



FY2022 Consolidated Appropriations Act

Department of Transportation

- **National infrastructure investments** – \$775 million for RAISE, previously known as BUILD and TIGER, grants
- **Essential Air Service** – \$350 million
- **Federal Aviation Administration** – \$18.5 billion, including \$3.9 billion for grants-in-aid for airports
- **Federal Highway Administration** – \$60.7 billion: \$57.5 billion from the Highway Trust Fund and \$2.4 billion from the general fund
- **Federal Railroad Administration** – \$3.3 billion, including \$2.3 billion for Amtrak
- **Federal Transit Administration** – \$16.3 billion: \$13.4 billion from the Highway Trust Fund and \$2.9 billion from the general fund
- **Maritime Administration** – \$1.2 billion, including \$388 million in defense spending for the Maritime Security Program

(LIQUIDATION OF CONTRACT AUTHORIZATION) (HIGHWAY TRUST FUND)

The agreement provides a liquidating cash appropriation of \$58,212,430,072, which is available until expended, to pay the outstanding obligations of the various highway programs at the levels provided in this act and prior appropriations acts.

HIGHWAY INFRASTRUCTURE PROGRAMS (INCLUDING TRANSFER OF FUNDS) The bill provides \$2,444,927,823 from the general fund.

Of the total amount, the bill provides

- \$846,927,823 for Community Project Funding/Congressionally Directed Spending,
- \$100,000,000 for the ADHS,
- \$75,000,000 for the nationally significant Federal lands and Tribal projects program (of which 50 percent shall be set-aside for projects in Tribal areas),
- \$12,000,000 for the regional infrastructure accelerator demonstration program,
- \$1,145,000,000 for a bridge replacement and rehabilitation program,
- \$6,000,000 for the scenic byways program,
- \$10,000,000 to be transferred to the Northern Border Regional Commission, and
- \$250,000,000 for PROTECT grants, as authorized under 23 U.S.C. 176.

FEDERAL-AID HIGHWAYS (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND) The agreement limits obligations for the federal-aid highways program to \$57,473,430,072 in fiscal year 2022.

Bridges with impacts to protected species under the Endangered Species Act.-The agreement encourages the FHW A to give consideration to projects that make improvements to bridges with significant impacts to species listed under the Endangered Species Act to mitigate those impacts. The agreement directs the Department to provide a report to the House and Senate Committees on Appropriations not later than 270 days after enactment of this act on how FHW A is making its selection of bridge improvements to address endangered species.

Implementation Plan.-In fiscal year 2020, the Department was directed to develop an implementation plan for conducting the research outlined in the Transportation Research Board's truck size and weight research plan, which has not been transmitted to Congress. The results of this research should be considered by the Department and Congress before any national changes in truck length or weight policy are considered. The agreement directs the FHW A to brief the House and Senate Committees on Appropriations on the implementation plan within 30 days of enactment of this act.

Research and technology.· The agreement directs the FHW A to continue to prioritize research and demonstrations of new and proven technologies that could make infrastructure systems more resilient. The agreement directs the FHW A to promote resiliency in its every day counts initiative in order to leverage research and technology funds in support of states' efforts to deploy new and proven technologies. The agreement further directs the FHW A to report to the House and Senate Committees on Appropriations on the extent to which states and territories are currently, or plan to in the near future, use innovative technologies to build resiliency into their highway and bridge infrastructure, as well as identify any barriers to the use of innovative technologies that would otherwise allow for resiliency to be incorporated into such infrastructure.

Advanced digital construction management.-Section 503 of title 23, U.S.C. provides \$20,000,000 to accelerate the deployment and implementation of advanced digital construction management systems. The minimum grant amount for this program shall be \$500,000.

Nature-based solutions for infrastructure.-· The agreement directs the FHW A to continue to build its competency and capacity in nature-based solutions [NBS] and continue its outreach to all states, Tribes, and localities on natural infrastructure options and best management practices and should build on its implementation guide by including it in the overall guidance and materials on conducting vulnerability assessments, including technical assistance 33 and trainings provided to state DOTs, metropolitan planning organizations [MPOs], and local and Tribal governments. The agreement further directs the FHWA to submit a report to the House and Senate Committees on Appropriations within 1 year of enactment of this act that: (1) includes a summary of the extent of FHWA's NBS outreach; (2) identifies any deterrents or hindrances to the use of NBS; (3) identifies opportunities for increasing use of NBS; and (4) identifies any available assessment of the amount of Federal funding being put to NBS projects.

