

Union Calendar No. 378

103D CONGRESS
2D SESSION

H. R. 4867

[Report No. 103-692]

A BILL

To authorize appropriations for high-speed rail transportation, and for other purposes.

AUGUST 10, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 1994

Ms. SCHENK (for herself, Mr. SWIFT, and Mr. DINGELL) introduced the following bill; which was referred to the Committee on Energy and Commerce

AUGUST 10, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on August 1, 1994]

A BILL

To authorize appropriations for high-speed rail transportation, 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 “High-Speed Rail Devel-*
5 *opment Act of 1994”.*

1 **SEC. 2. FINDINGS.**

2 *The Congress finds that—*

3 *(1) high-speed rail offers safe and efficient trans-*
4 *portation in certain densely traveled corridors linking*
5 *major metropolitan areas in the United States;*

6 *(2) high-speed rail may have environmental ad-*
7 *vantages over certain other forms of intercity trans-*
8 *portation;*

9 *(3) Amtrak's Metroliner service between Wash-*
10 *ington, District of Columbia, and New York, New*
11 *York, the United States premiere high-speed rail serv-*
12 *ice, has shown that Americans will use high-speed*
13 *rail when that transportation option is available;*

14 *(4) new high-speed rail service should not receive*
15 *Federal subsidies for operating and maintenance ex-*
16 *penses;*

17 *(5) State and local governments should take the*
18 *prime responsibility for the development and imple-*
19 *mentation of high-speed rail service;*

20 *(6) the private sector should participate in fund-*
21 *ing the development of high-speed rail systems;*

22 *(7) in some intercity corridors, Federal planning*
23 *assistance may be required to supplement the funding*
24 *commitments of State and local governments and the*
25 *private sector to ensure the adequate planning, in-*

1 cluding reasonable estimates of the costs and benefits,
2 of high-speed rail systems;

3 (8) improvement of existing technologies can fa-
4 cilitate the development of high-speed rail systems in
5 the United States; and

6 (9) Federal assistance is required for the im-
7 provement, adoption, and integration of developed
8 technologies for commercial application in high-speed
9 rail service in the United States.

10 **SEC. 3. NATIONAL HIGH-SPEED RAIL ASSISTANCE PRO-**
11 **GRAM.**

12 (a) *AMENDMENTS.*—(1) Part D of subtitle V of title
13 49, United States Code, is redesignated as part E, chapter
14 261 of such title is redesignated as chapter 281, and sections
15 26101 and 26102 of such title are redesignated as sections
16 28101 and 28102.

17 (2) Subtitle V of title 49, United States Code, is
18 amended by inserting after part C the following new part:

19 “PART D—HIGH-SPEED RAIL
20 **“CHAPTER 261—HIGH-SPEED RAIL**
21 **ASSISTANCE**

“Sec.

“26101. Corridor planning.

“26102. High-speed rail technology improvements.

“26103. Safety regulations.

“26104. Authorization of appropriations.

“26105. Definitions.

1 **“SEC. 26101. CORRIDOR PLANNING.**

2 “(a) *CORRIDOR PLANNING ASSISTANCE.*—(1) *The Sec-*
3 *retary may provide under this section financial assistance*
4 *to a public agency or group of public agencies for corridor*
5 *planning for up to 50 percent of the publicly funded costs*
6 *associated with eligible activities.*

7 “(2) *No less than 20 percent of the publicly funded*
8 *costs associated with eligible activities shall come from*
9 *State and local sources, not including funds from any Fed-*
10 *eral program.*

11 “(b) *ELIGIBLE ACTIVITIES.*—(1) *A corridor planning*
12 *activity is eligible for financial assistance under subsection*
13 *(a) if the Secretary determines it to be necessary to establish*
14 *appropriate engineering, operational, financial, environ-*
15 *mental, or socioeconomic projections preliminary to imple-*
16 *mentation of specific high-speed rail improvements. Eligible*
17 *corridor planning activities include—*

18 “(A) *environmental assessments;*

19 “(B) *feasibility studies emphasizing commercial*
20 *technology improvements or applications;*

21 “(C) *economic analyses, including ridership, rev-*
22 *enue, and operating expense forecasting;*

23 “(D) *assessing the impact on rail employment of*
24 *developing high-speed rail corridors;*

25 “(E) *assessing community economic impacts;*

1 “(F) coordination with State and metropolitan
2 area transportation planning and corridor planning
3 with other States;

4 “(G) operational planning;

5 “(H) route selection analyses and purchase of
6 rights-of-way for proposed high-speed rail service;

7 “(I) preliminary engineering and design;

8 “(J) identification of specific improvements to a
9 corridor, including electrification, line straightening
10 and other right-of-way improvements, bridge rehabili-
11 tation and replacement, use of advanced locomotives
12 and rolling stock, ticketing, coordination with other
13 modes of transportation, parking and other means of
14 passenger access, track, signal, station, and other cap-
15 ital work, and use of intermodal terminals;

16 “(K) preparation of financing plans and
17 prospectuses; and

18 “(L) creation of public/private partnerships.

19 “(2) No financial assistance shall be provided under
20 this section for corridor planning with respect to the main
21 line of the Northeast Corridor, between Washington, District
22 of Columbia, and Boston, Massachusetts.

