



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

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November 8, 2019

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Railroads, Pipelines, and Hazardous Materials
FROM: Staff, Subcommittee on Railroads, Pipelines, and Hazardous Materials
RE: Subcommittee Hearing on “Amtrak Now and Into the Future.”

PURPOSE

The Subcommittee on Railroads, Pipelines, and Hazardous Materials will meet on Wednesday, November 13, 2019, at 10:00 a.m. in 2167 Rayburn House Office Building to hold a hearing titled, “Amtrak Now and Into the Future.” The hearing will review recent service changes implemented by Amtrak and consider the needs of the nation’s intercity passenger railroad to sustain and strengthen its existing network. The Subcommittee will hear testimony from Amtrak, an Oregon State Legislative Representative, the Transportation Trades Department of AFL-CIO, the Transportation Communications Union, the Rail Passengers Association, the Sheet Metal Air Rail Transportation – Transportation Division, and the San Joaquin Joint Powers Authority.

BACKGROUND

Abbreviated History

The National Railroad Passenger Corporation, known as “Amtrak,” was created by the *Rail Passenger Service Act of 1970* (P.L. 91-518). Prior to Amtrak’s creation, privately-owned railroads provided passenger rail transportation, pursuant to their common carrier obligation, that dated back to the late 1800s. As the federal government supported the growth of airports and invested heavily to develop the expansive interstate system, travel by car and aircraft grew in popularity while passenger rail mileage declined from 40 million in 1947 to less than 8 million just two decades later.¹

In 1970, with several major railroads in or nearing bankruptcy, Congress relieved the private railroads from their obligation to provide passenger rail service by creating Amtrak as the nation’s passenger rail provider. Amtrak was established as a for-profit corporation under the laws of the

¹ Wilner, Frank. *Amtrak: Past, Present, Future*. Omaha, Simmons-Boardman Books, Inc., 2012. Page XIV.

District of Columbia (D.C.) but would receive government funding. Railroads bought into Amtrak and the purchase price was satisfied either by cash or rolling stock; in exchange, the railroads received common non-voting stock. Amtrak began operating passenger service on May 1, 1971.

By statute, Amtrak's Board of Directors consists of 10 members: the Secretary of Transportation (Secretary), eight appointees selected by the President with the advice and consent of the Senate, and the President of Amtrak, who serves as a non-voting member.²

Amtrak bargains with various labor unions, and the collective bargaining agreements between Amtrak and its employees are governed by the *Railway Labor Act*. These employees are also covered by the *Railroad Retirement Act* (RRA) and the *Railroad Unemployment Insurance Act* (RUIA), both of which are unique to the railroad industry. The RRA created the railroad retirement system that provides retirement and disability benefits to railroad workers who qualify, and the RUIA provides qualifying workers with unemployment and sickness benefits.

Amtrak's Network and Ridership

The legislation that created Amtrak, and amendments that were made to the statute in the *Passenger Rail Investment and Improvement Act of 2008* (PRIIA 2008) (P.L. 110-432), require Amtrak to operate a national rail passenger transportation system which ties together existing and emergent regional rail passenger service and other intermodal passenger service, subject to its discontinuance authority under 49 USC 24706 and 24702.³ This system includes the Northeast Corridor, high-speed rail corridors, long-distance routes, and short-distance routes operated by Amtrak.⁴

To provide this national passenger rail service, Amtrak runs more than 300 trains per day, services over 500 stations located in 46 states and Washington, D.C. and operates a network that stretches more than 21,000 miles across the country.⁵ More than 31 million trips were taken on Amtrak in Fiscal Year 2018.⁶ Of all Amtrak passenger trips in 2018, approximately 38 percent were taken on the Northeast Corridor; 48 percent on state-supported routes; and 14 percent on long-distance routes.

Northeast Corridor

The *Railroad Revitalization and Regulatory Reform Act of 1976* enabled Amtrak to acquire rail rights-of-way between Boston, MA and Washington, D.C., referred to as the Northeast Corridor (NEC).⁷ This 457-mile rail line, of which Amtrak owns 363 miles, extends from Washington, D.C., to Boston, MA, runs through eight states and D.C., and carries nearly 2,200 commuter, passenger,

² 49 U.S.C. § 24302.

³ 49 U.S.C. § 24701.

⁴ 49 U.S.C. § 24102.

