

116TH CONGRESS
1ST SESSION

H. R. 5117

To require the Secretary of Transportation to establish a working group to conduct a study on the regulatory and legislative improvements necessary to preserve access to certain construction materials and reduce the costs and environmental impacts of infrastructure projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2019

Mr. STANTON (for himself and Mr. BALDERSON) introduced the following bill;
which was referred to the Committee on Transportation and Infrastructure

A BILL

To require the Secretary of Transportation to establish a working group to conduct a study on the regulatory and legislative improvements necessary to preserve access to certain construction materials and reduce the costs and environmental impacts of infrastructure projects, and for other purposes.

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 “Rebuilding Our Com-
5 munities by Keeping aggregates Sustainable Act” or the
6 “ROCKS Act”.

1 **SEC. 2. WORKING GROUP ON COVERED RESOURCES.**

2 (a) ESTABLISHMENT.—Not later than 120 days after
3 the date of the enactment of this Act, the Secretary shall
4 establish a working group (in this section referred to as
5 the “Working Group”) to conduct a study on the regu-
6 latory and legislative improvements necessary to preserve
7 access to covered resources for, and reduce the costs and
8 environmental impacts of, infrastructure projects.

9 (b) MEMBERSHIP.—

10 (1) APPOINTMENT.—The Secretary shall ap-
11 point to the Working Group individuals with knowl-
12 edge and expertise in the production and transpor-
13 tation of covered resources.

14 (2) REPRESENTATION.—The Working Group
15 shall include at least one representative of each of
16 the following:

17 (A) The Department of the Interior.

18 (B) The United States Geological Survey.

19 (C) The Army Corps of Engineers.

20 (D) The Department of Defense.

21 (E) State agencies, including State depart-
22 ments of transportation and State planning and
23 geologic survey and mapping agencies.

24 (F) Commercial motor vehicle operators,
25 including small business operators and opera-
26 tors who transport covered resources.

1 (G) Covered resources producers.

2 (H) Construction contractors.

3 (I) Metropolitan and regional planning or-
4 ganizations.

5 (J) Indian Tribes, including tribal elected
6 leadership or tribal transportation officials.

7 (c) DUTIES.—In carrying out the study required
8 under subsection (a), the Working Group shall analyze—

9 (1) the use of covered resources in federally
10 funded transportation and construction projects;

11 (2) how the proximity of covered resources to
12 such projects affects the cost and environmental im-
13 pact of such projects;

14 (3) how State, tribal, and local transportation
15 and planning agencies may consider covered re-
16 sources when developing transportation and con-
17 struction projects; and

18 (4) measures the Secretary, relevant Federal
19 agencies, and State, tribal, and local transportation
20 and planning agencies may take to preserve covered
21 resources for future development.

22 (d) CONSULTATION.—In carrying out the study re-
23 quired under subsection (a), the Working Group shall con-
24 sult with—

25 (1) chief executive officers of States;

1 (2) State, tribal, and local transportation and
2 planning agencies;

3 (3) other relevant State, tribal, and local agen-
4 cies, including State agencies associated with cov-
5 ered resources protection;

6 (4) members of the public with industry experi-
7 ence with respect to covered resources; and

8 (5) any other stakeholder the Working Group
9 determines appropriate.

10 (e) REPORTS.—

11 (1) FINAL REPORT.—Not later than 2 years
12 after the date on which the Working Group is estab-
13 lished, the Working Group shall submit to the Sec-
14 retary and the appropriate congressional committees
15 a report that includes—

16 (A) the findings of the study required
17 under subsection (a), including a summary of
18 the views expressed by individuals and entities
19 consulted under subsection (d); and

20 (B) the regulatory and legislative changes
21 that the Working Group recommends to pre-
22 serve access to covered resources for, and re-
23 duce the costs and environmental impacts, of
24 infrastructure projects.

1 (2) INTERIM REPORT.—Not later than 1 year
2 after the date on which the Working Group is estab-
3 lished, the Working Group shall submit to the Sec-
4 retary and the appropriate congressional committees
5 a report on the progress of the Working Group in
6 conducting the study required under subsection (a).

7 (f) DEFINITIONS.—In this section:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means the Committee on Transportation
11 and Infrastructure and the Committee on Appro-
12 priations of the House of Representatives and the
13 Committee on Environment and Public Works and
14 the Committee on Appropriations of the Senate.

15 (2) COVERED RESOURCES.—The term “covered
16 resources” means common variety materials used in
17 the construction and maintenance of roads, build-
18 ings, and other facilities, including stone, sand, and
19 gravel.

20 (3) INDIAN TRIBE.—The term “Indian Tribe”
21 has the meaning given the term “Indian tribe” in
22 section 4 of the Indian Self-Determination and Edu-
23 cation Assistance Act (25 U.S.C. 5304).

24 (4) RELEVANT FEDERAL AGENCIES.—The term
25 “relevant Federal agencies” means the Department

1 of Defense, the Department of the Interior, the
2 Army Corps of Engineers, the United States Geo-
3 logical Survey, the General Services Administration,
4 and any other Federal entity that provides funding
5 to purchase covered resources.

6 (5) SECRETARY.—The term “Secretary” means
7 the Secretary of Transportation.

8 (6) STATE.—The term “State” means each of
9 the several States, the District of Columbia, and
10 each territory or possession of the United States.

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