

**REPUBLICAN LEADERS OPPOSE  
OUR EFFORTS TO LOWER  
RECORD HIGH GAS PRICES AT  
THE PUMP**

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, yesterday gas prices hit an average of \$4.04 a gallon, a new historic high. While Democrats are taking action to lessen our dependence on foreign oil and lower prices, Republicans continue to repeat the same old rhetoric, continue drilling in ANWR, even though the President's own Energy Department has concluded that opening up the Arctic for drilling would not reduce the price of gasoline for another 20 years, and then it would only go down by about 1 penny per gallon. That's not an energy plan to be proud of.

From day one this Democratic Congress has been fighting to reduce our independence on foreign oil, bring down record gas prices and launch a cleaner and smarter energy future. We passed bills holding OPEC and oil companies accountable for price fixing, investing in renewable energy for green jobs and cracking down on price gouging by oil companies.

The only problem is that we are not getting enough support from either House Republicans or from President Bush. How high are prices going to actually have to get before Republicans support these important bills?

**AMERICAN-MADE ENERGY**

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, it's a curious debate that we have in these 1-minutes. Democrats are bringing to the floor unemployment insurance and they will bring to the floor helping people with heating costs and cooling costs.

The real job creation engine would be American-made energy with a couple of provisions. Since 1994 on votes on the floor of this House, on ANWR exploration, Republicans have supported 91 percent of the time, House Democrats have opposed ANWR exploration 86 percent of the time.

On coal-to-liquid technologies, House Republicans have supported that 97 percent of the time. House Democrats have opposed taking American coal, American energy, turning it into liquid fuel. They have opposed it 78 percent of the time.

On oil-shale exploration, House Republicans have supported it 90 percent of the time. Democrats have opposed 86 percent. OCS, Outer Continental Shelf, House Republicans have supported it 81 percent of the time since 1984. House Democrats have opposed it 83 percent of the time. On refineries, building new refineries, House Republicans have supported 97 percent of the time, House

Democrats have opposed 96 percent of the time.

□ 1045

**AMERICAN-PRODUCED ENERGY**

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, I rise today to discuss the importance of using American-produced energy.

A new survey of 1,000 Americans nationwide conducted by American Solutions reveals that 81 percent of Americans support using American-produced energy, including the oil and coal already here, to combat the rising cost of energy and reduce dependence on foreign energy sources.

It also shows that 69 percent of Americans support using domestic energy sources, including the oil located off our coast and in Alaska. With gasoline prices averaging \$4 a gallon nationwide, now is the time to increase American-produced energy.

Clear majorities of Americans of every political and ideological stripe advocate that the U.S. tap into its voluminous energy resources.

Despite the commonsense logic of increasing production of American-produced energy and the strong support of the American people for tapping into those resources, 86 percent of House Democrats have historically voted against increasing the production of American-made oil and gas.

It is time for our friends across the aisle to join with us, the 90 percent of House Republicans who have always voted to increase energy, to join with us to do this.

**DRILLING IN ANWR**

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, Democrats like foreign energy. I don't know why they like foreign energy because if we are dependent on foreign energy, since we import 60 percent of it now, it is a national security risk.

You have to ask what area of land have the Democrats agreed to explore. You have to ask that question. When 62 percent of our domestic onshore energy supplies are locked up because of Democrat regulation, and 85 percent of our offshore energy supplies are locked up because of Democrat regulation, you have to ask yourself what can we do.

You know, if you started drilling in ANWR, and remember, President Clinton vetoed that 10 years ago. That would have reduced your gas prices now probably 10 to 15 cents; nobody actually knows. But what would ANWR be. Put it this way, if ANWR was a basketball court, because it is the size of South Carolina, but just to give a word picture, if it were the size of a basket-

ball court, the drilling area would be a business card. Fanatical extremists have locked that up.

If you announced right now that we are going to start drilling in ANWR, you could get oil out of there within 3 years, according to Don Young, but the announcement alone would send a message to the foreign markets that America wants to wean itself from foreign gasoline. And, therefore, the price of energy would go down because that is how business works. When there is a little competition, your price comes down.

ANWR is the size of a business card on a basketball court.

**GENERAL LEAVE**

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008.

The SPEAKER pro tempore (Mr. PALLONE). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

**PASSENGER RAIL INVESTMENT  
AND IMPROVEMENT ACT OF 2008**

The SPEAKER pro tempore. Pursuant to House Resolution 1253 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 6003.

□ 1049

**IN THE COMMITTEE OF THE WHOLE**

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6003) to reauthorize Amtrak, and for other purposes, with Mr. MORAN of Virginia in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Florida (Mr. MICA) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, we stand on the threshold of a transformational moment in the history of intercity passenger rail service in America.

There was an earlier such moment. That was Amtrak, the creation of the Passenger Rail Corporation in 1970 when the freight rail interests of America gradually had been abandoning passenger service, discontinuing lines, discontinuing less-than-carload service, discontinuing the overnight railway Post Office service aboard intercity passenger rail. And as the RPO was discontinued, the passenger portion of the

rail service became unprofitable and the railroads one by one appealed to the Interstate Commerce Commission for discontinuance authority, to discontinue service on that portion of the line. And gradually, passenger rail service disappeared from the landscape until finally the Federal Government was left holding the bag, if you will, and created, through act of Congress, the passenger rail service we know today as Amtrak.

But over the intervening years, Amtrak was never given the funding it needed to improve the track, the rail bed, to improve the rolling stock, and to operate independently from freight rail service on the lines and corridors where passenger service operated. And especially over the last dozen years, we have seen declining investment in Amtrak's operations, and in the last 6 years we have had at least one bankruptcy budget submitted by the administration, candidly stated so by the Secretary of Transportation. But with a combination of Republicans and Democrats looking to the future, we have been able to just keep Amtrak's nose above water during these intervening years. Today, we change that model.

With passage of the Passenger Rail Investment and Improvement Act, we will transform the future of intercity passenger rail in America.

We heard all this morning from the one-minute speeches, the price of a gallon of gas breached \$4 a gallon for the first time in history. The American Automobile Association says gas prices have gone up more than 10 percent in the last month and a dollar in the past year. Those prices are reverberating across the Nation, changing people's travel patterns and habits and causing them to look more to transit, and transit across the country has exploded in its growth.

Last year we added more than a million new passengers to transit services a day across this country for 375 million new transit trips last year. Amtrak has similarly experienced enormous growth.

Our airlines are cutting back. Eight airlines since December of last year have shut down. One filed for bankruptcy, largely because of rising fuel costs. Fuel now represents 40 percent of the airline industry's expenses. A small increase in gas prices, and I know that a dollar a barrel increase in the price of oil for Northwest Airlines causes an increase in cost to that airline of \$42 million. You can increase that by 50 percent more for Delta, and double that for United and American. That means less competition, less mobility, and higher prices for our fellow citizens.

The Department of Transportation says vehicle miles traveled in March fell 4.3 percent from last year. That is the first time we have seen a drop in miles traveled on public roads in over 30 years.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. I yield myself an additional 2 minutes.

The Center for Housing Policy says that working families in large metropolitan areas spent nearly a third of their income on transportation. That means families are not able to buy homes, they are not saving, they are not investing in their children's education, they are spending it on transportation.

People are beginning to realize, just as they did in the days after September 11, that Amtrak service to move people from one city to another, is vitally important. One full passenger train can take 250 to 350 cars off the road. Intercity passenger rail removes 8 million cars from the highways every year and eliminates the need for 50,000 fully loaded passenger airline trips each year.

Amtrak in the Northeast corridor has 56 percent of the air-rail market between Washington, D.C. and New York City, 43 percent of the market between New York and Boston. And now we come to the American public, perhaps 20 years too late, but just in time with the legislation before us today that will upgrade passenger rail intercity service.

There is \$14.9 billion authorized in this bill to rebuild Amtrak, construct high-speed rail corridors across the Nation, and I won't go into the specifics of it.

At this point I simply want to express my deep appreciation to the gentleman from Florida (Mr. MICA) who extended his hand of cooperation, his enthusiasm for rebuilding passenger rail service in this country with some innovative ideas and a willingness to join hands and bring a truly bipartisan bill to the House floor, and to the gentlewoman from Florida (Ms. CORRINE BROWN) the Chair of the Rail Subcommittee who has been Amtrak's most vigorous cheerleader and advocate.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. I yield myself an additional 30 seconds.

She did a Harry Truman-style whistle-stop tour on Amtrak when it was just about to go under and joined forces with a bipartisan initiative to save the funding for Amtrak. And Mr. SHUSTER from Pennsylvania who has been a true partner in shaping this legislation today; his ideas and contributions have been enormously valuable.

We bring to America an opportunity to join the rest of the world in world-class, intercity high-speed passenger rail service. And again, I thank the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I must pay tribute to the chairman of our full committee, Mr. OBERSTAR, at this juncture. He began his remarks by saying this is a very historic occasion. And, indeed, for rail passenger service in the United States, this is a watershed moment.

I have been one of the harshest critics of Amtrak. I don't think I have ever voted for an Amtrak appropriation or authorization. In fact, we have not done an Amtrak reauthorization in Congress since 1997. And through the leadership of Mr. OBERSTAR, Ms. BROWN, Mr. SHUSTER from Pennsylvania, today we have for the first time probably one of the most dramatic changes in rail passenger service proposed before the United States Congress in its history. This is really evolutionary because we have taken in a bipartisan fashion some of the desires, some of the ideas from the Democrat side, we have combined it with some of the ideas and initiatives proposed by the Republican side, and melded it into a piece of legislation.

Nothing could be more fitting to bring before the Congress today, on a day when gasoline has reached \$4.05 a gallon across the United States on average, nothing that this Congress has considered to date that I know of will have a more dramatic, positive effect on the environment, and helping to change also the patterns of travel and the consumption of fossil fuel than this legislation proposed here today, and it is a bipartisan effort and I thank all of those involved for that.

Let me first address some of the concerns expressed by my administration. My administration has raised some concerns, one about the cost. Yes, the cost is higher; but for the first time we bring forward a program that doesn't just benefit Amtrak and an old Soviet-style train operation, it brings passenger rail service into the 21st century in the United States. It allows free enterprise and the best private sector initiatives to come in and help design, construct and finance high-speed rail service first in the Northeast corridor, but not just to the Northeast corridor, throughout the United States of America.

□ 1100

It takes ideas like Mr. SHUSTER brought forward also, also Ms. BROWN contributed too, in taking some of the money-losing operations. And I've been a critic. We subsidize every ticket on Amtrak right now at \$50.60, \$50.60 for every ticket.

But what we do is we look at what the best solutions are, the best innovative private sector practices, and taking the money-losing operations and giving them a chance to succeed, to lower the cost to the taxpayers, and to provide service in public/private partnerships, and also partnerships with the State governments. Where we need service, we'll get service, and we have to help pay for service.

Now, people are saying this bill may be too much. That's bunk. \$14 billion over 5 years?

I'll give you two projects, let me just give you two transportation projects that, one I visited a week ago in New York, a tunnel from Long Island Railroad down to Grand Central Station. \$7.2 billion for one line.

The Federal Transit Administration just approved approximately \$5 billion to extend 21 miles of light rail with the Dulles extension, 21 miles, \$5 billion. Those two projects are equivalent to what we're talking about spending for a nationwide passenger rail system.

And also launching the first high-speed rail effort in the United States. Right now we don't have that. Amtrak Acela, they do their best, they run 83 miles an hour. But we need a dramatic investment in that route to get high-speed service. It's going to cost money, and Congress doesn't have to provide all the money.

Everybody finally woke up to the fact that, with the private sector involvement, we can create high-speed service, separate the traffic, improve commuter service in one of our most congested corridors. Commuters will do better, improve freight traffic. Freight traffic in the United States for rail moves at an average of 23 miles an hour. That's pitiful in a Nation like this.

So, finally, this proposal takes, I have a little diagram here. This is what we have across the country, from sea to shining sea. Congestion. And what we want to have is not just Acela, which runs at 83 miles an hour, the Japanese bullet train runs at 180 miles an hour. Maglev has gone 350 miles an hour. I've ridden it at 269 miles an hour. In China. That's where they have high-speed magnetic next generation technology. Not United States but in China. That's pitiful today.

What we do is we take an asset. Finally, this is an asset the public all owns. It's part of Amtrak. It's from Washington to Boston through New York City.

It's time that we stopped sitting on our assets. This is one of the most valuable assets that the public owns, that Amtrak owns, develop that to its maximum capability.

And finally, the benefits. We'll relieve northeast corridor congestion. We can take passenger cars and trucks off the highways.

The other thing is 75 percent of our delays in the air system that radiate throughout the entire United States start in the New York City airspace, in that Northeast airspace. So the first time we have a solution to deal with freeing up that airspace. It'll have positive economic development, reduce air pollution and emissions.

No project is more friendly to the environment than what we're proposing here today. We'll have reliable transportation alternatives, enhanced commuter and freight operations in that congested but important corridor.

I reserve the balance of my time.

Mr. OBERSTAR. I yield 5 minutes to the distinguished Chair of our rail subcommittee, Ms. BROWN.

Ms. CORRINE BROWN of Florida. Mr. Chairman, I've got to say that one of the joys of serving in this Congress is serving on this Transportation and Infrastructure Committee with Mr.

OBERSTAR, who is the guru of transportation, not just for Amtrak, but every single area of transportation. And for helping to develop this Amtrak bill. Eleven years without a bill. The last authorization was 11 years ago.

And of course I want to thank Mr. MICA for his leadership in this area, and Mr. SHUSTER, and also Mr. LATOURETTE, because I want people to know that we didn't just come up with this bill today. This is a bill we've been working on for years. And this is an exciting day for the American people, a real milestone.

The Passenger Rail Investment and Improvement Act provides over \$2 billion per year for capital and operational grants, \$500 million per year for developing State passenger corridors, \$345 million per year to pay down debt, \$345 million per year for high-speed rail programs, and requires a plan for restoring service to the Sunset Limited Line.

Amtrak's improved physical state and recent focus on customer service, along with increased highways and airport congestion and rising gas prices, have made intercity passenger rail more popular and necessary than ever.

In Fiscal Year 2007, Amtrak carried more than 25.8 million passengers, the fifth straight fiscal year of record ridership. Like its ridership gains, Amtrak's financial performance has improved as well, posting approximately \$1.5 billion in ticket revenue, a gain of 10.8 percent over 2006 ticket revenue, and the third consecutive year that ticket revenues increased.

More than just a convenient way to travel, Amtrak is also energy efficient. Rail travel is more energy efficient and uses less fuel than cars or airplanes. According to the U.S. Department of Energy data, Amtrak is 17 percent more efficient than domestic airline travel and 21 percent more efficient than automobile travel.

And let me just say that there is no mode of transportation that pays for itself. We all subsidize every form of transportation.

Current initiatives include a more sleek model, more efficient Auto Train fleet, reducing annual fuel usage by 640,000 gallons, and remanufacturing brake systems throughout the Amtrak fleet that will reduce energy consumption by 8 percent.

Passenger rail also reduces global warming. The average passenger rail train produces 60 percent lower carbon emissions than cars and 50 percent less than airplanes.

On May 10, Amtrak celebrated National Train Day by holding events throughout the country, over 60, to be exact, showcasing intercity passenger rail and its importance to this Nation. I celebrated National Train Day by holding events throughout my district, including press conferences and events in Jacksonville, Winter Park and at the Sanford Auto Train station. Every event had great turnout, showing strong support for Amtrak, and I got to

hear firsthand accounts of people who use Amtrak every day to go to work, to visit friends and family all over the country.

Congress also showed strong support for Amtrak and passenger rail by passing legislation supporting National Train Day by 415-0.

Fifty years ago President Eisenhower created the national highway system, which really changed the way we travel in this country. Today we need to do the same thing with passenger rail, and make the level of investment necessary for it to become more successful in the future.

The American people deserve the best passenger rail in the world, and I believe that this Amtrak authorization will go a long way to raise the U.S. to its rightful place as a world leader in passenger rail.

Passing of H.R. 6003 will be the first major step in bringing our Nation's intercity passenger rail system to the 21st century. I encourage all of my colleagues to vote for the Passenger Rail Investment Improvement Act.

Mr. MICA. I'm pleased to yield to the ranking member of the Rail Subcommittee, Mr. SHUSTER from Pennsylvania, a total of 6 minutes; 5 minutes for his presentation and 1 minute for a colloquy with the gentlelady from Ohio.

Mr. SHUSTER. Mr. Chairman, today Congress can finally do something positive when it comes to energy, the energy situation in this country, and that is to pass this landmark legislation, The Passenger Rail Investment Improvement Act of 2008.

With gas prices today at \$4 a gallon, we, on both sides of the aisle, can join together and move to improve passenger rail in this country. And it is, as I said, something that will be a positive for the energy situation.

When you look at the airlines, they consume 20 percent more energy per passenger mile than Amtrak does to move a passenger. Passenger cars consume over 27 percent more energy per passenger mile than Amtrak. Amtrak is the most efficient way to move large numbers of people in our country today. So this is going to help with the energy situation. It's a positive step in the right direction. We still need to do much more but this is a positive step.

The other situation that we're facing in this country is a growing population. It took, we just recently crossed over the 300 million threshold in population in our country. It took us 65 years to go from 200 million to 300 million. It'll take us just 35 years to go from 300 million to 400 million.

And if you look around the country, and what I have is a chart that shows these corridors throughout the country. This is where the population density is going to get even thicker and more dense throughout this country. And this is where we're talking about down the road expanding high-speed rail across the country to help move passengers, to get people out of their

cars, to move them efficiently, to get them into our major urban areas and get them out again and get them between major urban areas.

So, as I said, as the population grows, Amtrak can be there with intercity travel helping us to move people. And people are desperate to get out of their cars, I believe, especially when you're traveling to and from. I know in Pennsylvania we've had a fantastic partnership between the State and Amtrak to establish the Keystone line. It travels over 100 miles an hour, and gets you from Harrisburg, the State Capitol to downtown Philadelphia in about an hour and 35 minutes, an hour and 40 minutes; no messing with traffic, no congestion.

Once again, the American people, I think, will get out of their cars and get on this intercity travel if we establish a system that works, a system that moves people fast and conveniently.

Three provisions in this legislation that I'm very pleased to see we've put in here. First, a private partnership with Amtrak, the Department of Transportation, identifying two of the worst performing lines in the country and putting them out for bid, allowing the private sector to come in and take those lines over and have a hand at trying to make them more efficient, trying their hand at finding ways to improve rail traffic, to decrease costs. So I'm very pleased that that's in here.

Second, a private partnership that we're looking at is, as my colleague from Florida stated, to re-establish a line that has been abandoned by Amtrak, that's no longer in service, to have the private sector come in and around the country see where one of those lines are and to re-establish that.

And third, as the gentleman from Florida talked about the Northeast Corridor, putting a request for a proposal in to have private industry come in in a partnership to look at how much it's going to cost us to take the Northeast Corridor and truly make it a high-speed rail corridor from New York City to Washington, D.C., traveling in 2 hours or less, which is something that, once again, I believe that the American people will embrace.

So for my colleagues that we've debated on this floor, I've watched debates for the last 20 years on this floor. There's always been an argument; can the private sector do it better. No, the government has to do it. Well here we're going to have some tests. We're going to have I believe some positive results in a public/private partnership that we'll be able to look to be able to expand passenger rail in this country. So I'm very pleased with that.

One thing I do want to point out in this that I've heard a lot of talk, that this legislation does not change Davis-Bacon law. There are people running around town here saying that this does change Davis-Bacon law. It does not change Davis-Bacon law. So for any of my colleagues that wish to have a discussion with me on that, I'm happy to

do that. But I want to make sure that that's been pointed out here.

And finally, I want to say thank you to the chairman for his goodwill and his allowing me to put some of my ideas in this legislation. Also Chairwoman BROWN and our partnership on the subcommittee. I appreciate her leadership. I thank you both very much.

And also to Mr. MICA for giving me the opportunity to be the ranking member and also including me deeply in all the discussions as we were able to craft this legislation.

So I would encourage all my colleagues to support this today. This is something positive we can do for America, a positive step we can take to help with our energy situation. And I think it's just a win/win for everybody in America today as we move forward to establish some high-speed rail corridors around this country.

□ 1115

I yield to the gentlewoman from Ohio.

Mrs. SCHMIDT. Mr. Chairman, I rise to engage in a colloquy with Ranking Member SHUSTER.

Ranking Member SHUSTER, I deeply appreciate the opportunity to discuss a very important matter to the future of Amtrak. As you are aware, Amtrak was formed by private shareholders who gave Amtrak their assets in exchange for ownership of the railroad. You were also aware that even though the Congress has previously insisted that these shares be redeemed, Amtrak has failed to act.

I would deeply appreciate it if you would work to address this issue in conference. These shareholders have been held hostage for decades. Our government has hijacked their investment, and they deserve restitution. This is not a new issue but still a major impediment to the future of Amtrak.

I thank you and subcommittee Chairwoman BROWN for your work on these issues. I ask that you work to fix this continuing problem before it becomes even more complicated to solve.

Mr. SHUSTER. I appreciate the gentlewoman from Ohio bringing this issue to the forefront. We had discussed this in committee while putting this legislation together, but it is not addressed in the underlying legislation, and I certainly believe it's an important issue that needs to be resolved; and I will be pleased to work with you and other members of the committee to try to address this situation.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Maryland, the Chair of the Coast Guard Subcommittee (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I rise today in strong support of the Passenger Improvement Act, and I applaud Chairman OBERSTAR, Chairwoman BROWN, Ranking Member MICA, and Ranking Member SHUSTER for their

hard work on this critical and very, very important piece of legislation.

Despite the many challenges it has faced in recent years, Amtrak's ridership has grown for 5 consecutive years and revenue from ticket sales has grown for 3 years. Year after year Amtrak has proven that it is an invaluable asset to the American public and a critical part of our transportation network.

Recognizing the vital service that Amtrak provides, Congress has repeatedly provided a level of annual funding support that has exceeded the President's request. However, this funding has not been sufficient to maintain Amtrak's infrastructure in a state of good repair or to enable Amtrak to become a truly modern national rail service. By passing this legislation, Congress will finally take the necessary steps to enable Amtrak to modernize all aspects of the service, including revitalizing infrastructure on the Northeast Corridor.

As part of that effort, H.R. 6003 supports the redevelopment of tunnel infrastructure in and around my City of Baltimore and the Potomac tunnel. Opened in 1873, the B&P tunnel's outdated design imposes a number of speed and height restrictions on trains and significantly slows travel time between Washington and New York. There are several studies underway to assess possible new rail alignments through Baltimore, and this bill authorizes \$60 million to support the determination of the final alignment by 2023.

Modernizing rail alignments in Baltimore is essential to improving service between our Nation's Capitol and all of the States in the Northeast Corridor.

I thank Chairman OBERSTAR and I thank Chairwoman BROWN for working with me to address this very critical issue of national importance. I also applaud them for ensuring that at the same time H.R. 6003 makes significant investments in Amtrak, the bill takes appropriate steps to demand accountability of Amtrak for these investments, including requiring Amtrak to implement a modern financial accounting and reporting system not later than 1 year after the date of H.R. 6003's enactment.

I urge my colleagues to support this long-overdue legislation to provide the investments we need to ensure that America has a safe, effective, and efficient passenger rail system for years to come.

Mr. MICA. Mr. Chairman, I am pleased to yield 3 minutes to the distinguished former Chair of the Rail Subcommittee and current ranking member of the Coast Guard Committee, one of the leaders of the Transportation and Infrastructure Committee, the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. I thank the chairman of the committee, and I thank him for yielding.

Mr. Chairman, this is my 14th year in the Congress. This is the first year that

we've not had a major dustup over Amtrak, and that is a direct credit to the hard work on our side of Mr. SHUSTER and Mr. MICA, and on the Democratic side to Chairwoman BROWN and the chairman of our full committee, who Ms. BROWN has referred to as the guru of transportation. And I think this bill is one that deserves every Member's support.

I was glad that Chairman OBERSTAR, in his remarks, talked about the high cost of fuel and gasoline, and he talked about airlines. And I just want to throw another one in. Continental Airlines is a big carrier in my part of the world. They just announced they're going to lay off 3,000 people out of a workforce of 54,000. And in talking to them, their jet fuel costs in the last year have gone up \$2.3 billion. And if you think about what \$2.3 billion means, translated over the workforce, it means that if fuel hadn't gone up by that amount, everybody that works for Continental Airlines could have gotten a raise of \$50,000. I mean, we're talking real money.

I just left a presentation by Michael Ward, the CEO, President and CEO of CSX, and his new advertising campaign as he attempts to convince those of us in Ohio and West Virginia and Pennsylvania and Virginia and Maryland to build the national gateway project. They can take a ton, a ton of cargo from Cleveland, Ohio, to Baltimore, Maryland, on a gallon of diesel fuel. Now, that is where we should be making our investments, and if we can do it with freight, we can certainly do it with passenger rail.

I'm excited about this bill not only because we're going to stop the sort of nitpicking that's gone on here about how much Amtrak could get as a Federal subsidy. I've been here when we had the administration send up zero as the Federal contribution; I've been here when they sent up \$500 million. I think this year they sent up \$800 million when everybody agrees that that's not sufficient.

The chairwoman and I have traveled the world looking at passenger rail systems. There is not a passenger rail system in the country, in the world, that makes money and doesn't rely on their government to make a contribution.

We have a societal choice. We can either have people get in their car and pay \$4.05 a gallon for one person listening to the radio, or we can convince them that for trips of 400 miles or less that passenger rail is a viable alternative in this country. And Mr. MICA's vision of high-speed passenger rail is a viable alternative in this country, and they can get from point A to point B in a cheap, clean, environmentally friendly way; and this bill moves us in that direction.

So congratulations, I think, go around to Mr. MICA, Mr. SHUSTER, Ms. BROWN, and Chairman OBERSTAR.

We should be embarrassed, Mr. Chairman, as Americans when you look at what the Asians and the Europeans are

doing with passenger rail that we have such a sad state of affairs in the United States of America. It's time to stop it, and I just want to thank all four of the leaders of our committee for including a proposal to make a real commitment for the first time in the history, of recent history of passenger rail to the Midwestern part of this United States.

And I know, I know for a fact that if we put the Federal resources to build a high-speed rail line from Cleveland to Columbus to Cincinnati, people would beg, would beg to be on that train for 120 miles an hour to get their business done.

My congratulations. Good bill. We all need to vote for it.

Mr. OBERSTAR. Mr. Chairman, I yield myself 30 seconds.

I want to express my appreciation both to Mr. SHUSTER for his comments and to Mr. LATOURETTE for his observations. But it must also be added that in the bleak years of those starvation budgets for Amtrak, the gentleman from Ohio was out front with Ms. BROWN and myself advocating for increased funding for Amtrak.

If you look at the New York Times today, the gentleman referred to the price of fuel. Every increase in the price of fuel, already up 84 percent compared with last year, increases pressures on airlines. We have to pump 7,000 gallons into a 737 and 60,000 into a 747.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. Mr. Chairman, I yield myself another 15 seconds.

So airlines are doing a whole host of new initiatives including washing their engines frequently. They get grime out of the engine which increases efficiency. And they're cutting back on a whole host of things like less water on-board aircraft for the lavatories, and they're trying to cut the paper manuals for the pilot and copilot in half to save weight onboard the aircrafts. It's all reported in today's New York Times and are things we've known on the committee.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. Mr. Chairman, I yield myself another 15 seconds.

Today's bill puts us on course to do the right thing for the American public. Save fuel. Save the impact on the environment. Move people more efficiently.

Now I yield 2 minutes to the distinguished gentleman from the land of high-speed intercity rail passenger service, the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I rise today in strong support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008. With over 21,000 miles that has already been mentioned of track in the United States and 44 routes throughout America, this reauthorization measure is sorely needed, and Chairman OBERSTAR and Chairwoman BROWN deserve a great deal of

credit and thanks for their hard work and their efforts on this, along with my minority colleagues that are supporting this effort.

This legislation, as noted, will make improvements to existing lines throughout the country and in California. California provides over \$70 million a year for intercity rail. We have the second, the third, and the sixth most frequently used corridors in the Nation. As a matter of fact, when people think about California, they think of the land of cars. But the fact of the matter is that we have more intercity passenger ridership in California than any other State in the Union.

In my district, the Amtrak San Joaquin lines run from Bakersfield to Oakland to Sacramento. It's the sixth busiest corridor in the country and had nearly 800,000 riders in fiscal year 2006.

California, of course, obviously is not alone. This bill that Chairman OBERSTAR and Chairwoman BROWN have been working on so hard and diligently, the RIDE 21 Act, will promote the development, construction, and the potential for high-speed rail, which is the transportation system that I think is a part of America's 21st century intermodal, interconnected system that will be the state-of-the-art system that we will depend upon.

Our friends in Europe and Japan have had great success with developing over 6,000 miles of high-speed rail in Europe and over 2,000 miles of high-speed rail in Japan, and it is expanding. This is fourth generation state-of-the-art technology that we can have off the shelf. We don't have to reinvent the wheel.

This November in California we will have a \$9 billion bond measure that will help us implement the first state-of-the-art high-speed rail system, 790 miles, trains that will go 225 miles an hour connecting 80 percent of California's population. This measure will be a big shot in the arm to help this State.

The CHAIRMAN. The gentleman's time has expired.

Mr. OBERSTAR. Mr. Chairman, I will yield a 30 additional seconds.

Mr. COSTA. This measure will give an added shot in the arm to assist California and other States throughout the country that want to implement, choose 21st-century state-of-the-art high-speed rail within their States. There are 11 corridors there. This notion that, in fact, we are giving a subsidy makes no sense. Every system of transportation in this country, roadways, airlines, freight, rail, and ports and harbors have had a public partnership, and there is a subsidy in them. And to think that we would not do anything less than that for rail in this country, for passenger rail, makes no sense.

I urge all of my colleagues to support these good measures for all of the right reasons.

Mr. MICA. Mr. Chairman, I would like to yield 3 minutes to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I appreciate my colleague, Mr. MICA, yielding to me.

I rise in support today of H.R. 6003, the Passenger Rail Investment Improvement Act, because we can't afford our Nation's rail service to fail. Our economy depends on it, and the September 11 terrorist attacks made clear that our country can't rely on one mode of interstate public transportation.

Amtrak hasn't succeeded because it is underfunded, its line serves too many areas which don't need service, its customer service is poor, and it lacks imagination and creativity.

I am pleased this legislation begins to address Amtrak's funding needs by providing more funding for capital improvements in operations and encouraging private sector participation, which I think is huge.

I do, however, have concerns about writing Amtrak a check with no strings attached. Increased financial reports must be linked to the reforms. We must take a hard look at profitable lines across the country, and we must have a clearer sense of Amtrak's business plan.

Mr. Chairman, the inconvenient truth is the transportation infrastructure in our country is broken. We have not maintained our commitment to our roads and highways and public transportation systems, and as a result, our transportation system, particularly rail, is failing. Making passenger rail a viable option for commuters will get cars off our congested highways, reduce the stress on our aging roads, and decrease oil consumption.

□ 1130

Another inconvenient truth is the rising cost of oil which is driving the cost of gasoline to new highs on a daily basis. Investing in energy efficient rail reduces our reliance on foreign oil and is a step in the direction towards energy independence, a step we should have been taking after the terrorist attacks on September 11, 2001.

It is critical we conserve our fuel and develop the resources and technologies that will make us energy independent.

We are at a crossroads regarding our transportation infrastructure. I believe the time is right for an increased commitment to efficiency, on our highways, in our public transportation systems, and in our consumption of oil and the use of energy.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Thank you, Mr. Chairman, for yielding.

Mr. Chairman, today I rise in strong support of H.R. 6003. I commend Chairman OBERSTAR, Chairwoman BROWN, Ranking Members MICA and SHUSTER for this bill.

This bill provides a vision for the future of passenger rail in the U.S. It provides the necessary investments to modernize our antiquated system.

Of special significance is section 217 which provides significant resources to Amtrak and to the States to address key chokepoints that slow down travel and commerce and cause unnecessary pollution from stalled trains. Illinois has already dedicated more funding to improve Amtrak's service. So I am pleased that the committee report addresses several critical bottlenecks reported by Amtrak that affect Illinois residents, including the Heritage Corridor line, which links Chicago to Joliet, as well other key routes from Chicago to Carbondale, Detroit, Michigan, and Porter, Indiana.

Mr. Speaker, H.R. 6003 puts American passenger rail back on track, and I look forward to continuing to work with my colleagues and Amtrak to improve and expand passenger rail service in our country. I urge passage of this visionary bill.

Mr. MICA. Mr. Chairman, may I inquire as to how much time remains on each side?

The CHAIRMAN. The gentleman from Florida has 12 minutes remaining, and the gentleman from Minnesota has 12 minutes remaining.

Mr. MICA. I have at this time no further speakers. I will reserve the balance of my time for my closing remarks and whatever time that Mr. OBERSTAR chooses to take, or if he needs additional time, I will be glad to assist him.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, the Passenger Rail Investment and Improvement Act of 2008 is a great piece of legislation. I want to commend Chairman OBERSTAR and Chairwoman CORRINE BROWN. I know how hard you worked on this the last several years, both of you, and of course, Ranking Member MICA and Mr. SHUSTER from Pennsylvania.

The need for a strong, national passenger railroad system grows daily. The price of oil has reached \$140 per barrel.

On the ground, congestion on our interstates mounts with increases of commuters and the movement of goods. In the air, many of our Nation's airlines are cutting back the number of planes and, therefore, the capacity by 10 to 20 percent. The American people need and deserve an alternative to driving their automobiles and traveling by airplane.

This legislation would bolster the fortunes of our intercity passenger rail system and put Amtrak on the path to success.

In addition to procuring new rolling stock and meeting its labor commitments, under this bill Amtrak would be able to make needed improvements to the heavily trafficked Northeast Corridor, NEC.

My home State of New Jersey and Amtrak have had an interesting, symbiotic relationship. The Northeast Corridor rail operations are important for

New Jersey's economic growth and our competitiveness, as the NEC is the spine for New Jersey Transit's commuter rail system. Both Mr. OBERSTAR and Mr. MICA have come, seen. They understand what the situation is in terms of our relationship to economic growth. Eighty percent of all New Jersey Transit riders use the Northeast Corridor, nearly 200,000 daily trips.

New Jersey Transit is the major operator on the NEC, operating 385 trains per day to Newark, New York, and the 30th Street Philadelphia Station, as compared to Amtrak's 110 daily trains.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. OBERSTAR. I yield the gentleman 30 additional seconds.

Mr. PASCRELL. Accordingly, the State of New Jersey has invested more than \$1.8 billion in the NEC for Amtrak stations like the Newark Airport Station, as well as for capital investments that benefit both Amtrak and New Jersey.

This is a great relationship. New Jersey's putting up its money, and the Federal Government now is leveraging that money. This is what it is all about, if we could get States to partner in what we're trying to do. That's why I commend the leadership on both sides.

New Jersey has a major interest in the success of the corridor. This stake will increase going forward as we work with Amtrak, the FTA, the FRA to build this critical infrastructure. The new tunnel that we're going to invest in through the Hudson River is just another way.

I want to thank both sides for this great legislation. I wish you both well.

Mr. MICA. I continue to reserve the balance of my time.

Mr. OBERSTAR. I yield 3 minutes to the distinguished gentleman from Colorado (Mr. SALAZAR), and before the gentleman, I yield myself 10 seconds to observe that the gentleman who just spoke representing New Jersey, New Jersey is the only State in America to have achieved a mode shift of 10 percent of all travel by transit. If the rest of America would do that, we would save 550 million barrels of oil a year, the amount we import from Saudi Arabia.

Mr. SALAZAR. I want to thank the gentleman from Minnesota for yielding, and I would like to recognize him as a real leader in our rail transportation system. Chairman OBERSTAR, Chairwoman BROWN and Ranking Member MICA and our Ranking Member SHUSTER, I want to thank you for your exceptional work and leadership on this important bill.

Mr. Chairman, I rise today in support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008 and urge swift passage on this measure.

H.R. 6003 is long overdue, and it has been nearly 11 years since Congress has authorized funding for Amtrak. And without sufficient funds, Amtrak has

been forced to operate with its hands tied. Maintenance and legacy projects have been delayed, and salaries have been frozen, and infrastructure has been deteriorating.

Improving our passenger rail system is critical. It will mean better service reliability, reduced trip times, added capacity, and less congested highways.

I am also pleased that this bill addresses high-speed rail. A number of us had the opportunity to travel with Chairman DEFAZIO and Chairwoman BROWN and Ranking Member MICA to Europe several months ago, where we saw the advancements that have been made in various modes of transportation, notably high-speed rail. I think it is unacceptable that this country is so far behind other countries in this area.

We also saw how public and private partnerships work to be successful. Given the current budget constraints, we need to keep all funding options on the table, including these partnerships.

H.R. 6003 is a good bill that will allow for necessary improvements to be made to our Nation's transportation network. Hopefully, some day, we can have a high-speed rail system that will connect Denver to Grand Junction and all the ski areas in between. It will connect Fort Collins, the Pueblo, along the front range of Colorado.

I carefully support this beautiful piece of bipartisan legislation, and Mr. Chairman, I want to commend you for your strong leadership. I am proud to be a member of this bipartisan committee that works to improve America's transportation problems.

Mr. MICA. I continue to reserve the balance of my time.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Thank you, Mr. Chairman.

I rise in support of this bill to reauthorize Amtrak, create a State grant program for intercity passenger rail, and invest in high-speed rail corridors. I want to thank the chairman, JIM OBERSTAR, and CORINE BROWN and Ranking Members MICA and SHUSTER for moving this bill, which is long overdue.

For years, Amtrak has been underfunded and threatened with bankruptcy. For the last several years, Amtrak has received just enough money to maintain its system while many critical capital improvements have had to be postponed. As of 2005, Amtrak had a backlog of \$4.2 billion in capital investments, which rises to \$6 billion if you include the necessary bridge and tunnel improvements. Even with adequate funding, it will probably take 10 years to complete the work to bring the system into a state of good repair.

We cannot afford to play catchup with our rail transportation system, certainly not as gas prices continue to skyrocket. We have to look for ways to reduce greenhouse gas emissions to combat global warming. We should be

shifting people from cars and airplanes onto rail.

This bill is also of particular benefit to the Northeast and to New York. In addition to the investments in the Northeast Corridor, the bill authorizes \$2.5 billion for a new State capital grant program for intercity passenger rail projects. I am particularly thankful to the committee for structuring this program so that projects such as the Moynihan Station project in New York City are eligible to apply for these grants. Penn Station in my district is the largest station in the passenger rail network and is the hub of the Northeast Corridor. It is basically at capacity. If we are to increase rail traffic, we have to look beyond just the track space between cities to improving the stations at the end of the line. I would like to thank Chairman OBERSTAR for working with us to ensure that the language was written in such a way that projects like Moynihan Station are eligible.

Investing in high-speed rail is an urgent issue. We must accelerate investment in our rail infrastructure. This bill finally starts to authorize rail investments at an adequate level. It makes eminent sense as part of a rational energy and transportation policy. I urge all of my colleagues to support it.

I thank again the chairman and the ranking member.

Mr. MICA. I continue to reserve.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I thank the chairman from Minnesota; the chairwoman, Ms. BROWN; of course, our ranking members, Mr. MICA and Mr. SHUSTER, for the leadership that they provided in moving this bill from committee and bringing it down to the floor.

