

110TH CONGRESS  
2D SESSION

# H. R. 5644

To provide for competitive development and operation of high-speed rail corridor projects.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2008

Mr. MICA (for himself, Mr. SHUSTER, Mr. COSTA, Mr. SALAZAR, Mr. BACHUS, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BROWN of South Carolina, Mr. BUCHANAN, Mrs. CAPITO, Mr. MARIO DIAZ-BALART of Florida, Mrs. DRAKE, Mr. DUNCAN, Mr. EHLERS, Ms. FALLIN, Mr. GERLACH, Mr. GRAVES, Mr. LOBIONDO, Mr. MACK, Mrs. MILLER of Michigan, Mr. MORAN of Kansas, Mr. PLATTS, Mr. WESTMORELAND, and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To provide for competitive development and operation of high-speed rail corridor projects.

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. SOLICITATION OF PROPOSALS.**

4       (a) IN GENERAL.—

5               (1) NORTHEAST CORRIDOR.—Not later than 60  
6       days after the date of enactment of this Act, the  
7       Secretary of Transportation shall issue a request for

1 proposals for projects for the financing, design, con-  
2 struction, and operation of an initial high-speed rail  
3 system operating between Washington, DC, and  
4 New York City. Such proposals shall be submitted to  
5 the Secretary not later than 150 days after the pub-  
6 lication of such request for proposals.

7 (2) OTHER PROJECTS.—After a report is trans-  
8 mitted under section 5 with respect to projects de-  
9 scribed in paragraph (1), the Secretary of Transpor-  
10 tation may issue a request for proposals for addi-  
11 tional projects for the financing, design, construc-  
12 tion, and operation of a high-speed rail system oper-  
13 ating on any other corridor in the United States.  
14 Such proposals shall be submitted to the Secretary  
15 not later than 150 days after the publication of such  
16 request for proposals.

17 (b) CONTENTS.—A proposal submitted under sub-  
18 section (a) shall include—

19 (1) the names and qualifications of the persons  
20 submitting the proposal;

21 (2) a detailed description of the proposed route  
22 and its engineering characteristics;

23 (3) the peak and average operating speeds to be  
24 attained;

1           (4) the type of equipment to be used, including  
2 any technologies for—

3           (A) maintaining an operating speed the  
4 Secretary determines appropriate; or

5           (B) in the case of a proposal submitted  
6 under subsection (a)(1), achieving less than 2-  
7 hour express service between Washington, DC,  
8 and New York City;

9           (5) the locations of proposed stations;

10          (6) a detailed description of any proposed legis-  
11 lation needed to facilitate the project;

12          (7) a financing plan identifying—

13           (A) sources of revenue;

14           (B) the amount of any proposed public  
15 contribution toward capital costs or operations;

16           (C) ridership projections; and

17           (D) the amount of private investment;

18          (8) a description of how the project would con-  
19 tribute to the development of a national high-speed  
20 rail system, and an intermodal plan describing how  
21 the system will connect with other transportation  
22 links;

23          (9) labor protections for existing railroad em-  
24 ployees;

1           (10) provisions to ensure that the proposal will  
2       be designed to operate in harmony with existing and  
3       projected future commuter and freight service; and

4           (11) provisions for full fair market compensa-  
5       tion for any asset or service acquired from a private  
6       person or entity, except as otherwise agreed to by  
7       the private person or entity.

8       (c) DOCUMENTS.—Documents submitted or devel-  
9       oped pursuant to this section shall not be subject to sec-  
10      tion 552 of title 5, United States Code.

11   **SEC. 2. DETERMINATION OF FEASIBILITY AND ESTABLISH-**  
12                           **MENT OF COMMISSIONS.**

13       Not later than 60 days after receipt of a proposal  
14      under section 1, the Secretary of Transportation shall—

15           (1) make a determination as to whether the  
16      proposal is feasible; and

17           (2) for each corridor for which one or more fea-  
18      sible proposals are received, establish a commission  
19      under section 3.

20   **SEC. 3. COMMISSIONS.**

21       A commission referred to in section 2(2) shall consist  
22      of not more than 19 members, including—

23           (1) the governor of the affected State or States,  
24      or their respective designees;

1           (2) a rail labor representative, and a represent-  
2           ative from a rail freight carrier using the relevant  
3           corridor, appointed by the Secretary of Transpor-  
4           tation, in consultation with the chairman and rank-  
5           ing minority member of the Committee on Transpor-  
6           tation and Infrastructure of the House of Represent-  
7           atives and the Committee on Commerce, Science,  
8           and Transportation of the Senate;

9           (3) the Secretary of Transportation or his des-  
10          ignee;

11          (4) the president of Amtrak or his designee;

12          (5) the mayors of the three largest municipali-  
13          ties serviced by the proposed high-speed rail cor-  
14          ridor; and

15          (6) any other person the Secretary of Transpor-  
16          tation considers appropriate.

17 **SEC. 4. COMMISSION CONSIDERATION.**

18          (a) IN GENERAL.—Each commission established  
19          under section 2(2) shall be responsible for reviewing the  
20          proposal or proposals with respect to which the commis-  
21          sion was established, and not later than 90 days after the  
22          establishment of the commission, shall transmit to the  
23          Secretary, and to the chairman and ranking minority  
24          member of the Committee on Transportation and Infra-  
25          structure of the House of Representatives and the Com-

1 mittee on Commerce, Science, and Transportation of the  
2 Senate, a report which includes—

3 (1) a summary of each proposal received;

4 (2) a ranking of the order of the proposals ac-  
5 cording to feasibility, and cost and benefit to the  
6 public;

7 (3) an indication of which proposal or proposals  
8 are recommended by the commission; and

9 (4) an identification of any proposed legislative  
10 provisions which would facilitate implementation of  
11 the recommended project.

12 (b) VERBAL PRESENTATION.—Proposers shall be  
13 given an opportunity to make a verbal presentation to the  
14 commission to explain their proposals.

15 **SEC. 5. SELECTION BY SECRETARY.**

16 Not later than 60 days after receiving a report from  
17 a commission under section 4(a), the Secretary of Trans-  
18 portation shall transmit to the Congress a report that  
19 ranks all of the recommended proposals according to feasi-  
20 bility, and cost and benefit to the public.

21 **SEC. 6. NORTHEAST CORRIDOR ECONOMIC DEVELOPMENT**  
22 **STUDY.**

23 Not later than 9 months after the date of enactment  
24 of this Act, the Secretary of Transportation shall transmit  
25 to the Congress the results of an economic development

1 study of Amtrak's Northeast Corridor service between  
2 Washington, DC, and New York City. Such study shall  
3 examine how to achieve maximum utilization of the North-  
4 east Corridor, including—

5 (1) maximizing the assets of the Northeast Cor-  
6 ridor for potential economic development purposes;

7 (2) real estate improvement and financial re-  
8 turn;

9 (3) improved commuter and freight services;

10 (4) optimum utility utilization in conjunction  
11 with potential separated high-speed rail passenger  
12 services; and

13 (5) any other means of maximizing the eco-  
14 nomic potential of the Northeast Corridor.

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