Amendment to the Rules Committee Print
of H.R. 7
Offered by Mr. Carnahan of Missouri

Page 798, line 8, through page 799, line 2, amend section 22907 to read as follows:

1 “§ 22907. Treatment of railroads for historic preservation
2     “(a) In General.—Except as provided in subsection
3         (b), and subject to completion of a determination by the
4         Secretary as provided in subsection (b), any railroad sub-
5         ject to the safety regulation jurisdiction of the Federal
6         Railroad Administration, or portion of such railroad, or
7         property in current use by a railroad, or formerly used
8         by a railroad and intended to be restored to use by a rail-
9         road shall not be considered to be a historic site, district,
10        object, structure, or property of national, State, or local
11        significance under section 303 of this title or section 106
12        of the National Historic Preservation Act (16 U.S.C.
13        470f), unless it is listed on the National Register of His-
14        toric Places.
15       “(b) Individual Elements.—Subject to subsection
16          (c), the Secretary shall determine not later than 2 years
17          after the date of enactment of the American Energy and
Infrastructure Jobs Act of 2012, in consultation with the Advisory Council on Historic Preservation and through the administrative process established for creating exemptions from section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), those individual elements of property owned by a railroad subject to the safety regulation jurisdiction of the Federal Railroad Administration that possess national or a high level of historic significance (such as a station, depot, major bridge, site, or structure). Such elements shall be considered to be a historic site under section 303 of this title or section 106 of the National Historic Preservation Act (16 U.S.C. 470f), as applicable. Upon completion of the Secretary’s determination under this subsection, the provisions in subsection (a) shall take effect.

“(c) Construction, Maintenance, Restoration, and Rehabilitation Activities.—Subsections (a) and (b) do not prohibit a railroad from carrying out construction, maintenance, restoration, or rehabilitation activities upon compliance with section 303 of this title or section 106 of the National Historic Preservation Act (16 U.S.C. 470f) for a portion of its property that is—

“(1) referred to in subsection (b); or

“(2) listed on the National Register of Historic Places.
“(d) EXCEPTION.—A railroad operated as a historic site with the purpose of preserving the railroad for listing in the National Register of Historic Places is considered to be historically significant under section 303 of this title and under section 106 of the National Historic Preservation Act (16 U.S.C. 470f).”