⁵ Amtrak FY 2018 Company Profile. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/nationalfactsheets/Amtrak-Corporate-Profile-FY2018-0319.pdf>.

⁶ Amtrak, *Fiscal Year 2018 Route Ridership*. Available at <http://media.amtrak.com/wp-content/uploads/2018/11/FY18-Ridership-Fact-Sheet-1.pdf>.

⁷ P.L. 94-210.

and freight trains daily, making it one of the world's most complicated rail corridors.⁸ Amtrak carries more passengers within the NEC than all airlines combined in the region, providing more than 12.1 million Amtrak passenger trips in Fiscal Year (FY) 2018 alone.⁹

Amtrak provides two services on the NEC: the premier *Acela* service provides up to 33 departures daily and reaches a top speed of 150 mph, and the *Northeast Regional* has up to 36 departures each day and reaches a top speed of 125 mph. In September 2019, Amtrak launched *Acela Nonstop*, offering direct service on weekdays between Washington, D.C. Union Station and New York Penn Station.

National Network: State-Supported and Long-Distance Routes

Outside the Northeast Corridor, in FY 2018, nearly 20 million trips were taken along the state-supported and long-distance routes that comprise the National Network. The National Network provides service to the country's more rural communities. Much of these routes are operated on tracks that are owned, maintained, and dispatched by various host freight and commuter railroads.

Under Section 209 of the PRIIA 2008, Amtrak and its state partners were required to jointly develop a methodology to determine operating and capital costs of state-supported intercity passenger rail service on routes measuring not more than 750 miles. The PRIIA Section 209 methodology became effective in October 2013. Continued operation of these state-supported routes is subject to annual operating agreements and state legislative appropriations according to Section 209. In FY 2018, state contributions to Amtrak for state-supported services totaled \$233.8 million for operations and \$57.2 million for equipment capital.¹⁰ Fueled by Amtrak's partnership with its state partners, state-supported routes carried 15.1 million passengers in FY 2018, an increase from 15.013 million in FY 17.¹¹

Amtrak also operates 15 long-distance routes ranging in length from 764 to 2,438 miles. Of the 46 states that have Amtrak services, 23 are only served by long-distance trains and nearly half of the stations in Amtrak's system serve long-distance routes. In total, long-distance trains carried 4.5 million passengers in FY 2018.¹²

Amtrak Funding

Like several other transportation modes in the U.S., Amtrak receives funding from the General Fund through the annual appropriations process.

⁸ Amtrak, *2019 Amtrak Five Year Service Line Plans, Base (FY2019) and Five Year Strategic Plan (FY2020-2024)*. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/businessplanning/Amtrak-Service-Line-Plans-FY20-24.pdf> Page 92.

⁹ Anderson, Richard. *Testimony Before the United States Senate Commerce Committee during a Hearing on "Amtrak: Next Steps for Passenger Rail"*. June 26, 2019. Page 7.

¹⁰ State-Amtrak Intercity Passenger Rail Committee, 2018 Annual Report, Page 2.

¹¹ Amtrak, *2019 Amtrak Five Year Service Line Plans, Base (FY2019) and Five Year Strategic Plan (FY2020-2024)*. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/businessplanning/Amtrak-Service-Line-Plans-FY20-24.pdf>. Page 58.

¹² Amtrak states that weather and other events impacted ridership, resulting in an estimated loss of 162,800 long-distance passengers.

The Fixing America’s Surface Transportation Act (FAST Act) changed the authorization structure of Amtrak to provide greater transparency and accountability by providing funding by service – the NEC and the National Network – rather than providing separate grants for operating and capital/debt service activities. Amtrak may transfer funds between accounts in two circumstances: (1) upon notification to the Amtrak Board of Directors with a subsequent report and justification by the Board to the Committee and Secretary regarding the transfer; or (2) with Secretarial approval under certain circumstances that would materially change the grant agreement.¹³ The chart below indicates Amtrak’s funding levels authorized by the FAST Act and the amounts appropriated by Congress:

	Northeast Corridor		National Network	
	Authorized	Appropriated	Authorized	Appropriated
FY 16	\$450,000,000	*	\$1,000,000,000	*
FY 17	\$474,000,000	\$328,000,000	\$1,026,000,000	\$1,167,000,000
FY 18	\$515,000,000	\$650,000,000	\$1,085,000,000	\$1,291,600,000
FY 19	\$557,000,000	\$650,000,000	\$1,143,000,000	\$1,291,600,000
FY 20	\$600,000,000	N/A	\$1,200,000,000	N/A

*Amtrak received FY 16 appropriations in the format that existed prior to FAST Act enactment: \$288,500,000 in operating grants, and \$1,101,500,000 in capital and debt service grants.

