

119TH CONGRESS
2D SESSION

H. R. 9036

To amend chapter 261 of title 49, United States Code, to provide for high-speed rail corridor development, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2026

Mr. MOULTON (for himself, Ms. DELBENE, Mr. GARCIA of California, Mr. BOYLE of Pennsylvania, Mr. JOHNSON of Georgia, Mrs. RAMIREZ, Mr. DELUZIO, Mr. DOGGETT, Ms. BONAMICI, Mr. FROST, Mr. GOLDMAN of New York, Mr. GARCÍA of Illinois, Mrs. WATSON COLEMAN, Mr. KENNEDY of New York, Mr. MULLIN, Mrs. FOUSHEE, Ms. MCCLELLAN, Mr. BEYER, Mr. CLEAVER, Ms. TLAIB, Mr. THANEDAR, Mr. DAVIS of Illinois, Mr. SMITH of Washington, Mr. LARSON of Connecticut, Ms. GARCIA of Texas, Mr. EVANS of Pennsylvania, Ms. NORTON, Ms. OCASIO-CORTEZ, Mr. CARSON, Mr. COHEN, Mr. GOTTHEIMER, Ms. MCBRIDE, Mr. JACKSON of Illinois, Mr. CASTEN, Mr. SUOZZI, Ms. SALINAS, Mr. VARGAS, Ms. OMAR, Ms. SCHAKOWSKY, Mr. TAKANO, Mr. FIGURES, Ms. LOFGREN, Mr. AUCHINCLOSS, Mr. MCGARVEY, Ms. MEJIA, Mrs. MCIVER, Mr. MCGOVERN, and Mrs. TRAHAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend chapter 261 of title 49, United States Code, to provide for high-speed rail corridor development, 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.**

2 This Act may be cited as the “American High-Speed
3 Rail Act”.

4 **SEC. 2. AMENDMENTS TO CERTAIN HIGH-SPEED RAIL AS-**
5 **SISTANCE PROVISIONS.**

6 (a) **APPLICABILITY.**—Amendments made by this Act,
7 and the applications of such amendments to other persons
8 or circumstances, to chapter 261 shall apply to any Fed-
9 eral assistance provided on or after the date of the enact-
10 ment of this Act.

11 (b) **HIGH-SPEED RAIL CORRIDOR PLANNING.**—Sec-
12 tion 26101 of title 49, United States Code, is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), by striking “or
15 group of public agencies for corridor planning
16 for up to 50 percent” and inserting “, a group
17 of public agencies, or a consortium composed of
18 a public agency or group of public agencies and
19 a private entity, for corridor planning for up to
20 100 percent”;

21 (B) in paragraph (2), by striking “No
22 less” and all that follows through the period at
23 the end and inserting “The Secretary shall
24 prioritize providing financial assistance for cor-
25 ridor planning activities with respect to which
26 at least 20 percent of the total costs associated

1 with eligible activities shall be from specified fi-
2 nancial sources.”; and

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

4 “(3) In this subsection, the term ‘specified financial
5 source’ means—

6 “(A) the Railroad Rehabilitation and Improve-
7 ment Finance program under chapter V of the Rail-
8 road Revitalization and Regulatory Reform Act of
9 1976 (45 U.S.C. 821 et seq.);

10 “(B) the transportation infrastructure finance
11 and innovation program in chapter 6 of title 23;

12 “(C) funding provided by the government of a
13 country that is adjacent to the international border
14 of the United States through which the proposed
15 corridor will cross;

16 “(D) a State, local, or private source; or

17 “(E) any combination of the sources described
18 in subparagraphs (A) through (D).

