



INVEST IN AMERICA ACT

Prioritizing Intercity Passenger Rail: Amtrak

The Transforming Rail by Accelerating Investment Nationwide (TRAIN) Act authorizes \$32 billion in rail investment for Amtrak. The legislation includes funding to support Amtrak's National Network and the Northeast Corridor. There is a substantial backlog of unfunded state of good repair projects on Amtrak's network, including an estimated \$40 billion on the Northeast Corridor alone. The TRAIN Act enables Amtrak to address these urgent needs and prepare for the future.

Amtrak Funding

- To allow Amtrak to make sustained investments in infrastructure, stations, and equipment, reduce its state of good repair backlog, and expand its network, the TRAIN Act authorizes **\$32 billion over five years for intercity passenger rail service on the Northeast Corridor and the National Network**. This is more than three times higher than Amtrak funding levels in the FAST Act. Of this amount, the Northeast Corridor will receive \$13.5 billion and the National Network will receive \$18.5 billion over five years.
- **Up to \$250 million of National Network funding will be used to offset states' portion of certain nationally shared assets**, helping defray costs that Amtrak charges states for state-supported routes in FY 2022.

State Partners

The TRAIN Act includes changes to support states by bringing transparency and accountability to the Amtrak-State partnership. Specifically, the bill includes:

- **Measures to increase transparency and accountability of the costs assigned to states for state-supported routes.** The bill also establishes procedures and a deadline for the State-Amtrak Intercity Passenger Rail Committee to update the cost share methodology.
- **Measures that require Amtrak to engage early with all affected stakeholders when considering the establishment of new, or expansion of existing, state-supported routes.** This includes statutory updates that require Amtrak to engage early with the states and receive affirmative state permission before construction or initiation of such service. The bill also establishes an alternative cost share methodology that Amtrak and its state partners may agree to pursue to facilitate the development, construction, and operation of new or expanded state-supported routes.

Amtrak Reforms

The TRAIN Act also includes reforms to passenger services to help meet riders' expectations and drive demand by ensuring that Amtrak responds to the needs of all passengers, including those with

disabilities, and that it continues its legacy of providing quality jobs and employing a skilled workforce. Specifically, the bill includes:

- Changes to Amtrak's findings, mission, and goals to reflect the importance of Amtrak; reforms to the Board of Directors to build accountability to passengers, states, and workers; and **clarification that Amtrak does not exist solely to make a profit, but to serve the public interest** in providing national intercity passenger rail service.
- **A ban on ticket conditions that require mandatory arbitration of customer claims and disputes.**
- Increased overall funding to allow Amtrak to **close the gap in bringing stations and facilities into compliance with the Americans with Disabilities Act (ADA)**, as well as a full review of Amtrak's business operations for ADA consideration.
- **Requirements that all long-distance route passengers traveling overnight have access to meals**, establishment of a working group to recommend improvements to onboard food and beverage service, and removal of statutory language related to the cost of food and beverage service. The bill also requires that any individual preparing or providing onboard food and beverage service must be an Amtrak employee.
- **A requirement that Amtrak identify the mission of the Amtrak Police Department and develop a workforce planning process** to ensure the department maintains personnel levels necessary for protecting the safety and security of the Amtrak system.
- **Requirements that the busier stations served by Amtrak be staffed with an Amtrak ticket agent.**

Accessing the Network

Outside the Northeast Corridor most of Amtrak's trains operate on tracks owned by freight railroads. Part of the bargain that relieved the freight railroads of their legal obligation to provide passenger rail service around the time of Amtrak's creation was that Amtrak passenger trains must have dispatching priority over freight trains. Unfortunately, this has not always been the practice of freight railroads. To keep Amtrak trains on time and meet passenger expectations, freight railroads must follow the law and give preference to Amtrak trains. The TRAIN Act:

- **Allows Amtrak to directly enforce its statutory right of preference in court.**
- Further specifies how the Surface Transportation Board decides Amtrak requests to expand service frequency.

