

Calendar No. 667

103D CONGRESS
2D SESSION

S. 2002

A BILL

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

SEPTEMBER 28 (legislative day, SEPTEMBER 12), 1994
Reported with an amendment

Calendar No. 667

103^D CONGRESS
2^D SESSION

S. 2002

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

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

SEPTEMBER 28 (legislative day, SEPTEMBER 12), 1994

Reported by Mr. HOLLINGS, with an amendment

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

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—

1 (1) intercity rail passenger service is an essen-
2 tial component of the integrated national transpor-
3 tation system; however, to achieve its full potential
4 the National Railroad Passenger Corporation (Am-
5 trak) must provide a quality transportation product
6 in the form of clean, comfortable, and on-time serv-
7 ice;

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

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

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

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

1 should use this position to evaluate Amtrak's costs
2 and revenue elements to ensure that Amtrak pro-
3 vides excellent service to its customers and that Am-
4 trak uses its Federal investment wisely and effi-
5 ciently; and

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

10 **SEC. 3. WORLD CLASS SERVICE.**

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

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

16 **SEC. 4. RETURN ON INVESTMENT.**

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

19 (1) by inserting “(1)” before “The Corporation
20 shall transmit”; and

21 (2) by adding at the end the following new
22 paragraph:

23 “(2) The Corporation shall also include in the report
24 required under paragraph (1) projections of the antici-
25 pated benefits of the projects proposed for funding under

1 this Act and a report on the benefits actually realized from
 2 all projects previously funded under this Act beginning
 3 with funds provided in fiscal year 1994. Such report shall
 4 include an identification of improvements in the quality
 5 of service offered by Amtrak, facility improvements that
 6 demonstrate a productivity gain, equipment improvements
 7 that lower operating costs, environmental benefits (includ-
 8 ing air quality and land use), enhancements to local trans-
 9 portation needs, enhancements to mobility of physically
 10 and economically disadvantaged persons, an improvement
 11 to the revenue to cost ratio, reduced dependence on Fed-
 12 eral operating support, and reductions in the need for al-
 13 ternative transportation investments. To the extent prac-
 14 ticable, the benefits addressed in each report shall also be
 15 expressed as return on invested capital.”.

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

17 (a) Section 403(b) of the Rail Passenger Service Act
 18 (45 U.S.C. 563(b)) is amended—

19 (1) in paragraph (1)(B) by amending clause
 20 (iii) to read as follows:

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

24 “(I) 45 percent in the first year of such
 25 operation; and

1 “(II) 65 percent in each year of operation
2 thereafter,
3 of the long-term avoidable losses of operating such
4 service and at least 50 percent of the associated cap-
5 ital costs.”;

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

8 (3) by inserting after paragraph (1) the follow-
9 ing new paragraph:

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

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

15 “(B) 35 percent in each year of operation
16 thereafter,
17 of the long-term avoidable losses of operating such serv-
18 ice.”;

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

23 (5) in paragraph (4)(B), as so redesignated by
24 paragraph (2) of this subsection, by adding at the
25 end the following new sentence: “Any such renewal

1 shall require the State, agency, or person to provide
2 a statement that such State, agency, or person
3 agrees to pay in each year of operation, beginning
4 with the first year of operation of service under such
5 renewed agreement, at least 65 percent of the long-
6 term avoidable losses of operating such service and
7 at least 50 percent of the associated capital costs.”.

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

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

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

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

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

15 (2) in subsection (b)—

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

18 (B) by striking paragraph (2).

19 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

22 ~~“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.~~

23 ~~“(a) OPERATING EXPENSES.—~~

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

4 “(A) \$363,000,000 for fiscal year 1995;
5 and

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

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

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

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

13 “(b) CAPITAL INVESTMENT.—There are authorized
14 to be appropriated to the Secretary for the benefit of the
15 Corporation for capital investment expenditures—

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

24 “(2) \$355,000,000 for fiscal year 1996, of
25 which not more than \$240,000,000 shall be available

1 for rolling stock, not more than \$65,000,000 shall
2 be available for fixed facilities, not more than
3 \$35,000,000 shall be available to satisfy other cap-
4 ital investment statutory and regulatory require-
5 ments, and not more than \$15,000,000 shall be
6 available for other capital projects.