19 “(4) For any funds derived from the programs de-
20 scribed in subparagraphs (A) and (B) of paragraph (3)
21 that are used for costs associated with eligible activities,
22 such funds shall be repaid from State, local, or private
23 sources.”;

24 (2) in subsection (b)—

25 (A) by striking paragraph (2); and

1 (B) by striking “(1) A corridor” and in-
2 serting “A corridor”;

3 (3) in subsection (c)—

4 (A) in paragraph (13) by striking “and” at
5 the end;

6 (B) by redesignating paragraph (14) as
7 paragraph (16); and

8 (C) by inserting after paragraph (13) the
9 following:

10 “(14) impacts associated with equity, resilience,
11 sustainability, economic development, and climate;

12 “(15) the potential to serve an eligible place, as
13 such term is defined in section 41731; and”;

14 (4) by adding at the end the following sub-
15 section:

16 “(d) PROJECTS OR ACTIVITIES FOR HIGHER-SPEED
17 RAIL.—

18 “(1) IN GENERAL.—With respect to grants
19 awarded under this section, the Secretary may
20 award not more than 20 percent of grants under
21 this section for projects or activities for higher-speed
22 rail.

23 “(2) RELEVANT REQUIREMENTS.—With respect
24 to grants under paragraph (1), the Secretary may

1 apply requirements for high-speed rail to projects or
2 activities for higher-speed rail, where applicable.”.

3 (c) HIGH-SPEED RAIL TECHNOLOGY IMPROVE-
4 MENTS.—Section 26102 of title 49, United States Code,
5 is amended by adding at the end the following new sub-
6 section:

7 “(d) FACTOR TO CONSIDER.—In providing financial
8 assistance to eligible recipients under subsection (b), the
9 Secretary may consider activities that incorporate the use
10 of technologies that facilitate intermodal connections and
11 connections with other passenger rail systems.”.

12 (d) SAFETY REGULATIONS.—Section 26103(1) of
13 title 49, United States Code, is amended by striking
14 “such” and all that follows through the semicolon at the
15 end and inserting “comprehensive, performance-based reg-
16 ulations for all high-speed rail projects that shall not in-
17 hibit interoperability within the high-speed rail network;”.

18 (e) DEFINITIONS.—Section 26105 of title 49, United
19 States Code, is amended—

20 (1) in paragraph (2), by striking “of more than
21 125 miles per hour” and inserting “of 186 miles per
22 hour or more”;

23 (2) in paragraph (5), by striking “and” at the
24 end;

1 (3) in paragraph (6), by striking the period at
2 the end and inserting “; and”; and

3 (4) by adding at the end the following para-
4 graph:

5 “(7) the term ‘higher-speed rail’—

6 “(A) means all forms of nonhighway
7 ground transportation that run on rails or elec-
8 tromagnetic guideways providing transportation
9 service which is—

10 “(i) reasonably expected to reach sus-
11 tained speeds of more than 110 miles per
12 hour but less than 186 miles per hour; and

13 “(ii) made available to members of the
14 general public as passengers; and

15 “(B) does not include rapid transit oper-
16 ations within an urban area that are not con-
17 nected to the general rail system of transpor-
18 tation.”.

19 (f) HIGH-SPEED RAIL CORRIDOR DEVELOPMENT.—
20 Section 26106 of title 49, United States Code, is amend-
21 ed—

22 (1) in subsection (a), by adding at the end the
23 following: “In carrying out the program, the Sec-
24 retary may designate high-speed rail corridors.”;

25 (2) in subsection (b)—

1 (A) in paragraph (1), by striking “or Am-
 2 trak” and inserting “Amtrak, or a consortium
 3 of a private entity and one or more of any of
 4 the entities listed in this paragraph”;

5 (B) in paragraph (2), by striking the pe-
 6 riod at the end and inserting “before the date
 7 of the enactment of MAP-21 (Public Law 112-
 8 141) or a corridor designated by the Secretary
 9 under subsection (a).”;

10 (C) by striking paragraph (4); and

11 (D) by redesignating paragraphs (5) and
 12 (6) as paragraphs (4) and (5), respectively;
 13 (3) in subsection (e)—

14 (A) in paragraph (2)—

15 (i) in subparagraph (B)(i)—

16 (I) in subclause (I), by adding
 17 “and” at the end; and

18 (II) in subclause (II), by striking
 19 “and” at the end;

20 (ii) in subparagraph (B)(ii)(IV), by
 21 inserting “and” at the end; and

22 (iii) in subparagraph (C)(i)—

23 (I) in subclause (II) by inserting
 24 “, including where a grant will sup-
 25 port the plans of an Interstate Pas-

