

S 294

Passenger Rail Investment and Improvement Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Transportation and Public Works

Introduced: Jan 16, 2007

Current Status: Message on House action received in Senate and at desk: House amendment to Senate bill and House req

Latest Action: Message on House action received in Senate and at desk: House amendment to Senate bill and House requests a conference. (Jul 23, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/294>

Sponsor

Name: Sen. Lautenberg, Frank R. [D-NJ]

Party: Democratic • **State:** NJ • **Chamber:** Senate

Cosponsors (41 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Jan 16, 2007
Sen. Boxer, Barbara [D-CA]	D · CA		Jan 16, 2007
Sen. Burr, Richard [R-NC]	R · NC		Jan 16, 2007
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jan 16, 2007
Sen. Carper, Thomas R. [D-DE]	D · DE		Jan 16, 2007
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Jan 16, 2007
Sen. Dorgan, Byron L. [D-ND]	D · ND		Jan 16, 2007
Sen. Durbin, Richard J. [D-IL]	D · IL		Jan 16, 2007
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Jan 16, 2007
Sen. Inouye, Daniel K. [D-HI]	D · HI		Jan 16, 2007
Sen. Kennedy, Edward M. [D-MA]	D · MA		Jan 16, 2007
Sen. Kerry, John F. [D-MA]	D · MA		Jan 16, 2007
Sen. Lott, Trent [R-MS]	R · MS		Jan 16, 2007
Sen. Menendez, Robert [D-NJ]	D · NJ		Jan 16, 2007
Sen. Pryor, Mark L. [D-AR]	D · AR		Jan 16, 2007
Sen. Schumer, Charles E. [D-NY]	D · NY		Jan 16, 2007
Sen. Snowe, Olympia J. [R-ME]	R · ME		Jan 16, 2007
Sen. Specter, Arlen [R-PA]	R · PA		Jan 16, 2007
Sen. Stevens, Ted [R-AK]	R · AK		Jan 16, 2007
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jan 22, 2007
Sen. Collins, Susan M. [R-ME]	R · ME		Jan 26, 2007
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Jan 26, 2007
Sen. Levin, Carl [D-MI]	D · MI		Feb 6, 2007
Sen. Brown, Sherrod [D-OH]	D · OH		Feb 15, 2007
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Feb 28, 2007
Sen. Smith, Gordon H. [R-OR]	R · OR		Feb 28, 2007
Sen. Tester, Jon [D-MT]	D · MT		Feb 28, 2007
Sen. Conrad, Kent [D-ND]	D · ND		Mar 5, 2007
Sen. Cochran, Thad [R-MS]	R · MS		Mar 14, 2007
Sen. Dodd, Christopher J. [D-CT]	D · CT		Mar 28, 2007
Sen. Baucus, Max [D-MT]	D · MT		Apr 10, 2007
Sen. Obama, Barack [D-IL]	D · IL		Apr 10, 2007
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Apr 10, 2007
Sen. McCaskill, Claire [D-MO]	D · MO		Apr 17, 2007
Sen. Warner, John [R-VA]	R · VA		Apr 18, 2007
Sen. Klobuchar, Amy [D-MN]	D · MN		Apr 24, 2007
Sen. Stabenow, Debbie [D-MI]	D · MI		Apr 24, 2007
Sen. Webb, Jim [D-VA]	D · VA		May 17, 2007
Sen. Kohl, Herb [D-WI]	D · WI		Jun 5, 2007
Sen. Wyden, Ron [D-OR]	D · OR		Jun 12, 2007
Sen. Nelson, Ben [D-NE]	D · NE		Jul 24, 2007

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Hearings By (subcommittee)	Feb 27, 2007
Transportation and Infrastructure Committee	House	Referred to	Nov 1, 2007

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

Bill	Relationship	Last Action
110 HR 6003	Companion bill	Jun 12, 2008: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 779.
110 S 184	Related bill	Mar 1, 2007: By Senator Inouye from Committee on Commerce, Science, and Transportation filed written report. Report No. 110-29.
110 HR 534	Related bill	Jan 29, 2007: Referred to the Subcommittee on Transportation Security and Infrastructure Protection.
110 S 83	Related bill	Jan 4, 2007: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Passenger Rail Investment and Improvement Act of 2008 - **Title I: Authorizations** - (Sec. 101) Authorizes appropriations for FY2009-FY2013 for: (1) Amtrak capital and operating grants, including capital grants to states, to the Amtrak Office of the Inspector General, and for accessibility improvements and barrier removal for individuals with disabilities; (2) Amtrak repayment of long-term debt and capital leases; and (3) the rail cooperative research program. Authorizes appropriations for FY2009 for grants to Amtrak and states participating in the Next Generation Corridor Train Equipment Pool Committee.

