



## Amtrak Orders New Long-Distance Cars

### First Such Order in 20 Years

Amtrak has placed an order for 130 new single-level cars for the overnight trains—25 sleepers, 25 diners, 55 baggage cars, and 25 baggage/dorm cars. Delivery of the first cars is expected in October 2012. The cars' design will be similar to that of today's Viewliner sleepers. The new cars will run on Eastern trains to add capacity and to replace 60-plus-year-old diners and baggage cars.

The \$298.1 million order announced July 23 begins to implement Amtrak's Fleet Strategy (March News). The contract went to CAF USA, subsidiary of the Spanish company Construcciones y Aux-

iliar de Ferrocarriles.

In a message e-mailed to NARP members, NARP Chairman Bob Stewart wrote, "NARP is very excited about the first new order for equipment since the *Acela* was purchased...in the late 1990s. This needs to be just the beginning of new cars for Amtrak. New equipment is

needed all across the country [and] will allow Amtrak to improve reliability, increase capacity and look at new opportunities for increased service. We congratulate Amtrak on taking the first step. NARP will continue to push for additional funding for more equipment for Amtrak."

Manufacturing and assembly will be at the firm's Elmira Heights, NY, plant and will create 575 jobs. The factory, which CAF-USA acquired in 2000, has built rail transit cars since 1986. ABB and later Adtranz previously owned the factory.

Amtrak says the new cars will have im-  
*(continued on p. 3)*

### **Come to Grand Rapids!**

NARP members are welcome at this informative and educational retreat in October. Details, page 4.

## Portland-Brunswick Track Work is Under Way!

Fifty strings of continuous welded rail were delivered to Brunswick, ME Aug. 2, marking the first laying of track to be funded by the American Recovery and Reinvestment Act (ARRA). The new track will be installed over Pan Am Railways' (former Maine Central) right-of-way between Portland and Brunswick -- which hasn't seen passenger service since 1960.

The \$35 million award, the first released from the \$8 billion Recovery Act investment in the High-Speed and Intercity Passenger Rail Program, was announced in the July News.

Local politicians, dignitaries and train advocates were on hand in Brunswick to mark the start of work on the long-sought extension. Gov. John Baldacci (D) called it "a big day in the state of Maine," saying that this is a time for supporters "to believe that it can happen."

Pan Am Railways CEO David Fink proclaimed his commitment to getting the project done "on budget, on-time, and with our labor." He said **the grant helped his railroad keep 50 workers employed who otherwise would have been laid off.** The project will employ 200 people at \$27 per hour plus 100% health coverage.

NARP Council member Wayne Davis, Chairman of TrainRiders/Northeast,



- Darcie Moore, Brunswick Times Record

Pan Am Railways workers begin installing new 1,650-foot rails in downtown Brunswick, ME on Aug. 2. Seen from the bridge that carries Spring Street over the tracks, the work is part of an upgrade necessary to extend Amtrak's *Downeaster* Portland to Brunswick by the end of 2012.

was jubilant. "Today's event is another milestone in our quest to provide transportation choices, as well as significant economic benefits, including jobs, to the entire region," he said.

"[This] all started with Maine citizens, organized by TrainRiders, that resulted in the passage of the first citizen-initiated

bill in Maine's history," Davis explained.

Federal Railroad Administrator Joseph Szabo praised the state's "significant understanding of the process that is necessary to expand rail. Maine sets the example for other states, and that's why you're going to be the very first of ARRA projects to put rail into the ground..." ■

## Funds Released to Illinois, Wisconsin, N. Carolina, Colorado, Vermont

Work will begin immediately to further the development of fast, frequent train service between Raleigh and Charlotte, NC, Chicago and St. Louis, and Milwaukee and Madison, thanks to release of \$1.76 billion in federal funds.

The \$98 million to Illinois will allow upgrading this year of the 90-mile Union Pacific segment north from Alton to a point south of Lincoln, supporting an estimated 900 jobs. The track will eventually accommodate 110-mph trains. The targeted four-hour Chicago-St. Louis trip time is years away due to controversy over the routing of the line through Springfield.

Wisconsin's \$46.5 million (on top of \$5.7 million received previously) will let the state complete preliminary engineering, final design, program management, and environmental management plans for the Milwaukee-Madison corridor, which will feature frequent trains at up to 110 mph. Previously released funds are supporting environmental impact assessments for planned stations.