1 senger Rail Commission or other enti-
2 ty with the goal of developing a re-
3 gional passenger rail system involving
4 2 or more States” before the semi-
5 colon;

6 (II) in subclause (IV), by insert-
7 ing “electrification or” after “in-
8 volve”;

9 (III) in subclause (V), by striking
10 the semicolon and inserting “, includ-
11 ing as a result of transit-oriented de-
12 velopment, connectivity between areas
13 of high-economic development and
14 areas with a low cost of living, or the
15 agglomeration of effects along a pas-
16 senger rail corridor;”;

17 (IV) in subclause (VI) by striking
18 “and” at the end;

19 (V) by redesignating subclause
20 (VII) as subclause (IX); and

21 (VI) by inserting after subclause
22 (VI) the following:

23 “(VII) impacts associated with
24 equity, resilience, sustainability, eco-
25 nomic development and climate;

1 “(VIII) ability to serve an eligible
2 place, as such term is defined in sec-
3 tion 41731; and”; and

4 (B) in paragraph (3)—

5 (i) by striking “The Secretary” and
6 inserting “(A) The Secretary”; and

7 (ii) by adding at the end the fol-
8 lowing:

9 “(B) The Secretary shall not establish manda-
10 tory spending timelines for costs and activities asso-
11 ciated with the project.”;

12 (4) in the heading of subsection (f), by striking
13 “FEDERAL SHARE” and inserting “FUNDING”;

14 (5) in subsection (f)—

15 (A) by striking “The Federal share” and
16 all that follows and inserting the following:

17 “(1) FEDERAL SHARE.—With respect to the net
18 capital cost of a project financed under this section,
19 the Federal share of such cost may be up to 100
20 percent.”; and

21 (B) by adding at the end the following new
22 paragraph:

23 “(2) NON-FEDERAL SHARE.—

24 “(A) The Secretary shall prioritize financ-
25 ing capital projects in high-speed rail corridors

1 with respect to which at least 20 percent of the
2 project net capital cost is funded through speci-
3 fied financial sources.

4 “(B) In this section, the term ‘specified fi-
5 nancial source’ means—

6 “(i) the Railroad Rehabilitation and
7 Improvement Finance program under
8 chapter V of the Railroad Revitalization
9 and Regulatory Reform Act of 1976 (45
10 U.S.C. 821 et seq.);

11 “(ii) the transportation infrastructure
12 finance and innovation program in chapter
13 6 of title 23;

14 “(iii) funding provided by the govern-
15 ment of a country that is adjacent to the
16 international border of the United States
17 through which the proposed corridor will
18 cross;

19 “(iv) a State, local, or private source;
20 or

21 “(v) any combination of the sources
22 described in clauses (i) through (v).

23 “(C) For any funds derived from the pro-
24 grams described in clauses (i) or (ii) of sub-
25 paragraph (B) that are used to finance costs

1 associated with capital projects in high-speed
2 rail corridors, such funds shall be repaid from
3 State, local, or private sources.”;

4 (6) by striking subsection (g) and inserting the
5 following:

6 “(g) PRESIDENTIAL BORDER PERMITS.—With re-
7 spect to any project that requires construction, connection,
8 operation, or maintenance, at the international boundaries
9 of the United States, the Secretary of State shall provide
10 the applicant of such project with the necessary Presi-
11 dential permits required for such project, unless the Sec-
12 retary of State determines that the provision of such per-
13 mit would not be in the interest of national security.”; and

14 (7) by striking subsection (h) and inserting the
15 following:

16 “(h) PROJECTS OR ACTIVITIES FOR HIGHER-SPEED
17 RAIL.—

18 “(1) IN GENERAL.—With respect to grants
19 awarded under this section, the Secretary may
20 award not more than 20 percent of grants under
21 this section for projects or activities for higher-speed
22 rail.

23 “(2) RELEVANT REQUIREMENTS.—With respect
24 to grants under paragraph (1), the Secretary may

1 apply requirements for high-speed rail to projects or
2 activities for higher-speed rail, where applicable.”.

