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Grant Programs

SEC. 22306. INTERSTATE RAIL COMPACTS.

(a) IN GENERAL.—Chapter 229 of title 49, United States Code (as amended by section 22305(a)), is further amended by adding at the end the following:

“§ 22910. Interstate Rail Compacts Grant Program

“(a) GRANTS AUTHORIZED.—The Secretary of Transportation shall establish a competitive grant program to provide financial assistance to entities implementing interstate rail compacts pursuant to section 410 of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24101 note) for—

“(1) costs of administration;

“(2) systems planning, including studying the impacts on freight rail operations and ridership;

“(3) promotion of intercity passenger rail operation;

“(4) preparation of applications for competitive Federal grant programs; and

“(5) operations coordination.

“(b) MAXIMUM AMOUNT.—The Secretary may not award a grant under this section in an amount exceeding \$1,000,000 per year.

“(c) SELECTION CRITERIA.—In selecting a recipient of a grant for an eligible project under this section, the Secretary shall consider—

“(1) the amount of funding received (including funding from a rail carrier (as defined in section 24102)) or other participation by State, local, and regional governments and the private sector;

“(2) the applicant’s work to foster economic development through rail service, particularly in rural communities;

“(3) whether the applicant seeks to restore service over routes formerly operated by Amtrak, including routes described in section 11304(a) of the Passenger Rail

Reform and Investment Act of 2015 (title XI of division A of Public Law 114–94);

“(4) the applicant’s dedication to providing intercity passenger rail service to regions and communities that are underserved or not served by other intercity public transportation;

“(5) whether the applicant is enhancing connectivity and geographic coverage of the existing national network of intercity passenger rail service;

“(6) whether the applicant has prepared regional rail or corridor service development plans and corresponding environmental analysis; and

“(7) whether the applicant has engaged with appropriate government entities and transportation providers to identify projects necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity passenger rail service and intercity bus service or commercial air service.

“(d) NUMERICAL LIMITATION.—The Secretary may not award grants under this section for more than 10 interstate rail compacts in any fiscal year.

“(e) OPERATOR LIMITATION.—The Secretary may only award grants under this section to applicants with eligible expenses related to intercity passenger rail service to be operated by Amtrak.

“(f) NON-FEDERAL MATCH.—The Secretary shall require each recipient of a grant under this section to provide a non-Federal match of not less than 50 percent of the eligible expenses of carrying out the interstate rail compact under this section.

“(g) REPORT.—Not later than 3 years after the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, the Secretary, after consultation with grant recipients under this section, shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

“(1) the implementation of this section;

“(2) the status of the planning efforts and coordination funded by grants awarded under this section;

“(3) the plans of grant recipients for continued implementation of the interstate rail compacts;

“(4) the status of, and data regarding, any new, restored, or enhanced rail services initiated under the interstate rail compacts; and

“(5) any legislative recommendations.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 229 of title 49, United States Code (as amended by section 22305(b)), is amended by adding at the end the following:

“22910. Interstate Rail Compacts Grant Program.”.

(c) IDENTIFICATION.—Section 410 of the Amtrak Reform and Accountability Act of 1997 (Public Law 105–22 134; 49 U.S.C. 24101 note) is amended—

- (1) in subsection (b)(2), by striking “(except funds made available for Amtrak)”;
- (2) by adding at the end the following:

“(c) NOTIFICATION REQUIREMENT.—Any State that enters into an interstate compact pursuant to subsection (a) shall notify the Secretary of Transportation of such compact not later than 60 days after it is formed. The failure of any State to notify the Secretary under this subsection shall not affect the status of the interstate compact.

“(d) INTERSTATE RAIL COMPACTS PROGRAM.—The Secretary of Transportation shall—

“(1) make available on a publicly accessible website a list of interstate rail compacts established under subsection (a) before the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021 and interstate rail compacts established after such date; and

“(2) make information regarding interstate rail compacts available to the public, including how States may establish interstate rail compacts under subsection (a), and update such information, as necessary.”.

SEC. 22307. FEDERAL-STATE PARTNERSHIP FOR INTERCITY PASSENGER RAIL GRANTS.