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

16 “(d) NORTHEAST CORRIDOR IMPROVEMENT
17 PROJECT.—There are authorized to be appropriated to
18 the Secretary for the benefit of the Corporation for mak-
19 ing capital expenditures under section 704(a) of the Rail-
20 road Revitalization and Regulatory Reform Act of 1976
21 (45 U.S.C. 854(a)) such sums as may be necessary.

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

1 ~~“(1) tax liabilities under section 3221 of the In-~~
2 ~~ternal Revenue Code of 1986 due in such fiscal~~
3 ~~years in excess of amounts needed to fund benefits~~
4 ~~for individuals who retire from the Corporation and~~
5 ~~for their beneficiaries;~~

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

11 ~~“(3) obligations of the Corporation due under~~
12 ~~section 3321 of the Internal Revenue Code of 1986.~~

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

1 quently than every 90 days, unless the Corporation, for
2 good cause, requests more frequent payment before expi-
3 ration of any 90-day period.”.

4 **SECTION 1. SHORT TITLE.**

5 *This Act may be cited as the “Rail Investment Act*
6 *of 1994”.*

7 **TITLE I—AMTRAK**

8 **SEC. 101. SHORT TITLE.**

9 *This title may be cited as the “Amtrak Investment Act*
10 *of 1994”.*

11 **SEC. 102. FINDINGS.**

12 *The Congress finds that—*

13 *(1) intercity rail passenger service is an essential*
14 *component of the integrated national transportation*
15 *system; however, to achieve its full potential the Na-*
16 *tional Railroad Passenger Corporation (herein also*
17 *referred to as “Amtrak”) must provide a quality*
18 *transportation product in the form of clean, com-*
19 *fortable, and on time service;*

20 *(2) Amtrak’s management and employees are*
21 *dedicated to providing the high quality service that*
22 *Amtrak’s customers deserve; however, additional cap-*
23 *ital investment is needed to acquire the modern*
24 *equipment and efficient facilities that are essential to*

1 *satisfy the demand for superior intercity rail pas-*
2 *senger service;*

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

7 *(4) Amtrak's management should be held ac-*
8 *countable to ensure that all capital investment by the*
9 *Federal Government is effectively used to improve the*
10 *quality of service and the long-term financial health*
11 *of Amtrak;*

12 *(5) the Secretary of Transportation, as an ex*
13 *officio member of Amtrak's board of directors, should*
14 *use this position to evaluate Amtrak's costs and reve-*
15 *nuue elements to ensure that Amtrak provides excellent*
16 *service to its customers and that Amtrak uses its Fed-*
17 *eral investment wisely and efficiently; and*

18 *(6) States can play a significant role in provid-*
19 *ing cost efficient intercity rail passenger transpor-*
20 *tation and in addressing local transportation needs*
21 *and air quality control.*

22 **SEC. 103. WORLD CLASS SERVICE.**

23 *Section 24101(c) of title 49, United States Code, is*
24 *amended by redesignating paragraphs (10) and (11) as (12)*

1 *and (13), respectively, and inserting after paragraph (9)*
2 *the following:*

3 *“(10) manage capital investment in such a way*
4 *as to provide customers with world class service;*

5 *“(11) treat all passengers with respect, courtesy,*
6 *and dignity;”.*

7 **SEC. 104. RETURN ON INVESTMENT.**

8 *Section 24315(b) of title 49, United States Code, is*
9 *amended by redesignating paragraph (2) as (3), and by in-*
10 *serting after paragraph (1) the following:*

11 *“(2) Amtrak shall include in the report required*
12 *under paragraph (1) projections of the anticipated*
13 *benefits of the projects proposed for funding under*
14 *this part and a report on the benefits actually real-*
15 *ized from all projects previously funded under this*
16 *part or the Rail Passenger Service Act beginning with*
17 *funds provided in fiscal year 1994. The report shall*
18 *include an identification of improvements in the*
19 *quality of service offered by Amtrak, facility improve-*
20 *ments that demonstrate a productivity gain, equip-*
21 *ment improvements that lower operating costs, envi-*
22 *ronmental benefits (including air quality and land*
23 *use benefits), enhancements to local transportation*
24 *needs, enhancements to mobility of physically and*
25 *economically disadvantaged persons, any improve-*