Mr. Chairman, I rise today in strong support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008.

I also would like to thank Chairman OBERSTAR for including in the manager's amendment a proposed amendment both RUBÉN HINOJOSA and myself have, and I thank them.

The proposed amendment that is part of the manager's amendment would charge the Department of Transportation with studying the feasibility of extending the South Central High-Speed Rail Corridor from San Antonio into south Texas.

South Texas is home to a large population that is a great distance removed from the City of San Antonio. Laredo, my hometown as an example, has been identified as the fastest growing city in the State of Texas, the second fastest growing city in the United States.

South of San Antonio we have four counties in the Rio Grande Valley that boasts a population that's larger than nine States. The State Data Center projects that the population of the greater Laredo and greater McAllen areas will more than double in the next 2 decades.

With the high price of gas and the large geographic distance that separates many of the towns in south Texas, the presence of high-speed rail will make a significant impact on the mobility of south Texans. The presence of high-speed rail in this rapidly expanding region will provide south Texas with greater access and mobility, and I look forward to working with the Department of Transportation to explore those options.

Again, I want to thank you. I applaud the efforts of Chairman OBERSTAR and his leadership and the ranking members for their leadership.

I thank the Chairman from Minnesota and I thank the Gentleman and Ranking Member MICA for the leadership in moving this bill through committee and bringing it to the floor.

Ms. Chairman, I rise today in strong support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008.

This legislation will bring much needed relief and reform to our rail systems by increasing capital and operating grants to Amtrak, developing State Passenger Corridor, and working to Reduce Amtrak's debt.

I would also like to thank the Chairman for including in the manager's amendment the proposed amendment submitted by me.

South Texas is home to a large population that is a great distance removed from the city of San Antonio.

The City of Laredo, the closest major metropolitan area south of San Antonio, is 150 miles away from San Antonio.

Laredo has been identified as the fastest growing city in Texas, and the second fastest growing city in the United States.

The City of Laredo is home to the largest inland port in the nation through which 40 percent of goods trucked into the U.S. are inspected and allowed to pass.

The State of Data Center projects that the population in the greater Laredo area will double in the next couple of decades.

For these reasons, it is my intent that the Secretary consider a south Texas Connection such as the City of Laredo as the location for a potential new connection to the south Central High Speed Rail Corridor.

With the high price of gas and the large geographic distance that separates many towns in South Texas, the presence of high speed rail will make a significant impact on my constituents.

My proposed amendment would charge the Department of Transportation with studying the feasibility of extending the South Central High-Speed Rail Corridor to serve the burgeoning population south of San Antonio.

I believe that the presence of high-speed rail in the rapidly expanding area in South Texas will provide my constituents with a new way to travel, and I look forward to working with the Department of Transportation to explore these options.

Mr. MICA. Continuing to reserve, and I would be glad to yield some time to the other side if they do need it.

Mr. OBERSTAR. May I inquire how much time remains on both sides, Mr. Chairman?

The CHAIRMAN. The gentleman from Minnesota has 4 minutes remaining, and the gentleman from Florida continues to have 12 minutes remaining.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from Massachusetts to engage in a discussion about Amtrak.

Mr. LYNCH. Mr. Chairman, I rise in support of the underlying bill, the Passenger Rail Investment and Improvement Act, and I want to congratulate the chairman, Mr. OBERSTAR, and also the ranking member for their great work on this.

Mr. Chairman, I rise to engage in a colloquy with you. As you know, I submitted an amendment on this bill earlier in the week related to security training for Amtrak frontline employees. I have been encouraged to withdraw the amendment in order to expedite consideration of this bill, which is very important and which I support. However, I remain troubled by one underlying issue.

As evidenced by the terrorist attacks against rail systems in Madrid and in London and in Moscow and in Tokyo and Mumbai, and 3 days ago in Algeria, terrorists have demonstrated their intent to continue to target public transit systems as a favored tactic against civilian populations.

In response to this continued threat, Congress in the 9/11 Commission Act of 2007 directed the Secretary of Homeland Security to issue comprehensive rail and transit worker training directives to prepare our rail workers and transit workers to prevent and respond to potential terrorist attacks against our public transit systems.

□ 1145

With respect to railroad employees, the law required the Secretary of Homeland Security to develop and issue security training regulations by last February, 4 months ago, so that each carrier could develop a training program based on this guidance.

Regrettably, however, and this gets to the issue of my amendment, the Secretary has failed to comply with the 9/11 Act's rail worker training directives and has not issued a single mandated regulation. Worse yet, this missed deadline comes on the heels of yet another missed deadline by the Department on issuing interim training regulations for transit workers.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. OBERSTAR. I yield the gentleman 1 additional minute.

Mr. LYNCH. If the locomotive engineers, security personnel, our dispatchers, our conductors, train workers and rail workers don't understand what our plan is in the event of an attack, then we really don't have a plan.

Mr. Chairman, in light of the continued reports from our Nation's front line rail workers, I respectfully ask you to join me in sending a letter to the Amtrak Inspector General asking him to conduct a review of the current state of security training provided to front line Amtrak employees. It is my understanding that the Inspector General would welcome this responsibility.

I yield to the gentleman from Minnesota.

Mr. OBERSTAR. I appreciate the gentleman raising this issue. It's a matter of very deep concern to us on the committee. It goes to the heart of safety and security on our domestic passenger rail system. I certainly will join enthusiastically with the gentleman in making this request to the Inspector General of the Department of Homeland Security.

Mr. LYNCH. Mr. Chairman, thank you. I want to congratulate you on the great work on this bill. I do want to encourage my colleagues to support the underlying bill.

Mr. OBERSTAR. I thank the gentleman for his concern.

Mr. MICA. Mr. Chairman, first of all I would like to insert in the RECORD a letter by the American Association of State Highway and Transportation Officials, commonly known as AASHTO, in support of the measure and also a letter from the Association of American Railroads in support of this measure.

AMERICAN ASSOCIATION OF STATE  
HIGHWAY AND TRANSPORTATION  
OFFICIALS,

Washington, DC, June 10, 2008.

Hon. JOHN L. MICA,

Ranking Republican Member, Transportation and Infrastructure Committee, House of Representatives, Washington, DC.

DEAR CONGRESSMAN MICA: On behalf of the Standing Committee on Rail Transportation and the Intercity Passenger Rail Leadership Group of the American Association of State Highway and Transportation Officials (AASHTO), I am writing to support House passage of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008.

The States have been leading the way in developing rail corridors through investment in capital projects to increase capacity, reduce travel times and improve on-time performance. In addition, 14 states support intercity passenger rail through payment of operating costs on additional frequencies on routes. According to a survey by AASHTO, at least 35 states are developing intercity passenger rail plans for additional future service. I would like to thank you for including funding for the intercity passenger rail capital grant program to assist states in improving infrastructure on intercity passenger rail routes.

As you know, intercity passenger rail ridership across the United States is on the rise in part due to congestion on the highways and at the airports and the rising cost of gasoline. Having another truly viable transportation option in intercity passenger rail will give consumers another choice in both business and leisure travel and a choice that is the most environmentally friendly. Intercity Passenger Rail consumes 17 percent less energy per passenger mile than airlines and 21 percent less per passenger mile than automobiles. The average intercity passenger rail train produces 60 percent lower carbon dioxide emissions per passenger mile than the average auto, and half the carbon dioxide emissions per passenger mile of an airplane.

For too long, intercity passenger rail has been an underutilized mode in our national transportation system. With this historic legislation, you will make intercity passenger rail competitive and marketable to an anxious public. The time for intercity passenger rail investment is now. I commend you for your leadership and for moving this

legislation so quickly and pledge my support to the effort.

Sincerely,

ASTRID C. GLYNN,  
Chair.

ASSOCIATION OF  
AMERICAN RAILROADS,  
Washington, DC, June 10, 2008.

DEAR REPRESENTATIVE: The House of Representatives is scheduled to consider H.R. 6003, the "Passenger Rail Investment and Improvement Act of 2008" on the floor today. The Association of American Railroads (AAR) is writing to urge you to support the bill.

H.R. 6003 would authorize capital grants to help Amtrak bring the Northeast Corridor to a state-of-good-repair, procure new rolling stock, rehabilitate existing bridges, and make additional capital improvements and maintenance over its entire network. The bill would also provide congestion grants to Amtrak and the States for high-priority rail corridors in order to reduce congestion and facilitate ridership growth.

AAR commends the bipartisan leadership of the Committee on Transportation and Infrastructure for introducing and reporting this important bill. We urge the full House to approve H.R. 6003.

Sincerely,

EDWARD R. HAMBERGER,  
President and Chief Executive Officer.

Mr. Chairman, as we conclude debate today, I do consider this an historic debate. You've heard other Members say they've been here for decades and they've never seen a resolution of some of the problems in the debate about Amtrak. Today, working together in a bipartisan fashion, you are seeing what we can do. This is what we can do and we can make this work because we combine the best of the proposals. And that's what the Founding Fathers really created this institution for.

We heard Mr. COSTA from California come and speak in favor from the Democrat side. We heard from Mr. LATOURETTE from Ohio come and speak in favor. We heard Mr. SALAZAR from Colorado. We heard Mr. SHAYS from Connecticut. We heard Mr. NADLER from New York. So from basically sea to shining sea, you see support for this measure because it takes the best of what this institution can offer.

I must take a moment to pay special tribute to the gentleman from Minnesota. Sometimes the good Lord has a special way of making things happen for people. Now he became the chairman after 32 years. I would have liked to have been the chairman rather than the ranking member, but how fitting for him after 32 years of working as a staffer, then a Member. When I came to Congress, he was chairman of the Aviation Subcommittee. The good Lord would have it in February of 2001 by sheer coincidence that would probably never be re-created, I became the chairman of Aviation through probably one of its most difficult times. We all worked together after 9/11. We kept the country safe, particularly in aviation which the enemy saw as our Achilles' heel. We did that by working together then and we're making a big change in this country today by working together to bring high-speed rail for the



first time in the history of this country—the first time, folks—and we took again the best ideas and melded them together through the efforts of everyone on the committee. I want to thank the staff. The staff has done a tremendous job in trying to work on this issue.

Let me say, too, that this proposal for high-speed rail and making it work isn't my idea. I like to borrow other people's good ideas. It's interesting that Richard Branson who created Virgin Air, which many people have heard of, he also bought the two north-south lines in England that go north and south. He instituted private investment in that line. He expanded employment, put in new equipment and expanded passenger service there. He's paid a dividend the last 5 years in that high-speed service and is actually on his way to almost eliminating the Federal subsidy the U.K. subsidy. Even Romania is privatizing its rail. So it's not improper that the United States, the bastion of free enterprise, now takes this important step. And it's not all about privatization because it is a public-private partnership.

Let me say to our friends, our brothers and sisters in labor, that some of them support this, some have questions about it, but all of the workers, whether it's a private system or Amtrak or combination, are guaranteed protections in this. For the first time they can see hope of an expanding rather than a contracting industry. When I came 16 years ago, the employment in Amtrak was 28,000. Today it's 19,000 and going down. The people want this service across the United States and will partner with this service so they have that great opportunity.

The American people aren't interested in us arguing and coming up here and making headlines of charges and countercharges and not getting anything done. The American people are facing \$4 gasoline prices. They're not facing options like Europeans and Asians have to get around their country. We should have that here in the United States because we're the most innovative, creative and entrepreneurial people the good Lord ever put on the face of this earth. So, yes, I believe we can make this work. I thank so much the gentleman from Minnesota. John Brennan is not with us, one of our staffers. He left last Friday and took a job in the private sector. I want to pay tribute to John Brennan who left the minority side for the private sector. He worked hard over the years to try to make this happen, too.

To the gentleman from Minnesota (Mr. OBERSTAR), to the gentlewoman from Florida (Ms. BROWN), to the gentleman from Pennsylvania (Mr. SHUSTER), to everyone who made this day possible and staff, I thank you for your hard work and good efforts.

Mr. Chairman, I reserve the balance of my time.

How much time do I have?

The CHAIRMAN. The gentleman has 6½ minutes remaining. The gentleman

from Minnesota has 1 minute remaining.

Mr. MICA. Is it possible for me to yield 2 minutes to the gentlewoman from Texas?

The CHAIRMAN. Yes.

Mr. MICA. I want to make sure I do everything by the rules, Mr. Chairman.

Mr. OBERSTAR. The gentleman can yield directly to the gentlewoman.

Mr. MICA. Then I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me express my appreciation to the gentleman from Florida for the time.

At the outset, I would like also to express my congratulations to our chairman, Mr. OBERSTAR, and Rail Subcommittee Chairwoman BROWN of Florida for their good works on the bill and also the gentleman from Pennsylvania (Mr. SHUSTER) and the gentleman from Florida (Mr. MICA). It is a good bill that will have an immediate impact on improving the mobility of Americans all across the country.

I would particularly like to thank Chairman OBERSTAR and Chairwoman BROWN for working with me to include a provision that requests the Secretary to examine the feasibility of expanding the South Central Rail Corridor to Houston, Texas.

Passenger rail lowers American fuel consumption because it's more energy efficient than both cars and airplanes. Intercity passenger rail consumes 21 percent less energy per passenger mile than automobiles and 17 percent less energy per passenger mile than airlines. Passenger rail also reduces global warming because it cuts in half the carbon dioxide impact per passenger over cars and airplanes, meaning that expanding passenger rail will reduce global warming.

The average intercity passenger rail train produces 60 percent lower carbon dioxide emissions per passenger mile than the average automobile and 50 percent lower emissions than the average airplane. This bill is not only good energy policy, it is also good transportation policy. Intercity passenger rail is an increasingly necessary alternative to highway and air travel, as congestion grows in many regions of the country. For example, Amtrak removes 8 million cars from the road each year.

At a time when gas prices continue to skyrocket, the demand by commuters and other travelers for cost-efficient public transportation systems, including passenger rail, is growing rapidly. This critical bill will help meet this growing need.

I urge my colleagues to support this sound bipartisan piece of legislation.

□ 1200

Mr. MICA. Again how much time remains, Mr. Chairman?

The CHAIRMAN. The gentleman has 4½ minutes remaining.

Mr. MICA. Am I allowed to give Mr. OBERSTAR 2½ minutes or 3 minutes?

The CHAIRMAN. The gentleman may yield his remaining time, but not control thereof.

Mr. MICA. Let me just conclude by again thanking folks. Around this place it is very difficult to bring new ideas forward. I've said in the past that sometimes trying to get a new idea through Congress is like giving birth to a porcupine. I can't say that this has been the easiest task we have undertaken, but we have given birth today to a new idea.

And the answer is not to just say "no," or to zero out a program that is so essential to this country. The answer is to come up with a positive solution, a positive solution for energy. And today, again, when gas is \$4.05 a gallon, this gives some little hope, but it is probably the biggest thing that we are going to do. And it will have the greatest positive impact on America's environment and its energy needs of anything we have done this session.

So I am pleased at this time to yield time to Mr. OBERSTAR. How much time do I have remaining?

The CHAIRMAN. The gentleman has 3½ minutes remaining.

Mr. MICA. I would like to yield 3½ minutes to Chairman OBERSTAR.

The CHAIRMAN. The gentleman from Minnesota will be recognized for an additional 3½ minutes.

Mr. OBERSTAR. I thank the gentleman for yielding. And again I express my great appreciation for the many hours of consultation that we have had between the distinguished ranking member, the gentleman from Florida, and myself, and with Mr. SHUSTER and myself, and with Ms. BROWN. Mr. MICA has been a vigorous advocate for high-speed rail passenger service with changes, with changes in the way we conduct the business of passenger rail service in America. And as he said, this wasn't easy. But if it were easy, they wouldn't need us. They wouldn't need Congress if things were all easy.

But the point of the legislative process is to be open, to be receptive, to think constructively, to trust that the ideas advanced by one or the other side are set forth in earnest pursuit of a valid public purpose goal. And that has been a long tradition of this Committee on Transportation and Infrastructure and the principal reason that we have succeeded over so many years in being the building committee of the Congress.

The gentleman from Connecticut said that there weren't reforms or deplored the lack of significant reform in this legislation. I just want to say we have management improvement. It is requiring a financial accounting system for Amtrak operations and a 5-year financial plan monitored by the Department of Transportation's Inspector General, an overall assessment being to be done by the Inspector General, progress made by Amtrak management and by DOT in implementing the provisions of the bill. We direct the Secretary of Treasury, and there has been

a consultation with the Secretary of Transportation and Amtrak, to negotiate restructuring of Amtrak's debt. We include a corporate governance provision restructuring Amtrak's board, expanding the board to ten persons serving 5-year terms and requiring that the President consult with Congress to ensure balanced representation of regions served by Amtrak in that board, and to have rail transportation or business background among those members.

In consultation with the Service Transportation Board and Federal Railroad Administration, Amtrak is required to develop standards for measuring performance of quality of intercity train operations, including cost recovery, on time performance, ridership per train mile, on board and station services and interconnectivity of routes and requires the DOT IG to evaluate performance and service quality of intercity passenger rail service and identify the five worst performing Amtrak routes from which then IG will recommend a process for the DOT to consider proposals for competitive service by the private sector to Amtrak on that route.

Those are significant reforms. And I invite the attention of the gentleman from Connecticut, and I will send him the specifics that I just mentioned.

We are ready to move ahead with the balance of this bill. This is an exciting opportunity. This is the beginning of the transformation of passenger rail service in America. It is not going to lead us tomorrow to the Grande Vitesse, the TGV of France, or the Talgo of Spain, or the ICE of Germany, or the Shinkansen of Japan, or the 220-mile-per-hour train service between Beijing and Shanghai in China. But it will put us on a course to get there, to achieve those speeds over those distances.

When I traveled, as a student, to begin graduate studies in 1956 at the College of Europe, from Paris to Brussels, the trip was 6 hours. Today that trip is 80 minutes. There is no air service, no commercial air passenger service between the capital of Europe, Brussels, and the Capital of France, Paris. But there is a train leaving every 3 minutes in each direction with 1,100 passengers on board traveling at 184 miles per hour, all day long from 6 in the morning until midnight.

We should be able to achieve that kind of service on the east coast. We should be able to achieve that kind of service in the Southwest, as was referenced by the gentleman from Texas (Mr. CUELLAR). We should be able to do that in California, as was referenced by the gentleman from California (Mr. COSTA), and in the Pacific Northwest and in the Southeast of the United States. And this bill will put us on a track to do that.

Mrs. JONES of Ohio. Mr. Chairman, restoring passenger rail service to one of the most densely-populated urban corridors in Ohio . . . Cleveland-Columbus Cincinnati . . . is

an idea beyond overdue at the station. This corridor is at the heart of a potentially vibrant passenger rail system in Ohio, a fact borne out by a number of studies dating back as far as the 1980's.

Public demand is growing for transportation choices in Ohio. Significant anecdotal evidence around the United States suggests that even basic passenger rail service such as this would draw heavy ridership and grow the demand for more service.

Today, the reality of ever-higher gasoline prices and their impact on the everyday mobility of our fellow Ohioans and on Ohio's economy makes the restoration of rail passenger service in Ohio a critical transportation need.

We are hearing from our constituents increasingly that "pain at the pump" leaves them few or only expensive options to travel on business, and to access everything from education to jobs to medical care.

Since January 2007 alone, the average price of unleaded gas in Cleveland has gone up 72 percent. In some cases, Ohioans are seeing more and more of their incomes going to feed their car and cutting into other life necessities.

A recent study by the Ohio Rail Association discussed the economic impact that high-speed rail would have on Ohio and the surrounding region. Here are just a few statistics:

A seven corridor high speed rail systems in Ohio would save \$9.4 million in fuel per year. There would be approximately 1.1 million annual riders just out of Cleveland alone by 2025. It would provide 16,700 permanent jobs as well as 6,100 temporary jobs to build the rail system.

I strongly urge my colleagues to vote for the passage of this bill to move Amtrak forward with high speed rail.

Mr. COSTELLO. Mr. Chairman, I rise today in strong support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008.

Since coming to Congress, I have been a strong supporter of Amtrak because of the benefits it brings, including congestion and environmental emissions relief. It continues to produce almost 20,000 jobs, services more than 25.8 million passengers, and provides a significant transportation link for communities in my congressional district and throughout the Nation.

In H.R. 6003, we authorize more than \$14.4 billion for Amtrak capital and operating grants, state intercity passenger grants, and high-speed rail over the next five years. Further, we provide \$1.75 billion for grants to states to finance construction and equipment for 11 authorized high-speed rail corridors, including the St. Louis-Chicago corridor.

Finally, I want to thank Chairman OBERSTAR and Chairwoman BROWN for working with me to include a provision that allows previous State investments for capital and operating Amtrak to be used toward the required 20% local match. The bill allows for States to use half of what they put into Amtrak in operating and capital investments toward their local match. Illinois has made significant investments in recent years into Amtrak and the language will help Illinois and other states continue to provide and expand service.

Mr. Chairman, I support H.R. 6003 and urge my colleagues to do the same.

Mr. BLUMENAUER. Mr. Chairman, I strongly support the reauthorization of Amtrak. This bipartisan bill authorizes \$14.4 billion over five

years and is Amtrak's first full reauthorization since 1997. The bill includes \$4.2 billion for capital grants, \$3 billion for operations, and \$1.75 billion over five years for grants for high-speed rail corridors. This marks a major step in the right direction at a time when consumers around the country are struggling with high gasoline prices and limited transportation options.

At the same time, I am sobered by Chairman OBERSTAR's remarks highlighting a European initiative to spend \$350 billion on their rail system. Over the past decade, the United States, by contrast, has barely doled out enough resources to allow Amtrak to limp along. Our Nation must invest in our infrastructure if we expect to remain competitive. This bill takes the first steps in that direction. I would support further action to expand and improve intercity passenger service in the United States.

In Oregon, the state transportation department partners with Amtrak to provide service along the Eugene-Portland-Seattle-Vancouver, BC corridor, a federally-designated high speed rail corridor, known as the Cascades line. While Oregon and Washington pay for the Cascades service, Amtrak operates the train, and this arrangement has proven to be a very successful partnership.

Ridership on the Oregon segment of the line, which has two daily roundtrip trains, has nearly quadrupled since it was initiated in 1994, rising to over 130,000 passengers in 2006. Total ridership on the Cascades service rose over 7 percent last year, reaching 674,000 passengers, making the Northwest high speed rail corridor the seventh most heavily traveled in the country. With gas prices high, ridership on the corridor for the first quarter of 2008 is up 14.4 percent compared to the first quarter of 2007. This train service is an important part of the region's transportation system on the congested 1-5 corridor.

As successful as the Cascades service is, however, reaching its full potential will require additional investments in the rail line to allow Oregon and Amtrak to increase the frequency and reliability of service. The authorization of capital grants for this purpose will provide needed system upgrades and will strengthen this successful partnership.

I am also supportive of Congressman OBERSTAR's manager's amendment, which allows for grants to create bike storage on Amtrak trains. Much of the increased ridership in Oregon and around the country is a result of people changing their work commutes to include public transportation. Many commuters, however, still need their bikes to get to and from the train stations, or for transportation at their destination. By equipping our trains with bike storage we offer people more choices and we do so in a way that is efficient, economical, and good for the environment.

Mr. BRALEY of Iowa. Mr. Chairman, today I urge my colleagues to support H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008. I am glad to see this bill on the House floor, as it shows a commitment by this Congress to strengthening and improving America's passenger rail system and moving Amtrak forward.

I am proud to be an original cosponsor of this legislation. This bill includes development of new intercity passenger rail services, including \$500 million per year to states to cover the capital costs of investing in new intercity passenger rail services. By investing in new rail

infrastructure, this legislation creates jobs, increases tourism and spurs economic development in the communities impacted by new rail service.

In Iowa's First District, this bill will help fund two new routes that would both increase rail services and provide economic benefits. The routes between Chicago and the Quad Cities and Chicago to Dubuque, Iowa would encourage economic development in both Iowa and Illinois, while creating local jobs and decreasing traffic and congestion. Both of these routes would provide another piece to a new transportation corridor through the center of the country, which would be beneficial for business and recreation from coast-to-coast.

I am also glad to see Section 220 up for House passage today that includes the 'Study of the Use of Biobased Lubricants.' This language instructs the Federal Railroad Administration to issue a report on the feasibility of using readily biodegradable lubricants by freight and passenger railroads, partly through comparisons of these lubricants with the petroleum-based lubricants traditionally used. The National Ag-Based Lubricants Center (NABL) at the University of Northern Iowa would be a perfect partner for the Federal Railroad Administration in this study, as NABL's expertise and resources in biobased lubricants is unmatched, and it is the only entity whose primary mission is the research and testing of agricultural-based lubricants.

I thank Chairman OBERSTAR, Chairwoman BROWN, and the rest of Transportation & Infrastructure Committee for their work on this legislation, and I look forward to seeing these important changes becoming law.

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of H.R. 6003, the Passenger Rail Investment and Improvement Act, authored by my friend and colleague, Chairman JAMES OBERSTAR of Minnesota. As a New Yorker, I strongly support making travel easier, safer, and more affordable for my constituents and for all Americans who choose this method of travel. This bill mandates that preference be given to rail projects that have high levels of projected ridership and punctuality which will include the development of a high speed rail project between Washington and New York City. H.R. 6003 serves to improve not only the quality of service on the most popular rail line in the country, but also will increase the availability and accessibility of mass transit to individuals. In this era of skyrocketing energy costs and global warming, encouraging the development of efficient mass transit options is very important to improve our economy and protect our environment.

As a frequent Amtrak user, I know how important it is for rail service in the Northeast Corridor to be in a constant state of "good repair." I am sure that thousands of my fellow passengers, men and women traveling for business or personal reasons on this popular railway also will appreciate this requirement.

Mr. VAN HOLLEN. Mr. Chairman, I rise today in support of final passage of the Passenger Rail Investment and Improvement Act and to commend Chairman OBERSTAR, Ranking Member MICA, and Subcommittee Chairwoman BROWN and Ranking Member SHUSTER for their leadership in constructing this bipartisan bill.

Mr. Chairman, the Passenger Rail Investment and Improvement Act of 2008—authorizes appropriations for Amtrak for FY2009—

FY2013 and makes long overdue improvements and enhancements to the system. Millions of Americans rely on Amtrak and its local lines for everything from commuting to work to going on holiday. In 2007 alone, 28 million passengers rode Amtrak. Amtrak has become a critical part of the Nation's transportation infrastructure and every effort must be made to sustain the system as a safe and reliable source of transportation.

This bill authorizes \$14.5 billion for commuter rail transit enhancements, a high-speed rail service route between New York and Washington, DC, and contains important reforms and operational enhancement. The bill also contains needed accountability measures and capital improvement funding.

To increase accountability, the bill requires Amtrak to implement a modern financial accounting and reporting system. Amtrak must also submit an annual budget and business plan.

With the passage of the Davis/Van Hollen/Hoyer amendment regarding WMATA, the bill also provides a more reliable source of funding for maintenance and improvement projects in the Washington, DC Metro area.

We all know that the Federal Government relies heavily on the Metro system to bring thousands of its employees to work each day; employees of our national security agencies, employees of the Department of Health and Human Services, and all the other Federal agencies that help provide services to the American people. But, the Metro system is also a critical link in any evacuation plan of the Nation's capital.

These are just a couple of the reasons the Federal government has invested billions of U.S. taxpayer dollars in WMATA construction and maintenance projects over the years. Since WMATA's creation, keeping the Metro up and running has become a national priority.

The Davis/Van Hollen/Hoyer amendment helps ensure the Metro remains a reliable source of transportation for Federal employees by authorizing \$150 million a year in matching funds for ten years to help WMATA pay for critical improvement and maintenance. But, importantly, these matching funds can only be accessed when the local jurisdictions of Maryland, Virginia and the District of Columbia contribute their own funds from a dedicated source.

Currently, the Federal Government is at the whim of local jurisdictions on a year-to-year basis, as to whether they will uphold their part of this long-term Federal-local funding partnership regarding WMATA.

Our amendment specifically states that funds authorized in the legislation cannot be available until WMATA notifies the Department of Transportation that local jurisdictions have established a reliable source of funds to pay their share of Metro operating and maintenance costs.

Over the years, Amtrak has proven it is a critical and growing part of the country's transportation infrastructure. Last May, Amtrak ridership rose 12.3 percent from a year earlier, and ticket sales climbed 15.6 percent. Despite continued growth, Amtrak has not been reauthorized since 1997.

With the passage of this bill, we have an opportunity to end 8 years of starvation budgets that have strained Amtrak resources, frozen salaries and delayed capital improvements.

I encourage my colleagues to support final passage of this bill.

Mr. HOLT. Mr. Chairman, I rise today in support of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008, legislation that would authorize \$14.9 billion in funding for Amtrak over the next 5 years.

Rail service has integrated small communities with large cities across the country providing opportunity for economic expansion, increased mobility, and environmentally sound transit. Since Amtrak was founded in 1971, our country has benefited from organized, reliable and safe service to individuals commuting to and from work and individuals using rail service for extended travel. With the skyrocketing costs of airline flights and gas prices at over \$4 a gallon, individuals are relying more and more on rail service.

It is no exaggeration to say that rail service is the lifeline from which New Jersey's state economy draws nourishment. Our region's employers—small, medium, and large—depend upon an integrated rail operation to enable many of their employees to get to and from work. Clients, potential clients, and business partners use the train to come to New Jersey. Our local entrepreneurs use Amtrak to pitch their ideas and sell their products outside of our home state.

For the last 12 years, Amtrak has been suffering from a lack of federal support and for the last 6 years it has been operating without Congressional authorization. In order to keep from going out of business, Amtrak was forced to delay necessary repairs and security improvements, freeze the salaries of its employees, rescind on employee pensions and go billions of dollars into debt. The legislation before us today would authorize the funding necessary to improve Amtrak's operations throughout the country and bring our country's rail service into the 21st Century.

H.R. 6003 authorizes \$14.9 billion for Amtrak over the next 5 years. \$4.3 billion of which would be used for capital grants to help Amtrak afford to make necessary repairs and upgrades to the Northeast Corridor. It would also allow Amtrak to procure new rolling stock, rehabilitate existing bridges, as well as make additional capital improvements and maintenance over its entire network.

As a regular Amtrak rider, I appreciate the professionalism and service that customers enjoy every day. Amtrak's hard working employees, including the over 1,300 employed in New Jersey, have continued to provide high quality service despite Amtrak's payroll freezes and pension problems. The Passenger Rail Investment and Improvement Act would provide Amtrak with \$3 billion in operating grants, which would help Amtrak make good on its promises to these employees. A portion of these funds would be used to pay employees salaries, health costs, and overtime pay. It would also help Amtrak pay for increasing fuel costs, facilities, maintenance and train operations.

This legislation would also create a new State Capital Grant program to provide grants for States for intercity passenger rail capital projects. In New Jersey the demand for public transportation has skyrocketed, with NJ Transit providing 900,000 trips per weekday on its trains, buses and light-rail vehicles. H.R. 6003 would authorize over \$2.5 billion in grants to states over the next 5 years to help organizations like NJ Transit pay for the capital costs

of facilities and the equipment necessary to provide new or improved intercity passenger rail.

The Passenger Rail Investment Reauthorization Act would provide \$1.7 billion annually to help Amtrak pay off the debt it incurred when Congress drastically cut its funding in 2000 and 2001. Amtrak has aggressively targeted this debt, paying down \$600 million from 2002 through 2007. This bill would help Amtrak take further steps to reduce its debt, and allow Amtrak to focus its resources on improving existing services and making additional capital and operational improvements.

H.R. 6003 would bring American passenger rail into the 21st century, authorizing \$1.7 billion for the construction of eleven high-speed rail network spanning the entire Nation. The first of which would be a high-speed rail corridor between Washington, D.C. and New York City. Countries like France, England and Japan have greatly improved the experience of commuters through the utilization of high speed corridors. This would lead to more efficient public transportation and help the over 1.5 million New Jerseyans who use Amtrak spend less time commuting and more time at home with their families.

Supporting public transportation especially passenger rail, should be a crucial element of our national effort to slow the rate of global climate change and reduce our dependence on foreign fuels. Passenger rail consumes 21 percent less energy per passenger mile than automobiles and 17 percent less than airplanes. It releases half the amount of greenhouse gases per passenger mile as both air and car travel. The continued operation of Amtrak is an essential component of easing traffic congestion, reducing wear and tear on roads, protecting our environment and preserving open space in New Jersey and across the country.

Rail service is a fundamental component of our Nation's continually growing transportation system, and Amtrak has demonstrated the capacity of integrated rail service to expand economic opportunity, commuter options, and make vital contributions to the fabric of our communities. I urge my colleagues to support H.R. 6003.

Mr. OBERSTAR. I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 6003

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Passenger Rail Investment and Improvement Act of 2008".*

**SEC. 2. AMENDMENT OF TITLE 49, UNITED STATES CODE.**

*Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision of law, the reference shall be considered to be made to a section or other provision of title 49, United States Code.*

**SEC. 3. TABLE OF CONTENTS.**

*The table of contents for this Act is as follows:*

*Sec. 1. Short title.*

*Sec. 2. Amendment of title 49, United States Code.*

*Sec. 3. Table of contents.*

**TITLE I—AUTHORIZATIONS**

*Sec. 101. Authorization for Amtrak capital and operating expenses and State capital grants.*

*Sec. 102. Repayment of long-term debt and capital leases.*

*Sec. 103. Other authorizations.*

*Sec. 104. Tunnel project.*

**TITLE II—AMTRAK REFORM AND OPERATIONAL IMPROVEMENTS**

*Sec. 201. National railroad passenger transportation system defined.*

*Sec. 202. Amtrak Board of Directors.*

*Sec. 203. Establishment of improved financial accounting system.*

*Sec. 204. Development of 5-year financial plan.*

*Sec. 205. Establishment of grant process.*

*Sec. 206. State-supported routes.*

*Sec. 207. Metrics and standards.*

*Sec. 208. Northeast Corridor state-of-good-repair plan.*

*Sec. 209. Northeast Corridor infrastructure and operations improvements.*

*Sec. 210. Restructuring long-term debt and capital leases.*

*Sec. 211. Study of compliance requirements at existing intercity rail stations.*

*Sec. 212. Oversight of Amtrak's compliance with accessibility requirements.*

*Sec. 213. Access to Amtrak equipment and services.*

*Sec. 214. General Amtrak provisions.*

*Sec. 215. Amtrak management accountability.*

*Sec. 216. Passenger rail study.*

*Sec. 217. Congestion grants.*

*Sec. 218. Plan for restoration of service.*

*Sec. 219. Locomotive biofuel study.*

*Sec. 220. Study of the use of biobased lubricants.*

*Sec. 221. Applicability of Buy American Act.*

*Sec. 222. Intercity passenger rail service performance.*

*Sec. 223. Amtrak Inspector General utilization study.*

*Sec. 224. Amtrak service preference study.*

**TITLE III—INTERCITY PASSENGER RAIL POLICY**

*Sec. 301. Capital assistance for intercity passenger rail service; State rail plans.*

*Sec. 302. State rail plans.*

*Sec. 303. Next generation corridor train equipment pool.*

*Sec. 304. Rail cooperative research program.*

*Sec. 305. Passenger rail system comparison study.*

**TITLE IV—COMMUTER RAIL TRANSIT ENHANCEMENT**

*Sec. 401. Commuter rail transit enhancement.*

**TITLE V—HIGH-SPEED RAIL**

*Sec. 501. High-speed rail corridor program.*

*Sec. 502. Additional high-speed projects.*

*Sec. 503. High-speed rail study.*

*Sec. 504. Grant conditions.*

**TITLE I—AUTHORIZATIONS**

**SEC. 101. AUTHORIZATION FOR AMTRAK CAPITAL AND OPERATING EXPENSES AND STATE CAPITAL GRANTS.**

*(a) OPERATING GRANTS.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for operating costs the following amounts:*

*(1) For fiscal year 2009, \$525,000,000.*

*(2) For fiscal year 2010, \$600,000,000.*

*(3) For fiscal year 2011, \$614,000,000.*

*(4) For fiscal year 2012, \$638,000,000.*

*(5) For fiscal year 2013, \$654,000,000.*

*(b) INSPECTOR GENERAL.—Out of the amounts authorized under subsection (a), there are authorized to be appropriated to the Secretary of Transportation for the Office of the Inspector General of Amtrak the following amounts:*

*(1) For fiscal year 2009, \$20,368,900.*

*(2) For fiscal year 2010, \$22,586,000.*

*(3) For fiscal year 2011, \$24,337,000.*

*(4) For fiscal year 2012, \$26,236,000.*

*(5) For fiscal year 2013, \$28,287,000.*

*(c) AMERICANS WITH DISABILITIES ACT COMPLIANCE.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for compliance with the requirements of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) the following amounts:*

*(1) For fiscal year 2009, \$68,500,000.*

*(2) For fiscal year 2010, \$240,000,000.*

*(3) For fiscal year 2011, \$240,000,000.*

*(4) For fiscal year 2012, \$240,000,000.*

*(5) For fiscal year 2013, \$240,000,000.*

*(d) CAPITAL GRANTS.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for capital projects (as defined in subparagraphs (A) and (B) of section 24401(2) of title 49, United States Code) to bring the Northeast Corridor (as defined in section 24102(a)) to a state-of-good-repair, for capital expenses of the national rail passenger transportation system, and for purposes of making capital grants under section 24402 of that title to States, the following amounts:*

*(1) For fiscal year 2009, \$1,202,000,000.*

*(2) For fiscal year 2010, \$1,321,000,000.*

*(3) For fiscal year 2011, \$1,321,000,000.*

*(4) For fiscal year 2012, \$1,427,000,000.*

*(5) For fiscal year 2013, \$1,427,000,000.*

*(e) AMOUNTS FOR STATE GRANTS.—Out of the amounts authorized under subsection (d), the following percentage shall be available each fiscal year for capital grants to States under section 24402 of title 49, United States Code, to be administered by the Secretary of Transportation:*

*(1) 41.60 percent for fiscal year 2009.*

*(2) 38 percent for fiscal year 2010.*

*(3) 38 percent for fiscal year 2011.*

*(4) 35 percent for fiscal year 2012.*

*(5) 35 percent for fiscal year 2013.*

*(f) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1/2 of 1 percent of amounts appropriated pursuant to subsection (d) for the costs of project management oversight of capital projects carried out by Amtrak.*

**SEC. 102. REPAYMENT OF LONG-TERM DEBT AND CAPITAL LEASES.**

*(a) AMTRAK PRINCIPAL AND INTEREST PAYMENTS.—*

*(1) PRINCIPAL AND INTEREST ON DEBT SERVICE.—There are authorized to be appropriated to the Secretary of Transportation for the use of Amtrak for retirement of principal and payment of interest on loans for capital equipment, or capital leases, not more than the following amounts:*

*(A) For fiscal year 2009, \$345,000,000.*

*(B) For fiscal year 2010, \$345,000,000.*

*(C) For fiscal year 2011, \$345,000,000.*

*(D) For fiscal year 2012, \$345,000,000.*

*(E) For fiscal year 2013, \$345,000,000.*

*(2) EARLY BUYOUT OPTION.—There are authorized to be appropriated to the Secretary of Transportation such sums as may be necessary for the use of Amtrak for the payment of costs associated with early buyout options if the exercise of those options is determined to be advantageous to Amtrak.*

*(3) LEGAL EFFECT OF PAYMENTS UNDER THIS SECTION.—The payment of principal and interest on secured debt, with the proceeds of grants authorized by this section shall not—*

*(A) modify the extent or nature of any indebtedness of the National Railroad Passenger Corporation to the United States in existence of the date of enactment of this Act;*

*(B) change the private nature of Amtrak's or its successors' liabilities; or*

*(C) imply any Federal guarantee or commitment to amortize Amtrak's outstanding indebtedness.*

**SEC. 103. OTHER AUTHORIZATIONS.**

*There are authorized to be appropriated to the Secretary of Transportation—*

(1) \$5,000,000 for each of fiscal years 2009 through 2013 to carry out the rail cooperative research program under section 24910 of title 49, United States Code; and

(2) \$5,000,000 for fiscal year 2009, to remain available until expended, for grants to Amtrak and States participating in the Next Generation Corridor Train Equipment Pool Committee established under section 303 of this Act for the purpose of designing, developing specifications for, and initiating the procurement of an initial order of 1 or more types of standardized next-generation corridor train equipment and establishing a jointly owned corporation to manage that equipment.