(a) IN GENERAL.—Section 24911 of title 49, United States Code, is amended—

(1) in the section heading, by striking “for state of good repair” and inserting “for intercity passenger rail”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (F), by striking “or” at the end;

(ii) by redesignating subsection (G) as subsection (H);

(iii) by inserting after subparagraph (F), the following:

“(G) a federally recognized Indian Tribe; or”; and

(iv) in subsection (H), as redesignated, by striking “(F)” and inserting “(G)”;

(B) by striking paragraphs (2) and (5); and

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(3) in subsection (b), by striking “with respect to qualified railroad assets” and inserting “, improve performance, or expand or establish new intercity passenger rail service, including privately operated intercity passenger rail service if an eligible applicant is involved;”;

(4) by striking subsections (c) through (e) and inserting the following:

“(c) ELIGIBLE PROJECTS.—The following capital projects, including acquisition of real property interests, are eligible to receive grants under this section:

“(1) A project to replace, rehabilitate, or repair infrastructure, equipment, or a facility used for providing intercity passenger rail service to bring such assets into a state of good repair.

“(2) A project to improve intercity passenger rail service performance, including reduced trip times, increased train frequencies, higher operating speeds, improved reliability, expanded capacity, reduced congestion, electrification, and other improvements, as determined by the Secretary.

“(3) A project to expand or establish new intercity passenger rail service.

“(4) A group of related projects described in paragraphs (1) through (3).

“(5) The planning, environmental studies, and final design for a project or group of projects described in paragraphs (1) through (4).

“(d) PROJECT SELECTION CRITERIA.—In selecting a project for funding under this section—

“(1) for projects located on the Northeast Corridor, the Secretary shall—

“(A) make selections consistent with the Northeast Corridor Project Inventory published pursuant to subsection (e)(1), unless when necessary to address materially changed infrastructure or service conditions, changes in project sponsor capabilities or commitments, or other significant changes since the completion of the most recently issued Northeast Corridor Project Inventory; and

“(B) for projects that benefit intercity and commuter rail services, only make such selections when Amtrak and the public authorities providing commuter rail passenger transportation at the eligible project location—

“(i) are in compliance with section 24905(c)(2); and

“(ii) identify funding for the intercity passenger rail share, the commuter rail share, and the local share of the eligible project before the commencement of the project;

“(2) for projects not located on the Northeast Corridor, the Secretary shall—

“(A) give preference to eligible projects—

“(i) for which Amtrak is not the sole applicant;

“(ii) that improve the financial performance, reliability, service frequency, or address the state of good repair of an Amtrak route; and

“(iii) that are identified in, and consistent with, a corridor inventory prepared under the Corridor Identification and Development Program pursuant to section 25101; and

“(B) take into account—

“(i) the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project, including—

“(I) effects on system and service performance, including as measured by applicable metrics set forth in part 273 of title 49, Code of Federal Regulations (or successor regulations);

“(II) effects on safety, competitiveness, reliability, trip or transit time, greenhouse gas emissions, and resilience;

“(III) anticipated positive economic and employment impacts, including development in areas near passenger stations, historic districts, or other opportunity zones;

“(IV) efficiencies from improved connections with other modes; and

“(V) ability to meet existing or anticipated demand;

“(ii) the degree to which the proposed project’s business plan considers potential private sector participation in the financing, construction, or operation of the proposed project;

“(iii) the applicant’s past performance in developing and delivering similar projects, and previous financial contributions;

“(iv) whether the applicant has, or will have—

“(I) the legal, financial, and technical capacity to carry out the project;

“(II) satisfactory continuing access to the equipment or facilities; and

“(III) the capability and willingness to maintain the equipment or facilities;

“(v) if applicable, the consistency of the project with planning guidance and documents set forth by the Secretary or otherwise required by law;

“(vi) whether the proposed project serves historically unconnected or underconnected communities; and

“(vii) any other relevant factors, as determined by the Secretary; and

“(3) the Secretary shall reserve—

“(A) not less than 45 percent of the amounts appropriated for grants under this section for projects not located along the Northeast Corridor, of which not less than 20 percent shall be for projects that benefit (in whole or in part) a long-distance route; and

“(B) not less than 45 percent of the amounts appropriated for grants under this section for projects listed on the Northeast Corridor project inventory published pursuant to subsection (e)(1).