Maintaining and Expanding the Passenger Rail Network

Responding to the needs of America's intercity passenger rail infrastructure, the TRAIN Act establishes a new Passenger Rail Improvement, Modernization, and Expansion (PRIME) grant program and a new Bridges, Stations and Tunnels (BeST) directed grant program.

PRIME is authorized at \$25 billion over five years to make grants for rail projects that improve mobility, operational performance, or expand the intercity passenger rail network.

The PRIME grant program:

- Makes eligible Amtrak, a state, a group of states, political subdivisions, and interstate compacts and sets the federal share up to 90 percent.
- Includes eligibility for high-speed rail projects.
- Prioritizes projects that incorporate regional planning or have support from multiple states and projects with environmental benefits including greenhouse gas emission reductions.

BeST is authorized at \$25 billion over five years, for publicly-owned or Amtrak-owned major rail bridges, stations, and tunnels that have total project costs of at least \$500 million. The

BeST program:

- Requires projects to be part of a multi-state rail plan and have a Tier I environmental impact statement completed.
- Requires the Secretary of Transportation to establish an inventory of projects to be funded thereby providing some level of funding certainty.

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Historic Investment in Passenger and Freight Railroads

The Transforming Rail by Accelerating Investment Nationwide (TRAIN) Act makes once-in-a-generation advancements in rail transportation possible with the authorization of \$59.8 billion in new or existing rail safety and development grant programs. Furthermore, the bill identifies the need for a rail trust fund to create a dedicated and reliable funding source for Amtrak and competitive rail grants to sustain high-speed and intercity passenger rail corridor development and public benefit freight rail projects. A rail trust fund would also address the discrepancy in historical federal investment in highways, aviation, and intercity passenger rail.

Intercity Passenger Rail Corridor Development

The TRAIN Act makes significant investments in intercity passenger rail by:

- **Creating the *Passenger Rail Improvement, Modernization, and Expansion (PRIME)* competitive grant program, authorized at \$25 billion over five years**, primarily for states and localities to launch high-speed and intercity passenger rail development. Four percent of PRIME funds are reserved for high-speed rail corridor development planning. The bill includes preferences for projects that are supported by multiple states, achieve environmental benefits such as reducing greenhouse gas emissions, and improve service to and investment in socially disadvantaged communities.
- **Creating the *Bridges, Stations, and Tunnels (BeST)* directed grants program, authorized at \$25 billion over five years**, for publicly-owned or Amtrak-owned major rail bridges, stations, and tunnels that have total project costs of at least \$500 million. BeST projects are required to be part of a multi-state rail plan and have a completed Tier I environmental impact statement.
- Establishing a state rail funding formula directed grant program to all 50 states and the District of Columbia to provide **dedicated funds for states to plan for new intercity passenger rail projects**. States may use the funds on small rail capital projects if intercity passenger rail planning is not feasible.
- **Authorizing \$100 million for the Federal Railroad Administration to lead regional planning efforts and for up to 10 interstate rail compacts to develop additional regional high-speed and/or intercity passenger rail corridors.**
- **Reauthorizing *Restoration and Enhancement* competitive grants at \$100 million over five years** that provide operating assistance for up to three years on up to six intercity passenger rail routes.

Additional Rail Investment

The TRAIN Act makes additional significant investments in rail by:

- **Increasing investment in the *Consolidated Rail Investment and Safety Improvements (CRISI)* competitive grant program, authorized at \$7 billion over five years, four times the current funding level.** CRISI can fund a whole host of rail projects including public benefit freight rail, private and public passenger rail development, rail line relocation, grade crossing improvements, railroad trespassing and suicide prevention, workforce development, and research.
- **Establishing a new *Highway-Rail Grade Crossing Separation* competitive grant program at \$2.5 billion over five years** in recognition that the safest highway-rail grade crossing is a separated one. Current grade crossing public funds are insufficient to address this national need.
- **Creating a new *University Rail Climate Innovation* competitive grant program at \$100 million over five years** to study the development of low- and zero-emission rail technologies.