

TITLE III--PUBLIC TRANSPORTATION

SEC. 3001. SHORT TITLE.

This title may be cited as the ``Federal Public Transportation Act of 2005''.

SEC. 3002. AMENDMENTS TO TITLE 49, UNITED STATES CODE; UPDATED TERMINOLOGY.

(a) Amendments to Title 49.--Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

(b) Updated Terminology.--Chapter 53 <<NOTE: 49 USC 5301.>> is amended--

(1) in the chapter heading by striking ``MASS'' and inserting ``PUBLIC'';

(2) in section 5310(h) by striking ``Mass'' and inserting ``Public'';

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(3) in the subsection heading for section 5331(b) by striking ``Mass'' and inserting ``Public''; and

(4) <<NOTE: 49 USC 5301, 5302, 5307, 5311-5314, 5318, 5319, 5321-5323, 5330, 5331, 5333-5336.>> by striking ``mass'' each place the term appears before ``transportation'' and inserting ``public'', except in sections 5301(f), 5302(a)(7), 5315, and 5323(a)(1).

(c) Table of Chapters.--The table of chapters for subtitle III is amended in the item relating to chapter 53 by striking ``Mass'' and inserting ``Public''.

SEC. 3003. POLICIES, FINDINGS, AND PURPOSES.

(a) In General.--Section 5301(a) is amended to read as follows:

``(a) Development and Revitalization of Public Transportation Systems.--It is in the interest of the United States, including its economic interest, to foster the development and revitalization of public transportation systems that--

``(1) maximize the safe, secure, and efficient mobility of individuals;

``(2) minimize environmental impacts; and

``(3) minimize transportation-related fuel consumption and reliance on foreign oil.''.

(b) General Findings.--Section 5301(b)(1) is amended--

(1) by striking ``70 percent'' and inserting ``two-thirds'';

and

(2) by striking ``urban areas'' and inserting ``urbanized areas''.

- (c) Preserving the Environment.--Section 5301(e) is amended--
- (1) by striking ``an urban'' and inserting ``a''; and
 - (2) by striking ``under sections 5309 and 5310 of this title''.
- (d) General Purposes.--Section 5301(f) is amended--
- (1) in paragraph (1)--
 - (A) by striking ``mass'' the first place it appears and inserting ``public''; and
 - (B) by striking ``public and private mass transportation companies'' and inserting ``both public transportation companies and private companies engaged in public transportation'';
 - (2) in paragraph (2)--
 - (A) by striking ``urban mass'' and inserting ``public''; and
 - (B) by striking ``public and private mass transportation companies'' and inserting ``both public transportation companies and private companies engaged in public transportation'';
 - (3) in paragraph (3)--
 - (A) by striking ``urban mass'' and inserting ``public''; and
 - (B) by striking ``public or private mass transportation companies'' and inserting ``public transportation companies or private companies engaged

in

public transportation''; and
 - (4) in paragraph (5) by striking ``urban mass'' and inserting ``public''.

SEC. 3004. DEFINITIONS.

(a) Lead-in.--Section 5302(a) is amended in the matter preceding paragraph (1) by striking ``In this chapter'' and inserting ``Except as otherwise specifically provided, in this chapter''.

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- (b) Capital Project.--Section 5302(a)(1) is amended--
- (1) in subparagraph (G) by inserting ``construction, renovation, and improvement of intercity bus and intercity rail stations and terminals,'' before ``and the renovation and improvement of historic transportation facilities,'';
 - (2) in subparagraph (G)(ii) by inserting ``(other than an intercity bus station or terminal)'' after ``commercial revenue-
 - producing facility'';
 - (3) in subparagraph (H) by striking ``or'' at the end;
 - (4) in subparagraph (I) by striking the period at the end and inserting a semicolon; and
 - (5) by adding at the end the following:
 - ``(J) crime prevention and security--
 - ``(i) including--
 - ``(I) projects to refine and

develop

security and emergency response plans;

public

``(II) projects aimed at detecting chemical and biological agents in

transportation;

``(III) the conduct of emergency response drills with public transportation agencies and local first response agencies; and

``(IV) security training for public transportation employees; but

``(ii) excluding all expenses related to operations, other than such expenses incurred in conducting activities described in clauses (i)(III) and (i)(IV);

``(K) establishing a debt service reserve, made up of deposits with a bondholder's trustee, to ensure the timely payment of principal and interest on bonds issued by a grant recipient to finance an eligible project under this chapter;

or

``(L) mobility management--

``(i) consisting of short-range planning and management activities and projects for improving coordination among public transportation and

other

transportation service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a governmental entity, under this chapter (other than section 5309); but

``(ii) excluding operating public transportation services.''.

(c) Individual With a Disability.--Section 5302(a)(5) is amended--

(1) in the paragraph heading by striking ``Handicapped individual'' and inserting ``Individual with a disability'';

and

(2) by striking ``handicapped individual'' and inserting ``individual with a disability''.

(d) Mass Transportation.--Section 5302(a)(7) is amended to read as follows:

``(7) Mass transportation.--The term `mass transportation' means public transportation.''.

(e) Public Transportation.--Section 5302(a)(10) is amended to read as follows:

``(10) Public transportation.--The term `public transportation' means transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include schoolbus, charter, or intercity

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bus transportation or intercity passenger rail transportation provided by the entity described in chapter 243 (or a successor

to such entity).''.

(f) Urbanized Area.--Section 5302(a)(17) is amended to read as follows:

``(17) Urbanized area.--The term `urbanized area' means an area encompassing a population of not less than 50,000 people that has been defined and designated in the most recent decennial census as an `urbanized area' by the Secretary of Commerce.''.

(g) Authority to Modify Definition.--Section 5302(b) is amended--
(1) in the subsection heading by striking ``Handicapped Individual'' and inserting ``Individual With a Disability'';
and

(2) by striking ``handicapped individual'' and inserting ``individual with a disability''.

SEC. 3005. METROPOLITAN TRANSPORTATION PLANNING.

(a) In General.--Section 5303 is amended to read as follows:

``Sec. 5303. Metropolitan transportation planning

``(a) Policy.--It is in the national interest to--

``(1) encourage and promote the safe and efficient management, operation, and development of surface transportation

systems that will serve the mobility needs of people and freight

and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and

``(2) encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes

by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 5304(d).

``(b) <<NOTE: Applicability.>> Definitions.--In this section and section 5304, the following definitions apply:

``(1) Metropolitan planning area.--The term `metropolitan planning area' means the geographic area determined by agreement

between the metropolitan planning organization for the area and the Governor under subsection (e).

``(2) Metropolitan planning organization.--The term `metropolitan planning organization' means the policy board of an organization created as a result of the designation process in subsection (d).

``(3) Nonmetropolitan area.--The term `nonmetropolitan area' means a geographic area outside a designated metropolitan planning area.

``(4) Nonmetropolitan local official.--The term `nonmetropolitan local official' means elected and appointed officials of general purpose local government in a nonmetropolitan area with responsibility for transportation.

``(5) TIP.--The term `TIP' means a transportation improvement program developed by a metropolitan planning organization under subsection (j).

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``(6) Urbanized area.--The term `urbanized area' means a geographic area with a population of 50,000 or more, as designated by the Bureau of the Census.

``(c) General Requirements.--

``(1) Development of long-range plans and tips.--To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall develop long-range transportation plans and transportation improvement programs for metropolitan planning areas of the State.

``(2) Contents.--The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.

``(3) Process of development.--The process for developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

``(d) Designation of Metropolitan Planning Organizations.--

``(1) In general.--To carry out the transportation planning process required by this section, a metropolitan planning organization shall be designated for each urbanized area with a population of more than 50,000 individuals--

``(A) by agreement between the Governor and units

of general purpose local government that together represent

at least 75 percent of the affected population (including the largest incorporated city (based on population) as named by the Bureau of the Census); or
``(B) in accordance with procedures established by applicable State or local law.

``(2) Structure.--Each metropolitan planning organization that serves an area designated as a transportation management area, when designated or redesignated under this subsection, shall consist of--

- ``(A) local elected officials;
- ``(B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area; and
- ``(C) appropriate State officials.

``(3) Limitation on statutory construction.--Nothing in this

subsection shall be construed to interfere with the authority, under any State law in effect on December 18, 1991, of a public agency with multimodal transportation responsibilities to--

- ``(A) develop the plans and TIPS for adoption by a metropolitan planning organization; and
- ``(B) develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State law.

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``(4) Continuing designation.--A designation of a metropolitan planning organization under this subsection or any other provision of law shall remain in effect until the metropolitan planning organization is redesignated under paragraph (5).

``(5) Redesignation procedures.--A metropolitan planning organization may be redesignated by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing planning area population (including the largest incorporated city (based on population) as named by the Bureau of the Census) as appropriate to carry out this section.

``(6) Designation of more than one metropolitan planning organization.--More than one metropolitan planning organization may be designated within an existing metropolitan planning area only if the Governor and the existing metropolitan planning organization determine that the size and complexity of the existing metropolitan planning area make designation of more than one metropolitan planning organization for the area appropriate.

``(e) Metropolitan Planning Area Boundaries.--

``(1) In general.--For the purposes of this section, the boundaries of a metropolitan planning area shall be determined by agreement between the metropolitan planning organization and the Governor.

``(2) Included area.--Each metropolitan planning area--

``(A) shall encompass at least the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period for the transportation plan; and

``(B) may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Bureau of the Census.

``(3) Identification of new urbanized areas within existing planning area boundaries.--The designation by the Bureau of the Census of new urbanized areas within an existing metropolitan planning area shall not require the redesignation of the

existing metropolitan planning organization.

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``(4) Existing metropolitan planning areas in nonattainment.--Notwithstanding paragraph (2), in the case of an urbanized area designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.) as of the date of enactment of the Federal Public Transportation Act of 2005, the boundaries of the metropolitan planning area in existence as of such date of enactment shall be retained; except that the boundaries may be adjusted by agreement of the Governor and affected metropolitan planning organizations in the manner described in subsection (d)(5).

``(5) New metropolitan planning areas in nonattainment.--In the case of an urbanized area designated after the date of enactment of the Federal Public Transportation Act of 2005 as a nonattainment area for ozone or carbon monoxide, the boundaries of the metropolitan planning area--

``(A) shall be established in the manner described in subsection (d)(1);

``(B) shall encompass the areas described in paragraph (2)(A);

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paragraph
``(C) may encompass the areas described in

(2)(B); and

``(D) may address any nonattainment area identified under the Clean Air Act for ozone or carbon monoxide.

``(f) Coordination in Multistate Areas.--

for
the entire metropolitan area.

``(1) In general.--The Secretary shall encourage each Governor with responsibility for a portion of a multistate metropolitan area and the appropriate metropolitan planning organizations to provide coordinated transportation planning

the entire metropolitan area.

``(2) Interstate compacts.--The consent of Congress is granted to any two or more States--

``(A) to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section as the activities pertain to interstate areas and localities within the States; and

``(B) to establish such agencies, joint or otherwise, as the States may determine desirable for making the agreements and compacts effective.

``(3) Lake tahoe region.--

``(A) Definition.--In this paragraph, the term
`Lake

in

Tahoe region' has the meaning given the term `region'

subdivision (a) of article II of the Tahoe Regional Planning Compact, as set forth in the first section of Public Law 96-551 (94 Stat. 3234).

``(B) Transportation planning process.--The Secretary shall--

``(i) establish with the Federal land management agencies that have jurisdiction over land in the Lake Tahoe region a transportation planning process for the region; and

``(ii) coordinate the transportation planning process with the planning process required of State and local governments under this section

and

section 5304.

``(C) Interstate compact.--

and

``(i) In general.--Subject to clause (ii),

notwithstanding subsection (b), to carry out the transportation planning process required by this section, the consent of Congress is granted to

the

States of California and Nevada to designate a metropolitan planning organization for the Lake Tahoe region, by agreement between the Governors of the States of California and Nevada and units of general purpose local government that together represent at least 75 percent of the affected population (including the central city or cities (as defined by the Bureau of the Census)), or in accordance with procedures established by applicable State or local law.

``(ii) Involvement of federal land management agencies.--

(i)

``(I) Representation.--The policy board of a metropolitan planning organization designated under clause

Tahoe

shall include a representative of each Federal land management agency that has jurisdiction over land in the Lake

region.

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metropolitan

``(II) Funding.--In addition to funds made available to the

Tahoe

planning organization for the Lake

region under other provisions of this chapter and title 23, 1 percent of the funds allocated under section 202 of title 23 shall be used to carry out the transportation planning process for the

Lake Tahoe region under this subparagraph.

((D) Activities.--Highway projects included in transportation plans developed under this paragraph--

((i) shall be selected for funding in a manner that facilitates the participation of the Federal land management agencies that have jurisdiction over land in the Lake Tahoe region; and

((ii) may, in accordance with chapter 2 of title 23, be funded using funds allocated under section 202 of such title.

((4) Reservation of rights.--The right to alter, amend, or repeal interstate compacts entered into under this subsection

is

expressly reserved.

((g) MPO Consultation in Plan and TIP Coordination.--

((1) Nonattainment areas.--If more than one metropolitan planning organization has authority within a metropolitan area or an area which is designated as a nonattainment area for

ozone

or carbon monoxide under the Clean Air Act, each metropolitan planning organization shall consult with the other metropolitan planning organizations designated for such area and the State

in

the coordination of plans and TIPs required by this section.

((2) Transportation improvements located in multiple mpos.--If a transportation improvement, funded from the Highway Trust Fund or authorized under this chapter, is located within the boundaries of more than one metropolitan planning area, the metropolitan planning organizations shall coordinate plans and TIPs regarding the transportation improvement.

((3) Relationship with other planning officials.--The Secretary shall encourage each metropolitan planning organization to consult with officials responsible for other types of planning activities that are affected by

transportation

in the area (including State and local planned growth, economic development, environmental protection, airport operations, and freight movements) or to coordinate its planning process, to

the

maximum extent practicable, with such planning activities.

Under

the metropolitan planning process, transportation plans and

TIPs

shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the metropolitan area that are provided by--

((A) recipients of assistance under this chapter;

((B) governmental agencies and nonprofit organizations (including representatives of the

agencies

and organizations) that receive Federal assistance from a source other than the Department of Transportation to

provide nonemergency transportation services; and
``(C) recipients of assistance under section 204 of
title 23.

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``(h) Scope of Planning Process.--

``(1) In general.--The metropolitan planning process for a
metropolitan planning area under this section shall provide for
consideration of projects and strategies that will--

``(A) support the economic vitality of the
metropolitan area, especially by enabling global
competitiveness, productivity, and efficiency;

``(B) increase the safety of the transportation
system for motorized and nonmotorized users;

``(C) increase the security of the transportation
system for motorized and nonmotorized users;

``(D) increase the accessibility and mobility of
people and for freight;

``(E) protect and enhance the environment, promote
energy conservation, improve the quality of life, and
promote consistency between transportation improvements
and State and local planned growth and economic
development patterns;

``(F) enhance the integration and connectivity of
the transportation system, across and between modes,

for

people and freight;

``(G) promote efficient system management and
operation; and

``(H) emphasize the preservation of the existing
transportation system.

``(2) Failure to consider factors.--The failure to consider
any factor specified in paragraph (1) shall not be reviewable

by

any court under this chapter, title 23, subchapter II of

chapter

5 of title 5, or chapter 7 of title 5 in any matter affecting a
transportation plan, a TIP, a project or strategy, or the
certification of a planning process.

``(i) Development of Transportation Plan.--

``(1) In general.--Each metropolitan planning organization
shall prepare a transportation plan for its metropolitan
planning area in accordance with the requirements of this
subsection. The metropolitan planning organization shall

prepare

and update such plan every 4 years (or more frequently, if the
metropolitan planning organization elects to update more
frequently) in the case of each of the following:

``(A) Any area designated as nonattainment, as
defined in section 107(d) of the Clean Air Act (42
U.S.C. 7407(d)).

``(B) Any area that was nonattainment and
subsequently designated to attainment in accordance

with

and section 107(d)(3) of that Act (42 U.S.C. 7407(d)(3))
that is subject to a maintenance plan under section
175A of that Act (42 U.S.C. 7505a).
In the case of any other area required to have a transportation
plan in accordance with the requirements of this subsection,
the metropolitan planning organization shall prepare and update
such plan every 5 years unless the metropolitan planning
organization elects to update more frequently.

this ``(2) Transportation plan.--A transportation plan under
section shall be in a form that the Secretary determines to be
appropriate and shall contain, at a minimum, the following:
``(A) Identification of transportation facilities.--
- An identification of transportation facilities
(including

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major roadways, transit, multimodal and intermodal
facilities, and intermodal connectors) that should
function as an integrated metropolitan transportation
system, giving emphasis to those facilities that serve
important national and regional transportation
functions. In formulating the transportation plan, the
metropolitan planning organization shall consider
factors described in subsection (h) as such factors
relate to a 20-year forecast period.

``(B) Mitigation activities.--
``(i) In general.--A long-range
transportation plan shall include a discussion of types of
potential environmental mitigation activities and
potential areas to carry out these activities,
including activities that may have the greatest
potential to restore and maintain the
environmental functions affected by the plan.
``(ii) Consultation.--The discussion shall be
developed in consultation with Federal, State,
and tribal wildlife, land management, and regulatory
agencies.

``(C) Financial plan.--A financial plan that
demonstrates how the adopted transportation plan can be
implemented, indicates resources from public and
private sources that are reasonably expected to be made
available to carry out the plan, and recommends any
additional financing strategies for needed projects and
programs. The financial plan may include, for
illustrative purposes, additional projects that would
be

included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the transportation plan, the metropolitan planning organization, transit operator, and State shall cooperatively develop estimates of funds that will be available to support plan implementation.

``(D) Operational and management strategies.-- Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.

``(E) Capital investment and other strategies.-- Capital investment and other strategies to preserve the existing and projected future metropolitan multimodal transportation infrastructure and provide for capacity increases based on regional priorities and needs.

``(F) Transportation and transit enhancement activities.-- Proposed transportation and transit enhancement activities.

``(3) Coordination with clean air act agencies.-- In metropolitan areas which are in nonattainment for ozone or carbon monoxide under the Clean Air Act, the metropolitan planning organization shall coordinate the development of a transportation plan with the process for development of the transportation control measures of the State implementation plan required by the Clean Air Act.

``(4) Consultation.--

``(A) In general.-- In each metropolitan area, the metropolitan planning organization shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of a long-range transportation plan.

``(B) Issues.-- The consultation shall involve, as appropriate--

``(i) comparison of transportation plans with State conservation plans or maps, if available;

or

``(ii) comparison of transportation plans to inventories of natural or historic resources, if available.

``(5) Participation by interested parties.--

``(A) In general.-- Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation

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employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.

``(B) Contents of participation plan.--A participation plan--

``(i) shall be developed in consultation with all interested parties; and

``(ii) shall provide that all interested parties have reasonable opportunities to comment on the contents of the transportation plan.

``(C) Methods.--In carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable--

``(i) hold any public meetings at convenient and accessible locations and times;

``(ii) employ visualization techniques to describe plans; and

``(iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of

public

information under subparagraph (A).

``(6) Publication.--A transportation plan involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web, approved by the metropolitan planning organization

and

submitted for information purposes to the Governor at such

times

and in such manner as the Secretary shall establish.

``(7) Selection of projects from illustrative list.-- Notwithstanding paragraph (2)(C), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(C).

``(j) Metropolitan Tip.--

``(1) Development.--

and

``(A) In general.--In cooperation with the State

any affected public transportation operator, the metropolitan planning organization designated for a metropolitan

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area shall develop a TIP for the area for which the organization is designated.

``(B) Opportunity for comment.--In developing the

TIP, the metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

``(C) Funding estimates.--For the purpose of developing the TIP, the metropolitan planning organization, public transportation agency, and State shall cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.

``(D) Updating and approval.--The TIP shall be updated at least once every 4 years and shall be approved by the metropolitan planning organization and the Governor.

``(2) Contents.--

``(A) Priority list.--The TIP shall include a priority list of proposed federally supported projects and strategies to be carried out within each 4-year period after the initial adoption of the TIP.

``(B) Financial plan.--The TIP shall include a financial plan that--

``(i) demonstrates how the TIP can be implemented;

``(ii) indicates resources from public and private sources that are reasonably expected to

be

available to carry out the program;

``(iii) identifies innovative financing techniques to finance projects, programs, and strategies; and

purposes,

``(iv) may include, for illustrative

additional projects that would be included in the approved TIP if reasonable additional resources beyond those identified in the financial plan

were

available.

``(C) Descriptions.--Each project in the TIP shall include sufficient descriptive material (such as type

of

work, termini, length, and other similar factors) to identify the project or phase of the project.

``(3) Included projects.--

``(A) Projects under this chapter and title 23.--A TIP developed under this subsection for a metropolitan area shall include the projects within the area that

are

proposed for funding under this chapter and chapter 1

of

title 23.

``(B) Projects under chapter 2 of title 23.--

``(i) Regionally significant projects.--

Regionally significant projects proposed for funding under chapter 2 of title 23 shall be identified individually in the transportation

improvement program.

``(ii) Other projects.--Projects proposed for funding under chapter 2 of title 23 that are not determined to be regionally significant shall be grouped in one line item or identified individually in the transportation improvement program.

``(C) Consistency with long-range transportation plan.--Each project shall be consistent with the long-range

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transportation plan developed under subsection (i) for the area.

``(D) Requirement of anticipated full funding.--The program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project within the time period contemplated for completion of the project.

``(4) Notice and comment.--Before approving a TIP, a metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with

subsection

(i)(5).

``(5) Selection of projects.--

``(A) In general.--Except as otherwise provided in subsection (k)(4) and in addition to the TIP

development

required under paragraph (1), the selection of

federally

funded projects in metropolitan areas shall be carried out, from the approved TIP--

``(i) by--

``(I) in the case of projects under title 23, the State; and

``(II) in the case of projects

under

this chapter, the designated recipients of public transportation funding; and

``(ii) in cooperation with the metropolitan planning organization.

``(B) Modifications to project priority.--

Notwithstanding any other provision of law, action by the Secretary shall not be required to advance a

project

included in the approved TIP in place of another

project

in the program.

``(6) Selection of projects from illustrative list.--

``(A) No required selection.--Notwithstanding paragraph (2)(B)(iv), a State or metropolitan planning organization shall not be required to select any

project

from the illustrative list of additional projects

included in the financial plan under paragraph (2)(B)(iv).

project

``(B) Required action by the secretary.--Action by the Secretary shall be required for a State or metropolitan planning organization to select any

from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv) for inclusion in an approved TIP.

``(7) Publication.--

``(A) Publication of tips.--A TIP involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review.

organization

``(B) Publication of annual listings of projects.--An annual listing of projects, including investments in pedestrian walkways and bicycle transportation facilities, for which Federal funds have been obligated in the preceding year shall be published or otherwise made available by the cooperative effort of the State, transit operator, and metropolitan planning

for public review. The listing shall be consistent with the categories identified in the TIP.

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``(C) <<NOTE: Deadline.>> Rulemaking.--Not later than 180 days after the date of enactment of the

Federal

Public Transportation Act of 2005, the Secretary shall issue regulations setting standards for the listing required by subparagraph (B) and specifying the types

of

data to be included in such list, including sufficient information about each project to identify its type, location, and amount obligated.

``(k) Transportation Management Areas.--

``(1) Identification and designation.--

``(A) Required identification.--The Secretary shall identify as a transportation management area each urbanized area (as defined by the Bureau of the Census) with a population of over 200,000 individuals.

``(B) Designations on request.--The Secretary shall designate any additional area as a transportation management area on the request of the Governor and the metropolitan planning organization designated for the area.

area

``(2) Transportation plans.--In a metropolitan planning

serving a transportation management area, transportation plans shall be based on a continuing and comprehensive transportation planning process carried out by the metropolitan planning organization in cooperation with the State and public transportation operators.

``(3) Congestion management process.--Within a metropolitan

planning area serving a transportation management area, the transportation planning process under this section shall

address

congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy, of new

and

existing transportation facilities eligible for funding under this chapter and title 23 through the use of travel demand reduction and operational management strategies. The Secretary shall establish an appropriate phase-in schedule for compliance with the requirements of this section but no sooner than one year after the identification of a transportation management area.

``(4) Selection of projects.--

``(A) In general.--All federally funded projects carried out within the boundaries of a metropolitan planning area serving a transportation management area under title 23 (excluding projects carried out on the National Highway System and projects carried out under the bridge program or the Interstate maintenance program) or under this chapter shall be selected for implementation from the approved TIP by the

metropolitan

planning organization designated for the area in consultation with the State and any affected public transportation operator.

``(B) National highway system projects.--Projects carried out within the boundaries of a metropolitan planning area serving a transportation management area on the National Highway System and projects carried out within such boundaries under the bridge program or the Interstate maintenance program under title 23 shall be selected for implementation from the approved TIP by

the

State in cooperation with the metropolitan planning organization designated for the area.

``(5) Certification.--

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``(A) In general.--The Secretary shall--

``(i) ensure that the metropolitan planning process of a metropolitan planning organization serving a transportation management area is being carried out in accordance with applicable provisions of Federal law; and

``(ii) subject to subparagraph (B), certify, not less often than once every 4 years, that the requirements of this paragraph are met with respect to the metropolitan planning process.

``(B) Requirements for certification.--The

Secretary

may make the certification under subparagraph (A) if--

``(i) the transportation planning process complies with the requirements of this section

and

other applicable requirements of Federal law; and
``(ii) there is a TIP for the metropolitan
planning area that has been approved by the
metropolitan planning organization and the
Governor.

``(C) Effect of failure to certify.--

``(i) Withholding of project funds.--If a
metropolitan planning process of a metropolitan
planning organization serving a transportation
management area is not certified, the Secretary
may withhold up to 20 percent of the funds
attributable to the metropolitan planning area of
the metropolitan planning organization for
projects funded under this chapter and title 23.

``(ii) Restoration of withheld funds.--The
withheld funds shall be restored to the
metropolitan planning area at such time as the
metropolitan planning process is certified by the
Secretary.

``(D) Review of certification.--In making
certification determinations under this paragraph, the
Secretary shall provide for public involvement
appropriate to the metropolitan area under review.

``(1) Abbreviated Plans for Certain Areas.--

``(1) In general.--Subject to paragraph (2), in the case of
a metropolitan area not designated as a transportation
management area under this section, the Secretary may provide
for the development of an abbreviated transportation plan and
TIP for the metropolitan planning area that the Secretary
determines is appropriate to achieve the purposes of this
section, taking into account the complexity of transportation
problems in the area.

``(2) Nonattainment areas.--The Secretary may not permit
abbreviated plans or TIPs for a metropolitan area that is in
nonattainment for ozone or carbon monoxide under the Clean Air
Act.

``(m) Additional Requirements for Certain Nonattainment Areas.--

``(1) In general.--Notwithstanding any other provisions of
this chapter or title 23, for transportation management areas
classified as nonattainment for ozone or carbon monoxide
pursuant to the Clean Air Act, Federal funds may not be
advanced
in such area for any highway project that will result in a
significant increase in the carrying capacity for single-
occupant

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vehicles unless the project is addressed through a congestion
management process.

``(2) Applicability.--This subsection applies to a
nonattainment area within the metropolitan planning area
boundaries determined under subsection (e).

``(n) Limitation on Statutory Construction.--Nothing in this section shall be construed to confer on a metropolitan planning organization the authority to impose legal requirements on any transportation facility, provider, or project not eligible under this chapter or title 23.

``(o) Funding.--Funds set aside under section 5305(g) of this title or section 104(f) of title 23 shall be available to carry out this section.

``(p) Continuation of Current Review Practice.--Since plans and TIPS described in this section are subject to a reasonable opportunity for public comment, since individual projects included in plans and TIPS are subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and since decisions by the Secretary concerning plans and TIPS described in this section have not been reviewed under such Act as of January 1, 1997, any decision by the Secretary concerning a plan or TIP described in this section shall not be considered to be a Federal action subject to review under such Act.''

(b) <<NOTE: Guidelines. 49 USC 5303 note.>> Schedule for Implementation.--The Secretary shall issue guidance on a schedule for implementation of the changes made by this section, taking into consideration the established planning update cycle for States and metropolitan planning organizations. The Secretary shall not require a State or metropolitan planning organization to deviate from its established planning update cycle to implement changes made by this section. Beginning July 1, 2007, State or metropolitan planning organization plan or program updates shall reflect changes made by this section.

(c) Chapter Analysis.--The analysis for chapter 53 <<NOTE: 49 USC 5301.>> is amended by striking the item relating to section 5303 and inserting the following:

``5303. Metropolitan transportation planning.''

SEC. 3006. STATEWIDE TRANSPORTATION PLANNING.

(a) In General.--Section 5304 is amended to read as follows:

``Sec. 5304. Statewide transportation planning

``(a) General Requirements.--

``(1) Development of plans and programs.--To accomplish the objectives stated in section 5303(a), each State shall develop a statewide transportation plan and a statewide transportation improvement program for all areas of the State, subject to section 5303.

``(2) Contents.--The statewide transportation plan and the transportation improvement program developed for each State shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation

system for the State and an integral part of an intermodal transportation system for the United States.

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``(3) Process of development.--The process for developing the statewide plan and the transportation improvement program shall provide for consideration of all modes of transportation and the policies stated in section 5303(a), and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

``(b) Coordination With Metropolitan Planning; State Implementation Plan.--A State shall--

``(1) coordinate planning carried out under this section with the transportation planning activities carried out under section 5303 for metropolitan areas of the State and with statewide trade and economic development planning activities

and

related multistate planning efforts; and

``(2) develop the transportation portion of the State implementation plan as required by the Clean Air Act (42 U.S.C. 7401 et seq.).

``(c) Interstate Agreements.--

``(1) In general.--The consent of Congress is granted to 2 or more States entering into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section related to interstate areas and localities in the States and establishing authorities the

States

consider desirable for making the agreements and compacts effective.

``(2) Reservation of rights.--The right to alter, amend, or repeal interstate compacts entered into under this subsection

is

expressly reserved.

``(d) Scope of Planning Process.--

``(1) In general.--Each State shall carry out a statewide transportation planning process that provides for consideration and implementation of projects, strategies, and services that will--

``(A) support the economic vitality of the United States, the States, nonmetropolitan areas, and metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;

``(B) increase the safety of the transportation system for motorized and nonmotorized users;

``(C) increase the security of the transportation system for motorized and nonmotorized users;

``(D) increase the accessibility and mobility of people and freight;

``(E) protect and enhance the environment, promote energy conservation, improve the quality of life, and

promote consistency between transportation improvements and State and local planned growth and economic development patterns;

``(F) enhance the integration and connectivity of the transportation system, across and between modes throughout the State, for people and freight;

``(G) promote efficient system management and operation; and

``(H) emphasize the preservation of the existing transportation system.

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``(2) Failure to consider factors.--The failure to consider any factor specified in paragraph (1) shall not be reviewable by any court under this chapter, title 23, subchapter II of chapter 5 of title 5, or chapter 7 of title 5 in any matter affecting a statewide transportation plan, the transportation improvement program, a project or strategy, or the certification of a planning process.

``(e) Additional Requirements.--In carrying out planning under this section, each State shall consider, at a minimum--

of ``(1) with respect to nonmetropolitan areas, the concerns of affected local officials with responsibility for transportation;

within ``(2) the concerns of Indian tribal governments and Federal land management agencies that have jurisdiction over land the boundaries of the State; and

with ``(3) coordination of transportation plans, the transportation improvement program, and planning activities related planning activities being carried out outside of metropolitan planning areas and between States.

``(f) Long-Range Statewide Transportation Plan.--

``(1) Development.--Each State shall develop a long-range statewide transportation plan, with a minimum 20-year forecast period for all areas of the State, that provides for the development and implementation of the intermodal transportation system of the State.

``(2) Consultation with governments.--

``(A) Metropolitan areas.--The statewide transportation plan shall be developed for each metropolitan area in the State in cooperation with the metropolitan planning organization designated for the metropolitan area under section 5303.

plan ``(B) Nonmetropolitan areas.--With respect to nonmetropolitan areas, the statewide transportation shall be developed in consultation with affected nonmetropolitan officials with responsibility for transportation. The Secretary shall not review or

approve the consultation process in each State.

``(C) Indian tribal areas.--With respect to each area of the State under the jurisdiction of an Indian tribal government, the statewide transportation plan shall be developed in consultation with the tribal government and the Secretary of the Interior.

``(D) Consultation, comparison, and consideration.-

``(i) In general.--The long-range transportation plan shall be developed, as appropriate, in consultation with State, tribal, and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation.

``(ii) Comparison and consideration.-- Consultation under clause (i) shall involve comparison of transportation plans to State and tribal conservation plans or maps, if available, and comparison of transportation plans to inventories of natural or historic resources, if available.

``(3) Participation by interested parties.--

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``(A) In general.--In developing the statewide transportation plan, the State shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, private providers of transportation, representatives of users

of

public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, providers of freight transportation services, and other

interested

parties with a reasonable opportunity to comment on the proposed plan.

``(B) Methods.--In carrying out subparagraph (A), the State shall, to the maximum extent practicable--

``(i) hold any public meetings at convenient and accessible locations and times;

``(ii) employ visualization techniques to describe plans; and

``(iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of

public

information under subparagraph (A).

``(4) Mitigation activities.--

``(A) In general.--A long-range transportation plan shall include a discussion of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have

the

greatest potential to restore and maintain the environmental functions affected by the plan.

``(B) Consultation.--The discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

may ``(5) Financial plan.--The statewide transportation plan include a financial plan that demonstrates how the adopted statewide transportation plan can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted statewide transportation plan if reasonable additional resources beyond those identified in the financial plan were available.

State ``(6) Selection of projects from illustrative list.--A shall not be required to select any project from the illustrative list of additional projects included in the financial plan described in paragraph (5).

``(7) Existing system.--The statewide transportation plan should include capital, operations and management strategies, investments, procedures, and other measures to ensure the preservation and most efficient use of the existing transportation system.

maximum ``(8) Publication of long-range transportation plans.--Each long-range transportation plan prepared by a State shall be published or otherwise made available, including (to the extent practicable) in electronically accessible formats and means, such as the World Wide Web.

``(g) Statewide Transportation Improvement Program.--

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``(1) Development.--Each State shall develop a statewide transportation improvement program for all areas of the State. Such program shall cover a period of 4 years and be updated every 4 years or more frequently if the Governor elects to update more frequently.

``(2) Consultation with governments.--

``(A) Metropolitan areas.--With respect to each metropolitan area in the State, the program shall be developed in cooperation with the metropolitan planning organization designated for the metropolitan area under section 5303.

``(B) Nonmetropolitan areas.--With respect to each nonmetropolitan area in the State, the program shall be developed in consultation with affected nonmetropolitan local officials with responsibility for transportation. The Secretary shall not review or approve the specific consultation process in the State.

``(C) Indian tribal areas.--With respect to each

area of the State under the jurisdiction of an Indian tribal government, the program shall be developed in consultation with the tribal government and the Secretary of the Interior.

providers
of freight transportation services, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the proposed program.

``(4) Included projects.--

transportation
``(A) In general.--A transportation improvement program developed under this subsection for a State shall include federally supported surface

expenditures within the boundaries of the State.

funding
``(B) Listing of projects.--An annual listing of projects for which funds have been obligated in the preceding year in each metropolitan planning area shall be published or otherwise made available by the cooperative effort of the State, transit operator, and the metropolitan planning organization for public review. The listing shall be consistent with the

categories identified in each metropolitan transportation improvement program.

``(C) Projects under chapter 2 of title 23.--

``(i) Regionally significant projects.-- Regionally significant projects proposed for funding under chapter 2 of title 23 shall be identified individually in the transportation improvement program.

``(ii) Other projects.--Projects proposed for funding under chapter 2 of title 23 that are not determined to be regionally significant shall be grouped in 1 line item or identified individually in the transportation improvement program.

``(D) Consistency with statewide transportation plan.--Each project shall be--

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``(i) consistent with the statewide transportation plan developed under this section for the State;

``(ii) identical to the project or phase of the project as described in an approved metropolitan transportation plan; and

``(iii) in conformance with the applicable State air quality implementation plan developed under the Clean Air Act, if the project is

carried

out in an area designated as nonattainment for

ozone, particulate matter, or carbon monoxide under that Act.

``(E) Requirement of anticipated full funding.--The transportation improvement program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project within the time period contemplated for completion of the project.

``(F) Financial plan.--The transportation improvement program may include a financial plan that demonstrates how the approved transportation

improvement

program can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the transportation improvement program, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable

additional

resources beyond those identified in the financial plan were available.

``(G) Selection of projects from illustrative list.--

``(i) No required selection.--Notwithstanding subparagraph (F), a State shall not be required

to

select any project from the illustrative list of additional projects included in the financial

plan

under subparagraph (F).

``(ii) Required action by the secretary.-- Action by the Secretary shall be required for a State to select any project from the illustrative list of additional projects included in the financial plan under subparagraph (F) for inclusion in an approved transportation improvement program.

``(H) Priorities.--The transportation improvement program shall reflect the priorities for programming

and

expenditures of funds, including transportation enhancement activities, required by this chapter and title 23.

``(5) Project selection for areas of less than 50,000 population.--Projects carried out in areas with populations of less than 50,000 individuals shall be selected, from the approved transportation improvement program (excluding projects carried out on the National Highway System and projects carried out under the bridge program or the Interstate maintenance program under title 23 or sections 5310, 5311, 5316, and 5317

of

this title) by the State in cooperation with the affected nonmetropolitan local officials with responsibility for transportation. Projects carried out in areas with populations of less than 50,000 individuals on the National Highway

System or under the bridge program or the Interstate
maintenance
program under title 23 or sections 5310, 5311, 5316, and 5317
of

this title shall be selected, from the approved statewide
transportation improvement program, by the State in
consultation

with the affected nonmetropolitan local officials with
responsibility for transportation.

``(6) Transportation improvement program approval.--Every 4
years, a transportation improvement program developed under
this

subsection shall be reviewed and approved by the Secretary if
based on a current planning finding.

``(7) Planning finding.--A finding shall be made by the
Secretary at least every 4 years that the transportation
planning process through which statewide transportation plans
and programs are developed is consistent with this section and
section 5303.

``(8) Modifications to project priority.--Notwithstanding
any other provision of law, action by the Secretary shall not
be

required to advance a project included in the approved
transportation improvement program in place of another project
in the program.

``(h) Funding.--Funds set aside pursuant to section 5305(g) of this
title and section 104(i) of title 23 shall be available to carry out
this section.

``(i) Treatment of Certain State Laws as Congestion Management
Processes.--For purposes of this section and section 5303, and sections
134 and 135 of title 23, State laws, rules, or regulations pertaining
to
congestion management systems or programs may constitute the congestion
management process under this section and section 5303, and sections
134

and 135 of title 23, if the Secretary finds that the State laws, rules,
or regulations are consistent with, and fulfill the intent of, the
purposes of this section, section 5303, and sections 134 and 135 of
title 23, as appropriate.

``(j) Continuation of Current Review Practice.--Since the statewide
transportation plan and the transportation improvement program
described

in this section are subject to a reasonable opportunity for public
comment, since individual projects included in the statewide
transportation plans and the transportation improvement program are
subject to review under the National Environmental Policy Act of 1969
(42 U.S.C. 4321 et seq.), and since decisions by the Secretary
concerning statewide transportation plans or the transportation
improvement program described in this section have not been reviewed
under such Act as of January 1, 1997, any decision by the Secretary
concerning a metropolitan or statewide transportation plan or the
transportation improvement program described in this section shall not
be considered to be a Federal action subject to review under such

Act.''.

(b) <<NOTE: Guidelines. 49 USC 5304 note.>> Schedule for Implementation.--The Secretary shall issue guidance on a schedule for implementation of the changes made by this section, taking into consideration the established planning update cycle for States and metropolitan planning organizations. The Secretary shall not require a State or metropolitan planning organization to deviate from its established planning update cycle to implement changes made by this section. <<NOTE: Effective date.>> Beginning July 1, 2007, State or metropolitan planning organization plan or program updates shall reflect changes made by this section.

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(c) Chapter Analysis.--The analysis for chapter 53 is amended by striking the item relating to section 5304 and inserting the following:

``5304. Statewide transportation planning.''.

SEC. 3007. PLANNING PROGRAMS.

(a) In General.--Section 5305 is amended to read as follows:

``Sec. 5305. Planning programs

``(a) State Defined.--In this section, the term `State' means a State of the United States, the District of Columbia, and Puerto Rico.

``(b) General Authority.--

``(1) Grants and agreements.--Under criteria established by the Secretary, the Secretary may award grants to States, authorities of the States, metropolitan planning organizations, and local governmental authorities, and make agreements with other departments, agencies, or instrumentalities of the Government to--

``(A) develop transportation plans and programs;

``(B) plan, engineer, design, and evaluate a public transportation project; and

``(C) conduct technical studies relating to public transportation.

``(2) Eligible activities.--Activities eligible under paragraph (1) include the following:

``(A) Studies related to management, planning, operations, capital requirements, and economic feasibility.

``(B) Evaluating previously financed projects.

``(C) Peer reviews and exchanges of technical data, information, assistance, and related activities in support of planning and environmental analyses among metropolitan planning organizations and other transportation planners.

``(D) Other similar and related activities preliminary to and in preparation for constructing, acquiring, or improving the operation of facilities and equipment.

``(c) Purpose.--To the extent practicable, the Secretary shall

ensure that amounts appropriated or made available under section 5338 to carry out this section and sections 5303, 5304, and 5306 are used to support balanced and comprehensive transportation planning that considers the relationships among land use and all transportation modes, without regard to the programmatic source of the planning amounts.

``(d) Metropolitan Planning Program.--

``(1) Apportionment to states.--

``(A) In general.--The Secretary shall apportion 80 percent of the amounts made available under subsection (g)(1) among the States to carry out sections 5303 and 5306 in the ratio that--

``(i) the population of urbanized areas in each State, as shown by the latest available decennial census of population; bears to

``(ii) the total population of urbanized

areas

in all States, as shown by that census.

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``(B) Minimum apportionment.--Notwithstanding subparagraph (A), a State may not receive less than 0.5 percent of the amount apportioned under this paragraph.

``(2) Allocation to mpo's.--Amounts apportioned to a State under paragraph (1) shall be made available, not later than 30 days after the date of apportionment, to metropolitan planning organizations in the State designated under this section under

a

formula that--

``(A) considers population of urbanized areas;

``(B) provides an appropriate distribution for urbanized areas to carry out the cooperative processes described in this section;

``(C) the State develops in cooperation with the metropolitan planning organizations; and

``(D) the Secretary approves.

``(3) Supplemental amounts.--

``(A) In general.--The Secretary shall apportion 20 percent of the amounts made available under subsection (g)(1) among the States to supplement allocations made under paragraph (1) for metropolitan planning organizations.

``(B) Formula.--The Secretary shall apportion amounts referred to in subparagraph (A) under a formula that reflects the additional cost of carrying out planning, programming, and project selection responsibilities under sections 5303 and 5306 in

certain

urbanized areas.

``(e) State Planning and Research Program.--

``(1) Apportionment to states.--

``(A) In general.--The Secretary shall apportion

the

amounts made available under subsection (g)(2) among
the
States for grants and contracts to carry out this
section and sections 5304, 5306, 5315, and 5322 in the
ratio that--
 ``(i) the population of urbanized areas in
 each State, as shown by the latest available
 decennial census; bears to
 ``(ii) the population of urbanized areas in
 all States, as shown by that census.
 ``(B) Minimum apportionment.--Notwithstanding
 subparagraph (A), a State may not receive less than 0.5
 percent of the amount apportioned under this paragraph.
 ``(2) Supplemental amounts.--A State, as the State
considers
 appropriate, may authorize part of the amount made available
 under this subsection to be used to supplement amounts made
 available under subsection (d).

 ``(f) Government's Share of Costs.--The Government's share of the
cost of an activity funded using amounts made available under this
section may not exceed 80 percent of the cost of the activity unless
the
Secretary determines that it is in the interests of the Government not
to require a State or local match.