Timely response.-The agreement directs the FHWA to review and respond to Buy America waiver requests within 60 days of submission.

Categorical exclusions. -The agreement directs the FHW A to continue working with stakeholders, including state DOTs, to determine how to best minimize the bureaucratic burdens of the qualification process for categorical exclusions.

Appalachian development highway system [ADHS].-The agreement directs the FHWA to submit a report to the House and Senate Committees on Appropriations on its efforts to continue working with the ARC and relevant state DOTs to identify segments of existing, unfinished, and potential corridors and to discuss the justification for expanding the current ADHS mileage cap within 180 days of enactment of this act.

Low-carbon materials. -The agreement encourages the FHWA to continue efforts to develop low-carbon materials that reduce green-house gas [GHG] emissions while maintaining the structural integrity of infrastructure.

Surface transportation block grants [STBG].-The agreement directs the Secretary to ensure that state transportation agencies are fairly suballocating STBG funds to localities in accordance with current law.

Transparency in the deployment of automated vehicles [AVs].-The agreement directs the FHWA, in coordination with other relevant modal administrations, to establish clear goals and priorities for the safe testing and deployment of AVs on public highway infrastructure by developing an action plan that should foster further discussion and information sharing with relevant stakeholders and officials to help inform future policies, research, and programs. The agreement also directs the FHWA to report to the House and Senate Committees on Appropriations on changes relevant in the forthcoming updates to the manual on uniform traffic control devices [MUTCD] related to AV testing and deployment. The FHWA should also continue to collate AV information and make publicly available its autonomous vehicle 34 initiatives. Finally, the agreement directs the FHWA to update current resources available online related to the testing and deployment of AVs, including its fact sheet on environmental justice considerations for connected and automated vehicles.

Electric vehicles [EVs].-The agreement notes that section 21 in the current MUTCD states that if state or local agencies elect to provide specific service signing, there should be a statewide policy for such signing and criteria for the availability of the various types of services. The criteria should consider "vehicle services including gas and/or alternative fuels, oil, charging stations, and water."

Alternative fuel corridors.-The agreement supports the FHWA's efforts to designate alternative fuel corridors to support the expansion of zero-emission vehicles and directs the FHWA to designate future alternative fuel corridors that support travel and tourism traffic patterns and align with the national travel and tourism infrastructure strategic plan, to the extent permissible under current law.

Vision zero.-The agreement directs the FHWA to develop resources and provide technical assistance to help local agencies prioritize the safe system approach and its implementation of vision zero plans and strategies to reduce pedestrian fatalities and injuries. The agreement further directs the FHWA to submit a report to the House and Senate Committees on Appropriations on the extent to which states or territories receiving FHWA funds include elements of vision zero plans and strategies in their strategic highway safety plans, including an assessment of any barriers to use of vision zero plans and strategies identified by the states and territories.

Moveable barriers.-The agreement urges the FHWA to work with state DOTs to consider the feasibility of utilizing or deploying innovative technologies, including moveable barriers, that provide traffic congestion relief, offer quick alternatives to costly road construction, result in safer roadways, help eliminate crossover fatalities, offer flexibility, improve air quality, and decrease fuel consumption.

National highway geospatial data standards development feasibility study. - The agreement directs the FHWA to study, evaluate, and provide a comprehensive report on the geospatial data standards for all 50 states, D.C., and Puerto Rico no later than 180 days after enactment of this act.

Sonoran corridor.-The agreement encourages the FHWA to work with the State of Arizona to identify funds to facilitate the completion of tier II environmental impact statements on high priority corridors of less than 25 miles in distance and within 100 miles of the U.S.- Mexico border.

Interstate projects in the intermountain west. -The agreement supports the FHWA's continued collaboration with state DOTs on the initial planning process for improvements to I-10 between Phoenix and Tucson and the new I-11 from U.S.-Mexico International Border to Reno, Nevada. FHWA should continue to provide technical assistance and assist the State DOTs in identifying financial resources to help complete the planning process for these critical projects.

