

National Association of Railroad Passengers: www.narprail.org

Hotline #591

February 13, 2009

At this writing, only Senate passage—a vote is scheduled for 5:30 PM Eastern—and an eager President Obama’s signature are needed to launch a tremendously important and forward-looking transportation program. The conference agreement that was mostly agreed on Wednesday but not finally released until within the last 24 hours includes:

- \$8 billion in capital assistance for the combined categories of Intercity Passenger Rail Service (the same program that got \$30 million in Fiscal 2008) and High Speed Rail Corridors, the new program authorized under Section 501 of last year’s passenger rail authorization. The conferees’ explanatory statement said, “The conferees have provided the Secretary flexibility in allocating resources between the programs to advance the goal of deploying intercity high speed rail systems in the U.S.” The bill itself says, “The Secretary shall give priority to projects that support the development of intercity high speed rail service.” For these funds, which require no state match, the DOT Secretary “shall waive the requirement” that projects be in a State rail plan; this had been a stumbling block for some that were interested in the 2008 money. The Secretary is required within 60 days of enactment to submit to the appropriations committees “a strategic plan that describes how the Secretary will use the funding provided under this heading to improve and deploy high speed passenger rail systems.” And, within 120 days, to issue interim guidance to applicants for use pending final regulations. It has been reported today that President Obama and his staff lobbied for the additional high speed rail funds.
- \$1.3 billion in capital grants to Amtrak of which \$450 million is earmarked for “security improvements to include life safety improvements.” That leaves \$850 million for normal capital grants, of which no more than 60% “shall be spent for capital improvements on the NEC.” That means that \$340 million is the minimum which Amtrak could devote to non-NEC service. Report language says “priority use of non-security funds shall be given to projects for the repair, rehabilitation, or upgrade of railroad assets or infrastructure, and for capital projects that expand passenger rail capacity including the rehabilitation of rolling stock...funds provided under this heading shall be awarded not later than 30 days after...enactment.” The Secretary is to take steps to see that projects are completed within two years of enactment and that funds “shall serve to supplement and not supplant planned expenditures for such activities from other Federal, State, local and corporate sources.”
- \$1.5 billion in “Supplemental Discretionary Grants for a National Surface Transportation System,” which the Secretary is to award on a competitive basis for projects across all surface modes that will have a significant impact on the Nation, a metropolitan area or a region. “Provisions require the Secretary to ensure an equitable geographic distribution of funds and an appropriate balance in addressing the needs of urban and rural communities.”
- There is \$27.5 billion for Highway Infrastructure Investment. There are two excellent provisions which came from the Senate bill. First, states can spend these funds “for passenger and freight rail transportation and port infrastructure projects.” Second, “funds are distributed by formula with a portion of the funds within each State being suballocated by population areas.” There are various set-asides for special road categories including ferry boats. One challenge for freight and passenger rail projects is a fairly tight use-it-or-lose-it schedule, which many state DOTs may use to justify proceeding quickly with “what they know” (highways).
- Transit gets \$8.4 billion of which
 - a) \$6.9 billion goes through urban and rural formulas,
 - b) \$750 million is for fixed guideway infrastructure investment “distributed through an existing authorized formula for capital projects to modernize or improve existing fixed guideway systems, including...purchase and rehabilitation of rolling stock.” Conferees noted, “It is estimated that the SOGR capital backlog for existing fixed guideway systems is nearly \$50 billion.”
 - c) \$750 million for “Capital investment grants” to be “distributed on a discretionary basis for New Starts and Small Starts projects that are already in construction or are nearly ready to begin construction.”

The transportation portion of the bill also has \$1.3 billion for aviation of which \$1.1 billion is grants-in-

aid for airports and \$200 million is “supplemental Funding for Facilities and Equipment.” There are also maritime funds.

Overall, the transportation functions represent huge progress in recognizing the benefits of passenger and freight railroading, but the test will be how much money is actually spent on rail, and how effectively. Assuming a favorable Senate vote, there will be heavy lifting for rail interests to make the law work for us in the states, particularly the highway flexible portion which does require state transportation improvement plans (TIP) to recognize the projects.

The House passed the conference report this morning on a 246-183 vote with, again, no Republican support. The fact that rail did this well in conference is extraordinary, considering that the bill's overall price tag was reduced to \$787 billion (from the \$819 billion House approved version, and the \$900 billion Senate approved version).

NARP President Ross Capon testified February 11 at the Surface Transportation Board's hearing on how to administer their new passenger responsibilities re on-time performance. His written testimony and that of all witnesses is [on the STB's web site](#), mostly on or around January 28, the filing deadline. [A video of the hearing](#) is also available. Chairman Charles Nottingham indicated that, although the new law authorizes additional personnel for the STB's new responsibilities, these have not been appropriated, so a task force of “people with two jobs” has been formed using existing staff.

Capon was asked several questions, including two that he promised to answer later: what magnitude of fines should be imposed on railroads found to be at fault regarding their handling of Amtrak trains, and should Amtrak be subjected to fines when it delayed freight trains excessively. Nottingham invited Capon and fellow panelist David Solow (representing American Public Transportation Association) to give them advice on where the chokepoints are.