#### SEC. 104. TUNNEL PROJECT.

(a) NEW TUNNEL ALIGNMENT AND ENVIRONMENTAL REVIEW.—Not later than September 30, 2013, the Federal Railroad Administration, working with Amtrak, the City of Baltimore, State of Maryland, and rail operators described in subsection (b), shall—

(1) approve a new rail tunnel alignment in Baltimore that will permit an increase in train speed and service reliability; and

(2) ensure completion of the related environmental review process.

(b) AFFECTED RAIL OPERATORS.—Rail operators other than Amtrak may participate in activities described in subsection (a) to the extent that they can demonstrate the intention and ability to contribute to the construction of the new tunnel.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal Railroad Administration for carrying out this section \$60,000,000 for the period encompassing fiscal years 2009 through 2013.

### TITLE II—AMTRAK REFORM AND OPERATIONAL IMPROVEMENTS

#### SEC. 201. NATIONAL RAILROAD PASSENGER TRANSPORTATION SYSTEM DEFINED.

(a) IN GENERAL.—Section 24102 is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively; and

(3) by inserting after paragraph (4) as so redesignated the following:

“(5) ‘national rail passenger transportation system’ means—

“(A) the segment of the Northeast Corridor between Boston, Massachusetts and Washington, DC;

“(B) rail corridors that have been designated by the Secretary of Transportation as high-speed corridors (other than corridors described in subparagraph (A)), but only after they have been improved to permit operation of high-speed service;

“(C) long distance routes of more than 750 miles between endpoints operated by Amtrak as of the date of enactment of the Passenger Rail Investment and Improvement Act of 2008; and

“(D) short-distance corridors, or routes of not more than 750 miles between endpoints, operated by—

“(i) Amtrak; or

“(ii) another rail carrier that receives funds under chapter 244.”.

(b) AMTRAK ROUTES WITH STATE FUNDING.—

(1) IN GENERAL.—Chapter 247 is amended by inserting after section 24701 the following:

#### “§24702. Transportation requested by States, authorities, and other persons

“(a) CONTRACTS FOR TRANSPORTATION.—Amtrak may enter into a contract with a State, a regional or local authority, or another person for Amtrak to operate an intercity rail service or route not included in the national rail passenger transportation system upon such terms as the parties thereto may agree.

“(b) DISCONTINUANCE.—Upon termination of a contract entered into under this section, or the cessation of financial support under such a contract by either party, Amtrak may discontinue

such service or route, notwithstanding any other provision of law.”.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 247 is amended by inserting after the item relating to section 24701 the following:

“24702. Transportation requested by States, authorities, and other persons.”.

(c) AMTRAK TO CONTINUE TO PROVIDE NON-HIGH-SPEED SERVICES.—Nothing in this Act is intended to preclude Amtrak from restoring, improving, or developing non-high-speed intercity passenger rail service.

(d) APPLICABILITY OF SECTION 24706.—Section 24706 is amended by adding at the end the following:

“(c) APPLICABILITY.—This section applies to all service over routes provided by Amtrak, notwithstanding any provision of section 24701 of this title or any other provision of this title except section 24702(b).”.

#### SEC. 202. AMTRAK BOARD OF DIRECTORS.

(a) IN GENERAL.—Section 24302 is amended to read as follows:

##### “§24302. Board of Directors

“(a) COMPOSITION AND TERMS.—

“(1) The Board of Directors of Amtrak is composed of the following 10 directors, each of whom must be a citizen of the United States:

“(A) The Secretary of Transportation.

“(B) The President of Amtrak, who shall serve ex officio, as a non-voting member.

“(C) 8 individuals appointed by the President of the United States, by and with the advice and consent of the Senate, with general business and financial experience, experience or qualifications in transportation, freight and passenger rail transportation, travel, hospitality, cruise line, and passenger air transportation businesses, or representatives of employees or users of passenger rail transportation or a State government.

“(2) In selecting individuals described in paragraph (1) for nominations for appointments to the Board, the President shall consult with the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate and try to provide adequate and balanced representation of the major geographic regions of the United States served by Amtrak.

“(3) An individual appointed under paragraph (1)(C) of this subsection serves for 5 years or until the individual’s successor is appointed and qualified. Not more than 5 individuals appointed under paragraph (1)(C) may be members of the same political party.

“(4) The Board shall elect a chairman and a vice chairman from among its membership. The vice chairman shall serve as chairman in the absence of the chairman.

“(5) The Secretary may be represented at board meetings by the Secretary’s designee.

“(b) PAY AND EXPENSES.—Each director not employed by the United States Government is entitled to \$300 a day when performing Board duties. Each Director is entitled to reimbursement for necessary travel, reasonable secretarial and professional staff support, and subsistence expenses incurred in attending Board meetings.

“(c) VACANCIES.—A vacancy on the Board is filled in the same way as the original selection, except that an individual appointed by the President of the United States under subsection (a)(1)(C) of this section to fill a vacancy occurring before the end of the term for which the predecessor of that individual was appointed is appointed for the remainder of that term. A vacancy required to be filled by appointment under subsection (a)(1)(C) must be filled not later than 120 days after the vacancy occurs.

“(d) QUORUM.—A majority of the members serving shall constitute a quorum for doing business.

“(e) BYLAWS.—The Board may adopt and amend bylaws governing the operation of Am-

trak. The bylaws shall be consistent with this part and the articles of incorporation.”.

(b) EFFECTIVE DATE FOR DIRECTORS’ PROVISION.—The amendment made by subsection (a) shall take effect 6 months after the date of enactment of this Act. The members of the Amtrak Board serving on the date of enactment of this Act may continue to serve for the remainder of the term to which they were appointed.

#### SEC. 203. ESTABLISHMENT OF IMPROVED FINANCIAL ACCOUNTING SYSTEM.

(a) IN GENERAL.—The Amtrak Board of Directors—

(1) may employ an independent financial consultant with experience in railroad accounting to assist Amtrak in improving Amtrak’s financial accounting and reporting system and practices;

(2) shall implement a modern financial accounting and reporting system not later than 1 year after the date of enactment of this Act; and

(3) shall, not later than 90 days after the end of each fiscal year through fiscal year 2013—

(A) submit to Congress a comprehensive report that allocates all of Amtrak’s revenues and costs to each of its routes, each of its lines of business, and each major activity within each route and line of business activity, including—

(i) train operations;

(ii) equipment maintenance;

(iii) food service;

(iv) sleeping cars;

(v) ticketing; and

(vi) reservations;

(B) include the report described in subparagraph (A) in Amtrak’s annual report; and

(C) post such report on Amtrak’s website.

(b) VERIFICATION OF SYSTEM; REPORT.—The Inspector General of the Department of Transportation shall review the accounting system designed and implemented under subsection (a) to ensure that it accomplishes the purposes for which it is intended. The Inspector General shall report his findings and conclusions, together with any recommendations, to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation.

(c) CATEGORIZATION OF REVENUES AND EXPENSES.—

(1) IN GENERAL.—In carrying out subsection (a), the Amtrak Board of Directors shall separately categorize routes, assigned revenues, and attributable expenses by type of service, including long distance routes, State-sponsored routes, commuter contract routes, and Northeast Corridor routes.

(2) NORTHEAST CORRIDOR.—Amtrak revenues generated by freight and commuter railroads operating on the Northeast Corridor shall be separately listed to include the charges per car mile assessed by Amtrak to other freight and commuter railroad entities.

(3) FIXED OVERHEAD EXPENSES.—Fixed overhead expenses that are not directly assigned or attributed to any route (or group of routes) shall be listed separately by line item and expense category.

#### SEC. 204. DEVELOPMENT OF 5-YEAR FINANCIAL PLAN.

(a) DEVELOPMENT OF 5-YEAR FINANCIAL PLAN.—The Amtrak Board of Directors shall submit an annual budget and business plan for Amtrak, and a 5-year financial plan for the fiscal year to which that budget and business plan relate and the subsequent 4 years, prepared in accordance with this section, to the Secretary of Transportation and the Inspector General of the Department of Transportation no later than—

(1) the first day of each fiscal year beginning after the date of enactment of this Act; or

(2) the date that is 60 days after the date of enactment of an appropriation Act for the fiscal year, if later.

(b) CONTENTS OF 5-YEAR FINANCIAL PLAN.—The 5-year financial plan for Amtrak shall include, at a minimum—

(1) all projected revenues and expenditures for Amtrak, including governmental funding sources;

(2) projected ridership levels for all Amtrak passenger operations;

(3) revenue and expenditure forecasts for non-passenger operations;

(4) capital funding requirements and expenditures necessary to maintain passenger service which will accommodate predicted ridership levels and predicted sources of capital funding;

(5) operational funding needs, if any, to maintain current and projected levels of passenger service, including state-supported routes and predicted funding sources;

(6) projected capital and operating requirements, ridership, and revenue for any new passenger service operations or service expansions;

(7) an assessment of the continuing financial stability of Amtrak, such as Amtrak's ability to efficiently manage its workforce, and Amtrak's ability to effectively provide passenger train service;

(8) estimates of long-term and short-term debt and associated principal and interest payments (both current and anticipated);

(9) annual cash flow forecasts;

(10) a statement describing methods of estimation and significant assumptions;

(11) specific measures that demonstrate measurable improvement year over year in the financial results of Amtrak's operations;

(12) prior fiscal year and projected operating ratio, cash operating loss, and cash operating loss per passenger on a route, business line, and corporate basis;

(13) prior fiscal year and projected specific costs and savings estimates resulting from reform initiatives;

(14) prior fiscal year and projected labor productivity statistics on a route, business line, and corporate basis; and

(15) prior fiscal year and projected equipment reliability statistics.

(c) **STANDARDS TO PROMOTE FINANCIAL STABILITY.**—In meeting the requirements of subsection (b), Amtrak shall—

(1) apply sound budgetary practices, including reducing costs and other expenditures, improving productivity, increasing revenues, or combinations of such practices;

(2) use the categories specified in the financial accounting and reporting system developed under section 203 when preparing its 5-year financial plan; and

(3) ensure that the plan is consistent with the authorizations of appropriations under title I of this Act.

#### **SEC. 205. ESTABLISHMENT OF GRANT PROCESS.**

(a) **GRANT REQUESTS.**—Amtrak shall submit grant requests (including a schedule for the disbursement of funds), consistent with the requirements of this Act, to the Secretary of Transportation for funds authorized to be appropriated to the Secretary for the use of Amtrak under sections 101(a), (c), and (d), 102, and 103(c) of this Act.

(b) **PROCEDURES FOR GRANT REQUESTS.**—The Secretary shall establish substantive and procedural requirements, including schedules, for grant requests under this section not later than 30 days after the date of enactment of this Act and shall transmit copies to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) **REVIEW AND APPROVAL.**—

(1) **30-DAY APPROVAL PROCESS.**—The Secretary shall complete the review of a complete grant request (including the disbursement schedule) and approve or disapprove the request within 30 days after the date on which Amtrak submits the grant request. If the Secretary disapproves the request or determines that the request is incomplete or deficient, the Secretary shall include the reason for disapproval or the incomplete items or deficiencies in the notice to Amtrak.

(2) **15-DAY MODIFICATION PERIOD.**—Within 15 days after receiving notification from the Secretary under the preceding sentence, Amtrak shall submit a modified request for the Secretary's review.

(3) **REVISED REQUESTS.**—Within 15 days after receiving a modified request from Amtrak, the Secretary shall either approve the modified request, or, if the Secretary finds that the request is still incomplete or deficient, the Secretary shall identify in writing to the House of Representatives Committee on Transportation and Infrastructure and the Senate Committee on Commerce, Science, and Transportation the remaining deficiencies and recommend a process for resolving the outstanding portions of the request.

#### **SEC. 206. STATE-SUPPORTED ROUTES.**

(a) **IN GENERAL.**—Within 2 years after the date of enactment of this Act, the Board of Directors of Amtrak, in consultation with the Secretary of Transportation and the governors of each relevant State and the Mayor of the District of Columbia or groups representing those officials, shall develop and implement a single, Nationwide standardized methodology for establishing and allocating the operating and capital costs among the States and Amtrak associated with trains operated on routes described in section 24102(5)(B) or (D) or section 24702 that—

(1) ensures, within 5 years after the date of enactment of this Act, equal treatment in the provision of like services of all States and groups of States (including the District of Columbia); and

(2) allocates to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route.

(b) **REVIEW.**—If Amtrak and the States (including the District of Columbia) in which Amtrak operates such routes do not voluntarily adopt and implement the methodology developed under subsection (a) in allocating costs and determining compensation for the provision of service in accordance with the date established therein, the Surface Transportation Board shall determine the appropriate methodology required under subsection (a) for such services in accordance with the procedures and procedural schedule applicable to a proceeding under section 24904(c) of title 49, United States Code, and require the full implementation of this methodology with regards to the provision of such service within 1 year after the Board's determination of the appropriate methodology.

(c) **USE OF CHAPTER 244 FUNDS.**—Funds provided to a State under chapter 244 of title 49, United States Code, may be used, as provided in that chapter, to pay capital costs determined in accordance with this section.

#### **SEC. 207. METRICS AND STANDARDS.**

(a) **IN GENERAL.**—Within 180 days after the date of enactment of this Act, the Administrator of the Federal Railroad Administration and Amtrak shall jointly, in consultation with the Surface Transportation Board, rail carriers over whose rail lines Amtrak trains operate, States, Amtrak employees, nonprofit employee organizations representing Amtrak employees, and groups representing Amtrak passengers, as appropriate, develop new or improve existing metrics and minimum standards for measuring the performance and service quality of intercity passenger train operations, including cost recovery, on-time performance and minutes of delay, ridership, on-board services, stations, facilities, equipment, and other services. Such metrics, at a minimum, shall include the percentage of avoidable and fully allocated operating costs covered by passenger revenues on each route, ridership per train mile operated, measures of on-time performance and delays incurred by intercity passenger trains on the rail lines of each rail carrier and, for long distance routes, measures of connectivity with other routes in all

regions currently receiving Amtrak service and the transportation needs of communities and populations that are not well-served by other forms of public transportation. Amtrak shall provide reasonable access to the Federal Railroad Administration in order to enable the Administration to carry out its duty under this section.

(b) **QUARTERLY REPORTS.**—The Administrator of the Federal Railroad Administration shall collect the necessary data and publish a quarterly report on the performance and service quality of intercity passenger train operations, including Amtrak's cost recovery, ridership, on-time performance and minutes of delay, causes of delay, on-board services, stations, facilities, equipment, and other services.

(c) **CONTRACT WITH HOST RAIL CARRIERS.**—To the extent practicable, Amtrak and its host rail carriers shall incorporate the metrics and standards developed under subsection (a) into their access and service agreements.

(d) **ARBITRATION.**—If the development of the metrics and standards is not completed within the 180-day period required by subsection (a), any party involved in the development of those standards may petition the Surface Transportation Board to appoint an arbitrator to assist the parties in resolving their disputes through binding arbitration.

#### **SEC. 208. NORTHEAST CORRIDOR STATE-OF-GOOD-REPAIR PLAN.**

(a) **IN GENERAL.**—Within 9 months after the date of enactment of this Act, the National Railroad Passenger Corporation, in consultation with the Secretary and the States (including the District of Columbia) that make up the Northeast Corridor (as defined in section 24102 of title 49, United States Code), shall prepare a capital spending plan for capital projects required to return the railroad right-of-way (including track, signals, and auxiliary structures), facilities, stations, and equipment, of the Northeast Corridor to a state of good repair by the end of fiscal year 2024, consistent with the funding levels authorized in this Act and shall submit the plan to the Secretary.

(b) **APPROVAL BY THE SECRETARY.**—

(1) The Corporation shall submit the capital spending plan prepared under this section to the Secretary of Transportation for review and approval pursuant to the procedures developed under section 205 of this Act.

(2) The Secretary of Transportation shall require that the plan be updated at least annually and shall review and approve such updates. During review, the Secretary shall seek comments and review from the commission established under section 24905 of title 49, United States Code, and other Northeast Corridor users regarding the plan.

(3) The Secretary shall make grants to the Corporation with funds authorized by section 101(d) of this Act for Northeast Corridor capital investments contained within the capital spending plan prepared by the Corporation and approved by the Secretary.

(4) Using the funds authorized by section 101(f) of this Act, the Secretary shall review Amtrak's capital expenditures funded by this section to ensure that such expenditures are consistent with the capital spending plan and that Amtrak is providing adequate project management oversight and fiscal controls.

(c) **ELIGIBILITY OF EXPENDITURES.**—The Federal share of expenditures for capital improvements under this section may not exceed 100 percent.

#### **SEC. 209. NORTHEAST CORRIDOR INFRASTRUCTURE AND OPERATIONS IMPROVEMENTS.**

(a) **IN GENERAL.**—Section 24905 is amended to read as follows:

“§24905. **Northeast Corridor Infrastructure and Operations Advisory Commission**

“(a) **NORTHEAST CORRIDOR INFRASTRUCTURE AND OPERATIONS ADVISORY COMMISSION.**—

“(1) Within 180 days after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Secretary of Transportation shall establish a Northeast Corridor Infrastructure and Operations Advisory Commission (hereinafter referred to in this section as the ‘Commission’) to promote mutual cooperation and planning pertaining to the rail operations and related activities of the Northeast Corridor. The Commission shall be made up of—

“(A) members representing the National Railroad Passenger Corporation;

“(B) members representing the Secretary of Transportation and the Federal Railroad Administration;

“(C) 1 member from each of the States (including the District of Columbia) that constitute the Northeast Corridor as defined in section 24102, designated by, and serving at the pleasure of, the chief executive officer thereof; and

“(D) non-voting representatives of freight railroad carriers using the Northeast Corridor selected by the Secretary.

“(2) The Secretary shall ensure that the membership belonging to any of the groups enumerated under subparagraph (1) shall not constitute a majority of the commission’s memberships.

“(3) The commission shall establish a schedule and location for convening meetings, but shall meet no less than four times per fiscal year, and the commission shall develop rules and procedures to govern the commission’s proceedings.

“(4) A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

“(5) Members shall serve without pay but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

“(6) The Chairman of the Commission shall be elected by the members.

“(7) The Commission may appoint and fix the pay of such personnel as it considers appropriate.

“(8) Upon request of the Commission, the head of any department or agency of the United States may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this section.

“(9) Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this section.

“(10) The commission shall consult with other entities as appropriate.

“(b) GENERAL RECOMMENDATIONS.—The Commission shall develop recommendations concerning Northeast Corridor rail infrastructure and operations including proposals addressing, as appropriate—

“(1) short-term and long-term capital investment needs beyond the state-of-good-repair under section 208 of the Passenger Rail Investment and Improvement Act of 2008;

“(2) future funding requirements for capital improvements and maintenance;

“(3) operational improvements of intercity passenger rail, commuter rail, and freight rail services;

“(4) opportunities for additional non-rail uses of the Northeast Corridor;

“(5) scheduling and dispatching;

“(6) safety enhancements;

“(7) equipment design;

“(8) marketing of rail services; and

“(9) future capacity requirements.

“(c) ACCESS COSTS.—

“(1) DEVELOPMENT OF FORMULA.—Within 1 year after verification of Amtrak’s new financial accounting system pursuant to section 203(b) of the Passenger Rail Investment and Improvement Act of 2008, the Commission shall—

“(A) develop a standardized formula for determining and allocating costs, revenues, and com-

ensation for Northeast Corridor commuter rail passenger transportation, as defined in section 24102 of this title, that use National Railroad Passenger Corporation facilities or services or that provide such facilities or services to the National Railroad Passenger Corporation that ensure that—

“(i) there is no cross-subsidization of commuter rail passenger, intercity rail passenger, or freight rail transportation; and

“(ii) each service is assigned the costs incurred only for the benefit of that service, and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 service;

“(B) develop a proposed timetable for implementing the formula before the end of the 6th year following the date of enactment of that Act;

“(C) transmit the proposed timetable to the Surface Transportation Board; and

“(D) at the request of a Commission member, petition the Surface Transportation Board to appoint a mediator to assist the Commission members through non-binding mediation to reach an agreement under this section.

“(2) IMPLEMENTATION.—The National Railroad Passenger Corporation and the commuter authorities providing commuter rail passenger transportation on the Northeast Corridor shall implement new agreements for usage of facilities or services based on the formula proposed in paragraph (1) in accordance with the timetable established therein. If the entities fail to implement such new agreements in accordance with the timetable, the Commission shall petition the Surface Transportation Board to determine the appropriate compensation amounts for such services in accordance with section 24904(c) of this title. The Surface Transportation Board shall enforce its determination on the party or parties involved.

“(d) TRANSMISSION OF RECOMMENDATIONS.—The Commission shall annually transmit the recommendations developed under subsection (b) and the formula and timetable developed under subsection (c)(1) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.”

(b) CONFORMING AMENDMENTS.—(1) Section 24904(c)(2) is amended by—

(A) inserting “commuter rail passenger and” after “between”; and

(B) striking “freight” in the second sentence.

(2) The chapter analysis for chapter 249 is amended by striking the item relating to section 24905 and inserting the following:

“24905. Northeast Corridor Infrastructure and Operations Advisory Commission.”

(c) ACELA SERVICE STUDY.—

(1) IN GENERAL.—Amtrak shall conduct a study to determine the infrastructure and equipment improvements necessary to provide regular Acela service—

(A) between Washington, DC and New York City—

(i) in 2 hours and 30 minutes;

(ii) in 2 hours and 15 minutes; and

(iii) in 2 hours; and

(B) between New York City and Boston—

(i) in 3 hours and 15 minutes;

(ii) in 3 hours; and

(iii) in 2 hours and 45 minutes.

(2) ISSUES.—The study conducted under paragraph (1) shall include—

(A) an estimated time frame for achieving the trip time described in paragraph (1);

(B) an analysis of any significant obstacles that would hinder such an achievement; and

(C) a detailed description and cost estimate of the specific infrastructure and equipment improvements necessary for such an achievement.

(3) REPORT.—Within 1 year after the date of enactment of this Act, Amtrak shall submit a written report containing the results of the study required under this subsection to—

(A) the Committee on Transportation and Infrastructure of the House of Representatives;

(B) the Committee on Appropriations of the House of Representatives;

(C) the Committee on Commerce, Science, and Transportation of the Senate;

(D) the Committee on Appropriations of the Senate; and

(E) the Federal Railroad Administration.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation to enable Amtrak to conduct the study under this subsection \$5,000,000.

#### SEC. 210. RESTRUCTURING LONG-TERM DEBT AND CAPITAL LEASES.

(a) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of Transportation and Amtrak, may make agreements to restructure Amtrak’s indebtedness as of the date of enactment of this Act. This authorization expires 18 months after the date of enactment of this Act.

(b) DEBT RESTRUCTURING.—The Secretary of the Treasury, in consultation with the Secretary of Transportation and Amtrak, shall enter into negotiations with the holders of Amtrak debt, including leases, outstanding on the date of enactment of this Act for the purpose of restructuring (including repayment) and repaying that debt. The Secretary of the Treasury may secure agreements for restructuring or repayment on such terms as the Secretary of the Treasury deems favorable to the interests of the Government.

(c) CRITERIA.—In restructuring Amtrak’s indebtedness, the Secretary of the Treasury and Amtrak—

(1) shall take into consideration repayment costs, the term of any loan or loans, and market conditions; and

(2) shall ensure that the restructuring results in significant savings to Amtrak and the United States Government.

(d) PAYMENT OF RENEGOTIATED DEBT.—If the criteria under subsection (c) are met, the Secretary of the Treasury may assume or repay the restructured debt, as appropriate.

(e) AMTRAK PRINCIPAL AND INTEREST PAYMENTS.—

(1) PRINCIPAL ON DEBT SERVICE.—Unless the Secretary of the Treasury makes sufficient payments to creditors under subsection (d) so that Amtrak is required to make no payments to creditors in a fiscal year, the Secretary of Transportation shall use funds authorized by section 102(a)(1) of this Act for the use of Amtrak for retirement of principal on loans for capital equipment, or capital leases.

(2) INTEREST ON DEBT.—Unless the Secretary of the Treasury makes sufficient payments to creditors under subsection (d) so that Amtrak is required to make no payments to creditors in a fiscal year, the Secretary of Transportation shall use funds authorized by section 102(a)(1) of this Act for the use of Amtrak for the payment of interest on loans for capital equipment, or capital leases.

(3) REDUCTIONS IN AUTHORIZATION LEVELS.—Whenever action taken by the Secretary of the Treasury under subsection (a) results in reductions in amounts of principal or interest that Amtrak must service on existing debt, the corresponding amounts authorized by section 102(a)(1) shall be reduced accordingly.

(f) LEGAL EFFECT OF PAYMENTS UNDER THIS SECTION.—The payment of principal and interest on secured debt, other than debt assumed under subsection (d), with the proceeds of grants under subsection (e) shall not—

(1) modify the extent or nature of any indebtedness of the National Railroad Passenger Corporation to the United States in existence of the date of enactment of this Act;

(2) change the private nature of Amtrak’s or its successors’ liabilities; or

(3) imply any Federal guarantee or commitment to amortize Amtrak’s outstanding indebtedness.

(g) **SECRETARY APPROVAL.**—Amtrak may not incur more debt after the date of enactment of this Act without the express advance approval of the Secretary of Transportation.

(h) **REPORT.**—The Secretary of the Treasury shall transmit a report to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Appropriations of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Appropriations of the Senate, by November 1, 2009—

(1) describing in detail any agreements to restructure the Amtrak debt; and

(2) providing an estimate of the savings to Amtrak and the United States Government.

**SEC. 211. STUDY OF COMPLIANCE REQUIREMENTS AT EXISTING INTERCITY RAIL STATIONS.**

Amtrak, in consultation with station owners and other railroads operating service through the existing stations that it serves, shall evaluate the improvements necessary to make these stations readily accessible to and usable by individuals with disabilities, as required by such section 242(e)(2) of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. 12162(e)(2)). The evaluation shall include, for each applicable station, improvements required to bring it into compliance with the applicable parts of such section 242(e)(2), any potential barriers to achieving compliance, the estimated cost of the improvements necessary, the identification of the responsible person (as defined in section 241(5) of that Act (42 U.S.C. 12161(5))), and the earliest practicable date when such improvements can be made. The evaluation shall also include an overall schedule for bringing all applicable stations into compliance with the applicable parts of section 242(e)(2). Amtrak shall submit the evaluation to the Committee on Transportation and Infrastructure of the House of Representatives; the Committee on Commerce, Science, and Transportation of the Senate; the Department of Transportation; and the National Council on Disability by July 1, 2009, along with recommendations for funding the necessary improvements. Should the Department of Transportation issue the Final Rule to its Notice of Proposed Rulemaking of February 27, 2006, on "Transportation for Individuals with Disabilities," after Amtrak submits its evaluation, Amtrak shall, not later than 120 days after the date the Final Rule is published, submit to the above parties a supplemental evaluation on the impact of those changes on its cost and schedule for achieving full compliance.

**SEC. 212. OVERSIGHT OF AMTRAK'S COMPLIANCE WITH ACCESSIBILITY REQUIREMENTS.**

Using the funds authorized by section 101(f) of this Act, the Federal Railroad Administration shall monitor and conduct periodic reviews of Amtrak's compliance with applicable sections of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1974 to ensure that Amtrak's services and facilities are accessible to individuals with disabilities to the extent required by law.

**SEC. 213. ACCESS TO AMTRAK EQUIPMENT AND SERVICES.**

If a State desires to select or selects an entity other than Amtrak to provide services required for the operation of an intercity passenger train route described in section 24102(5)(D) or 24702 of title 49, United States Code, the State may make an agreement with Amtrak to use facilities and equipment of, or have services provided by, Amtrak under terms agreed to by the State and Amtrak to enable the State to utilize an entity other than Amtrak to provide services required for operation of the route. If the parties cannot agree upon terms, and the Surface Transportation Board finds that access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary to carry out this provision and that the operation of Amtrak's other

services will not be impaired thereby, the Surface Transportation Board shall, within 120 days after submission of the dispute, issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability and other terms for use of the facilities and equipment and provision of the services. Compensation shall be determined in accordance with the methodology established pursuant to section 206 of this Act.

**SEC. 214. GENERAL AMTRAK PROVISIONS.**

(a) **REPEAL OF SELF-SUFFICIENCY REQUIREMENTS.**—

(1) **PLAN REQUIRED.**—Section 24101(d) is amended—

(A) by striking "plan to operate within the funding levels authorized by section 24104 of this chapter, including budgetary goals for fiscal years 1998 through 2002." and inserting "plan, consistent with section 204 of the Passenger Rail Investment and Improvement Act of 2008, including the budgetary goals for fiscal years 2009 through 2013."; and

(B) by striking the last sentence and inserting "Amtrak and its Board of Directors shall adopt a long-term plan that minimizes the need for Federal operating subsidies."

(2) **AMTRAK REFORM AND ACCOUNTABILITY ACT AMENDMENTS.**—Title II of the Amtrak Reform and Accountability Act of 1997 (49 U.S.C. 24101 nt) is amended by striking sections 204 and 205.

(b) **LEASE ARRANGEMENTS.**—Amtrak may obtain services from the Administrator of General Services, and the Administrator may provide services to Amtrak, under section 201(b) and 211(b) of the Federal Property and Administrative Service Act of 1949 (40 U.S.C. 481(b) and 491(b)) for each of fiscal years 2009 through 2013.

(c) **TRAVEL FACILITATION.**—Using existing authority or agreements, or upon reaching additional agreements with Canada, the Secretary of Transportation and other Federal agencies, as appropriate, are authorized to establish facilities and procedures to conduct preclearance of passengers traveling on Amtrak trains from Canada to the United States. The Secretary shall seek to establish such facilities and procedures in areas determined appropriate by the Secretary.

**SEC. 215. AMTRAK MANAGEMENT ACCOUNTABILITY.**

(a) **IN GENERAL.**—Chapter 243 is amended by inserting after section 24309 the following:

**"§24310. Management accountability**

"(a) **IN GENERAL.**—Three years after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, and two years thereafter, the Inspector General of the Department of Transportation shall complete an overall assessment of the progress made by Amtrak management and the Department of Transportation in implementing the provisions of that Act.

"(b) **ASSESSMENT.**—The management assessment undertaken by the Inspector General may include a review of—

"(1) effectiveness in improving annual financial planning;

"(2) effectiveness in implementing improved financial accounting;

"(3) efforts to implement minimum train performance standards;

"(4) progress maximizing revenues and minimizing Federal subsidies and improving financial results; and

"(5) any other aspect of Amtrak operations the Inspector General finds appropriate to review."

(b) **CONFORMING AMENDMENT.**—The chapter analysis for chapter 243 is amended by inserting after the item relating to section 24309 the following:

"24310. Management accountability."

**SEC. 216. PASSENGER RAIL STUDY.**

(a) **IN GENERAL.**—The Comptroller General of the General Accountability Office shall conduct

a study to determine the potential cost and benefits of expanding passenger rail service options in underserved communities.

(b) **SUBMISSION.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit a report containing the results of the study conducted under this section to—

(1) the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) the Committee on Commerce, Science, and Transportation of the Senate.

**SEC. 217. CONGESTION GRANTS.**

(a) **AUTHORITY.**—The Secretary of Transportation may make grants to States, or to Amtrak in cooperation with States, for financing the capital costs of facilities, infrastructure, and equipment for high priority rail corridor projects necessary to reduce congestion or facilitate ridership growth in intercity passenger rail transportation.

(b) **ELIGIBLE PROJECTS.**—Projects eligible for grants under this section include projects—

(1) identified by Amtrak as necessary to reduce congestion or facilitate ridership growth in intercity passenger rail transportation along heavily traveled rail corridors; and

(2) designated by the Secretary as being sufficiently advanced in development to be capable of serving the purposes described in subsection (a) on an expedited schedule.

(c) **COMPLIANCE WITH ENVIRONMENTAL LAWS.**—The Secretary shall not make a grant under this section for a project without adequate assurances that the project will be completed in full compliance with all applicable Federal and State environmental laws and regulations.

(d) **FEDERAL SHARE.**—The Federal share of the cost of a project financed under this section shall not exceed 80 percent.

(e) **EMPLOYEE PROTECTION.**—The recipient of a grant under this section shall agree to comply with the standards of section 24312 of title 49, United States Code, as such section was in effect on September 1, 2003, with respect to the project in the same manner that the National Railroad Passenger Corporation is required to comply with those standards for construction work financed under an agreement made under section 24308(a) of such title.

**SEC. 218. PLAN FOR RESTORATION OF SERVICE.**

(a) **IN GENERAL.**—Not later than 9 months after the date of enactment of this Act, Amtrak shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for restoring passenger rail service between New Orleans, Louisiana, and Sanford, Florida. The plan shall include a projected timeline for restoring such service, the costs associated with restoring such service, and any proposals for legislation necessary to support such restoration of service. In developing the plan, Amtrak shall consult with representatives from the States of Louisiana, Alabama, Mississippi, and Florida, railroad carriers whose tracks may be used for such service, rail passengers, rail labor, and other entities as appropriate.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of Transportation to enable Amtrak to conduct the study under this subsection \$1,000,000.

**SEC. 219. LOCOMOTIVE BIOFUEL STUDY.**

(a) **IN GENERAL.**—The Administrator of the Federal Railroad Administration, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall conduct a study to determine the extent to which freight and passenger rail operators could use biofuel blends to power its locomotive fleet and other vehicles that operate on rail tracks.

(b) **DEFINITION.**—For purposes of this section, the term "biofuel" means a fuel that utilizes renewable resources and is composed substantially



of a renewable resource blended with ethanol, methanol, or other additive.

(c) **FACTORS.**—In conducting the study, the Federal Railroad Administration shall consider—

(1) the energy intensity of various biofuel blends compared to diesel fuel;

(2) the emission benefits of using various biofuel blends compared to locomotive diesel fuel;

(3) the cost of purchasing biofuel blends;

(4) the public benefits derived from the use of such fuels; and

(5) the effect of biofuel use on relevant locomotive and other vehicle performance.

(d) **LOCOMOTIVE TESTING.**—As part of the study, the Federal Railroad Administration shall test locomotive engine performance and emissions using blends of biofuel and diesel fuel in order to recommend a premium locomotive biofuel blend.

(e) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Federal Railroad Administration shall issue the results of this study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of Transportation \$1,000,000 to carry out this section, to remain available until expended.

**SEC. 220. STUDY OF THE USE OF BIOBASED LUBRICANTS.**

Not later than 180 days after the date of enactment of this Act, the Federal Railroad Administration shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of a study of the feasibility of using readily biodegradable lubricants by freight and passenger railroads. The Federal Railroad Administration shall work with an agricultural-based lubricant testing facility or facilities to complete this study. The study shall include—

(1) an analysis of the potential use of soy-based grease and soy-based hydraulic fluids to perform according to railroad industry standards;

(2) an analysis of the potential use of other readily biodegradable lubricants to perform according to railroad industry standards;

(3) a comparison of the health and safety of petroleum-based lubricants with biobased lubricants, which shall include an analysis of fire safety; and

(4) a comparison of the environmental impact of petroleum-based lubricants with biobased lubricants, which shall include rate and effects of biodegradability.

**SEC. 221. APPLICABILITY OF BUY AMERICAN ACT.**

Section 24305(f) is amended to read as follows:

“(f) **APPLICABILITY OF BUY AMERICAN ACT.**—Amtrak shall be subject to the Buy American Act (41 U.S.C. 10a–d) and the regulations thereunder, for purchases of \$100,000 or more.”

**SEC. 222. INTERCITY PASSENGER RAIL SERVICE PERFORMANCE.**

(a) **DEVELOPMENT OF EVALUATION METRICS.**—Not later than 6 months after the date of enactment of this Act, the Inspector General of the Department of Transportation shall, using the financial and performance metrics developed under section 207, develop metrics for the evaluation of the performance and service quality of intercity passenger rail services including cost recovery, on-time performance and minutes of delay, ridership, onboard services, maintenance of facilities and equipment, and other services.

(b) **IDENTIFICATION OF WORST PERFORMING ROUTES.**—On the basis of these metrics, the Inspector General shall identify the five worst performing Amtrak routes.

(c) **ALTERNATIVE ROUTES.**—The Inspector General shall also establish criteria for evalu-

ating routes not currently served by Amtrak which might be able to support passenger rail service at a reasonable cost.

(d) **REPORT TO CONGRESS.**—The Inspector General shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate recommending a process for the Department of Transportation to consider proposals by Amtrak and others to serve underperforming routes, and routes not currently served by Amtrak. The proposals shall require that applicants follow grant requirements of section 504. The Inspector General shall recommend one route not currently served by Amtrak and two routes (from among the five worst routes identified under subsection (b)) currently served by Amtrak, for the Department of Transportation to consider under the selection process.

(e) **IMPLEMENTATION.**—The Secretary shall not implement the selection process recommended by the Inspector General under subsection (d) until legislation has been enacted authorizing the Secretary to take such action.

**SEC. 223. AMTRAK INSPECTOR GENERAL UTILIZATION STUDY.**

Not later than 9 months after the date of enactment of this Act, the Amtrak Inspector General shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on Amtrak's utilization of its facilities, including the Beech Grove Repair facility in Indiana. The report shall include an examination of Amtrak's utilization of its existing facilities to determine the extent Amtrak is maximizing the opportunities for each facility, including any attempts to provide maintenance and repair to other rail carriers. In developing this report, the Amtrak Inspector General shall consult with other railroad carriers as it deems appropriate.

**SEC. 224. AMTRAK SERVICE PREFERENCE STUDY.**

Not later than 6 months after the date of enactment of this Act, the Surface Transportation Board shall transmit to the Congress a report containing—

(1) the findings of a study of the effectiveness of the implementation of section 24308(c) of title 49, United States Code, in ensuring the preference of Amtrak service over freight transportation service; and

(2) recommendations with respect to any regulatory or legislative actions that would improve such effectiveness.

**TITLE III—INTERCITY PASSENGER RAIL POLICY**

**SEC. 301. CAPITAL ASSISTANCE FOR INTERCITY PASSENGER RAIL SERVICE; STATE RAIL PLANS.**

(a) **IN GENERAL.**—Part C of subtitle V is amended by inserting the following after chapter 243:

**“CHAPTER 244—INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL ASSISTANCE**

“Sec.

“24401. Definitions.

“24402. Capital investment grants to support intercity passenger rail service.

