

AMENDMENT TO RULES COMMITTEE PRINT

117-31

OFFERED BY MR. LAMB OF PENNSYLVANIA

At the end of division L, add the following:

1 **SEC. 110002. FREIGHT RAIL INNOVATION INSTITUTE.**

2 (a) IN GENERAL.—Chapter 229 of title 49, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 22911. Freight Rail Innovation Institute**

6 “(a) ESTABLISHMENT.—Not later than 6 months
7 after the date of the enactment of this section, the Sec-
8 retary of Transportation, in coordination with the Sec-
9 retary of Energy, representatives of the National Labora-
10 tories, the National Institute of Standards and Tech-
11 nology, and the National Science Foundation, and in part-
12 nership with an eligible institution of higher education and
13 a freight rail locomotive manufacturer, shall establish a
14 Freight Rail Innovation Institute (referred to in this sec-
15 tion as the ‘Institute’) to carry out a research and develop-
16 ment program—

17 “(1) to develop—

18 “(A) technologies necessary for the design,
19 development, manufacturing, and operation of

1 zero-emission battery and hydrogen-powered
2 freight locomotives; and

3 “(B) technologies that enhance freight rail
4 safety, efficiency and utilization; and

5 “(2) to accelerate the deployment of—

6 “(A) zero-emission locomotives, including
7 passenger locomotives;

8 “(B) supporting supply chains;

9 “(C) advanced freight and logistics sys-
10 tems; and

11 “(D) related workforce development and
12 education innovations.

13 “(b) ACTIVITIES.—The Institute shall—

14 “(1) research, develop, and deploy zero-emission
15 battery and hydrogen-powered freight locomotives
16 and locomotive technologies;

17 “(2) develop and operate testing programs and
18 demonstration facilities;

19 “(3) develop advanced technologies that ad-
20 vance freight rail safety, efficiency, logistics, and uti-
21 lization;

22 “(4) develop and deploy an operating prototype
23 hydrogen powered locomotive;

1 “(5) deploy a revenue service testing and dem-
2 onstration program to accelerate commercial adop-
3 tion of battery electric locomotives;

4 “(6) develop specific technologies and innova-
5 tions to support the manufacturing and deployment
6 of zero-emission locomotives for passenger rail;

7 “(7) pay wages to all laborers and mechanics
8 employed by the Institute at rates that are not less
9 than those prevailing for the same type of work for
10 similar projects in the immediate locality, consistent
11 with the wage requirement set forth in section
12 113(a) of title 23, United States Code;

13 “(8) ensure that the freight rail locomotive
14 manufacturer that is associated with the Institute
15 fully complies with the Buy America requirement set
16 forth in section 22905(a) with respect to manufac-
17 turing and production associated with the Institute
18 and as a result of new technologies, innovations, and
19 methods developed at least in part by the Institute;
20 and

21 “(9) carry out other activities that the Sec-
22 retary of Transportation considers necessary.

23 “(c) APPLICANT REQUIREMENTS.—Applicants seek-
24 ing to establish the Institute under this section shall—

1 “(1) be a partnership consisting of at least 1
2 institution of higher education and at least 1 freight
3 rail locomotive manufacturer, which shall enter into
4 a cost-sharing agreement for purposes of the Insti-
5 tute; and

6 “(2) submit a comprehensive proposal to the
7 Secretary of Transportation that—

8 “(A) identifies how activities described in
9 subsection (b) will be carried out by the Insti-
10 tute; and

11 “(B) includes a Memorandum of Under-
12 standing, signed by all partners, that com-
13 prehensively addresses all aspects of the Insti-
14 tute’s work, including how intellectual property
15 and revenue sharing from resulting techno-
16 logical developments will be handled;

17 “(C) includes such other information as
18 the Secretary may require.