 ``(g) Allocation of Funds.--Of the funds made available by or
appropriated to carry out this section under section 5338(c) for fiscal
years 2005 through 2009--

- ``(1) 82.72 percent shall be available for the metropolitan
 planning program under subsection (d); and
- ``(2) 17.28 percent shall be available to carry out
 subsection (e).

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 ``(h) Availability of Funds.--Funds apportioned under this section
to a State that have not been obligated in the 3-year period beginning
after the last day of the fiscal year for which the funds are
authorized
shall be reapportioned among the States.''.
(b) Chapter Analysis.--The analysis for chapter 53 is amended by
striking the item relating to section 5305 and inserting the following:

``5305. Planning programs.''.
SEC. 3008. PRIVATE ENTERPRISE PARTICIPATION.

Section 5306(a) is amended by inserting `` , as determined by local
policies, criteria, and decisionmaking,' ' after ``feasible''.

SEC. 3009. URBANIZED AREA FORMULA GRANTS.

- (a) Technical Amendments.--Section 5307 is amended--
 - (1) by striking subsections (h), (j) and (k); and
 - (2) by redesignating subsections (i), (l), (m), and (n) as
 subsections (h), (i), (j), and (k), respectively.

(b) Definitions.--

(1) Associated capital maintenance items.--Section 5307(a)(1) is amended--

(A) by striking ``means equipment, tires,`` and inserting ``means--

``(A) equipment, tires,``;

(B) in subparagraph (A) (as so designated) by striking the period at the end and inserting ``; and``; and

(C) by adding at the end the following:

``(B) reconstruction of equipment and material,

each

of which after reconstruction will have a fair market value of at least .5 percent of the current fair market value of rolling stock comparable to the rolling stock for which the equipment and material will be used.''

(2) Designated recipient.--Section 5307(a)(2)(A) is amended to read as follows:

``(A) an entity designated, in accordance with the planning process under sections 5303, 5304, and 5306,

by

the chief executive officer of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under section 5336 that are attributable to transportation management areas identified under section 5303; or''.

(c) General Authority.--Section 5307(b) is amended--

(1) by striking paragraph (1) and inserting the following:

``(1) Grants.--The Secretary may make grants under this section for--

``(A) capital projects and associated capital maintenance items;

``(B) planning;

``(C) transit enhancements;

``(D) operating costs of equipment and facilities for use in public transportation in an urbanized area with a population of less than 200,000;

``(E) operating costs of equipment and facilities for use in public transportation in a portion or portions of an urbanized area with a population of at least 200,000, but not more than 225,000, if--

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``(i) the urbanized area includes parts of more than one State;

``(ii) the portion of the urbanized area includes only one State;

``(iii) the population of the portion of the urbanized area is less than 30,000; and

``(iv) the grants will not be used to provide public transportation outside of the portion of the urbanized area; and

``(F) operating costs of equipment and facilities for use in public transportation for local governmental

and authorities in areas which adopted transit operating financing plans that became a part of the Houston, Texas, urbanized area as a result of the 2000 decennial census of population, but lie outside the service area of the principal public transportation agency that serves the Houston urbanized area.'';

(2) by striking paragraph (2) and inserting the following:

``(2) Special rule for fiscal years 2005 through 2007.--

``(A) Increased flexibility.--The Secretary may award grants under this section, from funds made available to carry out this section for each of the fiscal years 2005 through 2007, to finance the operating cost of equipment and facilities for use in mass transportation in an urbanized area with a population of at least 200,000, as determined by the 2000 decennial census of population, if--

``(i) the urbanized area had a population of less than 200,000, as determined by the 1990 decennial census of population;

``(ii) a portion of the urbanized area was a separate urbanized area with a population of less than 200,000, as determined by the 1990 decennial census of population;

``(iii) the area was not designated as an urbanized area, as determined by the 1990 decennial census of population; or

``(iv) a portion of the area was not designated as an urbanized area, as determined by the 1990 decennial census, and received assistance under section 5311 in fiscal year 2002.

``(B) Maximum amounts in fiscal year 2005.--In fiscal year 2005--

``(i) amounts made available to any urbanized area under clause (i) or (ii) of subparagraph (A) shall be not more than the amount apportioned in fiscal year 2002 to the urbanized area with a population of less than 200,000, as determined in the 1990 decennial census of population;

``(ii) amounts made available to any urbanized area under subparagraph (A)(iii) shall be not more than the amount apportioned to the urbanized area under this section for fiscal year 2003; and

``(iii) each portion of any area not designated as an urbanized area, as determined by the 1990 decennial census, and eligible to receive funds under subparagraph (A)(iv), shall receive an amount of funds to carry out this section that is not less than the

amount the portion of the area received under section 5311 for fiscal year 2002.

``(C) Maximum amounts in fiscal year 2006.--In fiscal year 2006--

``(i) amounts made available to any urbanized area under clause (i) or (ii) of subparagraph (A) shall be not more than 50 percent of the amount apportioned in fiscal year 2002 to the urbanized area with a population of less than 200,000, as determined in the 1990 decennial census of population;

urbanized

``(ii) amounts made available to any

more

area under subparagraph (A)(iii) shall be not

than 50 percent of the amount apportioned to the urbanized area under this section for fiscal year 2003; and

receive

``(iii) each portion of any area not designated as an urbanized area, as determined by the 1990 decennial census, and eligible to

an

funds under subparagraph (A)(iv), shall receive

portion

amount of funds to carry out this section that is not less than 50 percent of the amount the

fiscal

of the area received under section 5311 for

year 2002.

``(D) Maximum amounts in fiscal year 2007.--In fiscal year 2007--

``(i) amounts made available to any urbanized area under clause (i) or (ii) of subparagraph (A) shall be not more than 25 percent of the amount apportioned in fiscal year 2002 to the urbanized area with a population of less than 200,000, as determined in the 1990 decennial census of population;

urbanized

``(ii) amounts made available to any

more

area under subparagraph (A)(iii) shall be not

than 25 percent of the amount apportioned to the urbanized area under this section for fiscal year 2003; and

receive

``(iii) each portion of any area not designated as an urbanized area, as determined by the 1990 decennial census, and eligible to

an

funds under subparagraph (A)(iv), shall receive

portion

amount of funds to carry out this section that is not less than 25 percent of the amount the

of the area received under section 5311 in fiscal year 2002.''; and
(3) by striking paragraph (4).

- (d) Grant Recipient Requirements.--Section 5307(d)(1) is amended--
 (1) in subparagraph (A) by inserting `` , including safety and security aspects of the program'' after ``program'';
 (2) in subparagraph (E)--
 (A) by striking ``and'' at the end of clause (ii);
 (B) by inserting ``and'' at the end of clause (iii);
 and
 (C) by adding at the end the following:
 ``(iv) will comply with sections 5323 and 5325;'';
 (3) in subparagraph (H) by striking ``sections 5301(a) and (d), 5303-5306, and 5310(a)-(d) of this title'' and inserting ``section 5301(a), section 5301(d), and sections 5303 through 5306'';
 (4) in subparagraph (I) by striking ``and'' at the end;
 (5) by adding at the end the following:

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 ``(K) in the case of a recipient for an urbanized area with a population of at least 200,000--
 ``(i) will expend not less than 1 percent of the amount the recipient receives each fiscal year
 under this section for transit enhancements, as defined in section 5302(a); and
 ``(ii) will submit an annual report listing projects carried out in the preceding fiscal year with those funds; and''.

(e) Government's Share of Costs.--Section 5307(e) is amended to read as follows:

- ``(e) Government's Share of Costs.--
 ``(1) Capital projects.--A grant for a capital project (including associated capital maintenance items) under this section shall be for 80 percent of the net project cost of the project. The recipient may provide additional local matching amounts.
 ``(2) Operating expenses.--A grant for operating expenses under this section may not exceed 50 percent of the net project cost of the project.
 ``(3) Remaining costs.--Subject to paragraph (4), the remainder of the net project cost shall be provided--
 ``(A) in cash from non-Government sources other than revenues from providing public transportation services;
 ``(B) from revenues derived from the sale of advertising and concessions;
 ``(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or

new

capital; and
``(D) from amounts received under a service
agreement with a State or local social service agency

or

private social service organization.

``(4) Use of certain funds.--The prohibitions on the use of funds for matching requirements under section 403(a)(5)(C)(vii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(vii)) shall not apply to the remainder.''.

(f) Undertaking Projects in Advance.--Section 5307(g) is amended by striking paragraph (4).
(g) Relationship to Other Laws.--Section 5307(k) (as redesignated by subsection (a)(2) of this section) is amended to read as follows:
``(k) Relationship to Other Laws.--
``(1) Applicable provisions.--Sections 5301, 5302, 5303, 5304, 5306, 5315(c), 5318, 5319, 5323, 5325, 5327, 5329, 5330, 5331, 5332, 5333, and 5335 apply to this section and to any grant made under this section.
``(2) Inapplicable provisions.--
``(A) In general.--Except as provided by this section, no other provision of this chapter applies to this section or to a grant made under this section.
``(B) Title 5.--The provision of assistance under this chapter shall not be construed as bringing within the application of chapter 15 of title 5 any nonsupervisory employee of a public transportation system (or any other agency or entity performing

related

functions) to which such chapter is otherwise inapplicable.''.

(h) Treatment.--Section 5307 is amended by adding at the end the following:

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``(1) Treatment.--For the purposes of this section, the United States Virgin Islands shall be treated as an urbanized area, as defined in section 5302.''.
(i) Contracted Paratransit Pilot.--
(1) In general.--Notwithstanding section 5302(a)(1)(I) of title 49, United States Code, for fiscal years 2005 through 2009, a recipient of assistance under section 5307 of such title in urbanized areas with a population of 558,329 or 747,003 according to the 2000 decennial census of population may use not more than 20 percent of such recipient's annual formula apportionment under section 5307 of such title for the provision of nonfixed route paratransit services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143), but only if the grant recipient is in compliance with applicable requirements of that Act, including both fixed route and demand responsive service and the service is acquired

title

not

provision

of nonfixed route paratransit services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143), but only if the grant recipient is in compliance with applicable requirements of that Act, including both fixed route and demand responsive service and the service is acquired

by contract.

(2) Report.--Not later than January 1, 2009, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the implementation of this subsection and any recommendations of the Secretary regarding the application of this subsection.

SEC. 3010. CLEAN FUELS GRANT PROGRAM.

(a) In General.--Section 5308 is amended to read as follows:

``Sec. 5308. Clean fuels grant program

``(a) Definitions.--In this section, the following definitions apply:

``(1) Clean fuel bus.--The term `clean fuel bus' means a passenger vehicle used to provide public transportation that--

``(A) is powered by--

``(i) compressed natural gas;

``(ii) liquefied natural gas;

``(iii) biodiesel fuels;

``(iv) batteries;

``(v) alcohol-based fuels;

``(vi) hybrid electric;

``(vii) fuel cell;

``(viii) clean diesel, to the extent allowed under this section; or

``(ix) other low or zero emissions

technology;

and

``(B) the Administrator of the Environmental Protection Agency has certified sufficiently reduces harmful emissions.

``(2) Eligible project.--The term `eligible project'--

``(A) means a project in a nonattainment or maintenance area described in paragraph (4)(A) for--

``(i) purchasing or leasing clean fuel buses, including buses that employ a lightweight composite primary structure;

``(ii) constructing or leasing clean fuel buses or electrical recharging facilities and related equipment for such buses; or

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existing
``(iii) constructing new or improving

public transportation facilities to accommodate clean fuel buses; and

``(B) at the discretion of the Secretary, may include a project located in a nonattainment or maintenance area described in paragraph (4)(A) relating to clean fuel, biodiesel, hybrid electric, or zero

emissions technology buses that exhibit equivalent or superior emissions reductions to existing clean fuel or hybrid electric technologies.

the ``(3) Maintenance area.--The term `maintenance area' has

meaning such term has under section 101 of title 23.

``(4) Recipient.--

``(A) In general.--The term `recipient' means a designated recipient (as defined in section 5307(a)(2)) for an area that, and a recipient for an urbanized area with a population of less than 200,000 that--

``(i) is designated as a nonattainment area for ozone or carbon monoxide under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); or

``(ii) is a maintenance area for ozone or carbon monoxide.

``(B) Smaller urbanized areas.--In the case of an urbanized area with a population of less than 200,000, the State in which the area is located shall act as the recipient for the area under this section.

``(b) Authority.--The Secretary shall make grants in accordance with this section to recipients to finance eligible projects.

``(c) Clean Diesel Buses.--Not more than 25 percent of the amount made available by or appropriated under section 5338 in each fiscal year

to carry out this section may be made available to fund clean diesel buses.

``(d) Grant Requirements.--

``(1) In general.--A grant under this section shall be subject to the requirements of section 5307.

``(2) <<NOTE: Applicability.>> Government's share of costs for certain projects.--Section 5323(i) applies to projects carried out under this section.

``(e) Availability of Funds.--Any amount made available or appropriated under this section--

``(1) shall remain available to a project for 2 years after the fiscal year for which the amount is made available or appropriated; and

``(2) that remains unobligated at the end of the period described in paragraph (1) shall be added to the amount made available in the following fiscal year.''.

(b) Conforming Amendment.--The analysis for chapter 53 is amended by striking the item relating to section 5308 and inserting the following:

``5308. Clean fuels grant program.''.

SEC. 3011. CAPITAL INVESTMENT GRANTS.

(a) In General.--Section 5309 is amended to read as follows:

``Sec. 5309. Capital investment grants

``(a) Definitions.--In this section, the following definitions apply:

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``(1) Alternatives analysis.--The term `alternatives analysis' means a study conducted as part of the transportation planning process required under sections 5303 and 5304, which includes--

``(A) an assessment of a wide range of public transportation alternatives designed to address a transportation problem in a corridor or subarea;

``(B) sufficient information to enable the

Secretary

to make the findings of project justification and local financial commitment required under this section;

``(C) the selection of a locally preferred alternative; and

``(D) the adoption of the locally preferred alternative as part of the long-range transportation plan required under section 5303.

``(2) Major new fixed guideway capital project.--The term `major new fixed guideway capital project' means a new fixed guideway capital project for which the Federal assistance provided or to be provided under this section is \$75,000,000 or more.

``(3) New fixed guideway capital project.--The term `new fixed guideway capital project' means a minimum operable

segment

of a capital project for a new fixed guideway system or extension to an existing fixed guideway system.

``(b) General Authority.--The Secretary may make grants under this section to assist State and local governmental authorities in financing--

``(1) new fixed guideway capital projects under subsections (d) and (e), including the acquisition of real property, the initial acquisition of rolling stock for the systems, the acquisition of rights-of-way, and relocation, for fixed

guideway

corridor development for projects in the advanced stages of alternatives analysis or preliminary engineering;

``(2) capital projects to modernize existing fixed guideway systems;

``(3) capital projects to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities, including programs of bus and bus-related projects for assistance to subrecipients that are public agencies, private companies engaged in public transportation,

or

private nonprofit organizations; and

``(4) the development of corridors to support new fixed guideway capital projects under subsections (d) and (e), including protecting rights-of-way through acquisition, construction of dedicated bus and high occupancy vehicle lanes and park and ride lots, and other nonvehicular capital improvements that the Secretary may decide would result in

increased public transportation usage in the corridor.

``(c) Grant Requirements.--

for ``(1) In general.--The Secretary may not approve a grant

a project under this section unless the Secretary determines that--

``(A) the project is part of an approved transportation plan and program of projects required under sections 5303, 5304, and 5306; and

``(B) the applicant has, or will have--

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``(i) the legal, financial, and technical capacity to carry out the project, including safety and security aspects of the project;

``(ii) satisfactory continuing control over the use of the equipment or facilities; and

``(iii) the capability and willingness to maintain the equipment or facilities.

``(2) Certification.--An applicant that has submitted the certifications required under subparagraphs (A), (B), (C), and (H) of section 5307(d)(1) shall be deemed to have provided sufficient information upon which the Secretary may make the determinations required under this subsection.

``(3) Grantee requirements.--The Secretary shall require that any grant awarded under this section to a recipient be subject to all terms, conditions, requirements, and provisions that the Secretary determines to be necessary or appropriate

for

the purposes of this section, including requirements for the disposition of net increases in the value of real property resulting from the project assisted under this section.

``(d) Major Capital Investment Grants of \$75,000,000 or More.--

``(1) Full funding grant agreement.--

``(A) In general.--A major new fixed guideway capital project shall be carried out through a full funding grant agreement.

``(B) Criteria.--The Secretary shall enter into a full funding grant agreement, based on the evaluations and ratings required under this subsection, with each grantee receiving assistance for a major new fixed guideway capital project that--

``(i) is authorized for final design and construction; and

``(ii) has been rated as medium, medium-high, or high, in accordance with paragraph (5)(B).

``(2) Approval of grants.--The Secretary may approve a

grant

under this section for a major new fixed guideway capital project only if the Secretary, based upon evaluations and considerations set forth in paragraph (3), determines that the project is--

``(A) based on the results of an alternatives analysis and preliminary engineering;

``(B) justified based on a comprehensive review of its mobility improvements, environmental benefits, cost effectiveness, operating efficiencies, economic development effects, and public transportation supportive land use policies and future patterns; and

``(C) supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources) to construct, maintain, and operate the system or extension, and maintain and operate the entire public transportation system without requiring a reduction in existing public transportation services or level of service to operate the proposed project.

``(3) Evaluation of project justification.--In making the determinations under paragraph (2)(B) for a major capital investment grant, the Secretary shall analyze, evaluate, and consider--

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``(A) the results of the alternatives analysis and preliminary engineering for the proposed project;

``(B) the reliability of the forecasting methods used to estimate costs and utilization made by the recipient and the contractors to the recipient;

``(C) the direct and indirect costs of relevant alternatives;

``(D) factors such as--

``(i) congestion relief;

``(ii) improved mobility;

``(iii) air pollution;

``(iv) noise pollution;

``(v) energy consumption; and

``(vi) all associated ancillary and

mitigation

costs necessary to carry out each alternative analyzed;

``(E) reductions in local infrastructure costs and other benefits achieved through compact land use development, such as positive impacts on the capacity, utilization, or longevity of other surface transportation assets and facilities;

``(F) the cost of suburban sprawl;

``(G) the degree to which the project increases the mobility of the public transportation dependent population or promotes economic development;

``(H) population density and current transit ridership in the transportation corridor;

``(I) the technical capability of the grant recipient to construct the project;

``(J) any adjustment to the project justification necessary to reflect differences in local land, construction, and operating costs; and

``(K) other factors that the Secretary determines

to

be appropriate to carry out this subsection.

``(4) Evaluation of local financial commitment.--

``(A) In general.--In evaluating a project under paragraph (2)(C), the Secretary shall require that--
``(i) the proposed project plan provides for the availability of contingency amounts that the Secretary determines to be reasonable to cover unanticipated cost increases;
``(ii) each proposed local source of capital and operating financing is stable, reliable, and available within the proposed project timetable; and
``(iii) local resources are available to recapitalize and operate the overall proposed public transportation system, including essential feeder bus and other services necessary to
the projected ridership levels without requiring
reduction in existing public transportation services or level of service to operate the proposed project.

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``(B) Evaluation criteria.--In assessing the stability, reliability, and availability of proposed sources of local financing under paragraph (2)(C), the Secretary shall consider--

``(i) the reliability of the forecasting methods used to estimate costs and utilization made by the recipient and the contractors to the recipient;

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``(ii) existing grant commitments;
``(iii) the degree to which financing sources are dedicated to the proposed purposes;
``(iv) any debt obligation that exists, or is proposed by the recipient, for the proposed project or other public transportation purpose; and
``(v) the extent to which the project has a local financial commitment that exceeds the required non-Federal share of the cost of the project.

``(C) Consideration of fiscal capacity of state and local governments.--If the Secretary gives priority to financing projects under this subsection that include more than the non-Federal share required under subsection (h), the Secretary shall give equal consideration to differences in the fiscal capacity of State and local governments.

``(5) Project advancement and ratings.--

``(A) Project advancement.--A proposed project

under

this subsection shall not advance from alternatives analysis to preliminary engineering or from preliminary engineering to final design and construction unless the Secretary determines that the project meets the requirements of this section and there is a reasonable

likelihood that the project will continue to meet such requirements.

``(B) Ratings.--In making a determination under subparagraph (A), the Secretary shall evaluate and rate the project on a 5-point scale (high, medium-high, medium, medium-low, or low) based on the results of the alternatives analysis, the project justification criteria, and the degree of local financial commitment, as required under this subsection. In rating the projects, the Secretary shall provide, in addition to the overall project rating, individual ratings for each of the criteria established by regulation.

``(6) Policy guidance.--

``(A) Publication.--The Secretary shall publish policy guidance regarding the new fixed guideway

capital

project review and evaluation process and criteria--

``(i) not later than 120 days after the date of enactment of the Federal Public Transportation Act of 2005; and

``(ii) each time significant changes are made by the Secretary to the process and criteria, but not less frequently than once every 2 years.

``(B) Public comment and response.--The Secretary shall--

``(i) invite public comment to the policy guidance published under subparagraph (A); and

``(ii) <<NOTE: Publication.>> publish a response to the comments received under clause (i).

``(e) Capital Investment Grants Less Than \$75,000,000.--

``(1) In general.--

``(A) Applicability of requirements.--Except as provided by subparagraph (B), a new fixed guideway capital project shall be subject to the requirements of this subsection if the Federal assistance provided or

to

be provided under this section for the project is less than \$75,000,000 and the total estimated net capital cost of the project is less than \$250,000,000.

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``(B) Projects receiving less than \$25,000,000 in federal assistance.--If the assistance provided under this section with respect to a new fixed guideway capital project is less than \$25,000,000, the requirements of this subsection shall not apply to the project until such date as the final regulation to be issued under paragraph (9) takes effect.

``(2) Selection criteria.--The Secretary may provide

Federal

assistance under this subsection with respect to a proposed project only if the Secretary finds that the project is--

``(A) based on the results of planning and alternatives analysis;

or low based on the results of the analysis of the project justification criteria and the degree of local financial commitment, as required by this subsection.

``(7) Contents of project construction grant agreement.--A project construction grant agreement under this subsection shall

specify the scope of the project to be constructed, the estimated net project cost of the project, the schedule under which the project shall be constructed, the maximum amount of funding to be obtained under this subsection, the proposed schedule for obligation of future Federal grants, and the sources of funding from other than the Government. The

agreement

may include a commitment on the part of the Secretary to

provide

funding for the project in future fiscal years.

``(8) Limitation on entry into construction grant agreement.--The Secretary may enter into a project construction grant agreement for a project under this subsection only if the project is authorized for construction and has been rated as high, medium-high, or medium under this subsection.

``(9) <<NOTE: Deadline.>> Regulations.--Not later than 240 days after the date of enactment of the Federal Public Transportation Act of 2005, the Secretary shall issue regulations establishing an evaluation and rating process for proposed projects under this subsection that is based on the results of project justification and local financial

commitment,

as required under this subsection.

``(10) Fixed guideway capital project.--In this subsection, the term `fixed guideway capital project' includes a corridor-based bus capital project if--

``(A) a substantial portion of the project operates in a separate right-of-way dedicated for public transit use during peak hour operations; or

``(B) the project represents a substantial investment in a defined corridor as demonstrated by features such as park-and-ride lots, transit stations, bus arrival and departure signage, intelligent transportation systems technology, traffic signal priority, off-board fare collection, advanced bus technology, and other features that support the long-term corridor investment.

``(11) Impact report.--

the ``(A) In general.--Not later than 120 days after

date of enactment of the Federal Public Transportation Act of 2005, the Federal Transit Administration shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the methodology to be used in evaluating the land use and economic development impacts of non-fixed guideway or partial fixed guideway projects.

non- ``(B) Contents.--The report submitted under
subparagraph (A) shall address any qualitative and
quantitative differences between fixed guideway and
fixed guideway projects with respect to land use and
economic development impacts.

``(f) Previously Issued Letter of Intent or Full Funding Grant
Agreement.--Subsections (d) and (e) do not apply to projects for which
the Secretary has issued a letter of intent or entered into a full
funding grant agreement before the date of enactment of the Federal
Public Transportation Act of 2005. Subsection (e)

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also does not apply to projects for which the Secretary has received an
application for final design before such date of enactment.

``(g) Letters of Intent, Full Funding Grant Agreements, and Early
Systems Work Agreements.--

``(1) Letters of intent.--

amount ``(A) Amounts intended to be obligated.--The
Secretary may issue a letter of intent to an applicant
announcing an intention to obligate, for a capital
project under this section, an amount from future
available budget authority specified in law that is not
more than the amount stipulated as the financial
participation of the Secretary in the project. When a
letter is issued for fixed guideway projects, the
shall be sufficient to complete at least an operable
segment.

under ``(B) Treatment.--The issuance of a letter under
subparagraph (A) is deemed not to be an obligation
sections 1108(c), 1108(d), 1501, and 1502(a) of title
31 or an administrative commitment.

``(2) Full funding grant agreements.--

``(A) Terms.--The Secretary may make a full funding
grant agreement with an applicant. The agreement shall-

- ``(i) establish the terms of participation by
the Government in a project under this section;

 ``(ii) establish the maximum amount of
Government financial assistance for the project;

 ``(iii) cover the period of time for
completing the project, including a period
extending beyond the period of an authorization;
and

of ``(iv) make timely and efficient management
the project easier according to the law of the
United States.

``(B) Special financial rules.--

amount ``(i) In general.--A full funding grant
agreement under this paragraph obligates an

and
to

of available budget authority specified in law
may include a commitment, contingent on amounts
be specified in law in advance for commitments
under this paragraph, to obligate an additional
amount from future available budget authority
specified in law.

Government.
``(ii) Statement of contingent commitment.--
The agreement shall state that the contingent
commitment is not an obligation of the

``(iii) Interest and other financing costs.--
Interest and other financing costs of efficiently
carrying out a part of the project within a
reasonable time are a cost of carrying out the
project under a full funding grant agreement,
except that eligible costs may not be more than
the cost of the most favorable financing terms
reasonably available for the project at the time
of borrowing. The applicant shall certify, in a
way satisfactory to the Secretary, that the
applicant has shown reasonable diligence in
seeking the most favorable financing terms.

``(iv) Completion of operable segment.--The
amount stipulated in an agreement under this
paragraph for a fixed guideway project shall be
sufficient to complete at least an operable
segment.

``(C) Before and after study.--

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``(i) In general.--A full funding grant
agreement under this paragraph shall require the
applicant to conduct a study that--

``(I) describes and analyzes the
impacts of the new fixed guideway
capital project on transit services and
transit ridership;

``(II) evaluates the consistency of
predicted and actual project
characteristics and performance; and

``(III) identifies sources of
differences between predicted and

actual

outcomes.

``(ii) Information collection and analysis
plan.--

``(I) Submission of plan.--
Applicants seeking an agreement under
this paragraph shall submit a complete
plan for the collection and analysis of
information to identify the impacts of
the new fixed guideway capital project
and the accuracy of the forecasts
prepared during the development of the

project. Preparation of this plan shall be included in the full funding grant agreement as an eligible activity.

``(II) Contents of plan.--The plan submitted under subclause (I) shall provide for--

``(aa) the collection of data on the current transit system regarding transit

service

levels and ridership patterns, including origins and destinations, access modes,

trip

purposes, and rider characteristics;

``(bb) documentation of the predicted scope, service

levels,

capital costs, operating costs, and ridership of the project;

``(cc) collection of data

on

the transit system 2 years

after

the opening of the new fixed guideway capital project, including analogous information on transit service levels and ridership patterns and information on the as-built scope and capital costs of the project; and

``(dd) analysis of the consistency of predicted

project

characteristics with the after data.

``(D) Collection of data on current system.--To be eligible for a full funding grant agreement under this paragraph, recipients shall have collected data on the current system, according to the plan required, before the beginning of construction of the proposed new start project. Collection of this data shall be included in the full funding grant agreement as an eligible activity.

``(3) Early system work agreements.--

``(A) Conditions.--The Secretary may make an early systems work agreement with an applicant if a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been issued on the project and the Secretary finds there is reason to believe--

``(i) a full funding grant agreement for the project will be made; and

``(ii) the terms of the work agreement will promote ultimate completion of the project more rapidly and at less cost.

``(B) Contents.--

this paragraph obligates an amount of available budget authority specified in law and shall provide for reimbursement of preliminary costs of carrying out the project, including land acquisition, timely procurement of system elements for which specifications are decided, and other activities the Secretary decides are appropriate to make efficient, long-term project management easier.

under ``(i) In general.--A work agreement this paragraph shall cover the period of time the Secretary considers appropriate. The period may extend beyond the period of current authorization.

``(iii) Interest and other financing costs.-- Interest and other financing costs of efficiently carrying out the work agreement within a reasonable time are a cost of carrying out the agreement, except that eligible costs may not be more than the cost of the most favorable financing

in terms reasonably available for the project at the time of borrowing. The applicant shall certify,

a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

made ``(iv) Failure to carry out project.--If an applicant does not carry out the project for reasons within the control of the applicant, the applicant shall repay all Government payments

under the work agreement plus reasonable interest and penalty charges the Secretary establishes in the agreement.

``(4) Limitation on amounts.--

this ``(A) Major capital investment grants contingent commitment authority.--The total estimated amount of future obligations of the Government and contingent commitments to incur obligations covered by all outstanding letters of intent, full funding grant agreements, and early systems work agreements under

projects subsection for major new fixed guideway capital may be not more than the greater of the amount authorized under sections 5338(a)(3) and 5338(c) for such projects or an amount equivalent to the last 3 fiscal years of funding allocated under subsections

(m)(1)(A) and (m)(2)(A)(ii) for such projects, less an amount the Secretary reasonably estimates is necessary for grants under this section for those of such projects that are not covered by a letter or agreement. The total amount covered by new letters and contingent commitments included in full funding grant agreements and early systems work agreements for such projects may be not more than a limitation specified in law.

``(B) Other contingent commitment authority.--The total estimated amount of future obligations of the Government and contingent commitments to incur obligations covered by all project construction grant agreements

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and early system work agreements under this subsection for small capital projects described in subsection (e) may be not more than the greater of the amount

allocated under subsection (m)(2)(A)(i) for such projects or an amount equivalent to the last fiscal year of funding allocated under such subsection for such projects, less an amount the Secretary reasonably estimates is necessary for grants under this section for those of such projects that are not covered by an agreement. The total amount covered by new contingent commitments included in project construction grant agreements and early systems work agreements for such projects may be not more than a limitation specified in law.

commitments ``(C) Inclusion of certain commitments.--Future obligations of the Government and contingent

made against the contingent commitment authority under section 3032(g)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (106 Stat. 2125) for the San Francisco BART to the Airport project for fiscal years 2002, 2003, 2004, 2005, and 2006 shall be charged against section 3032(g)(2) of that Act.

``(D) Appropriation required.--An obligation may be made under this subsection only when amounts are appropriated for the obligation.

into ``(5) <<NOTE: Deadline.>> Notification of congress.--At least 60 days before issuing a letter of intent or entering

and a full funding grant agreement or project construction grant agreement under this section, the Secretary shall notify, in writing, the Committees on Transportation and Infrastructure

Appropriations of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Appropriations of the Senate of the proposed letter or agreement. The Secretary shall include with the notification a copy of the proposed letter or agreement as well as the

evaluations and ratings for the project.

``(h) Government's Share of Net Project Cost.--

of ``(1) In general.--Based on engineering studies, studies of economic feasibility, and information on the expected use of equipment or facilities, the Secretary shall estimate the net project cost. A grant for the project shall be for 80 percent of the net capital project cost, unless the grant recipient requests a lower grant percentage.

Secretary ``(2) Adjustment for completion under budget.--The Secretary may adjust the final net project cost of a new fixed guideway capital project evaluated under subsections (d) and (e) to include the cost of eligible activities not included in the originally defined project if the Secretary determines that the originally defined project has been completed at a cost that is significantly below the original estimate.

a ``(3) Maximum government share.--The Secretary may provide a higher grant percentage than requested by the grant recipient if--

``(A) the Secretary determines that the net project cost of the project is not more than 10 percent higher than the net project cost estimated at the time the project was approved for advancement into preliminary engineering; and

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not ``(B) the ridership estimated for the project is less than 90 percent of the ridership estimated for the project at the time the project was approved for advancement into preliminary engineering.

``(4) Remainder of net project cost.--The remainder of net project costs shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.

this ``(5) Limitation on statutory construction.--Nothing in this section, including paragraph (1) and subsections (d)(4)(B)(v) and (e)(5), shall be construed as authorizing the Secretary to require a non-Federal financial commitment for a project that is more than 20 percent of the net capital project cost.

stock ``(6) Special rule for rolling stock costs.--In addition to amounts allowed pursuant to paragraph (1), a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant satisfies the Secretary that only amounts other than amounts of the Government were used and that the purchase was made for use on the extension. A refund or reduction of the remainder may be made only if a refund of a proportional amount of the grant of the Government is made at the same time.

not
the
``(7) Limitation on applicability.--This subsection does
apply to projects for which the Secretary has entered into a
full funding grant agreement before the date of enactment of
Federal Public Transportation Act of 2005.

``(i) Undertaking Projects in Advance.--

``(1) In general.--The Secretary may pay the Government's
share of the net capital project cost to a State or local
governmental authority that carries out any part of a project
described in this section without the aid of amounts of the
Government and according to all applicable procedures and
requirements if--

``(A) the State or local governmental authority
applies for the payment;

``(B) the Secretary approves the payment; and

``(C) before carrying out the part of the project,
the Secretary approves the plans and specifications for
the part in the same way as other projects under this
section.

``(2) Financing costs.--

``(A) In general.--The cost of carrying out part of
a project includes the amount of interest earned and
payable on bonds issued by the State or local
governmental authority to the extent proceeds of the
bonds are expended in carrying out the part.

``(B) Limitation on amount of interest.--The amount
of interest under this paragraph may not be more than
the most favorable interest terms reasonably available
for the project at the time of borrowing.

``(C) Certification.--The applicant shall certify,
in a manner satisfactory to the Secretary, that the
applicant has shown reasonable diligence in seeking the
most favorable financial terms.

``(j) Availability of Amounts.--

``(1) In general.--An amount made available or appropriated
under section 5338(a)(3)(C)(iii), 5338(a)(3)(C)(iv),

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bus-
fiscal-
5338(b)(2)(E), or 5338(c) for replacement, rehabilitation, and
purchase of buses and related equipment and construction of
related facilities or for new fixed guideway capital projects
shall remain available for 3 fiscal years, including the fiscal
year in which the amount is made available or appropriated. Any
of such amounts that are unobligated at the end of the 3-
year period may be used by the Secretary for any purpose under
this section.

under
``(2) Use of deobligated amounts.--An amount available
this section that is deobligated may be used for any purpose
under this section.

``(k) Reports on New Starts.--

``(1) Annual report on funding recommendations.--Not later than the first Monday in February of each year, the Secretary shall submit to the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Appropriations of the Senate a report that includes--

``(A) a proposal of allocations of amounts to be available to finance grants for new fixed guideway capital projects among applicants for these amounts;

``(B) evaluations and ratings, as required under subsections (d) and (e), for each such project that is authorized by the Federal Public Transportation Act of 2005; and

``(C) recommendations of such projects for funding based on the evaluations and ratings and on existing commitments and anticipated funding levels for the next 3 fiscal years based on information currently available to the Secretary.

``(2) Annual gao review.--The Comptroller General shall--

``(A) conduct an annual review of--

``(i) the processes and procedures for evaluating, rating, and recommending new fixed guideway capital projects; and

``(ii) the Secretary's implementation of such processes and procedures; and

``(B) report to Congress on the results of such review by May 31 of each year.

``(l) Other Reports.--

``(1) Before and after study reports.--Not later than the first Monday of August of each year, the Secretary shall submit to the committees referred to in subsection (k)(1) a report containing a summary of the results of the studies conducted under subsection (g)(2)(C).

``(2) Contractor performance assessment report.--

``(A) In general.--Not later than 180 days after

the

enactment of the Federal Public Transportation Act of 2005, and each year thereafter, the Secretary shall submit to the committees referred to in subsection (k)(1) a report analyzing the consistency and accuracy of cost and ridership estimates made by each contractor to public transportation agencies developing new fixed guideway capital projects.

``(B) Contents.--The report submitted under subparagraph (A) shall compare the cost and ridership estimates

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made at the time projects are approved for entrance

into

preliminary engineering with--

``(i) estimates made at the time projects are approved for entrance into final design;

``(ii) costs and ridership when the project commences revenue operation; and

``(iii) costs and ridership when the project has been in operation for 2 years.

``(C) Considerations.--In making comparisons under subparagraph (B), the Secretary shall consider factors having an impact on costs and ridership not under the control of the contractor. The Secretary shall also consider the role taken by each contractor in the development of the project.

``(3) Contractor performance incentive report.--Not later than 180 days after the enactment of the Federal Public Transportation Act of 2005, the Secretary shall submit to the committees referred to in subsection (k)(1) a report on the suitability of allowing contractors to public transportation agencies that undertake new fixed guideway capital projects under this section to receive performance incentive awards if a project is completed for less than the original estimated cost.

``(m) Allocating Amounts.--

``(1) Fiscal year 2005.--Of the amounts made available or appropriated for fiscal year 2005 under section 5338(a)(3)--

``(A) \$1,437,829,600 shall be allocated for new fixed capital projects under subsection (d);

``(B) \$1,204,684,800 shall be allocated for capital projects for fixed guideway modernization; and

``(C) \$669,600,000 shall be allocated for capital projects for buses and bus-related equipment and facilities.

``(2) Fiscal years 2006 through 2009.--The amounts made available or appropriated for fiscal years 2006 through 2009 under sections 5338(b) and 5338(c) shall be allocated as follows:

``(A) Major capital investment grants.--Of the amounts appropriated under section 5338(c)--

``(i) \$200,000,000 for each of fiscal years 2007 through 2009 shall be allocated for projects for new fixed guideway capital projects of less than \$75,000,000 in accordance with subsection (e); and

``(ii) the remainder shall be allocated for major new fixed guideway capital projects in accordance with subsection (d).

``(B) Fixed guideway modernization.--The amounts made available under section 5338(b)(2)(D) shall be allocated for capital projects for fixed guideway modernization.

``(C) Buses and bus-related equipment and facilities.--The amounts made available under section 5338(b)(2)(E) shall be allocated for capital projects for buses and bus-related equipment and facilities.

``(3) Fixed guideway modernization.--The amounts made available for fixed guideway modernization under section 5338(b)(2)(D) for fiscal year 2006 and each fiscal year thereafter shall be allocated in accordance with section 5337.

``(4) Preliminary engineering and alternatives analysis.--Not more than 8 percent of the allocation described in

paragraph (1)(A) may be expended on alternatives analysis and preliminary engineering.

``(5) Preliminary engineering.--Not more than 8 percent of the allocation described in paragraph (2)(A) may be expended on preliminary engineering.

``(6) Funding for ferry boats.--Of the amounts described in paragraphs (1)(A) and (2)(A)--

``(A) \$10,400,000 shall be available in fiscal year 2005 for capital projects in Alaska and Hawaii for new fixed guideway systems and extension projects utilizing ferry boats, ferry boat terminals, or approaches to ferry boat terminals;

``(B) \$15,000,000 shall be available in each of fiscal years 2006 through 2009 for capital projects in Alaska and Hawaii for new fixed guideway ferry systems and extension projects utilizing ferry boats, ferry

boat

terminals, or approaches to ferry boat terminals; and

``(C) \$5,000,000 shall be available for each of fiscal years 2006 though 2009 for payments to the

Denali

Commission under the terms of section 307(e) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note) for docks, waterfront development projects, and related transportation infrastructure.

``(7) Bus and bus facility grants.--The amounts made available under paragraphs (1)(C) and (2)(C) shall be allocated as follows:

``(A) Ferry boat systems.--\$10,000,000 shall be available in each of fiscal years 2006 through 2009 for ferry boats or ferry terminal facilities. Of such

funds,

the following amounts shall be set aside for each

fiscal

year:

``(i) \$2,500,000 for the San Francisco Water Transit Authority.

``(ii) \$2,500,000 for the Massachusetts Bay Transportation Authority Ferry System.

``(iii) \$1,000,000 for the Camden, New Jersey Ferry System.

``(iv) \$1,000,000 for the Governor's Island, New York Ferry System

``(v) \$1,000,000 for the Philadelphia Penn's Landing Ferry Terminal.

``(vi) \$1,000,000 for the Staten Island

Ferry.

``(vii) \$650,000 for the Maine State Ferry Service, Rockland.

``(viii) \$350,000 for the Swans Island, Maine Ferry Service.

``(B) Fuel cell bus program.--The following amounts shall be set aside for the national fuel cell bus

the technology development program under section 3039 of

Federal Public Transportation Act of 2005:

- ``(i) \$11,250,000 for fiscal year 2006.
- ``(ii) \$11,500,000 for fiscal year 2007.
- ``(iii) \$12,750,000 for fiscal year 2008.
- ``(iv) \$13,500,000 for fiscal year 2009.

``(C) Projects not in urbanized areas.--Not less than 5.5 percent shall be available in each fiscal year for projects that are not in urbanized areas.

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``(D) Intermodal terminals.--Not less than \$35,000,000 shall be available in each fiscal year for intermodal terminal projects, including the intercity bus portion of such projects.

in ``(E) Bus testing.--\$3,000,000 shall be available each fiscal year for bus testing under section 5318.

``(8) Bus and bus facility grant considerations.--In making grants under paragraphs (1)(C) and (2)(C), the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities.''.

(b) Chapter Analysis.--The analysis for chapter 53 <<NOTE: 49 USC 5301.>> is amended by striking the item relating to section 5309 and inserting the following:

``5309. Capital investment grants.''.

(c) <<NOTE: 49 USC 5309 note.>> Public-Private Partnership Pilot Program.--

(1) Establishment.--The Secretary may establish and implement a pilot program to demonstrate the advantages and disadvantages of public-private partnerships for certain new fixed guideway capital projects.

(2) Limitation on the number of facilities.--The Secretary may permit the establishment of 3 public-private partnerships for new fixed guideway capital projects.

(3) Eligibility.--To be eligible to participate in the public-private partnership program, a recipient shall submit to the Secretary an application that contains, at a minimum, the following:

funding (A) An identification of the new fixed guideway capital project that has not entered into a full

grant agreement or project construction grant agreement with the Federal Transit Administration.

construction (B) A schedule and finance plan for the

of and operation of the proposed project.

(C) An analysis of the costs, benefits, and efficiencies of the proposed public-private partnership agreement.

(4) Selection criteria.--The Secretary may approve the application of a recipient under this subsection if the

Secretary determines that--

(A) State and local laws permit public-private agreements for all phases of project development, construction, and operation of the project;

(B) the recipient is unable to advance the project due to fiscal constraints; and

(C) the plan implementing the public-private partnership is justified.

(5) Program term.--The Secretary may approve an application of a recipient for a public-private partnership for fiscal

years

2006 through 2009.

(6) Report to congress.--Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, a report containing an assessment of the costs, benefits, and efficiencies of a public-private partnership program for new fixed guideway capital projects.

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(d) Restrictions on Use of Bus Category Funds for Fixed Guideway Projects.--Funds provided to grantees under the bus and bus facility category for fixed guideway ferry and gondola projects in the Department of Transportation and Related Agencies Appropriations Acts for any of fiscal years 1998 through 2005, or accompanying committee reports, that remain available and unobligated may be used for new fixed guideway capital projects under section 5309 of title 49, United States Code. Funds made available to the same grantees for similar projects under the bus and bus facility category of section 5309 of title 49, United States Code, in fiscal years 2006 through 2009 may be used for fixed guideway projects under that section.

(e) Miami Metrorail.--The Secretary shall credit funds provided by the Florida department of transportation for the extension of the Miami Metrorail System from Earlington Heights to the Miami Intermodal Center to satisfy the matching requirements of section 5309(h)(4) of title 49, United States Code, for the Miami North Corridor and Miami East-West Corridor projects.

