

113TH CONGRESS
2D SESSION

H. R. 3893

To provide for the suspension of Federal funding for the California High Speed Rail Project until sufficient non-Federal funds are available.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2014

Mr. DENHAM (for himself, Mr. CALVERT, Mr. COOK, Mr. LAMALFA, Mr. VALADAO, Mr. ROHRABACHER, Mr. CAMPBELL, Mr. GARY G. MILLER of California, Mr. HUNTER, Mr. MCCARTHY of California, Mr. NUNES, Mr. ISSA, Mr. MCCLINTOCK, Mr. ROYCE, and Mr. MCKEON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To provide for the suspension of Federal funding for the California High Speed Rail Project until sufficient non-Federal funds are available.

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 “Responsible Rail and
5 Deterring Deficiency Act”.

6 **SEC. 2. SUSPENSION OF FEDERAL FUNDING.**

7 (a) CONGRESSIONAL DETERMINATION.—The Con-
8 gress determines that—

1 (1) the purposes of the statute under which the
2 Project is authorized would not be adequately served
3 by continuation of Federal financial assistance for
4 the Project; and

5 (2) the Authority may be unable to—

6 (A) meet the contributory match percent-
7 age identified in Attachment 1, section 5, of the
8 grant agreement; and

9 (B) complete the Project according to the
10 Project schedules included in Attachment 3 or
11 Attachment 3A of the grant agreement.

12 (b) SUSPENSION REQUIREMENT.—Based on the de-
13 termination made under subsection (a), not later than 5
14 days after the date of enactment of this Act the Federal
15 Railroad Administration shall exercise its right under At-
16 tachment 1, section 23, of the grant agreement to suspend
17 any further financial assistance for the Project under the
18 grant agreement until—

19 (1) the Authority certifies in writing to the
20 Federal Railroad Administration that—

21 (A) it has access to State funds, or other
22 non-Federal funds, in the amounts specified in
23 Attachment 1, section 5, of the grant agree-
24 ment;

1 (B) those State or other non-Federal funds
 2 are free and clear of any legal challenge or
 3 other hindrance to the expenditure of the funds
 4 by the Authority; and

5 (C) the funds are or will be available at the
 6 time necessary to meet the Authority’s financial
 7 obligations as described in the grant agreement;
 8 or

9 (2) September 30, 2017.

10 (c) CHANGES TO AGREEMENT PROHIBITED.—Until
 11 the conditions described in subsection (b) have been met,
 12 the Federal Railroad Administration shall not amend, sup-
 13 plement, or otherwise change the terms of the grant agree-
 14 ment.

15 (d) DEFINITIONS.—In this section:

16 (1) AUTHORITY.—The term “Authority” means
 17 the California High Speed Rail Authority.

18 (2) GRANT AGREEMENT.—The term “grant
 19 agreement” means the Federal Railroad Administra-
 20 tion’s grant/cooperative agreement with the Author-
 21 ity numbered FR–HSR–0009–10–01–05 made on
 22 December 5, 2012.

23 (3) PROJECT.—The term “Project” has the
 24 meaning given that term in the grant agreement.

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