

**Union Calendar No. 380**

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

**H. R. 4111**

**[Report No. 103-698]**

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**A BILL**

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

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AUGUST 11, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 1994

Mr. SWIFT (by request) introduced the following bill; which was referred to  
the Committee on Energy and Commerce

AUGUST 11, 1994

Reported with an amendment, committed to the Committee of the Whole  
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 22, 1994]

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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 Act*  
5 *of 1994".*

1 **SEC. 2. FINDINGS.**

2 *The Congress finds that—*

3 *(1) intercity rail passenger service is an essential*  
4 *component of the integrated national transportation*  
5 *system; however, to achieve its full potential the Na-*  
6 *tional Railroad Passenger Corporation (Amtrak)*  
7 *must provide a quality transportation product in the*  
8 *form of clean, comfortable, and on-time service;*

9 *(2) Amtrak's management and employees are*  
10 *dedicated to providing the high quality service that*  
11 *Amtrak's customers deserve; however, additional cap-*  
12 *ital investment is needed to acquire the modern*  
13 *equipment and efficient facilities that are essential to*  
14 *satisfy the demand for superior intercity rail pas-*  
15 *senger service;*

16 *(3) significant levels of Federal capital invest-*  
17 *ment will enable Amtrak to provide the world class*  
18 *service American rail passengers deserve, and will re-*  
19 *duce operating costs in the long term;*

20 *(4) Amtrak's management should be held ac-*  
21 *countable to ensure that all capital investment by the*  
22 *Federal Government is effectively used to improve the*  
23 *quality of service and the long-term financial health*  
24 *of Amtrak;*

25 *(5) the Secretary of Transportation, as an ex*  
26 *officio member of Amtrak's board of directors, should*

1        *use this position to evaluate Amtrak's costs and reve-*  
2         *nue elements to ensure that Amtrak provides excellent*  
3         *service to its customers and that Amtrak uses its Fed-*  
4         *eral investment wisely and efficiently;*

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

9            *(7) the freight railroads represent a critical part*  
10        *of the Nation's transportation infrastructure, which*  
11        *should help to provide expeditious and cost-effective*  
12        *delivery of passenger trains.*

13       ***SEC. 3. WORLD CLASS SERVICE.***

14       *Section 24101(c) of title 49, United States Code, is*  
15       *amended—*

16            *(1) by striking "and" at the end of paragraph*  
17        *(10);*

18            *(2) by striking the period at the end of para-*  
19        *graph (11) and inserting in lieu thereof "; and"; and*

20            *(3) by adding at the end the following new para-*  
21        *graph:*

22            *"(12) manage capital investment in such a way*  
23        *as to provide its customers with world class service."*

1 **SEC. 4. RETURN ON INVESTMENT.**

2 *Section 24315(b)(1) of title 49, United States Code, is*  
3 *amended—*

4 *(1) by striking “and” at the end of subpara-*  
5 *graph (A);*

6 *(2) by striking the period at the end of subpara-*  
7 *graph (B) and inserting in lieu thereof “; and”; and*

8 *(3) by adding at the end the following:*

9 *“(C) shall include projections of the anticipated*  
10 *benefits of the projects proposed for funding under*  
11 *this part and a report on the benefits actually real-*  
12 *ized from all projects previously funded under this*  
13 *part, or legislation on which this part is based, begin-*  
14 *ning with funds provided in fiscal year 1994.*

15 *Such report shall include an identification of improvements*  
16 *in the quality of service offered by Amtrak, facility improve-*  
17 *ments that demonstrate a productivity gain, equipment im-*  
18 *provements that lower operating costs, environmental bene-*  
19 *fits (including air quality and land use), enhancements to*  
20 *local transportation needs, enhancements to mobility of*  
21 *physically and economically disadvantaged persons, an im-*  
22 *provement to the revenue-to-cost ratio, reduced dependence*  
23 *on Federal operating support, and reductions in the need*  
24 *for alternative transportation investments. To the extent*  
25 *practicable, the benefits addressed in each report shall also*  
26 *be expressed as return on invested capital.”.*

