

AMENDMENT

OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of subtitle B of title I, insert the following:

1 **SEC. 12__.** **ACCELERATING DEMONSTRATION AP-**
2 **PROACHES FOR PROTECTING TRANSPOR-**
3 **TATION ASSETS PROGRAM.**

4 (a) **IN GENERAL.**—The Secretary shall establish and
5 carry out a competitive grant program, to be known as
6 the “Accelerating Demonstration Approaches for Pro-
7 tecting Transportation Assets Program” (in this section
8 referred to as the “Program”), to provide up to 10 grants
9 to eligible applicants for demonstration projects that make
10 critical transportation infrastructure resilient to natural
11 hazards.

12 (b) **ELIGIBLE APPLICANTS.**—An eligible applicant
13 under the Program is—

14 (1) a metropolitan planning organization (as
15 defined in section 134 of title 23, United States
16 Code);

17 (2) a State;

18 (3) a unit of local government;

19 (4) a public transportation agency or authority;

1 (5) a port or public toll authority that owns or
2 operates eligible transportation assets;

3 (6) a Tribal government; or

4 (7) a consortium of 2 or more entities described
5 in paragraphs (1) through (5), including a consor-
6 tium led by a metropolitan planning organization, so
7 long as the applicants demonstrate a regional part-
8 nership and governance structure for project deliv-
9 ery.

10 (c) APPLICATION REQUIREMENTS.—To be eligible for
11 a grant under the Program, an eligible applicant shall sub-
12 mit to the Secretary an application at such time and con-
13 taining such information as the Secretary may require.

14 (d) PROJECT SELECTION CRITERIA.—In selecting
15 projects under the Program, the Secretary shall consider,
16 at a minimum, the extent to which the project—

17 (1) addresses existing or predicted recurring
18 damage or asset failure of a high-risk transportation
19 asset or corridor based on documented exposure to
20 hazard risk;

21 (2) provides transportation system benefits, in-
22 cluding preserving or enhancing regional or state-
23 wide mobility, economy, goods movement, safety,
24 and emergency response access;

1 (3) provides additional benefits, including en-
2 hancing resilience of adjacent communities, the envi-
3 ronment, and other critical infrastructure;

4 (4) is consistent with a resilience improvement
5 plan authorized under this section;

6 (5) demonstrates readiness to proceed, includ-
7 ing through—

8 (A) demonstrating that it is supported by
9 a regional partnership and governance plan that
10 identifies roles, responsibilities, and decision-
11 making processes across affected facility own-
12 ers, land owners, funders, jurisdictions; and
13 modes; and

14 (B) completion of planning activities car-
15 ried out in a manner consistent with section
16 168 of title 23, United States Code, or other
17 key predevelopment milestones, or a credible
18 schedule to complete such milestones; and

19 (6) advances innovation and replicability, in-
20 cluding approaches that can be scaled by other re-
21 gions.

22 (e) ELIGIBLE USES.—

23 (1) IN GENERAL.—Grants under the Program
24 may be used for a project or suite of projects within
25 a region that, taken together, constitute a large-

1 scale resilience investment to protect, elevate, adapt,
2 relocate, or otherwise improve the resilience of trans-
3 portation assets eligible for assistance under title 23,
4 United States Code.

5 (2) ELIGIBLE USES.—Funds provided by a
6 grant under the Program may be used for—

7 (A) predevelopment activities, including
8 data collection, engineering and design, environ-
9 mental review, permitting, right-of-way activi-
10 ties, and procurement planning; and

11 (B) capital construction and implementa-
12 tion activities to harden or adapt transportation
13 assets, including—

14 (i) protective features described in
15 section 119(k) of title 23, United States
16 Code;

17 (ii) levees, including engineered levees
18 and levees utilizing natural infrastructure;
19 and

20 (iii) other resilience improvements
21 that are functionally connected to making
22 an eligible transportation asset more resil-
23 ient to extreme weather, natural hazards,
24 and disaster risks.

25 (f) MULTIYEAR PROJECT REQUIREMENTS.—

1 (1) MULTIYEAR AGREEMENTS.—The Secretary
2 may enter into multiyear grant agreements to fund
3 an eligible project under the Program across mul-
4 tiple fiscal years, including agreements that provide
5 predictable funding for programmatic delivery of re-
6 lated resilience improvements.

7 (2) IN GENERAL.—To be eligible for funding
8 under a multiyear grant agreement described in
9 paragraph (1), the project or suite of projects
10 shall—

11 (A) have an estimated total cost of not less
12 than \$500,000,000, except that the Secretary
13 may reduce such threshold for Tribal appli-
14 cants, rural regions, or insular areas; and

15 (B) involve delivery challenges or institu-
16 tional, regulatory, or funding barriers that are
17 not routinely addressed through existing surface
18 transportation programs and, if successfully re-
19 solved through the demonstration, would pro-
20 vide a replicable model for other projects.

21 (3) ELIGIBLE BARRIERS.—To be considered eli-
22 gible under paragraph (2)(B), the barriers described
23 in such paragraph shall include 1 or more of the fol-
24 lowing:

1 (A) Multiowner or multioperator govern-
2 ance and delivery structures.

3 (B) Integration of natural or nature-based
4 infrastructure into transportation projects sub-
5 ject to Federal environmental review or permit-
6 ting.

7 (C) Resilience investments located outside
8 the transportation right-of-way that reduce risk
9 to an eligible transportation asset.

10 (D) Projects that protect or enhance trans-
11 portation assets while also benefitting commu-
12 nities and other critical infrastructure systems.