In North Carolina, \$20.3 million will be used to upgrade more cars and locomotives to add to the *Piedmont* Corridor's existing three daily round-trips. The announcement was lauded by a host of officials in a US DOT release, including Transportation Secretary Ray LaHood, Federal Railroad Administrator Joseph Szabo, Gov. Bev Perdue (D), Sen. Kay Hagan (D-NC), and Rep. David Price (D).

Hagan touted high-speed trains' ability to "help ease congestion on our roads and lessen our dependence on foreign oil," as well as creating jobs.

The goal is frequent, 110-mph service between Washington, DC and Charlotte with new equipment and reassignment of stock now in Raleigh-Charlotte service to planned Salisbury-Asheville and Raleigh-Wilmington runs.

FRA also released—from fiscal 2009 appropriations—\$727,000 to New York for an overhaul of the Buffalo-Depew station to improve accessibility, passenger information and platform repair. Colorado got

\$400,000 to develop a state rail plan (pre-requisite for receiving future funding) and Vermont got \$500,000 to study rerouting Amtrak's *Ethan Allen Express* between Albany and Rutland. ■

For more information on these grants, see FRA releases at [www.bit.ly/aTUYbH](http://www.bit.ly/aTUYbH)

### NC-VA Partnership

The newly-formed Virginia-North Carolina Interstate High-Speed Rail Compact ([www.sehsr.org](http://www.sehsr.org)), currently a partnership between North Carolina and Virginia, is completing a Tier II draft environmental impact statement (DEIS) for building a direct, dedicated high-speed track between Richmond and Raleigh. By restoring a line CSX abandoned in 1986, this would knock 40 miles off the mileage between the two capitals.

To comment on the DEIS electronically, visit [www.bit.ly/sehsr](http://www.bit.ly/sehsr). Comment deadline is Aug. 30.

## NARP Defends Sleepers, Food Service Against 'Subsidy' Criticism

In the run-up to House floor consideration of the transportation funding bill, Rep. William Thornberry (R-TX) filed an amendment saying "none of the funds made available by this act may be used to subsidize sleeper class service on any long-distance Amtrak route," and reducing operating grants by \$120 million.

The amendment was not offered but would have killed the overnight trains.

The \$120 million evidently was based on a flawed 2005 DOT Inspector General report which, incredibly, assigned against sleeping-car passengers 100% of food service and checked baggage costs.

At the time, NARP's Ross Capon told *The Washington Times* that the report was "just a backdoor way of wrecking a \$3 billion corporation." Our rebuttal said the report falsely assumed that food

service is, or should be, a profit center; that coach passengers do not make long trips; and that coach revenues would not be hurt by eliminating diner, lounge and checked baggage service. ■

At [www.narprail.org](http://www.narprail.org) search on "sleeper"; see especially Capon's 9/29/05 memo to Capitol Hill staff, George Chilison's 6/22/06 report, and the releases.

## Law Mandating Higher State Payments Threatens Services

A contentious provision in the big 2008 reauthorization law requires that, by Oct. 16, 2013. There must be "equal treatment in the provision of like services of all States and groups of States (including the District of Columbia)."

More immediately, states and Amtrak must agree by Oct. 16, 2010, or the Surface Transportation Board will "determine the appropriate methodology" and require full implementation within one year of said determination. And the STB must require higher state payments than what would result from Amtrak/state negotiations.

Amtrak figures that, if applied in fiscal 2011, the new methodology would double the total payments Amtrak receives from states—a \$190 million increase.

This would mean big increases for New

York, Michigan, Virginia and Pennsylvania, and a big payment by Connecticut which currently does not pay.

Some states have yet to get Amtrak's estimate of the impact to their operating budgets, or to see the Amtrak Board-approved method for allocating capital costs. Moreover, full implementation of the new Congressionally-mandated Amtrak accounting system from which costs are to be allocated is a year away.

The affected lines are "short-distance corridors, or routes of not more than 750 miles between endpoints." Included routes that may surprise readers: **New Haven-Springfield, Philadelphia-Harrisburg and Washington-Richmond-Newport News** but not Boston-New York-Washington.

Failure to realize the increased state payments the law envisions would create trouble for Amtrak because its authorized funding levels assume those payments.

But the law was drafted before current state budget woes became obvious, so tough times lie ahead.

Amtrak is in continuing discussions with the states. A Chicago meeting with all states was set for Aug. 17.

The key provision is Section 209 in "Division B—Amtrak" of the 2008 law. ■

The 2008 law is at [www.bit.ly/08law](http://www.bit.ly/08law); Section 209 is on pages 70-1. For route definitions referenced in 209, search on 49 USC 24102 (and then 24702). This leads to Office of the Law Revision Counsel and provides up-to-date statutes.