Authorizes the Secretary of Transportation to withhold up to one-half of 1% of certain funds for the costs of project management oversight of capital projects carried out by Amtrak.

(Sec. 102) Authorizes appropriations for costs associated with Amtrak early buyouts.

(Sec. 104) Requires the Federal Railroad Administration (FRA), working with Amtrak, the city of Baltimore, the state of Maryland, and non-Amtrak rail operators to: (1) approve a new rail tunnel alignment in Baltimore that will allow an increase in train speed and service reliability; and (2) ensure completion of the related environmental review process. Authorizes appropriations for FY2009-FY2013.

(Sec. 105) Bars the use of funds to employ unauthorized alien workers.

(Sec. 106) Authorizes the Secretary to make grants to the Washington Metropolitan Area Transit Authority to finance in part the capital and preventive maintenance projects included in its Capital Improvement Program. Conditions the availability of funds, in part, on assurance that each licensed wireless provider serving the public within the rail system has access to the system on an ongoing basis. Authorizes appropriations.

Title II: Amtrak Reform and Operational Improvements - (Sec. 201) Amends federal transportation law to define the national rail passenger transportation system as: (1) Amtrak's Boston-Washington Northeast Corridor; (2) high-speed corridors designated by the Secretary once they have been improved for high-speed service; (3) long-distance routes (of greater than 750 miles) operated on the date of enactment of this Act; and (4) short-distance routes operated by Amtrak or a non-Amtrak recipient of federal capital assistance.

Authorizes Amtrak and a state, regional or local authority, or another person to agree on the operation of an intercity route or service not included in the national rail transportation system.

Declares that this Act does not preclude Amtrak from restoring, improving, or developing non-high-speed intercity passenger rail service.

(Sec. 202) Replaces the Amtrak Reform Board with a reconstituted Board of Directors of Amtrak, with revised composition requirements.

(Sec. 203) Authorizes the Amtrak Board of Directors to employ an independent financial consultant with experience in railroad accounting to assist Amtrak in improving Amtrak's financial accounting and reporting system and practices.

Requires the Amtrak Board to: (1) implement a modern financial accounting and reporting system; (2) submit to Congress each fiscal year through FY2013 a report that allocates Amtrak's revenues and costs to each of its routes and lines of business; and (3) develop a five-year financial plan.

(Sec. 205) Directs the Secretary to establish substantive and procedural requirements for grant requests, including a 30-day approval process.

(Sec. 206) Directs the Amtrak Board to develop and implement a single methodology for allocating train route operating and capital costs among states and Amtrak.

(Sec. 207) Requires the FRA Administrator and Amtrak to develop jointly new or improve existing metrics and minimum standards for measuring the performance and service quality of intercity passenger train operations.

(Sec. 208) Requires Amtrak to develop a Northeast Corridor state-of-good-repair capital project spending plan.

(Sec. 209) Directs the Secretary to establish a Northeast Corridor Infrastructure and Operations Advisory Commission.

Directs Amtrak to determine the infrastructure and equipment improvements necessary to provide regular Acela service between Washington, DC, and New York City and between New York City and Boston within specified periods of time. Authorizes appropriations.

(Sec. 210) Authorizes the Secretary of the Treasury to make agreements to restructure Amtrak's long-term debt and capital leases.

(Sec. 211) Directs Amtrak to evaluate improvements necessary to make all existing intercity rail stations readily accessible to and usable by individuals with disabilities by 2010. Requires the FRA to monitor and conduct periodic reviews of Amtrak's compliance in making its services and facilities accessible to such individuals.

(Sec. 213) Permits a state to 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.

(Sec. 214) Repeals Amtrak self-sufficiency requirements.

(Sec. 215) Directs the Inspector General of the Department of Transportation (DOT) to assess progress made by Amtrak management and the DOT in implementing this Act.

(Sec. 216) Requires the Comptroller General of the United States to determine the cost and benefits of expanding passenger rail service options in underserved communities.

(Sec. 217) Authorizes the Secretary to make congestion grants to states, or to Amtrak in cooperation with states, for the capital costs of facilities and equipment for high priority rail corridor projects necessary to reduce congestion or facilitate ridership growth in intercity passenger rail transportation.

(Sec. 218) Requires Amtrak to submit to Congress a plan for restoring passenger rail service between New Orleans, Louisiana, and Sanford, Florida. Authorizes appropriations.