“24403. Project management oversight.

“24404. Use of capital grants to finance first-dollar liability of grant project.

“24405. Grant conditions.

**“§24401. Definitions**

“In this chapter:

“(1) **APPLICANT.**—The term ‘applicant’ means a State (including the District of Columbia), a group of States, an Interstate Compact, or a public agency established by one or more States and having responsibility for providing intercity passenger rail service.

“(2) **CAPITAL PROJECT.**—The term ‘capital project’ means a project or program in a State

rail plan developed under chapter 225 of this title for—

“(A) acquiring, constructing, improving, or inspecting equipment, track and track structures, or a facility for use in or for the primary benefit of intercity passenger rail service, expenses incidental to the acquisition or construction (including designing, engineering, location surveying, mapping, environmental studies, and acquiring rights-of-way), payments for the capital portions of rail trackage rights agreements, highway-rail grade crossing improvements related to intercity passenger rail service, mitigating environmental impacts, communication and signalization improvements, relocation assistance, acquiring replacement housing sites, and acquiring, constructing, relocating, and rehabilitating replacement housing;

“(B) rehabilitating, remanufacturing or overhauling rail rolling stock and facilities used primarily in intercity passenger rail service;

“(C) costs associated with developing State rail plans; and

“(D) the first-dollar liability costs for insurance related to the provision of intercity passenger rail service under section 24404.

“(3) **INTERCITY PASSENGER RAIL SERVICE.**—The term ‘intercity passenger rail service’ means transportation services with the primary purpose of passenger transportation between towns, cities and metropolitan areas by rail, including high-speed rail, as defined in section 24102 of this title.

**“§24402. Capital investment grants to support intercity passenger rail service**

“(a) **GENERAL AUTHORITY.**—

“(1) The Secretary of Transportation may make grants under this section to an applicant to assist in financing the capital costs of facilities, infrastructure, and equipment necessary to provide or improve intercity passenger rail transportation.

“(2) The Secretary shall require that a grant under this section be subject to the terms, conditions, requirements, and provisions the Secretary decides are necessary or appropriate for the purposes of this section, including requirements for the disposition of net increases in value of real property resulting from the project assisted under this section and shall prescribe procedures and schedules for the awarding of grants under this title, including application and qualification procedures and a record of decision on applicant eligibility. The Secretary shall issue a final rule establishing such procedures not later than 90 days after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008.

“(b) **PROJECT AS PART OF STATE RAIL PLAN.**—

“(1) The Secretary may not approve a grant for a project under this section unless the Secretary finds that the project is part of a State rail plan developed under chapter 225 of this title, or under the plan required by section 302 of the Passenger Rail Investment and Improvement Act of 2008, and that the applicant or recipient has or will have the legal, financial, and technical capacity to carry out the project, satisfactory continuing control over the use of the equipment or facilities, and the capability and willingness to maintain the equipment or facilities.

“(2) An applicant shall provide sufficient information upon which the Secretary can make the findings required by this subsection.

“(3) If an applicant has not selected the proposed operator of its service competitively, the applicant shall provide written justification to the Secretary showing why the proposed operator is the best, taking into account price and other factors, and that use of the proposed operator will not unnecessarily increase the cost of the project.

“(c) **PROJECT SELECTION CRITERIA.**—The Secretary, in selecting the recipients of financial assistance to be provided under subsection (a), shall—

“(1) require that each proposed project meet all safety requirements that are applicable to the project under law;

“(2) give preference to projects with high levels of estimated ridership, increased on-time performance, reduced trip time, additional service frequency to meet anticipated or existing demand, or other significant service enhancements as measured against minimum standards developed under section 207 of the Passenger Rail Investment and Improvement Act of 2008;

“(3) encourage intermodal connectivity through projects that provide direct connections between train stations, airports, bus terminals, subway stations, ferry ports, and other modes of transportation;

“(4) ensure that each project is compatible with, and is operated in conformance with—

“(A) plans developed pursuant to the requirements of section 135 of title 23, United States Code; and

“(B) the national rail plan (if it is available); and

“(5) favor the following kinds of projects:

“(A) Projects that are expected to have a significant favorable impact on air or highway traffic congestion, capacity, or safety.

“(B) Projects that improve freight or commuter rail operations.

“(C) Projects that have significant environmental benefits, including projects that involve the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment.

“(D) Projects that are—

“(i) at a stage of preparation that all pre-commencement compliance with environmental protection requirements has already been completed; and

“(ii) ready to be commenced.

“(E) Projects with positive economic and employment impacts.

“(F) Projects that encourage the use of positive train control technologies.

“(G) Projects that have commitments of funding from non-Federal Government sources in a total amount that exceeds the minimum amount of the non-Federal contribution required for the project.

“(H) Projects that involve donated property interests or services.

“(I) Projects that are identified by the Surface Transportation Board as necessary to improve the on time performance and reliability of intercity passenger rail under section 24308(f).

“(J) Projects described in section 5302(a)(1)(G) of this title that are designed to support intercity passenger rail service.

“(K) Projects that encourage intermodal connectivity, create significant opportunity for State and private contributions toward station development, are energy and environmentally efficient, and have economic benefits.

“(d) **AMTRAK ELIGIBILITY.**—To receive a grant under this section, the National Railroad Passenger Corporation may enter into a cooperative agreement with 1 or more States to carry out 1 or more projects on a State rail plan’s ranked list of rail capital projects developed under section 22504(a)(5) of this title.

“(e) **LETTERS OF INTENT, FULL FUNDING GRANT AGREEMENTS, AND EARLY SYSTEMS WORK AGREEMENTS.**—

“(1)(A) The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for a major capital project under this section, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project.

“(B) At least 30 days before issuing a letter under subparagraph (A) of this paragraph or entering into a full funding grant agreement, the Secretary shall notify in writing the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate and the House and Senate Commit-

tees on Appropriations of the proposed letter or agreement. The Secretary shall include with the notification a copy of the proposed letter or agreement as well as the evaluations and ratings for the project.

“(C) An obligation or administrative commitment may be made only when amounts are appropriated.

“(2)(A) The Secretary may make a full funding grant agreement with an applicant. The agreement shall—

“(i) establish the terms of participation by the United States Government in a project under this section;

“(ii) establish the maximum amount of Government financial assistance for the project;

“(iii) cover the period of time for completing the project, including a period extending beyond the period of an authorization; and

“(iv) make timely and efficient management of the project easier according to the law of the United States.

“(B) An agreement under this paragraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this paragraph, to obligate an additional amount from future available budget authority specified in law. The agreement shall state that the contingent commitment is not an obligation of the Government and is subject to the availability of appropriations made by Federal law and to Federal laws in force on or enacted after the date of the contingent commitment. Interest and other financing costs of efficiently carrying out a part of the project within a reasonable time are a cost of carrying out the project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

“(3)(A) The Secretary may make an early systems work agreement with an applicant if a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been issued on the project and the Secretary finds there is reason to believe—

“(i) a full funding grant agreement for the project will be made; and

“(ii) the terms of the work agreement will promote ultimate completion of the project more rapidly and at less cost.

“(B) A work agreement under this paragraph obligates an amount of available budget authority specified in law and shall provide for reimbursement of preliminary costs of carrying out the project, including land acquisition, timely procurement of system elements for which specifications are decided, and other activities the Secretary decides are appropriate to make efficient, long-term project management easier. A work agreement shall cover the period of time the Secretary considers appropriate. The period may extend beyond the period of current authorization. Interest and other financing costs of efficiently carrying out the work agreement within a reasonable time are a cost of carrying out the agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms. If an applicant does not carry out the project for reasons within the control of the applicant, the applicant shall repay all Government payments made under the work agreement plus reasonable interest and penalty charges the Secretary establishes in the agreement.

“(4) The total estimated amount of future obligations of the Government and contingent commitments to incur obligations covered by all

outstanding letters of intent, full funding grant agreements, and early systems work agreements may be not more than the amount authorized under section 101(d) of the Passenger Rail Investment and Improvement Act of 2008, less an amount the Secretary reasonably estimates is necessary for grants under this section not covered by a letter. The total amount covered by new letters and contingent commitments included in full funding grant agreements and early systems work agreements may be not more than a limitation specified in law.

“(f) **FEDERAL SHARE OF NET PROJECT COST.**—

“(1)(A) Based on engineering studies, studies of economic feasibility, and information on the expected use of equipment or facilities, the Secretary shall estimate the net project cost.

“(B) A grant for the project shall not exceed 80 percent of the project net capital cost.

“(C) The Secretary shall give priority in allocating future obligations and contingent commitments to incur obligations to grant requests seeking a lower Federal share of the project net capital cost.

“(2) Up to an additional 20 percent of the required non-Federal funds may be funded from amounts appropriated to or made available to a department or agency of the Federal Government that are eligible to be expended for transportation.

“(3) 50 percent of the average amounts expended by a State or group of States (including the District of Columbia) for capital projects to benefit intercity passenger rail service and operating costs in fiscal years 2002, 2003, 2004, 2005, 2006, 2007, and 2008 shall be credited towards the matching requirements for grants awarded in fiscal years 2009, 2010, and 2011 under this section. The Secretary may require such information as necessary to verify such expenditures.

“(4) 50 percent of the average amounts expended by a State or group of States (including the District of Columbia) in a fiscal year, beginning in fiscal year 2007, for capital projects to benefit intercity passenger rail service or for the operating costs of such service above the average capital and operating expenditures made for such service in fiscal years 2004, 2005, 2006, 2007, and 2008 shall be credited towards the matching requirements for grants awarded under this section. The Secretary may require such information as necessary to verify such expenditures.

“(g) **UNDERTAKING PROJECTS IN ADVANCE.**—

“(1) The Secretary may pay the Federal share of the net capital project cost to an applicant that carries out any part of a project described in this section according to all applicable procedures and requirements if—

“(A) the applicant applies for the payment;

“(B) the Secretary approves the payment; and

“(C) before carrying out the part of the project, the Secretary approves the plans and specifications for the part in the same way as other projects under this section.

“(2) The cost of carrying out part of a project includes the amount of interest earned and payable on bonds issued by the applicant to the extent proceeds of the bonds are expended in carrying out the part. However, the amount of interest under this paragraph may not be more than the most favorable interest terms reasonably available for the project at the time of borrowing. The applicant shall certify, in a manner satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financial terms.

“(3) The Secretary shall consider changes in capital project cost indices when determining the estimated cost under paragraph (2) of this subsection.

“(h) **2-YEAR AVAILABILITY.**—Funds appropriated under this section shall remain available until expended. If any amount provided as a grant under this section is not obligated or expended for the purposes described in subsection (a) within 2 years after the date on which the

State received the grant, such sums shall be returned to the Secretary for other intercity passenger rail development projects under this section at the discretion of the Secretary.

“(i) **SPECIAL TRANSPORTATION CIRCUMSTANCES.**—In carrying out this section, the Secretary shall allocate an appropriate portion of the amounts available under this section to provide grants to States—

“(1) in which there is no intercity passenger rail service for the purpose of funding freight rail capital projects that are on a State rail plan developed under chapter 225 of this title that provide public benefits (as defined in chapter 225) as determined by the Secretary; or

“(2) in which the rail transportation system is not physically connected to rail systems in the continental United States or may not otherwise qualify for a grant under this section due to the unique characteristics of the geography of that State or other relevant considerations, for the purpose of funding transportation-related capital projects.

“(j) **SMALL CAPITAL PROJECTS.**—The Secretary shall make available \$10,000,000 annually from the amounts authorized under section 101(d) of the Passenger Rail Investment and Improvement Act of 2008 beginning in fiscal year 2009 for grants for capital projects eligible under this section not exceeding \$2,000,000, including costs eligible under section 206(c) of that Act. The Secretary may waive requirements of this section, including state rail plan requirements, as appropriate.

“**§24403. Project management oversight**

“(a) **PROJECT MANAGEMENT PLAN REQUIREMENTS.**—To receive Federal financial assistance for a major capital project under this chapter, an applicant must prepare and carry out a project management plan approved by the Secretary of Transportation. The plan shall provide for—

“(1) adequate recipient staff organization with well-defined reporting relationships, statements of functional responsibilities, job descriptions, and job qualifications;

“(2) a budget covering the project management organization, appropriate consultants, property acquisition, utility relocation, systems demonstration staff, audits, and miscellaneous payments the recipient may be prepared to justify;

“(3) a construction schedule for the project;

“(4) a document control procedure and record-keeping system;

“(5) a change order procedure that includes a documented, systematic approach to handling the construction change orders;

“(6) organizational structures, management skills, and staffing levels required throughout the construction phase;

“(7) quality control and quality assurance functions, procedures, and responsibilities for construction, system installation, and integration of system components;

“(8) material testing policies and procedures;

“(9) internal plan implementation and reporting requirements;

“(10) criteria and procedures to be used for testing the operational system or its major components;

“(11) periodic updates of the plan, especially related to project budget and project schedule, financing, and ridership estimates; and

“(12) the recipient's commitment to submit a project budget and project schedule to the Secretary each month.

“(b) **SECRETARIAL OVERSIGHT.**—

“(1) The Secretary may use no more than 0.5 percent of amounts made available in a fiscal year for capital projects under this chapter to enter into contracts to oversee the construction of such projects.

“(2) The Secretary may use amounts available under paragraph (1) of this subsection to make contracts for safety, procurement, management, and financial compliance reviews and audits of a recipient of amounts under paragraph (1).

“(3) The Federal Government shall pay the entire cost of carrying out a contract under this subsection.

“(c) **ACCESS TO SITES AND RECORDS.**—Each recipient of assistance under this chapter shall provide the Secretary and a contractor the Secretary chooses under subsection (c) of this section with access to the construction sites and records of the recipient when reasonably necessary.

“**§24404. Use of capital grants to finance first-dollar liability of grant project**

“Notwithstanding the requirements of section 24402 of this chapter, the Secretary of Transportation may approve the use of capital assistance under this chapter to fund self-insured retention of risk for the first tier of liability insurance coverage for rail passenger service associated with the capital assistance grant, but the coverage may not exceed \$20,000,000 per occurrence or \$20,000,000 in aggregate per year.

“**§24405. Grant conditions**

“(a) **DOMESTIC BUYING PREFERENCE.**—

“(1) **REQUIREMENT.**—

“(A) **IN GENERAL.**—In carrying out a project funded in whole or in part with a grant under this title, the grant recipient shall purchase only—

“(i) unmanufactured articles, material, and supplies mined or produced in the United States; or

“(ii) manufactured articles, material, and supplies manufactured in the United States substantially from articles, material, and supplies mined, produced, or manufactured in the United States.

“(B) **DE MINIMIS AMOUNT.**—Subparagraph (A) applies only to a purchase in an total amount that is not less than \$1,000,000.

“(2) **EXEMPTIONS.**—On application of a recipient, the Secretary may exempt a recipient from the requirements of this subsection if the Secretary decides that, for particular articles, material, or supplies—

“(A) such requirements are inconsistent with the public interest;

“(B) the cost of imposing the requirements is unreasonable; or

“(C) the articles, material, or supplies, or the articles, material, or supplies from which they are manufactured, are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and are not of a satisfactory quality.

“(3) **UNITED STATES DEFINED.**—In this subsection, the term ‘the United States’ means the States, territories, and possessions of the United States and the District of Columbia.

“(b) **OPERATORS DEEMED RAIL CARRIERS AND EMPLOYERS FOR CERTAIN PURPOSES.**—A person that conducts rail operations over rail infrastructure constructed or improved with funding provided in whole or in part in a grant made under this title shall be considered a rail carrier as defined in section 10102(5) of this title for purposes of this title and any other statute that adopts that definition or in which that definition applies, including—

“(1) the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.);

“(2) the Railway Labor Act (43 U.S.C. 151 et seq.); and

“(3) the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.).

“(c) **GRANT CONDITIONS.**—The Secretary shall require as a condition of making any grant under this title for a project that uses rights-of-way owned by a railroad that—

“(1) a written agreement exist between the applicant and the railroad regarding such use and ownership, including—

“(A) any compensation for such use;

“(B) assurances regarding the adequacy of infrastructure capacity to accommodate both existing and future freight and passenger operations;

“(C) an assurance by the railroad that collective bargaining agreements with the railroad's

employees (including terms regulating the contracting of work) will remain in full force and effect according to their terms for work performed by the railroad on the railroad transportation corridor; and

“(D) an assurance that an applicant complies with liability requirements consistent with section 28103 of this title; and

“(2) the applicant agrees to comply with—

“(A) the standards of section 24312 of this title, as such section was in effect on September 1, 2003, with respect to the project in the same manner that the National Railroad Passenger Corporation is required to comply with those standards for construction work financed under an agreement made under section 24308(a) of this title; and

“(B) the protective arrangements established under section 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 836) with respect to employees affected by actions taken in connection with the project to be financed in whole or in part by grants under this chapter.

“(d) **REPLACEMENT OF EXISTING INTERCITY PASSENGER RAIL SERVICE.**—

“(1) **COLLECTIVE BARGAINING AGREEMENT FOR INTERCITY PASSENGER RAIL PROJECTS.**—Any entity providing intercity passenger railroad transportation that begins operations after the date of enactment of this Act on a project funded in whole or in part by grants made under this title and replaces intercity rail passenger service that was provided by Amtrak, unless such service was provided solely by Amtrak to another entity, as of such date shall enter into an agreement with the authorized bargaining agent or agents for adversely affected employees of the predecessor provider that—

“(A) gives each such qualified employee of the predecessor provider priority in hiring according to the employee's seniority on the predecessor provider for each position with the replacing entity that is in the employee's craft or class and is available within 3 years after the termination of the service being replaced;

“(B) establishes a procedure for notifying such an employee of such positions;

“(C) establishes a procedure for such an employee to apply for such positions; and

“(D) establishes rates of pay, rules, and working conditions.

“(2) **IMMEDIATE REPLACEMENT SERVICE.**—

“(A) **NEGOTIATIONS.**—If the replacement of preexisting intercity rail passenger service occurs concurrent with or within a reasonable time before the commencement of the replacing entity's rail passenger service, the replacing entity shall give written notice of its plan to replace existing rail passenger service to the authorized collective bargaining agent or agents for the potentially adversely affected employees of the predecessor provider at least 90 days before the date on which it plans to commence service. Within 5 days after the date of receipt of such written notice, negotiations between the replacing entity and the collective bargaining agent or agents for the employees of the predecessor provider shall commence for the purpose of reaching agreement with respect to all matters set forth in subparagraphs (A) through (D) of paragraph (1). The negotiations shall continue for 30 days or until an agreement is reached, whichever is sooner. If at the end of 30 days the parties have not entered into an agreement with respect to all such matters, the unresolved issues shall be submitted for arbitration in accordance with the procedure set forth in subparagraph (B).

“(B) **ARBITRATION.**—If an agreement has not been entered into with respect to all matters set forth in subparagraphs (A) through (D) of paragraph (1) as described in subparagraph (A) of this paragraph, the parties shall select an arbitrator. If the parties are unable to agree upon the selection of such arbitrator within 5 days, either or both parties shall notify the National Mediation Board, which shall provide a list of

seven arbitrators with experience in arbitrating rail labor protection disputes. Within 5 days after such notification, the parties shall alternately strike names from the list until only 1 name remains, and that person shall serve as the neutral arbitrator. Within 45 days after selection of the arbitrator, the arbitrator shall conduct a hearing on the dispute and shall render a decision with respect to the unresolved issues among the matters set forth in subparagraphs (A) through (D) of paragraph (1). This decision shall be final, binding, and conclusive upon the parties. The salary and expenses of the arbitrator shall be borne equally by the parties; all other expenses shall be paid by the party incurring them.

“(3) SERVICE COMMENCEMENT.—A replacing entity under this subsection shall commence service only after an agreement is entered into with respect to the matters set forth in subparagraphs (A) through (D) of paragraph (1) or the decision of the arbitrator has been rendered.

“(4) SUBSEQUENT REPLACEMENT OF SERVICE.—If the replacement of existing rail passenger service takes place within 3 years after the replacing entity commences intercity passenger rail service, the replacing entity and the collective bargaining agent or agents for the adversely affected employees of the predecessor provider shall enter into an agreement with respect to the matters set forth in subparagraphs (A) through (D) of paragraph (1). If the parties have not entered into an agreement with respect to all such matters within 60 days after the date on which the replacing entity replaces the predecessor provider, the parties shall select an arbitrator using the procedures set forth in paragraph (2)(B), who shall, within 20 days after the commencement of the arbitration, conduct a hearing and decide all unresolved issues. This decision shall be final, binding, and conclusive upon the parties.

“(e) INAPPLICABILITY TO CERTAIN RAIL OPERATIONS.—Nothing in this section applies to—

“(1) commuter rail passenger transportation (as defined in section 24102(4) of this title) operations of a State or local government authority (as those terms are defined in section 5302(11) and (6), respectively, of this title) eligible to receive financial assistance under section 5307 of this title, or to its contractor performing services in connection with commuter rail passenger operations (as so defined);

“(2) the Alaska Railroad or its contractors; or

“(3) the National Railroad Passenger Corporation’s access rights to railroad rights of way and facilities under current law.”

(b) CONFORMING AMENDMENT.—The chapter analysis for subtitle V is amended by inserting the following after the item relating to chapter 243:

“244. INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL ASSISTANCE ..... 24401”.

**SEC. 302. STATE RAIL PLANS.**

(a) IN GENERAL.—Part B of subtitle V is amended by adding at the end the following:

**“CHAPTER 225—STATE RAIL PLANS AND HIGH PRIORITY PROJECTS**

“Sec.

“22501. Definitions.

“22502. Authority.

“22503. Purposes.

“22504. Transparency; coordination; review.

“22505. Content.

“22506. Review.

**“§22501. Definitions**

“In this chapter:

“(1) PRIVATE BENEFIT.—

“(A) IN GENERAL.—The term ‘private benefit’—

“(i) means a benefit accrued to a person or private entity, other than the National Railroad Passenger Corporation, that directly improves the economic and competitive condition of that person or entity through improved assets, cost

reductions, service improvements, or any other means as defined by the Secretary; and

“(ii) shall be determined on a project-by-project basis, based upon an agreement between the parties.

“(B) CONSULTATION.—The Secretary may seek the advice of the States and rail carriers in further defining this term.

“(2) PUBLIC BENEFIT.—

“(A) IN GENERAL.—The term ‘public benefit’—

“(i) means a benefit accrued to the public in the form of enhanced mobility of people or goods, environmental protection or enhancement, congestion mitigation, enhanced trade and economic development, improved air quality or land use, more efficient energy use, enhanced public safety, reduction of public expenditures due to improved transportation efficiency or infrastructure preservation, and any other positive community effects as defined by the Secretary; and

“(ii) shall be determined on a project-by-project basis, based upon an agreement between the parties.

“(B) CONSULTATION.—The Secretary may seek the advice of the States and rail carriers in further defining this term.

“(3) STATE.—The term ‘State’ means any of the 50 States and the District of Columbia.

“(4) STATE RAIL TRANSPORTATION AUTHORITY.—The term ‘State rail transportation authority’ means the State agency or official responsible under the direction of the Governor of the State or a State law for preparation, maintenance, coordination, and administration of the State rail plan.

**“§22502. Authority**

“(a) IN GENERAL.—Each State may prepare and maintain a State rail plan in accordance with the provisions of this chapter.

“(b) REQUIREMENTS.—For the preparation and periodic revision of a State rail plan, a State shall—

“(1) establish or designate a State rail transportation authority to prepare, maintain, coordinate, and administer the plan;

“(2) establish or designate a State rail plan approval authority to approve the plan;

“(3) submit the State’s approved plan to the Secretary of Transportation for review; and

“(4) revise and resubmit a State-approved plan no less frequently than once every 5 years for reapproval by the Secretary.

**“§22503. Purposes**

“(a) PURPOSES.—The purposes of a State rail plan are as follows:

“(1) To set forth State policy involving freight and passenger rail transportation, including commuter rail operations, in the State.

“(2) To establish the period covered by the State rail plan.

“(3) To present priorities and strategies to enhance rail service in the State that benefits the public.

“(4) To serve as the basis for Federal and State rail investments within the State.

“(b) COORDINATION.—A State rail plan shall be coordinated with other State transportation planning goals and programs and set forth rail transportation’s role within the State transportation system.

**“§22504. Transparency; coordination; review**

“(a) PREPARATION.—A State shall provide adequate and reasonable notice and opportunity for comment and other input to the public, rail carriers, commuter and transit authorities operating in, or affected by rail operations within the State, units of local government, and other interested parties in the preparation and review of its State rail plan.

“(b) INTERGOVERNMENTAL COORDINATION.—A State shall review the freight and passenger rail service activities and initiatives by regional planning agencies, regional transportation authorities, and municipalities within the State, or in the region in which the State is located, while

preparing the plan, and shall include any recommendations made by such agencies, authorities, and municipalities as deemed appropriate by the State.

**“§22505. Content**

“(a) IN GENERAL.—Each State rail plan shall contain the following:

“(1) An inventory of the existing overall rail transportation system and rail services and facilities within the State and an analysis of the role of rail transportation within the State’s surface transportation system.

“(2) A review of all rail lines within the State, including proposed high-speed rail corridors and significant rail line segments not currently in service.

“(3) A statement of the State’s passenger rail service objectives, including minimum service levels, for rail transportation routes in the State.

“(4) A general analysis of rail’s transportation, economic, and environmental impacts in the State, including congestion mitigation, trade and economic development, air quality, land-use, energy-use, and community impacts.

“(5) A long-range rail investment program for current and future freight and passenger infrastructure in the State that meets the requirements of subsection (b).

“(6) A statement of public financing issues for rail projects and service in the State, including a list of current and prospective public capital and operating funding resources, public subsidies, State taxation, and other financial policies relating to rail infrastructure development.

“(7) An identification of rail infrastructure issues within the State that reflects consultation with all relevant stake holders.

“(8) A review of major passenger and freight intermodal rail connections and facilities within the State, including seaports, and prioritized options to maximize service integration and efficiency between rail and other modes of transportation within the State.

“(9) A review of publicly funded projects within the State to improve rail transportation safety, including all major projects funded under section 130 of title 23.

“(10) A performance evaluation of passenger rail services operating in the State, including possible improvements in those services, and a description of strategies to achieve those improvements.

“(11) A compilation of studies and reports on high-speed rail corridor development within the State not included in a previous plan under this chapter, and a plan for funding any recommended development of such corridors in the State.

“(12) A statement that the State is in compliance with the requirements of section 22102.

**“(b) LONG-RANGE SERVICE AND INVESTMENT PROGRAM.—**

“(1) PROGRAM CONTENT.—A long-range rail investment program included in a State rail plan under subsection (a)(5) shall include the following matters:

“(A) A list of any rail capital projects expected to be undertaken or supported in whole or in part by the State.

“(B) A detailed funding plan for those projects.

“(2) PROJECT LIST CONTENT.—The list of rail capital projects shall contain—

“(A) a description of the anticipated public and private benefits of each such project; and

“(B) a statement of the correlation between—

“(i) public funding contributions for the projects; and

“(ii) the public benefits.

“(3) CONSIDERATIONS FOR PROJECT LIST.—In preparing the list of freight and intercity passenger rail capital projects, a State rail transportation authority should take into consideration the following matters:

“(A) Contributions made by non-Federal and non-State sources through user fees, matching funds, or other private capital involvement.

“(B) Rail capacity and congestion effects.

“(C) Effects on highway, aviation, and maritime capacity, congestion, or safety.

“(D) Regional balance.

“(E) Environmental impact.

“(F) Economic and employment impacts.

“(G) Projected ridership and other service measures for passenger rail projects.

#### “§2506. Review

“The Secretary shall prescribe procedures for States to submit State rail plans for review under this title, including standardized format and data requirements. State rail plans completed before the date of enactment of the Passenger Rail Investment and Improvement Act of 2008 that substantially meet the requirements of this chapter, as determined by the Secretary, shall be deemed by the Secretary to have met the requirements of this chapter.”

(b) CONFORMING AMENDMENT.—The chapter analysis for subtitle V is amended by inserting the following after the item relating to chapter 223:

“225. STATE RAIL PLANS AND HIGH PRIORITY PROJECTS ..... 22501”.

**SEC. 303. NEXT GENERATION CORRIDOR TRAIN EQUIPMENT POOL.**

(a) IN GENERAL.—Within 180 days after the date of enactment of this Act, Amtrak shall establish a Next Generation Corridor Equipment Pool Committee, comprised of representatives of Amtrak, the Federal Railroad Administration, host freight railroad companies, passenger railroad equipment manufacturers, and other passenger railroad operators as appropriate and interested States. The purpose of the Committee shall be to design, develop specifications for, and procure standardized next-generation corridor equipment.

(b) FUNCTIONS.—The Committee may—

(1) determine the number of different types of equipment required, taking into account variations in operational needs and corridor infrastructure;

(2) establish a pool of equipment to be used on corridor routes funded by participating States; and

(3) subject to agreements between Amtrak and States, utilize services provided by Amtrak to design, maintain and remanufacture equipment.

(c) COOPERATIVE AGREEMENTS.—Amtrak and States participating in the Committee may enter into agreements for the funding, procurement, remanufacture, ownership and management of corridor equipment, including equipment currently owned or leased by Amtrak and next-generation corridor equipment acquired as a result of the Committee's actions, and may establish a corporation, which may be owned or jointly owned by Amtrak, participating States or other entities, to perform these functions.

(d) FUNDING.—In addition to the authorization provided in section 103(2) of this Act, capital projects to carry out the purposes of this section shall be eligible for grants made pursuant to chapter 244 of title 49, United States Code.

#### **SEC. 304. RAIL COOPERATIVE RESEARCH PROGRAM.**

(a) ESTABLISHMENT AND CONTENT.—Chapter 249 is amended by adding at the end the following:

##### “§24910. Rail cooperative research program

“(a) IN GENERAL.—The Secretary shall establish and carry out a rail cooperative research program. The program shall—

“(1) address, among other matters, intercity rail passenger and freight rail services, including existing rail passenger and freight technologies and speeds, incrementally enhanced rail systems and infrastructure, and new high-speed wheel-on-rail systems;

“(2) address ways to expand the transportation of international trade traffic by rail, enhance the efficiency of intermodal interchange at ports and other intermodal terminals, and in-

crease capacity and availability of rail service for seasonal freight needs;

“(3) consider research on the interconnectedness of commuter rail, passenger rail, freight rail, and other rail networks; and

“(4) give consideration to regional concerns regarding rail passenger and freight transportation, including meeting research needs common to designated high-speed corridors, long-distance rail services, and regional intercity rail corridors, projects, and entities.

“(b) CONTENT.—The program to be carried out under this section shall include research designed—

“(1) to identify the unique aspects and attributes of rail passenger and freight service;

“(2) to develop more accurate models for evaluating the impact of rail passenger and freight service, including the effects on highway and airport and airway congestion, environmental quality, and energy consumption;

“(3) to develop a better understanding of modal choice as it affects rail passenger and freight transportation, including development of better models to predict utilization;

“(4) to recommend priorities for technology demonstration and development;

“(5) to meet additional priorities as determined by the advisory board established under subsection (c), including any recommendations made by the National Research Council;

“(6) to explore improvements in management, financing, and institutional structures;

“(7) to address rail capacity constraints that affect passenger and freight rail service through a wide variety of options, ranging from operating improvements to dedicated new infrastructure, taking into account the impact of such options on operations;

“(8) to improve maintenance, operations, customer service, or other aspects of intercity rail passenger and freight service;

“(9) to recommend objective methodologies for determining intercity passenger rail routes and services, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes;

“(10) to review the impact of equipment and operational safety standards on the further development of high-speed passenger rail operations connected to or integrated with non-high-speed freight or passenger rail operations;

“(11) to recommend any legislative or regulatory changes necessary to foster further development and implementation of high-speed passenger rail operations while ensuring the safety of such operations that are connected to or integrated with non-high-speed freight or passenger rail operations; and

“(12) to review rail crossing safety improvements, including improvements using new safety technology.

“(c) ADVISORY BOARD.—

“(1) ESTABLISHMENT.—In consultation with the heads of appropriate Federal departments and agencies, the Secretary shall establish an advisory board to recommend research, technology, and technology transfer activities related to rail passenger and freight transportation.

“(2) MEMBERSHIP.—The advisory board shall include—

“(A) representatives of State transportation agencies;

“(B) transportation and environmental economists, scientists, and engineers; and

“(C) representatives of Amtrak, the Alaska Railroad, freight railroads, transit operating agencies, intercity rail passenger agencies, railway labor organizations, and environmental organizations.

“(d) NATIONAL ACADEMY OF SCIENCES.—The Secretary may make grants to, and enter into cooperative agreements with, the National Academy of Sciences to carry out such activities relating to the research, technology, and technology transfer activities described in subsection (b) as the Secretary deems appropriate.”

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 249 is amended by adding at the end the following:

“24910. Rail cooperative research program.”

#### **SEC. 305. PASSENGER RAIL SYSTEM COMPARISON STUDY.**

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall complete a study that compares the passenger rail system in the United States with the passenger rail systems in Canada, Germany, Great Britain, France, China, Spain, and Japan.

(b) ISSUES TO BE STUDIED.—The study conducted under subsection (a) shall include a country-by-country comparison of—

(1) the development of high-speed rail;

(2) passenger rail operating costs;

(3) the amount and payment source of rail line construction and maintenance costs;

(4) the amount and payment source of station construction and maintenance costs;

(5) passenger rail debt service costs;

(6) passenger rail labor agreements and associated costs;

(7) the net profit realized by the major passenger rail service providers in each of the 4 most recent quarters;

(8) the percentage of the passenger rail system's costs that are paid from general government revenues; and

(9) the method used by the government to provide the subsidies described in paragraph (8).

(c) REPORT.—Not later than 180 days after the completion of the study under subsection (a), the Comptroller General shall submit a report containing the findings of such study to—

(1) the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) the Committee on Commerce, Science, and Transportation of the Senate.

#### **TITLE IV—COMMUTER RAIL TRANSIT ENHANCEMENT**

##### **SEC. 401. COMMUTER RAIL TRANSIT ENHANCEMENT.**

(a) AMENDMENT.—Part E of subtitle V is amended by adding at the end the following:

##### “CHAPTER 285—COMMUTER RAIL TRANSIT ENHANCEMENT

“Sec.

“28501. Definitions

“28502. Surface Transportation Board mediation of trackage use requests.

“28503. Surface Transportation Board mediation of rights-of-way use requests.

“28504. Applicability of other laws.

“28505. Rules and regulations.

##### “§28501. Definitions

“In this chapter—

“(1) the term ‘Board’ means the Surface Transportation Board;

“(2) the term ‘capital work’ means maintenance, restoration, reconstruction, capacity enhancement, or rehabilitation work on trackage that would be treated, in accordance with generally accepted accounting principles, as a capital item rather than an expense;

“(3) the term ‘fixed guideway transportation’ means public transportation (as defined in section 5302(a)(10)) provided on, by, or using a fixed guideway (as defined in section 5302(a)(4));

“(4) the term ‘public transportation authority’ means a local governmental authority (as defined in section 5302(a)(6)) established to provide, or make a contract providing for, fixed guideway transportation;

“(5) the term ‘rail carrier’ means a person, other than a governmental authority, providing common carrier railroad transportation for compensation subject to the jurisdiction of the Board under chapter 105;

“(6) the term ‘segregated fixed guideway facility’ means a fixed guideway facility constructed within the railroad right-of-way of a rail carrier

but physically separate from trackage, including relocated trackage, within the right-of-way used by a rail carrier for freight transportation purposes; and

“(7) the term ‘trackage’ means a railroad line of a rail carrier, including a spur, industrial, team, switching, side, yard, or station track, and a facility of a rail carrier.

“§28502. Surface Transportation Board mediation of trackage use requests

“If, after a reasonable period of negotiation, a public transportation authority cannot reach agreement with a rail carrier to use trackage of, and have related services provided by, the rail carrier for purposes of fixed guideway transportation, the public transportation authority or the rail carrier may apply to the Board for nonbinding mediation. The Board shall conduct the nonbinding mediation in accordance with the mediation process of section 1109.4 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this section.

“§28503. Surface Transportation Board mediation of rights-of-way use requests

“If, after a reasonable period of negotiation, a public transportation authority cannot reach agreement with a rail carrier to acquire an interest in a railroad right-of-way for the construction and operation of a segregated fixed guideway facility, the public transportation authority or the rail carrier may apply to the Board for nonbinding mediation. The Board shall conduct the nonbinding mediation in accordance with the mediation process of section 1109.4 of title 49, Code of Federal Regulations, as in effect on the date of enactment of this section.

“§28504. Applicability of other laws

“Nothing in this chapter shall be construed to limit a rail transportation provider’s right under section 28103(b) to enter into contracts that allocate financial responsibility for claims.

“§28505. Rules and regulations

“Not later than 180 days after the date of enactment of this section, the Board shall issue such rules and regulations as may be necessary to carry out this chapter.”

(b) CLERICAL AMENDMENT.—The table of chapters of such subtitle is amended by adding after the item relating to chapter 283 the following:

“285. COMMUTER RAIL TRANSIT ENHANCEMENT ..... 28501”.

TITLE V—HIGH-SPEED RAIL

SEC. 501. HIGH-SPEED RAIL CORRIDOR PROGRAM.

(a) IN GENERAL.—Chapter 261 is amended by adding at the end thereof the following:

“§26106. High-speed rail corridor program

“(a) IN GENERAL.—The Secretary of Transportation shall establish and implement a high-speed rail corridor program.

“(b) DEFINITIONS.—In this section, the following definitions apply:

“(1) APPLICANT.—The term ‘applicant’ means a State, a group of States, an Interstate Compact, a public agency established by one or more States and having responsibility for providing high-speed rail service, or Amtrak.

“(2) CORRIDOR.—The term ‘corridor’ means a corridor designated by the Secretary pursuant to section 104(d)(2) of title 23.

“(3) CAPITAL PROJECT.—The term ‘capital project’ means a project or program in a State rail plan developed under chapter 225 of this title for acquiring, constructing, improving, or inspecting equipment, track, and track structures, or a facility of use in or for the primary benefit of high-speed rail service, expenses incidental to the acquisition or construction (including designing, engineering, location surveying, mapping, environmental studies, and acquiring rights-of-way), payments for the capital portions of rail trackage rights agreements, highway-rail grade crossing improvements re-

lated to high-speed rail service, mitigating environmental impacts, communication and signalization improvements, relocation assistance, acquiring replacement housing sites, and acquiring, constructing, relocating, and rehabilitating replacement housing.

“(4) HIGH-SPEED RAIL.—The term ‘high-speed rail’ means intercity passenger rail service that is reasonably expected to reach speeds of at least 110 miles per hour.

“(5) INTERCITY PASSENGER RAIL SERVICE.—The term ‘intercity passenger rail service’ means transportation services with the primary purpose of passenger transportation between towns, cities, and metropolitan areas by rail, including high-speed rail, as defined in section 24102 of this title.

“(6) SECRETARY.—The term ‘Secretary’ means the Secretary of Transportation.

“(7) STATE.—The term ‘State’ means any of the 50 States or the District of Columbia.

“(c) GENERAL AUTHORITY.—The Secretary may make grants under this section to an applicant to finance capital projects in high-speed rail corridors.

“(d) APPLICATIONS.—Each applicant seeking to receive a grant under this section to develop a high-speed rail corridor shall submit to the Secretary an application in such form and in accordance with such requirements as the Secretary shall establish.