1 *ment of the revenue-to-cost ratio, any reduced depend-*
2 *ence on Federal operating support, and reductions in*
3 *the need for alternative transportation investments.*
4 *To the extent practicable, the benefits addressed in*
5 *each report shall also be expressed as return on in-*
6 *vested capital.”.*

7 **SEC. 105. STATE REQUESTED RAIL PASSENGER SERVICE.**

8 (a) *FINANCING.*—Section 24704(a)(1)(C) of title 49,
9 *United States Code, is amended to read as follows:*

10 *“(C) a statement by such State, agency, or*
11 *person that it agrees to pay in each year of oper-*
12 *ation of any such service at least—*

13 *“(i) 45 percent in the first year of such*
14 *operation; and*

15 *“(ii) 65 percent in each year of oper-*
16 *ation thereafter,*

17 *of the long-term avoidable losses of operating*
18 *such service and at least 50 percent of the associ-*
19 *ated capital costs.”.*

20 (b) *AMTRAK CONTRIBUTION LIMIT.*—Section 24704 of
21 *title 49, United States Code, is amended—*

22 (1) *by inserting “(1)” before “After”;* and

23 (2) *by adding at the end thereof the following:*

1 “(2) Amtrak is authorized to contribute in each
2 year of operation of any service instituted or retained
3 pursuant to this subsection no more than—

4 “(A) 55 percent in the first year of such op-
5 eration; and

6 “(B) 35 percent in each year of operation
7 thereafter, of the long-term avoidable losses of op-
8 erating such service.”.

9 (c) RENEWALS.—Section 24704(b)(2) of title 49, Unit-
10 ed States Code, is amended by adding at the end thereof
11 the following: “Any such renewal shall require the State,
12 agency, or person to provide a statement that such State,
13 agency, or person agrees to pay in each year of operation,
14 beginning with the first year of operation of service under
15 such renewed agreement, at least 65 percent of the long-
16 term avoidable losses of operating such service and at least
17 50 percent of the associated capital costs.”.

18 (d) COMPREHENSIVE REVIEW.—Within 2 years after
19 the date of enactment of this Act, the Secretary of Transpor-
20 tation shall conduct a comprehensive review of the program
21 of State-assisted rail passenger services operated by the Na-
22 tional Railroad Passenger Corporation under section 24704
23 of title 49, United States Code, and shall submit a report
24 to the Congress detailing the Secretary’s findings and con-
25 clusions, including any recommendations the Secretary

1 *may have for revising that section. The Secretary's report*
2 *shall address, among other things, whether and at what*
3 *point services originated under that section should become*
4 *a part of the basic system of intercity rail passenger services*
5 *and shall identify any other avenues for initiating and im-*
6 *plementing new rail passenger services.*

7 (e) *CONFORMING AMENDMENT.—Section*
8 *24704(b)(1)(A) of title 49, United States Code, is amended*
9 *by inserting “and subsection (e)(2)” before the semicolon.*

10 (f) *EFFECTIVE DATE.—The amendments made by sub-*
11 *sections (a) and (b) of this section shall apply only with*
12 *respect to fiscal year 1997 and subsequent fiscal years.*

13 ***SEC. 106. NORTHEAST CORRIDOR IMPROVEMENT PROJECT.***

14 (a) *CAPITAL IMPROVEMENTS.—Section 24909(a) of*
15 *title 49, United States Code, is amended to read as follows:*

16 “(a) *CAPITAL IMPROVEMENTS.—The National Rail-*
17 *road Passenger Corporation shall make capital improve-*
18 *ments for the Northeast Corridor improvement project*
19 *under this title as necessary to operate reliable, high-speed*
20 *rail passenger service, to enhance capacity for intercity and*
21 *commuter passenger service, and as otherwise may be nec-*
22 *essary to ensure continued reliable high-speed service. Such*
23 *Corporation shall also acquire train equipment to be used*
24 *on the Northeast Corridor, mitigate environmental impacts*
25 *related to the Northeast Corridor improvement project, and*

1 *provide adequate parking at and improve Northeast Cor-*
 2 *ridor rail stations.”.*

