

AMENDMENT

OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of subtitle F of title I of division B of the bill, add the following:

1 **SEC. ____ . STATE ASSUMPTION OF RESPONSIBILITY FOR**
2 **CATEGORICAL EXCLUSIONS.**

3 Section 326(c)(3) of title 23, United States Code, is
4 amended—

5 (1) by striking subparagraph (A) and inserting
6 the following:

7 “(A) except as provided under subpara-
8 graph (C), have a term of not more than 3
9 years;”;

10 (2) in subparagraph (B) by striking the period
11 at the end and inserting “; and”; and

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

13 “(C) for any State that has assumed the
14 responsibility for categorical exclusions under
15 this section for at least 10 years, have a term
16 of 5 years.”.

1 **SEC. ____.** **SURFACE TRANSPORTATION PROJECT DELIV-**
2 **ERY PROGRAM WRITTEN AGREEMENTS.**

3 Section 327 of title 23, United States Code, is
4 amended—

5 (1) in subsection (c)—

6 (A) by striking paragraph (5) and insert-
7 ing the following:

8 “(5) except as provided under paragraph (7),
9 have a term of not more than 5 years;”;

10 (B) in paragraph (6) by striking the period
11 at the end and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(7) for any State that has participated in a
14 program under this section (or under a predecessor
15 program) for at least 10 years, have a term of 10
16 years.”;

17 (2) in subsection (g)(1)—

18 (A) in subparagraph (C) by striking “an-
19 nual”;

20 (B) in subparagraph (B) by striking “and”
21 at the end;

22 (C) by redesignating subparagraph (C) as
23 subparagraph (D); and

24 (D) by inserting after subparagraph (B)
25 the following:

1 “(C) in the case of an agreement period of
2 greater than 5 years under subsection (c)(7),
3 conduct an audit covering the first 5 years of
4 the agreement period; and”; and

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

6 “(m) AGENCY DEEMED TO BE FEDERAL AGENCY.—
7 A State agency that is assigned a responsibility under an
8 agreement under this section shall be deemed to be a Fed-
9 eral agency for the purposes of all Federal laws pursuant
10 to which the responsibility is exercised.”.