“(e) LONG-TERM PLANNING.—Not later than 1 year after the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, and every 2 years thereafter, the Secretary shall create a predictable project pipeline that will assist Amtrak, States, and the public with long-term capital planning by publishing a Northeast Corridor project inventory that—

“(1) identifies capital projects for Federal investment, project applicants, and proposed Federal funding levels under this section;

“(2) specifies the order in which the Secretary will provide grant funding to projects that have identified sponsors and are located along the Northeast Corridor, including a method and plan for apportioning funds to project sponsors for the 2-year period, which may be altered by the Secretary, as necessary, if recipients are not carrying out projects in accordance with the anticipated schedule;

“(3) takes into consideration the appropriate sequence and phasing of projects described in the Northeast Corridor capital investment plan developed pursuant to section 24904(a);

“(4) is consistent with the most recent Northeast Corridor service development plan update described in section 24904(d);

“(5) takes into consideration the existing commitments and anticipated Federal, project applicant, sponsor, and other relevant funding levels for the next 5 fiscal years based on information currently available to the Secretary; and

“(6) is developed in consultation with the Northeast Corridor Commission and the owners of Northeast Corridor infrastructure and facilities.”;

(5) in subsection (f)(2), by inserting “, except as specified under paragraph (4)” after “80 percent”;

(6) in subsection (g)—

(A) in the subsection heading, by inserting “; PHASED FUNDING AGREEMENTS” after “INTENT”;

(B) in paragraph (1)—

(i) in the paragraph heading, by striking “IN GENERAL” and inserting “LETTERS OF INTENT”; and

(ii) by striking “shall, to the maximum extent practicable,” and inserting “may”;

(C) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(D) by inserting after paragraph (1) the following:

“(2) PHASED FUNDING AGREEMENTS.—

“(A) IN GENERAL.—The Secretary may enter into a phased funding agreement with an applicant if—

“(i) the project is highly rated, based on the evaluations and ratings conducted pursuant to this section and the applicable notice of funding opportunity; and

“(ii) the Federal assistance to be provided for the project under this section is more than \$80,000,000.

“(B) TERMS.—A phased funding agreement shall—

“(i) establish the terms of participation by the Federal Government in the project;

“(ii) establish the maximum amount of Federal financial assistance for the project;

“(iii) include the period of time for completing the project, even if such period extends beyond the period for which Federal financial assistance is authorized;

“(iv) make timely and efficient management of the project easier in accordance with Federal law; and

“(v) if applicable, specify when the process for complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and related environmental laws will be completed for the project.

“(C) SPECIAL FINANCIAL RULES.—

“(i) IN GENERAL.—A phased funding agreement under this paragraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for

commitments under this paragraph, to obligate an additional amount from future available budget authority specified in law.

“(ii) STATEMENT OF CONTINGENT COMMITMENT.—The agreement shall state that the contingent commitment is not an obligation of the Government.

“(iii) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out a part of the project within a reasonable time are a cost of carrying out the project under a phased funding agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing. The applicant shall certify, to the satisfaction of the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

“(iv) FAILURE TO CARRY OUT PROJECT.—If an applicant does not carry out the project for reasons within the control of the applicant, the applicant shall repay all Federal grant funds awarded for the project from all Federal funding sources, for all project activities, facilities, and equipment, plus reasonable interest and penalty charges allowable by law or established by the Secretary in the phased funding agreement. For purposes of this clause, a process for complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that results in the selection of the no build alternative is not within the applicant’s control.