3 *(b) SUBSTITUTION AND DEFERRAL NO LONGER AL-*
 4 *LOWED.—Section 24909 of title 49, United States Code, is*
 5 *amended by striking subsection (e).*

6 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

7 *Section 24104 of title 49, United States Code, is*
 8 *amended to read as follows:*

9 **“§24104. Authorization of appropriations**

10 *“(a) OPERATING EXPENSES.—*

11 *“(1) CORE SYSTEM.—There are authorized to be*
 12 *appropriated to the Secretary for the benefit of Am-*
 13 *trak for operating expenses—*

14 *“(A) \$363,000,000 for fiscal year 1995; and*

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

16 *“(2) STATE REQUESTED SERVICE.—There are*
 17 *authorized to be appropriated to the Secretary for the*
 18 *benefit of Amtrak for meeting its obligations under*
 19 *section 24704 of this title—*

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

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

22 *“(b) CAPITAL INVESTMENT.—There are authorized to*
 23 *be appropriated to the Secretary for the benefit of Amtrak*
 24 *for capital investment expenditures—*

25 *“(1) \$252,000,000 for fiscal year 1995; and*

1 “(2) \$360,000,000 for fiscal year 1996.

2 “(c) *INTERCITY RAIL PASSENGER STATION*.—There
3 are authorized to be appropriated to the Secretary for the
4 benefit of Amtrak \$40,000,000 for fiscal year 1995 and
5 \$50,000,000 for fiscal year 1996 to be used for engineering,
6 design, and construction activities to enable the James A.
7 Farley Post Office in New York, New York, to be used as
8 a train station and commercial center and for necessary
9 improvements and redevelopment of the existing Pennsylv-
10 nia Station and associated service building in New York,
11 New York.

12 “(d) *NORTHEAST CORRIDOR IMPROVEMENT*
13 *PROJECT*.—There are authorized to be appropriated to the
14 Secretary for the benefit of Amtrak for making capital ex-
15 penditures under section 24909 of this title \$250,000,000
16 for fiscal year 1995; \$275,000,000 for fiscal year 1996; and
17 \$300,000,000 for fiscal year 1997.

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

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

1 *viduals who retire from Amtrak and for their bene-*
2 *ficiaries;*

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

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

10 *“(f) AUTHORIZATION OF APPROPRIATIONS.—Notwith-*
11 *standing section 6304 of title 31, United States Code, funds*
12 *for operating expenses appropriated under this section for*
13 *fiscal years 1995 and 1996 shall be provided to Amtrak*
14 *upon appropriation when requested by Amtrak.”.*

15 **SEC. 108. LEGALIZATION OF CERTAIN CONVEYANCES.**

16 *(a) IN GENERAL.—Notwithstanding any other provi-*
17 *sion of law to the contrary but subject to subsection (c),*
18 *the conveyances described in subsection (b) are hereby vali-*
19 *dated to the extent that the conveyances would have been*
20 *legal or valid if the land involved in the conveyances had*
21 *been held by the Southern Pacific Transportation Company*
22 *under absolute or fee-simple title.*

23 *(b) CONVEYANCES.—The conveyances described in this*
24 *subsection are the conveyances made by the Southern Pa-*

1 *cific Transportation Company on or before December 12,*
2 *1992, that—*

3 *(1) formed part of a railroad right-of-way grant-*
4 *ed to the Central Pacific Railroad Company of Cali-*
5 *fornia, or its successors or assigns, by the Federal*
6 *Government; and*

7 *(2) are located within the boundaries of the*
8 *downtown redevelopment area of the City of Reno,*
9 *Nevada (as defined and determined by the Secretary*
10 *of Transportation, in consultation with the appro-*
11 *priate official of the City of Reno, Nevada).*

12 *(c) FILING OF INSTRUMENTS.—As soon as practicable*
13 *after the date of enactment of this Act, the Secretary of*
14 *Transportation shall file for recordation in the real prop-*
15 *erty records of Washoe County, Nevada, such instruments*
16 *as are necessary to document the conveyances described in*
17 *subsection (b) that are validated under subsection (a).*

