

**AMENDMENT TO THE RULES COMMITTEE PRINT  
OF H.R. 7  
OFFERED BY MR. TURNER OF OHIO**

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

1 **“§ 22907. Treatment of railroads for historic preserva-**  
2 **tion**

3       “(a) IN GENERAL.—Except as provided in subsection  
4 (b), and subject to completion of a determination by the  
5 Secretary as provided in subsection (b), any railroad sub-  
6 ject to the safety regulation jurisdiction of the Federal  
7 Railroad Administration, or portion of such railroad, or  
8 property in current use by a railroad, or formerly used  
9 by a railroad and intended to be restored to use by a rail-  
10 road, shall not be considered to be a historic site, district,  
11 object, structure, or property of national, State, or local  
12 significance under section 303 of this title or section 106  
13 or 110 of the National Historic Preservation Act (16  
14 U.S.C. 470f or 470h-2), unless it is listed on the National  
15 Register of Historic Places.

16       “(b) INDIVIDUAL ELEMENTS.—Subject to subsection  
17 (c), the Secretary shall determine not later than 2 years  
18 after the date of enactment of the American Energy and

1 Infrastructure Jobs Act of 2012, in consultation with the  
2 Advisory Council on Historic Preservation and through  
3 the administrative process established for creating exemp-  
4 tions from section 106 of the National Historic Preserva-  
5 tion Act (16 U.S.C. § 470f), those individual elements of  
6 property (such as a station, depot, major bridge, site, or  
7 structure) owned by a railroad subject to the safety regu-  
8 lation jurisdiction of the Federal Railroad Administration  
9 that possess national or a high level of historic signifi-  
10 cance. Such elements shall be considered to be a historic  
11 site under section 303 of this title or section 106 or 110  
12 of the National Historic Preservation Act (16 U.S.C. 470f  
13 or 470h-2), as applicable. Upon completion of the Sec-  
14 retary's determination under this subsection, the provi-  
15 sions in subsection (a) shall take effect.

16       “(c) CONSTRUCTION, MAINTENANCE, RESTORATION,  
17 AND REHABILITATION ACTIVITIES.—Subsections (a) and  
18 (b) do not prohibit a railroad from carrying out construc-  
19 tion, maintenance, restoration, or rehabilitation activities  
20 upon compliance with section 303 of this title or section  
21 106 or 110 of the National Historic Preservation Act (16  
22 U.S.C. 470f or 470h-2) for a portion of its property that  
23 is—

1           “(1) determined by the Secretary under sub-  
2           section (b) to possess national or a high level of his-  
3           toric significance; or

4           “(2) listed on the National Register of Historic  
5           Places.

6           “(d) EXCEPTION.—A railroad operated as a historic  
7           site with the purpose of preserving the railroad for listing  
8           in the National Register of Historic Places shall be consid-  
9           ered to be historically significant under section 303 of this  
10          title and under section 106 or 110 of the National Historic  
11          Preservation Act (16 U.S.C. 470f or 470h-2).”