“(v) CREDITING OF FUNDS RECEIVED.—Any funds received by the Government under this paragraph, except for interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.”;

(E) in paragraph (3), as redesignated—

(i) in subparagraph (A), in the matter preceding clause (i), by inserting “a phased funding agreement under paragraph (2) or” after “issuing”; and

(ii) in subparagraph (B)(i), by inserting “the phased funding agreement or” after “a copy of”; and

(F) in paragraph (4), as redesignated—

(i) by striking “An obligation” and inserting the following:

“(B) APPROPRIATIONS REQUIRED.—An obligation”;

(ii) by inserting before subparagraph (B), as added by clause (i), the following:

“(A) IN GENERAL.—The Secretary may enter into phased funding agreements under this subsection that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.”;

(7) in subsection (i), by striking “section 22905” and inserting “sections 22903 and 22905”; and

(8) by adding at the end the following:

“(j) ANNUAL REPORT ON PHASED FUNDING AGREEMENTS AND LETTERS OF INTENT.—Not later than the first Monday in February of each year, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives that includes—

“(1) a proposal for the allocation of amounts to be available to finance grants for projects under this section among applicants for such amounts;

“(2) evaluations and ratings, as applicable, for each project that has received a phased funding agreement or a letter of intent; and

“(3) recommendations for each project that has received a phased funding agreement or a letter of intent for funding based on the evaluations and ratings, as applicable, and on existing commitments and anticipated funding levels for the next 3 fiscal years based on information currently available to the Secretary.

“(k) REGIONAL PLANNING GUIDANCE CORRIDOR PLANNING.—The Secretary may withhold up to 5 percent of the total amount made available for this section to carry out planning and development activities related to section 25101, including—

“(1) providing funding to public entities for the development of service development plans selected under the Corridor Identification and Development Program;

“(2) facilitating and providing guidance for intercity passenger rail systems planning; and

“(3) providing funding for the development and refinement of intercity passenger rail systems planning analytical tools and models.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 249 of title 49, United States Code, is amended by striking the item relating to section 24911 and inserting the following:

“24911. Federal-State partnership for intercity passenger rail.”

Policies and Reform

SEC. 22202. COMPOSITION OF AMTRAK’S BOARD OF DIRECTORS.

(a) SELECTION; COMPOSITION; CHAIR.—Section 24302(a) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “President” and inserting “Chief Executive Officer”; and

(B) in subparagraph (C), by inserting “, at least 1 of whom shall be an individual with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)) who has a demonstrated history of, or experience with, accessibility, mobility, and inclusive transportation in passenger rail or commuter rail” before the period at the end;

(2) in paragraph (2), by striking “and try to provide adequate and balanced representation of the major geographic regions of the United States served by Amtrak”;

(3) by redesignating paragraph (5) as paragraph (7); and

(4) by striking paragraph (4) and inserting the following:

“(4) Of the individuals appointed pursuant to paragraph (1)(C)—

“(A) 2 individuals shall reside in or near a location served by a regularly scheduled Amtrak service along the Northeast Corridor;

“(B) 4 individuals shall reside in or near regions of the United States that are geographically distributed outside of the Northeast Corridor, of whom—

“(i) 2 individuals shall reside in States served by a long-distance route operated by Amtrak;

“(ii) 2 individuals shall reside in States served by a State-supported route operated by Amtrak; and

“(iii) an individual who resides in a State that is served by a State-supported route and a long-distance route may be appointed to serve either position referred to in clauses (i) and (ii);

“(C) 2 individuals shall reside either—

“(i) in or near a location served by a regularly scheduled Amtrak service on the Northeast Corridor; or

“(ii) in a State served by long-distance or a State-supported route; and

“(D) each individual appointed to the Board pursuant to this paragraph may only fill 1 of the allocations set forth in subparagraphs (A) through (C).

“(5) The Board shall elect a chairperson and vice chairperson, other than the Chief Executive Officer of Amtrak, from among its membership. The vice chairperson shall act as chairperson in the absence of the chairperson.

“(6) The Board shall meet at least annually with—

“(A) representatives of Amtrak employees;

“(B) representatives of persons with disabilities; and

“(C) the general public, in an open meeting with a virtual attendance option, to discuss financial performance and service results.”.

(b) RULE OF CONSTRUCTION.—None of the amendments made by subsection (a) may be construed as affecting the term of any director serving on the Amtrak Board of Directors under section 24302(a)(1)(C) of title 49, United States Code, as of the date of enactment of this Act.

SEC. 22208. PASSENGER EXPERIENCE ENHANCEMENT.

(a) IN GENERAL.—Section 24305(c)(4) of title 49, United States Code, is amended by striking “only if revenues from the services each year at least equal the cost of providing the services”.