18 **SEC. 109. MISSOURI RIVER CORRIDOR DEVELOPMENT PRO-**

19 **GRAM.**

20 *(a) FEASIBILITY STUDY.—Within 6 months of the date*
21 *of enactment of this Act, Amtrak, in consultation with offi-*
22 *cial of the affected States and private rail carriers, shall*
23 *develop and submit to the Congress a report addressing the*
24 *feasibility, efficiency, and effectiveness of instituting rail*
25 *passenger service between Kansas City, Missouri, and*

1 *Omaha, Nebraska, as well as potential extensions or connec-*
2 *tions of service in the States of Iowa, Nebraska, Missouri,*
3 *Montana, North Dakota, South Dakota, Oklahoma, and*
4 *Kansas that might enhance the ridership or revenues of Am-*
5 *trak service. The report shall compare estimated costs and*
6 *revenues of this service to other existing and planned inter-*
7 *city rail passenger operations and identify the benefits such*
8 *service might provide in helping Amtrak to provide a bal-*
9 *anced system of intercity rail passenger transportation. The*
10 *report shall identify the capital and operating costs associ-*
11 *ated with such operations and possible sources of support*
12 *for these costs, including operation of this service as part*
13 *of the basic system of intercity rail passenger transpor-*
14 *tation provided under section 24701 of title 49, United*
15 *States Code, or operation of this service in cooperation with*
16 *the affected States under section 24704 of such title.*

17 **(b) ELIGIBLE PROJECTS.**—*To the extent of funds ap-*
18 *propriated under subsection (d), Amtrak shall carry out a*
19 *Missouri River Corridor Development Program the purpose*
20 *of which is to improve intermodal rail station facilities in*
21 *the Missouri River Corridor used or planned for use in Am-*
22 *trak service, and to purchase rail passenger equipment to*
23 *be used in connection with existing or planned Amtrak serv-*
24 *ice in the Missouri River Corridor. In selecting from among*
25 *eligible projects, Amtrak shall choose projects that will con-*

1 *tribute to increased ridership, revenues, or the development*
2 *of significant intermodal transportation facilities.*

3 (c) *COST SHARING.*—*Fifty percent of the cost of im-*
4 *provements or capital acquisitions made under subsection*
5 *(b) shall be paid by a State, local, or regional transpor-*
6 *tation authority or other responsible party. Amtrak may*
7 *enter into agreements under which Amtrak will carry out*
8 *the necessary improvements or capital acquisitions and be*
9 *reimbursed by the responsible party or parties.*

10 (d) *FUNDING.*—*There are authorized to be appro-*
11 *priated to the Secretary of Transportation for fiscal year*
12 *1995 not more than \$7,000,000, such sums to remain avail-*
13 *able until expended, for use by, or for the benefit of, Amtrak*
14 *for making capital expenditures associated with the Mis-*
15 *souri River Corridor Development Program in carrying out*
16 *subsection (b).*

17 (e) *DEFINITION.*—*As used in this title, the term “Mis-*
18 *souri River Corridor” means Iowa, Nebraska, Missouri,*
19 *Montana, North Dakota, South Dakota, Oklahoma, and*
20 *Kansas.*

21 **SEC. 110. EXEMPTIONS FOR NORTHEAST CORRIDOR IM-**
22 **PROVEMENT PROJECT.**

23 *Section 24902 of title 49, United States Code, is*
24 *amended by adding at the end the following new subsection:*

1 “(m) *APPLICABLE EXEMPTIONS AND PROCEDURES.*—
2 *For the purpose of any State or local requirement for per-*
3 *mit or other approval for construction of any improvement*
4 *undertaken by Amtrak as part of the Northeast Corridor*
5 *Improvement Project, the exemptions and procedures appli-*
6 *cable to a project undertaken by the Federal Government*
7 *or an agency thereof shall apply.*”

8 **SEC. 111. BOSTON-NEW HAVEN ELECTRIFICATION PROJECT.**

9 *Section 24902(f) of title 49, United States Code, is*
10 *amended—*

11 (1) *by inserting “(1)” before “Improvements*
12 *under”; and*

13 (2) *by adding at the end the following new para-*
14 *graph:*

15 “(2)(A) *Amtrak shall design and construct the elec-*
16 *trification system between Boston, Massachusetts, and New*
17 *Haven, Connecticut, to accommodate the installation of a*
18 *third mainline track between Davisville and Central Falls,*
19 *Rhode Island, to be used for double-stack freight service to*
20 *and from the Port of Davisville. Wherever practicable, Am-*
21 *trak shall use portal structures and realign existing tracks*
22 *on undergrade and overgrade bridges to minimize the width*
23 *of the right-of-way required to add the third track. Amtrak*
24 *shall take such other steps as may be required to coordinate*
25 *and facilitate design and constructions work.*

1 “(2) claims recovered by Amtrak; and

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

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

 “24316. Capital and equipment acquisition account.”.

