

112TH CONGRESS  
2D SESSION

# H. R. 4272

To authorize the Secretary of Transportation to make capital grants for  
certain freight rail economic development projects.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2012

Mr. NADLER introduced the following bill; which was referred to the  
Committee on Transportation and Infrastructure

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## A BILL

To authorize the Secretary of Transportation to make capital  
grants for certain freight rail economic development 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. SHORT TITLE.**

4       This Act may be cited as the “Freight Rail Economic  
5       Development Act of 2012”.

6       **SEC. 2. CAPITAL GRANTS FOR FREIGHT RAIL ECONOMIC**  
7       **DEVELOPMENT PROJECTS.**

8       (a) ESTABLISHMENT OF PROGRAM.—The Secretary  
9       of Transportation shall carry out a program for making

1 capital grants to construct freight rail switches and sid-  
2 ings to encourage economic development.

3 (b) PROVISION OF GRANTS AND GRANT CRITERIA.—

4 (1) ELIGIBILITY.—Grants shall be made under  
5 this section—

6 (A) directly to a class I, class II or class  
7 II railroad; or

8 (B) with the concurrence of the railroad to  
9 a State or local government.

10 (2) CONSIDERATIONS.—The Secretary shall—

11 (A) conduct a national solicitation for ap-  
12 plications;

13 (B) award grants on a competitive basis;  
14 and

15 (C) establish criteria for selecting among  
16 projects that meet the criteria specified in para-  
17 graph (3).

18 (3) GRANT CRITERIA.—The Secretary, in select-  
19 ing the recipients of grants to be provided under this  
20 subsection, shall select projects that—

21 (A) construct or rehabilitate freight rail  
22 sidings;

23 (B) construct or rehabilitate freight rail  
24 switches;

25 (C) promote economic development; and

1 (D) have a public benefit.

2 (c) STATE COOPERATION.—Railroad applicants for a  
3 grant under this section are encouraged to utilize the ex-  
4 pertise and assistance of State transportation agencies in  
5 applying for and administering such grants. State trans-  
6 portation agencies are encouraged to provide such exper-  
7 tise and assistance to such railroads.

8 (d) FEDERAL SHARE.—The maximum Federal share  
9 for carrying out a project under this section shall be 80  
10 percent of the project cost. The non-Federal share may  
11 be provided by any non-Federal source in cash, equipment,  
12 or supplies. Other in-kind contributions may be approved  
13 by the Secretary on a case-by-case basis.

14 (e) WAGE RATE REQUIREMENTS.—All laborers and  
15 mechanics employed by contractors or subcontractors in  
16 the construction, alteration, or repair, including painting  
17 and decorating of projects, buildings, and works, with re-  
18 spect to any project that receives assistance under this  
19 section shall be paid wages at rates not less than those  
20 prevailing on similar construction in the locality as deter-  
21 mined by the Secretary of Labor in accordance with sub-  
22 chapter IV of chapter 31 of part A of subtitle II of title  
23 40, United States Code (commonly referred to as the  
24 “Davis-Bacon Act”). The Secretary of Labor shall have,  
25 with respect to such labor standards, the authority and

1 functions set forth in Reorganization Plan Number 14 of  
2 1950 (15 Fed. Reg. 3176; 64 Stat. 1267) and in section  
3 3145 of title 40, United States Code.

4 (f) REGULATIONS.—Not later than 180 days after  
5 the date of enactment of this Act, the Secretary shall pre-  
6 scribe regulations for carrying out this section.

7 (g) AUTHORIZATION OF APPROPRIATIONS.—There  
8 are authorized to be appropriated to the Secretary of  
9 Transportation for use in carrying out this section  
10 \$20,000,000 for each of the fiscal years 2013 through  
11 2017.

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