(Sec. 219) Directs the FRA to study and report to Congress on: (1) the extent to which Amtrak freight and passenger rail operations could use biofuel blends to power its fleet of locomotives; and (2) the feasibility of using biodegradable lubricants by Amtrak freight and passenger railroads. Authorizes appropriations.

(Sec. 221) Subjects Amtrak to Buy American requirements for purchases of \$100,000 or more.

(Sec. 222) Directs the Inspector General of the DOT to: (1) develop metrics standards for evaluating the quality of performance and service of Amtrak intercity passenger rail services, including routes not currently served by Amtrak which might be able to support passenger rail service at a reasonable cost; (2) identify the five worst performing Amtrak routes; and (3) recommend to Congress a process for DOT to consider Amtrak and other proposals to serve underperforming routes and routes not currently served by Amtrak.

(Sec. 223) Directs the Amtrak Inspector General to report to Congress on Amtrak's utilization of its facilities, including the Beech Grove Repair facility in Indiana.

(Sec. 224) Directs the Surface Transportation Board (STB) to report to Congress on the effectiveness of preferring Amtrak service over freight transportation service.

(Sec. 225) Directs the Secretary to: (1) find ways to streamline compliance with specified National Historic Preservation Act requirements for federally-funded railroad infrastructure repair and improvement projects; and (2) take immediate action to cooperate with named Alaska and North Carolina entities in expediting the decisionmaking process for safety-related projects involving railroad and Southeast High Speed Rail Corridor property and facilities that have disputed historic significance.

(Sec. 226) Expresses the sense of Congress that: (1) expanded commuter rail service between New Haven, Connecticut, and Springfield, Massachusetts, is an important transportation priority; and (2) Amtrak should work cooperatively with the states of Connecticut and Massachusetts to enable such expanded service.

(Sec. 227) Directs Amtrak to evaluate for Congress the passenger rail service between Cornwells Heights, Pennsylvania, and New York City and between Princeton Junction, New Jersey, and New York City to determine whether to expand the service on such routes by increasing the frequency of stops or reducing commuter ticket prices.

Title III: Intercity Passenger Rail Policy - (Sec. 301) Authorizes the Secretary to make grants to an applicant state, group of states, Interstate Compact, or public agency to assist in financing the capital costs of facilities, infrastructure, and equipment necessary to provide intercity passenger rail transportation.

(Sec. 302) Authorizes states to prepare and maintain a state rail plan that: (1) sets forth state policy involving freight and passenger rail transportation (including commuter rail operations); and (2) includes a long-range rail investment program. Requires the Secretary to prescribe procedures for the review of state rail plans.

(Sec. 303) Directs Amtrak to establish a Next Generation Corridor Equipment Pool Committee to design, develop specifications for, and procure standardized next-generation corridor equipment.

(Sec. 304) Directs the Secretary to establish a rail cooperative research program to address intercity rail passenger and freight rail services, including ways to expand the transportation of international trade traffic, enhance the efficiency of intermodal interchange at ports and other intermodal terminals, and increase availability of rail service for seasonal freight needs. Directs the Secretary to establish an advisory board to recommend research, technology, and technology transfer activities related to rail passenger and freight transportation.

(Sec. 305) Directs the Comptroller General to compare the U.S. passenger rail system with the passenger rail systems in Canada, Germany, Great Britain, France, China, Spain, and Japan and report findings to specified congressional committees.

Title IV: Commuter Rail Transit Enhancement - (Sec. 401) Authorizes a public transportation authority or rail carrier to

submit disputes over trackage use and railroad rights-of-way to the STB for nonbinding mediation.

(Sec. 402) Requires Amtrak to engage in good faith discussions, with commuter rail entities and public transportation authorities operating on the same trackage owned by a rail carrier as Amtrak, with respect to: (1) the routing and timing of trains to most efficiently move, particularly during peak hours, the maximal number of commuters, intercity, and passenger rail passengers; and (2) the expansion and enhancement of commuter rail and regional rail public transportation service.

Title V: High Speed Rail - (Sec. 501) Directs the Secretary to establish a high-speed rail corridor program. Authorizes the Secretary to make competitive grants to a state, a group of states, an Interstate Compact, a public agency, or Amtrak to finance capital projects in high-speed rail corridors. Authorizes appropriations for FY2009-FY2013.

(Sec. 502) Directs the Secretary to: (1) solicit proposals for projects for an initial high-speed rail system between Washington, DC, and New York City (Northeast Corridor), as well as for additional projects on any other corridor; and (2) examine how to achieve maximum economic development of the Northeast Corridor.

