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United States Senate
Washington, DC 20510–1304

COMMITTEE ON APPROPRIATIONS

COMMITTEE ON FOREIGN RELATIONS

COMMITTEE ON THE JUDICIARY

COMMITTEE ON RULES
AND ADMINISTRATION

June 10, 2013

The Hon. John D. Rockefeller IV
Chairman
Committee on Commerce, Science and Transportation
254 Russell Senate Office Building
Washington, DC 20510

The Hon. John Thune
Ranking Member
Committee on Commerce, Science and Transportation
456 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Rockefeller and Senator Thune:

As your Committee prepares its work on Amtrak and Rail Safety Reauthorization legislation, I bring to your attention important transportation issues I hope can be incorporated into the Committee's legislation.

Illinois is the rail hub of North America, and this next rail bill will have a significant impact on the transportation network in my state and the country. Dozens of non-partisan commissions, studies and academics have outlined the huge infrastructure deficit facing the nation. Illinois -- as the road, rail and aviation hub of the country -- is in dire need of increased investment to upgrade our aging transportation network.

The next reauthorization can make a significant dent in our infrastructure deficit if we increase investments in rail transportation. Our economic competitiveness depends on having a rail network that can move people and goods quickly, safely and with minimal impact to the environment. Building and maintaining this type of transportation network will require a significant increase of investments over current levels.

Last year, your Committee included important passenger and freight rail provisions in the Senate version of MAP-21, the surface transportation bill. Unfortunately, the House insisted on removing all rail provisions from the final bill because many Members in the House Republican Caucus opposed promoting passenger rail in the transportation bill. These issues now need to be addressed separately in this upcoming Amtrak and Rail Safety Reauthorization bill.

The House Transportation Committee is expected to begin work on its version of a rail bill sometime soon. It is important for the Senate to produce a strong Amtrak and Rail Safety bill that improves the safety and reliability of our freight rail system while modernizing and expanding our passenger rail system. Therefore, I respectfully urge you to consider the following issues as your Committee considers a rail transportation bill:

**Rail Safety**

Illinois has the second largest rail network in the country, with over 7,300 miles of railroad track, 7,780 public rail-highway crossings and 4,536 private crossings. Federal and state rail safety programs are critically important to our economy and health.

The FRA recently announced 2012 was the safest year in railroading history and total railroad accidents have dropped for five straight years. However, there is still a lot of work needed to reduce accidents and fatalities on our rail network even further.

Chairman Rockefeller and I have requested a wide-ranging GAO review of our current rail safety programs. We have asked the GAO to focus on bridge safety, grade-crossing safety and trespassing. National and local rail safety experts have identified these areas as places where significant improvements in safety can be achieved.

We are also increasingly experiencing rail accidents due to extreme weather, including flooding, extreme heat and cold. These weather events are happening more frequently, and we need to start considering policies to ensure the safety and reliability of our rail network during extreme weather events.

I encourage you to take these issues into consideration during hearings and to increase attention and resources to these safety concerns.

**High Speed Rail and Intercity Passenger Rail**

The investments made in passenger rail included in the Recovery Act have jumpstarted the rebuilding of our aging passenger rail network. This next reauthorization should strengthen and expand the nation's intercity passenger rail network.

The best way to improve our passenger rail network is to provide high speed and intercity passenger rail with a dedicated revenue stream similar to those available to highways, mass transit and aviation. A multi-year commitment of dedicated public investment will spur private investment and support hundreds of thousands of jobs.

States like Illinois need a strong federal partner to bring their passenger rail systems into the 21st century. I encourage you to enhance the existing discretionary, competitive grant programs for intercity passenger rail to help states achieve that goal.

**Increased Funding for Amtrak**

Amtrak ridership in Illinois is higher than anywhere outside of California and the Northeast Corridor. Five million people boarded or exited Amtrak trains in Illinois last year. Amtrak has achieved record ridership levels for the past several years, especially in Illinois. For example, during the first six months of this fiscal year, Illinois' Chicago to Carbondale service posted a 9.8 percent increase – the third largest increase in the country.

Amtrak has reduced its debt by over $1 billion and reduced operating subsidies by nearly $100 million. Amtrak has also created a balanced Fleet Plan and Strategic Plan to guide the development of the company and replace its aging rolling stock.

Amtrak needs federal assistance to maintain and build on these recent achievements. I encourage you to include robust authorization levels to ensure Amtrak can grow and expand across the country, especially in Illinois.