3 (g) ADVANCE ACQUISITION.—

4 (1) IN GENERAL.—Chapter 242 of title 49,
5 United States Code, is amended by inserting after
6 section 24202 the following:

7 **“§ 24203. Advance acquisition**

8 “(a) RAIL CORRIDOR PRESERVATION.—The Sec-
9 retary may allow a recipient of a grant under this part
10 or part D of this subtitle for a passenger rail project to
11 acquire right-of-way and adjacent real property interests
12 before or during the completion of the environmental re-
13 views for a project that may use such property interests
14 if the acquisition is otherwise permitted under Federal
15 law.

16 “(b) CERTIFICATION.—Before authorizing advance
17 acquisition under this section, the Secretary shall verify
18 that—

19 “(1) the recipient has authority to acquire the
20 real property interest;

21 “(2) the acquisition of the real property inter-
22 est—

23 “(A) is for a transportation purpose;

24 “(B) will not cause significant adverse en-
25 vironmental impact;

1 “(C) will not limit the choice of reasonable
2 alternatives for the proposed project or other-
3 wise influence the decision of the Secretary on
4 any approval required for the project;

5 “(D) does not prevent the lead agency
6 from making an impartial decision as to wheth-
7 er to accept an alternative that is being consid-
8 ered;

9 “(E) complies with other applicable Fed-
10 eral laws and regulations; and

11 “(F) will not result in elimination or re-
12 duction of benefits or assistance to a displaced
13 person required by the Uniform Relocation As-
14 sistance and Real Property Acquisition Policies
15 Act of 1970 (42 U.S.C. 4601 et seq.) and title
16 VI of the Civil Rights Act of 1964 (42 U.S.C.
17 2000d et seq.).

18 “(c) ENVIRONMENTAL REVIEWS.—

19 “(1) COMPLETION OF NEPA REVIEW.—Before
20 authorizing Federal funding for an acquisition of a
21 real property interest, the Secretary shall complete
22 all review processes otherwise required under the
23 National Environmental Policy Act of 1969 (42
24 U.S.C. 4321 et seq.), section 4(f) of the Department
25 of Transportation Act of 1966 (49 U.S.C. 303), and

1 section 106 of the National Historic Preservation
2 Act (16 U.S.C. 470f) with respect to the acquisition.

3 “(2) TIMING OF DEVELOPMENT ACQUISITION.—
4 A real property interest acquired under subsection
5 (a) may not be developed in anticipation of the pro-
6 posed project until all required environmental re-
7 views for the project have been completed.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions for chapter 242 of title 49, United States
10 Code, is amended by inserting after the item relating
11 to section 24202 the following:

“24203. Advance acquisition.”.

12 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 26104 of title 49, United States Code, is
14 amended—

15 (a) by amending subsection (a) to read as follows:

16 “(a) HIGH-SPEED RAIL CORRIDOR PLANNING.—
17 There is authorized to be appropriated to carry out section
18 26101 \$3,000,000,000 for each of fiscal years 2027
19 through 2031.”;

20 (b) by redesignating subsection (b) as subsection (e);
21 and

22 (c) by inserting after subsection (a) the following:

23 “(b) HIGH-SPEED RAIL TECHNOLOGY IMPROVE-
24 MENTS.—There is authorized to be appropriated to carry

1 out section 26102 \$3,000,000,000 for each of fiscal years
 2 2027 through 2031.

3 “(c) HIGH-SPEED RAIL CORRIDOR DEVELOP-
 4 MENT.—There is authorized to be appropriated to carry
 5 out section 26106 \$35,000,000,000 for each of fiscal years
 6 2027 through 2031.

7 “(d) RESTRICTION.—Not more than 20 percent of
 8 the total funds made available under sections 26101 and
 9 26106 for a fiscal year may be spent on projects or activi-
 10 ties for higher-speed passenger trains.”.

