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NARPnews

"Your emails and phone calls in the past 24 hours helped to move the needle, and wavering House members got the message loud and clear: there is an overwhelming consensus that A Connected America needs a modern, 21st century intermodal transportation network and rail is a vital part of that equation."

NARP PRESIDENT JIM MATHEWS, THANKING NARP MEMBERS FOR THEIR WORK IN DEFEATING AN AMTRAK-KILLING AMENDMENT

House Passes Rail Bill; Passengers Successfully Rally Against Anti-Amtrak Amendment

House lawmakers March 4 overwhelmingly rejected an amendment that sought to end passenger-rail service in America while backing the underlying authorizing legislation, the Passenger Rail Reform and Investment Act of 2015 (H.R. 749), by a vote of 316 to 101. Now, with that strong mandate, the fight for a bill that will truly transform the way train passengers travel moves to the Senate and will be a cornerstone of NARP's Spring Council Meeting in Washington, D.C.

Prior to passage, the White House announced they were backing the GOP-drafted legislation, a rare moment of bipartisanship to endorse the idea that America's national passenger rail network is a critical necessity. As NARP's National Council of Representatives gathers (April 20-22), strengthening this bill will be the central focus of the Day on the Hill, where Council Members engage in hundreds of meetings to educate elected officials on the benefits of rail.

[You're invited to NARP's Council Meeting! To register, visit http://bit.ly/NARP_Spring2015]

"The overwhelming bipartisan support shown in fighting back this ill-considered amendment demonstrates broad support for a national rail network—among both politicians and the public. Thousands of passengers rallied in support of Amtrak, with phone calls, emails and

(Continued on pg. 2)

Indiana DOT Threatens End of Hoosier State Following New Federal Regulations

The Hoosier State is once again in jeopardy after a disagreement between the state of Indiana and U.S. Department of Transportation over the specifics of bringing in a non-Amtrak operator.

The Indiana Department of Transportation (INDOT) announced that the Federal Railroad Administration has determined that if the state is to exert more control over operations, it will be legally classified as a railroad, and will be subject to all the requirements and responsibilities that come with that classification. In response, Indiana has announced it will not extend its contract with Amtrak to run the Hoosier State beyond April 1, 2015.

(Continued on pg. 3)

Supreme Court Rules for Passengers; NARP Pushes Feds to Reinstate Service Standards

In a victory for passengers, the Supreme Court unanimously vacated an appeals court decision, reinstating metrics and standards for Amtrak service that will protect the rights of train passengers. In doing so, the court agreed with the "Friend of the Court" brief filed by the National Association of Railroad Passengers and the Environmental Policy & Law Center in U.S. Department of Transportation vs. the Association of American Railroads.

"The political branches... exercise substantial, statutorily mandated supervision over Amtrak's priorities and operations," wrote the court in its decision. "Also of significance, Amtrak is required by statute to pursue broad public objectives; certain aspects of Amtrak's day-to-day operations are mandated by Congress; and Amtrak has been dependent on federal financial support during every year of its existence. Given the combination of these unique features and Amtrak's significant ties to the Government, Amtrak is not an autonomous private enterprise." [Citations omitted.]

This opinion hews closely to the brief filed by NARP and the Environmental Law & Policy Center. The brief provided many of the facts the Court cites in determining Amtrak's status as a governmental entity.

"This is a good day for U.S. passenger rail as it means that the met-

(Continued on pg. 2)

After Feds Shift Funding Burden to Locals, States Struggle

Two years after the enactment of a provision that shifted the cost of operations for all passenger train routes shorter than 750 miles from the federal government to state governments, passengers are still learning what the consequences will ultimately be for the national rail network. So far, the available evidence suggests more instability, with greater opportunities for growth and greater threats to existing service.

