduled public transportation service.

Page 747, line 6, strike "in carrying" and insert "In carrying".
Page 863, line 16, strike "(4)" and insert "(5)".
Page 874, line 12, strike "and/or" and insert "or".
Page 875, line 24, insert "up to" before "5".
Page 876, line 1, insert "or land use" before "criterion".
Page 876, line 1, insert "up to" before "5 percentage".
Page 876, line 16, insert "or land use" after "development".
Page 1003, after line 7, insert the following:

SEC. 4208. REVIEW OF LABOR LAWS.

(a) REGISTRATION.—Section 13902(a)(1)(A) of title 49, United States Code, is amended—

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

(2) in clause (vi) by striking the semicolon and inserting "; and"; and

(3) by adding at the end the following:

"(vii) applicable labor and employment laws and regulations, including wage and hour and workplace safety laws and regulations, relevant to the safe operation of a motor carrier;".

(b) AGENCY REVIEW.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation and the Secretary of Labor shall initiate a process to—

(1) review the relationship between labor and employment laws and regulations and motor carrier safety laws and regulations, including hours of service rules;

(2) evaluate labor and employment laws and regulations likely to be relevant to the safe operation of a motor carrier;

(3) assess the availability of datasets, gaps in available data, and opportunities to gather and share useful data to better understand the relationship between labor and employment laws and regulations and the safety performance of a motor carrier; and

(4) assess the feasibility of utilizing available data, including data on violations of labor and employment laws and regulations, to improve the Secretary's safety oversight of a motor carrier.

(c) REPORT.—No later than 18 months after initiation of the process under subsection (b), the Secretary of Transportation and Secretary of Labor shall submit to Congress a report containing—

(1) the findings of the process undertaken under subsection (b);

(2) any proposed actions to be taken by either the Secretary of Transportation or the Secretary of Labor as a result of such findings; and

(3) any recommendations to Congress to implement such proposed actions.

(d) UPDATES.—Following completion of the agency review under subsection (b), the Secretary of Transportation may initiate a rulemaking addressing the periodic monitoring of information to ensure compliance with section 13902(a)(1)(A)(vii) of title 49, United States Code, including any required documentation that a motor carrier is required to submit.

Page 1043, beginning on line 12, strike ", benefits, and costs associated with" and insert "of".

Page 1056, line 9, insert "that provides a single point of data, such as the vehicle identification number," after "identifier".

Page 1056, line 10, strike "to roadside inspectors".

Page 1056, line 11, insert "compliance, inspection, or" after "for".

Page 1125, beginning on line 13, strike **"INTERAGENCY INNOVATIVE MATERIALS STANDARDS TASK FORCE"** and insert **"INTERAGENCY INNOVATIVE MATERIALS STANDARDS TASK FORCE"**.

Page 1126, beginning on line 8, strike "Interagency Innovative Materials Standards Task Force" and insert "Interagency innovative materials standards task force".

Page 1147, after line 20, insert the following (and redesignate accordingly):

"(G) a representative from academia;

Page 1147, after line 22, insert the following (and redesignate the subsequent subparagraphs accordingly):

(E) in subparagraph (K) by striking "; and" and inserting a period;

Page 1147, line 24, strike "subparagraph (H)" and insert "subparagraph (I)".

Page 1185, line 21, insert "data" after "include".

Page 1185, beginning on line 21, insert a comma after "interoperability".

Page 1227, line 12, insert "Administration" after "Safety".

Page 1270, line 15, strike "may" and insert "shall".

Page 1402, after line 16, insert the following:

SEC. 9520. FRA SAFETY INSPECTOR AND SPECIALIST REVIEW.

(a) REVIEW.—The Administrator of the Federal Railroad Administration shall review the position descriptions and pay grades of railroad safety inspection personnel and railroad safety specialists employed by the Office of Railroad Safety.

(b) CONTENTS OF REVIEW.—The review under subsection (a) shall—

(1) consider whether the descriptions of the positions described in subsection (a) accurately reflect the scope of work and duties of the personnel and specialists described in such subsection, including any technological advancements that impact the scope of work and duties;

(2) compare the pay grades of such positions to the pay grades of personnel employed by other Department of Trans-

portation agencies and the National Transportation Safety Board who have scopes of work and duties comparable to those of railroad safety inspection personnel and railroad safety specialists; and

(3) assess whether the Administration experiences difficulty in recruiting or retaining such personnel and specialists and identify the reasons for such difficulty.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that—

(1) summarizes the findings of the review required by this section;

(2) describes how the Administration plans to update the position descriptions of such personnel and specialists to accurately reflect the scope of work and duties, including any technological advancements that impact the scope of work and duties; and

(3) describes how pay grades may be updated to retain and recruit such personnel and specialists.

At the end of division D, add the following:

SEC. 9608. EXTENSION.

Section 1246 of the Disaster Recovery Reform Act of 2018 is amended—

(1) by striking "3 years" and inserting "4½ years"; and

(2) by inserting "and every 3 months thereafter," before "the Administrator shall".

Page 1524, line 20, strike "under subsection (h)" and insert "under subsection (i)".

Page 1525, insert after subsection (e) the following (and redesignate the subsequent subsections accordingly):

"(f) RULEMAKING.—Not later than 180 days after the date of enactment of this section, the Administrator shall issue a rule requiring that, with respect to any decentralized wastewater treatment system constructed pursuant to this section or section 603(c)—

"(1) such system complies with any applicable State and local requirements;

"(2) such system complies with any applicable American National Standard approved by the American National Standards Institute; and

"(3) the design and construction of such system is carried out by persons or entities licensed and bonded, by the State in which such system is constructed, to carry out such design and construction.

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