(f) Adjustments.--The adjustments made in the Federal Transit Administrator's Dear Colleague letter of April 29, 2005, to require a ``medium'' for the cost-effectiveness rating, in order for fixed guideway projects to be recommended for funding by the Federal Transit Administration, shall not apply to the following:

(1) San Francisco Muni--Third Street LRT Phase I/II.

(2) Santa Clara Valley Transit Authority--Silicon Valley Rapid Transit Corridor.

(3) Washington County, Oregon--Wilsonville to Beaverton Commuter Rail.

(4) Dulles Corridor Metrorail Project--Extension to Wiehle Avenue.

SEC. 3012. FORMULA GRANTS FOR SPECIAL NEEDS OF ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES.

(a) In General.--Section 5310 is amended to read as follows:

``Sec. 5310. Formula grants for special needs of elderly individuals and

individuals with disabilities

``(a) General Authority.--

``(1) Grants.--The Secretary may make grants to States and local governmental authorities under this section for public transportation capital projects planned, designed, and carried out to meet the special needs of elderly individuals and individuals with disabilities.

``(2) Subrecipients.--A State that receives a grant under this section may allocate the amounts provided under the grant to--

``(A) a private nonprofit organization, if the public transportation service provided under paragraph (1) is unavailable, insufficient, or inappropriate; or

``(B) a governmental authority that--

``(i) is approved by the State to coordinate services for elderly individuals and individuals with disabilities; or

``(ii) <<NOTE: Certification.>> certifies

that

there are not any nonprofit organizations readily available in the area to provide the services described under paragraph (1).

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``(3) Acquiring public transportation services.--A public transportation capital project under this section may include acquisition of public transportation services as an eligible capital expense.

``(4) Administrative expenses.--A State or local governmental authority may use not more than 10 percent of the amounts apportioned to the State under this section to administer, plan, and provide technical assistance for a

project

funded under this section.

``(b) Apportionment and Transfers.--

``(1) Formula.--The Secretary shall apportion amounts made available to carry out this section under a formula the Secretary administers that considers the number of elderly individuals and individuals with disabilities in each State.

``(2) Transfer of funds.--Any funds apportioned to a State under paragraph (1) may be transferred by the State to the apportionments made under sections 5311(c) and 5336 if such funds are only used for eligible projects selected under this section.

``(c) Government's Share of Costs.--

``(1) Capital projects.--

``(A) In general.--A grant for a capital project under this section shall be for 80 percent of the net

capital costs of the project, as determined by the Secretary.

``(B) Exception.--A State described in section 120(b) of title 23 shall receive an increased

Government

share in accordance with the formula under that

section.

``(2) Remainder.--The remainder of the net project costs--

``(A) may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local social service agency or a private social service organization, or new capital;

``(B) may be derived from amounts appropriated or otherwise made available to a department or agency of the Government (other than the Department of Transportation) that are eligible to be expended for transportation; and

``(C) notwithstanding subparagraph (B), may be derived from amounts made available to carry out the Federal lands highway program established by section

204

of title 23.

``(3) Use of certain funds.--For purposes of paragraph (2)(B), the prohibitions on the use of funds for matching requirements under section 403(a)(5)(C)(vii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal or State funds to be used for transportation purposes.

``(d) Grant Requirements.--

``(1) In general.--A grant under this section shall be subject to all requirements of a grant under section 5307 to

the

extent the Secretary determines appropriate.

``(2) Certification requirements.--

``(A) Fund transfers.--A grant recipient under this section that transfers funds to a project funded under section 5336 in accordance with subsection (b)(2) shall certify that the project for which the funds are requested has

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been coordinated with private nonprofit providers of services under this section.

and

``(B) <<NOTE: Certification.>> Project selection

plan development.--Beginning in fiscal year 2007, each grant recipient under this section shall certify that--

``(i) the projects selected were derived from a locally developed, coordinated public transit-human services transportation plan; and

``(ii) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and participation by the public.

``(C) Allocations to subrecipients.--Each grant recipient under this section shall certify that allocations of the grant to subrecipients, if any, are distributed on a fair and equitable basis.

``(e) State Program of Projects.--

``(1) In general.--Amounts made available to carry out this section may be used for transportation projects to assist in providing transportation services for elderly individuals and individuals with disabilities that are included in a State program of projects.

``(2) Submission and approval.--A State shall submit to the Secretary annually for approval a program of projects. The program shall contain an assurance that the program provides

for

maximum feasible coordination of transportation services assisted under this section with transportation services assisted by other Government sources.

``(f) Leasing Vehicles.--Vehicles acquired under this section may be

leased to local governmental authorities to improve transportation services designed to meet the special needs of elderly individuals and individuals with disabilities.

``(g) Meal Delivery for Homebound Individuals.--Public transportation service providers receiving assistance under this section

or section 5311(c) may coordinate and assist in regularly providing meal

delivery service for homebound individuals if the delivery service does not conflict with providing public transportation service or reduce service to public transportation passengers.

``(h) Transfers of Facilities and Equipment.--With the consent of the recipient in possession of a facility or equipment acquired with a grant under this section, a State may transfer the facility or equipment

to any recipient eligible to receive assistance under this chapter if the facility or equipment will continue to be used as required under this section.''

(b) <<NOTE: 49 USC 5310 note.>> Elderly Individuals and Individuals With Disabilities Pilot Program.--

(1) <<NOTE: Establishment.>> In general.--In fiscal year 2006, the Secretary shall establish a pilot program that will allow Wisconsin, Alaska, Minnesota, Oregon, and 3 other States selected by the Secretary to use not more than 33 percent of

the

funds apportioned to each State to carry out section 5310 of title 49, United States Code, for operating costs associated with public transportation projects planned, designed, and carried out to meet the special needs of elderly individuals

and

individuals with disabilities under such section. The Secretary may base the selection of participating States on a State's exemplary coordination of public transit-human services transportation. The Secretary

may require participants to collect data necessary to support the report to Congress required by paragraph (7).

(2) Planning coordination.--Recipients of funds made available consistent with this subsection shall certify that--

(A) the projects selected were derived from a locally developed, coordinated public transit-human services transportation plan; and

(B) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and participation by the public.

(3) Government's share of costs.--Operating assistance

under

this subsection may not exceed 50 percent of the net operating costs of the project, as determined by the Secretary. The

credit

for any non-Federal share provided under this subsection shall not reduce nor replace State funds required to match Federal funds for formula grants for the special needs of elderly individuals and individuals with disabilities program

authorized

under section 5310 of title 49, United States Code.

(4) Remainder.--The remainder of the net project costs--

(A) may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local social service agency or a private social service organization, or new capital; and

(B) may be derived from amounts appropriated to or made available to a department or agency of the Government (other than the Department of

Transportation)

that are eligible to be expended for transportation.

(5) Use of certain funds.--For purposes of paragraph

(4)(B),

the prohibitions on the use of funds for matching requirements under section 403(a)(5)(C)(vii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal or State funds to be used for transportation purposes.

(6) Eligible activities.--Projects eligible under the pilot program may include the collection of data necessary to support the report to Congress required by paragraph (7).

(7) Report.--Not later than 2 years after the date of enactment of this Act, the Secretary shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and

Urban

Affairs of the Senate a report on the pilot program, which may include--

(A) the extent to which funds were used to

subsidize

existing paratransit service provided in compliance

with

the Americans with Disabilities Act of 1990;

(B) whether States participating in the pilot program use the funds to provide services to persons

with disabilities that exceed those services required
by
the Americans with Disabilities Act of 1990 differently
than States not in the pilot program;
 (C) whether States participating in this pilot
program use the funds to provide services to
individuals
with disabilities that exceed those services required
by
the Americans with Disabilities Act of 1990 to the
detriment of other eligible projects;

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 (D) the percentage of funds used to assist elderly
individuals;
 (E) the percentage of funds used to assist
individuals with disabilities;
 (F) the extent to which States participating in
this
pilot program serve a wider range of elderly, low
income, and persons with disabilities populations;
 (G) whether the pilot program improves services to
elderly individuals and individuals with disabilities;
 (H) the extent to which States participating in the
pilot program were able to expand the range of
transportation alternatives available to elderly
individuals and individuals with disabilities; and
 (I) whether the pilot program facilitates or
discourages coordination with or integration of other
funding sources.

(8) Sunset.--This subsection shall cease to be effective on
September 30, 2009.

(c) Chapter Analysis.--The analysis for chapter 53 is amended by
striking the item relating to section 5310 and inserting the following:

``5310. Formula grants for special needs of elderly individuals and
individuals with disabilities.''.

SEC. 3013. FORMULA GRANTS FOR OTHER THAN URBANIZED AREAS.

(a) Definitions.--Section 5311(a) is amended to read as follows:
``(a) Definitions.--As used in this section, the following
definitions shall apply:

 ``(1) Recipient.--The term `recipient' means a State or
Indian tribe that receives a Federal transit program grant
directly from the Federal Government.

 ``(2) Subrecipient.--The term `subrecipient' means a State
or local governmental authority, a nonprofit organization, or

an
operator of public transportation or intercity bus service that
receives Federal transit program grant funds indirectly through
a recipient.''.

(b) General Authority.--Section 5311(b) is amended to read as
follows:

``(b) General Authority.--

``(1) Grants authorized.--Except as provided by paragraph (2), the Secretary may award grants under this section to recipients located in areas other than urbanized areas for--

``(A) public transportation capital projects;

``(B) operating costs of equipment and facilities for use in public transportation; and

``(C) the acquisition of public transportation services, including service agreements with private providers of public transportation services.

``(2) State program.--

``(A) In general.--A project eligible for a grant under this section shall be included in a State program for public transportation service projects, including agreements with private providers of public transportation service.

``(B) Submission to secretary.--Each State shall submit to the Secretary annually the program described in subparagraph (A).

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``(C) Approval.--The Secretary may not approve the program unless the Secretary determines that--

distribution
``(i) the program provides a fair

of amounts in the State, including Indian reservations; and

``(ii) the program provides the maximum feasible coordination of public transportation service assisted under this section with transportation service assisted by other Federal sources.

``(3) Rural transportation assistance program.--

``(A) In general.--The Secretary shall carry out a rural transportation assistance program in other than urbanized areas.

percent
``(B) Grants and contracts.--In carrying out this paragraph, the Secretary may use not more than 2

of the amount made available to carry out this section to make grants and contracts for transportation research, technical assistance, training, and related support services in other than urbanized areas.

``(C) Projects of a national scope.--Not more than 15 percent of the amounts available under subparagraph (B) may be used by the Secretary to carry out projects of a national scope, with the remaining balance

provided

to the States.

``(4) Data collection.--Each recipient under this section shall submit an annual report to the Secretary containing information on capital investment, operations, and service provided with funds received under this section, including--

``(A) total annual revenue;

``(B) sources of revenue;

``(C) total annual operating costs;

- ``(D) total annual capital costs;
- ``(E) fleet size and type, and related facilities;
- ``(F) revenue vehicle miles; and
- ``(G) ridership.''.

(c) Apportionments.--Section 5311(c) is amended to read as follows:

``(c) Apportionments.--

``(1) Public transportation on indian reservations.--Of the amounts made available or appropriated for each fiscal year pursuant to subsections (a)(1)(C)(v) and (b)(2)(G) of section 5338, the following amounts shall be apportioned for grants to Indian tribes for any purpose eligible under this section,

under

such terms and conditions as may be established by the Secretary:

- ``(A) \$8,000,000 for fiscal year 2006.
- ``(B) \$10,000,000 for fiscal year 2007.
- ``(C) \$12,000,000 for fiscal year 2008.
- ``(D) \$15,000,000 for fiscal year 2009.

``(2) Remaining amounts.--Of the amounts made available or appropriated for each fiscal year pursuant to subsections (a)(1)(C)(v) and (b)(2)(G) of section 5338 that are not apportioned under paragraph (1)--

- ``(A) 20 percent shall be apportioned to the States in accordance with paragraph (3); and
- ``(B) 80 percent shall be apportioned to the States in accordance with paragraph (4).

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``(3) Apportionments based on land area in nonurbanized areas.--

each

``(A) In general.--Subject to subparagraph (B),

State shall receive an amount that is equal to the amount apportioned under paragraph (2)(A) multiplied by the ratio of the land area in areas other than

urbanized

areas in that State and divided by the land area in all areas other than urbanized areas in the United States, as shown by the most recent decennial census of population.

receive

``(B) Maximum apportionment.--No State shall

this

more than 5 percent of the amount apportioned under

paragraph.

``(4) Apportionments based on population in nonurbanized areas.--Each State shall receive an amount equal to the amount apportioned under paragraph (2)(B) multiplied by the ratio of the population of areas other than urbanized areas in that

State

divided by the population of all areas other than urbanized areas in the United States, as shown by the most recent decennial census of population.''.

(d) Use for Administration, Planning, and Technical Assistance.--

Section 5311(e) is amended--

- (1) in the subsection heading by inserting `` , Planning, '' after ``Administration'';
- (2) by striking ``(1) The Secretary'' and inserting ``The Secretary'';
- (3) by striking paragraph (2); and
- (4) by striking ``recipient'' and inserting ``subrecipient''.

(e) Intercity Bus Transportation.--Section 5311(f) is amended--

- (1) in paragraph (1)--
 - (A) by striking ``(1) A State'' and inserting the following:
``(1) In general.--A State'';
 - (B) by striking ``after September 30, 1993, ''; and
 - (C) by moving subparagraphs (A) through (D) 2 ems

to

- the right; and
- (2) in paragraph (2)--
 - (A) by striking ``(2) A State'' and inserting the following:
``(2) Certification.--A State''; and
 - (B) by striking ``Secretary of Transportation'' and inserting ``Secretary, after consultation with affected intercity bus service providers, ''.

(f) Government Share of Costs.--Section 5311(g) is amended to read as follows:

- ``(g) Government Share of Costs.--
 - ``(1) Capital projects.--
 - ``(A) In general.--Except as provided by subparagraph (B), a grant awarded under this section for any purpose other than operating assistance shall be for 80 percent of the net capital costs of the project, as determined by the Secretary.
 - ``(B) Exception.--A State described in section 120(b) of title 23 shall receive a Government share of the net capital costs in accordance with the formula under that section.
 - ``(2) Operating assistance.--

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- ``(A) In general.--Except as provided by subparagraph (B), a grant made under this section for operating assistance may not exceed 50 percent of the net operating costs of the project, as determined by the Secretary.
- ``(B) Exception.--A State described in section 120(b) of title 23 shall receive a Government share of the net operating costs equal to 62.5 percent of the Government share provided for under paragraph (1)(B).
- ``(3) Remainder.--The remainder of net project costs--
 - ``(A) may be provided from an undistributed cash

surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local social service agency or a private social service organization, or new capital;

``(B) may be derived from amounts appropriated or otherwise made available to a department or agency of the Government (other than the Department of Transportation) that are eligible to be expended for transportation; and

``(C) notwithstanding subparagraph (B), may be derived from amounts made available to carry out the Federal lands highway program established by section

204

of title 23.

``(4) Use of certain funds.--For purposes of paragraph (3)(B), the prohibitions on the use of funds for matching requirements under section 403(a)(5)(C)(vii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal or State funds to be used for transportation purposes.

``(5) Limitation on operating assistance.--A State carrying out a program of operating assistance under this section may

not

limit the level or extent of use of the Government grant for

the

payment of operating expenses.''.

(g) Relationship to Other Laws.--Section 5311 is amended--

(1) by striking subsection (h); and

(2) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively.

(h) Waiver Condition.--Section 5311(j)(1) is amended by striking ``but the Secretary of Labor may waive the application of section 5333(b)'' and inserting ``if the Secretary of Labor utilizes a special warranty that provides a fair and equitable arrangement to protect the interests of employees''.

(i) Correction to Chapter Analysis.--The analysis for chapter 53 is amended by striking the item relating to section 5311 and inserting the following:

``5311. Formula grants for other than urbanized areas.''.

SEC. 3014. RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROJECTS.

(a) In General.--Section 5312(a) is amended to read as follows:

``(a) Research, Development, Demonstration, and Deployment Projects.--

``(1) In general.--The Secretary may make grants, contracts,

cooperative agreements, and other agreements (including agreements with departments, agencies, and instrumentalities of the United States Government) for research, development, demonstration, and deployment projects, and evaluation of technology of national significance to public transportation, that

the Secretary determines will improve public transportation service or help public transportation service meet the total transportation needs at a minimum cost.

``(2) Information.--The Secretary may request and receive appropriate information from any source.

the
``(3) Savings provision.--This subsection does not limit authority of the Secretary under any other law.''.

(b) Joint Partnership Program for Deployment of Innovation.--
Section

5312 is amended by striking subsections (b) and (c) and redesignating subsections (d) and (e) as subsections (b) and (c), respectively.

(c) International Mass Transportation Program.--Section 5312(c)(2) (as redesignated by subsection (b) of this section) is amended by striking ``public and private'' and inserting ``public or private''.

(d) Funding.--Section 5312(c)(3) (as redesignated by subsection (b) of this section) is amended by striking ``shall be accounted for separately within the Mass Transit Account of the Highway Trust Fund and''.

(e) Conforming Amendments.--

(1) Section heading.--Section 5312 is amended by striking the section heading and inserting the following:

``Sec. 5312. Research, development, demonstration, and deployment projects''.

(2) Chapter analysis.--The analysis for chapter 53 is amended by striking the item relating to section 5312 and inserting the following:

``5312. Research, development, demonstration, and deployment projects.''.

SEC. 3015. TRANSIT COOPERATIVE RESEARCH PROGRAM.

(a) In General.--Section 5313 is amended--

(1) by striking subsection (b);

(2) in subsection (a)--

(A) in paragraph (1) by striking ``(1) The amounts made available under paragraphs (1) and (2)(C)(ii) of section 5338(c) of this title'' and inserting ``The amounts made available under subsections (a)(5)(C)(iii) and (d)(1) of section 5338''; and

(B) in paragraph (2) by striking ``(2) The Secretary'' and inserting the following:

``(b) Federal Assistance.--The Secretary''; and

(3) by striking subsection (c) and inserting the following:

``(c) Government's Share.--If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this section, the Secretary shall establish a Government share consistent with that benefit.''.

(b) Conforming Amendments.--

(1) Section heading.--Section 5313 is amended by striking the section heading and inserting the following:

``Sec. 5313. Transit cooperative research program''.

(2) Chapter analysis.--The analysis for chapter 53 is amended by striking the item relating to section 5313 and inserting the following:

``5313. Transit cooperative research program.''.

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SEC. 3016. NATIONAL RESEARCH AND TECHNOLOGY PROGRAMS.

(a) In General.--Section 5314 is amended--

(1) by striking the section heading and inserting the following:

``Sec. 5314. National research programs'';

(2) in subsection (a)(1)--

(A) by striking ``subsections (d) and (h)(7) of section 5338 of this title'' and inserting ``section 5338(d)'';

(B) by striking ``and contracts'' and inserting ``contracts, cooperative agreements, or other agreements'';

(C) by striking ``5303-5306,''; and

(D) by striking ``5317,'';

(3) in subsection (a)(2) by striking ``Of the amounts'' and all that follows through ``\$3,000,000 to'' and inserting ``The Secretary shall'';

(4) by striking subsection (a)(4)(B);

(5) by redesignating subsection (a)(4)(C) as subsection (a)(4)(B);

(6) by adding at the end of subsection (a) the following:

``(6) Medical transportation demonstration grants.--

``(A) Grants authorized.--The Secretary may award demonstration grants, from funds made available under paragraph (1), to eligible entities to provide transportation services to individuals to access dialysis treatments and other medical treatments for renal disease.

``(B) Eligible entities.--An entity shall be eligible to receive a grant under this paragraph if the entity--

``(i) meets the conditions described in section 501(c)(3) of the Internal Revenue Code of 1986; or

``(ii) is an agency of a State or unit of local government.

``(C) Use of funds.--Grant funds received under

this

paragraph may be used to provide transportation

services

to individuals to access dialysis treatments and other

medical treatments for renal disease.

``(D) Application.--

``(i) In general.--Each eligible entity desiring a grant under this paragraph shall

submit

an application to the Secretary at such time, at such place, and containing such information as

the

Secretary may reasonably require.

``(ii) Selection of grantees.--In awarding grants under this paragraph, the Secretary shall give preference to eligible entities from communities with--

``(I) high incidence of renal disease; and

``(II) limited access to dialysis facilities.

``(E) Rulemaking.--The Secretary shall issue regulations to implement and administer the grant program established under this paragraph.

``(F) Report.--The Secretary shall submit a report on the results of the demonstration projects funded under this paragraph to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.''.

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(7) in subsection (b) by striking ``or contract'' and all that follows through ``section,'' and inserting `` , contract, cooperative agreement, or other agreement under subsection (a) or section 5312, '' ; and

(b) National Technical Assistance Center for Senior Transportation.--Section 5314 is amended by adding at the end the following:

``(c) National Technical Assistance Center for Senior Transportation.--

``(1) Establishment.--The Secretary shall award grants to a national not-for-profit organization for the establishment and maintenance of a national technical assistance center.

``(2) Eligibility.--An organization shall be eligible to receive a grant under paragraph (1) if the organization--

``(A) focuses significantly on serving the needs of the elderly;

``(B) has demonstrated knowledge and expertise in senior transportation policy and planning issues;

``(C) has affiliates in a majority of the States;

``(D) has the capacity to convene local groups to consult on operation and development of senior transportation programs; and

``(E) has established close working relationships with the Federal Transit Administration and the Administration on Aging.

``(3) Use of funds.--The national technical assistance center established under this section shall--

``(A) gather best practices from throughout the Nation and provide such practices to local communities that are implementing senior transportation programs;

``(B) work with teams from local communities to identify how the communities are successfully meeting the transportation needs of senior citizens and any

gaps

in services in order to create a plan for an integrated senior transportation program;

``(C) provide resources on ways to pay for senior transportation services;

``(D) create a web site to publicize and circulate information on senior transportation programs;

``(E) establish a clearinghouse for print, video, and audio resources on senior mobility; and

``(F) administer the demonstration grant program established under paragraph (4).

``(4) Grants authorized.--

assistance

``(A) In general.--The national technical

center established under this section, in consultation with the Federal Transit Administration, shall award senior transportation demonstration grants to--

``(i) local transportation organizations;

``(ii) State agencies;

``(iii) units of local government; and

``(iv) nonprofit organizations.

``(B) Use of funds.--Grant funds received under

this

paragraph may be used to--

``(i) evaluate the state of transportation services for senior citizens;

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``(ii) recognize barriers to mobility that senior citizens encounter in their communities;

``(iii) establish partnerships and promote coordination among community stakeholders, including public, not-for-profit, and for-profit providers of transportation services for senior citizens;

of

``(iv) identify future transportation needs

senior citizens within local communities; and

``(v) establish strategies to meet the unique needs of healthy and frail senior citizens.

``(C) Selection of grantees.--The Secretary shall select grantees under this paragraph based on a fair representation of various geographical locations throughout the United States.''.
''.

(c) Alternative Fuels Study.--

(1) Study.--The Secretary shall conduct a study of the actions necessary to facilitate the purchase of increased volumes of alternative fuels (as defined in section 301 of the Energy Policy Act of 1992 (42 U.S.C. 13211)) for use in public

transit vehicles.

(2) Scope of study.--The study conducted under this subsection shall focus on the incentives necessary to increase the use of alternative fuels in public transit vehicles, including buses, fixed guideway vehicles, and ferries.

(3) Contents.--The study shall consider--

(A) the environmental benefits of increased use of alternative fuels in transit vehicles;

(B) existing opportunities available to transit system operators that encourage the purchase of alternative fuels for transit vehicle operation;

(C) existing barriers to transit system operators that discourage the purchase of alternative fuels for transit vehicle operation, including situations where alternative fuels that do not require capital improvements to transit vehicles are disadvantaged over fuels that do require such improvements; and

(D) the necessary levels and type of support necessary to encourage additional use of alternative fuels for transit vehicle operation.

(4) Recommendations.--The study shall recommend regulatory and legislative alternatives that will result in the increased use of alternative fuels in transit vehicles.

(5) Report.--Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the results of the study completed under this subsection.

(d) Conforming Amendment.--The analysis for chapter 53 is amended by striking the item relating to section 5314 and inserting the following:

``5314. National research programs.''.

SEC. 3017. NATIONAL TRANSIT INSTITUTE.

(a) Establishment and Duties.--Section 5315 is amended by striking subsections (a) and (b) and inserting the following:

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``(a) Establishment.--The Secretary shall award grants to Rutgers University to conduct a national transit institute.

``(b) Duties.--

``(1) In general.--In cooperation with the Federal Transit Administration, State transportation departments, public transportation authorities, and national and international entities, the institute established under subsection (a) shall develop and conduct training and educational programs for Federal, State, and local transportation employees, United States citizens, and foreign nationals engaged or to be engaged in Government-aid public transportation work.

``(2) Training and educational programs.--The training and educational programs developed under paragraph (1) may include courses in recent developments, techniques, and procedures

related to--
planning; ``(A) intermodal and public transportation
 ``(B) management;
 ``(C) environmental factors;
 ``(D) acquisition and joint use rights-of-way;
 ``(E) engineering and architectural design;
 ``(F) procurement strategies for public
transportation systems;
 ``(G) turnkey approaches to delivering public
transportation systems;
 ``(H) new technologies;
 ``(I) emission reduction technologies;
 ``(J) ways to make public transportation accessible
to individuals with disabilities;
 ``(K) construction, construction management,
insurance, and risk management;
 ``(L) maintenance;
 ``(M) contract administration;
 ``(N) inspection;
 ``(O) innovative finance;
 ``(P) workplace safety; and
 ``(Q) public transportation security.''.

(b) Availability of Amounts.--Section 5315(d) is amended by
striking
``mass'' each place it appears.

SEC. 3018. JOB ACCESS AND REVERSE COMMUTE FORMULA GRANTS.

(a) In General.--Chapter 53 is amended by inserting after section
5315 the following:

``Sec. 5316. Job access and reverse commute formula grants

``(a) Definitions.--In this section, the following definitions
apply:

 ``(1) Access to jobs project.--The term `access to jobs
project' means a project relating to the development and
maintenance of transportation services designed to transport
welfare recipients and eligible low-income individuals to and
from jobs and activities related to their employment,
including--

 ``(A) transportation projects to finance planning,
capital, and operating costs of providing access to
jobs
 under this chapter;

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 ``(B) promoting public transportation by low-income
workers, including the use of public transportation by
workers with nontraditional work schedules;

 ``(C) promoting the use of transit vouchers for
welfare recipients and eligible low-income individuals;
and

 ``(D) promoting the use of employer-provided

transportation, including the transit pass benefit program under section 132 of the Internal Revenue Code of 1986.

``(2) Eligible low-income individual.--The term `eligible low-income individual' means an individual whose family income is at or below 150 percent of the poverty line (as that term is defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by

that

section) for a family of the size involved.

``(3) Recipient.--The term `recipient' means a designated recipient (as defined in section 5307(a)(2)) and a State that receives a grant under this section directly.

``(4) Reverse commute project.--The term `reverse commute project' means a public transportation project designed to transport residents of urbanized areas and other than urbanized areas to suburban employment opportunities, including any projects to--

``(A) subsidize the costs associated with adding reverse commute bus, train, carpool, van routes, or service from urbanized areas and other than urbanized areas to suburban workplaces;

nonprofit

``(B) subsidize the purchase or lease by a organization or public agency of a van or bus dedicated to shuttling employees from their residences to a suburban workplace; or

``(C) otherwise facilitate the provision of public transportation services to suburban employment opportunities.

``(5) Subrecipient.--The term `subrecipient' means a State or local governmental authority, nonprofit organization, or operator of public transportation services that receives a

grant

under this section indirectly through a recipient.

``(6) Welfare recipient.--The term `welfare recipient'

means

an individual who has received assistance under a State or tribal program funded under part A of title IV of the Social Security Act at any time during the 3-year period before the date on which the applicant applies for a grant under this section.

``(b) General Authority.--

``(1) Grants.--The Secretary may make grants under this section to a recipient for access to jobs and reverse commute projects carried out by the recipient or a subrecipient.

more

``(2) Administrative expenses.--A recipient may use not

than 10 percent of the amounts apportioned to the recipient under this section to administer, plan, and provide technical assistance for a project funded under this section.

``(c) Apportionments.--

``(1) Formula.--The Secretary shall apportion amounts made available for a fiscal year to carry out this section as follows:

``(A) 60 percent of the funds shall be apportioned among designated recipients (as defined in section 5307(a)(2)) for

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urbanized areas with a population of 200,000 or more in the ratio that--

``(i) the number of eligible low-income individuals and welfare recipients in each such urbanized area; bears to

``(ii) the number of eligible low-income individuals and welfare recipients in all such urbanized areas.

``(B) 20 percent of the funds shall be apportioned among the States in the ratio that--

``(i) the number of eligible low-income individuals and welfare recipients in urbanized areas with a population of less than 200,000 in each State; bears to

``(ii) the number of eligible low-income individuals and welfare recipients in urbanized areas with a population of less than 200,000 in all States.

``(C) 20 percent of the funds shall be apportioned among the States in the ratio that--

``(i) the number of eligible low-income individuals and welfare recipients in other than urbanized areas in each State; bears to

``(ii) the number of eligible low-income individuals and welfare recipients in other than urbanized areas in all States.

``(2) Use of apportioned funds.--Except as provided in paragraph (3)--

shall ``(A) funds apportioned under paragraph (1)(A) be used for projects serving urbanized areas with a population of 200,000 or more;

shall ``(B) funds apportioned under paragraph (1)(B) be used for projects serving urbanized areas with a population of less than 200,000; and

shall ``(C) funds apportioned under paragraph (1)(C) be used for projects serving other than urbanized areas.

``(3) Exceptions.--A State may use funds apportioned under paragraphs (1)(B) and (1)(C)--

area ``(A) for projects serving areas other than the specified in paragraph (2)(B) or (2)(C), as the case may be, if the Governor of the State certifies that all of the objectives of this section are being met in the specified area; or

``(B) for projects anywhere in the State if the State has established a statewide program for meeting

the objectives of this section.

``(d) Competitive Process for Grants to Subrecipients.--

``(1) Areawide solicitations.--A recipient of funds apportioned under subsection (c)(1)(A) shall conduct, in cooperation with the appropriate metropolitan planning organization, an areawide solicitation for applications for grants to the recipient and subrecipients under this section.

``(2) Statewide solicitation.--A recipient of funds apportioned under subsection (c)(1)(B) or (c)(1)(C) shall conduct a statewide solicitation for applications for grants to the recipient and subrecipients under this section.

``(3) Application.--Recipients and subrecipients seeking to receive a grant from funds apportioned under subsection (c) shall submit to the recipient an application in the form and

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in accordance with such requirements as the recipient shall establish.

``(4) Grant awards.--The recipient shall award grants under paragraphs (1) and (2) on a competitive basis.

``(e) Transfers.--

``(1) In general.--A State may transfer any funds apportioned to it under subsection (c)(1)(B) or (c)(1)(C), or both, to an apportionment under section 5311(c) or 5336, or both.

``(2) Limited to eligible projects.--Any apportionment transferred under this subsection shall be made available only for eligible job access and reverse commute projects as described in this section.

``(3) Consultation.--A State may make a transfer of an amount under this subsection only after consulting with responsible local officials and publicly owned operators of public transportation in each area for which the amount originally was awarded under subsection (d)(4).

``(f) Grant Requirements.--

``(1) In general.--A grant under this section shall be subject to the requirements of section 5307.

``(2) Fair and equitable distribution.--A recipient of a grant under this section shall certify to the Secretary that allocations of the grant to subrecipients are distributed on a fair and equitable basis.

``(g) Coordination.--

activities ``(1) In general.--The Secretary shall coordinate

under this section with related activities under programs of other Federal departments and agencies.

``(2) With nonprofit providers.--A State that transfers funds to an apportionment under section 5336 pursuant to subsection (e) shall certify to the Secretary that any project for which the funds are requested under this section has been coordinated with nonprofit providers of services.

``(3) Project selection and planning.--A recipient of funds

under this section shall certify to the Secretary that--

``(A) the projects selected were derived from a locally developed, coordinated public transit-human services transportation plan; and

``(B) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and participation by the public.

``(h) Government's Share of Costs.--

under ``(1) Capital projects.--A grant for a capital project this section may not exceed 80 percent of the net capital costs of the project, as determined by the Secretary.

section ``(2) Operating assistance.--A grant made under this for operating assistance may not exceed 50 percent of the net operating costs of the project, as determined by the Secretary.

``(3) Remainder.--The remainder of the net project costs--

``(A) may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local social service agency or a private social service organization, or new capital; and

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or ``(B) may be derived from amounts appropriated to made available to a department or agency of the Government (other than the Department of Transportation)

that are eligible to be expended for transportation.

``(4) Use of certain funds.--For purposes of paragraph (3)(B), the prohibitions on the use of funds for matching requirements under section 403(a)(5)(C)(vii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(vii)) shall not apply to Federal or State funds to be used for transportation purposes.

``(5) Limitation on operating assistance.--A recipient carrying out a program of operating assistance under this section may not limit the level or extent of use of the Government grant for the payment of operating expenses.

``(i) Program Evaluation.--

``(1) Comptroller general.--Beginning one year after the date of enactment of the Federal Public Transportation Act of 2005, and every 2 years thereafter, the Comptroller General shall--

``(A) conduct a study to evaluate the grant program authorized by this section; and

``(B) transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report describing the results of the study under subparagraph (A).

``(2) <<NOTE: Deadline.>> Department of transportation.--

Not

Public later than 3 years after the date of enactment of Federal

Transportation Act of 2005, the Secretary shall--

``(A) conduct a study to evaluate the effectiveness of the grant program authorized by this section and the effectiveness of recipients making grants to subrecipients under this section; and

``(B) <<NOTE: Reports.>> transmit to the committees referred to in paragraph (1)(B) a report describing the results of the study under subparagraph (A).''.

(b) Conforming Amendment.--The analysis for chapter 53 is amended by inserting after the item relating to section 5315 the following:

``5316. Job access and reverse commute formula grants.''.

(c) Repeal.--Effective <<NOTE: 49 USC 5309 note.>> October 1, 2005, section 3037 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5309 note; 112 Stat. 387) is repealed.

SEC. 3019. NEW FREEDOM PROGRAM.

(a) In General.--Chapter 53 is amended by inserting after section 5316 the following:

``Sec. 5317. New freedom program

``(a) Definitions.--In this section, the following definitions apply:

``(1) Recipient.--The term `recipient' means a designated recipient (as defined in section 5307(a)(2)) and a State that receives a grant under this section directly.

grant
``(2) Subrecipient.--The term `subrecipient' means a State or local governmental authority, nonprofit organization, or operator of public transportation services that receives a grant under this section indirectly through a recipient.

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``(b) General Authority.--

``(1) Grants.--The Secretary may make grants under this section to a recipient for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) that assist individuals with disabilities with transportation, including transportation to and from jobs and employment support services.

more
``(2) Administrative expenses.--A recipient may use not more than 10 percent of the amounts apportioned to the recipient under this section to administer, plan, and provide technical assistance for a project funded under this section.

``(c) Apportionments.--

``(1) Formula.--The Secretary shall apportion amounts made

available to carry out this section as follows:

``(A) 60 percent of the funds shall be apportioned among designated recipients (as defined in section 5307(a)(2)) for urbanized areas with a population of 200,000 or more in the ratio that--

to
``(i) the number of individuals with disabilities in each such urbanized area; bears

``(ii) the number of individuals with disabilities in all such urbanized areas.

``(B) 20 percent of the funds shall be apportioned among the States in the ratio that--

``(i) the number of individuals with disabilities in urbanized areas with a population of less than 200,000 in each State; bears to

``(ii) the number of individuals with disabilities in urbanized areas with a population of less than 200,000 in all States.

``(C) 20 percent of the funds shall be apportioned among the States in the ratio that--

each
``(i) the number of individuals with disabilities in other than urbanized areas in

State; bears to

``(ii) the number of individuals with disabilities in other than urbanized areas in all States.

``(2) Use of apportioned funds.--Funds apportioned under paragraph (1) shall be used for projects as follows:

shall
``(A) Funds apportioned under paragraph (1)(A)

be used for projects serving urbanized areas with a population of 200,000 or more.

shall
``(B) Funds apportioned under paragraph (1)(B)

be used for projects serving urbanized areas with a population of less than 200,000.

shall
``(C) Funds apportioned under paragraph (1)(C)

areas.
be used for projects serving other than urbanized

``(3) Transfers.--

5336,
``(A) In general.--A State may transfer any funds apportioned to it under paragraph (1)(B) or (1)(C), or both, to an apportionment under section 5311(c) or

or both.

this
``(B) Limited to eligible projects.--Any funds transferred pursuant to this paragraph shall be made available only for eligible projects selected under

section.

``(C) Consultation.--A State may make a transfer of an amount under this subsection only after consulting

with responsible local officials and publicly owned operators of public transportation in each area for which the amount originally was awarded under

subsection

(d)(4).

``(d) Competitive Process for Grants to Subrecipients.--

``(1) Areawide solicitations.--A recipient of funds apportioned under subsection (c)(1)(A) shall conduct, in cooperation with the appropriate metropolitan planning organization, an areawide solicitation for applications for grants to the recipient and subrecipients under this section.

``(2) Statewide solicitation.--A recipient of funds apportioned under subsection (c)(1)(B) or (c)(1)(C) shall conduct a statewide solicitation for applications for grants to the recipient and subrecipients under this section.

``(3) Application.--Recipients and subrecipients seeking to receive a grant from funds apportioned under subsection (c) shall submit to the recipient an application in the form and in accordance with such requirements as the recipient shall establish.

``(4) Grant awards.--The recipient shall award grants under paragraphs (1) and (2) on a competitive basis.

``(e) Grant Requirements.--

``(1) In general.--A grant under this section shall be subject to all the requirements of section 5310 to the extent the Secretary considers appropriate.

``(2) Fair and equitable distribution.--A recipient of a grant under this section shall certify that allocations of the grant to subrecipients are distributed on a fair and equitable basis.

``(f) Coordination.--

activities ``(1) In general.--The Secretary shall coordinate

under this section with related activities under programs of other Federal departments and agencies.

``(2) With nonprofit providers.--A recipient that transfers funds to an apportionment under section 5336 pursuant to subsection (c)(2) shall certify that the project for which the funds are requested under this section has been coordinated

with

nonprofit providers of services.

``(3) <<NOTE: Certification.>> Project selection and planning.--Beginning in fiscal year 2007, a recipient of funds under this section shall certify that--

``(A) the projects selected were derived from a locally developed, coordinated public transit-human services transportation plan; and

``(B) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and participation by the public.

``(g) Government's Share of Costs.--

under ``(1) Capital projects.--A grant for a capital project
this section may not exceed 80 percent of the net capital costs
of the project, as determined by the Secretary.
section ``(2) Operating assistance.--A grant made under this
for operating assistance may not exceed 50 percent of the net
operating costs of the project, as determined by the Secretary.
 ``(3) Remainder.--The remainder of the net project costs--

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 ``(A) may be provided from an undistributed cash
surplus, a replacement or depreciation cash fund or
reserve, a service agreement with a State or local
social service agency or a private social service
organization, or new capital; and
 ``(B) may be derived from amounts appropriated to
or
 made available to a department or agency of the
Government (other than the Department of
Transportation)

that are eligible to be expended for transportation.

 ``(4) Use of certain funds.--For purposes of paragraph
(3)(B), the prohibitions on the use of funds for matching
requirements under section 403(a)(5)(C)(vii) of the Social
Security Act (42 U.S.C. 603(a)(5)(C)(vii)) shall not apply to
Federal or State funds to be used for transportation purposes.

 ``(5) Limitation on operating assistance.--A recipient
carrying out a program of operating assistance under this
section may not limit the level or extent of use of the
Government grant for the payment of operating expenses.''.

(b) Conforming Amendment.--The analysis for chapter 53 is amended
by
inserting after the item relating to section 5316 the following:

``5317. New freedom program.''.

SEC. 3020. BUS TESTING FACILITY.

(a) Facility.--Section 5318(a) is amended to read as follows:

 ``(a) Facility.--The Secretary shall maintain one facility for
testing a new bus model for maintainability, reliability, safety,
performance (including braking performance), structural integrity, fuel
economy, emissions, and noise.''.

(b) Availability of Amounts To Pay for Testing.--Section 5318(d) is
amended by striking ``under section 5309(m)(1)(C) of this title'' and
inserting ``to carry out this section''.

(c) Acquiring New Bus Models.--Section 5318(e) is amended to read
as
follows:

 ``(e) Acquiring New Bus Models.--Amounts appropriated or made
available under this chapter may be obligated or expended to acquire a
new bus model only if a bus of that model has been tested at the
facility maintained by the Secretary under subsection (a).''.

SEC. 3021. ALTERNATIVE TRANSPORTATION IN PARKS AND PUBLIC LANDS.

(a) In General.--Chapter 53 is amended by striking section 5320 and inserting the following:

``Sec. 5320. Alternative transportation in parks and public lands

``(a) In General.--

``(1) Authorization.--

``(A) In general.--The Secretary, in consultation with the Secretary of the Interior, may award a grant

or

enter into a contract, cooperative agreement, interagency agreement, intra--agency agreement, or

other

agreement to carry out a qualified project under this section to enhance the protection of national parks and public lands and increase the enjoyment of those visiting the parks and public lands by--

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``(i) ensuring access to all, including persons with disabilities;

``(ii) improving conservation and park and public land opportunities in urban areas through partnering with State and local governments; and

``(iii) improving park and public land transportation infrastructure.

``(B) Consultation with other agencies.--To the extent that projects are proposed or funded in eligible areas that are not within the jurisdiction of the Department of the Interior, the Secretary of the Interior shall consult with the heads of the relevant Federal land management agencies in carrying out the responsibilities under this section.

``(2) Use of funds.--A grant, cooperative agreement, interagency agreement, intra--agency agreement, or other agreement for a qualified project under this section shall be available to finance the leasing of equipment and facilities

for

use in public transportation, subject to any regulation that

the

Secretary may prescribe limiting the grant or agreement to leasing arrangements that are more cost-effective than purchase or construction.

``(3) Alternative transportation facilities and services.--Projects receiving assistance under this section shall provide alternative transportation facilities and services that complement and enhance existing transportation services in national parks and public lands in a manner that is consistent with Department of Interior and other public land management policies regarding private automobile access to and in such parks and lands.

``(b) Definitions.--In this section, the following definitions apply:

``(1) Eligible area.--The term `eligible area' means any federally owned or managed park, refuge, or recreational area that is open to the general public, including--

``(A) a unit of the National Park System;

``(B) a unit of the National Wildlife Refuge

System;

``(C) a recreational area managed by the Bureau of Land Management;

``(D) a recreation area managed by the Bureau of Reclamation; and

``(E) a unit of the National Forest System.

``(2) Federal land management agency.--The term `Federal land management agency' means a Federal agency that manages an eligible area.

``(3) Alternative transportation.--The term `alternative transportation' means transportation by bus, rail, or any other publicly or privately owned conveyance that provides to the public general or special service on a regular basis, including sightseeing service. Such term also includes a nonmotorized transportation system (including the provision of facilities

for

pedestrians, bicycles, and nonmotorized watercraft).

