

**AMENDMENT TO RULES COMMITTEE**  
**PRINT 116-54**  
**OFFERED BY MR. MOULTON OF MASSACHUSETTS**

Page 990, after line 5, insert the following:

1 **SEC. 9107. ADVANCE ACQUISITION.**

2 (a) IN GENERAL.—Chapter 242 of title 49, United  
3 States Code, is amended by inserting the following after  
4 section 24202:

5 **“SEC. 24203. ADVANCE ACQUISITION.**

6 “(a) RAIL CORRIDOR PRESERVATION.—The Sec-  
7 retary may allow a recipient of a grant under chapter 229  
8 for a passenger rail project to acquire right-of-way and  
9 adjacent real property interests before or during the com-  
10 pletion of the environmental reviews for a project that may  
11 use such property interests if the acquisition is otherwise  
12 permitted under Federal law.

13 “(b) CERTIFICATION.—Before authorizing advance  
14 acquisition under this section, the Secretary shall verify  
15 that—

16 “(1) the recipient has authority to acquire the  
17 real property interest;

18 “(2) the acquisition of the real property inter-  
19 est—

1           “(A) is for a transportation purpose;

2           “(B) will not cause significant adverse en-  
3           vironmental impact;

4           “(C) will not limit the choice of reasonable  
5           alternatives for the proposed project or other-  
6           wise influence the decision of the Secretary on  
7           any approval required for the project;

8           “(D) does not prevent the lead agency  
9           from making an impartial decision as to wheth-  
10          er to accept an alternative that is being consid-  
11          ered;

12          “(E) complies with other applicable Fed-  
13          eral laws and regulations; and

14          “(F) will not result in elimination or re-  
15          duction of benefits or assistance to a displaced  
16          person required by the Uniform Relocation As-  
17          sistance and Real Property Acquisition Policies  
18          Act of 1970 (42 U.S.C. 4601 et seq.) and title  
19          VI of the Civil Rights Act of 1964 (42 U.S.C.  
20          2000d et seq).

21          “(c) ENVIRONMENTAL REVIEWS.—

22                 “(1) COMPLETION OF NEPA REVIEW.—Before  
23                 authorizing Federal funding for an acquisition of a  
24                 real property interest, the Secretary shall complete  
25                 all review processes otherwise required under the

1 National Environmental Policy Act of 1969 (42  
2 U.S.C. 4321 et seq.), section 4(f) of the Department  
3 of Transportation Act of 1966 (49 U.S.C. 303), and  
4 Section 106 of the National Historic Preservation  
5 Act (16 U.S.C. 470f) with respect to the acquisition.

6 “(2) TIMING OF DEVELOPMENT ACQUISITION.—  
7 A real property interest acquired under subsection  
8 (a) may not be developed in anticipation of the pro-  
9 posed project until all required environmental re-  
10 views for the project have been completed.”

11 (b) CLERICAL AMENDMENT.—The table of sections  
12 for chapter 242 of title 49, United States Code, is amend-  
13 ed by inserting after the item relating to section 24202  
14 the following new item:

“Sec. 24203. Advance acquisition.”

