

119TH CONGRESS
2D SESSION

S. 5080

To amend title 49, United States Code, to clarify the assistance available for recipients of assistance under chapter 53 of such title for acquisition of real property interests, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2026

Ms. ALSOBROOKS (for herself and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend title 49, United States Code, to clarify the assistance available for recipients of assistance under chapter 53 of such title for acquisition of real property interests, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Modal Parity in Per-
5 mitting Act”.

6 **SEC. 2. ACQUISITION OF REAL PROPERTY INTERESTS.**

7 (a) IN GENERAL.—Section 5323(q) of title 49,
8 United States Code, is amended—

1 (1) in the heading, by striking “CORRIDOR
 2 PRESERVATION” and inserting “REAL PROPERTY
 3 INTERESTS”;

4 (2) in paragraph (1)—

5 (A) by striking “right-of-way” each time it
 6 appears and inserting “real property interests”;
 7 and

8 (B) by inserting “acquired” after “may
 9 use the”; and

10 (3) in paragraph (2), by striking “Right-of-
 11 way” and inserting “Real property interests”.

12 (b) UPDATES REQUIRED.—Not later than 6 months
 13 after the date of enactment of this Act, the Administrator
 14 of the Federal Transit Administration shall update the
 15 “FTA Circular 5010.1F” (published on November 1,
 16 2024), or any successor circular or regulations, and any
 17 other relevant guidance as necessary to implement the
 18 amendments made by subsection (a).

19 **SEC. 3. PASSENGER RAIL PROJECT TRANSACTIONS.**

20 (a) IN GENERAL.—Chapter 242 of title 49, United
 21 States Code, is amended by adding at the end the fol-
 22 lowing:

23 **“§ 24203. Passenger rail project transactions**

24 “(a) ACQUISITION OF REAL PROPERTY INTERESTS
 25 DURING ENVIRONMENTAL REVIEW.—A recipient of finan-

1 cial assistance under chapter 229, 249, or 243 may use
2 such assistance to acquire, through purchase, lease, or
3 otherwise, any real property interest necessary for a
4 project before the environmental review for the project is
5 complete if the acquisition or related transaction is other-
6 wise permitted by Federal law.

7 “(b) TIMING OF DEVELOPMENT.—A real property in-
8 terest purchased, leased, or otherwise acquired under sub-
9 section (a) may not be physically developed or improved
10 in anticipation of the project until all required environ-
11 mental reviews for the project have been completed.”.

12 (b) CLERICAL AMENDMENT.—The analysis for chap-
13 ter 242 of title 49, United States Code, is amended by
14 adding at the end the following:

“24203. Passenger rail project transactions.”.