1 **SEC. 5. STATE REQUESTED RAIL PASSENGER TRANSPOR-**  
2 **TATION.**

3 (a) *STATE/FEDERAL FORMULA.*—(1) *Section 24704 of*  
4 *title 49, United States Code, is amended—*

5 (A) *in subsection (a)(1)(C)—*

6 (i) *by striking “short term” both places it*  
7 *appears and inserting in lieu thereof “long-*  
8 *term”;* and

9 (ii) *by striking “65 percent” and inserting*  
10 *in lieu thereof “55 percent”;*

11 (B) *in subsection (b)—*

12 (i) *by adding at the end of paragraph (2)*  
13 *the following new sentence: “Any such renewal*  
14 *shall require the State, agency, or person to pro-*  
15 *vide a statement that such State, agency, or per-*  
16 *son agrees to pay in each year of operation, be-*  
17 *ginning with the first year of operation of serv-*  
18 *ice under such renewed agreement, at least 55*  
19 *percent of the long-term avoidable losses of oper-*  
20 *ating such service and at least 50 percent of the*  
21 *associated capital costs.”;* and

22 (ii) *by inserting at the end the following*  
23 *new paragraph:*

24 “(3) *Amtrak is authorized to contribute in each year*  
25 *of operation of any service instituted or retained pursuant*  
26 *to this section no more than—*

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

3           “(B) 45 percent in each year of operation there-  
4           after,

5           of the long-term avoidable losses of operating such service  
6           and no more than 50 percent of the associated capital  
7           costs.”.

8           (2) The amendments made by paragraph (1) shall only  
9           apply with respect to fiscal year 1996 and subsequent fiscal  
10          years.

11          (b) *REVIEW OF PROGRAM.*—Within 2 years after the  
12          date of enactment of this Act, the Secretary of Transpor-  
13          tation shall conduct a comprehensive review of the program  
14          of State-assisted rail passenger services operated by Amtrak  
15          under section 24704 of title 49, United States Code, and  
16          shall submit a report to the Congress detailing the Sec-  
17          retary’s findings and conclusions, including any rec-  
18          ommendations the Secretary may have for revising such sec-  
19          tion 24704. The Secretary’s report shall address, among  
20          other things, whether and at what point services originated  
21          under section 24704 should become a part of the basic sys-  
22          tem of intercity rail passenger transportation and shall  
23          identify any other avenues for initiating and implementing  
24          new rail passenger transportation.

1 **SEC. 6. NORTHEAST CORRIDOR IMPROVEMENT PROGRAM.**

2 (a) *CAPITAL IMPROVEMENTS.*—(1) *Section 24902(h) of*  
3 *title 49, United States Code, is amended—*

4 (A) *by inserting “(1)” before “If practicable”;*  
5 *and*

6 (B) *by adding at the end the following new*  
7 *paragraph:*

8 “(2) *Amtrak shall make capital improvements for the*  
9 *Northeast Corridor improvement program under this chap-*  
10 *ter as necessary to operate reliable, high-speed rail pas-*  
11 *senger service, to enhance capacity for intercity and com-*  
12 *muter passenger transportation, and as otherwise may be*  
13 *necessary to ensure continued reliable high-speed service.*  
14 *Amtrak shall also acquire train equipment to be used on*  
15 *the Northeast Corridor, mitigate environmental impacts re-*  
16 *lated to the Northeast Corridor improvement program, and*  
17 *provide adequate parking at and improve Northeast Cor-*  
18 *ridor rail stations.”.*

19 (2) *Section 24909 of title 49, United States Code, is*  
20 *amended—*

21 (A) *by striking subsection (e); and*

22 (B) *by redesignating subsections (f) and (g) as*  
23 *subsections (e) and (f), respectively.*