(b) FOOD AND BEVERAGE SERVICE WORKING GROUP.—

(1) IN GENERAL.—Section 24321 of title 49, United States Code, is amended to read as follows:

“§ 24321. Food and beverage service

“(a) WORKING GROUP.—

“(1) ESTABLISHMENT.—Not later than 180 days after enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, Amtrak shall establish a working group to provide recommendations to improve Amtrak’s onboard food and beverage service.

“(2) MEMBERSHIP.—The working group shall consist of individuals representing—

“(A) Amtrak;

“(B) the labor organizations representing Amtrak employees who prepare or provide onboard food and beverage service;

“(C) nonprofit organizations representing Amtrak passengers; and

“(D) States that are providing funding for State-supported routes.

“(b) REPORT.—Not later than 1 year after the establishment of the working group pursuant to subsection (a), the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives containing recommendations for improving Amtrak’s food and beverage service, including—

“(1) ways to improve the financial performance of Amtrak;

“(2) ways to increase and retain ridership;

“(3) the differing needs of passengers traveling on long-distance routes, State supported routes, and the Northeast Corridor;

“(4) Amtrak passenger survey data about the food and beverages offered on Amtrak trains;

“(5) ways to incorporate local food and beverage items on State-supported routes; and

“(6) any other issue that the working group determines to be appropriate.

“(c) IMPLEMENTATION.—Not later than 180 days after the submission of the report pursuant to subsection (b), Amtrak shall submit a plan for implementing the recommendations of the working group, and an explanation for any of the working group’s recommendations it does not agree with and does not plan on implementing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(d) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee who held a position on a long-distance or Northeast Corridor route as of the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, is involuntarily separated because of the development and implementation of the plan required under this section.”.

(2) CLERICAL AMENDMENT.—The analysis for chapter 243 of title 49, United States Code, is amended by striking the item relating to section 24321 and inserting the following:

“24321. *Food and beverage service.*”.

SEC. 22214. AMTRAK DAILY LONG-DISTANCE SERVICE STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study to evaluate the restoration of daily intercity rail passenger service along—

(1) any Amtrak long-distance routes that, as of the date of enactment of this Act, were discontinued; and

(2) any Amtrak long-distance routes that, as of the date of enactment of this Act, occur on a nondaily basis.

(b) INCLUSIONS.—The study under subsection (a) shall—

(1) evaluate all options for restoring or enhancing to daily-basis intercity rail passenger service along each Amtrak route described in that subsection;

(2) select a preferred option for restoring or enhancing the service described in paragraph (1);

(3) develop a prioritized inventory of capital projects and other actions that are required to restore or enhance the service described in paragraph (1), including cost estimates for those projects and actions;

(4) develop recommendations for methods by which Amtrak could work with local communities and organizations to develop activities and programs to continuously improve public use of intercity passenger rail service along each route; and

(5) identify Federal and non-Federal funding sources required to restore or enhance the service described in paragraph (1), including—

(A) increased Federal funding for Amtrak based on applicable reductions or discontinuations in service; and

(B) options for entering into public-private partnerships to restore that service.

(c) OTHER FACTORS WHEN CONSIDERING EXPANSIONS.—In evaluating intercity passenger rail routes under this section, the Secretary may evaluate potential new Amtrak long-distance routes, including with specific attention provided to routes in service as of April 1971 but not continued by Amtrak, taking into consideration whether those new routes would—

(1) link and serve large and small communities as part of a regional rail network;

(2) advance the economic and social well-being of rural areas of the United States;

(3) provide enhanced connectivity for the national long-distance passenger rail system; and

(4) reflect public engagement and local and regional support for restored passenger rail service.