19 “(d) CONSIDERATIONS.—In selecting the applicant
20 that will receive funding to establish the Institute, the Sec-
21 retary of Transportation shall consider—

22 “(1) the extent to which the applicant’s pro-
23 posal maximizes greenhouse gas reductions and
24 other environmental benefits;

1 “(2) the ability of the applicant’s proposal to
2 increase the use of low- and zero- emission freight
3 rail technologies among the United States freight
4 and passenger rail industry;

5 “(3) the anticipated public benefits of the appli-
6 cant’s proposal, including the creation of construc-
7 tion, manufacturing, and services jobs that pay pre-
8 vailing wages;

9 “(4) proposed plans to train workers from the
10 area surrounding the Institute to develop competitive
11 advanced manufacturing, battery- or hydrogen-
12 power, and advanced freight utilization, network
13 safety and logistics technology skills;

14 “(5) the degree to which the applicant, includ-
15 ing its freight rail locomotive manufacturer, has ex-
16 perience—

17 “(A) carrying out battery and hydrogen re-
18 search on freight locomotives that reduce green-
19 house gas emissions; and

20 “(B) developing freight rail advanced sig-
21 naling, network safety, and logistics tech-
22 nologies;

23 “(6) the extent to which the applicant’s pro-
24 posal increases the proportional amount of goods
25 moved by freight rail in the United States;

1 “(7) the extent to which such proposal—

2 “(A) maximizes the private share of the
3 total cost of the institute beyond the minimum
4 level required under subsection (d); and

5 “(B) sustains the private investment up to
6 and beyond 2026; and

7 “(8) whether the proposed Institute is located
8 at a site that—

9 “(A) has legacy rail infrastructure;

10 “(B) has access to freight rail tracks and
11 rail connections; and

12 “(C) is located on a redeveloped brownfield
13 site in close proximity to a freight rail loco-
14 motive manufacturer, an institution of higher
15 education, and a short line or regional railroad.

16 “(e) FUNDING REQUIREMENT.—The non-Federal
17 share of the costs of the Institute’s research and develop-
18 ment program shall be not less than 50 percent.

19 “(f) NOTIFICATION.—

20 “(1) NOTICE.—Not later than 3 days after
21 Congress appropriates funds for the Institute for
22 any fiscal year, the Secretary of Transportation shall
23 submit to the Committee on Commerce, Science, and
24 Transportation of the Senate and the Committee on

1 Transportation and Infrastructure of the House of
2 Representatives—

3 “(A) the institution of higher education
4 and freight rail locomotive manufacturer that
5 have been selected to receive such funding to
6 operate the Institute; and

7 “(B) a summary of activities to be carried
8 out by the Institute.

9 “(2) ANNUAL REPORT.—Not later than 1 year
10 after Congress appropriates funds for the Institute
11 for any fiscal year, the Secretary shall submit a re-
12 port to the committees listed under paragraph (1)
13 that summarizes the work of the Institute on—

14 “(A) low- and zero-emission rail tech-
15 nologies;

16 “(B) increased freight rail utilization; and

17 “(C) training a workforce in advanced
18 manufacturing, battery- or hydrogen-power, ad-
19 vanced freight utilization, network safety, logis-
20 tics technology skills, and advanced rail safety
21 and logistics technologies.

22 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated \$120,000,000 for each
24 of the fiscal years 2022 through 2026, to carry out the

1 activities of the Institute described in subsection (b). Such
2 sums shall remain available until expended.

3 “(h) DEFINITIONS.—In this section:

4 “(1) FREIGHT RAIL LOCOMOTIVE MANUFAC-
5 Turer.—The term ‘freight rail locomotive manufac-
6 turer’ means a company—

7 “(A) headquartered in the United States;

8 and

9 “(B) that is engaged in the design, manu-
10 facture, and sale of freight rail locomotives,
11 train network systems, engines, parts, logistics,
12 rail safety and braking systems, and other
13 freight rail and locomotive products.

14 “(2) INSTITUTION OF HIGHER EDUCATION.—

15 The term ‘institution of higher education’ has the
16 meaning given such term in section 101 of the High-
17 er Education Act of 1965 (20 U.S.C. 1001).”.

18 (b) CLERICAL AMENDMENT.—The analysis for chap-
19 ter 229 of title 49, United States Code, is amended by
20 adding at the end the following:

“22911. Freight Rail Innovation Institute.”.