Amtrak is eligible for some federal discretionary grant programs created in the FAST Act, such as the FRA’s Consolidated Rail Infrastructure and Safety Improvements program focused on improving the safety, efficiency, and reliability of passenger and freight rail systems; Restoration and Enhancement Grants that support initiating, restoring, or enhancing intercity passenger rail; and the Federal-State Partnership for State of Good Repair that supports capital projects that reduce the state of good repair backlog. The railroad also is eligible to apply for long-term, low-interest loans under the Railroad Rehabilitation and Improvement Financing (RRIF) program. Amtrak has received three RRIF loans totaling \$3.1 billion, two of which have been repaid.¹⁴ Additionally, Amtrak is subject to a Buy America procurement requirement that helps ensure domestic manufacturing companies and their workers benefit when Amtrak pursues capital investments.¹⁵

Amtrak earned record revenues of \$3.4 billion and achieved 95 percent operating cost recovery in FY2018.

Network Modifications

In the last few years, Amtrak has expressed interest in altering its current network, with CEO Richard Anderson stating in June 2019 before the Senate Commerce Committee that “there’s always a role for long distance, but, on the margin, we should be looking at breaking up some of those long-distance trains and figuring out how...to provide high quality service in short-haul markets...”¹⁶

¹³ 49 USC § 24317(g).

¹⁴ Build America Bureau, Railroad Rehabilitation & Improvement Financing, Available at <https://www.transportation.gov/buildamerica/programs-services/rrif>.

¹⁵ 49 USC § 24305(f).

¹⁶ Anderson, Richard, Testimony Before the United States Senate Commerce Committee, “Next Steps for Passenger Rail,” June 26, 2019.

In testimony, reports, and letters to Congress, Amtrak has stated that urban areas around the country are anticipated to experience major population growth in the coming decades, including “megaregions” such as Atlanta, Houston, Dallas, Orlando, Las Vegas, and others, that currently are underserved by intercity passenger rail transportation.¹⁷ Amtrak’s 5-year Strategic Plan sets out goals to “maintain and grow connectivity and access in markets that supplement Amtrak’s State Supported network.”¹⁸

Service Changes

As Amtrak has reported, the experience of riding Amtrak is an important factor in travelers’ decisions to ride the railroad.¹⁹ Thus, maintaining a high-quality, valuable service that passengers want and expect helps attract and retain customers. Subsequent to passage of the FAST Act, Amtrak has implemented changes to some of the services and benefits offered to passengers and those seeking to travel on Amtrak.

Food and Beverage Service

Section 11207 of the FAST Act required that, within 90 days of enactment, Amtrak develop and begin implementing a plan to eliminate, within 5 years, the operating loss associated with food and beverage service. That section also prohibited any then-employed Amtrak worker from being involuntarily separated as a result of the development and implementation of the plan or any other action taken by Amtrak to implement that section.

In June 2018, traditional dining car service, which functioned as a made-to-order restaurant on wheels, was eliminated on two long-distance routes: Lake Shore Limited and Capitol Limited.²⁰ As a result, passengers traveling those routes no longer have access to meals freshly prepared onboard, including sleeper car passengers whose premium ticket fare includes meals. Instead, sleeper car passengers receive “flexible dining” service that includes reheated pre-cooked meals, and all other passengers (who previously could purchase meals at the dining car or café car) have access to quick-service foods sold in the café car, such as cheeseburgers, pizza, and snacks.²¹ Amtrak cites costs of the traditional dining cars service and a desire to attract younger passengers with a different dining model, as the reason for these changes.

¹⁷ Anderson, Richard, Testimony Before the House Committee on Transportation and Infrastructure, “The Cost of Doing Nothing: Why Investing in Our Nation’s Infrastructure Cannot Wait,” February 7, 2019, Available at <https://transportation.house.gov/committee-activity/hearings/the-cost-of-doing-nothing-why-investing-in-our-nations-infrastructure-cannot-wait>, Page 6.