(Sec. 503) Directs the Secretary to conduct an alternatives analysis of the December 1, 1998, extension of the designation of the Southeast High-Speed Rail Corridor, including feasibility analyses of the expansion of the South Central High-Speed Rail Corridor to the Port of Houston, Texas, to Memphis, Tennessee, and south of San Antonio to a location in far south Texas to be chosen at the discretion of the Secretary.

(Sec. 504) Sets forth certain grant conditions for projects funded under this title, including collective bargaining requirements.

Actions Timeline

- **Jul 23, 2008:** Message on House action received in Senate and at desk: House amendment to Senate bill and House requests a conference.
- **Jul 22, 2008:** Mr. Oberstar moved to suspend the rules and pass the bill, as amended.
- **Jul 22, 2008:** Considered under suspension of the rules. (consideration: CR H6756-6773, H6788-6793)
- **Jul 22, 2008:** DEBATE - The House proceeded with forty minutes of debate on S. 294.
- **Jul 22, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H6756-6770)
- **Jul 22, 2008:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H6756-6770)
- **Jul 22, 2008:** Mr. Oberstar asked unanimous consent that the House insist upon its amendment, and request a conference.
- **Jul 22, 2008:** On motion that the House insist upon its amendment, and request a conference Agreed to without objection. (consideration: CR H6788)
- **Jul 22, 2008:** Mr. Heller moved that the House instruct conferees. (consideration: CR H6788)
- **Jul 22, 2008:** DEBATE - The House proceeded with 1 hour of debate on the Heller (NV) motion to instruct conferees on S. 294. The instructions contained in the motion seek to require the managers on the part of the House to insist on the provisions contained in section 221 of the House amendment.
- **Jul 22, 2008:** The previous question was ordered without objection. (consideration: CR H6793)
- **Jul 22, 2008:** On motion that the House instruct conferees Agreed to by voice vote. (consideration: CR H6793)
- **Jul 22, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 22, 2008:** The Speaker appointed conferees - from the Committee on Transportation and Infrastructure for consideration of the Senate bill and the House amendment, and modifications committed to conference: Oberstar, Brown, Corrine, Cummings, Capuano, Bishop (NY), Napolitano, Lipinski, Braley (IA), Arcuri, Mica, Petri, LaTourette, Brown (SC), Shuster, Diaz-Balart, M., and Westmoreland.
- **Jul 22, 2008:** The Speaker appointed conferees - from the Committee on Science and Technology for consideration of secs. 105 and 305 of the Senate bill, and modifications committed to conference: Gordon, Wu, and Gingrey.
- **Nov 1, 2007:** Referred to the Subcommittee on Railroads, Pipelines, and Hazardous Materials.
- **Oct 31, 2007:** Received in the House.
- **Oct 31, 2007:** Message on Senate action sent to the House.
- **Oct 31, 2007:** Referred to the House Committee on Transportation and Infrastructure.
- **Oct 30, 2007:** Considered by Senate. (consideration: CR S13536-13541, S13541-13567)
- **Oct 30, 2007:** Cloture on the bill invoked in Senate by Yea-Nay Vote. 79 - 13. Record Vote Number: 398. (consideration: CR S13541; text: CR S13541)
- **Oct 30, 2007:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 70 - 22. Record Vote Number: 400.(text: CR S13551-13564)
- **Oct 30, 2007:** Passed Senate with amendments by Yea-Nay Vote. 70 - 22. Record Vote Number: 400. (text: CR S13551-13564)
- **Oct 29, 2007:** Considered by Senate. (consideration: CR S13509-13512)
- **Oct 26, 2007:** Considered by Senate. (consideration: CR S13466-13469)
- **Oct 26, 2007:** Cloture motion on the bill presented in Senate.
- **Oct 25, 2007:** Considered by Senate. (consideration: CR S13405-13428)
- **Oct 24, 2007:** Measure laid before Senate by unanimous consent. (consideration: CR S13323-13354; text of measure as reported in Senate: CR S13323-13344)
- **Oct 24, 2007:** Committee reported amendments agreed to by Unanimous Consent.
- **May 22, 2007:** Committee on Commerce, Science, and Transportation. Reported by Senator Inouye with amendments. With written report No. 110-67.
- **May 22, 2007:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 158.
- **Apr 25, 2007:** Committee on Commerce, Science, and Transportation. Ordered to be reported with amendments favorably.
- **Feb 27, 2007:** Committee on Commerce, Science, and Transportation Subcommittee on Surface Transportation and Merchant Marine. Hearings held. With printed Hearing: S.Hrg. 110-1064.

Jan 16, 2007: Introduced in Senate

- **Jan 16, 2007:** Sponsor introductory remarks on measure. (CR S579-580)
- **Jan 16, 2007:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S580-595)