

1 **SEC. 9102. PASSENGER RAIL IMPROVEMENT, MODERNIZA-**  
2 **TION, AND EXPANSION GRANTS.**

3 (a) IN GENERAL.—Section 22906 of title 49, United  
4 States Code, is amended to read as follows:

5 **“§ 22906. Passenger rail improvement, modernization,**  
6 **and expansion grants**

7 “(a) ESTABLISHMENT.—The Secretary of Transpor-  
8 tation shall establish a program to make grants for capital  
9 projects that improve the state of good repair, operational  
10 performance, or growth of intercity rail passenger trans-  
11 portation.

12 “(b) PROJECT SELECTION CRITERIA.—

13 “(1) IN GENERAL.—Capital projects eligible for  
14 a grant under this section include—

15 “(A) a project to replace, rehabilitate, or  
16 repair a major infrastructure asset used for  
17 providing passenger rail service to bring such  
18 infrastructure asset into a state of good repair;

19 “(B) a project to improve passenger rail  
20 performance, including congestion mitigation,  
21 reliability improvements, achievement of on-  
22 time performance standards established under  
23 section 207 of the Rail Safety Improvement Act  
24 of 2008 (49 U.S.C. 24101 note), reduced trip  
25 times, increased train frequencies, higher oper-

1           ating speeds, electrification, and other improve-  
2           ments, as determined by the Secretary; and

3           “(C) a project to repair, rehabilitate, re-  
4           place, or build infrastructure to expand or es-  
5           tablish intercity rail passenger transportation  
6           and facilities, including high-speed rail.

7           “(2) REQUIREMENTS.—To be eligible for a  
8           grant under this section, an applicant shall have, or  
9           provide documentation of a credible plan to  
10          achieve—

11           “(A) the legal, financial, and technical ca-  
12          pacity to carry out the project;

13           “(B) satisfactory continuing control over  
14          the use of the equipment or facilities that are  
15          the subject of the project; and

16           “(C) an agreement in place for mainte-  
17          nance of such equipment or facilities.

18           “(3) PRIORITY.—In selecting an applicant for a  
19          grant under this section, the Secretary shall give  
20          preference to capital projects that—

21           “(A) are supported by multiple States or  
22          are included in a regional planning process; or

23           “(B) achieve environmental benefits such  
24          as a reduction in greenhouse gas emissions or  
25          an improvement in local air quality.

1           “(4) ADDITIONAL CONSIDERATIONS.—In select-  
2           ing an applicant for a grant under this section, the  
3           Secretary shall consider—

4                   “(A) the cost-benefit analysis of the pro-  
5                   posed project, including anticipated public bene-  
6                   fits relative to the costs of the proposed project,  
7                   including—

8                           “(i) effects on system and service per-  
9                           formance;

10                           “(ii) effects on safety, competitive-  
11                           ness, reliability, trip or transit time, and  
12                           resilience;

13                           “(iii) impacts on the overall transpor-  
14                           tation system, including efficiencies from  
15                           improved integration with other modes of  
16                           transportation or benefits associated with  
17                           achieving modal shifts; and

18                           “(iv) the ability to meet existing or  
19                           anticipated passenger or service demand;

20                           “(B) the applicant’s past performance in  
21                           developing and delivering similar projects;

22                           “(C) if applicable, the consistency of the  
23                           project with planning guidance and documents  
24                           set forth by the Secretary or required by law;  
25                           and

1           “(D) if applicable, agreements between all  
2           stakeholders necessary for the successful deliv-  
3           ery of the project.

4           “(c) NORTHEAST CORRIDOR PROJECTS.—Of the  
5           funds made available to carry out this section, not less  
6           than 40 percent shall be made available for projects in-  
7           cluded in the Northeast Corridor investment plan required  
8           under section 24904.

9           “(d) NATIONAL PROJECTS.—Of the funds made  
10          available to carry out this section, not less than 40 percent  
11          shall be made available for—

12           “(1) projects on the National Network;

13           “(2) high-speed rail projects; and

14           “(3) the establishment of new passenger rail  
15          corridors not located on the Northeast Corridor.

16          “(e) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

17           “(1) TOTAL PROJECT COST ESTIMATE.—The  
18          Secretary shall estimate the total cost of a project  
19          under this section based on the best available infor-  
20          mation, including engineering studies, studies of eco-  
21          nomic feasibility, environmental analyses, and infor-  
22          mation on the expected use of equipment or facili-  
23          ties.

1           “(2) FEDERAL SHARE.—The Federal share of  
2 total costs for a project under this section shall not  
3 exceed 90 percent.

4           “(3) TREATMENT OF REVENUE.—Applicants  
5 may use ticket and other revenues generated from  
6 operations and other sources to satisfy the non-Fed-  
7 eral share requirements.

