

114TH CONGRESS
1ST SESSION

H. R. 749

AN ACT

To reauthorize Federal support for passenger rail programs,
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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Passenger Rail Reform and Investment Act of 2015”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Authorization for Amtrak.
Sec. 102. Authorization for Amtrak Office of the Inspector General.
Sec. 103. National infrastructure investments.
Sec. 104. Northeast Corridor.

TITLE II—AMTRAK REFORM

Sec. 201. Amtrak planning and grant process.
Sec. 202. Five-year capital and operating plan.
Sec. 203. State-supported routes.
Sec. 204. Route and service planning decisions.
Sec. 205. Competition.
Sec. 206. Food and beverage reform.
Sec. 207. Right-of-way leveraging.
Sec. 208. Station development.
Sec. 209. Amtrak debt.
Sec. 210. Amtrak pilot program for passengers transporting domesticated cats
and dogs.
Sec. 211. Amtrak boarding procedures.

TITLE III—INTERCITY PASSENGER RAIL POLICY

Sec. 301. Federal-State partnership for Northeast Corridor development and
improvement.
Sec. 302. RRIF improvements.
Sec. 303. NEC fast forward.
Sec. 304. Large capital project requirements.
Sec. 305. Small business participation study.
Sec. 306. Gulf Coast rail service working group.
Sec. 307. Miscellaneous.
Sec. 308. Northeast Corridor express service.

TITLE IV—PROJECT DELIVERY

Sec. 401. Project delivery rulemaking.
Sec. 402. Historic preservation of railroads.

TITLE V—MISCELLANEOUS

Sec. 501. Definition.
Sec. 502. Title 49 definitions.
Sec. 503. State action plans.
Sec. 504. Quiet zone report.

1 **TITLE I—AUTHORIZATION OF**
2 **APPROPRIATIONS**

3 **SEC. 101. AUTHORIZATION FOR AMTRAK.**

4 (a) NORTHEAST CORRIDOR IMPROVEMENT FUND.—

5 There are authorized to be appropriated to the Secretary
6 for the use of Amtrak for deposit into the Northeast Cor-
7 ridor Improvement Fund account established under sec-
8 tion 24319(a)(1) of title 49, United States Code (as added
9 by section 201 of this Act), the following amounts:

10 (1) For fiscal year 2016, \$439,000,000.

11 (2) For fiscal year 2017, \$464,000,000.

12 (3) For fiscal year 2018, \$480,000,000.

13 (4) For fiscal year 2019, \$498,000,000.

14 (b) NATIONAL NETWORK.—There are authorized to
15 be appropriated to the Secretary for the use of Amtrak
16 for deposit into the National Network account established
17 under section 24319(a)(2) of title 49, United States Code
18 (as added by section 201 of this Act), the following
19 amounts:

20 (1) For fiscal year 2016, \$973,000,000.

21 (2) For fiscal year 2017, \$974,000,000.

22 (3) For fiscal year 2018, \$985,000,000.

23 (4) For fiscal year 2019, \$997,000,000.

24 (c) PROJECT MANAGEMENT OVERSIGHT.—The Sec-
25 retary may withhold up to \$2,000,000 of the amount ap-

1 appropriated pursuant to subsection (a), and up to
2 \$2,000,000 of the amount appropriated pursuant to sub-
3 section (b), for the costs of management oversight of Am-
4 trak.

5 **SEC. 102. AUTHORIZATION FOR AMTRAK OFFICE OF THE**
6 **INSPECTOR GENERAL.**

7 There are authorized to be appropriated to the Sec-
8 retary for the Office of the Inspector General of Amtrak
9 the following amounts:

- 10 (1) For fiscal year 2016, \$23,000,000.
11 (2) For fiscal year 2017, \$24,000,000.
12 (3) For fiscal year 2018, \$24,000,000.
13 (4) For fiscal year 2019, \$25,000,000.

14 **SEC. 103. NATIONAL INFRASTRUCTURE INVESTMENTS.**

15 (a) IN GENERAL.—There are authorized to be appro-
16 priated to the Secretary for capital grants under chapter
17 244 of title 49, United States Code, and section 20154
18 of title 49, United States Code, the following amounts:

- 19 (1) For fiscal year 2016, \$300,000,000.
20 (2) For fiscal year 2017, \$300,000,000.
21 (3) For fiscal year 2018, \$300,000,000.
22 (4) For fiscal year 2019, \$300,000,000.

23 (b) FEDERAL-STATE PARTNERSHIP FOR NORTHEAST
24 CORRIDOR DEVELOPMENT AND IMPROVEMENT.—Of the
25 amounts authorized to be appropriated under subsection

1 (a), 50 percent for each fiscal year shall be available for
2 carrying out section 24407 of title 49, United States Code,
3 as added by section 301 of this Act.

4 (c) PROJECT MANAGEMENT OVERSIGHT.—The Sec-
5 retary may withhold up to $\frac{1}{2}$ of 1 percent of amounts
6 appropriated pursuant to chapter 244 of title 49, United
7 States Code, for the costs of project management over-
8 sight of capital projects carried out pursuant to such chap-
9 ter.

10 **SEC. 104. NORTHEAST CORRIDOR.**

11 For purposes of this title, the term “Northeast Cor-
12 ridor” means the Northeast Corridor main line between
13 Boston, Massachusetts, and the District of Columbia, and
14 facilities and services used to operate and maintain that
15 line.

16 **TITLE II—AMTRAK REFORM**

17 **SEC. 201. AMTRAK PLANNING AND GRANT PROCESS.**

18 (a) REQUIREMENTS AND PROCEDURES.—

19 (1) AMENDMENT.—Chapter 243 of title 49,
20 United States Code, is amended by adding at the
21 end the following new sections:

22 **“§ 24317. Costs and revenues**

23 “(a) IN GENERAL.—Not later than 60 days after the
24 date of enactment of the Passenger Rail Reform and In-
25 vestment Act of 2015, Amtrak shall establish and main-

1 tain internal controls to ensure Amtrak’s costs and reve-
2 nues are allocated to either the Northeast Corridor or the
3 National Network, including proportional shares of com-
4 mon and fixed costs.

5 “(b) DEFINITION.—For purposes of this chapter, the
6 term ‘Northeast Corridor’ means the Northeast Corridor
7 main line between Boston, Massachusetts, and the District
8 of Columbia, and facilities and services used to operate
9 and maintain that line.

10 **“§ 24318. Grant process**

11 “(a) PROCEDURES FOR GRANT REQUESTS.—Not
12 later than 30 days after the date of enactment of the Pas-
13 senger Rail Reform and Investment Act of 2015, the Sec-
14 retary of Transportation shall establish and transmit to
15 the Committee on Transportation and Infrastructure and
16 the Committee on Appropriations of the House of Rep-
17 resentatives and the Committee on Commerce, Science,
18 and Transportation and the Committee on Appropriations
19 of the Senate substantive and procedural requirements, in-
20 cluding schedules, for grant requests under this section.

21 “(b) GRANT REQUESTS.—Amtrak shall transmit
22 grant requests for Federal funds to be appropriated to the
23 Secretary for the use of Amtrak to—

24 “(1) the Secretary; and

1 “(2) the Committee on Transportation and In-
2 frastructure and the Committee on Appropriations
3 of the House of Representatives and the Committee
4 on Commerce, Science, and Transportation and the
5 Committee on Appropriations of the Senate.

6 “(c) CONTENTS.—A grant request under subsection
7 (b) shall—

8 “(1) provide a detailed financial analysis for the
9 upcoming fiscal year for the Northeast Corridor,
10 State-supported routes, and long-distance routes, in-
11 cluding projections for the items listed in
12 24320(c)(1), as applicable, in comparison to prior
13 fiscal year projections;

14 “(2) include a description of the work to be
15 funded, along with cost estimates and an estimated
16 timetable for completion of the projects covered by
17 the request;

18 “(3) include an assessment of the continuing fi-
19 nancial stability of Amtrak;

20 “(4) be displayed on Amtrak’s website within a
21 reasonable timeframe following its submission to the
22 entities described in subsection (b); and

23 “(5) be in similar format and substance to
24 those submitted by executive agencies of the Federal
25 Government.

1 “(d) REVIEW AND APPROVAL.—

2 “(1) THIRTY-DAY APPROVAL PROCESS.—The
3 Secretary shall complete the review of a grant re-
4 quest and approve or disapprove the request not
5 later than 30 days after the date on which Amtrak
6 submits the grant request. If the Secretary dis-
7 approves the request or determines that the request
8 is incomplete or deficient, the Secretary shall include
9 the reason for disapproval or the incomplete items or
10 deficiencies in a notice to Amtrak.

11 “(2) FIFTEEN-DAY MODIFICATION PERIOD.—
12 Not later than 15 days after receiving notification
13 from the Secretary under paragraph (1), Amtrak
14 shall submit a modified request for the Secretary’s
15 review.

16 “(3) REVISED REQUESTS.—Not later than 15
17 days after receiving a modified request from Am-
18 trak, the Secretary shall either approve the modified
19 request, or, if the Secretary finds that the request
20 is still incomplete or deficient, the Secretary shall
21 identify in writing to the Committee on Transpor-
22 tation and Infrastructure and the Committee on Ap-
23 propriations of the House of Representatives and the
24 Committee on Commerce, Science, and Transpor-
25 tation and the Committee on Appropriations of the

1 Senate the remaining deficiencies and recommend a
2 process for resolving the outstanding portions of the
3 request.

4 “(e) PAYMENT TO AMTRAK.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), in each fiscal year for which amounts are
7 authorized to be appropriated, amounts appropriated
8 shall be paid to Amtrak as follows:

9 “(A) 50 percent on October 1.

10 “(B) 25 percent on January 1.

11 “(C) 25 percent on April 1.

12 “(2) EXCEPTION.—The Secretary may make a
13 payment to Amtrak of appropriated funds more fre-
14 quently than once every 90 days if Amtrak, for good
15 cause, requests more frequent payment before a 90-
16 day period ends.

17 “(f) AVAILABILITY OF AMOUNTS AND EARLY APPRO-
18 PRIATIONS.—Amounts appropriated to the Secretary for
19 the use of Amtrak shall remain available until expended.
20 Amounts for capital acquisitions and improvements may
21 be appropriated for a fiscal year before the fiscal year in
22 which the amounts will be obligated.

23 “(g) LIMITATIONS ON USE.—Amounts appropriated
24 to the Secretary for the use of Amtrak may not be used

1 to subsidize operating losses of commuter rail passenger
2 or rail freight transportation.

3 **“§ 24319. Accounts**

4 “(a) ESTABLISHMENT OF ACCOUNTS.—Amtrak shall
5 establish—

6 “(1) a Northeast Corridor Improvement Fund
7 account; and

8 “(2) a National Network account.

9 “(b) NORTHEAST CORRIDOR IMPROVEMENT FUND
10 ACCOUNT.—

11 “(1) DEPOSITS.—Amtrak shall deposit in the
12 Northeast Corridor Improvement Fund account es-
13 tablished under subsection (a)(1)—

14 “(A) grant funds appropriated for the
15 Northeast Corridor Improvement Fund pursu-
16 ant to section 101(a) of the Passenger Rail Re-
17 form and Investment Act of 2015 or any subse-
18 quent Act;

19 “(B) compensation received from com-
20 muter rail passenger transportation on the
21 Northeast Corridor provided to Amtrak pursu-
22 ant to section 24905(c); and

23 “(C) any operating surplus of the North-
24 east Corridor, as allocated pursuant to section
25 24317.