Part of the Passenger Rail Investment & Improvement Act of 2008 (PRIIA 2008), Section 209 was nominally about rationalizing funding obligations for routes across the U.S. Prior to the

(Continued on pg. 4)

Rail Reauthorization Passes House (cont'd)

(Continued from pg. 1)

visits, and Congress listened,” said NARP President Jim Mathews in a press release. “As the Senate takes up the bill, NARP will continue to work with coalition partners and likeminded allies to help craft a truly transformational piece of legislation to bring frequent, reliable, and safe rail service to all Americans. Investing in a modern transportation infrastructure that improves safety, reliability and efficiency of all modes is the only way to get America’s economy moving at full-speed again.”

Harmful Amendments Defeated

Before passage, the most serious threat came from Rep. Tom McClintock (R-CA) in the form of a last-minute amendment to eliminate all Amtrak funding – including Capitol Corridor and California Zephyr service in his own district.

Rep. McClintock argued that “profitable” trains would continue to keep running if his amendment became law. In an impassioned

floor speech defending Amtrak, Rep. Peter DeFazio (D-OR) explained that no passenger rail system anywhere in the world covers the full cost of infrastructure and operations—nor any airline, if airport, security and traffic control costs are included. Furthermore, because of existing contracts with its employees and vendors, eliminating public funding would mean the end of even Northeast Corridor service.

NARP members—joined by a broad coalition of transportation, labor, and environmental groups—rallied against the amendment. That campaign translated into Rep. McClintock’s amendment being soundly defeated by a vote of 272 to 147, nearly a two-to-one margin. However, the fact that 147 members (all Republican) voted for the amendment shows the stiff opposition that still needs to be overcome.

[See how your Representative voted on the kill-Amtrak amendment: <http://clerk.house.gov/evs/2015/roll110.xml>]

The other amendments considered were less controversial. Amendments focused on grade-crossing safety were introduced by Reps. Nita Lowey (D-NY) and Julia Brownley (D-CA); both were approved by a voice vote. Rep. John Mica (R-FL) introduced an amendment to require Amtrak to study non-stop service between New York City and Washington, D.C., and New York City and Boston. Even though it’s a watered-down version of the original proposal—which required the Northeast Corridor Infrastructure Advisory Commission to issue a Request for Proposals from private operators to run on the NEC—it has still drawn opposition from other northeastern states.

“High-speed rail without stops in Connecticut is a nonstarter,” said Senator Richard Blumenthal (D-CT), who’s vowed to kill the provision in the Senate version of the bill. ■



Supreme Court (cont'd)

(Continued from pg. 1)

rics and standards under PRIIA 207 are indeed valid,” said Karen Torrent, counsel for the ELPC. “We look to FRA to reinstate all of its activities required under PRIIA 207, including providing on-time performance statistics to the public.”

“The Supreme Court’s decision leaves the door open for the parties to go back to the lower courts and fight again on other issues,” said NARP President Jim Mathews in a public statement. “But at NARP, we think there’s a better

alternative to years of expensive additional litigation: Congress can resolve the metrics and standards issues once and for all as the new reauthorization of PRRIA makes its way through this legislative season, and everyone who cares about rail in this country can work together to build the 21st Century network the U.S. needs to move people, goods and ideas in a 21st Century economy.” ■



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Hoosier State Threatened; Amtrak Says “Hold On”

(Continued from pg. 1)

INDOT has been working with private operator Iowa Pacific Holdings to subcontract out a portion of the Hoosier State operating responsibilities. While Amtrak would have continued as primary operator—working with host freight railroads, providing train and engine crews, and overseeing reservation and ticketing—Iowa Pacific would have stepped in to provide the train equipment, maintenance, marketing, and on-board amenities such as food & beverage service.

The FRA responded to the plan by ruling that in assuming this oversight, INDOT would be classified as a railroad and would need to fulfill the attendant legal obligations.

INDOT believes it would have to carry liability insurance of up to \$200 million, hire staff to ensure compliance and enroll employees in the railroad retirement fund.

