

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To make technical corrections.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**S.** \_\_\_\_\_

To amend title 23, United States Code, to authorize funds for Federal-aid highways and highway safety construction programs, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. INHOFE (for himself, Mrs. BOXER, Mr. VITTER, and Mr. CARPER)

Viz:

1        On page 4, line 17, insert “the transportation alter-  
2 natives program under section 213 of that title,” before  
3 “and to carry”.

4        On page 25, line 9, strike “set-aside” and insert “set-  
5 asides”.

6        On page 26, strike lines 18 through 21 and insert  
7 the following:

1                   “(i) the total apportionment deter-  
2                   mined under subsection (e) for a State;  
3                   bears to

4                   “(ii) the total apportionments for all  
5                   States.

6           On page 27, line 20, strike “set-aside” and insert  
7 “set-asides”.

8           On page 32, line 3, insert “and” at the end.

9           On page 32, strike lines 7 through 9.

10          On page 34, lines 5 through 7, strike “the State set  
11 aside for off-system bridges in fiscal year 2014” and insert  
12 “set aside for bridges not on Federal-aid highways in the  
13 State for fiscal year 2014”.

14          On page 39, line 15, strike “and”.

15          On page 39, line 19, strike the period at the end and  
16 insert “; and”.

1       On page 39, between lines 19 and 20, insert the fol-  
2       lowing:

3               (14) by adding at the end the following:

4       “(q) TREATMENT OF LAKE TAHOE REGION.—

5               “(1) DEFINITION OF LAKE TAHOE REGION.—In  
6       this subsection, the term ‘Lake Tahoe Region’ has  
7       the meaning given the term ‘region’ in subsection (a)  
8       of Article II of the Lake Tahoe Regional Planning  
9       Compact (Public Law 96–551; 94 Stat. 3234).

10              “(2) TREATMENT.—For the purpose of this  
11      title, the Lake Tahoe Region shall be treated as—

12                      “(A) a metropolitan planning organization;

13                      “(B) a transportation management area  
14      under subsection (k); and

15                      “(C) an urbanized area, which is com-  
16      prised of a population of 145,000 in the State  
17      of California and a population of 65,000 in the  
18      State of Nevada.

19              “(3) SUBALLOCATED FUNDING.—

20                      “(A) SECTION 133.—When determining the  
21      amount under subparagraph (A) of section  
22      133(d)(1) that shall be obligated for a fiscal  
23      year in the States of California and Nevada  
24      under clauses (i), (ii), and (iii) of that subpara-

1 graph, the Secretary shall, for each of those  
2 States—

3 “(i) calculate the population under  
4 each of those clauses;

5 “(ii) decrease the amount under sec-  
6 tion 133(d)(1)(A)(iii) by the population  
7 specified in paragraph (2) of this sub-  
8 section for the Lake Tahoe Region in that  
9 State; and

10 “(iii) increase the amount under sec-  
11 tion 133(d)(1)(A)(i) by the population  
12 specified in paragraph (2) of this sub-  
13 section for the Lake Tahoe Region in that  
14 State.

15 “(B) SECTION 213.—When determining the  
16 amount under paragraph (1) of section 213(c)  
17 that shall be obligated for a fiscal year in the  
18 States of California and Nevada under subpara-  
19 graphs (A), (B), and (C) of that paragraph, the  
20 Secretary shall, for each of those States—

21 “(i) calculate the population under  
22 each of those subparagraphs;

23 “(ii) decrease the amount under sec-  
24 tion 213(c)(1)(C) by the population speci-



1 On page 105, line 5, strike “(iv)” and insert “(v)”.

2 On page 108, strike lines 10 through 15 and insert  
3 the following:

4 (b) CONFORMING AMENDMENT.—Section 126(b) of  
5 title 23, United States Code, is amended—

6 (1) by striking “SET-ASIDES.—” and all that  
7 follows through “Funds that” in paragraph (1) and  
8 inserting “SET-ASIDES.—Funds that”;

9 (2) by striking “sections 104(d) and 133(d)”  
10 and inserting “sections 104(d), 133(d), and 213(e)”;  
11 and

12 (3) by striking paragraph (2).