7 **SEC. 113. COLUMBUS AND GREENVILLE RAILWAY.**

8 (a) *REDEMPTION OF OUTSTANDING OBLIGATIONS AND*
9 *LIABILITIES.*—Notwithstanding any other provision of law,
10 the Secretary of Transportation, or the Secretary of the
11 Treasury, if a holder of any of the obligations, shall allow
12 the Delta Transportation Company, doing business as the
13 Columbus and Greenville Railway, to redeem the obliga-
14 tions and liabilities of such company which remain out-
15 standing under sections 505 and 511 of the Railroad Revi-
16 talization and Regulatory Reform Act of 1976 (45 U.S.C.
17 825 and 831).

18 (b) *VALUE.*—For purposes of subsection (a), the value
19 of each of the obligations and liabilities shall be an amount
20 equal to the value established under the Federal Credit Re-
21 form Act of 1990 (2 U.S.C. 661 et seq.).

22 **SEC. 114. BOARD MEMBER.**

23 Section 24302(a)(1)(E) of title 49, United States Code,
24 is amended by inserting before the period a comma and
25 the following: “one of such members shall be specially quali-

1 *fied to represent the interests of rail passengers and shall*
2 *be selected from a list of 3 qualified individuals rec-*
3 *ommended by the National Association of Railroad Pas-*
4 *sengers.”.*

5 **SEC. 115. PILOT PROGRAM.**

6 *Amtrak shall conduct a pilot program to explore fea-*
7 *sible means of increasing non-federal revenues through the*
8 *sale of concessions on trains and the sale of advertising*
9 *space on trains and in rail stations. The pilot program*
10 *should accommodate existing contracting agreements be-*
11 *tween Amtrak and relevant labor groups.*

12 **SEC. 116. COOPERATION WITH STUDY.**

13 *Amtrak shall cooperate with the efforts of the Virginia*
14 *State Department of Transportation in designing and car-*
15 *rying out a study on the feasibility of reestablishing rail*
16 *service between Washington, D. C., and Bristol, Virginia.*

17 **SEC. 117. CENTRAL ARTERY RAIL LINK.**

18 *(a) IN GENERAL.—Upon completion of the prelimi-*
19 *nary engineering and design for the rail conneciton between*
20 *North Station and South Station in Boston, Massachusetts,*
21 *Amtrak shall develop a plan for final design and construc-*
22 *tion of the Central Artery Rail Link to enable intercity and*
23 *intracity passenger service between North Station and*
24 *South Station in Boston, Massachusetts. While this plan*
25 *shall utilize construction efficiencies available to the Central*

1 Artery Rail Link based on its physical and schedule com-
2 patibility to the Central Artery Tunnel Project, Amtrak is
3 directed to work with the Federal Highway Administration
4 to ensure that the rail link shall have no significant impact
5 on the the Central Artery Tunnel Project design and con-
6 struction schedule. Based upon the findings of the Federal
7 Transit Administration's feasibility study and financial
8 analysis, Amtrak is directed to identify a dedicated source
9 of funding, other than the Federal Highway Trust Fund,
10 within the Department of Transportation for completion of
11 the project.

12 (b) *AUTHORIZATION OF APPROPRIATIONS.*—There are
13 authorized to be appropriated to the Secretary for the bene-
14 fit of Amtrak \$40,000,000 for fiscal year 1996 and
15 \$40,000,000 for fiscal year 1997 for the engineering, design,
16 and construction of excavation support walls for the Central
17 Artery Tunnel Project to facilitate construction of a rail
18 tunnel under the depressed section of the highway. Amtrak
19 is authorized to contribute no more than 80 percent of the
20 total cost of engineering, design, and construction.