“(e) COMPETITIVE GRANT SELECTION AND CRITERIA FOR GRANTS.—

“(1) IN GENERAL.—The Secretary shall—

“(A) establish criteria for selecting among projects that meet the criteria specified in paragraph (2);

“(B) conduct a national solicitation for applications; and

“(C) award grants on a competitive basis.

“(2) GRANT CRITERIA.—The Secretary may approve a grant under this section for a project only if the Secretary determines that the project—

“(A) is part of a State rail plan developed under chapter 225 of this title, or under the plan required by section 302 of the Passenger Rail Investment and Improvement Act of 2008;

“(B) is based on the results of preliminary engineering;

“(C) has the legal, financial, and technical capacity to carry out the project; and

“(D) is justified based on the ability of the project—

“(i) to generate national economic benefits, including creating jobs, expanding business opportunities, and impacting the gross domestic product;

“(ii) to increase mobility of United States citizens and reduce congestion, including impacts in the State, region, and Nation; and

“(iii) to otherwise enhance the national transportation system.

“(3) PROJECT SELECTION CRITERIA.—In selecting a project under this section, the Secretary shall consider the extent to which the project—

“(A) makes a substantial contribution to providing the infrastructure and equipment required to complete a high-speed rail corridor;

“(B) leverages Federal investment by encouraging non-Federal financial commitments, including evidence of stable and dependable financing sources to construct, maintain, and operate the high-speed rail corridor and service; and

“(C) helps protect the environment.

“(f) FEDERAL SHARE.—The Federal share of the cost of a project financed under this section shall not exceed 80 percent of the project net capital cost.

“(g) ISSUANCE OF REGULATIONS.—Not later than 1 year after the date of enactment of this section, the Secretary shall issue regulations for carrying out this section.

“(h) AUTHORIZATION.—There are authorized to be appropriated to the Secretary to carry out this section \$350,000,000 for each of fiscal years 2009 through 2013.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 261 is amended by adding after the item relating to section 26105 the following new item:

“26106. High-speed rail corridor program.”.

SEC. 502. ADDITIONAL HIGH-SPEED PROJECTS.

(a) SOLICITATION OF PROPOSALS.—

(1) IN GENERAL.—

(A) NORTHEAST CORRIDOR.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall issue a request for proposals for projects for the financing, design, construction, and operation of an initial high-speed rail system operating between Washington, DC, and New York City. Such proposals shall be submitted to the Secretary not later than 150 days after the publication of such request for proposals.

(B) OTHER PROJECTS.—After a report is transmitted under subsection (e) with respect to projects described in subparagraph (A), the Secretary of Transportation may issue a request for proposals for additional projects for the financing, design, construction, and operation of a high-speed rail system operating on any other corridor in the United States. Such proposals shall be submitted to the Secretary not later than 150 days after the publication of such request for proposals.

(2) CONTENTS.—A proposal submitted under paragraph (1) shall include—

(A) the names and qualifications of the persons submitting the proposal;

(B) a detailed description of the proposed route and its engineering characteristics and of all infrastructure improvements required to achieve the planned operating speeds and trip times;

(C) how the project would comply with Federal rail safety regulations which govern the track and equipment safety requirements for high-speed rail operations;

(D) the peak and average operating speeds to be attained;

(E) the type of equipment to be used, including any technologies for—

(i) maintaining an operating speed the Secretary determines appropriate; or

(ii) in the case of a proposal submitted under paragraph (1)(A), achieving less than 2-hour express service between Washington, DC, and New York City;

(F) the locations of proposed stations;

(G) a detailed description of any proposed legislation needed to facilitate the project;

(H) a financing plan identifying—

(i) sources of revenue;

(ii) the amount of any proposed public contribution toward capital costs or operations;

(iii) ridership projections;

(iv) the amount of private investment;

(v) projected revenue;

(vi) annual operating and capital costs;

(vii) the amount of projected capital investments required (both initially and in subsequent years to maintain a state of good repair); and

(viii) the sources of the private investment required, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment;

(I) a description of how the project would contribute to the development of a national high-speed rail system, and an intermodal plan describing how the system will connect with other transportation links;

(J) labor protections that would comply with the requirements of section 504;

(K) provisions to ensure that the proposal will be designed to operate in harmony with existing and projected future intercity, commuter, and freight service;

(L) provisions for full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or non-Federal entity that would be acquired, impaired, or diminished in value as a

result of a project, except as otherwise agreed to by the private person or entity; and

(M) a detailed description of the environmental impacts of the project, and how any adverse impacts would be mitigated.

(3) DOCUMENTS.—Documents submitted or developed pursuant to this subsection shall not be subject to section 552 of title 5, United States Code.

(b) DETERMINATION OF COST EFFECTIVENESS AND ESTABLISHMENT OF COMMISSIONS.—Not later than 60 days after receipt of a proposal under subsection (a), the Secretary of Transportation shall—

(1) make a determination as to whether the proposal is cost effective; and

(2) for each corridor for which one or more cost effective proposals are received, establish a commission under subsection (c).

(c) COMMISSIONS.—

(1) MEMBERS.—The commission referred to in subsection (b)(2) shall consist of—

(A) the governor of the affected State or States, or their respective designees;

(B) a rail labor representative, a representative from a rail freight carrier using the relevant corridor, and a commuter authority using the relevant corridor, appointed by the Secretary of Transportation, in consultation with the chairman and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Secretary of Transportation or his designee;

(D) the president of Amtrak or his designee; and

(E) the mayors of the three largest municipalities serviced by the proposed high-speed rail corridor.

(2) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice Chairperson shall be elected from among members of the Commission.

(3) QUORUM AND VACANCY.—

(A) QUORUM.—A majority of the members of the Commission shall constitute a quorum.

(B) VACANCY.—Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

(d) COMMISSION CONSIDERATION.—

(1) IN GENERAL.—Each commission established under subsection (b)(2) shall be responsible for reviewing the proposal or proposals with respect to which the commission was established, and not later than 90 days after the establishment of the commission, shall transmit to the Secretary, and to the chairman and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report which includes—

(A) a summary of each proposal received;

(B) a ranking of the order of the proposals according to cost effectiveness, advantages over existing services, projected revenue, and cost and benefit to the public and private parties;

(C) an indication of which proposal or proposals are recommended by the commission; and

(D) an identification of any proposed legislative provisions which would facilitate implementation of the recommended project.

(2) VERBAL PRESENTATION.—Proposers shall be given an opportunity to make a verbal presentation to the commission to explain their proposals.

(e) SELECTION BY SECRETARY.—Not later than 60 days after receiving a report from a commission under subsection (d)(1), the Secretary of Transportation shall transmit to the Congress a report that ranks all of the recommended proposals according to cost effectiveness, advantages over existing services, projected revenue, and cost and benefit to the public and private parties.

(f) NORTHEAST CORRIDOR ECONOMIC DEVELOPMENT STUDY.—Not later than 9 months after the date of enactment of this Act, the Secretary of Transportation shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the results of an economic development study of Amtrak's Northeast Corridor service between Washington, DC, and New York City. Such study shall examine how to achieve maximum utilization of the Northeast Corridor as a transportation asset, including—

(1) maximizing the assets of the Northeast Corridor for potential economic development purposes;

(2) real estate improvement and financial return;

(3) improved intercity, commuter, and freight services;

(4) optimum utility utilization in conjunction with potential separated high-speed rail passenger services; and

(5) any other means of maximizing the economic potential of the Northeast Corridor.

#### SEC. 503. HIGH-SPEED RAIL STUDY.

Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall conduct—

(1) an alternatives analysis of the Secretary's December 1, 1998, extension of the designation of the Southeast High-Speed Rail Corridor as authorized under section 104(d)(2) of title 23, United States Code; and

(2) a feasibility analysis regarding the expansion of the South Central High-Speed Rail Corridor to the Port of Houston, Texas.

These analyses shall consider changes that have occurred in the region's population, anticipated patterns of population growth, connectivity with other modes of transportation, ability of the designation to reduce regional traffic congestion, and the ability of current and proposed routings to meet the needs of tourists. The Secretary shall submit recommendations to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate and conduct a redesignation of one or both corridors if necessary.

#### SEC. 504. GRANT CONDITIONS.

(a) DOMESTIC BUYING PREFERENCE.—

(1) REQUIREMENT.—

(A) IN GENERAL.—In carrying out a project funded in whole or in part with a grant under this title, or the amendments made by this title, the grant recipient shall purchase only—

(i) unmanufactured articles, material, and supplies mined or produced in the United States; or

(ii) manufactured articles, material, and supplies manufactured in the United States substantially from articles, material, and supplies mined, produced, or manufactured in the United States.

(B) DE MINIMIS AMOUNT.—Subparagraph (A) applies only to a purchase in an total amount that is not less than \$1,000,000.

(2) EXEMPTIONS.—On application of a recipient, the Secretary may exempt a recipient from the requirements of this subsection if the Secretary decides that, for particular articles, material, or supplies—

(A) such requirements are inconsistent with the public interest;

(B) the cost of imposing the requirements is unreasonable; or

(C) the articles, material, or supplies, or the articles, material, or supplies from which they are manufactured, are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and are not of a satisfactory quality.

(3) UNITED STATES DEFINED.—In this subsection, the term "the United States" means the States, territories, and possessions of the United States and the District of Columbia.

(b) OPERATORS DEEMED RAIL CARRIERS AND EMPLOYERS FOR CERTAIN PURPOSES.—A person that conducts rail operations over rail infrastructure constructed or improved with funding provided in whole or in part in a grant made under this title, or the amendments made by this title, shall be considered a rail carrier as defined in section 10102(5) of title 49, United States Code, for purposes of this title and any other statute that adopts that definition or in which that definition applies, including—

(1) the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.);

(2) the Railway Labor Act (43 U.S.C. 151 et seq.); and

(3) the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.).

(c) GRANT CONDITIONS.—The Secretary shall require as a condition of making any grant under this title, or the amendments made by this title, for a project that uses rights-of-way owned by a railroad that—

(1) a written agreement exist between the applicant and the railroad regarding such use and ownership, including—

(A) any compensation for such use;

(B) assurances regarding the adequacy of infrastructure capacity to accommodate both existing and future freight and passenger operations;

(C) an assurance by the railroad that collective bargaining agreements with the railroad's employees (including terms regulating the contracting of work) will remain in full force and effect according to their terms for work performed by the railroad on the railroad transportation corridor; and

(D) an assurance that an applicant complies with liability requirements consistent with section 28103 of title 49, United States Code; and

(2) the applicant agrees to comply with—

(A) the standards of section 24312 of title 49, United States Code, as such section was in effect on September 1, 2003, with respect to the project in the same manner that the National Railroad Passenger Corporation is required to comply with those standards for construction work financed under an agreement made under section 24308(a) of title 49, United States Code; and

(B) the protective arrangements established under section 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 836) with respect to employees affected by actions taken in connection with the project to be financed in whole or in part by grants under this chapter.

(d) REPLACEMENT OF EXISTING INTERCITY PASSENGER RAIL SERVICE.—

(1) COLLECTIVE BARGAINING AGREEMENT FOR INTERCITY PASSENGER RAIL PROJECTS.—Any entity providing intercity passenger railroad transportation that begins operations after the date of enactment of this Act on a project funded in whole or in part by grants made under this title, or the amendments made by this title, and replaces intercity rail passenger service that was provided by Amtrak, unless such service was provided solely by Amtrak to another entity, as of such date shall enter into an agreement with the authorized bargaining agent or agents for adversely affected employees of the predecessor provider that—

(A) gives each such qualified employee of the predecessor provider priority in hiring according to the employee's seniority on the predecessor provider for each position with the replacing entity that is in the employee's craft or class and is available within 3 years after the termination of the service being replaced;

(B) establishes a procedure for notifying such an employee of such positions;

(C) establishes a procedure for such an employee to apply for such positions; and

(D) establishes rates of pay, rules, and working conditions.

(2) IMMEDIATE REPLACEMENT SERVICE.—

(A) NEGOTIATIONS.—If the replacement of pre-existing intercity rail passenger service occurs

concurrent with or within a reasonable time before the commencement of the replacing entity's rail passenger service, the replacing entity shall give written notice of its plan to replace existing rail passenger service to the authorized collective bargaining agent or agents for the potentially adversely affected employees of the predecessor provider at least 90 days before the date on which it plans to commence service. Within 5 days after the date of receipt of such written notice, negotiations between the replacing entity and the collective bargaining agent or agents for the employees of the predecessor provider shall commence for the purpose of reaching agreement with respect to all matters set forth in subparagraphs (A) through (D) of paragraph (1). The negotiations shall continue for 30 days or until an agreement is reached, whichever is sooner. If at the end of 30 days the parties have not entered into an agreement with respect to all such matters, the unresolved issues shall be submitted for arbitration in accordance with the procedure set forth in subparagraph (B).

(B) **ARBITRATION.**—If an agreement has not been entered into with respect to all matters set forth in subparagraphs (A) through (D) of paragraph (1) as described in subparagraph (A) of this paragraph, the parties shall select an arbitrator. If the parties are unable to agree upon the selection of such arbitrator within 5 days, either or both parties shall notify the National Mediation Board, which shall provide a list of seven arbitrators with experience in arbitrating rail labor protection disputes. Within 5 days after such notification, the parties shall alternately strike names from the list until only 1 name remains, and that person shall serve as the neutral arbitrator. Within 45 days after selection of the arbitrator, the arbitrator shall conduct a hearing on the dispute and shall render a decision with respect to the unresolved issues among the matters set forth in subparagraphs (A) through (D) of paragraph (1). This decision shall be final, binding, and conclusive upon the parties. The salary and expenses of the arbitrator shall be borne equally by the parties; all other expenses shall be paid by the party incurring them.

(3) **SERVICE COMMENCEMENT.**—A replacing entity under this subsection shall commence service only after an agreement is entered into with respect to the matters set forth in subparagraphs (A) through (D) of paragraph (1) or the decision of the arbitrator has been rendered.

(4) **SUBSEQUENT REPLACEMENT OF SERVICE.**—If the replacement of existing rail passenger service takes place within 3 years after the replacing entity commences intercity passenger rail service, the replacing entity and the collective bargaining agent or agents for the adversely affected employees of the predecessor provider shall enter into an agreement with respect to the matters set forth in subparagraphs (A) through (D) of paragraph (1). If the parties have not entered into an agreement with respect to all such matters within 60 days after the date on which the replacing entity replaces the predecessor provider, the parties shall select an arbitrator using the procedures set forth in paragraph (2)(B), who shall, within 20 days after the commencement of the arbitration, conduct a hearing and decide all unresolved issues. This decision shall be final, binding, and conclusive upon the parties.

(e) **INAPPLICABILITY TO CERTAIN RAIL OPERATIONS.**—Nothing in this section applies to—

(1) commuter rail passenger transportation (as defined in section 24102(4) of title 49, United States Code) operations of a State or local government authority (as those terms are defined in section 5302(11) and (6), respectively, of title 49, United States Code) eligible to receive financial assistance under section 5307 of title 49, United States Code, or to its contractor performing services in connection with commuter rail passenger operations (as so defined);

(2) the Alaska Railroad or its contractors; or

(3) the National Railroad Passenger Corporation's access rights to railroad rights of way and facilities under current law.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110-703. Each amendment may be offered only in the order printed in the report; shall be considered read; shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment; shall not be subject to amendment; and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. OBERSTAR

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-703.

Mr. OBERSTAR. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. OBERSTAR:

In section 101(c)—

(1) strike “AMERICANS WITH DISABILITIES ACT COMPLIANCE” in the subsection heading and insert “ACCESSIBILITY IMPROVEMENTS AND BARRIER REMOVAL FOR PEOPLE WITH DISABILITIES”; and

(2) strike “for compliance with the requirements of the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)” and insert “to improve the accessibility of facilities, including rail platforms, and services”.

In title I, add at the end the following new section (and amend the table of contents accordingly):

**SEC. 105. COMPLIANCE WITH IMMIGRATION AND NATIONALITY ACT.**

Notwithstanding any other provision of this Act, none of the funds authorized by this Act may be used to employ workers in violation of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).

In section 205(a), strike “103(c)” and insert “103(2)”.

In section 209(a), in the proposed section 24905(b)—

(1) strike “and” at the end of paragraph (8);

(2) strike the period at the end of paragraph (9) and insert “; and”; and

(3) after paragraph (9), insert the following new paragraph:

“(10) potential funding and financing mechanisms for projects of corridor-wide significance.

In section 209(a), in the proposed section 24905(c)(1)(A)—

(1) strike “and” at the end of clause (i);

(2) insert “and” at the end of clause (ii); and

(3) after clause (ii), insert the following new clause:

“(iii) all financial contributions made by an operator of a service, including but not limited to, for any capital infrastructure investments, as well as for any in-kind services, are considered;

In section 209(c)(2)(B), insert “, including but not limited to, any adverse impact on existing and projected intercity, commuter, and freight service” after “such an achievement”.

In section 211, insert “including issues related to the raising of passenger rail station platforms,” after “to achieving compliance.”.

In section 211, strike “an overall schedule” and insert “a detailed plan and schedule”.

In section 211, insert “by the 2010 statutory deadline for station accessibility” after “parts of section 242(e)(2)”.

In section 211, strike “July 1, 2009” and insert “February 1, 2009”.

Strike subsection (c) of section 214.

In title II, add at the end the following new section (and amend the table of contents accordingly):

**SEC. 225. HISTORIC PRESERVATION AND RAILROAD SAFETY.**

(a) **STUDY; OTHER ACTIONS.**—The Secretary of Transportation shall—

(1) conduct a study, in consultation with the Advisory Council on Historic Preservation, the National Conference of State Historic Preservation Officers, the Department of the Interior, appropriate representatives of the railroad industry, and representative stakeholders, on ways to streamline compliance with the requirements of section 303 of title 49, United States Code, and section 106 of the National Historic Preservation Act (16 U.S.C. 470f) for federally funded railroad infrastructure repair and improvement projects;

(2) take immediate action to cooperate with the Alaska Railroad, the Alaska State Historic Preservation Office, the Advisory Council on Historic Preservation, and the Department of the Interior, in expediting the decisionmaking process for safety-related projects of the railroad involving property and facilities that have disputed historic significance; and

(3) take immediate action to cooperate with the North Carolina Department of Transportation, the North Carolina State Historic Preservation Office, the Virginia State Historic Preservation Office, the Advisory Council on Historic Preservation, and the Department of the Interior, in expediting the decisionmaking process for safety-related projects of the railroad and the Southeast High Speed Rail Corridor involving property and facilities that have disputed historic significance.

(b) **REPORT.**—Not later than one year after the date of enactment of this Act, the Secretary shall submit, to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on the results of the study conducted under subsection (a)(1) and the actions directed under subsection (a)(2) and (3). The report shall include recommendations for any regulatory or legislative amendments that may streamline compliance with the requirements described in subsection (a)(1) in a manner consistent with railroad safety and the policies and purposes of section 106 of the National Historic Preservation Act (16 U.S.C. 470f), section 303 of title 49, United States Code, and section 8(d) of Public Law 90-543 (16 U.S.C. 1247(d)).

In section 301, in the proposed section 24402, add at the end the following new subsection:

“(k) **BICYCLE ACCESS.**—Grants under this chapter may be used to provide bicycle access into rolling stock, and to provide bicycle racks in trains.”.

In section 301, in the proposed section 24405(e), strike paragraph (1) and redesignate paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

In section 502(a)(2), amend subparagraph (F) to read as follows:

(F) the locations of proposed stations, identifying, in the case of a proposal submitted under paragraph (1) (A), a plan allowing for station stops at or in close proximity to the busiest Amtrak stations;

In section 503—

(1) strike “and” at the end of paragraph (1);



(2) strike the period at the end of paragraph (2) and insert a semicolon; and

(3) insert after paragraph (2) the following new paragraphs:

(3) a feasibility analysis regarding the expansion of the South Central High-Speed Rail Corridor to Memphis, Tennessee; and

(4) a feasibility analysis regarding the expansion of the South Central High-Speed Rail Corridor south of San Antonio to a location in far south Texas to be chosen at the discretion of the Secretary.

In section 504(e), strike paragraph (1) and redesignate paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

The CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I yield myself 4 minutes.

The manager's amendment requires the Secretary of Transportation to conduct a study on ways to streamline compliance with the National Historic Preservation Act requirements for Federally funded rail infrastructure projects. This issue was raised in committee by the gentleman from Pennsylvania, the ranking member, Mr. SHUSTER, for himself, for North Carolina and for Alaska. I felt that we needed to explore the matter further, so we scheduled a hearing on the issue because this matter had not been raised previously.

We heard from the Alaska Railroad, the North Carolina Department of Transportation, the Advisory Council on Historic Preservation, the National Trust For Historic Preservation and the Rails-to-Trails Conservancy.

At the conclusion of that meeting, it was obvious we weren't going to be able, in the course of the hearing, to reach agreement. But we saw a path toward agreement. And I directed the parties and the staff to work through the weekend to develop a compromise proposal, which they did, and we have reflected that understanding in the manager's amendment.

I want to thank the gentleman from Alaska (Mr. YOUNG), the gentleman from North Carolina (Mr. COBLE), and the gentleman from Pennsylvania (Mr. SHUSTER) for bringing this matter to our attention, and to Mr. MICA for participating and working out what I think is a reasonable approach.

I also want to thank colleagues who had amendments that were proposed to the bill for agreeing to incorporate those amendments into the manager's amendment to expedite consideration. The gentleman from New York (Mr. ARCURI), the gentleman from Arkansas (Mr. BERRY), and Tennessee (Mr. COHEN), from Delaware (Mr. CASTLE) Mr. CUELLAR and Mr. HINOJOSA from Texas, Mr. WEINER and Mr. BLUMENAUER, from New York and Oregon respectively.

The Arcuri amendments ensure that the financial contributions and in kind services provided by commuter rails

are taken into account in developing a standardized formula for Northeast Corridor commuter cost allocation.

The Berry-Cohen amendment requires a feasibility analysis on extending south central high-speed rail service to Memphis, Tennessee. The Castle amendment ensures that all proposals for high-speed rail on the Northeast Corridor plans to allow station stops at or in close proximity to the busiest Amtrak stations. The Cuellar-Hinojosa amendment requires a feasibility analysis on extending South Central high-speed rail to a location in south Texas to be determined by the Secretary.

The Weiner-Blumenauer amendment authorizes intercity passenger rail grants for bicycle access on rolling stock and bicycle racks on trains. And the amendment also provides that none of the funds may be used to employ workers in violation of section 274A of the Immigration and Nationality Act and makes a number of technical corrections in the reported bill.

There are other items of a bipartisan nature included in the manager's amendment, and I think we have worked these matters out satisfactorily.

I urge all Members to support it.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise to claim the time in opposition, although I am not opposed to the amendment.

The CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 15 minutes.

There was no objection.

Mr. SHUSTER. I yield myself as much time as I may consume.

I rise in support of this amendment. And I am not going to run down through. The chairman did a good job of going over all the provisions in this manager's amendment. But we have reached a bipartisan agreement between Mr. OBERSTAR and Ms. BROWN, Mr. MICA and myself, so we support the amendment.

I reserve the balance of my time.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Chairman, I want to thank Chairman OBERSTAR for yielding the time. I am rising in support, in very strong support of the manager's amendment which includes some very important provisions especially the one regarding the Americans with Disabilities Act compliance and the raising of the stations' platforms. The Los Angeles Metrolink and many other commuter railroads have fully complied with ADA rules by putting ramps and lifts in all of their stations so the disabled community can safely and easily board the trains.

DOT has proposed a rule that would require all railroad stations to fully raise their platforms. It would be a very great cost to all the different railroads that service our people and then most passenger rail stations are serviced by multiple railroad companies

with different train settings. Raising the platform will create major vertical and horizontal gaps between the trains and the platforms, making it harder for the disabled community to safely and efficiently enter and exit trains.

The manager's amendment requires Amtrak to study how raising station platforms will affect the safe and efficient boarding of trains for all passengers.

I fully support the manager's amendment and thank Mr. OBERSTAR, Ms. BROWN, Ranking Members MICA and SHUSTER for their work on the reauthorization of the bill which helps provide many needed improvements in the sadly lacking rail transportation, and hopefully will provide enticement to people leaving their cars at home, saving gasoline, arrive rested and avoid the traffic jams, creates for us in California a desperately needed program where we have three of the top five busiest rail corridors in the U.S., the Pacific Surfliner, the Capitol Corridor and San Joaquin Corridors, alleviating the choke points and being able to help us look at the San Diego to Los Angeles San Francisco high-speed rail. It will help Metrolink, and I strongly support the passage of the manager's amendment in the bill.

Mr. SHUSTER. At this time I would like to yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman from Pennsylvania for yielding.

Mr. Chairman, I rise in support of the legislation's amendment before us today. I never thought I would be involved in a love fest in a discussion for reauthorization of Amtrak. I would like to credit that to Chairman OBERSTAR and everybody on the committee who put this together. On Monday I submitted an important amendment to the Rules Committee which fortunately has been included as part of this manager's amendment.

For anybody who has driven on I-95 recently, it is strikingly clear that highway congestion has become a critical problem threatening business productivity, increasing safety risk and hindering efforts to improve air quality. In fact a recent study found that road congestion in the top four metropolitan areas cost Americans 4.2 billion hours and 2.9 billion gallons of fuel sitting in traffic delays. Try multiplying that by \$4.

In contrast, passenger and commuter rail systems have proven to be the most efficient options for travelers in heavily congested areas of the country. Between Boston and Washington, ridership on Amtrak has surged 20 percent with nearly 2,000 trains operating along the corridor every day. Clearly the Northeast's entire transportation system would stagger to a halt if these trains ever stopped running. In fact, a few weeks ago, I was pleased to welcome Ranking Member MICA to my home station in Wilmington, Delaware, to discuss the importance of rail transportation in alleviating congestion in the Northeast.

In this era of high gas prices, congested roadways and overcrowded airports, rail transportation has become imperative for many travelers. For this reason, I strongly support the provisions in the bill to begin developing a high-speed rail corridor between New York and Washington, D.C.

My amendment to this bill will simply ensure that proposals to build a high-speed rail system in the Northeast allow for station stops at the corridor's busiest rail hubs. For example, last year nearly 1 million people boarded or exited a train in Wilmington, Delaware, which is centrally located on the corridor between New York's Penn Station and Union Station here in Washington. As a regular Amtrak commuter myself, I can attest to the fact that thousands of travelers rely on the Wilmington train station when it comes to visiting friends and relatives who are traveling for business, making it the fifth busiest station on the Northeast Corridor. Therefore my amendment makes clear that heavily utilized high-ridership stations like Wilmington should be included in any proposal for building a high-speed rail system in the Northeast.

As co-chairman of the House Passenger Rail Caucus, I commend Chairman OBERSTAR, Congressman MICA, Congresswoman BROWN, Congressman SHUSTER and everyone who has worked hard to expand transportation options and cut delays for travelers in this part of the country.

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Mr. Chairman, I thank the committee for including my amendment as part of the legislation before us today. I believe this bill is vital to exploring the untapped potential of passenger rail, and I look forward to working with my colleagues on these critical transportation issues.

Mr. OBERSTAR. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, a distinguished member of our committee, the gentleman from Iowa (Mr. BRALEY), intended to be here and had actually requested time to be heard on general debate. But, unfortunately, he is home in his district, probably handling sandbags to deal with flooding in Waterloo. Late yesterday, the flooding washed away a Union Pacific Railroad bridge over the Cedar River in downtown Waterloo and our committee colleague is back home with his constituents, as he rightly should be.

I also want to express my appreciation to the gentleman from Iowa (Mr. BRALEY), who I know wanted to be here during consideration of the bill.

Regrettably, he is home in his District to help his constituents deal with flooding in Waterloo.

Yesterday, the flooding washed away a Union Pacific railroad bridge over the Cedar River in downtown Waterloo.

I include a report from the local newspaper on the tragedies in Iowa.

UPDATE: RAILROAD BRIDGE IN DOWNTOWN WATERLOO COLLAPSES; CF ORDERS MORE EVACUATIONS

(By Jim Offner, Courier Business Editor)

WATERLOO, June 10.—One-third of the Union Pacific railroad bridge parallel to Sixth Street over the Cedar River in downtown Waterloo has washed away in the flood waters.

The third of the bridge adjacent to the east bank of the Cedar River washed away at 2:45 p.m.

Roger Verch saw the bridge section give way.

"We were actually standing on the 18th Street Bridge" downstream when it gave way. It struck the 18th Street Bridge. "We really felt the vibrations," Verch said. A portion of it remained lodged in the 18th Street Bridge and another portion of it washed down river.

The bridge is used by the Iowa Northern Railroad to serve John Deere's East Donald Street Tractor Works, and Deere tractors are transported by rail over that line to Cedar Rapids.

Iowa Northern general manager Mark Sabin said the railroad is assessing the flood's impacts all along its line and had not yet had an opportunity to assess the effects of the bridge washout.

We will provide more details as they become available.

Also, the city of Cedar Falls has now expanded its area of evacuation. The mayor has ordered an immediate evacuation of everyone in the following areas:

—On Franklin Street from Sixth Street to the north; on Sixth Street to the east toward Main Street; on Main Street from Ninth Street to the north; and all downtown areas from those streets toward the river.

Unauthorized vehicles will be removed beginning at 3 p.m.

People who are evacuating are urged to turn off their power, utilities, water and gas. Security will be provided for the area to safeguard property by the Cedar Falls Police Department and the National Guard.

Volunteers may remain in this area if they are assisting with the sandbagging efforts. Volunteers will be needed throughout the night. It cannot be emphasized enough that volunteers are needed and must report to the north parking lot of the UNI-Dome to assist with sandbagging. Volunteers must not travel downtown or go near the levy. Transportation will be provided to volunteers.

#### EARLIER STORY

Businesses in downtown Waterloo were struggling to hold back the waters—with some success—as the Cedar River was spilling over the flood wall that protects rivers lining the riverbanks Tuesday.

"Right now, we're cleaning up some groundwater," said Vern Nelson, owner of the River Plaza and Black's buildings downtown. "We're doing what we can to prevent any more damage."

The River Plaza building had some water seepage, but it was under control at midday Tuesday, Nelson said.

"We haven't had very much—some groundwater coming up—but it's continuous," Nelson said. "Just carpets are damp and maybe an inch of water."

Donna Nelson, Vernon Nelson's wife and co-owner of the properties, said any problems that existed in either the River Plaza or the Black's Building, were manageable.

"We're coping pretty good in our buildings," Donna Nelson said. "But we have relocated some Cedar Falls businesses into our buildings."

The couple also own the Gasser Building and Winter Bottom.

"We're having a little groundwater over at River Plaza," Donna Nelson said. "The city

has walls in front of River Plaza, and I believe they're another 10 feet high."

She praised the city officials' response to the deluge.

"The city has been really good," she said. "They've been in constant contact. I've got hundreds of calls from our tenants and, of course, they're nervous. But the city has been very good at keeping us updated. Some people are parking at ground levels. The city has been very kind to let them relocate."

She said three Cedar Falls businesses had moved temporarily into the River Plaza.

Vern Nelson said seepage through the River Plaza's basement floor has been the primary problem there.

"It's not coming through the walls," Nelson said.

A plan of action, should the situation deteriorate, was being devised Tuesday afternoon, Nelson said.

"We're deciding on what we're going to do, whether we're going to stay open," he said. "We have two rooms—a free weight room and a cafe—that have water in them that we've closed down. Half the athletic club is open."

The hope is to reopen as soon as officials give the go-ahead, he said.

"We hope to do that immediately," he said.

Diane Graham, administrative assistant for Main Street Waterloo, said the downtown-based organization was still dry at noon.

"I'm a little nervous, but so far, so good," she said. "Even the basement is dry at this point. It's all dry on Fourth Street."

Gene Leonhart, chief executive officer of Cardinal Construction, said the Waterloo Building, which houses his company, had some seepage.

"We're fortunate that our building hasn't taken on any more water than it has," he said. "Our basement that has the boilers has a deep sump, and we're able to keep ahead of it."

The company's inventory of sump pumps had long since been depleted.

"We had calls for pumps, but those are long since dispersed."

The company was continuing to function, however, Leonhart said.

"We're functioning, and the building is functioning," he said. "Given what the city has to do with the sewers and water, it's a concern here. Since we're only one block away from the river."

Traffic downtown was bottled up. Police officers directing snarled traffic around the Five Sullivan Brothers Convention Center, which was hosting the Heartland Conference 2008, a medical supply convention that was expecting an estimated 1,000 attendees, said at noon that getting out of downtown would be a 20-minute ordeal.

"It's a busy day downtown," said Jim Walsh, CEO of VGM Group, who owns several properties downtown and whose company is attending the convention. "In addition to the concerns we have about floodwater both direct and indirect, we also have staff and traffic issues. Many employees have floodwaters in their houses, and we're trying to help them as much as we can. I know a number of businesses have sent their people home and moving things out of their homes."

Walsh said the convention was proceeding as scheduled, with a couple of small exceptions.

"We did have to relocate our major social event from the Electric Park Ballroom (near the Cattle Congress) to UNI," he said.

There's only so much downtown merchants can do, Walsh said.

"If the levees are topped, of course, it's game over, as far as anything but life safety," he said. "Right now, the plan is to get

things out of lower levels that can be moved and cut losses from any basement flooding.

"There's quite a bit of consternation."

Walsh said his properties were in acceptable shape—for the moment.

"We don't have much more than seepage right now," he said. "We have stopped all the elevators at upper floors, so nobody is using any elevators in the downtown buildings. Of course, we're trying to get our people out of the offices, which is hard. We have some people helping with the work, and it is a business day."

Leonhart said he had never seen this type of flooding.

"Not even in '93," he said. "I never saw this, not since the dikes were built," he said.

A pickup truck at Fifth and Commercial tried to ply its way through flowing down Fifth with its wheels half-submerged.

"There's quite a bit of consternation," Walsh said.

Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON), the Chair of the Public Buildings and FEMA Subcommittee.

Ms. NORTON. Mr. Chairman, I thank the chairman for yielding. I have to thank him first for a bill that is the breakthrough of the decades. Not only is this a bill about the beginning of an entirely new train system for the United States, it is a bill about keeping the old system, Amtrak, in check, a bill we have been needing it seems forever.

Everybody who rides Amtrak, I have to say to you and to my good friend the Chair of the subcommittee, Ms. BROWN, is enormously indebted to you both, particularly in this region, and, if I may say so, across the country. At least 43 different districts are affected by what you do here today, and it has been a long time coming.

It is important in every way. It is important for the workers at Amtrak, trained workers who have suffered through a period when we have not brought forward what it takes to keep such trained people on the job, and it is most important for Amtrak, which the Federal Government has today only because the private sector threw it at us because it was unprofitable. We are now making up for years of neglect of this system.

I also want to say a word on the Davis amendment. It makes sense that it is a part of this bill. Both are in my district. The nation's capital is the hub for Amtrak and it is the hub, of course, for Metro. Metro mostly serves Federal workers. It is in this bill. The region has ponied up and said, we will pay for what it takes for capital improvements.

But the fact is that we should watch what we wish for, because we told people to get on the Metro, and we said, especially after 9/11, Federal workers better learn how to get on the Metro. So many have gotten on the Metro that they have broken down the Metro. The obligation falls to the Federal Government to do its share, along with the region.

This amendment would not be on the floor if the District first, then Mary-

land and then Virginia, hadn't passed local bills, saying all right, we will have dedicated funding every year for our share, for the first time. This is the only major system that does not have dedicated funding. The system has suffered for it.

What the Congress says in this amendment is in return for that, D.C., Maryland and Virginia, particularly because the people who ride back and forth are mostly Federal employees on weekdays, we will do our share for capital improvements as well.

I thank the chairmen, both Chairs, very much.

Mr. SHUSTER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MICA), the ranking member.

Mr. MICA. Mr. Chairman, I thank the gentleman for yielding.

I brought this chart that shows \$4.05 a gallon gasoline today. That is the average national cost. In some jurisdictions it is more. This is not an energy policy. This is not acceptable to the American people, \$4.05 a gallon gasoline.

First of all, I strongly support the manager's amendment. Contained in it are provisions that we would have high-speed rail service. We heard the gentleman, the former Governor of Delaware, Mr. CASTLE, the distinguished Representative now from Delaware, talk about having stops. I think when I visited Wilmington, when I visited Philadelphia and New York and stops along the way, people were excited about this proposal, because it offered them an option to expensive gasoline.

The proposal that we bring forward is revolutionary. It does allow the Secretary of Transportation to take proposals. The reason we took the Northeast Corridor first is because that is the only real estate and asset that Amtrak wholly owns, almost all of it all the way to Boston. There is a little bit between New York and Boston that they don't own. That is why we took the first leg of this high speed proposal from Washington, D.C., right down the block to downtown Manhattan.

We don't specify technology, but we say it must be there within 2 hours, and we have a provision that assures stops along the way. Revolutionary. Again, what it would do for air travel congestion would be monumental for this Nation.

This isn't limited to the Northeast Corridor, that first segment. Everyone has a possibility of doing that through the provision Mr. SHUSTER, Ms. BROWN and Mr. OBERSTAR worked out.

We also have the possibility of opening for the first time public-private partnerships cutting the cost and the subsidy of some of the money-losing routes and bringing in private sector innovation. This whole attempt today, again, is revolutionary.

So, again, this outlines the high-speed rail proposal, and it shows that it is not just limited to Washington and to New York. It is open to the entire

Nation, and it provides a cost-effective alternative to just saying no, to trying to zero out Amtrak, and to not having high-speed rail passenger service either in that corridor or any other corridor of the United States.

So I urge adoption of the manager's amendment and I urge passage of the final bill. I think most of the amendments are acceptable. We have a couple of questions on them. They will be debated here and Members will have to pick and choose between those amendments. But, all in all, this is a good, bipartisan effort to get us away from being dependent on \$4.05 gasoline, escalating energy costs and limited choices for the traveling public. This is a very significant step forward, and I thank again Mr. OBERSTAR, Ms. BROWN and Mr. SHUSTER.

Mr. OBERSTAR. Mr. Chairman, I yield myself 5 seconds to express my appreciation to the gentleman from Florida for that statement, for his charts, for the genuinely sincere effort that brought us to this point today.

Mr. Chairman, I yield 3 minutes to the distinguished Chair of the Rail Subcommittee, the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Chairman, once again I want to thank Mr. OBERSTAR, Ranking Member MICA, Subcommittee Chairman SHUSTER and the staff. On behalf of the American people, I thank you. This is really a great day.

Let me say thank you, Mr. OBERSTAR, for your hard work on this bill and helping to develop this manager's amendment which incorporates provisions in the bill that would improve the overall Amtrak system. We are falling behind other industrialized nations who have prepared their country for the future by investing heavily in high-speed rail.

Mr. OBERSTAR talked about what he did when he was right out of college with his scholarship and how it took him 6 hours to go from downtown Brussels to downtown Paris. Now it takes 1 hour and 15 minutes, over 200 miles. We went less than 6 months ago to visit a new system, downtown Barcelona, Spain, to downtown Madrid, over 300 miles, 2½ hours, and we didn't even know we were moving.

That is our competition. That is who we are competing against as far as when we talk about trade and other issues. They are able to move their people, goods and services, and we are falling behind.

