

117TH CONGRESS  
2D SESSION

# H. R. 9581

To provide emergency relief for American short line railroads, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 2022

Mr. DONALDS (for himself, Mr. NEHLS, Mr. GUEST, Mr. BOST, Mr. RODNEY DAVIS of Illinois, and Mr. FEENSTRA) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To provide emergency relief for American short line railroads, 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 “Short Line Railroad  
5       Relief Act”.

6       **SEC. 2. SHORT LINE RAILROAD EMERGENCY RELIEF PRO-**  
7       **GRAM.**

8       (a) GENERAL AUTHORITY.—The Secretary of Trans-  
9       portation, in consultation with the Administrator of the  
10      Federal Railroad Administration, may make grants or

1 enter into contracts and other agreements (including  
2 agreements with departments, agencies, and instrumental-  
3 ities of the Federal, State, or local government) for capital  
4 projects to protect, repair, reconstruct, or replace short  
5 line railroad equipment and facilities that the Secretary  
6 determines is in danger of suffering catastrophic damage,  
7 or has suffered catastrophic damage, as a result of an  
8 emergency.

9 (b) TERMS.—In making grants under subsection (a),  
10 the Secretary may make grants on a reimbursable basis  
11 or advance funding basis.

12 (c) COORDINATION OF EMERGENCY FUNDS.—Funds  
13 appropriated to carry out this section shall be in addition  
14 to any other funds available and shall not affect the ability  
15 of any other agency of the Government, a State agency,  
16 a local governmental entity or organization, or person to  
17 provide any other funds otherwise authorized by law, ex-  
18 cept that no person, business concern, or other entity shall  
19 receive assistance with respect to any part of a loss as  
20 to which such person, business concern, or other entity  
21 has received financial assistance under any other program  
22 or from insurance or any other source.

23 (d) GRANT REQUIREMENTS.—

24 (1) IN GENERAL.—A grant awarded under this  
25 section that is made to address an emergency shall

1 be subject to the terms and conditions the Secretary  
2 determines are necessary.

3 (2) OVERSIGHT FUNDS.—The Secretary may  
4 retain up to one-half of 1 percent of the funds ap-  
5 propriated under this section to fund the costs of  
6 project management oversight by the Administrator  
7 of the Federal Railroad Administration.

8 (3) APPLICATION OF LAW.—The provisions of  
9 section 24312 of title 49, United States Code, shall  
10 apply to entities receiving a grant under this section.

11 (e) GOVERNMENT SHARE OF COSTS.—

12 (1) IN GENERAL.—A grant, contract, or other  
13 agreement for a capital project under this section  
14 shall be for not more than 80 percent of the project  
15 cost, as determined by the Secretary. The non-Fed-  
16 eral share of the project cost shall be provided in  
17 cash, equipment, or supplies.

18 (2) WAIVER.—The Secretary may waive, in  
19 whole or in part, the non-Federal share.

20 (f) LIMITATION.—

21 (1) IN GENERAL.—Project costs under this sec-  
22 tion shall be limited to the scope of damage caused  
23 by the respective emergency.

24 (2) DETERMINATION.—In the case of a project  
25 that included damage preexisting the respective

1 emergency, the Administrator shall make a deter-  
2 mination on the amount or percentage of the dam-  
3 ages preexisting such emergency.

4 (g) DEFINITIONS.—In this section the following defi-  
5 nitions shall apply:

6 (1) EMERGENCY.—The term “emergency”  
7 means a natural disaster affecting a wide area (such  
8 as a flood, wildfire, hurricane, derecho, tidal wave,  
9 earthquake, severe storm, landslide, or avalanche) or  
10 a failure due to a disaster as a result of—

11 (A) natural causes;

12 (B) man-made causes beyond the control  
13 of a short line railroad operator, including regu-  
14 latory restrictions (including those imposed as a  
15 result of judicial action) imposed to protect  
16 human health or the environment; or

17 (C) undetermined causes.

18 (2) SHORT LINE RAILROAD.—The term “short  
19 line railroad” means a Class II railroad or a Class  
20 III railroad as such terms are defined by the Sur-  
21 face Transportation Board.

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