“Passenger rail providers and the host railroads are already required to comply with FRA rules,” said INDOT Commissioner Karl Browning. “Requiring a redundant layer of bureaucracy would not create improvements in passenger rail service or safety, it would only increase taxpayer costs.”

In 2008 Congress passed a law transferring funding responsibility for routes shorter than 750 miles to states, and the FRA is creating legal guidelines for states overseeing railroad operations. While the

FRA will be providing a window for comment, the rulemaking process is not expected to be completed until this summer.

Amtrak responded to INDOT’s statement by saying they are willing to continue overseeing operations for the Hoosier State while the state negotiates with the FRA.

“Daily Amtrak service to Indianapolis does not have to end in April. Amtrak has offered to continue to operate the train on a month-to-month basis,” said Amtrak President and Chief Executive Officer Joseph Boardman. “Amtrak is ready, willing and able to continue to provide safe and reliable service using one of the proven models we’ve used in other states.” ■

Pennsylvania Looks At Next Steps for Keystone West

Pennsylvania could improve passenger rail service between Harrisburg and Pittsburgh with options ranging from simple curve modifications to an additional track that would boost both speed and frequencies, according to the Keystone West High Speed Rail Study released in February.

The Pennsylvania Dept. of Transportation undertook the study cooperatively with the Federal Railroad Administration (FRA), Amtrak and host railroad Norfolk Southern (NS). The study considered a wide range of possible improvements to the corridor, based upon incremental improvements to speeds, expansion of capacity, and additional train frequencies—while minimizing negative impacts to Norfolk Southern freight operations (past and future).

After an initial screening of all alternatives—ranging from no-build to a \$39 billion electrified corridor dedicated to passenger rail—PennDOT performed an expanded rail operations analysis of the three

highest-ranking options:

Alternative 1 - \$1.47 billion: Centered on curve modifications in existing right-of-way. Plan saves 9 minutes on Eastbound Keystone and 5 minutes on Westbound.

Alternative 2 - \$9.95 billion: Alternative 1 improvements with the additions of curve straightening and some new alignment at choke points. Plan would save 35 minutes on Eastbound Keystone and 29 minutes on Westbound. Increases Keystone West ridership from base of 111,220 passengers in 2012 to 169,502 by 2020 through second daily frequency.

Alternative 3 - \$13.08 billion: Alternatives 1 and 2 improvements with the addition of a continuous third track. Achieves time savings of Alternative 2; additional time savings due to fewer conflicts between passenger and freight trains; additional capacity and reliability due to continuous third track; and increased ridership through an additional daily frequency.

The price tags associated with Alternatives 2 and 3 have given some policy makers pause. This is especially true given the inability of Congress to find the additional funds needed to close the investment gap faced by U.S. transportation infrastructure. Passenger rail advocates are working to educate the public on the practical, incremental steps that can be taken to improve service in the near-term.

“I would stress that the frequency of service is as important to the passenger as the speed of service,” NARP Mid-Atlantic Division Leader Michael Alexander told the Pittsburgh Post-Gazette. “There’s a lot of merit in increasing frequency even if speed is not increased.”

Alexander is also part of Western Pennsylvanians for Passenger Rail which is promoting On Track to Accessibility, a study that examines incremental upgrades to service along the Pittsburgh – New York City rail corridor. ■



After Feds Shift Funding Burdens, States Struggle (cont'd)

(Continued from pg. 1)

enactment of Section 209, the operations costs for routes that were included in the 1971 law that created Amtrak's original network were funded by the federal government. This Congressionally-identified network was understood by lawmakers to be a "bare bones" system; the minimal amount of service that could be provided and still be considered a national transportation network. Expansions to the national network that came after, meanwhile, were paid for by state governments.

PRIIA 2008 attempted to introduce a "single, nationwide standardized methodology for establishing and allocating the operating and capital costs among the States and Amtrak." The law established a deadline of October 16, 2013 for the 19 affected states to sign operating contracts with Amtrak. The intent was to create more equity for rail funding, and to increase stakeholder commitment to efficient operations.

