

considering new categorical exclusions to the extent that the categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations.

(d) **TRANSPARENCY.**—The Secretary shall maintain and make publicly available, including on the Internet, a database that identifies project-specific information on the use of a categorical exclusion on any railroad project carried out under this title.

(e) **PROTECTIONS FOR EXISTING AGREEMENTS AND NEPA.**—Nothing in subtitle E of the Passenger Rail Reform and Investment Act of 2015, or any amendment made by such subtitle, shall affect any existing environmental review process, program, agreement, or funding arrangement approved by the Secretary under title 49, as that title was in effect on the day preceding the date of enactment of such subtitle.

(Added Pub. L. 114–94, div. A, title XI, §11503(a), Dec. 4, 2015, 129 Stat. 1691.)

Editorial Notes

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsecs. (a)(1) and (c), is Pub. L. 91–190, Jan. 1, 1970, 83 Stat. 852, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

The date of enactment of the Passenger Rail Reform and Investment Act of 2015, referred to in subsecs. (b) and (c), is the date of enactment of title XI of div. A of Pub. L. 114–94, which was approved Dec. 4, 2015.

Subtitle E of the Passenger Rail Reform and Investment Act of 2015, referred to in subsec. (e), is subtitle E (§§11501–11504) of title XI of div. A of Pub. L. 114–94, known as the Track, Railroad, and Infrastructure Network Act and also as the TRAIN Act, which enacted this section and section 24202 of this title, amended section 303 of this title and section 138 of Title 23, Highways, and enacted provisions set out as a note under section 4370m of Title 42, The Public Health and Welfare. For complete classification of this subtitle to the Code, see Short Title of 2015 Amendment note set out under section 20101 of this title and Tables.

The date of enactment of such subtitle, referred to in subsec. (e), is the date of enactment of subtitle E of title XI of div. A of Pub. L. 114–94, which was approved Dec. 4, 2015.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

§ 24202. Railroad rights-of-way

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of the Passenger Rail Reform and Investment Act of 2015, the Secretary shall submit a proposed exemption of railroad rights-of-way from the review under section 306108 of title 54 to the Advisory Council on Historic Preservation for consideration, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).

(b) **FINAL EXEMPTION.**—Not later than 180 days after the date on which the Secretary submits the proposed exemption under subsection (a) to

the Council, the Council shall issue a final exemption of railroad rights-of-way from review under chapter 3061 of title 54 consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).

(Added Pub. L. 114–94, div. A, title XI, §11504(a), Dec. 4, 2015, 129 Stat. 1692.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Passenger Rail Reform and Investment Act of 2015, referred to in subsec. (a), is the date of enactment of title XI of div. A of Pub. L. 114–94, which was approved Dec. 4, 2015.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114–94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

CHAPTER 243—AMTRAK

Sec.

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Editorial Notes

AMENDMENTS

2021—Pub. L. 117–58, div. B, title II, §§22206(c)(2), 22207(b), 22208(b)(2), 22209(b), Nov. 15, 2021, 135 Stat. 703, 706–708, substituted “Grant process and reporting” for “Grant process” in item 24319, “Amtrak 5-year service line and asset line plans” for “Amtrak 5-year business line and asset plans” in item 24320, and “Food and beverage service” for “Food and beverage reform” in item 24321 and added item 24323.

2015—Pub. L. 114–94, div. A, title XI, §§11201(b), 11202(b), 11203(c), 11207(b), 11208(b), 11316(m), Dec. 4, 2015, 129 Stat. 1627, 1630, 1634, 1639, 1640, 1678, substituted “Plans to address the needs of families of passengers involved in rail passenger accidents” for “Plan to assist families of passengers involved in rail passenger accidents” in item 24316 and added items 24317 to 24322.

2008—Pub. L. 110–432, div. A, title V, §502(b), div. B, title II, §221(b), Oct. 16, 2008, 122 Stat. 4899, 4932, added items 24310 and 24316.

¹ So in original. Does not conform to section catchline.