¹⁸ Amtrak, *Amtrak Five Year Service Line Plans, Base (FY2018) and Five Year Strategic Plan (FY2019-2023)*. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/businessplanning/Amtrak-Five-Year-Service-Plans-FY18-FY23.pdf> Page 53.

¹⁹ Amtrak, *2019 Amtrak Five Year Service Line Plans, Base (FY2019) and Five Year Strategic Plan (FY2020-2024)*. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/businessplanning/Amtrak-Service-Line-Plans-FY20-24.pdf> Page 75.

²⁰ Amtrak Press Release, “New and Contemporary Dining Soon on Two Amtrak Routes,” Available at <https://media.amtrak.com/2018/04/new-contemporary-dining-soon-two-amtrak-routes/>, Dated April 19, 2018. See also Amtrak Press Release, “Contemporary Dining Menu Evolves on Two Amtrak Routes,” Available at <https://media.amtrak.com/2018/07/contemporary-dining-menu-evolves-two-amtrak-routes/>, Dated July 12, 2018.

²¹ Amtrak Flexible Dining, Available at <https://www.amtrak.com/routes/lake-shore-limited-train.html>.

In September 2019, Amtrak announced it would replicate these changes on most other eastern long-distance routes: Cardinal, City of New Orleans, Crescent, Silver Meteor, and Silver Star. On these routes – four of which exceed 24 hours of travel time - sleeping car passengers have “flexible dining” options while other passengers are limited to café car purchases.²²

Eliminating Station Agents at 15 Stations

On June 1, 2018, Amtrak eliminated station agents at stations that average fewer than 40 passengers a day. This change eliminated more than 20 agents at 15 stations throughout the country, including: Charleston, WV; Cincinnati, OH; Fort Madison, IA; Garden City, KS; Hammond, LA; Havre, MT; La Junta, CO; Lamy, NM; Marshall, TX; Meridian, MS; Ottumwa, IA; Shelby, MT; Texarkana, AR; Topeka, KS; and Tuscaloosa, AL. Station agents provide passengers access to on-site travel support, ticket sales, and customer service, and perform building maintenance tasks.

Closing the Riverside Call Center

In January 2019, Amtrak closed its reservation call center in Riverside, CA, where nearly 500 personnel familiar with Amtrak’s routes, schedules, and amenities had remotely assisted passengers in booking and adjusting Amtrak travel. Currently, Amtrak maintains a call center in Philadelphia, PA and contracts with a call service in Florida for calls that the Philadelphia call center can’t accommodate.²³

Reducing the Amtrak Police Department Workforce

The Amtrak Police Department (APD) is responsible for responding to incidents taking place onboard trains and in stations, supporting counterterrorism efforts, and stopping the illegal transport of narcotics. In May 2019, the Amtrak Fraternal Order of Police Labor Committee was informed that Amtrak intended to reduce the APD workforce by 20 percent, or roughly 100 positions. Amtrak’s FY 2019 budget supported 534 positions. These anticipated cuts began taking effect in June 2019 and are anticipated to continue over the next several years. In an October 2019 letter to Chairmen DeFazio and Lipinski, the railroad stated that an assessment of the deployment of its police force found that greater police presence is needed onboard trains, rather than only stations.²⁴ Amtrak wrote that this change “will not impact the level of security we provide in stations or trains, but instead reallocate our physical presence in a more purposeful and visible manner...”²⁵

Reductions to Other Services and Benefits

In addition, Amtrak reduced benefits offered to riders, including ending discounts for AAA members and students while raising the qualifying age and reducing the discount for seniors. Amtrak has also nearly eliminated all charter services or special trains and has significantly scaled back

²² Amtrak Press Release, “Amtrak Introduces Enhanced Menu and Flexible Dining Experience on Five Routes,” Available at <https://media.amtrak.com/2019/09/amtrak-introduces-enhanced-menu-and-flexible-dining-experience-on-five-routes/>, Dated September 13, 2019.

²³ Katzanek, Jack. “About 1 in 5 Riverside Amtrak workers headed to Philadelphia.” The Press-Enterprise; January 8, 2019. Available at <https://www.pe.com/2019/01/08/about-1-in-5-riverside-amtrak-workers-headed-to-philadelphia/>.

²⁴ Stadler, D.J., Executive Vice President, Chief Administration Officer, Letter to Chairman Peter A. DeFazio and Chairman Daniel Lipinski, Dated October 21, 2019.