23 “(c) CRITERIA FOR DETERMINING FINANCIAL ASSIST-
24 ANCE.—Selection by the Secretary of recipients of financial

1 assistance under this section shall be based on such criteria
2 as the Secretary considers appropriate, including—

3 “(1) the relationship of the corridor to the Sec-
4 retary’s national high-speed ground transportation
5 policy;

6 “(2) the extent to which the proposed planning
7 focuses on systems which will achieve sustained speeds
8 of 125 mph or greater;

9 “(3) the integration of the corridor into metro-
10 politan area and statewide transportation planning;

11 “(4) the potential interconnection of the corridor
12 with other parts of the Nation’s transportation sys-
13 tem, including the interconnection with other coun-
14 tries;

15 “(5) the anticipated effect of the high-speed rail
16 service on the congestion of other modes of transpor-
17 tation;

18 “(6) whether the work to be funded will aid the
19 efforts of State and local governments to comply with
20 the Clean Air Act (42 U.S.C. 7401 et seq.);

21 “(7) the past and proposed financial commit-
22 ments and other support of State and local govern-
23 ments and the private sector to the proposed high-
24 speed rail program, including the acquisition of roll-
25 ing stock;

1 “(8) the estimated level of ridership;

2 “(9) the estimated capital cost of corridor im-
3 provements, including the cost of closing, improving,
4 or separating highway-rail grade crossings;

5 “(10) rail transportation employment impacts;

6 “(11) community economic impacts;

7 “(12) the extent to which the projected revenues
8 of the high-speed rail service, along with any finan-
9 cial commitments of State or local governments and
10 the private sector, are expected to cover capital costs
11 and operating and maintenance expenses;

12 “(13) whether a specific route has been selected,
13 specific improvements identified, and capacity studies
14 completed; and

15 “(14) whether the corridor has been designated
16 as a high-speed rail corridor by the Secretary.

17 **“SEC. 26102. HIGH-SPEED RAIL TECHNOLOGY IMPROVE-**
18 **MENTS.**

19 “(a) *AUTHORITY.*—The Secretary may undertake ac-
20 tivities for the improvement, adaptation, and integration
21 of developed technologies for commercial application in
22 high-speed rail service in the United States.

23 “(b) *ELIGIBLE RECIPIENTS.*—In carrying out activi-
24 ties authorized by subsection (a), the Secretary may provide
25 financial assistance to any United States private business,

1 *educational institution located in the United States, State*
2 *or local government or public authority, or agency of the*
3 *Federal Government.*

4 “(c) *CONSULTATION WITH OTHER AGENCIES.*—In
5 *carrying out activities authorized by subsection (a), the Sec-*
6 *retary shall consult with such other governmental agencies*
7 *as may be necessary concerning the availability of appro-*
8 *priate technologies for commercial application in high-*
9 *speed rail service in the United States.*

10 **“SEC. 26103. SAFETY REGULATIONS.**

11 “*The Secretary shall promulgate such safety regula-*
12 *tions as may be necessary for high-speed rail.*

13 **“SEC. 26104. AUTHORIZATION OF APPROPRIATIONS.**

14 “(a) *FISCAL YEAR 1995.*—*There are authorized to be*
15 *appropriated to the Secretary \$29,000,000 for fiscal year*
16 *1995, for carrying out sections 26101 and 26102.*

17 “(b) *FISCAL YEAR 1996.*—(1) *There are authorized to*
18 *be appropriated to the Secretary \$40,000,000 for fiscal year*
19 *1996, for carrying out section 26101.*

20 “(2) *There are authorized to be appropriated to the*
21 *Secretary \$30,000,000 for fiscal year 1996, for carrying out*
22 *section 26102.*

23 “(c) *FISCAL YEAR 1997.*—(1) *There are authorized to*
24 *be appropriated to the Secretary \$45,000,000 for fiscal year*
25 *1997, for carrying out section 26101.*

1 “(2) *There are authorized to be appropriated to the*
2 *Secretary \$40,000,000 for fiscal year 1997, for carrying out*
3 *section 26102.*

4 “(d) *FUNDS TO REMAIN AVAILABLE.—Funds made*
5 *available under this section shall remain available until ex-*
6 *ended.*

7 **“SEC. 26105. DEFINITIONS.**

8 *“For purposes of this chapter—*

9 “(1) *the term ‘financial assistance’ includes*
10 *grants, contracts, and cooperative agreements;*

11 “(2) *the term ‘high-speed rail’ has the meaning*
12 *given such term under section 511(n) of the Railroad*
13 *Revitalization and Regulatory Reform Act of 1976;*

14 “(3) *the term ‘publicly funded costs’ means the*
15 *costs funded after April 29, 1993, by Federal, State,*
16 *and local governments;*

17 “(4) *the term ‘Secretary’ means the Secretary of*
18 *Transportation;*

19 “(5) *the term ‘State’ means any of the several*
20 *States, the District of Columbia, Puerto Rico, the*
21 *Northern Mariana Islands, the Virgin Islands, Guam,*
22 *American Samoa, and any other territory or posses-*
23 *sion of the United States; and*

24 “(6) *the term ‘United States private business’*
25 *means a business entity organized under the laws of*

1 *the United States, or of a State, and conducting sub-*
 2 *stantial business operations in the United States.”.*

3 (b) *CONFORMING AMENDMENTS.—(1) The table of*
 4 *chapters of subtitle V of title 49, United States Code, is*
 5 *amended by striking the items relating to part D and in-*
 6 *serting in lieu thereof the following:*

“PART D—HIGH-SPEED RAIL

“261. HIGH-SPEED RAIL ASSISTANCE 26101

“PART E—MISCELLANEOUS

“281. LAW ENFORCEMENT 28101”.

7 (2) *The table of sections of chapter 281 of title 49,*
 8 *United States Code, as such chapter is redesignated by sub-*
 9 *section (a)(1) of this section, is amended—*

10 (A) *by striking “26101” and inserting in lieu*
 11 *thereof “28101”; and*

12 (B) *by striking “26102” and inserting in lieu*
 13 *thereof “28102”.*