``(4) Qualified participant.--The term `qualified participant' means--

``(A) a Federal land management agency; or

``(B) a State, tribal, or local governmental authority with jurisdiction over land in the vicinity

of

an eligible

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area acting with the consent of the Federal land management agency, alone or in partnership with a Federal land management agency or other governmental or nongovernmental participant.

means ``(5) Qualified project.--The term `qualified project'

a planning or capital project in or in the vicinity of an eligible area that--

``(A) is an activity described in section 5302(a)(1)(A), 5303, 5304, 5305, or 5309(b);

``(B) involves--

``(i) the purchase of rolling stock that incorporates clean fuel technology or the replacement of buses of a type in use on the date of enactment of the Federal Public Transportation Act of 2005 with clean fuel vehicles; or

``(ii) the deployment of alternative transportation vehicles that introduce innovative technologies or methods;

``(C) relates to the capital costs of coordinating the Federal land management agency public

transportation

systems with other public transportation systems;

``(D) provides a nonmotorized transportation system (including the provision of facilities for pedestrians,

bicycles, and nonmotorized watercraft);

``(E) provides waterborne access within or in the vicinity of an eligible area, as appropriate to and consistent with this section; or

``(F) is any other alternative transportation project that--

``(i) enhances the environment;

``(ii) prevents or mitigates an adverse

impact

on a natural resource;

``(iii) improves Federal land management agency resource management;

``(iv) improves visitor mobility and accessibility and the visitor experience;

``(v) reduces congestion and pollution (including noise pollution and visual pollution); or

``(vi) conserves a natural, historical, or cultural resource (excluding rehabilitation or restoration of a non-transportation facility).

``(c) Federal Agency Cooperative Arrangements.--The Secretary shall develop cooperative arrangements with the Secretary of the Interior that

provide for--

``(1) technical assistance in alternative transportation;

``(2) interagency and multidisciplinary teams to develop Federal land management agency alternative transportation policy, procedures, and coordination; and

``(3) the development of procedures and criteria relating

to

the planning, selection, and funding of qualified projects and the implementation and oversight of the program of projects in accordance with this section.

``(d) Limitation on Use of Available Amounts.--

``(1) In general.--The Secretary, in consultation with the Secretary of the Interior, may use not more than 10 percent of the amount made available for a fiscal year under section 5338(b)(2)(J) to carry out planning, research, and technical

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assistance under this section, including the development of technology appropriate for use in a qualified project.

``(2) Additional amounts.--Amounts made available under

this

subsection are in addition to amounts otherwise available to

the

Secretary to carry out planning, research, and technical assistance under this chapter or any other provision of law.

``(3) Maximum amount.--No qualified project shall receive more than 25 percent of the total amount made available to

carry

out this section under section 5338(b)(2)(J) for any fiscal year.

``(e) Planning Process.--In undertaking a qualified project under this section--

``(1) if the qualified participant is a Federal land management agency--

``(A) the Secretary, in cooperation with the Secretary of the Interior, shall develop transportation planning procedures that are consistent with--

``(i) the metropolitan planning provisions under section 5303;

``(ii) the statewide planning provisions

under

section 5304; and

``(iii) the public participation requirements under section 5307(d); and

``(B) in the case of a qualified project that is at a unit of the National Park System, the planning

process

shall be consistent with the general management plans

of

the unit of the National Park System; and

``(2) if the qualified participant is a State or local governmental authority, or more than one State or local governmental authority in more than one State, the qualified participant shall--

``(A) comply with the metropolitan planning provisions under section 5303;

``(B) comply with the statewide planning provisions under section 5304;

``(C) comply with the public participation requirements under section 5307(d); and

``(D) consult with the appropriate Federal land management agency during the planning process.

``(f) Cost Sharing.--

``(1) Government's share.--The Secretary, in cooperation with the Secretary of the Interior, shall establish the Government's share of the net project cost to be provided to a qualified participant under this section.

``(2) Considerations.--In establishing the Government's share of the net project cost to be provided under this

section,

the Secretary shall consider--

from

``(A) visitation levels and the revenue derived

user fees in the eligible area in which the qualified project is carried out;

``(B) the extent to which the qualified participant coordinates with a public transportation authority or private entity engaged in public transportation;

``(C) private investment in the qualified project, including the provision of contract services, joint development activities, and the use of innovative financing mechanisms;

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``(D) the clear and direct benefit to the qualified

participant; and
 `` (E) any other matters that the Secretary
 considers
 appropriate to carry out this section.
 `` (3) Special rule.--Notwithstanding any other provision of
 law, funds appropriated to any Federal land management agency
 may be counted toward the remainder of the net project cost.

`` (g) Selection of Qualified Projects.--
 `` (1) In general.--The Secretary of the Interior, after
 consultation with and in cooperation with the Secretary, shall
 determine the final selection and funding of an annual program
 of qualified projects in accordance with this section.
 `` (2) Considerations.--In determining whether to include a
 project in the annual program of qualified projects, the
 Secretary of the Interior shall consider--
 `` (A) the justification for the qualified project,
 including the extent to which the qualified project
 would conserve resources, prevent or mitigate adverse
 impact, and enhance the environment;
 `` (B) the location of the qualified project, to
 ensure that the selected qualified projects--
 `` (i) are geographically diverse nationwide;
 and
 `` (ii) include qualified projects in eligible
 areas located in both urban areas and rural
 areas;
 `` (C) the size of the qualified project, to ensure
 that there is a balanced distribution;
 `` (D) the historical and cultural significance of a
 qualified project;
 `` (E) safety;
 `` (F) the extent to which the qualified project
 would--
 `` (i) enhance livable communities;
 `` (ii) reduce pollution (including noise
 pollution, air pollution, and visual pollution);
 `` (iii) reduce congestion; and
 `` (iv) improve the mobility of people in the
 most efficient manner; and
 `` (G) any other matters that the Secretary of the
 Interior considers appropriate to carry out this
 section, including--
 `` (i) visitation levels;
 `` (ii) the use of innovative financing or
 joint development strategies; and
 `` (iii) coordination with gateway
 communities.

`` (h) Qualified Projects Carried Out in Advance.--
 `` (1) In general.--When a qualified participant carries out
 any part of a qualified project without assistance under this
 section in accordance with all applicable procedures and
 requirements, the Secretary, in consultation with the Secretary
 of the Interior, may pay the share of the net capital project
 cost of a qualified project if--
 `` (A) the qualified participant applies for the

payment;
 ``(B) the Secretary approves the payment; and
 ``(C) before carrying out that part of the
qualified
project, the Secretary approves the plans and
specifications in the same manner as plans and
specifications are approved for other projects assisted
under this section.

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 ``(2) Financing costs.--
 ``(A) In general.--The cost of carrying out part of
a qualified project under paragraph (1) includes the
amount of interest earned and payable on bonds issued
by
a State or local governmental authority, to the extent
that proceeds of the bond are expended in carrying out
that part.
 ``(B) Limitation on amount of interest.--The rate
of
interest under this paragraph may not exceed the most
favorable rate reasonably available for the qualified
project at the time of borrowing.
 ``(C) Certification.--The qualified participant
shall certify, in a manner satisfactory to the
Secretary, that the qualified participant has exercised
reasonable diligence in seeking the most favorable
interest rate.

 ``(i) Relationship to Other Laws.--
 ``(1) Section 5307.--A qualified participant under this
section shall be subject to the requirements of sections 5307
and 5333(a) to the extent the Secretary determines to be
appropriate.
 ``(2) Other requirements.--A qualified participant under
this section shall be subject to any other requirements that
the
Secretary determines to be appropriate to carry out this
section, including requirements for the distribution of
proceeds
on disposition of real property and equipment resulting from a
qualified project assisted under this section.

 ``(3) Project management plan.--If the amount of assistance
anticipated to be required for a qualified project under this
section is not less than \$25,000,000--
 ``(A) the qualified project shall, to the extent
the
Secretary considers appropriate, be carried out through
a full funding grant agreement in accordance with
section 5309(g); and
 ``(B) the qualified participant shall prepare a
project management plan in accordance with section
5327(a).

 ``(j) Asset Management.--The Secretary, in consultation with the
Secretary of the Interior, may transfer the interest of the Department

of Transportation in, and control over, all facilities and equipment acquired under this section to a qualified participant for use and disposition in accordance with any property management regulations that the Secretary determines to be appropriate.

``(k) Coordination of Research and Deployment of New Technologies.--

-

``(1) Grants and other assistance.--The Secretary, in cooperation with the Secretary of the Interior, may undertake, or make grants, cooperative agreements, contracts (including agreements with departments, agencies, and instrumentalities of the Federal Government) or other agreements for research, development, and deployment of new technologies in eligible areas that will--

``(A) conserve resources;

``(B) prevent or mitigate adverse environmental impact;

``(C) improve visitor mobility, accessibility, and enjoyment; and

``(D) reduce pollution (including noise pollution and visual pollution).

``(2) Information.--The Secretary may request and receive appropriate information from any source.

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``(3) Funding.--Grants, cooperative agreements, contracts, and other agreements under paragraph (1) shall be awarded from amounts allocated under subsection (d)(1).

``(1) Innovative Financing.--A qualified project receiving financial assistance under this section shall be eligible for funding through a State infrastructure bank or other innovative financing mechanism available to finance an eligible project under this chapter.

``(m) Reports.--

``(1) In general.--The Secretary, in consultation with the Secretary of the Interior, shall annually submit a report on the

allocation of amounts made available to assist qualified projects under this section to--

``(A) the Committee on Banking, Housing, and Urban Affairs of the Senate;

``(B) the Committee on Transportation and Infrastructure of the House of Representatives; and

``(C) the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

``(2) Annual reports.--The report required under paragraph (1) shall be included in the report submitted under section 5309(k)(1).''.

(b) Conforming Amendment.--The analysis for chapter 53 is amended by striking the item relating to section 5320 and inserting the following:

``5320. Alternative transportation in parks and public lands.''.

SEC. 3022. HUMAN RESOURCES PROGRAMS.

Section 5322 is amended--

- (1) by inserting ``(a) In General.--'' before ``The Secretary''; and
- (2) by adding at the end the following:

``(b) Fellowships.--

train
``(1) Authority to make grants.--The Secretary may make grants to States, local governmental authorities, and operators of public transportation systems to provide fellowships to personnel employed in managerial, technical, and professional positions in the public transportation field.

``(2) Terms.--

``(A) Period of training.--A fellowship under this subsection may not be for more than 1 year of training in an institution that offers a program applicable to the public transportation industry.

``(B) Selection of individuals.--A recipient of a grant for a fellowship under this subsection shall select an individual on the basis of demonstrated ability and for the contribution the individual reasonably can be expected to make to an efficient public transportation operation.

``(C) Amount.--A grant for a fellowship under this subsection may not be more than the lesser of \$65,000

or

75 percent of the sum of--

``(i) tuition and other charges to the fellowship recipient;

``(ii) additional costs incurred by the training institution and billed to the grant recipient; and

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``(iii) the regular salary of the fellowship recipient for the period of the fellowship to the extent the salary is actually paid or reimbursed by the grant recipient.''.

SEC. 3023. GENERAL PROVISIONS ON ASSISTANCE.

(a) Interests in Property.--Section 5323(a) is amended--

- (1) by striking paragraph (1) and inserting the following:

used
``(1) In general.--Financial assistance provided under this chapter to a State or a local governmental authority may be

to acquire an interest in, or to buy property of, a private company engaged in public transportation, for a capital project for property acquired from a private company engaged in public transportation after July 9, 1964, or to operate a public transportation facility or equipment in competition with, or in addition to, transportation service provided by an existing public transportation company, only if--

``(A) the Secretary determines that such financial

assistance is essential to a program of projects required under sections 5303, 5304, and 5306;

``(B) the Secretary determines that the program provides for the participation of private companies engaged in public transportation to the maximum extent feasible; and

``(C) just compensation under State or local law will be paid to the company for its franchise or property.''; and

(2) in paragraph (2) by striking ``(2) A governmental authority'' and inserting the following:

``(2) Limitation.--A governmental authority''.

(b) Notice and Public Hearing.--Section 5323(b) is amended to read as follows:

``(b) Notice and Public Hearing.--

``(1) In general.--For a capital project that will substantially affect a community, or the public transportation service of a community, an applicant shall--

``(A) provide an adequate opportunity for public review and comment on the project;

``(B) after providing notice, hold a public hearing on the project if the project affects significant economic, social, or environmental interests;

``(C) consider the economic, social, and environmental effects of the project; and

``(D) find that the project is consistent with official plans for developing the community.

``(2) Notice.--Notice of a hearing under this subsection--

``(A) shall include a concise description of the proposed project; and

``(B) shall be published in a newspaper of general circulation in the geographic area the project will serve.

``(3) Application requirements.--An application for a grant under this chapter for a capital project described in paragraph (1) shall include--

``(A) <<NOTE: Certification.>> a certification that the applicant has complied with the requirements of

this

subsection; and

``(B) in the environmental record for the project, evidence that the applicant has complied with the requirements of this subsection.''.

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(c) Fares not Required.--Section 5323(c) is amended to read as follows:

``(c) Fares not Required.--This chapter does not require that elderly individuals and individuals with disabilities be charged a fare.''.

(d) Condition on Charter Bus Transportation Service.--Section 5323(d) is amended--

(1) by striking ``(1) Financial assistance'' and inserting the following:

``(1) Agreements.--Financial assistance''; and

(2) by striking paragraph (2) and inserting the following:

``(2) Violations.--

``(A) Investigations.--On receiving a complaint about a violation of the agreement required under paragraph (1), the Secretary shall investigate and decide whether a violation has occurred.

``(B) Enforcement of agreements.--If the Secretary decides that a violation has occurred, the Secretary shall correct the violation under terms of the agreement.

``(C) Additional remedies.--In addition to any remedy specified in the agreement, the Secretary shall bar a recipient or an operator from receiving Federal transit assistance in an amount the Secretary considers appropriate if the Secretary finds a pattern of violations of the agreement.''.

(e) Bond Proceeds Eligible for Local Share.--Section 5323(e) is amended to read as follows:

``(e) Bond Proceeds Eligible for Local Share.--

``(1) Use as local matching funds.--Notwithstanding any other provision of law, a recipient of assistance under section 5307 or 5309 may use the proceeds from the issuance of revenue bonds as part of the local matching funds for a capital project.

``(2) Maintenance of effort.--The Secretary shall approve of the use of the proceeds from the issuance of revenue bonds for the remainder of the net project cost only if the Secretary finds that the aggregate amount of financial support for public transportation in the urbanized area provided by the State and affected local governmental authorities during the next 3 fiscal years, as programmed in the State transportation improvement program under section 5304, is not less than the aggregate amount provided by the State and affected local governmental authorities in the urbanized area during the preceding 3 fiscal years.

``(3) Debt service reserve.--The Secretary may reimburse an eligible recipient for deposits of bond proceeds in a debt service reserve that the recipient establishes pursuant to section 5302(a)(1)(K) from amounts made available to the recipient under section 5309.

``(4) Pilot program for urbanized areas.--

``(A) <<NOTE: Establishment.>> In general.--The Secretary shall establish a pilot program to reimburse not to exceed 10 eligible recipients for deposits of bond proceeds in a debt service reserve that the recipient establishes pursuant to section 5302(a)(1)(K) from amounts made available to the recipient under section 5307.

``(B) Report.--Not later than July 31, 2008, the Secretary shall submit to the Committee on Banking, Housing,

and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status and effectiveness

of the pilot program established under subparagraph (A).''.

(f) Schoolbus Transportation.--Section 5323(f) is amended--

(1) by striking ``(1) Financial assistance'' and inserting the following:

``(1) Agreements.--Financial assistance'';

(2) in paragraph (1) by moving subparagraphs (A), (B), and (C) 2 ems to the right; and

(3) by striking paragraph (2) and inserting the following:

``(2) Violations.--If the Secretary finds that an

applicant,

governmental authority, or publicly owned operator has violated the agreement required under paragraph (1), the Secretary shall bar a recipient or an operator from receiving Federal transit assistance in an amount the Secretary considers appropriate.''.

(g) Buying Buses Under Other Laws.--Section 5323(g) is amended by striking ``103(e)(4) and 142(a) or (c)'' each place it appears and inserting ``133 and 142''.

(h) Government's Share of Costs for Certain Projects.--Section 5323(i) is amended--

(1) in the subsection heading by striking ``Government'' and

inserting ``Government's'';

(2) by striking ``A grant'' and inserting the following:

``(1) Equipment for ada and clean air act compliance.--A grant'';

(3) by inserting ``or facilities'' after ``equipment'' each place it appears; and

(4) by adding at the end the following:

``(2) Certain state owned railroads.--The Government share for financial assistance under this chapter to a State-owned railroad (as defined in section 603 of the Rail Safety and Service Improvement Act of 1982 (45 U.S.C. 1202)) shall be the same as the Government share under section 120(b) of title 23 for Federal-aid highway funds apportioned to the State in which the railroad operates.''.

(i) Buy America.--

(1) Public interest waiver.--Section 5323(j) is amended--

(A) by redesignating paragraphs (3) through (7) as paragraphs (4) through (8), respectively; and

(B) by inserting after paragraph (2) the following:

``(3) Written justification for public interest waiver.--

When issuing a waiver based on a public interest determination under paragraph (2)(A), the Secretary shall issue a detailed written justification as to why the waiver is in the public interest. <<NOTE: Federal Register, publication.>> The

Secretary

shall publish such justification in the Federal Register and provide the public with a reasonable period of time for notice and comment.''.

(2) Ineligibility for contracts.--Section 5323(j)(6) (as so redesignated) is amended by striking ``Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240, 105 Stat. 1914)'' and inserting ``Federal Public Transportation Act of 2005''.

(3) Administrative review.--Section 5323(j) is amended by adding at the end the following:

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``(9) Administrative review.--A party adversely affected by an agency action under this subsection shall have the right to seek review under section 702 of title 5.''.

(4) <<NOTE: Effective date.>> Repeal of general waiver.--Subsections (b) and (c) of Appendix A of section 661.7 of title 49, Code of Federal Regulations, shall cease to be in effect beginning on the date of enactment of this Act.

(5) <<NOTE: Deadline. 49 USC 5323 note.>> Rulemaking.--Not later than 180 days after the date of enactment of this Act,

the

Secretary shall issue a final rule on implementation of the requirements of section 5323(j) of title 49, United States Code (in this paragraph referred to as the ``Buy America requirements''). The purposes of the regulations shall be as follows:

(A) Microprocessor waiver.--To clarify that any waiver from the Buy America requirements issued under section 5323(j)(2) of such title for a microprocessor, computer, or microcomputer applies only to a device

used

solely for the purpose of processing or storing data

and

does not extend to a product containing a microprocessor, computer, or microcomputer.

(B) Definitions.--To define the terms ``end product'', ``negotiated procurement'', and ``contractor'' for purposes of part 661 of title 49, Code of Federal Regulations. In defining the terms, the Secretary shall develop a list of representative items that are subject to the Buy America requirements, and shall address the procurement of systems under the definition to ensure that major system procurements are not used to circumvent the Buy America requirements.

(C) Post-award waivers.--To permit a grantee to request a non-availability waiver from the Buy America requirements under section 661.7c of title 49, Code of Federal Regulations, after contract award in any case

in

which the contractor has made a certification of compliance with the requirements in good faith.

(D) Certification under negotiated procurement process.--In any case in which a negotiated procurement process is used, compliance with the Buy America requirements shall be determined on the basis of the certification submitted with the final offer.

(j) Relationship to Other Laws.--Section 5323(l) is amended to read

as follows:

``(1) <<NOTE: Applicability.>> Relationship to Other Laws.--Section 1001 of title 18 applies to a certificate, submission, or statement provided under this chapter. The Secretary may terminate financial assistance under this chapter and seek reimbursement directly, or by offsetting amounts, available under this chapter if the Secretary determines that a recipient of such financial assistance has made a false or fraudulent statement or related act in connection with a Federal transit program.''.

(k) Preaward and Postdelivery Review of Rolling Stock Purchases.--Section 5323(m) is amended by adding at the end the following:

``Rolling stock procurements of 20 vehicles or fewer made for the purpose of serving other than urbanized areas and urbanized areas with populations of 200,000 or fewer shall be subject to the same requirements as established for procurements

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of 10 or fewer buses under the post-delivery purchaser's requirements certification process under section 663.37(c) of title 49, Code of Federal Regulations.''.

(l) Grant Requirements.--Section 5323(o) is amended by striking ``the Transportation Infrastructure Finance and Innovation Act of 1998'' and inserting ``chapter 6 (other than section 609) of title 23''.

(m) Alternative Fueling Facilities.--Section 5323 is amended by adding at the end the following:

``(p) Alternative Fueling Facilities.--A recipient of assistance under this chapter may allow the incidental use of federally funded alternative fueling facilities and equipment by nontransit public entities and private entities if--

``(1) the incidental use does not interfere with the recipient's public transportation operations;

``(2) all costs related to the incidental use are fully recaptured by the recipient from the nontransit public entity

or

private entity;

``(3) the recipient uses revenues received from the incidental use in excess of costs for planning, capital, and operating expenses that are incurred in providing public transportation; and

``(4) private entities pay all applicable excise taxes on fuel.''.

SEC. 3024. SPECIAL PROVISIONS FOR CAPITAL PROJECTS.

(a) In General.--Section 5324 is amended to read as follows:

``Sec. 5324. Special provisions for capital projects

``(a) <<NOTE: Applicability.>> Relocation and Real Property Requirements.--The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) shall apply to financial assistance for capital projects under this chapter.

``(b) Consideration of Economic, Social, and Environmental Interests.--

``(1) Cooperation and consultation.--In carrying out the policy of section 5301(e), the Secretary shall cooperate and consult with the Secretary of the Interior and the Administrator of the Environmental Protection Agency on each project that may have a substantial impact on the environment.

``(2) Public participation in environmental reviews.--In performing environmental reviews, the Secretary shall review each transcript of a hearing submitted under section 5323(b) to establish that an adequate opportunity to present views was given to all parties having a significant economic, social, or environmental interest in the project, and that the project application includes a record of--

- ``(A) the environmental impact of the proposal;
- ``(B) adverse environmental effects that cannot be avoided;
- ``(C) alternatives to the proposal; and
- ``(D) irreversible and irretrievable impacts on the environment.

``(3) Approval of applications for assistance.--

``(A) Findings by the secretary.--The Secretary may approve an application for financial assistance for a capital project in accordance with this chapter only if the Secretary makes written findings, after reviewing the application

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or and the transcript of any hearing held before a State local governmental authority under section 5323(b), that--

views ``(i) an adequate opportunity to present was given to all parties having a significant economic, social, or environmental interest; ``(ii) the preservation and enhancement of

the environment and the interest of the community in which the project is located were considered; and ``(iii) no adverse environmental effect is likely to result from the project, or no feasible and prudent alternative to the effect exists and all reasonable steps have been taken to minimize the effect.

``(B) Hearing.--If a hearing has not been conducted or the Secretary decides that the record of the hearing is inadequate for making the findings required by this subsection, the Secretary shall conduct a hearing on an environmental issue raised by the application after giving adequate notice to interested persons.

``(C) Availability of findings.--The Secretary's findings under subparagraph (A) shall be made a matter of public record.

``(c) Railroad Corridor Preservation.--

of- `` (1) In general.--The Secretary may assist an applicant to
law. acquire railroad right-of-way before the completion of the
environmental reviews for any project that may use the right-

way if the acquisition is otherwise permitted under Federal
The Secretary may establish restrictions on such an acquisition
as the Secretary determines to be necessary and appropriate.

acquired `` (2) Environmental reviews.--Railroad right-of-way
under this subsection may not be developed in anticipation of
the project until all required environmental reviews for the
project have been completed.''. .

(b) Chapter Analysis.--The analysis for chapter 53 is amended by
striking the item relating to section 5324 and inserting the following:

``5324. Special provisions for capital projects.''. .

SEC. 3025. CONTRACT REQUIREMENTS.

(a) In General.--Section 5325 is amended to read as follows:

``Sec. 5325. Contract requirements

``(a) Competition.--Recipients of assistance under this chapter
shall conduct all procurement transactions in a manner that provides
full and open competition as determined by the Secretary.

``(b) Architectural, Engineering, and Design Contracts.--

`` (1) Procedures for awarding contract.--A contract or
requirement for program management, architectural engineering,
construction management, a feasibility study, and preliminary
engineering, design, architectural, engineering, surveying,
mapping, or related services for a project for which Federal
assistance is provided under this chapter shall be awarded in
the same way as a contract for architectural and engineering
services is negotiated under chapter 11 of title 40 or an
equivalent qualifications-based requirement of a State.

to `` (2) Effect of state laws.--Paragraph (1) does not apply
the extent a State has adopted by law, before the date

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of enactment of the Federal Public Transportation Act of 2005,
an equivalent State qualifications-based requirement for
contracting for architectural, engineering, and design
services.

`` (3) Additional requirements.--When awarding a contract
described in paragraph (1), recipients of assistance under this
chapter shall comply with the following requirements:

`` (A) Performance of audits.--Any contract or
subcontract awarded under this chapter shall be
performed and audited in compliance with cost

principles

contained in part 31 of title 48, Code of Federal Regulations (commonly known as the Federal Acquisition Regulation).

``(B) Indirect cost rates.--A recipient of funds under a contract or subcontract awarded under this chapter shall accept indirect cost rates established in accordance with the Federal Acquisition Regulation for 1-year applicable accounting periods by a cognizant Federal or State government agency, if such rates are not currently under dispute.

indirect

``(C) Application of rates.--After a firm's

cost rates are accepted under subparagraph (B), the recipient of the funds shall apply such rates for the purposes of contract estimation, negotiation, administration, reporting, and contract payment, and shall not be limited by administrative or de facto ceilings.

``(D) Prenotification; confidentiality of data.--A recipient requesting or using the cost and rate data described in subparagraph (C) shall notify any affected firm before such request or use. Such data shall be confidential and shall not be accessible or provided by the group of agencies sharing cost data under this subparagraph, except by written permission of the audited firm. If prohibited by law, such cost and rate data shall not be disclosed under any circumstances.

``(c) Efficient Procurement.--A recipient may award a procurement contract under this chapter to other than the lowest bidder if the award furthers an objective consistent with the purposes of this chapter, including improved long-term operating efficiency and lower long-term costs.

``(d) Design-Build Projects.--

``(1) Term defined.--In this subsection, the term 'design-build project'--

enters
``(A) means a project under which a recipient

enters into a contract with a seller, firm, or consortium of firms to design and build a public transportation system, or an operable segment of such system, that meets specific performance criteria; and

``(B) may include an option to finance, or operate for a period of time, the system or segment or any combination of designing, building, operating, or maintaining such system or segment.

``(2) Financial assistance for capital costs.--Federal financial assistance under this chapter may be provided for the capital costs of a design-build project after the recipient complies with Government requirements.

``(e) Multiyear Rolling Stock.--

``(1) Contracts.--A recipient procuring rolling stock with Government financial assistance under this chapter may make a multiyear contract to buy the rolling stock and replacement

parts under which the recipient has an option to buy additional rolling stock or replacement parts for not more than 5 years after the date of the original contract.

``(2) Cooperation among recipients.--The Secretary shall allow at least two recipients to act on a cooperative basis to procure rolling stock in compliance with this subsection and other Government procurement requirements.

``(f) Acquiring Rolling Stock.--A recipient of financial assistance under this chapter may enter into a contract to expend that assistance to acquire rolling stock--

``(1) based on--

``(A) initial capital costs; or

``(B) performance, standardization, life cycle costs, and other factors; or

``(2) with a party selected through a competitive procurement process.

``(g) Examination of Records.--Upon request, the Secretary and the Comptroller General, or any of their representatives, shall have access to and the right to examine and inspect all records, documents, and papers, including contracts, related to a project for which a grant is made under this chapter.

``(h) Grant Prohibition.--A grant awarded under this chapter or the Federal Public Transportation Act of 2005 may not be used to support a procurement that uses an exclusionary or discriminatory specification.

``(i) <<NOTE: Applicability.>> Bus Dealer Requirements.--No State law requiring buses to be purchased through in-State dealers shall apply to vehicles purchased with a grant under this chapter.

``(j) Awards to Responsible Contractors.--

awards
ability
``(1) In general.--Federal financial assistance under this chapter may be provided for contracts only if a recipient such contracts to responsible contractors possessing the ability to successfully perform under the terms and conditions of a proposed procurement.

``(2) Criteria.--Before making an award to a contractor under paragraph (1), a recipient shall consider--

``(A) the integrity of the contractor;

``(B) the contractor's compliance with public policy;

``(C) the contractor's past performance, including the performance reported in the Contractor Performance Assessment Reports required under section 5309(1)(2); and

``(D) the contractor's financial and technical resources.''.

(b) Conforming Amendment.--Section 5326 and the item relating to section 5326 in the analysis for chapter 53 are repealed.

appropriated to carry out any project under a full funding grant agreement or project construction grant agreement.''.

SEC. 3027. PROJECT REVIEW.

Section 5328(a) is amended--

(1) in paragraph (1) by striking ``(1) When the Secretary of

Transportation allows a new fixed guideway project to advance into the alternatives analysis stage of project review, the Secretary shall cooperate with the applicant in'' and inserting the following:

``(1) Alternatives analysis.--The Secretary shall cooperate with an applicant undertaking an alternatives analysis required by subsections (d) and (e) of section 5309 in the''; and

(2) in paragraph (2)--

(A) by striking ``(2) After'' and inserting the following:

``(2) Advancement to preliminary engineering stage.-- After''; and

(B) by striking ``is consistent with section 5309(e)'' and inserting ``meets the requirements of subsection (d) or (e) of section 5309'';

(3) in paragraph (3)--

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(A) by striking ``(3) The Secretary'' and inserting the following:

``(3) Record of decision.--The Secretary'';

(B) by striking ``of construction''; and

(C) by adding before the period at the end the following: ``if the Secretary determines that the project meets the requirements of subsection (d) or (e) of section 5309''; and

(4) by striking paragraph (4) and inserting the following:

``(4) Funding agreements.--The Secretary shall enter into a full funding grant agreement or project construction grant agreement, as appropriate, between the Government and the project sponsor if the Secretary determines that the project meets the requirements of subsection (d) or (e) of section 5309.''.

SEC. 3028. INVESTIGATIONS OF SAFETY HAZARDS AND SECURITY RISKS.

(a) In General.--Section 5329 is amended to read as follows:

``Sec. 5329. Investigations of safety hazards and security risks

``(a) In General.--The Secretary may conduct investigations into safety hazards and security risks associated with a condition in equipment, a facility, or an operation financed under this chapter to establish the nature and extent of the condition and how to eliminate, mitigate, or correct it.

``(b) Submission of Corrective Plan.--If the Secretary establishes that a safety hazard or security risk warrants further protective

measures, the Secretary shall require the local governmental authority receiving amounts under this chapter to submit a plan for eliminating, mitigating, or correcting it.

``(c) Withholding Financial Assistance.--Financial assistance under this chapter, in an amount to be determined by the Secretary, may be withheld until a plan is approved and carried out.''.

(b) <<NOTE: 49 USC 5321 note. Deadline. Memorandum.>> Public Transportation Security.--

(1) In general.--Not later than 45 days after the date of enactment of this Act, the Secretary shall execute an annex to the memorandum of understanding between the Secretary and the Secretary of Homeland Security, dated September 28, 2004, to define and clarify the respective roles and responsibilities of the Department of Transportation and the Department of Homeland Security relating to public transportation security.

(2) Contents.--The annex to be executed under paragraph (1) shall--

(A) establish a process to develop security standards for public transportation agencies;

(B) create a method of direct coordination with public transportation agencies on security matters;

(C) address any other issues determined to be appropriate by the Secretary and the Secretary of Homeland Security; and

(D) include a formal and permanent mechanism to ensure coordination and involvement by the Department

of

Transportation, as appropriate, in public transportation security.

(c) <<NOTE: Deadline. 49 USC 5321 note.>> Rulemaking.--Not later than 180 days after the date of enactment of this Act, the Secretary and the Secretary of Homeland Security shall issue jointly final regulations to establish the

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characteristics of and requirements for public transportation security grants, including funding priorities, eligible activities, methods for awarding grants, and limitations on administrative expenses.

(d) Chapter Analysis.--The analysis for chapter 53 is amended by striking the item relating to section 5329 and inserting the following:

``5329. Investigations of safety hazards and security risks.''.

SEC. 3029. STATE SAFETY OVERSIGHT.

(a) In General.--Section 5330 is amended--

(1) by striking the section heading and all that follows through subsection (a) and inserting the following:

``Sec. 5330. State safety oversight

``(a) Application.--This section shall only apply to--
``(1) States that have rail fixed guideway public
transportation systems that are not subject to regulation by
the
Federal Railroad Administration; and
``(2) States that are designing rail fixed guideway public
transportation systems that will not be subject to regulation
by
the Federal Railroad Administration.'';
(2) in subsection (d) by striking ``may'' and inserting
``shall ensure uniform safety standards and enforcement or
shall''; and
(3) by striking subsection (f).

(b) Chapter Analysis.--The analysis for chapter 53 is amended by
striking the item relating to section 5330 and inserting the following:

``5330. State safety oversight.''.

SEC. 3030. CONTROLLED SUBSTANCES AND ALCOHOL MISUSE TESTING.

(a) Definitions.--Section 5331(a)(3) is amended by striking the
period at the end and inserting the following: ``or section 2303a,
7101(i), or 7302(e) of title 46. The Secretary may also decide that a
form of public transportation is covered adequately, for employee
alcohol and controlled substances testing purposes, under the alcohol
and controlled substance statutes or regulations of an agency within
the
Department of Transportation or the Coast Guard.''.
(b) Technical Corrections.--Subsections (b)(1) and (g) of section
5331 are each amended by striking ``or section 103(e)(4) of title 23''.

(c) Regulations.--Section 5331(f) is amended by striking paragraph
(3).

SEC. 3031. EMPLOYEE PROTECTIVE ARRANGEMENTS.

Section 5333(b) is amended--

(1) in paragraph (1) by striking ``5318(d), 5323(a)(1),
(b),
(d), and (e), 5328, 5337, and 5338(b)'' each place it appears
and inserting ``5316, 5318, 5323(a)(1), 5323(b), 5323(d), 5328,
5337, and 5338(b)''; and
(2) by adding at the end the following:

``(4) Fair and equitable arrangements to protect the interests of
employees utilized by the Secretary of Labor for assistance to purchase
like-kind equipment or facilities, and grant amendments which do not
materially revise or amend existing assistance agreements, shall be
certified without referral.

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``(5) When the Secretary is called upon to issue fair and equitable
determinations involving assurances of employment when one private
transit bus service contractor replaces another through competitive
bidding, such decisions shall be based on the principles set forth in
the Department of Labor's decision of September 21, 1994, as clarified

by the supplemental ruling of November 7, 1994, with respect to grant NV-90-X021. This paragraph shall not serve as a basis for objections under section 215.3(d) of title 29, Code of Federal Regulations.''.

SEC. 3032. ADMINISTRATIVE PROCEDURES.

Section 5334 is amended--

(1) in subsection (a)--

(A) in paragraph (9) by striking ``and'' at the

end;

(B) in paragraph (10) by striking the period at the end and inserting ``; and''; and

(C) by adding at the end the following:

``(11) issue regulations as necessary to carry out the purposes of this chapter.'';

(2) by striking subsection (i);

(3) by redesignating subsections (b) through (h) as subsections (c) through (i), respectively;

(4) by inserting after subsection (a) the following:

``(b) Prohibitions Against Regulating Operations and Charges.--

``(1) In general.--Except for purposes of national defense or in the event of a national or regional emergency, the Secretary may not regulate the operation, routes, or schedules of a public transportation system for which a grant is made under this chapter, nor may the Secretary regulate the rates, fares, tolls, rentals, or other charges prescribed by any provider of public transportation.

``(2) Limitation on statutory construction.--Nothing in this

subsection shall be construed to prevent the Secretary from requiring a recipient of funds under this chapter to comply

with

the terms and conditions of its Federal assistance

agreement.'';

and

(5) by striking subsection (c)(4) (as redesignated by paragraph (3) of this subsection) and inserting the following:

``(4) The Secretary of Transportation shall comply with this section

(except subsection (i)) and sections 5318(e), 5323(a)(2), 5325(a), 5325(b), and 5325(f) when proposing or carrying out a regulation governing an activity under this chapter, except for a routine matter or

a matter with no significant impact.''; and

(6) by adding at the end the following:

``(k) <<NOTE: Deadline.>> Notification of Pending Discretionary Grants.--Not less than 3 full business days before announcement of award

by the Secretary of any discretionary grant, letter of intent, or full funding grant agreement totaling \$1,000,000 or more, the Secretary shall

notify the Committees on Banking, Housing, and Urban Affairs and Appropriations of the Senate and Committees on Transportation and Infrastructure and Appropriations of the House of Representatives.

``(1) Agency Statements.--

``(1) In general.--The Administrator of the Federal Transit Administration shall follow applicable rulemaking procedures

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under section 553 of title 5 before the Federal Transit Administration issues a statement that imposes a binding obligation on recipients of Federal assistance under this chapter.

``(2) Binding obligation defined.--In this subsection, the term `binding obligation' means a substantive policy statement, rule, or guidance document issued by the Federal Transit Administration that grants rights, imposes obligations, produces significant effects on private interests, or effects a significant change in existing policy.''

SEC. 3033. NATIONAL TRANSIT DATABASE.

(a) In General.--Section 5335 is amended--

(1) by striking the section heading and inserting the following:

``Sec. 5335. National transit database'';

(2) by striking subsection (b); and

(3) in subsection (a)--

(A) in paragraph (1), by striking ``(1)''; and

(B) in paragraph (2), by striking ``(2) The

Secretary may make a grant under section 5307 of this title'' and inserting the following:

``(b) Reporting and Uniform Systems.--The Secretary may award a grant under section 5307 or 5311''.

(b) Chapter Analysis.--The analysis for chapter 53 is amended by striking the item relating to section 5335 and inserting the following:

``5335. National transit database.''

SEC. 3034. APPORTIONMENTS OF FORMULA GRANTS.

(a) Apportionments.--Section 5336 is amended--

(1) by striking subsections (d), (h), and (k);

(2) by redesignating subsections (e), (f), (g), (i), and

(j)

as subsections (d), (e), (f), (g), and (h), respectively;

(3) by adding at the end the following:

``(i) Apportionments.--Of the amounts made available for each fiscal year under subsections (a)(1)(C)(vi) and (b)(2)(B) of section 5338--

``(1) one percent shall be apportioned, in fiscal year 2006 and each fiscal year thereafter, to certain urbanized areas

with

populations of less than 200,000 in accordance with subsection

(j); and

``(2) any amount not apportioned under paragraph (1) shall be apportioned to urbanized areas in accordance with subsections

(a) through (c).''; and

(4) in subsection (a), by striking ``Of the amount made available or appropriated under section 5338(a) of this title'' and inserting ``Of the amount apportioned under subsection (i)(2)''.

(b) Small Transit Intensive Cities Formula.--Section 5336 is amended by adding at the end the following:

``(j) Small Transit Intensive Cities Formula.--

``(1) Definitions.--In this subsection, the following definitions apply:

means
200,000
``(A) Eligible area.--The term `eligible area' means an urbanized area with a population of less than 200,000

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that meets or exceeds in one or more performance categories the industry average for all urbanized areas with a population of at least 200,000 but not more than 999,999, as determined by the Secretary in accordance with subsection (c)(2).

``(B) Performance category.--The term `performance category' means each of the following:

``(i) Passenger miles traveled per vehicle revenue mile.

``(ii) Passenger miles traveled per vehicle revenue hour.

``(iii) Vehicle revenue miles per capita.

``(iv) Vehicle revenue hours per capita.

``(v) Passenger miles traveled per capita.

``(vi) Passengers per capita.

``(2) Apportionment.--

apportioned
``(A) Apportionment formula.--The amount to be apportioned under subsection (i)(1) shall be

among eligible areas in the ratio that--

for
``(i) the number of performance categories

which each eligible area meets or exceeds the industry average in urbanized areas with a population of at least 200,000 but not more than 999,999; bears to

more
``(ii) the aggregate number of performance categories for which all eligible areas meet or exceed the industry average in urbanized areas with a population of at least 200,000 but not

than 999,999.

``(B) Data used in formula.--The Secretary shall calculate apportionments under this subsection for a

fiscal year using data from the national transit database used to calculate apportionments for that fiscal year under this section.''.

(c) Study on Incentives in Formula Programs.--Section 5336 is amended by adding at the end the following:

``(c) Study on Incentives in Formula Programs.--

``(1) Study.--The Secretary shall conduct a study to assess the feasibility and appropriateness of developing and implementing an incentive funding system under sections 5307

and

5311 for operators of public transportation.

``(2) Report.--

``(A) In general.--Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2005, the Secretary shall submit a report on the results of the study conducted under paragraph (1) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

``(B) Contents.--The report submitted under subparagraph (A) shall include--

``(i) an analysis of the availability of appropriate measures to be used as a basis for

the

distribution of incentive payments;

``(ii) the optimal number and size of any incentive programs;

``(iii) what types of systems should compete for various incentives;

``(iv) how incentives should be distributed;

and

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``(v) the likely effects of the incentive funding system.''.

(d) Technical Amendments.--Section 5336 is amended--

(1) in subsection (a), by striking ``of this title'' and inserting ``to carry out section 5307'';

(2) in paragraph (2), by inserting before the period at the end the following: ``, except that the amount apportioned to

the

Anchorage urbanized area under subsection (b) shall be

available

to the Alaska Railroad for any costs related to its passenger operations'';

(3) in subsection (b)(1), by inserting ``and, beginning in fiscal year 2006, 60 percent of the directional route miles attributable to the Alaska Railroad passenger operations''

after

``recipient''; and

(4) in subsection (h), by striking ``a grant made under'' each place it appears and inserting ``a grant made with funds apportioned under''.

SEC. 3035. APPORTIONMENTS BASED ON FIXED GUIDEWAY FACTORS.

- (a) In General.--Section 5337 is amended--
(1) by striking the section designation and heading and inserting the following:

``Sec. 5337. Apportionment based on fixed guideway factors'';

and

- (2) by adding at the end the following:

``(f) Adjustment.--For purposes of this section, an urbanized area with a population of 55,997, according to the most recent decennial census, shall be treated as an urbanized area eligible for assistance under section 5336(b)(2)(A) to which amounts were apportioned under this section for fiscal year 1997. For the purposes of subsection (e)(1), the number of fixed guideway revenue vehicle miles of service and number of fixed guideway route miles for that urbanized area as of the date of enactment of the Federal Public Transportation Act of 2005 shall be considered to have been used to determine apportionments for fiscal year 1997.''.

(b) Conforming Amendment.--The analysis for chapter 53 is amended by striking the item relating to section 5337 and inserting the following:

``5337. Apportionment based on fixed guideway factors.''.

SEC. 3036. AUTHORIZATIONS.

Section 5338 is amended to read as follows:

``Sec. 5338. Authorizations

``(a) Fiscal Year 2005.--

``(1) Formula grants.--

``(A) Trust fund.--For fiscal year 2005, \$3,499,927,776 shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5307, 5308, 5310, and 5311 and section 3038 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note).

made available under subparagraph (A), there is authorized to be appropriated \$499,989,824 for fiscal year 2005 to carry out sections 5307, 5308, 5310, and 5311 and section 3038

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of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note).

``(C) Allocation of funds.--Of the amounts made

available or appropriated under this paragraph--

``(i) \$4,811,150 shall be available to the Alaska Railroad for improvements to its passenger operations under section 5307;

``(ii) \$5,208,000 shall be available to provide over-the-road bus accessibility grants under section 3038 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note) to operators of intercity, fixed-route over-the-road buses;

``(iii) \$1,686,400 shall be available to provide over-the-road bus accessibility grants under section 3038 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note) to operators of over-the-road buses providing other than intercity, fixed-route service;

``(iv) \$94,526,689 shall be available to provide transportation services to elderly individuals and individuals with disabilities under section 5310;

``(v) \$250,889,588 shall be available to provide financial assistance for other than urbanized areas under section 5311;

``(vi) \$3,593,195,773 shall be available to provide financial assistance for urbanized areas under section 5307; and

``(vii) \$49,600,000 shall be available to carry out the clean fuels program under section 5308.

``(2) Job access and reverse commute.--

``(A) Trust fund.--For fiscal year 2005, \$108,500,000 shall be available from the Mass Transit Account of the Highway Trust Fund to carry out section 3037 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5309 note).

made available under subparagraph (A), there is authorized to be appropriated \$15,500,000 for fiscal year 2005 to carry out section 3037 of the Transportation Equity Act of the 21st Century (49 U.S.C. 5309 note).