Bridge safety.-The agreement continues to direct the FHWA to implement all open recommendations from the Office of Inspector General report [ST2020035] related to the pedestrian bridge collapse in 2018 at Florida International University [FIU].

Concrete research.-The agreement directs the Secretary to evaluate research initiatives eligible under the FHWA's highway research and development program focusing on the use of stainless slag materials as a substitute for cement in concrete, as structural fill, controlled low strength material and related transportation infrastructure and provide a report to the House and Senate Committees on Appropriations within 180 days of enactment of this act outlining FHWA's action plan to evaluate such research.

Wildlife-vehicle collision safety.-The agreement encourages the FHWA to work with states to reduce wildlife-vehicle collisions through the wildlife crossings pilot program in 23 U.S.C. 171 and through highway safety improvement program funds and eligibilities under 23 U.S.C. 148(a)(4)(B)(xvii).

Harmonization of tools. -The agreement encourages the FHWA to fund activities that harmonize environmental product declarations, data sets, and other tools to improve life cycle GHG emission comparisons of different materials and processes. The Secretary is directed to submit a report to the House and Senate Committees on Appropriations no later than 180 days after enactment of this act on a research and development strategy that will allow for robust and consistent environmental life cycle analyses for highway infrastructure projects to inform future internal research priorities.

Pollinator-friendly practices.-The agreement directs the FHWA to continue to support state DOT efforts to expand pollinator-friendly practices.

Electric vehicle [EV] charging infrastructure.-The agreement directs the GAO to assess the DOT's coordination with the Department of Energy, other relevant Federal agencies, states and local planning agencies, and automotive industries in the planning for EV infrastructure investments. The GAO shall assess: (1) the work of the Joint Office of Energy and Transportation established by the IIJA; (2) FHWA's efforts to designate national corridors for EV charging and alternative fueling stations; and (3) any opportunities to improve coordination among Federal agencies in the implementation of such act.

GHG emissions.--The agreement directs the GAO to assess and provide a report no later than 270 days after enactment of this act on: (1) the extent to which Federal agencies, states, and MPOs are currently collecting performance information on transportation-related GHG emissions; (2) how the information on GHG emissions is used to inform transportation investment decisions; and (3) opportunities for the FHWA to better leverage this information.

Tribal transportation program [TTP].-The agreement encourages the FHWA to expand on its fatality research and partnerships with state government, academic institutions, and nonprofits that have

existing relationships with Tribal governments and expertise in safety and transportation research as part of this work.

Interstate-35 innovative corridor project.-The agreement directs the FHWA to conduct comprehensive evaluations and analysis of highway corridors from ports of entry to inland ports. The FHWA may use funds from the research and development programs for this work.

TRANSIT FORMULA GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

The bill includes a liquidation of contract authorization and a limitation on obligations from the mass transit account for transit formula grants of \$13,355,000,000, as authorized by the IIJA.

New transportation projects in low-growth areas.-The agreement encourages the FTA to prioritize projects that connect communities unserved or underserved by transit to employment centers and projects that support economic growth in disadvantaged areas.

Innovative procurement.-The FTA should provide technical assistance to states regarding the development of state purchasing schedules that are consistent with Federal law, take steps to ensure that purchases by transit agencies off of state schedules from other states comply with Federal requirements, and use webinars and stakeholder events to make transit agencies more aware that purchases off of state schedules are an eligible use of funds regardless of location.

Low or no emission vehicle program.-The agreement directs the FTA to implement 49 U.S.C. 5339(c) in a manner that encourages a variety of different fuel types, and to consider procurements that reduce an agency's overall greenhouse gas emissions.

TRANSIT INFRASTRUCTURE GRANTS The bill provides an additional \$504,263,267 in transit infrastructure grants, to remain available until expended.