Amtrak reauthorization legislation is one of the few pieces of transportation legislation that has passed the Senate. Let me repeat that. Amtrak reauthorization legislation is one of the only pieces of legislation that has passed the other body. We have a great opportunity to go to conference and send a bill to the President's desk that provides a tremendous benefit for the traveling public, creating economic development and decreased energy consumption.

The American people deserve the best passenger rail system in the world. I have said over and over and over again, we are the caboose, and we don't use cabooses anymore.

This legislation takes a proactive step in addressing the outrageous cost of gas, now over \$4 a gallon, and it makes a statement that we are serious about improving our dependence on foreign oil. Rail travel is more efficient and uses less fuel than both cars and airplanes.

I would encourage all of my colleagues to support this amendment and support the bill so we can quickly move this bill through the process and have it on the President's desk for his signature.

Mr. SHUSTER. Mr. Chairman, I have no further speakers. I am prepared to close, if the gentleman is through.

Mr. OBERSTAR. We have no further speakers on our side.

Mr. SHUSTER. I yield myself such time as I may consume.

Mr. Chairman, I just wanted to close by talking directly to my colleagues who have over the years been on the floor arguing against Amtrak, arguing to cut Amtrak. I think that this agreement we have here today, there are two important reasons to support this.

First, because of the energy situation in our country. Amtrak does provide a positive alternative to get people out of their cars and to travel, inter-city travel around this country. So that is the first point.

Energy, it is a positive thing we can do for America for energy, and we haven't done anything positive in the last 18 months. Here is something positive we can do on that front.

Second, my colleagues who argue against Amtrak talk about the private sector and how they can do things. Well, this bill has three provisions in it that allow for pilot projects for the private sector to come in to take over underperforming lines, to reestablish lines that are no longer in operation by Amtrak and reestablish them, and to demonstrate what the private sector can do in passenger rail service.

After these lines are taken over, we will have concrete evidence as to what the private sector can do. I feel confident they will be able to perform very well and we will no longer be on the floor theoretically debating. We will say, look what the private sector has done on this line. Look what they have done on the other line. We will have that evidence and have real world facts before us, and that is a positive thing.

So those are two things that my colleagues that have been down here opposing Amtrak today can come to the floor for. I urge them to support the manager's amendment and I urge them to support the underlying legislation.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. CUELLAR). The gentleman from Minnesota has 3½ minutes remaining.

Mr. OBERSTAR. I yield myself the balance of my time.

Mr. Chairman, we have all spoken to one another as colleagues about the work that we have done and the time we have invested to bring this legislation to the floor in the shape that it is in, which is remarkable. But we stand on the shoulders of skilled, dedicated professionals who make our work possible and make it effective.

On the full committee, our Chief of Staff, Dave Heymsfeld, Ward McCarragher, Jen Walsh and Erik Hansen. On the Republican side, Jim Coon and Amy Steinmann.

On the subcommittee, our very dedicated Jennifer Esposito, John Drake, who has filled in for Jennifer while she was raising a new passenger for Amtrak, Rose Hamlin, Niels Knutson and Nick Martinelli of Chairwoman BROWN's staff. On the Republican side, Allison Cullin and Joyce Rose, whose distinguished service and experience contributes enormously, and Mike Meenan and John Brennan, who Ranking Member MICA mentioned has left the committee staff to take an operating position with a railroad.

The Office of Legislative Counsel has been of enormous help, Tim Brown. And at CBO, Sarah Puro.

All of whom have made their unique contribution without whose wise professional guidance we couldn't be at this point. And, believe me, I know. I served on the staff for 12 years in this body, and I know what hard work it is.

□ 1230

I know what hard work it is. All the digging is done there, and I thank them, the staff.

The gentleman from Pennsylvania cited one of the cornerstone breakthrough provisions of this legislation, and that is opening up an opportunity for competition from the private sector to demonstrate whether private sector funding, financing, management, expertise, can operate passenger rail routes successfully, and I welcome that opportunity.

I know that for good friends in the railroad brotherhoods it initially caused a great deal of concern, but I recall the words of President John F. Kennedy, who said we should never fear to negotiate, but we should never negotiate out of fear. There is nothing to fear in this proposition.

There is an opportunity for us to expand the horizons. We are going to have to do this in the surface transportation authorization next year, inviting private sector investments in key elements of our national transportation system.

To open Amtrak to that kind of investment, that challenge of expanding the horizon, is necessary, and I welcome that opportunity. We will monitor it very closely, we will have a very careful evaluation step-by-step of how these provisions will proceed. But I think, net, it will be a benefit to our passenger rail service in America.

Mr. Chairman, I yield back the balance of our time and ask for a favor-

able vote on the manager's amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. DAVIS OF VIRGINIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-703.

Mr. DAVIS of Virginia. Mr. Chairman, I have an amendment made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. DAVIS of Virginia:

Add at the end of title I the following new section:

**SEC. 105. AUTHORIZATION FOR CAPITAL AND PREVENTIVE MAINTENANCE PROJECTS FOR WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.**

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to the succeeding provisions of this section, the Secretary of Transportation is authorized to make grants to the Transit Authority, in addition to the contributions authorized under sections 3, 14, and 17 of the National Capital Transportation Act of 1969 (sec. 9—1101.01 et seq., D.C. Official Code), for the purpose of financing in part the capital and preventive maintenance projects included in the Capital Improvement Program approved by the Board of Directors of the Transit Authority.

(2) DEFINITIONS.—In this section—

(A) the term "Transit Authority" means the Washington Metropolitan Area Transit Authority established under Article III of the Compact; and

(B) the term "Compact" means the Washington Metropolitan Area Transit Authority Compact (80 Stat. 1324; Public Law 89-774).

(b) USE OF FUNDS.—The Federal grants made pursuant to the authorization under this section shall be subject to the following limitations and conditions:

(1) The work for which such Federal grants are authorized shall be subject to the provisions of the Compact (consistent with the amendments to the Compact described in subsection (d)).

(2) Each such Federal grant shall be for 50 percent of the net project cost of the project involved, and shall be provided in cash from sources other than Federal funds or revenues from the operation of public mass transportation systems. Consistent with the terms of the amendment to the Compact described in subsection (d)(1), any funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital.

(3) Such Federal grants may be used only for the maintenance and upkeep of the systems of the Transit Authority as of the date of the enactment of this Act and may not be used to increase the mileage of the rail system.

(c) APPLICABILITY OF REQUIREMENTS FOR MASS TRANSPORTATION CAPITAL PROJECTS RECEIVING FUNDS UNDER FEDERAL TRANSPORTATION LAW.—Except as specifically provided in this section, the use of any amounts appropriated pursuant to the authorization under this section shall be subject to the requirements applicable to capital projects for

which funds are provided under chapter 53 of title 49, United States Code, except to the extent that the Secretary of Transportation determines that the requirements are inconsistent with the purposes of this section.

(d) AMENDMENTS TO COMPACT.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section until the Transit Authority notifies the Secretary of Transportation that each of the following amendments to the Compact (and any further amendments which may be required to implement such amendments) have taken effect:

(1)(A) An amendment requiring that all payments by the local signatory governments for the Transit Authority for the purpose of matching any Federal funds appropriated in any given year authorized under subsection (a) for the cost of operating and maintaining the adopted regional system are made from amounts derived from dedicated funding sources.

(B) For purposes of this paragraph, the term “dedicated funding source” means any source of funding which is earmarked or required under State or local law to be used to match Federal appropriations authorized under this Act for payments to the Transit Authority.

(2) An amendment establishing an Office of the Inspector General of the Transit Authority.

(3) An amendment expanding the Board of Directors of the Transit Authority to include 4 additional Directors appointed by the Administrator of General Services, of whom 2 shall be nonvoting and 2 shall be voting, and requiring one of the voting members so appointed to be a regular passenger and customer of the bus or rail service of the Transit Authority.

(e) ACCESS TO WIRELESS SERVICE IN METRO RAIL SYSTEM.—

(1) REQUIRING TRANSIT AUTHORITY TO PROVIDE ACCESS TO SERVICE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that customers of the rail service of the Transit Authority have access within the rail system to services provided by any licensed wireless provider that notifies the Transit Authority (in accordance with such procedures as the Transit Authority may adopt) of its intent to offer service to the public, in accordance with the following timetable:

(A) Not later than 1 year after the date of the enactment of this Act, in the 20 underground rail station platforms with the highest volume of passenger traffic.

(B) Not later than 4 years after such date, throughout the rail system.

(2) ACCESS OF WIRELESS PROVIDERS TO SYSTEM FOR UPGRADES AND MAINTENANCE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that each licensed wireless provider who provides service to the public within the rail system pursuant to paragraph (1) has access to the system on an ongoing basis (subject to such restrictions as the Transit Authority may impose to ensure that such access will not unduly impact rail operations or threaten the safety of customers or employees of the rail system) to carry out emergency repairs, routine maintenance, and upgrades to the service.

(3) PERMITTING REASONABLE AND CUSTOMARY CHARGES.—Nothing in this subsection may be construed to prohibit the Transit Authority from requiring a licensed wireless provider to pay reasonable and customary charges for access granted under this subsection.

(4) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and

each of the 3 years thereafter, the Transit Authority shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the implementation of this subsection.

(5) DEFINITION.—In this subsection, the term “licensed wireless provider” means any provider of wireless services who is operating pursuant to a Federal license to offer such services to the public for profit.

(f) AMOUNT.—There are authorized to be appropriated to the Secretary of Transportation for grants under this section an aggregate amount not to exceed \$1,500,000,000 to be available in increments over 10 fiscal years beginning in fiscal year 2009, or until expended.

(g) AVAILABILITY.—Amounts appropriated pursuant to the authorization under this section shall remain available until expended.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Virginia (Mr. DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I rise today in strong support of the Davis-Van Hollen-Hoyer amendment to the Passenger Rail and Investment Improvement Act of 2008. This amendment would reaffirm the Federal Government’s longstanding commitment to the regional transportation system critical to keeping the Government open and operating efficiently.

The precedent for Federal investment in the Washington Metropolitan Area Transit Authority dates back to 1960, when President Eisenhower signed the “National Capital Transportation Act,” creating the agency responsible for developing a regional rail system for the Nation’s Capital.

Since that time, Congress has infused the system with funding for construction of the original 103-mile system on multiple occasions.

The Federal Government has a vested interest in the long-term sustainability of the Metro system. After all, approximately half of the system’s peak ridership is composed of Federal employees and contractors and over 50 Federal agencies in the National Capital Region are located adjacent to Metro stations. These Federal agencies rely on Metro to get their employees to and from the workplace year-round, in all types of weather.

Unlike other transit systems throughout the country, however, the Washington Metropolitan Area Transit Authority cannot generate revenues from the property adjacent to Metro stations because the property is disproportionately occupied by Federal buildings, embassies and non-profit organizations. This amendment would make up for this discrepancy.

In exchange for the reauthorization, the Davis-Van Hollen-Hoyer amendment would require Maryland, D.C. and Virginia—at long last—to develop dedicated funding sources for the Metro system. All three local jurisdictions have already taken steps to fulfill this Federal requirement—although the job is not yet done. Virginia’s efforts to establish a dedicated source of funding for Metro was recently struck down by the Virginia Supreme Court,

forcing local legislators to go back to the drawing board to develop a new mechanism to fund Metro.

In addition, in order to address some of the significant management challenges facing Metro, the amendment would require the establishment of an independent inspector general for the Washington Metropolitan Area Transit Authority to oversee its spending and finances, and it would add four federal members to WMATA’s Board of Directors to help ensure the transportation needs of the federal government are adequately addressed.

The reauthorization of Federal funding, as well as the increased federal oversight of WMATA, must not face further delay. Earlier this year, the Washington Post reported that the Transit Authority is in dire need of additional financing—to the tune of \$489 million—to address short-term capital improvement needs such as track replacement, rail car safety improvements, and repairs to deteriorating infrastructure. This needed funding for the agency’s capital budget is above and beyond the additional funding generated by Metro’s recent fare increase, which goes to the agency’s operating budget.

This federal funding will not be going toward expansions to the Metro system—the funding will be dedicated exclusively to overhauling the agency’s capital and infrastructure, which has not undergone a comprehensive overhaul since the system was created several decades ago.

The House passed legislation similar to this amendment during the 109th Congress but we were unable to get it through the Senate before time ran out.

I urge my colleagues to support this critical investment in the transportation infrastructure which supports our Federal Government. It is only a matter of time before the reports of potential disasters in the transit system serving the Nation’s capital become reports of actual disasters involving collapsed platforms or derailed trains. We must not stand by and wait for that to happen before we take action.

Thank you, Mr. Chairman. I urge my colleagues to support this amendment.

Mr. Chairman, I would yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), who is a cosponsor of this amendment with me and Mr. HOYER.

Mr. VAN HOLLEN. Let me begin by congratulating Chairman OBERSTAR and Ranking Member MICA and the Transportation Committee for all the work they have done in bringing this very important legislation to the floor, and to my colleague, Mr. DAVIS from Virginia, for his leadership on this issue of the WMATA system, the Washington Metro system. I am pleased to join with him and others in a bipartisan basis from the Washington region to offer this amendment.

I think we all know that the Federal Government relies very heavily on the Metro system to bring thousands and thousands of Federal employees to work each day at our national security agencies, at the Department of Health and Human Services, and other Federal agencies throughout this region that help provide essential services to the American people. It’s also a critical part of any evacuation plan in the

event of a national emergency that would require the evacuation of the Capitol.

That's one of the reasons the Federal Government has made large investments in the WMATA construction in the past and its maintenance, and that is why it's important that we continue to have a Federal role. What the purpose of this amendment is to protect that Federal amendment, because right now the Federal Government is at the whim of local jurisdictions as to whether or not they are going to make their payments into this system as part of a partnership.

What this does is it says, yes, the Federal Government will provide, authorizes up to \$150 million a year in matching funds. Those funds may only be released when WMATA certifies and notifies the Department of Transportation that local jurisdictions have established a reliable and dedicated source of funding to do their share of the funds in partnership here.

It also increases accountability to protect that Federal investment by creating an inspector general to oversee WMATA's finances and adds four new federally appointed directors to WMATA. This is to protect the Federal investment that has been made and make sure the interests of the people in this area, consumers as well as the Federal interest, is protected.

This has passed the House. I want to stress this. This Davis provision has passed the House in the past in 2006. We passed it. It's been sitting over in the Senate. I just urge all our colleagues to come together in 2008 to do what we did in 2006 and adopt this important provision.

Ms. FOXX. Mr. Chairman, I seek time to speak in opposition to this amendment.

The Acting CHAIRMAN. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Chairman, I want to congratulate people on both sides of the aisle who have worked out a way to have Amtrak work. My family and I travel on Amtrak every chance we get, and I believe that we need an efficient, strong, train system in the United States.

I want to especially commend Ranking Member MICA and subcommittee Ranking Member SHUSTER for their work in pushing for private-sector initiatives.

As a member of the Oversight and Government Reform Committee, it's also been my pleasure to work with Ranking Member DAVIS on a variety of issues. I appreciate his passion for this issue, but I have to say that this amendment is eerily similar to a bill that came before that committee, H.R. 401, the National Capital Transportation Amendments Act, which summed up the largest earmark in history and would direct \$1.5 billion in new Federal spending towards the Washington Metropolitan Transit Authority, or WMATA.

When that bill came before the committee, I raised a number of concerns, including the fact that it was not referred to or considered by the Transportation Committee. When I raised these concerns, I was concerned that the OGR committee had appropriate jurisdiction to consider the issue, which begs the question why it is now appropriate to consider this amendment on a Transportation Committee bill. The fact that it's here now, it seems, proves to me, that H.R. 401 should not have been in Oversight but in Transportation.

However, there are a variety of other concerns I have with this proposition. It's true that WMATA has been plagued by reports of mismanagement that compromise the fiscal integrity of the system. Management is beholden to employee unions that have run amok with overtime pay and retirement benefits, warping the system's fiscal priorities. Providing another Federal line item for WMATA is the last thing we needed to spur reform of this mismanaged system.

Mr. Chairman, I would like to submit for the RECORD three pieces I believe articulate many of my concerns in this respect.

[From the Examiner, Apr. 13, 2007]

BLOATED PAYROLL BEHIND METRO'S BUDGETARY WOES

WASHINGTON.—Now we know why the Washington Metropolitan Area Transit Authority always seems to be out of money.

Examiner reporter Joe Rogalsky examined Metro payroll records (available online at [www.examiner.com/wecan](http://www.examiner.com/wecan)) and found that the transit agency paid out a staggering \$70 million in overtime last year. More than half of the top 200 hourly employees who racked up the most overtime in 2006 took home six-figure paychecks that equaled or exceeded the already generous salaries of Metro's top managers.

There's something wrong when a bus driver makes more than an assistant general manager, or a Metro police officer is paid more than the director of emergency management. This is especially true when Metro managers themselves are more than amply compensated. According to the Bureau of Economic Analysis, average per-capita income in the Washington region in 2005 was \$49,530—the fourth-highest in the U.S. But the total pay for many Metro employees is three times that amount.

General Manager John Catoe Jr. says he won't ask for a fare increase this year. Instead, he plans to cut spending and eliminate 100 positions in an attempt to make up a \$116 million budget shortfall. But if Metro is really stretched so thin that it had to spend an extra \$70 million in overtime to keep the trains and buses running, Catoe should be hiring people, not downsizing.

The answer to this apparent contradiction is that Metro's bloated payroll has long been padded by politically sensitive management with no interest in keeping down costs for passengers or relieving the taxpayers who have been bailing them out for decades. Metro's latest bailout scheme is the controversial \$1.5 billion federal earmark that if adopted will also mean higher taxes for District, Virginia and Maryland residents.

The scandal here is not just overtime abuses, however. Metro pensions are based on the three-highest earning years, so a unionized bus operator with an annual base

salary of \$50,000 and lots of overtime during those "High Three" years can easily end up with \$80,000 in annual pension benefits. This is substantially more generous than even the old federal Civil Service Retirement System.

Sooner or later, Metro will have to address its growing unfunded pension liability. Major management reforms are probably impossible under the present union contract and political leadership, which means that higher taxes, more fare increases, deferred maintenance and diminished service are likely unavoidable. Catoe is paid \$360,000—more than any area elected official—and his perks include a company car, so it will be tough for him to demand austerity from the union without practicing it himself. And Metro Board members—political creatures who should be looking out for taxpayers but don't—need to learn some new pitches instead of always begging for more tax dollars.

Metro employees deserve good working conditions and competitive salaries, but they shouldn't be allowed to take the rest of us to the cleaners.

[From The Washington Times, May 5, 2008]

TIME TO END METRO'S GRAVY TRAIN

(By Tom Coburn)

There are a lot of words to describe the D.C. Metrorail system, but "underfunded" is not one. Still, many local politicians are incensed that I oppose a proposal to give the Metro an additional \$1.5 billion for infrastructure improvements. Proponents of this plan argue that the answer to Metro's problems is another huge influx of federal dollars.

I respectfully disagree. The biggest problem facing Metro may actually be too much federal funding. Like most rail systems around the country, Metro has grown accustomed to the huge subsidies it gets every year from federal taxpayers. In the last five years alone, Metro was given over \$1 billion—hardly a small amount.

The difference between Metro and other municipal transit systems, however, is that other systems are both accountable to and better supported by their local users and governments. Keeping Metro on life support primarily through ever-increasing federal subsidies will only exacerbate the problems the system already faces and insulate Metro from meaningful, customer-centered reform.

Metro riders themselves are all too familiar with the system's problems. When trains are late, riders are left standing on the platform not knowing when, or if, it will ever come. Little effort is made to keep escalators working. In 2005, there were typically more than 50 broken escalators on any given day. According to Metro, it would take several months to fix an escalator, forcing people to walk up huge flights of stairs instead while they were inoperable.

Many efforts to improve the system have been a bust due to poor management. So-called refurbished trains break down more often than those that haven't been updated. Lavish "culture change" management programs have done nothing to improve management while wasting nearly half a million dollars. Meanwhile, management has failed to manage spiraling overtime costs. By 2006, Metro was spending 14 percent of its entire payroll budget on overtime, costing it \$91 million that year. Although management must have known about the problem for years, it wasn't addressed until the negative publicity became too much to ignore.

The expectation of more federal dollars that aren't connected to performance has caused the system to overextend itself. Consider the \$5 billion Dulles extension being sought by the state of Virginia. To keep the project alive, local politicians are forced to

claim on the one hand that there is absolutely no money in the budget to fix the current system. On the other hand, they have billions available to build a 23-mile extension to Dulles Airport that few think will have an impact on traffic congestion. Is it too much to ask local governments to fix the system they already have before asking for money for expansions?

Federal taxpayers—including those from my home state of Oklahoma—have been extremely generous to the D.C. Metro. Most taxpayers will never get to set foot in a Metro car that they helped pay for. This is a helpful reminder considering the fact that the average Oklahoman, who earns \$40,000 a year, subsidizes the Metro rides of federal workers in D.C. who earn \$90,000 a year. Those federal workers who earn very good money make up nearly half of Metro's riders. Asking them to pay a little more would hardly be unfair or burdensome.

It also is not too much to ask supporters of this plan in Congress to propose spending offsets to pay for this additional \$1.5 billion request. My office alone has identified \$300 billion in annual waste, fraud and duplication in the federal budget. Any member of Congress who can't find a little fat in the federal budget is out of touch with the real-world budget choices families face every day. In the real world, Americans tighten their belts in tough times and spend less in some areas if they have to spend more in other areas. Dismissing an additional \$1.5 billion for the Metro as a blip in the budget is precisely the mentality that has caused Congress to rack up a \$600 billion annual deficit this year and a long-term debt of nearly \$10 trillion. I make no apologies for opposing this reckless status quo culture of spending that puts the interests of career politicians ahead of the next generation.

The real solution for Metro is to return to local control, even though that means more local funding and less federal funding. If more funding came from local sources, Metro officials would have no choice but to be more accountable to local governments that are elected by local citizens. As long as I'm in the Senate, the policy that says we have to pump more federal money into a system regardless of performance and outcome is a train that will never leave the station.

[From the Heritage Foundation, Oct. 16, 2007]

WASHINGTON METRO NEEDS REFORM, NOT A FEDERAL BAILOUT

(By Ronald D. Utt, Ph.D.)

Both the House and Senate will soon have an opportunity to vote on legislation introduced by Representative Tom Davis (R—VA) to divert \$1.5 billion of federal revenues over 10 years to provide additional subsidies to the deeply troubled Washington Metropolitan Area Transit Authority (WMATA), which serves the nation's capital and his congressional district with buses and a metro rail system. Titled the "National Capital Transportation Amendments Act of 2007," both the Senate version (S. 1446) and the House version (H.R. 401) have been reported out of committee and now await action on the floor. These proposed subsidies, and the tax increases needed to fund them, would be in addition to the other subsidies and tax increases being sought to extend WMATA's metro rail service to Dulles Airport.

Defined as an earmark because of its location-specific applicability and the distribution of benefits to a small number of people in a limited number of communities, this massive earmark would be one of the largest ever passed—larger than even Alaska's infamous "Bridge to Nowhere," which Congress and the state of Alaska have since canceled. Congress should reject the bailout approach

and instead link the continuation of existing federal subsidies to management and labor reforms at WMATA.

Overstepping Federal Bounds. As bad as this legislation may be from a federal budget perspective, the Davis bailout also promotes tax-and-spend policies at the state and local levels. Section 18 (d)(1)(A) requires jurisdictions in Metro's service area to raise local matching funds through a "dedicated funding source" in order to receive the federal funds. This, of course, implies the imposition of a dedicated tax. This 10-year, \$1.5 billion commitment would be on top of the \$671 million the Local communities already provide WMATA each year.

Seduced by the federal largesse, legislators in Virginia recently enacted a controversial transportation law (HB 3202) that empowered a transportation taxing authority for Virginia's Washington suburbs. The authority's unelected board would be allowed to impose these taxes, and would guarantee that the first \$50 million in taxes raised by the authority each year would go to WMATA, despite the fact that only a small number of people in the region use the system. Widely unpopular among voters, the Virginia legislation is now the subject of court challenges based on its constitutionality, and some analysts believe that voters' adverse reaction may lead to a change in party control of the Virginia legislature.

Rewarding Poor Performance. Mr. Davis justifies the earmark on the grounds that "Metro, the public transit system of the Washington metropolitan area, is essential for the continued and effective performance of the functions of the Federal Government, and for the orderly movement of people during major events and times of regional and national emergency."

But Metro provides no such service. Unreliable and poorly run, the system is subject to frequent shutdowns and service interruptions due to equipment failure, bad weather, suicides, driver error, and passenger medical emergencies. During one recent setback, a Metro spokeswoman noted that "Because nearly half of Metro's daily commuters are federal government employees . . . delays could be less severe if large numbers of them take advantage of the unscheduled leave option and stay home." So much for it being "essential for . . . the Federal Government." Perhaps as a result of its low quality service, WMATA ridership has been stagnant over the past few years, declining from 2004 to 2005, but rising to slightly above the 2004 volume in 2006.

Despite decades of lavish subsidies from state, local, and federal authorities, WMATA is plagued by serious problems, chief among them being a legacy of mismanagement and high-cost operations. As a consequence of its many operating inefficiencies, the system is broke and has no funds to add to capacity, replace unreliable rolling stock, or make other necessary repairs and improvements. Although it has raised fares twice in the last few years, the modest increases were well below the cost increases incurred by local motorists due to soaring gasoline prices. A proposal by its director to increase them again was not supported by its board.

WMATA has avoided opportunities to save money and improve service through competitive contracting, due in part to management's unwillingness to confront opposition from its unionized workforce. The communities it serves do not share WMATA's fear of contracting. Private contractors operate virtually all of the newer public transit services in the Washington, D.C., area, the WMATA alternative is simply too expensive and unreliable.

Another troubling aspect of this legislation is the regressive nature of the spending

policies it promotes. Notwithstanding the bill's contention that subsidizing the daily commute of civil servants is an essential national need, Washington-area workers are among the best paid in the nation. Whereas the median household income nationwide was \$58,526 in 2006, it was \$119,812 in Fairfax County, VA—the most populous pan of Mr. Davis' congressional district. Also, the U.S. Bureau of the Census reports that only 9.4 percent of Fairfax County residents and only 4.2 percent of Prince William County residents use WMATA services or another form of transit to get to work.

Conclusion. This bill would do little more than reward poor performance with an unprecedented taxpayer bailout. Congress should force fundamental market-based reforms on Metro by linking the continuation of the system's existing federal subsidies to reductions in operating costs, improvements in service, and an aggressive program of competitive contracting similar to the successful reforms implemented elsewhere in several of the major metropolitan areas of Europe.

The other question I raised during committee consideration of H.R. 401 is why should Washington, D.C. step to the front of the line to receive special subsidies paid for by taxpayers throughout the country, many of whom will never step foot on a Washington Metro train or bus. I have heard that due to the high number of Federal employees in the area, we are somehow obliged to subsidize their commute in this way.

However, this point fails to recognize that the Federal Government already subsidizes Federal employees' commutes through the issuance of Metro checks, which many Capitol Hill staffers receive. These subsidies come on top of those provided through a variety of preexisting, generous Federal grant programs. This system of allocating Federal transit funding is considerably more equitable and fair than creating a special line item for a particular metropolitan area.

I am quite confident that my constituents in Winston-Salem or elsewhere throughout my district would certainly appreciate their own Federal transit line item. We also heard that Washington, D.C. needs this especially targeted Federal line item more than other regions or cities, including New York City, which are not included in this amendment, because of security threats to the city.

However, even if security threats help justify the need for more Federal assistance to Washington, D.C., then the efforts invested in this approach should be focused on establishing an equitable system that allocates funding fairly among cities with varying degrees of security threats.

It is for these reasons and many more that I recommend rejecting this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DAVIS of Virginia. Mr. Chairman, I recognize the distinguished majority leader, the gentleman from Maryland (Mr. HOYER), for 1 minute.

Mr. HOYER. I thank the gentleman from Virginia (Mr. DAVIS) for yielding.

I note that my good friend, FRANK WOLF, is on the floor as well. I don't know that there is any Member of this body with whom I have worked more closely on an objective than FRANK WOLF and I worked, particularly during the 1980s and early 1990s on this America's subway. I am glad that he is on the floor, and I thank Mr. DAVIS for his leadership and Mr. VAN HOLLEN, Mr. MORAN. We have all worked very hard on that. Mr. OBERSTAR, we thank you as well for your assistance.

Bill Lehman was from Florida. Bill Lehman was chairman of the Transportation Subcommittee of the Appropriations Committee, and Bill Lehman used to call this America's subway.

I tell the gentlelady from North Carolina, I don't know whether she has left, and I appreciate her remarks, but it is America's subway. It's in the Nation's Capital, yet 18 million to 22 million Americans from outside this region ride it as they visit their Nation's Capital.

The employees who come into this city work for our Nation, not for the State of Virginia and the State of Maryland or even for the District of Columbia but for our Nation and all of our taxpayers.

That's why it's America's subway, and that's why we invested significantly in its construction. That's why it is necessary and appropriate for us to invest in its maintenance and continuing quality.

I would urge my colleagues to support this legislation. I have a statement that I will put in the RECORD without going through all of the specifics that have been discussed.

I want to say also to the gentlelady, yes, this is an amendment, but, unlike most amendments, this amendment has already gotten the imprimatur of the overwhelming numbers in this House and passed on suspension when Mr. DAVIS offered it, when the now minority, but the then Republican majority, was in charge of the Congress, with Democrats strongly supporting Mr. DAVIS' bill.

I think Democrats will strongly support Mr. DAVIS' bill. I would hope Republicans would strongly support Mr. DAVIS' bill to accommodate their taxpayers, their workers and their Nation's Capital.

I want to again thank Mr. DAVIS for his leadership on this issue. I want to thank Mr. WOLF for his partnership for me for now into our third decade of working on this issue.

We can be proud of this Metro system. It is one of the best in the world, not just in our country. Every American can be proud of their subway.

I urge very strong support across the aisle. This is not a partisan issue. As I say, Mr. WOLF and I worked in lockstep for over a decade in ensuring that this subway was completed. Mr. MORAN joined us some time later, and that was working at the local level as the mayor of his city. Mr. DAVIS, as county executive of his county, we worked together.

I want to also thank the ranking member very much for his leadership and his facilitating this amendment coming forward on the floor.

Mr. Chairman, I rise in strong support of the Davis-Van Hollen-Hoyer amendment to the Amtrak reauthorization. This critical amendment will help ensure that the "Nation's subway" continues to operate in a safe, reliable and effective manner.

The Washington Metro Area Transit Authority—which was established in 1967—has been faced with a severely aging infrastructure. In recent years, it has led to widespread maintenance problems, increased delays, and threats to passenger safety.

In fact, Metro officials recently estimated that the system needs approximately \$489 million in urgent and outstanding infrastructure repair work.

This amendment—which is based on legislation which overwhelmingly passed the House of Representatives in the last Congress—would authorize \$1.5 billion in Federal funding for capital repairs and maintenance in the Metro System. This funding would be collectively matched by dedicated funds from Maryland, DC, and Virginia.

I have heard some of my colleagues question the appropriateness of a Federal investment in this system. In my view, this perspective is shortsighted and does not take into consideration the Federal Government's long history in the development of and reliance upon the Metro.

In 1960, the Congress passed and President Eisenhower signed into law the legislation to provide for the development of a regional rail system for the Nation's Capital. Congress has since passed Metro authorization bills in 1965, 1969, 1979, and 1990. The Federal Government provided \$6.2 billion of the approximately \$10 billion needed to construct the original 103-mile system.

Metro is critical to the Federal Government's evacuation plans of the Nation's Capital and we experienced Metro's essential role during the city's evacuation on September 11th, 2001.

Nearly half of Metro's riders during peak ridership are Federal employees and more than 50 Federal agencies are located adjacent to Metro stations.

Millions of tourists from across the country visit our Nation's Capital each year and many of these visitors use the Metro system to traverse the city while visiting our Nation's museums, monuments and historic landmarks.

Clearly, the Federal Government and the American people depend on Metro and there is a clear Federal interest in ensuring that the system is able to operate efficiently and effectively.

Unfortunately, just this week we were reminded of Metro's importance and its deteriorating infrastructure when an orange line train derailed in Northern Virginia. This mishap, where thankfully no one was injured, delayed the evening commute for many Federal employees and reinforced the need for this legislation.

Mr. Chairman, we must act now to preserve this critical national asset and ensure that the Nation's capital continues to have a safe, reliable, and effective transit system for the Federal workforce and its visitors. I urge my colleagues to join with me in voting for this important amendment.

Mr. DAVIS of Virginia. Mr. Chairman, I yield 45 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank my friend and colleague.

Mr. Chairman, the rail system that this amendment funds serves the capital of the free world. Yet, along with Los Angeles, we have the very worst congestion in the country.

In fact, when you look at lost productivity, it is the most expensive loss of productivity, congestion in the country and those who are wasting so much of their time in traffic are our government workers. The reason for this deficiency is that we are the only public transit system that doesn't have a dedicated source of revenue.

Now, what we are suggesting here, when gas is at \$4 a gallon, when it costs over \$60 to fill up your tank, we have got to have more public transit throughout the country. But shouldn't we lead the way? Shouldn't we show by example that at least the Washington metropolitan area has a decent transit system?

That's what Mr. DAVIS's amendment does. It does what should have been done years ago. It creates a dedicated source of funding for Washington's transit system.

I very strongly support Mr. DAVIS's amendment, and I thank all of my friends and colleagues who have contributed to it. It belongs on the Amtrak bill. It's all about finding more intelligent, more efficient ways of transportation.

Mr. DAVIS of Virginia. Mr. Chairman, I yield 45 seconds to the gentleman from Virginia (Mr. WOLF).

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. I want to thank the gentleman from Virginia for his leadership. I am going to miss him and everyone is going to miss him as he leaves the body.

I would shudder to think how the Nation's Capital would function without Metro. Visitors from all over the country, as the other Members have said, and all over the world use this system when visiting the Nation's Capital.

Metro's highest ridership days have come when national events were taking place, Presidential inaugurations, holiday celebrations, 4th of July and such as the recent visit of the Pope.

□ 1245

Lastly, this system is vital to the emergency needs of the Nation. During the terrorist attacks of 9/11, when the Pentagon was hit, this city was immobilized and you could not get in and you could not get out. Metro was the reliable source, the reliable way to ensure that thousands were able to safely and quickly evacuate the city. This is, as the majority leader said, America's system.

I thank Mr. DAVIS again, and God bless him on his service.

Mr. Chairman, I rise in support of the amendment offered by my Virginia colleague



and long-time advocate for the transportation needs of the Washington metropolitan area.

This House and this region are going to miss TOM DAVIS. He has worked tirelessly to provide the needed support and oversight of the Washington Metro system to ensure that it serves not only the residents and commuters of Virginia, Maryland, and the District of Columbia, but the millions of visitors to the Capital City.

I have been pleased to work with Congressman DAVIS as well as Congressman HOYER and others in the Washington metropolitan area congressional delegation to spur Congress as Metro's partner, providing the Federal investment to operate the system.

Every Congress and every administration since 1960 when President Eisenhower signed the National Capital Transportation Act creating the agency to develop a rapid rail system in the Nation's capital has recognized the Washington Metro system as America's subway.

I shudder to think how the Nation's capital would function without Metro. Visitors from all over the country and indeed the world use the system daily when visiting our nation's capital. Metro's highest ridership days have come when national events were taking place here, attended by thousands of citizens from across the country—presidential inaugurations, holiday celebrations, and events such as the Pope's recent visit.

The Metro system also supports the Federal workforce. Federal employees rely on Metro to commute back and forth to work and home every day, and also between Federal offices during the day. During peak times, over half of Metro's riders are Federal employees and contractors.

Finally, this system is vital to the emergency needs of the region. During the terrorist attacks of 9/11, Metro was the reliable way to ensure that thousands of people were able to safely and quickly evacuate the city.

Now today, with gas prices soaring, Metro serves as the mass transit option for growing numbers of commuters.

It was a 16-year effort after President Eisenhower signed the planning legislation which culminated in Metrorail's opening day in 1976 with five stations operating 4.2 miles on the Red Line. Some 12 years later in 1988, Metrorail carried its one-billionth rider. In 2001, Metro opened the five-station, 6.5-mile segment to Branch Ave, completing the 103-mile, 83 station Metrorail system.

With Metro's growing use and importance in providing mobility for thousands of riders every day, it is critical that this Congress makes sure that capital improvements and preventive maintenance are provided to ensure the system's continued operation.

With the federal investment, however, comes the expectation that Metro be accountable for the taxpayer funds which it uses. This amendment is important to that effort and I urge adoption of Congressman DAVIS's amendment.

Mr. DAVIS of Virginia. Mr. Chairman, I yield myself the balance of my time.

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Virginia. Mr. Chairman, let me just say this legislation has passed the House freestanding be-

fore. This establishes an independent inspector general's office for WMATA and puts Federal representation on the WMATA board for the first time in history, along with local representation, and it requires dedicated local matches, something the current legislation doesn't do.

We have one choice, we can make Metro safer or put it at greater risk, and the choice is ours, and I urge adoption of the amendment.

The Washington Metropolitan Area Transit Authority was created by an act of Congress—Public Law 89-744—in 1966. Since that time, Congress has authorized billions of dollars for WMATA on several occasions, including reauthorizations in 1969, 1979 and 1990.

All of these reauthorizations, including the one we are considering here today, have been based on the congressional finding from the National Capital Transportation Act of 1960, signed into law by President Eisenhower as Public Law 86-669, that an "improved transportation system for the National Capital region is essential for the continued and effective performance of the functions of the Government of the United States."

To call into question the ethics of Members who support the reauthorization of Federal funding for an agency created by Congress more than four decades ago illustrates the absurdity of the majority's newly instated rule on congressional earmarks. It also highlights an overzealousness by Members on our side of the aisle who are keen on doing whatever it takes to derail important legislation.

This amendment is not an earmark in violation of clause 9 of House Rule XXI and does not require disclosure under clause 17 of the Code of Official Conduct, just like Chairman OBERSTAR's H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008, which reauthorizes Federal funding for Amtrak, is not an earmark in violation of the rules.

Mr. OBERSTAR. Mr. Chairman, I rise in strong support of the amendment offered by my metropolitan Washington colleagues, the gentleman from Virginia (Mr. DAVIS), the gentleman from Maryland (Mr. VAN HOLLEN), and the Majority Leader (Mr. HOYER).

This amendment authorizes the Secretary to make grants to the Washington Metropolitan Area Transit Authority ("WMATA") to finance capital and preventive maintenance projects included in the agency's Capital Improvement Program.

The amendment will also require that all local payments for the cost of operating and maintaining the area's regional rail system—known as the "Metro"—be made from dedicated funding sources.

This is especially important in light of the fact that WMATA is currently the only transit system of its size that does not have a fully dedicated source of State or local funding.

The WMATA transit system is one of the busiest in the entire country, providing over 415 million passenger trips each year. Each day, more than 800,000 people ride Metro trains, and over 150,000 ride Metro buses.

Only the New York, Chicago, and Los Angeles transit systems produce more yearly transit passenger trips than WMATA in Washington, DC.

Further, the Federal workforce relies heavily on the reliable and efficient service that the WMATA system provides. More than 165,000

Federal employees, or one-third of Federal employees in the region, are currently enrolled in the transit benefits program with WMATA.

