

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3864
OFFERED BY MR. LAMALFA OF CALIFORNIA**

Page 1204, line 4, strike the closing quotation mark and the period.

Page 1204, after line 4, insert the following:

1 “(j) ADDITIONAL REQUIREMENTS.—

2 “(1) APPLICANTS.—An applicant under this
3 section, as a condition of receiving construction
4 funding, shall have agreements in principle with pri-
5 vate landowners establishing dates of payment and
6 subsequent dates of land transfer along the proposed
7 route of a project.

8 “(2) SECONDARY GRANTS.—With respect to
9 any applicant applying for a second grant for a
10 project under this section, such applicant shall have
11 a minimum operable segment that is able to function
12 as a stand-alone project, not be dependent on any
13 future segments being constructed, and operate
14 without subsidies to be eligible for such second
15 grant.

1 “(3) USE OF FUNDING.—Any Federal funding
2 awarded under this section shall be spent concu-
3 rently with non-Federal funds and the Secretary
4 may not grant a waiver from this requirement.

5 “(4) COST INCREASES.— Any project which re-
6 ceives Federal funding under this Section and which
7 experiences at least a 20 percent cost increase may
8 be, as determined by the Administrator of the Fed-
9 eral Railroad Administration, required to return any
10 unobligated funding to the Treasury.”.