21 **SEC. 118. EMERGENCY TRAINING AND RESPONSE.**

22 (a) *TASK FORCE.*—The National Railroad Passenger
23 Corporation, together with representatives from each of the
24 on-board service and operating crafts and unions, shall
25 form a task force to consider recommendations for improv-

1 *ing emergency training and performance of on-board serv-*
2 *ice and operating crew members. A representative of the*
3 *Federal Railroad Administration shall serve on the task*
4 *force. The task force shall convene its first meeting within*
5 *90 days following the date of enactment of this section.*

6 (b) *MATTERS TO BE CONSIDERED.*—*The task force*
7 *formed under subsection (a) shall consider, at a mini-*
8 *num—*

9 (1) *whether the Corporation's emergency train-*
10 *ing an drill program as presently constituted is ade-*
11 *quate, and if not, in what ways it can be augmented*
12 *or improved;*

13 (2) *whether medical first-aid training, including*
14 *cardiopulmonary resuscitation, should be required for*
15 *all on-board service crew members;*

16 (3) *whether the Corporation's requirements with*
17 *respect to employee responsibilities for passenger evac-*
18 *uation, emergency communications, crew coordina-*
19 *tion, and disaster response should be coordinated; and*

20 (4) *whether certification of the Corporation's*
21 *emergency training program and evacuation proce-*
22 *dures by the Federal Railroad Administration is war-*
23 *ranted.*

24 *In considering the matters described in paragraphs (1)*
25 *through (4), the task force shall address relevant prior rec-*

1 *ommendations and findings by the National Transpor-*
2 *tation Safety Board.*

3 *(c) REPORT.—Not later than June 1, 1995, the task*
4 *force shall report to the Committee on Energy and Com-*
5 *merce of the House of Representatives and the Committee*
6 *on Commerce, Science, and Transportation of the Senate*
7 *on its findings in subsection (b), together with a summary*
8 *of actions implemented to date and recommendations for*
9 *future action.*

10 ***TITLE II—LOCAL RAIL FREIGHT***
11 ***ASSISTANCE***

12 ***SEC. 201. AUTHORIZATION OF APPROPRIATIONS.***

13 *Section 22108(a) of title 49, United States Code, is*
14 *amended—*

15 *(1) by inserting after paragraph (1)(B) the fol-*
16 *lowing:*

17 *“(C) \$30,000,000 for each of the fiscal years*
18 *ending September 30 of 1995, 1996, and 1997.”;*

19 *and*

20 *(2) by striking “any period after September 30,*
21 *1994,” in paragraph (3) and inserting “any period*
22 *after September 30, 1997,”.*

1 **SEC. 202. DISASTER FUNDING FOR RAILROADS.**

2 *Section 22101 of title 49, United States Code, is*
3 *amended by redesignating subsection (d) as (e), and by in-*
4 *serting after subsection (c) the following:*

5 *“(d) DISASTER FUNDING FOR RAILROADS.—*

6 *“(1) The Secretary may declare that a disaster*
7 *has occurred and that it is necessary to repair and*
8 *rebuild rail lines damaged as a result of such disas-*
9 *ter. If the Secretary makes declaration under this*
10 *paragraph, the Secretary may—*

11 *“(A) waive the requirements of this section;*

12 *“(B) consider the extent to which the State*
13 *has available unexpended local rail freight as-*
14 *sistance funds or available repaid loans; and*

15 *“(C) prescribe the form and time for appli-*
16 *cations for assistance made available herein.*

17 *“(2) The Secretary may not provide assistance*
18 *under this subsection unless emergency disaster relief*
19 *funds are appropriated for that purpose.*

20 *“(3) Funds provided under this subsection shall*
21 *remain available until expended.”.*

22 **SEC. 203. GRADE-CROSSING ELIGIBILITY**

23 *Section 22101(a) of title 49, United States Code, is*
24 *amended—*

25 *(1) by striking “and” after the semicolon in*
26 *paragraph (2);*

1 (2) by striking the period at the end of para-
2 graph (3) and inserting a semicolon and the word
3 “and”; and

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

6 “(4) the cost of closing or improving a railroad
7 grade crossing or series of railroad grade crossings.”.

S 2002 RS——2

S 2002 RS——3