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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R.

To provide funds to State transportation departments for surface transportation projects.

IN THE HOUSE OF REPRESENTATIVES

Mr. LAMB introduced the following bill; which was referred to the Committee on _____

A BILL

To provide funds to State transportation departments for surface transportation projects.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Providing Assistance
5 for Vital Enhancements Act” or the “PAVE Act”.

6 **SEC. 2. ASSISTANCE TO STATE TRANSPORTATION DEPART-**
7 **MENTS.**

8 (a) **FORMULA GRANT PROGRAM.**—Funds made avail-
9 able under this section shall be—

1 (1) available for obligation in the same manner
2 as if such funds were apportioned under chapter 1
3 of title 23, United States Code;

4 (2) apportioned not later than 30 days after the
5 date of enactment of this Act; and

6 (3) distributed to States in the same ratio as
7 the obligation limitation for fiscal year 2020 was
8 distributed among the States in accordance with the
9 formula specified in subparagraphs (A) and (B) of
10 section 120(a)(5) of division H of Public Law 116-
11 94.

12 (b) ELIGIBLE USES OF FUNDS.—

13 (1) IN GENERAL.—A State may use the funds
14 provided under subsection (f) for—

15 (A) activities eligible under section 133 (b)
16 of title 23, United States Code; and

17 (B) administrative and operating expenses,
18 including the salaries of employees (including
19 employees who have been placed on administra-
20 tive leave) or contractors, information tech-
21 nology, and availability payments.

22 (2) SPECIAL RULE.—The expenses under para-
23 graph (1)(B) are not required to be included in a
24 transportation improvement plan or statewide trans-

1 portation improvement plan under sections 134 and
2 135, of title 23 United States Code.

3 (c) FEDERAL SHARE.—

4 (1) IN GENERAL.—Notwithstanding section 120
5 of title 23, United States Code, the Federal share
6 for funds apportioned for fiscal year 2021 under this
7 Act, at the option of the recipient, shall be up to
8 100 percent.

9 (2) NON-FEDERAL SHARE.—Funds provided
10 under this section shall be available for any non-
11 Federal share of project costs required under title
12 23, United States Code, and for the non-Federal
13 share of grants awarded by the Department of
14 Transportation for Better Utilizing Investments
15 Leveraging Development (BUILD) grants.

16 (d) PREVAILING RATE OF WAGE.—Notwithstanding
17 any other provision of law, the Secretary of Transpor-
18 tation shall require projects funded under this section to
19 comply with of section 113(a) of title 23, United States
20 Code, with respect to all construction work, in the same
21 manner that a recipient of assistance under chapter 1 of
22 such title is required to comply with such subsection for
23 construction work performed on Federal-aid highway
24 projects.

25 (e) DEFINITIONS.—For purposes of this Act—

1 (1) the term “Secretary” means the Secretary
2 of Transportation; and

3 (2) the term “State” has the same meaning
4 given such term in section 101(a)(26) of title 23,
5 United States Code.

6 (f) FUNDING.—

7 (1) IN GENERAL.—Out of any funds in the
8 General Fund of the Treasury not otherwise appro-
9 priated, there are appropriated to provide emergency
10 assistance to States under this section,
11 \$18,000,000,000 for fiscal year 2021, to remain
12 available through fiscal year 2024.

13 (2) EMERGENCY DESIGNATION.—

14 (A) IN GENERAL.—The amounts provided
15 by this section are designated as an emergency
16 requirement pursuant to section 4(g) of the
17 Statutory Pay-As-You-Go Act of 2010 (2
18 U.S.C. 933(g)).

19 (B) EMERGENCY REQUIREMENT.—The
20 amount made available by this subsection is
21 designated by the Congress as being for an
22 emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985 and
25 shall be available only if the President subse-

1 quently so designates all such amounts and
2 transmits such designations to the Congress.

3 (C) DESIGNATION IN SENATE.—In the
4 Senate, this section is designated as an emer-
5 gency requirement pursuant to section 4112(a)
6 of H. Con. Res. 71 (115th Congress), the con-
7 current resolution on the budget for fiscal year
8 2018.