²⁵ Ibid Page 2.

opportunities for private cars to travel on Amtrak trains, instituting switching location restrictions and increasing fees.

Preference and On-Time Performance

Riders' approval of Amtrak is also impacted by the railroad's reliability.²⁶ Amtrak owns only three percent of the more than 21,000 route-miles in its network. As a result, it operates much of its service over tracks that are owned, maintained, and dispatched by the freight railroads.²⁷ Under 49 U.S.C. Section 24308(c), Amtrak trains have "preference" over freight transportation in using a rail line, junction, or crossing, except in emergencies or unless the Surface Transportation Board (STB) orders otherwise.

Section 207 of PRIIA 2008 required FRA and Amtrak, in consultation with the STB and freight and commuter railroads, to establish minimum standards for measuring the performance and service quality of intercity passenger train operations, including on-time performance (OTP). Such metrics and standards were to be incorporated into access and service contracts between Amtrak and the freight railroads. Additionally, Section 213 of PRIIA 2008 stated that if the OTP of any intercity passenger train averages less than 80 percent for any two consecutive calendar quarters, or the service quality of intercity passenger train operations for which minimum standards are established pursuant to Section 207 fails to meet those standards for two consecutive calendar quarters, the STB may initiate an investigation. Alternatively, upon filing of a complaint by Amtrak, an intercity passenger rail operator, a host freight railroad over which Amtrak operates, or an entity for which Amtrak operates intercity passenger rail service, the STB shall initiate an investigation.

In May 2010, Amtrak and FRA jointly issued metrics.²⁸ The Association of American Railroads sued the Department of Transportation over the standards, stating that Amtrak was a non-governmental entity and could not issue federal standards. Following the case moving through various courts, in June 2019, the U.S. Supreme Court declined a request to review a lower-court hearing, which meant the previous metrics issued were invalid and FRA and Amtrak would need to develop new metrics and standards. To date, a commonly accepted method to measure OTP still has not been determined.

Amtrak's Office of Inspector General (IG) issued a report in October 2019, which found that, in FY 2018, Amtrak trains on the NEC routes and state-supported routes arrived on time 78 percent and 81 percent, respectively; while less than half (46 percent) of long-distance trains arrived on time, with an average 49-minute delay.²⁹ Nationwide, 27 percent of trains were late. The same report identified the financial impacts of poor OTP, finding that a five percent improvement in OTP on each route could result in short-term net financial benefits of \$12.1 million in the first year.

²⁶ Amtrak, *2019 Amtrak Five Year Service Line Plans, Base (FY2019) and Five Year Strategic Plan (FY2020-2024)*. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/businessplanning/Amtrak-Service-Line-Plans-FY20-24.pdf>. Page 83.

²⁷ Amtrak, *Amtrak Host Railroad Report Card 2018*. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/HostRailroadReports/Amtrak-2018-Host-Railroad-Report-Card.pdf>. Page 3.

²⁸ Metrics and Standards for Intercity Passenger Rail Service, Issued May 12, 2010, Available at <https://www.fra.dot.gov/eLib/Details/L02875>.

²⁹ Here, the IG measured "on time" as how a train performs compared with its published, scheduled arrival time at each station and final destination on its route.

Such benefits would be realized through cost savings and additional revenues based on shorter train operating times and improved customer satisfaction.³⁰

Investment Needs: A Snapshot

As noted above, Amtrak plays a critical role in the NEC, where it owns and controls 363 miles of track. The heavy usage of this corridor combined with the age of bridges and tunnels—many of which date back to the period between the Civil War and the New Deal—has led to major needs in maintenance and capital infrastructure improvements to remove bottlenecks and increase capacity along the corridor. As of March 2019, data from the Northeast Corridor Commission shows that more than an estimated \$21 billion remains unfunded for major rail infrastructure projects along the NEC. Some of these projects include: the Baltimore & Potomac Tunnel (\$4.59 billion project, with \$4.52 billion unfunded), which was built in 1873 and requires replacing the Civil-War era tunnel with a newer curve-moderated tunnel; replacement of the swing-span Portal North Bridge (\$1.78 billion project, with \$811 million unfunded) over the Hackensack River; and replacement of the Susquehanna River Bridge (\$1.88 billion project, with \$1.86 billion unfunded).