1 “(2) USE OF NORTHEAST CORRIDOR IMPROVE-
2 MENT FUND ACCOUNT.—Except as provided in sub-
3 section (d), amounts deposited in the Northeast Cor-
4 ridor Improvement Fund account shall be made
5 available for the use of Amtrak for—

6 “(A) capital projects described in section
7 24401(2) (A) or (B) to bring the Northeast
8 Corridor to a state-of-good-repair, including
9 projects described in section
10 24911(a)(2)(E)(i)(I);

11 “(B) capital projects intended to increase
12 corridor capacity, improve service reliability,
13 and reduce travel time for rail users on the
14 Northeast Corridor, including projects described
15 in subclauses (II) and (III) of section
16 24911(a)(2)(E)(i), consistent with the planning
17 process established under section 24911; and

18 “(C) retirement of principal and payment
19 of interest on loans for capital equipment, or
20 capital leases, attributable to the Northeast
21 Corridor.

22 “(c) NATIONAL NETWORK ACCOUNT.—

23 “(1) DEPOSITS.—Amtrak shall deposit in the
24 account established under subsection (a)(2)—

1 “(A) grant funds appropriated for the Na-
2 tional Network pursuant to section 101(b) of
3 the Passenger Rail Reform and Investment Act
4 of 2015, or any subsequent Act;

5 “(B) compensation received from States
6 provided to Amtrak pursuant to section 209 of
7 the Passenger Rail Investment and Improve-
8 ment Act of 2008 (42 U.S.C. 24101 note); and

9 “(C) any operating surplus from the Na-
10 tional Network, as allocated pursuant to section
11 24317.

12 “(2) USE OF NATIONAL NETWORK ACCOUNT.—
13 Except as provided in subsection (d), amounts de-
14 posited in the National Network account shall be
15 made available for the use of Amtrak for capital ex-
16 penses and operating costs of the National Network
17 and retirement of principal and payment of interest
18 on loans for capital equipment, or capital leases, at-
19 tributable to the National Network.

20 “(d) TRANSFER AUTHORITY.—

21 “(1) AUTHORITY.—Amtrak may transfer any
22 funds appropriated pursuant to the Passenger Rail
23 Reform and Investment Act of 2015 or any other
24 Act, or any surplus generated by operations, between
25 the Northeast Corridor Improvement Fund and Na-

1 tional Network accounts upon the expiration of 60
2 days after Amtrak has notified the Amtrak Board of
3 Directors of such transfer.

4 “(2) REPORT.—Not later than 30 days after
5 the Amtrak Board of Directors receives notification
6 from Amtrak under paragraph (1), the Board shall
7 transmit a report to the Secretary, the Committee
8 on Transportation and Infrastructure and the Com-
9 mittee on Appropriations of the House of Represent-
10 atives, and the Committee on Commerce, Science,
11 and Transportation and the Committee on Appro-
12 priations of the Senate, that includes—

13 “(A) the amount of the transfer; and

14 “(B) a detailed explanation of the reason
15 for the transfer, including effects on Amtrak
16 services if no transfer were made.

17 “(e) LETTERS OF INTENT.—

18 “(1) REQUIREMENT.—The Secretary shall issue
19 a letter of intent to Amtrak announcing an intention
20 to obligate, for a major capital project described in
21 subclauses (II) and (III) of section
22 24911(a)(2)(E)(i), an amount from future available
23 budget authority specified in law that is not more
24 than the amount stipulated as the financial partici-
25 pation of the Secretary in the project.

1 “(2) NOTICE TO CONGRESS.—At least 30 days
2 before issuing a letter under paragraph (1), the Sec-
3 retary shall notify in writing the Committee on
4 Transportation and Infrastructure and the Com-
5 mittee on Appropriations of the House of Represent-
6 atives, and the Committee on Commerce, Science,
7 and Transportation and the Committee on Appro-
8 priations of the Senate, of the proposed letter. The
9 Secretary shall include with the notification a copy
10 of the proposed letter, the criteria used for selecting
11 the project for a grant award, and a description of
12 how the project meets criteria of this section.

13 “(3) CONTINGENT NATURE OF OBLIGATION OR
14 COMMITMENT.—An obligation or administrative
15 commitment may be made only when amounts are
16 appropriated. The letter of intent shall state that the
17 contingent commitment is not an obligation of the
18 Federal Government, and is subject to the avail-
19 ability of appropriations under Federal law and to
20 Federal laws in force or enacted after the date of
21 the contingent commitment.

22 “(f) ROLLING STOCK PURCHASES.—Prior to entering
23 into contracts in excess of \$100,000,000 for rolling stock
24 procurements, Amtrak shall submit a business case anal-
25 ysis to the Secretary, the Committee on Transportation

1 and Infrastructure and the Committee on Appropriations
 2 of the House of Representatives, and the Committee on
 3 Commerce, Science, and Transportation and the Com-
 4 mittee on Appropriations of the Senate, on the utility of
 5 such purchase. This analysis shall—

6 “(1) include a cost and benefit comparison that
 7 describes the total lifecycle costs and the anticipated
 8 benefits related to revenue, operational efficiency, re-
 9 liability, and other factors;

10 “(2) set forth the total payments by fiscal year;

11 “(3) identify the specific source and amounts of
 12 funding for each payment, including Federal funds,
 13 State funds, Amtrak profits, Federal, State, or pri-
 14 vate loans or loan guarantees, and other funding;

15 “(4) include whether any payment under the
 16 contract will increase Amtrak’s grant request, as re-
 17 quired under section 24318, in that particular fiscal
 18 year; and

19 “(5) describe how Amtrak will adjust the pro-
 20 curement if future funding is not available.”.

21 (2) TABLE OF SECTIONS AMENDMENT.—The
 22 table of sections for chapter 243 of title 49, United
 23 States Code, is amended by adding at the end the
 24 following new items:

“24317. Costs and revenues.

“24318. Grant process.

“24319. Accounts.”.

1 (b) NORTHEAST CORRIDOR PLANNING.—

2 (1) AMENDMENT.—Chapter 249 of title 49,
3 United States Code, is amended by adding at the
4 end the following new section:

5 **“§ 24911. Northeast Corridor planning**

6 “(a) NORTHEAST CORRIDOR CAPITAL INVESTMENT
7 PLAN.—

8 “(1) REQUIREMENT.—Not later than 12
9 months after the date of enactment of the Passenger
10 Rail Reform and Investment Act of 2015, and annu-
11 ally thereafter, the Northeast Corridor Infrastruc-
12 ture and Operations Advisory Commission estab-
13 lished under section 24905 (referred to in this sec-
14 tion as the ‘Commission’) shall develop a capital in-
15 vestment plan for the Northeast Corridor main line
16 between Boston, Massachusetts, and the District of
17 Columbia, and the Northeast Corridor branch lines
18 connecting to Harrisburg, Pennsylvania, Springfield,
19 Massachusetts, and Spuyten Duyvil, New York, and
20 facilities and services used to operate and maintain
21 those lines.

22 “(2) CONTENTS.—Each such plan shall—

23 “(A) be developed to establish a coordi-
24 nated approach to capital spending on the
25 Northeast Corridor;

1 “(B) cover a period of 5 fiscal years, be-
2 ginning with the first fiscal year after the date
3 of the plan;

4 “(C) notwithstanding section 24902(b),
5 prioritize projects and investments along the
6 Northeast Corridor based on—

7 “(i) the anticipated benefits and costs
8 of projects;

9 “(ii) the anticipated Federal and non-
10 Federal funding available; and

11 “(iii) the information contained in the
12 Northeast Corridor asset management
13 plans required under subsection (b), once
14 available;

15 “(D) ensure coordination and optimization
16 across the entire Northeast Corridor and among
17 the various owners and users;

18 “(E) include a financial plan for the in-
19 vestment period that—

20 “(i) categorizes each capital project as
21 being primarily associated with—

22 “(I) normalized capital replace-
23 ment;

24 “(II) replacement, rehabilitation,
25 or repair of Northeast Corridor infra-

1 structure assets, including tunnels,
2 bridges, stations, and other assets; or

3 “(III) improvement of train per-
4 formance on the Northeast Corridor,
5 including reduced trip times, in-
6 creased train frequencies, higher oper-
7 ating speeds, and other improvements;

8 “(ii) identifies the anticipated funding
9 source and financing method for each cap-
10 ital project described in subclauses (II)
11 and (III) of clause (i);

12 “(iii) describes the anticipated out-
13 comes of each project, including—

14 “(I) an assessment of the poten-
15 tial effect on passenger accessibility,
16 operations, safety, reliability, and re-
17 siliency, and on the ability of infra-
18 structure owners and operators to
19 meet regulatory requirements should
20 the project not be funded; and

21 “(II) an assessment of the bene-
22 fits and costs;

23 “(iv) identifies the extent to which the
24 capital assets are or will be jointly used by
25 intercity passenger rail service and other

1 users, and the proportionate share of that
2 joint usage; and

3 “(v) for projects that are expected to
4 be fully or partially funded through Fed-
5 eral financial assistance, identifies the
6 most appropriate public agency or entity to
7 receive those funds and implement each
8 capital project.

9 “(3) ADDITIONAL CONTENTS.—Any plan devel-
10 oped under paragraph (1) after the publication by
11 the Secretary of Transportation of the Northeast
12 Corridor service development plan shall also—

13 “(A) be developed to identify, prioritize,
14 and phase the implementation of projects nec-
15 essary to achieve the goals and findings con-
16 tained in such Northeast Corridor service devel-
17 opment plan;

18 “(B) allow for flexibility to change
19 prioritization and programs based upon the
20 availability of Federal and non-Federal funding;

21 “(C) inform the Secretary in developing
22 recommendations for Congress on Federal fund-
23 ing needs for the Northeast Corridor and any
24 corresponding Federal investments in the re-

1 spective capital programs for Northeast Cor-
2 ridor infrastructure owners and users; and

3 “(D) capture the network-level anticipated
4 outcomes associated with plan implementation,
5 including the anticipated effect on passenger
6 accessibility, operations, safety, reliability, and
7 resiliency.

8 “(b) NORTHEAST CORRIDOR ASSET MANAGEMENT
9 PLANS.—

10 “(1) CONTENTS.—Amtrak, and States and pub-
11 lic transportation entities that own infrastructure
12 that supports or provides for intercity rail passenger
13 transportation on the Northeast Corridor, shall de-
14 velop and update as necessary Northeast Corridor
15 asset management plans for the Northeast Corridor
16 main line between Boston, Massachusetts, and the
17 District of Columbia, and the Northeast Corridor
18 branch lines connecting to Harrisburg, Pennsyl-
19 vania, Springfield, Massachusetts, and Spuyten
20 Duyvil, New York, and facilities and services used to
21 operate and maintain those lines, that—

22 “(A) are consistent with the Federal Tran-
23 sit Administration process, as authorized under
24 section 5326, when implemented; and

25 “(B) include, at a minimum—

1 “(i) an inventory of all capital assets
2 owned by the developer of the plan;

3 “(ii) an assessment of the condition of
4 each of those assets;

5 “(iii) a description of how the condi-
6 tion of each asset has changed since the
7 previous iteration of the plan; and

8 “(iv) a description of the necessary re-
9 sources and processes for bringing or
10 maintaining those assets in a state-of-good
11 repair, including decision support tools and
12 investment prioritization methodologies.

