

117TH CONGRESS
1ST SESSION

H. R. 611

To direct the Secretary of Transportation to establish a working group to conduct a study on access to certain resources for infrastructure projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2021

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

A BILL

To direct the Secretary of Transportation to establish a working group to conduct a study on access to certain resources for 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 of 2021”
6 or the “ROCKS Act”.

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

2 (a) ESTABLISHMENT.—Not later than 120 days after
3 the date of enactment of this Act, the Secretary of Trans-
4 portation shall establish a working group (in this section
5 referred to as the “Working Group”) to conduct a study
6 on access to covered resources for infrastructure projects.

7 (b) MEMBERSHIP.—

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

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

15 (A) State departments of transportation.

16 (B) State agencies associated with covered
17 resources protection.

18 (C) State planning and geologic survey and
19 mapping agencies.

20 (D) Commercial motor vehicle operators,
21 including small business operators and opera-
22 tors who transport covered resources.

23 (E) Covered resources producers.

24 (F) Construction contractors.

25 (G) Labor organizations.

1 (H) Metropolitan planning organizations
2 and regional planning organizations.

3 (I) Indian Tribes, including Tribal elected
4 leadership or Tribal transportation officials.

5 (J) Any other stakeholders that the Sec-
6 retary determines appropriate.

7 (3) TERMINATION.—The Working Group shall
8 terminate 6 months after the date on which the Sec-
9 retary receives the report under subsection (e)(1).

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

12 (1) the use of covered resources in transpor-
13 tation projects funded with Federal dollars;

14 (2) how the proximity of covered resources to
15 such projects affects the cost and environmental im-
16 pact of such projects;

17 (3) whether and how State, Tribal, and local
18 transportation and planning agencies consider cov-
19 ered resources when developing transportation
20 projects; and

21 (4) any challenges for transportation project
22 sponsors regarding access and proximity to covered
23 resources.

1 (d) CONSULTATION.—In carrying out the study re-
2 quired under subsection (a), the Working Group shall con-
3 sult with, as appropriate—

4 (1) chief executive officers of States;

5 (2) State, Tribal, and local transportation and
6 planning agencies;

7 (3) other relevant State, Tribal, and local agen-
8 cies, including State agencies associated with cov-
9 ered resources protection;

10 (4) members of the public with industry experi-
11 ence with respect to covered resources;

12 (5) other Federal entities that provide funding
13 for transportation projects; and

14 (6) any other stakeholder the Working Group
15 determines appropriate.

16 (e) REPORTS.—

17 (1) WORKING GROUP REPORT.—Not later than
18 2 years after the date on which the Working Group
19 is established, the Working Group shall submit to
20 the Secretary a report that includes—

21 (A) the findings of the study required
22 under subsection (a), including a summary of
23 comments received during the consultation
24 process under subsection (d); and

1 (B) any recommendations to preserve ac-
2 cess to and reduce the costs and environmental
3 impacts of covered resources for infrastructure
4 projects.

5 (2) DEPARTMENTAL REPORT.—Not later than
6 3 months after the date on which the Secretary re-
7 ceives the report under paragraph (1), the Secretary
8 shall submit to the Committee on Transportation
9 and Infrastructure of the House of Representatives
10 and the Committee on Environment and Public
11 Works of the Senate a summary of the findings
12 under such report and any recommendations, as ap-
13 propriate.

14 (f) DEFINITIONS.—In this Act:

15 (1) COVERED RESOURCES.—The term “covered
16 resources” means common variety materials used in
17 transportation infrastructure construction and main-
18 tenance, including stone, sand, and gravel.

19 (2) STATE.—The term “State” means each of
20 the several States, the District of Columbia, and
21 each territory or possession of the United States.

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