(The Northeast Corridor, while less than

750 miles, was exempted and still receives federal funding. Another section of PRIIA 2008 was set up to establish state payments to Amtrak for commuter rail access to the NEC, but that has yet to be implemented.)

Unfortunately, Section 209 hasn't lived up to Congressional billing. Because while the deadline for state takeover of operational costs has been enforced, the second part of the equation—capital grants for infrastructure improvements and equipment procurement—is still missing in action. State-supported corridors were supposed to become more like transit systems, where operating is covered by local authorities and capital is provided through an 80/20 federal/state match. After a brief flurry of funding provided by the Recovery Act, Congress shut off the pipeline of funding. The end result has been to shove all funding responsibility for these routes onto the states.

All states involved were able to meet the

initial transfer deadline—though states like Indiana and Pennsylvania were in doubt, only signing contracts at the last minute. After the initial victory for passenger advocates, however, a new reality of uncertainty has started to emerge. States can't run deficits to the same degree as the federal government, and so a single year of decreased revenues—from a struggling economy or tax cuts—can undo decades of work to build up a service.

And while the inertia built into the U.S. Congress can be frustrating for passenger train advocates, it can also serve to protect services from post-election political swings. We've seen a number of governors come in and decide to slash funding to rail projects and services, decisions Section 209 will only amplify.

While all politics is local, as you'll see below—and in the cover story on the Hoosier State—some common problems are beginning to emerge in the post-209 world.

New Illinois Governor Slashes Rail Budget for Amtrak, Commuter Rail & Transit

Illinois Governor Rauner announced a budget on February 18 that includes major reductions in funding for Amtrak and Metra—including a \$16 million cut to state-supported Amtrak operations.

The proposed budget would cut operating funding for Illinois' Amtrak services from \$42 million to \$26 million—a nearly 40% reduction. That budget would not only hurt proposed expansions, such as the Quad City-Chicago corridor currently under development, but threaten existing services.

Governor Rauner's budget also slashes funding for transit and commuter rail. In addition to top-line cuts, Rauner's proposal takes aim at special programs, such as reimbursements to provide reduced-fare rides for seniors and passengers with disabilities.

"Our preliminary analysis shows that the proposed transit-funding cuts of

(Continued on pg. 6)

Oregon Legislature Budget Battle Threatens Cascades Service

Oregon Department of Transportation (ODOT) officials are warning that unless the state legislature provides additional funding for operations of the Cascades service, ODOT will be forced to notify Amtrak that it will not have sufficient funding to contract for the Oregon-segment of the train.

The Cascades service connects Portland to Seattle, Washington and Vancouver, British Columbia with four daily trains. The service is extremely popular, and Oregon and Washington State are carrying out plans to add two additional frequencies by 2017.

However, the State Legislature's Joint Committee on Ways & Means slashed the governor's FY2016 funding amount from \$10 million to \$5 million. ODOT says that is a shutdown figure.

The Association of Oregon Rail & Transit Advocates is working with legislators in Salem to ensure the train

(Continued on pg. 5)

Oklahoma & Texas Struggle to Close Budget Gap for Heartland Flyer

The Oklahoma Department of Transportation (OKDOT) is warning that it cannot afford to continue funding operations of the Heartland Flyer after Amtrak increased the annual cost.

The Heartland Flyer connects Oklahoma City to Fort Worth, Texas, and is funded jointly by the Oklahoma and Texas DOTs. In the face of increased expenses, Amtrak raised the annual operating cost to \$6.4 million. Texas has capped its contributions at \$2.5 million, and Oklahoma is saying they can't afford the remaining \$3.9 million per year.

"We can't pay that much," said Mike Patterson, executive director of the Oklahoma Department of Transportation. "And I don't see an appetite from the state to increase funding for rail transit."

"I am concerned that we will see a reduction in service," Patterson added.