``(3) Capital program grants.--

``(A) Trust fund.--For fiscal year 2005, \$2,898,100,224 shall be available from the Mass Transit Account of the Highway Trust Fund to carry out section 5309.

made available under subparagraph (A), there is authorized to be appropriated \$414,014,176 for fiscal year 2005 to carry out sections 5308, 5309, and 5318 and section 3015(b) of the Transportation Equity Act for the 21st Century (112 Stat. 361).

``(C) Allocation of funds.--Of the amounts made available or appropriated under this paragraph--

``(i) \$49,600,000 shall be available to carry out the clean fuels program under section 5308;
``(ii) \$669,600,000 shall be available for capital projects to replace, rehabilitate, and purchase bus and

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related equipment and to construct bus-related facilities under section 5309;

``(iii) \$1,204,684,800 shall be available for fixed guideway modernization under section 5309;

``(iv) \$1,437,829,600 shall be available for capital projects for new fixed guideway systems and extensions to existing fixed guideway systems under section 5309;

``(v) \$10,213,632 shall be available for capital projects in Alaska and Hawaii under section 5309;

``(vi) \$2,976,000 shall be available to carry out bus testing under section 5318; and

``(vii) \$4,811,200 shall be available to

carry

out the fuel cell bus and bus facilities program under section 3015(b) of the Transportation

Equity

Act for the 21st Century (112 Stat. 361).

``(4) Planning.--

\$63,364,000

``(A) Trust fund.--For fiscal year 2005,

shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5303, 5304, 5305, and 5313(b), as in effect on the day before the date of enactment of the Federal Public Transportation Act of 2005.

made

``(B) General fund.--In addition to the amounts

to

available under subparagraph (A), there is authorized

carry

be appropriated \$9,052,000 for fiscal year 2005 to

effect

out sections 5303, 5304, 5305, and 5313(b), as in

on the day before the date of enactment of the Federal Public Transportation Act of 2005.

``(C) Allocation of funds.--Of the amounts made available or appropriated under this paragraph--

``(i) 82.72 percent shall be allocated for metropolitan planning under section 5305; and

``(ii) 17.28 percent shall be allocated for State planning under section 5305.

``(5) Research.--

\$47,740,000

``(A) Trust fund.--For fiscal year 2005,

shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322.

made
to
carry
out sections 5311(b)(2), 5312, 5313(a), 5314, 5315, and 5322.

National
not
out
Transit Institute under section 5315, of which more than \$992,000 shall be available to carry out section 5315(a)(16);

``(ii) not less than \$5,208,000 shall be available to provide rural transportation assistance under section 5311(b)(2);

``(iii) not less than \$8,184,000 shall be available to carry out transit cooperative research programs under section 5313(a);

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``(iv) not less than \$2,976,000 shall be available to carry out Project Action under section 5312; and

``(v) the remainder shall be available to carry out national research and technology programs under sections 5312, 5314, and 5322.

``(6) University transportation research.--

``(A) Trust fund.--For fiscal year 2005, \$5,208,000 shall be available from the Mass Transit Account of the Highway Trust Fund to carry out section 5505.

to
be appropriated \$744,000 for fiscal year 2005 to carry out section 5505.

``(C) Allocation of funds.--Of the amounts made available or appropriated under this paragraph--

grants
Public
``(i) \$1,984,000 shall be available for under section 5505(d) to the center identified in section 5505(j)(4)(A), as in effect on the day before the date of enactment of the Federal

Transportation Act of 2005; and

``(ii) \$1,984,000 shall be available for grants under section 5505(d) to the center identified in section 5505(j)(4)(F), as in effect on the day before the date of enactment of the Federal Public Transportation Act of 2005.

shall ``(D) Special rule.--Nothing in this paragraph
be construed to limit the transportation research
conducted by the centers receiving financial assistance
under this section.

``(7) Administration.--
\$67,704,000 ``(A) Trust fund.--For fiscal year 2005,
shall be available from the Mass Transit Account of the
Highway Trust Fund to carry out section 5334.

to ``(B) General fund.--In addition to amounts made
available under subparagraph (A), there is authorized
carry be appropriated \$9,672,000 for fiscal year 2005 to
out section 5334.

``(8) Availability of amounts.--Amounts made available or
appropriated under paragraphs (1) through (6) shall remain
available until expended.

``(b) Formula and Bus Grants.--

``(1) In general.--There shall be available from the Mass
Transit Account of the Highway Trust Fund to carry out sections
5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335,
5339, and 5340 and section 3038 of the Federal Transit Act of
1998 (112 Stat. 387 et seq.)--

``(A) \$6,979,931,000 for fiscal year 2006;

``(B) \$7,262,775,000 for fiscal year 2007;

``(C) \$7,872,893,000 for fiscal year 2008; and

``(D) \$8,360,565,000 for fiscal year 2009.

``(2) Allocation of funds.--Of the amounts made available
under paragraph (1)--

2008, ``(A) \$95,000,000 for fiscal year 2006, \$99,000,000
available for fiscal year 2007, \$107,000,000 for fiscal year
and \$113,500,000 for fiscal year 2009 shall be
to carry out section 5305;

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``(B) \$3,466,681,000 for fiscal year 2006,
\$3,606,175,000 for fiscal year 2007, \$3,910,843,000 for
fiscal year 2008, and \$4,160,365,000 for fiscal year
2009 shall be allocated in accordance with section 5336
to provide financial assistance for urbanized areas
under section 5307;

``(C) \$43,000,000 for fiscal year 2006, \$45,000,000
for fiscal year 2007, \$49,000,000 for fiscal year 2008,
and \$51,500,000 for fiscal year 2009 shall be available
to carry out section 5308;

``(D) \$1,391,000,000 for fiscal year 2006,
\$1,448,000,000 for fiscal year 2007, \$1,570,000,000 for
fiscal year 2008, and \$1,666,500,000 for fiscal year
2009 shall be allocated in accordance with section 5337
to provide financial assistance under section
5309(m)(2)(B);

``(E) \$822,250,000 for fiscal year 2006, \$855,500,000 for fiscal year 2007, \$927,750,000 for fiscal year 2008, and \$984,000,000 for fiscal year 2009 shall be available to carry out section 5309(m)(2)(C);

``(F) \$112,000,000 for fiscal year 2006, \$117,000,000 for fiscal year 2007, \$127,000,000 for fiscal year 2008, and \$133,500,000 for fiscal year 2009 shall be available to provide financial assistance for services for elderly persons and persons with disabilities under section 5310;

``(G) \$388,000,000 for fiscal year 2006, \$404,000,000 for fiscal year 2007, \$438,000,000 for fiscal year 2008, and \$465,000,000 for fiscal year 2009 shall be available to provide financial assistance for other than urbanized areas under section 5311;

``(H) \$138,000,000 for fiscal year 2006, \$144,000,000 for fiscal year 2007, \$156,000,000 for fiscal year 2008, and \$164,500,000 for fiscal year 2009 shall be available to carry out section 5316;

``(I) \$78,000,000 for fiscal year 2006, \$81,000,000 for fiscal year 2007, \$87,500,000 for fiscal year 2008, and \$92,500,000 for fiscal year 2009 shall be available to carry out section 5317;

``(J) \$22,000,000 for fiscal year 2006, \$23,000,000 for fiscal year 2007, \$25,000,000 for fiscal year 2008, and \$26,900,000 for fiscal year 2009 shall be available to carry out section 5320;

``(K) \$3,500,000 in fiscal year 2006; \$3,500,000 in fiscal year 2007; \$3,500,000 in fiscal year 2008; and \$3,500,000 in fiscal year 2009 shall be available to carry out section 5335;

``(L) \$25,000,000 in fiscal year 2006; \$25,000,000 in fiscal year 2007; \$25,000,000 in fiscal year 2008; and \$25,000,000 in fiscal year 2009 shall be available to carry out section 5339;

``(M) \$388,000,000 for fiscal year 2006, \$404,000,000 for fiscal year 2007, \$438,000,000 for fiscal year 2008, and \$465,000,000 for fiscal year 2009 shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and other than urbanized areas under section 5311; and

``(N) \$7,500,000 for fiscal year 2006, \$7,600,000 for fiscal year 2007, \$8,300,000 for fiscal year 2008, and \$8,800,000 for fiscal year 2009 shall be available to carry

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out section 3038 of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note).

``(c) Capital Investment Grants.--There are authorized to be appropriated to carry out section 5309(m)(2)(A)--

``(1) \$1,503,000,000 for fiscal year 2006;

``(2) \$1,566,000,000 for fiscal year 2007;

``(3) \$1,700,000,000 for fiscal year 2008; and

``(4) \$1,809,250,000 for fiscal year 2009.

``(d) Research and University Research Centers.--

to ``(1) In general.--There is authorized to be appropriated

carry out transit cooperative research programs under section 5313, the National Transit Institute under section 5315, university research centers under section 5506, and national research programs under sections 5312, 5313, 5314, and 5322 \$58,000,000 for fiscal year 2006, \$61,000,000 for fiscal year 2007, \$65,500,000 for fiscal year 2008, and \$69,750,000 for fiscal year 2009, of which--

under ``(A) \$9,000,000 for fiscal year 2006, \$9,300,000 for fiscal year 2007, \$9,600,000 for fiscal year 2008, and \$10,000,000 for fiscal year 2009 shall be allocated to carry out transit cooperative research programs

section 5313;

``(B) \$4,300,000 shall be allocated for each fiscal year to carry out programs under the National Transit Institute under section 5315, of which not more than \$1,000,000 for each fiscal year shall be used to carry out section 5315(a)(16);

``(C) \$7,000,000 shall be allocated for each fiscal year to carry out the university centers program under section 5506;

``(D) \$3,000,000 shall be allocated for each fiscal year to carry out Project Action under section 5314(a)(2);

``(E) \$1,000,000 shall be allocated for each fiscal year to carry out the National Technical Assistance Center under section 5314(c); and

``(F) any funds made available under this paragraph that are not allocated under subparagraphs (A) through (E) shall be allocated to carry out national research programs under sections 5312, 5313, 5314, and 5322.

``(2) University centers program.--

``(A) Allocation.--Of the amounts allocated under paragraph (1)(C), the following amounts shall be available to provide transportation research, training, and curriculum development:

2006 ``(i) \$2,000,000 for each of fiscal years

Center. through 2009 for the University of Tennessee-- Knoxville National Transportation Research

``(ii) \$1,500,000 for each of fiscal years 2006 through 2009 for Texas A&M University--Texas Transportation Institute.

``(iii) \$1,000,000 for each of fiscal years 2006 through 2009 for Morgan State University.

``(iv) \$400,000 for each of fiscal years 2006 and 2007 for the Small Urban and Rural Transit Center at North Dakota State University.

``(v) \$550,000 for each of fiscal years 2006 and 2007 and \$650,000 for each of fiscal years 2008 and

2009 for the University Transportation Center at the University of Alabama.

``(vi) \$450,000 for each of fiscal years 2006 and 2007 and \$550,000 for each of fiscal years 2008 and 2009 for the Injury Control Research Center at the University of Alabama Birmingham.

2006

``(vii) \$550,000 for each of fiscal years

and 2007 and \$650,000 for each of fiscal years 2008 and 2009 for the Jackson State University Intermodal Transportation Institute at the

Jackson

State University.

``(viii) \$550,000 for each of fiscal years 2006 and 2007 and \$650,000 for each of fiscal years 2008 and 2009 for the University Transportation Center at the University of

Denver/

Mississippi State University.

``(B) Requirements.--The universities specified in subparagraph (A) shall be considered to be university transportation centers under section 5506 and shall be subject to the requirements of subsections (b), (h), (i), (k), (l), and (m) of such section.

``(e) Administration.--There is authorized to be appropriated to carry out section 5334--

``(1) \$82,000,000 for fiscal year 2006;

``(2) \$85,000,000 for fiscal year 2007;

``(3) \$92,500,000 for fiscal year 2008; and

``(4) \$98,500,000 for fiscal year 2009.

``(f) Grants as Contractual Obligations.--

``(1) Grants financed from highway trust fund.--A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Federal share of the cost of the project.

``(2) Grants financed from general fund.--A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation

of

the Government to pay the Federal share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

``(g) Availability of Amounts.--Amounts made available by or appropriated under subsections (b), (c), and (d) shall remain available until expended.''.

SEC. 3037. ALTERNATIVES ANALYSIS PROGRAM.

(a) In General.--Section 5339 is amended to read as follows:

``Sec. 5339. Alternatives analysis program

``(a) <<NOTE: Guidelines.>> Grants and Agreements.--Under criteria established by the Secretary, the Secretary may award grants to States, authorities of the States, metropolitan planning organizations, and local governmental authorities to develop alternatives analyses as defined by section 5309(a)(1).

``(b) Government's Share of Costs.--The Government's share of the cost of an activity funded using amounts made available under this section may not exceed 80 percent of the cost of the activity.

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``(c) Availability of Funds.--An amount made available or appropriated under section 5338(b)(2)(L) for this section shall remain available for 3 fiscal years, including the fiscal year in which the amount is made available or appropriated. Any of such amounts that are unobligated at the end of the 3-fiscal-year period may be used by the Secretary for any purpose under this section.''

(b) Conforming Amendment.--The analysis for chapter 53 is amended by striking the item relating to section 5339 and inserting the following:

``5339. Alternatives analysis program.''

(c) Projects.--For each of fiscal years 2006 and 2007, of the funds authorized under this section, funds shall be made available to the following projects in not less than the amounts specified:

(1) Minnesota Red Rock Corridor/Rush Line/Central Corridors studies, \$2,000,000.

(2) Trans-Hudson Midtown corridor study, \$1,500,000.

(3) Lane County, Oregon Bus Rapid Transit Phase II corridor study, \$500,000.

(4) Portland Streetcar, Oregon corridor study, \$1,500,000.

(5) San Gabriel Valley-Gold Line Foothill Extension

corridor

study, \$1,250,000.

(6) Monmouth-Ocean-Middlesex Counties, New Jersey corridor study, \$1,250,000.

(7) Metra BNSF Naperville to Aurora corridor study, \$1,250,000.

(8) Madison and Dane Counties, Wisconsin Transport 2020 corridor study, \$750,000.

(9) Sound Transit I-90 Long-Range Plan corridor studies, \$750,000.

(10) Middle Rio Grande Coalition of governments,

Albuquerque

to Santa Fe corridor study, \$500,000.

(11) Piedmont Authority Regional Transportation East-West corridor study, \$1,000,000.

(12) Baltimore Red Line/Green Line Transit Project study, \$1,500,000.

(13) Metra-West Line Extension, Elgin to Rockford study, \$1,000,000.

(14) Madison-Ridgeland Transportation Commission, Mississippi, Madison Light Rail Transportation Corridor study, \$350,000.

(15) South Carolina Department of Transportation Light Rail study, \$300,000.

(16) Provo Orem BRT study, \$500,000.

(17) Sevierville County Transportation Board, Sevier County BRT study, \$500,000.

(18) New Jersey Transit Access to the Region's Core study, \$2,500,000.

SEC. 3038. APPORTIONMENTS BASED ON GROWING STATES FORMULA FACTORS.

(a) In General.--Chapter 53 is amended by adding at the end the following:

``Sec. 5340. Apportionments based on growing States and high density States formula factors

``(a) Definition.--In this section, the term `State' shall mean each of the 50 States of the United States.

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``(b) Allocation.--Of the amounts made available for each fiscal year under section 5338(b)(2)(M), the Secretary shall apportion--

``(1) 50 percent to States and urbanized areas in accordance

with subsection (c); and

``(2) 50 percent to States and urbanized areas in accordance

with subsection (d).

``(c) Growing State Apportionments.--

``(1) Apportionment among states.--The amounts apportioned under subsection (b)(1) shall provide each State with an amount equal to the total amount apportioned multiplied by a ratio equal to the population of that State forecast for the year

that

is 15 years after the most recent decennial census, divided by the total population of all States forecast for the year that

is

15 years after the most recent decennial census. Such forecast shall be based on the population trend for each State between the most recent decennial census and the most recent estimate

of

population made by the Secretary of Commerce.

``(2) Apportionments between urbanized areas and other than urbanized areas in each state.--

``(A) In general.--The Secretary shall apportion amounts to each State under paragraph (1) so that urbanized areas in that State receive an amount equal

to

the amount apportioned to that State multiplied by a ratio equal to the sum of the forecast population of

all

urbanized areas in that State divided by the total forecast population of that State. In making the apportionment under this subparagraph, the Secretary shall utilize any available forecasts made by the

State.

If no forecasts are available, the Secretary shall utilize data on urbanized areas and total population from the most recent decennial census.

each `` (B) Remaining amounts.--Amounts remaining for

State after apportionment under subparagraph (A) shall be apportioned to that State and added to the amount made available for grants under section 5311.

`` (3) Apportionments among urbanized areas in each state.--The Secretary shall apportion amounts made available to urbanized areas in each State under paragraph (2)(A) so that each urbanized area receives an amount equal to the amount apportioned under paragraph (2)(A) multiplied by a ratio equal to the population of each urbanized area divided by the sum of populations of all urbanized areas in the State. Amounts apportioned to each urbanized area shall be added to amounts apportioned to that urbanized area under section 5336, and made available for grants under section 5307.

`` (d) High Density State Apportionments.--Amounts to be apportioned under subsection (b)(2) shall be apportioned as follows:

`` (1) Eligible states.--The Secretary shall designate as eligible for an apportionment under this subsection all States with a population density in excess of 370 persons per square mile.

`` (2) State urbanized land factor.--For each State qualifying for an apportionment under paragraph (1), the Secretary shall calculate an amount equal to--

`` (A) the total land area of the State (in square miles); multiplied by

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`` (B) 370; multiplied by

`` (C)(i) the population of the State in urbanized areas; divided by

`` (ii) the total population of the State.

qualifying `` (3) State apportionment factor.--For each State

for an apportionment under paragraph (1), the Secretary shall calculate an amount equal to the difference between the total population of the State less the amount calculated in paragraph (2).

multiplied `` (4) State apportionment.--Each State qualifying for an apportionment under paragraph (1) shall receive an amount equal to the amount to be apportioned under this subsection

by the amount calculated for the State under paragraph (3) divided by the sum of the amounts calculated under paragraph

(3) for all States qualifying for an apportionment under paragraph (1).

``(5) Apportionments among urbanized areas in each state.--
The Secretary shall apportion amounts made available to each
State under paragraph (4) so that each urbanized area receives
an amount equal to the amount apportioned under paragraph (4)
multiplied by a ratio equal to the population of each urbanized
area divided by the sum of populations of all urbanized areas
in
the State. Amounts apportioned to each urbanized area shall be
added to amounts apportioned to that urbanized area under
section 5336, and made available for grants under section
5307.''.

(b) Conforming Amendment.--The analysis for chapter 53 is amended
by
adding at the end the following:

``5340. Apportionments based on growing States and high density States
formula factors.''.

SEC. 3039. OVER-THE-ROAD BUS ACCESSIBILITY PROGRAM.

(a) In General.--Section 3038 of the Transportation Equity Act for
the 21st Century (49 U.S.C. 5310 note; 112 Stat. 392) is amended--

(1) by striking the section heading and inserting the
following:

``SEC. 3038. OVER-THE-ROAD BUS ACCESSIBILITY PROGRAM.'';

(2) by striking subsection (e) and inserting the following:

``(e) Federal Share of Costs.--The Federal share of costs under
this
section shall be provided from funds made available to carry out this
section and shall be determined in accordance with section 5323(i) of
title 49, United States Code.''; and

(3) by striking subsection (g) and inserting the following:

``(g) Funding.--

``(1) Intercity, fixed route over-the-road bus service.--Of
the amounts made available to carry out this section in each
fiscal year, 75 percent shall be available for operators of
over-the-road buses used substantially or exclusively in
intercity, fixed-route over-the-road bus service to finance the
incremental capital and training costs of the Department of
Transportation's final rule regarding accessibility of over-

the-

road buses. Such amounts shall remain available until expended.

``(2) Other over-the-road bus service.--Of the amounts made
available to carry out this section in each fiscal year,

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25 percent shall be available for operators of other over-the-
road bus service to finance the incremental capital and
training
costs of the Department of Transportation's final rule
regarding

accessibility of over-the-road buses. Such amounts shall remain available until expended.''.

(b) Conforming Amendments.--The table of contents contained in section 1(b) of the Transportation Equity Act for the 21st Century (112 Stat. 107) is amended by striking the item relating to section 3038 and inserting the following:

``3038. Over-the-road bus accessibility program.''.

SEC. 3040. OBLIGATION CEILING.

Notwithstanding any other provision of law, the total of all obligations from amounts made available from the Mass Transit Account of the Highway Trust Fund by, and amounts appropriated under, subsections (a) through (f) of section 5338 of title 49, United States Code, shall not exceed--

- (1) \$7,646,336,000 for fiscal year 2005, of which not more than \$6,690,544,000 shall be from the Mass Transit Account;
- (2) \$8,622,931,000 for fiscal year 2006, of which not more than \$6,979,931,000 shall be from the Mass Transit Account;
- (3) \$8,974,775,000 for fiscal year 2007, of which not more than \$7,262,775,000 shall be from the Mass Transit Account;
- (4) \$9,730,893,000 for fiscal year 2008, of which not more than \$7,871,895,000 shall be from the Mass Transit Account; and
- (5) \$10,338,065,000 for fiscal year 2009, of which not more than \$8,360,565,000 shall be from the Mass Transit Account.

SEC. 3041. ADJUSTMENTS FOR FISCAL YEAR 2005.

(a) In General.--Notwithstanding any other provision of law, the Secretary shall ensure that the total apportionments and allocations made for fiscal year 2005 to each grant recipient under the Federal Transit Administration programs shall not exceed the amount made available under section 5338 of title 49, United States Code, as amended by this title, for fiscal year 2005 plus prior year balances.

(b) Fixed Guideway Modernization Adjustment.--In making the apportionments described in subsection (a), the Secretary shall adjust the amount apportioned for fiscal year 2005 to each urbanized area for fixed guideway modernization to reflect the apportionment method set forth in section 5337(a) of title 49, United States Code.

(c) Reconciliation.--Funds authorized by or made available under section 5338, as amended by this title, for fiscal year 2005--

- (1) shall not be subject to the across-the-board rescissions in section 122 of division J of Public Law 108-477;
- (2) shall be transferred or made available for the purposes as indicated in division H of Public Law 108-477, as amended by Public Law 109-13; and
- (3) shall be administered consistent with the applicable formula authorized under Public Law 105-178, as amended.

SEC. 3042. TERRORIST ATTACKS AND OTHER ACTS OF VIOLENCE AGAINST PUBLIC TRANSPORTATION SYSTEMS.

(a) In General.--Section 1993 of title 18, United States Code, is amended--

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- (1) in the section heading by striking ``mass'' and inserting ``public'';
- (2) by striking ``mass'' each place the term appears and inserting ``public'';
- (3) in subsection (a)(5) by inserting ``controlling,''

after

- ``operating,''; and
 - (4) in subsection (c)(5) by striking ``5302(a)(7) of title 49, United States Code,''
- and inserting ``5302(a) of title 49,''

(b) Chapter Analysis.--The analysis for chapter 97 of title 18, United States Code, is amended by striking the item relating to section 1993 and inserting the following:

``1993. Terrorist attacks and other acts of violence against public transportation systems.''

SEC. 3043. PROJECT AUTHORIZATIONS FOR NEW FIXED GUIDEWAY CAPITAL PROJECTS.

(a) Existing Full Funding Grant Agreements.--The following projects are authorized for final design and construction for existing full funding grant agreements in not less than the amount specified for each fiscal year:

- (1) Atlanta--North Springs Extension \$263,287 for fiscal year 2005.
- (2) Baltimore--Central LRT Double Tracking \$28,777,920 for fiscal year 2005 and \$12,655,664 for fiscal year 2006.
- (3) Charlotte--South Corridor LRT \$29,760,000 for fiscal year 2005, \$55,000,000 for fiscal year 2006, and \$69,405,565 for fiscal year 2007.
- (4) Chicago--Chicago Transit Authority Douglas Branch Reconstruction \$84,320,000 for fiscal year 2005 and \$45,825,190 for fiscal year 2006.
- (5) Chicago--Chicago Transit Authority Ravenswood Expansion Project \$39,680,000 for fiscal year 2005, \$40,000,000 for fiscal year 2006, \$40,000,000 for fiscal year 2007, \$40,000,000 for fiscal year 2008, and \$65,152,615 for fiscal year 2009.
- (6) Cleveland--Euclid Corridor Transportation Project \$24,800,000 for fiscal year 2005 and \$24,774,513 for fiscal year 2006.
- (7) Denver Southeast Corridor LRT \$79,360,000 for fiscal year 2005, \$80,000,000 for fiscal year 2006, \$80,000,000 for fiscal year 2007, and \$77,192,758 for fiscal year 2008.
- (8) Fort Lauderdale--Tri-Rail Commuter Rail Upgrade \$11,210,695 for fiscal year 2005.
- (9) Los Angeles--Metro Gold Line Eastside Extension \$59,520,000 for fiscal year 2005, \$80,000,000 for fiscal year

2006, \$100,000,000 for fiscal year 2007, \$80,000,000 for fiscal year 2008, and \$80,000,000 for fiscal year 2009.

(10) Los Angeles--North Hollywood MOS-3 \$663,339 in fiscal year 2005.

(11) Metra North Central Corridor Commuter Rail \$24,084,000 for fiscal year 2005 and \$16,529,452 for fiscal year 2006.

for
(12) Metra South West Corridor Commuter Rail \$15,500,000
fiscal year 2005 and \$11,781,395 for fiscal year 2006.

for
(13) Metra Union Pacific West Line Extension \$12,000,000
fiscal year 2005 and \$14,285,749 for fiscal year 2006.

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(14) Minneapolis--Hiawatha Corridor LRT \$33,111,257 for fiscal year 2005.

(15) New Jersey Urban Core--Hudson-Bergen LRT \$313,896.

(16) New Jersey Urban Core--Hudson-Bergen LRT MOS-2 \$99,200,000 for fiscal year 2005, \$100,000,000 for fiscal year 2006, \$100,000,000 for fiscal year 2007, and \$53,202,995 for fiscal year 2008.

1
(17) New Jersey Urban Core--Newark-Elizabeth Rail Link MOS-
\$1,342,076 for fiscal year 2005.

(18) New Orleans MOS-1 Canal Street \$16,455,206 for fiscal year 2005.

(19) Phoenix--Central Phoenix/East Valley LRT \$74,400,000 for fiscal year 2005, \$90,000,000 for fiscal year 2006, \$90,000,000 for fiscal year 2007, \$90,000,000 for fiscal year 2008, and \$90,000,000 for fiscal year 2009.

(20) Pittsburgh--North Shore LRT Connector \$54,560,000 in fiscal year 2005, \$55,000,000 in fiscal year 2006, \$55,000,000 in fiscal year 2007, and \$14,421,944 in fiscal year 2008.

(21) Pittsburgh--Stage II LRT Reconstruction \$1,120,854 for fiscal year 2005.

(22) Portland--Interstate MAX LRT Extension \$23,292,160 fiscal year 2005 and \$18,292,550 for fiscal year 2006.

(23) St. Louis--Metrolink Extension St. Clair County, IL \$53,383 for fiscal year 2005.

(24) Salt Lake City--CBD to University LRT \$1,127,405 for fiscal year 2005.

(25) Salt Lake City--Medical Center \$8,682,141 for fiscal year 2005.

(26) San Diego--Mission Valley East LRT Extension \$80,986,880 for fiscal year 2005 and \$8,353,424 for fiscal year 2006.

(27) San Diego--Oceanside Escondido Rail Corridor \$54,560,000 fiscal year 2005 and \$12,651,061 for fiscal year 2006.

(28) San Francisco--BART Extension to San Francisco Airport \$99,200,000 fiscal year 2005 and \$82,655,680 for fiscal year 2006.

(29) San Juan--Tren Urbano \$44,263,040 fiscal year 2005 and \$10,555,900 for fiscal year 2006.

(30) Seattle--Central Link Initial Segment LRT \$79,360,000 for fiscal year 2005, \$80,000,000 for fiscal year 2006,

\$80,000,000 for fiscal year 2007, \$70,000,000 for fiscal year 2008, and \$24,028,149 for fiscal year 2009.

(31) Washington DC/MD--Largo Metrorail Extension
\$75,432,887
for fiscal year 2005.

(b) Final Design and Construction.--The following projects are authorized for final design and construction for fiscal years 2005 through 2009 under paragraphs (1)(A) and (2)(A) of section 5309(m) of title 49, United States Code:

- (1) Baltimore--MARC Commuter Rail Improvements.
- (2) Boston--Silver Line BRT Phase III.
- (3) Central Florida Commuter Rail System.
- (4) Charlotte--South Corridor LRT.
- (5) Dallas Area Rapid Transit--Northwest-Southeast LRT Extension.

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- (6) Delaware--Wilmington-Newark Commuter Rail Improvements.
- (7) Denver--West Corridor LRT.
- (8) El Paso--Rapid Transit (SMART) Starter Line.
- (9) Harrisburg--Corridor One Commuter Rail (MOS-1).
- (10) Houston Advanced Transit Program Light Rail.
- (11) Kansas City, Missouri--Southtown BRT.
- (12) Las Vegas--Resort Corridor Downtown Extension Project.
- (13) Los Angeles MTA--Exposition LRT.
- (14) Miami-Dade Transit--North Corridor.
- (15) Minneapolis--North Star Corridor.
- (16) Nashua--Commuter Rail.
- (17) Nashville, Tennessee Commuter Rail.
- (18) New Britain-Hartford Busway Project.
- (19) New Orleans--Desire Corridor Streetcar.
- (20) New York--Long Island Railroad East Side Access Project.
- (21) New York--Second Avenue Subway.
- (22) Norfolk Light Rail.
- (23) Northern Virginia--Dulles Corridor Extension to Wiehle Avenue (Phase 1).
- (24) Orange County, California--Rapid Transit Project.
- (25) Philadelphia--Schuylkill Valley MetroRail.
- (26) Pittsburgh--North Shore Connector.
- (27) Portland, Oregon--South Corridor I-205/Portland Mall LRT.
- (28) Providence--South County Commuter Rail.
- (29) Sacramento--South Corridor LRT Extension (Phase 2), Meadowview to Consumnes River College.
- (30) Salt Lake City--Weber County to Salt Lake City Commuter Rail.
- (31) San Diego--Mid-Coast Extension.
- (32) San Francisco Muni--Third Street LRT-Phase I/II.
- (33) San Gabriel Valley--Gold Line Foothill Extension Phase I/Phase II, Los Angeles to Montclair.
- (34) Santa Clara Valley Transit Authority--Silicon Valley Rapid Transit Corridor.
- (35) Tampa Bay--Regional Rail.

- (36) Triangle Transit Authority, North Carolina--Regional Rail Project.
- (37) Washington County, Oregon--Wilsonville to Beaverton Commuter Rail.
- (38) Wasilla-Girdwood, Alaska--Commuter Rail.

(c) Preliminary Engineering.--The following projects are authorized for preliminary engineering for fiscal years 2005 through 2009 under paragraphs (1)(A) and (2)(A) of section 5309(m) of title 49, United States Code:

- (1) Alameda, California--Fixed Guideway Corridor Project.
- (2) Alameda, California--Transit Improvements and Multimodal Center.
- (3) Albuquerque--High Capacity Corridor.
- (4) Ann Arbor/Downtown Detroit--Transit Improvement Project.
- (5) Atlanta--East Line 1-20 Corridor Project.
- (6) Atlanta--MARTA Memorial Drive Bus Rapid Transit.

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- (7) Atlanta--GRTA I-75 Corridor, Downtown Atlanta--Cherokee County.
- (8) Atlanta--Interstate 285 Transit Corridor.
- (9) Atlanta--Georgia 400 North Line Corridor Project.
- (10) Atlanta--Belt Line C-Loop.
- (11) Atlanta--I-20 East Line I-20 Corridor Project.
- (12) Atlanta--West Line I-20 Corridor Project.
- (13) Austin--San Antonio I-35 Commuter Rail.
- (14) Austin--Rapid Bus Project.
- (15) Austin--Urban Commuter Rail.
- (16) Baltimore Red Line/Green Line Transit Project.
- (17) Baton Rouge--Bus Rapid Transit.
- (18) Bayonne, New Jersey--Hudson Bergen LRT Extension to NY Harbor.
- (19) Bernalillo-Santa Fe--New Mexico Commuter Rail.
- (20) Birmingham, Alabama--Transit Corridor.
- (21) Boise--Downtown Circulator.
- (22) Boise, Idaho--Valley Regional Transit Rail Corridor Preservation.
- (23) Boston--Assembly Square Orange Line Station.
- (24) Boston--Lechmere Transit Improvement to Somerville and Medford.
- (25) Boston--North Shore Corridor and Blue Line Extension.
- (26) Boston--North/South Rail Link.
- (27) Boston--Urban Ring BRT.
- (28) Bridgeport, Connecticut--Bridgeport Intermodal Facility.
- (29) Broward County, Florida--Bus Rapid Transit.
- (30) Camden, New Jersey--North Ferry Terminal.
- (31) Carrollton, Texas--Regional Intermodal Passenger Rail Facility Project.
- (32) Cedar Rapids, Iowa--River Rail Project.
- (33) Central Phoenix--East Valley Corridor LRT Extensions.
- (34) Charlotte--Charlotte Multimodal Station.
- (35) Charlotte--North Corridor Project.

- (36) Charlotte--Northeast Corridor Project.
- (37) Charlotte--South Corridor LRT Extension to Rock Hill, South Carolina.
- (38) Charlotte--Southeast Corridor Project.
- (39) Charlotte--West Corridor Project.
- (40) Charlotte--Center City Streetcar Project.
- (41) Chicago--Cermack Road BRT.
- (42) Chicago CTA--Red Line Extension.
- (43) Chicago CTA--Chicago Transit Hub (Circle Line-Ogden Streetcar).
- (44) Chicago CTA--Orange Line Extension (Midway Airport to Ford City).
- (45) Chicago CTA--Yellow Line Extension (Dempster-Old Orchard).
- (46) Chicago--Ogden Avenue Corridor.
- (47) Chicago--Pace Golf Road Bus Rapid Transit.
- (48) Chula Vista, California--Bus Rapid Transit.
- (49) Clark County, Washington--MAX Extension.
- (50) Cleveland-Akron-Canton (Northeast Ohio) Commuter Rail.

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- (51) Columbia, South Carolina--Light Rail.
- (52) Columbus--North Corridor LRT Project.
- (53) Contra-Costa--BART Extension.
- (54) Corpus Christi--Downtown Rail Trolley.
- (55) Dallas Area Rapid Transit--Dallas Central Business District.
- (56) Dallas Area Rapid Transit--Rowlett LRT Extension.
- (57) Dallas Area Rapid Transit--Beltline to DFW Airport.
- (58) Dayton--Aviation Heritage Corridor Streetcar Project.
- (59) Dayton--Aviation Heritage Corridor Streetcar Project Phase I.
- (60) Denton County Transportation Authority, Texas--Fixed Guideway Project.
- (61) Denver--Gold Line Extension to Arvada.
- (62) Denver--RR Right-of-Way Acquisition.
- (63) Denver--United States Route 36 Transit Corridor.
- (64) Denver--North Metro Corridor to Thornton.
- (65) Denver--East Corridor to DIA Airport.
- (66) Denver--I-225 Transit Corridor.
- (67) Denver--Southeast Corridor Extension to Lone-Tree/Ridgegate.
- (68) Denver--Southwest Corridor Extension to C470/Lucent Boulevard.
- (69) Detroit--Center City Loop.
- (70) Detroit--Woodward Corridor.
- (71) District of Columbia--Light Rail Starter Line.
- (72) Erie, Pennsylvania--Ferry Acquisition.
- (73) Fitchburg, Massachusetts--Commuter Rail Extensions and Improvements.
- (74) Florence-Myrtle Beach, South Carolina--Transit Corridor.
- (75) Fort Lauderdale--Downtown Rail Link.
- (76) Fort Lauderdale--Transit Project from NW 215th and Streets.

- (77) Fort Worth--Cottonbelt Commuter Rail to DFW.
- (78) Fort Worth--Trinity Railway Express Commuter Rail Extensions.
- (79) Galveston--Rail Trolley Extension.
- (80) Glendale, California--Downtown Streetcar.
- (81) Grand Rapids--Fixed Guideway Corridor Project.
- (82) Guam--Tumon Bay-Airport Light Rail.
- (83) Harrisburg, Pennsylvania--Corridor One MOS-2 (East Mechanicsburg to Carlisle).
- (84) Harrison County, Mississippi--Canal Road Intermodal Connector.
- (85) Henderson-Las Vegas-North Las Vegas--Regional Fixed Guideway Project.
- (86) Honolulu--Rapid Transit Project.
- (87) Houston--Commuter Rail Service in Harris & Fort Bend Counties.
- (88) Houston--Advanced Transportation Technology System.
- (89) Indianapolis--System of Metropolitan Area Rapid Transit.
- (90) Jacksonville--East-Southwest BRT.
- (91) Jacksonville--North-Southeast BRT.

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- (92) Kansas City, Missouri-Lawrence, Kansas--Commuter Rail.
- (93) Kenosha-Racine-Milwaukee Metra Commuter Rail Extension (Wisconsin).
- (94) Kenosha, Wisconsin Streetcar Expansion Project.
- (95) King County, Washington--I-405 Corridor Bus Rapid Transit.
- (96) Lake Tahoe--Passenger Ferry Service.
- (97) Lakeville, Minnesota--Cedar Avenue Corridor Bus Rapid Transit.
- (98) Lane County, Oregon--Bus Rapid Transit, Phase 2.
- (99) Las Vegas--Boulder Highway MAX Bus Rapid Transit.
- (100) Little Rock--River Rail Streetcar Extensions.
- (101) Little Rock--West Little Rock Commuter Rail.
- (102) Livermore, California--BART Rail Extension to Livermore.
- (103) Long Island Railroad--Nassau Hub.
- (104) Lorain-Cleveland Commuter Rail.
- (105) LOSSAN Del Mar-San Diego--Rail Corridor Improvements.
- (106) Lovejoy to Griffin, Georgia Commuter Rail.
- (107) Madison, Wisconsin--Madison Streetcar.
- (108) Madison, Wisconsin--Light Rail Transportation.
- (109) Madison and Dane Counties, Wisconsin--Transport 2020 Commuter Rail.
- (110) Maryland--I-270 Corridor Cities Transitway.
- (111) Maryland--Route 5 Corridor to Waldorf.
- (112) Maryland--Silver Spring Capacity Improvements.
- (113) Massachusetts--Commuter Rail Extensions to Worcester and New Bedford.
- (114) Memphis--Downtown Airport Corridor.
- (115) Memphis--Intermodal Terminal.
- (116) Memphis Regional Rail Plan.
- (117) Metra BNSF Naperville to Aurora Corridor Extension

and

Improvements.

- (118) Metra South Suburban Airport Commuter Rail Extension.
- (119) Metra SouthEast Service Line Commuter Rail.
- (120) Metra STAR Line Inter-Suburban Commuter Rail.
- (121) Metra UP Northwest Line Core Capacity Upgrades.
- (122) Metra UP West Line Core Capacity Upgrades.
- (123) Metra-West Line Extension, Elgin to Rockford.
- (124) Miami-Dade Transit--Douglas Road Extension.
- (125) Miami-Dade Transit--East-West Corridor.
- (126) Miami-Dade Transit--Kendall Corridor.
- (127) Miami-Dade Transit--Northeast Corridor.
- (128) Miami-Dade Transit--South Dade Corridor.
- (129) Miami-Dade Transit--Miami Intermodal Center to Earlington Heights.
- (130) Miami--Downtown Streetcar Project.
- (131) Middletown-South Fallsburg, New York, Passenger Rail.
- (132) Milwaukee--Downtown Dedicated Guideway Transit Connector.
- (133) Minneapolis--Northwest Corridor Busway.
- (134) Minneapolis-St. Paul--Central Corridor Transit Project.

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- (135) Minneapolis-St. Paul-Hinckley, Minnesota--Rush Line Corridor.
- (136) Missouri/Kansas--Interstate 35 Transit Corridor.
- (137) Monterey County, California--Commuter Rail.
- (138) Montgomery and Prince George's Counties, Maryland--

Bi-

- County Transitway (Purple Line).
- (139) Nashua-Manchester--Commuter Rail Extension.
- (140) Nashville--Area Transit Corridors.
- (141) Nashville--Southeast Rail Corridor.
- (142) Nashville Tennessee Commuter Rail.
- (143) Nassau and Queens Counties, New York--LIRR Main Line Third Track Project.
- (144) New Bedford-Fall River, Massachusetts--Commuter Rail Extension.
- (145) New Haven, Connecticut-Hartford, Connecticut-Springfield, Massachusetts Commuter Line.
- (146) New Jersey Trans-Hudson Midtown Corridor.
- (147) New Jersey Transit--Northeast Corridor Trans-Hudson Commuter Rail Improvements.
- (148) New Jersey Transit--Morris/Essex/Boonton Trans-Hudson Commuter Rail Improvements.
- (149) New Jersey Transit--New York Susquehanna and Western RR Commuter Extension.
- (150) New Jersey Transit--Phillipsburg Extension.
- (151) New Jersey Transit--West Trenton Line Commuter Line Service Extension.
- (152) New Jersey-Pennsylvania Lackawanna Cutoff Rail Restoration.
- (153) New Jersey Urban Core.
- (154) New Orleans--Airport-CBD Commuter Rail.
- (155) New Orleans--Riverfront Streetcar Downriver

Extension.

(156) New Orleans--Riverfront Streetcar Upriver Extension.
(157) New York--Governors Island Transportation Access.
(158) New York--Long Island Sound (Long Island) Ferry Service.
(159) New York--Long Island Sound (Westchester) Ferry Service.
(160) New York--NYC Bus Rapid Transit.
(161) New York--NYC Highline.
(162) New York--Penn Station Access Project.
(163) New York--Rockaway-Brooklyn Army Terminal-Manhattan Ferry Service.
(164) New York--Staten Island to Manhattan High-Speed Ferry Service Extension.
(165) New York--Stewart Airport Rail Access.
(166) New York--Tappan Zee I-287 Corridor.
(167) New York--West Harlem Waterfront Ferry Improvements.
(168) Newburg, New York--LRT System.
(169) Northern Indiana--Commuter District Line.
(170) Northern Indiana--West Lake Commuter Rail Link (South Shore Commuter Rail).
(171) Norfolk--Naval Station Corridor.
(172) Norfolk-Petersburg--United States Route 460 Commuter Rail Project.

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(173) Northern Virginia--Crystal City Potomac Yards Transit.
(174) Northern Virginia--Columbia Pike Rapid Transit Project.
(175) Northern Virginia--Dulles Corridor Extension, Phase 2.
(176) Northern Virginia--Richmond Highway (Route 1) Rapid Transit Project.
(177) Oakland--Telegraph Avenue/International Blvd./East 14th Street BRT.
(178) Ogden--Intermodal-Weber State University Transit Connection.
(179) Orange County, California--Bus Rapid Transit.
(180) Orlando-Orange County, Florida--Light Rail Project.
(181) Ottawa, Illinois--Illinois Valley Commuter Rail Extension.
(182) Pawtucket, Rhode Island--Commuter Rail Station.
(183) Philadelphia--Elwyn to Wawa Train Service
Restoration.
(184) Philadelphia--Navy Yard Transit Extension.
(185) Philadelphia--52nd Street City Connector Project.
(186) Philadelphia--Route 100 Rapid Trolley Extension.
(187) Philadelphia--Broad Street Subway Line Extension.
(188) Piedmont Authority Regional Transportation--East-West Rail Transit Corridor Project.
(189) Pinellas Mobility Initiative Bus Rapid Transit.
(190) Pittsburgh--Keystone West Passenger Rail Corridor in Blair, Cambria, West Moreland, and Allegheny Counties.
(191) Pittsburgh--East-West Corridor Rapid Transit.
(192) Pittsburgh--Martin Luther King, Jr., Busway
Extension.