24 (b) *BOSTON-NEW HAVEN ELECTRIFICATION*  
25 *PROJECT.*—(1) *Section 24902(f) of title 49, United States*  
26 *Code, is amended—*

1           (A) by inserting “(1)” before “Improvements  
2           under”; and

3           (B) by adding at the end the following new  
4           paragraph:

5           “(2) Amtrak shall design and construct the electrifica-  
6           tion system between Boston, Massachusetts, and New  
7           Haven, Connecticut, to accommodate the installation of a  
8           third mainline track between Davisville and Central Falls,  
9           Rhode Island, to be used for double-stack freight service to  
10          and from the Port of Davisville. Wherever practicable, Am-  
11          trak shall use portal structures and realign existing tracks  
12          on undergrade and overgrade bridges to minimize the width  
13          of the right-of-way required to add the third track. Amtrak  
14          shall take such other steps as may be required to coordinate  
15          and facilitate design and construction work.”.

16          (2) Amtrak shall, not later than 6 months after the  
17          date of enactment of this Act, transmit to the Congress a  
18          report detailing its electrification design between Davisville  
19          and Central Falls, Rhode Island, and describing efforts to  
20          comply with section 24902(f)(2) of title 49, United States  
21          Code.

22       **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

23          Section 24104 of title 49, United States Code, is  
24          amended—

1           (1) in subsection (a)(1), by inserting “and not  
2           more than \$332,000,000 for fiscal year 1995 and  
3           \$335,000,000 for fiscal year 1996 may be appro-  
4           priated to the Secretary,” after “September 30,  
5           1994,”;

6           (2) in subsection (a)(2), by adding at the end the  
7           following new subparagraphs:

8           “(C) \$250,000,000 for fiscal year 1995.

9           “(D) \$250,000,000 for fiscal year 1996.”;

10          (3) in subsection (b)(1), by inserting “Not more  
11          than \$373,000,000 for fiscal year 1995 and  
12          \$373,000,000 for fiscal year 1996 may be appro-  
13          priated to the Secretary for the benefit of Amtrak for  
14          operating expenses.” after “for operating expenses.”;

15          (4) in subsection (b)(2)(A), by adding at the end  
16          the following new clauses:

17          “(iii) \$17,000,000 for fiscal year 1995.

18          “(iv) \$17,000,000 for fiscal year 1996.”;

19          (5) in subsection (c)(1)—

20                 (A) by striking “and” after “September 30,  
21                 1993,”; and

22                 (B) by inserting “\$156,000,000 for fiscal  
23                 year 1995, and \$165,000,000 for fiscal year  
24                 1996,” after “September 30, 1994,”; and

1           (6) by amending subsection (d) to read as fol-  
2        *lows:*

3           “(d) *ADMINISTRATION OF APPROPRIATIONS.*—Not-  
4        *withstanding section 6304 of title 31, United States Code,*  
5        *funds appropriated pursuant to this section shall be pro-*  
6        *vided to Amtrak upon appropriation when requested by*  
7        *Amtrak.”.*

8        ***SEC. 8. CAPITAL AND EQUIPMENT ACQUISITION ACCOUNT.***

9           (a) *AMENDMENT.*—Chapter 243 of title 49, United  
10        *States Code, is amended by adding at the end the following*  
11        *new section:*

12        ***“SEC. 24316. CAPITAL AND EQUIPMENT ACQUISITION AC-***  
13                ***COUNT.***

14           “(a) *ESTABLISHMENT.*—Amtrak shall establish a Cap-  
15        *ital and Equipment Acquisition Account. Amounts in this*  
16        *account shall be used by Amtrak to—*

17                “(1) *acquire passenger equipment and loco-*  
18        *motives;*

19                “(2) *encourage State and local investment in fa-*  
20        *ilities and equipment used to provide intercity rail*  
21        *passenger transportation; and*

22                “(3) *address other critical capital priorities.*

23           “(b) *DEPOSITS.*—Amtrak may deposit into the Capital  
24        *and Equipment Acquisition Account—*

1           “(1) payments received for the use of its equip-  
2           ment or facilities;

3           “(2) claims recovered by Amtrak; and

4           “(3) amounts from any other source to the extent  
5           authorized by Federal law.”.