According to a study by the U.S. Department of Transportation, the service that WMATA provides to our Federal employees helps keep an additional 15,500 automobiles off the roads in the National Capital region, and saves those commuters over 8.2 million gallons of gas each year.

The Washington Metropolitan Area Transit Authority is an important part of our Nation's strategy to provide commuters efficient and reliable transit options, thereby allowing them to reduce their transportation-related emissions, energy consumption, and reliance on foreign oil.

Regarding the specific language of this amendment, it is important to note that these new grants will be subject to the same labor, environmental, Buy America procurement, diversity contracting, and other requirements applicable to all transit projects funded under Chapter 53 of Title 49, United States Code. If this amendment is adopted, in conference on H.R. 6003, I would like to further clarify the specific terms of Chapter 53 which may be inconsistent with the purposes of the amendment.

Mr. Chairman, I urge my colleagues to join me in supporting the amendment.

Ms. CORRINE BROWN of Florida. Mr. Chairman, the Washington D.C. Metro system is the fourth busiest transit system in the nation. The system provides transportation to the federal employees who work here everyday and the millions of visitors that visit the city each year.

This amendment will require a dedicated funding source provided by the local governments that are served by the Metro. Something for which the Metro has been without for far too long.

It also creates an office of Inspector General to help provide oversight of the system.

This legislation also ensures that rail customers will have access to a broad range of wireless providers in case of an emergency and will provide additional dollars to the Transit Authority.

The Metro system that serves this country's capital is a national asset and I hope that both the local and federal government will continue to show full support for the system.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. DAVIS).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-703.

Mr. SMITH of Washington. Thank you, Mr. Chairman. I have an approved amendment by the rule to offer.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. SMITH of Washington:

In title IV, add at the end the following new section (and amend the table of contents accordingly):

**SEC. 402. ROUTING EFFICIENCY DISCUSSIONS WITH AMTRAK.**

Amtrak shall engage in good faith discussions, with commuter rail entities and regional and State public transportation authorities operating on the same trackage owned by a rail carrier as Amtrak, with respect to the routing and timing of trains to most efficiently move a maximal number of commuter, intercity, and regional rail passengers, particularly during the peak times of commuter usage at the morning and evening hours marking the start and end of a typical work day, and with respect to the expansion and enhancement of commuter rail and regional rail public transportation service.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very simple and straightforward. It encourages collaboration between Amtrak and local and regional commuter rail agencies on train schedules and routing in shared corridors. There are competing needs for some of these uses, and cooperation between Amtrak and others is critically important to take most advantage of our rail corridors.

Across the Nation there are multiple commuter rail transit agencies that run on the same rails as Amtrak. Many of these public transportation services have made substantial investments in the tracks and signal capacity on a rail corridor to enhance commuter rail service.

Currently, Amtrak has first right to schedule their services, which can often result in delays to commuter rail passengers and have negative impacts on the on-time performance of the commuter rails. Amtrak must work with commuter rail in a collaborative manner and in coordination with the host railroad to best facilitate an efficient flow of intercity Amtrak commuter rail passengers.

In the Puget Sound region in particular, Sound Transit has worked closely with BNSF and made a tremendous investment in the rail corridor throughout the Puget Sound region, investing more than \$1 billion of public funding in the freight corridor between Tacoma and Everett, Washington. These investments represent a high price that has been paid by the region to ensure that commuter rail did not impact the freight rail operations that drive our region's economy. These investments benefit light rail, Amtrak, and of course Sound Transit's commuter rail passengers, as well as our freight rail.

This amendment does not change Amtrak's priority in setting these, it merely asks that they work cooperatively with the other parties that are interested in using these rail systems to maximize their capacity. There are a number of folks who want to make

investments in improving those rail systems, and if Amtrak works cooperatively with them, those investments will work out better for all concerned.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. I just want to say that the gentleman from Washington has a commonsense amendment. I think encouraging collaboration between Amtrak and commuter rail systems is a positive thing. I urge all Members to accept and support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I yield the balance of my time to the chairman of the committee, Mr. OBERSTAR.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. I rise in strong support of the amendment offered by the gentleman. Commuter rail certainly is one of the fastest growing modes of transportation in the public sector. We had over 461 million trips by commuter rail last year, and that is a 5.5 percent increase over the previous year.

The amendment offered by gentleman directs Amtrak to engage in good-faith negotiations with commuter rail entities and public transportation authorities to move more efficiently the maximum number of intercity rail passengers, especially during peak commuter hours.

As the gentleman from Pennsylvania said, it is a good, commonsense amendment, and I urge support of the amendment offered by the gentleman from Washington.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Washington (Mr. SMITH).

Commuter rail is one of the fastest growing modes of public transportation in this country. In 2007, Americans took 461 million trips by commuter rail, a 5.5 percent increase over 2006. As a result, many commuter rail operators are seeking to expand their services while contending with other rail traffic.

In response to these challenges, this amendment directs Amtrak to engage in good-faith discussions with commuter rail entities and public transportation authorities operating on the same track to efficiently move the maximum number of commuter, intercity, and regional rail passengers, especially during peak commuter hours. It also directs Amtrak to work with these parties toward the expansion and enhancement of commuter rail and regional public transportation service.

This amendment helps ensure that Amtrak is doing everything it can to not only maximize the efficiency of its operations but also ensure the maximum growth possible for other rail services.

I urge my colleagues to join me in supporting this amendment.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time just to close.

I thank Chairman OBERSTAR and the ranking member on this committee for their work on this bill and their cooperation in my efforts with this amendment. I call for passage of the amendment.

Ms. CORRINE BROWN of Florida. Mr. Chairman, we would encourage Amtrak to work closely with all the states they operate in to ensure that they are operating in conjunction with local commuter systems.

This is one more example of the need for additional rail capacity and the affect this lack of additional infrastructure can have on a state.

As more and more states turn to commuter rail service to move their citizens, it will be imperative that passenger, commuter, and freight rail work together to best utilize limited rail resources.

Mr. SMITH of Washington. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. SMITH).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-703.

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. SESSIONS:

In title I, add at the end the following new section (and amend the table of contents accordingly):

**SEC. 105. LIMITATION.**

None of the operating funds authorized in this Act may be used by Amtrak for the long distance route that has the highest cost per seat/mile ratio according to the March 2008 Amtrak monthly performance report, unless the Secretary has transmitted a waiver for this route or a portion of the route because the Secretary considers it to be critical to homeland security.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, my amendment is simple, straightforward, and fiscally responsible. It would prevent any taxpayer funds from being wasted on operating Amtrak's worst-performing long-distance route.

Under this amendment, which is supported by Citizens Against Government Waste, Americans for Tax Reform and the National Taxpayers' Union, the determination about what constitutes Amtrak's most wasteful route will not be a political one made by Congress, it will instead be determined by Amtrak's own most recent monthly report, and it will not take effect if the Secretary of Transportation determines that the line is critical to homeland security.

Amtrak's most recent performance report produced in March 2008 lists the Sunset Limited as Amtrak's worst performing long-distance route. And for the few lucky people who actually buy a ticket on this route, this journey constitutes a 48-hour ordeal from New Orleans, Louisiana, to Los Angeles, California.

Amtrak's report indicates that this route had an astonishing loss of 26.3 cents per seat mile, which is unsurprising given the length of the trip coupled with the lowest ridership of all of Amtrak's long-distance lines.

Right before I came to the House floor today, I went to Amtrak's Website and looked up how much a round-trip ticket on this line would be. The answer: an astonishing \$522. For the purpose of comparison, a bus ticket for a similar trip leaving on and returning the exact same days, it would cost only \$366, and riding the bus would take 19 fewer hours to complete the trip.

Back in 1997, Congress passed the Amtrak Reform and Accountability Act which required that Amtrak operate without any Federal operating assistance after 2002.

Despite this decade-old, common-sense requirement that Amtrak cease their fiscal irresponsibility and mismanagement, without my amendment, today's bill would continue to waste taxpayer money by forcing American families to subsidize Amtrak's worst line.

Amtrak's net loss in 2007 was over \$1.12 billion, an increase of 5 percent over last year. In March of 2008 alone, Amtrak's net loss was \$96 million. These awful performance figures prove that the time has come to restore commonsense fiscal responsibility at Amtrak, and that the time has come to at least take a small step in helping taxpayers' hard-earned money not to be used on long, expensive routes with low ridership.

This amendment simply seeks to prevent further good taxpayer dollars from being thrown after bad by limiting the cost of Amtrak's number one least-profitable route. And if Members cannot support this simple, security-conscious amendment on behalf of fiscal discipline, I don't know if there is anything else that we can do to help not only this Congress be responsible, but also to be in support of American taxpayers.

I encourage all of my colleagues to support this commonsense amendment. I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas.

The Acting CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. We had a thoughtful, constructive discussion about the gentleman's proposal in the Rules Committee on Monday, and the gentleman is very sincere and very genuine in his proposal. However, we have

a number of provisions in this bill to improve Amtrak's operations, to reform the way Amtrak conducts its business, to get at the lowest-performing routes.

We specifically direct the Amtrak board of directors to implement a modern financial accounting system to save money, improve operations, and increase revenue.

In section 204, we direct Amtrak to report on projected revenues, expenditures and ridership over a 5-year period to promote improved financial stability and how best to allocate the resources we provide to Amtrak. We direct Amtrak to work with the States to institute a nationwide methodology for allocating, operating and capital costs, to standardize financial support of Amtrak to the States and the Federal Government to ensure each is contributing their appropriate and fair amount, and to address specifically the performance of poorly performing routes, and they may be different from the one that the gentleman has in mind at this particular moment.

We further direct the inspector general of DOT to evaluate performance, service quality of the five worst performing Amtrak routes and recommend a process for DOT to consider proposals by Amtrak and other operators to provide service both on underperforming Amtrak routes and routes not served by Amtrak.

So the gentleman is proposing that Congress make a preemptive strike and direct dropping a route when we have in place with the enactment of this legislation a process by which we are going to improve these processes. It would be better to look and reexamine at the end of that process rather than at the beginning and prejudice the outcome of these sincere efforts that we are making to improve all of Amtrak's operations.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Chairman, I appreciate the gentleman. This is a preemptive strike to get the correct measure done so we are not arguing 10 years from now what should have been done 10 years before.

I now yield the balance of my time to the gentleman from Virginia (Mr. DAVIS) in support of this amendment.

Mr. DAVIS of Virginia. First of all, let me say to the authors of this legislation, I appreciate the coalition that they put together and I support the underlying bill, but I think this amendment makes a couple of good points.

Number one, on this particular route, you can take a bus and it gets you there faster and cheaper than taking Amtrak. Secondly, you can take a plane and it gets you there faster and cheaper than what you can do with Amtrak. And by the way, they operate without a Federal subsidy, both the bus system and the plane system in this particular case.

The third thing I note, the gentleman has added a provision to his amendment which I think is very important,

that the Secretary can transmit a waiver of this route or a portion of this route if the Secretary considers it to be critical to homeland security.

So nobody is trying to take away routes that we may need to use in a critical situation, and we give the Secretary of Homeland Security the ultimate yes or no on this. But what is important about this is this route is the most heavily subsidized in the system. It is not utilized that much.

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And if we can't make some statement here and give Members some opportunity, I think, to voice their concerns about oversubsidization on certain routes, I don't know what we're doing here.

There are other provisions, I might add, in this bill that address shorter routes like this that Amtrak will be able to look at and take care of those routes. But I think it allows Members who are concerned to have their vote. I appreciate the gentleman bringing it up. I urge its adoption.

Mr. SESSIONS. Mr. Chairman, we have now heard Chairman DAVIS talk about the articulation. We believe that something should be done immediately; that this is about the worst performing route that has existed for year after year after year.

And while I have great respect and appreciation, not only for the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Pennsylvania (Mr. SHUSTER) to work towards this, we believe it's time for action. We believe that the worst performing route, one which not only underperforms from the number of passengers, but also costs taxpayers a lot of money, that we, as Members of Congress, should have a say about this.

I will ask all Members to support this vote when it comes on the floor in this amendment.

I yield back my time.

Mr. OBERSTAR. I will yield the balance of our time to the gentlewoman from Florida, but I wish I had known about the opposition of the gentleman from Virginia before he offered his amendment. I might have had a different view about his amendment and his seeking special consideration for WMATA.

Ms. CORRINE BROWN of Florida. I encourage my colleagues to reject this sham amendment. Prohibiting funds for one route will have negative effects on the entire system, and it's already addressed in this legislation in a way that won't harm Amtrak and the services it provides.

Opponents of passenger rail have repeatedly tried to siphon off the growth of our Nation's rail system by cutting funds, zeroing out the budget, and now cutting out the only transcontinental passenger route; all while in the same time the opponents have the gall to ask for a better profit model.

Let me tell you, I've got some breaking news for you. There is something

more important than profit. Amtrak was the first responder during Hurricane Katrina and used the Sunset Limited line, which is being restored in this legislation, to help evacuate thousands of gulf coast region residents while President Bush and his administration was nowhere to be found. Now, that is a part of every key State future evacuation plan.

This amendment will have a negative effect on major States, eight—California, Arizona, New Mexico, Louisiana, Mississippi, Alabama, Florida and Texas, Texas, Texas.

The Sessions amendment will do the exact opposite of what we're trying to accomplish with this legislation, which is to expand passenger rail service, reduce congestion and improve our energy independence.

Passenger rail's ability to reduce congestion is well known, with ridership numbers increasing steadily each year. One full passenger train can take 250 to 350 cars off the road. Passenger rail also consumes less energy than both automobiles and commercial airlines.

I would encourage any Member who don't want to explain to their constituents why they no longer have access to Amtrak service, to vote "no" on this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SESSIONS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MRS. MCCARTHY OF NEW YORK

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110-703.

Mrs. MCCARTHY of New York. I have an amendment at the desk made in order under the rule.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mrs. MCCARTHY of New York:

In section 304(a), in the proposed section 24910(b)—

(1) strike "and" at the end of paragraph (11);

(2) strike the period at the end of paragraph (12) and insert "; and"; and

(3) after paragraph (12), add the following new paragraph:

"(13) the development and use of train horn technology, including, but not limited to, broadband horns, with an emphasis on reducing train horn noise and its effect on communities.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentlewoman from New York (Mrs. MCCARTHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MCCARTHY of New York. I would like to thank Chairman OBERSTAR, Ranking Member MICA, Chairwoman BROWN and Ranking Member SHUSTER for their work on this bill.

My district is located in a densely populated area on Long Island, New York. We are fortunate to have the comfort and convenience of rail transportation to New York City and around Long Island by the Long Island Railroad.

The Long Island Railroad moves safely through the Fourth Congressional District with the use of horns at train crossings. Although train horns are necessary to ensure the safety at railroad crossings, the noise can significantly affect families and communities surrounding these railroad crossings.

While we can still all agree that train horns are necessary to ensure the safety of residents at railroad stations and crossings, the sounding of train horns day and night seriously impacts the quality of life of many in my communities in Long Island.

I support the Federal Railroad Administration and its primary goal of ensuring the safety of railroads and trains across the country and in the Fourth Congressional District in New York. I do not, and will not support any measure that will reduce the safety of railroads and trains moving through our communities.

With that in mind, I also understand the effect that locomotive horn noise has on the quality of life of my constituents. Over the years, I have been contacted by constituents who have complained that the volume of the train noise is so severe that many of them lose their sleep, even with earplugs.

Trains on Long Island can run literally around the clock. Residents complain of several minutes of constant horn noise as the train travels through many of my communities such as Valley Stream, East Rockaway and Cedarhurst, Long Island.

When trains are nearby, the volume is so high that people are forced to stop their conversations, and teachers at nearby schools are forced to stop teaching their students.

Rail traffic through many communities in this country is an unavoidable reality as to the use of train horns. However, we have an obligation to ensure that we do everything possible to maintain the quality of life for communities near railroad tracks.

That is why I've introduced an amendment to ask that the Secretary research the development and use of train horn technology with an emphasis on reducing train horn noise and its effect on a community. This will ensure that, as we move forward and continue to expand our railroad infrastructure in this country, we will also continue to address the concerns of the communities surrounding the infrastructure.

Thank you, Chairman OBERSTAR, for continuing to work with me on this issue that is so important to my constituents.

I urge my colleagues to support the passage of this amendment.

I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I ask unanimous consent to claim time in opposition to the amendment though I do not intend to oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. OBERSTAR. I support the amendment offered by the gentlewoman which directs a study of train horn technology as part of the Rail Cooperative Research Program authorized at section 304 of the bill. And the gentlewoman has worked tirelessly to highlight her concerns with constituents on locomotive horn noise.

I can understand how horn noise is terrible and disturbing. We've heard many iterations of that over the years in hearings in the committee in close urban quarters.

But out on the prairie, the sound of a train horn late at night is a very comforting sound, I can say for those of us who live in those environments.

I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. I just wanted to say that we accept the amendment. Anything to do with improving technology on trains we certainly support.

Mr. OBERSTAR. The key issue with train horns, again and again, is safety. Where they are removed in an experimental basis there have been fatalities or incidents or accidents, and where the train horn has been reinstated, lives have been saved. But technology can lead us to better train horns that don't intrude on the daily lives or nightly lives of citizens alongside railroad tracks.

So I reserve the balance of my time, and I appreciate the gentlewoman's amendment.

Mrs. MCCARTHY of New York. I just want to thank Chairman OBERSTAR and Ranking Member SHUSTER for their support on this amendment. I too can hear the train whistle in the late of the night, and to me it is a nice sound. But for my constituents who are right along those tracks and near, it is a problem.

I hope that my colleagues will support me on this amendment.

Ms. CORRINE BROWN of Florida. Mr. Chairman, anyone who has railroad tracks in their district has heard from constituents who are upset by repeated train whistles.

Unfortunately, these train whistles are the most effective way of warning people of an oncoming train. And even still we see constant reports of injuries and deaths on the tracks.

Technology holds the key to many improvements throughout our rail system, including improved safety. And hopefully it can help with the age-old problem of train whistles.

We also need to invest in more grade separations at rail crossings to improve safety and

cut down on the need to blow warning whistles in the first place.

Mrs. MCCARTHY of New York. I yield back the balance of my time.

Mr. OBERSTAR. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. MCCARTHY).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110-703.

AMENDMENT NO. 7 OFFERED BY MR. MURPHY OF CONNECTICUT

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110-703.

Mr. MURPHY of Connecticut. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. MURPHY of Connecticut:

In title II, add at the end the following new section (and amend the table of contents accordingly):

**SEC. 225. COMMUTER RAIL EXPANSION.**

(a) FINDINGS.—The Congress find the following:

(1) In 2006, Americans took 10,100,000,000 trips on public transportation for the first time since 1949.

(2) The Northeast region is one of the Nation's largest emerging transportation "megaregions" where infrastructure expansion and improvements are most needed.

(3) New England's road traffic has increased two to three times faster than its population since 1990.

(4) Connecticut has one of the Nation's longest average commute times according to the United States Census Bureau, and 80 percent of Connecticut commuters drive by themselves to work, demonstrating the need for expanded commuter rail access.

(5) The Connecticut Department of Transportation has pledged to modernize, repair, and strengthen the rail line infrastructure to provide for increased safety and security along a crucial transportation corridor in the Northeast.

(6) Expanded New Haven-Springfield rail service would improve access to Bradley International Airport, one of the region's busiest airports, as well as to Hartford, Connecticut, and Springfield, Massachusetts, two of the region's commercial, residential, and industrial centers.

(7) Expanded commuter rail service on the New Haven-Springfield line will result in an estimated 630,000 additional trips per year and 2,215,384 passenger miles per year, helping to curb pollution and greenhouse gas production that vehicle traffic would otherwise produce.

(8) The MetroNorth New Haven Line and Shore Line East railways saw respective 3.43 percent and 4.93 percent increases in ridership over the course of 2007, demonstrating the need for expanded commuter rail service in Connecticut.

(9) Expanded New Haven-Springfield commuter rail service will provide transportation nearly 17 times more efficient in terms of average mileage versus road vehicles, alleviating road congestion and providing a significant savings to consumers during a time of high gas prices.

(b) SENSE OF CONGRESS.—It is the Sense of the Congress that expanded commuter rail

service on the rail line between New Haven, Connecticut, and Springfield, Massachusetts, is an important transportation priority, and Amtrak should work cooperatively with the States of Connecticut and Massachusetts to enable expanded commuter rail service on such line.

(c) INFRASTRUCTURE MAINTENANCE REPORT.—Amtrak shall submit a report to Congress and the State Departments of Transportation of Connecticut and Massachusetts on the total cost of uncompleted infrastructure maintenance on the rail line between New Haven, Connecticut, and Springfield, Massachusetts.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Connecticut (Mr. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. MURPHY of Connecticut. Mr. Chairman, I'd like to allow myself such time as I may consume.

I would like to thank Chairman OBERSTAR for his hard work, not only on the underlying bill, but in his gracious work with me and the Massachusetts and Connecticut delegations to allow us to bring this amendment before the House today.

I rise in strong support of the amendment before us. By supporting the implementation of commuter rail service, as this amendment will assist us between New Haven, Connecticut and Springfield, Massachusetts, we can help strengthen and expand one of my State's most vital transportation corridors.

While Metro North and Shoreline East rail lines provide extensive commuter service across Connecticut's southern coastal region, there is little available service to meet the needs throughout the central portion of the State. Connecticut's existing commuter rail lines have already seen over 5 percent increase in ridership just in the first quarter of 2008, and there's a clear need to expand it throughout the other sectors.

Not only would such rail service help alleviate roadway congestion, save consumers money on gas, and help combat global warming, it would contribute to the economic revitalization of this route. In my district, the city of Meriden is prepared to build a state-of-the-art intermodal transportation hub to take advantage of this new rail line.

At a time when gas prices are squeezing American's budgets like never before, we need to invest in this type of commuter rail service that is available right now on the line that runs between New Haven and Springfield.

We need sensible mass transit solutions, and by expressing strong congressional support for this new proposed rail line, taking advantage of an existing Amtrak line, and by directing Amtrak, as this amendment does, to report on the lines' uncompleted infrastructure maintenance, information that is badly needed in order to make plans going forward to add local commuter service to that line, we are send-

ing a clear signal that the time for action is now.

Again, I would like to thank Chairman OBERSTAR and I would urge support for this amendment.

I reserve the balance of my time.

Mr. SHUSTER. I rise to claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. I just wanted to say that the situation highlighting the situation is certainly important, and I understand why the gentleman is highlighting it.

It would have been covered, it is covered in the underlying bill I believe. But as I said, I understand why the gentleman wants to highlight the situation. And this report to determine the cost of uncompleted infrastructure maintenance is extremely important, and we need to tend to that. This Northeast Corridor is extremely important and, as I said, I do not oppose the amendment, and would accept it.

I yield back my time.

Mr. MURPHY of Connecticut. I thank the gentleman for his support. At this time I would like to yield 1 minute to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Chairman, I want to thank my dear friend and colleague from Connecticut for proposing thoughtful legislation like this.

I commend the gentleman from Pennsylvania for his comments and once again salute our distinguished chairman, Mr. OBERSTAR, who has such great vision on the importance of utilization of rail.

This is vitally important, not only to Connecticut, but both Connecticut and Massachusetts. The rail line between New Haven and Springfield is a vital cog for commerce. It also impacts the second largest airport in New England; and with the vision of Mr. OBERSTAR, an airport that we hope to have be one of the first green airports in the country.

So again I want to applaud my colleague, thank him for his vision, and continue to support the visionary programs that Mr. OBERSTAR and his committee put forward.

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Mr. SHUSTER. Mr. Chairman, I ask unanimous consent to reclaim my time. I yielded back prematurely.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Chairman, I was hoping to get this train running on time, excuse the pun, so if somebody needs me to yield time to them, I will make it available.

Mr. MURPHY of Connecticut. Mr. Chairman, I would like to yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL of Massachusetts. Mr. Chairman, I want to thank Congressman MURPHY and thank Congressman SHUSTER, as well as JIM OBERSTAR, a long time friend here, for offering the support to this proposal that it deserves.

Establishing a New Haven-Hartford-Springfield commuter line would do much to improve the transportation needs of the Northeast Corridor. In addition to contributing to the national effort to reduce carbon emissions, this commuter line would greatly promote economic development for the cities and towns along the line. Union Station, with the help of Mr. OBERSTAR's committee, is now underway and great work we expect to happen there in Springfield.

Mr. Chairman, Connecticut has already dedicated funding for the commuter line and is in the predevelopment phase. And today, the Massachusetts House is expected to approve a \$1.3 billion transportation bill authorizing \$90 million for the commuter developing road transportation line from New Haven to Springfield. A New Haven to Springfield line would also allow for more connections to existing Amtrak routes as well as other planned commuter rails, such as a Boston to Springfield line, which would further extend economic benefits to the region.

Due to improved service, Amtrak ridership has increased in the past few years, and commuters want this progress to continue, particularly in light of gas prices. The Murphy amendment will help maintain this progress and promote this much-needed commuter line. The benefits of incorporating new commuter lines with Amtrak is undeniable and worth the investments.

Commuter rail service would help other industrial cities like Springfield to better connect with regional economies and offer a smarter and cleaner transportation option.

Thanks to the individuals who have stood with us today, and I hope the Murphy amendment will be successful.

Mr. SHUSTER. Mr. Chairman, I yield to the chairman.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Chairman, I rise in support of the gentleman's amendment.

This amendment expresses support for expanded commuter rail service on the rail line between New Haven, Connecticut, and Springfield, Massachusetts, and encourages Amtrak to work cooperatively with the States of Connecticut and Massachusetts to enable expanded commuter rail service on the line. Further, this amendment directs Amtrak to report to Congress and the States on the total cost of uncompleted infrastructure maintenance on the New Haven—Springfield rail line.

Commuter rail is one of the fastest growing modes of public transportation in this country. In 2007, Americans took 461 million trips by commuter rail, a 5.5 percent increase over

2006. Since 1990, New England's highway traffic has increased two to three times faster than its population and commuter rail is a critical transportation link in the Northeast.

According to the 2000 U.S. Census, Connecticut has one of the nation's longer average commute times (24.5 minutes) in the nation, and 80 percent of Connecticut commuters drive themselves to work. The State of Connecticut is seeking to provide additional transportation alternatives to its commuters and is hoping to expand commuter rail service to address its congestion.

This amendment will help Connecticut understand the capital costs needed to better develop its commuter rail infrastructure as it works to develop its passenger transportation systems.

I urge my colleagues to join me in supporting this amendment.

Mr. MURPHY of Connecticut. Mr. Chairman, again, this is a unique opportunity to be able to use an existing rail line. We need—we understand the need in many other parts of the country to build out our infrastructure in Connecticut. We have the unique opportunity to take an existing line, have either a partnership or a transfer of the line to the State Department of Transportation, and with that we believe we will be able to greatly expand our opportunities for mass transit development in the State of Connecticut.

With that, I wonder if the gentleman from Pennsylvania might be willing to yield a few minutes of his time to Ms. DELAURO.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes of our time to the gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I thank the gentleman.

Mr. Chairman, I rise in support of this amendment.

Connecticut has seen a 5.5 percent increase in commuter rail usage over the first quarter of 2008 alone. As gas prices continue to skyrocket, more Americans than ever are looking for new ways to get where they are going without filling their gas tank.

While thousands of Connecticut residents who live in the southern portion of the State are well served by Metro North and the Shoreline East commuter rail, there remains hardly any commuter rail options in the central portion of our State through Hartford and up to Springfield, Massachusetts. Yet New England's traffic has increased 2 to 3 times faster than its population since 1990. When 80 percent of Connecticut commuters drive to work by themselves, we must provide a better alternative.

I want to commend Chairman OBERSTAR for his hard work on this bill. I congratulate my colleague, Mr. MURPHY, whose amendment expresses support for current discussions between Amtrak and the Connecticut Department of Transportation to create a cooperative framework by which an Amtrak-owned New Haven-Springfield rail line could serve as the conduit for increased commuter rail run by Con-

necticut DOT. And his amendment also requires a report to Congress on uncompleted infrastructure maintenance.

Expanded commuter rail service on the New Haven-Springfield line will result in an estimated 630,000 more trips a year and over 2 million passenger miles annually. The demand is there. The benefits are clear.

I urge my colleagues to support this amendment. I thank Chairman OBERSTAR, and I thank you graciously, Mr. SHUSTER, for allowing me to take the time.

Mr. MURPHY of Connecticut. Mr. Chairman, I thank the gentleman from Pennsylvania for his accommodations. We're in support of the amendment.

I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. MURPHY).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. PATRICK J. MURPHY OF PENNSYLVANIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 110-703.

Mr. PATRICK J. MURPHY of Pennsylvania. I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. PATRICK J. MURPHY of Pennsylvania:

In title II, add at the end the following new section (and amend the table of contents accordingly):

**SEC. 225. SERVICE EVALUATION.**

Not later than 1 year after the date of enactment of this Act, Amtrak shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the results of an evaluation of passenger rail service between Cornwells Heights, PA, and New York City, NY, and between Princeton Junction, NJ, and New York City, NY, to determine whether to expand passenger rail service by increasing the frequency of stops or reducing commuter ticket prices for this route.

The Acting CHAIRMAN. Pursuant to House Resolution 1253, the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PATRICK J. MURPHY of Pennsylvania. Thank you, Mr. Chairman. I yield myself 2 minutes.

Mr. Chairman, families across the country are facing record gas prices and increased congestion on our roadways. We hear it every time we go home. And as Members of Congress, we have a responsibility to do what we can do to make things better. This amendment is about making sure that our public transportation resources are being used as effectively and efficiently as possible.

Through this measure, we require Amtrak to take a hard look at passenger rail service at two important rail stations in our districts. Our hope is that they will find a way to help commuters and rail passengers in our districts by either expanding passenger rail service through increasing the frequency of stops or by reducing prices.

For years, the Cornwells Heights and Princeton Junction stations have been hubs for commuters who work in New York City. Amtrak then cut the number of trains at these stations in half. Then they increased prices for our commuters.

Mr. Chairman, countless families rely on the Cornwells Heights and Princeton Junction stations, and as a result of Amtrak's train cuts and fare hikes, families have been forced to drive longer distances or pay much higher fares. Today, our region is making economic progress, and Amtrak has a chance to keep moving us forward.

Mr. Chairman, in these troubled times, our local economy can't afford to take anymore hits and we can't allow commuters to use more time on crowded highways when they could be home with their families.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I claim the time in opposition although I do not oppose the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. We support it, accept the amendment.

Mr. OBERSTAR. Would the gentleman yield?

Mr. SHUSTER. Mr. Chairman, I will yield to the gentleman.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. I rise in support of the Murphy amendment. I feel the amendment is an important contribution to the work of this bill.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Pennsylvania (Mr. MURPHY), the gentlewoman from Pennsylvania (Ms. SCHWARTZ), and the gentleman from New Jersey (Mr. HOLT).

This amendment directs Amtrak to evaluate the passenger rail service between Cornwells Heights, Pennsylvania, and New York, New York, and between Princeton Junction, New Jersey, and New York, New York, to determine whether to expand passenger rail service by increasing the frequency of stops or reducing commuter ticket prices for the route.

Until a few years ago, Cornwells Station was the primary SEPTA and Amtrak station for service into New York City from the Bensalem Township. It has direct access to Interstate 95 and Pennsylvania Route 63, with the largest parking lot on the SEPTA network, making it an ideal terminal for commuter service into New York for many people in the surrounding region.

However, Amtrak recently reduced the number of trains serving the station each day by one-half, while greatly increasing the ticket prices for the service. As a result, ridership

has plummeted, leading Amtrak to consider dropping service to the station all together.

This study has several potential benefits. For one, the Bensalem region is enjoying an economic revitalization, which could be enhanced by increased Amtrak service to Cornwells Heights. Increased Amtrak service would allow for better mobility in the region as well as help relieve local congestion.

I urge my colleagues to join me in supporting the amendment.

Mr. SHUSTER. Mr. Chairman, I reserve the balance of my time.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Chairman, at this time I would like to yield 2 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I thank the gentleman from Pennsylvania for this amendment and for yielding me time. He is very diligent in looking after the concerns of the people of his area in Pennsylvania, and in this amendment, I must say it also benefits—would benefit the people of New Jersey as well.

When you look at the numbers where Amtrak is setting record highs for numbers of users—25 million users last year—and look at how in New Jersey the State rail system is breaking ridership records for the 6th straight year with over 900,000 trips per weekday on its trains, buses, and light rails, and you match that with the increased costs of commuting by internal combustion cars, it should be apparent that Amtrak should do everything it can to attract riders on these underused routes; and that is exactly what the Murphy-Schwartz-Holt amendment seeks to do.

It would require Amtrak to re-examine the service cuts that it's made at two stations to see if it would be feasible to increase services at those stations. They can do this through service and pricing. I hear from my constituents about this. One constituent, John, who commutes from Princeton Junction, summed it up by saying Amtrak seems to be driving customers away. It has negative effects, including increased automobile traffic and consequences on the environment.

I strongly urge my colleagues to support this amendment, and I thank Mr. MURPHY for preparing it.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, I don't rise in opposition of the gentleman from Pennsylvania's amendment. In fact, he's looking for solutions in his district, in his area to provide commuter service to get people out of their cars to deal with increased congestion and high-rising fuel costs.

But the gentleman from Pennsylvania is no different from the gentleman from Connecticut, from the gentlewoman from Arizona, the gentleman from California, from the gentleman from Ohio. We're drowning in congestion in this country. This bill provides a first opportunity to look at

cost-effective ways of providing that service.

So we've got to support commuter rail across the Nation. We've got to take some of these underutilized urban rail corridors that formally serve freight and convert those to commuter rail systems. We've got to find a host of solutions and incorporate private sector initiatives in these to make it happen because they can bring projects in on time and under budget and at the lowest cost possible.

It is true that we may have to subsidize commuter rail service, long-distance service, and some high-speed service, but we want that at the minimum cost to the taxpayer, the maximum benefit to those that we need to serve.

So we will support the amendment, but again, what you hear from the gentleman from Pennsylvania is what we're hearing from 435 congressional districts.

Mr. SHUSTER. Mr. Chairman, I reserve the balance of my time.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Chairman, I yield myself the balance of our time.

Mr. Chairman, it now costs a Cornwells Heights commuter \$972 per month just to get to work and back. More importantly, the cuts in service have put more cars on our clogged highways, more exhaust fumes in the air, and forced our hardworking constituents to spend more time getting to and from work and less time at home. That means more time on a train or in traffic and less time at home with the ones that they love.

Mr. Chairman, our region is experiencing the economic revitalization. Increased rail service and more riders means progress, while more cuts means going backwards. I would like to thank the chairman, Chairman OBERSTAR. I would like to thank my colleague from Pennsylvania, Mr. SHUSTER. I would like to thank my colleague from New Jersey, Mr. HOLT, and also my other colleague from Pennsylvania, Ms. SCHWARTZ, for their support on this important measure.

I yield back the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PATRICK J. MURPHY).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. SESSIONS

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on amendment No. 4 printed in House Report 110-703.

The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 150, noes 275, not voting 13, as follows:

[Roll No. 397]

AYES—150

Aderholt	Garrett (NJ)	Musgrave
Akin	Gingrey	Myrick
Bachmann	Gohmert	Neugebauer
Barrett (SC)	Goodlatte	Nunes
Bartlett (MD)	Granger	Paul
Barton (TX)	Graves	Pearce
Biggert	Hall (TX)	Pence
Bilbray	Hastings (WA)	Perlmutter
Bilirakis	Hayes	Peterson (PA)
Bishop (UT)	Heller	Petri
Blackburn	Hensarling	Pitts
Blunt	Herger	Poe
Boehner	Hobson	Price (GA)
Bonner	Hoekstra	Pryce (OH)
Brady (TX)	Hunter	Radanovich
Broun (GA)	Inglis (SC)	Ramstad
Brown (SC)	Issa	Reichert
Brown-Waite,	Johnson, Sam	Renzi
Ginny	Jones (NC)	Rogers (AL)
Buchanan	Jordan	Rogers (KY)
Burgess	Keller	Rogers (MI)
Burton (IN)	King (IA)	Rohrabacher
Calvert	Kingston	Roskam
Camp (MI)	Kirk	Royce
Campbell (CA)	Kline (MN)	Ryan (WI)
Cantor	Knollenberg	Sali
Capito	Kuhl (NY)	Schmidt
Carter	LaHood	Sensenbrenner
Chabot	Lamborn	Sessions
Coble	Latham	Shadegg
Cole (OK)	Latta	Shays
Conaway	Lewis (CA)	Shimkus
Cooper	Lewis (KY)	Smith (NE)
Cubin	Linder	Smith (TX)
Culberson	Lucas	Souder
Davis (KY)	Lungren, Daniel	Stearns
Davis, David	E.	Sullivan
Davis, Tom	Mack	Terry
Deal (GA)	Manzullo	Thornberry
Drake	Marchant	Tiahrt
Dreier	Matheson	Tiberi
Duncan	McCarthy (CA)	Walberg
Emerson	McCaul (TX)	Walden (OR)
Everett	McHenry	Wamp
Fallin	McKeon	Weldon (FL)
Feeney	McMorris	Westmoreland
Forbes	Rodgers	Wilson (SC)
Fossella	Miller (FL)	Wittman (VA)
Foxx	Miller (MI)	Wolf
Franks (AZ)	Miller, Gary	Young (AK)
Gallegly	Moran (KS)	Young (FL)

NOES—275

Abercrombie	Capps	Dent
Ackerman	Capuano	Diaz-Balart, L.
Alexander	Cardoza	Diaz-Balart, M.
Allen	Carnahan	Dicks
Altmire	Carney	Dingell
Andrews	Carson	Doggett
Arcuri	Castle	Donnelly
Baca	Castor	Doyle
Bachus	Cazayoux	Edwards
Baird	Chandler	Ehlers
Baldwin	Childers	Ellison
Barrow	Christensen	Ellsworth
Bean	Clarke	Emanuel
Becerra	Clay	Engel
Berkley	Cleaver	English (PA)
Berman	Clyburn	Eshoo
Berry	Cohen	Etheridge
Bishop (GA)	Conyers	Faleomavaega
Bishop (NY)	Costa	Farr
Blumenauer	Costello	Fattah
Bono Mack	Courtney	Ferguson
Boozman	Cramer	Filner
Bordallo	Crenshaw	Fortenberry
Boren	Crowley	Foster
Boswell	Cuellar	Frank (MA)
Boucher	Cummings	Frelinghuysen
Boustany	Davis (AL)	Gerlach
Boyd (FL)	Davis (CA)	Giffords
Boyd (KS)	Davis (IL)	Gilchrest
Brady (PA)	Davis, Lincoln	Gonzalez
Brown, Corrine	DeFazio	Goode
Butterfield	DeGette	Gordon
Buyer	Delahunt	Green, Al
Cannon	DeLauro	Green, Gene

Grijalva	McDermott	Scalise
Gutierrez	McGovern	Schakowsky
Hall (NY)	McHugh	Schiff
Hare	McIntyre	Schwartz
Harman	McNerney	Scott (GA)
Hastings (FL)	McNulty	Scott (VA)
Herseht Sandlin	Meek (FL)	Serrano
Higgins	Meeks (NY)	Sestak
Hill	Melancon	Shea-Porter
Hinchey	Mica	Sherman
Hinojosa	Michaud	Shuler
Hirono	Miller (NC)	Shuster
Hodes	Miller, George	Simpson
Holden	Mitchell	Sires
Holt	Mollohan	Skelton
Honda	Moore (KS)	Slaughter
Hooley	Moore (WI)	Smith (NJ)
Hoyer	Moran (VA)	Smith (WA)
Insee	Murphy (CT)	Smith (WA)
Israel	Murphy (CT)	Snyder
Israel	Murphy, Patrick	Solis
Jackson (IL)	Murphy, Tim	Space
Jackson-Lee	Murphy, Tim	Speier
(TX)	Murtha	Stark
Jefferson	Nadler	Stupak
Johnson (GA)	Napolitano	Sutton
Johnson (IL)	Neal (MA)	Tanner
Johnson, E. B.	Oberstar	Tauscher
Jones (OH)	Obey	Taylor
Kagen	Olver	Thompson (CA)
Kanjorski	Pallone	Thompson (MS)
Kaptur	Pascrell	Tierney
Kennedy	Pastor	Towns
Kildee	Payne	Tsongas
Kilpatrick	Peterson (MN)	Turner
Kind	Pickering	Udall (CO)
King (NY)	Platts	Udall (NM)
Klein (FL)	Pomeroy	Upton
Kucinich	Porter	Van Hollen
Lampson	Price (NC)	Velázquez
Langevin	Putnam	Visclosky
Larsen (WA)	Rahall	Walsh (NY)
Larsen (CT)	Rangel	Walz (MN)
LaTourette	Regula	Wasserman
Lee	Rehberg	Schultz
Lee	Reyes	Waters
Levin	Reynolds	Watson
Lewis (GA)	Richardson	Watt
Lipinski	Rodriguez	Waxman
LoBiondo	Ros-Lehtinen	Weiner
Lofgren, Zoe	Ross	Welch (VT)
Lowe	Rothman	Weller
Lynch	Roybal-Allard	Wexler
Mahoney (FL)	Ruppersberger	Whitfield (KY)
Maloney (NY)	Ryan (OH)	Wilson (NM)
Markey	Salazar	Wilson (OH)
Marshall	Sánchez, Linda	Woolsey
Matsui	T.	Wu
McCarthy (NY)	Sanchez, Loretta	Yarmuth
McCollum (MN)	Sarbanes	
McCotter	Saxton	

NOT VOTING—13

Braley (IA)	Hulshof	Rush
Doolittle	Loebsock	Spratt
Flake	McCrery	Tancredo
Fortuño	Norton	
Gillibrand	Ortiz	

□ 1357

Messrs. CLEAVER, RANGEL, JACKSON of Illinois, BOUCHER, PICKERING, BERMAN, CROWLEY, WHITFIELD of Kentucky, BOOZMAN and DENT, and Ms. CLARKE, Ms. MOORE of Wisconsin, Ms. WASSERMAN SCHULTZ and Mrs. BONO MACK changed their vote from “aye” to “no.”

