

RBC TRANSPORTATION SOLUTIONS-LLC

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To: RAILECT
From: Ray Chambers
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Subject: INTELLIGENCE REPORT -- APTA Passenger Rail Steering Committee Meeting

I participated today in the regular monthly meeting of the Committee of the HS&IPR Committee. The session was opened by the Committee Chair Chris Brady and APTA Sr. VP Art Guzzetti. Following are the highlights:

Jennifer Mitchell Meeting. The principal discussion revolved around a meeting yesterday between the APTA leadership and the FRA Deputy Administrator Jennifer Mitchell and FRA executives on priorities in implementing the Bipartisan Infrastructure law. The FRA is creating a new program and is wide open to suggestions on how it is to be implemented. A centerpiece is the new Corridor Identification and Development Program. They are looking for ways to make the entire program most user friendly. This will include streamlining the process of grant making. FRA is restructuring the organization. There is now has more money appropriated spend on rail over the next five years, than has been committed in the last half century. This will result in a variety of new expanded passenger rail operations across the county. Once that money is gone there is no guarantee of follow up funding. A consensus of the Steering Committee was a principal thrust in the coming years must be to establish a trust fund (as enjoyed by highways & aviation) that will create sustainable funding into the future. Based on yesterday's conversation the Biden Administration can be expected to support such a concept.

FRA David Valenstein joined the discussion. David now participates in the monthly meetings on a regular basis. He discussed the restructuring of the FRA to implement the expanded new grant programs. A new office of Policy and Program Development is established to oversee the implementation of CID and the grant programs. It is being headed by Associate Administrator Paul Nisenbaum. FRA is also standing up an office of Data & Innovation. The are in the

process of hiring 200 additional employees. The CRISI program Notice of Funding Availability (NOFA) is now on the street.

Commuter-Intercity Passenger Rail Interface. Chad Edison, Deputy Director of California DOT, noted interest by FRA in bringing CID intercity passenger rail projects in closer alignment with commuter planning. I suggested that since commuter and intercity rail operate under separate statutory authorities and agencies (FTA & FRA), harmonizing the established commuter with intercity expansion should be a principal objective of the Intercity Committee. I noted California has already made significant progress. Strong commuter agencies such as Philadelphia or VRE could play a significant role in state supported intercity rail expansion.

Status of NLRC Labor Negotiations. The Biden appointed Presidential Emergency Board (PEB) has made its recommendation to resolve all of the contract issues between rail labor and freight railroads. The AAR carriers have agreed to the recommendation. Five of the rail labor unions have also agreed. Seven rail unions have not agreed. This raises the potential for a possible strike. This will have a major impact on commuter rail operations around the country. My guess is that Congress will intervene and crumple the PEB recommendation. This is what has happened in previous years.

Future Conferences:

- *TRANSform Conference in Seattle (October 9-13)*
 - TRANSform Overview – Art Guzzetti
 - HS&IPR Committee Meeting: Sunday, October 9, 10:00 am – 12:00 noon PT
 - October 9: Commuter and Intercity Rail Legislative Subcommittee
 - Review of New McKinsey report on global passenger rail ridership

- **APTA Legislative Conference – Washington, DC – March 2023**
 - There was consensus to add an Intercity Passenger Rail Day to this conference in lieu of the early December meeting.

Next HS&IPR Steering Committee Meeting: Friday, November 4, 12:00 – 1:00 pm ET