(193) Pittsburgh--Oakland Technology Corridor.
(194) Portland Streetcar Extensions.
(195) Portland-Yarmouth-Brunswick-Lewiston/Auburn Passenger Rail.
(196) Providence--South County Commuter Rail Phase II.
(197) Provo-Orem Utah--Bus Rapid Transit.
(198) Quakertown-Stoney Creek, Pennsylvania--Rail Restoration.
(199) Raritan Valley, New Jersey--Commuter Rail.
(200) Reno, Nevada--Virginia Street Bus Rapid Transit Project.
(201) Riverside County, California--Perris Valley Line Metrolink Extension.
(202) Roaring Fork Valley, Colorado--Bus Rapid Transit.
(203) Rock Island, Illinois--Quad Cities Rapid Transit System.
(204) Sacramento--Downtown Streetcar Project.
(205) Sacramento--Regional Rail, Auburn to Oakland.
(206) Sacramento--Downtown/Natomas Airport Transit Corridor.
(207) Salt Lake City--Airport to University LRT.
(208) Salt Lake City--Delta Center to Gateway Intermodal Center LRT Extension.
(209) Salt Lake City--Draper to Sandy LRT Extension.
(210) Salt Lake-Provo--Commuter Rail Extension.
(211) Salt Lake City--TRAX Capacity Improvements.

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(212) Salt Lake City--West Valley City LRT Extension.
(213) Salt Lake City--West Valley City 3500 South BRT.
(214) Salt Lake City--West Jordan LRT Extension.
(215) Salt Lake City to South Davis Transit Connection.
(216) San Antonio--Bus Rapid Transit.
(217) San Diego--First Bus Rapid Transit.
(218) San Diego--San Diego Imperial County Mag-Lev Rail Airport Corridor Project.
(219) San Diego--Sprinter Rail Line Extension Project.
(220) San Francisco--BART Extension to Livermore.
(221) San Francisco--BART Extension to Oakland

International
Airport.
(222) San Francisco--MUNI Geary Boulevard Bus Rapid Transit.
(223) San Francisco--Oyster Point Ferry Terminal.
(224) San Francisco--Transbay Terminal/Caltrain Downtown Extension Project.
(225) San Joaquin, California--Regional Rail Commission Central Valley Rail Service.
(226) San Joaquin Regional Rail Commission Commuter Rail (Altamont Commuter Express).
(227) San Juan Tren Urbano--Extension from Rio Piedras to Carolina.
(228) San Juan--Tren Urbano Minillas Extension.
(229) Santa Fe--El Dorado Rail Link.
(230) Seattle--Monorail Project Post--Green Line Extensions.

- (231) Seattle--Link LRT Extensions.
- (232) Seattle--Sound Transit Commuter Rail.
- (233) Seattle--Sound Transit Regional Express Bus.
- (234) Sevierville to Pigeon Ford, Tennessee--Bus Rapid Transit.
- (235) Sonoma/Marin (SMART) Commuter Rail, California.
- (236) Southern California High Speed Regional Transit.
- (237) Southern New Jersey to Philadelphia Transit Project.
- (238) St. Louis Metro Link--Scott AFB to Mid America Airport.
- (239) St. Louis--East/West Gateway.
- (240) St. Louis--Metro Link Northside Daniel Boone Project.
- (241) St. Louis--Metro South Corridor.
- (242) St. Louis--University Downtown Trolley.
- (243) St. Paul--Red Rock Corridor Commuter Rail Project.
- (244) Stamford, Connecticut--Boston Post Road Intermodal Center and Capacity Expansion Project.
- (245) Stamford, Connecticut--Urban Transitway Phase II.
- (246) Tampa--Bus Rapid Transit Improvements.
- (247) Tampa--Streetcar Extension to Downtown Tampa.
- (248) Toledo, Ohio--CBD to Zoo.
- (249) Toledo, Ohio--University Corridor.
- (250) Trenton Trolley.
- (251) Tri-Rail Dolphin Extension.
- (252) Tri-Rail Florida East Coast Commuter Rail Extension.
- (253) Tri-Rail Jupiter Extension.
- (254) Tri-Rail Scripps Corridor Extension Project.
- (255) Tucson--Old Pueblo Trolley Expansion.

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- (256) Vancouver--Interstate MAX Extension to Clark County, Washington.
- (257) Virginia Beach--Bus Rapid Transit.
- (258) Virginia Railway Express Capacity Improvements.
- (259) Washington, D.C.--Woodrow Wilson Bridge Transit Projects.
- (260) Washington State Ferries and Ferry Facilities.
- (261) Washington State--Issaquah Valley Trolley Project.
- (262) Williamsburg-Newport News--Peninsula Rail Transit.
- (263) Wilmington, Delaware--Commuter Rail to Middletown.
- (264) Winston-Salem--Downtown Streetcar System.

(d) Project Authorizations.--Subject to the requirements of sections 5309(d) and 5309(e) of title 49, United States Code, the following projects are authorized for the following amounts:

- (1) Ann Arbor/Downtown Detroit Transit Improvement Project, \$100,000,000.
- (2) Baltimore Red Line/Green Line Transit Project, \$102,300,000.
- (3) Bernalillo--Santa Fe--New Mexico Commuter Rail, \$75,000,000.
- (4) Birmingham-Jefferson Transit Authority--I-65 South BRT, \$100,000,000.
- (5) Boston--Assembly Square Orange Line Station, \$25,000,000.

- (6) Boston--Silver Line BRT Phase II, \$20,000,000.
- (7) Bridgeport, Connecticut--Bridgeport Intermodal Transit Center, \$28,000,000.
- (8) Dallas Area Rapid Transit--NW/SW Light Rail Transit Minimal Operable Segment, \$260,000,000.
- (9) Delaware--Wilmington-Newark Commuter Rail Improvements, \$14,000,000.
- (10) Denver Regional Transit District--West Corridor, \$270,000,000.
- (11) Grand Rapids--Fixed Guideway Corridor Project, \$14,400,000.
- (12) Harrison County, Mississippi HOV/BRT Canal Road Intermodal Connector, \$70,000,000.
- (13) Henderson-Las Vegas-North Las Vegas--Regional Fixed Guideway Project, \$32,000,000.
- (14) Houston--Advanced Transportation Technology System in Harris County, \$245,000,000.
- (15) Kenosha-Racine-Milwaukee Metra Commuter Rail Extension (Wisconsin), \$80,000,000.
- (16) Lake Tahoe--Passenger Ferry Service, \$8,000,000.
- (17) Lane County, Oregon--Bus Rapid Transit, Phase 2, \$31,000,000.
- (18) Las Vegas--Boulder Highway MAX Bus Rapid Transit, \$12,000,000.
- (19) Las Vegas--Resort Corridor Downtown Extension Project, \$16,000,000.
- (20) Long Island Railroad--Nassau Hub, \$10,000,000.
- (21) Los Angeles County Metropolitan Transportation Authority (LACMTA): Mid-City/Exposition Light Rail Transit Project, \$11,000,000.

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- (22) Metro Gold Line Foothill Extension Construction Authority: Gold Line Foothill Light Rail Transit Project, \$6,000,000.
- (23) Miami--Downtown Streetcar Project, \$50,000,000.
- (24) Minneapolis--North Star Corridor, \$80,000,000.
- (25) Mississippi--I-69 HOV/BRT, \$70,000,000.
- (26) Nashville--Commuter Rail, \$6,200,000.
- (27) New Bedford-Fall River, Massachusetts--Commuter Rail Extension, \$10,000,000.
- (28) New Britain-Hartford Busway Project, \$55,000,000.
- (29) New Jersey Transit/Northeast Corridor Trans-Hudson Commuter Rail Improvements, \$80,000,000.
- (30) New Orleans--Airport-CBD Commuter Rail, \$5,000,000.
- (31) New Orleans--Desire Corridor Streetcar, \$69,700,000.
- (32) New York--Penn Station Access Project, \$15,000,000.
- (33) New York--Stewart Airport Rail Access, \$40,000,000.
- (34) Providence--South County Commuter Rail, Phase II, \$60,000,000.
- (35) Providence--South County Commuter Rail, \$36,000,000.
- (36) Pennsylvania--New Jersey Lackawanna Cutoff Rail Restoration, \$120,000,000.
- (37) Philadelphia--Schuylkill Valley Metro, \$250,000,000.
- (38) Reno, Nevada--Virginia Street Bus Rapid Transit, \$12,000,000.

- (39) Sacramento--South Corridor LRT Extension (Phase 2), Meadowview to Consumnes River College, \$11,000,000.
- (40) Sacramento Regional Transit District: Downtown Natoma Airport Transit Corridor, \$5,000,000.
- (41) San Diego--Mid-Coast Light Rail Transit Extension, \$11,000,000.
- (42) San Francisco Muni Third St. Light Rail Transit-Phase I/II, \$15,000,000.
- (43) Santa Clara Valley Transportation Authority--Silicon Valley Rapid Transit Corridor Project, \$11,000,000.
- (44) Santa Fe--El Dorado Rail Link, \$5,400,000.
- (45) Sonoma Marin Area Rail Transit (SMART) Project, \$5,000,000.
- (46) St. Louis--Metro South Corridor Metrolink Light Rail Extension, \$135,000,000.
- (47) St. Louis--North Side and Daniel Boone Corridors Metrolink Light Rail Extensions, \$275,000,000.
- (48) Stamford, Connecticut Urban Transitway, Phase II, \$22,800,000.
- (49) Tampa--Streetcar Extension to Downtown Tampa, \$3,000,000.
- (50) Utah--Regional Commuter Rail, \$200,000,000.
- (51) Washington State Ferries, \$25,000,000.
- (52) Wilmington, Delaware--Commuter Rail to Middletown, \$24,900,000.

(e) Rules Relating to Funding.--

(1) Subsection (a) projects.--

(A) In general.--The Secretary is authorized to expend funds made available under section 5309(m) of

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title 49, United States Code, for final design and construction of projects authorized by subsection (a)

as

existing full funding grant agreements.

(B) Minimum funding levels.--The Secretary shall make available not less than the following amounts for projects authorized by subsection (a): \$1,157,400,426 for fiscal year 2005, \$838,360,578 for fiscal year

2006,

\$614,405,565 for fiscal year 2007, \$424,817,697 for fiscal year 2008, and \$259,180,764 for fiscal year

2009.

(2) Subsection (b) projects.--

(A) In general.--Projects authorized by subsection (b) for final design and construction are also authorized for alternatives analysis and preliminary engineering.

(B) Minimum funding levels.--The Secretary shall make available not less than the following amounts for projects authorized by subsection (b): \$165,402,806 for fiscal year 2005, \$544,399,422 for fiscal year 2006, \$826,314,435 for fiscal year 2007, \$1,139,182,303 for fiscal year 2008, and \$1,405,329,236 for fiscal year 2009.

(C) Priority.--In making funds available under subparagraph (B), the Secretary shall first make such funds available for any full funding grant agreement executed by the Secretary in fiscal year 2005 after the date of enactment of this Act and for any full funding grant agreement executed by the Secretary in the amount indicated in fiscal years 2005 through 2009 in the amount indicated in the ``Schedule of Federal Funds for the Project'' included in such agreement.

(3) Subsection (c) projects.--

projects
(A) In general.--Effective October 1, 2007,

engineering
authorized by subsection (c) for preliminary
are also authorized for final design and construction.

(B) Maximum funding levels.--The Secretary shall make available not more than the following amounts for projects authorized by subsection (c): \$115,026,368 for fiscal year 2005, \$120,240,000 for fiscal year 2006,

and
\$125,280,000 in fiscal year 2007.

(C) Maximum funding levels for preliminary engineering.--In fiscal years 2008 and 2009, the Secretary shall make available not more than the following amounts for projects authorized by subsection (b), and projects authorized by subsection (c), to conduct preliminary engineering activities:

\$136,000,000
in fiscal year 2008 and \$144,740,000 in fiscal year 2009.

(f) New Jersey Urban Core Project.--Section 3031(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (112 Stat. 380;

105 Stat. 2122) is amended--

(1) by striking ``associated components to and at the contiguous New Jersey Meadowlands Sports Complex),'' and inserting ``to and at the contiguous New Jersey Meadowlands Sports Complex), including a connection to the Hudson River Waterfront Transportation System, the Lackawanna Cutoff,``; and

(2) by striking ``in Lakewood to Freehold to Matawan or Jamesburg, New Jersey, as described in section 3035(p) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2131)'' and inserting ``from Lakehurst to the Northeast Corridor or the New Jersey Coast Line''.

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(g) New Jersey Trans-Hudson Midtown Corridor.--Not later than 90 days after the date of enactment of this Act, the Secretary shall permit

New Jersey Transit to enter into preliminary engineering on the New Jersey Trans-Hudson Midtown Corridor project. When evaluating the local share of such project in the new starts rating process, the Secretary shall give consideration to project elements of the New Jersey Trans-Hudson Midtown Corridor advanced with 100 percent non-Federal funds, including the purchase of bi-level rail equipment and the New Jersey

Transit Light Rail River Line. Based upon the project's evaluations and ratings required under section 5309(d) of title 49, United States Code, the Secretary shall give strong consideration to the project for a full funding grant agreement.

(h) Houston Metro.--

(1) Local share.--Notwithstanding any other provision of law, for the purpose of calculating the non-Federal share of the

net project cost of any new fixed guideway capital project currently included in the Advanced Transit Program ('`Metro Solutions Plan'') sponsored by the Metropolitan Transit Authority of Harris County, Texas, the Secretary shall include \$324,000,000 in State and local funds expended for the design and construction of the Red Line Light Rail Transit system that operates in Harris County, Texas.

(2) Special rule.--No provision of this Act shall be construed to override or nullify the will of the voters who approved the Metro Solutions Plan as described on the ballot

and

in the accompanying Board resolutions, nor shall any provision of this Act be construed to override or nullify the terms and conditions of Metro Board Resolution No. 2003-77 or any applicable provision of State law or the charter of the City of Houston as in effect as of the date of enactment of this Act.

(3) Amendment.--Section 178 of Public Law 108-447, division H (118 Stat. 3230), is amended by striking ``49 USC 5309(e)(1)(A), 23 CFR 771.123, and 49 CFR 611.7.''

inserting

``49 U.S.C. 5309 and 49 CFR 611.7: Provided, That such projects shall retain their status in preliminary engineering should bus rapid transit be chosen as the locally preferred alternative during that phase.''

(i) Exemption.--The Metra BNSF Naperville to Aurora Extension Project authorized under subsection (c) shall be exempted from all requirements related to criteria for grants for new fixed guideway capital projects under section 5309(d) of title 49, United States Code, and from regulations required under that section.

(j) Rail Cars.--The project authorized by subsection (a)(31) includes an additional 52 rapid rail cars and project scope changes from amounts authorized by the Transportation Equity Act for the 21st Century.

SEC. 3044. PROJECTS FOR BUS AND BUS-RELATED FACILITIES AND CLEAN FUELS GRANT PROGRAM.

(a) Projects.--Of the amounts made available to carry out section 5309(m)(2)(C) of title 49, United States Code, for each of fiscal years 2006 through 2009, the Secretary shall make funds available for the following projects in not less than the amounts specified for the fiscal year:

Project Description		FY 06	FY 07
FY 08	FY 09		
1. Glendale, CA Purchase of CNG \$100,420	\$104,283	\$88,833	\$92,696
Buses for Glendale Beeline Transit System.....			
2. Detroit Fare Collection \$869,440	\$902,880	\$769,120	\$802,560
System.....			
3. Lares, PR--Trolley buses--for \$57,383	\$59,590	\$50,762	\$52,969
the purchase of two trolley buses that will offer transportation through the urban zone in the Municipality of Lares.....			
4. Des Plaines, Wauconda, Cook \$173,888	\$180,576	\$153,824	\$160,512
and Lake Counties, IL Rand Road Transit Signal Priority.....			
5. Indianapolis, IN Downtown \$3,043,040	\$3,160,080	\$2,691,920	\$2,808,960
transit center.....			
6. Los Angeles, CA, Construction \$171,714	\$178,319	\$151,901	\$158,506
of Intermodal Transit Center at California State University Los Angeles.....			
7. Columbus, OH--Central Ohio \$1,304,160	\$1,354,320	\$1,153,680	\$1,203,840
Transit Authority Paratransit Facility.....			
8. Silver Spring, MD Construct \$793,364	\$823,878	\$701,822	\$732,336
Silver Spring Transit Center in downtown Silver Spring.....			
9. Detroit, MI Enclosed heavy- \$978,120	\$1,015,740	\$865,260	\$902,880
duty maintenance facility with full operational functions for up to 300 buses.....			

10. Bronx, NY Wildlife \$95,095	\$84,123 \$98,753	\$87,780
Conservation Society intermodal transportation facility at the Bronx Zoo.....		
11. Development of Gold Country \$202,214	\$178,882 \$209,992	\$186,659
Stage Transit Transfer Center, Nevada County, CA.....		
12. Hoboken, NJ Rehabilitation \$825,968	\$730,664 \$857,736	\$762,432
of Hoboken Intermodal Terminal.		
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13. Newark, NJ Penn Station \$217,360	\$192,280 \$225,720	\$200,640
Intermodal Improvements including the rehabilitation of boarding areas.....		
14. Orlando, Florida--LYNX Bus \$195,624	\$173,052 \$203,148	\$180,576
Fleet Expansion Program.....		
15. Fairfax County, VA Richmond \$434,720	\$384,560 \$451,440	\$401,280
Highway (U.S. Route 1) Public Transportation Improvements....		
16. Portland, OR Renovation of \$21,736	\$19,228 \$22,572	\$20,064
Union Station, including structural reinforcement and public safety upgrades.....		
17. Davis, CA Davis Multimodal \$217,360	\$192,280 \$225,720	\$200,640
Station to improve entrance to Amtrak Depot and parking lot, provide additional parking and improve service.....		
18. Reno-Sparks, Nevada-- \$869,440	\$769,120 \$902,880	\$802,560
Intermodal Transportation Terminals and Related Development.....		
19. Bar Harbor, ME Purchase new \$65,208	\$57,684 \$67,716	\$60,192
buses to enhance commuting near the Jackson Labs.....		

20. Bronx, NY Establish an \$217,360 \$225,720 intermodal transportation facility at the Wildlife Conservation Society Bronx Zoo.	\$192,280	\$200,640
21. Hingham, MA Hingham Marine \$1,956,240 \$2,031,480 Intermodal Center Improvements: Enhance public transportation infrastructure/parking.....	\$1,730,520	\$1,805,760
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22. Philadelphia, PA \$1,086,800 \$1,128,600 Philadelphia Zoo Intermodal Transportation project w/ parking consolidation, pedestrian walkways, public transportation complements and landscape improvements to surface parking lots.....	\$961,400	\$1,003,200
23. Construct intermodal \$108,680 \$112,860 transportation and parking facility, City of Winter Park, Florida.....	\$96,140	\$100,320
24. Roma, TX Bus Facility..... \$114,114 \$118,503	\$100,947	\$105,336
25. New York City, NY First \$217,360 \$225,720 Phase Implementation of Bus Rapid Transit System.....	\$192,280	\$200,640
26. Scottsdale, Arizona--Plan, \$543,400 \$564,300 design, and construct intermodal center.....	\$480,700	\$501,600
27. Sonoma County, CA Purchase \$108,680 \$112,860 of CNG buses.....	\$96,140	\$100,320
28. Camden, NJ Construction of \$217,360 \$225,720 the Camden County Intermodal Facility in Cramer Hill.....	\$192,280	\$200,640
29. Sandy Hook, NJ National Park \$217,360 \$225,720	\$192,280	\$200,640

Service Construct year-round ferry dock at Sandy Hook Unit of Gateway National Recreation Area.....		
30. Sevier County, Tennessee-- \$54,340	\$48,070 \$56,430	\$50,160
U.S. 441 bus rapid transit.....		
31. St. Augustine, Florida-- \$217,360	\$192,280 \$225,720	\$200,640
Intermodal Transportation and Parking Facility.....		
32. Torrington, CT Construct bus- \$434,720	\$384,560 \$451,440	\$401,280
related facility (Northwestern Connecticut Central Transit District).....		
[[Page 119 STAT. 1656]]		
33. Warren, PA--Construct \$326,040	\$288,420 \$338,580	\$300,960
Intermodal Transportation Center and related pedestrian and landscape improvements.....		
34. Toledo, OH TARTA/ TARPS \$1,630,200	\$1,442,100 \$1,692,900	\$1,504,800
Passenger Intermodal Facility construction.....		
35. Union City, CA Intermodal \$923,780	\$817,190 \$959,310	\$852,720
Station, Phase 1: Modify BART station.....		
36. Los Angeles, CA Wilshire- \$217,360	\$192,280 \$225,720	\$200,640
Vermont subway station reconstruction.....		
37. Lancaster, PA--bus \$206,492	\$182,666 \$214,434	\$190,608
replacement.....		
38. Monmouth County, NJ \$434,720	\$384,560 \$451,440	\$401,280
Construction of main bus facility for Freehold Township, including a terminal and repair shop.....		

39. Monrovia, California--	\$576,840	\$601,920
\$652,080 \$677,160		
Transit Village Project.....		
40. Duluth, MN Downtown Duluth	\$384,560	\$401,280
\$434,720 \$451,440		
Area Transit facility		
improvements.....		
41. Brooklyn, NY New Urban	\$184,589	\$192,614
\$208,666 \$216,691		
Center--Broadway Junction		
Intermodal Center.....		
42. Medford, MA Downtown	\$384,560	\$401,280
\$434,720 \$451,440		
revitalization featuring		
construction of a 200 space		
Park and Ride Facility.....		
43. Needles, California--El	\$384,560	\$401,280
\$434,720 \$451,440		
Garces Intermodal Facility.....		
44. Bridgeport, Connecticut--	\$96,140	\$100,320
\$108,680 \$112,860		
Greater Bridgeport Transit		
Authority Bus Facility.....		
45. Palm Springs, California--	\$96,140	\$100,320
\$108,680 \$112,860		
Sunline Transit bus purchase...		
[[Page 119 STAT. 1657]]		
46. National Park Service Design	\$192,280	\$200,640
\$217,360 \$225,720		
and construct 2.1-mile segment		
to complete Sandy Hook multiuse		
pathway in Sandy Hook, NJ.....		
47. Phoenix, AZ Construct City	\$192,280	\$200,640
\$217,360 \$225,720		
of Phoenix para-transit		
facility (Dial-a-Ride).....		
48. Project provides for the	\$192,280	\$200,640
\$217,360 \$225,720		
engineering and construction of		
a transportation center in		
Paoli, Chester County.....		
49. Columbus, Georgia--Buses and	\$186,319	\$194,420
\$210,622 \$218,723		
Bus Facilities.....		

50. Cleveland, Ohio--University \$1,847,560 \$1,918,620 Circle intermodal facility.....	\$1,634,380	\$1,705,440
51. Cleveland, OH acquisition of \$217,360 \$225,720 buses Greater Cleveland Regional Transit Authority.....	\$192,280	\$200,640
52. Greensboro, North Carolina-- \$1,256,341 \$1,304,662 Replacement buses.....	\$1,111,378	\$1,159,699
53. Johnson Co., KS Bus and bus \$434,720 \$451,440 related facilities (I-35 corridor), Johnson Co. Transit.	\$384,560	\$401,280
54. City of Alameda, CA Plan, \$434,720 \$451,440 design, and construct intermodal facility.....	\$384,560	\$401,280
55. New Orleans, LA Intermodal \$108,680 \$112,860 Riverfront Center.....	\$96,140	\$100,320
56. Brooklyn, NY--Rehabilitation \$869,440 \$902,880 of Bay Ridge 86th Street Subway Station.....	\$769,120	\$802,560
57. Wilmington, NC Build \$217,360 \$225,720 Intermodal Center.....	\$192,280	\$200,640
58. Yabucoa, Puerto Rico-- \$38,038 \$39,501 Trolley buses.....	\$33,649	\$35,112
[[Page 119 STAT. 1658]]		
59. Beverly, MA Design and \$434,720 \$451,440 Construct Beverly Depot Intermodal Transportation Center.....	\$384,560	\$401,280
60. Georgia Statewide Bus \$43,472 \$45,144 Program.....	\$38,456	\$40,128
61. Trenton, New Jersey--Trenton \$326,040 \$338,580	\$288,420	\$300,960

Train Station Rehabilitation...		
62. Trenton, NJ Reconstruction	\$1,345,960	\$1,404,480
\$1,521,520	\$1,580,040	
and rehabilitation of the Trenton Train Station.....		
63. Zapata, Texas Purchase Bus	\$60,088	\$62,700
\$67,925	\$70,538	
vehicles.....		
64. Zanesville, OH--bus system	\$15,623	\$16,302
\$17,661	\$18,340	
signage and shelters.....		
65. York, Pennsylvania--Rabbit	\$532,712	\$555,873
\$602,196	\$625,357	
Transit facilities and communications equipment.....		
66. Canby, OR bus and bus	\$28,842	\$30,096
\$32,604	\$33,858	
facilities.....		
67. New Orleans, LA Plan and	\$192,280	\$200,640
\$217,360	\$225,720	
construct New Orleans Union Passenger Terminal intermodal facilities.....		
68. Northern Neck and Middle	\$624,910	\$652,080
\$706,420	\$733,590	
Peninsula, Virginia--Bay Transit Multimodal Facilities..		
69. Broward County, FL Buses and	\$1,249,820	\$1,304,160
\$1,412,840	\$1,467,180	
Bus Facilities.....		
70. Palm Springs, California--	\$192,280	\$200,640
\$217,360	\$225,720	
Sunline Transit: CalStart- Weststart fuel cell bus program		
71. San Juan, Puerto Rico--Buses	\$192,280	\$200,640
\$217,360	\$225,720	
72. Hammond, Louisiana--	\$38,456	\$40,128
\$43,472	\$45,144	
Passenger Intermodal facility at Southeastern University.....		

73. West Virginia Construct \$5,216,640 \$5,417,280 Beckley Intermodal Gateway pursuant to the eligibility provisions for projects listed under section 3030(d)(3) of Public Law 105-178.....	\$4,614,720	\$4,815,360
74. Albany-Schenectady, NY Bus \$217,360 \$225,720 Rapid Transit Improvements in NY Route 5 Corridor.....	\$192,280	\$200,640
75. Alameda County, CA AC \$108,680 \$112,860 Transit Bus Rapid Transit Corridor Project.....	\$96,140	\$100,320
76. Baldwin Park, CA Construct \$434,720 \$451,440 vehicle and bicycle parking lot and pedestrian rest area at transit center.....	\$384,560	\$401,280
77. Niagara Falls, NY \$1,217,216 \$1,264,032 Relocation, Development, and Enhancement of Niagara Falls International Railway Station/ Intermodal Transportation Center.....	\$1,076,768	\$1,123,584
78. Utica, New York--Union \$21,736 \$22,572 Station Boehlert Center siding track improvements.....	\$19,228	\$20,064
79. Ionia County, MI--Purchase \$128,242 \$133,175 and implementation of communication equipment improvements.....	\$113,445	\$118,378
80. Flagler County, Florida--bus \$130,416 \$135,432 facility.....	\$115,368	\$120,384
81. Easton, Pennsylvania--Design \$434,720 \$451,440 and construct Intermodal Transportation Center.....	\$384,560	\$401,280
82. Yamhill County, OR For the \$23,910 \$24,829 construction of bus shelters, park and ride facilities, and a sign-age strategy to increase	\$21,151	\$22,070

ridership.....

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83. Woodland, CA Yolobus \$434,720 \$451,440 operations, maintenance, administration facility expansion and improvements to increase bus service with alternative fuel buses.....	\$384,560	\$401,280
84. Sacramento, CA Construct \$1,521,520 \$1,580,040 intermodal station and related improvements.....	\$1,345,960	\$1,404,480
85. Torrance Transit System, CA \$652,080 \$677,160 Acquisition of EPA and CARB- certified low emission replacement buses.....	\$576,840	\$601,920
86. Burlington County, NJ-- \$869,440 \$902,880 BurLink and Burlington County Transportation System vehicles and equipment.....	\$769,120	\$802,560
87. Niles, OH Acquisition of bus \$43,472 \$45,144 operational and service equipment for Niles Trumbull Transit.....	\$38,456	\$40,128
88. Rockport, MA Rockport \$597,740 \$620,730 Commuter Rail Station Improvements.....	\$528,770	\$551,760
89. Cincinnati, Ohio--Metro \$201,058 \$208,791 Regional Transit Hub Network Eastern Neighborhoods.....	\$177,859	\$185,592
90. Buses and bus related \$1,304,160 \$1,354,320 facilities throughout the State of Connecticut.....	\$1,153,680	\$1,203,840
91. Columbus, GA Bus replacement \$65,208 \$67,716	\$57,684	\$60,192
92. Norwalk, CA Transit System \$173,888 \$180,576	\$153,824	\$160,512

Bus Procurement and Los Angeles
World Airport Remote Fly-Away
Facility Project.....

93. Salem, OR bus and bus	\$384,560	\$401,280
\$434,720	\$451,440	
facilities.....		

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94. Ilwaco, WA Procure shuttles	\$19,228	\$20,064
\$21,736	\$22,572	
for Lewis and Clark National Historical Park.....		

95. Gainesville, FL Bus	\$769,120	\$802,560
\$869,440	\$902,880	
Replacement.....		

96. SEPTA Montgomery County	\$961,400	\$1,003,200
\$1,086,800	\$1,128,600	
Intermodal Improvements at Glenside and Jenkintown Station Parking Garages.....		

97. Fredericksburg, Virginia--	\$480,700	\$501,600
\$543,400	\$564,300	
Improve and repair Fredericksburg Station.....		

98. Birmingham, AL Expansion of	\$384,560	\$401,280
\$434,720	\$451,440	
Downtown Intermodal Facility, Phase II.....		

99. Gresham, Oregon Construct a	\$269,192	\$280,896
\$304,304	\$316,008	
new light rail station and transit plaza on Portland MAX system and serve Gresham Civic neighborhood.....		

100. State of Wisconsin buses	\$3,143,778	\$3,280,464
\$3,553,836	\$3,690,522	
and bus facilities.....		

101. Emeryville, CA Expand and	\$192,280	\$200,640
\$217,360	\$225,720	
Improve Intermodal Transit Center at Amtrak Station.....		

102. Jersey City, NJ Construct	\$384,560	\$401,280
\$434,720	\$451,440	
West Entrance to Pavonia- Newport PATH Station.....		

103. Longwood, Florida--	\$96,140	\$100,320
\$108,680	\$112,860	
Construct Intermodal Transportation Facility.....		
104. Marietta, Ohio Construction	\$96,140	\$100,320
\$108,680	\$112,860	
of transportation hub to accommodate regional bus traffic.....		
105. Akron, Ohio--West Market	\$124,982	\$130,416
\$141,284	\$146,718	
Street transit center and related pedestrian improvements		
[[Page 119 STAT. 1662]]		
106. Sandy, Oregon Transit Bus	\$134,596	\$140,448
\$152,152	\$158,004	
Facility.....		
107. Jacksonville, FL	\$865,260	\$902,880
\$978,120	\$1,015,740	
Paratransit Vehicles.....		
108. Carson, CA Purchase two	\$96,140	\$100,320
\$108,680	\$112,860	
tripper buses.....		
109. Bloomington, IN--Bus and	\$924,867	\$965,078
\$1,045,502	\$1,085,713	
transfer facility.....		
110. Cobb County, GA Cobb County	\$192,280	\$200,640
\$217,360	\$225,720	
Smart Card Technology/Bus Facility Improvements.....		
111. Construct West Houston and	\$384,560	\$401,280
\$434,720	\$451,440	
Fort Bend County, Texas--bus transit corridor.....		
112. Mariposa, CA--Yosemite	\$480,700	\$501,600
\$543,400	\$564,300	
National Park CNG-Hydrogen transit buses and facilities...		
113. Snohomish County, WA	\$576,840	\$601,920
\$652,080	\$677,160	
Community Transit bus purchases and facility enhancement.....		

114. Geneva, Illinois--Construct \$869,440 \$902,880 commuter parking deck for Metra Service.....	\$769,120	\$802,560
115. Rhode Island Statewide Bus Fleet.....	\$1,153,680	\$1,203,840
116. Pleasant Hill, CA Construct \$326,040 \$338,580 Diablo Valley College Bus Transit Center.....	\$288,420	\$300,960
117. Broward, FL Purchase new \$108,680 \$112,860 articulated buses and bus stop improvements on State Road 7. (SR 7) between Golden Glades Interchange and Glades Road....	\$96,140	\$100,320
118. Attleboro, MA Construction, \$434,720 \$451,440 engineering, and site improvements at the Attleboro Intermodal Center.....	\$384,560	\$401,280
[[Page 119 STAT. 1663]]		
119. Burbank, CA CNG Transit \$97,812 \$101,574 Vehicles Purchase for Local Transit Network Expansion.....	\$86,526	\$90,288
120. Dayton Airport Intermodal \$163,020 \$169,290 Rail Feasibility Study.....	\$144,210	\$150,480
121. Los Angeles, CA Improve \$326,040 \$338,580 transit shelters, sidewalks lighting and landscaping around Cedar's-Sinai Medical Center...	\$288,420	\$300,960
122. Baltimore, MD Construct \$1,086,800 \$1,128,600 Intercity Bus Intermodal Terminal.....	\$961,400	\$1,003,200
123. Cheltenham, PA Glenside \$217,360 \$225,720 Rail Station Parking Garage project involving the construction of a 300-400 space parking lot at Easton Road and	\$192,280	\$200,640

Glenside Avenue.....		
124. Haverhill, MA Design and \$1,217,216 \$1,264,032 Construct Intermodal Transit Parking Improvements.....	\$1,076,768	\$1,123,584
125. Palm Beach County, FL Plan \$760,760 \$790,020 and Construct Belle Glade Combined Passenger Transit Facility.....	\$672,980	\$702,240
126. Pittsburgh, PA Clean Fuel \$108,680 \$112,860 Bus Procurement.....	\$96,140	\$100,320
127. San Fernando, CA Purchase \$660,774 \$686,189 CNG buses and related equipment and construct facilities.....	\$584,531	\$609,946
128. Bayamon, Puerto Rico--bus \$130,416 \$135,432 terminal.....	\$115,368	\$120,384
129. Bozeman, Montana--Vehicular \$869,440 \$902,880 Parking Facility.....	\$769,120	\$802,560
[[Page 119 STAT. 1664]]		
130. Coahoma County, Mississippi \$32,604 \$33,858 Purchase buses for the Aaron E. Henry Community Health Services Center, Inc./ DARTS transit service.....	\$28,842	\$30,096
131. Stonington and Mystic, \$530,358 \$550,757 Connecticut--Intermodal Center parking facility and Streetscape.....	\$469,163	\$489,562
132. Carson, CA Purchase one bus \$54,340 \$56,430	\$48,070	\$50,160
133. Miami-Dade County, Florida-- \$649,906 \$674,903 Transit Security System.....	\$574,917	\$599,914
134. Town of Chapel Hill, NC \$326,040 \$338,580 Park and Ride Lot.....	\$288,420	\$300,960

135. Wheaton, IL Pace Suburban \$217,360 \$225,720 Bus--Purchase buses.....	\$192,280	\$200,640
136. Ocala and Marion County, \$652,080 \$677,160 Florida--replacement buses.....	\$576,840	\$601,920
137. Philadelphia, PA \$869,440 \$902,880 Improvements to the existing Penn's Landing Ferry Terminal..	\$769,120	\$802,560
138. Long Branch, NJ Design and \$869,440 \$902,880 construct facilities for ferry service from Long Branch, NJ to New York City and other destinations.....	\$769,120	\$802,560
139. Quincy, MA MBTA Purchase \$434,720 \$451,440 high speed catamaran ferry for Quincy Harbor Express Service..	\$384,560	\$401,280
140. Los Angeles, CA Crenshaw \$1,853,646 \$1,924,940 Bus Rapid Transit.....	\$1,639,764	\$1,711,058
141. South Bend, Indiana-- \$217,360 \$225,720 Construct South Bend Bus Operations Center.....	\$192,280	\$200,640
[[Page 119 STAT. 1665]]		
142. Arlington County, VA \$652,080 \$677,160 Crystal City--Potomac Yard Busway, including construction of bus shelters.....	\$576,840	\$601,920
143. Raleigh, NC Purchase \$434,720 \$451,440 eighteen replacement buses to replace buses that have reached their useful life according to Federal Transit Administration regulations.....	\$384,560	\$401,280
144. Augusta, GA Buses and Bus \$86,944 \$90,288 Facilities.....	\$76,912	\$80,256

145. Santa Ana, CA Improve Santa Ana transit terminal.....	\$192,280 \$217,360 \$225,720	\$200,640
146. Cooperstown, New York-- Intermodal Facility Project....	\$961,400 \$1,086,800 \$1,128,600	\$1,003,200
147. Santa Barbara, CA-- Expansion of Regional Intermodal Transit Center.....	\$57,684 \$65,208 \$67,716	\$60,192
148. Tampa, FL Purchase buses and construct bus facilities...	\$432,630 \$489,060 \$507,870	\$451,440
149. Yonkers, NY Trolley Bus Acquisition.....	\$72,105 \$81,510 \$84,645	\$75,240
150. Phoenix, AZ Construct regional heavy bus maintenance facility.....	\$192,280 \$217,360 \$225,720	\$200,640
151. Thurston County, WA Replace Thurston County Buses.....	\$173,052 \$195,624 \$203,148	\$180,576
152. San Juan, Puerto Rico--bus security equipment.....	\$576,840 \$652,080 \$677,160	\$601,920
153. Bryan, TX The District-- Bryan Intermodal Transit Terminal and Parking Facility..	\$576,840 \$652,080 \$677,160	\$601,920
154. City of Greenville, NC Expansion Buses and Greenville Intermodal Center.....	\$685,286 \$774,671 \$804,466	\$715,081

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155. City of Livermore, CA Construct Bus Facility for Livermore Amador Valley Transit Authority.....	\$432,630 \$489,060 \$507,870	\$451,440
156. Detroit Replacement Buses..	\$961,400 \$1,086,800 \$1,128,600	\$1,003,200

157. Bealeton, Virginia-- \$59,774 \$62,073 Intermodal Station Depot Refurbishment.....	\$52,877	\$55,176
158. Covina, El Monte, Baldwin \$380,380 \$395,010 Park, Upland, CA Parking and Electronic Signage Improvements	\$336,490	\$351,120
159. Eugene, OR Lane Transit \$776,286 \$806,143 District, Vehicle Replacement..	\$686,714	\$716,571
160. Kearney, Nebraska--RYDE \$434,720 \$451,440 Transit Bus Maintenance and Storage Facility.....	\$384,560	\$401,280
161. Revere, MA Intermodal \$391,248 \$406,296 transit improvements in the Wonderland station (MBTA) area.	\$346,104	\$361,152
162. Brownsville, TX Brownsville \$543,400 \$564,300 Urban System City-Wide Transit Improvement Project.....	\$480,700	\$501,600
163. Normal, Illinois-- \$1,086,800 \$1,128,600 Multimodal Transportation Center, including facilities for adjacent public and nonprofit uses.....	\$961,400	\$1,003,200
164. Puerto Rico--Caribbean \$652,080 \$677,160 National Forest buses and bus facilities.....	\$576,840	\$601,920
165. Albany, OR Rehabilitate \$331,215 \$343,954 Building At Multimodal Transit Station.....	\$292,998	\$305,737
166. Bronx, NY Hebrew Home for \$40,755 \$42,323 the Aged elderly and disabled transportation support.....	\$36,053	\$37,620
[[Page 119 STAT. 1667]]		
167. Denver, CO Denver Union \$1,195,480 \$1,241,460	\$1,057,540	\$1,103,520

Station Intermodal Center.....		
168. Lane Transit District, Bus	\$569,845	\$594,621
\$644,172	\$668,948	
Rapid Transit Progressive Corridor Enhancements.....		
169. Delaware--University of	\$96,140	\$100,320
\$108,680	\$112,860	
Delaware Fuel Cell Bus Deployment.....		
170. Louisiana--Construct	\$195,280	\$203,640
\$220,360	\$228,720	
pedestrian walkways between Caddo St. and Milam St. along Edwards St. in Shreveport, LA..		
171. Riverside, California--RTA	\$96,140	\$100,320
\$108,680	\$112,860	
Advanced Traveler Information System.....		
172. Santa Monica, CA Purchase	\$721,050	\$752,400
\$815,100	\$846,450	
and service LNG buses for Santa Monica's Big Blue Bus to meet increased ridership needs and reduce emissions.....		
173. Ontario, CA Construct	\$192,280	\$200,640
\$217,360	\$225,720	
Omnitrans Transcenter.....		
174. Brockton, MA Bus	\$288,420	\$300,960
\$326,040	\$338,580	
replacement for the Brockton Area Transit Authority.....		
175. Molalla, OR South Clackamas	\$19,228	\$20,064
\$21,736	\$22,572	
Transportation District, bus purchase.....		
176. Boise, ID--Multimodal	\$865,260	\$902,880
\$978,120	\$1,015,740	
facility.....		
177. Fond du Lac Reservation, MN	\$28,842	\$30,096
\$32,604	\$33,858	
Purchase buses.....		
178. Sandy City, UT Construct	\$384,560	\$401,280
\$434,720	\$451,440	
transit hub station and TRAX station at 9400 South.....		

179. Cleveland, OH Construct \$186,930 \$194,119 passenger intermodal center near Dock 32.....	\$165,361	\$172,550
180. Tillamook, OR construction \$21,736 \$22,572 of a transit facility.....	\$19,228	\$20,064
181. Trenton, NJ Development of \$217,360 \$225,720 Trenton Trolley System.....	\$192,280	\$200,640
182. Utica, New York--Union \$108,680 \$112,860 Station rehabilitation and related infrastructure improvements.....	\$96,140	\$100,320
183. San Fernando Valley, CA \$130,416 \$135,432 Reseda Blvd. Bus Rapid Transit Route.....	\$115,368	\$120,384
184. Richmond, VA Renovation and \$239,096 \$248,292 construction for Main Street Station.....	\$211,508	\$220,704
185. St. Paul to Hinckley, MN \$326,040 \$338,580 Construct bus amenities along Rush Line Corridor.....	\$288,420	\$300,960
186. Mattoon, Illinois--Historic \$347,776 \$361,152 railroad depot restoration/ intermodal center.....	\$307,648	\$321,024
187. Columbia County, OR To \$30,430 \$31,601 purchase buses.....	\$26,919	\$28,090
188. Mountain Express, Crested \$108,680 \$112,860 Butte, CO Bus and Bus Facilities.....	\$96,140	\$100,320
189. Sacramento, CA Bus \$434,720 \$451,440 enhancement and improvements- construct maintenance facility and purchase clean-fuel buses	\$384,560	\$401,280

to improve transit service.....

190. Calexico, CA Purchase new	\$57,684	\$60,192
\$65,208	\$67,716	
buses for the Calexico Transit		
System.....		

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191. Monterey Park, CA Safety	\$307,648	\$321,024
\$347,776	\$361,152	
improvements at a bus stop		
including creation of bus		
loading areas and street		
improvements.....		

192. Buffalo, NY Intermodal	\$192,280	\$200,640
\$217,360	\$225,720	
Center Parking Facility.....		

193. Mukilteo, WA Multimodal	\$1,115,224	\$1,163,712
\$1,260,688	\$1,309,176	
Terminal.....		

194. Orange County Transit	\$1,017,161	\$1,061,386
\$1,149,834	\$1,194,059	
Authority, California--Security		
surveillance and monitoring		
equipment.....		

195. Woodland Hills, CA Los	\$192,280	\$200,640
\$217,360	\$225,720	
Angeles Pierce College Bus		
Rapid Transit Station Extension		

196. Design Downtown Carrollton,	\$384,560	\$401,280
\$434,720	\$451,440	
Texas Regional Multimodal		
Transit Hub Station.....		