(d) CONSULTATION.—In conducting the study under this section, the Secretary shall consult, through working groups or other forums as the Secretary determines to be appropriate, with—

(1) Amtrak;

(2) each State along a relevant route;

(3) regional transportation planning organizations and metropolitan planning organizations, municipalities, and communities along those relevant routes, to be selected by the Secretary;

(4) host railroad carriers the tracks of which may be used for a service described in subsection (a);

(5) organizations representing onboard Amtrak employees;

(6) nonprofit organizations representing Amtrak passengers;

(7) relevant regional passenger rail authorities and federally recognized Indian Tribes; and

(8) such other entities as the Secretary may select.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the preferred options selected under subsection (b)(2), including the reasons for selecting each option;

(2) the information described in subsection (b)(3);

(3) the funding sources identified pursuant to subsection (b)(5);

(4) the estimated costs and public benefits of restoring or enhancing intercity rail passenger transportation in the region impacted for each relevant Amtrak route; and

(5) any other information the Secretary determines to be appropriate.

(f) FUNDING.—There are authorized to be appropriated to the Secretary to conduct the study under this section and to carry out the consultations required by sub10 section (d)—

(1) \$7,500,000 for fiscal year 2022; and

(2) \$7,500,000 for fiscal year 2023.

SEC. 22308. CORRIDOR IDENTIFICATION AND DEVELOPMENT PROGRAM

(a) IN GENERAL.—Part C of subtitle V of title 49, United States Code, is amended by adding at the end the following:

“CHAPTER 251—PASSENGER RAIL PLANNING

“Sec. “25101. Corridor Identification and Development Program.

“§ 25101. Corridor Identification and Development Program

“(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Passenger Rail Expansion and Rail Safety Act of 2021, the Secretary of Transportation shall establish a program to facilitate the development of intercity passenger rail corridors. The program shall include—

“(1) a process for eligible entities described in subsection (b) to submit proposals for the development of intercity passenger rail corridors;

“(2) a process for the Secretary to review and select proposals in accordance with subsection (c);

“(3) criteria for determining the level of readiness for Federal financial assistance of an intercity passenger rail corridor, which shall include—

“(A) identification of a service operator which may include Amtrak or private rail carriers;

“(B) identification of a service sponsor or sponsors;

“(C) identification capital project sponsors;

“(D) engagement with the host railroads; and

“(E) other criteria as determined appropriate by the Secretary;

“(4) a process for preparing service development plans in accordance with subsection (d), including the identification of planning funds, such as funds made available under section 24911(k) and interstate rail compact grants established under section 22210;

“(5) the creation of a pipeline of intercity passenger rail corridor projects under subsection (g);

“(6) planning guidance to achieve the purposes of this section, including guidance for intercity passenger rail corridors not selected under this section; and

“(7) such other features as the Secretary considers relevant to the successful development of intercity passenger rail corridors.

“(b) ELIGIBLE ENTITIES.—The Secretary may receive proposals under this section from Amtrak, States, groups of States, entities implementing interstate compacts, regional passenger rail authorities, regional planning organizations, political subdivisions of a State, federally recognized Indian Tribes, and other public entities, as determined by the Secretary.

“(c) CORRIDOR SELECTION.—In selecting intercity passenger rail corridors pursuant to subsection (a), the Secretary shall consider—

“(1) whether the route was identified as part of a regional or interregional intercity passenger rail systems planning study;

“(2) projected ridership, revenues, capital investment, and operating funding requirements;

“(3) anticipated environmental, congestion mitigation, and other public benefits;

“(4) projected trip times and their competitiveness with other transportation modes;

“(5) anticipated positive economic and employment impacts, including development in the areas near passenger stations, historic districts, or other opportunity zones;

“(6) committed or anticipated State, regional transportation authority, or other non-Federal funding for operating and capital costs;

“(7) benefits to rural communities;

“(8) whether the corridor is included in a State’s approved State rail plan developed pursuant to chapter 227;

“(9) whether the corridor serves historically unserved or underserved and low-income communities or areas of persistent poverty;

“(10) whether the corridor would benefit or improve connectivity with existing or planned transportation services of other modes;

“(11) whether the corridor connects at least 2 of the 100 most populated metropolitan areas;

“(12) whether the corridor would enhance the regional equity and geographic diversity of intercity passenger rail service;

“(13) whether the corridor is or would be integrated into the national rail passenger transportation system and whether the corridor would create benefits for other passenger rail routes and services; and

“(14) whether a passenger rail operator, including a private rail carrier, has expressed support for the corridor.