8           “(f) LETTERS OF INTENT.—

9           “(1) IN GENERAL.—The Secretary shall, to the  
10 maximum extent practicable, issue a letter of intent  
11 to a recipient of a grant under this section that—

12                   “(A) announces an intention to obligate,  
13 for a major capital project under this section,  
14 an amount that is not more than the amount  
15 stipulated as the financial participation of the  
16 Secretary in the project; and

17                   “(B) states that the contingent commit-  
18 ment—

19                           “(i) is not an obligation of the Fed-  
20 eral Government; and

21                           “(ii) is subject to the availability of  
22 appropriations for grants under this sec-  
23 tion and subject to Federal laws in force or  
24 enacted after the date of the contingent  
25 commitment.

1 “(2) CONGRESSIONAL NOTIFICATION.—

2 “(A) IN GENERAL.—Not later than 3 days  
3 before issuing a letter of intent under para-  
4 graph (1), the Secretary shall submit written  
5 notification to—

6 “(i) the Committee on Transportation  
7 and Infrastructure of the House of Rep-  
8 resentatives;

9 “(ii) the Committee on Appropriations  
10 of the House of Representatives;

11 “(iii) the Committee on Appropria-  
12 tions of the Senate; and

13 “(iv) the Committee on Commerce,  
14 Science, and Transportation of the Senate.

15 “(B) CONTENTS.—The notification sub-  
16 mitted under subparagraph (A) shall include—

17 “(i) a copy of the letter of intent;

18 “(ii) the criteria used under sub-  
19 section (b) for selecting the project for a  
20 grant; and

21 “(iii) a description of how the project  
22 meets such criteria.

23 “(g) APPROPRIATIONS REQUIRED.—An obligation or  
24 administrative commitment may be made under this sec-

1 tion only when amounts are appropriated for such pur-  
2 pose.

3 “(h) GRANT ADMINISTRATION.—The Secretary may  
4 withhold up to 1 percent of the total amount made avail-  
5 able to carry out this section for program oversight and  
6 management, including providing technical assistance and  
7 project planning guidance.

8 “(i) REGIONAL PLANNING GUIDANCE.—The Sec-  
9 retary may withhold up to half a percent of the total  
10 amount made available to carry out this section to facili-  
11 tate and provide guidance for regional planning processes.

12 “(j) AVAILABILITY.—Amounts made available to  
13 carry out this section shall remain available until ex-  
14 pended.

15 “(k) GRANT CONDITIONS.—Except as specifically  
16 provided in this section, the use of any amounts appro-  
17 priated for grants under this section shall be subject to  
18 the grant conditions under section 22905, except that the  
19 domestic buying preferences of section 24305(f) shall  
20 apply to grants provided to Amtrak in lieu of the require-  
21 ments of section 22905(a).

22 “(l) DEFINITIONS.—In this section:

23 “(1) APPLICANT.—The term ‘applicant’  
24 means—

25 “(A) a State;

1 “(B) a group of States;

2 “(C) an Interstate Compact;

3 “(D) a public agency or publicly chartered  
4 authority established by 1 or more States;

5 “(E) a political subdivision of a State; or

6 “(F) Amtrak, acting on its own behalf or  
7 under a cooperative agreement with 1 or more  
8 States.

9 “(2) CAPITAL PROJECT.—The term ‘capital  
10 project’ means—

11 “(A) acquisition, construction, replace-  
12 ment, rehabilitation, or repair of major infra-  
13 structure assets or equipment that benefit  
14 intercity rail passenger transportation, includ-  
15 ing tunnels, bridges, stations, track, electrifica-  
16 tion, grade crossings, passenger rolling stock,  
17 and other assets, as determined by the Sec-  
18 retary;

19 “(B) projects that ensure service can be  
20 maintained while existing assets are rehabili-  
21 tated or replaced; and

22 “(C) project planning, development, de-  
23 sign, and environmental analysis related to  
24 projects under subsections (A) and (B).



1           “(3) INTERCITY RAIL PASSENGER TRANSPOR-  
2           TATION.—The term ‘intercity rail passenger trans-  
3           portation’ has the meaning given such term in sec-  
4           tion 24102.

5           “(4) HIGH-SPEED RAIL.—The term ‘high-speed  
6           rail’ has the meaning given such term in section  
7           26106(b).

8           “(5) NORTHEAST CORRIDOR.—The term  
9           ‘Northeast Corridor’ has the meaning given such  
10          term in section 24102.

11          “(6) NATIONAL NETWORK.—The term ‘Na-  
12          tional Network’ has the meaning given such term in  
13          section 24102.

14          “(7) STATE.—The term ‘State’ means each of  
15          the 50 States and the District of Columbia.”.

16          (b) CLERICAL AMENDMENT.—The item related to  
17          section 22906 in the analysis for chapter 229 of title 49,  
18          United States Code, is amended to read as follows:

            “22906. Passenger rail improvement, modernization, and expansion grants.”.

19          **SEC. 9103. CONSOLIDATED RAIL INFRASTRUCTURE AND**  
20                                 **SAFETY IMPROVEMENT GRANTS.**

21          Section 22907 of title 49, United States Code, is  
22          amended—

23                 (1) in subsection (b) by adding at the end the  
24                 following: