

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2002

To authorize appropriations for the National Railroad Passenger Corporation,  
and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 25 (legislative day, FEBRUARY 22), 1994

Mr. EXON introduced the following bill; which was read twice and referred to  
the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize appropriations for the National Railroad  
Passenger Corporation, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Amtrak Investment  
5       Act of 1994”.

6       **SEC. 2. FINDINGS.**

7       The Congress finds that—

8               (1) intercity rail passenger service is an essen-  
9       tial component of the integrated national transpor-  
10      tation system; however, to achieve its full potential

1 the National Railroad Passenger Corporation (Am-  
2 trak) must provide a quality transportation product  
3 in the form of clean, comfortable, and on-time serv-  
4 ice;

5 (2) Amtrak's management and employees are  
6 dedicated to providing the high quality service that  
7 Amtrak's customers deserve; however, additional  
8 capital investment is needed to acquire the modern  
9 equipment and efficient facilities that are essential  
10 to satisfy the demand for superior intercity rail pas-  
11 senger service;

12 (3) significant levels of Federal capital invest-  
13 ment will enable Amtrak to provide the world class  
14 service American rail passengers deserve, and will  
15 reduce operating costs in the long term;

16 (4) Amtrak's management should be held ac-  
17 countable to ensure that all capital investment by  
18 the Federal Government is effectively used to im-  
19 prove the quality of service and the long-term finan-  
20 cial health of Amtrak;

21 (5) the Secretary of Transportation, as an ex  
22 officio member of Amtrak's board of directors,  
23 should use this position to evaluate Amtrak's costs  
24 and revenue elements to ensure that Amtrak pro-  
25 vides excellent service to its customers and that Am-

1       trak uses its Federal investment wisely and effi-  
2       ciently; and

3           (6) States can play a significant role in provid-  
4       ing cost efficient intercity rail passenger transpor-  
5       tation and in addressing local transportation needs  
6       and air quality control.

7   **SEC. 3. WORLD CLASS SERVICE.**

8       Section 102(3) of the Rail Passenger Service Act (45  
9   U.S.C. 501a(3)) is amended to read as follows:

10           “(3) Management of capital investment by the  
11       Corporation in such a way as to provide its cus-  
12       tomers with world class service.”.

13   **SEC. 4. RETURN ON INVESTMENT.**

14       Section 308(b) of the Rail Passenger Service Act (45  
15   U.S.C. 548(b)) is amended—

16           (1) by inserting “(1)” before “The Corporation  
17       shall transmit”; and

18           (2) by adding at the end the following new  
19       paragraph:

20       “(2) The Corporation shall also include in the report  
21       required under paragraph (1) projections of the antici-  
22       pated benefits of the projects proposed for funding under  
23       this Act and a report on the benefits actually realized from  
24       all projects previously funded under this Act beginning  
25       with funds provided in fiscal year 1994. Such report shall

1 include an identification of improvements in the quality  
 2 of service offered by Amtrak, facility improvements that  
 3 demonstrate a productivity gain, equipment improvements  
 4 that lower operating costs, environmental benefits (includ-  
 5 ing air quality and land use), enhancements to local trans-  
 6 portation needs, enhancements to mobility of physically  
 7 and economically disadvantaged persons, an improvement  
 8 to the revenue to cost ratio, reduced dependence on Fed-  
 9 eral operating support, and reductions in the need for al-  
 10 ternative transportation investments. To the extent prac-  
 11 ticable, the benefits addressed in each report shall also be  
 12 expressed as return on invested capital.”.

13 **SEC. 5. STATE REQUESTED RAIL PASSENGER SERVICE.**

14 (a) Section 403(b) of the Rail Passenger Service Act  
 15 (45 U.S.C. 563(b)) is amended—

16 (1) in paragraph (1)(B) by amending clause  
 17 (iii) to read as follows:

18 “(iii) a statement by such State, agency, or per-  
 19 son that it agrees to pay in each year of operation  
 20 of any such service at least—

21 “(I) 45 percent in the first year of such  
 22 operation; and

23 “(II) 65 percent in each year of operation  
 24 thereafter,

1 of the long-term avoidable losses of operating such  
2 service and at least 50 percent of the associated cap-  
3 ital costs.”;

4 (2) by redesignating paragraphs (2) through  
5 (6) as paragraphs (3) through (7), respectively;

6 (3) by inserting after paragraph (1) the follow-  
7 ing new paragraph:

8 “(2) The Corporation is authorized to contribute in  
9 each year of operation of any service instituted or retained  
10 pursuant to this subsection no more than—

11 “(A) 55 percent in the first year of such oper-  
12 ation; and

13 “(B) 35 percent in each year of operation  
14 thereafter,

15 of the long-term avoidable losses of operating such serv-  
16 ice.”;

17 (4) in paragraph (4)(A), as so redesignated by  
18 paragraph (2) of this subsection, by striking “para-  
19 graph (1)(B)” and inserting in lieu thereof “para-  
20 graphs (1)(B) and (2)”;

21 (5) in paragraph (4)(B), as so redesignated by  
22 paragraph (2) of this subsection, by adding at the  
23 end the following new sentence: “Any such renewal  
24 shall require the State, agency, or person to provide  
25 a statement that such State, agency, or person

1 agrees to pay in each year of operation, beginning  
2 with the first year of operation of service under such  
3 renewed agreement, at least 65 percent of the long-  
4 term avoidable losses of operating such service and  
5 at least 50 percent of the associated capital costs.”.

6 (b) Within 2 years after the date of enactment of this  
7 Act, the Secretary of Transportation shall conduct a com-  
8 prehensive review of the program of state-assisted rail pas-  
9 senger services operated by the National Railroad Pas-  
10 senger Corporation under section 403(b) of the Rail Pas-  
11 senger Service Act (45 U.S.C. 563(b)) and shall submit  
12 a report to the Congress detailing the Secretary’s findings  
13 and conclusions, including any recommendations the Sec-  
14 retary may have for revising section 403(b). The Sec-  
15 retary’s report shall address, among other things, whether  
16 and at what point services originated under section 403(b)  
17 should become a part of the basic system of intercity rail  
18 passenger services and shall identify any other avenues for  
19 initiating and implementing new rail passenger services.

20 **SEC. 6. NORTHEAST CORRIDOR IMPROVEMENT PROJECT.**

21 Section 704 of the Railroad Revitalization and Regu-  
22 latory Reform Act of 1976 (45 U.S.C. 854) is amended—

23 (1) by amending subsection (a) to read as fol-  
24 lows:

1       “(a) CAPITAL IMPROVEMENTS.—The National Rail-  
 2 road Passenger Corporation shall make capital improve-  
 3 ments for the Northeast Corridor improvement project  
 4 under this title as necessary to operate reliable, high-speed  
 5 rail passenger service, to enhance capacity for intercity  
 6 and commuter passenger service, and as otherwise may  
 7 be necessary to ensure continued reliable high-speed serv-  
 8 ice. Such Corporation shall also acquire train equipment  
 9 to be used on the Northeast Corridor, mitigate environ-  
 10 mental impacts related to the Northeast Corridor improve-  
 11 ment project, and provide adequate parking at and im-  
 12 prove Northeast Corridor rail stations.”; and

13               (2) in subsection (b)—

14                       (A) by striking “(1)” before “No funds ap-  
 15 propriated”; and

16                       (B) by striking paragraph (2).

17 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

18       Section 601 of the Rail Passenger Service Act (45  
 19 U.S.C. 601) is amended to read as follows:

20 **“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

21       “(a) OPERATING EXPENSES.—

22               “(1) CORE SYSTEM.—There are authorized to  
 23 be appropriated to the Secretary for the benefit of  
 24 the Corporation for operating expenses—

1           “(A) \$363,000,000 for fiscal year 1995;  
2           and

3           “(B) \$353,000,000 for fiscal year 1996.