In addition to the NEC major projects, much of Amtrak’s fleet has aged and is need of replacement. For instance, the P-40 and P-42 locomotives and the Superliner fleet used on long-distance routes and some state-supported routes are an average age of 20 years and 35 years, respectively, while the Amfleet I equipment used on Northeast Regional trains and several state-supported services is 40-years old. Amtrak defines equipment as having a useful life of 30 years for locomotives and 40 years for railcars for State-of-Good Repair purposes. Amtrak indicates that because the P-42 locomotives have low reliability, many long-distance trains operate with two of these locomotives to protect against breakdowns, which increases operating and maintenance expenses.³¹ As these locomotives and cars and others begin reaching the term of their useful life, Amtrak is planning major fleet initiatives to modernize its rolling stock by largely replacing most locomotives and railcars in service today.³² While Amtrak is experiencing additional rolling stock investment needs, Amtrak’s FY 2020 grant request indicates an additional \$2.46 billion in federal funds is required for its Amfleet I, Superliner, and diesel locomotive replacements.

Amtrak maintains its fleet at more than 60 maintenance facilities located nationwide. These facilities range from rail yards where basic cleaning and light servicing work is done, to back shops where heavy overhauls and rebuilds of wrecked equipment are performed.³³ Amtrak’s mechanical employees also perform various work at those facilities on equipment owned by state partners and used by commuter rail agency partners. Investments are needed at these facilities, including creating additional track and capacity at certain facilities to accommodate future expansion, modifications necessary to properly maintain locomotives, and to bring certain facilities to a state of good repair,

³⁰ Amtrak Office of Inspector General, “Train Operations: Better Estimates Needed of the Financial Impacts of Poor On-Time Performance,” OIG-A-2020-001, October 14, 2019, Available at <https://amtrakoig.gov/audit-documents/audit-reports/train-operations-better-estimates-needed-financial-impacts-poor-time> Pages 1, 2, 6, 7, 8.

³¹ Amtrak, *2019 Amtrak Five Year Service Line Plans, Base (FY2019) and Five Year Strategic Plan (FY2020-2024)*. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/businessplanning/Amtrak-Service-Line-Plans-FY20-24.pdf> Page 71.

³² Amtrak, *Amtrak Five Year Equipment Asset Line Plan, Base (FY2019) and Five Year Strategic Plan (FY2020-2024)*. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/businessplanning/Amtrak-Equipment-Asset-Line-Plan-FY20-24.pdf> Page 5.

³³ *Ibid*, Page 18.

among other needs.³⁴ Moreover, more than 500 stations owned by states, cities, host railroads, and Amtrak that comprise its network must be properly maintained. Amtrak is investing in projects that enhance passenger experience, sustain the national passenger rail network, provide much-needed additional capacity, and improve reliability and safety.³⁵ In 2016, Amtrak received a \$2.5 billion RRIF loan to purchase 28 new trains, make station improvements at Washington Union Station and Moynihan Station in New York City, and track capacity and ride quality improvements in the NEC.³⁶ Amtrak's FY 2020 grant request indicates an additional \$1.36 billion in federal funds is needed for select station and facility improvements.

Additionally, the *Americans with Disabilities Act* (ADA) required that all stations in the intercity rail transportation system be made accessible to and usable by individuals with disabilities no later than 2010.³⁷ Amtrak has sole or shared financial responsibility to bring 383 stations into compliance with ADA requirements and estimates that it will cost over \$1 billion to complete this work.

Amtrak Safety

Amtrak has instituted a comprehensive new Safety Management System (SMS) to improve its safety culture. SMS is an organization-wide comprehensive and preventative approach to managing safety, intended to move Amtrak from reactive responses to individual safety events toward a continual assessment and predictive understanding of risks facing the entire organization before an unwanted event occurs. According to Amtrak, SMS will establish safety as an integral element in all operational business functions and is built upon four components: Safety Policy, Safety Promotion, Safety Assurance, and Safety Risk Management.³⁸

Amtrak has also developed a plan to systematically evaluate and reduce risks. In the *Rail Safety Improvement Act of 2008*, Congress directed DOT to issue regulations within four years requiring certain freight and passenger railroads to develop and submit to FRA for approval safety risk reduction programs. These programs are intended to systematically evaluate safety risks and manage those risks to reduce railroad accidents, incidents, injuries, and fatalities. FRA undertook a rulemaking to develop a System Safety Program (SSP) for passenger railroads, publishing an SSP final rule in August 2016; however, that rule has been stayed several times after comments from stakeholders, and the current stay extends until March 4, 2020. Despite the lack of final regulations, Amtrak moved ahead with developing its SSP plan, submitting it to the FRA in November 2018.³⁹

Positive Train Control (PTC) systems are technologies designed to automatically stop or slow a train to prevent train-to-train collisions, over-speed derailments, incursions into established

³⁴ Ibid, Page 42.

