

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.

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## 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

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## 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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