## Fiscal 2011 Funding Prospects Still Murky

**The full House on July 29 approved the subcommittee's numbers** for Amtrak (\$1.615 billion) and high speed rail (\$1.4 billion) reported in *July News*.

Significantly, President Obama's Office of Management and Budget during the day issued a statement supporting the House bill and approvingly noting the high speed rail number even though it was \$400 million over his budget request.

Before final passage, the House defeated 129-293 an amendment stated to eliminate Amtrak capital investment and debt service funds. This in reality was a "kill Amtrak" amendment. It was initially filed by Michele Bachmann (R-MN) but actually offered by Jeff Flake (R-AZ).

**The Senate Appropriations Committee** on July 22 approved \$1.963 billion for Amtrak—\$196.5 million more than the House—but stuck with the President's \$1 billion high speed rail request. **The Senate's final numbers could be lower**, however, as Republicans may force **total domestic discretionary spending** down to \$1.108 trillion, \$20 billion below the White House request and \$6 billion below the level assumed by Senate appropriators as of July 22.

In any event, a continuing resolution is likely to govern for the first few months of fiscal 2011, making predictions of the final funding level even murkier.

The House directed Amtrak to spend \$127.5 million on fleet acquisition, equaling what amount Amtrak requested for the first year of its fleet strategy. It also proposed eliminating restrictions on when and where Amtrak can discount "more than 50% from normal, peak fare prices," but Amtrak must provide detailed, quarterly reports on such offerings.

The House said investment in high speed trains is "critical to the nation's in-

frastructure and essential to providing a transportation alternative for the congested highways and air space between city pairs around the country."

Both bodies criticized Amtrak's work to bring stations into compliance with the Americans With Disabilities Act, citing failure to spend all the money Congress provided for this, and demanding that—in the House report's words—"at a minimum, Amtrak must demonstrate better progress in bringing the Amtrak-owned stations into compliance."

**Advancing HSR Grants:** Answering a Federal Railroad Administration request for more staff, the House funded 62 more positions and 31 full-time equivalents in 2011, calling the increase "an investment in FRA and consequently [expecting] FRA to perform at an even higher level of proficiency."

But the Senate provided for just three new employees and stressed that FRA should move expeditiously to finalize Recovery Act grant agreements and "give States and freight railroads the appropriate flexibility for negotiating performance standards and expectations." This seems to support railroad and state objections to FRA's May 12 guidance on agreements needed before funds will be released.

Perhaps taking a page from the U.S. highway experience, the Senate directed DOT, in drafting the National Rail Plan due Sept. 15, to include an estimate of the cost to complete the high speed rail system envisioned in the Obama Administration's plan, and a complete map of that system. ■

*An updated appropriations table is at [www.narprail.org](http://www.narprail.org). The FRA's May 12 guidance is at [www.fra.dot.gov/downloads/Stakeholder\\_Agreements\\_Guidance\\_052110.pdf](http://www.fra.dot.gov/downloads/Stakeholder_Agreements_Guidance_052110.pdf)*

## New Online Tool Facilitates Grassroots Advocacy

NARP has begun using a new online communications platform developed for advocacy nonprofits. It is now easier to get involved in the fight for better, faster and more frequent passenger trains. NARP can now:

- Provide draft letters to state and federal elected officials online, so all you have to do is enter your ZIP code, edit the letter as you like, and hit "Send." We can even set it so that different officials get different types of letters depending on how they've voted.

- Give you an easy way to share news or action alerts with your friends.

The upgrade can help the Association can become a more dynamic force for growing America's passenger train network, one in which each member plays an integral role. To take part in our online campaigns, visit <http://act.narprail.org/>.

If you're not already getting emails from us, but would like to, go to [www.narprail.org](http://www.narprail.org) and enter your email address under "Stay Connected." ■

## NARP On Liability

One threat to affordable passenger train operations—commuter and intercity—would be a change in a 1997 law that limits railroads' liability to passengers to \$200 million per accident and lets parties indemnify each other.

The latter provision supports Amtrak/host railroad contracts which make Amtrak responsible for injuries to its passengers; under the same principle, host railroads are liable for damage to their own facilities. Railroad employees are not impacted by the 1997 law.



In light of the Sept., 2008, tragedy, some California attorneys are pressing to retroactively change the law by making the \$200 million liability limitation apply only to other-than-private companies.