197. Brooklyn, NY Construct a	\$269,192	\$280,896
\$304,304	\$316,008	
multimodal transportation		
facility.....		

198. Cleveland, Ohio--Euclid	\$865,260	\$902,880
\$978,120	\$1,015,740	
Avenue University Hospital		
intermodal facility.....		

199. Las Vegas, NV Construct	\$1,153,680	\$1,203,840
\$1,304,160	\$1,354,320	
Central City Intermodal		
Transportation Terminal.....		

200. Montebello, CA Bus Lines \$152,152 \$158,004 Bus Fleet Replacement Project..	\$134,596	\$140,448
201. Philadelphia, PA Cruise \$760,760 \$790,020 Terminal Transportation Ctr. Phila. Naval Shipyard.....	\$672,980	\$702,240
202. Cleveland, OH Construct \$108,680 \$112,860 Fare Collection System Project, Cuyahoga County.....	\$96,140	\$100,320
[[Page 119 STAT. 1670]]		
203. Tempe, Arizona--Construct \$1,412,840 \$1,467,180 East Valley Metro Bus Facility.	\$1,249,820	\$1,304,160
204. Boyssville of Michigan \$730,330 \$758,419 Transportation System.....	\$646,061	\$674,150
205. Woburn, MA Construction of \$391,248 \$406,296 an 89 space, park and ride facility to be located on Magazine Hill, in the Heart of Woburn Square.....	\$346,104	\$361,152
206. Sylvester, GA Intermodal \$43,472 \$45,144 Facility.....	\$38,456	\$40,128
207. Culver City, CA Purchase \$804,232 \$835,164 compressed natural gas buses and expand natural gas fueling facility.....	\$711,436	\$742,368
208. Eastern Upper Peninsula, MI \$54,340 \$56,430 Ferry Dock and Facility upgrades for Drummond Island Ferry Services.....	\$48,070	\$50,160
209. Morristown, New Jersey-- \$217,360 \$225,720 Intermodal Historic Station....	\$192,280	\$200,640
210. San Antonio, TX Improve VIA \$1,521,520 \$1,580,040 bus facility and purchase new buses.....	\$1,345,960	\$1,404,480

211. Miami-Dade County, Florida-- \$1,304,160	\$1,153,680 \$1,354,320	\$1,203,840
buses and bus facilities.....		
212. Glendale, CA Construction \$217,360	\$192,280 \$225,720	\$200,640
of Downtown Streetcar Project..		
213. Gainesville, FL Bus Rapid \$108,680	\$96,140 \$112,860	\$100,320
Transit Study.....		
214. Mount Rainier, MD \$97,812	\$86,526 \$101,574	\$90,288
Intermodal and Pedestrian Project.....		
215.....	\$0	\$0
\$0 \$0		
216. Wilsonville, OR South Metro \$54,340	\$48,070 \$56,430	\$50,160
Area Rapid Transit, bus and bus facilities.....		
[[Page 119 STAT. 1671]]		
217. Charlotte, NC Construct \$1,695,408	\$1,499,784 \$1,760,616	\$1,564,992
Charlotte Multimodal Station...		
218. Enfield, Connecticut-- \$652,080	\$576,840 \$677,160	\$601,920
intermodal station.....		
219. Chicago, IL Feasibility \$65,208	\$57,684 \$67,716	\$60,192
Study for intermodal station on the Metra Rock Island near Kennedy-King College.....		
220. Indianapolis, IN IndySMART \$434,720	\$384,560 \$451,440	\$401,280
program to relieve congestion, improve safety and air quality.		
221. Chicago, IL Construct \$1,086,800	\$961,400 \$1,128,600	\$1,003,200
intermodal facility at 35th Street at Metra Red Line (Northside).....		
222. Escondido, CA--Construct \$108,680	\$96,140 \$112,860	\$100,320

Bus Maintenance Facility.....		
223. Los Angeles, CA Design and	\$288,420	\$300,960
\$326,040 \$338,580		
construct improved transit and		
pedestrian linkages between Los		
Angeles Community College and		
nearby MTA rail stop and bus		
lines.....		
224. Montgomery County, MD	\$96,140	\$100,320
\$108,680 \$112,860		
Wheaton CBD Intermodal Access		
Program.....		
225. Allentown, Pennsylvania--	\$384,560	\$401,280
\$434,720 \$451,440		
Design and construct Intermodal		
Transportation Center.....		
226. Champaign, IL--Construct	\$288,420	\$300,960
\$326,040 \$338,580		
park and ride lot with attached		
daycare facility.....		
227. Berkeley, CA Construct Ed	\$576,840	\$601,920
\$652,080 \$677,160		
Roberts Campus Intermodal		
Transit Disability Center.....		
[[Page 119 STAT. 1672]]		
228. Charlotte, North Carolina--	\$769,120	\$802,560
\$869,440 \$902,880		
Multimodal Station.....		
229. Coconino County, Arizona--	\$182,666	\$190,608
\$206,492 \$214,434		
Bus and bus facilities for the		
Sedona Transit System.....		
230. Construction of Third Bus	\$2,307,360	\$2,407,680
\$2,608,320 \$2,708,640		
Depot on Staten Island.....		
231. Harrison, Arkansas--Trolley	\$7,691	\$8,026
\$8,694 \$9,029		
Barn.....		
232. Alexandria, VA Royal Street	\$96,140	\$100,320
\$108,680 \$112,860		
Bus Garage Replacement.....		
233. Intermodal Facilities in	\$576,840	\$601,920
\$652,080 \$677,160		

Bucks County (Croydon and Levittown Stations).....		
234. Bronx, NY Jacobi Intermodal Center to North Central Bronx Hospital bus system.....	\$60,088 \$67,925 \$70,538	\$62,700
235. Indianapolis, IN Construct the Ivy Tech State College Multimodal Facility.....	\$961,400 \$1,086,800 \$1,128,600	\$1,003,200
236. Juneau, Alaska--transit bus acquisition and transit center.	\$345,000 \$390,000 \$405,000	\$360,000
237. Knoxville, Tennessee-- Central Station Transit Center.	\$1,961,256 \$2,217,072 \$2,302,344	\$2,046,528
238. Levy County, Florida-- Purchase 2 wheel chair equipped passenger buses and related equipment.....	\$57,684 \$65,208 \$67,716	\$60,192
239. Lafayette, Louisiana-- Lafayette Transit System bus replacement program.....	\$173,052 \$195,624 \$203,148	\$180,576
240. Nebraska--statewide transit vehicles, facilities, and related equipment.....	\$769,120 \$869,440 \$902,880	\$802,560
[[Page 119 STAT. 1673]]		
241. Cincinnati, Ohio--Construct Uptown Crossings Joint Development Transit Project....	\$576,840 \$652,080 \$677,160	\$601,920
242. Des Moines, IA Purchase 40 foot buses.....	\$192,280 \$217,360 \$225,720	\$200,640
243. New Orleans, LA Regional Planning Commission, bus and bus facilities.....	\$96,140 \$108,680 \$112,860	\$100,320
244. Orange County, CA Purchase bus facilities.....	\$192,280 \$217,360 \$225,720	\$200,640

buses for rapid transit.....		
245. Bus to provide Yorktown, \$40,212 \$41,758 New York internal circulator to provide transportation throughout the Town.....	\$35,572	\$37,118
246. Providence, RI Expansion of \$1,086,800 \$1,128,600 Elmwood Paratransit Maintenance Facility.....	\$961,400	\$1,003,200
247. Atlanta, GA Intermodal \$434,720 \$451,440 Passenger Facility Improvements	\$384,560	\$401,280
248. Palm Beach, FL Palm Tran \$54,340 \$56,430 AVL-APC system with smart card fareboxes.....	\$48,070	\$50,160
249. Grand Rapids, MI--Purchase \$3,184,324 \$3,306,798 replacement and expansion buses	\$2,816,902	\$2,939,376
250. Maywood, IL Purchase buses. \$10,868 \$11,286	\$9,614	\$10,032
251. Redondo Beach, CA Capital \$173,888 \$180,576 Equipment procurement of 12 Compressed Natural Gas (CNG) Transit vehicles for Coastal Shuttle Services by Beach Cities Transit.....	\$153,824	\$160,512
252. Rochester, New York-- \$978,120 \$1,015,740 Renaissance Square transit center.....	\$865,260	\$902,880
[[Page 119 STAT. 1674]]		
253. San Bernardino, CA \$108,680 \$112,860 Implement Santa Fe Depot improvements in San Bernardino.	\$96,140	\$100,320
254. San Joaquin, California \$869,440 \$902,880 Regional Rail--Altamont Commuter Express Corridor intermodal centers.....	\$769,120	\$802,560

255. Albany, GA Multimodal \$173,888 \$180,576 Facility.....	\$153,824	\$160,512
256. Savannah, GA Bus and Bus \$1,086,800 \$1,128,600 Facilities--Chatham Area Transit.....	\$961,400	\$1,003,200
257. Newburyport, MA Design and \$434,720 \$451,440 Construct Intermodal Facility..	\$384,560	\$401,280
258. Cleveland, Ohio--Euclid \$1,847,560 \$1,918,620 Avenue and East 93rd Street intermodal facility.....	\$1,634,380	\$1,705,440
259. St. Charles, IL--Intermodal \$978,120 \$1,015,740 Parking Structures.....	\$865,260	\$902,880
260. Gardena, CA Purchase of \$1,332,417 \$1,383,664 alternative fuel buses for service expansion, on-board security system and bus facility training equipment....	\$1,178,676	\$1,229,923
261. Thendra-Webb and Utica, New \$21,736 \$22,572 York--Install handicap lifts in intermodal centers.....	\$19,228	\$20,064
262..... \$0 \$0	\$0	\$0
263. Wilmar, AR Develop the \$434,720 \$451,440 Southeast Arkansas Intermodal Facility.....	\$384,560	\$401,280
264. Westchester County, NY Bus \$815,100 \$846,450 replacement program.....	\$721,050	\$752,400
265. Village of Tinley Park, \$173,888 \$180,576 Illinois, 80th Avenue Commuter Rail Station reconstruction and site enhancements.....	\$153,824	\$160,512

266. Martinez, CA Intermodal \$326,040 \$338,580 Facility Restoration.....	\$288,420	\$300,960
267. Middletown, CT Construct \$326,040 \$338,580 intermodal center.....	\$288,420	\$300,960
268. Nashville, TN Construct a \$434,720 \$451,440 parking garage on the campus of Lipscomb University, Nashville.	\$384,560	\$401,280
269. New London, Connecticut-- \$108,680 \$112,860 Intermodal Transportation Center and Streetscapes.....	\$96,140	\$100,320
270. Vernon, Connecticut-- \$1,651,936 \$1,715,472 Intermodal Center, Parking and Streetscapes.....	\$1,461,328	\$1,524,864
271. Bronx, NY Botanical Garden \$217,360 \$225,720 metro North Rail station Intermodal Facility.....	\$192,280	\$200,640
272. Bend, Oregon--replacement \$217,360 \$225,720 vans.....	\$192,280	\$200,640
273. Boston, MA Harbor Park \$271,700 \$282,150 Pavilion and Intermodal Station	\$240,350	\$250,800
274. Philadelphia, PA SEPTA's \$304,304 \$316,008 Market St. Elevated Rail project in conjunction with Philadelphia Commercial Development Corporation for improvements and assistance to entities along rail corridor...	\$269,192	\$280,896
275. Jesup, Georgia--Train Depot \$217,360 \$225,720 intermodal center.....	\$192,280	\$200,640
276. Long Beach, CA Museum of \$434,720 \$451,440 Latin American Art, Long Beach, to build intermodal park and ride facility.....	\$384,560	\$401,280
277. Shreveport, LA--Intermodal \$728,156 \$756,162	\$644,138	\$672,144

Transit Facility.....

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278. Arlington County, VA	\$672,980	\$702,240
\$760,760	\$790,020	
Columbia Pike Bus Improvements.		
279. Bronx, NY Establish an	\$192,280	\$200,640
\$217,360	\$225,720	
intermodal transportation facility at the Wildlife Conservation Society Bronx Zoo.		
280. Lowell, MA Implementation	\$192,280	\$200,640
\$217,360	\$225,720	
of LRTA bus replacement plan...		
281. Falls Church, VA Falls	\$384,560	\$401,280
\$434,720	\$451,440	
Church Intermodal Transportation Center.....		
282. San Diego, CA Completion of	\$384,560	\$401,280
\$434,720	\$451,440	
San Diego Joint Transportation Operations Center (JTOC).....		
283. St. Bernard Parish, LA	\$192,280	\$200,640
\$217,360	\$225,720	
Intermodal facility improvements.....		
284. Cornwall, NY--Purchase Bus.	\$16,728	\$17,456
\$18,910	\$19,638	
285. Metro Gold Line Foothill	\$2,884,200	\$3,009,600
\$3,260,400	\$3,385,800	
Extension Light Rail Transit Project from Pasadena, CA to Montclair, CA.....		
286. Richmond, CA BART Parking	\$961,400	\$1,003,200
\$1,086,800	\$1,128,600	
Structure.....		
287. San Francisco, CA Implement	\$576,840	\$601,920
\$652,080	\$677,160	
ITS on Muni Transit System.....		
288. Alameda County, CA AC	\$384,560	\$401,280
\$434,720	\$451,440	
Transit Bus Rapid Transit Corridor Project.....		

289. Town of Warwick, NY Bus \$119,548 \$124,146 Facility Warwick Transit System	\$105,754	\$110,352
290. Galveston, Texas-- \$978,120 \$1,015,740 Intermodal center and parking facility, The Strand.....	\$865,260	\$902,880
291. Joliet, Illinois--Union \$624,910 \$648,945 Station commuter parking facility.....	\$552,805	\$576,840
[[Page 119 STAT. 1677]]		
292. Cuyahoga County, Ohio--Ohio \$32,604 \$33,858 Department of Transportation transit improvements.....	\$28,842	\$30,096
293. Muskegon, Michigan-- \$434,720 \$451,440 Muskegon Area Transit Terminal and related improvements.....	\$384,560	\$401,280
294. Orlando, FL Bus Replacement \$869,440 \$902,880	\$769,120	\$802,560
295. Long Beach, CA Purchase one \$652,080 \$677,160 larger (75 passengers) and two smaller (40 passengers) ferryboats and construct related dock work to facilitate the use and accessibility of the ferryboats.....	\$576,840	\$601,920
296. Elgin to Rockford, \$108,680 \$112,860 Illinois--Intermodal stations along planned Metra Union Pacific West Line extension alignment, including necessary alternatives analysis.....	\$96,140	\$100,320
297. Broward County, FL-- \$434,720 \$451,440 Purchase Buses and construct bus facilities.....	\$384,560	\$401,280
298. Thomasville, GA Bus \$43,472 \$45,144 Replacement.....	\$38,456	\$40,128

299. Corvallis, OR Bus	\$283,842	\$296,183
\$320,865	\$333,206	
Replacement.....		
300. Geneva, New York--	\$96,140	\$100,320
\$108,680	\$112,860	
Multimodal facility--Construct passenger rail center.....		
301. Barry County, MI--Barry	\$28,842	\$30,096
\$32,604	\$33,858	
County Transit equipment and dispatching software.....		
302. Greensboro, North Carolina--	\$2,407,346	\$2,512,013
\$2,721,347	\$2,826,014	
Piedmont Authority for Regional Transportation Multimodal Transportation Center.....		
[[Page 119 STAT. 1678]]		
303. Howard County, MD Construct	\$961,400	\$1,003,200
\$1,086,800	\$1,128,600	
Central Maryland Transit Operations and Maintenance Facility.....		
304. Coconino County buses and	\$240,350	\$250,800
\$271,700	\$282,150	
bus facilities for Flagstaff, AZ.....		
305. Roanoke, Virginia--	\$38,456	\$40,128
\$43,472	\$45,144	
Intermodal Facility.....		
306. Jacksonville, FL Bus	\$1,345,960	\$1,404,480
\$1,521,520	\$1,580,040	
Replacement.....		
307. Los Angeles, CA Improve	\$96,140	\$100,320
\$108,680	\$112,860	
safety, mobility and access between LATTTC, Metro line and nearby bus stops on Grand Ave. between Washington and 23rd....		
308. Miami Dade, FL N.W. 7th	\$576,840	\$601,920
\$652,080	\$677,160	
Avenue Transit Hub.....		
309. Elyria, OH Construct the	\$393,789	\$410,911
\$445,153	\$462,275	
New York Central Train Station		

into an intermodal
transportation hub.....

310. River Parishes, LA South	\$192,280	\$200,640
\$217,360	\$225,720	
Central Planning and Development Commission, bus and bus facilities.....		
311. Mammoth Lakes, California--	\$96,140	\$100,320
\$108,680	\$112,860	
Regional Transit Maintenance Facility.....		
312. Roanoke, Virginia--Improve	\$48,070	\$50,160
\$54,340	\$56,430	
Virginian Railway Station.....		
313. Solana Beach, CA--Construct	\$288,420	\$300,960
\$326,040	\$338,580	
Intermodal Facility.....		
314. San Diego, CA Widen	\$57,684	\$60,192
\$65,208	\$67,716	
sidewalks and bus stop entrance, and provide diagonal parking, in the Skyline Paradise Hills neighborhood (Reo Drive).....		
[[Page 119 STAT. 1679]]		
315. Temecula, California--	\$96,140	\$100,320
\$108,680	\$112,860	
Intermodal Transit Facility....		
316. Philadelphia, Pennsylvania--	\$769,120	\$802,560
\$869,440	\$902,880	
SEPTA Market Street Elevated Line parking facility.....		
317. Jamestown, NY	\$384,560	\$401,280
\$434,720	\$451,440	
Rehabilitation of Intermodal Facility and associated property.....		
318. Akron, Ohio Construct	\$769,120	\$802,560
\$869,440	\$902,880	
Downtown Multimodal Transportation Center.....		
319. Detroit Bus Maintenance	\$1,730,520	\$1,805,760
\$1,956,240	\$2,031,480	
Facility.....		

320. Detroit, MI Bus Replacement	\$1,442,100	\$1,504,800
\$1,630,200	\$1,692,900	
321. Monterey Park, CA Catch	\$61,530	\$64,205
\$69,555	\$72,230	
Basins at Transit Stop Installation.....		
322. Oneonta, New York-bus	\$28,842	\$30,096
\$32,604	\$33,858	
replacement.....		
323. Lincoln County, OR bus	\$48,070	\$50,160
\$54,340	\$56,430	
purchase.....		
324. Elon, North Carolina--	\$230,736	\$240,768
\$260,832	\$270,864	
Piedmont Authority for Regional Transportation buses and bus facilities.....		
325. Grants Pass, OR Purchase	\$39,143	\$40,845
\$44,248	\$45,950	
Vehicles For Use By Josephine Community Transit.....		
326. Los Angeles, CA Install	\$576,840	\$601,920
\$652,080	\$677,160	
permanent irrigation system and enhanced landscaping on San Fernando Valley rapid bus transitway.....		
327. Cleveland, OH Construct	\$576,840	\$601,920
\$652,080	\$677,160	
East Side Transit Center.....		
[[Page 119 STAT. 1680]]		
328. New Jersey Transit	\$96,140	\$100,320
\$108,680	\$112,860	
Community Shuttle Buses.....		
329. Quitman, Clay, Randolph,	\$48,070	\$50,160
\$54,340	\$56,430	
Stewart Co., GA Bus project....		
330. Framingham, MA Local Intra-	\$346,104	\$361,152
\$391,248	\$406,296	
Framingham Transit System enhancements.....		

331. Gettysburg, Pennsylvania-- \$195,407	\$202,922	\$172,860	\$180,375
transit transfer center.....			
332. Long Beach, CA Park and \$217,360	\$225,720	\$192,280	\$200,640
Ride facility.....			
333. Oak Harbor, WA Multimodal \$217,360	\$225,720	\$192,280	\$200,640
Facility.....			
334. North Bend, Washington-- \$173,888	\$180,576	\$153,824	\$160,512
Park and Ride.....			
335. High Point, North Carolina-- \$1,304,160	\$1,354,320	\$1,153,680	\$1,203,840
Bus Terminal.....			
336. Dallas, TX Bus Passenger \$2,782,208	\$2,889,216	\$2,461,184	\$2,568,192
Facilities.....			
337. Island Transit, WA \$521,664	\$541,728	\$461,472	\$481,536
Operations Base Facilities Project.....			
338. Bronx, NY Intermodal \$54,340	\$56,430	\$48,070	\$50,160
facility near Exit 6 of the Bronx River Parkway.....			
339. East San Diego County, \$434,720	\$451,440	\$384,560	\$401,280
California--Bus Maintenance Facility Expansion.....			
340. New Jersey Intermodal \$652,080	\$677,160	\$576,840	\$601,920
Facilities and Bus Rolling Stock.....			
341. San Gabriel Valley, CA-- \$2,064,920	\$2,144,340	\$1,826,660	\$1,906,080
Foothill Transit Park and Rides			
342. St. Paul, MN Union Depot \$434,720	\$451,440	\$384,560	\$401,280
Multimodal Transit Facility....			

343. Kings County, NY Construct \$217,360 \$225,720 a multimodal transportation facility.....	\$192,280	\$200,640
344. Gainesville, FL Bus \$869,440 \$902,880 Facility Expansion.....	\$769,120	\$802,560
345. Kansas City, MO Bus Transit \$217,360 \$225,720 Infrastructure.....	\$192,280	\$200,640
346. Phoenix, AZ Construct metro \$1,086,800 \$1,128,600 bus facility in Phoenix's West Valley.....	\$961,400	\$1,003,200
347. Eastlake, Ohio--Eastlake \$923,780 \$959,310 Stadium transit intermodal facility.....	\$817,190	\$852,720
348. Savannah, Georgia--Water \$434,720 \$451,440 Ferry Riverwalk intermodal facilities.....	\$384,560	\$401,280
349. Kent, OH Construct Kent \$217,360 \$225,720 State University Intermodal Facility serving students and the general public.....	\$192,280	\$200,640
350. Milwaukee, WI Rehabilitate \$978,120 \$1,015,740 Intermodal transportation facility at downtown Milwaukee's Amtrak Station, increase parking for bus passengers.....	\$865,260	\$902,880
351. Charlotte North Carolina-- \$434,720 \$451,440 Eastland Community Transit Center.....	\$384,560	\$401,280
352. Oakland, CA Construct \$217,360 \$225,720 streetscape and intermodal improvements at BART Station Transit Villages.....	\$192,280	\$200,640
353. Suffolk County, NY Purchase \$60,861 \$63,202 four handicapped accessible vans to transport veterans to	\$53,838	\$56,179

and from the VA facility in
Northport.....

354. Norfolk, Virginia--Final	\$336,490	\$351,120
\$380,380	\$395,010	
Design and Construction		
Southside Bus Facility.....		

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355. Albany, GA Bus replacement.	\$57,684	\$60,192
\$65,208	\$67,716	

356. Lafayette, Louisiana--	\$576,840	\$601,920
\$652,080	\$677,160	
Multimodal center, Final Phase.		

357. Athens, GA Buses and Bus	\$273,038	\$284,909
\$308,651	\$320,522	
Facilities.....		

358. Cicero, Chicago Establish	\$192,280	\$200,640
\$217,360	\$225,720	
Transit Signal Priority, Cicero		
Ave., Pace Suburban Bus.....		

359. Arlington County, VA	\$384,560	\$401,280
\$434,720	\$451,440	
Pentagon City Multimodal		
Improvements.....		

360. Richmond, VA Design and	\$288,420	\$300,960
\$326,040	\$338,580	
construction for a bus		
operations and maintenance		
facility for Greater Richmond		
Transit Company.....		

361. Roanoke, Virginia--Roanoke	\$96,140	\$100,320
\$108,680	\$112,860	
Railway and Link Passenger		
facility.....		

362. Akron, OH Construct City of	\$288,420	\$300,960
\$326,040	\$338,580	
Akron Commuter Bus Transit		
Facility.....		

363. Corning, New York--	\$961,400	\$1,003,200
\$1,086,800	\$1,128,600	
Transportation Center.....		

364. Santa Monica, CA Construct	\$192,280	\$200,640
\$217,360	\$225,720	
intermodal park-and-ride		

facility at Santa Monica
 College campus on South Bundy
 Drive near Airport Avenue.....

365. Pace Suburban Bus, IL South \$96,140 \$100,320
 \$108,680 \$112,860
 Suburban BRT Mobility Network..

366. Orange County, CA \$192,280 \$200,640
 \$217,360 \$225,720
 Transportation Projects to
 Encourage Use of Transit to
 Reduce Congestion.....

367. Palm Beach, FL 20 New Buses \$288,420 \$300,960
 \$326,040 \$338,580
 for Palm Tran.....

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368. Nassau County, NY Conduct \$1,345,960 \$1,404,480
 \$1,521,520 \$1,580,040
 planning and engineering for
 transportation system (HUB)....

369. Norwalk, Connecticut--Pulse \$96,140 \$100,320
 \$108,680 \$112,860
 Point Joint Development
 intermodal facility.....

370. Salem, MA Design and \$384,560 \$401,280
 \$434,720 \$451,440
 Construct Salem Intermodal
 Transportation Center.....

371. Las Vegas, NV Construct Las \$48,070 \$50,160
 \$54,340 \$56,430
 Vegas WestCare Intermodal
 Facility.....

372. Richmond, KY Purchase \$138,442 \$144,461
 \$156,499 \$162,518
 buses, bus equipment, and
 facilities.....

373. Niagara Frontier \$192,280 \$200,640
 \$217,360 \$225,720
 Transportation Authority, NY
 Replacement Buses.....

374. Metro-Atlanta, GA MARTA \$192,280 \$200,640
 \$217,360 \$225,720
 Automated Smart-Card Fare
 Collection system.....

375. Monterey, CA Purchase bus \$217,360 \$225,720 equipment.....	\$192,280	\$200,640
376. New York City, NY Purchase \$217,360 \$225,720 Handicapped-Accessible Livery Vehicles.....	\$192,280	\$200,640
377. San Francisco, CA Construct \$1,304,160 \$1,354,320 San Francisco Muni Islais Creek Maintenance Facility.....	\$1,153,680	\$1,203,840
378. Indianapolis, IN Relocate \$3,043,040 \$3,160,080 and improve intermodal transportation for pedestrian to Children's Museum of Indianapolis.....	\$2,691,920	\$2,808,960
379. Ramapo, NY Transportation \$54,340 \$56,430 Safety Field Bus.....	\$48,070	\$50,160
[[Page 119 STAT. 1684]]		
380. Columbiana County, OH \$1,086,800 \$1,128,600 Construct Intermodal Facility..	\$961,400	\$1,003,200
381. San Francisco, CA Redesign \$896,610 \$931,095 and renovate intermodal facility at Glen Park Community	\$793,155	\$827,640
382. San Luis Rey, California-- \$108,680 \$112,860 Transit Center Project.....	\$96,140	\$100,320
383. South San Francisco, CA \$1,032,460 \$1,072,170 Construction of Ferry Terminal at Oyster Point in South San Francisco to the San Francisco Bay Area Water Transit Authority.....	\$913,330	\$953,040
384. Atlanta, GA MARTA Clean \$1,304,160 \$1,354,320 Fuel Bus Acquisition.....	\$1,153,680	\$1,203,840
385. Springfield, OH--City of \$54,340 \$56,430 Springfield Bus Transfer	\$48,070	\$50,160

Station and Associated Parking.

386. Suffolk County, NY Design \$999,856	\$1,038,312	\$884,488	\$922,944
and construction of intermodal transit facility in Wyandanch..			
387. Fresno, CA--Develop program \$217,360	\$225,720	\$192,280	\$200,640
of low-emission transit vehicles.....			
388. Sylmar, CA Los Angeles \$54,340	\$56,430	\$48,070	\$50,160
Mission College Transit Center construction.....			
389. Lakewood, NJ--Ocean County \$652,080	\$677,160	\$576,840	\$601,920
Bus service and parking facilities.....			
390. St. Lucie County, FL \$217,360	\$225,720	\$192,280	\$200,640
Purchase Buses.....			
391. Hampton Roads, VA Final \$434,720	\$451,440	\$384,560	\$401,280
design and construction for a Hampton Roads Transit Southside Bus Facility.....			

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392. Oakland, CA Construct Bay \$195,624	\$203,148	\$173,052	\$180,576
Trail between Coliseum BART station and Martin Luther King, Jr., Regional Shoreline.....			
393. South Amboy, NJ \$1,738,880	\$1,805,760	\$1,538,240	\$1,605,120
Construction of improvements to facilities at South Amboy Station under S Amboy, NJ Regional Intermodal Initiative.			
394. Hartford, CT Buses and bus- \$869,440	\$902,880	\$769,120	\$802,560
related facilities.....			
395. Ilwaco, WA Construct park \$21,736	\$22,572	\$19,228	\$20,064
and ride.....			

396. Burbank, CA Construction of \$54,340 \$56,430 Empire Area Transit Center near Burbank Airport.....	\$48,070	\$50,160
397. Pottsville, PA Union Street \$434,720 \$451,440 Trade and Transfer Center Intermodal Facility.....	\$384,560	\$401,280
398. Amador County, California-- \$217,360 \$225,720 Regional Transit Center.....	\$192,280	\$200,640
399. Pasadena, CA ITS \$217,360 \$225,720 Improvements.....	\$192,280	\$200,640
400. South FL Region, FL \$434,720 \$451,440 Regional Universal Automated Fare Collection System (UAFC) (for bus system).....	\$384,560	\$401,280
401. South Pasadena, CA Silent \$195,624 \$203,148 Night Grade Crossing Project...	\$173,052	\$180,576
402. Tampa, FL Establish Transit \$163,020 \$169,290 Emphasis Corridor and Improvements.....	\$144,210	\$150,480
403. San Francisco, CA Implement \$3,043,040 \$3,160,080 Transbay Terminal-Caltrain Downtown Extension Project.....	\$2,691,920	\$2,808,960
[[Page 119 STAT. 1686]]		
404. Rock Island, IL Improve \$108,680 \$112,860 Rock Island Mass Transit District Bus Facility.....	\$96,140	\$100,320
405. Las Vegas, NV Construct \$434,720 \$451,440 Boulder Highway BRT system and purchase vehicles and related equipment.....	\$384,560	\$401,280
406. Moultrie, GA Intermodal \$65,208 \$67,716 facility.....	\$57,684	\$60,192

407. Carson, CA Purchase one \$54,340 \$56,430 trolley-bus vehicle.....	\$48,070	\$50,160
408. Brooklyn, NY Construct a \$217,360 \$225,720 multimodal transportation facility in the vicinity of Downstate Medical Center.....	\$192,280	\$200,640
409. Alexandria, VA Eisenhower \$543,400 \$564,300 Avenue Intermodal Station Improvements, including purchase of buses and construction of bus shelters...	\$480,700	\$501,600
410. Long Beach, CA Purchase ten \$652,080 \$677,160 clean fuel buses.....	\$576,840	\$601,920
411. Cleveland, OH Construction \$217,360 \$225,720 of an intermodal facility and related improvements at University Hospitals facility on Euclid Avenue.....	\$192,280	\$200,640
412. Nashville, TN Construct \$326,040 \$338,580 Downtown Nashville Transit Transfer Facility.....	\$288,420	\$300,960
413. Philadelphia, PA Penn's \$239,096 \$248,292 Landing water shuttle parking lot expansion and water shuttle ramp infrastructure construction.....	\$211,508	\$220,704
414. Hercules, CA Intermodal \$326,040 \$338,580 Rail Station Improvements.....	\$288,420	\$300,960
[[Page 119 STAT. 1687]]		
415. Purchase Buses and \$489,060 \$507,870 construct bus facilities in Broward County, FL.....	\$432,630	\$451,440
416. Improve marine intermodal \$3,640,000 \$3,780,000 facilities in Ketchikan.....	\$3,220,000	\$3,360,000

417. Indianapolis, Indiana-- \$217,360 \$225,720 Childrens Museum Intermodal Center.....	\$192,280	\$200,640
418. Windham, New Hampshire-- \$804,232 \$835,164 Construction of Park and Ride Bus facility at Exit 3.....	\$711,436	\$742,368
419. Brooklyn, NY-- \$869,440 \$902,880 Rehabilitation of Bay Ridge 86th Street Subway Station.....	\$769,120	\$802,560
420. Purchase Buses and \$434,720 \$451,440 construct bus facilities in Broward County, FL.....	\$384,560	\$401,280
421. Bayamon, Puerto Rico-- \$184,756 \$191,862 Purchase of Trolley Cars.....	\$163,438	\$170,544
422. C Street Expanded bus \$1,300,000 \$1,350,000 facility and intermodal parking garage, Anchorage, AK.....	\$1,150,000	\$1,200,000
423. Morris Thompson Cultural \$650,000 \$675,000 and Visitors Center intermodal parking facility, Fairbanks, AK	\$575,000	\$600,000
424. Sharon, PA--Bus Facility \$108,680 \$112,860 Construction.....	\$96,140	\$100,320
425. CITC Non-profit Services \$780,000 \$810,000 Center intermodal parking facility, Anchorage, AK.....	\$690,000	\$720,000
426. Abilene, TX Vehicle \$86,944 \$90,288 replacement and facility improvements for transit system	\$76,912	\$80,256
427. Alaska Native Medical \$1,300,000 \$1,350,000 Center intermodal parking facility.....	\$1,150,000	\$1,200,000

428. Butler, PA--Multimodal \$217,360 \$225,720 Transit Center Construction....	\$192,280	\$200,640
429. Normal, Illinois-- \$434,720 \$451,440 Multimodal Transportation Center.....	\$384,560	\$401,280
430. Rochester, New York-- \$489,060 \$507,870 Renaissance Square transit center.....	\$432,630	\$451,440
431. Erie, PA--EMTA Vehicle \$434,720 \$451,440 Acquisition.....	\$384,560	\$401,280
432. Miami-Dade County, Florida-- \$869,440 \$902,880 Buses and bus facilities.....	\$769,120	\$802,560
433. Centralia, Illinois--South \$86,944 \$90,288 Central Mass Transit District Improvements.....	\$76,912	\$80,256
434. Roanoke, VA--Bus \$54,340 \$56,430 restoration in the City of Roanoke.....	\$48,070	\$50,160
435. Denver, Colorado--Regional \$434,720 \$451,440 Transportation District Bus Replacement.....	\$384,560	\$401,280
436. Intermodal facility \$6,500,000 \$6,750,000 improvements at the Port of Anchorage.....	\$5,750,000	\$6,000,000
437. American Village/ \$86,944 \$90,288 Montevallo, Alabama construction of closed loop Access Road, bus lanes and parking facility.....	\$76,912	\$80,256
438. Corpus Christi, TX Corpus \$543,400 \$564,300 Regional Transit Authority for maintenance facility improvements.....	\$480,700	\$501,600
439. Central Florida Commuter \$1,086,800 \$1,128,600	\$961,400	\$1,003,200

Rail intermodal facilities.....		
440. Ames, Iowa--Expansion of	\$384,560	\$401,280
\$434,720	\$451,440	
CyRide Bus Maintenance Facility		
[[Page 119 STAT. 1689]]		
441. Grand Valley Transit, CO	\$96,140	\$100,320
\$108,680	\$112,860	
Bus and Bus Facilities.....		
442. Albany, OR North Albany	\$183,124	\$191,086
\$207,010	\$214,971	
Park and Ride.....		
443. Los Angeles County	\$62,491	\$65,208
\$70,642	\$73,359	
Metropolitan Transit Authority, CA capital funds for facility improvements to support the Cal State Northridge tram system...		
444. Pueblo Transit, CO Bus and	\$48,070	\$50,160
\$54,340	\$56,430	
Bus Facilities.....		
445. Roaring Fork Transit	\$144,210	\$150,480
\$163,020	\$169,290	
Authority, CO Bus and Bus Facilities.....		
446. Steamboat Springs, CO Bus	\$144,210	\$150,480
\$163,020	\$169,290	
and Bus Facilities.....		
447. Town of Telluride, CO Bus	\$62,120	\$64,821
\$70,222	\$72,923	
and Bus Facilities.....		
448. City of Durango, CO Bus and	\$48,070	\$50,160
\$54,340	\$56,430	
Bus Facilities.....		
449. City of Aspen, CO Bus and	\$134,596	\$140,448
\$152,152	\$158,004	
Bus Facilities.....		
450. Town of Snowmass Village,	\$57,684	\$60,192
\$65,208	\$67,716	
CO Bus and Bus Facilities.....		
451. Utica, New York Transit	\$1,150,000	\$1,200,000
\$1,300,000	\$1,350,000	
Multimodal Facilities.....		

452. State of Wisconsin Transit	\$1,150,000	\$1,200,000
\$1,300,000	\$1,350,000	
Intermodal Facilities.....		
453. Central Florida Commuter	\$690,000	\$720,000
\$780,000	\$810,000	
Rail Intermodal Facilities.....		
454. Miami-Dade, FL Transit	\$460,000	\$480,000
\$520,000	\$540,000	
Dadeland South Intermodal Center.....		
455. Carrollton, Texas Downtown	\$230,000	\$240,000
\$260,000	\$270,000	
Regional Multimodal Transit Hub		
[[Page 119 STAT. 1690]]		
456. Altoona Multimodal	\$230,000	\$240,000
\$260,000	\$270,000	
Transportation Facility Parking Garage.....		
457. Lancaster County,	\$57,500	\$60,000
\$65,000	\$67,500	
Pennsylvania Intermodal Center and Parking Facility.....		
458. Hershey, Pennsylvania	\$57,500	\$60,000
\$65,000	\$67,500	
Intermodal Center and Parking Facility.....		
459. Transbay Terminal/Caltrain	\$4,025,000	\$4,200,000
\$4,550,000	\$4,725,000	
Downtown Extension Project.....		
460.....	\$0	\$0
\$0	\$0	
461. Alabama Institute for Deaf	\$115,000	\$119,000
\$129,000	\$137,000	
and Blind-Bus project.....		
462. Alabama State Port	\$4,582,000	\$4,760,000
\$5,173,000	\$5,485,000	
Authority-Choctaw Point Terminal.....		
463. Albany-Schenectady, NY, Bus	\$500,000	\$800,000
\$1,200,000	\$1,500,000	
Rapid Transit Improvements in NY Route 5.....		

464. Albuquerque, NM, Ride Bus \$1,800,000	\$1,500,000 \$2,100,000	\$1,500,000
and Bus Facilities.....		
465. AMTRAN Altoona, PA-Buses \$776,000	\$687,000 \$823,000	\$714,000
and Transit System Improvements		
466. Anchorage-Transit Needs.... \$259,000	\$229,000 \$274,000	\$238,000
467. Area Transportation \$259,000	\$229,000 \$274,000	\$238,000
Authority of North Central Pennsylvania-Vehicle Replacements.....		
468. Atlantic City, NJ Jitney... \$750,000	\$750,000 \$750,000	\$750,000
469. Auburn University- \$1,035,000	\$916,000 \$1,097,000	\$952,000
Intermodal Parking Garage.....		
470. Bay County, FL-Transit \$517,000	\$458,000 \$549,000	\$476,000
Facility.....		
[[Page 119 STAT. 1691]]		
471. Beaver County, PA Transit \$259,000	\$229,000 \$274,000	\$238,000
Authority-Bus Replacement/ Related Equipment Replacement..		
472. Berkshire, MA, Berkshire \$20,000	\$50,000 \$0	\$30,000
Regional Transit Authority Bus Maintenance Facility.....		
473. Bi-State Development Agency- \$1,293,000	\$1,145,000 \$1,372,000	\$1,190,000
St. Louis Bridge Repair/ Reconstruction, for any activity eligible under section 5309.....		
474. Bi-State Development Agency- \$4,139,000	\$3,665,000 \$4,388,000	\$3,808,000
St. Louis Metro Bus Fare Collection Program.....		
475. Black Hawk County, IA, UNI \$776,000	\$687,000 \$823,000	\$714,000

Multimodal Project.....		
476. Bozeman, MT, Intermodal and \$175,000 \$176,000 parking facility.....	\$168,000	\$171,000
477. Brattleborough, VT, \$200,000 \$0 Intermodal Center.....	\$600,000	\$200,000
478. Bridgeport, CT Facility \$500,000 \$750,000 Expansion/Improvement.....	\$350,000	\$400,000
479. Broward County, FL--Bus and \$517,000 \$549,000 Bus Facilities.....	\$458,000	\$476,000
480. Brownsville Urban System, \$1,035,000 \$1,097,000 TX--City-Wide Transit Improvement Project.....	\$916,000	\$952,000
481. Butler Township, PA- \$905,000 \$960,000 Cranbury Area Transit Service..	\$802,000	\$833,000
482. Cambria County, PA Transit \$776,000 \$823,000 Authority-Bus Replacements.....	\$687,000	\$714,000
483. Campobello Park, ME, Bus \$0 \$0 Acquisition.....	\$22,000	\$34,000
484. Capital Area Transit System- \$776,000 \$823,000 Baton Rouge BRT.....	\$687,000	\$714,000
[[Page 119 STAT. 1692]]		
485. Capital Metropolitan \$2,587,000 \$2,742,000 Transportation Authority, TX- Bus Replacements.....	\$2,291,000	\$2,380,000
486. CCTA, VT, Bus, Facilities \$500,000 \$800,000 and Equipment.....	\$300,000	\$400,000
487. Central Arkansas Transit \$750,000 \$1,000,000 Authority Facility Upgrades....	\$450,000	\$550,000

488. Central Florida Regional \$1,293,000 \$1,372,000 Transportation Authority-LYNX Bus Fleet Expansion Program....	\$1,145,000	\$1,190,000
489. Central Ohio Transit \$517,000 \$549,000 Authority-Paratransit and Small Bus Service Facility.....	\$458,000	\$476,000
490. Charlotte Area Transit \$2,587,000 \$2,742,000 System/City of Charlotte- Charlotte Multimodal Station...	\$2,291,000	\$2,380,000
491. Chicago, IL, Cermak Road, \$300,000 \$500,000 Bus Rapid Transit.....	\$200,000	\$250,000
492. City of Alexandria, VA/City- \$259,000 \$274,000 Wide Transit Improvements.....	\$229,000	\$238,000
493. City of Alexandria, VA/ \$259,000 \$274,000 Potomac Yard Transit Improvements.....	\$229,000	\$238,000
494. City of Alexandria, VA/ \$776,000 \$823,000 Replace Royal Street Bus Garage	\$687,000	\$714,000
495. City of Alexandria, VA/ \$259,000 \$274,000 Valley Pedestrian and Transit..	\$229,000	\$238,000
496. City of Birmingham, AL/ \$1,293,000 \$1,372,000 Birmingham Downtown Intermodal Terminal, Phase II.....	\$1,145,000	\$1,190,000
497. City of El Paso-Sun Metro- \$776,000 \$823,000 Bus Replacements.....	\$687,000	\$714,000
498. City of Gainesville, FL \$259,000 \$274,000 Regional Transit System- Facility Expansion.....	\$229,000	\$238,000
[[Page 119 STAT. 1693]]		
499. City of Gaithersburg, \$0 \$0 Maryland--Bus and paratransit	\$112,000	\$0

vehicle for seniors.....		
500. City of Hazleton, PA/ \$362,000 \$384,000 Hazleton Intermodal Center.....	\$321,000	\$333,000
501. City of Huntsville, AL- \$1,293,000 \$1,372,000 Cummings Park Intermodal Center	\$1,145,000	\$1,190,000
502. City of Kalamazoo, MI Bus \$1,500,000 \$1,400,000 Replacement.....	\$2,500,000	\$1,800,000
503. City of Montgomery, AL-ITS \$1,035,000 \$1,097,000 Acquisition and Implementation.	\$916,000	\$952,000
504. City of Montgomery, AL- \$1,035,000 \$1,097,000 Montgomery Airport Intermodal Center.....	\$916,000	\$952,000
505. City of Omaha-Creighton \$776,000 \$823,000 University Intermodal Facility.	\$687,000	\$714,000
506. City of Round Rock, TX- \$259,000 \$274,000 Downtown Intermodal Transportation Terminal.....	\$229,000	\$238,000
507. City of Tuscaloosa, AL/ \$1,552,000 \$1,646,000 Intermodal Facility.....	\$1,374,000	\$1,428,000
508. Collier County Transit, FL-- \$259,000 \$274,000 Transit Facility.....	\$229,000	\$238,000
509. Colorado Association of \$6,726,000 \$7,130,000 Transit Agencies/Colorado Transit Coalition-Colorado Statewide Buses and Bus Facilities.....	\$5,956,000	\$6,188,000
510. Columbus, Georgia/Phenix \$440,000 \$466,000 City, Alabama-National Infantry Museum Multimodal Facility.....	\$389,000	\$405,000
511. Commonwealth of Virginia- \$3,880,000 \$4,114,000 Statewide Bus Capital Program..	\$3,436,000	\$3,570,000

512. Corning, NY, Phase II	\$350,000	\$450,000
\$550,000	\$650,000	
Corning Preserve Transportation Enhancement Project.....		