13 (E) Projects requiring coordinated funding
14 across 2 or more Federal departments.

15 (g) FEDERAL SHARE.—

16 (1) FEDERAL SHARE.—The Federal share of
17 the cost of a project carried out with a grant under
18 this section may not exceed 80 percent.

19 (2) OTHER FEDERAL FUNDS.—Other Federal
20 funds may be used to satisfy the non-Federal share
21 only to the extent specifically provided for under the
22 law authorizing the use of such Federal funds.

23 (h) ADMINISTRATION.—

24 (1) NOTICE OF FUNDING OPPORTUNITY.—Not
25 later than 180 days after the date of enactment of

1 this Act, and annually thereafter, the Secretary shall
2 publish a notice of funding opportunity for grants
3 under the Program.

4 (2) INTERAGENCY COORDINATION.—In carrying
5 out the Program, the Secretary shall coordinate with
6 other Federal departments and agencies, including
7 the Environmental Protection Agency, Federal
8 Emergency Management Agency, Department of In-
9 terior, Department of Commerce, and U.S. Army
10 Corps of Engineers, to ensure Federal activities re-
11 lated to resiliency and Federal funding are stream-
12 lined and coordinated to allow for comprehensive so-
13 lutions across Federal agencies to mitigate impacts
14 from natural hazards on infrastructure, the econ-
15 omy, and the United States population.

16 (3) RELATIONSHIP TO OTHER FEDERAL PRO-
17 GRAMS.—A grant under this section may be used in
18 combination with funds made available under other
19 provisions of law administered by the Department,
20 including funds for formula, discretionary, and
21 emergency relief programs.

22 (4) DASHBOARD.—

23 (A) IN GENERAL.—In carrying out this
24 section, the Secretary shall make publicly avail-
25 able in an easily identifiable location on the

1 website of the Department a dashboard con-
2 taining the following information for each
3 project in a grant agreement under this section:

4 (i) Project name.

5 (ii) Project sponsor.

6 (iii) City or urbanized area and State
7 in which the project will be located.

8 (iv) Project type.

9 (v) Anticipated total project cost.

10 (vi) Anticipated share of project costs
11 to be sought under this section.

12 (vii) Date of compliance with the Na-
13 tional Environmental Policy Act of 1969
14 (42 USC 4321 et seq.).

15 (viii) Date on which the project en-
16 tered the project development phase.

17 (ix) Date on which the project entered
18 the engineering phase, if applicable.

19 (x) Status of each permit necessary
20 for the project to proceed, the Federal
21 agency with principal responsibility for re-
22 view of each necessary permit, and any
23 participating agencies involved in the re-
24 view of each necessary permit.

1 (xi) Status of the project sponsor in
2 securing non-federal matching funds.

3 (xii) Date on which a project grant
4 agreement is anticipated to be executed.

5 (xiii) Federal grant programs for
6 which the project would also be eligible, if
7 applicable.

8 (B) UPDATES.—The Secretary shall up-
9 date the information provided under subpara-
10 graph (A) not less frequently than monthly.

11 (C) PROJECT PROFILES.—The Secretary
12 shall continue to make profiles for projects that
13 are receiving assistance under this section pub-
14 licly available in an easily identifiable location
15 on the website of the Department.

16 (i) REPORT.—Not later than 1 year after the date
17 of enactment of this Act, the Secretary shall establish an
18 interagency working group to develop and submit to the
19 Committee on Transportation and Infrastructure of the
20 House of Representatives and the Committee on Com-
21 merce, Science, and Transportation of the Senate a report
22 not later than 4 years after the date of enactment of this
23 Act, and every 2 years thereafter that—

24 (1) describes projects selected and funded under
25 the Program;

1 (2) evaluates the benefits of the projects' inte-
2 gration of natural and nature-based features in im-
3 proving infrastructure resiliency;

4 (3) evaluates program outcomes and best prac-
5 tices;

6 (4) provides recommendations regarding wheth-
7 er and how to scale the Program; and

8 (5) provides a benefit-cost analysis of each
9 project selected and funded under the Program that
10 uses the best available data, including—

11 (A) annual maintenance costs necessary
12 for the upkeep of the project's components;

13 (B) risk to structures and infrastructure
14 mitigated by the project;

15 (C) level of protection provided by the
16 project;

17 (D) historical damage at the project loca-
18 tion;

19 (E) information on the benefitting area of
20 the project; and

21 (F) additional data, as applicable.

22 (j) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to carry out this section
24 \$2,000,000,000 for each of fiscal years 2027 through
25 2031, to remain available until expended, of which not

1 more than 2 percent may be used for administrative ex-
2 penses and technical assistance.

3 (k) DEFINITIONS.—In this section:

4 (1) ELIGIBLE TRANSPORTATION ASSET.—The
5 term “eligible transportation asset” means—

6 (A) a highway project eligible for assist-
7 ance under title 23, United States Code;

8 (B) a public transportation facility or serv-
9 ice eligible for assistance under chapter 53 of
10 title 49, United States Code; or

11 (C) a port facility, including a facility
12 that—

13 (i) connects a port to other modes of
14 transportation;

15 (ii) improves the efficiency of evacu-
16 ations and disaster relief; or

17 (iii) aids transportation.

18 (2) REGION.—The term “region” means—

19 (A) the geographic area served by a metro-
20 politan planning organization;

21 (B) a multijurisdictional area defined by a
22 consortium of eligible applicants; or

1 (C) such other area as the Secretary deter-
2 mines appropriate to address transportation
3 system risk at a corridor or system scale.