But this effectively would force passenger carriers to indemnify host railroads for any liability that might be imposed. Thus, this could cause the cost to run passenger trains to skyrocket and cause railroads to resist further operations on their tracks, given their increased risk exposure.

This also could drive up capital costs as the rail supply industry passes new liability costs on to passenger railroads.

The NARP Board on August 5 passed a resolution in "strong opposition to changing the law governing passenger-train liability," available at [www.bit.ly/liares](http://www.bit.ly/liares).

## New Amtrak Cars *from page 1*

proved layouts, better lighting, more efficient climate control systems, and more electric outlets. Baggage and bag/dorm cars will have bicycle racks.

Amtrak Chairman Thomas Carper surely spoke for most NARP members when he said, "Addressing Amtrak's equipment need is long overdue."

Amtrak CEO Joseph Boardman said the order "demonstrates our strong belief in the future of intercity passenger rail in America and Amtrak's leading role in meeting this critical national transportation need."

Thanks to record-breaking ridership, the contract's first year will be funded with \$29.8 million in current revenues. Loans and direct appropriations may fund subsequent years. This summer could see Amtrak award a contract to replace its AEM-7 electric locomotives used on the Northeast Corridor. ■



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*our mission: a modern, customer-focused national passenger train network that provides a travel choice americans want.*

## An Invitation to NARP Members: Join Leading Train Advocates in Michigan

NARP's Council of Representatives meets Oct. 15-16 in Grand Rapids, MI.

A summit on grass-roots organizing and closer coordination between NARP and state rail passenger associations will be held Wednesday afternoon, Oct. 13.

Thursday is a \$40 space-available bus tour of key passenger stations (existing and planned) plus ride and lunch on the Coopersville and Marne Railway.

Federal Railroad Administrator Joseph Szabo, Railroad Development Corp. / Iowa Interstate Chair Henry Posner III and Indian Trails (Amtrak Thruway operator) President Gordon Mackay speak Friday; www.narprail.org has more speakers and agenda information. A cash bar reception is 5:30-7:30pm.

Our guest-room rate at the Amway



The Amway Grand Plaza Hotel in Grand Rapids

Grand Plaza is \$125 a night (single & double) plus tax, **available only through Sept. 12 by calling 1-800-253-3590 and saying you are with NARP.**

Meeting registration is \$160 on or before Sept. 30 (\$180 thereafter), including breakfast and lunch both days and Friday evening reception (tour is \$40 additional).

Send checks payable to NARP to 505 Capitol Crt. NE, Suite 300, Washington DC 20002. Or pay by credit card: call 202-408-8362 during business hours or use www.narprail.org/donate and e-mail narp@narprail.org explaining what your payment is for. ■

## White House Cites Spectrum as HSR Revenue Source

*"Additional proceeds from spectrum auctions could be invested in growth-enhancing infrastructure, like NextGen, high-speed rail, and a Smart Grid."*

—June 28 White House fact sheet

The White House has named high-speed rail as a possible beneficiary of proceeds from the government's sale of broadcasting bandwidth no longer used for military and other public purposes to private broadcasters and telecommunications firms.

President Obama on June 28 committed the government to freeing up of 500 megahertz of radio spectrum, the right to whose use is set to be auctioned to commercial wireless carriers like Verizon and AT&T to provide fast Internet service over

wide areas, and for other purposes (www.bit.ly/stmsale).

The spectrum sale is a key part of the Federal Communications Commission's long-term plan to bring wireless Internet access to all Americans. The sale requires legislation, so it will take time.

But White House mention of high speed rail shows high-level recognition that new revenues should be used for infrastructure (like rail) that helps achieve multiple national policy objectives relating to energy security, carbon emissions, congestion and safety.

The auction is expected to raise tens of billions of dollars. ■

At [www.whitehouse.gov](http://www.whitehouse.gov) search on "spectrum" for the June 28 fact sheet.

### TRAVELERS' ADVISORY

**To get the lowest fare for certain Northeast Regional trips** booked 14 days or more in advance, it is sometimes necessary to select "Adult" instead of "NARP" or "Senior" as your passenger type. (Amtrak is planning a change to Amtrak.com that would clarify this for riders.)

**Selected extra Michigan City stops:** Coinciding with construction-related shutdowns of South Shore Line service east of Gary, IN, three additional Chicago-Detroit-Pontiac trains will serve Michigan City on certain Saturdays, Sundays and Mondays through Nov. 8.