13 On page 139, between lines 18 and 19, insert the fol-  
14 lowing:

15 **SEC. 1030. INNOVATIVE PROJECT DELIVERY.**

16 Section 120(c)(3) of title 23, United States Code, is  
17 amended—

18 (1) in subparagraph (A)(ii)—

19 (A) by inserting “engineering, or design  
20 approaches,” after “technologies,”; and

21 (B) by striking “or contracting” and in-  
22 serting “or contracting or project delivery”; and

1           (2) in subparagraph (B)(iii), by inserting “and  
2           alternative design or alternative bid” before the  
3           semicolon at the end.

4           On page 163, lines 7 and 8, strike “the comments  
5           and suggestions in the document” and insert “its com-  
6           ments and suggestions”.

7           On page 171, lines 11 and 12, strike “ensure that  
8           the requirements of this section are consistent with” and  
9           insert “align, to the maximum extent practicable, with”.

10          On page 173, line 3, insert “each” after “Interior”.

11          On page 173, beginning on line 4, strike “subpara-  
12          graph (A)(iii)—” and all that follows through line 18 and  
13          insert the following: “subparagraph (A)(iii), no further  
14          analysis under subsection (a)(1) shall be required.

15                       “(C) PUBLICATION.—A notice of a deter-  
16                       mination, together with each relevant concur-  
17                       rence to that determination, under subpara-  
18                       graph (A) shall be—

19                               “(i) included in the record of decision  
20                               or finding of no significant impact of the  
21                               Secretary; and

1                   “(ii) posted on an appropriate Federal  
2                   website by not later than 3 days after the  
3                   date of receipt by the Secretary of all con-  
4                   currences requested under subparagraph  
5                   (A)(iii).

6           On page 173, lines 22 and 23, strike “that there is  
7 no feasible and prudent alternative” and insert “that no  
8 feasible and product alternative exists”.

9           On page 174, lines 23 and 24, strike “ensure that  
10 the requirements of this section are consistent with” and  
11 insert “align, to the maximum extent practicable, the re-  
12 quirements of this section with”.

13           On page 176, line 17, insert “each” after “Interior”.

14           On page 176, beginning on line 18, strike “subpara-  
15 graph (A)(iii)—” and all that follows through page 177,  
16 line 7, and insert the following: “subparagraph (A)(iii),  
17 no further analysis under subsection (a)(1) shall be re-  
18 quired.

19                   “(C) PUBLICATION.—A notice of a deter-  
20                   mination, together with each relevant concur-



1           rence to that determination, under subpara-  
2           graph (A) shall be—

3                   “(i) included in the record of decision  
4                   or finding of no significant impact of the  
5                   Secretary; and

6                   “(ii) posted on an appropriate Federal  
7                   website by not later than 3 days after the  
8                   date of receipt by the Secretary of all con-  
9                   currences requested under subparagraph  
10                  (A)(iii).

11           On page 177, lines 11 and 12, strike “that there is  
12 no feasible and prudent alternative” and insert “that no  
13 feasible and product alternative exists”.

14           On page 179, lines 4 and 5, strike “Notwithstanding  
15 any other provision of law, until” and insert “Until”.

16           On page 203, lines 5 through 7, strike “to be ex-  
17 pended not later than 270 days after the date of enact-  
18 ment of this Act”.

19           On page 235, line 6, insert “out of the general fund  
20 of the Treasury” after “appropriated”.

1           Beginning on page 241, strike line 23 and all that  
2 follows through page 242, line 2 and insert the following:

3                   (A) in paragraph (1)—

4                           (i) in the matter preceding subpara-  
5 graph (A), by striking “may take into ac-  
6 count” and inserting “shall consider”; and

7                           (ii) in subparagraph (C), by striking  
8 “access for” and inserting “access and  
9 safety for”; and

10           On page 267, after line 24, add the following:

11 **SEC. 5003. WATER INFRASTRUCTURE FINANCE AND INNO-**  
12 **VATION.**

13           Section 3907(a) of title 33, United States Code, is  
14 amended—

15                   (1) by striking paragraph (5); and

16                   (2) by redesignating paragraphs (6) and (7) as  
17 paragraphs (5) and (6), respectively.