6           (b) *TABLE OF SECTIONS AMENDMENT.*—The table of  
7           sections for chapter 243 of title 49, United States Code, is  
8           amended by adding at the end the following new item:

          “24316. Capital and equipment acquisition account.”.

9           **SEC. 9. ON-TIME PERFORMANCE.**

10          (a) *COMPARISON.*—The Secretary of Transportation  
11          shall conduct a direct comparison of the on-time perform-  
12          ance of Amtrak compared to other modes of commercial pas-  
13          senger transportation, using consistent methodologies.

14          (b) *REPORT TO CONGRESS.*—The Secretary of Trans-  
15          portation shall, not later than 1 year after the date of enact-  
16          ment of this Act, transmit to the Congress a report on the  
17          results of the comparison required by subsection (a), along  
18          with an explanation of the differences found in on-time per-  
19          formance between modes of transportation, including con-  
20          sideration of the age and condition of equipment and any  
21          other differences among the modes that affect the ability to  
22          achieve on-time service.

23          **SEC. 10. COOPERATION WITH STUDY.**

24          Amtrak shall cooperate with the efforts of the Virginia  
25          State Department of Transportation in designing and car-

1 *rying out a study on the feasibility of reestablishing rail*  
2 *service between Washington, D.C., and Bristol, Virginia.*

3 **SEC. 11. BURBANK-GLENDALE-PASADENA, CALIFORNIA,**  
4 **STATION FACILITIES.**

5 *Amtrak shall develop a plan for new station facilities*  
6 *at the Burbank-Glendale-Pasadena Airport to accommodate*  
7 *the intercity rail passenger requirements of Amtrak, along*  
8 *with the needs of the commuter rail services serving the*  
9 *Burbank-Glendale-Pasadena metropolitan area. In develop-*  
10 *ing the plan, Amtrak shall consider use of a facility at the*  
11 *airport as a primary facility for handling intercity and*  
12 *commuter passengers, shall evaluate sources of State, local,*  
13 *and private funding for the new station facilities, and shall*  
14 *propose the allocation of space and costs in the new facili-*  
15 *ties among all transportation services using the facilities.*  
16 *The plan shall be predicated upon completing the project*  
17 *with State, local, and private funding, and without Federal*  
18 *funds appropriated for Amtrak. Amtrak shall submit a re-*  
19 *port to the Committee on Energy and Commerce of the*  
20 *House of Representatives and the Committee on Commerce,*  
21 *Science, and Transportation of the Senate containing such*  
22 *plan no later than April 1, 1995.*

1 **SEC. 12. CITY OF ONTARIO, CALIFORNIA, STATION FACILI-**  
2 **TIES.**

3 *Amtrak shall develop a plan for new or redeveloped*  
4 *station facilities in the City of Ontario, California, to ac-*  
5 *commodate the intercity rail passenger requirements of Am-*  
6 *trak, along with the needs of the commuter rail services*  
7 *servicing the City of Ontario. In developing the plan, Am-*  
8 *trak shall consider use of a facility at the Ontario Inter-*  
9 *national Airport as the primary facility for handling inter-*  
10 *city passengers, shall evaluate sources of State, local, and*  
11 *private funding for the new or redeveloped station facilities,*  
12 *and shall propose the allocation of space and costs in the*  
13 *new facilities among all transportation services using the*  
14 *facilities. The plan shall be predicated upon completing the*  
15 *project with State, local, and private funding, and without*  
16 *Federal funds appropriated for Amtrak. Amtrak shall sub-*  
17 *mit a report to the Committee on Energy and Commerce*  
18 *of the House of Representatives and the Committee on Com-*  
19 *merce, Science, and Transportation of the Senate contain-*  
20 *ing such plan no later than April 1, 1995.*