“(d) SERVICE DEVELOPMENT PLANS.—For each corridor proposal selected for development under this section, the Secretary shall partner with the entity that submitted the proposal, relevant States, and Amtrak, as appropriate, to prepare a service development plan (or to update an existing service development plan), which shall include—

“(1) a detailed description of the proposed intercity passenger rail service, including train frequencies, peak and average operating speeds, and trip times;

“(2) a corridor project inventory that—

“(A) identifies the capital projects necessary to achieve the proposed intercity passenger rail service, including—

“(i) the capital projects for which Federal investment will be sought;

“(ii) the likely project applicants; and

“(iii) the proposed Federal funding levels;

“(B) specifies the order in which Federal funding will be sought for the capital projects identified under subparagraph (A), after considering the appropriate sequence and phasing of projects based on the anticipated availability of funds; and

“(C) is developed in consultation with the entities listed in subsection (e);

- “(3) a schedule and any associated phasing of projects and related service initiation or changes;
- “(4) project sponsors and other entities expected to participate in carrying out the plan;
- “(5) a description of how the corridor would comply with Federal rail safety and security laws, orders, and regulations;
- “(6) the locations of existing and proposed stations;
- “(7) the needs for rolling stock and other equipment;
- “(8) a financial plan identifying projected—
 - “(A) annual revenues;
 - “(B) annual ridership;
 - “(C) capital investments before service could be initiated;
 - “(D) capital investments required to maintain service;
 - “(E) annual operating and costs; and
 - “(F) sources of capital investment and operating financial support;
- “(9) a description of how the corridor would contribute to the development of a multi-State regional network of intercity passenger rail;
- “(10) an intermodal plan describing how the new or improved corridor facilitates travel connections with other passenger transportation services;
- “(11) a description of the anticipated environmental benefits of the corridor; and
- “(12) a description of the corridor’s impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.

“(e) CONSULTATION.—In partnering on the preparation of a service development plan under subsection (d), the Secretary shall consult with—

- “(1) Amtrak;
- “(2) appropriate State and regional transportation authorities and local officials;
- “(3) representatives of employee labor organizations representing railroad and other appropriate employees;
- “(4) host railroads for the proposed corridor; and
- “(5) other stakeholders, as determined by the Secretary.

“(f) UPDATES.—Every 5 years, after the initial development of the service development plan under subsection (d), if at least 40 percent of the work to implement a service development plan prepared under subsection (d) has not yet been completed, the plan’s sponsor, in consultation with the Secretary, shall determine whether such plan should be updated.

“(g) PROJECT PIPELINE.—Not later than 1 year after the establishment of the program under this section, and by February 1st of each year thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the Senate, and the Committee on Transportation and

Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives a project pipeline, in accordance with this section, that—

“(1) identifies intercity passenger rail corridors selected for development under this section;

“(2) identifies capital projects for Federal investment, project applicants, and proposed Federal funding levels, as applicable, consistent with the corridor project inventory;

“(3) specifies the order in which the Secretary would provide Federal financial assistance, subject to the availability of funds, to projects that have identified sponsors, including a method and plan for apportioning funds to project sponsors for a 5-year period, which may be altered by the Secretary, as necessary, if recipients are not carrying out projects on the anticipated schedule;

“(4) takes into consideration the appropriate sequence and phasing of projects described in the corridor project inventory;

“(5) takes into consideration the existing commitments and anticipated Federal, project applicant, sponsor, and other relevant funding levels for the next 5 fiscal years based on information currently available to the Secretary;

“(6) is prioritized based on the level of readiness of the corridor; and

“(7) reflects consultation with Amtrak.

“(h) DEFINITION.—In this section, the term ‘intercity passenger rail corridor’ means—

“(1) a new intercity passenger rail route of less than 750 miles;

“(2) the enhancement of an existing intercity passenger rail route of less than 750 miles;

“(3) the restoration of service over all or portions of an intercity passenger rail route formerly operated by Amtrak; or

“(4) the increase of service frequency of a long distance intercity passenger rail route.”.

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle V of title 49, United States Code, is amended by inserting after the item relating to chapter 249 the following:

“Chapter 251. Passenger rail planning25101”.