



To: RAILCET

Date: July 6, 2022

Subject: Intelligence Report - House Transportation-HUD Appropriations, Committee Report language - Victory for opening intercity passenger rail corridors to competition

Last Wednesday, the House Appropriations Sub-Committee, known as THUD (Transportation, Housing and Urban Development), reported its 2023 authorization to the Committee. It was a good bill for transportation. Specifically, it provides a total of \$21.7 billion for public and transit and \$17.1 billion for intercity passenger and freight rail.

A major development was Report language opening intercity passenger corridors to competition. Given the fact Amtrak has pressed (with its failed \$75 billion trust fund proposal) to maintain a monopoly over intercity passenger rail service, it was a remarkable victory for rail contractors. At its heart, the language promotes competition as bringing “innovation, experience, capacity and unique operating models.” Critical language in the Report directs FRA to provide competitive bidding procedures and connectivity for the intercity passenger rail networks.

This is not a “done deal.” The bill must come before the full Appropriations Committee and then to the floor of the House of Representatives. Then it has to be reconciled with the Senate and a “Conference Report” sent to the President. We will be following this closely.

***Transportation, Housing & Urban Development Subcommittee Appropriations Report Language***

***Intercity passenger rail competition.***—While Amtrak operates the majority of the intercity passenger rail service in the United States, the Committee notes that entities in the private sector also operate intercity passenger rail service, including for Federally funded intercity passenger rail routes. Such private sector operators have the potential to bring innovation, experience, capacity, and unique operating models to benefit passengers and the nation’s intercity passenger rail network. The Committee directs the FRA to provide for competitive bidding procedures and connectivity between competitive services and the national intercity passenger rail network, consistent with the law, in its implementation of the corridor identification and development program, and where practicable, in its execution of the Federal-state partnership for intercity passenger rail and restoration and enhancement grant programs. The Committee directs the FRA to brief the House and Senate Committees on Appropriations on its efforts no later than 180 days after enactment of this Act.