21 **SEC. 13. LAND CONVEYANCE.**

22 (a) *VALIDATION AND CONFIRMATION.*—*The conveyance*  
23 *described in subsection (b)(1) involving certain real prop-*  
24 *erty in Tulare County, California, forming a part of the*  
25 *right-of-way granted by the United States to the Southern*  
26 *Pacific Railroad under the Act entitled “An Act granting*

1 *Lands to aid in the Construction of a Railroad and Tele-*  
2 *graph Line from the States of Missouri and Arkansas to*  
3 *the Pacific Coast”, approved July 27, 1866 (14 Stat. 292),*  
4 *is legalized, validated, and confirmed in the Redevelopment*  
5 *Agency of the city of Tulare, the grantee in such conveyance,*  
6 *and their successors in interest, with respect to all interests*  
7 *of the United States in the rights to the real property de-*  
8 *scribed in subsection (b)(2).*

9 (b) *CONVEYANCE AND REAL PROPERTY DESCRIBED.—*

10 (1) *CONVEYANCE.—The conveyance referred to in*  
11 *subsection (a) was made by a Judgment in Con-*  
12 *demnation and Final Order of Condemnation of the*  
13 *Superior Court in and for the county of Tulare, State*  
14 *of California in Action No. 150298 entitled “Redevel-*  
15 *opment Agency of the City of Tulare v. Southern Pa-*  
16 *cific Transportation Company” filed and entered*  
17 *March 10, 1992, by the Southern Pacific Transpor-*  
18 *tation Company to the Redevelopment Agency of the*  
19 *city of Tulare.*

20 (2) *REAL PROPERTY DESCRIBED.—The real*  
21 *property referred to in subsection (a) is a parcel of*  
22 *land in the northwest quarter of section 11, township*  
23 *20 south, range 24 east, Mount Diablo Base and me-*  
24 *ridian in the city of Tulare, county of Tulare, State*  
25 *of California, more particularly described as follows:*

1           *Commencing at the intersection of the centerlines*  
2           *of Tulare Avenue and "J" Street;*

3           *Thence north 10 degrees 20 minutes 00 seconds*  
4           *west 208.54 feet along the centerline of "J" Street;*

5           *Thence south 79 degrees 39 minutes 36 seconds*  
6           *west 40.00 feet to the westerly right-of-way line of "J"*  
7           *Street and the True Point of Beginning;*

8           *Thence south 10 degrees 20 minutes 00 seconds*  
9           *east 148.54 feet along said westerly right-of-way line*  
10          *to the beginning of a tangent curve concave to the*  
11          *northwest having a radius of 20.00 feet, a radial line*  
12          *through which bears north 79 degrees 40 minutes 00*  
13          *seconds east;*

14          *Thence south, southwesterly and westerly along*  
15          *said curve and right-of-way line through a central*  
16          *angle of 89 degrees 59 minutes 36 seconds to the*  
17          *northerly right-of-way line of Tulare Avenue;*

18          *Thence south 79 degrees 39 minutes 36 seconds*  
19          *west 159.89 feet along last said right-of-way line;*

20          *Thence leaving said right-of-way line north 10*  
21          *degrees 20 minutes 00 seconds west 168.54 feet par-*  
22          *allel with the centerline of "J" Street;*

23          *Thence north 79 degrees 39 minutes 36 seconds*  
24          *east 179.88 feet to the Point of Beginning.*

25           *Containing 0.69 acres.*

1 **SEC. 14. RESIDENCE OF EMPLOYEES.**

2       *The amendments made by section 7 of the Amtrak Re-*  
3 *authorization and Improvement Act of 1990 shall apply to*  
4 *all periods before and after the date of their enactment.*