³⁵ Amtrak, *2019 Amtrak Five Year Stations Asset Line Plan, Base (FY2019) and Five Year Strategic Plan (FY2020-2024)*. Available at

<https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/businessplanning/Amtrak-Stations-Asset-Line-Plan-FY20-24.pdf> Page 6.

³⁶ Progressive Railroading, "Amtrak Receives \$2.5 Billion RRIF Loan for Alstom Trains, Northeast Corridor Upgrades," Available at <https://www.progressiverailroading.com/amtrak/news/Amtrak-receives-25-billion-RRIF-loan-for-Alstom-trains-Northeast-Corridor-upgrades--49275>.

³⁷ 42 U.S. Code § 12162.

³⁸ Amtrak Safety Fact Sheet, Available at https://media.amtrak.com/wp-content/uploads/2019/01/Amtrak_Safety_Fact_Sheet_1-16-18.pdf Page 2.

³⁹ Ibid.

work zones, and the movement of a train through a switch left in the wrong position. Congress enacted the *Rail Safety Improvement Act of 2008* (RSIA, P.L. 110-432) in October 2008, requiring each Class I railroad and each entity providing intercity or commuter rail passenger transportation to implement a PTC system governing certain operations by December 31, 2015. That deadline was extended to December 31, 2018, and the Secretary of Transportation was authorized to provide each railroad, on a case-by-case basis, with an additional extension of up-to 24 months as long as the railroad met the requirements specified in statute.⁴⁰

According to the FRA's 2019 second quarter reporting, 100 percent of Amtrak's locomotives are fully equipped and operable with PTC; 100 percent of the required track segments have PTC installed, 100 percent of the required employee training is complete, two of its three PTC systems are conditionally certified, and it has achieved 19 percent interoperability (three of its 16 interoperable relationships are complete).⁴¹

⁴⁰ These requirements include having: installed all PTC system hardware; acquired all spectrum; in the case of a Class I railroad carrier or Amtrak, implemented PTC or initiated revenue service demonstration on 50 percent of its territories; in the case of a commuter railroad, initiated revenue service demonstration on at least one territory; and completed employee training required under the applicable regulations. See *Surface Transportation Extension Act of 2015* (P.L. 114-73).

⁴¹ <https://www.regulations.gov/document?D=FRA-2010-0029-0124>.

APPENDIX

Amtrak System Map⁴²



⁴² The numbers on this map correspond to the routes as follows: 1. Cascades; 2. Coast Starlight; 3. Capitol Corridor, San Joaquin; 4. Pacific Surfliner; 5. Empire Builder; 6. California Zephyr; 7. Southwest Chief; 8. Sunset Limited; 9. Blue Water, Carl Sandburg, Hiawatha, Hoosier State (discontinued as of July 2019), Illini, Illinois Zephyr, Lincoln, Pere Marquette, Saluki, Wolverine; 10. Missouri River Runner; 11. Heartland Flyer; 12. Texas Eagle; 13. City of New Orleans; 14. Lake Shore Limited; 15. Capitol Limited; 16. Cardinal; 17. Crescent; 18. Maple Leaf; 19. Adirondack, Empire, Ethan Allen; 20. Keystone, Pennsylvanian; 21. Vermonter, Valley Flyer (initiated August 2019); 22. Downeaster; 23. Northeast Corridor; 24. Carolinian, Piedmont, Virginia; 25. Auto Train, Palmetto; 26. Silver Meteor, Silver Star. Where State-Supported and Long-Distance routes overlap, the State-Supported route is shown. Amtrak. *General and Legislative Annual Report & Fiscal Year 2020 Grant Request*. Available at <https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/reports/Amtrak-General-Legislative-Annual-Report-FY2020-Grant-Request.pdf>. Page 5.

WITNESSES

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