13 “(2) TRANSMITTAL TO COMMISSION.—Not later
14 than 12 months after the date of enactment of the
15 Passenger Rail Reform and Investment Act of 2015,
16 each entity described in paragraph (1) shall transmit
17 to the Commission a plan developed under para-
18 graph (1). Any updates to such plan shall also be
19 transmitted to the Commission.

20 “(c) NORTHEAST CORRIDOR SERVICE DEVELOP-
21 MENT PLAN UPDATES.—The Commission shall, at least
22 once every 10 years, update the Northeast Corridor service
23 development plan.”.

24 “(2) TABLE OF SECTIONS AMENDMENT.—The
25 table of sections for chapter 249 of title 49, United

1 States Code, is amended by adding at the end the
2 following new item:

“24911. Northeast Corridor planning.”.

3 (c) REPEALS.—The following provisions are repealed:

4 (1) Sections 206 and 211 of the Passenger Rail
5 Investment and Improvement Act of 2008, and the
6 items relating thereto in the table of contents of
7 such Act.

8 (2) Section 24104 of title 49, United States
9 Code, and the item relating thereto in the table of
10 sections for chapter 241 of such title.

11 **SEC. 202. FIVE-YEAR CAPITAL AND OPERATING PLAN.**

12 (a) AMENDMENT.—Chapter 243 of title 49, United
13 States Code, is further amended by adding at the end the
14 following new section:

15 **“§ 24320. Five-year capital and operating plan**

16 “(a) PLAN.—Not later than 60 days after the date
17 of enactment of an Act appropriating funds pursuant to
18 section 101 of the Passenger Rail Reform and Investment
19 Act of 2015, or any subsequent authorization of appro-
20 priations for the same purposes, the Amtrak Board of Di-
21 rectors shall prepare and transmit to the Committee on
22 Transportation and Infrastructure and the Committee on
23 Appropriations of the House of Representatives and the
24 Committee on Commerce, Science, and Transportation
25 and the Committee on Appropriations of the Senate a 5-

1 year capital and operating plan for the Northeast Corridor
2 and National Network.

3 “(b) CONSULTATION.—Each such plan shall be pre-
4 pared in consultation with—

5 “(1) the Federal Railroad Administration;

6 “(2) the Northeast Corridor Infrastructure and
7 Operations Advisory Commission, with respect to the
8 Northeast Corridor; and

9 “(3) the requisite States, with respect to the
10 National Network.

11 “(c) CONTENTS.—A plan prepared under this section
12 shall—

13 “(1) for each of the Northeast Corridor and the
14 National Network, include—

15 “(A) projected revenues and expenditures
16 for the Northeast Corridor, State-supported
17 routes, long-distance routes, and corporate de-
18 velopment, including Federal and non-Federal
19 funding sources;

20 “(B) projected ridership levels for the
21 Northeast Corridor, State-supported routes,
22 and long-distance routes;

23 “(C) projected capital and operational
24 funding requirements necessary to maintain
25 passenger service in order to accommodate pre-

1 dicted ridership levels and predicted sources of
2 Federal and non-Federal funding;

3 “(D) projected capital and operating re-
4 quirements, ridership, revenue, and expendi-
5 tures for new passenger service operations or
6 service expansions;

7 “(E) an assessment of the continuing fi-
8 nancial stability of Amtrak, as indicated by fac-
9 tors including anticipated Federal funding of
10 capital and operating costs, Amtrak’s ability to
11 efficiently recruit, retain, and manage its work-
12 force, and Amtrak’s ability to effectively provide
13 passenger rail service;

14 “(F) estimates of long-term and short-term
15 debt and associated principal and interest pay-
16 ments (both current and anticipated);

17 “(G) annual cash flow forecasts;

18 “(H) a statement describing methods of
19 estimation and significant assumptions;

20 “(I) specific measures that demonstrate
21 measurable improvement year over year in the
22 financial results of Amtrak’s operations;

23 “(J) prior fiscal year and projected—

24 “(i) operating ratio, cash operating
25 loss, and cash operating loss per passenger

1 on a route, business line, and corporate
2 basis;

3 “(ii) specific costs and savings esti-
4 mates resulting from reform initiatives;

5 “(iii) productivity statistics on a
6 route, business line, and corporate basis;

7 and

8 “(iv) equipment reliability statistics;

9 “(K) capital and operating expenditures
10 for anticipated security needs; and

11 “(L) a prioritization of capital expendi-
12 tures by business line; and

13 “(2) reflect the Northeast Corridor planning, as
14 applicable, and grant processes established under
15 sections 24911 and 24318.

16 “(d) CONFORMANCE TO AUTHORIZED FUNDING LEV-
17 ELS.—

18 “(1) IN GENERAL.—Except as provided in para-
19 graph (2), any financial projection for a fiscal year
20 that is included in a plan prepared under this sec-
21 tion shall be based on the amount of dedicated fund-
22 ing for such fiscal year.

23 “(2) ABSENCE OF APPROPRIATION.—In the ab-
24 sence of an appropriation of funds for such fiscal
25 year, the projection shall be based on the amount of

1 funds authorized by law to be appropriated for that
2 fiscal year, plus other dedicated funding.

3 “(3) DEDICATED FUNDING DEFINED.—In this
4 subsection, the term ‘dedicated funding’ means any
5 amounts appropriated for a fiscal year and any
6 other funding sources, including revenues and other
7 ancillary funding streams, for the Northeast Cor-
8 ridor or the National Network.

9 “(e) STANDARDS TO PROMOTE FINANCIAL STA-
10 BILITY.—In preparing a plan under this section, the
11 Board shall apply sound budgetary practices, including re-
12 ducing costs and other expenditures, improving produc-
13 tivity, increasing revenues, or combinations of such prac-
14 tices.

15 “(f) UPDATES.—Amtrak shall provide monthly re-
16 ports for the current fiscal year in electronic format to
17 the Secretary and the Committee on Transportation and
18 Infrastructure and the Committee on Appropriations of
19 the House of Representatives and the Committee on Com-
20 merce, Science, and Transportation and the Committee on
21 Appropriations of the Senate regarding the items de-
22 scribed in subsection (c)(1), which shall include a descrip-
23 tion of the work completed to date, any differences from
24 projections, and the reasons for such differences.”

1 (b) TABLE OF SECTIONS AMENDMENT.—The table of
 2 sections for such chapter 243 is amended by adding at
 3 the end the following new item:

“24320. Five-year capital and operating plan.”.

4 (c) REPEAL.—Section 204 of the Passenger Rail In-
 5 vestment and Improvement Act of 2008 (49 U.S.C. 24101
 6 note), and the item relating thereto in the table of con-
 7 tents of such Act, are repealed.

8 **SEC. 203. STATE-SUPPORTED ROUTES.**

9 (a) AMENDMENT.—Chapter 247 of title 49, United
 10 States Code, is amended by adding at the end the fol-
 11 lowing new section:

12 **“§ 24712. State-supported routes**

13 **“(a) STATE-SUPPORTED ROUTE ADVISORY COM-**
 14 **MITTEE.—**

15 **“(1) ESTABLISHMENT.—**Not later than 90 days
 16 after the date of enactment of the Passenger Rail
 17 Reform and Investment Act of 2015, the Secretary
 18 of Transportation shall establish a State-Supported
 19 Route Advisory Committee to promote mutual co-
 20 operation and planning pertaining to the rail oper-
 21 ations and related activities of trains operated on
 22 State-supported routes and to further implement
 23 section 209 of the Passenger Rail Investment and
 24 Improvement Act of 2008 (49 U.S.C. 24101 note).

1 “(2) MEMBERSHIP.—The Committee shall con-
2 sist of representatives of—

3 “(A) Amtrak;

4 “(B) the Department of Transportation,
5 including the Federal Railroad Administration;
6 and

7 “(C) seven States that sponsor State-sup-
8 ported routes, selected by the Administrator of
9 the Federal Railroad Administration on the
10 basis of appropriate expertise and geographic
11 balance, and in a manner that ensures that all
12 appropriate States are represented periodically
13 on the Committee.

14 “(3) DISTRIBUTION OF MEMBERSHIP.—The
15 membership belonging to any of the groups de-
16 scribed in each individual subparagraph of para-
17 graph (2) shall not constitute a majority of the
18 Committee’s memberships.

19 “(4) MEETINGS; RULES AND PROCEDURES.—
20 The Committee shall establish a schedule and loca-
21 tion for convening meetings, but shall meet no less
22 than 2 times every fiscal year. The Committee shall
23 develop rules and procedures to govern the Commit-
24 tee’s proceedings.

25 “(b) COST, SERVICE, AND RIDERSHIP FORECASTS.—

1 “(1) IN GENERAL.—Not later than January 31,
2 2016, and annually thereafter, Amtrak shall trans-
3 mit to each State that sponsors a State-supported
4 route, and to the Committee on Transportation and
5 Infrastructure and the Committee on Appropriations
6 of the House of Representatives and the Committee
7 on Commerce, Science, and Transportation and the
8 Committee on Appropriations of the Senate—

9 “(A) a final statement of costs, revenues,
10 ridership, and other information determined ap-
11 propriate by the Committee established under
12 subsection (a), pertaining to each such route for
13 the prior fiscal year; and

14 “(B) a cost, service, and ridership forecast
15 for each such route for the upcoming fiscal
16 year, developed pursuant to the methodology es-
17 tablished under section 209 of the Passenger
18 Rail Investment and Improvement Act of 2008
19 (49 U.S.C. 24101 note).

20 “(2) EXCEPTION.—The Committee may estab-
21 lish a different deadline than is required under para-
22 graph (1) for submission of final financial state-
23 ments and cost, service, and ridership forecasts.

24 “(3) QUARTERLY UPDATES.—Beginning in
25 2016, and each year thereafter, Amtrak shall trans-

1 mit to each State that sponsors a State-supported
2 route quarterly updates of the cost, service, and rid-
3 ership forecast described in paragraph (1)(B) to en-
4 able States to pace costs against State budgets, plan
5 effectively, and address unexpected changes in costs
6 in a timely manner, on the following dates:

7 “(A) April 30, for the period encompassing
8 January through March of such year.

9 “(B) July 31, for the period encompassing
10 April through June of such year.

11 “(C) October 31, for the period encom-
12 passing July through September of such year.

13 “(c) INVOICES.—Not later than February 15, 2016,
14 and monthly thereafter, Amtrak shall provide to each
15 State that sponsors a State-supported route a monthly in-
16 voice of the cost of operating such route, including fixed
17 costs and third-party costs.