4           “(2) STATE REQUESTED SERVICE.—There are  
5           authorized to be appropriated to the Secretary for  
6           the benefit of the Corporation for meeting its obliga-  
7           tions under section 403(b) of this Act—

8           “(A) \$17,000,000 for fiscal year 1995; and

9           “(B) \$17,000,000 for fiscal year 1996.

10          “(b) CAPITAL INVESTMENT.—There are authorized  
11          to be appropriated to the Secretary for the benefit of the  
12          Corporation for capital investment expenditures—

13               “(1) \$252,000,000 for fiscal year 1995, of  
14               which not more than \$149,000,000 shall be available  
15               for rolling stock, not more than \$53,000,000 shall  
16               be available for fixed facilities, not more than  
17               \$41,000,000 shall be available to satisfy other cap-  
18               ital investment statutory and regulatory require-  
19               ments, and not more than \$9,000,000 shall be avail-  
20               able for other capital projects; and

21               “(2) \$355,000,000 for fiscal year 1996, of  
22               which not more than \$240,000,000 shall be available  
23               for rolling stock, not more than \$65,000,000 shall  
24               be available for fixed facilities, not more than  
25               \$35,000,000 shall be available to satisfy other cap-

1       ital investment statutory and regulatory require-  
2       ments, and not more than \$15,000,000 shall be  
3       available for other capital projects.

4       “(c) INTERCITY RAIL PASSENGER STATION.—There  
5       are authorized to be appropriated to the Secretary for the  
6       benefit of the Corporation \$90,000,000 for fiscal year  
7       1995 to be used for engineering, design, and construction  
8       activities to enable the James A. Farley Post Office in  
9       New York, New York, to be used as a train station and  
10      commercial center and for necessary improvements and re-  
11      development of the existing Pennsylvania Station and as-  
12      sociated service building in New York, New York.

13      “(d) NORTHEAST CORRIDOR IMPROVEMENT  
14      PROJECT.—There are authorized to be appropriated to  
15      the Secretary for the benefit of the Corporation for mak-  
16      ing capital expenditures under section 704(a) of the Rail-  
17      road Revitalization and Regulatory Reform Act of 1976  
18      (45 U.S.C. 854(a)) such sums as may be necessary.

19      “(e) MANDATORY PAYMENTS.—There are authorized  
20      to be appropriated to the Secretary \$156,000,000 for fis-  
21      cal year 1995 and \$165,000,000 for fiscal year 1996 for  
22      the payment of—

23             “(1) tax liabilities under section 3221 of the In-  
24             ternal Revenue Code of 1986 due in such fiscal  
25             years in excess of amounts needed to fund benefits

1 for individuals who retire from the Corporation and  
2 for their beneficiaries;

3 “(2) obligations of the Corporation under sec-  
4 tion 8(a) of the Railroad Unemployment Insurance  
5 Act (45 U.S.C. 358(a)) due in such fiscal years in  
6 excess of its obligations calculated on an experience-  
7 rated basis; and

8 “(3) obligations of the Corporation due under  
9 section 3321 of the Internal Revenue Code of 1986.

10 “(f) ADMINISTRATION OF APPROPRIATIONS.—Funds  
11 appropriated pursuant to this section shall be available to  
12 the Secretary during the fiscal year for which appro-  
13 priated, except that appropriations for capital investments  
14 may be made in an appropriations Act for a fiscal year  
15 preceding the fiscal year in which the appropriation is to  
16 be available for obligation. Funds appropriated are au-  
17 thorized to remain available until expended. Appropriated  
18 funds shall be paid by the Secretary to the Corporation  
19 for expenditure in accordance with the Secretary’s budget  
20 request as approved or modified by Congress at the time  
21 of appropriation. Payments by the Secretary to the Cor-  
22 poration of appropriated funds shall be made no more fre-  
23 quently than every 90 days, unless the Corporation, for  
24 good cause, requests more frequent payment before expi-  
25 ration of any 90-day period.”.