Of the funds provided,

- \$175,000,000 is available for buses and bus facilities competitive grants as authorized under 49 U.S.C. 5339(b);
- \$75,000,000 is available for low or no emission vehicle grants as authorized under 49 U.S.C. 5339(c);
- \$6,500,000 is available for ferry boats grants as authorized under 49 U.S.C. 5307(h), of which \$3,250,000 is available only for low or zero-emission ferries or ferries using electric battery or fuel cell components or the infrastructure to support such ferries;
- \$2,000,000 is available for bus testing facilities as authorized under 49 U.S.C. 5318;
- \$1,000,000 is available for an innovative mobility demonstration pilot program;
- \$1,000,000 is available for the accelerating innovative mobility program;
- \$20,000,000 is available for areas of persistent poverty or historically disadvantaged communities;
- \$10,000,000 is available for technical assistance, research, demonstration, or deployment activities or projects to accelerate the adoption of zero emission buses in public transit as authorized under 49 U.S.C. 5312;
- \$200,798,267 is available for the purposes and amounts specified in the table entitled "Community Project Funding/Congressionally Directed Spending" included in this joint explanatory statement; and
- \$12,965,000 is available for ferry service for rural communities as authorized under section 71103 of division G of Public Law 117-58. The bill provides funding from the general fund, and the funding is not subject to any limitation on obligations.

TECHNICAL ASSISTANCE AND TRAINING The bill provides \$7,500,000 for technical assistance and training activities under 49 U.S.C. 5314, to remain available until September 30, 2023. The funding provided under this heading is supplemental to the funding provided under the heading "Transit Formula Grants," as authorized by the Infrastructure Investment and Jobs Act. 51

Cooperative agreements.-The agreement directs that not less than \$2,500,000 shall be for a cooperative agreement consistent with the direction in House Report 117-99 and not less than \$1,500,000 shall be for a cooperative agreement for a technical assistance center to assist small urban, rural, and Tribal public transit recipients and planning organizations with applied innovation and capacity building. Transportation Research Board [TRB].

CAPITAL INVESTMENT GRANTS The bill provides \$2,248,000,000 for fixed-guideway projects, to remain available until expended.

Of the funds provided,

- \$1,459,020,000 is available for new starts projects,
- \$345,000,000 is available for core capacity projects,
- \$321,500,000 is available for small starts projects,
- \$100,000,000 is available for the expedited project delivery pilot program, and
- \$22,480,000 is available for oversight activities consistent with 49 U.S.C. 5338(c). The bill directs the Secretary to administer the capital investment grants [CIG] program and move projects through the program to construction in accordance with the requirements of 49 U.S.C. 5309 and section 3005(b) of the FAST Act. The bill also clarifies that project sponsors may be concurrently eligible for both the new starts and expedited project delivery pilot programs.

DEPARTMENT OF TRANSPORTATION

Minnesota Transportation - Community Project Funding/Congressionally Directed Spending

Thief River Falls Regional Airport	Grants in Aid for Airports	\$7,500,000	Klobuchar, Smith
Annandale Highway 24 & Hemlock Intersection	Highway Infrastructure	\$2,000,000	Emmer
Highway 212 Rural Freight and Mobility Safety	Highway Infrastructure	\$2,500,000	Emmer & Klobuchar, Smith
Stearns Co Bridge 6819 CSAH 75	Highway Infrastructure	\$1,000,000	Emmer
Extension of CSAH 116/Fletcher Bypass, Rogers	Highway Infrastructure	\$3,501,040	Phillips & Klobuchar, Smith
Highway 5/Lake Minnewashta Bridge Carver Co	Highway Infrastructure	\$2,000,000	Phillips & Klobuchar, Smith
City of Jordan US169 Multi-Use Trail Underpass	Highway Infrastructure	\$1,124,000	Craig & Klobuchar, Smith
Bruce Vento Trail Extension	Highway Infrastructure	\$1,300,000	McCollum & Klobuchar, Smith
Central Greenway Regional Trail	Highway Infrastructure	\$1,000,000	McCollum & Klobuchar, Smith
Moorhead Center Avenue Reconstruction	Highway Infrastructure	\$ 500,000	Klobuchar, Smith
Bottineau LRT Hennepin County	Transit Infrastructure	\$ 500,000	Klobuchar, Smith
E Line Bus Rapid Transit, Metro Transit	Transit Infrastructure	\$5,000,000	Smith