(Continued on pg. 5)

Council Member's Voice: "An opportunity to be recognized as a supporter of the American Passenger on Capitol Hill"

We are pleased to offer the following commentary from Robert Flint, a NARP Council Member representing Alaska's passengers.

Dear Friends,

I am Robert Flint, council representative of the National Association of Railroad Passengers for Alaska and longtime NARP member.

For the past several years, my wife Letha and I have shown our support for NARP's mission by becoming individual sponsors of the Rayburn Reception on Capitol Hill. We know that our support will also help our daughter, Christine, and others in the younger generation, have the 21st century transportation network they need to take part in a 21st century economy.

NARP uses the Reception to get our voices and our ideas in front of the people who can make them happen: members of Congress, the Administration and Amtrak. We have committed to a \$1,000 sponsorship this year. Won't you join us, at the \$350 level or above? It's important for you to be strongly represented, with

your name in prominent letters. Decision makers need to know that there is committed grassroots support for passenger rail in this country. We believe in NARP, and have faith in our fellow members' ability to make this year's Reception the most effective one yet.

We contribute to NARP directly from our retirement account. If you are or will be over 70 ½ this year and have an IRA, there may be additional tax benefits available if you contribute to NARP directly from your IRA. By doing so, you may reduce your adjusted gross income which can lower the tax on Social Security benefits and reduce the medical expense exclusion; allowing you deduct more medical expenses. Congress has not made this benefit permanent, preferring to extend it year by year, usually at the last minute as happened in 2014. While it lapsed last year, it is likely to be resurrected for 2015. By making a contribution from the IRA you can benefit, if it is restored, or take the usual deduction if it isn't. Discuss a plan with your tax advisor.



Please contact Logan McLeod, Director of Resource Development, to learn about other ways to give NARP the support it deserves and needs.

Very truly yours,
Bob and Letha Flint
Alaska ■

Oregon Budget Battle (continued)

(Continued from pg. 4)

continues. ODOT has given a deadline of March 31, so there is still time in the legislative process to change the outcome. AORTA is warning that doing so will require an intensive advocacy campaign, however. ■

Oklahoma Struggles to Close Budget Gap for Heartland Flyer (continued)

(Continued from pg. 4)

There has been discussion among TxDOT and OKDOT over ways to lower costs, including replacing the train with bus service and bringing in other operators besides Amtrak.

"There's been some discussion about

bringing in another carrier," Patterson said. "But my understanding is that the Burlington Northern or any of the Class 1 operators [along the Heartland flyer route] want to only let Amtrak run on their line because of the liability issues." ■