11 **SEC. 4. PILOT PROGRAM FOR TRANSIT-ORIENTED DEVEL-**
 12 **OPMENT PLANNING.**

13 Section 20005(b) of the Moving Ahead for Progress
 14 in the 21st Century Act (23 U.S.C. 101 note) is amended
 15 by adding at the end the following:

16 “(4) SPECIAL CONSIDERATION.—With respect
 17 to eligible projects involving high-speed rail corridor
 18 development, the Secretary shall give greater consid-
 19 eration to communities in which such projects are
 20 proposed to occur.

21 “(5) AUTHORIZATIONS OF APPROPRIATIONS.—
 22 There is authorized to be appropriated to carry out
 23 this subsection \$20,000,000 for each of fiscal years
 24 2027 through 2031.”.

1 **SEC. 5. PAYMENTS OF CREDIT RISK PREMIUMS.**

2 Section 22402(f) of title 49, United States Code, is
3 amended by adding at the end the following:

4 “(8) AVAILABILITY OF GRANT AMOUNTS.—
5 Amounts provided under the heading ‘Office of the
6 Secretary—National Infrastructure Investments’ in
7 the Department of Transportation Appropriations
8 Act, 2016 (title I of division L of Public Law 114–
9 113), the Transportation, Housing and Urban De-
10 velopment, and Related Agencies Appropriations
11 Act, 2018 (title I of division L of Public Law 115–
12 141), or any subsequent appropriation Act may be
13 used to pay credit risk premiums under this sub-
14 section.”.

15 **SEC. 6. ACQUIRING FREIGHT TRAIN RIGHT OF WAY.**

16 (a) IN GENERAL.—Chapter 261 of title 49, United
17 States Code, is amended by adding at the end the fol-
18 lowing:

19 **“§ 26107. Acquiring freight rail right-of-way**

20 “(a) SALE OF PROPERTY.—A rail carrier may sell,
21 grant an easement on, or lease real property to a recipient
22 of financial assistance under section 26101 or section
23 26106.

24 “(b) GRANTS FOR ACQUISITION OF ADDITIONAL
25 REAL PROPERTY ALONG RIGHT-OF-WAY.—In the case of
26 a rail carrier that sells, grants an easement, or leases

1 property under subsection (a) and that acquires additional
2 real property along the portion of the right-of-way subject
3 to such sale, grant, or lease, the Secretary of Transpor-
4 tation shall make one or more grants to such rail carrier
5 which, in the aggregate, shall not exceed the aggregate
6 amounts received by such rail carrier pursuant to such
7 sale, grant, or lease.

8 “(c) TAX TREATMENT.—

9 “(1) EXCLUSION OF GAIN, ETC.—Any gain on
10 the sale of any interest in real property described in
11 subsection (a) (including the granting of an ease-
12 ment on such real property), or any payment made
13 under any lease of such real property, shall not be
14 includible in the gross income of such rail carrier for
15 purposes of the Internal Revenue Code of 1986.

16 “(2) EXCLUSION OF GRANT AMOUNTS.—The
17 amount of grant provided under subsection (b) shall
18 not be includible in the gross income of the recipient
19 of such grant for purposes of the Internal Revenue
20 Code of 1986.

21 “(3) EXCLUSION OF CERTAIN CAPITAL IM-
22 PROVEMENTS.—Any capital investment or improve-
23 ment (including turnouts, passing track, signaling,
24 crossings, and barriers) made pursuant to section
25 26101 or section 26106 by a recipient of financial

1 assistance under such section on any real property
 2 owned by the rail carrier referred to in subsection
 3 (a) shall not be includible in the gross income of
 4 such rail carrier for purposes of the Internal Revenue Code of 1986.

6 “(d) APPLICABILITY OF LAW.—Section 28103 shall
 7 apply to property described in subsection (a).”.

8 (b) CLERICAL AMENDMENT.—The analysis for chapter 261 of title 49, United States Code, is amended by
 9 adding at the end the following:

“26107. Acquiring freight rail right-of-way.”.