18 “(d) DISPUTE RESOLUTION.—

19 “(1) REQUEST FOR EXPEDITED RESOLUTION.—
20 If a dispute arises with respect to a forecast devel-
21 oped under subsection (b), an invoice developed
22 under subsection (c), or the terms of a contract for
23 operation of a State-supported route negotiated be-
24 tween Amtrak and a State that sponsors the route,
25 either Amtrak or the State may request that the

1 Surface Transportation Board conduct expedited
2 dispute resolution under this subsection.

3 “(2) PROCEDURES.—The Surface Transpor-
4 tation Board shall establish procedures for expedited
5 resolution of disputes brought before it under this
6 subsection.

7 “(3) BINDING EFFECT.—The decision of the
8 Surface Transportation Board under this subsection
9 shall be binding on the parties to the dispute.

10 “(e) FRA ASSISTANCE.—The Federal Railroad Ad-
11 ministration may provide assistance to the parties in the
12 course of negotiations for a contract for operation of a
13 State-supported route.

14 “(f) PERFORMANCE METRICS.—In negotiating a con-
15 tract for operation of a State-supported route, Amtrak
16 and the State or States that sponsor the route shall con-
17 sider including provisions that provide penalties and incen-
18 tives for performance based on metrics that take into ac-
19 count only those factors within the control of Amtrak or
20 the State or States.

21 “(g) DEFINITION OF STATE.—In this section, the
22 term ‘State’ means each of the 50 States and the District
23 of Columbia.”.

1 (b) TABLE OF SECTIONS AMENDMENT.—The table of
2 sections for such chapter 247 is amended by adding at
3 the end the following new item:

“24712. State-supported routes.”.

4 **SEC. 204. ROUTE AND SERVICE PLANNING DECISIONS.**

5 Section 208 of the Passenger Rail Investment and
6 Improvement Act of 2008 (49 U.S.C. 24101 note) is
7 amended to read as follows:

8 **“SEC. 208. METHODOLOGIES FOR AMTRAK ROUTE AND**
9 **SERVICE PLANNING DECISIONS.**

10 “(a) METHODOLOGY DEVELOPMENT.—Not later
11 than 180 days after the date of enactment of the Pas-
12 senger Rail Reform and Investment Act of 2015, as a con-
13 dition of receiving a grant under section 101 of such Act,
14 Amtrak shall obtain the services of an independent entity
15 to develop and recommend objective methodologies for
16 Amtrak to use in determining what intercity rail passenger
17 transportation routes and services it should provide, in-
18 cluding the establishment of new routes, the elimination
19 of existing routes, and the contraction or expansion of
20 services or frequencies over such routes.

21 “(b) CONSIDERATIONS.—Amtrak shall require the
22 entity, in developing the methodologies described in sub-
23 section (a), to consider—

24 “(1) the current and expected performance and
25 service quality of intercity rail passenger transpor-

1 tation operations, including cost recovery, on-time
2 performance, ridership, on-board services, stations,
3 facilities, equipment, and other services;

4 “(2) connectivity of a route with other routes;

5 “(3) the transportation needs of communities
6 and populations that are not well served by intercity
7 rail passenger transportation service or by other
8 forms of intercity transportation;

9 “(4) the methodologies of Amtrak and major
10 intercity rail passenger transportation service pro-
11 viders in other countries for determining intercity
12 passenger rail routes and services;

13 “(5) the views of States, rail carriers that own
14 infrastructure over which Amtrak operates, Amtrak
15 employee representatives, and other interested par-
16 ties; and

17 “(6) the funding levels that will be available
18 under authorization levels that have been enacted
19 into law.

20 “(c) RECOMMENDATIONS.—Not later than 1 year
21 after the date of enactment of the Passenger Rail Reform
22 and Investment Act of 2015, Amtrak shall transmit to the
23 Committee on Transportation and Infrastructure of the
24 House of Representatives, and the Committee on Com-
25 merce, Science, and Transportation of the Senate the rec-

1 ommendations developed by the entity pursuant to sub-
2 section (a).

3 “(d) CONSIDERATION OF RECOMMENDATIONS.—Not
4 later than 90 days after transmitting the recommenda-
5 tions pursuant to subsection (c), the Amtrak Board of Di-
6 rectors shall consider the adoption of the recommenda-
7 tions and transmit to the Committee on Transportation
8 and Infrastructure of the House of Representatives and
9 the Committee on Commerce, Science, and Transportation
10 of the Senate a report containing an explanation of any
11 reasons for adopting or not adopting the recommenda-
12 tions.”.

13 **SEC. 205. COMPETITION.**

14 (a) AMENDMENT.—Section 24711 of title 49, United
15 States Code, is amended to read as follows:

16 **“§ 24711. Alternate passenger rail service pilot pro-
17 gram**

18 “(a) IN GENERAL.—Not later than 1 year after the
19 date of enactment of the Passenger Rail Reform and In-
20 vestment Act of 2015, the Federal Railroad Administra-
21 tion shall complete a rulemaking proceeding to develop a
22 pilot program that—

23 “(1) permits a rail carrier or rail carriers that
24 own infrastructure over which Amtrak operates a
25 passenger rail service route described in subpara-

1 graph (B), (C), or (D) of section 24102(7) or in sec-
2 tion 24702(a) to petition the Federal Railroad Ad-
3 ministration to be considered as a passenger rail
4 service provider over that route in lieu of Amtrak for
5 an operations period of 5 years;

6 “(2) requires the Federal Railroad Administra-
7 tion to notify Amtrak within 30 days after receiving
8 a petition under paragraph (1) and establish a dead-
9 line by which both the petitioner and Amtrak would
10 be required to submit a bid to provide passenger rail
11 service over the route to which the petition relates;

12 “(3) requires that each bid describe how the
13 bidder would operate the route, what Amtrak pas-
14 senger equipment would be needed, if any, and what
15 sources of non-Federal funding the bidder would
16 use, including any State subsidy, among other
17 things;

18 “(4) requires the Federal Railroad Administra-
19 tion to execute a contract within a specified, limited
20 time after the deadline established under paragraph
21 (2) and award to the winning bidder—

22 “(A) the right and obligation to provide
23 passenger rail service over that route subject to
24 such performance standards as the Federal
25 Railroad Administration may require; and

1 “(B) an operating subsidy—

2 “(i) for the first year at a level not in
3 excess of 90 percent of the level in effect
4 for that specific route during the fiscal
5 year preceding the fiscal year in which the
6 petition was received, adjusted for infla-
7 tion; and

8 “(ii) for any subsequent years at the
9 level calculated under clause (i), adjusted
10 for inflation; and

11 “(5) requires that each bid contain a staffing
12 plan describing the number of employees needed to
13 operate the service, the job assignments and require-
14 ments, and the terms of work for prospective and
15 current employees of the bidder for the service out-
16 lined in the bid, and that such staffing plan be made
17 available by the winning bidder to the public after
18 the bid award.

19 “(b) ROUTE LIMITATIONS.—The Federal Railroad
20 Administration may not make the program available with
21 respect to more than two Amtrak intercity passenger rail
22 routes.

23 “(c) PERFORMANCE STANDARDS; ACCESS TO FACILI-
24 TIES; EMPLOYEES.—If the Federal Railroad Administra-
25 tion awards the right and obligation to provide passenger

1 rail service over a route under this section to a rail carrier
2 or rail carriers—

3 “(1) it shall execute a contract with the rail
4 carrier or rail carriers for rail passenger operations
5 on that route that conditions the operating and sub-
6 sidy rights on—

7 “(A) the service provider continuing to
8 provide passenger rail service on the route that
9 is no less frequent, nor over a shorter distance,
10 than Amtrak provided on that route before the
11 award; and

12 “(B) the service provider’s compliance with
13 the standards established under subsection
14 (a)(4)(A), and such additional performance
15 standards as the Administration may establish;

16 “(2) it shall, if the award is made to a rail car-
17 rier other than Amtrak, require Amtrak to provide
18 access to its reservation system, stations, and facili-
19 ties directly related to operations to any rail carrier
20 or rail carriers awarded a contract under this sec-
21 tion, in accordance with subsection (d), necessary to
22 carry out the purposes of this section;

23 “(3) an employee of any person used by such
24 rail carrier or rail carriers in the operation of a
25 route under this section shall be considered an em-

1 ployee of that carrier or carriers and subject to the
2 applicable Federal laws and regulations governing
3 similar crafts or classes of employees of Amtrak, in-
4 cluding provisions under section 121 of the Amtrak
5 Reform and Accountability Act of 1997 (49 U.S.C.
6 4312 note) relating to employees that provide food
7 and beverage service; and

8 “(4) the winning bidder shall provide hiring
9 preference to qualified Amtrak employees displaced
10 by the award of the bid, consistent with the staffing
11 plan submitted by the bidder, and shall be subject
12 to the grant conditions under section 24405 of this
13 title.

14 “(d) DISPUTES.—If Amtrak and the rail carrier or
15 rail carriers awarded a route under this section cannot
16 agree upon terms to carry out subsection (c)(2), and the
17 Surface Transportation Board finds that access to Am-
18 trak’s facilities or equipment, or the provision of services
19 by Amtrak, is necessary to carry out subsection (c)(2) and
20 that the operation of Amtrak’s other services will not be
21 impaired thereby, the Surface Transportation Board shall,
22 within 120 days after submission of the dispute, issue an
23 order that the facilities and equipment be made available,
24 and that services be provided, by Amtrak, and shall deter-
25 mine reasonable compensation, liability, and other terms

1 for use of the facilities and equipment and provision of
2 the services.

3 “(e) CESSATION OF SERVICE.—If a rail carrier or rail
4 carriers awarded a route under this section cease to oper-
5 ate the service or fail to fulfill their obligations under the
6 contract required under subsection (c), the Federal Rail-
7 road Administration, in collaboration with the Surface
8 Transportation Board, shall take any necessary action
9 consistent with this title to enforce the contract and en-
10 sure the continued provision of service, including the in-
11 stallment of an interim service provider and rebidding the
12 contract to operate the service. The entity providing serv-
13 ice shall either be Amtrak or a rail carrier defined in sub-
14 section (a)(1).

15 “(f) ADEQUATE RESOURCES.—Before taking any ac-
16 tion allowed under this section, the Secretary shall certify
17 that the Federal Railroad Administration has sufficient
18 resources appropriated under section 101(b) of Passenger
19 Rail Reform and Investment Act of 2015, or any subse-
20 quent appropriation, for that purpose that are adequate
21 to undertake the program established under this section.

22 “(g) BUDGET AUTHORITY.—The Secretary of Trans-
23 portation may provide to a winning bidder selected under
24 this section appropriations authorized under sections
25 101(b) of the Passenger Rail Reform and Investment Act

1 of 2015, or any subsequent appropriation for the same
2 purposes, necessary to cover the operating subsidy de-
3 scribed in subsection (a)(4)(B).”.

4 (b) REPORT.—Not later than 1 year after the conclu-
5 sion of the pilot program established under the amend-
6 ment made by subsection (a), the Federal Railroad Ad-
7 ministration shall submit to the Committee on Transpor-
8 tation and Infrastructure of the House of Representatives
9 and the Committee on Commerce, Science, and Transpor-
10 tation of the Senate a report on the results on the pilot
11 program established under section 24711 of title 49
12 United States Code, and any recommendations for further
13 action.