Messrs. COOPER, TERRY, MCKEON, BILBRAY, FEENEY, PETERSON of Pennsylvania and Mrs. SCHMIDT changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. NORTON. Mr. Chairman, on rollcall No. 397, had I been present, I would have voted “no.”

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amend-

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TIERNEY) having assumed the chair, Mr. CUELLAR, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 6003) to reauthorize Amtrak, and for other purposes, pursuant to House Resolution 1253, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

Mr. BROUN of Georgia. Mr. Speaker, I ask for a re-vote on the Davis of Virginia amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment to the amendment reported from the Committee of the Whole?

The Clerk will designate the amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 110-703 offered by Mr. DAVIS of Virginia:  
Add at the end of title I the following new section:

**SEC. 105. AUTHORIZATION FOR CAPITAL AND PREVENTIVE MAINTENANCE PROJECTS FOR WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.**

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to the succeeding provisions of this section, the Secretary of Transportation is authorized to make grants to the Transit Authority, in addition to the contributions authorized under sections 3, 14, and 17 of the National Capital Transportation Act of 1969 (sec. 9—1101.01 et seq., D.C. Official Code), for the purpose of financing in part the capital and preventive maintenance projects included in the Capital Improvement Program approved by the Board of Directors of the Transit Authority.

(2) DEFINITIONS.—In this section—

(A) the term “Transit Authority” means the Washington Metropolitan Area Transit Authority established under Article III of the Compact; and

(B) the term “Compact” means the Washington Metropolitan Area Transit Authority Compact (80 Stat. 1324; Public Law 89-774).

(b) USE OF FUNDS.—The Federal grants made pursuant to the authorization under this section shall be subject to the following limitations and conditions:

(1) The work for which such Federal grants are authorized shall be subject to the provisions of the Compact (consistent with the amendments to the Compact described in subsection (d)).

(2) Each such Federal grant shall be for 50 percent of the net project cost of the project involved, and shall be provided in cash from sources other than Federal funds or revenues from the operation of public mass transportation systems. Consistent with the terms of



the amendment to the Compact described in subsection (d)(1), any funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or reserves available in cash, or new capital.

(3) Such Federal grants may be used only for the maintenance and upkeep of the systems of the Transit Authority as of the date of the enactment of this Act and may not be used to increase the mileage of the rail system.

(c) APPLICABILITY OF REQUIREMENTS FOR MASS TRANSPORTATION CAPITAL PROJECTS RECEIVING FUNDS UNDER FEDERAL TRANSPORTATION LAW.—Except as specifically provided in this section, the use of any amounts appropriated pursuant to the authorization under this section shall be subject to the requirements applicable to capital projects for which funds are provided under chapter 53 of title 49, United States Code, except to the extent that the Secretary of Transportation determines that the requirements are inconsistent with the purposes of this section.

(d) AMENDMENTS TO COMPACT.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section until the Transit Authority notifies the Secretary of Transportation that each of the following amendments to the Compact (and any further amendments which may be required to implement such amendments) have taken effect:

(1)(A) An amendment requiring that all payments by the local signatory governments for the Transit Authority for the purpose of matching any Federal funds appropriated in any given year authorized under subsection (a) for the cost of operating and maintaining the adopted regional system are made from amounts derived from dedicated funding sources.

(B) For purposes of this paragraph, the term “dedicated funding source” means any source of funding which is earmarked or required under State or local law to be used to match Federal appropriations authorized under this Act for payments to the Transit Authority.

(2) An amendment establishing an Office of the Inspector General of the Transit Authority.

(3) An amendment expanding the Board of Directors of the Transit Authority to include 4 additional Directors appointed by the Administrator of General Services, of whom 2 shall be nonvoting and 2 shall be voting, and requiring one of the voting members so appointed to be a regular passenger and customer of the bus or rail service of the Transit Authority.

(e) ACCESS TO WIRELESS SERVICE IN METRO-RAIL SYSTEM.—

(1) REQUIRING TRANSIT AUTHORITY TO PROVIDE ACCESS TO SERVICE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that customers of the rail service of the Transit Authority have access within the rail system to services provided by any licensed wireless provider that notifies the Transit Authority (in accordance with such procedures as the Transit Authority may adopt) of its intent to offer service to the public, in accordance with the following timetable:

(A) Not later than 1 year after the date of the enactment of this Act, in the 20 underground rail station platforms with the highest volume of passenger traffic.

(B) Not later than 4 years after such date, throughout the rail system.

(2) ACCESS OF WIRELESS PROVIDERS TO SYSTEM FOR UPGRADES AND MAINTENANCE.—No amounts may be provided to the Transit Authority pursuant to the authorization under this section unless the Transit Authority ensures that each licensed wireless provider

who provides service to the public within the rail system pursuant to paragraph (1) has access to the system on an ongoing basis (subject to such restrictions as the Transit Authority may impose to ensure that such access will not unduly impact rail operations or threaten the safety of customers or employees of the rail system) to carry out emergency repairs, routine maintenance, and upgrades to the service.

(3) PERMITTING REASONABLE AND CUSTOMARY CHARGES.—Nothing in this subsection may be construed to prohibit the Transit Authority from requiring a licensed wireless provider to pay reasonable and customary charges for access granted under this subsection.

(4) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and each of the 3 years thereafter, the Transit Authority shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the implementation of this subsection.

(5) DEFINITION.—In this subsection, the term “licensed wireless provider” means any provider of wireless services who is operating pursuant to a Federal license to offer such services to the public for profit.

(f) AMOUNT.—There are authorized to be appropriated to the Secretary of Transportation for grants under this section an aggregate amount not to exceed \$1,500,000,000 to be available in increments over 10 fiscal years beginning in fiscal year 2009, or until expended.

(g) AVAILABILITY.—Amounts appropriated pursuant to the authorization under this section shall remain available until expended.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BROUN of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 295, noes 127, not voting 11, as follows:

[Roll No. 398]  
AYES—295

Abercrombie	Butterfield	Davis, Lincoln
Ackerman	Buyer	Davis, Tom
Aderholt	Cantor	DeFazio
Alexander	Capito	DeGette
Allen	Capps	Delahunt
Altmire	Capuano	DeLauro
Andrews	Cardoza	Dent
Arcuri	Carnahan	Diaz-Balart, L.
Baca	Carney	Diaz-Balart, M.
Baird	Carson	Dicks
Baldwin	Castle	Dingell
Barrow	Castor	Doggett
Bartlett (MD)	Cazayoux	Donnelly
Barton (TX)	Chandler	Doolittle
Becerra	Childers	Doyle
Berkley	Clarke	Drake
Berman	Clay	Edwards
Berry	Cleaver	Ellison
Bishop (GA)	Clyburn	Ellsworth
Bishop (NY)	Cohen	Emanuel
Blumenauer	Conyers	Emerson
Blunt	Cooper	Engel
Bono Mack	Costa	English (PA)
Boren	Costello	Eshoo
Boswell	Courtney	Etheridge
Boucher	Cramer	Everett
Boustany	Crowley	Fallin
Boyd (FL)	Cubin	Farr
Boyd (KS)	Cueellar	Fattah
Brady (PA)	Cummings	Ferguson
Brown, Corrine	Davis (AL)	Filner
Brown-Waite,	Davis (CA)	Forbes
Ginny	Davis (IL)	Fortenberry

Fossella	Lucas	Sánchez, Linda
Foster	Lungren, Daniel	T.
Frank (MA)	E.	Sanchez, Loretta
Gerlach	Lynch	Sarbanes
Giffords	Mahoney (FL)	Schakowsky
Gilchrest	Maloney (NY)	Schiff
Gohmert	Markey	Schwartz
Gonzalez	Marshall	Scott (GA)
Goode	Matheson	Scott (VA)
Goodlatte	Matsui	Serrano
Gordon	McCarthy (NY)	Sestak
Green, Al	McCollum (MN)	Shays
Green, Gene	McDermott	Shea-Porter
Grijalva	McGovern	Sherman
Gutierrez	McHugh	Shuler
Hall (NY)	McIntyre	Shuster
Hare	McNerney	Sires
Harman	McNulty	Skelton
Hastings (FL)	Meek (FL)	Slaughter
Herseth Sandlin	Meeks (NY)	Smith (NJ)
Higgins	Melancon	Smith (TX)
Hill	Mica	Smith (WA)
Hinchey	Michaud	Snyder
Hinojosa	Miller (MI)	Solis
Hirono	Miller (NC)	Space
Hodes	Miller, George	Speier
Holden	Mitchell	Spratt
Holt	Mollohan	Stark
Honda	Moore (KS)	Stupak
Hooley	Moore (WI)	Sullivan
Hoyer	Moran (VA)	Sutton
Inslee	Murphy (CT)	Tanner
Israel	Murphy, Patrick	Tauscher
Issa	Murphy, Tim	Taylor
Jackson (IL)	Murtha	Thompson (CA)
Jackson-Lee	Nadler	Thompson (MS)
(TX)	Napolitano	Tiahrt
Jefferson	Neal (MA)	Tierney
Johnson (GA)	Nunes	Towns
Johnson (IL)	Oberstar	Tsongas
Johnson, E. B.	Obey	Turner
Jones (NC)	Oliver	Udall (CO)
Jones (OH)	Pallone	Udall (NM)
Kagen	Pascrell	Upton
Kanjorski	Pastor	Van Hollen
Kaptur	Payne	Velázquez
Kennedy	Perlmutter	Visclosky
Kildee	Pickering	Walsh (NY)
Kilpatrick	Platts	Walz (MN)
Kind	Pomeroy	Wasserman
King (NY)	Porter	Schultz
Kirk	Price (NC)	Waters
Klein (FL)	Rahall	Watson
Kucinich	Rangel	Watt
LaHood	Regula	Waxman
Lampson	Renzi	Weiner
Langevin	Reyes	Welch (VT)
Larsen (WA)	Richardson	Weldon (FL)
Larson (CT)	Rodriguez	Weller
LaTourette	Rogers (AL)	Wexler
Lee	Ross	Wilson (OH)
Levin	Rothman	Wittman (VA)
Lewis (GA)	Roybal-Allard	Wolf
Lipinski	Ruppersberger	Woolsey
LoBiondo	Ryan (OH)	Wu
Lofgren, Zoe	Salazar	Yarmuth
Lowey		Young (AK)

NOES—127

Akin	Davis, David	Knollenberg
Bachmann	Deal (GA)	Kuhl (NY)
Bachus	Dreier	Lamborn
Barrett (SC)	Duncan	Latham
Bean	Ehlers	Latta
Biggart	Feeney	Lewis (CA)
Bilbray	Foxx	Lewis (KY)
Bilirakis	Franks (AZ)	Linder
Bishop (UT)	Frelinghuysen	Mack
Boehner	Gallely	Manzullo
Bonner	Garrett (NJ)	Marchant
Boozman	Gingrey	McCarthy (CA)
Brady (TX)	Granger	McCaul (TX)
Broun (GA)	Graves	McCotter
Brown (SC)	Hall (TX)	McHenry
Buchanan	Hastings (WA)	McKeon
Burgess	Hayes	Miller (FL)
Burton (IN)	Heller	Miller, Gary
Calvert	Hensarling	Moran (KS)
Camp (MI)	Herger	Musgrave
Campbell (CA)	Hobson	Myrick
Cannon	Hoekstra	Neugebauer
Carter	Hunter	Paul
Chabot	Inglis (SC)	Pearce
Coble	Johnson, Sam	Pence
Cole (OK)	Jordan	Peterson (PA)
Conaway	Keller	Petri
Crenshaw	King (IA)	Pitts
Culberson	Kingston	Poe
Davis (KY)	Kline (MN)	Price (GA)

Pryce (OH)	Ryan (WI)	Terry
Putnam	Sali	Thornberry
Radanovich	Saxton	Tiberi
Ramstad	Scalise	Walberg
Rehberg	Schmidt	Walden (OR)
Reichert	Sensenbrenner	Wamp
Reynolds	Sessions	Westmoreland
Rogers (KY)	Shadegg	Whitfield (KY)
Rogers (MI)	Shimkus	Wilson (NM)
Rohrabacher	Simpson	Wilson (SC)
Ros-Lehtinen	Smith (NE)	Young (FL)
Roskam	Souder	
Royce	Stearns	

NOT VOTING—11

Blackburn	Loeb sack	Rush
Bralley (IA)	McCrery	Tancredo
Flake	McMorris	
Gillibrand	Rodgers	
Hulshof	Ortiz	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Two minutes are remaining to vote.

□ 1415

Messrs. KELLER of Florida, HAYES and COLE of Oklahoma changed their vote from “aye” to “no.”

Messrs. GOODLATTE and SHUSTER changed their vote from “no” to “aye.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. DAVIS OF KENTUCKY

Mr. DAVIS of Kentucky. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DAVIS of Kentucky. Yes, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Davis of Kentucky moves to recommit the bill H.R. 6003 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House promptly in the form to which perfected at the time of this motion, with the following amendment:

In title II, add at the end the following new section (and amend the table of contents accordingly):

**SEC. 225. LOCOMOTIVE ALTERNATIVE FUEL STUDY.**

(a) IN GENERAL.—The Administrator of the Federal Railroad Administration, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall conduct a study to determine the extent to which freight and passenger rail operators could use domestically available alternative fuels to power their locomotive fleets and other vehicles that operate on rail tracks.

(b) DEFINITION.—For purposes of this section, the term “domestically available alternative fuels” means fuels that are derived

from coal, oil shale, oil sands, natural gas, methane, or butanol and are available within the United States.

(c) FACTORS.—In conducting the study, the Federal Railroad Administration shall consider—

(1) the energy intensity of various alternative fuels compared to diesel fuel;

(2) the cost of purchasing and the domestic availability of alternative fuels;

(3) the public benefits derived from the use of such fuels; and

(4) the effect of alternative fuel use on relevant locomotive and other vehicle performance.

(d) LOCOMOTIVE TESTING.—As part of the study, the Federal Railroad Administration shall test locomotive engine performance and emissions using alternative fuels.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the Federal Railroad Administration shall transmit the results of this study to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

Mr. DAVIS of Kentucky (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. OBERSTAR. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 5 minutes.

Mr. DAVIS of Kentucky. Mr. Speaker, the Passenger Rail Investment and Improvement Act of 2008 will expand transportation options for some commuters. It doesn't address the underlying problem affecting all Americans.

The current energy climate has highlighted the critical need for America to develop a national energy strategy that will promote energy independence. We can no longer rely on unstable foreign entities to supply us with the resources we need to keep our country running. We need to use American resources to meet American energy needs.

Although section 219 of H.R. 6003 authorizes \$1 million to the Department of Transportation to study the potential for renewable biofuels, the bill makes no mention of utilizing the huge proven resources that we have in this country at our fingertips. We need to address the underlying and immediate issues of increasing our domestic supply of energy to reduce prices. This MTR would expand the scope of the study to include those American resources that are now available, like coal, natural gas and oil shale.

One year ago, Amtrak was buying fuel for \$2.19 a gallon. As of May 22, 2008, Amtrak was forced to pay \$4.26 a gallon. This dubious milestone was achieved 776 days after the current Speaker of the House stated that Democrats had a commonsense plan to bring down skyrocketing fuel prices. That plan has yet to materialize, and a

new CNN poll shows that 86 percent of our citizens believe that gas prices will hit \$5 a gallon this summer.

Indeed, the majority has pursued a misguided energy strategy that tightens the vice on American consumers in the form of higher taxes and higher energy prices. Frankly, we need to use American resources for Americans now. While I don't object to public transportation as a sound alternative to commuting by car, expanding Amtrak service still doesn't lessen our dependency on foreign oil.

Skyrocketing fuel prices are affecting every aspect of our daily lives. We all know the impact it is having on our family budgets. But it is also having a dramatic impact on many other budgets, ranging from school districts to local governments to the Armed Forces. Even Amtrak's budget is ballooning with these increasing prices. Their fuel budget for 2008 has increased from \$125 million to \$215 million.

In the areas where American budgets are being hardest hit by gas prices, consuming 16 percent of gross income, they have very little access to Amtrak. How does this bill help those Americans deal with our energy prices?

My constituents can literally no longer afford the empty promises and failed policies of this Congress. What we need now is an action plan that focuses on real solutions that use real resources to address our short and long-term needs, putting all the options on the table to be considered. It will unleash American innovation, create American jobs and lower prices for American consumers.

We need to focus on increasing our domestic energy supply by exploring the resources that rest at our fingertips on the Outer Continental Shelf and in the Alaskan National Wildlife Reserve. These resources could significantly increase our domestic oil production and supply a considerable amount of our energy needs. Yet the Democratic majority refuses to allow the American people to access resources that are on their own soil. I echo the recent declaration that we need to drill here, we need to drill now, and then we will pay less.

We need to promote the research and development of renewable resources while investigating the potential for alternative fuels developed from coal-to-liquids, hydrogen, and other new technologies to lessen our dependency on foreign oil supply shocks.

Congress has been historically shortsighted about the use of our most abundant fuel, coal, to boost our energy supply. The United States is estimated to have 40 times the amount of energy stored in coal reserves than we have in our domestic oil reserves. American coal resources in Kentucky, Indiana and Illinois exceed the oil resources of Saudi Arabia and is an excellent source for American energy. With oil prices heading towards \$150 a barrel, how can we not afford to explore our own domestic resources?

The leaders of this Congress have proven themselves to be out of touch, turning blindly away from any attempt to relieve the American people of their burden with practical solutions. We need to lower prices for the American people. By continually refusing to recognize the problem at hand, the Democratic majority is causing irrevocable harm to our Nation.

I urge all my colleagues to support the motion to recommit the bill to broaden the Locomotive Alternative Fuel Study to include American reserves that will increase domestic oil supply, reduce costs and make us more independent from foreign oil. The best thing that we can do for Amtrak is to lower fuel prices. If we use our resources for Americans, we can ignite a third industrial revolution that will create millions of jobs and provide a future for our children.

Mr. Speaker, I yield back.

Mr. OBERSTAR. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. Mr. Speaker, this is only a halfhearted attempt. If it were a wholehearted attempt, the motion would have included soybean oil and ethanol and it would have included the word "forthwith" and we could have accepted it. In fact, if the gentleman had come to the committee, both the Republican and Democratic side of the committee in the course of consideration of the bill, if he were serious about this matter, we would have included it in our section 219, Locomotive Biofuel Study. There is no reason we couldn't include all of what the gentleman is saying, plus additional items. But I think by using the word "promptly," clearly this is just another gesture, a political gesture, to sidetrack the bill. Sending it back to committee simply delays the benefits of Amtrak.

We have worked diligently over the better part of a year-and-a-half, Republicans and Democrats together on the committee, and fashioned a wide-ranging proposition for the future of intercity passenger rail in America, introducing extraordinary reforms that have not been considered or have been rejected in the past. We have included those in this bill.

We include a locomotive biofuel study. We require locomotive testing. We require a report. We require it to be done in a very specific period of time. We also require a study on the use of bio-based lubricants for Amtrak to use.

□ 1430

In fact, soybean-derived fuel is being used by the freight rail sector in what is known as Green Goat technology, Green Goat locomotives and freight rail makeup switchyards with great success.

The Green Goat technology using soybean-based fuel is reducing particulate emissions in rail makeup yards re-

ducing noise and also reducing cost of maintenance of locomotives because the fuel also provides lubricating quality to a locomotive engine.

Furthermore, to insist that we move on this amendment—I think an earlier version I saw would have required implementation immediately—Amtrak has warranties with General Electric, who produces the P42 locomotives for Amtrak's fleet. That's the backbone of their diesel locomotive fleet.

To force Amtrak to rush into applying some not-yet proven technology would vitiate the warranties, would increase the cost, would subject Amtrak having to absorb all the costs instead of GE, the locomotive engine producer, absorbing the costs.

Again, I say we are very accommodating on this committee. We want good ideas. We would have welcomed the gentleman's ideas in the fashioning of the legislation. In fact, if this had been a forthwith motion, we could have accepted it with an amendment to include biodiesel fuel, soybean-based fuel.

But the way it's fashioned simply sidetracks the very good bill, the extraordinary progress we have made with bringing passenger high-speed rail service to all of America. This is a transformational moment, this Amtrak legislation, a transformational moment in American transportation to bring our country into the first world of intercity high-speed passenger rail service, to make changes in the way Amtrak operates, to invite the private sector in to be a partner in fashioning a future for Amtrak.

Don't sidetrack it with this frivolous motion that comes way late in the process and is not serious at all in its purpose. If it were serious at all in its purpose, it would have come to the committee, we would have done something about it, we would have included this language earlier on in the bill.

Oppose the motion.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DAVIS of Kentucky. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 6003; the motion to refer House Resolution 1258; and the motion to suspend the rules on H. Res. 1235.

The vote was taken by electronic device, and there were—yeas 194, nays 230, not voting 9, as follows:

[Roll No. 399]

YEAS—194

Aderholt	Frelinghuysen	Myrick
Akin	Galleghy	Neugebauer
Alexander	Garrett (NJ)	Nunes
Bachmann	Gerlach	Paul
Bachus	Gingrey	Pearce
Barrett (SC)	Gohmert	Pence
Bartlett (MD)	Goode	Peterson (PA)
Barton (TX)	Goodlatte	Petri
Biggart	Granger	Pickering
Blibray	Graves	Pitts
Bilirakis	Hall (TX)	Poe
Bishop (UT)	Hastings (WA)	Porter
Blackburn	Hayes	Price (GA)
Blunt	Heller	Pryce (OH)
Boehner	Hensarling	Putnam
Bonner	Herger	Radanovich
Bono Mack	Hill	Ramstad
Boozman	Hobson	Regula
Boustany	Hoekstra	Rehberg
Brady (TX)	Hunter	Reichert
Broun (GA)	Inglis (SC)	Renzi
Brown (SC)	Issa	Reynolds
Brown-Waite,	Johnson (IL)	Rogers (AL)
Ginny	Johnson, Sam	Rogers (KY)
Buchanan	Jones (NC)	Rogers (MI)
Burgess	Jordan	Rohrabacher
Burton (IN)	Keller	Ros-Lehtinen
Buyer	King (IA)	Roskam
Calvert	King (NY)	Royce
Camp (MI)	Kingston	Ryan (WI)
Campbell (CA)	Kirk	Sali
Cannon	Kline (MN)	Saxton
Cantor	Knollenberg	Scalise
Capito	Kuhl (NY)	Schmidt
Carter	Lamborn	Sensenbrenner
Chabot	Lampson	Sessions
Coble	Latham	Shadegg
Cole (OK)	Latta	Shays
Conaway	Lewis (CA)	Shimkus
Crenshaw	Lewis (KY)	Shuster
Cubin	Linder	Simpson
Culberson	LoBiondo	Smith (NE)
Davis (KY)	Lucas	Smith (NJ)
Davis, David	Lungren, Daniel	Smith (TX)
Deal (GA)	E.	Souder
Dent	Mack	Stearns
Diaz-Balart, L.	Manzullo	Sullivan
Diaz-Balart, M.	Marchant	Terry
Donnelly	Marshall	Thornberry
Doolittle	Matheson	Tiahrt
Drake	McCarthy (CA)	Tiberi
Dreier	McCaul (TX)	Turner
Duncan	McCotter	Upton
Ehlers	McHenry	Walberg
Ellsworth	McHugh	Walden (OR)
Emerson	McKeon	Walsh (NY)
English (PA)	McMorris	Wamp
Everett	Rodgers	Weldon (FL)
Fallin	McNerney	Westmoreland
Feeney	Mica	Whitfield (KY)
Ferguson	Miller (FL)	Wilson (NM)
Forbes	Miller (MI)	Wilson (SC)
Fortenberry	Miller, Gary	Wittman (VA)
Fossella	Moran (KS)	Young (AK)
Foxx	Murphy, Tim	Young (FL)
Franks (AZ)	Musgrave	

NAYS—230

Abercrombie	Cardoza	DeFazio
Ackerman	Carnahan	DeGette
Allen	Carney	Delahunt
Altmire	Carson	DeLauro
Andrews	Castle	Dicks
Arcuri	Castor	Dingell
Baca	Cazayoux	Doggett
Baird	Chandler	Doyle
Baldwin	Childers	Edwards
Barrow	Clarke	Ellison
Bean	Clay	Emanuel
Becerra	Cleaver	Engel
Berkley	Clyburn	Eshoo
Berman	Cohen	Etheridge
Berry	Conyers	Farr
Bishop (GA)	Cooper	Fattah
Bishop (NY)	Costa	Finer
Blumenauer	Costello	Poster
Boren	Courtney	Frank (MA)
Boswell	Cramer	Giffords
Boucher	Crowley	Gilchrest
Boyd (FL)	Cuellar	Gonzalez
Boyda (KS)	Cummings	Gordon
Brady (PA)	Davis (AL)	Green, Al
Brown, Corrine	Davis (CA)	Green, Gene
Butterfield	Davis (IL)	Grijalva
Capps	Davis, Lincoln	Gutierrez
Capuano	Davis, Tom	Hall (NY)

Hare McDermott Schwartz Blumenauer Higgins Petri  
 Harman McGovern Scott (GA) Bono Mack Hill Pickering  
 Hastings (FL) McIntyre Scott (VA) Boozman Hinchey Platts Aderholt  
 Herseth Sandlin McNulty Serrano Boren Hinojosa Poe Akin Forbes Neugebauer  
 Higgins Meek (FL) Sestak Boswell Hirono Pomeroy Bachmann Nunes  
 Hinchey Meeks (NY) Shea-Porter Hodes Price (NC) Pomeroy Franks (AZ) Paul  
 Hinojosa Melancon Sherman Boyd (FL) Holden Holt Pomeroy Barton (TX) Gallegly Pearce  
 Hirono Michaud Shuler Boyda (KS) Holt Putnam Bilbray Hall (TX) Peterson (PA)  
 Hodes Miller (NC) Sires Brady (PA) Honda Rahall Hastings (WA) Pitts  
 Holden Miller, George Skelton Brown (SC) Hooley Rangel Rangel Heller Porter  
 Holt Mitchell Slaughter Brown, Corrine Hoyer Regula Blackburn Hensarling Price (GA)  
 Honda Mollohan Smith (WA) Brown-Waite, Insee Rehberg Boehner Herger Radanovich  
 Hooley Moore (KS) Snyder Brown-Waite, Israel Reichert Bonner Hobson Ramstad  
 Hoyer Moore (WI) Solis Buchanan Jackson (IL) Renzi Boustany Hoekstra Rogers (KY)  
 Inslee Moran (VA) Space Buyer Jackson-Lee Reyes Brady (TX) Hunter Rogers (MI)  
 Israel Murphy (CT) Speier Cantor Broun (GA) Broun (GA) Inglis (SC) Rohrabacher  
 Jackson (IL) Murphy, Patrick Capito Jefferson Reynolds Richardso Johnson, Sam Royce  
 Jackson-Lee Murtha Spratt Stark Johnson (GA) Johnson (IL) Rodriguez Ryan (WI)  
 (TX) Nadler Johnson (GA) Johnson (IL) Rodriguez Ryan (WI) Calvert  
 Jefferson Napolitano Neal (MA) Jones (NC) Jones (NC) Jones (NC) Kline (MN) Sali  
 Johnson (GA) Neal (MA) Jones (NC) Jones (NC) Jones (NC) Kline (MN) Scalise  
 Johnson, E. B. Oberstar Carney Jones (OH) Jones (OH) Jones (OH) Lamborn Schmidt  
 Jones (OH) Obey Taylor Tauscher Carson Kagen Rothman Ross Ross Ross Schmidt  
 Kagen Olver Taylor Tauscher Carson Kagen Rothman Ross Ross Ross Schmidt  
 Kanjorski Pallone Thompson (CA) Castle Kanjorski Roybal-Allard Ruppertsberger  
 Kaptur Pascrell Thompson (MS) Castle Kanjorski Roybal-Allard Ruppertsberger  
 Kennedy Pastor Tierney Chandler Kennedy Kildee Kilpatrick Sanchez, Linda  
 Kildee Payne Towns Childers Clarke Kind King (NY) Sanchez, Loretta  
 Kilpatrick Perlmutter Tsongas Childers Clarke Kind King (NY) Sarbanes  
 Kind Peterson (MN) Udall (CO) Clay King (NY) Kirk Kleinf (FL) Schakowsky  
 Klein (FL) Plattts Van Hollen Cleaver Klein (FL) Knollenberg Schiff  
 Kucinich Pomeroy Velazquez Cohen Kucinich Knollenberg Schiff  
 LaHood Price (NC) Rangel Walz (MN) Kuhl (NY) Kuhl (NY) Schwartz  
 Langevin Rahall Rangel Walz (MN) Kuhl (NY) Kuhl (NY) Scott (GA)  
 Larsen (WA) Reyes Wasserman Cooper Costa Lampson Langevin Serrano  
 Larson (CT) Reyes Wasserman Cooper Costa Lampson Langevin Serrano  
 LaTourette Richardson Schultz Waters Costello Sestak Sestak Sestak  
 Lee Rodriguez Watson Watson Costello Sestak Sestak Sestak  
 Levin Ross Watt Ross Sestak Sestak Sestak  
 Lewis (GA) Rothman Waxman Cramer Larson (CT) Shays Shear-Porter  
 Lipinski Roybal-Allard Ruppertsberger Latham Shear-Porter  
 Lofgren, Zoe Ruppertsberger Latham Shear-Porter  
 Lowey Ryan (OH) Welch (VT) Cuellar Cummings  
 Lynch Salazar Weller Cummings  
 Mahoney (FL) Sanchez, Linda Wexler Davis (AL) Davis (CA)  
 Maloney (NY) T. Wilson (OH) Davis (CA) Davis (IL)  
 Markey Sanchez, Loretta Wolf Davis (IL) Davis, Lincoln  
 Matsui Sarbanes Woolsey Davis, Tom  
 McCarthy (NY) Schakowsky Wu  
 McCollum (MN) Schiff Yarmuth DeFazio

NOT VOTING—9

Bralley (IA) Hulshof Ortiz  
 Flake Loeb sack Rush  
 Gillibrand McCreery Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain on this vote.

□ 1453

Messrs. HILL and YOUNG of Alaska changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBERSTAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 311, nays 104, not voting 18, as follows:

[Roll No. 400]

YEAS—311

Abercrombie Baca Berkley  
 Ackerman Bachus Berman  
 Alexander Baird Berry  
 Allen Baldwin Biggert  
 Altmire Barrow Bishop (GA)  
 Andrews Bean Bishop (NY)  
 Arcuri Becerra Bishop (UT)

Buchanan  
 Buyer  
 Cantor  
 Capito  
 Capps  
 Capuano  
 Cardoza  
 Carnahan  
 Carney  
 Carson  
 Castle  
 Castor  
 Cazayoux  
 Chandler  
 Childers  
 Childers  
 Clarke  
 Clay  
 Cleaver  
 Clyburn  
 Cohen  
 Cole (OK)  
 Conyers  
 Cooper  
 Costa  
 Costello  
 Courtney  
 Cramer  
 Crenshaw  
 Crowley  
 Cuellar  
 Cummings  
 Davis (AL)  
 Davis (CA)  
 Davis (IL)  
 Davis, Lincoln  
 Davis, Tom  
 DeFazio  
 DeGette  
 Delahunt  
 DeLauro  
 Dent  
 Diaz-Balart, L.  
 Dicks  
 Dingell  
 Doggett  
 Donnelly  
 Doyle  
 Drake  
 Edwards  
 Ehlers  
 Ellison  
 Ellsworth  
 Emanuel  
 Engel  
 English (PA)  
 Eshoo  
 Etheridge  
 Fallin  
 Farr  
 Fattah  
 Ferguson  
 Filner  
 Fortenberry  
 Fossella  
 Foster  
 Frank (MA)  
 Frelinghuysen  
 Garrett (NJ)  
 Gerlach  
 Giffords  
 Gilchrist  
 Gohmert  
 Gonzalez  
 Goode  
 Goodlatte  
 Gordon  
 Granger  
 Graves  
 Green, Gene  
 Grijalva  
 Hall (NY)  
 Hare  
 Harman  
 Hastings (FL)  
 Hayes  
 Herseth Sandlin

Hill  
 Hinchey  
 Hinojosa  
 Hirono  
 Hodes  
 Holden  
 Holt  
 Honda  
 Hooley  
 Hoyer  
 Insee  
 Israel  
 Jackson (IL)  
 Jackson-Lee  
 (TX)  
 Jefferson  
 Johnson (GA)  
 Johnson (IL)  
 Johnson, E. B.  
 Jones (NC)  
 Jones (OH)  
 Kagen  
 Kanjorski  
 Keller  
 Kennedy  
 Kildee  
 Kilpatrick  
 Kind  
 King (NY)  
 Kirk  
 Kleinf (FL)  
 Knollenberg  
 Kucinich  
 Kuhl (NY)  
 LaHood  
 Lampson  
 Langevin  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 LaTourette  
 Lee  
 Levin  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Lofgren, Zoe  
 Lowey  
 Lucas  
 Lynch  
 Mahoney (FL)  
 Maloney (NY)  
 Manzullo  
 Markey  
 Marshall  
 Matheson  
 Matsui  
 McCarthy (NY)  
 McCollum (MN)  
 McCotter  
 McDermott  
 McGovern  
 McHugh  
 McIntyre  
 McMorris  
 Rodgers  
 McNeerney  
 McNulty  
 Meek (FL)  
 Meeks (NY)  
 Melancon  
 Mica  
 Michaud  
 Miller (MI)  
 Miller (NC)  
 Miller, George  
 Mitchell  
 Mollohan  
 Moore (KS)  
 Moore (WI)  
 Moran (KS)  
 Moran (VA)  
 Murphy (CT)  
 Murphy, Patrick  
 Murphy, Tim  
 Murtha  
 Nadler  
 Napolitano  
 Neal (MA)  
 Oberstar  
 Obey  
 Olver  
 Pallone  
 Pascrell  
 Pastor  
 Payne  
 Perlmutter  
 Peterson (MN)

NAYS—104  
 Aderholt  
 Akin  
 Bachmann  
 Barrett (SC)  
 Barton (TX)  
 Bilbray  
 Bilirakis  
 Blackburn  
 Blunt  
 Boehner  
 Bonner  
 Boustany  
 Brady (TX)  
 Broun (GA)  
 Burgess  
 Burton (IN)  
 Calvert  
 Camp (MI)  
 Campbell (CA)  
 Cannon  
 Carter  
 Chabot  
 Coble  
 Conaway  
 Cubin  
 Culberson  
 Davis (KY)  
 Davis, David  
 Deal (GA)  
 Doolittle  
 Dreier  
 Duncan  
 Emerson  
 Everett  
 Feeney  
 Forbes  
 Foss  
 Franks (AZ)  
 Gallegly  
 Gingrey  
 Hall (TX)  
 Hastings (WA)  
 Heller  
 Hensarling  
 Herger  
 Hobson  
 Hoekstra  
 Hunter  
 Inglis (SC)  
 Issa  
 Johnson, Sam  
 Jordan  
 Kingston  
 Kline (MN)  
 Lamborn  
 Latta  
 Lewis (CA)  
 Lewis (KY)  
 Linder  
 Lungren, Daniel  
 E.  
 Mack  
 Marchant  
 McCarthy (CA)  
 McCaul (TX)  
 McHenry  
 McKeon  
 Miller (FL)  
 Miller, Gary  
 Myrick  
 Neugebauer  
 Nunes  
 Paul  
 Pearce  
 Pence  
 Peterson (PA)  
 Pitts  
 Porter  
 Price (GA)  
 Radanovich  
 Ramstad  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Roskam  
 Royce  
 Ryan (WI)  
 Sali  
 Scalise  
 Schmidt  
 Sensenbrenner  
 Sessions  
 Shadegg  
 Smith (NE)  
 Smith (TX)  
 Stearns  
 Terry  
 Thornberry  
 Tiahrt  
 Walberg  
 Wamp  
 Weldon (FL)  
 Wilson (NM)  
 Wilson (SC)  
 Wittman (VA)

NOT VOTING—18

Bartlett (MD) Green, Al McCreery  
 Braley (IA) Gutierrez Musgrave  
 Butterfield Hulshof Ortiz  
 Diaz-Balart, M. Kaptur Rush  
 Flake King (IA) Stark  
 Gillibrand Loeb sack Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (during the vote). Members should note there is less than 1 minute to vote.

□ 1459

So the bill was passed.  
 The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:  
 Mr. BUTTERFIELD. Mr. Speaker, on rollcall No. 400, I inadvertently failed to vote. Had I been present, I would have voted “yea.”

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 6003, PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 6003, the Clerk be authorized to correct section numbers, punctuation, cross-references, and make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.