

117TH CONGRESS
1ST SESSION

H. R. 3090

To establish a grant program to support interstate rail compacts and improve the safety, efficiency, or reliability of passenger and freight rail transportation systems, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2021

Mr. COHEN (for himself, Ms. LEE of California, Mr. DANNY K. DAVIS of Illinois, and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish a grant program to support interstate rail compacts and improve the safety, efficiency, or reliability of passenger and freight rail transportation systems, 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 “Interstate Rail Com-
5 pacts Advancement Act of 2021”.

1 **SEC. 2. INTERSTATE RAIL COMPACTS.**

2 (a) IDENTIFICATION.—Section 410 of the Amtrak
3 Reform and Accountability Act of 1997 (Public Law 105–
4 134; 49 U.S.C. 24101 note) is amended—

5 (1) in subsection (b)(2) by striking “(except
6 funds made available for Amtrak)”; and

7 (2) by adding at the end the following:

8 “(c) INTERSTATE RAIL COMPACTS PROGRAM.—The
9 Secretary of Transportation shall—

10 “(1) make available on a publicly accessible
11 website a list of interstate rail compacts established
12 in accordance with subsection (a);

13 “(2) provide information to the public regarding
14 interstate rail compacts, including how States may
15 establish interstate rail compacts under subsection
16 (a); and

17 “(3) annually update the information provided
18 under paragraph (2).”.

19 (b) GRANTS AUTHORIZED.—Chapter 229 of title 49,
20 United States Code, is amended by adding at the end the
21 following:

22 **“§ 22909. Interstate rail compacts support program**

23 “(a) IN GENERAL.—The Secretary shall develop and
24 implement a program for providing administrative assist-
25 ance grants to an applicant, on a competitive basis, to sup-
26 port interstate and regional efforts—

1 “(1) to improve the safety, efficiency, or reli-
2 ability of intercity passenger rail; and

3 “(2) to promote and develop intercity passenger
4 rail service, including through initiating, restoring,
5 or enhancing intercity passenger rail service.

6 “(b) APPLICANT SELECTION CRITERIA.—

7 “(1) IN GENERAL.—In awarding grants under
8 this section, the Secretary shall consider—

9 “(A) the amount of funding received (in-
10 cluding funding from railroads) or other signifi-
11 cant participation by State, local, and regional
12 governmental and private entities;

13 “(B) the applicant’s work to facilitate and
14 encourage regional planning for passenger rail
15 improvement, enhancement, and development;

16 “(C) the applicant’s work to foster,
17 through rail transportation systems, economic
18 development, particularly in rural communities
19 and for disadvantaged populations;

20 “(D) the applicant’s efforts to provide
21 guidance to local communities on public and
22 private resources relate to community concerns,
23 such as congestion, rail and grade crossing
24 safety, trespasser prevention, quiet zones,
25 idling, and rail line relocations;

1 “(E) whether the applicant seeks to restore
2 service over routes formerly operated by Am-
3 trak, including routes described in section
4 11304(a) of the Passenger Rail Reform and In-
5 vestment Act of 2015 (title XI of division A of
6 Public Law 114–94);

7 “(F) the applicant’s dedication to pro-
8 viding intercity passenger rail service to regions
9 and communities that are underserved or not
10 served by other intercity public transportation;

11 “(G) whether the applicant is enhancing
12 connectivity and geographic coverage of the ex-
13 isting national network of intercity rail pas-
14 senger service;

15 “(H) the applicant’s efforts to engage with
16 entities to deploy railroad safety technology or
17 programs, including trespassing prevention, rail
18 integrity inspection systems, or grade crossing
19 safety;

20 “(I) whether the applicant prepares re-
21 gional rail and corridor service development
22 plans and corresponding environmental anal-
23 ysis;

24 “(J) whether the applicant would maximize
25 the net benefits of the funds authorized for use

1 under this section, considering the cost-benefit
2 analysis of the proposed project, including an-
3 ticipated private and public benefits relative to
4 the costs of the proposed project; and

5 “(K) whether the applicant has engaged
6 with the Federal, local, or State government
7 and transportation planning agencies to identify
8 projects necessary to enhance multimodal con-
9 nections or facilitate service integration between
10 rail service and other modes, including between
11 intercity rail passenger transportation and
12 intercity bus service, commercial air service, or
13 commuter rail service.

14 “(2) PREFERENCE.—In selecting grant recipi-
15 ents, the Secretary shall give preference to appli-
16 cants that are initiating, restoring, or enhancing
17 intercity rail passenger transportation.

18 “(c) APPLICATION PROCESS.—The Secretary shall
19 prescribe the form and manner of filing applications under
20 this section.

21 “(d) PERFORMANCE MEASURES.—

22 “(1) IN GENERAL.—The Secretary shall estab-
23 lish performance measures for each grant recipient
24 to assess progress in achieving strategic goals and
25 objectives.

1 “(2) ANNUAL REPORT.— The Secretary shall
2 require grant recipients to submit an annual report
3 of the activities of such recipient and information re-
4 lated to applicable performance measures, which
5 may include—

6 “(A) a demonstration of progress to
7 achieve or advance the relevant criteria de-
8 scribed in subsection (c); and

9 “(B) receipt of non-Federal matching
10 funds from each member State at least once
11 during each fiscal year.

12 “(e) FEDERAL SHARE OF TOTAL PROJECT COST.—
13 The Secretary shall require each recipient of a grant under
14 this subsection to provide a non-Federal match of not less
15 than 50 percent of the administrative costs of the inter-
16 state rail compact.

17 “(f) APPLICABLE REQUIREMENTS.—The use of any
18 amounts appropriated for grants under this section shall
19 be subject to the applicable requirements under this chap-
20 ter.

21 “(g) APPLICABILITY.—Amounts appropriated to
22 carry out this section shall remain available until ex-
23 pended.

24 “(h) LIMITATIONS.—

1 “(1) MAXIMUM FUNDING PER APPLICANT.—
2 The Secretary may not award a grant under this
3 section in an amount exceeding \$500,000 for each
4 applicant in any fiscal year.

5 “(2) NUMERIC LIMITATION.—The Secretary
6 may not provide grants under this section to more
7 than 10 interstate rail compacts in any fiscal year.

8 “(i) USE OF INTERSTATE RAIL COMPACT GRANTS
9 AND OTHER FEDERAL FUNDING.—A recipient of an
10 interstate rail compact grant under this section may use
11 such grant in combination with other Federal grants
12 awarded that would benefit the applicable use.

13 “(j) DEFINITIONS.—In this section:

14 “(1) APPLICANT.—The term ‘applicant’ means
15 an interstate rail compact or an interstate commis-
16 sion composed of 2 or more States that has been es-
17 tablished to promote, develop, or operate intercity
18 passenger rail transportation systems.

19 “(2) INTERCITY PASSENGER RAIL SERVICE.—
20 The term ‘intercity passenger rail service’ has the
21 meaning given the term ‘intercity rail passenger
22 transportation’ in section 24102.”.

23 “(c) CLERICAL AMENDMENT.—The analysis for chap-
24 ter 229 of title 49, United States code, is amended by
25 adding at the end the following:

“22909. Interstate rail compacts support program.”.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
2 20117(a)(4) of title 49, United States Code, is amended
3 to read as follows:

4 “(4) REGIONAL PLANNING GUIDANCE.—The
5 Secretary may withhold up to \$20,000,000 annually
6 of the amount made available for each fiscal year
7 under paragraph (1) to facilitate and provide guid-
8 ance for regional planning processes, including not
9 more than \$2,000,000 to provide funding for inter-
10 state rail compacts and commissions.”.

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