14 **SEC. 206. FOOD AND BEVERAGE REFORM.**

15 (a) AMENDMENT.—Chapter 243 of title 49, United
16 States Code, is further amended by adding at the end the
17 following new section:

18 **“§ 24321. Food and beverage reform**

19 “(a) PLAN.—Not later than 90 days after the date
20 of enactment of the Passenger Rail Reform and Invest-
21 ment Act of 2015, Amtrak shall develop and begin imple-
22 menting a plan to eliminate, within 5 years of such date
23 of enactment, the operating loss associated with providing
24 food and beverage service on board Amtrak trains.

1 “(b) CONSIDERATIONS.—In developing and imple-
2 menting the plan, Amtrak shall consider a combination of
3 cost management and revenue generation initiatives, in-
4 cluding—

5 “(1) scheduling optimization;

6 “(2) on-board logistics;

7 “(3) product development and supply chain effi-
8 ciency;

9 “(4) training, awards, and accountability;

10 “(5) technology enhancements and process im-
11 provements; and

12 “(6) ticket revenue allocation.

13 “(c) SAVINGS CLAUSE.—Amtrak shall ensure that no
14 Amtrak employee holding a position as of the date of en-
15 actment of the Passenger Rail Reform and Investment Act
16 of 2015 is involuntarily separated because of—

17 “(1) the development and implementation of the
18 plan required under subsection (a); or

19 “(2) any other action taken by Amtrak to im-
20 plement this section.

21 “(d) NO FEDERAL FUNDING FOR OPERATING
22 LOSSES.—Beginning on the date that is 5 years after the
23 date of enactment of the Passenger Rail Reform and In-
24 vestment Act of 2015, no Federal funds may be used to
25 cover any operating loss associated with providing food

1 and beverage service on a route operated by Amtrak or
2 an alternative passenger rail service provider that operates
3 a route in lieu of Amtrak pursuant to section 24711.

4 “(e) REPORT.—Not later than 120 days after the
5 date of enactment of the Passenger Rail Reform and In-
6 vestment Act of 2015, and annually thereafter for 5 years,
7 Amtrak shall transmit to the Committee on Transpor-
8 tation and Infrastructure of the House of Representatives
9 and the Committee on Commerce, Science, and Transpor-
10 tation of the Senate a report containing the plan developed
11 pursuant to subsection (a) and a description of progress
12 in the implementation of the plan.”.

13 (b) CONFORMING AMENDMENT.—The table of sec-
14 tions for chapter 243 of title 49, United States Code, is
15 amended by adding at the end the following new item:

“24321. Food and beverage reform.”.

16 **SEC. 207. RIGHT-OF-WAY LEVERAGING.**

17 (a) REQUEST FOR PROPOSALS.—Not later than 180
18 days after the date of enactment of this Act, Amtrak shall
19 issue a Request for Proposals seeking private sector per-
20 sons or entities to utilize Amtrak-owned right-of-way for
21 telecommunications systems, energy distribution systems,
22 and other activities considered appropriate by Amtrak.
23 The Request for Proposals shall provide sufficient infor-
24 mation on Amtrak’s right-of-way real estate assets to en-
25 able respondents to propose an arrangement that will

1 monetize such assets through revenue sharing agreements
2 with Amtrak.

3 (b) CONSIDERATION OF PROPOSALS.—Not later than
4 1 year after the date of enactment of this Act, the Amtrak
5 Board of Directors shall review and consider each proposal
6 submitted pursuant to subsection (a). Amtrak may enter
7 into such agreements as are necessary to implement any
8 such proposal or proposals.

9 (c) REPORT TO CONGRESS.—Not later than 18
10 months after the date of enactment of this Act, Amtrak
11 shall transmit to the Committee on Transportation and
12 Infrastructure of the House of Representatives and the
13 Committee on Commerce, Science, and Transportation of
14 the Senate a report on the Request for Proposals required
15 by this section, including summary information of any pro-
16 posals submitted to Amtrak and any proposals accepted
17 by the Amtrak Board of Directors.

18 **SEC. 208. STATION DEVELOPMENT.**

19 (a) REPORT ON DEVELOPMENT OPTIONS.—Not later
20 than 1 year after the date of enactment of this Act, Am-
21 trak shall transmit to the Committee on Transportation
22 and Infrastructure of the House of Representatives and
23 the Committee on Commerce, Science, and Transportation
24 of the Senate a report on options to enhance development
25 around Amtrak stations, including—

1 (1) strengthening multimodal connections, in-
2 cluding intercity buses;

3 (2) options for capturing development-related
4 revenue streams; and

5 (3) other opportunities to better leverage sta-
6 tion assets.

7 (b) PROPOSALS.—

8 (1) REQUEST FOR PROPOSALS.—Not later than
9 18 months after the date of enactment of this Act,
10 Amtrak shall issue a Request for Proposals seeking
11 persons or entities, including small business con-
12 cerns owned and controlled by socially and economi-
13 cally disadvantaged individuals, to carry out the op-
14 tions identified under subsection (a).

15 (2) CONSIDERATION OF PROPOSALS.—Not later
16 than 24 months after the date of enactment of this
17 Act, the Amtrak Board of Directors shall review and
18 consider each proposal submitted pursuant to para-
19 graph (1). Amtrak may enter into such agreements
20 as are necessary to implement any such proposal or
21 proposals.

22 (c) REPORT TO CONGRESS.—Not later than 30
23 months after the date of enactment of this Act, Amtrak
24 shall transmit to the Committee on Transportation and
25 Infrastructure of the House of Representatives and the

1 Committee on Commerce, Science, and Transportation of
2 the Senate a report on the Request for Proposals required
3 by this section, including summary information of any pro-
4 posals submitted to Amtrak and any proposals accepted
5 by the Amtrak Board of Directors.

6 (d) DEFINITIONS.—In this section, the terms “small
7 business concern” and “socially and economically dis-
8 advantaged individual” have the meanings given such
9 terms in section 305(c).

10 **SEC. 209. AMTRAK DEBT.**

11 Section 205 of the Passenger Rail Investment and
12 Improvement Act of 2008 (49 U.S.C. 24101 note) is
13 amended—

14 (1) in subsection (a), by inserting “, to the ex-
15 tent provided in advance in appropriations Acts”
16 after “Amtrak’s indebtedness”;

17 (2) by striking “as of the date of enactment of
18 this Act” each place it appears;

19 (3) in subsection (a), by striking the second
20 sentence;

21 (4) in subsection (b), by striking “The Sec-
22 retary of the Treasury, in consultation” and insert-
23 ing “To the extent amounts are provided in advance
24 in appropriations Acts, the Secretary of the Treas-
25 ury, in consultation”;

1 (5) in subsection (d), by inserting “, to the ex-
2 tent provided in advance in appropriations Acts”
3 after “as appropriate”;

4 (6) in subsection (e)(1), by striking “by section
5 102 of this division”; and

6 (7) in subsection (e)(2), by striking “by section
7 102” and inserting “for Amtrak”.

8 **SEC. 210. AMTRAK PILOT PROGRAM FOR PASSENGERS**
9 **TRANSPORTING DOMESTICATED CATS AND**
10 **DOGS.**

11 (a) **IN GENERAL.**—Not later than 1 year after the
12 date of enactment of this Act, Amtrak shall develop a pilot
13 program that allows passengers to transport domesticated
14 cats or dogs on certain trains operated by Amtrak.

15 (b) **PET POLICY.**—In developing the pilot program
16 required under subsection (a), Amtrak shall—

17 (1) in the case of a passenger train that is com-
18 prised of more than one car, designate, where fea-
19 sible, at least one car in which a ticketed passenger
20 may transport a domesticated cat or dog in the same
21 manner as carry-on baggage if—

22 (A) the cat or dog is contained in a pet
23 kennel;

1 (B) the pet kennel is stowed in accordance
2 with Amtrak size requirements for carriage of
3 carry-on baggage;

4 (C) the passenger is traveling on a train
5 operating on a route described in subparagraph
6 (A), (B), or (D) of section 24102(7) of title 49,
7 United States Code; and

8 (D) the passenger pays a fee described in
9 paragraph (3);

10 (2) allow a ticketed passenger to transport a
11 domesticated cat or dog on a train in the same man-
12 ner as cargo if—

13 (A) the cat or dog is contained in a pet
14 kennel;

15 (B) the pet kennel is stowed in accordance
16 with Amtrak requirements for cargo stowage;

17 (C) the passenger is traveling on a train
18 operating on a route described in subparagraph
19 (A), (B), or (D) of section 24102(7) of title 49,
20 United States Code;

21 (D) the cargo area is temperature con-
22 trolled in a manner protective of cat and dog
23 safety and health; and

24 (E) the passenger pays a fee described in
25 paragraph (3); and

1 (3) collect fees for each cat or dog transported
2 by a ticketed passenger in an amount that, in the
3 aggregate and at a minimum, covers the full costs
4 of the pilot program.

5 (c) REPORT.—Not later than 1 year after the pilot
6 program required under subsection (a) is first imple-
7 mented, Amtrak shall transmit to the Committee on
8 Transportation and Infrastructure of the House of Rep-
9 resentatives and the Committee on Commerce, Science,
10 and Transportation of the Senate a report containing an
11 evaluation of the pilot program.

12 (d) LIMITATION ON STATUTORY CONSTRUCTION.—

13 (1) SERVICE ANIMALS.—The pilot program re-
14 quired under subsection (a) shall be separate from
15 and in addition to the policy governing Amtrak pas-
16 sengers traveling with service animals. Nothing in
17 this section may be interpreted to limit or waive the
18 rights of passengers to transport service animals.

19 (2) ADDITIONAL TRAIN CARS.—Nothing in this
20 section may be interpreted to require Amtrak to add
21 additional train cars or modify existing train cars.

22 (3) FEDERAL FUNDS.—No Federal funds may
23 be used to implement the pilot program required
24 under this section.

1 **SEC. 211. AMTRAK BOARDING PROCEDURES.**

2 (a) REPORT.—Not later than 6 months after the date
3 of enactment of this Act, the Amtrak Office of Inspector
4 General shall transmit to the Committee on Transpor-
5 tation and Infrastructure of the House of Representatives
6 and the Committee on Commerce, Science, and Transpor-
7 tation of the Senate a report that—

8 (1) evaluates Amtrak’s boarding procedures for
9 passengers, including passengers using or trans-
10 porting non-motorized transportation such as wheel-
11 chairs and bicycles at its 10 stations through which
12 the most people pass;

13 (2) compares Amtrak’s boarding procedures
14 to—

15 (A) commuter railroad boarding proce-
16 dures at stations shared with Amtrak;

17 (B) international intercity passenger rail
18 boarding procedures; and

19 (C) fixed guideway transit boarding proce-
20 dures; and

21 (3) makes recommendations, as appropriate, to
22 improve Amtrak’s boarding procedures, including
23 recommendations regarding the queuing of pas-
24 sengers and free-flow of all station-users.

25 (b) CONSIDERATION OF RECOMMENDATIONS.—Not
26 later than 6 months after the release of the report re-

1 quired under subsection (a), the Amtrak Board of Direc-
2 tors shall consider each recommendation provided under
3 subsection (a)(3) for implementation across the Amtrak
4 system.