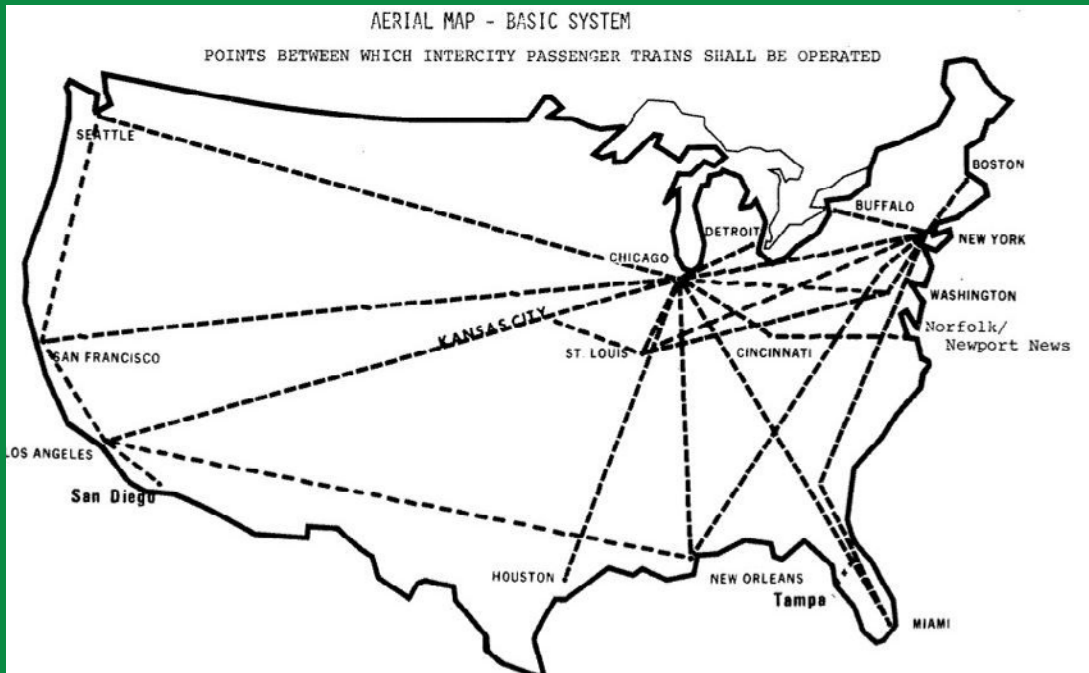
NARP TRAVELER'S ADVISORY

--Amtrak and the state of Illinois will extend the carry-on pet pilot that started on May 5, 2014 through to April 26, 2015 on the Carl Sandburg, and the Illinois Zephyr, Trains 380, 381, 382 and 383. In addition, the pilot will expand to include the Illini and Saluki, Trains 390, 391, 392 and 393 starting August 11, 2014 through to April 26, 2015.

--Amtrak will move its ticket office from the Ferry Building location at the close of business on Saturday, February 28, 2015, and begin serving Transbay Temporary Terminal on Sunday, March 1, 2015.

--Beginning February 16 through mid-April 2015, when ridership is typically lower, the Lounge Car will be removed from the Lake Shore Limited (Trains 448 and 449) between Albany and Boston (only), while the equipment undergoes maintenance.

From the Archives: Amtrak's Founding Map



The map submitted to Congress on January 28, 1971 by the Nixon Administration's Department of Transportation. The map would form the basis for the national network upon the launch of the National Passenger Railroad Corporation, better known as Amtrak (Source: Nixon Library via *Eno Transportation Weekly*).

APTA Reports Americans Set 58-Year Transit Ridership Record

The American Public Transportation Association (APTA) announced this month that Americans took more than 10.8 billion trips on public transportation in 2014—the highest figure in 58 years.

APTA President and CEO Michael Melaniphy highlighted notable trends and achievements in their public statement on the momentous milestone:

- “Despite the steep decline in gas prices at the end of last year, public transit ridership increased. This shows that once people start riding public transit, they discover that there are additional benefits besides saving money.”

- “People are changing their travel behavior and want more travel options. In the past people had a binary choice. You either took public transit, most likely a bus, or you drove a car. Now there are

multiple options with subways, light rail, streetcars, commuter trains, buses, ferries, cars and shared use vehicles.”

- “Since nearly 60 percent of the trips taken on public transportation are for work commutes, public transportation ridership increases are seen in areas where the local economy is growing.”

- “Expanded and improved public transit services also played a role in attracting more riders. For example, the transit agencies in Albany (NY), Denver (CO), Indianapolis (IN), Riverside (CA), and Salt Lake City (UT) saw increased ridership due to greater service.”

Commuter rail, light rail, and heavy rail (subways and elevated trains all saw significant year-over-year increases of at least 3 percent. ■

Illinois Trains in Danger (continued)

(Continued from pg. 4)

more than \$105 million would have a significant negative impact on CTA's operating budget,” said the Chicago Transit Authority.

NARP joined with the Midwest High-Speed Rail Association to rally Midwestern passengers in support of these trains. By convincing the General Assembly that Rauner's cuts to rail service threaten the state's economic future, we can stop these cuts before they gut Illinois' trains. ■