

Sec. 6702.	Local and regional project assistance.
6703.	National culvert removal, replacement, and restoration grant program.

Editorial Notes

AMENDMENTS

2021—Pub. L. 117-58, div. B, title I, §21203(b), Nov. 15, 2021, 135 Stat. 677, added item 6703.

§ 6701. National infrastructure project assistance

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term “Department” means the Department of Transportation.

(2) ELIGIBLE ENTITY.—The term “eligible entity” means—

- (A) a State or a group of States;
- (B) a metropolitan planning organization;
- (C) a unit of local government;
- (D) a political subdivision of a State;
- (E) a special purpose district or public authority with a transportation function, including a port authority;
- (F) a Tribal government or a consortium of Tribal governments;
- (G) a partnership between Amtrak and 1 or more entities described in subparagraphs (A) through (F); and
- (H) a group of entities described in any of subparagraphs (A) through (G).

(3) PROGRAM.—The term “program” means the program established by subsection (b).

(4) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

- (5) STATE.—The term “State” means—
- (A) any of the several States;
 - (B) the District of Columbia;
 - (C) the Commonwealth of Puerto Rico;
 - (D) the Commonwealth of the Northern Mariana Islands;
 - (E) the United States Virgin Islands;
 - (F) Guam;
 - (G) American Samoa; and
 - (H) any other territory or possession of the United States.

(b) ESTABLISHMENT.—There is established a program under which the Secretary shall provide to eligible entities grants, on a competitive basis pursuant to single-year or multiyear grant agreements, for projects described in subsection (d).

(c) APPLICATIONS.—

(1) IN GENERAL.—To be eligible for a grant under the program, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary determines to be appropriate.

(2) PLAN FOR DATA COLLECTION.—An application under paragraph (1) shall include a plan for data collection and analysis described in subsection (g).

(d) ELIGIBLE PROJECTS.—The Secretary may provide a grant under the program only for a project—

- (1) that is—
 - (A) a highway or bridge project carried out on—
 - (i) the National Multimodal Freight Network established under section 70103;

- (ii) the National Highway Freight Network established under section 167 of title 23; or

- (iii) the National Highway System (as defined in section 101(a) of title 23);

- (B) a freight intermodal (including public ports) or freight rail project that provides a public benefit;

- (C) a railway-highway grade separation or elimination project;

- (D) an intercity passenger rail project;

- (E) a public transportation project that is—

- (i) eligible for assistance under chapter 53; and

- (ii) part of a project described in any of subparagraphs (A) through (D); or

- (F) a grouping, combination, or program of interrelated, connected, or dependent projects of any of the projects described in subparagraphs (A) through (E); and

(2) the eligible project costs of which are—

- (A) reasonably anticipated to equal or exceed \$500,000,000; or

- (B) for any project funded by the set-aside under subsection (m)(2)—

- (i) more than \$100,000,000; but
- (ii) less than \$500,000,000.

(e) GEOGRAPHICAL DISTRIBUTION.—In providing grants under this section, the Secretary shall ensure among grant recipients—

- (1) geographical diversity; and
- (2) a balance between rural and urban communities.

(f) PROJECT EVALUATION AND SELECTION.—

(1) REQUIREMENTS.—The Secretary may select a project described in subsection (d) to receive a grant under the program only if the Secretary determines that—

- (A) the project is likely to generate national or regional economic, mobility, or safety benefits;
- (B) the project is in need of significant Federal funding;
- (C) the project will be cost-effective;
- (D) with respect to related non-Federal financial commitments, 1 or more stable and dependable sources of funding and financing are available—

- (i) to construct, operate, and maintain the project; and
- (ii) to cover cost increases; and

- (E) the applicant has, or will have, sufficient legal, financial, and technical capacity to carry out the project.

(2) EVALUATION CRITERIA.—In awarding a grant under the program, the Secretary shall evaluate—

- (A) the extent to which a project supports achieving a state of good repair for each existing asset to be improved by the project;

- (B) the level of benefits a project is expected to generate, including—

- (i) the costs avoided by the prevention of closure or reduced use of the asset to be improved by the project;
- (ii) reductions in maintenance costs over the life of the applicable asset;