5 **TITLE III—INTERCITY**
6 **PASSENGER RAIL POLICY**

7 **SEC. 301. FEDERAL-STATE PARTNERSHIP FOR NORTHEAST**
8 **CORRIDOR DEVELOPMENT AND IMPROVE-**
9 **MENT.**

10 (a) AMENDMENT.—Chapter 244 of title 49, United
11 States Code, is amended by adding at the end the fol-
12 lowing new section:

13 **“§ 24407. Federal-State partnership for Northeast**
14 **Corridor rehabilitation and improvement**

15 “(a) IN GENERAL.—The Secretary of Transportation
16 shall develop and implement a program for issuing grants
17 to applicants, on a competitive basis, for the purpose of
18 financing the capital projects included in the Northeast
19 Corridor Priority Project List developed under subsection
20 (c).

21 “(b) DEFINITIONS.—In this section, the following
22 definitions apply:

23 “(1) APPLICANT.—The term ‘applicant’ means
24 a State (including the District of Columbia), a group
25 of States, an Interstate Compact, or a public agency

1 established by one or more States and having re-
2 sponsibility for providing intercity passenger or com-
3 muter rail service.

4 “(2) MAJOR STATE-OF-GOOD-REPAIR
5 PROJECT.—The term ‘major state-of-good-repair
6 project’ means a capital project primarily intended
7 to replace, rehabilitate or repair major Northeast
8 Corridor infrastructure assets utilized for providing
9 intercity rail passenger transportation, including
10 tunnels, bridges, stations, and other assets as deter-
11 mined by the Secretary.

12 “(3) IMPROVEMENT PROJECT.—The term ‘im-
13 provement project’ means a capital project primarily
14 intended to improve intercity passenger rail perform-
15 ance on the Northeast Corridor, including reduced
16 trip times, increased train frequencies, higher oper-
17 ating speeds, and other improvements as determined
18 by the Secretary.

19 “(c) NORTHEAST CORRIDOR PRIORITY PROJECT
20 LIST.—The Northeast Corridor Infrastructure and Oper-
21 ations Advisory Commission, established under section
22 24905, shall develop and approve a Northeast Corridor
23 Priority Project List that shall include—

1 “(1) a list of prioritized individual major state-
2 of-good-repair projects and improvement projects
3 along the Northeast Corridor that—

4 “(A) can be completed based on—

5 “(i) the funding authorized under sec-
6 tion 103(b) of the Passenger Rail Reform
7 and Investment Act of 2015;

8 “(ii) any subsequent applicable au-
9 thorization in effect;

10 “(iii) in the absence of such an au-
11 thorization, a 5-year funding amount based
12 on the most recent appropriation; or

13 “(iv) the requirements of subsection
14 (d); and

15 “(B) are consistent with the Northeast
16 Corridor capital investment plan required under
17 section 24911(a);

18 “(2) an identification of the applicant for each
19 individual project;

20 “(3) an identification of the sources of non-
21 Federal matching funds for each project; and

22 “(4) a description of the benefits each project
23 will bring to intercity rail passenger services.

1 “(d) USE OF FUNDS.—The Federal grants author-
2 ized under this section shall be for no more than 50 per-
3 cent of the net project cost of the project involved.

4 “(e) APPLICABILITY OF CAPITAL GRANT REQUIRE-
5 MENTS.—Except as specifically provided in this section,
6 the use of any amounts appropriated for grants under this
7 section shall be subject to the requirements of this chap-
8 ter.

9 “(f) MATCH REQUIREMENTS.—No grants may be ob-
10 ligated to an applicant under this section unless the appli-
11 cant has transmitted to the Secretary of Transportation
12 a binding written commitment to provide all amounts nec-
13 essary for the purpose of matching Federal contributions
14 as required by this section.

15 “(g) UPDATES TO LIST.—The Northeast Corridor
16 Infrastructure and Operations Advisory Commission shall
17 revise the NEC Priority Project List as necessary to re-
18 flect—

19 “(1) any differences in the availability of Fed-
20 eral funding from the levels assumed for purposes of
21 subsection (c)(1)(A)(i) and (ii);

22 “(2) any elimination or addition of projects;
23 and

24 “(3) any reduction or increase in benefits to be
25 derived from a project.

1 “(h) AVAILABILITY.—Amounts appropriated for car-
2 rying out this section shall remain available until ex-
3 pended.

4 “(i) SAVINGS CLAUSE.—Nothing in this section shall
5 supplant the requirement of applicants to compensate Am-
6 trak for the use of Amtrak facilities or services pursuant
7 to section 24905(c).

8 “(j) DEFINITION.—For purposes of this section, the
9 term ‘Northeast Corridor’ means the Northeast Corridor
10 main line between Boston, Massachusetts, and the District
11 of Columbia, and the Northeast Corridor branch lines con-
12 necting to Harrisburg, Pennsylvania, Springfield, Massa-
13 chusetts, and Spuyten Duyvil, New York, and facilities
14 and services used to operate and maintain those lines.”.

15 (b) CONFORMING AMENDMENT.—The table of sec-
16 tions for chapter 244 of title 49, United States Code, is
17 amended by adding at the end the following new item:

“24407. Federal-State partnership for Northeast Corridor rehabilitation and im-
provement.”.

18 **SEC. 302. RRIF IMPROVEMENTS.**

19 (a) REGULATIONS.—Not later than 1 year after the
20 date of enactment of this Act, the Secretary of Transpor-
21 tation shall issue regulations implementing the amend-
22 ments made by this section.

1 (b) COLLATERAL.—Section 502(h)(2) of the Railroad
2 Revitalization and Regulatory Reform Act of 1976 (45
3 U.S.C. 822(h)(2)) is amended—

4 (1) by striking “(2) The Secretary” and insert-
5 ing “(2)(A) The Secretary”;

6 (2) by inserting “The Secretary may subordi-
7 nate rights of the Secretary under any provision of
8 title 49 or title 23 of the United States Code, to the
9 rights of the Secretary under this section and sec-
10 tion 503.” after “from another source.”; and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(B) The Secretary shall, for purposes of making a
14 finding under subsection (g)(4), accept the net present
15 value on a future stream of State or local subsidy income
16 or dedicated revenue as collateral offered to secure the
17 loan.”.

18 (c) OFFICE OF MANAGEMENT AND BUDGET RE-
19 VIEW.—Section 502(i) of such Act (45 U.S.C. 822(i)) is
20 amended by inserting “In order to enable compliance with
21 such time limit, the Office of Management and Budget
22 shall take any actions required with respect to the applica-
23 tion within such 90-day period.” after “disapprove the ap-
24 plication.”.

1 (d) RRIF APPLICATION.—Section 502(i) of such Act
2 (45 U.S.C. 822(i)) is further amended—

3 (1) by striking “DISAPPROVAL.—Not later than
4 90 days after receiving” and inserting “DIS-
5 APPROVAL.—

6 “(1) IN GENERAL.—Not later than 90 days
7 after an application is determined pursuant to para-
8 graph (2) to be”; and

9 (2) by adding at the end the following new
10 paragraphs:

11 “(2) COMPLETION OF APPLICATION.—The Sec-
12 retary shall establish procedures for making a deter-
13 mination, not later than 45 days after submission of
14 an application under this section, whether the appli-
15 cation is complete. Such procedures shall—

16 “(A) provide for a checklist of the required
17 components of a complete application;

18 “(B) require the Secretary to provide to
19 the applicant a description of the specific com-
20 ponents of the application that remain incom-
21 plete if an application is determined to be in-
22 complete; and

23 “(C) permit reapplication without preju-
24 dice for applications determined to be incom-
25 plete.

1 “(3) INDEPENDENT FINANCIAL ANALYST.—The
2 Secretary shall assign an independent financial ana-
3 lyst within 45 days of submittal of a complete appli-
4 cation.”.

5 (e) POSITIVE TRAIN CONTROL.—Section 502(c)(1) of
6 such Act (45 U.S.C. 822(c)(1)) is amended by inserting
7 “, including projects for the installation of a positive train
8 control (as defined in section 20157(i) of title 49, United
9 States Code) system” after “public safety”.

10 (f) REPORT TO CONGRESS.—Section 502 of such Act
11 (45 U.S.C. 822) is further amended by adding at the end
12 the following new subsection:

13 “(k) REPORT TO CONGRESS.—Not later than 1 year
14 after the date of enactment of the Passenger Rail Reform
15 and Investment Act of 2015, and annually thereafter, the
16 Secretary shall transmit to Congress a report on the pro-
17 gram under this section that provides information on loans
18 approved and disapproved by the Secretary during the pre-
19 vious year. Such report shall not disclose the identity of
20 direct loan or loan guarantee recipients. The report shall
21 describe—

22 “(1) the number of pre-application meetings
23 with potential applicants;

1 “(2) the number of applications received and
2 determined complete under subsection (i)(2), includ-
3 ing the requested loan amounts;

4 “(3) the dates of receipt of applications;

5 “(4) the dates applications were determined
6 complete under subsection (i)(2);

7 “(5) the number of applications determined in-
8 complete under subsection (i)(2);

9 “(6) the final decision dates for both approvals
10 and disapprovals of applications;

11 “(7) the number of applications withdrawn
12 from consideration; and

13 “(8) the annual loan portfolio asset quality.”.

14 **SEC. 303. NEC FAST FORWARD.**

15 (a) NORTHEAST CORRIDOR AUTHORITY.—Section
16 502(d) of the Railroad Revitalization and Regulatory Re-
17 form Act of 1976 (45 U.S.C. 822(d)) is amended by in-
18 serting “40 percent shall be available solely for projects
19 described in subsection (l)(1), and” after “Of this
20 amount,”.

21 (b) NORTHEAST CORRIDOR FAST FORWARD PRO-
22 GRAM.—Section 502 of such Act is further amended by
23 adding at the end the following new subsection:

24 “(l) NORTHEAST CORRIDOR FAST FORWARD.—

1 “(1) PURPOSE.—The Secretary, as part of the
2 Railroad Rehabilitation and Improvement Financing
3 program, shall provide direct loans and loan guaran-
4 tees to eligible entities described in subsection (a)
5 for capital projects to improve the Northeast Cor-
6 ridor (as used in section 24911 of title 49, United
7 States Code).

8 “(2) COLLATERAL.—Loans made or guaranteed
9 under this subsection shall require collateral equal to
10 the loan amount requested.

11 “(3) INVESTMENT GRADE RATING.—A direct
12 loan or loan guarantee shall be made under this sub-
13 section only if a rating agency has assigned an in-
14 vestment grade rating of BBB minus, Baa3, bbb
15 minus, BBB (low), (or equivalent) or higher to the
16 project obligation. For purposes of this paragraph,
17 the term ‘rating agency’ means a credit rating agen-
18 cy registered with the Securities and Exchange Com-
19 mission as a nationally recognized statistical rating
20 organization (as that term is defined in section 3(a)
21 of the Securities Exchange Act of 1934 (15 U.S.C.
22 78c(a))).

23 “(4) INCLUSION IN NEC PLANNING.—Loans
24 and loan guarantees made under this subsection
25 shall be for projects that are included in the most

1 recent 5-year budget and business plan prepared
2 pursuant to section 24911(a) of title 49, United
3 States Code.

4 “(5) REFINANCING.—Loans made or guaran-
5 teed under this subsection shall not be used for the
6 refinancing of outstanding debt incurred.

