

**23 USC 520: Transportation Resilience and Adaptation Centers of Excellence**

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**From Title 23-HIGHWAYS**

CHAPTER 5-RESEARCH, TECHNOLOGY, AND EDUCATION

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**§520. Transportation Resilience and Adaptation Centers of Excellence**

(a) **DEFINITION OF CENTER OF EXCELLENCE.**-In this section, the term "Center of Excellence" means a Center of Excellence for Resilience and Adaptation designated under subsection (b).

(b) **DESIGNATION.**-The Secretary shall designate 10 regional Centers of Excellence for Resilience and Adaptation and 1 national Center of Excellence for Resilience and Adaptation, which shall serve as a coordinator for the regional Centers, to receive grants to advance research and development that improves the resilience of regions of the United States to natural disasters and extreme weather by promoting the resilience of surface transportation infrastructure and infrastructure dependent on surface transportation.

(c) **ELIGIBILITY.**-An entity eligible to be designated as a Center of Excellence is-

- (1) an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or
- (2) a consortium of nonprofit organizations led by an institution of higher education.

(d) **APPLICATION.**-To be eligible to be designated as a Center of Excellence, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a proposal that includes a description of the activities to be carried out with a grant under this section.

(e) **SELECTION.**-

(1) **REGIONAL CENTERS OF EXCELLENCE.**-The Secretary shall designate 1 regional Center of Excellence in each of the 10 Federal regions that comprise the Standard Federal Regions established by the Office of Management and Budget in the document entitled "Standard Federal Regions" and dated April 1974 (circular A-105).

(2) **NATIONAL CENTER OF EXCELLENCE.**-The Secretary shall designate 1 national Center of Excellence to coordinate the activities of all 10 regional Centers of Excellence to minimize duplication and promote coordination and dissemination of research among the Centers.

(3) **CRITERIA.**-In selecting eligible entities to designate as a Center of Excellence, the Secretary shall consider-

- (A) the past experience and performance of the eligible entity in carrying out activities described in subsection (g);
- (B) the merits of the proposal of an eligible entity and the extent to which the proposal would-
  - (i) advance the state of practice in resilience planning and identify innovative resilience solutions for transportation assets and systems;
  - (ii) support activities carried out under the PROTECT program under section 176;
  - (iii) support and build on work being carried out by another Federal agency relating to resilience;
  - (iv) inform transportation decisionmaking at all levels of government;
  - (v) engage local, regional, Tribal, State, and national stakeholders, including, if applicable, stakeholders representing transportation, transit, urban, and land use planning, natural resources, environmental protection, hazard mitigation, and emergency management; and
  - (vi) engage community groups and other stakeholders that will be affected by transportation decisions, including underserved, economically disadvantaged, rural, and predominantly minority communities; and
- (C) the local, regional, Tribal, State, and national impacts of the proposal of the eligible entity.

(f) **GRANTS.**-Subject to the availability of appropriations, the Secretary shall provide to each Center of Excellence a grant of not less than \$5,000,000 for each of fiscal years 2022 through 2031 to carry out the activities described in subsection (g).

(g) **ACTIVITIES.**-In carrying out this section, the Secretary shall ensure that a Center of Excellence uses the funds from a grant under subsection (f) to promote resilient transportation infrastructure, including through-

- (1) supporting climate vulnerability assessments informed by climate change science, including national climate assessments produced by the United States Global Change Research Program under section 106 of the Global Change Research Act of 1990 (15 U.S.C. 2936), relevant feasibility analyses of resilient transportation improvements, and transportation resilience planning;

- (2) development of new design, operations, and maintenance standards for transportation infrastructure that can inform Federal and State decisionmaking;
- (3) research and development of new materials and technologies that could be integrated into existing and new transportation infrastructure;
- (4) development, refinement, and piloting of new and emerging resilience improvements and strategies, including natural infrastructure approaches and relocation;
- (5) development of and investment in new approaches for facilitating meaningful engagement in transportation decisionmaking by local, Tribal, regional, or national stakeholders and communities;
- (6) technical capacity building to facilitate the ability of local, regional, Tribal, State, and national stakeholders-
  - (A) to assess the vulnerability of transportation infrastructure assets and systems;
  - (B) to develop community response strategies;
  - (C) to meaningfully engage with community stakeholders; and
  - (D) to develop strategies and improvements for enhancing transportation infrastructure resilience under current conditions and a range of potential future conditions;
- (7) workforce development and training;
- (8) development and dissemination of data, tools, techniques, assessments, and information that informs Federal, State, Tribal, and local government decisionmaking, policies, planning, and investments;
- (9) education and outreach regarding transportation infrastructure resilience; and
- (10) technology transfer and commercialization.

(h) FEDERAL SHARE.-The Federal share of the cost of an activity under this section, including the costs of establishing and operating a Center of Excellence, shall be 50 percent.

(Added Pub. L. 117–58, div. A, title III, §13009(a), Nov. 15, 2021, 135 Stat. 642 .)

#### **STATUTORY NOTES AND RELATED SUBSIDIARIES**

#### **EFFECTIVE DATE**

Section effective Oct. 1, 2021, see section 10003 of Pub. L. 117–58, set out as an Effective Date of 2021 Amendment note under section 101 of this title.