**Rail Line Relocation**

SAFETEA-LU established a capital grant program to provide financial assistance for local rail line relocation and improvement projects. The rail line relocation program is one of the only grant programs available for communities to mitigate the adverse effects of rail traffic on safety, traffic flow and community quality of life. This program is important to communities in Illinois, including Springfield and Galesburg, which are undertaking rail consolidation and mitigation projects.

The House Transportation Committee has previously proposed eliminating this important grant program. I encourage you to provide a robustly funded multi-year reauthorization for the rail line relocation program.

**Freight Rail Program**

Our economy depends on the efficient movement of goods via an interconnected system of roads, highways, rail and airways. MAP-21 directed DOT to establish a national freight policy, create a national freight plan and begin collecting the data and information necessary to help improve freight movement throughout the country.

The next rail bill can be an opportunity to expand on these efforts and create a national freight program that includes funding to improve freight mobility while reducing fuel consumption, improving safety and limiting greenhouse gas emissions. This freight program should invest in local mitigation measures to ensure that freight increases do not compromise the safety and quality of life of impacted communities.

As the rail bill moves forward, I encourage you to build on the freight policies we worked together on in MAP-21 and create a new national freight program.

**Passenger Rail Rolling Stock**

The existing fleet of passenger rail cars is old and in desperate need of repair. Amtrak is experiencing record ridership and will not be able to meet the growing demand due to its aging fleet of locomotives and passenger cars. In previous Congresses, I worked with Committee Member Senator Tom Carper on legislation that would accelerate the domestic manufacturing of passenger rail rolling stock. I encourage you to include similar authorization language that will help rebuild our existing train fleet and promote building the next generation of trains here in the United States.

This rail bill should help domestic manufacturers retool and invest in the production of passenger rail rolling stock. This reauthorization should also encourage equipment standardization and improve Buy America standards. These policies will better leverage federal investments, increase manufacturing efficiency and create thousands of high paying jobs.

**Amtrak Privatization**

The House Transportation Committee has promoted proposals to privatize portions of Amtrak's route network, especially the Northeast Corridor. Severing this corridor from the rest of America's passenger rail network would put popular corridor service in the Midwest, especially Illinois, in jeopardy.

Private investment is certainly needed to grow our passenger rail network, but I ask the Committee to reject a wholesale transfer of Amtrak that would dismantle the nation's rail infrastructure.

**On-Time-Performance**

Ridership on Amtrak is at record levels. Amtrak's annual ridership exceeded 30 million passengers for the first time ever. This growth could be even greater if on-time performance of Amtrak trains were improved. Consistent and reliable train schedules are key to attracting and keeping travelers using passenger rail.

Train delays do not just make passengers late and frustrated, they cost Amtrak money. The Department of Transportation Inspector General found improving Amtrak's on-time-performance to 85 percent would result in a $136.6 million net gain for the company. This level of savings could be used to modernize tracks and upgrade facilities and equipment across the country. I encourage you to include provisions to improve on-time-performance of passenger trains in your bill.

**Taxpayer Protection in Privatization of Federally Funded Transportation Assets**

States and local communities are increasingly looking to sell or lease existing infrastructure to fill local budget deficits. Many of these public assets were built and maintained with federal taxpayer dollars. I encourage you to require local governments to repay past federal investment before selling or leasing rail transportation infrastructure built and maintained with federal funds. It is important for federal taxpayers to receive a return on their investment instead of letting federal funds turn into a windfall for private entities and local governments.

I also encourage you to require greater public participation and transparency of privatization deals involving federally funded rail transportation assets. Private interests buying or leasing existing transportation assets should disclose the estimated amount of profit, including tax benefits they expect to receive over the life of the lease or sale of the publicly funded transportation assets. Similarly, public owners of federally funded transportation assets should give the public ample time to review and comment before transportation assets can be sold or leased.

In the last Congress, I introduced the Protecting Taxpayers in Transportation Asset Transfers Act (S.1230). This bill includes several provisions that would help protect taxpayers when local governments sell or lease transportation assets. I ask that you consider incorporating these provisions into your bill.

**Rail Traffic Mitigation Assistance for Communities**

Shifting more freight to our railways is a cleaner, cheaper and more environmentally friendly way to move goods. However, this increased freight often brings with it increased risks to safety, greater noise and blocked traffic at grade crossings. I encourage you to include programs and policies that will help local communities mitigate the negative impacts of increased freight traffic.

Amtrak's current authorization will expire on October 1, 2013. We need a long-term Amtrak and rail safety authorization bill that makes passenger rail, freight mobility and safety centerpieces of our national transportation system.

Thank you for the consideration of my views. I look forward to working with you to providing our country with a transportation system that will keep us competitive in the 21st century economy.

Sincerely,

Dick Durbin

Richard J. Durbin
U.S. Senator