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513. County of Lackawanna	\$229,000	\$238,000
\$259,000	\$274,000	
Transit System-Scranton Intermodal Transportation Center.....		

514. Cumberland-Dauphin-	\$229,000	\$238,000
\$259,000	\$274,000	
Harrisburg Transit Authority- Purchase of Buses and Spare Units.....		

515. Dallas Area Rapid Transit-	\$229,000	\$238,000
\$259,000	\$274,000	
Bus passenger Facilities.....		

516. Dayton-Wright Stop Plaza...	\$458,000	\$476,000
\$517,000	\$549,000	

517. Delaware Statewide Bus and	\$1,750,000	\$2,000,000
\$2,000,000	\$2,250,000	
Bus Replacement (with Clean Fuel (hybrid) vehicles).....		

518. Denver Regional Transit	\$687,000	\$714,000
\$776,000	\$823,000	
District-Bus Maintenance Facility.....		

519. Denver Regional Transit	\$916,000	\$952,000
\$1,035,000	\$1,097,000	
District-Bus Replacements.....		

520. Denver Regional Transit	\$458,000	\$476,000
\$517,000	\$549,000	
District-Denver Union Station Multimodal Renovations.....		

521. Denver Regional Transit	\$1,604,000	\$1,666,000
\$1,811,000	\$1,919,000	
District-U.S. 36 Corridor BRT..		

522. Detroit Department of	\$2,000,000	\$2,100,000
\$2,200,000	\$2,300,000	
Transportation Bus Replacement.		

523. Downtown Middletown, CT,	\$2,000,000	\$2,150,000
\$2,500,000	\$2,850,000	

Transportation Infrastructure
Improvement Project.....

524. Erie, PA Metropolitan \$229,000 \$238,000
\$259,000 \$274,000
Transit Authority-Bus
Acquisitions.....

525. Fairfax County, Virginia- \$458,000 \$476,000
\$517,000 \$549,000
Richmond Highway Initiative....

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526. Flint, MI, Mass \$750,000 \$650,000
\$450,000 \$150,000
Transportation Authority Bus
Maintenance Facility.....

527. Florida Department of \$229,000 \$238,000
\$259,000 \$274,000
Transportation-Palm Beach
County Replacement Buses.....

528. Gadsden, AL-Community Buses \$115,000 \$119,000
\$129,000 \$137,000

529. Gary, Indiana, Gary Airport \$350,000 \$400,000
\$450,000 \$500,000
Station Modernization and
Shuttle Service Project.....

530. Georgia Department of \$2,062,000 \$2,142,000
\$2,328,000 \$2,468,000
Transportation-Georgia
Statewide Bus and Bus
Facilities.....

531. Grand Rapids, Michigan, The \$1,100,000 \$1,100,000
\$1,250,000 \$1,750,000
Rapid, Bus Replacement.....

532. Greater Richmond Transit, \$1,145,000 \$1,190,000
\$1,293,000 \$1,372,000
VA-Bus Operations/Maintenance
Facility.....

533. Greenville, SC Transit \$229,000 \$238,000
\$259,000 \$274,000
Authority-City of Greenville
Multimodal Transportation
Center Improvements.....

534. Gulf Shores, AL--Community \$229,000 \$238,000
\$259,000 \$274,000

Buses.....		
535. Hampton Roads Transit, VA--	\$229,000	\$238,000
\$259,000	\$274,000	
Southside Bus Facility.....		
536. Harris County-West Houston-	\$229,000	\$238,000
\$259,000	\$274,000	
Fort Bend Bus Transit Corridor:		
Uptown-Westpark Terminal.....		
537. High Point, NC--Intermodal	\$275,000	\$286,000
\$310,000	\$329,000	
Facility.....		
538. Hillsborough Area Regional	\$458,000	\$476,000
\$517,000	\$549,000	
Transit, FL--Bus Rapid Transit		
Improvements.....		
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539. Hillsborough, FL,	\$1,000,000	\$1,000,000
\$1,000,000	\$1,000,000	
Hillsborough Area Regional		
Transit Authority.....		
540. Honolulu, HI, Bus	\$1,350,000	\$1,300,000
\$1,300,000	\$1,300,000	
Facilities.....		
541. Hoonah, AK-Intermodal Ferry	\$458,000	\$476,000
\$517,000	\$549,000	
Dock.....		
542. Howard County, MD Construct	\$250,000	\$220,000
\$200,000	\$200,000	
Central Maryland Transit		
Operations and Maintenance		
Facility.....		
543. Idaho Department of	\$344,000	\$357,000
\$388,000	\$411,000	
Transportation-Idaho Statewide		
ITS for Public Transportation..		
544. Indianapolis Downtown	\$800,000	\$900,000
\$1,100,000	\$1,200,000	
Transit Center.....		
545. Iowa Department of	\$2,749,000	\$2,856,000
\$3,104,000	\$3,291,000	
Transportation-Iowa Statewide		
Buses and Bus Replacement.....		

546. Ivy Tech State College, \$250,000 \$400,000 Indiana Multimodal Center.....	\$150,000	\$200,000
547. Jackson State University, \$1,293,000 \$1,372,000 MS--Busing Project.....	\$1,145,000	\$1,190,000
548. Jacksonville Transportation \$1,293,000 \$1,372,000 Authority, FL--Bus Fleet Replacement and Equipment.....	\$1,145,000	\$1,190,000
549. Jacksonville, FL \$0 \$0 Transportation Authority Paratransit Program.....	\$350,000	\$0
550. Juneau-Transit Bus \$388,000 \$411,000 Acquisition and Transit Center.	\$344,000	\$357,000
551. Kansas City Area \$2,587,000 \$2,742,000 Transportation Authority-Bus Project.....	\$2,291,000	\$2,380,000
552. Kansas Department of \$3,104,000 \$3,291,000 Transportation-Kansas Statewide Transit Buses, Bus Facilities, and Bus ITS.....	\$2,749,000	\$2,856,000
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553. Ketchikan, Alaska-Transit \$65,000 \$68,000 Needs.....	\$57,000	\$60,000
554. Knoxville, TN-Central \$647,000 \$685,000 Station.....	\$573,000	\$595,000
555. Lafayette City-Parish \$259,000 \$274,000 Consolidated Government, LA- Lafayette Multimodal Transportation Facility.....	\$229,000	\$238,000
556. Lafayette, Indiana, City \$700,000 \$750,000 Bus of Greater Lafayette.....	\$500,000	\$550,000
557. Lake Tahoe, NV MPO Bus \$1,000,000 \$1,000,000	\$1,000,000	\$1,000,000

replacement.....		
558. Lakeland Area Mass Transit	\$458,000	\$476,000
\$517,000	\$549,000	
District/Citrus Connection- Capital Funding Needs.....		
559. Lancaster, PA-Intermodal	\$160,000	\$167,000
\$181,000	\$192,000	
Project.....		
560. Lansing, MI, Capitol Area	\$750,000	\$850,000
\$950,000	\$1,050,000	
Transportation Authority, Bus Replacement and Bus Related ITS		
561. Laredo-North Laredo Transit	\$687,000	\$714,000
\$776,000	\$823,000	
Hub-Bus Maintenance Facility...		
562. Las Cruces, NM, Road Runner	\$200,000	\$250,000
\$300,000	\$350,000	
Bus and Bus Facilities.....		
563. Lawrence, MA, Gateway	\$600,000	\$800,000
\$900,000	\$1,150,000	
Intermodal and Quadrant Area Reuse Project.....		
564. Lehigh and Northampton	\$458,000	\$476,000
\$517,000	\$549,000	
Transportation Authority, PA- Allentown Intermodal Transportation Center.....		
565. Lipscomb University, TN-	\$344,000	\$357,000
\$388,000	\$411,000	
Intermodal Parking Garage.....		
566. Los Angeles, CA, Fly-Away	\$500,000	\$550,000
\$600,000	\$850,000	
Bus System Expansion.....		
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567. Los Angeles, CA, LAX	\$500,000	\$550,000
\$600,000	\$850,000	
Intermodal Transportation Center Rail and Bus Facilities.		
568. Louisiana Department of	\$229,000	\$238,000
\$259,000	\$274,000	
Transportation and Development- Statewide Vehicles and Equipment.....		

569. Lowell, MA, Lowell Regional \$900,000	\$600,000 \$1,150,000	\$800,000
Transit.....		
570. Maine Department of \$776,000	\$687,000 \$823,000	\$714,000
Transportation-Acadia Intermodal Facility.....		
571. MARC Intermodal Odenton and \$380,000	\$368,000 \$418,000	\$380,000
Edgewood Station Improvements..		
572. Marquette County, Michigan \$300,000	\$300,000 \$300,000	\$300,000
Transit Authority Bus passenger facility.....		
573. Maryland Statewide Bus \$6,500,000	\$5,500,000 \$7,250,000	\$5,750,000
Facilities and Buses.....		
574. Matsu, Alaska-Transit Needs \$129,000	\$115,000 \$137,000	\$119,000
575. METRO of Harris County- \$2,587,000	\$2,291,000 \$2,742,000	\$2,380,000
Discretionary Bus Program.....		
576. Metro Regional Transit \$1,811,000	\$1,604,000 \$1,919,000	\$1,666,000
Authority/City of Akron- Downtown Transit Center, Akron.		
577. Metro Transit/Metropolitan \$2,457,000	\$2,176,000 \$2,606,000	\$2,261,000
Council, MN-Bus/Bus Capital....		
578. Metropolitan Atlanta Rapid \$2,587,000	\$2,291,000 \$2,742,000	\$2,380,000
Transit Authority-Clean Fuel Buses.....		
579. Metropolitan Transit \$3,104,000	\$2,749,000 \$3,291,000	\$2,856,000
Authority-Nashville Downtown Transit Transfer Facility.....		
580. Miami-Dade Transit, FL--7th \$259,000	\$229,000 \$274,000	\$238,000
Avenue NW Transit Hub.....		

581. Michigan Department of \$2,400,000 \$2,600,000 Transportation (MDOT) Bus Replacement.....	\$2,000,000	\$2,200,000
582. Mobile County, AL \$129,000 \$137,000 Commission-Bus project.....	\$115,000	\$119,000
583. Monroe Township, PA/Clarion \$171,000 \$181,000 County Buses.....	\$151,000	\$157,000
584. Montana Department of \$776,000 \$823,000 Transportation/Statewide Bus Facilities and Buses.....	\$687,000	\$714,000
585. Nassau County, NY, Conduct \$1,300,000 \$1,500,000 planning, engineering, and construction for transportation system (HUB).....	\$1,000,000	\$1,200,000
586. Nebraska Department of \$517,000 \$549,000 Roads/Bus Maintenance and Storage Facility for RYDE in Kearney, NE.....	\$458,000	\$476,000
587. Nebraska Department of \$1,035,000 \$1,097,000 Roads-Statewide Vehicles, Facilities, and Related Equipment Purchases.....	\$916,000	\$952,000
588. New Castle, PA Area Transit \$191,000 \$203,000 Authority-Bus Purchases/Park and Ride facility.....	\$170,000	\$176,000
589. New Haven, CT Bus \$2,500,000 \$2,850,000 Maintenance Facility.....	\$2,000,000	\$2,150,000
590. New York City, NY, Bronx \$550,000 \$650,000 Zoo Intermodal Facility.....	\$350,000	\$450,000
591. New York City, NY, Enhance \$550,000 \$650,000 Transportation Facilities Near W. 65th Street and Broadway....	\$350,000	\$450,000
592. New York City, NY, Highline \$1,300,000 \$1,500,000 Project, for Studies, Design,	\$1,000,000	\$1,200,000

and Construction.....

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593. New York, Improvements to \$1,300,000 \$1,500,000 Moynihan Station.....	\$1,000,000	\$1,200,000
594. North Carolina Department \$6,467,000 \$6,856,000 of Transportation-North Carolina Statewide Bus and Bus Facilities.....	\$5,727,000	\$5,950,000
595. North Dakota Department of \$1,300,000 \$1,600,000 Transportation Statewide Bus...	\$1,000,000	\$1,100,000
596. North Slope Borough, AK- \$517,000 \$549,000 Transit Purposes.....	\$458,000	\$476,000
597. North Star Borough, AK- \$259,000 \$274,000 Transit Purposes.....	\$229,000	\$238,000
598. OATS, Incorporated, MO--ITS \$4,397,000 \$4,663,000 Information and Billing System and Bus Facilities.....	\$3,894,000	\$4,046,000
599. Omaha, NE, Buses and \$700,000 \$740,000 Fareboxes.....	\$610,000	\$650,000
600. Pinellas County, FL \$259,000 \$274,000 Metropolitan Planning Organization-Pinellas Mobility Initiative: BRT and Guideway...	\$229,000	\$238,000
601. Port Huron, Michigan, Blue \$1,500,000 \$1,750,000 Water Area Transportation Commission, Bus Maintenance Facility.....	\$1,000,000	\$1,250,000
602. Potomac and Rappahannock \$259,000 \$274,000 Transportation Commission, VA- Buses for Service Expansion....	\$229,000	\$238,000
603. Regional Transportation \$1,035,000 \$1,097,000 Commission of Southern Nevada-	\$916,000	\$952,000

Central City Intermodal
Transportation Terminal.....

604. Rhode Island, RIPTA Elmwood	\$1,600,000	\$1,700,000
\$1,750,000	\$1,850,000	
Facility Expansion.....		
605. Rhode Island, Statewide Bus	\$5,250,000	\$5,500,000
\$6,200,000	\$6,400,000	
and Van Replacement.....		

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606. River Parishes, Louisiana,	\$160,000	\$180,000
\$200,000	\$220,000	
South Central Planning and Development Commission, Bus and Bus Facilities.....		
607. Rochester, NY, Renaissance	\$1,000,000	\$1,400,000
\$1,600,000	\$2,000,000	
Square Intermodal Facility, Design and Construction.....		
608. Rock Island, Illinois,	\$200,000	\$250,000
\$300,000	\$500,000	
Metrolink Transit Maintenance Facility.....		
609. Rockland County, NY Express	\$600,000	\$700,000
\$800,000	\$900,000	
Bus.....		
610. San Angelo, TX Street	\$229,000	\$238,000
\$259,000	\$274,000	
Railroad Company-Transit Fleet Replacement.....		
611. San Joaquin Region Transit	\$250,000	\$250,000
\$250,000	\$300,000	
District, California, Hybrid Diesel-Electric Replacement Buses.....		
612. Santa Fe, NM, Trails Bus	\$450,000	\$500,000
\$500,000	\$700,000	
and Bus Facilities.....		
613. Seattle, WA Multimodal	\$800,000	\$900,000
\$1,000,000	\$1,100,000	
Terminal Redevelopment and Expansion.....		
614. Sevierville County, TN	\$229,000	\$238,000
\$259,000	\$274,000	

Transportation Board-
Alternative Fuel Buses.....

615. Silver Spring, Maryland, \$5,000,000 \$0 Transit Center.....	\$7,000,000	\$6,000,000
616. Sitka, Alaska-Transit Needs \$65,000 \$68,000	\$57,000	\$60,000
617. South Bend, Indiana, \$1,100,000 \$1,200,000 TRANSPO Bus Operations Center..	\$800,000	\$900,000
618. South Brunswick, NJ Transit \$1,000,000 \$1,000,000 System.....	\$1,000,000	\$1,000,000
619. South Carolina Department \$517,000 \$549,000 of Transportation-Transit Facilities Construction Program	\$458,000	\$476,000

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620. South Carolina Department \$2,069,000 \$2,194,000 of Transportation-Vehicle Acquisition Program.....	\$1,833,000	\$1,904,000
621. South Dakota Department of \$3,785,000 \$4,097,000 Transportation--Statewide Buses and Bus Facilities.....	\$3,166,000	\$3,452,000
622. South Florida Regional \$3,880,000 \$4,114,000 Transportation Authority-Tri- Rail Improvements, for any activity eligible under section 5309.....	\$3,436,000	\$3,570,000
623. South Florida Regional \$517,000 \$549,000 Transportation Authority-West Palm Beach Intermodal Facility.	\$458,000	\$476,000
624. Southeast Missouri \$517,000 \$549,000 Transportation Service-Bus Project.....	\$458,000	\$476,000
625. Southeastern Louisiana \$550,000 \$700,000 University Intermodal Facility.	\$300,000	\$450,000

626. Southeastern Pennsylvania \$776,000 \$823,000 Transportation Authority-Bucks County Intermodal (Croydon and Levittown).....	\$687,000	\$714,000
627. Southeastern Pennsylvania \$776,000 \$823,000 Transportation Authority-Paoli Transportation Center.....	\$687,000	\$714,000
628. Southeastern Pennsylvania \$776,000 \$823,000 Transportation Authority- Villanova-SEPTA Intermodal.....	\$687,000	\$714,000
629. Southern Maryland Commuter \$3,000,000 \$3,500,000 Initiative.....	\$2,700,000	\$2,800,000
630. Southern Nevada Transit \$300,000 \$100,000 Coalition, Public Transit Building Acquisition.....	\$300,000	\$300,000
631. Southwest Ohio Regional \$776,000 \$823,000 Transit Authority-Bus Replacements.....	\$687,000	\$714,000
[[Page 119 STAT. 1703]]		
632. Springfield, IL, Multimodal \$1,300,000 \$1,800,000 Transit Terminal.....	\$800,000	\$1,100,000
633. State of Vermont Buses, \$480,000 \$520,000 Facilities and Equipment.....	\$250,000	\$350,000
634. Suburban Mobility Authority \$2,000,000 \$2,250,000 for Regional Transportation (SMART) Bus Maintenance Facility.....	\$1,500,000	\$1,750,000
635. Syracuse, New York, \$1,100,000 \$1,150,000 Syracuse University Connective Corridor Transit Project.....	\$800,000	\$950,000
636. Tennessee Department of \$3,104,000 \$3,291,000 Transportation-Statewide	\$2,749,000	\$2,856,000

Tennessee Transit ITS and Bus Replacement Project.....		
637. Terre Haute, Indiana--	\$800,000	\$900,000
\$1,100,000 \$1,200,000		
Cherry Street Joint Development Project.....		
638. The District, The	\$229,000	\$238,000
\$259,000 \$274,000		
Woodlands, TX-Bus Replacement Program.....		
639. Transit Authority of	\$916,000	\$952,000
\$1,035,000 \$1,097,000		
Lexington, KY--Rehabilitation of Building for Maintenance and Administration.....		
640. Transit Authority of	\$458,000	\$476,000
\$517,000 \$549,000		
Northern Kentucky-TANK Bus Replacement Project.....		
641. Transit Authority of River	\$687,000	\$714,000
\$776,000 \$823,000		
City-New Hybrid Electric Buses.		
642. Transit Authority of Warren	\$229,000	\$238,000
\$259,000 \$274,000		
County, PA-Impact Warren.....		
643. Trenton Intermodal Station.	\$5,500,000	\$4,250,000
\$4,000,000 \$4,000,000		
644. University of Alabama in	\$1,604,000	\$1,666,000
\$1,811,000 \$1,919,000		
Birmingham-Intermodal Facility.		
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645. University of Alabama in	\$1,374,000	\$1,428,000
\$1,552,000 \$1,646,000		
Huntsville-Intermodal Facility.		
646. University of Alabama	\$2,062,000	\$2,142,000
\$2,328,000 \$2,468,000		
Intermodal Facility South.....		
647. University of Alabama	\$344,000	\$357,000
\$388,000 \$411,000		
Transit System.....		
648. University of Delaware Fuel	\$160,000	\$165,000
\$175,000 \$185,000		

Cell Bus Program.....		
649. University of Memphis-	\$687,000	\$714,000
\$776,000 \$823,000		
Pedestrian Bridge.....		
650. U.S. Space and Rocket	\$229,000	\$238,000
\$259,000 \$274,000		
Center, AL-Tramway Expansion...		
651. Utah Statewide Bus and Bus	\$6,882,000	\$7,148,000
\$7,757,000 \$8,234,000		
Facilities.....		
652. Valley Regional Transit, ID-	\$1,329,000	\$1,381,000
\$1,500,000 \$1,590,000		
Downtown Boise Multimodal.....		
653. VIA Metropolitan Transit	\$1,145,000	\$1,190,000
\$1,293,000 \$1,372,000		
Authority, TX-Bus and Bus		
Facility Improvements.....		
654. Washington Southworth	\$1,000,000	\$1,150,000
\$1,350,000 \$1,500,000		
Terminal Redevelopment.....		
655. Washington, King Street	\$50,000	\$60,000
\$70,000 \$70,000		
Transportation Center-Intercity		
Bus Terminal Component.....		
656. Washoe County, NV Bus and	\$1,000,000	\$1,500,000
\$2,000,000 \$2,250,000		
Bus Facilities.....		
657. Waterbury, CT Bus	\$2,000,000	\$2,300,000
\$2,800,000 \$3,400,000		
Maintenance Facility.....		
658. West Virginia, Statewide	\$5,000,000	\$5,000,000
\$5,000,000 \$5,000,000		
Bus and Bus Facilities.....		
659. Westchester, NY, Bee Line	\$450,000	\$500,000
\$550,000 \$650,000		
Bus Replacement.....		
660. Westmoreland County Transit	\$229,000	\$238,000
\$259,000 \$274,000		
Authority, PA-Bus Replacement..		

661. Wilkes-Barre Intermodal \$1,552,000	\$1,374,000 \$1,646,000	\$1,428,000
Facility.....		
662. Williamsport, PA Bureau of \$776,000	\$687,000 \$823,000	\$714,000
Transportation-Williamsport Trade and Transit Centre Expansion.....		
663. Wisconsin, Statewide Buses \$650,000	\$600,000 \$700,000	\$610,000
and Bus Facilities.....		
664. Wrangell, AK-Ferry \$259,000	\$229,000 \$274,000	\$238,000
Infrastructure.....		
665. Wyoming Department of \$776,000	\$687,000 \$823,000	\$714,000
Transportation-Wyoming Statewide Bus and Bus Related Facilities.....		

(b) Clean Fuels Grants Program Projects.--

(1) Funding.--Notwithstanding subsection (a), the Secretary shall make funds available for the projects listed in item numbers 497, 517, 519, 557, 575, 578, 605, 611, 612, 614, 631, 638, 640, 641, 648, and 659 in the table contained in subsection

(a), in the amounts specified, from amounts made available to carry out section 5308 of title 49, United States Code.

(2) Purchase of buses under supplemental environmental project.--With respect to the project numbered 605, purchases of buses procured under a supplemental environmental project executed by the Rhode Island Public Transit Authority and the Environmental Protection Agency are eligible for assistance under section 5308 of such title.

(c) Special Rule.--Notwithstanding any other provision of law, the Secretary shall pay the Federal share of the net project cost to a State or local governmental authority that carries out or has carried out any part of the bus and bus-related facilities projects numbered 258 and 347 under subsection (a).

SEC. 3045. <<NOTE: 49 USC 5308 note.>> NATIONAL FUEL CELL BUS TECHNOLOGY DEVELOPMENT PROGRAM.

(a) Establishment.--The Secretary shall establish a national fuel cell bus technology development program (in this section referred to as the ``program'') to facilitate the development of commercially viable

fuel cell bus technology and related infrastructure.

(b) General Authority.--The Secretary may enter into grants, contracts, and cooperative agreements with no more than 3 geographically diverse nonprofit organizations and recipients under chapter 53 of title 49, United States Code, to conduct fuel cell bus technology and infrastructure projects under the program.

(c) Grant Criteria.--In selecting applicants for grants under the program, the Secretary shall consider the applicant's--

- (1) ability to contribute significantly to furthering fuel cell technology as it relates to transit bus operations, including

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hydrogen production, energy storage, fuel cell technologies, vehicle systems integration, and power electronics technologies;

- (2) financing plan and cost share potential;
- (3) fuel cell technology to ensure that the program

advances

different fuel cell technologies, including hydrogen-fueled and methanol-powered liquid-fueled fuel cell technologies, that may be viable for public transportation systems; and

- (4) other criteria that the Secretary determines are necessary to carry out the program.

(d) Competitive Grant Selection.--The Secretary shall conduct a national solicitation for applications for grants under the program. Grant recipients shall be selected on a competitive basis. The Secretary shall give priority consideration to applicants that have successfully managed advanced transportation technology projects, including projects related to hydrogen and fuel cell public transportation operations for a period of not less than 5 years.

(e) Federal Share.--The Federal share of costs of the program shall be provided from funds made available to carry out this section. The Federal share of the cost of a project carried out under the program shall not exceed 50 percent of such cost.

(f) Grant Requirements.--A grant under this section shall be subject to--

- (1) all terms and conditions applicable to a grant made under section 5309 of title 49, United States Code; and
- (2) such other terms and conditions as are determined by

the

Secretary.

SEC. 3046. <<NOTE: 49 USC 5338 note.>> ALLOCATIONS FOR NATIONAL RESEARCH

AND TECHNOLOGY PROGRAMS.

(a) In General.--Amounts appropriated pursuant to section 5338(d) of title 49, United States Code, for national research and technology

programs under sections 5312, 5314, and 5322 of such title shall be allocated by the Secretary as follows:

(1) Public transportation national security study.--

(A) <<NOTE: Deadline. Contracts.>> In general.--Not later than 6 months after the date of enactment of this Act, the Secretary shall enter into an agreement with the National Academy of Sciences to conduct a study and evaluation of the value major public transportation systems in the United States serving the 38 urbanized areas that have a population of more than 1,000,000 individuals provide to the Nation's security and the ability of such systems to accommodate the evacuation, egress or ingress of people to or from critical locations in times of emergency.

(B) Alternative routes.--For each system described in subparagraph (A) the study shall identify--

(i) potential alternative routes for evacuation using other transportation modes such as highway, air, marine, and pedestrian activities; and

(ii) transit routes that, if disrupted, do

not

have sufficient transit alternatives available.

(C) Report.--Not later than 24 months after the

date

of entry into the agreement, the Academy shall submit

to

the Secretary and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing and Urban Affairs of the Senate a final report on the results of the study

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and evaluation, together with such recommendations as the Academy considers appropriate.

(D) Funding.--For each of fiscal year 2006 and 2007 \$250,000 shall be available to carry out this

paragraph.

(2) Center for transit-oriented development.--For each of fiscal years 2006 through 2009, not less than \$1,000,000 shall be made available by the Secretary for establishment and operation of the Center for Transit-Oriented Development--

(A) to develop standards and definitions for transit-oriented development adjacent to public transportation facilities;

(B) to develop system planning guidance,

performance

criteria, and modeling techniques for metropolitan planning agencies and public transportation agencies to maximize ridership through land use planning and adjacent development; and

(C) to provide research support and technical assistance to public transportation agencies, metropolitan planning agencies, and other persons regarding transit-oriented development.

(3) Transportation equity research program.--For each of

fiscal years 2006 through 2009, not less than \$1,000,000 shall be made available by the Secretary for research and demonstration activities that focus on the impacts that transportation planning, investment, and operations have on

low-

income and minority populations that are transit dependent.

Such

activities shall include the development of strategies to advance economic and community development in low-income and minority communities and the development of training programs that promote the employment of low-income and minority

community

residents on Federal-aid transportation projects constructed in their communities.

(4) Cognitive impairment study.--For fiscal year 2006, \$1,000,000 shall be made available by the Secretary for

research

and demonstration activities that focus on the capacity and resources of Oregon public transportation systems to address

the

needs, barriers, and desires for travel of people with

cognitive

impairments.

(5) Transit career ladder training program.--For each of fiscal years 2006 through 2009, not less than \$1,000,000 shall be available for a nationwide career ladder job training partnership program for public transportation employees to respond to technological changes in the public transportation industry, especially in the area of maintenance. Such program shall be carried out by the Secretary through a contract with a national nonprofit organization with a demonstrated capacity to develop and provide such programs.

(6) Pilot program for remote infrared audible signs.--

(A) In general.--For each of fiscal years 2006 through 2009, not less than \$500,000 shall be made available by the Secretary to carry out a pilot program to determine the benefits of remote infrared audible signage technology for provision of wayfinding and information to people who are visually, cognitively, or learning disabled.

(B) Report.--

(i) In general.--Not later than September 30, 2009, the Secretary shall transmit to the Committee

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on Transportation and Infrastructure of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the pilot program carried out under this section.

(ii) Contents.--The report--

(I) shall include--

(aa) an evaluation of the effect of the pilot program on multimodal accessibility in

public transportation;

(bb) an evaluation of the effect of the program on operators of public transportation and their passengers;

(cc) an evaluation of the effect of making public transportation accessible to people with visual, cognitive, and learning disabilities on ridership of public transportation and use of paratransit; and

(dd) an evaluation of the effect of the program on the education, community integration, work life, and general quality of life of the targeted populations.

(7) <<NOTE: Pennsylvania.>> Hydrogen fuel cell shuttle deployment demonstration project.--To demonstrate the utility

of

hydrogen fuel cell vehicles in daily shuttle service, \$800,000 in each of fiscal years 2006 and 2007 shall be provided for hydrogen fuel cell employee shuttle vans, related equipment, operations, public education and outreach in Allentown, Pennsylvania.

(8) Wisconsin supplemental transportation rural assistance program (strap).--

(A) In general.--For capital projects, operations, purchase or lease of vehicles, and integration,

planning

and coordination of public transportation services in the State of Wisconsin that will supplement and expand existing rural and special public transportation services in that State, \$2,000,000 in each of fiscal years 2006, 2007, 2008, and 2009 shall be provided to the State of Wisconsin Department of Transportation.

(B) Purpose.--Funds received under this program may be used to supplement public transportation programs

for

rural populations for activities authorized under sections 5310, 5311, and 5316 of title 49, United

States

Code. Funds made available under this program are subject to the requirements of section 5311 of title

49,

United States Code, except that funds may be made available for up to 80 percent of net operating costs. In awarding grants made available under this program, the State shall consider--

(i) rural population in the area to be served by the applicant;

(ii) extent to which the applicant demonstrates coordination of existing transportation services or proposed public

transportation services;
(iii) need for additional services in the
area
being serviced by the applicant and the extent to
which the proposed services will address those
ambulatory needs and provide accessibility for non-
recipients;

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(iv) extent to which the applicant
demonstrates an innovative approach that is
responsive to the identified service needs of the
rural population; and
demonstrates (v) extent to which the applicant
that the communities being served have been
consulted in the planning process.

(9) Human services transportation coordination.--

(A) In general.--For the management of a program to
improve and enhance the coordination of Federal
resources for human services transportation with those
of the Department of Transportation, \$1,600,000 in each
of fiscal years 2006, 2007, 2008, and 2009 shall be
provided to a national non-profit organization that is
competitively selected by the Secretary. Such
organization shall have demonstrated expertise in
issues
of transportation coordination and in providing
technical assistance to local transportation
organizations.

(B) <<NOTE: Reports.>> Eligible activities.--Under
this program, the organization selected by the
Secretary
shall--

(i) <<NOTE: Establishment.>> establish an
advisory panel consisting of Federal, State, and
local officials and organizations;
(ii) prepare an inventory of human service
transportation agencies operating in the United
States;
(iii) prepare an inventory of Federal
transportation spending;
assistance (iv) develop a program of technical
and training for human services transportation
organizations that shall include on-site
technical assistance, a resource clearinghouse, and
preparation of technical manuals;
Secretary (v) prepare an annual report for the
on activities under this program and make
recommendations for improving coordination.

(10) Portland, Oregon streetcar prototype purchase and

in deployment.--Not less than \$1,000,000 shall be made available
each of fiscal years 2006, 2007, 2008, and 2009 by the
Secretary to TriMet for the purchase and deployment of a domestically
manufactured streetcar.

(11) Public transportation participation pilot program.--

(A) In general.--Of the funds allocated under this
section for each of fiscal years 2006 through 2009,
\$1,000,000 for each fiscal year shall be made available
by the Secretary to establish a pilot program to

support

planning and public participation activities related to
public transportation projects.

(B) Eligible activities.--Activities eligible to be
carried out under the pilot program may include the
following:

(i) Improving data collection analysis and
transportation access for all users of the public
transportation systems.

(ii) Supporting public participation through
the project development phases.

(iii) Using innovative techniques to improve
the coordination of transportation alternatives.

(iv) Enhancing the coordination of public
transportation benefits and services.

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(v) Contracting with stakeholders to focus on
the delivery of transportation plans and

programs.

(vi) Measuring and reporting on the annual
performance of the transportation systems.

(12) Transportation hybrid electric vehicle and fuel cell
research.--\$500,000 in each of fiscal years 2006 through 2009
for a transportation hybrid electric vehicle and fuel cell
research program at the University of Alabama.

(13) Trauma care system research and development.--\$500,000
in each of fiscal years 2006 through 2009 for trauma care

system

research and development at the University of Alabama in
Birmingham.

(14) Transportation infrastructure and logistics research.-

\$500,000 in each of fiscal years 2006 through 2009 for
transportation infrastructure and logistics research at the
University of Alabama in Huntsville.

(15) National bus rapid transit institute.--\$1,750,000 in
each of fiscal years 2006 though 2009 for the National Bus

Rapid

Transit Institute at the University of South Florida.

(16) Application of information technology to

transportation

logistics and security.--\$400,000 in each of fiscal years 2006
through 2009 for research on the application of information
technology to transportation logistics and security at the

Northern Kentucky University.

(17) Intelligent transportation system pilot project.--\$465,000 in each of fiscal years 2006 through 2009 for an intelligent transportation system pilot project with the National Consortium on Remote Sensing in Transportation Flows

at

the Ohio State University.

(18) Regional public safety training center.--\$500,000 in each of fiscal years 2006 through 2009 for a regional public safety training center at the Lehigh-Carbon Community College.

(19) Transit security training facility.--\$750,000 in each of fiscal years 2006 through 2009 for a transit security

training

facility in Chester County, Pennsylvania.

(20) Small urban and rural transit center.--\$800,000 in fiscal year 2006, \$800,000 in fiscal year 2007, \$1,200,000 in fiscal year 2008, and \$1,200,000 in fiscal year 2009 for the Small Urban and Rural Transit Center at North Dakota State University.

(21) Advanced technology bus rapid transit project.--\$500,000 in fiscal year 2006, \$540,000 in fiscal year 2007, \$550,000 in fiscal year 2008, and \$625,000 in fiscal year 2009 for the Southeastern Connecticut Advanced Technology Bus Rapid Transit Project.

(22) Greater new haven transit district fuel cell-powered bus research.--\$500,000 in fiscal year 2006, \$540,000 in fiscal year 2007, \$550,000 in fiscal year 2008, and \$625,000 in fiscal year 2009 for the Greater New Haven Transit District Fuel Cell-Powered Bus Research.

(23) Center for advanced transportation initiatives.--\$500,000 in fiscal year 2006, \$540,000 in fiscal year 2007, \$540,000 in fiscal year 2008, and \$625,000 in fiscal year 2009 for the Rutgers Center for Advanced Transportation Initiatives (CAIT).

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(24) Institute of technology's transportation, economic,

and

land use system.--\$500,000 in fiscal year 2006, \$540,000 in fiscal year 2007, \$540,000 in fiscal year 2008, and \$625,000 in fiscal year 2009 for the New Jersey Institute of Technology's Transportation, Economic, and Land Use System program (TELUS).

(25) Regional transit training consortium pilot program.--\$270,000 in fiscal year 2006, \$380,000 in fiscal year 2007, \$380,000 in fiscal year 2008, and \$450,000 in fiscal year 2009 for the Southern California Regional Transit Training

Consortium

Pilot Program.

(b) Remainder.--After making allocations under subsection (a), the remainder of funds made available by section 5338(d) of title 49, United States Code, for national research and technology programs under sections 5312, 5314, and 5322 for a fiscal year shall be allocated at the discretion of the Secretary to other transit research, development,

demonstration and deployment projects authorized by sections 5312, 5314, and 5322 of such title.

SEC. 3047. FORGIVENESS OF GRANT AGREEMENT.

(a) Lane County Transit District.--Notwithstanding any other provision of law (including any regulation), any outstanding balances on the following grant agreements made to the Lane County Transit District, Oregon, do not have to be repaid:

- (1) Federal Contract Number OR-03-0087.
- (2) Federal Contract Number OR-90-X094.

(b) Pee Dee Regional Transit Authority.--The debt identified in the 2000 Triennial Review of the Pee Dee Regional Transit Authority as owed to the Federal Transit Administration by the Pee Dee Regional Transit Authority does not have to be repaid.

SEC. 3048. <<NOTE: Deadline.>> COOPERATIVE PROCUREMENT.

Not later than 6 months after the date of enactment of this Act, the Secretary shall undertake a 30-day review of efforts to use cooperative procurement to determine whether benefits are sufficient to formally incorporate cooperative procurement into the mass transit program. In particular, the Secretary shall review the progress made under the pilot program authorized under section 166 of division F of the Consolidated Appropriations Act, 2004 (49 U.S.C. 5397 note; 118 Stat. 309), <<NOTE: 49 USC 5307.>> based on experience to date in the pilot program and any available reports to Congress submitted under such section 166. The Secretary shall also consider information gathered from grantees about cooperative procurement, whether or not related to the pilot program.

SEC. 3049. <<NOTE: 5 USC 7905 note.>> TRANSPORTATION FRINGE BENEFITS.

(a) Transit Pass Transportation Fringe Benefits.--

(1) <<NOTE: Effective date.>> In general.--Effective as of the first day of the next fiscal year beginning after the date of the enactment of this Act, each covered agency shall implement a program under which all qualified Federal employees serving in or under such agency shall be offered transit pass transportation fringe benefits, as described in paragraph (2).

(2) Benefits described.--The benefits described in this paragraph are the transit pass transportation fringe benefits which, under section 2 of Executive Order No. 13150, are required to be offered by Federal agencies in the National Capital Region on the date of the enactment of this Act.

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(3) Definitions.--In this subsection--

(A) the term ``covered agency'' means any agency,
to the extent of its facilities in the National Capital
Region;

(B) the term ``agency'' means any agency (as
defined by 7905(a)(2) of title 5, United States Code), the
Postal Rate Commission, and the Smithsonian
Institution;

(C) the term ``National Capital Region'' includes
the District of Columbia and every county or other
geographic area covered by section 2 of Executive Order
No. 13150;

(D) the term ``Executive Order No. 13150'' refers
to Executive Order No. 13150 (5 U.S.C. 7905 note);

(E) the term ``Federal agency'' is used in the same
way as under section 2 of Executive Order No. 13150;

and (F) any determination as to whether or not one is a
``qualified Federal employee'' shall be made applying
the same criteria as would apply under section 2 of
Executive Order No. 13150.

(4) Rule of construction.--Nothing in this subsection shall
be considered to require that a covered agency--

(A) terminate any program or benefits in existence
on the date of the enactment of this Act, or postpone
any plans to implement (before the effective date
referred to in paragraph (1)) any program or benefits
permitted or required under any other provision of law;
or

(B) discontinue (on or after the effective date
referred to in paragraph (1)) any program or benefits
referred to in subparagraph (A), so long as such

program or benefits satisfy the requirements of paragraphs (1)
through (3).

(b) Authority to Transport Federal Employees Between Their Place of
Employment and Mass Transit Facilities.--

(1) In general.--Section 1344 of title 31, United States
Code, is amended--

(A) by redesignating subsections (g) and (h) as
subsections (h) and (i), respectively; and

(B) by inserting after subsection (f) the

following:

``(g)(1) If and to the extent that the head of a Federal agency, in
his or her sole discretion, deems it appropriate, a passenger carrier
may be used to transport an officer or employee of a Federal agency
between the officer's or employee's place of employment and a mass
transit facility (whether or not publicly owned) in accordance with
succeeding provisions of this subsection.

``(2) Notwithstanding section 1343, a Federal agency that provides
transportation services under this subsection (including by passenger
carrier) may absorb the costs of such services using any funds
available

to such agency, whether by appropriation or otherwise.

((3) In carrying out this subsection, a Federal agency, to the maximum extent practicable and consistent with sound budget policy, should--

((A) use alternative fuel vehicles for the provision of transportation services;

((B) to the extent consistent with the purposes of this subsection, provide transportation services in a manner that does not result in additional gross income for Federal income tax purposes; and

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((C) coordinate with other Federal agencies to share, and otherwise avoid duplication of, transportation services provided under this subsection.

((4) For purposes of any determination under chapter 81 of title 5 or chapter 171 of title 28, an individual shall not be considered to be in the 'performance of duty' or 'acting within the scope of his or her office or employment' by virtue of the fact that such individual is receiving transportation services under this subsection. Nor shall any time during which an individual uses such services be considered when calculating the hours of work or employment for that individual for purposes of title 5 of the United States Code, including chapter 55 of that title.

((5)(A) <<NOTE: Regulations.>> The Administrator of General Services, after consultation with the appropriate agencies, shall prescribe any regulations necessary to carry out this subsection.

((B) Transportation services under this subsection shall be subject neither to the last sentence of subsection (d)(3) nor to any regulations under the last sentence of subsection (e)(1).

((6) In this subsection, the term 'passenger carrier' means a passenger motor vehicle or similar means of transportation that is owned, leased, or provided pursuant to contract by the United States Government.''

(2) Funds for maintenance, repair, etc.--Subsection (a) of section 1344 of title 31, United States Code, is amended by adding at the end the following:

((3) For purposes of paragraph (1), the transportation of an individual between such individual's place of employment and a mass transit facility pursuant to subsection (g) is transportation for an official purpose.''

(3) <<NOTE: 31 USC 1344 note.>> Coordination.--The authority to provide transportation services under section 1344(g) of title 31, United States Code (as amended by paragraph (1)) shall be in addition to any authority otherwise available to the agency involved.

SEC. 3050. COMMUTER RAIL.

(a) In General.--The Federal Transit Administration shall approve final design for the projects authorized under section 3030(c)(1)(A)(xliv) of the Federal Transit Act of 1998 and section 1214(g) of the Transportation Equity Act for the 21st Century (16 U.S.C. 668dd note) in the absence of an access agreement with the owner of the railroad right-of-way.

(b) Timely Resolution of Issues.--The Secretary shall timely resolve any issues delaying the completion of the projects authorized under section 1214(g) of the Transportation Equity Act for the 21st Century (16 U.S.C. 668dd note) and section 3030(c)(1)(A)(xliv) of the Federal Transit Act of 1998.

SEC. 3051. PARATRANSIT SERVICE IN ILLINOIS.

In the State of Illinois, a regional or State agency, or another transit agency, may be responsible for providing the complementary paratransit services that would otherwise be provided by a transit agency under the Americans with Disabilities Act of 1990. Where a regional or State agency, or another transit agency, undertakes to provide such services, either by agreement or pursuant to State legislation, the Secretary may audit the paratransit services provided, make recommendations, and take appropriate enforcement action directed to such regional, State, or transit agency providing the services, to ensure that the requirements of the Americans

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with Disabilities Act of 1990 are met. Nothing in this Act shall be construed to conflict with the requirements of the Americans with Disabilities Act of 1990 and its implementing regulations.