7 “(6) COHORT OF LOANS.—Subsection (f)(4)
8 shall not apply to loans made or guaranteed under
9 this subsection.”.

10 (c) REPORT ON LEVERAGING RRIF.—Not later than
11 180 days after the date of enactment of this Act, the
12 Comptroller General shall transmit to the Committee on
13 Transportation and Infrastructure of the House of Rep-
14 resentatives and the Committee on Commerce, Science,
15 and Transportation of the Senate a report identifying po-
16 tential revenue sources, projects, and service improve-
17 ments that could be achieved by the amendments made
18 by subsections (a) and (b).

19 (d) CONDITIONS OF FUNDING.—

20 (1) GRANTS.—Section 24405 of title 49, United
21 States Code, is amended—

22 (A) by striking “15 days” and inserting
23 “30 days” in subsection (a)(4)(B); and

24 (B) in subsection (a), by adding at the end
25 the following:

1 “(12) Not later than 1 year after the date of enact-
2 ment of the Passenger Rail Reform and Investment Act
3 of 2015, and annually thereafter, the Secretary shall
4 transmit to the Committee on Commerce, Science, and
5 Transportation of the Senate and the Committee on
6 Transportation and Infrastructure of the House of Rep-
7 resentatives a report listing any waiver issued under this
8 section during the preceding year.”.

9 (2) RRIF.—Section 502(h)(3) of the Railroad
10 Revitalization and Regulatory Reform Act of 1976
11 (45 U.S.C. 822(h)(3)) is amended—

12 (A) by striking “and” at the end of sub-
13 paragraph (A);

14 (B) by striking the period at the end of
15 subparagraph (B) and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(C) the requirements of section 24405(a) of
18 title 49, United States Code.”.

19 **SEC. 304. LARGE CAPITAL PROJECT REQUIREMENTS.**

20 Section 24402 of title 49, United States Code, is
21 amended by adding at the end the following subsection:

22 “(m) LARGE CAPITAL PROJECT REQUIREMENTS.—

23 “(1) IN GENERAL.—For a grant awarded under
24 this chapter for an amount in excess of
25 \$1,000,000,000, the following conditions shall apply:

1 “(A) The Secretary of Transportation shall
2 not obligate any funding unless the applicant
3 demonstrates to the satisfaction of the Sec-
4 retary that it has committed and will be able to
5 fulfill the non-Federal share required for the
6 grant within the applicant’s proposed project
7 completion timetable.

8 “(B) The Secretary shall not obligate any
9 funding for work activities that occur after the
10 completion of final design unless—

11 “(i) the applicant transmits to the
12 Secretary a financial plan that generally
13 identifies the sources of the non-Federal
14 funding required for any subsequent seg-
15 ments or phases of the corridor service de-
16 velopment program covering the project for
17 which the grant is made;

18 “(ii) the grant will result in a useable
19 segment, a transportation facility, or
20 equipment, that has operational independ-
21 ence; and

22 “(iii) the intercity passenger rail bene-
23 fits anticipated to result from the grant,
24 such as increased speed, improved on-time
25 performance, reduced trip time, increased

1 frequencies, new service, safety improve-
2 ments, improved accessibility, or other sig-
3 nificant enhancements are detailed by the
4 grantee and approved by the Secretary.

5 “(C) The Secretary shall ensure that the
6 project is maintained to the level of utility that
7 is necessary to support the benefits approved
8 under subparagraph (B)(iii) for a period of 20
9 years from the date the useable segment, trans-
10 portation facility, or equipment described in
11 subparagraph (B)(ii) is placed in service. If the
12 project property is not maintained as required
13 by this subparagraph for a period of time in ex-
14 cess of 12 months, then a pro-rata share of the
15 Federal contribution, based upon the percent-
16 age remaining of the 20-year period that com-
17 menced when the project property was placed in
18 service, shall be refunded.

19 “(2) EARLY WORK.—The Secretary may allow a
20 grantee subject to this subsection to engage in at-
21 risk work activities subsequent to the conclusion of
22 final design where the Secretary determines that
23 such work activities are reasonable and necessary.”.

1 **SEC. 305. SMALL BUSINESS PARTICIPATION STUDY.**

2 (a) STUDY.—The Secretary of Transportation shall
3 conduct a nationwide disparity and availability study on
4 the availability and use of small business concerns owned
5 and controlled by socially and economically disadvantaged
6 individuals and veteran-owned small businesses in pub-
7 lically funded intercity rail passenger transportation (as
8 defined in section 24102 of title 49, United States Code)
9 projects administered by the Federal Railroad Administra-
10 tion.

11 (b) REPORT.—Not later than 2 years after the date
12 of enactment of this Act, the Secretary shall transmit to
13 the Committee on Transportation and Infrastructure of
14 the House of Representatives and the Committee on Com-
15 merce, Science, and Transportation of the Senate a report
16 containing the results of the study conducted under sub-
17 section (a).

18 (c) DEFINITIONS.—In this section:

19 (1) SMALL BUSINESS CONCERN.—

20 (A) IN GENERAL.—The term “small busi-
21 ness concern” means a small business concern
22 as the term is used in section 3 of the Small
23 Business Act (15 U.S.C. 632).

24 (B) EXCLUSIONS.—The term “small busi-
25 ness concern” does not include any concern or
26 group of concerns controlled by the same so-

1 cially and economically disadvantaged individual
2 or individuals that have average annual gross
3 receipts during the preceding 3 fiscal years in
4 excess of \$22,410,000, as adjusted annually by
5 the Secretary for inflation.

6 (2) SOCIALLY AND ECONOMICALLY DISADVAN-
7 TAGED INDIVIDUAL.—The term “socially and eco-
8 nomically disadvantaged individual” has the mean-
9 ing given the term in section 8(d) of the Small Busi-
10 ness Act (15 U.S.C. 637(d)) and relevant subcon-
11 tracting regulations issued pursuant to that Act, ex-
12 cept that women shall be presumed to be socially
13 and economically disadvantaged individuals for pur-
14 poses of this section.

15 (3) VETERAN-OWNED SMALL BUSINESS.—

16 (A) IN GENERAL.—The term “veteran-
17 owned small business” has the meaning given
18 the term “small business concern owned and
19 controlled by veterans” in section 3(q)(3) of the
20 Small Business Act (15 U.S.C. 632(q)(3)).

21 (B) EXCLUSIONS.—The term “veteran-
22 owned small business” does not include any
23 concern or group of concerns controlled by the
24 same veterans that have average annual gross
25 receipts during the preceding 3 fiscal years in

1 excess of \$22,410,000 as adjusted annually by
2 the Secretary for inflation.

3 (d) FUNDING.—Of the total amount made available
4 to the Office of the Secretary of the Department of Trans-
5 portation and the Federal Railroad Administration, for
6 each of fiscal years 2016 and 2017, \$3,000,000 shall be
7 used to implement the requirements of this section.

8 **SEC. 306. GULF COAST RAIL SERVICE WORKING GROUP.**

9 (a) IN GENERAL.—Not later than 90 days after the
10 date of enactment of this Act, the Federal Railroad Ad-
11 ministration shall convene a working group to evaluate the
12 restoration of intercity rail passenger service in the Gulf
13 Coast region between New Orleans, Louisiana, and Or-
14 lando, Florida.

15 (b) MEMBERSHIP.—The working group shall consist
16 of representatives of—

17 (1) Amtrak;

18 (2) the States along the proposed route or
19 routes;

20 (3) regional transportation planning organiza-
21 tions and metropolitan planning organizations, mu-
22 nicipalities, and communities along the proposed
23 route or routes, selected by the Administrator of the
24 Federal Railroad Administration;

25 (4) the Southern Rail Commission;

1 (5) freight railroad carriers whose tracks may
2 be used for such service; and

3 (6) other entities determined appropriate by the
4 Administrator.

5 (c) RESPONSIBILITIES.—The working group shall—

6 (1) evaluate all options for restoring intercity
7 rail passenger service in the Gulf Coast region, in-
8 cluding options outlined in the report transmitted to
9 Congress pursuant to section 226 of the Passenger
10 Rail Investment and Improvement Act of 2008
11 (Public Law 110–432);

12 (2) select a preferred option for restoring such
13 service;

14 (3) develop a prioritized inventory of capital
15 projects and other actions required to restore such
16 service and cost estimates for such projects or ac-
17 tions; and

18 (4) identify Federal and non-Federal funding
19 sources required to restore such service, including
20 options for entering into public-private partnerships
21 to restore such service.

22 (d) REPORT.—Not later than 9 months after the date
23 of enactment of this Act, the working group shall transmit
24 to the Committee on Transportation and Infrastructure
25 in the House of Representatives and the Committee on

1 Commerce, Science, and Transportation in the Senate a
2 report that includes—

3 (1) the preferred option selected under sub-
4 section (c)(2) and the reasons for selecting such op-
5 tion;

6 (2) the information described in subsection
7 (c)(3);

8 (3) the funding sources identified under sub-
9 section (c)(4);

10 (4) the costs and benefits of restoring intercity
11 rail passenger transportation in the region; and

12 (5) any other information the working group
13 determines appropriate.

14 **SEC. 307. MISCELLANEOUS.**

15 (a) TITLE 49 AMENDMENTS.—Title 49, United
16 States Code, is amended—

17 (1) in section 22106(b), by striking “interest
18 thereof” and inserting “interest thereon”;

19 (2) in section 24101(b), by striking “subsection
20 (d)” and inserting “subsection (c)”; and

21 (3) in section 24706—

22 (A) in subsection (a)(1), by striking “a dis-
23 continuance under section 24704 or or”;

24 (B) in subsection (a)(2), by striking “sec-
25 tion 24704 or”; and

1 (C) in subsection (b), by striking “section
2 24704 or”.

3 (b) TABLE OF SECTIONS AMENDMENT.—The item
4 relating to section 24316 in the table of sections for chap-
5 ter 243 of such title is amended by striking “Plan to as-
6 sist” and inserting “Plans to address needs of”.

7 (c) PASSENGER RAIL INVESTMENT AND IMPROVE-
8 MENT ACT AMENDMENTS.—Section 305 of the Passenger
9 Rail Investment and Improvement Act of 2008 (49 U.S.C.
10 24101 note) is amended—

11 (1) in subsection (a), by inserting after “equip-
12 ment manufacturers,” the following: “nonprofit or-
13 ganizations representing employees who perform
14 overhaul and maintenance of passenger railroad
15 equipment,”;

16 (2) in subsection (c), by striking “, and may es-
17 tablish a corporation, which may be owned or joint-
18 ly-owned by Amtrak, participating States, or other
19 entities, to perform these functions”; and

20 (3) in subsection (e), by striking “and estab-
21 lishing a jointly-owned corporation to manage that
22 equipment”.