NARP filed a statement for the record in the House Railroads Subcommittee's January 28 hearing on passenger and freight rail benefits and needs. The statement, [on the NARP web site](#), highlights the significance of continued strong growth in December by the overnight trains and state corridors outside the NEC, suggesting this implied strong and growing demand for much more passenger train service than currently exists. Capon also chalked the NEC declines up to high proportion of business travelers, very high fares even on Regionals, and attractive new bus services that include free Wi-Fi, comparing Washington-New York fares 24 hours in the future of over \$103-124 on Regionals vs. less than \$25 on BoltBus. He suggested that Amtrak's current pricing strategy on the NEC is not maximizing the benefits that should be accruing from the billions that taxpayers have invested in the NEC. Written statements of witnesses are on the House T&I web site, including Anne Canby who testified on behalf of the OneRail coalition of which NARP is a part.

Joseph Szabo, the former Illinois state director for the United Transportation Union, is said to be President Barack Obama's lead candidate for the position of the Federal Railroad Administrator, according to Bloomberg News. While administration officials wouldn't confirm the rumor, it is known that Szabo worked with the President when he was a state legislator in Illinois. According to his biography, Szabo has worked at a number of jobs in both freight and passenger rail operations, in positions ranging from yard switchman to passenger conductor. The Federal Railroad Authority is in charge of overseeing regulates rail safety, operating guidelines, and labor safety restrictions. The previous Administrator, Joseph Boardman left when he was appointed as the President and CEO of Amtrak in November of 2008.

New Jersey Transportation Commissioner Stephen Dilts met with White House Chief of Staff Rahm Emmanuel and U.S. Secretary of Transportation Ray LaHood on February 11th, to talk about how the stimulus package could benefit several New Jersey transportation projects. Dilts said that during the meeting—which took place the same day the final version of the stimulus bill to be voted on was agreed to by representatives from both houses of Congress—he talked to the Administration officials about the over 250 transportation projects which he believes are eligible for stimulus funds. Among the projects, he identified the proposed Hudson River rail tunnels as a top priority. As currently configured, the tunnels would dead end in Manhattan, two blocks north of Penn Station. NARP has gone on record to insist that a rail link to Penn Station be included in the planned tunnels, so that intercity passenger rail—and any future high speed rail service—may take advantage of the \$9 billion project.

Construction on the Warwick Intermodal Facility in Rhode Island is finally well under-way, 17 years after the project was initially proposed. Rhode Island transportation officials have announced the project is on schedule for 2010. However, due to inflation and project expansion, the forecasted cost has gone from \$25 million to more than \$267 million. When construction is completed, Providence's T.F. Green Airport will be one of the few air terminals in the nation with direct access to commuter rail, connected by a 1,400 foot skywalk to a station serviced by the Massachusetts Bay Transit Authority. In an interview with reporters, Kevin A. Dillon, president of the Rhode Island Airport Corporation went on record to say "The overall project is a very important component of where we want to take the airport in the future. It is an enhancement, getting people out of cars. This will allow us to market the airport internationally — where people expect interconnectivity of transportation. It will also let us better serve the Boston market."

Full service for the Channel Tunnel between England and France resumed on February 9th, several months after last September's damaged a section in one of the tunnels. The high-speed London-to-Paris and Brussels Eurostar trains are currently operating at 93% capacity, but are expected to reach 100% by the end of February. The repairs cost more a over 50 million British Pounds.

Amtrak, as part of the celebration of Black History Month, held an event on Tuesday the 17th to honor African-American porters and their contribution to the railroads. Black Americans have played an important part in the American railroads since as early as the 1830s, when slaves were made to work on the construction of rail lines in the South. After the Civil War, the westward expansion of trains created demand for the labor of newly freed slaves. By the 1920s, more than 20,000 blacks worked for the railroads, regularly facing discrimination from both management and passengers, according to the A. Phillip Randolph Pullman Porter Museum. It took the nearly all-black Brotherhood of the Sleeping Car Porters, founded in 1925, 12 years of struggle with the Pullman Company to be recognized as a union, making them the first African-American union to sign a collective-bargaining agreement with a major US company. "These gentlemen worked during a time when the service they provided was top-notch under difficult and stressful circumstances, This is an opportunity to celebrate them and what they achieved." said Amtrak spokeswoman Darlene Abubakar. One of the men Amtrak will be transporting in from across the nation to honor, Seattle's Thomas Gray, 71 years of age, recalls a working on the railroad with his grandfather. "We knew if our two trains would be passing, so he'd hold his railroad lantern and I'd hold my flashlight. At 70 miles an hour, we couldn't see one another, but we knew who was holding the light."

The Northbound Silver Star will operate on a modified schedule from March 2 through April 9 due to CSX trackwork. The train will depart Miami two hours earlier, operate at all stops, Miami-Washington two hours earlier, and all stops Baltimore through New York City one hour earlier. In addition, on March 16-19, 23-26, March 30-April 2, and April 6-9, the train will bypass Tampa due to the location of the trackwork. Bus service will be provided to and from Lakeland and Winter Haven.