11 **SEC. 7. LABOR PROTECTIONS AND WORKFORCE DEVELOPMENT.**
 12 **MENT.**

13 (a) IN GENERAL.—Section 22905 of title 49, United States Code, is amended—

15 (1) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

17 (2) by striking subsection (b) and inserting the following:

19 “(b) OPERATORS AND CERTAIN RAILROAD TRANSPORTATION SERVICE PROVIDERS DEEMED RAIL CARRIERS AND EMPLOYERS FOR CERTAIN PURPOSES.—A
 21 person that—
 22

23 “(1) conducts passenger or freight rail operations over, or
 24

1 “(2) performs work for, or in support of pas-
2 senger rail operations that is work performed by em-
3 ployees in railroad industry crafts and classes recog-
4 nized under paragraph Ninth of Section 2 of the
5 Railway Labor Act (45 U.S.C. §152 Ninth) on rail
6 infrastructure constructed or improved with funding
7 provided in whole or in part in a grant made under
8 this chapter,

9 shall be considered a rail carrier, and an employer only
10 for the purposes of making it subject to the laws of the
11 United States referred to in section 10501(c)(3)(A) of title
12 49 of the U.S. Code, and therefore shall be subject to:
13 (i) the Railroad Retirement Act of 1974 (45 U.S.C. 231
14 et seq.), (ii) the Railway Labor Act (45 U.S.C. 151 et
15 seq.), and (iii) the Railroad Unemployment Insurance Act
16 (45 U.S.C. 351 et seq.) but is not deemed to be a rail
17 carrier for the purposes of, or subject to, any other law
18 of the United States.

19 “(c) Notwithstanding section (b) above—

20 “(1) An employer engaged primarily in the
21 building and construction industry, as that term is
22 used in Section 8 (f) of the National Labor Rela-
23 tions Act (29 U.S.C. 158(f)) that is performing con-
24 struction work as a contractor for a rail carrier shall
25 not itself be considered a rail carrier solely as a re-

1 sult of performance of that work and shall be per-
2 mitted to perform the work with employees who are
3 not covered by (i) the Railroad Retirement Act of
4 1974 (45 U.S.C. 231 et seq.); (ii) the Railway Labor
5 Act (45 U.S.C. 151 et seq.); and (iii) the Railroad
6 Unemployment Insurance Act (45 U.S.C. 351 et
7 seq.).

8 The exception described in clause (1) does not apply to
9 the performance of railroad maintenance and repair work
10 that is, and has been, historically and customarily per-
11 formed by employees in railroad industry crafts and class-
12 es recognized under 45 U.S.C. §152 Ninth;

13 “(2) An employer performing work as a con-
14 tractor or subcontractor for:

15 “(A) a railroad that owns, uses, or is con-
16 tracted to perform work on, rail infrastructure
17 constructed or improved with funding provided
18 in whole or in part in a grant made under this
19 chapter, or

20 “(B) an Operator that uses such infra-
21 structure—

22 shall not itself be considered a rail carrier solely as
23 a result of performance of that work, and shall be
24 permitted to perform the work with employees who
25 are not covered by (i) the Railroad Retirement Act

1 of 1974 (45 U.S.C. 231 et seq.) (ii) the Railway
2 Labor Act (45 U.S.C. 151 et seq.); and (iii) the
3 Railroad Unemployment Insurance Act (45 U.S.C.
4 351 et seq.). when such work is performed con-
5 sistent with a collective bargaining agreement be-
6 tween the railroad or Operator and a union rep-
7 resenting employees in a railroad industry craft or
8 class recognized under paragraph Ninth of Section 2
9 of the Railway Labor Act (45 U.S.C. §152 Ninth)
10 covering work performed by that craft or class.”.

11 (b) CONFORMING AMENDMENTS.—Section 22909(j)
12 of title 49, United States Code, is amended—

13 (1) in paragraph (1) by striking “section
14 22905(f)” and inserting “section 22905(g)”; and

15 (2) in paragraph (3)(A)—

16 (A) by striking “section 22905(e)(1)” and
17 inserting “section 22905(f)(1)”; and

18 (B) by striking “section 22905(c)(2)(B)”
19 and inserting “section 22905(d)(2)(B)”.

○