23 **SEC. 308. NORTHEAST CORRIDOR EXPRESS SERVICE.**

24 (a) REPORT.—Not later than 180 days after the date
25 of enactment of this Act, the Northeast Corridor Infra-

1 structure and Operations Advisory Committee, in con-
2 sultation with Amtrak, shall transmit to the Committee
3 on Transportation and Infrastructure of the House of
4 Representatives and the Committee on Commerce,
5 Science, and Transportation of the Senate a report that
6 analyzes the implementation of nonstop, high-speed ex-
7 press passenger rail service between Washington, District
8 of Columbia, and New York, New York, and between New
9 York, New York, and Boston, Massachusetts. The report
10 shall consider—

11 (1) estimated trip time, ridership, revenue, total
12 cost, capacity, and other metrics for each service;

13 (2) impacts on existing Amtrak and commuter
14 rail services; and

15 (3) impacts on Northeast Corridor infrastruc-
16 ture.

17 (b) CONSIDERATION.—Not later than 90 days after
18 the transmittal of the report required under subsection
19 (a), the Amtrak Board of Directors shall consider imple-
20 menting such services.

21 **TITLE IV—PROJECT DELIVERY**

22 **SEC. 401. PROJECT DELIVERY RULEMAKING.**

23 (a) RULEMAKING.—Not later than 1 year after the
24 date of enactment of this Act, the Secretary shall begin

1 a rulemaking to govern the Federal review, permitting,
2 and approval or disapproval of—

3 (1) freight railroad and intercity rail passenger
4 transportation infrastructure projects, including
5 those that are carried out or planned to be carried
6 out with the use of Federal funds administered by
7 the Department of Transportation through a grant,
8 contract, loan, or other financing instrument; and

9 (2) commuter rail passenger transportation (as
10 defined in section 24102(3) of title 49, United
11 States Code) infrastructure projects that are funded
12 in whole or in part through a direct loan or loan
13 guarantee under title V of the Railroad Revitaliza-
14 tion and Regulatory Reform Act of 1976 (45 U.S.C.
15 801 et seq.).

16 (b) DEADLINE.—The Secretary shall complete the
17 rulemaking required under subsection (a) not later than
18 2 years after the date of enactment of this Act.

19 (c) REQUIREMENTS AND CONSIDERATIONS.—The
20 rulemaking under subsection (a) shall include procedures
21 that—

22 (1) reduce the aggregate time for review and
23 permitting of infrastructure projects described under
24 subsection (a) while preserving existing statutory re-

1 requirements for public comment or assessing the im-
2 pact of a proposed project;

3 (2) institutionalize or expand best practices or
4 process improvements that agencies are already im-
5 plementing to improve the efficiency of reviews;

6 (3) identify high-performance attributes of in-
7 frastructure projects described under subsection (a)
8 that demonstrate how projects seek to advance exist-
9 ing statutory and policy objectives, thereby facili-
10 tating a more efficient review and permitting proc-
11 ess;

12 (4) create a process to invite Federal agencies
13 and State, local, and tribal governments to partici-
14 pate in the review process, expand coordination with
15 such agencies and governments, and require the
16 identification as early as practicable in the process
17 of any—

18 (A) Federal agency or State, local, or trib-
19 al government with jurisdiction over the project
20 or required by law to conduct or issue a review
21 or make a determination with regard to the
22 project; and

23 (B) review, analysis, opinion, and permit,
24 license, or approval required for the project;

25 (5) create process efficiencies, including—

1 (A) designating Federal agencies and
2 State, local, and tribal governments as cooper-
3 ating and participating agencies;

4 (B) conducting concurrent and integrated
5 reviews, analyses, opinions, and permits, li-
6 censes, or approvals to the maximum extent
7 practicable;

8 (C) establishing timelines, in coordination
9 with affected Federal agencies, for completion
10 of those reviews, analyses, opinions, and per-
11 mits, licenses, or approvals;

12 (D) developing a coordination plan and
13 schedule, in coordination with affected Federal
14 agencies, for participation in the review by Fed-
15 eral agencies, State, local, and tribal govern-
16 ments, and the public; and

17 (E) implementing a process to effectively
18 identify and resolve issues that may affect com-
19 pletion of reviews in a timely manner;

20 (6) effectively engage the public and interested
21 stakeholders as early in the review process as pos-
22 sible;

23 (7) include opportunities to use existing share-
24 in-cost authorities and other nonappropriated fund-

1 ing sources to support early coordination and project
2 review;

3 (8) expand the use of information technology
4 tools and identify priority areas for information
5 technology investment to replace paperwork proc-
6 esses, enhance effective project siting decisions, en-
7 hance interagency collaboration, and improve the
8 monitoring of project impacts and mitigation com-
9 mitments;

10 (9) ensure that documents developed under the
11 procedures are adopted and used by other Federal
12 agencies, and State, local, and tribal governments, to
13 the maximum extent practicable, to eliminate redun-
14 dancy and duplicative reviews;

15 (10) include improvements to mitigation policies
16 to provide added predictability, facilitate landscape-
17 scale mitigation based on conservation plans and re-
18 gional environmental assessments, facilitate inter-
19 agency mitigation plans where appropriate, ensure
20 accountability and long-term effectiveness of mitiga-
21 tion activities, and utilize innovative mechanisms
22 where appropriate; and

23 (11) develop a process for periodically consid-
24 ering expansion of categorical exclusions for infra-
25 structure projects described under subsection (a)

1 that conform to those of other modal administra-
2 tions.

3 **SEC. 402. HISTORIC PRESERVATION OF RAILROADS.**

4 (a) IN GENERAL.—Not later than 12 months after
5 the date of enactment of this Act, the Secretary, in con-
6 sultation with appropriate Federal agencies, including the
7 Advisory Council on Historic Preservation, the National
8 Conference of State Historic Preservation Officers, the
9 National Association of Tribal Historic Preservation Offi-
10 cers, and nongovernmental stakeholders representing the
11 railroad industry and historic preservation concerns,
12 shall—

13 (1) administratively pursue program alter-
14 natives (as that term is used in 36 CFR 800.14) to
15 promote a consistent approach in the treatment of
16 railroad and rail-related properties for historic pres-
17 ervation review under section 106 of the National
18 Historic Preservation Act (16 U.S.C. 470f); and

19 (2) develop mechanisms for streamlining com-
20 pliance with the requirements of section 303 of title
21 49, United States Code, for railroad and rail-related
22 properties.

23 (b) CONSIDERATIONS.—In carrying out subsection
24 (a), the Secretary shall—

1 (1) consider, among other options, the develop-
2 ment of—

3 (A) programmatic agreements, program
4 comments, exempted categories of under-
5 takings, and guidance for historic reviews under
6 section 106 of the National Historic Preserva-
7 tion Act (as those terms are used in 36 CFR
8 800.14); and

9 (B) programmatic evaluations, de minimis
10 impact determinations, and regulatory guidance
11 for reviews under section 303 of title 49,
12 United States Code (as those terms are used in
13 23 CFR 774); and

14 (2) take into account, at a minimum—

15 (A) maintenance and repair of railroad and
16 rail-related property;

17 (B) repair and replacement of bridges,
18 structures, or facilities in a like-for-like manner,
19 or when the bridge, structure, or facility is not
20 a contributing element of a historic district;

21 (C) safety-related projects, including in-
22 stallation, maintenance, and repair of positive
23 train control systems;

1 (D) management of railroad and rail-re-
2 lated properties that include both historic and
3 non-historic components;

4 (E) integration of reviews under section
5 106 of the National Historic Preservation Act,
6 reviews under section 303 of title 49, United
7 States Code, and environmental reviews; and

8 (F) consistency in treatment of railroads
9 nationwide for historic preservation purposes.

10 **TITLE V—MISCELLANEOUS**

11 **SEC. 501. DEFINITION.**

12 For purposes of this Act, the term “Secretary”
13 means the Secretary of Transportation.

14 **SEC. 502. TITLE 49 DEFINITIONS.**

15 (a) TITLE 49 AMENDMENTS.—Section 24102 of title
16 49, United States Code, is amended—

17 (1) by redesignating paragraphs (5) through
18 (9) as paragraphs (7) through (11), respectively;

19 (2) by inserting after paragraph (4) the fol-
20 lowing new paragraphs:

21 “(5) ‘long-distance route’ means a route de-
22 scribed in subparagraph (C) of paragraph (7).

23 “(6) ‘National Network’ includes long-distance
24 routes and State-supported routes.”; and

1 (3) by adding at the end the following new
2 paragraphs:

3 “(12) ‘state-of-good-repair’ means a condition
4 in which physical assets, both individually and as a
5 system, are—

6 “(A) performing at a level at least equal to
7 that called for in their as-built or as-modified
8 design specification during any period when the
9 life cycle cost of maintaining the assets is lower
10 than the cost of replacing them; and

11 “(B) sustained through regular mainte-
12 nance and replacement programs.

13 “(13) ‘State-supported route’ means a route de-
14 scribed in subparagraph (B) or (D) of paragraph
15 (7), or in section 24702, that is operated by Amtrak,
16 excluding those trains operated by Amtrak on the
17 routes described in paragraph (7)(A).”.

18 (b) CONFORMING AMENDMENTS.—Section 217 of the
19 Passenger Rail Investment and Improvement Act of 2008
20 (49 U.S.C. 24702 note) is amended by striking
21 “24102(5)(D)” and inserting “24102(7)(D)”.

22 **SEC. 503. STATE ACTION PLANS.**

23 (a) IN GENERAL.—The Secretary shall require—

24 (1) each State, other than those States identi-
25 fied pursuant to section 202 of the Rail Safety Im-

1 provement Act of 2008 (49 U.S.C. 22501 note), to
2 develop and implement, not later than 18 months
3 after the date of enactment of this Act, a State
4 grade crossing action plan; and

5 (2) each State that was identified pursuant to
6 section 202 of such Act to update its plan and sub-
7 mit to the Secretary, not later than 1 year after the
8 date of enactment of this Act, a report describing
9 what the State did to implement the plan.

10 (b) CONTENTS.—Each plan required under sub-
11 section (a) shall—

12 (1) identify specific solutions for improving
13 safety at crossings, including highway-rail grade
14 crossing closures or grade separations; and

15 (2) focus on crossings that have experienced re-
16 cent grade crossing accidents or multiple accidents,
17 or are at high risk for accidents.

18 (c) ASSISTANCE.—The Secretary shall provide assist-
19 ance to the States in developing and carrying out, as ap-
20 propriate, the plan required under subsection (a).

21 (d) CONDITIONS.—The Secretary may condition the
22 awarding of any grants under section 103 of this Act to
23 a State on the development of such State’s grade crossing
24 action plan.

1 (e) PUBLIC AVAILABILITY.—The Secretary shall
2 make each plan and report publicly available on an official
3 Internet Web site.

4 **SEC. 504. QUIET ZONE REPORT.**

5 Not later than 120 days after the date of enactment
6 of this Act, the Comptroller General shall transmit to Con-
7 gress a report evaluating the rule issued by the Federal
8 Railroad Administration on the use of locomotive horn at
9 rail crossings. Such report shall—

10 (1) evaluate the effectiveness of the rule in re-
11 ducing accidents and fatalities at rail crossings;

12 (2) evaluate the effectiveness of the rule in es-
13 tablishing quiet zones;

14 (3) identify any barriers to the establishment of
15 quiet zones; and

16 (4) estimate the costs associated with their es-
17 tablishment.

Passed the House of Representatives March 4,
2015.

Attest:

Clerk.

114TH CONGRESS
1ST SESSION

H. R. 749

AN ACT

To reauthorize Federal support for passenger rail programs, and for other purposes.